

SIXTH DAY OF TRIAL

Of George O'Brien, Charged With the Murder of Lynn Relfe, Dec. 25, 1899.

STRAIGHT STORY BY MRS. PRATHER

As to Seeing O'Brien Near Scene of Supposed Crime.

EVIDENCE CORROBORATED

By A. R. Gibson—Witnesses Continue to Identify Yellow Dog—Long Chain of Evidence.

From Saturday's Daily.

The session of the court yesterday afternoon continued from where the report published in yesterday evening's Nugget left off, Witness Powell being still on the stand under cross-examination. Witness was certain it was a man standing sentinel on the river bank and not a stick of wood leaning against the cabin; witness did not see the other man carry wood or anything into the cabin, but saw him carrying something from the cabin back into the woods behind the cabin; witness was not positive as to dates; having been out on the trail for some time he had lost run of days and dates, but he was in Selkirk on December 26th as he had received a telegram from Dawson on that date; witness had party of four men there with himself, and four horses; they camped two nights on a high bluff on the river.

James Ellsworth Federly was the next witness. He worked with the previous witness on a trail between Hootchiku and Minto early in the winter of '99; trail was made on account of bad ice and three or four miles long and followed the telegraph line off and on; trail came back to the river about four miles above Minto; witness had seen O'Brien on the trail, Powell, Ender and Olsen being present at the time and the place being about a mile above the Arctic Express cabin where O'Brien said his partner was hurt and lying in a cabin and he (O'Brien) said was out taking fresh air; witness visited the cabin with Powell and the men in it; O'Brien and his partner, had said they were resting up and were going on up to Big Salmon prospecting; they may have said Livingstone creek; witness saw yellow and black dogs at the cabin; he thought the yellow dog produced in court one he had seen at the cabin; it was from the 15th to the 17th of December when the witness and those with him got their freight over the Porik trail and started on down the river; witness did not see any trail running from the Porik trail back into the woods; at that time there were no tracks leading back into the woods; it may have been as late as the 19th when witness last saw O'Brien; it was from the 15th to the 19th. Cross-examined, witness said the man he saw with O'Brien was a small man, but could not say if he had any beard, if he had it was short; witness had wanted to go to the cabin and Powell had said "Maybe they will order you to go towards Minto as they did me;" a day or two later witness and Powell had gone to the cabin and had gone in; witness thought Powell was curious to see if they would allow them to enter the cabin, which they did; when witness and party were working on the trail one of the men from the cabin stood on the bank of the river and watched them all the time; the other man made numerous trips from the cabin back into the woods carrying something from the cabin back into the woods; witness and party had no Christmas turkey; they did not know which day was Christmas, having lost run of dates; they ate fresh pork; they cut trees along the trail for wood but did not cut 27 trees at any one place.

Hugh Wright was the next witness. He resides in Dawson, and in the winter of '99 was looking after frozen-in snows on the river for the V.-Y. T. Co.; witness had seen O'Brien before, having met him near Anderson's roadhouse by the meat cache about the 10th or 11th of December; witness asked O'Brien if he was going to Selkirk and O'Brien said he was not, that he and his partner had a camp a short distance down the river; just before meeting O'Brien witness had met Constable Penneyuk also going down the river; O'Brien had seen a man farther down the river and asked witness who it was; witness said it was a policeman and O'Brien said "What the hell is he up here for." The witness was allowed to stand aside until the register of the Seattle hotel at Selkirk could be produced.

John Richardson, ex-corporal in the N. W. M. P. service was the next witness. In December of '99 he was in charge of the C. D. mail service along the river and on December 24th registered at the Minto roadhouse; he first met Clayton and Relfe at Tulare which is about 115 miles from Minto and they had traveled on up the river with him, Clayton having broken his bicycle and Relfe having a sore foot; witness and Clayton registered at Selkirk at the Savoy hotel on December 21st; Relfe stopped at Seattle hotel at Selkirk; they all stayed at Selkirk two days; they were all at Minto on the 24th; witness was engaged in laying out trails over which to carry the mail. Witness Richardson stood aside and Hugh M. Wright was re-called, the Selkirk Seattle hotel register having been produced in court. Nothing of importance was brought out by the knowledge of the witness of the register. The witness was not cross-examined.

Mrs. Jennie C. Prather was the next witness called. She testified that in December, '99, she with her husband and A. R. Gibson and Ralph Bard were en route to the outside; that they stopped at the Minto roadhouse on the evening of December 26, and left next morning about 8 o'clock for the south; after traveling about four miles they took a trail leading from the river trail to the right and, thinking it was a cut-off, followed it for a mile or a mile and a half and until they came to an old camp where all tracks stopped; witness' husband went ahead a short distance but it was bad traveling; party retraced their steps back towards the river; the nature of the country was brushy; another trail led from the old camp down to a flat by the river; on retracing their steps and before they got to the river witness was ahead of her husband who was driving the dogs and as he ran down the bank to the river she saw a man standing on the river; he had a dog and sled; witness recognized the prisoner in the box as the man and the large yellow dog as the one he had then; on seeing O'Brien witness said "Where are you going?" and O'Brien replied "Where are you going?" witness said she was going to Mackey and O'Brien asked if she was traveling alone; witness said her husband and dog team were behind; that they had lost the trail and O'Brien said he had lost the trail the day before and was getting back to it; the direction from which O'Brien had come by the sled tracks was not a trail; witness was startled when she saw O'Brien standing on the ice as he had not been there when she and her husband went up; witness' husband went on towards Mackey and O'Brien followed; they stayed that night at Mackey's and O'Brien cooked his supper in the bunkhouse; Mr. and Mrs. Prather had overtaken Gibson and Bard who had not left the trail, during the day; on night of 28th Prather party stopped at Carmack's roadhouse and O'Brien then wanted to sell witness a timber wolf skin robe which he said he had paid \$65 for in Dawson; but would sell for \$35; next night O'Brien stopped where Prather party was at C. D. roadhouse and O'Brien and the cook had quarreled about O'Brien cooking on the stove; next night the party stopped at Peterson's roadhouse and, there O'Brien had also stopped but eat at table with others instead of cooking his own grub; the night of January 1st the party stopped at Shoff's roadhouse; witness and her husband, also O'Brien had slept in the same bunkhouse at Shoff's and the next morning witness saw O'Brien counting a roll of bills while lying in his bunk; the roll of bills was an inch and a half or more in diameter and he was counting them by turning them from him; witness with her husband, Gibson and Bard left Shoff's that morning and she never saw O'Brien again until after O'Brien was arrested. Mrs. Prather's evidence was not completed when court adjourned until 10 o'clock this morning.

The sixth day of the trial of George O'Brien charged with the murder of Lynn Relfe opened this morning, the judge, court officers and jury looking as fresh as when the case began six days previous.

Mrs. Prather was on the stand this morning under cross-examination, her direct evidence having been completed at the end of the previous session. Regarding the wrong trail witness and her husband had taken after leaving Minto on the morning of the 27th, witness said it was a surprising thing that they took the wrong trail; her husband was ahead and took the trail and witness thought, perhaps, he was taking the wrong trail at the time; witness first saw O'Brien, the dog and sled as she ran down the bluff while returning to the main trail; O'Brien was off the trail about 20 feet from it and standing on the edge of the ice; witness did not hear O'Brien say he was resting his dogs' feet; O'Brien was standing close to the bluff; in the succeeding days O'Brien did not appear to be avoiding people or the police; at Mackey's roadhouse only the Prather party and O'Brien stayed in the bunkhouse; at foot of Lebarge; witness met Corporal Evans but did not speak to him that night; next day Corporal Evans gave witness a ride across the lake; witness had not seen her husband since 16th of last June; at Mackey's roadhouse the bunks were wide three

in a tier; the building was one story, average log cabin; there was one spare bunk in the house; the night of the 27th; witness did not remember how the bunkhouse was lighted; bunkhouse was about 14 or 16 by 18 or 20 feet; party left next morning about 8 or 8:30 o'clock; witness did not think it unusual when she saw O'Brien lying in a roadhouse bunk counting money; witness could not see the denomination of the bills; when O'Brien was counting money witness thought the lamp was on a shelf at one end of the room; witness was sitting on the end of a single bunk and O'Brien was in lower bunk of second tier of bunks from witness and the distance of the length of two bunks; O'Brien's face was towards the light and witness was near the light; witness drew a sketch of the interior of Shoff's roadhouse when she had seen O'Brien counting the money; the sketch was put in as evidence; the witness explained the sketch to the jury. On re-direct examination witness said the light in the bunkhouse was above her head and did not intercept the light between herself and O'Brien; witness and her husband reached Seattle January 17th, remained there two weeks and returned with the same party to Dawson expecting to go to Nome, but when she was ready to go to Nome the police took her off the boat to give evidence in the O'Brien case; there was a subpoena out for her husband but he got away witness said if she had been a man she would have gotten away too; after giving testimony in the preliminary hearing, witness had been permitted to go outside and spend the winter in California, the police taking her word that she would return to Dawson to testify in the present trial; witness had tried to elude officers and get away to Nome on June 18th on the steamer Hannah on which she had passage engaged; her husband left two days previously in a small boat.

Bayard E. Burgess, river pilot, was next witness. In December of '99 he was carrying mail between Selkirk and Mackey's, a distance of 52 miles; the intermediate points are Beef Cache, Minto, Arctic Express cabin, Renton and Hootchiku; on December 25th in the morning witness was at Mackey's in company with Indian Joe Mercede; they left Mackey's between 7 and 8 o'clock coming down the river with mail; they stopped at Hootchiku an hour and reached Minto between 1 and 2 o'clock Christmas afternoon; witness passed both ends of Porik trail that day, he traveling on main river trail; witness met no one on the trail between Hootchiku and Minto; had he not stopped at Hootchiku an hour he would have been at the lower end of the Porik trail or where the murder was supposed to have taken place, about 10:30 in the forenoon; up river mail had passed the previous day; witness met the prisoner and another man on the trail about December 13th at a point called the Indian graves, eight miles below Minto; they had two dogs, one yellow, the other black; witness recognized the big yellow dog as one with the men when he met them; the man with O'Brien was rather small; witness and O'Brien had a few words about the right of way on the trail; witness had dog team with mail and he wanted the right of way; O'Brien said his sled was too heavy to move but finally moved it; witness fixed the date as the 13th of December for the reason that Constable Penneyuk had asked him if he met two men with yellow and black dogs; when the witness reached Selkirk on the afternoon of the 25th, Capt. Fussell asked him if he met Clayton, Relfe and Olsen on the trail; witness said no and Fussell said it was strange as they had left his place and gone up the trail that morning. Witness was not cross-examined.

A. R. Gibson was the next witness called. He accompanied the Prather party outside in the winter of '99; they all stopped at Minto the night of December 26th, staying over night, leaving for up river the morning of the 27th, about 7 or 8 o'clock; witness had started from Dawson with a horse and sled but lost his horse and bought three dogs at Selkirk; witness was taking Mr. and Mrs. Prather and Bard outside; leaving Minto Mr. and Mrs. Prather went ahead with the dogs and took the wrong trail; witness and Bard went on the main trail and waited at Hootchiku for the Prathers; witness and witness and Bard left Hootchiku and overtook O'Brien a mile or two out; it was the first time witness had ever seen O'Brien; the three moved along the trail and witness asked O'Brien if he would sell the yellow dog he had; O'Brien only had one dog, but witness thought he (O'Brien) did not need the dog as he had nothing on his sled but two robes and furring pan; the price asked for the dog was too much and witness did not buy; O'Brien told witness he had had the dog two days before; witness asked him where he had been for the two days and O'Brien said he had lost the trail where the man and woman had got off and he had camped to rest his dogs' feet; O'Brien and witness had previously talked of Mr. and Mrs. Prather, witness having stated they were in his party; all the party and O'Brien stayed at Mackey's that night; the next day witness and Bard went on ahead of O'Brien and stopped at the steamer Reindeer to warm, and after starting overtook O'Brien who had passed; that night, the 28th, the party stopped at Carmack's, O'Brien being there also; only talked to O'Brien in a general way; O'Brien told witness he was going to Atlin; witness last saw O'Brien at Peterson's roadhouse on the island in Lebarge; witness arranged for Mrs. Prather to ride on Corporal Evans' sled from the island to Shoff's roadhouse; Mrs. Prather had walked from Lower Lebarge to the island and was very tired; Mrs. Prather and her husband had traveled together all the way out; witness positively identified the large yellow dog as the one O'Brien had when he first saw him on the 27th. Cross-examined, witness was positive O'Brien told him he had left Minto two days before, had got on the wrong trail and had camped two days to allow his dogs' feet to rest; O'Brien said he had got off on the same trail as the man and woman of witness' party. Questioned by the court witness said O'Brien never mentioned a partner in his presence.

Carroll William Abbott of Maple Creek, N. W. T., was the next witness, having been brought in to give testi-

mony in the case now on trial. In the winter of '99, witness was in the N. W. M. P. service stationed at Miles Canyon; a portion of the W. P. & Y. R. grade was then built above Whitehorse; witness first saw O'Brien about three miles above Whitehorse, when he had a large yellow dog and a team of horses; witness identified the big yellow dog as the one he saw with O'Brien; one horse was hitched to a double end sled, lightly loaded; the other horse was led behind the sled; witness could see no use for second horse; O'Brien came to the tent and asked for the boss and was referred to Mr. Heney who referred him to witness; O'Brien asked for permission to take his horses over the railroad grade, and permission was refused unless he (O'Brien) would leave his sled or hitch them abreast; prisoner went away, but later came back and said he was going outside for two tons of feed and if they would permit him to go out on the grade he would give the Red Line Transportation Company (the Red Line Heney was owner) the freight to haul from Caribou to Whitehorse; Mr. Robinson, Heney's man, went out and looked at prisoner's sled and recommended to witness that he not permit the outfit to go over the grade; this was about January 30, 1900. Recess was taken until 10 o'clock.

VALUABLE PROPERTY

Which Four Months Ago Was Considered Worthless.

"One of the most rapid rises in the value of mining property which ever came under my observation," said a well known mining broker to a Nugget representative yesterday, "occurred this last winter on lower Dominion creek."

"Ed Thornlyke, the well known miner, owned No. 232 below lower discovery on Dominion and last fall gave the claim to me to sell for him asking as a consideration \$400. At that time there was no market for claims in that locality, it being in the estimation of everyone to be absolutely worthless. Mr. Bordeleau, owner of 244 below lower, was also trying to dispose of his claim at any price. About four months ago Mr. Thornlyke's claim, No. 232, was purchased merely as a speculation by a party of three who paid the large sum of \$75 for it."

"Gold Run creek empties into Dominion at 228 below lower and the pay on Gold Run was followed right down to its mouth. Prospecting work during the past winter has been done on 228, 229, 230 and on 232 the claim which sold four months ago, a hole was sunk on the right limit where the continuation of the Gold Run channel was discovered, which pays big. As high as \$79 has been taken from single pans from No. 232 and it is said that one nugget weighing over \$125 was recently taken out."

"Other claims in that locality which have been prospected are showing equally encouraging results and the price of the claims have taken a big jump."

The Water Rising.

The Yukon river has been rapidly rising during the last week and so rapid has been its rise that the merchants along the water front are commencing to feel a little anxious concerning it; fearing it will cause a flood.

Several of them were standing on the wharf the other night watching while the mighty volume of water passed before them and commenting on its rapid rise when an individual broke into their conversation by casually remarking "The river is going down this afternoon."

One of these men had been keeping careful watch of a mark by which he could note whether the river was rising or falling and he knew that the water had risen three inches during the day and there was no sign of its receding, so he said "My friend, you are mistaken, the river is coming up."

"My dear sir, I have been watching the river all day and I know that the river is going down," said the man.

"I also," said the merchant, "have been watching the river today and besides that I have a mark and I know that the river has come up three inches today."

"Nevertheless," said the man, "I consider my eyes as good as yours and my understanding perhaps a little better and I can tell when the river is coming up and when it is going down. I am willing to wager you \$25 that the river is going down now and has been all day, notwithstanding the careful watch you have been keeping of your mark."

"That is a go, sir, and it is easy money," said the merchant, whose temper was now a trifle riled at the stranger. The stakes were put up and then the stranger turned to the merchant and said with a smiling countenance, "Pray, sir, how is it possible for a river to go any way except down?" That settled the argument and the stakeholder was compelled to give

him the money which he pocketed and went off with his hat set jauntily on the back of his head, whistling "Yankee Doodle," while the irate merchant was stamping his foot and hurling maledictions at the rogue who had cheated him out of two days' profit.

RETIRE FROM BUSINESS

H. H. Honnen Has Sold His Dawson Interests.

Mr. H. H. Honnen the well known and popular freighter has sold his entire business to the Dawson Transfer Co., and will retire from the freighting business. Mr. Honnen has been in this country for three years during which time he has devoted his time exclusively to the freighting and stage business. Mr. Honnen will spend the next 30 or 60 days in settling up his other business affairs and then will leave for the outside to enjoy a well earned vacation during the winter.

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RECEIVED BY WIRE.

A GREAT RECEPTION

Will Be Tendered the Duke and Duchess of Cornwall and York.

MAKING PREPARATIONS IN TORONTO.

Royal Party May Not Make Trip Across Continent.

LITTLE DUKE IS EXPECTED.

Ministerial Party Will Positively Play an Engagement in Dawson—Three Ministers Will Come.

From Saturday's Daily. Toronto, June 10, via Skagway, June 15.—Great preparations are being made to tender a reception to the Duke and Duchess of York and Cornwall. In this connection it has been stated that Minister Sifton would not visit Dawson as he would be compelled to make a second trip across the continent with royal visitors. It is reported that the duchess is expecting an addition to the family about the time the party reached Quebec in which case the transcontinental trip will not occur.

It is now definitely announced that Messrs. Sifton, Tarte and Patterson will visit Dawson early in August.

COAL MINE DISASTER

Thirty Men Are Imprisoned and Probably Dead.

Port Royal, Penn., June 10, via Skagway, June 15.—Thirty men are entombed in a coal mine, none of whom are expected to escape. A rescue party was sent down, since which time two explosions have been heard. The mine is now in flames and it is feared all are lost.

CLUBS ARE RAIDED

Strong Measures Taken to Suppress Gambling in Montreal.

Montreal, June 10, via Skagway, June 15.—Two prominent social clubs, the Belmont and St. Jean Baptists have been raided by the police and a large amount of gambling apparatus seized. A big legal fight is certain to ensue as a result of the raid. Threats are made that the St. James will be raided in retaliation.

BESANT IS DEAD

Noted Novelist Succumbs to Attack of Influenza.

London, June 10, via Skagway, June 15.—Sir Walter Besant the famous novelist is dead, having fallen a victim to a protracted attack of influenza. Literary circles are in mourning over the distinguished author's demise.

The O'Brien-Jackson Send-Off.

The best vaudeville show which the winter ever enjoyed in Dawson was given last night at the Savoy as a complimentary entertainment tendered to Messrs. O'Brien & Jackson, all the participants in the affair were keyed up to the occasion and the results of their efforts were met with keen appreciation on the part of the audience who evidenced their pleasure in continuous encores as each did his or her turn. Among those who appeared were: Master Wilson, Nat Darling, Post & Ashley, Fred Breen, Wm. Mullen, Celia De Lacey, Vivian, Walters & Forest, Bryant and Onslow and Parkes with his wondrouscope.

Owing to the repeated calls of the participants the entertainment lasted until late at night, but as every one enjoyed themselves thoroughly the audience to a man sat the show out without any desire to see it close. A full house greeted the actors as the curtain rose, many of whom were of the gentler sex. Messrs. O'Brien & Jackson will leave for the outside as soon as their affairs can be straightened out.

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June 17
MART
O'Brien