SOLD AT AUCTION

Property of Deceased Persons Closed Out by Public Administrator.

SOME VALUABLE CLAIMS WERE SOLD

Lack of Publicity Causes Adverse Comment.

A LIST OF THE CLAIMS

And the Parties Who Purchased the Same—Amounts Realized Were in Most Cases Not Large.

From Wednesday's Daily.

There was an auction sale of mining claims in the interest of the estates of deceased owners at Pioneer hall this morning.

This will be news to the majority of people as no announcement was made in the daily press of the city that a sale was to be he held. Considerable adverse comment was made by many who were present on the lack of publicity given to the affair they expressing the opinion that in a sale of this kind the broadest publicity should be given, particularly as it was by order of the public dministrator who was acting for deceased owners.

The terms of the sale were 10 per cent to be paid by the highest bidder at acceptance of bid by the administrator, 40 per cent in ten days, and the balance in three months from date of sale. The public administrator was allowed one bid in the interest of the estate and that privilege was exercised in many instances, many of the listed claims being bid in by the administrator while others were passed, there being no offer made.

The following is the list of claims sold, the purchasers, and the amounts brought for each:

Bear creek—Half interest No. 6 below, $425; H. G. Wilson.

Bonanza creek—Third interest hill, opp. upper half r. l. 83 below dis., $155; H. G. Wilson. Upper half No. 70 above, $10; J. O. Ellis. Quarter interest No. 69a below, $475; Thos. Emerson.

Brimstone creek—No. 4 left fork, ascending, $5; R. Lavery.

Cripple creek—One-half interest hill, adj. upper half r. l. No. 2, $25; Wm. Roberts.

Dominion creek—Hill, upper half l. l. 123 below dis., $30; J. O. Ellis. Hill, adj. upper half l. l. 123 below lower discovery, $400; H. Leonard.

Eureka—Hill adj. lower half r. l. 10 below, right fork, $25; George Quiril.

Foster creek—No. 42, $5; Mike Day.

Gauvin gulch—Hill, adj. lower half r. l. No. 4, $60; H. G. Wilson. Half interest hill, adj. upper half r. l. No. 3, $50; H. G. Wilson.

Gold Run creek—One-sixth interest No. 75, $135; S. Waallstedt.

Hunker creek—Half interest bench, 7th tier, opp. upper half l. l. 70 below, $10; M. Nieder. Three-quarter interest No. 48a below, $525; H. Athow. Half interest hill, No. 31 l. l. hydraulic reserve, $150; H. Hegwalt.

Henderson creek—No. 94 left fork, $5; Wm. Paris. No. 49 above, $5; J. McLeod.

Irish gulch—Half interest No. 2, $50; S. A. Ripstein.

Leotta creek—No. 31 above, $5; E. Meddlekoph.

Lindow creek—Quarter interest in No. 14, $450; D. L. Foreman.

Skookum creek—Half interest hill adj. upper half r. l. No. 12, $35; Miss M. Morgan.

Montana creek—No. 33 above, $35; Guy Syford.

Nine Mile creek—16 below, left fork, $5; A. R. Thorne.

Sulphur creek—Three-quarter interest upper half No. 71 above, $255; H. Pfister. Hill adj. upper half l. l. No. 52 below, $20; E. Robertson.

Skookum creek—Hill, opposite lower half r. l. No. 15, $15; H. M. McLeod.

Quartz claims—Quarter interest "Grampin" mineral claim, $10; Ripstein.

Klondike Mastodon.

The London Express, under date New York, April 7, has the following story:

From Dawson City comes a letter which describes the killing of a big mastodon at the Forks after he had demolished an hotel and several houses, tossed dogs and horses into the air, and caused men to run for their lives. He was at last killed by an electric wire which he tried to pull down. His skin alone weighed 1100 ponds. The skeleton, which is 15 feet high, is now on exhibition. One tusk weighed 217 pounds. The town in which he was killed looked as if it had been visited by an earthquake.

NUMEROUS RUBBERNECKS

Men Stand Around for Hours to Get a Glimpse of O'Brien.

The fact that a dozen or more necks were craning at each window of the territorial court room yesterday elicited the remark from Crown Prosecutor Wade to the effect that rubbernecks are more numerous here than at any other place on earth. The remark was neither far-fetched nor ill-timed for at all times from the opening of court in the morning until the closing hour in the evening the courthouse is not only filled but surrounded by a curious throng, each member of which appears to never tire of gazing at the prisoner, Geo. O'Brien, as though he was a wild man from Borneo; and while gazing almost steadily on him they are at the same time straining their ears to catch every word that is said by witnesses on the stand. When court adjourns this vast aggregation of "rubbers" lines up along the west side of the courthouse for the express purpose of seeing O'Brien marched out by the two big policemen who act as guards, at which times O'Brien is always handcuffed and walks with his head down, stepping quickly as though anxious to escape the eyes of the curious throng. Those who have studied the prisoner closely since the beginning of the trial assert that he had exhibited more nervousness than usual since the crown prosecutor stated his case—laid down the premises he expects to prove. It is thought that, if guilty as charged, portions of the statement came as a surprise to the prisoner, and the fact that he spoke out at the time with contradictory statements would indicate that O'Brien was surprised that the crown possessed certain information regarding his past actions.

Will Clayson, a modest, neatly dressed and gentlemanly young man, a brother to one of the murdered men and the only relative to any of the three who is present at the trial or even now in the Yukon, is also the object of observation from the curious throng that crowds in and about the courtroom. Thus far there has been no falling off in the attendance nor is there likely to be during the trial, which, were it completed next week, would be a surprise even to the interested attorneys.

LOCATOR L. B. RHODES

Of First Pay Streak on Bonanza Starts for Nome.

Mr. Louis B. Rhodes the well known sour dough miner left Dawson on the Leon last evening for Nome. It is said that Mr. Rhodes is leaving this country to return no more which is a source of regret to his many friends.

Mr. Rhodes was the first discoverer of a golden paystreak on Bonanza. When George Carmack made the first discovery in this now world famous stream, Rhodes was at Fortymile and as soon as the news reached that camp he mushed up over the ice and located 21 above discovery. He immediately returned to Fortymile where he recorded his claim and then mushed back bringing with him a winter's supply of provisions.

He immediately on his return started a shaft and in the first pan of gravel he took from his claim he got 30 cents in bright sparkling gold. Scarcely believing his eyes he went down several more feet and tried another pan which after all the gravel had been removed left in the pan $8 of the precious dust. His excitement knew no bounds and getting up on his windlass he began to shout and wave his hands until those who were in the vicinity thought he had either gone crazy or met with some dreadful accident.

Upon the arrival of the men who were in the neighborhood and their discovery of what he had the whole camp was in an uproar. Stakes were driven right and left in all directions and a rush for the recorder's office at Fortymile ensued as many had staked the same claims and the first to reach the recorders' office would get the prize

In that winter of '96 Mr. Rhodes took from his claim $45,000. The larger part of this amount he loaned to his friends to enable them to secure properties in the vicinity and many who have taken good round fortunes from this country owe their start to the generosity of Mr. Rhodes.

With the spirit of the free hearted miner in which a man would help a friend without expecting recompense, which permeated those days, Mr. Rhodes loaned his money without taking any interest for it. His money was all returned to him the next season. Last year Mr. Rhodes sold his interests on 21 and 23 above on Bonanza to the Reliance Mining Company and this year disposed of his other interests and last night left on the steamer Leon for Nome, taking with him the best wishes of his many friends.

Ben Ferguson was among the passengers on the Leon.

THIRD DAY OF TRIAL.

Evidence of Witnesses for Prosecution Being Slowly Heard—Frequent Objections Being Made, Argued and Ruled Upon.

From Wednesday's Daily

The third day of the trial of George O'Brien charged with the murder of Lynn Relfe began by calling Alexander Pennycuick, ex-constable in the Northwest Mounted Police force to the witness box. He was in the police service at Selkirk the 30th of May of last year; he had been sent by Corporal McPhail to a point one and a half miles above Selkirk to where a human body had been reported and where he found it lying in three or four inches of water; the sweater on the body was pulled over the head, the suspenders being unbuttoned in front; there were powder marks on the left side of the face near the ear, and a scar was found on the left wrist; witness looked for scar near left nipple but the skin at that point was torn away; a large wound was found on lower part of left breast, also a wound under right shoulder blade; another wound was found by the powder marks on left side of face near the ear and a corresponding wound on the right side of the face; witness identified the felt shoes taken by him from the body by the mark of bicycle pedals on the soles; he also identified the socks, chamois or goat skin underwear, drawers, pants and other wearing apparel, including a silk handkerchief worn around the neck of the body when first seen by him.

Attorney Bleeker at this point objected to the evidence being given as it evidently referred to some body other than that of Relfe, for whose murder his client is being tried. Mr. Wade admitted that the evidence did relate to another than Relfe, but that it was in his province to prove that in connection with the murder of Relfe other persons disappeared at the same place and time, and that the evidence of the killing of others was relevant. The objection was overruled by the court and ordered noted. Mr. Bleeker gave notice that such objection will be interposed at all times when evidence relative to murders other than the one charged in the indictment is introduced. The court reserved its decision on this point and the crown withdrew its witness until, on the suggestion of the court, the fact the three men were travelled together on the day of the murder is shown. To establish this point Capt. John Fussel who kept the Minto roadhouse at the time was called. He knew one Olsen in the employ of the Dominion telegraph; witness knew Clayson and Relfe; they reached his roadhouse about 5:30 o'clock on the evening of December 24th, 1899, at which time they were on foot, Clayson having a bicycle with him. Olsen had reached his place on the evening of December 23d, and had left the morning of the 24th in company with Constable Buxton; Olsen had returned that evening about 6:30 o'clock and after Clayson and Relfe had eaten supper; all three stayed over night and ate breakfast together next morning and started on up the river together about 7:30 o'clock; witness had asked them to stay and have a turkey dinner as it was Christmas day, but the travelers had replied that perhaps they would find a turkey dinner at Hootchiku; Clayson was rolling bicycle as it was broken; he said he would get it repaired at Five Fingers; on saying "Goodbye," Clayson had hollered back to witness, "It is a hell of a note that I have to take 'Nigger Jim's' mittens out of the country;" Clayson had spoken of Relfe as "Nigger Jim" for the reason that Relfe was wearing "Nigger Jim's" mittens out of the country. Constable Buxton and two others started down the river from the roadhouse about the time on Christmas morning that Relfe, Clayson and Olsen had started up the river. The hotel register kept at that time was produced and witness pointed out the names of Relfe and Clayson as written by them in the register on the evening of December 24th, 1899. This evidence establishing the fact that the three men were traveling together on the date of the murder, the former witness, ex-Constable Pennycuik was recalled. He recognized the holes in the clothes and said they corresponded with the wounds in the body, that when the sweater was pulled down from over the head the holes in it corresponded in position to those in the body; in the trousers pockets witness had found some matches and two keys, one of them a bicycle key or wrench; witness had seen Dr. Madore probe the wounds in the head and breast at Selkirk and was satisfied the holes were gunshot wounds; near the left ear were powder marks and on the right side and near the ear was also a wound. In answer to a question by the court witness said he accompanied the body to Dawson and attended the coroner's inquest.

On cross-examination by Attorney Bleeker Witness Pennycuik stated that John Kehoe, one of the four men who had reported the body at the detachment at Selkirk, had accompanied him up the river to recover the body and bring it to Selkirk; witness was then a member of the police force, but is not on the force now. The body when found was somewhat decomposed, but the flesh was not broken by decomposition.

Elmer J. White was the next witness. He had known Fred H. Clayson in life; had seen him several times shortly previous to his leaving Dawson for the outside; witness had been called before Coroner Starnes to identify a body brought from near Selkirk last June and had testified that it was the body of Fred H. Clayson; a photograph of Clayson as he appeared on leaving Dawson for the outside was recognized by the witness. On cross-examination witness said he had identified the body as that of Clayson by the general outline of the features, particularly of the forehead, jaws and chin.

Ex-Corporal McPhail was recalled by the crown for the purpose of removing an erroneous impression which it was feared had been left by his testimony of yesterday, the crown prosecutor objecting to the impression which he said the defense was endeavoring to leave regarding the testimony of McPhail before the coroner's inquest, he having been recalled at that time. The defence objected to the requestioning of the witness. The deposition of Capt. Scarth, taken yesterday afternoon was read by the stenographer after which Capt. Scarth who had conducted the inquest was called to prove the deposition of McPhail made at the time of the inquest. The deposition was ordered produced as evidence and shown to be consistent with McPhail's testimony of yesterday.

Recess was taken until 2 o'clock.

On the reconvening of court after recess Thos. Firth was called to the witness box. Firth occupied a cabin in Klondike City during the winter of 1899-90; he and Fred H. Clayson were partners in certain mining property and Clayson had lived with him in his cabin previous to and up to the time of his leaving for the outside; witness recognized the clothing taken from the body, he having given to Clayson the suspenders worn; witness had also seen Clayson perforate his goatskin underclothing with a ticket punch owned by witness and he had identified punch holes in the clothing after the body had been brought to Dawson; witness was not in Dawson at first sitting of the coroner, having been out on the creeks, but viewed and identified the body a few days later; he had requested the physician conducting the autopsy to look on left leg of Clayson for a scar and physician had done so and found it; witness had seen the scar when Clayson was alive. Nothing was brought out on cross examination.

William Clayson was the next witness called. His home is Skagway, Alaska, where he has resided since 1897; the late Fred H. Clayson was his brother; he recognized a photograph as that of his brother; he also recognized a card found on the body as their firm card, witness and deceased being partners; he identified the clothing as having been worn by his brother; the woolen undershirt being double-breasted and double backed, an unusual feature in that article of wearing apparel; the brother was stouter than witness, was slightly bald back from temples; had full face; was stoutly built; had scar on left forearm and on left leg below the thigh; witness had telegram from his brother on 22d of December, and expected him home on 30th; his brother's bicycle was of model of '97; he could not identify the handerkchief found on his brother's neck. The witness having been called to establish identity of the body and not to give his main evidence, he was not cross-examined by the defense.

Inspector Cortlandt Starnes of the N. W. M. P., and who conducted the inquest on the body identified as that of Fred H. Clayson, was next witness. The body had been delivered to him by Constable Pennycuick, also the clothing from the body; witness swore to a list of names of persons who had identified the body before the inquest as that of Clayson; he had no knowledge of two keys said to have been taken off the body as he had no safe in which to put them; the keys were handed to someone else; the inquest was begun on the 4th of June last year. Cross-examined, witness said he had kept the key to the place in which the body was kept from the time of its arrival and the time the inquest was held.

Christopher Reed, ex-corporal in the N. W. M. P., was next called. He had been on duty last year when autopsies on certain bodies had been held and he had taken notes at the dictation of Drs. Thompson and Hurdman who were conducting the autopsies; witness was present at all three autopsies, those of Relfe, Clayson and Olsen; witness had been hospital steward in the police service for 8 years and it was his business to attend autopsies. On cross-examination, witness said the physicians had partially examined his notes but had not looked over every note as made; he was not sure but thought the book containing his notes was handed to Inspector Scarth. He had previously identified his notebook when produced by the prosecution.

Continuation from where the published account of the session of yesterday left off:

For the defense Attorney Donaghy conducted the cross-examination of Witness McPhail who when again shown the watch, chain, order badge and visiting cards was not shaken in his statements that they were the same as those taken from the pockets of the clothing on the body.

Inspector W. H. Scarth was the next witness called by the prosecution, Mr. Wade stating that the witness was not called now to give his main evidence in the case but to corroborate certain statements made by the preceding witness regarding the clothing, watch, chain, badge, cards and piece of a letter. Witness Scarth identified the articles and swore that they were the same as handed him by ex-Corporal McPhail. The inspector identified other articles handed him by the corporal at the same time, including two indelible pencils and a receipt to Lynn Relfe from Dr. Barrett. Inspector Scarth conducted the inquest on the remains of Relfe and he had taken charge of the articles in his capacity of coroner.

An attempt to prove by Inspector Scarth that the testimony just given by ex-Corporal McPhail was contradictory to the evidence given by him before the coroner at the time of the inquest brought on an animated discussion between Attorneys Wade and Donaghy, but the discrepancies in the evidence of the previous witness were, when understood, shown to be trivial.

Regarding the exhibits above referred to, Capt. Scarth had kept them in his sole possession since he had received them from McPhail who had accompanied the body from Selkirk to Dawson.

Arthur Lewin was the next witness called. The defence objected to Lewin being heard on the grounds of insufficient notification that he would be called. The court ordered the examination to proceed. When shown a small slip of paper found on the body of Lynn Relfe Witness Lewin recognized it as having been given by himself to Relfe who had guaranteed payment of a debt owed to Lewin by a man named D. Bricker and that when it was paid in full Relfe had been given the receipt. In the same little vest pocket book which had contained the receipt also should, said Lewin, contain certain names which he had given Relfe to call upon and deliver messages to in Seattle, among them Mrs. Bowman of 1013 Washington street, Seattle, Wash. Being asked to look through the book witness found the name mentioned and others which witness said were written by Relfe at the same time. Witness recognized and identified Relfe's hand writing. Witness said Relfe left Dawson for the outside in company with one Ritzwaller on the morning of December 16th, 1899.

Attorney Bleeker conducted the cross-examination of Lewin which was very brief and unimportant.

The next witness was Abe Rit waller who testified that he left Dawson for up the river in company with Lynn Relfe on the 16th of December, 1899. He identified the small vest pocket book as having been the property of Relfe and in it found certain entries concerning business transactions between himself and Relfe, the entries being made in Relfe's handwriting. Bleeker objected to the memorandums in the book being read and after a spirited tilt between the attorneys the court overruled the objection and the question was answered by reading from the book, "Abe paid $40." Witness said he was the party referred to as Abe and had paid Relfe $40 which he owed him; he had knowledge of Relfe carrying with him for the outside a draft on the New York branch of the Canadian Bank of Commerce for $1350; witness recognized the silver watch taken from the dead body as having been carried by Relfe; witness had gone with Relfe to call on Geo. Noble the morning he left Dawson when Noble had given Relfe certain nuggets to carry to the outside to friends; he had also identified one of the bodies brought down last year as that of Relfe; he also recognized certain clothing taken from the body as having been worn by Relfe; witness did not go far up the river with Relfe, only a few miles to see him (Relfe) fairly on his way; the two young men, Ritzwaller and Relfe, being intimate friends.

At this point Prosecutor Wade stated that he thought it had been conclusively proven that the little book was the memorandum book of Lynn Relfe and as such should be put in and shown to the jury as conclusive evidence that the identity of Lynn Relfe had been clearly established. Mr. Bleeker objected and after some discussion the court asked the attorneys to postpone the matter and bring it up again.

On cross-examination Ritzwaller said he had identified the body of Relfe by the narrow forehead, long sharp chin, general features of the face and the shape of the body; the clothing had also aided him in the identification of the body, they having purchased and worn the same grade and style of underclothing, the witness having purchased a suit from Hershberg for Relfe while the latter was in a Dawson hospital in August or September of 1899.

Murray S. Eads was next in the box. He stated that Lynn Relfe had been in his employ as cashier at the Pavilion for about one year previous to the time he resigned his position to leave for the outside in December of 1899. He had seen much of Relfe's writing and readily identified certain writing in the small memorandum book previously mentioned and on other papers found in the book; that portion of the book constituting a diary from December 16th to December 24th of 1899, Eads positively identified as being in Relfe's handwriting. Witness had identified body as being that of Relfe by marks on his teeth, forehead, high cheek bones and pointed chin; regarding the clothes taken from the body and the watch, and other articles witness would not swear positively, although he remembered the quality, color and texture of the sweater, also that it was burned in the back. When shown the sweater in question Eads picked out the burned spot. Witness had given Relfe several United States bank bills of the denomination of $10, but would not swear any of the bills were issued on the bank of Terre Haute, although at that time witness had several bills on that particular bank.

Cross-examined by Attorney Bleeker, nothing new was elicited and the court adjourned until 10 o'clock today.

A BOGUS CHECK

Causes the Anger of Mr. Gandolfo to Arise.

Monday Mr. Gandolfo, the well known merchant, was angry; yes, very angry; in fact he was down-right mad, and he had a very good justification for his madness. It all happened thuswise: As everyone knows Mr. Gandolfo is an ardent admirer of the game of baseball, in fact there is not a more enthusiastic supporter of the game in this country. So much does he think of the game and so much confidence he has in the team which bears his name that he is willing to back them against any team in the country.

Last Saturday the team from the Forks came to Dawson for a game with the Gandolfo team for a stipulated sum of $500 a side. When everything was in readiness for the game and the spectators were on the field and it was time for the game to start it was found that the backers of the Grand Forks team had backed out, or they had failed to bring their cash with them.

Then nearly an hour passed in which the Forks manager was hustling around trying to raise the money. He finally succeeded in raising $250 and then told Mr. Gandolfo that he would increase that amount by a $100 check on his own bank account. That made $350 which was considered a pretty fair stake so the game was allowed to proceed.

The personal check of the manager of the Forks team was not forthcoming until after the first half of the first inning had been played and during which the Forks team scored one run.

The manager of the Forks team then came with a smiling countenance to the stakeholder with a check for $150, which although was $50 more than he at first agreed to put up was allowed to go, Mr. Gandolfo covering the money.

At the end of the first inning when the Gandolfos scored four runs the smile had entirely disappeared from the manager's countenance. At the end of the game, when the score stood 24 to 8 in favor of the Gandolfos his stock had gone down 1000 per cent. It was too late after the game Saturday night for Mr. Gandolfo to get into the bank to ascertain whether the check was good or not but Monday morning, as he had a suspicion as to the value of the check, he took it to the bank the first thing, when his suspicion was justified by the check being refused and the cashier saying that the man whose name was signed thereto never had an account at that bank. This was the cause of Mr. Gandolfo's anger, which has not been appeased although it is said that the man is in Dawson today trying to square things up.

Judge Dugas Misquoted.

In its report of the sentencing of Thos. Forrest by Judge Dugas in the territorial court on Monday and in reference to the petition from citizens asking for leniency, the Nugget attributed to his lordship a statement made by Crown Prosecutor Wade to the effect that dictations to the court are not received in the court. The article as published attributed the statement to the judge when it was made by the crown prosecutor.