

"HOOTCH" TO BE TABOOED Judge Macaulay Uses Strong Language in Condemning Dealers Who Handle the Stuff—Yukon Council Will Soon Pass Remedial Legislation.

After Mr. Justice Macaulay had passed judgment upon Isaac Cohen this morning, for the manufacture of "hootch," as told in another column, and while another defendant was on the stand awaiting his trial the justice resumed his expressions of deep regret that there was no provision under the law by which those who bought and vended the poisonous stuff could be reached, and promised that the matter should be immediately brought before the territorial council and a remedy provided. The prisoner Cohen having stepped into the box again, Mr. Macaulay said:

IKE COHEN CONVICTED

His Own Testimony Did the Trick

One Month Hard Labor and a Fine of \$500 Was Imposed.

The continuation of the testimony given in the police court yesterday afternoon, in the case of Isaac Cohen, charged with having possession of a still, concluded at a late hour with Cohen himself giving evidence enough to convict himself, and the case was then adjourned until this morning.

O. W. Roberts, who owned one of the cabins occupied by the accused, R. Creelman, who was agent for the cabin in which the seizure was made, Otto Dahren, the expressman who hauled the barrels and materials from cabin to cabin, Miss Betty Herling, who owned the cabin in Klondike city used by the accused, were all called as witnesses and corroborated the evidence published yesterday.

Then Preventive Officer McKinnon was called to the stand and by means of a still, the core, the filter, the stove, and the rest of the implements which he had seized, gave a very interesting lecture on how "hootch" is made, meantime describing how the seizures had been made. The parties engaged in the manufacture of the liquor, but the midnight fittings showed that the parties were suspicious and the raid for the purpose failed. This is how it comes that the parties are only charged with having a still in their possession. Chief McKinnon said that nothing but coloring material was found at the time of the seizure, another material being on the premises. In all about 150 gallons of liquor were seized.

Corporal Egan testified that he was present at the seizure, and D. Anderson, saloon keeper of Klondike city sent Cohen to him and wanted to store the stove used with the still at his place and he had sent him to the cabin in the rear of O'Brien's warehouse. John Labbe of the Labbe hotel on Queen street gave

to inflict one month's imprisonment with hard labor and a fine of \$500, in default of payment of the fine two months imprisonment with hard labor in addition. That is the best I can do.

"I might have considered your case more leniently if I had not to take into consideration that during the last six months you have had the experience of seeing others brought before me and fined for this very same offence.

"It seems curious that people will run such risks—all sorts of risks—and knowingly break the law, in order to impose such poison upon the public. They are unfortunately assisted by the liquor dealers, and my only regret is that there is no law to reach those who purchase this abominable stuff."

Frank Golden, who was arrested with Isaac Cohen for having a still in his possession was tried at the police court this morning. Mr. Gillim appearing for him. The opening part of the testimony was much the same as that given yesterday, in the trial of Cohen.

James F. Hannay said he had been acting as assistant to the preventive officer for a year and five months. He told, as he did yesterday, about seeing Cohen pushing a hand cart containing two kegs of liquor similar to that seized up the Klondike some time ago. He would call it hootch. He marked the kegs and afterwards saw them in a little building attached to the "Yukon Bakery," and seized them.

Mr. Gillim only asked some inconsequential questions as to how witnesses knew the liquor in the kegs was intoxicating.

Patterson, another assistant of the preventive officer, testified to seeing Cohen depositing two kegs of liquor under the Fairview hotel. The cart had a sign on it "Yukon Bakery," and witness understood that Golden was running that bakery.

The court ruled this out, as it would not have been difficult for witness to ascertain it as a fact.

The same testimony as given yesterday in regard to Cohen hiring the expressman, Dahren, was next taken. Mr. Gillim could not see what this had to do with Mr. Golden, but the court permitted the evidence to continue to give Mr. Congdon a chance to connect the accused with it.

Witness told again about the expressman taking five barrels from the Albert street cabin to Klondike City. The same evidence was given as to Cohen carrying cans from the Second street cabin to the Albert street cabin. All the witness's evidence yesterday was repeated and no contention with Golden was made during the night of Sept. 23 coming up the steps at the corner of Princess street and Second avenue with a keg he had taken from under the sidewalk. He took the keg to the back of the Labbe hotel. On Sept. 26th he brought another keg from underneath the same sidewalk and put it in an empty barrel in front of the Fairview hotel. He saw the same barrel back of the Labbe's shortly after.

Witnesses testimony was unshaken on cross-examination, the leading point of which was whether witness was an expert in liquors and knew whether the contents of the kegs was intoxicating.

Creelman, the grocer, rented the cabin on Albert street to Cohen and received no notice to quit from him. Constable Albert Lind was in the guard room when Golden was brought in under arrest and searched him. He found \$4 in currency, an empty pocket book, a knife, a key and a bottle containing whisky.

O. W. Roberts said he rented the cabin at the rear on Second avenue near Albert in July to Cohen, and had received no notification that it had been given up. The cabin in front was a restaurant. She opened up there April 1st. In September Golden said he would be responsible for the rent then due. In the rear Mr. Melsaacs erected a building which he called a cold storage for his meats.

After his cross-examination Mr. Congdon asked witness about the drain board in the kitchen, and the making of the new drains. Witness seemed to be answering reluctantly and the crown prosecutor asked that he be allowed to cross-examine. Mr. Gillim argued against it on the ground that Mr. Roberts had not shown himself to be a hostile witness. The idea of connecting an ordinary drain board with the operation of a still was absurd, he said. The court over-ruled the objection, and witness was cross-examined by Mr. Congdon.

He told of a box drain being put in thirty feet long, but said he had nothing to do with putting it in or with putting it in the water. There were two taps, one in the cold storage place. He had observed a smell but thought it was of dampness and not of hootch. He had seen charcoal there on the outside.

Mrs. Haering said she owned a cabin near O'Brien's store and rented it to Cohen about a month ago. Cohen did not pay for it. Her little son was put on the stand and testified very intelligently of his endeavors to collect the rent from Cohen.

Mr. Gillim objected to all this evidence as in no way affecting his client. If there was any connection he had a right to know before the last minute.

The court said it was permissible to lay a foundation and the next witness called was Mr. Labbe, the proprietor of the Labbe hotel, who also was one of the witnesses called yesterday. He knew the accused, but did not know what he was doing. He heard he was connected with the Yukon bakery. He came to his place two weeks ago and said he had some alcohol for sale. He didn't tell me anything further in regard to that. I said crude alcohol is worth something. He said it was 150 proof. There were two kegs I saw him bring one of them. He had offered me some liquor for sale and that was the liquor. I didn't sample it then but that night after he had gone. I didn't like the taste of it. It was intoxicating liquor. I didn't see him bring the next keg but after he had I told him he could take it away. I didn't like it. Those are the kegs produced. I have never been offered liquor by him since.

Cross-examined by Mr. Gillim. Could not swear it was the same liquor but it was the same keg. He was certain it was intoxicating liquor.

scattered in various places, the accused having part in this removal, and witness was cross-examined by Mr. Congdon.

Why the "Tyrell" Secured It The Tyrell secured the Big Special on her merits as an A No. 1 boat in every respect. She has a steel hull, best appointed staterooms and the most comfortable ladies' cabin and smoking room. Her engines are very powerful and she is unequalled for speed. Her crew are sober and reliable and the most skilled. Rates for the special, Monday, Oct. 6, are the same as inferior boats, and those wishing to take advantage of this special trip would do well to reserve their staterooms at once.

Another Sourdough William McLane was drunk this morning and a policeman induced him to go to his room at the Chicago hotel. He was seen by the same policeman half an hour later making a great noise on the streets and was arrested. McNeil said he had been in the country since '98 and never before the court before, but Sergeant Smith did not bear out this statement. He was let off with a fine of \$2 and costs and a caution.

Remains Sent Out. The remains of the late Henry Graeter were shipped last night on the steamer Selkirk to his home in San Jose, California. The friends of the deceased had the body embalmed for shipment and placed in a beautiful oak casket at Brimstone's undertaking parlors.

Sues for Damages Special to the Daily Nugget. Vancouver, Oct. 1.—Mrs. Duchesnay, widow of the late assistant superintendent of Pacific coast lines, is suing the C. P. R. for \$25,000 compensation on account of the death of her husband. She claims negligence on the part of employees.

Amber Discovered Special to the Daily Nugget. Vancouver, Oct. 1.—Valuable deposits of amber in eastern British Columbia will be developed by Montreal capital. A cinabar find is causing great excitement at Nanaimo.

Du smuir Returns Special to the Daily Nugget. Vancouver, Oct. 1.—Premier Dunsuir has returned from England. En route home he bought out New York interests and thus becomes sole owner of the Vancouver Island Railway and collieries.

Boer Delegates Special to the Daily Nugget. Vancouver, Oct. 1.—Boer delegates are springing out Canada as a possible country for settlement. They will leave Vancouver by the next Australian boat for Melbourne.

Excelsior diary for 1903 at Gandolfo's.

At Auditorium—Sweet Lavender.

Tired of Wandering. Muskegon, Mich., Sept. 15.—Luther W. Shear, district agent of the Northwestern Mutual Life Insurance Company, who disappeared on June 11, leaving alleged forgeries and debts to the extent of \$50,000, has returned to the city.

Hit a Million Pupils. New York, Sept. 11.—Figures on the public school registration, just completed shows a total for Greater New York of 502,963 scholars. This is an increase of 35,000 over the preceding year. There are 64,700 pupils enrolled in "part time" classes, not included in the total given. Children to the number of 5,300 were refused admission for various causes.

Washington, Oct. 3.—President Roosevelt, Secretary Root, Secretary Moody, Attorney General Knox and Postmaster General Payne resumed a conference on the strike situation this morning. It is expected an official statement will be soon issued.

Washington, Oct. 3.—President Mitchell of the mine workers' union has accepted an invitation from President Roosevelt to attend the conference at Washington on Friday. One hundred and twenty-seven warrants were served on strikers and sympathizers at Centralia, Pa., on charges of various nature.

New York, Oct. 2.—Coal matters are becoming serious in New York. Dealers are charging a trifle over one cent a pound. In one case \$25 for a ton was asked.

Wilkesbarre, Pa., Oct. 2.—The strikers became so threatening at Plymouth this morning that it was necessary to call out the militia.

New York, Oct. 2.—A feeling of hope prevails that the meeting of coal presidents and President Roosevelt is going to result in a settlement of the coal strike on an arbitration basis, the members of the arbitration board to be appointed by President Roosevelt, the coal presidents agreeing to abide by the decision of the board.

Washington, Oct. 3.—The president is preparing a statement on the coal situation which is expected to be issued shortly.

Later the conference broke up fifteen minutes after 5 o'clock. While no public statement has yet been made, it is known that no agreement was reached. During the conference Mr. Mitchell offered to refer the settlement of the questions involved in the strike to a committee to be appointed by the president. To this proposition the operators vehemently expressed disapproval and said they would not listen to any proposition of any character emanating from Mitchell. They said, however, that any individual miner in any of the mining camps who had a grievance against the operators if any particular mine, might submit his grievance to a judge of the district court of that district and they would abide by the result. They would not, however, recognize Mitchell as the union in the matter.

During the conference a number of the operators mildly criticized the administration for not sending troops to the coal regions to protect non-union labor and said that they had no other proposition than the one stated to Mitchell. No other conference is looked for and the matter remains substantially as it was in the beginning. No concessions have been made by either party that were accepted by the other.

Mr. Mitchell tonight said the strike would continue as before as there had been a failure of the conference and he still continued confident of winning. The president, he said, had asked them to see that there was no violence and they had promised him to do all in their power to prevent it.

Representatives of the railroads likewise said the fight would continue as before. They said they would demand protection and if that were given, they were confident they would have enough men to mine all the coal that is needed.

The Post expresses the hope that President Roosevelt's intervention may not be without success and

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TELEPHONE COMPANY. Now Controlled by Mr. Fuller. Capt. Donald B. Olsen Sells Out His Interest and Will Enjoy a Rest.

Sidewalk Bicyclists. Mr. Justice Macaulay gave from the bench of the police court this morning a strong warning to those selfish and unscrupulous persons, who persist in riding bicycles on the sidewalks.

CHANGED HERSELF. An insane woman hanged herself with a strap which hung from a log in her cabin. She became mad from eating cheap food which her husband insisted on purchasing. She had been used to the best of everything, having traded at Dawson until her husband insisted on chasing elsewhere.

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Pay Streak Located in Dawson. A BIG STAMPEDE! The Mechanics' Emporium Corner Store, the DISCOVERERS of What the People Want. FALL AND WINTER SUITS in Cheviots, Worsteds, Tweeds, Meltons, Etc. in Frocks, Sack, Cutaways and Prince Alberts. Trousers all the latest patterns and cuts. OVERCOATS, fall and winter styles, all lengths including Fur Lined. UNDERWEAR, Wright's Health, English Cashmere, Stanfield Unshrinkable, Marysville California Flannel and Hygenic. DOLGE FELT SHOES, Fur Caps, Mitts—in fact everything for winter wear. STRICTLY ONE PRICE. Mechanics' Emporium Corner Store. FIRST AVENUE AND QUEEN STREET, DAWSON.

FOR STEWART RIVER! THE LIGHT DRAUGHT STR. LA FRANCE Leaves L. & C. Dock for DUNCAN LANDING MONDAY, OCT. 6, AT 2 O'CLOCK P. M. R. W. CALDERHEAD, Mgr.