

CASEY AGAIN ON THE RACK

Dr. MacArthur Swears to Two Complaints

Which Sun People Declare Are in Revenge for Roast Handed.

After being detained by the police at the town station yesterday afternoon for four hours Casey Moran, the Sun reporter who on the day previous had held long range conversation with the quarantined inhabitants of Dog Island, was discharged by order of Major Wood.

This morning, however, Medical Health Officer MacArthur went before Magistrate Starnes and swore to two complaints against Moran, one being that on the 5th day of June he did expose himself to infection from smallpox at the quarantine station occupied by the passengers of the steamer Whitehorse, contrary to chapter 19 of the consolidated ordinances of the Northwest Territories, while the second charge is with having left quarantined premises without the consent of the medical health officer.

At three o'clock this afternoon the summonses had not been served on Casey, who sleeps during the day, his work keeping him out much of the night.

The Sun people assert that "the medical health officer is "sore" over that paper having scored him for his treatment of the people in quarantine. They also claim the health officer has violated the law by not posting proper dead-line notices.

It is said this evening that action will be brought against the health officer by Moran for false arrest.

Moran will probably be kept isolated until he can be taken before a magistrate.

In the meantime the interest which was formerly centered on Dog Island has been transferred to Dawson and Moran's case is now being watched with more interest than the case of the cause of the trouble, the poor fellow at the pest house.

FOR SALE.—High grade, new piano, cheap. Apply Nugget office. ctf.

Ice cream soda—at Gandolfo's. 17tf

The Ladue Quartz Mill

IS NOW IN OPERATION.

We have made a large number of tests and are ready to make others.

We have the best plant money will buy and guarantee all our work in this mill and also in the

Assay Office

EMPIRE HOTEL... JAS. F. MACDONALD, MAN. LANDREVILLE

Everything New, Elegantly Furnished, Well Heated. Bar Attached.

SECOND STREET. Near Second Ave.

Shoff's Dentifrice

It's perfection for the teeth and breath.

PIONEER DRUG STORE

Fire Proof

Asbestos Paper, for interior finish of rooms. Asbestos Building Paper for exterior use on buildings.

Fuel Savers

Asbestos Corrugated Paper, for pipe covering. Asbestos (ground) for boiler covering mortar.

McLennan, McFeely & Co., Ltd.

...MOVED... The Dawson Dental Parlors have moved to their new location in the Portland Bldg. cor. 2nd Avenue and Third St. Call and get our prices.



"CASEY" INVESTIGATES THE SMALLPOX SITUATION.

E. C. HAWKINS WILL OPPOSE J. P. MORGAN

COMING

First Spike of R. R. to Steamship Syndicate of Liverpool

Expected That First Section Will be in Operation by September First.

Will Build and Operate Vessels on Both Atlantic and the Pacific.

In Male Attire

Doughnuts Will Suffer

Heap Much Dust

Hirsch Undisturbed

U. S. Militia

Are Good Jockeys

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PHILIPPINES, BISHOP THOMAS GORMAN, OF ST. LOUIS FALLS, FATHER SMITH AND MAJOR PORTER OF THE JUDGE ADVOCATE GENERAL'S DEPARTMENT OF WASHINGTON. TAFT PRESENTED A LETTER FROM ROOSEVELT EXPRESSING ESTEEM AND ASKING FOR THE POPE'S INFLUENCE IN GREAT QUESTIONS BETWEEN THE CIVIL GOVERNMENT AND RELIGIOUS ORDERS—IN THE ISLANDS. THE POPE WAS PRESENTED WITH THE PRESIDENT'S LITERARY WORKS.

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INFORMATION REFUSED

Attempt to File Charge of Criminal Libel

By Dr. Bourke Against Mr. Justice Dugas Turned Down by Captain Starnes.

Dr. Isidore McWilliam Bourke, not content with taking several kinds of falls out of the city council with reference to the salary bylaw, attempted yesterday to create something of a sensation by bringing a criminal libel against Mr. Justice Dugas. The information was laid before Captain Starnes who, at once promptly sat upon the proceedings by refusing to accept it. The doctor had evidently overlooked the fact that comments from the bench is a prerogative enjoyed by a judge and that he can not be impeached except upon the floor of the house. The doctor, too, is mistaken in the statements he has imputed to his lordship which could only be accounted for by defective hearing. The information which he endeavored to file sets out that in his lordship's charge to the jury in the Clarke libel suit on June 3, the following false and libelous statements were used:

"It didn't surprise me to see Justice Dugas coming here and trying to impose upon a sensible jury and the court by saying there was nothing in it, viz., the words, 'Oh, upright judge, there is a limit for you,' thereby imputing perjury to the said Isidore McWilliam Bourke, and in other parts of the said charge repeating said statement, the said Isidore McWilliam Bourke never having been asked or answered such questions."

In the charge to the jury referred to, Mr. Justice Dugas did not use the words "It didn't surprise me" but instead said "It did surprise me," which is capable of a far different interpretation from that which the irascible doctor has placed upon it. When spoken to in reference to the information, his lordship had nothing to say, but the smile which he indulged in conveyed volumes. The information will be filed away in the police museum.

Farwell Dinner

At 11 o'clock this evening a number of friends will assemble in the banquet room over Lewis Bros. store to partake of a farwell dinner to be given in honor of P. C. Stevenson, who leaves early next week for the outside. Griffin is the caterer upon the occasion and it is expected the justification will be unlimited. Covers will be laid for about 50.

Decision Reserved.

In the gold commissioner's court this morning was heard the case of Henry Isaacs vs. Joseph J. Coy. The question at issue was as to priority of location on No. 3 peg on the Loretto gulch at No. 2 above discovery right claim. Decision was reserved.

THE CANADIAN BANK OF COMMERCE Capital paid up (Eight Million Dollars), \$8,000,000. RESERVE, \$2,000,000. The Bank is prepared to purchase gold dust at actual assay value, less the usual charges for express and insurance, up to and including 30th April, 1902; after which date all dust will be subject to the proposed export tax. D. A. CAMERON, Manager. Dawson Branch.

The Klondike Nugget

TELEPHONE NO. 12. (Dawson's Pioneer Paper) Issued Daily and Semi-Weekly. GEORGE M. ALLEN, Publisher. SUBSCRIPTION RATES. Daily. Yearly, in advance \$30.00 Per month, by carrier in city in advance 3.00 Single copies 25

When a newspaper offers its advertising space at a nominal figure, it is a practical admission of "no circulation." THE KLONDIKE NUGGET asks a good figure for its space and in justification thereof guarantees to its advertisers a paid circulation five times that of any other paper published between Juneau and the North Pole.

LETTERS And Small Packages can be sent to the Carriers by our carriers on the following days: Every Tuesday and Friday to Eklorodo, Bonanza, Hunker, Dominion, Gold Run.

SATURDAY, JUNE 7, 1902.

\$50 Reward.

We will pay a reward of \$50 for information that will lead to the arrest and conviction of any one stealing copies of the Daily or Semi-Weekly Nugget from business houses or private residences, where same have been left by our carriers.

KLONDIKE NUGGET.



AMUSEMENTS THIS WEEK.

Orpheum-Burlesque and Vaudeville.

METHODS OF ASSESSMENT.

When the time arrives for making the annual assessment of Dawson property, it is to be hoped that some tangible system of valuation may be adopted. Last year a sort of hit or miss method was pursued, which satisfied no one and worked no little hardship on many.

The whole idea seemed to be to make all valuations as high as possible without much regard to actual worth. This policy was explained by the very plausible theory that excessive valuations on property would enable the council to establish a low rate of taxation. It is certainly desirable that the rate should be kept down as low as possible, but to accomplish that purpose by placing a fictitious value on property does not commend itself to us as a satisfactory plan to pursue.

Nothing is accomplished by assessing at \$10,000 a piece of property that can be sold for scarcely half that sum. The owner naturally feels that he is the victim of discrimination and no explanation can satisfy him to the contrary.

In the opinion of this paper an equitable valuation would be far more satisfactory, even though the rate must be increased.

The evidences of forest fires that have been in the air during the past two days indicate plainly that some person or persons have been extremely careless in the matter of building camp fires. From now on until the close of the warm season the utmost caution should be observed by every one who has occasion to make a camp fire. The brush which covers the hills will burn like tinder and it is a very easy matter to start a disastrous conflagration. The timber resources of the country are altogether too valuable to be destroyed through carelessness. Every tree will be needed sooner or later for fuel or lumber and it is nothing less than shameful that so much territory should be devastated every summer by forest fires.

A series of cartoons by A. G. Racey has been published in book form. The cartoons are entitled "The Englishman in Canada," and appeared for the first time in the Montreal Daily Star. They are nineteen in number and are designed to correct the mistaken ideas of Canadian life that prevail in England. The young Englishman is represented as leaving home for Canada, with an outfit very similar to what most people who took part in the original Klondike rush provided for themselves. Rifles, shot guns and bowie knives form an

important part of his equipment, while fur coats, moccasins and snow shoes fill several trunks. Thus provided the venturesome Englishman sets forth to conquer or die. The artist carries him through a series of laughable adventures at the end of which he has become thoroughly acclimated and educated as to the real conditions which prevail in the Dominion. The cartoons are humorous throughout and at the same time convey a point which gives them no little value. Racey's cartoons given a wide circulation should serve in a very large degree to counteract the wrong impression of Canada that has been created in England by the writings of Kipling and other authors.

Optie Reid, the novelist, is defendant in a lawsuit brought by a Chicago publishing house. The defendant undertook to turn out two novels a year for a stated sum, but he has discovered that prose writing by contract is extremely difficult. He has failed to produce books at the rate of one a year since taking the contract and consequently the publishing house is suing him for the return of money advanced. An author who pledges the product of his pen in advance is not likely to achieve immortality.

General satisfaction will be felt over the fact that Manager Bittner and his excellent stock company will remain in Dawson. It is to be hoped that the public will patronize the Auditorium more liberally in the future than has been the case in the past.

Think They Have Cinnabar

Hamilton, Wash., May 27.—A valuable discovery is said to have been recently made near the head of Day creek. As the rumor has it, Dr. Englis, a noted mineralogist and mining expert, visited that locality last week, in company with Mr. J. J. Connor, to inspect some talc deposits and while there was introduced to a prospector named Elliott. In the course of conversation Dr. Englis expressed the opinion that quicksilver existed in the district and gave Elliott an accurate description of various cinnabar ores, among which Elliott recognized one as tallying exactly with a large lode he had previously discovered, but not knowing its value failed to locate. The next morning Elliott was off for the ground by daylight, where he made several locations and is now in town with a quantity of ore that all who profess to have any knowledge of the matter declare to be high grade cinnabar. The lode extends for a long distance and is easily traceable. A large number of locations have been already made on it and Governor McBride's name is on two of the most promising. Many will be pleased to learn that as his excellency has taken a great deal of interest in our mines and expended considerable sums in their development hitherto with little success, and it is only fair that he share in any good thing discovered in the district.

Work on the Thompson and Edgar talc mines is being vigorously pushed and it is said that negotiations for the construction of a short branch from the main line of the Great Northern to some point of the river between Hamilton and Lyman, where the material can be placed on the cars without hauling to either the above named stations, are now in progress.

Judgment Rendered.

In the case of F. S. Dunham vs. the dealers in cheap groceries, the public have decided in favor of Dunham and will continue to trade with him because they know they can depend on always getting the best at The Family Grocery, corner Second avenue and Albert streets.

To keep healthy drink the pure liquors at the Sideboard.

Ping Pong Goods

Flannel Trousers, Duck Trousers, Leather Belts, Linen Hats, Straw Hats, &c., &c.

J. P. McLENNAN 235 FRONT ST. Phone 101-B

J. F. SUGRUE INTERVIEWED

Tells Nugget of His Trip to Ottawa

And of Information Given Laurier and Sifton Regarding the Yukon.

No steps have yet been taken to give the public a report of the delegates who were sent to Ottawa and who returned on Tuesday. Barney Sugrue, one of them, stated to the mayor, who was chairman of the general committee on the Treadgold question, that he would either report to the general committee or to a public meeting, and the mayor responded that he would ascertain which the people wished.

In the course of a chat about this trip Mr. Sugrue said last night: "As we have in a very short time to make a formal report to the committee or a report in full to a public meeting of those who showed their interest in the movement against Treadgold, I can now only give you a brief and general synopsis of our doings at Ottawa. In the first place our reception was all that we could wish. The ministers, Laurier and Sifton, particularly, gave us their attention at their earliest opportunity, and showed every evidence of wishing to learn the true state of affairs in the Yukon. I may tell you that they know they made many errors in the administration of affairs in this country, they don't admit it, of course, but they show a desire to make amends.

"According to our instructions we conferred with Governor Ross, who was mainly instrumental in getting us an interview with the ministers at such an early date. It was an especially busy season, and interviews were not readily obtained. Then we found that the government had already committed themselves to Treadgold. We had full time and opportunity given to present the case of the people; we were listened to most patiently; and the minister of the interior admitted that he had been greatly interested and that he had never heard two stories alike from the Yukon before. It was explained to him that most of the people who had come to Ottawa from the Yukon had been there with a personal aim in view, and had all given accounts of the Yukon and its conditions which was best suited to their own ends. In this instance neither of the delegates had any axe to grind except as representatives of the great body of the Yukon people who had sent them there and further that their statements would be corroborated by the governor of the territory, who was then present. Mr. Ross said we had given a plain and unvarnished statement of facts.

"Then Sifton and Laurier were really impressed? Did they admit they had made an error in the last order in council?" "I did not say that. Politicians never admit facts of that kind. But they did not attempt to contradict our statements, and they did take the matter under serious advisement. The fact was they had already completed a contract with Treadgold, therefore it was impossible for them to consider our first demand on behalf of the people of the Yukon for a total abolition of the Treadgold concession.

"Did they say so?" "No, as I told you, politicians never admit anything. But they asked us at the time to consider how the objectionable features of the Treadgold grant could be eliminated and promised us another interview at the earliest possible moment."

"What did they do eventually?" "For ways that are dark and mysterious politicians are quite on a par with Bret Harte's heathen Chinese. All I know is that the effect of their actions upon Treadgold were apparently very distressing to that gentleman. He fussed and fumed around the Russell house and made daily peregrinations to the house of commons, none of which seemed to relieve his state of mind. It appeared to us as though the government was conducting a school of vivisection with the Treadgold concession as the subject, and from what we could learn the concession was being splayed limb from limb to the manifest disconcertment of its promoter.

"To cut this short—for, as I said, I can only speak generally now—the ministers at length submitted to us an amended draft to which Tread-

gold had agreed, and asked if this would satisfy us. We suggested some minor alterations, which were made."

"Well, how did this leave the concession?"

"Upon that I can only give you the opinion formed by myself from my own view of what Treadgold obtained and from the general consensus of opinion of people on the outside. Treadgold can never get the same capital interested in the enterprise, as he has not enough left to induce them to support his scheme. My reasons for saying this are that whereas he formerly had a large amount of mineral land in his possession; under the amended concession the chances of his obtaining any part of it are problematical. Capital is not liable to be interested in the scheme as it now stands. The only thing left in the Treadgold concession is the right to create power by the waters of the Klondike, the sale of such power being subject to governmental control of the rates to be charged. As to the mineral land part of the grant, it is one succession of 'ifs'—if they do this and if they do that they may or may not acquire mineral lands."

"Then you would say that Treadgold and his schemes are practically wiped out?"

"I would say that he is a good Indian."

"Now that is about all I can tell you in a general way. You know, of course, from the newspapers and in fact from the result of our mission that the governor at all times was of every possible assistance to us. That is all I can now say, I think."

"Mr. Sugrue, it has been complained of here that you never laid the case of the people before the opposition at Ottawa?"

"We were the accredited representatives of the people of the Klondike to the government of Canada. The government of Canada to day is the Liberal party."

They Want Teddy

Washington, May 16.—"Teddy's Terrors," a strong political club of Los Angeles, composed of prominent business and professional men of that city, have sent to President Roosevelt a most unique invitation to become the guest of that club. The invitation came by express and was supplemented by the personal efforts and a visit of Senators Perkins and Bard, who saw the president today. The invitation is painted on a whole calfskin, beautifully prepared for the purpose, and is worded as follows:

"Los Angeles, Cal., March 30. "We're going to have a round-up, and we shore want yer mighty bad. Feed and water plenty. Stock's fat. Branding irons ready when yer gets here. Come on, will yer?"

(Signed) "TEDDY'S TERRORS. Theodore Roosevelt, the President, Washington, D.C."

The calfskin invitation is enclosed in a beautifully mounted box made of the giant redwood of California. The box is adorned with silver and other mountings.

The invitation is a general one to the president to come whenever he sees fit.

President Roosevelt is going to California next spring and undoubtedly will visit Los Angeles.

Kelly & Co., Leading Druggists.

Genius With Tools

Edward Mortimer, the elderly man who figured so conspicuously in the Thistle creek kidnapping and gold stealing case and who is now serving a two years' sentence in prison, is a positive genius as a cabinet maker. Some time ago he completed a set of filing cabinets for the general office at the police barracks which would be a credit to any man who figures so conspicuously in the Thistle creek kidnapping and gold stealing case and who is now serving a two years' sentence in prison, is a positive genius as a cabinet maker. Some time ago he completed a set of filing cabinets for the general office at the police barracks which would be a credit to any man who figures so conspicuously in the Thistle creek kidnapping and gold stealing case and who is now serving a two years' sentence in prison, is a positive genius as a cabinet maker. 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# Very Scathing Judgment

The court of appeal which was in session Thursday afternoon rendered its judgment in the case of Julius C. Smith and Thomas Dunlop vs. H. G. Wills which is extremely interesting in that allegations of a fraud so flagrant having been committed in the trial of the cause before the gold commissioner are set out by his lordship, Mr. Justice Craig, who gave the decision, in language that can not be mistaken. His lordship reviews the evidence adduced in the lower court most critically and does not hesitate to say that in his opinion the parties engaged in the suit were guilty of a conspiracy so apparent as to be indisputable. The judgment of his lordship is as follows:

"This case is the usual one in this country of what is known as 'jumping' or staking a claim when the original staker fails to perform the work under the regulations. There is first the conflict as to whether the work was done or not; next, as to whether an attempt was made to have the work done, which became abortive by reason of the default of the party employed, and thirdly, whether the gold commissioner having accepted evidence of the work done, his order should now be disturbed by this court under the circumstances, the defendant having purchased the property or obtained his bill of sale after the renewal grant was issued. The facts appear to be these: One Edgar staked the claim on the 19th of March, 1898, and received a grant on the 25th of March. The claim remained unworked for ten months and on the 13th of February was staked by the plaintiffs, who were delayed in obtaining their grant by reason of other protests pending in other stakers and judgment not having been given in their case. Before the judgment was given in the case of the prior stakers, the said Edgar discovered that his claim had not been represented by work and some one applied for a lay-over on the 10th day of February. Edgar says he did not apply for it. Therefore, it is only a matter of inference as to who did. Judgment was given by the gold commissioner refusing the application of the stakers prior to the plaintiffs, and upon the evidence adduced by affidavit on behalf of Edgar he issued the renewed grant to him. These affidavits were sworn to by Edgar, one Grant and a woman called Miller. They referred to original documents, and accounts and receipts or orders which, it is absolutely proven, were in the possession of the parties, if they existed at all, at the time when the affidavits were taken, but were not produced to the gold commissioner, were not filed, and upon their production being asked for as evidence of good faith, it is alleged that they were lost or destroyed by fire. The commissioner without calling upon the plaintiffs, who were then before him with a proper application, ex-parte, without hearing any evidence beyond these affidavits which were most suspicious in their form, issued the grant to Edgar from whom the defendant Wills derives his title. It is now alleged that the preparation of the affidavits, filing of them, and the obtaining of the grant or decree was a conspiracy hatched in fraud and carried out by perjury to defeat the title of the plaintiffs and deceive the commissioner.

"I have read every word of the evidence in this case, as I had to do, to get a full grasp of the case, and I am fully convinced that that allegation is perfectly true. It is not a matter of one isolated instance, or error, or mistake, or inadvertence, but the whole chain of evidence made to bolster up this application is so thoroughly had and open to such grave suspicion; in fact, I do not think that a jury competent to grasp the whole situation could come to any other conclusion than that it was a conspiracy, as I said before, hatched in fraud and carried out by perjury. In the first place, the affidavits refer to a date, the 10th of May, as being the date upon which certain agreements were made, certain supplies advanced to one Ager, and that he was to go up the creek and carry out his representation. This 10th day of May is verified by a reference to the documents themselves. There could have been no error in the date if the original document existed. It afterwards transpires that the 10th of May is an absolutely impossible date, that no such transaction as is alleged to have taken place on that date, could have taken place upon it for several reasons. First, it is proved conclusively that Edgar, who made the agreement, had left the city of Dawson to go up the river on the April previous, that he could not have gone up the river on

the 10th of May as the ice had not gone out, and that Ager, who was to do the representation work, could not without almost insurmountable difficulty have gone up the creeks to perform the work after that day. To bolster up the 10th of May as the real date, the witness Rutledge swears that a person could, after the Yukon river was open and running, have gone up on the rim of the river on the ice in a sleigh. That statement is so utterly absurd and idiotic that no one would believe it who knows the country, and it shews to what desperate straits the parties were driven in order to bolster up a weak case. But the defendant's counsel practically abandons the 10th of May and says it was inadvertent that that date was used; that the date was the 10th of April. Now, they didn't abandon the 10th of May before the evidence is heard; they stick to it as long as they can; in fact, until an evening adjournment is made during the hearing when finding the untenable nature of their position, they retreat, being forced to because their position is absolutely untenable, and adopt a fresh date. They have no retreat because their position is untenable and only, for that reason, and they shew no other ground, because they give no other reason to the court to believe that the 10th of April was the real date. Then that is absolute evidence to my mind of a put-up case. That the 10th of April could not have been the date which they had in their mind when making the affidavits is shown by the fact that they swore that the man Ager, who performed the representation work and who received the payments, as they say, from Grant in August, had for the past three months been performing the work after he had just come down. Now, the part three months would bring it from the 10th of May, not from the 10th of April. So much for the date.

"Then another element of weakness in the case is this, that Edgar tells a story of writing to this man Grant who gives evidence that he had engaged Ager to perform the representation work and provided for payment to him. Now, Edgar admits that he did leave Dawson in April but had no intention of going to the outside, but that it was his intention to return immediately, and not until he got to the Stewart river or beyond it did he decide to go to the outside. There was no occasion for him to write to Grant, who was then in California, arranging with him to pay this man Ager \$100, balance of representation work. He could have attended to that himself on his return. No letters are produced. No reasonable account or sensible account is given of when or how or where Edgar wrote to Grant. The time occupied in communication rendered it impossible, in my opinion, for letters to have reached Grant in California. Then, another thing which casts discredit on the story, Grant arrived here on the 7th of August. If Edgar had not sent him the order to pay Ager until after he left here on the 10th of May and went up the river, in the then state of mail communication Grant could not have received those instructions and got in here by the 7th of August. Then how did Ager know that Grant was to pay him? No letters were produced. Edgar can give no reasonable account of that. It is a most singular story that a man who was in California in May should be written to to pay a debt for a man who had no intention of going out of the country at the time, to come in here in three months and pay \$100 to a man he did not know who was then on an almost inaccessible creek and that those two men should meet on the date mentioned. I do not believe Grant's story, neither do I believe Edgar, and I believe Mrs. Miller was in the conspiracy with them. I do not believe it for many other reasons that I have not set out. I do not see how any one could believe such a story bolstered up, as it is, by such weak evidence, hesitating, uncertain and absolutely wanting in any corroboration.

"The present position of the defendant Wills is to be considered and while I have considerable sympathy for him and believe that perhaps he was innocent in some degree, yet he was not wholly innocent; because the evidence shews that he what is called the 'jumping' of the Gold Run claims. That Rutledge was his agent appears from Rutledge's own evidence. It also appears from the fact that Rutledge managed the whole thing that he applied for the lay-over, I believe; that he engineered the preparing of the affidavits; that he continued as manager of the claim, that seven days after the

transfer was made he arranged with men upon it; that he had no further document from Mr. Wills, showing a created and continuing agency. He also had an interest in the claim because he received an interest in it shortly after at the cost price. If one is to take the effect of evidence at all, one must believe that Rutledge was the agent of the purchaser and was fully aware of all the facts surrounding the title, and I also believe that he was fully aware of the defects in the title and the fraudulent means which were adopted to perfect it, both because of his affidavits of the date—the 10th of May—and his evidence regarding going up the Klondike after the ice had gone out which was given to bolster up that date.

"Now, as to the law in the matter: I think the gold commissioner was wrong in accepting these ex-parte affidavits; that he should have called upon the plaintiffs and heard their story; in fact, he should have adjudicated judicially upon the question under section 39. . . .

"As to the argument that the defendant is a purchaser for value without notice, I think I have already decided that Mr. Rutledge was his agent, and he is bound by his knowledge that the property was really purchased before the affidavits were prepared and that the affidavits were prepared simply to get a grant. It may be unfortunate that purchasers relying upon agents and paying their money after a renewal grant, may be prejudiced, and it may be a matter to consider whether the regulations should or should not be amended so as to provide that after renewal certificate is once granted, except in cases of fraud, the crown should recognize the grant, and that all irregularities and lapses committed before that should be healed under reasonable conditions. With that I have nothing to say. I think it safer to disregard any question of sympathy or equities. The only safe course to adopt is to proceed upon the regulations as they exist and as I construe them and upon the law as I find it. As I have said before, there are no equities arising under the mining regulations. What the miners get by virtue of the statute and nothing more, and they are to be held to the letter of it strictly. In my opinion, the appeal should be allowed with costs."

In his decision Mr. Justice Dugas dissents from that of his colleague. He does not regard Rutledge as the agent in fact of the defendant Wills, he having been employed, so the decision sets out, only for the purpose of ascertaining whether or not the title was good, acting otherwise for the vendor, Edgar.

"Therefore, whatever knowledge or even fraudulent action may be hinted at, Rutledge would not bind the actual defendant, whom I take to be in any event an innocent purchaser. Therefore, upon the facts themselves, I am in favor of upholding the defendant in his possession. Were I wrong in giving such a construction to the evidence I would still maintain as I did in the case of Risser et al. vs. Pinkert et al, that the crown, not having dis-seized the defendant of the claim and re-taken possession thereof, through its mining inspector or the gold commissioner, after a proper inquisition and a declaration that the claim had been abandoned or forfeited to the crown for lack of representation, the plaintiffs had not until then any

right to stake the same."

Concerning the question of the representation work having been performed, his lordship says: "I must say that after a careful perusal of the evidence, as far as the representation of the claim is concerned, I find that the proof is doubtful on both sides. It being so I would not feel justified in disturbing the title of the defendant and his possession in favor of third parties having restaked over him even if I admitted principles contrary to those sustained Risser et al. vs. Pinkert et al."

His lordship holds as in a former judgment rendered that a claim should not be considered open to relocation simply because it has not been represented. It is insisted that the crown through its mining inspector should satisfy itself first that the claim has been abandoned and is open to relocation because the representation has not been done and that the mining inspector may declare it so unless through trouble, sickness, a lay-over, death or other reasonable grounds he has satisfied himself that the forfeiture should not be declared. His lordship concludes that the plaintiffs had no standing before the gold commissioner, and that their appeal should be dismissed with costs. Gold Commissioner Senkler also dissented from the opinion of Mr. Justice Craig.

**Notes of an Author.**

Chicago, May 20.—Opie Read was today summoned to court to defend his art. Rand, McNally & Co., publishers, summon him on a "put-bottle" contract that Mr. Read asserts is destructive to his art.

"The Confessions of Marguerite" is the particular bit of Read's fiction the publishers want to get. They say the author threatens to destroy the story unless they release him from a contract. Rather than see the book reduced to ashes, they would have the court restrain Mr. Read's impulsiveness and force him to live up to the agreement which, they assert, he signed.

According to the injunction bill Read was employed in July, 1897, by the publishers, to write an even dozen novels. They were to be turned out at the rate of two a year. While undergoing this literary labor Read was to receive \$40 a week and 10 per cent. royalty on the sale of his books.

Mr. Read could not turn out novels on the factory basis, and, according to Rand, McNally & Co., the two-novel-a-year arrangement continued only until July, 1901, when the author, they say, owed the firm four novels and also \$6,000 which had been advanced to him.

In order to give Read more time for inspiration the contract was modified last year so as to allow Read to write one story a year, and further he was to publish nothing except short stories of less than 10,000 words until the contract was ended. According to the publishers Read now refuses to live up to this last of the contract.

Read was given a banquet by the Press Club last night at which two hundred of his friends were present.

**Knocked Out and Killed**

Boston, May 22.—Tommy Dixon of Chicago knocked out Tommy Noonan tonight. As Noonan fell his head struck the floor so hard that his skull was fractured. He was taken to the hospital where he died without regaining consciousness.

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THE SQUIRREL AND THE FROST KING'S COOKS.

Picture to yourself a hot sunshiny afternoon in autumn, some noble oaks standing on the outskirts of a thick forest...

The squirrel starts up with a shudder, and a more hard-working, industrious squirrel is not to be found in the whole of the forest for the remainder of the day.

My dear, had the old father said in the summer, when their young family was growing up, 'I think these are the finest children we ever had, the sons do me particular credit...

The change from play to work is not, however, such an easy thing as may be thought, and although the father made many long speeches about the necessity of having a good board laid up for winter...

some mysterious manner, and he was therefore, much troubled in his dreams. Matters had gone on for some days in this way, and the store was far from full...

The day was fine; the squirrels worked as if their lives depended upon their exertions, which indeed they did, and the storehouse began to look as if there were some chance of its being filled by the fine weather...

They all collected as much as they could carry, and then started for home, the father and his sons leading the way, and Nessel and her mother bringing up the rear...

as his wife, in her anxiety, had banged his head against the side of the hole. The mother took him to the mouth of the hole, and then they held a long consultation; then coming in, they called their children, and the father said, 'My dear children, this is no fairy work that you see outside, it is the work of the Frost King...

'We will work, but do let us go to the Crystal Spring, there are finer and better nuts there than anywhere else in the whole forest, and there are so many we can gather more there in a shorter time than in any other place.'

The older squirrels hesitated; the Crystal Spring was more than half a mile from their nest, and too much time would be lost running backwards and forwards, but the younger ones promised to work so hard, and as there were really great abundance of nuts there, they at last consented, and in a short time the whole family set out for the Crystal Spring.

At last evening drew near, and as the sun went down the whole family were assembled at the spring to carry home the last load of the day.

They all collected as much as they could carry, and then started for home, the father and his sons leading the way, and Nessel and her mother bringing up the rear...

On getting about half way home, the poor mother stopped and said, 'Nessel, dear, I must stop and rest, I am worn out with the anxiety I have lately had, and the hard work of today, and I feel quite faint. Do you go home, my dear, lest night overtake you; as soon as I have had a little rest I will follow you.'

that she might stay, that her mother at last consented; and as they were at a convenient spot in one of the forest glades, she sat down to rest, Nessel sitting down near her, nearly as tired as she was herself; and as they sat close to each other, weary and silent, their heads began to droop, and in a short time, without intending it, both mother and daughter fell fast asleep.

Night came on, the full moon rose, casting a flood of light through the forest glades, and showing the two poor little squirrels sitting sleeping side by side, when a slight rustling was heard among the tops of the trees, and, riding on a wind wave that rolled slowly through the forest, there approached a form clad in a robe of snow, having a thin, sharp, eager face, all red and blue, as though pinched with cold, long lanky arms ending in thin meagre hands, with lean shrivelled fingers, and nails like claws, which it seemed to poke into each crevice and nook on its way, and as it came near to the squirrels a cruel smile passed over its face, as it stopped and breathed lightly upon them, and went on its course. Shivering, Nessel awoke just in time to see the form disappearing, and hastily arousing her mother, she told her what she had seen.

'Fly, Nessel!' cried her mother, 'fly, we must leave our loads for tomorrow; it is the Frost King. Come, let us fly!'

But it was too late; they could not rise from the ground to which their tails were frozen fast—they were the Frost King's captives.

'Oh, mother dear, what can we do?' sobbed poor little Nessel.

'Nothing, my child,' groaned her mother; 'it is too late, the Frost King has breathed upon us, and we are his. As he rides to and fro in the forest tonight, each time he passes us he will breathe on us again and rob us of our warmth till we die; unless our father should come back to look for us we are lost.'

But little had the father thought of so doing. On reaching their home, after depositing their loads in the storehouse, he and his sons comfortably settled themselves in the hole. After waiting for some little time, the father began to complain.

'Dear me!' said he, 'what can be keeping your mother—she must have met with some one on the road and stopped to gossip; soon she will be coming in with some great story of how neighbor Curly Tail's little son has sprained the third claw on his right foot, or something of that sort. Well, I am too hungry and tired to wait for supper, so I will have a nut, and I advise you to do the same.'

When the nuts had been eaten, he continued, 'If you like to keep awake for your mother, you may, but I shall go to bed; you may depend upon it she has stayed to tea with some one or other, or she would have been here before now; and then he turned into bed, an example that his sons quickly followed, and they were soon all fast asleep.

Meanwhile the two little prisoners to the Frost King sat quiet in the forest glade. For a time the mother had tried to console her daughter and reconcile her to her fate, but at last, overcome by weariness and the cold, sleep overtook them both, and all was quiet. The night had set in, when sounds of footsteps in the forest were heard, and two rosy-checked little girls of about eight or nine years old entered the glade, the father's two children returning from a little frolic at their grandmother's cottage. As they hurried along Dottie, the younger girl, caught her sister by the arm and stopped her.

'Lena,' said she, 'do look at those pretty little squirrels asleep there—they must have lost their way and if the Frost King finds them, he will be sure to kill them. Let us creep up, catch them and take them home for tonight, and then in the morning we can bring them back here and let them go.'

when he had somewhat recovered from the shock. 'Nessel, if that was you that came in last, I fear you have given my head such a twist I shall not be able to get it straight again all my life; where have you been, I should like to know?'

'Father,' said the mother, 'we have been nearly boiled by the Frost King's cooks.'

'But you are not really dead now,' faltered the terrified father, leaning for support upon his equally terrified and trembling sons.

'No!' cried the mother, with a shriek that caused her auditors to give a violent start, 'but listen, and then she gave them a full account of what had happened to her and Nessel in the forest, but making out the children to be the dreadful beings that her fears had pictured them to her.

The other squirrels listened in silent horror until the story was ended, when they had so many questions to ask, that for some time they sat up talking, but sleep overcoming them, they one by one dropped off to bed, and then silence reigned in the nest. The next day they again set to work at their task of replenishing the store, and spurred by the recollections of the events of the past night, they worked so hard that in a few days they had hoarded ample store for the winter. But a rumor of the mother and Nessel's adventure had got about, and numerous squirrels came to visit them. To them the story was modestly related, but as they, after leaving, told the story to others, and as stories never grow less in repeating, the report at last grew to be that the mother and Nessel being overtaken by the night before they could reach home, were met by the Frost King, followed by a train of from twenty to two hundred (according to the teller of the story) long lanky beings, with eyes like saucers, and voices like thunder, and clothed in boiled squirrel-skin robes, who at their king's commands had seized the two squirrels, and plunged them into cauldrons of hot boiling water, from which they only escaped by their superior agility, and this is the story that has been handed down through all succeeding generations of squirrels, and is told with any additions that may be thought of, by all squirrel parents to their children, to induce them to be industrious and shun idleness.

'Darling, darling squirrel,' sobbed she, 'how can I let you loose? Why did you get frozen here? and her tears flowed fast over the little creature, whilst the squirrels, half wild with the fright, and the quantity of tears raining down upon them, made frantic endeavors to escape.

'Oh don't, don't, dear squirrel, you will tear your tail quite off; you will, indeed, indeed!' cried Dottie in her anguish, shedding a fresh downpour of hot tears all over the mother squirrel, who, maddened by the shower, tore herself loose from Dottie's hands and the earth at the same time, and fled. Dottie's tears had proved too strong for the Frost King's power, and the earth, melted under their influence, had released its hold.

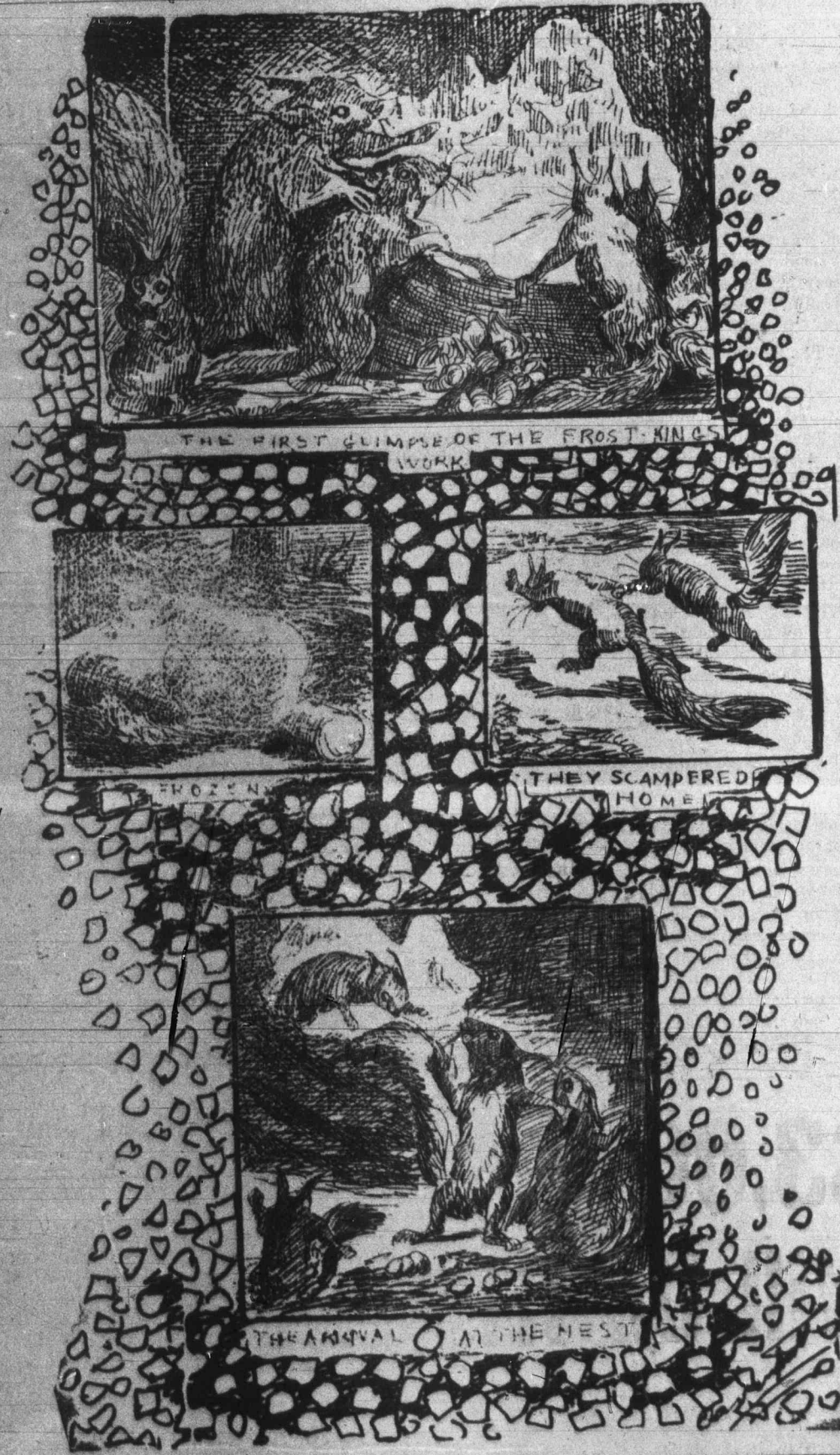
Nessel seeing her mother escape, with a wild effort wrenched herself also free from Lena's and the earth's grasp, and followed her at full speed, carrying with her a clod of earth still attached to her tail. The children, rejoiced at the squirrels' escape, followed them with their eyes as long as they could see them, and then trotted merrily home talking over their adventure, whilst the squirrels scampered toward their nest at their utmost speed.

Meanwhile the father was sleeping, troubled, as usual, with his uneasy dreams; he had felt, in going to bed, that he was doing wrong, and now he dreamt that the spirit of the wood was reproaching him for having deserted his wife. 'Indeed, good spirit,' moaned he, 'it is all her own fault; she does stay out sometimes, but I will look for her as soon as it is light, and mercy, mercy, good dear spirit!' shrieked he, as the mother, swiftly climbing the tree threw herself through the entrance of the nest, and fell heavily on the top of her husband, followed immediately by Nessel. 'Why, where have you been?' asked the frightened father

when he had somewhat recovered from the shock. 'Nessel, if that was you that came in last, I fear you have given my head such a twist I shall not be able to get it straight again all my life; where have you been, I should like to know?'

'Father,' said the mother, 'we have been nearly boiled by the Frost King's cooks.'

'But you are not really dead now,' faltered the terrified father, leaning for support upon his equally terrified and trembling sons.



THE FIRST GLIMPSE OF THE FROST KING'S WORK.

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JUDGMENT REVERSE

Sinclair Loses Claim Conglomerate

Court of Appeal Find Against Opinion of the Gold Commissioner.

The court of appeal at its sitting yesterday afternoon rendered a decision in the case of T. F. Sinclair, George W. Mitchell which reverses the judgment of the gold commissioner. The facts in the case as set out in the opinion handed down by the court are as follows: The action is a contest over No. 10 Conglomerate pup, a tributary of the Tanana creek. Sinclair staked on September 2, 1901, using a pole a small tree which he thought he did not cut it off so would be but four feet above ground as required by the regulations. On his notice of location he neglected to write the number of the claim and the name. At the time he was employed on government road then being constructed in that vicinity and thought he had but ten days in which to record. Finding he could not do so in time to make his application for record he on the 12th day of the month added the number of the claim to the '2' already there, making the date the 12th instead of the 2nd. On the 21st the defendant staked the claim, making a contest on the 23rd. On the 24th the plaintiff applied for record and found his claim already taken. Suit was brought in the gold commissioner's court and a decision was made in favor of the plaintiff, the grant previously made to Mitchell being cancelled. Several questions were brought up in the argument, the main one being that the stakes were not made in accordance with the regulations, and that the tree was not cut off; that the plaintiff had not restaked on the 12th, but had staked on the 2nd, and that in that manner keep his stake, but that he must record his first staking. It was also argued that the alteration of the date was unlawful under section 33, and that the restaking was simply a device to defraud the department under the regulations. The court determined in this suit whether the plaintiff's staking was a date compliance with the regulations and brings him within the conditions of section 15, and if not, whether the plaintiff would be barred by a statute which provides that a thing be done in a particular way there is an implied condition against doing it in any other way. Where compliance is a condition precedent to the validity of the act the neglect of the statutory requirements would be fatal. No rule can be laid down determining when non-compliance with the rule involves no invalidity, or when it does. The question here involves nullification of the fundamental one that is made on the scope and object of the act. The rule is more strict where rights are acquired under certain regulations, and where compliance with the regulations is necessary to give them effect. The plaintiff invokes the act of 1901 which provides that on the part of the locator the foregoing provisions shall not be deemed to invalidate a claim if upon the facts it shall appear to the mining recorder that there has been on the part of the locator a bona fide attempt to comply with the provisions of the regulations, and that non-observance of the regulations herebefore referred to of a character calculated to injure other persons desiring to locate. This section requires consideration. A discretion is vested in the mining recorder and the facts are to be considered and weighed to him. What facts are to be considered? What facts are to be considered? The facts are to be considered and weighed to him. What facts are to be considered? The facts are to be considered and weighed to him.

The Merry-Go-Round.

(By Mary M. Parks.) Across the way there's a merry-go-round. I can see it where I like. I can see the hobby-horses gallop across the twilight sky. And when the merry-go-round goes round, the music begins to play. And the people laugh, and the children sing, and all are blithe and gay.

And the merry-go-round goes round and round. And the horses never tire; And the bright lights blaze, And the music plays, And the mirth rolls higher and higher; As the merry-go-round goes round and round; And round and round goes the merry-go-round.

Convict Stays Convict

Auburn, N.Y., May 17. — Because Edward Smith did not pass the village quickly enough in the mess hall, James Finn, a convict in Auburn prison, stabbed the former, a fellow convict, this afternoon. The fight took place in the machine shop. Finn left his place and walked thirty feet to attack Smith, whom he stabbed in the arm and head. Smith was taken to the hospital and Finn to the lock-up. Finn was convicted of burglary in New York City and sentenced to Sing Sing for escaping. Smith was convicted of burglary in Brooklyn and has a sentence of two and a half years.

# JUDGMENT REVERSED

## Sinclair Loses Claim on Conglomerate

### Court of Appeal Find Against the Opinion of the Gold Commissioner.

The court of appeal at its sitting yesterday afternoon rendered a decision in the case of T. F. Sinclair vs. George W. Mitchell which reverses the judgment of the gold commissioner. The facts in the case as set out in the opinion handed down by Mr. Justice Craig are as follows:

The action is a contest over No. 19 conglomerate pup, a tributary of the Klondike river. Sinclair staked the claim September 2, 1901, using as a stake a small tree which he flatted so that it did not cut it off so that it would be but four feet above the ground as required by the regulations. On his notice of location he neglected to write the number of the claim and the name. At the time he staked he was employed on the government road then being constructed in that vicinity and he thought he had but ten days in which to record. Finding he could not get away in order to make his application for record he on the 12th recorded the claim by adding the figure "2" to the "19" already there, making the date the 12th instead of the 2nd. On the 21st the defendant Mitchell staked the claim, making his record on the 23rd. On the 24th Sinclair applied for record and found the claim already taken. Suit was begun in the gold commissioner's court and a decision was made in favor of the plaintiff, the grant previously issued to Mitchell being cancelled. Continuing his lordship says:

Several questions were brought in the argument, the main ones being that the staking was not lawful, that there was no name or number, and that the tree was not of the proper height. The plaintiff had no right to restake on the 12th, having staked on that date, and could not in that manner keep his staking, but that he must record on the first staking. It was also argued that the alteration of the staking was unlawful under section 33, and that the restaking was simply a ploy to defraud the department and evade the regulations. The main question to determine in this suit is whether the plaintiff's staking was a bona fide compliance with the regulations and brings him within the provisions of section 15. The nature of staking claims is clearly set down and if nothing more were provided by the regulations, the staking of the plaintiff would be lawful. Where a statute provides that a thing be done in a particular way there is an implied prohibition against doing it in any other way. Where compliance is made in a manner precedent to the validity of the act the neglect of the statutory requirements would obviously be fatal. No rule can be laid down for determining when non-compliance with the rule involves no invalidating consequences for disregard or where regard involves nullification because the fundamental one that it depends on the scope and object of the enactment. The rule is more stringent where rights are acquired or protected on certain regulations and penalties being complied with, and is neither unjust nor inconvenient exact a rigorous observance of the same.

The plaintiff invokes the aid of section 15 which provides that failure on the part of the locator to comply with the foregoing provisions shall not be deemed to invalidate the claim if upon the facts it shall appear to the mining recorder that there has been on the part of the locator a bona fide attempt to comply with the provisions of the regulations and that non-observance of the same has been referred to in a character calculated to induce other persons desiring to locate. This section requires some consideration. A discretion is vested in the mining recorder and the facts which are to be considered are to be limited to him. What facts? It only means the facts surrounding the staking or location and these should be presented to the mining recorder by the locator when he applies for acceptance of his staking or location. How can the mining recorder be expected to do under this section, as the facts are presented to him? As a matter of practice, no one who stakes swears to the usual

form of affidavit. In this case he did so. He exhibited no variation. He gave no facts upon which the recorder could exercise any discretion and no facts appeared before the mining recorder that the staker had made a bona fide attempt to comply. The bona fide attempt which is provided for by the section means a bona fide attempt to comply with the formalities laid down respecting staking. It is not bona fide in regard to recording or anything else, but simply bona fide as it affected the attempt which the party made to stake. One could easily conceive of examples to illustrate this. It has already been held by this court that a slight variation in the size of the stake will not affect the validity of the staking. The regulations require that a line shall be cut out so that stakes may be seen from one end of the claim to the other. If a high ridge of rocks interposes it would obviously be unfair to expect the staker to clear away this ridge of rocks in staking a claim in the first instance, but does the siding of a tree and the writing of a date and name on it constitute a bona fide compliance? How far are we to allow stakers to depart from the regulations and escape under section 15? The door cannot be opened up to all kinds of loose staking and the line must be drawn somewhere. In my opinion, this party did not make a bona fide attempt to comply with the regulations and if this is the proper time for the court to determine that question I determine it against him. I rather think the matter should have been disposed of by the recorder. It was not done, and if that argument is a good one that he should have been the first one to adjudicate, the plaintiff missed the chance to put himself under the regulations by obtaining a judgment of the recorder.

"It will not be necessary to consider at very great length the other question raised, namely, evasion of the statute, but I think the point is well taken that it is not complying either with the letter or spirit of the regulations that a person should stake and hold his staking over until the last day for recording and then restake and keep his claim or staking alive. This might be carried on ad infinitum and so defeat the very object of the regulations requiring the record within a fixed time.

"It was also argued that the altering of the record on the post by the plaintiff was an infraction of section 33 of the regulations which provides that any person disturbing any mark or defacing or altering in any manner a notice of any legal post shall forfeit a sum not exceeding \$100, and there would be no question about the operation of this section if the plaintiff obtained title by altering the marks of another, but the marks which he altered were his own marks. I have already indicated my opinion that he could not keep his claim alive by altering and restaking so as to evade the regulations, but if his first staking were a total nullity, I do not see anything to prevent him from restaking, or I see nothing in the regulations, so far as I have gone, to prevent a person amending his staking so as to comply with the regulations provided he does the same bona fide and without misleading third persons and records within the proper time, or where the rights of third persons have not intervened. Any alteration, of course, after record, would be on an entirely different footing and the remarks I have made above would not apply to a case like that.

"It was argued by the plaintiff that the claim, being staked in the manner in which it was, was not vacant lands and that, therefore, the party, afterwards staking had no right to locate and could not take the affidavit that the lands were unoccupied and vacant. I think the lands should be lawfully occupied and as I have already held that the staking was unlawful, I think, therefore, that the lands were vacant within the meaning of the regulations. Judgment should go for the defendant, reversing the judgment of the court below."

Mr. Justice Dugas in his decision concurs with Mr. Justice Craig and finds that the staking of Sinclair was not in accordance with the regulations. After quoting section 15, under which Sinclair sought protection for his improper staking, his lordship says:

"The interpretation which is to be given to this clause is that on account of the difficulties which the locator may find himself in whilst attempting to fulfill the conditions of the law in staking, if a bona fide attempt is made to comply with such regulations, and if the non-observance is not of a character to mislead, then the locator should be protected and obtain his grant. Whilst it is clear that if otherwise he can fulfill the conditions fixed, more particularly by section 14, and that by neglect, or other reasons, he does not do so, then he is not entitled to

the protection of the law. It was easy for Sinclair to cut off this tree at the proper height. I do not say that he could have secured a post of the size required though it can be imagined that if there were trees which he could have used as a legal post some should have been found of the proper size. Yet, I would be disposed to give him the benefit of the doubt on this point, for it is a well-known fact that in many instances it is impossible to obtain in the vicinity of the claims the stakes or posts large enough to satisfy the requirements of the regulations in that behalf, but he is not excusable for not having cut off the tree and given to his legal post the proper height. There is some reason for this and the non-observance of this condition can easily be considered as misleading. The same thing must be said as to his failure to state the name or number of the claim on his legal post; there is no excuse for it, and as it is, I consider it a condition made absolute by section 14; this negligence on his part is also to my mind fatal to his position. I, therefore, consider that he was not entitled to a grant under the circumstances, and I am in favor of reversing the judgment of the gold commissioner to that effect, and to uphold the grant made to Mitchell."

Gold Commissioner Senkler says: "I think the appeal should be dismissed. I have nothing to add to my former judgment in this case."

## DEPARTMENT CALLED OUT

### Fire Boys Given a Run Last Night

### Robinson's Cabin on Steel Street Narrowly Escapes Destruction.

The fire department had its first run last night in several weeks and the first fire since the arrival of Chief Lester. An alarm was turned in at 7 o'clock from box No. 4 situated at Steele and Albert streets, the blaze being in a lean-to adjoining a cabin on Steele street a few doors north of Col. Bowie's residence.

The cabin was owned by Wm. Robinson and was occupied by him and Charles Caesar. How the fire originated is a mystery as both declare that at the time there was no fire in the house at all. It was first discovered by Dan McClelland who lives immediately in front of the Robinson cabin. He observed smoke issuing from the lean-to which was used as a woodshed and upon investigating found the roof ablaze. Before the department arrived the shed was entirely consumed and the cabin to which it was annexed was damaged somewhat, though not so much that the repairs will be of but little consequence. A frame cottage upon the same lot also received a severe scorching and, but for the timely arrival of the big chemical would have soon been in ruins. The occupants of the Robinson cabin succeeded in removing all their personal effects, and beyond the destruction of the woodshed the damage inflicted is nominal. Considerable delay was experienced in getting water from the engine on account of the hose wagon not having sufficient hose to reach from the engine house to the fire, thus necessitating a second trip to the fire hall for an additional supply. When the engine was finally in operation the flames were quickly subdued.

**A Good Opportunity.**

Anyone contemplating the purchase of machinery would find it to their advantage to apply to The Canadian Bank of Commerce, Whitehorse. Besides saws, belting and engineer's supplies, they have for sale:

- 1 Walrath's 40 Horse-power Horizontal Engine.
- 1 Atlas 35 Horse-power Boiler.
- 1 Albion 20 Horse-power Tubular Boiler.
- 1 Albion 36 Horse-power Vertical Engine.
- 1 Mitchell 20 Horse-power Vertical Engine.
- 1 Complete Sawing Plant, including Saw Frame, Log Turner, Log Hoist, etc.
- 1 Pile Driver.
- Complete Blacksmith Outfit.

**Charge Dismissed.**

In Magistrate Starnes' court this morning the charge against Frank Buck, not Rufus Buck as erroneously stated in yesterday's paper, of having violated the fire ordinance by having a stove pipe in bad repair, was dismissed.

## ARE MANY DEMOCRATS

### Eligible to Fill Presidential Chair

### Says William Jennings Bryan in the Commoner—Several Are Mentioned.

The editor of The Commoner is sometimes asked why he does not suggest some suitable candidate for president instead of pointing out objections to candidates named by the reorganizers. First, because he has no desire to pick out candidates or to influence the choice of the party as between men who believe in Democratic principles and can be trusted to carry them out; second, because between those who can be trusted the question of availability ought to be considered, and events largely determine availability. The convention is entitled to all the light it can get on the subject and it is nearly two years before the delegates will be chosen. There is no dearth of competent and deserving men. One hundred names could be suggested of men qualified by experience and party service for the high office of president. While each would have weak points and strong points—for perfection is not to be expected—any of them would poll the party strength and receive the support of all who believe in the doctrines set forth in the platform.

There are candidates galore and they are not confined to any one state or location. To illustrate how ample is the supply of presidential timber look at the state of Tennessee. She has two senators—Bate and Carmack—both of them loyal and able Democrats and both deserving of any honor within the gift of the people. While the senior senator's age might prevent his making an active campaign, he is not too old to be a faithful champion of the people's interests whether in the senate or in the White House.

Senator Carmack has earned his rapid promotion by his extraordinary ability, coupled with fearless and steadfast adherence to the principles of his party and forceful advocacy of those reforms which the masses demand. He was a pioneer in the fight for the restoration of bi-metalism and was one of the first to raise his voice against imperialism.

Then, there is Governor McMillin. After a long and illustrious service in congress he was made governor of his state and has since been re-elected. He has had more experience in public life than Grant, Hayes, Cleveland or Roosevelt had when elevated to the presidency, and more than Tilden or Hancock had when nominated.

And what is the matter with Bob Taylor? He has served three terms as governor and has a national reputation.

Besides these who have represented all the people of Tennessee there are several Tennessee congressmen who have made excellent records and who would grow in strength with the progress of a campaign.

But certainly the reorganizers ought not to demand great national

prominence or long experience in a candidate. Their idol, Grover Cleveland, never had any legislative experience. While mayor of Buffalo he was elected governor of New York and while governor he was elected president. His failure to meet the expectations of his party and his country was not due to lack of ability or experience, but to the fact that he lent himself to the schemes of syndicates and financiers.

Nashville has a mayor, J. M. Head, who possesses all the good qualities that Cleveland ever had and none of the bad ones. He went into office in the face of violent corporate opposition, but his first term was so universally popular that no one cared to run against him and he was re-elected by unanimous vote. He is showing what an incorruptible public official can do. He is not only efficient as an executive officer, but he is stand on every public question with such a national candidate the party could make not only a bold and aggressive fight, but a winning fight if circumstances favored success.

None of these men are aspirants for the office, but they are mentioned to show how easy it will be to find candidates if the party will only be true to its principles and plead the cause of the common people.

The names suggested do not by any means exhaust the list, even in Tennessee, and every state has a number of men sufficiently tested to be worthy of public confidence. Among the millions who voted the Democratic ticket in 1896 and 1900 there are enough to choose from so that it will not be necessary to forage upon the ranks of the Palmer and Buckner crowd to find a man of presidential stature.—William J. Bryan in The Commoner.

## CHURCH NOTICES.

**Presbyterian Church.**—At tomorrow evening's service the following special music will be rendered: Mrs. Boyes and Mrs. Dr. Thompson will sing "O Lovely Peace," a duet by Handel from "Judas Maccabaeus" and the choir will sing Dudley Buck's anthem entitled "Thou Wilt Keep Him in Perfect Peace."

**Methodist Church.**—Regular service at 11 a. m. and 7:30 p. m. At the evening service the choir will sing Mendelssohn's "I Waited for the Lord," a duet and chorus, and Miss Jones, Mrs. Matheson, Mr. Hugs and Mr. McLean will sing "One Sweetly Solemn Thought," a quartet by Ambrose. Tomorrow will be Rev. Heatherington's last Sunday in Dawson.

## A Family Smothered

Laurel, Neb., May 25.—John Jacobson, his wife and infant child, were smothered to death by smoke, and William Snyder, a clerk, and another of the Jacobson children, were seriously burned in a fire in the living rooms over the store, early today. Snyder, who lived with the family, was awakened by the flames and succeeded in rescuing the older child, but entrance in the sleeping apartments of the remainder of the family was cut off by the flames. The origin of the fire is unknown. The financial loss is small.

## EMIL STAUF

REAL ESTATE, MINING AND FINANCIAL BROKER  
Agent for Barron & Landon Toronto Co., Barron & Addison, Kenzie's Addition, The Imperial Life Insurance Company.  
Collections Promptly Attended to  
Money to Loan, Homes to Rent.  
Gold and Silver and Jewels.  
N. C. Office Bldg., King St.

Regular Service Stewart River

# STR. PROSPECTOR

Next Sailing Date, June 10

For Rates, Tickets, Etc., Apply  
W. MEED, S.-Y. T. Dock

## RAIN COATS

The New Crovett Waterproof Coats, swell wear in place of Other Coats. No rubber, no smell, just like any other Smart Coat in appearance, but Absolutely Waterproof. Also Currie's Mackintosh Coats, a Superior coat for rough service.

# SARGENT & PINSKA,

SECOND AVENUE.

Finest ice cream parlor in the city—at Gandolfo's. 1711.

Job Printing at Nugget office.

## PROFESSIONAL CARDS

**LAWYERS**  
PATTULLO & RIDLEY—Advocate, Notaries, Conveyancers, etc. Offices, Rooms 7 and 8 A. C. Office Bldg.

**MONEY TO LOAN**  
On the security of good city property. Terms moderate. Apply to SHANNON & MCKAY, Solicitors, Monte Carlo Building, First Avenue, Dawson.

N. F. HAGEM, K. C.—Law office, Monte Carlo building, First Avenue. Phone—Office, 129b; residence, 30c. Dawson, Y. T.

**SURVEYORS**  
G. WHITE-FRASER—M. Caa. Soc. C. E.; M. Am. Inst. E. E.; D. T. S. Phone 100b. Cor. Church and Third Avenue.

CHAS. S. W. BARWELL, D.L.S., C.E., DOMINION LAND SURVEYOR. Office, rooms 13 and 14 Bank Building. Phone 170, Dawson, Y. T.

**J. J. O'NEIL**  
MINING EXPERT

Quartz mines examined and reported on. Correspondence solicited.

Address—General Delivery, Dawson

## BANK SALOON

Wines, Liquors and Cigars 25c  
1st Ave. and King St. Opp N. C. Co.

## Regina Hotel

J. W. Wilson, Prop. and Mgr.  
Dawson's Leading Hotel

American and European Plan. Cuisine Unexcelled. Newly Re-fitted Throughout—All Modern Improvements. Rooms and board by the day, week or month.

2nd Ave. and York St. Dawson

## Signs and Wall Paper

**ANDERSON BROS.**  
SECOND AVE.

## "ROCHESTER" HOTEL

NEWLY FURNISHED. Strictly First Class. RATES ONE DOLLAR UP. Cor. 14 Ave and King St., DAWSON, Y. T. PHONE 100B. MRS. A. WILSON, PROP.

## WHITE PASS AND YUKON ROUTE.

Time Table of Rail Division.

North Bound	STATIONS	South Bound
1st Class		1st Class
2nd Class		2nd Class
Daily Except Sunday		Daily Except Sunday
7:00 a. m.	PRAGUEWAY	4:30 p. m.
8:00	Whitehorse	3:30
9:00	Clifton	2:30
10:00	Stewart	1:30
11:00	Yukon	12:30
12:00	White Pass	11:30
1:00	Whitehorse	10:30
2:00	Stewart	9:30
3:00	Clifton	8:30
4:00	Whitehorse	7:30
5:00	White Pass	6:30
6:00	Yukon	5:30
7:00	Stewart	4:30
8:00	Clifton	3:30
9:00	Whitehorse	2:30
10:00	White Pass	1:30
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8:00	Stewart	

TELEGRAM RECEIVED

Announcing the Death of Louis Sloss Sr.

Stores of Northern Commercial Company Are Closed in Consequence.

Manager E. A. Mizner, of the N. C. Co., received a wire this morning, from San Francisco, which had been delayed in transmission, that bore the sad intelligence of the death of Mr. Louis Sloss, Sr., one of the pioneers in the development of Alaska and the fur bearing industry of the far north and the organizer of the old A. C. Co. Mr. Sloss' death occurred at his summer home in San Rafael, California, Wednesday evening, June 4, at 8 o'clock, at the advanced age of 79 years. Out of respect to the memory of the deceased all the stores and warehouses of the N. C. Co. were at once closed and will remain so until Monday morning.

In California and along the Pacific coast there has been no more familiar figure, none better known nor more universally respected in the past quarter of a century than that of Mr. Sloss. Almost from its very birth he has been closely identified with any and everything that pertained to the welfare of the great state of California. Mr. Sloss was born in Germany but came to America with his parents when a mere child, they settling in Kentucky. When a young man the world was startled by the discovery of gold in California and he was among the first of the pioneer argonauts, crossing the plains in '49. Not meeting with the success he anticipated the following year he joined in the Fraser river stampede, later returning to California where he eventually drifted into the mercantile and fur business from which the foundation for his very large fortune was made. In 1868 a masterstroke of finance was executed when the Alaska Commercial Company was formed and a 20-year lease was entered into with the United States government for the Pribilof islands which gave practically a monopoly in fur bearing seals to the company. The rental paid was nominal and the profits ran into millions. The corporation was a close one, consisting of Mr. Sloss, Captain Niebaum, Senator Miller and one or two others.

Shortly after acquiring the lease on the seal island the company recognizing the importance of the inland fur bearing industry established a trading post on the lower Yukon at the old Russian mission now known as Kozersky. This was followed by other posts at different points and until the arrival of the N. A. T. & T. Co. in '93 the A. C. Co. was the only company known in all Alaska. How remunerative the trading and fur business was in an early day is seen by the fact that all who were among those pioneers are now multi-millionaires. Though so intimately associated with the early history of Alaska, which if ever written must be indissolubly connected with the Alaska Commercial Company, yet it is a remarkable fact that Mr. Sloss never once visited the scene which for him possessed such large interests. Until within the last few years Mr. Sloss was connected with nearly every large enterprise that was floated on the Pacific coast. He was for years president of the Alaska Commercial Company, was the organizer and one of the heaviest stockholders in the Alaska Packers' Association whose stock in less than a year jumped from \$50 par value to \$135; was president of the American Biscuit Company, better known as the cracker trust, and was heavily interested in the California Fruit Packers' Association, besides numerous smaller institutions. In San Francisco Mr. Sloss was one of the best known men in the entire city and was popular with everyone. Though he virtually retired from business several years ago yet when in town he was still always the first at the company's office which for over 30 years has been located at 310 Sansome street. With the employers of the company he was ever ready with a jest or pleasant word. He would often approach the cashier's desk and ask in a supplicating tone if he could draw a few dollars. The cashier would reply that he thought there was still a small amount left to his credit. "Well, let me have a few dollars,

but don't let the boys know it; they might not like it," and off he would go chuckling at his joke. His charity was boundless, though few ever heard of it, he preferring to make no display of his gifts. The death of Mr. Sloss will in no way disturb the various enterprises with which he was connected as his sons Leon and Louis Jr. have conducted his business for a number of years. His wife survives him, besides which is left four sons and a married daughter, Leon, Max, Joseph, Louis Jr. and Mrs. Lillenthal. Leon is president and Louis Jr. vice president of the N. C. Co.; Max is a judge of the superior court of San Francisco county and Joseph is a member of the firm of Miller, Sloss & Scott. It is thought here that Louis Jr. is en route on his annual trip to the inside and will arrive in Skagway in a day or two. Upon receiving the news of his father's death he will doubtless return at once to the city and may forego his Dawson trip this year. Mr. Sloss' fortune is variously estimated from \$8,000,000 to \$10,000,000.

ISAAC SAYS FAREWELL

Chief of the Moosehides Leaves Tomorrow

His First Trip to the Outside Guest of Transportation Company.

Tomorrow evening when the Sarah takes her departure for St. Michaels there promises to be some doin's on the N. C. dock. Chief Isaac, descendant of a noble line of ancestors and hereditary tye of the lordly Moosehides will leave on his first pilgrimage to the efiete west, not the east. He goes from here to St. Michaels and thence direct to San Francisco as a guest of the N. C. Co. After becoming satiated with the frivolities of California society he will partake of the hospitality of the N. A. T. & T. Co., who will entertain him in Seattle and other cities of the northwest. He will return home via Skagway as a guest of the White Pass line and expects to be gone on his junketing trip between two and three months. All his expenses as well as those of the boy Walter who will be picked up at Fortymile and who is accompanying him as an interpreter, will be borne by the companies whose guest he will be. In his inside pocket Isaac bears a number of letters of introduction given him by various people here. That which he prizes most highly was supplied by Territorial Secretary Brown. It is type-written on official paper bearing the usual crest. At the bottom is a huge red seal stamped upon a couple of artistically trimmed pieces of green tape. The letter recites: Dawson, June 1, 1902. To whom in may concern: This certifies to the status of the bearer, Isaac, chief of the Moosehide Indians in the Yukon territory, who lives at the Moosehide village on the Yukon river, three miles below Dawson, capital of the territory. Chief Isaac, through the courtesy of the N. C. Co., the N. A. T. & T. Co. and the White Pass Co., is making a tour from Dawson via St. Michaels to San Francisco and other outside points, returning to the Yukon via Skagway and the White Pass road. Any courtesies extended by those to whom this is presented will be duly appreciated. J. N. E. BROWN, Territorial Secretary. Isaac is also the bearer of other letters, among them being several from newspaper men here to friends in the same line in San Francisco. The Chief is fully alive to the advantages of newspaper advertising and though he can not read he has a keen appreciation of cartoons, except where he is the subject, and then he kicks. To the average sensational romancer in Frisco Isaac should be good for unlimited columns of copy.

Old Oom is Well

Special to the Daily Nugget. The Hague, June 7.—There is no foundation for the report that Kruger is ill. On the contrary, he is enjoying good health.

Wanted

Twenty-two calibre, short cartridges in any quantity. Arctic Shooting Gallery, Savoy Building, Front street.

INFANTICIDE IS CHARGED

Unnatural Act of Aberdeen, Wash., Parents

The Father Fled on Learning of Accusation, Leaving Sixteen Year Old Wife.

Special to the Daily Nugget. Tacoma, Wash., June 7.—Learning that he and his sixteen year-old wife were accused of drowning their three weeks' old baby, Paul Underwood disappeared from his home at Aberdeen, and his pretty young wife was taken into custody by Marshal Graham, at whose residence she now lies in a state of collapse, continually moaning and calling for her baby and husband.

Medals of Honor

Special to the Daily Nugget. Washington, June 7.—The interstate foreign commerce committee favorably reported to the house a bill bestowing gold medals of honor on Lieut. Jarvis, Lieut. Berthoff and Surgeon Samuel Call of the revenue cutter Bear for heroic service in connection with the expedition to relieve icebound whalers in the Arctic ocean in 1897-8. The bill will undoubtedly pass the house. A similar bill, adding thanks to congress and including all officers of the Bear party passed the senate last winter.

Still in Doubt

Special to the Daily Nugget. Portland, Or., June 6.—Correct returns give Chamberlain, Democrat, candidate for governor of Oregon, only 8 votes over Furnish, Republican. Returns still have to be received from three counties which were Republican last election. The latest returns increase the Republican majority in the legislature to Republicans 72, Democrats 18.

Strike Ended

Special to the Daily Nugget. Chicago, June 6.—The packing house teamsters' strike which embarrassed Chicago, ended this morning with partial victory for the teamsters, as the packers declared they will not discriminate against members of the union. The scale agreed upon is two cents lower than the men's demand.

Appreciated

Special to the Daily Nugget. Paris, June 7.—The message of sympathy sent by the Canadian government to Decrais, colonial minister to the French government, deeply touches the French people. Public sentiment in France is moved by an act so generous.

Roosevelt May Interpose

Special to the Daily Nugget. Pittsburg, June 7.—It is expected by the striking coal miners that President Roosevelt will personally take up their suggestion to work out a solution of the strike.

Commission Disbanded

Special to the Daily Nugget. Kansas City, June 7.—The British remount commission at this place has been disbanded.

In the Fancy Patterned Suits

The trend is now largely towards undressed Worsteds, Cheviots and Tweed effects in modest toned colorings of stripes and checks and mixture. These are the sort of stuffs that the high-class merchant tailors outside are making to order at from \$60.00 to \$75.00.

OUR PRICES RANGE FROM \$15.00 TO \$40.00. However, it will be well worth your while to call at our store and see the examples of high-class tailoring in the ready-to-wear suits. We give you entirely different goods from what you see in other places about town. THEY MAY COST A LITTLE MORE but are the cheapest for you.

FIRST AVENUE HERSHBERG The Reliable Clothier 1st Ave.

WATER FRONT NOTES.

The steamer Dawson arrived at 3:30 this afternoon with 125 tons of freight, 136 bags of mail, mostly second class, and a list of 75 passengers. The Dawson left Whitehorse Thursday morning at 1 o'clock and though the water on the upper river is still very low experienced no trouble beyond a delay of 12 hours in crossing the bar at the head of Lebarge. The Sybil reached Whitehorse safely, the Casca was passed yesterday in the Thirtymite bound up and the Bailey was passed near Minto. The consignment of mail includes all the old United States registered mail and an accumulation of second class matter. The Dawson returns tomorrow afternoon at 4 o'clock. Her passenger list was as follows: Lieut. Jarvis, N. Y. Hendrix, H. J. Hutchinson, George Brown, Chas. Pardee, C. Bates, J. N. McCabe, P. Larsen, W. C. Vey, Jos. Robertson, D. McCabe, W. Harris, C. W. Holm, L. Hunt, M. Edwards, C. Clennan, Capt. Whelan, Captain Turner, H. Tuttle, Ed. Ruxton, Captain Fairbairn, George Hill, M. Hodgson, H. M. Howard, George Bowen, J. Marsh, N. P. Nicol, A. Herman, F. M. Habzil, J. H. H. Cansten, Mrs. N. D. Platt, A. Letner, A. Farbo, Miss K. McMullen, Mrs. P. J. Campbell, H. Schweitzer, Arthur Roby, Mrs. P. R. Ritchie, Oscar Gillis, Chas. G. French, Ollie Brown, B. Westover, Mrs. L. Gaston, S. Simon, Mrs. Simon, Mollie Anderson, May Dwyer, J. R. Wilkins, W. F. Fix, H. A. Davies, Mrs. B. Fitzgerald, Mrs. C. W. Bowhay, Mrs. Jewell, Mrs. C. M. O'Neill, Mrs. H. Hill, Miss M. A. McDonald, George W. Comerford, H. H. Norwood, W. McPhee, George Eddeletz, W. Perdue, L. Leonaine, Mrs. Leonaine, Ed. Dolan, J. Gallinatti, Mrs. Gallinatti, A. Dugini, J. G. Burger, P. T. Mizony, Mary Sousie, A. Bruce, Oscar Fish, J. L. Grant and Mrs. T. Whelan. The La France which left last night for the head of the Pelly river carried a full load of freight and the following passengers: Pelly river—J. McLaughlin, John Rankin, M. D. Morgan, J. Hor, G. Lovell. Stewart—M. C. Hemrich and H. Detroit. Log Cabin—Wm. Catto and J. Lamphie. Goetzman the photographer also accompanied the expedition. The La France will ascend the Pelly 200 miles, to the big canyon, which is the head of navigation on the lower river. Above the canyon it is navigable for another 200 or 250 miles. On her return trip she will pick up a quantity of freight carried up by the Nora and make a run of 160 miles up the White river. The voyage up the McMillan was abandoned for want of traffic.

Court Next Week

There will be but one department of the territorial court in session next week owing to the absence of Mr. Justice Dugas. The following cases will be heard by Mr. Justice Craig: Monday—Chambers. Tuesday—McLellan vs. Day; Palmer vs. Estby. Wednesday—King vs. Clarke. Thursday—Dumas vs. C. D. Co. Friday—Barrett vs. Ames; Condon vs. C. D. Co.; Icke vs. Johnson.

Paid Off Today

The workmen and contractors on street improvements were paid off today, and all indebtedness of this account was cleared up. The amount distributed was \$8,833, to obtain

NOTICE

We have moved into our new location and are ready for business. Inspection of our new stock of imported goods invited. Everything in class. Best of trimmings, workmanship and fit guaranteed.—GEO. H. WITT, Second avenue, between Grand and King streets.

Judges to be Absent

Mr. Justice Dugas will leave Skagway tomorrow on the Dawson to meet his daughter. Upon his return Mr. Justice Craig the following week will depart for the same port to meet his wife and daughter.

City Drayage and Express. DAWSON TRANSFER CO. Day and Night Service. CHANGE OF TIME TABLE—On and After May 20, 1902. STAGES—Leave Dawson... 8:30 a. m. and 6 p. m. Leave Forks... 8:30 a. m. and 6 p. m. Phone:—Office, No. 6; Night Phone No. 9. OFFICE, N. C. BUILDING.

Auditorium Theatre BEGINNING MONDAY, JUNE 9 "Ten Thousand Miles Away" Prices as Usual

STEAMER CLIFFORD SIFTON WILL SAIL FOR WHITEHORSE ON OR ABOUT JUNE 12th. FOR TICKETS, RATES, ETC., APPLY FRANK MORTIMER, Agent, - Aurora Dock

Robins Belt Conveyors Stack tailings, carry and elevate dirt and rock successfully and economically. B. A. Howes, Office, Hotel Metropole, Dawson

500 Gent's Nobby SPECIAL! Straw Hats \$1.00 SEE OUR WINDOW REMEMBER THAT UP-TO-DATE LINE OF CLOTHING WE CARRY \$15.00 - \$18.00 - \$20.00 - \$22.00. N. A. T. & T. COMPANY

A SAFE CONDUCTOR Is WROUGHT IRON PIPE We Have All Sizes from 3-8 Inch up to 6 Inch. Dawson Hardware Co., Ltd.

6 PAGES Vol. 3—No. 137 MAY MISS GRAND RAILROAD MAY GO OTHER WAY Chief Engineer Williams Such Statement in cover. Special to the Daily Nugget Vancouver, June 8.—A been made in the plan of the Grand Forks Railway, and the terminus may not be Grand Chief Engineer Williams have several routes and all depends upon the success had in New York. It is not improbable that Grand Forks altogether. "It will take practicing years to complete the will have the first section in three months." In speaking of the pro- White of the White Pass and Klondike Mines Railway is the better we will like of goods they take Shesht river country they will be. Every pound they take into the Stew means an advertisement look for a great increase for the White Pass which daily cuts the country t- June Weather Considerable ice formed at 10 o'clock this morning was sprinkled on First avenue it froze down to 26, four de- Left for Winnipeg Mr. A. B. Moffatt, ac- Bank of Commerce, Dawson yesterday for his Winnipeg. His departure a telegram announcing his mother. The Ladue Quartz Mi IS NOW IN OPE We have made number of tests a ready to make other We have the money will buy an and all our work mill and also in the Assay Offi Hoff's Dent's perfection for and breath PIONEER DRUG TI 8x1 10x1 12x1 McLennan