

Co Advertisers
The Nugget Reaches the
People Who Buy.

VOL. 2 No. 110

DAWSON, Y. T., WEDNESDAY, MAY 15, 1901

PRICE 25 CENTS

ASBESTOL, CORDOVAN, HORSEHIDE
GLOVES
Are Proof Against Heat, Steam, Boiling and Cold Water and will give excellent satisfaction.
At Wholesale and Retail
By
Sargent & Pinska
First Ave., Cor. Second Street.

The Ladue Co.
LOOK OUT FOR US THIS SEASON!

We will import more goods than ever before. The combination does not frighten us. Big bargains await you in carefully selected commodities.

THE LADUE CO.
IF YOU BUY IT OF LADUE CO. IT'S GOOD.

Patent Prepus Toilet Articles
Reid & Co.
Main Drug Store - Front Street

Hotel McDonald
THE ONLY FIRST-CLASS HOTEL IN DAWSON.
JOHN O. BOZORTH, Manager

Orr & Tukey.. FREIGHTERS
ON AND AFTER MAY 6 DAILY STAGE TO AND FROM GRAND FORKS leaving each place at 8 a. m. & 3 p. m.
Office - A. C. Co. Building

O'Brien Club
Refitted and Handsomely Furnished
First Class Bar Is Run in Connection for Members.

Have You Seen The New PIONEER SALOON Yet?
GEORGE BUTLER...
STILL AT THE HELM

PACKING GARLOCK, TUCKS, Round and Square ALL SIZES
Rainbow Sheet Packing and Square Flax
McL., McF. & Co. LIMITED

RIGID DOG LAW

Passed at Special Meeting Held Last Night by Yukon Council.

EXIGENCIES OF OCCASION ARE MET
In Manner Permitting of No Misconception.

STEAMER BAR LICENSE CUT.
Territorial Court Vacations Changed From Summer and Fall to Fall and Winter.

The Yukon council passed a most stringent ordinance respecting dogs at its special meeting last night and one which it is calculated will obviate all danger from rabies in the future. The ordinance embodies the four ordinances respecting dogs now in force and is a very lengthy one. It provides that all dogs must have a basket muzzle so that they cannot touch or bite anything with their mouth. All dogs must be tied up so as not to give them more than five feet of rope, tags also to be procured for them. Any dog running at large is subject to being killed or impounded. No damages can be collected for dogs killed unless it can be proven that they were properly tied up and tagged.

THE SPORTS COMMITTEE

Changes Prizes Offered for Tug of War Contest.

The sports committee of the Victoria day celebration held a meeting last night at which it was decided to raise the amounts on the offered prizes for the tug of war contest. The first prize was raised from \$125 to \$190, the second prize was raised from \$50 to \$100.

MAD DOGS ON BONANZA

Violent Case of Rabies Developed Last Saturday.

Another case of rabies was reported from 32 below Bonanza last Monday. This was a dog belonging to J. Ben Lewis, who with Mr. McKay are operating a hillside claim opposite 32. McKay had a dog which went mad some time ago and during his ravings succeeded in biting Lewis' dog. The time the dog was bitten was noted and a careful watch was kept of him to witness any symptoms of the development of the disease. The dog had a very playful disposition and was a great pet among all the boys on the claim. Last Sunday some of the boys were playing with him when he suddenly stopped and went away and laid down for a short time. He then got up and in less than five minutes was completely under the influence of a violent attack of the dread disease. He started on a run after some other dogs in the neighborhood, frothing at the mouth and snapping every thing that came in his way. Before he had gone very far and committed any deeds of violence he was shot. From the time he was bitten until the disease developed in him was nine days and two hours, according to Mr. Lewis, who kept careful account of the date.

JOHN GREEN WINS SUIT

In Clothier Hershberg's Ice Guessing Contest.

John Green, day manager of the Northern now the guessing contest on the outgoing of the ice, his ticket being marked May 14th, 4:14 p. m. The official time as given by the A. C. Co. is 4:12 p. m. Consequently his guess was within two minutes of the exact time. The tickets were counted last night in the presence of representatives of the Nugget, News and Sun. There were 2009 tickets counted out of which but 106 guessed the day. John Peterson, A. J. Stanley, Wade Blaker, and Constable St. John gave May 14, 4 p. m., and but for the lucky guess of Green they would have tied on the contest. Some remarkable manuscript was discovered in the count of which follows:
"I guess on when ice goes out this spring 1901 15 at 10 p. m."
"May Sunday 4 a. m. 30 minutes."
Handed in by a well known Dawson lady.
"Month of 26 day of May 8 p. m. 25 minutes."
"Guess between 18th and 19th of May at 12 o'clock at night."
"I guess the ice goes out the 14 May."
Many tickets were sent in without names attached and two guesses were written on paper manufactured by splitting a playing card in two and writing on the blank side.
Mr. Hershberg will conduct another contest on the closing of the river next fall and will offer a most valuable prize to the winner.

MANY NEW MEMBERS

Received Into the Arctic Brotherhood Last Night.

The Arctic Brotherhood held its largest meeting of the year at McDonald hall last evening when over a hundred members were present and initiated into the mysteries of the order 30 chachos whose names are as follows:
A. H. Anderson, M. R. Boyd, C. E. Powell, J. L. Cote, S. W. Taggart, H. H. Pritchard, Dr. P. D. Carper, Dr. A. P. Edwards, A. E. Pretty, Geo. Murphy, M. H. Craig, W. M. McKay, C. J. Harrison, R. Chisholm, W. F. Barrett, F. A. McRae, D. R. McLennan, Cortland Starnes, D. A. Matheson, T. C. Healey, Chas. Macdonald, P. M. Zilly, T. J. Dieter, B. M. Valkman, J. L. Hershberg, H. Hershberg, J. S. Day, J. H. Houston, R. R. Macfarlane, M. D., and J. L. Daly.
After the initiation the offices for the present term were duly installed the ceremony being both interesting and impressive.
The Arctic Brotherhood is today one of the most popular organizations in this country owing to its local character and the principles of brotherhood which it advocates in this northern land.
Latest Kodak finishing at Goetzman's.

RECEIVED BY WIRE. STEAMER FLORA

Is Now En Route Down the River From Lake Labarge.

ICE BREAKING AT ALL POINTS.
Thirtymile River Has Very Little Water.

HOOTALINQUA STILL INTACT.
Yukon Open From Five Fingers to Selkirk Reports From Other Points.

Lower Lebarge, May 15.—Steamer Flora left for Dawson 11:20 a. m. Lake getting soft; some teams broke through yesterday, but were gotten out safely. Water in Thirtymile reported to be 17 inches at lowest stage.

Hootalinqua.—Water still very low. Steamer Clifford Sifton went down to wood camp and wooded up and is now all ready to leave at a moment's notice. Hootalinqua river not yet open.

Five Fingers.—Ice still solid between here and Rink rapids; above and below open; but water very low.

Selkirk.—River open from Rink rapids to Selkirk with exception of a jam at Wolverine creek, eight miles above here.

Selwyn.—Ice not broken here yet, but it is very soft and may break any time.

Stewart.—Jammed worse than ever here now; it broke away this morning and ran for an hour, but is now piled up again and water backing up. Large volume of water with plenty of ice coming from Stewart river.

Ogilvie.—No ice coming down. Jam here broke at 8 p. m. last night and moved down few miles. It is evidently jammed again below here though, as water is backing up some.

BUTLER'S PIONEER

The New Saloon a Monument of Enterprise.

The most attractive resort in Dawson at the present time is without exception the Pioneer Saloon which has recently been rebuilt by George Butler, its enterprising proprietor. At a cost of \$17,000 he has erected a fine two-story building on the old premises embracing an area of over 25,000 feet square of floor space on the lower story. Large plate glass windows embellish the front of the building. The interior is handsomely fitted up, daintily papered and artistically painted. In the front of the house a number of handsomely arranged log-boxes are constructed opposite the bar which runs the full length of the outer room and at which place a line of thirsty patrons can be seen at all times of the day and night discussing the different beverages concocted by a corps of expert attendants. The success of the Pioneer is due to the excellent quality of liquors and cigars dispensed at the bar, Mr. Butler having imported a carefully selected stock last fall and replenished the same at different periods by consignments shipped in over the ice. This is the only similar resort in Dawson which charges but 25 cents a drink and which enjoys the trade of the workman as well as the men about town. It is safe to say that the Pioneer will do the largest saloon business in the town this season and that its genial proprietor will wax fat and prosperous.
Turkish bath at Allman's, \$5.
Holland herring, Selman & Myers.
Try Allman's scrub baths.

RECEIVED BY WIRE. RATE WAR STILL ON

Steamship Association Fails to Make Terms.

Skagway, May 15.—The steamer Cottage City arrived at 2:30 this afternoon with 200 passengers nearly all of whom are for Dawson. The Alaska Steamship Association held a session in Seattle last Friday, the 10th, but failed to arrive at an agreement, so the rate war still continues and will do so indefinitely. First-class tickets on the Cottage City are \$10 with freight at \$5 per ton.

ATTORNEY IN POLICE COURT

J. A. (Tod) Allman Is Up on Two Charges.

J. A. (Tod) Allman, of the law firm of Wade & Allman, the former being crown prosecutor for the Yukon district, was arrested yesterday evening about 3:30 o'clock by Corporal J. S. Piper and taken to the barracks where two charges were placed against him, one with having permitted his dog to run at large unmuzzled, the other with having resisted a peace officer while the latter was in the performance of his duties. Allman was released on \$500 bail until this afternoon when the cases were called by Magistrate Starnes in the police court, the defendant's partner Crown Prosecutor Wade, appearing in his behalf.

The first charge named above was taken up and Allman pleaded not guilty. Corporal Piper, the arresting officer, was the only witness for the prosecution and he testified that on yesterday afternoon he had seen defendant's dog near the Canadian Bank of Commerce at the barracks, that the dog was at large and unmuzzled contrary to an ordinance of the Yukon territory; that he had taken charge of the dog and later the animal had been taken to the pound.

For his client Mr. Wade moved a non-suit of the case on the ground that the ordinance referred to or the copy thereof as it appears in the police court ordinance book is not signed by Mr. Ogilvie as commissioner, therefore he denied that such an ordinance exists. The magistrate denied the motion for a non-suit and continued the case until Saturday morning. In the meantime an effort will be made to find the original ordinance.

Allman was not asked to plead to the charge of resisting an officer, but his attorney, the crown prosecutor, said that that charge will also be denied on the ground that Corporal Piper is not a peace officer. The hearing of the latter charge was also deferred until Saturday morning.

In the meantime if Corporal Piper is not a peace officer there are many people in Dawson who would like to see what a "sho'-nuff" peace officer looks like.

COMING AND GOING.

Mr. H. Honnen is on the rapid road to recovery from his recent attack of erysipelas.

When will the first boat get in? Is the question which is now agitating the public mind.

The A. C. Co. is building an extension onto their wharf opposite their store on Third street and First avenue.

Up to date only a few small shipments of just have been received at the gold commissioner's office in payment of royalty.

Several men today in small boats have taken advantage of the stopping of the ice to secure some of the snow and lumber which it brought down.

Yesterday was a busy day in steamboat slough across the river. A gang of men were employed blasting the ice away from the steamers leaving their entirety free.

DECISION IN FULL

As Rendered by Judge Craig in Case of D'Avignon Vs. Jones Et Al.

REGARDING CLAIM 13 ON GOLD RUN
Action Being Taken to Remove Cloud From Title.

EVIDENCE WAS CONFLICTING

Making It Most Remarkable Case in History of Local Jurisprudence—His Honor Much Puzzled.

The following is the decision in full of Honorable Judge James Craig of the territorial court, handed down yesterday morning in the case of Joseph D'Avignon, plaintiff, vs. Jones et al., defendants:

This is one of the most peculiar cases which I have ever heard of and is certainly the most unsatisfactory case which I have tried since I came into the territory—a case where so many objections can be raised to the evidence of all the parties to the issue and where so much has been shown to throw discredit upon the witnesses directly concerned in the result of the trial.

The action is brought by D'Avignon to set aside an alleged deed of 13 Gold Run, which he claims to be a cloud upon his title and which he claims he never executed to pass the title to this property. As the action is framed, the defendants claim title through D'Avignon and claim under a deed from D'Avignon, but during the course of the trial they sought to discredit D'Avignon and his witnesses and to throw doubt upon the root of their own title, and it was objected that such evidence was inadmissible. I must, to a considerable extent, go into the history of this matter, with my comments upon the evidence thereon. D'Avignon claims that he came down from the Stewart river on a special trip carrying freight for one Peacock, and with him came Hildebrand, another witness in the case. That being down here, he got some numbers from an unknown man of claims which were open for staking on Gold Run creek. He at once started for Gold Run; he and Hildebrand staking claims. D'Avignon alleges that he staked 13; returning at once, on the way back he met Barlow, who was then a layman with three others, McCaul, Pusey and Averett on 39 Hunker. D'Avignon goes back to Dawson and seems to have an intention of recording his claim until it appears that Barlow hunted him up and induced him to record, offering to pay the recording fee. D'Avignon swears that on the morning of the 13th of March he recorded this claim, believing to be at the recording office between 3 and 4 in the morning to avoid the rush of recorders. McCaul, Vance, D'Avignon and Averett recorded their claims in the order in which I have given them. This is important in view of what afterwards comes out. It is admitted by the evidence that D'Avignon had no connection with the other three parties. He himself says he had not, but it is also clear that Barlow had a very close connection as a layman on 39 with the other three parties. Now, D'Avignon is going to record did not go to one of that party he says. He must have either gone before or after them. He swears that he had to take his place in the line. It appears that the other three parties recorded together and by virtue of some arrangement.

(Continued on Page 3.)

LINEN

We have now on sale the most complete line of
Cable Linen, Napkins, Bedspreads, Towels, Sheets and Pillow Cases
Ever shown in Dawson and at Most Attractive Prices.
AMES MERCANTILE CO.

Hotel and Restaurant Keepers
We call your especial attention to this sale.

DECISION IN FULL.

(Continued from Page 1.)

These papers are endorsed directions in the handwriting of Rutledge. Prior to this Rutledge had dealings with Barlow as Barlow's Rutledge further tries to explain this by saying that thousands of transactions passed through his hands, that everything was done in a most irregular and hurried manner at that time and that paper was scarce and various excuses of a similar nature owing to the unsettled state of the country and the utter disregard which people had for any regularity of proceeding. Well, paper was not so scarce that duplicates were not made of the escrow deeds. In fact duplicates were made, and paper was as plentiful two days after in Dawson on the 18th or 20th as it was on the 16th. That excuse is not tenable. Barlow alleges that he had previous dealings with Rutledge in regard to Dominion property and left with him in that case also a deed in blank. Rutledge denies ever receiving any deed in blank from Barlow on any occasion and that these deeds were actually drawn up at the time he alleges, namely, two days after the escrow papers. Why the escrow papers were not taken up when the property covered by them was sold is not apparent. Rutledge says he dropped the matter and took no more concern about the matter as he had bought the property. It is clear that Barlow went to the outside, that he wrote to the N. A. T. Company, who held the papers in escrow, inquiring as to whether payment had been made. He received unsatisfactory replies and determined to come in. He gave directions and orders to parties to call for these papers. His whole conduct in that respect was consistent with his story that the property was lying under the option with the defendants in escrow. His story was not shaken in any respect and both his account and the account of D'Avignon and Hildebrand seem to be consistent and a straightforward story. On the other hand the evidence of Rutledge was not given in a manner which impressed me with its sincerity. It may be and perhaps is the fact that having had so many transactions passing through his hands, the value of the property being so great, the apparent inconsistencies being so clear, that Rutledge became rattled in giving his evidence and to save his property told inconsistent stories. However this may be, I must view the evidence as it is before me. Upon the issue as framed and if evidence had not been given to discredit the testimony of Barlow, D'Avignon and Hildebrand, I would be disposed to think that the inherent evidence in the documents themselves being such as to confirm the story of D'Avignon and Barlow, the dealings of D'Avignon and Barlow with the escrow papers being also consistent with their story, the plaintiffs must succeed. But the defendants were allowed to give evidence to shake the credibility and honesty of these parties for the purpose of showing, I take it, that having told a false story in regard to one part of their case, their evidence could not be believed as to the balance. I must investigate that and give my finding upon it as I view it. In the first place it seems to me to be extraordinary that D'Avignon should come down from Stewart river on a special trip carrying freight and immediately go to Gold Run, a very great distance away, passing over creeks which were then better known and better thought of and go to stake a claim upon a practically unknown creek, which had no reputation in the market whatever, in fact stake an absolute wildcat. The expense of going there must have been great and D'Avignon himself says that he had no intention, was utterly indifferent whether he recorded or not. I cannot understand a man going that great distance to stake a claim and then have no desire to record it for the sake of saving the small fee of \$15. That is improbable on its face. Then Hildebrand, it seems, secured no claim. It is true, he swears he staked 20, and this number should also be borne in mind in view of what transpires afterwards; when he came to record it he found it had been previously recorded against him. There were lots of vacant claims on the creek, as it appears by subsequent staking, which Hildebrand might have got. In connection with this question of whether Barlow or D'Avignon really staked this claim, we have the story of D'Avignon that some strange man gave them these numbers. A witness, Christie, swears that he was a layman upon the same claim upon which Barlow worked. No. 39, along with McCaul, Fancy and Averett and in discussing with these men possible claims open for staking he agrees with them to go to Dawson and find out from the gold commissioner's office what claims were open for staking. He finds out that these very claims are open; he enters them in a note book at the time and he allots to these four parties the various claims which are afterwards staked, with one exception, that is, he allots to Barlow 13, to McCaul 20, to Fancy 43 and to Averett 119; 20 is the claim which Hildebrand says he staked but could not record. These were the claims afterwards actually recorded by these parties with the exception of 20, and McCaul records No. 12 instead of 20. There is no doubt in my mind that Barlow acquired knowledge of 13 through Christie. Some one staked 13 because the defendants have brought

into court the post marked "Joe D'Avignon." The question is did D'Avignon or did Barlow actually stake claim 13? It is also in evidence (and Barlow admits it) that his right of staking in that district had been exhausted as he had already staked a claim in the same district and could not under the law stake another claim. Here was a motive for his using the name of another man to acquire a property. Then D'Avignon seems to have lost all interest in the matter since that date. His refusal or his non-signing of the power of attorney is in itself suspicious. If Barlow got from Rutledge the \$500 which he says was paid to him on the escrow papers, he has given us no clear evidence of what application he made of it or whether he paid D'Avignon his share of it in cash. He says D'Avignon got an equivalent but does not tell us what that equivalent was. Then Barlow began this suit. D'Avignon from his evidence and from his conduct appears to have been entirely indifferent. The power of attorney to bring the action was signed by Barlow for D'Avignon. Barlow and D'Avignon, it seems, were old friends of some 40 years standing. His name was a convenient one to use, because I have no doubt that D'Avignon was in the country at that time, but a singular coincidence strikes one in that at the very time in which D'Avignon was in the country and at which he claims to have staked 13 Gold Run, Barlow had received this very number from Christie as a possible claim to stake; that he should strike upon D'Avignon at that time; that at that very time of day D'Avignon should go over the hills and come across Barlow working on 39 Hunker, as he said he did, is also a strange thing; that D'Avignon who was only in the Dawson district three or four days at the most or thereabouts should go directly to the very claim which his friend Barlow had in his pocket then for staking; that he should come to Dawson without intent to record that claim, and at the suggestion of Barlow record it and leave the country and pay no more attention to it is also singular; that he should on his return trip, on the way down to Nome, have passed Dawson, the only settlement of any importance on the river, without stopping is altogether singular.

A great deal of evidence was given as to the handwriting and all those who gave evidence agree and are very emphatic upon the latter, that the signature "Joseph D'Avignon" in the recording book or the application book of the gold commissioner's office, is in the same handwriting as the signature "Joseph D'Avignon" on the power of attorney; that it is also the same handwriting as is upon the stake and upon the various other documents which Barlow signs for D'Avignon. D'Avignon on examination for discovery and prior to the trial signed his name for the purpose of identification and comparison and the experts who have evidence are also all agreed that the signature "Joseph D'Avignon" made by the admitted D'Avignon is not in the handwriting of the man who wrote the "Joseph D'Avignon" in the application book and on the post and power of attorney. It is true that the evidence of handwriting experts is to be received with considerable hesitation but when all the parties agree upon the matter and no evidence in contradiction is given, I must give due weight to the opinion of these men. Barlow was in company with the party of men who staked these claims, admitted by him to be perjurers and fraudulent claimants against the government. One theory suggests itself to me and it may be the true one, but I cannot give effect to it as I view the evidence afterwards given, is that Barlow did perpetrate a fraud upon the government; that he used D'Avignon's name to stake for the purpose of acquiring more property than he was entitled to acquire under the regulations governing placer mining; that Rutledge did use the blank forms afterwards to defraud Barlow out of his claim. The evidence of the documents and the evidence of the dealings of the parties would seem to indicate that both these views might be correct. I am of opinion that Barlow did stake this claim himself and that D'Avignon did not stake it, from the evidence which I have recited. If that is so then he came into the box and swore that D'Avignon staked it, knowing that he himself had staked it. I may be wrong in this conclusion. These men all seem to be honest and all seem to be respectable, but they are all concerned in the result of this action and in the proceeds of a very valuable property. The evidence as it affects the credibility of both Barlow, D'Avignon and Rutledge is about evenly divided, the scale rather in favor of the plaintiffs. I must now look to see what evidence I have to turn the scale if there is any. This case is practically a trial of Rutledge for forgery. If he used the document, as it is alleged he used it, then he was guilty of a fraud. It is hard to conceive that any man would be guilty of such an atrocious crime for the sake of saving \$750. Then I say what evidence have we got to rebut the presumption of fraud. In the first place we have the evidence of one William Abbott who seems to me to be a decent, honest witness, and he gave his evidence with very great care. He says he came into this country

about the 11th of July of the year in question and that some few days afterwards he was in the office of Rutledge and was called upon to witness a document which is the very document in question. He identified his signature upon the document under which Rutledge, Jones and Davis claim title. He says he did not know the parties executing it and will not swear he actually saw the signature made but he does say that it was in an open office at a desk where a real transaction appeared to be going on between the parties to the document and Rutledge, that he signed openly in the presence of those who were there but cannot say that he knows Barlow or D'Avignon or that he saw the actual signature made but he does know that he did sign that document as a witness at that time. Here is another singular coincidence: If Rutledge had been guilty of fraud, how did he strike this very date; what was the reason of him using the 20th day of July to perpetrate this fraud when the property in Gold Run had not then advanced in price. It was not till afterwards and long afterwards that any hint of advance in price of Gold Run property was made public. That it was about the 20th of July, the date which Rutledge gives, that Abbott signed the document is quite clear from Abbott's evidence because he says that was a week or thereabouts after his arrival in the country. He cannot of course now define the exact date. If Abbott were a dishonest witness he would have gone further and sworn that he saw the party sign the document. That he is an absolutely honest witness is evidenced by the fact of the care with which he gave his evidence and therefore he must have witnessed that document at the time when he says he did and as openly as he says he did, which would be a strange way for Rutledge to carry out a fraud. Then we have another witness and I conceive perhaps the most important witness in the case. He was wholly independent, so far as it appears, in the matter—one White—who swears first as to the original staking and he says that Barlow told him some time after March, 1898, that he himself had staked 13 Gold Run. White is clear as to this. Says there is no question that Barlow told him he had staked it. If that is true then Barlow has not told the truth when he said that D'Avignon staked it. He did not tell the truth in the commissioner's office and he is not telling the truth here. Further White swears that he is an old friend of Barlow's or an old acquaintance of his, that after the 20th of July, the date of the alleged sale, he saw Barlow at Whatcom, Washington, his home, and he then told him that he had sold his property to Rutledge—this property in question—and had got his money, being disgusted with the country and anxious to get out. This confirms Rutledge's account of the matter that Barlow came to him after the escrow papers were signed and said he was willing to sell at a less sum for cash, which Rutledge gave him. Davis' evidence is wholly unsatisfactory. I think it is so unsatisfactory that it may be absolutely ignored. An affidavit which was filed in the case says that he paid \$500 when the deal was made and \$500 when the paper was recorded. This would seem to confirm the evidence of Barlow that \$500 was paid on the escrow papers. He comes into court and swears that he paid \$1000 all at one time and on further cross-examination he does not seem to know what he paid at all. I think Mr. Davis paid absolutely no attention whatever to the transaction and has only a very hazy and indistinct recollection of the matter. If his story regarding the \$1000 payment at once is correct it confirms Rutledge. It is true that Rutledge was out of the country at the time the action was brought and the affidavit was sworn which might account for Davis' ignorance of the facts in question. If Rutledge had been present and made a similar affidavit it would have had a much more important bearing on the case. As I said before, it practically amounts to this, that if I find for the plaintiffs, I must find the defendant Rutledge guilty of forgery. I can find no sufficient motive for that or any motive which should move a man of his apparent respectability. While the documents are strange and not reconcilable with any proper mode of procedure, yet it is possible that his story may be correct and that the things did happen as he says they did, however strange it may seem. But I think the evidence of Abbott and White turn the scale in his favor and I must believe them. I cannot say that I am satisfied even with my own judgment in the matter. The whole thing is such a kaleidoscope of inconsistencies and improbabilities that one is lost in trying to reconcile all the discrepancies in the evidence. Another judge or jury might come to a very different conclusion upon the facts, but this is my finding as I view the evidence. I might even give the old Scotch verdict "not proven."

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LENGTHY COUNCIL MEETING

Was the Special Session Held Last Night.

Klondike City Residents Object to Toll Bridge—Lengthy Report of Public Works Committee.

The Yukon council held a special meeting last night with all members present with the exception of Gold Commissioner Senkler.

A petition from the residents and property holders of Klondike City asking the council to purchase the slab bridge connecting the island with Klondike City which the toll bridge proprietors had attempted to remove was referred to the committee of public works.

A communication from residents of South Dawson calling attention to the insufficiency of the fire protection to that portion of the town and suggesting that arrangements be made with the McDonald Iron Works for the establishment of a fire engine at its place of business, was referred to the board of fire commissioners.

A petition from miners on Adams creek and Chechako Hill for the construction of a road up Adams creek to Chechako Hill was referred to public works committee.

A petition from miners on Quartz creek and tributaries for the construction of a road from 30 El Dorado to the mouth of Chief gulch up Chief gulch to the top of the divide, thence along the ridge to Twelve pup, a tributary of Quartz and thence down Twelve pup to Quartz creek was also referred to public works committee.

The finance committee submitted a report recommending the payment of the account for \$20 from Dr. McLeod of Grand Forks for attendance on J. Carlson an indigent and F. Williams a suspected smallpox case.

In reply to the committee from the Board of Trade relative to the transient traders it was decided to inform the Board of Trade that the ordinance respecting the transient traders would be enforced and further that any citizen has the right to prosecute any transient trader for violation of the ordinance.

It was recommended that the collection of taxes be proceeded with in accordance with the law, the collector to hold a conference with the commissioner.

The committee recommended that \$25 per month starting from the 1st of March be allowed the Rev. A. S. Grant for the care of an indigent child "Gates" until the opening of navigation.

It was also recommended that the bar license on boats be fixed at \$200 for boats having a carrying capacity of 100 passengers or less and for boats, having a capacity of more than 100 passengers \$300 be the license.

The public works committee submitted the following report which was adopted:

In response to the widening of the lower end of Mission street by arranging for the removal of the English Church building, your committee begs to report that a communication has been received from the vestry clerk stating that the church authorities are prepared to receive and consider any proposal that council may have to make in this matter.

Your committee, however, is of the opinion that the proposal should be made by the vestry clerk as to what the church is willing to do in the matter.

Regarding the claim made by Charles Caulfield, through his solicitors for damages sustained by the loss of a cabin through the construction of the wagon road along Bonanza creek, your committee is of the opinion that the council is not responsible for this matter, and recommends Mr. Caulfield to look to the contractors for damages.

In respect to the application of Fred Theorner to be permitted to place a small stand in front of the old courthouse, your committee recommends that this application and all similar ones be refused.

With reference to the proposed removal of the Yukon Sun building on First avenue, your committee recommends that ex-Commissioner Ogilvie be communicated with as to what rights the owners of the Sun have to the ground on which the building stands.

In respect to the proposed negotiations looking toward the removal of the Salvation Army from their present quarters, your committee recommends that action be deferred.

With respect to the occupation of the public thoroughfares by pedlars occupying more or less permanent stands, your committee recommends that no further permission be given to anyone to erect or sell from such stands.

Your committee after considering the request of the manager of the Klondike Mill Company to be allowed to establish a ferry at the mouth of the Klondike by which to transport lumber between the island and the mainland, recommends that this petition be granted.

be approved by the engineer with the understanding that this council will have the right to have the ferry removed at any time without any claim of compensation.

Regarding the proposal to purchase the Howard and Robert bridge at the mouth of the Klondike river, your committee recommends that a report be obtained from the engineer as to the condition and value of the said bridge.

In respect to the complaint of the condition of the government road between Jo-Jo and the mouth of Gold Run, your committee recommends that the attention of the foreman of roads be called to the matter.

With reference to the petition from certain residents of Dawson for the improvement of the roadway on Third avenue between Seventh and Ninth streets, your committee recommends that the petition be referred to the engineer.

Consideration was given to a communication from J. A. Green, calling attention to the almost impassable condition of the trail leading up to the cemeteries, your committee recommends that the engineer examine said report on the condition of this road.

Your committee also considered the communication submitted by the officer commanding the Northwest Mounted Police, in which he had been addressed as to the possibility of occupying a portion of First avenue on which to place boilers, etc., and is strongly of the opinion that no person should be allowed to obstruct the streets in any way.

Your committee after consideration of the question of the enforcement of the ordinance relating to the inspection of boilers, recommends that the said ordinance be not enforced at present, owing, among other things, to the lack of the necessary instruments required by the boiler inspector with which to make the proper inspection of boilers.

In reply to the communication of B. E. Axe, calling attention to the ditch along the north side of Mission street, and the absence of a sidewalk in front of certain properties, your committee recommends that the attention of the engineer be called to this matter.

SUCCESS AND FAILURE.

The Higher the Purpose the Rarer the Achievement.

If by success we mean the full accomplishment of an end, the actual reaping of a harvest of results, then it is undoubtedly true that the higher and nobler the purpose the rarer will be the success. If we aim to relieve a man's hunger, we can quickly succeed in the easy task, but if we aim to inspire him with a desire to earn his own bread the work is more difficult and the success far more problematical. If we would restrain a thief from robbery, the prison bars and locks insure success, but if we would make an honest man of him our task is a complex one, and success may be afar off. We undertake to teach a child to read. If with requisite effort we follow up our task, we are successful, but if we aspire to raise the educational standard of our community how arduous the task, how uncertain the result, how questionable the success!

The low man sees a little thing to do, sees it and does it; The high man, with a great thing to pursue, dies ere he knows it.

Is his life, then, a failure? No; let us never imagine that any high purpose, any noble thought, any generous emotion, any earnest effort, is ever lost. We may never witness its growth, we may not live to gather its fruit or even to see its blossoms, but we may safely trust that somewhere and at some time the harvest will be abundant, and success, long hidden, shall become apparent.—Philadelphia Ledger.

The Wickedest Bit of Sea.

Nine out of ten travelers would tell financiers that the roughest piece of water is that cruel stretch in the English channel, and nine out of ten travelers would say what was not true. As a matter of fact, "the wickedest bit of sea" is not in the Dover strait, or in yachting, for example, from St. Jean de Luz up to Pauillac, or across the Mediterranean "race" from Cadix to Tanger, nor is it in rounding Cape Horn, where there is what sailors call a "true" sea. The "wickedest sea" is encountered in rounding the Cape of Good Hope for the eastern ports of Cape Colony.—Shipping World.

Flight of Time.

Old Med—Well, old man, how'd you sleep last night? Follow my advice about counting up?
New Med—Yes, indeed; counted up to 18,000.

Old Med—Bully! And then you fell asleep, eh?
New Med—Guess not; it was morning by that time, and I had to get up.—Pennsylvania Punch Bowl.

Special Power of Attorney forms for sale at the Nugget office.

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107 Front Street 107

THE ICE MOVED YESTERDAY

In the Yukon Immediately In Front of Dawson

And Everybody Joined In Glad Rush—Huge Mass Moved Less Than Quarter of Mile.

It all depends on whose watch was looked at just what time the ice moved from the Yukon in front of about two-thirds of the city of Dawson yesterday evening. As the A. C. Co. kept closer observation than anyone else, the exact time stated by the manager of that concern as to the beginning of the movement of the ice is taken as official, and 4:12 o'clock is the exact time named. However, at the barracks the first movement was noticed at seven minutes and forty-five seconds past 4 o'clock, but it was 4:12 according to A. C. time when the moving of the flag planted by that company in the ice over the middle of the stream became perceptible and 4:12 goes. Less than half a minute after the flag began to move the stentorian whistle of the Yukon Saw Mill loudly published the fact as per prearranged signal, one long, three short and another long blast. The steamer Kerr likewise gave unmistakable evidence of having up steam.

The merchant left his counter, the accountant his desk, the blacksmith his forge, the printer his case, the "keeper" his case, the little ball took a much needed rest, 7 and 11 suspended, the Crummy Kid forgot to cash in two white checks, all joining in the mad rush. Nor was Dawson's male population alone on the water front. The meek looking housekeeper, the cook in her gingham apron, the dressmaker with forbidding looking pins protruding from all over her waist, the dance hall female who looks best at night, and the darker the night the better she looks, all were out and like the men, looking out upon the moving field of ice. But it didn't move far. Before the A. C. Co. flag, the staff of which still stood erect with the red emblem of the company flapping saucily in the wind, reached a point opposite the Sisters' hospital the moving mass of ice and trash of all kinds and varieties came to a standstill as quietly and silently as it had started, the lower end of the moving body having come in contact with the bluff north of the city; but the ice had moved and everybody including Hershberg paid their bets. A detailed list of the bets on the ice would fill a Sunday issue of the Cincinnati Enquirer.

The body of moving ice extended from up the river only to opposite the mouth of the Klondike. At the hour of going to press the congestion opposite the lower part of the city had not been broken, neither had the ice above the mouth of the Klondike shown any symptoms of moving.

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Canned spring chicken. Selman & Myers.

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New suitings at Brewitt's.

Periodical Famines Expected.

Since the first great famine of which there are records devastated the land in 1770, when 10,000,000 perished in Bengal alone, India has scarcely passed a decade free from scarcity of grain in one district or another. The British government expects a drought about twice in every nine years, a famine once in every 11 or 12 years and a great famine about twice in a century.—Review of Reviews.

Tobacco. Numerous observations prove that the use of tobacco is a potent cause of disease of the eye. Total blindness from degeneration of the optic nerve has been traced to this cause. Recent observations point to tobacco and alcohol as the great causes of color blindness, and this accounts for the fact that it is much more common in men than in women.—Health Culture.

Kodak tripods ; \$3.50 Goetzman's. Photo supplies reduced at Goetzman's.

MINERS! HERE'S A CHANCE.

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TRAINING WATCHDOGS.

The Method That Is Used by a German Instructor.

Although it is generally believed that watchdogs are "to the manner born," it seems that a certain amount of training helps very much to turn out a really good one. This system of training has developed into a regular business in Berlin, where one Herr Straus has an academy from which watchdogs are turned out by the hundred every year.

His system is educational and is applied to almost every kind of dog. He first teaches the animal obedience by training it to perform certain "tricks" at command and then trains it to distinguish between a visitor and a burglar and what part of a man's body should be attacked to render the man helpless.

Outside of the gate the trainer places a dummy representing the burglar, and to the latch is attached a string. By means of the string the gate is opened slowly, until the head of the dummy becomes visible, when the dog is taught to fly at its throat. Herr Straus is very particular about this. He makes his dogs attack the throat or the upper part of the body always. Sometimes a real man well padded takes the place of the dummy, and of course he is well paid for his services.

All dogs, it seems, may be made good watchdogs, but the St. Bernards and the Russian wolfhounds are the best where property of great value is to be guarded. For dogs not so fierce as they are a different system of training is used. They soon learn to guard anything committed to their care, but are not so quick to attack an intruder as the fiercer dogs are.—Philadelphia Times.

Indian Compositions.

New "composition" stories are furnished by two young Indians whose efforts in this difficult line are reported by The Southern Workman.

The subject assigned to the first boy was the life of General Armstrong. Referring to the general's boyhood among the idolatrous, ancestor-worshiping natives of the Hawaiian Islands, he wrote as follows:

"The people of the Sandwich Islands worshipped the idols of their aunts' sisters." The second boy, a member of the same class, writing upon a different phase of the same subject, got the city of Washington confused with the man for whom the city was named. Referring to the retirement of General Armstrong from the service after the war, he said:

"When General Armstrong finished the war, he wrote to Washington and asked him if there was anything more he could do for him."

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