

Vol. 2 No. 277

DAWSON, Y. T., WEDNESDAY, NOVEMBER 20, 1911

PRICE 25 CENTS

VAG LAW ON TAP

General Arrests Made on Charge of No Visible Means of Support

Mr. J. W. GOOD'S ALLEGED FRIEND

Whitey Moore Among Last Night's Victims

WISE MR. "SOCIETY RED"

Men Will Make an Effort to Disprove Charge "Red" Has Been There on Same Charge

Where is my wandering boy to be asked a question which is no doubt frequently asked by many a mother back at the old home...

These are the recollections "back home" of the young man who in his youth was probably known as the "Society Kid" or some other equivoque appellation.

When arraigned this morning Moore asked that his case be enlarged until tomorrow in order that he may be able to secure the services of a lawyer and have a number of witnesses called.

home away back east and to the anxious and loving ones it shelters. Scarcely a day now passes that some man whose early life probably bore a rosette hue is not up in police court charged with that most degrading of all petty charges, vagrancy.

In Magistrate Macaulay's court this morning two well-known characters about Dawson were arraigned on the charge of having no visible means of support. One of these men, J. W. Moore, known as "Whitey" Moore, will be remembered as the man about whom a report came from San Francisco to the effect that he had taken a shot at Dr. J. W. Good in a hotel in that city.

Despite Moore's protestations of friendship for Dr. Good, it is known he now has a suit pending against him in Eastern Canada for damages for the loss of his eye through alleged malpractice.

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YUKON'S PROSPERITY.

CARRIE ON THE WARPATH

Mrs. Nation Comes Into Contact With Tammany Hall

New York, Oct. 12.—Mrs. Carrie Nation arrived in this city today. She had an interview with Police Commissioner Murphy during which she told him that she would be arrested if she violated the law in this city.

Mrs. Nation reached here at 9:30 this morning from Baltimore, and left this afternoon for Ohio, where she will lecture. Before leaving town Mrs. Nation said she would return Sunday and visit the "Tenderloin," and "see everything that was open."

Mrs. Nation walked from the ferry to the hotel and only a few seemed to recognize her. Occasionally she stopped to deliver a few caustic remarks about the saloons which she saw on her way, but she made no mention of "hatechation" as she styled it.

Mrs. Nation entered police headquarters she was shown at once to Commissioner Murphy's room. In opening her interview with the commissioner she said she had called on him for an account of his stewardship and asked if he did not think New York was an awful wicked place.

GAMBLING WILL CEASE TONIGHT

All Games Must Close Down at Midnight

Tonight at midnight the recent order of the police compelling the cessation of all gambling goes into effect, Dawson will take one more step forward in the direction of purity and sanctification, and for the first time in her history there will be no game of chance running openly.

THE MODEST BLUE TICKET

Speaks a Language That Can Not Be Misunderstood.

For a man to be handed a blue ticket in these piping times of turmoil and suspicion means that the recipient of it is officially invited to move on to some other place. Ordinarily and on the outside a blue ticket is treated as a sort of joke for at the worst it means a trip of only a few miles to the next town, which is easily covered either on foot or by stowing away on a steamer, a brakebeam or in a box car.

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HE WANTED CHECHACO

But Was Awarded Judgement on Go'd Dust Basis.

In Magistrate Macaulay's court this morning Fred Andvik brought suit against Blinski for \$81.60 as wage for labor performed. The only question between them was that payment was offered in gold dust when chechaco was demanded.

NEW RECORD ESTABLISHED

Audubon Boy Travel's Half Mile Heat in 1:14.

Memphis, Tenn., Oct. 23.—The world's trotting record for a half-mile race with other horses was broken this afternoon at Billings park when Audubon Boy went half a mile in 1:04.

THROUGH WIRE IS WORKING

Long Distance Telegraph Un-combs to Life Once More.

At 11 o'clock this morning the through telegraph line struggled, sneezed, opened its eyes and sat up, its first lucid moment for several days.

open and they since last June have had an opportunity of drawing a comparison between that time and the past four or five months with a half and half policy pursued. A still further comparison can now be drawn after the lapse of a few weeks when the city has settled down in the rut of a very ordinary provincial Sunday town.

Mail Is Somewhere on the Cut-Off Between Leberge and Selkirk. No further news has been heard from the mail today and its whereabouts, other than the fact that it is somewhere on the cutoff between lower Leberge and Selkirk, is not known.

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RECEIVED BY WIRE. TRAIN WAS WRECKED. Blown From Track by Dynamite Cartridges.

York, Pa., Nov. 18, via Skagway, Nov. 20.—The southwestern express on the Northern Central Railway was wrecked last night by dynamite placed on the track near Black Ridge.

VERY COLD IN LONDON. Unprecedented Weather Prevails in Britain's Capital.

London, Nov. 16, via Skagway, Nov. 20.—Unprecedented cold prevails in London for this season of the year. The thermometer ranges from 12 to 20 degrees lower than ordinarily.

BIG FIRE. Seattle, Nov. 16, via Skagway, Nov. 20.—Three manufacturing establishments covering a quarter of a block were destroyed by fire this morning.

REBELS DEFIANT. Manila, Nov. 15, via Skagway, Nov. 20.—According to advices from Cebu the capital of Samar, insurgent leaders have sent messages to Gen. Smith declaring they will not listen to negotiations for surrender.

TAKING TIME BY FORELOCK. Recipients of Blue Tickets After Certificates of Disability.

It is told today that a number of those lately the recipients of blue tickets are endeavoring to secure doctors' certificates stating that they are not physically able to perform outside manual labor.

Pro Bono Publico. We had nothing to do with that flashlight at the A. B. hall last night.

WANTED. Lawyerman tailor. Apply at once—BREWITT, Second street.

RECEIVED BY WIRE. CHAMPION JEFFRIES.

Still Continues to Wear Heavy-weight Pugilistic Belt of the World.

REFeree WAS SURPRISED. Billy Madden Threw Up the Sponge Saying "I Do Not Want a Knock-out!"

San Francisco, Nov. 16, via Skagway, Nov. 20.—Sporting men who witnessed the contest here tonight between Jeffries and Rubin for the heavyweight championship of the world agree that it was the most disappointing fight ever put up by heavyweights of reputation.

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Ames Mercantile Co. Special Sale Ladies' and Men's Furs.

Ladies' Fur Coats, neatly made, perfect fitting, warm and durable. \$25.00. Men's Fur Coats, full and long, large storm collar, appearance of a \$75 garment. \$25.00.

McL., McF. & Co., LIMITED. Metaline Bushed Sheaves. These Sheaves are specially adapted for use in the mines in cold weather.

Hol for Whitehorse. Fast dog team leaves Saturday, Nov. 23rd, carrying passengers and express. Apply L. & C. Dock.

Ames Mercantile Co. Special Sale Ladies' and Men's Furs. At prices that will make you wonder how we do it.

Ames Mercantile Co. Special Sale Ladies' and Men's Furs. Lad'es' Fur Coats, neatly made, perfect fitting, warm and durable. \$25.00.

The Ladue Assay Office. Prepared to Assay all kinds of Rock. We have the finest equipped assaying plant in the Yukon Territory and guarantee all work.

The Ladue Co. Will Return to China. New York, Oct. 23.—Lee Cheup, perhaps the wealthiest man in New York's Chinatown, is going back to China to live out his old age in the luxury which can be purchased with the fortune he has amassed in this city.

EMPIRE HOTEL. The Finest House in Dawson. All Modern Improvements.

Gold Run Hotel. When on Dominion. MODERN IMPROVEMENTS.

Wagon Transfer & Storage Co. FREIGHTERS DAILY STAGE TO GRAND FORKS DOUBLE SERVICE.

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The Klondike Nugget

TELEPHONE NUMBER 14
(DAWSON'S PIONEER PAPER)
ISSUED DAILY AND SEMI-WEEKLY
GEORGE M. ALLEN, Publisher.

NO CE.
When a newspaper offers its advertising space at a nominal figure, it is a practical admission of "no circulation."

LETTERS
And Small Papers are sent to the carriers on our carriers on the following days: Every Tuesday and Friday to Eldorado, Bonanza, Hunker, Dominion, Gold Run, Sulphur, Quartz and Canyon.

WEDNESDAY, NOVEMBER 20, 1901

\$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.

YUKON'S PROSPERITY.

Our despatches during the last few days have conveyed several items of news of peculiar significance. In our issue of Monday the sale of a controlling interest in a fine Bonanza claim was reported. In last evening's issue the details of the transfer of the greater part of Gold Hill to an Indiana syndicate were given in our telegraphic columns as also the facts in reference to preparations now on foot for beginning construction work on the Dawson-Forks railway.

These facts are significant as noted above for the simple reason that they bear striking evidence to the fact that a distinct and positive revival of interest in Dawson and the Klondike mining district has taken place in the outside mine centres.

The three transactions noted above involve the expenditure of a sum of money which may be roundly estimated at one million five hundred thousand dollars—and they are merely the records of two days.

As a matter of fact, an era of development and resultant prosperity is opening before the territory which—lacking every semblance or suspicion of a boom—will, nevertheless, eclipse anything of a boom nature that the Klondike has ever witnessed.

The Nugget has always taken an optimistic view of Yukon affairs and we feel inclined now to a feeling more hopeful than ever.

To anyone who has kept in touch with the progress of events since the first discovery of gold was made on Bonanza creek, the outlook for the territory at the present time must be very pleasant indeed to contemplate.

For the first two years of its existence everything was opposed to the growth and progress of Yukon's material interests. The mining laws were unfair to the individual miner and their tendency was to discourage all prospecting and make the work of opening up new territory a practical impossibility.

There were no roads by which provisions could be taken to the creeks, and in consequence the rates of freighting were so high that none but the very richest ground could be worked with anything like success. But even during that dark period progress was made and the scope of mining operations continually widened.

Under present conditions the territory is absolutely certain to forge ahead as it could not possibly do when it was fettered by the handicaps noted above.

The area of working ground is constantly increasing and the reductions in operating expenses—which have been made possible by the reduced prices of commodities and the construction of good roads have made it profitable to develop low grade ground which in previous years was allowed to be idle by reason of the fact that no one could afford to work it.

but when sleighing time arrives the meanest looking mongrel in town immediately comes into possession of commercial value. Every dog has his day at some time or other and the Klondike dog is no exception to the rule. His day begins with the first fall of snow and continues uninterrupted until the snow is off the ground.

It is a remarkable thing that it has been found possible for the longer river contractors to forward their mail without difficulty while the contractors who are responsible for bringing the mail to Dawson have been unable to do anything. The mail paid for handling the mail is based upon the expectations that the contractor is a hard one to fulfill, but the contractors seem to act upon the theory that everything they do is for sweet charity's sake. The government should pass a vote of want of confidence in the White Pass Company and entrust the mail to some individual or company who will have some regard for their obligations.

If the mail contract were taken from the White Pass Railway Company and entrusted to some other concern the railroad octopus would be taught a well-deserved lesson. From the very beginning the White Pass Company has acted toward this territory in a manner absolutely unjust and arbitrary. It would be a satisfaction to the community were some means found of resenting the indignities which the railroad company has so generously heaped upon it.

The library concerts promise to continue as successful as they were last winter. Dawson has a number of public institutions in which it takes a great deal of pride but in none does it rejoice more sincerely or more deservedly than in the free library. That most worthy enterprise has been conducted in a manner entitling it to public support from the day it was first established.

Gambling should have been closed down for once and all when the order of last June was placed in effect. Under existing circumstances to compel all the games to close on three days notice works an unnecessary hardship. At the least it must be said that the new order promulgated by the authorities is anything but consistent.

Like Bancho's ghost, the Boers loyally with a persistence that is anything but satisfactory to the London war office. It is rather a hard task to conquer men who are able to sleep in the saddle and who flourish on a diet of jerked meat. Great Britain has not had such a hard nut to crack since the days of the Sepoy rebellion.

It speaks well for the solvency of Dawson that the tax assessor does not expect a single sale of property by reason of non-payment of taxes. The towns of the size of Dawson which are able to make a similar showing are very few and far between.

The A. B. hall was dedicated last night amid pomp and ceremony well befitting the occasion. The Arctic Brotherhood has certainly become a power in the land.

Train Wreck.
Larimore, N. D., Oct. 23.—At five o'clock this morning a light engine coming east ran into the rear end of the Great Northern eastbound flyer, killing Fireman W. B. Josselyn and Brakeman Claude Whittaker, and breaking one of Engineer Thomas Doan's legs. The wounded were brought to Grand Forks.

President J. J. Hill's private car was on the rear of the train, occupied by the porter, who was slightly injured. This car is built of steel and was not so slightly damaged. Had this car not been on the rear of the train many lives might have been lost. Conductor Driscoll says the crew on the light engine did not heed a signal to stop.

Shon, the Dawson dog doctor. Pioneer drug store.

PEOPLE WE MEET.



COL. DONALD MACGREGOR.

The subject of our today's sketch scarcely requires an introduction from us, as he is well known to many of our readers. He was born at the historic town of Williamstown, Ontario, and came to the Klondike with

the "rush" of 1898. He has been prominently before the people of the Yukon territory in one public capacity or another for over the past three years, taking a leading part as he did in nearly every movement for reforms. On the most important State

occasions, notably the visit of Lord and Lady Minto, The Victoria Day, etc., he as master of ceremonies on behalf of the people of the Yukon territory discharged the functions of his office with credit to all parties concerned.

He Has Convictions.

Editor Nugget.—I most heartily concur in the sentiment expressed in your editorial of yesterday under the caption "An Ill-Advised Order." I do not for a moment desire to be considered as favoring either open or suppressed gambling and as one evidence that what I say is true, I have never in over three years residence in Dawson played a game of any kind in a public house.

Government Did Not Appear.

New York, Oct. 23.—It has just been learned, says the Herald, that the indictment against George C. Thomas, a broker, for refusing to pay the stamp tax on sales of stock has been dismissed. The government, fearing, it is said, to try the case which involved the constitutionality of a section of the war revenue law, failed to appear on the day set for the trial.

His Conscience Was Clear.

"My friends," said the condemned as he stepped forward for a few last words before the noose was adjusted, "I ain't no speechmaker, and I ain't got much to say. I've stole horses and bin a tall man, and I've bin a year longer I should probably be sent to the legislature. Thank the Lord that I've escaped such a fate and kin still look you all in the face, and now, Jim, yeh kin go on with the hangin and be turned to you."

Effects of Travel.

"He's getting awful sporty, isn't he?" "Yes, since that hand organ tour he's always talking about clothes and society, and he comes home in the middle of the night and wakes up the whole jungle with his college yell."—Chicago News.

Two of a Kind.

Tom Kirkpatrick can now sympathize with the Czar of Russia who, when he lately heard a faint and feeble squawks hurriedly asked the attending physician: "Pray, sir, is it a boyaki?"

Happy Times Coming
We offer finely made up-to-date Dress Suits \$32.50
Other Dressy Clothes Proportionately Low.
HERSHBERG, CLOTHIER

TROUBLE OVER WILL

Iris's Uncles Want Money Left by Dead Klondiker.

Seattle, Oct. 24.—A contest in which sensational allegations are made has been instituted over the estate of Elias Thomas, a Klondiker, who was drowned in Stewart river two years ago. The thousands which Thomas delved from the gold fields of the north are now in the possession of Mrs. Sarah Hicking, of this city. Yesterday a petition was filed in the probate department of the superior court, asking that the will by which the property came into Mrs. Hicking's hands be set aside.

Highwaymen Again at Work.

Seattle, Oct. 24.—Highwaymen were at work again last night in the lower part of the city, and within the brief space of thirty minutes held up and robbed a Japanese restaurant on First ave. south and a pedestrian on Grant street bridge. From the former \$11 in small change was secured, while the latter delivered up some small change, managing to conceal a \$10 bill in a pocket of his trousers.

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Bars a Charmed Life.

Vancouver, B. C., Oct. 23.—Charles Suto, a naturalized Japanese, seems to bear a charmed life. Three times in as many years have attempts been made on his life. The third occurred today, when an unknown assailant, Douglas, her master, secured a new crew and returned to the Arctic for the summer's cruise.

Booker Washington Dined.

New York, Oct. 23.—Booker T. Washington, who is attending the Yale bi-centennial celebration, was a guest of Morris F. Tyler, treasurer of the university, at a dinner at Mr. Tyler's residence on Monday evening. Former Postmaster General Russell also accepted an invitation to dine with Mr. Tyler that evening and met with Mr. Washington. Mr. Tyler said today that the invitations were sent accepted about ten days before Mr. Washington dined with the president at Washington.

Professional Cards.

WADE, CONIGAN & AIKMAN—Attorneys, Notaries, etc. Office, A. C. Other Building.
PATELLO & RIDLEY—Advocates, Notaries, Conveyancers, etc. Offices, Rooms 7 and 8, A. C. Other Building.
THE REGULAR COMMUNICATION OF Yukon Lodge No. 79, A. F. & A. M., will be held at Masonic hall, Mondays at 8 o'clock, Thursdays on or before first full moon, at 8 o'clock, W. M. J. A. DONALD, Secy.

AMUSEMENTS
THE AUDITORIUM
W. W. Bittner and Standard Stock Company.
TONIGHT! AND ALL WEEK. A Man of Mystery
EVERY NIGHT IS FAMILY NIGHT

The Largest Stock of Groceries, Provisions, Hay, Oats and Feed
Lovers of high-grade goods in food products—antique, but pure and fresh, will do well to call on us.
T. G. WILSON, Cor. King and 3rd Aves. DAWSON

LENGTHY CRUISE
Pacific Coast Steamship Co.
Affords a Complete Coastwise Service.
Alaska, Washington, California, Oregon and Mexico.

Photo Supplies
For Amateurs and Professionals
A COMPLETE LINE
Goetzman
2nd Ave. and York St.

Regina Hotel
J. W. Wilson, Prop. and Mgr.
Dawson's L. C. Reg. H. 11-12

F. S. DUNHAM
THE FAMILY GROCER
Corner 2nd Ave. and 6th St.

Shredded Whole Wheat Flour
PATRON OF THE
Bay City Market

BOYS' SUIT & CO.
233 FRONT STREET

Dress Suits
Latest Style - Best Quality.
Special Sale price
\$32.50
J. P. McLENNAN
233 FRONT STREET

When In Doubt Try SARGENT & PINSKA
"High-Class Goods With Little Prices."

RAILROAD TRAIN HELD UP

South Pacific Road Near Eugene, Oregon

Express Messenger Successfully Detained by Dynamite-Engineer More Pliable.

Portland, Or., Oct. 23.—The north-bound overland express train on the Southern Pacific was held up by two masked men 15 miles south of Eugene at 1 o'clock this morning. The robbers blew open the express car with dynamite, but secured no booty, having been driven off by the express messenger.

The only booty secured was one registered mail pouch. Two men boarded the train at Cottage Grove, and a short distance later, near Sagle, pulled out the express car and made the engineer go ahead a short distance. Their plan was to blow open the express car which they did with dynamite, blowing the door to pieces and badly damaging the car.

Express Messenger C. R. Charles, in the car, and had made up his mind to stay there. The robbers ordered the messenger out of the car, but he determinedly refused to come. He held a position where he could bring down any person who attempted to enter through the opening in the side made by the dynamite.

"Come out of there, or we will blow and the car to pieces," commanded the robbers. The messenger said nothing. Then the desperadoes compelled the engineer to throw into the car a stick of dynamite, with a lighted fuse. The messenger grabbed it and put out the fuse.

They next attempted to enter the car by compelling the engineer, who was in the hands of the robbers, to open through the door, the robbers attempting to gain admittance by using him as a protector. But Charles had his shotgun to advantage, and he opened a good fire directly over the robbers' head, knowing well that the robbers would attempt to follow him into the car.

Finally the robbers turned their attention to getting away with what they could from the mail car. They obtained the registered mail and pieces of them, taking the engineer's engine which they cut loose from the train and ran to within half mile of Eugene, where he left the engine and started toward the Yamhette river in a northerly direction.

The passengers were not molested. Engineer Bert Lucas told an interesting story of the robbery. He said: "I first heard the command to show up hands to the fireman, and he did not at first comply. I urged him to give in, at the same time drawing up my own hands, as I saw the weapon in the hands of the robbers leveled at me. I was commanded to turn the engine loose and not stop until I was given the word. We ran some distance from Walker, when we were directed to stop up, and the engine was ordered to leave the car."

"He then proceeded further. At my command to stop I was, completely to uncouple the engine, run it to the track and then return with the engine to the detached train. The robber wore a long mask that completely covered his face and extended well down to his chest. He wore a sort of a white apron, in the pockets of which he carried stacks of money. A Winchester rifle was slung over his back while in each hand he carried a large, black-barreled revolver, about 45 calibre, I should judge. These revolvers were strapped to his wrists.

"The robber gave me a cigar, commanding me to light it and keep on smoking, as he desired to use me in lighting of the dynamite. I took it for my own. I lighted it as directed and kept on puffing. When the messenger reached the express car the messenger commanded the messenger to show up. No response came to his command. I was then given a charge of dynamite, directed to light and blow the door. I did as directed. The messenger kept at my elbows, covering me with the gun all the time. I was directed to shoot off the dynamite, but this had no effect on the messenger. The robber forced me to get into the car through one of the holes blown into the door. As I entered I shouted to the express messenger to shoot, as I was between him and the robber and the shot struck him. I had no sooner entered the car when I was directed by the express messenger to get out. A man accompanied the command. I was directed and then told the robber there was no use to try further. The express messenger was heavily armed and well able to resist any entrance of his car. At some time I called his attention to the fact that the freight was soon to be shipped, and that he had better get through."

"With an oath the robber ceased his attack on the express car and directed his attention to the baggage car and command the baggage men to give up. Assuring the messenger that there was nothing of

DECISION WAS RENDERED

By Justice Dugas in Case Involving Large Sum

Being That of Canadian Bank of Commerce vs The Syndicate Lyonnaise Du Klondike.

Yesterday afternoon Mr. Justice Dugas rendered judgment in the case of the Canadian Bank of Commerce vs. the Syndicate Lyonnaise du Klondike and Joseph Barrette, the decision being given on a motion for summary judgment argued at great length Monday week ago. The action arose out of a sale made to the Syndicate Lyonnaise by Barrette last summer of some mining claims, the amount involved aggregating \$167,500.

The sum \$75,000 was paid in cash and it is the deferred payment of \$92,500 that is now sued upon. In resisting the motion the defendant company filed a number of affidavits containing some rather

startling allegations as to misrepresentations said to have been made by Barrette to the company's agent in effecting the sale. By the decision of his lordship the defendant company is permitted to enter its defense upon certain conditions within a specified time or judgment will be entered against it. The judgment in full is as follows:

"The defendants are sued upon a promissory note, signed by the defendant company, (represented by its agent, Mr. Louis Paillard, under a power of attorney filed,) to the amount of \$92,500, payable to the order of the other defendant, Joseph Barrette, and endorsed, before maturity, in favor of the plaintiff, which note bears interest at the rate of six per cent per annum. The defendant company having appeared, the plaintiff now moves to have the appearance struck out and judgment entered for the amount of the note with interest. This motion was heard at the special instance of the parties and being resisted, the affidavits of both parties, with the cross-examination of Mr. Paillard and Mr. Tarut, disclose the following facts:

"On the 19th day of January, 1901, the defendant Joseph Barrette mortgaged to Henry T. Wills, bank manager, certain mining properties to secure several advances in money previously made. On the 21st day of June, 1901, the same defendant, Joseph Barrette, having sold, according to the affidavits (though this bill of sale is not produced) to the defendant company, represented by its agent, under power of attorney, Mr. Louis Paillard, amongst other things, the same mining properties for the sum of \$167,500, on account of which \$75,000 was paid in cash, said defendant company on the same day by a separate deed, mortgaged the same properties to the said Joseph Barrette for the amount of \$92,500, alleged to be so much then paid by him to the mortgagee. This amount was to be paid on the first day of October, less \$150, should the mortgagee be unable to obtain a good title to an undivided one-half interest in creek placer mining claim No. 1 on Caribou creek, \$1,000 should the mortgagee be unable to obtain a renewal of the upper half, left limit, of No. 28 Eldorado creek, and \$35,000 should it be found that there is still an equity in one J. R. Currey and one E. Willett, to creek placer mining claim No. 9 above lower division of Dominion creek."

"The note in question is alleged to have been given at the time of the passing of this last mortgage, on the 21st of June, though it is dated the 22nd of June. It contains the declaration that it is collateral to

ing and chattel mortgages for the same amount bearing the same date with interest at the rate of six per cent per annum. How this discrepancy happened as to the dates is not established, but, as neither party referred to it, I take it for granted, for the present, that it is only a clerical error.

"On the 27th of the same month, June, the defendant, Joseph Barrette, assigned and made over by indenture, the above last mortgage to Henry T. Wills, trustee of the plaintiff company, the consideration being \$12,500, alleged to be paid by the assignee to the assignor, but which was, in fact, a balance due by Mr. Barrette on the mortgage of the 19th of January to Henry T. Wills, bank manager. I do not see that Mr. Wills, acting then in his own name, ever made any declaration that he was then acting only as trustee for the plaintiff. Yet, I do not believe that, for the purposes of this motion, (as no reference has been made to the same) it is necessary more than to refer to it so far as to show exactly the transactions as they took place. On the same day (the 27th of June) the defendant, Joseph Barrette also endorsed to the plaintiff the note sued upon this case. The affidavit of Mr.

Wills discloses that since, further advances were made to the said Joseph Barrette by the plaintiff, and that he is now indebted to them in the sum of \$67,314.92, for which they hold, as security, the mortgage in question as well as the said promissory note. The plaintiff being holder of that note must, therefore, in the event of recovering the full amount thereof from the defendant company, be held trustee for the other defendant, Joseph Barrette, as to the difference between the amount actually due them and the amount of the note.

"The defendant company in resisting the motion have produced the affidavits of Mr. Louis Paillard and Mr. Alfred Tarut, by which they disclose what will be the nature of their defense and which may be summed up as follows:

"There is no doubt that misrepresentations, such as those alleged by the defendant company, also the defects in the titles to some of the claims, could be made the basis of a good defense. As to the note itself, bearing on its face the fact that it was given as collateral security, there might be questions of law which it would be unfair to prevent the defendant company from raising before the court, for, although there are strong authorities which declare that a note which bears on its face that it is given as collateral security, may be or is negotiable, and that according to Byles on Bills of Exchange, page 14, 'The principle is often followed in England as offering a more speedy remedy in cases of default of mortgages, bills of sale, etc.' and that they may be valid and binding though the instruments which they accompany be not so.' Yet there are others which seem to hold to the contrary, and it remains to be seen what interpretation should be given to sub-section 3, of section 52 of our Bills of Exchange act, which declares that 'a note is not invalid by reason only that it contains also a pledge of collateral security with authority to sell and dispose thereof.'"

"The question might also be raised, as to how far the plaintiff, under the circumstances, had notice of the facts alleged against the defendant. Barrette should be proven. But, whilst I feel it my duty to permit the defendant company to enter into its defence, yet, I think I have to give to the plaintiff the protection which I believe they are entitled to under the circumstances, that is, to impose terms to the defence.

"A feature which adds very heavy weight to the reasons of the determination to which I come in imposing terms with a leave to defend, is that the defendant company (which is a foreign company, though duly registered at Ottawa and authorized to transact business in the Yukon territory) did, through its manager and agent, Mr. Paillard, at or about the

time that the note and mortgage became due, withdraw from its bank in Dawson the amount of \$50,000, which Mr. Paillard sent to France, in order—as he very openly admits—to avoid garnishment of the same. This is an action, which, in the minds of the company defendant and Mr. Paillard might be considered perfectly legitimate, but which raises a suspicion before a court of justice.

"Taking, therefore, into account what has just been said, that is, the fact that the defendant company is a foreign company; that it has made away with whatever funds tangible it has in the territory, with the avowed purpose of avoiding the execution of our laws; that it is in possession of all the mining property sold, as well as of the chattels, a good portion of which have been disposed of; that it has continued, until lately, working some of the claims sold, taking good therefrom to a large amount, thereby wasting and diminishing the value of the properties purchased; that it still remains in possession of the whole notwithstanding the fact that the authority of its representative here is questioned; that further waste may happen, and, lastly, that all the misrepresentations alleged, with but a very limited exception, are based

mostly upon hearsay evidence, I believe that I am in duty bound to permit such defense only upon the defendant company within fifteen days paying into court the whole balance of the purchase money, less \$35,000 and \$150, which represents the values fixed by the parties for claim No. 3 and claim No. 1 on Caribou, this to abide the result of this case. Otherwise judgment will be entered in the meantime for the same amount with costs.

"Reserve is made in favor of the plaintiff to make a further application as to these two last named amounts and to adjoining thereunder should the plaintiff think fit, according to the future events of the case. It may be said that apparently no more objection is made about the Eldorado property. This is why I take no notice of the objection to pay the \$1,000 fixed as the value thereof. I feel the more safe in coming to this conclusion by the fact that up to a few days before this action was taken, and at about the same time the money was due, the defendant company, by its agent, Mr. Paillard, declared itself ready to pay the sum due if the plaintiff and Mr. Barrette would consent to give them a quit-claim for the whole. I am, besides, very strongly supported in these views by many judgments under similar circumstances."

"Hotel Fire. French Lick, Ind., Oct. 23.—Fire broke out in the bath department of the French Lick Springs hotel this morning and caused a panic among 200 guests. All escaped amidst great excitement. The fire was put under control by the hotel fire department and two hours after the fire broke out the guests were back in their rooms. Loss about \$12,000.

"We fit glasses. Pioneer drug store. Special Sale...of... Ladies' Hose... WE WILL CLOSE OUT 50 Dozen Ladies' Hose At 50 Cents Per Pair See Display in Our Window N. A. T. & T. CO. In Our Dry Goods Department.



Dawson Hardware Co., Ltd. Is the Place to Buy Your Fittings. OUR LINES ARE COMPLETE IN ALL SIZES. Steam Pipe 1/2 to 8 inch. Steam Hose 1/2 to 2 inch. Giant Powder Caps and Fuse. Store, Dawson, Y.T. Phone 38. Tin Shop, 4th St. & 3rd Ave.

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POMP AND CEREMONY

The Arctic Brotherhood Hall Formally Dedicated to the Brotherhood of Man

WITNESSED BY AN IMMENSE CROWD

Social Dance Followed Dedication Ceremony.

EVERYBODY WAS PRESENT

And the Occasion Was One Long to Be Remembered Good Music and Elegant Collation.

With a fanfare of trumpets and a mellowed light made all the more weird by an array of torches and the occasional burning of red fire, with its lay members clad in cowled robes of spotless white, and with its friends, wives, sisters and sweethearts daily dedicated to the uses of the order and the brotherhood of man, the hall and building recently completed, the largest and best structure of its kind not alone in Dawson, but in the entire great northwest. Indeed, it would be hard to find anywhere on the Pacific coast outside of the largest cities a building more complete which has been specially constructed for the exclusive use of a secret organization.

By 9 o'clock the two rows of chairs surrounding the hall, and the gallery, were filled, every seat being occupied by the fair ones and their escorts intent upon witnessing for the first time some of the occult incantations indissolubly associated with all orders of a secret nature. Such youth beauty and chivalry as Dawson can claim was present in all the radiance made possible by the regulation sombre black evening dress and immaculate shirt bosoms of the gentlemen and the elaborate gowns, bare arms and faultlessly moulded, snowy shoulders of the ladies. Until the present time St. Andrew's hall has always been looked upon as the criterion for everything recherche and beautiful in the world of Society, but in the future the honor must be di-

vided, the Arctic Brotherhood, while not usurping the place of the patron saint of Bonnie Scotland, having carved for itself its own little niche in the memory of those whom Terpsichore claims as her faithful devotees. In numbers it is thought many more participated in the enjoyment of the evening than were present at the last St. Andrew's ball. The hall is larger, so it is said, by 500 square feet than the old Savoy, yet during the early part of the evening it was so packed as to render dancing somewhat difficult, the gallery, too, in the meantime being crowded to its utmost capacity. It is thought fully 250 couples were in attendance, a number far larger than has ever before gathered together upon any similar occasion.

Preceding the dance came the dedicatory ceremonies, the ritual for which together with all arrangements were specially prepared by J. S. Cowan. They were very impressive, of a nature solemn and arranged with the special object of keeping uppermost in the minds of all the first precept of the society—the great, universal brotherhood of man, a sentiment so aptly expressed in the motto of the order "No Boundary Line Here," no east, no west, no north, no south.

The first intimation of the beginning of a spirited march by the orchestra, with the first bars of which the door leading to the ante-room opened admitting Brother Captain Starnes who escorted to his station Past Arctic Chief L. R. Fulda together with his right and left supporters, J. M. Jackson and Fred R. Alley. In a few words Mr. Fulda stated the purposes for which they had met and announced the commencement of the dedicatory exercises. He directed one of his aides to ascertain if all were in readiness who reported an arctic trail guide at the doorway craving admittance. The guide was shown in the camp and upon saluting his superior informed him the camp officers together with those of the grand camp were without, having assembled together for the purpose of dedicating the hall to the use of the Arctic Brotherhood. The orchestra again played a march and 100 members of the camp filed in to the martial strain, each robed in a white parky. After marching twice around the hall they were arranged half on either side facing each other. Then came Arctic Chief L. L. James and his supporters M. H. Craig and George Murbarger, Vice Arctic Chief Emil Mohr and his supporters R. T. Elviage and E. E. Shoffer, Chaplain Wm. Sheridan and Alchemist F. N. Atwood. After an invocation by the chaplain the officers of the grand camp were escorted to their stations, the personnel consisting of Grand Arctic Chief F. W. Clayton, Grand Vice Arctic Chief Dr. A. T. Edwards, Grand Keeper of Nuggets R. A. Kalenborn, Grand Chaplain J. S. Cowan, Grand Arctic Trail Blazer and Chairman of the Building Committee J. A. Greene, Grand

Guides of the North, East, West and South Dr. C. M. Wells, E. B. Condon, Max W. Kohn and John Gilson, and Torchbearers Wm. Carlsack, F. T. Hope, H. A. Weld and C. L. Peabody. The officers of the grand camp ranged themselves about the altar placed in the center of the room. The grand arctic chief incited the arctic chief if it was his desire that the hall should be dedicated, receiving the reply that it was. After a few remarks apropos of the occasion, the singing of the odes and an invocation by the grand chaplain the ceremony was proceeded with. The grand guide of the north presented a gold pan of snow emblematic of purity; him of the south, a bouquet of flowers typifying life and the land of sunshine; from the guide of the east was received a bottle of quartz as representative of integrity, the limitless wealth of the far north and the solid foundation upon which the Arctic Brotherhood is founded; the grand keeper of nuggets presented a horn of plenty filled with gold dust; the individual offerings of the members of the order toward the liquidation of the society's debt. Upon the receipt of the several presents the grand arctic chief in accepting them declared the hall dedicated to the objects of which the offerings were emblematic. The chairman of the building committee turned over to the camp the keys to the building, the sacred fire upon the altar was lighted, there was more singing, the closing invocation was said and the interesting ceremony came to an end.

At its conclusion Brother Chas. Macdonald, Dawson's silver tongued orator, was introduced, he being down on the program for the oration. Shortly prior to the close of the dedicatory ceremonies a photograph had taken a flashlight photograph of the scene, using a charge of powder large enough to cause a loud explosion and fill the room with a dense cloud of smoke. It was laboring under such difficulties and the consequent confusion attendant that Mr. Macdonald was called to the stage and it was a happy inspiration that induced him to remark by way of a preface that "two things in life seemed inevitable—death and the flashlight photograph." The speaker was in his happiest mood and his peroration though brief was a masterpiece of wit, rhetorical flights and clean cut English. Following the oration were heard the orchestra in a selection, Miss Katherine Krieger, Mr. G. H. McLeod and Mr. C. S. W. Barwell in songs, though the beauty and pleasure of the numbers was well nigh lost by the noise of the restless youngsters who were anxiously awaiting the beginning of the dance. Mr. R. P. Wilson also gave a reading.

It was nearly 10:30 before the first number on the dance program was played and then it was kept up without scarcely a moment's intermission until half past four in the morning. The floor was in an excellent condition, the music was inspiring, making one's feet tingle with a desire to dance on or with joy unconfined and where a surfeit was ordinarily expected, still the dancers clamored for more, more till the orchestra laid down their instruments in sheer desperation. The success of the ball could scarcely have been greater, yet there were several annoying things which might have been avoided. First was the flashlight photo, an unmitigated nuisance which frightened everyone and filled the hall with smoke. Then one of the stoves persisted in discharging its smoke in the room instead of up the chimney, an act which came near driving several gentlemen to hard drink. The lights, too, were miserable. The system employed is an antediluvian gasoline affair with Welshbach burners, all of which possess the happy faculty of dying out to a mere glimmer and often going out entirely at the most inopportune and embarrassing moments. Still it was a great night and which will be long remembered by those fortunate enough to be present.

Names Were Mixed.
A strange freak of chance which wrote the name of a sister and brother in one and the same marriage license brought a disastrous double element from Eastern Washington to this city. How Ella Reavis and her brother Clifford, of Prescott, wanted to marry Thomas Shea and Myrtle Maar, of the same place, was told at the time by the Post-Intelligencer, as was also the fact that the four young people ran away from their parents and were wedded in this city. From here they returned to their homes.

When Clifford Reavis filed out the marriage license for himself, "his sweetheart, his sister, and his friend," he was probably considerably agitated. In his confusion he wrote the name of his sister and his own name in the same license. Then he coupled that of Shea with that of his own betrothed.

Deputy Auditor Bowers looked over the forms. "Does any relation exist between you and the other contracting party?" said he to young Reavis. "None at all," answered the latter, not realizing the mistake he had made in filling out the form. Then the witness swore to the usual oath, and the four went in search of a minister.

Now there are among the auditor's records two marriage licenses and two marriage certificates according to which Clifford Reavis has married his sister Ella, and Thomas Shea has married Clifford's sweetheart, Myrtle Maar. The young people left this city Monday night. Whether they have discovered their mistake has not yet been learned. Deputy Prosecutor Attorney Faber yesterday stated that the effect of the blunder would be to nullify both marriages.—P. I., October 24.

Rearrested.
Fairplay, Colo., Oct. 23.—District Attorney Pence has filed information charging Charles Baker and Mrs. Ella J. Vallie with the murder of the latter's husband, Uphide Vallie, at Jefferson. Mrs. Vallie, who had been discharged after a preliminary examination on the same charge, was re-arrested and lodged in jail in default of \$10,000 bail. Baker is also in jail today. Mr. Vallie was beaten to death several weeks ago.

Send a copy of Goetzman's Souvenir to outside friends. A complete pictorial history of Klondike. For sale at all news-stands. Price \$2.50.

Minister Wu in Disfavor.
Peking, Oct. 23.—There is strong opposition among conservative Chinese officers to Wu Ting Fang, Chinese minister at Washington, retaining a foreign mission. Those who take this view consider that his popularity abroad is a proof that he is not sufficiently loyal to the interests of China.

It is probable that he will be recalled and given a position on the new board of foreign affairs, where his linguistic and legal attainments may be utilized under the eye of the government.

Washington, Oct. 23.—Mr. Wu, the Chinese minister, listened attentively as a reporter read to him tonight the Peking dispatch telling of the opposition which has developed there to his continuing as a representative of the government abroad. He manifested no little surprise at the statement contained, and appeared nonplussed at the conclusion drawn that his popularity in the United States was an evidence of lack of loyalty to the interests of his government. Mr. Wu said it had always been his effort to do the very best he could on behalf of his country and people. He declared he had not received any intimation that his government was dissatisfied with him or that he probably would be recalled. He declined to be drawn into any extended discussion of the matter.

Samar Is Cut Off.
Manila, Oct. 23.—Nothing has been heard from the island of Samar for three days owing to the typhoon having blown down the telegraph lines, excepting one cable message and mail advices. Admiral Rodgers has received a report by gunboat. He has notified the troops at the ports to be ready for the surprise and massacre of the company of the Ninth regiment at Balangiga. At Pampubaban, island of Samar, all the buildings in the vicinity of the barracks were razed.

Gen. Smith, on his arrival at Calbayoga, island of Samar, sent reinforcements to Weyler. They found the garrison of that place, numbering fifteen men, besieged by over 100 bolomen. The transport Summer leaves here tonight with thirty-five men of the Twelfth infantry.

The cruiser New York was delayed by coaling and taking supplies on board, but she left Manila last night with 350 marines under Maj. Walter.

There are 2,600 troops in the island of Samar.

Gen. Chaffee does not anticipate any further disasters. He considers that there is no cause for alarm. The garrisons, he says, have been increased and every precaution has been taken to prevent another surprise like the one at Balangiga, which was unfortunate for two reasons. First, the loss of the men, and second, the effect which it will have on other parts of the archipelago. The general, however, believes this will only be temporary.

It is known that agitators have been endeavoring to inflame many communities by giving glowing accounts of the occurrences in Samar. The central Filipino committee has issued a proclamation confirming Malvar as the successor of Aguinaldo. Copies of the document have been widely circulated.

The Ort & Turkey Co., Ltd., start their Quartz Creek stage line on Saturday, Nov. 18th, giving an every other day service, Sundays included, leaving Grand Forks at 11 a. m. on arrival of 9 a. m. stage from Dawson. Returning, leave Quartz next day to connect with 2 p. m. stage for Dawson. c22

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Admission \$2, \$3, \$5

NOV. 22



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