

COUNCIL MEETING

Session Last Night Was a Busy One

Communications Galore—Large Crowd on Hand.

The territorial secretary requested that he be furnished with copies of all bylaws as passed, and Vincent Schwartz, who says he has had years of experience and good recommendations, applied for the position of city clerk.

The Ladue Quartz Mill

IS NOW IN OPERATION.

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

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

Assay Office

EMPIRE HOTEL

ROCHESTER BAR

Reopened Fairview Cafe and Lunch Counter

Steam ...Hose

Seamless Hydraulic Hose

McLennan, McFeely & Co., Ltd.

James Wishard and wife reside on Sixth avenue four doors south of Duke street. Mr. Wishard is employed by Wm. Baird as night barkeeper at the Rochester, and is therefore away from home at night, his wife, a refined and rather delicate little woman, staying alone.

HOLBORN CAFE

REOPENED "The Delmonico of the North"

Eagle Cafe

Shoff's Pile Ointment!

PIONEER DRUG STORE

Fairview Cafe and Lunch Counter

Steam ...Hose

Seamless Hydraulic Hose

McLennan, McFeely & Co., Ltd.

WAS DRUGGED AND ROBBED

Masked Men Last Night Enter the Home of James Wishard, Near Corner of Duke Street and Sixth Ave., Drug His Wife and Ransack House, Securing Only Gold Watch.

James Wishard and wife reside on Sixth avenue four doors south of Duke street. Mr. Wishard is employed by Wm. Baird as night barkeeper at the Rochester, and is therefore away from home at night, his wife, a refined and rather delicate little woman, staying alone.

PETITION PRESENTED

Asked That Action be Deferred

On the Salary By-Law Until the Same Was Discussed in Open Mass Meeting.

Among those who have been most vigorous in their denunciation of the salary bylaw, as passed last night by the city council, none have been more active than Dr. Isadore McWilliam Bourke.

The committee on streets was instructed to investigate the tunnel scheme of the Northern Fuel Company, and given power to authorize the company to proceed with their work if it was deemed advisable.

The last act of the council was the passage of the salary bylaw.

An Awful Warning. At 25 cents per drink a Monte Cristo Hill miner deprived himself of the price of 24 drinks by endeavoring to take more than his share at one session and succeeded in his endeavor.

The birds sang among the magnolia blooms in his heart and life to him had a yellow jessamine hue.

That no provision is contained in the bylaw now before the council to prevent any alderman receiving his entire salary before the year has expired.

Your petitioners therefore pray that in the interests of good government your council will not press the salary bylaw nor allow the same to come up for final reading until the electors and citizens have had an opportunity to consider the same in mass meeting, and we therefore request your worship to call said mass meeting as mayor of this city at the earliest possible date in the A. B. hall, Dawson.

And your petitioners as in duty bound will ever pray.

RECEIVING SALARIES

Mayor and Aldermen on City Payroll

By-Law No. 10 is Given its Third Reading and Passed by Council.

The salary bylaw which provides for the payment of \$1500 to each of the aldermen and \$4000 to the mayor for the remainder of the year was given its third reading by the council last night and passed. It is now one of the city ordinances and on May 1, presumably, the city fathers will draw their first salary.

Amateur Operatic Society.

A rehearsal for the lady members of the Dawson Amateur Operatic Society will be held in St. Andrew's hall this evening at 8 o'clock sharp.

ENGINEER APPOINTED

W. J. Randall Given the Position

Position Will Last Until November the Salary to be \$325 per Month.

The question of the appointment of a city engineer and street commissioner was definitely settled by the council last night.

Mr. Lester speaks with pleasure of his trip inside, it being to him very enjoyable, though his tanned face shows the effect of yesterday's brilliant sun.

Grand fancy dress ball at the Exchange Concert and Dance Hall, Monday night, April 14th. Elegant costumes, good floor, good music. Everybody cordially invited.

POSTPONED ONE WEEK.

When the case of Andrew Beckwith, charged with complicity in the theft of meat from the steamer Robt. E. Kerr, the charge being based on the story of Joseph Dumbill, was called in Judge Macaulay's court this morning Attorney Walsh for the defense made a short talk in which he insisted that his honor bear the case summarily, he having conducted the preliminary hearing at which Dumbill had given testimony, and having knowledge of the moral weight at which his Dumbill's evidence should be taken.

The prosecution was agreed and the case will be heard next Tuesday.

CIGAR STORES RAIDED.

Last night the police under Sergeant Smith raided a number of houses of ill-fame which are now being conducted in nearly all parts of the city under the guise of cigar stores and this morning eleven fallen women were before Magistrate Macaulay when three of them, Sadie Smith, Marcelle Martin and Lucene Martin pleaded guilty to the charge of being inmates of houses of ill-fame and were fined \$50 each and costs.

The other eight, Dolly Smith, Babe Durrant, Susie Martin, Marcelle Berger, Susanne Dughil, Angel Durrant, Margaret Williams and Elsie Sandon, all pleaded not guilty and were to be tried this afternoon.

When afternoon came they all changed the plea to that of guilty and were each fined \$50 and costs. All the fines were paid.

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Job Printing at Nugget office.

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Vertical advertisements on the left margin including 'YEAR', 'Underwear', 'Dress Shoes', 'Reliable Clothing', 'Mutton, Poultry', 'W & Co.', 'RS', 'Bros.', 'Ice', 'Cigars', 'Magnificos', 'Rinofos', 'Bock & Co.', 'EOS', 'Importers', 'S', 'Fairview Cafe', 'Steam ...Hose', 'Seamless Hydraulic Hose', 'McLennan, McFeely & Co., Ltd.'



The Klondike Nugget

TELEPHONE NO. 12. (Dawson's Pioneer Paper) Issued Daily and Semi-Weekly. GEORGE M. ALLEN, Publisher. SUBSCRIPTION RATES. Daily. Yearly, in advance \$30.00 Per month, by carrier in city in advance 3.00 Single copies 25. Semi-Weekly. Yearly, in advance \$24.00 Six months 12.00 Three months 6.00 Per month, by carrier in city in advance 2.00 Single copies 25.

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

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

TUESDAY, APRIL 15, 1902.

\$50 Reward.

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

KLONDIKE NUGGET.



AMUSEMENTS THIS WEEK.

Auditorium—"The Lamb of the Midnight Sun." Orpheum—Burlesque and Vaudeville.

TRANSIENT MERCHANTS.

The purpose of the city council to devise some method of taxing merchants and others who engage themselves in business during a short season of the year only will meet with general approval. Under existing conditions the burden of taxation falls most heavily upon that class of business men who conduct their various lines of trade throughout the entire year.

The assessment takes place in the fall when the values of stocks are at the highest, and when fewer people are engaged in business than at any other season of the year.

The effect of the system has been that those who are in the city to be taxed are rated on a basis of inflated valuations while others have escaped altogether.

The Nugget is prepared to submit that preference, if any is to be shown, should be given to those who have permanently established themselves in business in Dawson and who purpose remaining here.

Transient traders who rush this way with a stock of goods in the spring and leave again before the closing of navigation should by all means contribute a generous share to the public taxes. We do not by this mean to convey the impression that anything in the nature of a prohibitory tax should be assessed against that particular class of merchants or against any other class. We simply desire to support the view that the permanent merchant who pays his taxes every year should not be brought into competition with others who pay no taxes at all. Such a condition is manifestly unfair, and in remedying it upon an equitable basis the council will be supported by public opinion.

AN OPPORTUNITY.

With perhaps one exception, there have been no public institutions endowed in this city. Men who have been favored by good fortune to such an extent that they are now masters of independent wealth, have never given a dollar toward any local philanthropic purpose. A well equipped free circulating library would be a inestimable boon to Dawson and to the miners of the district, and would remain for all time a monument to the man who will come forward and establish it.

Badly as such an institution is needed, the man has not yet been found with sufficient public spirit to donate the money required. Fortunes have been made in the country by the mere turning of a hand, but their

owners have taken themselves hence in most cases and left as little behind as possible.

There is an opportunity for some of our mining kings to gain immortality and the Nugget takes the occasion for saying that it would like to see the opportunity improved.

At the present rate of thawing, it will be quite among the possibilities to hold an ice carnival on the recurrence of Queen Victoria's birthday.

A Financial Puzzle.

Here is a problem in finance which we submit to those of our readers who are always inclined for an argument on the money question:

A banker sauntering home saw a five pound note lying on the curbstone. Of course he picked it up and took the number in order to find the owner. While at home his wife remarked that the butcher had sent in a bill for meat amounting to £5. The only money he had with him was the money he had found, which he gave her, and she paid the butcher. The butcher paid it to a farmer for a calf, and the farmer paid it to a merchant, who in turn paid it to the washerwoman, and she, owing the banker a note of £5, went to the banker and paid her note. The banker recognized the note as the one he had found and which up to that time had settled £25 of debt. On a more careful consideration he found the note counterfeit.

Now, will some of our financial friends tell us what has been lost in this transaction and by whom, if anybody?—London Telegraph.

The Scorpion's Wonderful Ear

I have studied the habits of the scorpion for many years and have often noticed how very sensitive scorpions are to the most delicate sound, musical or otherwise. Under the thorax the scorpion has two comb-like appendages, which are the antennae (pectinatae). It is pretty well settled by physiologists and entomologists that in insects the antennae represent the organs of hearing. These delicate structures are easily affected by the vibrations of sound, and there can be no doubt whatever that they are also affected by sounds quite inaudible to the human ear.

The slightest vibration of the atmosphere from any cause whatever at once puts in motion the delicate structures which compose the antennae, to which organs insects owe the power of protecting themselves against danger as well as the means of recognizing the approach of one another.—London Spectator.

Railways in Argentina

"The railway system of Argentina," says a correspondent of the London Post, "is second to none in the world. Trains run at frequent intervals and punctually, especially the long distance trains. The rolling stock is excellent, and a long distance journey by rail is a luxury. The sleeping cars are sumptuously appointed, the permanent ways are well laid, and there is consequently very little jolting. It is possible to breakfast or dine in the trains as comfortably as in a hotel. The dining cars are well fitted up and beautifully decorated with flowers and pot plants. The food is properly cooked and tastefully served at any hour of the day or night, and, above all, the charges are extraordinarily low. Fares, too, are very low, so that traveling is an easy and a cheap matter."

"Yes," said the aristocrat, "I was indignant, and I wrote him that the clandestine marriage of our son to his daughter was a blot on the family scutcheon, and his only reply was to send me an advertisement of a new brand of soap he is just putting on the market."—Chicago Post.

Bakery for Sale.

Half interest in the best paying bakery in the city. Inquire for particulars at this office. ctf

FOR SALE.

A good dog team, harness and sled. A bargain. Apply Nugget office.

New Millinery

We Have All the Latest

Sailor Hats, Felt Hats, Children's Hats and Caps.

J. P. McLENNAN

233 FRONT STREET

NEW RULING ENACTED

Change in Law as to Re-Location

Gold Commissioner Must Investigate Alleged Abandonment of Claims.

One of the most important decisions yet rendered by the court of appeals since its formation as such court was that handed down yesterday in the case of Risser and Wall vs. Pinkert and Fulda. Important by reason of the fact that it establishes a new precedent in the matter of staking claims which are presumed to have been abandoned and reverted to the crown. Under the old regulations three months continuous labor was required on every claim as representation work each year in order to hold the same. If at the expiration of nine months and three days from the date of its location or renewal for the previous year a claim had not been worked it was deemed open to relocation upon the theory that if the three months work required by law had by that time not been done or begun, it would be impossible to comply with the regulations within the year as specified by the law, the three extra days being days of grace. An application to record a claim which the record showed to have been vacant during the nine months and three days was always accepted, the issuance of the grant, however, being deferred until the full year and fourteen additional days were up. If at that time the previous occupant had not filed his affidavit of work it was deemed evidence that he had abandoned the claim and a grant was issued to the relocater. Such proceedings were held by the gold commissioner to be in accordance with the regulations and thousands of claims in the past three years were relocated in a similar manner. By the decision of the court of appeals, however, an entirely new precedent is established. Mr. Justice Dugas concurring with the judgment rendered by Mr. Justice Craig, Mr. Senkler dissenting and holding to the same opinion, he has always held as to the interpretation of the forfeiture clause in the regulations. Under the new ruling it is held that before a claim is deemed abandoned and open to relocation it is necessary for the gold commissioner to investigate or cause to be investigated every such case and ascertain why such work has not been done. If upon acquiring such information it is found that a claim is really abandoned, it is so declared by the gold commissioner and then, and not till then, may it be relocated.

The case in question possesses also some other features which are not likely to occur in any other instance. The defendants, appellants, Pinkert and Fulda, owned No. 9 on Eureka creek, their grant dating from January 30, 1899. During the year no representation work was done and on November 6 plaintiff Risser relocated the claim, applying for and receiving a record on November 15. As usual in such cases the issuance of the grant was deferred until the full year and fourteen days after January 30, 1899, had expired. In the meantime the recorder-in-council allowing the payment of \$200 in lieu of assessment work with \$50 penalty additional if not paid within the year, though such payment must be made within a year and three months, had been passed, the new regulation coming into effect December 9, during the time while plaintiff was waiting for his relocation grant. The defendants taking advantage of the new regulation paid in \$200 in lieu of their assessment work and also the \$50 penalty required, payment being made on February 13, 1900, over a year after the date of their first grant. They obtained a renewal and in the contest brought before the gold commissioner's court it was decided that such renewal grant should not have been issued and that the claim was forfeited and open to relocation on November 4. Upon carrying the case to the court of appeals the gold commissioner's opinion has been reversed.

The judgment was rendered by Mr. Justice Craig, the gist of which is as follows: "The main question here is a very important one, that is: Was this claim absolutely forfeited and void and the ground open after the 6th or 7th of November, and were the plaintiffs entitled to the grant when they

applied? "Was nothing more required to be done than for the plaintiffs to make an application after nine months and three days, although why nine months and three days should be the time I cannot from the regulations and evidence say? Was nothing else to be done? "The defendants' certificate is for a year. His grant is for a year subject to the regulations during that year. What are his rights? In this case it must be borne in mind that the application and staking were before the expiry of the year. "Section 39 provides that a claim shall be deemed to be abandoned and open to occupation if it shall remain unworked for seventy-two hours. Some exceptions are given, such as sickness, other reasonable cause, or leave given, and the section goes on: 'The mining recorder upon obtaining evidence satisfactory to himself that this provision is not being complied with may cancel the entry given for a claim.' "First, this section provides for action by the mining recorder on evidence. He may cancel on evidence. What evidence? The statement or declaration of an adverse claimant without notice to the party affected by his act? "Is that ordinary justice? The mining recorder occupies somewhat of a judicial position. He acts on evidence and uses his discretion as he may cancel, not 'shall cancel.' "Again, the claim is only deemed to be abandoned, not ascertained to be, only supposed; perhaps stronger than that—we may say prima facie taken to be abandoned. "Which presumption may be rebutted and the penalty of cancellation remitted if sickness or other reasonable cause be shown to the satisfaction of the recorder. "Now, as to the investigation by the mining recorder, for there must be an investigation. The section imposes on him the duty of 'obtaining satisfactory evidence' before he cancels."

A number of cases were here cited showing that it was a common principle of every case of a judicial character that the party against whom a judgment shall operate is given an opportunity of being heard. "This case was one in which a commissioner had to satisfy himself by investigation and make report. He gave the party affected no opportunity to answer, refused to shew the evidence and affidavits of the party applying for cancellation. Commenting on the proceedings the court said: 'The commissioner is not bound by strict technical rules as to the admission of evidence, form of procedure, etc., provided the inquiry is conducted according to the requirements of substantial justice.' "In this case the court held that substantial justice was not done and commented strongly on the wrong done in not giving all parties affected a full chance of hearing and answering. "Does this section 39 imply anything more than ability to forfeiture on breach of this condition, which forfeiture is only complete after the mining recorder investigates and makes a formal cancellation? We have no evidence of any investigation whatever, unless indeed the application of the plaintiff Risser be evidence, in which he swears that 'the claim' was previously granted to some one unknown to him and has remained unworked for not less than nine months. "This is not true, because he did not know the name of the owner, and it is admitted that nine months and three days non-working was required in this case. "This can only be called a farce of an investigation, and if that is 'evidence satisfactory' to the mining recorder to justify him in depriving a man of his property, then I can only say that all the recognized principles of British justice are wholly disregarded. "It is true that on the trial of this cause in July, 1901, evidence was given which would have justified the recorder in cancelling the lease, but that evidence and investigation should have been taken before the mining recorder when the plaintiff applied for the grant. "It is claimed that the words of the grant to the defendant work a forfeiture, the words being: 'Said grant shall lapse and be forfeited unless the claim is continuously and in good faith worked by the said A. B.' "The plaintiffs can take no rights or benefits from the grant. They are no parties to it. The crown might justify its action under the grant, and the plaintiffs, if they were grantees from the crown, which they are not, might justify their title under it, but in the meantime they take their rights and benefits from the regulations only. "Again, the grant is to be read with the regulations and to be interpreted through them. The words 'shall be forfeited' I take to imply a liability to forfeiture under section

39 and the proceedings to be taken thereunder. I think that is clear from the reading of section 39, and on careful consideration of the authorities I am strengthened in that opinion. "After the citation of cases regarding the forfeiture of leases and coal gales upon certain conditions, his lordship continued: "I think that a free miner would be justified in locating lands which he knows to be not worked under section 39, but the recorder must give notice and hear evidence before he cancels the grant and he must cancel the grant before he re-grants to the new locatee. \* \* \* It would be wrong for the crown to grant to a subject the right to dispose an intruder under the crown title where the questions which might influence the crown to consider the intruder's case could not be brought up. "Query: Could one apply for property likely on which might be escheated before the escheat? No, the crown cannot entertain an application for property which it may hereafter get by escheat. "The crown in the case before us should have fulfilled this condition by taking evidence properly and making an order of cancellation by the proper officer, the mining recorder."

"If the mining recorder had done that in accordance with the statute and justice this court could not review his order or decision. "For the reason that I think this lease to the defendant not void but voidable for the cause mentioned by inquiry by the mining recorder as I have indicated, I think the appeal should be allowed. There is no question of right as by contract between the crown and free miners, and no such thing as equity. They take what they take by virtue of the statute and regulations and it seems to me that unless the statute works a forfeiture without doubt and it is clear beyond doubt, we should be slow to add to the statute so as to deprive a person of his property against all the rules of the common law.

"The defendants were saved by the grace or merit of their own, but by the neglect of the mining recorder in December and there should be no costs."

The concluding portion of his lordship's decision is scarcely apropos of the case, but, instead, is a spicy reminder to attorneys to not be careless in preparing their papers. "This appeal book was the worst prepared and most careless I have ever seen. The printing was so bad that I could not read it. The book seems to be scraps from office drawers and copies. I cannot tell who the first witness was. His name does not appear, nor that he was sworn to whoever he was. "The variety of color in the printing may be attractive, but it is suggestive of scrap work. The entries are so badly written as to be illegible and are against the rule. "One can only conclude that when an appeal book is prepared in this fashion the appellant does not care whether his case is successful or not. It is fortunate that justice does not care to punish suitors for the sins of their advocates."

Mr. Justice Dugas concurred in the decision, but, as stated, Mr. Senkler dissented. The opinion of the latter was extremely clear and well founded, so much so, that that such was made mention of in Mr. Justice Craig, who remarked that had he heard it previous to the rendering of his own decision, it might have had the effect of altering it. Nobby line spring suits just opened Ames Mercantile Co. Of interest to Shippers. The Northern Commercial Co. is now prepared to make contracts for shipments from coast ports to Yukon and will be pleased to quote rates on large consignments to best advantage. For full particulars, rates, etc. see the Northern Commercial Co. shipping department.

ANGLO-AMERICAN COMMERCIAL COMPANY. Standard Cigars and Tobacco, Wholesale and Retail at Right Prices. Fire Proof Sales Sold on Easy Terms. BANK BUILDING, King Street.

AMUSEMENTS. Week Commencing Monday April 14. The Auditorium. Land of the Midnight Sun. See the Great Saloper Blue Gator. NO SMOKING. Monday, Thursday & Friday. Orpheum Theatre. Grand Opening Monday Night April 14. The Grand Military Spectacular Production. SPANISH-AMERICAN WAR. Grand Old, New Stars and Many of the Old-Time Favorites. Popular Prices. General Entrance Through Back.

WINTER MAIL SERVICE. On and After March 20. Dawson to Whitehorse, \$125.00. BY THE ROYAL MAIL STAGES. Making through trip in five and one-half days, stopping at first-class roadhouses each night. Travel only by established line and avoid both delay and discomfort. Stages Leave Dawson Every Tuesday, Thursday and Saturday, at 7 a. m. For reservation apply at the J. H. ROGERS, Agent. White Pass & Yukon Ticket Office.

Alaska Steamship Co. Operating the Steamers. "Dolphin"-"Farallon"-"Dirigo". For All Points in Southeastern Alaska. Connecting with the White Pass & Yukon Railway for Dawson and interior Yukon points. General Offices... 201 Pioneer Building Seattle, Wash.

Death

"The prisoners broke jail!" The cry was picked up and carried down narrow main street, the gambling dropped their cards, the music stopped with a gasp, the men of the Win... traveling men sud... in a lively yarn; who, where mere... (tills and prep... hunt. There... county sheriffs in... those days. It was a o'clock... was sounded. It... truth and fact... the women... the worst. Every... man in the w... been sworn in eith... the sheriff's poss... which guarded the... on a cot in his... the county jailer... stern faced men... taking his la... for loth that R... Manual S... water had choked... making the... Miguel county... the coroner's inq... physician testified... in ordinary... with the desperate... proved fatal, but... "Jonger" who h... for his health... a hemorrhage. The fugitives... six months... charges, and pub... about at the do... daredevil R... had dropped into... a fondness... in store wi... arrival he had... beautiful M... unity, and had... somewhat bohem... pataresque cab... follows. All th... months before W... in Brown's... starting a conflag... in jail. And no... the great wistful... graceful figure, ha... the cabin among t... said that in her h... had gone back... she lived across... Two days, and... and one posse... nearby into tow... acquire and a te... liberately on th... These, too... when it... nearly dawn the... her trail to... circular pit w... needed only by r... contain goats... could tread. On... dropped sheerly fu... point a clear... its way thro... Maguire had... a mile back... and as the p... pit he motion... dropping... by crawled... and pen... sent a thrill... nerves. Near... the three Mex... ledge, slight... other figures... easily ide... own's uncertain... met Wolfe. The... carefully, but... shippings of ga... require, recalling... hauler the... the ravine... the outlaws... food and tid... Then, t... cigar mou... two net o... mailed grimly... trapped... the smile o... figure, the o... rested restlessly... was loose... carved art... cause of taven... Maguire d... down in co... he had dou... nothing but... of a race... had seen... about the cas... fought t... crept back... a whispered

# Death at Devil's Caldron

The prisoners are out! They've escaped jail!"

The cry was picked up by a score of voices and carried down the long, narrow main street of Cimarron—to the gambling dens, where players dropped their cards and grabbed their hats; to the dancehall, where the music stopped with a crash; to the store of the Windsor hotel, where the men suddenly lost interest in their lively yarn; to the ill lighted streets, where merchants locked safes and prepared to join in the search for the desperadoes.

It was 9 o'clock when the alarm was sounded. It was midnight before the truth and fiction had been sifted from the women of Cimarron knew the worst. Every able-bodied, dependable man in the mountain town had sworn in either as a member of the sheriff's posse or of the patrol which guarded the town.

On a cot in his office lay Heynman, county jailer. He was encircled by stern faced men. A notary public taking his last statement, set forth that Randall Wolfe, Jose Manuel Sanchez and Felipe Maguire had choked and gagged him making their escape from the Miguel county jail. Later, at the coroner's inquest, the attendant testified that had Heynman been in ordinary health the fracas of the desperadoes would not have proved fatal, but the poor fellow was "lunatic" who had come to Colorado for his health. The gag had caused a hemorrhage.

The fugitives had been sentenced to six months or less on petty charges, and public opinion laid the blame at the door of Wolfe, handsomely daredevil Randall Wolfe, who had dropped into Cimarron from no known where, with plenty of money and a fondness for shooting at store windows. Soon after his arrival he had married one of the beautiful Mexican girls in the town, and had settled down to a somewhat bohemian housekeeping in a picturesque cabin among the river banks. All this had happened months before Wolfe had shot the boys in Brown's drugstore, thereby starting a conflagration and landing in jail. And now Conchita, she of the great wistful eyes and the lithe, graceful figure, had disappeared from the cabin among the willows. People said that in her hour of disgrace she had gone back to her own people, and lived across the state line.

Two days, and three, slipped by, and one posse after another rode nearby into town until only Sheriff Maguire and a few picked men hung on the trail of the outlaws. These, too, were becoming discouraged when in the steel gray of early dawn they followed a woodpecker's trail to the Devil's caldron.

The search was this, its bottom covered only by rocky paths such as mountain goats or fugitives alone could tread. On one side the walls stood sheerly fifty feet, and at the point a clear mountain stream ran its way through solid rock.

Maguire had ordered the horses to be led a mile back in the thick timber, and as the posse drew close to the cliff he motioned his men to halt, dropping on his hands and knees, he crawled to the edge of the precipice and peered over. What he saw was a thrill of excitement along his nerves. Near the smoldering fire of the three Mexicans, white on the rocky ledge, slightly above them, lay other figures, one of whom he could easily identify, even in the uncertain light, as the stalwart Wolfe. The fifth figure he studied carefully, but it was hidden by shoppings of gaudy blankets. But Maguire, recalling the sullen Mexican band leader they had passed far up the ravine the day before knew the outlaws had been provided with food and tidings from the outer world. Then, turning his gaze on the zigzag mountain trail ending within two feet of his hand, the sheriff grimly. His prisoners were trapped.

The smile died suddenly. The figure, the one at Wolfe's side, stood restlessly, the red and purple blanket was tossed aside, and a beautiful carved arm was thrown above his head of raven hair. It was Conchita. Maguire drew back. To shoot her down in cold blood was one thing—had done it before—but she was a woman, a woman who had nothing but love too well this side of a race not her own. The man had seen the firearms scattered about the camp fire. And if the woman fought the girl would be in the midst of it.

She crept back to his men. There she whispered conference. Eight

men carefully looked over their guns. Then, dropping on their stomachs, they slid noiselessly to the edge of the caldron and surrounded it. The steel gray light had changed to rose color when Maguire's voice echoed sharply down the rocky walls of the pit. The fugitives sprang to their feet.

"Might as well come up and surrender, Wolfe. We've got you surrounded."

Wolfe threw back his handsome head and gazed upward where the first beams of sunlight touched the dwarfed pinons. He saw eight set faces and eight guns. He dropped his own weapon with a bitter laugh, and stood with folded arms, staring straight at Maguire. When at last he spoke, the sheriff, even with the thirst of the man hunter upon him, caught himself, wondering how that voice would sound in legislative halls.

"It's no use to surrender, Maguire. It means the gallows now. Conchita told us about Heynman's dying, and maybe you won't believe us, but we didn't mean to kill the fool. By heaven, I couldn't stand being cooped up there! Another day'd have set me mad. When he brought the supper, we just toppled him over, for a lark, but it's turned out an annoying one. We've got to pay the price, I suppose, but Conchita"—his voice seemed almost to tremble—as it floated up to Maguire—"she followed me here, and now—well, I reckon you'll give her a chance to get up there safe."

Maguire nodded grimly. He knew what those words meant. Wolfe meant to die fighting. There would be no surrender. The men of the posse kept a sharp eye on the Mexicans, who now seemed too stunned even to pick up their firearms. Maguire kept his gun trained on Wolfe as the latter stood a moment in earnest conversation with Conchita. He saw something white slipped into her hands and scented treachery, but as she pushed the packet into the bosom of her gown he saw that it was merely a bundle of papers or letters.

Without looking at his companions and with Maguire's gun still aimed at his heart, Wolfe led Conchita to the narrow goat path. She took half a dozen steps, then paused, turned and stretched out her arms. Eight deputies imperiled their lives by closing their eyes.

Conchita sprang up the path and without looking back dashed into the undergrowth on the summit and disappeared. A second later there floated up to Maguire Randal, Wolfe's taunting laugh. He swung round on the cringing Mexicans.

"Fight, you cowards!" he cried and aimed at Maguire. The fusillade was on.

The next day a ghastly quiet hung over Cimarron. The coroner had ridden to the Devil's caldron, and four bullet-ridden bodies lay in the town's small undertaking establishment. The armed guards still patrolled the town. The members of the sheriff's posse had been spirited away to Denver, Pueblo, or Canon City. A dozen reporters, from city dailies were on the scene. There was talk of a Mexican uprising.

A newspaper man who had been talking with the postmaster suddenly struck off in the direction of the river and the cabin among the willows. He was on the trail of a story, the true story of Randall Wolfe. Conchita met him at the door with eyes more wistful than ever and a pathetic droop about her mouth. But that mouth took on a determined curve as the reporter talked. She shook her head.

"But," she persisted, "did Wolfe never tell you anything about his people in the east? He got money from them, didn't he? His mother wrote to him?"

Still no answer. The newspaper man tried another tack.

"He's left you nothing, I hear, and it isn't to be supposed that his people will help you." He drew forth his purse. "Now, I'd be glad to help you out if you'll answer a few questions."

The Mexican woman rose and threw open the door.

"There is nothing to tell—nothing."

The newspaper man shrugged his shoulders and walked out into the sunlight. He knew the woman lied. She watched him through the yellowing willows. Then she closed her door and crossed to the fireplace. From her bosom she drew a packet of letters. Among them was a photograph of a woman with white hair. These she laid on the coals and watched them burn. Then she sprang

to her feet and tore from the wall a picture of her dead husband. With hungry eyes she studied each crude line, then kissed the photograph passionately and, with a sob, laid that, too, on the greedy coals.

"Ah," she sobbed as the flames licked and curled the blackened pasteboard, "mia cara, I have kept my word! It was all I could do, and they shall never know!"

Then, with her hands clasped about her knees, she crouched weeping by the dying embers.

### English Oaks.

The old parliamentary oak in Clipstone park, England, is believed to be 1,500 years old. The tallest oak in that country, called the "Duke's Walking Stick," is higher than the spire of Westminster abbey, and the largest is the "Crowthorpie," which now measures seventy-eight feet in circumference and at one time with its branches covered more than an acre of space.

## PRECEDENT CONFIRMED

In the case of Dolan vs. Fagnant, in which a decision was rendered yesterday by the court of appeals, the sale of the government claims of a year or so ago was revived. Dolan bought the claim at auction but as there was a misdescription the issuance of the grant to it was deferred for some time. In the meantime, Fagnant learning no grant to the ground had been issued staked and obtained a record for the claim. In the contest before the gold commissioner Dolan was sustained and in the appeal the findings of the lower court were upheld. The decision was rendered by Mr. Justice Craig and is as follows:

The plaintiff, Dolan, was the purchaser of the bench claim in question at the government sale, paid his money required at the time of the sale and afterwards conformed to all the conditions of the sale. His grant was withheld for some time for some reason or other, mainly because it was alleged in the commissioner's office that the identity or existence of the fractional claim was in question. However this may be, he did finally obtain his grant. But before the obtaining of the grant the defendant entered upon the claim and staked it, also obtaining a grant. I cannot conceive why Dolan was held so long without his grant in the commissioner's office and why the defendant should immediately have obtained his grant after his staking. There was some question as to the identity of the claim and whether any such claim was in existence, but I am convinced from the evidence that the claim granted to Dolan was in existence at the time of the sale, was the one he meant to buy and the one intended to be sold. It was argued that because he did not obtain his grant within the time limited by an arbitrary notice of the assistant gold commissioner, therefore he was not entitled to his grant at all. Such an argument seems to me to be absurd. He had complied, as I said before, with every regulation of the crown. If any one was in default it was the crown, and why the plaintiff should suffer for the neglect and delay of the crown I cannot understand. When the sale was made by auction and when Dolan had paid his money he was entitled then and there, and then and there acquired title to that piece of ground, and the crown was bound to convey it to him. No interest remained in the ground which the defendant could stake or which the crown could grant. It was not then open for location. If the parties who attend government sales, pay their money and perform every condition enacted of them are not to be protected, then the regulations for the guidance of the public are of little use and crown sales are a farce. The appeal should be dismissed and the judgment of the gold commissioner affirmed with costs.

Mr. Justice Dugas in concurring with the decision of Mr. Justice Craig, said:

This is purely a question of fact, which has been determined by the gold commissioner in favor of the plaintiff, respondent. The case offers, no doubt, some difficulty but, as it has been charged in the court of appeal, that the application in dispute was the one really sold at auction by the government to the plaintiff, notwithstanding the errors and false descriptions made therefore, and taking the whole circumstances of the case into consideration, I think that the judgment of the gold commissioner should not be disturbed, and that the appeal should be dismissed with costs.

Mr. Senkler also concurred.

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## HAPPY AND CHEERFUL

### Are Kennedy's Tales on the Outside

### The Big Wrestler and Boxer Tells of Easy Money Won in Dawson.

The following appeared recently in the New York American and Journal. Kennedy did take some easy money from the Klondike—money earned by faking—but he only took \$5000 instead of \$30,000.

Sioux City, Iowa, March 22.—Frank Gotch, a young son of a farmer of Humboldt, Iowa, has just returned from the Klondike, and brought with him \$30,000. He made it in just six months. Two years ago Frank Gotch was just of age, tipping the scales at 190 pounds; 5 feet 10 1/2 inches high, his neck large and muscles standing out over his body. "Farmer" Burns, the well-known wrestler, "discovered" Gotch and put him to wrestling. Since then the young giant has thrown about every one in Iowa and Nebraska and he capped his record in the gold fields of Alaska last summer and fall by putting every wrestler of note in the Klondike to the mat.

When he went to Alaska it wasn't as a wrestler. So the people who saw a young stranger making his way "up creek" from Dawson and stopping at the claim of James Brown were told he was a young miner named Frank Kennedy. He began daily labor on Brown's claim, washing gold dust out of the sand.

One day, in camp, he chanced to wrestle with a bully, and threw him in a jiffy. The bully didn't tell it, but others did. So next day Billy Murdock, best wrestler on the hill, challenged him, and Murdock's friends went to the camp saloon to see the foolhardy stranger discomfited. To their surprise Gotch threw his man to the hard floor of the saloon in just four minutes and pocketed Murdock's \$500.

Kennedy's fame spread. Two light-weights down the creek—Riley and Murphy—heard about him, and put up \$2,500. They pushed their bargain hard, and Kennedy agreed to throw them both twice in an hour. He did it in half that time.

The miners began to believe Kennedy was a remarkable wrestler for a plain placer miner, but Kennedy just kept on looking for gold on Brown's claim and let the rest talk.

Down at Dawson, White, a crack wrestler of Alaska, had the papers print under big headlines he had posted \$2,500 for a three-fall meet with Kennedy. The young "miner" came down creek and covered the purse. The Dawson papers predicted the downfall of Kennedy, for White had a reputation. The Klondike boasted only about one better. Money went up freely on White. The next day the papers said "White was like wax in Kennedy's grip." He won three falls in eighteen minutes and about \$8,000 in purse, bets and gate receipts. But still he held his tongue.

The champion of Alaska was Silas Archer. The newcomer having thrown the next to the best man, the champion became interested. But he declared he wouldn't wrestle for less than \$5,000. That suited the young miner, and the \$5,000 was doubled. This took Archer's breath away, but the papers said he would surely win. The winner was to get a single fall. Archer was not alone champion of Alaska, but a resident there. Local pride and loyalty to "their champion" brought miners from every field in the Klondike down to the Old Savoy theater the night of August 13, and every man came with a bag of gold dust. Values run high in the Klondike, and when it was all over the papers said more money was bet on that contest than on any wrestling match that ever took place in the world. At all events, men fought for standing room at \$1 a head.

Kennedy went at his man with a vim, and 17 1/2 minutes later pushed Archer's shoulder blades into the mat. He won, in purse, side bets and gate receipts, \$18,640.

A five style match followed between Kennedy, Ole Marsh and "the mighty Colonel McLaughlin," as the sporting editors put it, and when all was over, it was found Kennedy had cleaned them all out. Unable to find any more opponents who wanted to put their money up on straight contests, Gotch began wrestling against

time for nightly purses of from \$100 to \$500.

He left the Klondike with the respect of the sporting public. In spite of their heavy losses, the people bade farewell to the young man who had defeated their every veteran, and wished him well. Gotch is back in Humboldt, leading a quiet life again. His advice to the wrestler who seeks financial assistance is, "Go to the Klondike and stay six months."

"Why do you feed your turkeys those poker chips?" we asked of the honest rustic.

"To give them a gamey flavor," he responded, with a quaint smile that told all too plainly that he was clubbing the weekly village paper with the comic magazine—Baltimore American.

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# Error of a Young Wife

The importunate cabbies and bustling porters failed to attract the attention of Frank Ryals except so far as a nervous person would notice mosquitoes or flies. He brushed them away without so much as a look as he passed down the long pier. With bent head and quickening footsteps, he walked, unheeding and unnoticed, through the sweat and turmoil of the city to his home. As he rang the bell his hand shook and the muscles of his throat tightened.

The faithful butler, who had been valet to Frank Ryals before his marriage, held the door open and inquired solicitously if "Mis' Ryals" got off safe and sound.

The reply came after a pause. "Yes, Brown, thank you," but the white, drawn look of his beloved master's face repelled further inquiry, and the butler retired to the kitchen, there to unbosom himself to Cynthia.

"It's my opinion Marse Frank is mighty cut up 'bout Mis' Bess goin' off to Europe 'thout no warnin' hardly at all."

Cynthia sniffed. "And her a bride of jes' three months," continued the indignant Brown. "It's my opinion she don't care much about 'im, and 'im the best and jolliest man that ever lived."

"Brown was growing more aggrieved every minute. "Gus Brown, would you have a 'oman tied to a man's coattails always jes' 'cause she happens to be married to 'im?" And Cynthia set the pan down sharply on the table.

"I don't expect much of women folks at no time," replied Brown stoutly, injecting as much scorn into his tones as he thought safe, "but I didn't much expect a young bride to go off so cheerful-like and leave her husband for six months on a stretch."

Cynthia turned sharply and looked into the face of the worthy butler. "Did you say six months, Gus Brown—six months?"

The faithful Brown could only bow his head in assent, and Cynthia, detecting traces of real grief in his usual wooden countenance, was too shocked to take much account of the blister made on her hand by the overturned gravy.

Presently Brown put his head in the doorway of the drawing room to announce dinner, but, seeing his master with bowed head and bent shoulders, retired quietly to the kitchen.

Cynthia called Brown "a white livered coward" on his return, which emboldened that functionary to go back and touch his master's elbow.

"I don't care for dinner, Brown, thank you."

"Thout so much as movin'," Brown confessed to Cynthia as they prepared to do justice to the dinner now almost cold.

Letters came across the ocean to Frank Ryals, full of life and vivacity, now brimming over with the joy of some bright experience, now breathing awe and wonder of the grandeur of some old cathedral or mystery of nature, but never once did she say "I miss you, dear," or "I wish I were back at home with you," or "I wonder what you are doing." Frank Ryals searched her letters feverishly for some such expression, but it never came.

Old friends welcomed him back to the club, and occasionally he went to the opera. Dinners at home were scarce and finally ceased altogether. Six months had extended into eight because Mrs. Ryals wanted to take her party into Egypt, but now they were coming home.

The man who stood on the pier waiting for the North German Lloyd steamer to cast anchor on a bright April day looked very much like the same Frank Ryals who has stood there eight months before except for a certain air of composure and two little patches of gray hair on his temples that contrasted oddly with his fresh face. He received Bess and her friends cordially and told the latter he had made all arrangements to have them at his home during their short stay in New York.

Everybody talked at once at dinner, there was so much to say and the joy of being once more on American soil was so keen. The company rose, protesting vigorously when their host bade them good evening as he prepared to leave the house.

"We refuse to stay and turn you out of house and home this way. It is atrocious," they said.

"It is my pleasure," was the grave answer, "and you must stay."

Bess for the first time in her life was thoughtful and said little. On the fourth evening after her arrival, when the guests had all departed and the clock was on the stroke of 11, Frank Ryals rose and, taking hat and cane, said good night.

Bess rose also. "Where are you going, Frank?" "To the club," he answered. For a moment she gasped with astonishment. Then pain, anger and wounded vanity chased in quick succession over her mobile face.

"Our first evening together," she managed to say, and, as he still held his hat and looked steadily at her, "Has the club grown so dear to you—that you can't give it up—one evening?"

"One has time to become attached to anything attractive in eight months," he said, "especially if it represents one's boyhood friends and companionship. The boys at the club have been very good to me, and I have come to depend on them. I would choose them in preference to scenery any time, I think," he commented, with a strained smile.

All color and brightness had fled from her face, and as she stood in the firelight, her white evening gown clinging about her, she looked almost pathetic.

"I would like to know—the worst, Frank. Is it—any other woman?" "No," he said; "I have never loved but one woman, and when I found it was all a mistake I suffered a great deal, more than you will ever know. But it is all over now. She didn't love me, and I have learned to do without her."

A pause. "We are on equal footing now, Bess." And he stroked the gray hairs on his temples without looking at her. "It is not as much happiness—as the other way, but there is not so much pain."

Bess had lost all power of speech and was staring at him with eyes almost set in their horror. But he mistook the cause.

"Don't bother your head, Bess, about what the world will say. It need never know. You bear my name and are the mistress of my home, and you will be free to enjoy your pleasures just as you see fit. You are welcome to all I have."

"Except your love."

"You had that, too, once. How long ago has it been, Bess? It seems years! Good night," he said as she made no answer. "The old servants are here, and you will be perfectly safe."

Still she said nothing, and he went out, closing the vestibule door quietly after him. Bess recovered sufficiently to reach the window in time to see him move down the lighted street toward the club.

"Oh, my God!" she moaned. "What have I done? Have I been dreaming all these months?"

She was awake now, with ten thousand accusing demons contending for the mastery of her soul.

Two months later Mrs. Ryals was ushered unceremoniously into Mrs. Ryals's boudoir and found a grave faced young woman bending over the smoldering fire.

"Oh, my dear, I am so fortunate to find you at home!" was her cheery greeting. "I am in the greatest hurry, but I do so want you to join my party to the Yellowstone park tomorrow. It'll be such a glorious trip. I telephoned Mr. Ryals, and the dear, sweet man said he left it entirely with you! Really, my dear, you are to be congratulated—Why, Bess?"

Her hostess had risen and now stood facing her, a grayish pallor spreading over her face.

"Don't speak to me of traveling! I hate the word—the thought of boats and cars and hotels! I want to be left alone—alone!"

Frank Ryals was mounting the steps of his club when an imperious feminine voice stayed his steps. It was Mrs. Ryals, and her ordinarily gushing manner had entirely disappeared.

"My dear boy, you don't want to stay at the club this afternoon. You really ought to run right up to the house. There's certainly something wrong with Bess. She's been treating me to a genuine case of hysterics. Imagine Bess in hysterics! And she won't go to California with us. Oh, she's altogether unreasonable! I left her in tears. You must have the doctor."

"Yes, I'll phone for him at once." Mr. Ryals's voice and manner were calm, perfunctory. He raised his hat and mounted two more steps. Then he paused irresolutely. Mrs. Ryals was half way up the block. A man addressed him lightly and entered the door, and still Ryals stood undecided, a strange light playing in his moody eyes.

"Home!" exclaimed Ryals, and then as the hansom rumbled over the asphalt he murmured in softer tones, "Home!"

**Views of Civilization.**  
The other fellow and I were having an argument about civilization. Needless to say the other fellow and I were both supposed to be doing something else, but let that pass. He was frankly optimistic, while I was as frankly pessimistic.

"Look," he said, as the trolley cars whizzed by. "You owe that to civilization. That is better than walking." Pointing to the concrete sidewalk, he said, "That is better than mother earth," and pointing to the asphalt roadway, "that is better than corduroy." Pointing to the brick mansions across the street, he said, "Those are better than wigwams," and, pointing to the milk wagon as it drove up, "that is better than having to milk your own cow."

"All true," I said, "but yours is the front door view of civilization. Come and take a back door view of it." He came, and we looked together. "Civilization," said I, "cut the trees down off the sides of that bare ravine, civilization underdrained and killed the little brook that once purled at the bottom, civilization put those garbage barrels there, civilization dumped those piles of ashes where once the wild flowers bloomed, civilization erected that exceedingly unsightly outhouse and put up those exceedingly homely back fences. Civilization has done the same thing all over the world, which once was beautiful, but now is as homely as a chunk of hard coal."

"True," he said, "but it's worth more."—H.D.C., in Toronto Star.

**The Sanyasis of India.**  
Popular belief in India still credits Sanyasis and other holy vagabonds with miraculous powers. Even the native journals often chronicle marvels like the instantaneous cure of incurable diseases or the feeding of thousands out of a small measure of rice. One of these prints gives a description of how a saintly Banyasi saved the lives of a certain rajah and his escort from a wild elephant. As the party was proceeding through the lower Himalayas a monstrous tusker broke out of the jungle and set to trumpeting. The rajah and

his followers were considerably scared and were giving themselves up for lost when a noble looking Sanyasi appeared and, standing in front of the travelers, told them to shout a certain order to the elephant. This done, the animal bolted into the jungle, while the savior of the rajah and his party vanished without waiting to be thanked.

**Lady Cartwright.**  
No more striking personality is seen in Ottawa than the sweet-faced woman who for more than forty years has been the loving wife and constant companion of Sir Richard Cartwright, the Minister of Trade and Commerce. Of Lady Cartwright there is little to be said, yet in that is a life of devotion to her husband and family rarely seen. She has not been fond of the glare of society, nor the many empty follies of social life, but while her husband has been engaged in the fierce political struggles of nearly forty years, taking a leading part in momentous events which to many are now but matters of history, Lady Cartwright has made home a sweet retreat far removed from the turmoils of public life.

Many secrets closely identified with the destinies of Canada have doubtless found safety in her keeping, for no mention of them has ever escaped her lips. Few women have read so extensively as Lady Cartwright, and she seems to have gained an unusual knowledge of current events, with which, unless the subject be broached, her familiarity may remain unknown.

Lady Cartwright was the daughter of Col. Alexander Lawe, H.E.I.C.S., and she first saw the light of day in India. She was married to Sir Richard Cartwright in 1859, and a large family has grown up around her. Three daughters are living at home, and five sons complete her children, save one, who died some years ago. Her sons are Col. Robert Cartwright, C.M.G., Assistant Adjutant-General, Ottawa; R. Cartwright, M. D., living in the United States; A. D. Cartwright, B. A., Toronto; H. Cartwright, Toronto, and C. Cartwright, C.N.G., Assistant Adjutant-General pursuing his studies.—Star.

**He Was Excused.**  
A young man whose features and flashing eyes betokened great earnestness was summoned before a judge of the city court the other day for jury

duty. He immediately asked to be excused. When the judge asked him what excuse he had for not serving, he replied: "I believe it is a rule of the court that the jury is the sole judge of the facts and the court of the law—that the juror should only weigh the facts as presented by the evidence, not taking into consideration any of the rules of law governing the case, wherefore all lawyers are exempt from jury duty."

"But are you a lawyer?" asked the judge.

"No, but I have been a close student of the law for many years."

"I am afraid that I cannot excuse you if you are not a lawyer," said the court, smiling.

"But," continued the young man, with great earnestness, the color mounting to his temples, "I am sure if your honor knew as much law as

I do your conscience would tell you to serve on a jury." After the bench and bar had recovered from this naive outburst the judge told the young man that if it was a matter which affected his conscience so deeply he would excuse him, and a very much abashed youth left the courtroom.—Ex.

**Chasing the Fox.**  
A fox had pressed by the Warwickshire hounds, in England, dashed into a back kitchen at Nalley Hall, the seat of the Marquis of Hertford, where a woman was washing clothes. Seeking a place of concealment, the animal sprang upon the furnace and dived into the almost boiling wash suds; from which, however, he was quickly out again and was then captured.—London Telegraph.

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# Stroller's Column.

The following was noticed by the Stroller on the agricultural page of a Toronto newspaper:

"Cutting for grafting—a knife, a saw and a dish of grafting wax." Such a harmless combination may be looked upon with scorn by the average Dawsonite who does not understand either a saw or knife and who regards for what "wax" there is in it.

There is in Dawson one Dominion land surveyor who has a decided preference for surface work. This preference never became decided until a short time ago, since when it has been very apparent.

A short time ago the surveyor in question was called to Chechaco Hill to run some lines in the bowels of the earth about 120 feet below the surface. With fear and trembling he entered the bucket and was lowered into the field of action where the required surveying was soon done. But the flight of the tripod was afraid to ride up in the bucket so he decided to climb up a ladder that ran up the side of the shaft. He had climbed about 15 or 20 feet when, like a horror, an apparition passed him and landed at the bottom of the shaft.

It was the windmill man who essayed to glance down the shaft and losing his footing, had in person the glancing. Strange to say the man was not seriously hurt by the fall but it was a severe shock to the nerves of the surveyor who again retreated to the bottom of the shaft, where he made up his mind to stay the remainder of his life rather than attempt to ascend to the surface. For three days he remained there to his promise, during which the claim operator lowered to him food, drink and hot rocks, the latter to prevent him from freezing and becoming petrified.

After three days the claim owner came tired and sent down to the surveyor an ultimatum to the effect that he could decide on coming up that day or of having his supply of beef, Canadian Club and hot rocks shut off. He decided to make the trip and, after holding a single prayer-meeting, tied himself to the bucket bail, blind-folded himself and rode in safety to the top. His friends say that during the three days he dwelt on bedrock he aged fifty five years.

The Stroller is pleased to see that pugilism is once more growing in vogue throughout the length and breadth of the North American continent, all except in South Carolina, and as that state has Ben Tillman it has as much pugilism as it can entertain at one time.

Only five short years ago Fitzsimmons and Corbett had to feel all the country before they could get a soft spot on which they would be permitted to knock each other out and at last chose a way station by the name of Carson City in Nevada. Now it is different. Every place except Charleston, South Carolina, is beckoning to the big fellows in a manner that says: "Come and fight on our lawn."

Attention has been paid to education and refinement and too little pugilism, with the result that education has run rampant. But of what good is refinement and education?

The man who has no talent as a pugilist is apt to drift steadily downward until he eventually becomes a school teacher or a narrow-chested doctor who has to sit day after day grinding out stuff to satisfy the morbid curiosity of a sin-cursed world.

The majority of prize fighters are as many people think, college graduates. On the contrary, they are men who have fought their way up, and were, until they see their picture in the sporting papers more often than the educated school teacher whose name is in print.

The Stroller has been attending to Slavin and Burley's practice lately and he has become very much interested in the many art works of Slavin and Burley are prominently of an italic nose with quaternary marks on either side of it. Slavin and Burley must be seen swatting recital to have their pugilism recognized.

It is possible that both Slavin and Burley were once poor boys who about the advantages that wealth position bring. Yet by their latitudinarian ability as heavyweight convincers have climbed the ladder of success until today they can stand up against any other two men in Dawson. Each man has burned midnight

oil while he sat up to knock out all comers. This shows what patient industry will accomplish.

The Stroller does not wish to be understood as being the foe of education, for he is not. Education is good enough in its place but it seldom gets a man's picture in the papers, and that is what counts these days.

Education and refinement are both entirely too common. Who will turn around to look at a man on the street or ask him to have something just because he is educated and refined?

The celluloid ear, the gutta percha nose, "de bum lamp," and "de gory mug" are the things which attract attention in these days of progress and enlightenment and when progressive pugilism and the prize ring succeed to a great extent the ill-ventilated common schools and the unvarying prayer meetings, the more young men will get their pictures in the sporting papers.

A number of years ago the Stroller rode from New Orleans to Cincinnati in the same train with Jake Kilrain, Bat Masterson and Con Rioridan. It is a grand, triumphant tour, a continuous round of pleasure and free drinks at every station. The Stroller spoke on two or three different occasions on the trip to Col. Jake Kilrain and he did not seem to feel very much superior to his fellow passengers but was quite affable. On the same train was a delegation of New York state ministers who had also been attending the New Orleans exposition. At the railway stations and eating houses the three prize fighters ate the fried chicken while the ministers and Stroller calmly sought the gingerbread end of the counter.

And thus it is. The young man with the tin ear is the one who will fill the responsible position of the future while the college graduate will be shoving a truck with a gang of longshoremen.

Hurrah for Slavin! Sic em, Burley! Vive pugilism!

The following poetical effusion entitled "The Dancehall on Saturday Night" is the product of Mr. R. A. Fox of Mint creek. The Stroller is not able to say whether the effusion is based on actual experience or merely on observation. There is a glaring possibility that there was a tincture of both in the promptings of the article:

In Dawson on Saturday night you can see  
Queer sights on strolling about;  
Crowds going and coming wherever you look,  
Some go in while others come out.  
Some walk along slowly to pass away time,  
While some look around for a fight.

But the greatest old fake that ever I seen  
Is the dancehall on Saturday night.  
Around the dancehalls you see many odd things  
As you push on to get through the crowd,  
Tough mugs and old bats that wear big diamond rings  
All smiling and talking quite loud;  
The girls all a-smile with jewels and paint—  
Their aim is to get the boys tight,  
And then pull their legs for all they have got  
In the dancehall on Saturday night.

The butchers and barbers, the captains and crews,  
Are jumbled up here in large masses;  
They all want a smile, a drink and a dance  
And a chat with those dear little lasses;  
But it all ends in leg-pulling greater or less,  
And the way some get pulled is a fright,  
And they all have their bettyfuf after they leave  
The dancehall on Saturday night.

I noticed a lass who corralled a big / still  
With her smiles and her bit of a chat,  
And soon the big guy he stood no more show,  
Than a little mouse does with a cat.  
She took the big sucker around to the bar  
And filled him up full so she might  
Take him to a room and rifle his jeans  
In the dancehall on Saturday night.  
A pert little bat spied a bald-headed man  
Of sixty odd years, I should think

She called him her pet as she set them up twice,  
While she gave the bartender the wink.  
To square up the treats he pulled out a big sack,  
The whisky now made him feel bright,  
And soon he was full while his sack disappeared  
In the dancehall on Saturday night.

The dudish-clad man of the bank is there too;  
He wears a broad fifty-cent grin,  
And waits for the girls to come on his way  
To tickle him under the chin.  
His darling soon comes and they step to the bar,  
He orders champagne to be right,  
And soon they march off arm in arm,  
Don't you know,  
In the dancehall on Saturday night.

And by and by Ole comes in from the creek  
A-wearing his mackinaw pants,  
Edging up to the bar he takes a big hootch  
And says, "Now I skal haf a dance."  
He dances with joy and has a big time  
And soon he begins to get tight;  
Next morning he finds that his gold sack got lost  
In the dancehall on Saturday night.

This is the resort of the old married men  
Whose wives and poor children go short  
On-clothing and food 'way on the outside  
While the husband in here plays the sport;  
With his damsel in arm he goes to the bar  
And gins up the girls out of sight;  
The Doctor and Flossy are mixed with the rest  
In the dancehall on Saturday night.

Astrologer Tomerlin and Brophy his pal  
They used to be there with a smile,  
But somehow or other the stars and the moon  
Have called them away for a while,  
And when they return, so their horoscope reads,  
To take in the town and its sights,  
There will be no more leg-pulling in the dancehalls  
In Dawson on Saturday night.

Dear Stroller:  
I am compiling a book which I will take to the outside to have printed as soon as navigation opens. The title of the book will be "Half Hours With Great Men or Eminent People Who I Have Saw."  
I write you to engage a half hour of your time as I very much desire that you shall have a place in my forthcoming book. I will give you a position at top of column on the page opposite my own picture which will show me as I was once dressed to be Queen of May.

An early answer naming the day on which you can spare a half hour is anxiously awaited by  
CYNTHIA.  
P.S.—Do you not really think there is an indescribable affinity exists between literary people like I and you? My pet name is "Little Golden Hair."  
Goldie, any time you desire a half hour of the Stroller's time you can have it, but he prefers to spare it during working hours for then the time comes off his boss instead of the Stroller's personal account. If you come in the busy portion of the day he will try to spare you an hour. With onions at 75 cents per pound, Cynthia, there is certainly an affinity between all literary people. Ta ta, little one, till we meet.

Off for Forty-mile.  
Mr. Jack T. Broderick, of the firm of Broderick, Stevens & Co., owning claims on Huaker, Dominion and other creeks in the Klondike district, left this morning for the Forty-mile district with four men and four tons of provisions and machinery.  
Mr. Broderick has an interest in claims Nos. 12 and 31 on Miller creek and intends to continue developing these properties all summer.

## MAY LIMIT BOUNDARIES

### Court of Appeals Established Precedent

#### Up Hill Stakes on Hillside Claims Not Necessary, But When Fixed Must so Remain.

Another precedent was established yesterday in the court of appeals by the decision in the case of Davis vs. Adams, the point being as to whether of his claim. A hillside claim such as was staked by Sousa, the prior owner of the claim in question, is 250 feet up and down the creek and extending back on the hill 1000 feet. In staking it is necessary to use but two stakes, those on the down hill boundary where the claim joins the creek claim, the regulations not requiring the placing of stakes on the up hill line. In this instance, however, the original staker instead of claiming 1000 feet up the hill as he was allowed only claimed 500 feet. In addition to that he planted his up hill stakes at a distance which he considered to be 500 feet up from the lower stakes, but which upon survey were ascertained to be but 452 feet. Subsequently another staker finding the up hill stakes and ascertaining that the ground beyond was vacant, staked a bench claim, covering the ground which would have been included in the hillside had it been so claimed. The bench proved very valuable and the owners of the hillside sought to have his grant set aside upon the ground that the bench properly belonged to the hillside, the law allowing a hillside 1000 feet. The decision of the court was that the up hill boundary of the Sousa claim having been voluntarily established the owners of the claim are now obliged to abide by those stakes. The entire court concurred in the opinion.

**Court of Appeals.**  
At the afternoon session yesterday of the court of appeals the time was principally occupied in hearing various motions. The case of Smith vs. Wills came up for judgment upon a motion that the appeal be heard and determined as "it now stands." The case was set for the next sittings of the court.

In Davis vs. Adams, in which judgment had already been rendered, an application to hear further evidence was denied.  
An application to rectify the judgment in the case of Fleischman vs. Creese was heard. Decision reserved. The motion to hear further evidence in the case of Lamb vs. Kiveler, now on appeal, was dismissed.  
There was no session of the court this morning, the hour of convening today having been deferred until 2:30 this afternoon. Today is the last day the court will sit this week.

**Grand Reopening.**  
After being thoroughly overhauled, repaired and made second to no other on Hunker, the popular international hotel on 23 below, Louie Couture, proprietor, will reopen with a grand ball Friday night of this week, April 18.  
The International is a trim, two-story building with elegant sleeping apartments, the finest bar on the creeks and an unsurpassed cuisine department.  
Mr. Couture numbers his friends by the hundreds and he invites them all to be present at his grand reopening Friday night.

**Cool.**  
It was in a western hotel. A bell-boy was sent to Colonel William Greene Sterrett's room to ascertain what urgent need had impelled that gentleman to push the button. He entered and found the colonel deeply immersed in a friendly game with some chosen spirits.

"Did you ring, sah?" he deferentially inquired.  
"Yes," said Colonel Sterrett, deftly hurling two unpromising pasteboards into the discard. "We want you to bring us some whisky. My friends here will take Scotch, and mine is rye."  
"Yes, sah," said the boy, turning to go.  
"And after you have brought us the whisky," continued Colonel Sterrett, arresting his flight, "turn in a fire alarm. Some one in the next room has set the place afire."—Ex.  
**Latest Styles in Ladies' Silk**

**RAGLANS AND ETON JACKETS**  
—AT—  
**SUMMERS & ORRELL'S**  
SECOND AVENUE

**Signs and Wall Paper**  
...ANDERSON BROS...  
SECOND AVE.

**EMIL STAUF**  
REAL ESTATE, MINING AND FINANCIAL BROKER  
Agent for Harper & Ladue Townsite Co., Harper's Addition, Menzie's Addition, The Imperial Life Insurance Company.  
Collections Promptly Attended to Money to Loan, Houses to Rent.  
Gold Dust Bought and Sold.  
N. C. Office Bldg. King St.

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

American and European Plan. Cuisine Unexcelled. Newly Re-fitted Throughout—All Modern Improvements. Rooms and board by the day, week or month.  
2nd Ave. and York St. Dawson

**WINTER TIME TABLE—STAGE LINE.**  
**THE ORR & TUKEY CO., Ltd.**  
Going into effect Nov. 11, 1901—Week Days Only.  
FOR GOLD RUN AND CARIBOU via Carmack's and Dome. 9 a. m.  
FOR GRAND FORKS. 9 a. m., 1 p. m. and 5 p. m.  
FOR 23 BELOW LOWER DOMINION Chase's Roadhouse via Hunker Creek, 12:30 a. m.  
FOR QUARTZ, MONTANA AND EUREKA CREEKS—9 a. m. every other day, Sun days included.  
Sunday Service—Leave Dawson and Grand Forks at 9 a. m. and 5 p. m.  
ALL STAGES LEAVE OFFICE N. C. CO. BUILDING. PHONE 8.  
Watches set by departure and arrival of our stages.

**DAWSON LIQUOR CO.**  
**CHEAPER THAN EVER!**  
FRONT STREET, Opp. L. & C. Dock. TELEPHONE 161

**RENT OF 'PHONES Beginning April 1, 1902:**

—DAWSON—		—CREEK TELEPHONES—	
Class A—Independent service, per month.....	\$20.00	Bonanza Creek and Grand Forks, per month.....	\$20.00
Class B—2 parties on same line, per month.....	15.00	Eldorado Creek, per month.....	25.00
Class C—3 or more parties on same line, month.....	10.00	Quartz Creek, ".....	25.00
		Sulphur Creek, ".....	25.00
		Hunker Creek, ".....	25.00
		Dominion Creek, ".....	40.00
		Gold Run Creek, ".....	25.00

GENERAL OFFICE THIRD, NEAR A. C. STORE  
**Yukon Telephone Syndicate, Ltd.**

**The Northwestern Line**  
Is the Short Line to Chicago And All Eastern Points  
All through trains from the North Pacific Coast connect with this line in the Union Depot at St. Paul.  
Travelers from the North are invited to communicate with  
**F. W. Parker, Gen'l Agent, Seattle, Wn.**

**PROFESSIONAL CARDS**  
**LAWYERS**  
PATTULLO & RIDLEY — Advocates, Notaries, Conveyancers, etc. Offices, Rooms 7 and 8-A. C. Office Bldg.  
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G. WHITE-FRASER—M. Can. Soc. C. E.; M. Am. Inst. E. E.; D. T. S. Phone 106b. Cor. Church and Third avenue.  
CHAS. S. W. BARWELL, D.L.S., C.E., DOMINION LAND SURVEYOR. Office, rooms 13 and 14 Bank Building. Phone 170, Dawson, Y.T.

**...J. J. O'NEIL... MINING EXPERT**  
Quartz mines examined and reported on. Correspondence solicited.  
Address, - General Delivery, Dawson

**Pacific Coast Steamship Co.**  
Affords a Complete Coastwise service, Covering  
Alaska, Washington California, Oregon and Mexico.  
Our boats are manned by the most skillful navigators.  
..... Exceptional Service the Rule .....  
All Steamers Carry Both Freight and Passengers

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Going into effect Nov. 11, 1901—Week Days Only.  
FOR GOLD RUN AND CARIBOU via Carmack's and Dome. 9 a. m.  
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ALL STAGES LEAVE OFFICE N. C. CO. BUILDING. PHONE 8.  
Watches set by departure and arrival of our stages.

Don't Wait For  
**RAILROAD TO THE FORKS...**  
But Order Your Supplies Now While the Freightage is Good.  
We Carry SILVER DOLLAR SHOVELS, SLUICE FORKS, BED-ROCK BRUSHES and a Complete Line of THAWER FITTINGS.  
**DAWSON HARDWARE CO., Ltd.** SECOND AVENUE, TELEPHONE 36

**SPLENDID PROGRAMS**

Are Being Presented at Both Theatres

Land of the Midnight Sun Makes a Big Hit at the Auditorium This Week.

"The Land of the Midnight Sun," a dramatization of Hall Caine's powerful novel, the Bondsman, is holding the boards at the Auditorium this week and should draw crowded house every night.

In many respects the presentation given of the play last night was the strongest and best effort that the Bittner company has made.

The drama differs from others that have been given at the Auditorium in that the parts are all well adapted to the respective people to whom they are assigned. The lines run from sparkling humor to deep and intense pathos, and in the dramatic climax of the fourth act occurs a play of human emotions that affords the actors the widest possible range for the display of their talents.

The plot hinges around the fortunes of Jason, Orry and Orlin Sunnylocks, sons of the same father but of different mothers. The first named was born in Iceland, of which island his mother's father, Jergensen, was governor. The latter casts his daughter off for marrying a sailor and he in turn deserts her upon Jason's birth. Fleeing to America the sailor marries again. Sunnylocks is born of the second marriage. At his mother's death Jason vows to kill both his father and half-brother, of whose existence he learns and for that purpose he comes to America. Simultaneously with Jason's arrival Orlin, directed by his dying father, sets out for Iceland in order to work restitution to his half-brother and the latter's mother.

Maida Maitland, loved by Orlin, meets with Jason who tells his story and ends by becoming infatuated with

her himself. When the girl leaves for Iceland to seek her lover, who had displaced Jergensen and become governor in his stead, Jason follows to wreak vengeance on both.

A plot to restore Jergenson to power ends in the two half brothers, each unknown to the other, being sentenced as convicts to the sulphur mines. Jergenson follows them to the mines and inflicts all manner of insults and cruelty upon Orlin, who at last by the governor's order is nailed by his hands to a post.

Then follows the thrilling explosion of the mine, the escape of the prisoners, recognition and reconciliation between the brothers and the final overthrow of Jergenson, accomplished by the happy arrival of Capt. Jollyweather and Danny Dixon, staunch adherents of Orlin.

In the character of Jason, Mr. Cummings has more scope for clever work than in any part in which he has been cast for some time. He has a masterly conception of the character and throughout the play gives evidence of his capacity in handling the very deepest of human emotions. Mr. Sedley as Sunnylocks seconds Mr. Cummings splendidly and rises to every demand which the part makes upon him.

Miss Lovell, in the touching scenes in which she figures prominently, exhibits the true artistic instinct which has established her so strongly in popular favor.

Mrs. Bittner in a lighter part gives relief to the somewhat sombre nature of the play.

Ray Southard, the dashing soldier Danny Dixon, always at hand when wanted, makes the most of his part.

Mr. Bittner makes an ideal jolly tar, smuggler and blockade runner. In his sailor togs "Willie" might easily be taken for any one of a dozen old sea dogs who might be mentioned.

Dick Thorne and Alf Layne each take two parts. Mr. Thorne was given his lines at 4 o'clock yesterday, yet he mastered both characters for which he was cast before the curtain rose—something which Mr. Bittner stated from the stage as being unprecedented in his experience with actors. Too much cannot be said for Mr. Thorne's work.

Recalls were given the actors at the conclusion of nearly every act and the applause throughout the play was prolonged and enthusiastic.

If Dawson theatre-goers do not patronize the Auditorium this week,

no play can be placed on the boards which will bring them out.

The Orpheum theatre re-opened its doors last evening after a period of several months inactivity. The house was crowded, every seat and box being occupied, and if the "opening night" may be considered a fair sample of what is to follow the success of the venture from both a financial and artistic standpoint is assured.

Although the performers, with one or two exceptions, are all numbered among the "sour doughs," yet the new acts that are introduced make the show as strong as if there was a full compliment of new stars and the large audience attested its appreciation by frequent and continued applause.

The curtain raiser, entitled "The Spanish-American War," is a spectacular burlesque from the pen of the versatile Dick Maurettis. The scene shows the encampment of a company of Zouaves who entertain with songs, dances, marches, drills, etc., and conclude with a battle scene in which the Spaniards get the worst of it.

The olio is a strong one and includes some very excellent numbers. John Mulligan and Katherine Kreig in an Irish sketch entitled, "Barney's Courtship," make an excellent team and their voices blend very harmoniously.

Vivian makes her re-appearance and the reception given her demonstrated that she still continues to be a favorite.

Maurettis & Brown retain their popularity by clever trick buck dancing and con songs.

Mason & Evans make an excellent team for trapeze work and their tricks are not only thrilling but very pretty as well.

Nick Burley gives an exhibition of bag punching which is exceedingly clever. He shows himself to be a master of the science and keeps the bag going with lightning rapidity but at the same time having it under full control.

Dolly Mitchell in song and dance, Helen Jewell in songs, Bessie Pierce in a contortion act and Charles Moran and Cecil Marion in solos and duets complete a program which in its entirety is the best heard for a long time.

The orchestra of six pieces under the leadership of Prof. Freimuth plays several overtures and is really a treat.

This Contest is FREE TO ALL!

Last Year the Ice Moved in Front of Dawson May 14th, 4:14 p. m.

This Contest is FREE TO ALL!

**GUESS WHEN IT WILL GO THIS YEAR**

The one coming nearest to the time we will give the following goods to be selected by the winner from the very best goods in our store:

- 1 Fine Suit; 1 Fine Hat; 1 Fine Dress Shirt; 1 Fine Suit of Underwear;
- 1 Fine Dress Scarf; 1 Fine Collar and Cuffs; 1 Pair Fine Dress Shoes.

Come and leave your guess with us, you may be the lucky one.

FIRST AVENUE **HERSHBERG,** The Reliable Clothier, 1st Ave. Opposite White Pass Dock

The entertainment is excellent and will undoubtedly receive a large patronage during the week.

P. B. Butter, have no other.

**NOTICE.**

Plans wanted for new Church of England. For full particulars apply to Rev. J. R. H. Warren, Harper street and Fourth avenue, on or before the 19th instant.

No plan necessarily accepted. H. I. CLEGG, Sec'y-Treas. c. 15

Food properly cooked prevents dyspepsia—try the Northern Cafe.

Grand fancy dress ball at the Exchange Concert and Dance Hall, Monday night, April 14th. Elegant costumes, good floor, good music. Everybody cordially invited.

Kelly & Co., Leading Druggists

Wall paper, latest patterns. Ames Mercantile Co.

Grand fancy dress ball at the Exchange Concert and Dance Hall, Monday night, April 14th. Elegant costumes, good floor, good music. Everybody cordially invited.

P. B. Butter at Barrett & Hull's.

Our \$2.50 hat is a stunner. Ames Mercantile Co.

Chechaco grub for Sour Doughs—Northern Cafe.

Fresh eggs just arrived at Barrett & Hull's.

WANTED—Woman to do laundry washing. Apply this office.

Try the "Old Crow" at Sideboard. Dinner a la carte—Northern Cafe. Complete line paints, oils, brushes, etc. Ames Mercantile Co.

IF YOU WANT good, fresh Beef, Mutton, Poultry, Game, etc. See **Shaw & Co.** QUEEN ST. Phone 70

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We want your Cigar business and are prepared to make quotations F. O. B. Victoria, B. C., or Dawson at lower rates than quoted by outside drummers, and deliver same in large or small quantities. Give us a call and we will convince you. We handle all the leading brands, imported and domestic.

We Want Your Business and Will Make Prices to Get It. **Macaulay Bros.**

Just in Over the Ice Two Hundred Thousand... **Havana Cigars**

- Benj. Franklin, La Africanos; Henry Clays, Magnifico;
- Velasco's Flor de Milanos; El Triunfos;
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Look Out for the CAMEOS. **TOWNSEND & ROSE, Importers**



...FULL LINE OF... Beef, Mutton, Veal, Pork, and Poultry.

**Bank Market** KING STREET, Opposite N. C. Company H. Gustavson, Proprietor

**CORRECT CUTS**



Of Some of the Many Styles We Are Now Selling.

The Very Latest From

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**OUR NEW GOODS ARE HERE!**

Full line of Clothing from the leading merchant tailoring houses of the United States and Canada. All the latest styles and patterns.

Complete line of Gent's Furnishing Goods, including the Celebrated E. & W. Collars and Cuffs, you know what they are.

**FOOTWEAR**

Leather Shoes, all the Latest Styles, Shapes and Shades in both leather and rubber soles.

All these goods were manufactured under the supervision of Mr. Sargent while east, same have just arrived over the ice. SEE THEM BEFORE BUYING.

**Sargent & Pinska** Second Avenue

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