

## ACOUSTIC PROPERTIES

Of Territorial Court Rooms in New Building Are Far From Good

### WHEN THEY ARE BUT PARTIALLY FILLED

Many Motions Heard by Justice Dugas Today.

### PELKY WANTS JURY TRIAL

On Charge of Larceny and Obtaining Money on False Pretenses - C. D. Case.

Court convened for the first time this morning in the new courthouse, the day being occupied in hearing motions and the arraignment and election of several criminals. Nearly all the members of the Dawson bar were present and it was seen at a glance that greater provision will have to be made for their accommodation. But one table is now provided for the use of the barristers, their briefs and books of reference, around which it is impossible for more than eight or ten persons to sit. At this morning's sittings a number were compelled to occupy seats in the jury box. There is ample room for another table which should be installed immediately. The acoustic properties of the new room appeared at a very great disadvantage, due, possibly, to the absence of a crowd in the rear of the room. Every particle of noise seemed magnified so greatly that there was a perfect babel of confusion, and his lordship from the bench was compelled to ask for less disturbance in order that arguments and ordinary conversation might be heard. The list was taken up and gone through from beginning to end. In the case of Jackson vs. Danjel, it was allowed to stand over until Monday by mutual consent of counsel.

were fixed peremptorily for Monday next.

A motion for an interpleader was granted in the Schraf case.

In Rankin vs. Baker a motion to dismiss the action was argued. Decision reserved.

In Wilson vs. C. D. Co. counsel for plaintiff asked that security be given by defendant to cover cost of appeal. At the trial of the case heard some time ago Wilson secured judgment in the sum of \$30,000, defendant has appealed and the appeal bond has now been fixed at \$1000.

A motion to dismiss the action was argued in the Mohr case. Judgment reserved.

In Clark vs. Nicholson, an action on a contract, defendant moved to set aside the judgment taken by default, characterizing it as a snap judgment, admitting, however, that he had been dilatory in filing his defense within the time allowed. The suit arose out of the staking and subsequent sale of a hillside claim on Bonanza in which plaintiff maintains he was by agreement to have had a half interest. Nicholson sold the claim for \$1000 and it is alleged it was worth \$5000. Counsel for plaintiff objects to setting aside the judgment unless security is given for the payment of such sum as the court may award due in any subsequent judgment which may be secured, it being alleged that defendant is now about to dispose of his property in order that future judgments may be valueless.

In Boyle vs. the V. Y. T. Co. a motion to amend the judgment was granted.

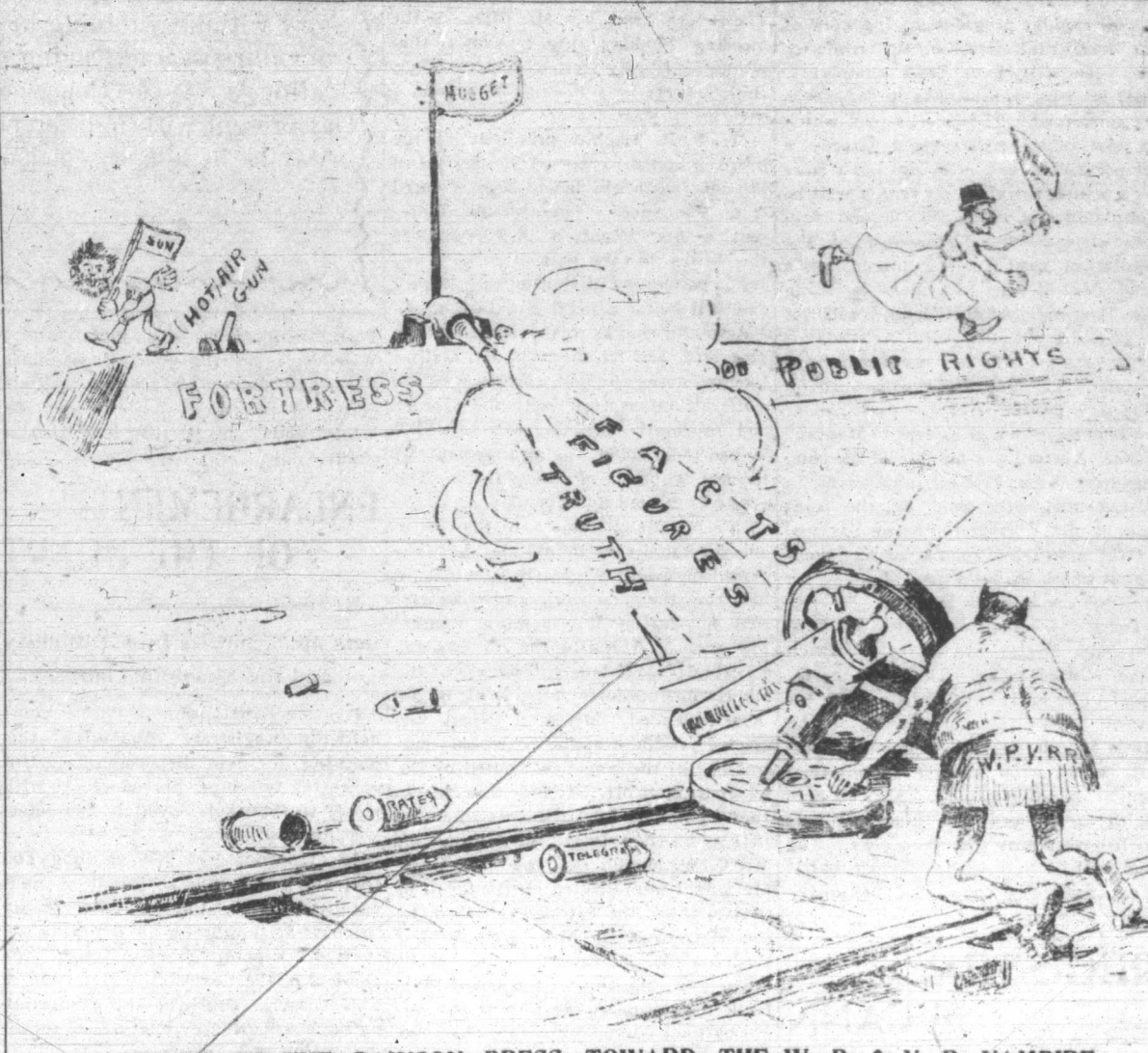
The court was asked for a decree of foreclosure in the case of Robert Hanson vs. George Ness upon the default of defendant, the property in question being a claim on Gold Run. Granted.

Counsel in the case of Willingstad vs. the Quartz Creek Concession had several rounds of argument upon the motion praying for the granting of an injunction restraining defendant from working a claim on Quartz creek which plaintiff alleges is his property. Fixed peremptorily for Monday next.

The defendant by its counsel in the case of John D. McGillivray vs. Consolidated Mines Selection Company and the Anglo-Klondike Company, a suit for 15 per cent in \$40,000 worth of mining property, asks for further time in which to plead. The first named defendant is resident in England. Time extended to January 1, 1902.

Martin vs. Allen stands over for a week.

Following the hearing of motions in civil cases, criminal matters were taken up. The first person to occupy the new prisoner's box was the defendant in the case of the King vs. Skein. The accused was charged with having stolen gold dust from the drift in a claim on Gold Run the property of



ATTITUDE OF THE DAWSON PRESS TOWARD THE W. P. & Y. R. VAMPIRE.

Chute & Wills, the value being \$10. Skein was employed on the claim as a miner. Upon being arraigned he pleaded guilty and was sentenced to one year at hard labor. In passing sentence Justice Dugas took occasion to remark that gold dust robberies were becoming so frequent and occurred lately that he considered it his duty to protect miners to the fullest possible extent. The amount taken was small, it was true, and the prisoner could be imprisoned for seven years for the offense, but in view of the circumstances he would only receive one year. In the case of King vs. Pelkey charged with obtaining \$900 from the Bank of Commerce under false pretenses and also with larceny of \$400 the defendant pleaded not guilty and elected to be tried by a jury. An arrangement will probably be made by which the Pelkey case as well as several others in view will be heard this month before the court finally adjourns on its vacation for the winter. Otherwise the case will have to stand over until March.

### STEAMBOAT NEWS.

The Eldorado arrived yesterday evening with 16 passengers and a cargo of 50 tons of Five Fingers coal.

The Lightning arrived last evening from Cliff creek with a barge containing 300 tons of coal for the N. A. T. & T. Co.

The Prospector leaves this evening for Stewart river points.

The Ora arrived last night with six passengers and two tons of hay and grain. The consignment amounted to 103 tons.

The last boat to make a round trip between here and St. Michael has left port. During the next three weeks there will be unusual activity on the N. N. Co. wharves. There are now no less than ten steamers on the river yet to arrive this season, nearly all of which have their cargoes and are headed this way. The T. C. Powers was the last to leave and expects to return again before the close of navigation. The boats and their tonnage include the Will H. Isom, 1800; Louise, 1200; Campbell, 400; Seattle, 400; Susie, 600; Sarah, 600; Leah, 300; Linda, 400; Leon, 400, and the Powers 300, a total of 6400 tons yet to arrive.

### Looks Like Living

A gentleman was heard to remark today that with every store and warehouse in the city full of goods, a steamer containing 300 tons of dressed meat lying on the water front, 1000 head of live cattle and several hundred sheep and hogs en route it looks very much as though Dawson is getting in excellent shape for the winter. He might also have included the several hundred tons of home grown vegetables that will be obtainable as food, likewise the blueberry and cranberry crops. It is also said that the rabbit yield is remarkably heavy. There, there are the ice worms.

For Sale. Lease and furniture of Hoffman house and cafe. Fur coats made to order. Mrs. E. R. Roberts, Second avenue.

### FINAL GAME OF SINGLES

#### In Tennis Tournament Was Played This Morning.

The final game in the gentlemen's singles in the tennis tournament was played this morning between Arthur P. Hughes and H. G. Herbert, the latter winning two consecutive sets by a score of 6-3 and 7-5. Both players were in excellent form and played a most brilliant game, the volleying of Mr. Herbert being worthy of particular commendation. Mr. Hughes' service was strong and accurate, but he proved unequal to the furious smashes of his opponent. Mr. Herbert is the winner of the silver cup presented by Major Wood, honorary president of the club, as a trophy to be contested for, but by the conditions imposed by the donor it must be won two consecutive years. In order to become his permanent property. The presentation of the cup will take place within a day or two.

### Arctic Brotherhood.

The Arctic Brotherhood held an interesting meeting last night at McDonald hall, R. B. Woodson, agent of the Dawson & Whitehorse Navigation Co. made the perilous journey over the icy trail to make the acquaintance of her iciness the Arctic Queen, and was received into full membership of the lodge. After the business of the meeting had been disposed of, the lodge resolved itself into a social session and listened with interest to a very entertaining talk by the Rev. L. J. H. Wooden the first chaplain of the Arctic Brotherhood. Other interesting talks by members followed and the meeting altogether was one of the most pleasant held for some time.

### Men Getting Stronger.

The big fight is now on for Friday night of this week, as on that day Bates and Perkins meet in the roped arena. New developments have been brought out by the training of the men, both seeming to get stronger with each succeeding day and being at the present hour ready to fight for their lives according to the statements of their trainers. The match occurs at the Savoy theater commencing at 8 o'clock. Admission \$2; reserved, \$3 and \$5.

### The regular vacation of the territorial court begins September 25 and will continue until February 1.

The steamer Emma Knott will be sold by the officer commanding at Whitehorse on September 9 in satisfaction of seaman's wages due.

The following are the cases to be heard before Justice Dugas tomorrow and Friday: Cooper vs. Charlton; Milne vs. Williston; Neider vs. Uran and Peterson vs. Loiden.

Five Tons of all kinds at Mrs. Roberts' new store on Second avenue.

Fur coats made to order. Mrs. E. R. Roberts, Second avenue.

Any kind of wine \$5 per bottle at the Regina Club hotel.

### COMING AND GOING.

Joseph Egler is in from Sulphur on a short business trip.

Joseph Noble, a Quartz creek miner, fits the city on business.

A number of Dawsonites expect to leave for the Koyukuk this week.

Mrs. F. N. Smith and child returned for the winter yesterday on the Columbian.

C. A. Dunn, of San Francisco, is a recent arrival in Dawson and is a guest at the Regina hotel.

Provo-Sergeant Tweedie is back at his post in the police jail after a week's recreation on the creeks.

Rev. L. J. H. Wooden, of Fort Yukon, is in the city on his way home from a brief visit to the outside.

Inspector Horrigan, accompanied by Sergeants Graham, in charge of the Tanalut detachment, are in the city.

R. K. Latimer returned Monday from a business trip of a week's duration on Hunke, and Dominion creeks.

Will Charles Dornow, of Chicago, formerly on Sulphur creek, or anyone knowing his whereabouts, call at N. A. T. & T. Co.

George McLean, stenographer in Comptroller Lithgow's office, returned to Dawson recently, bringing Mrs. McLean with him.

Mr. Harrison, private secretary to Gov. Ross, and Mr. Cory, inspector of offices, left yesterday for an extensive trip over the creeks.

Mr. and Mrs. Meyers, having sold their interests in the various grocery stores of Selman & Meyers, will leave in a few days for their old home in Oregon where they own a fine farm.

Mrs. Clem Coffin, wife of Mr. Coffin the jeweler, was a passenger for the outside on the steamer Yukoner Monday night. Mrs. Coffin expects to return over the ice this winter.

Holme, Miller & Co. moved another large boiler this morning from the dock to their warehouse on Third avenue. The boiler weighed 10,910 pounds and was hauled by a team of 12 horses.

Mr. B. Marshall, the well known groceryman who last winter owned a store on Second avenue and afterwards moved to the Forks, has sold his interests and leaves tonight on the steamer Columbian for Seattle.

As soon as some needed furniture is provided the old territorial court room will be occupied by the police court. Stenographer Blankman intimates that he may purchase a new office coat in honor of the new quarters.

Mrs. A. M. Rousseau, of Whitehorse, accompanied by her little daughter, arrived on the Ora last night on a visit to her sister, Mrs. E. J. White. It is Mrs. Rousseau's first visit to Dawson and will be extended until the latter part of the month.

The first shipment of coal from the N. A. T. Co.'s mines at Fortymile consisting of 390 tons was brought up yesterday on a barge by the steamer Lightning. The company expects to bring up 3000 tons for local trade for the winter besides several hundred tons to fill large individual contracts.

As is usual at this time of the year the beach opposite the barracks is becoming covered with immense piles of logs and wood, which are being rafted down from up-river points, and which is to supply Dawson with fuel for the winter. From now until the ice closes the river the rafts will be coming down in greater numbers every day.

Found. Pound-A white dog with black ears and short tail. Finder can have same by inquiring at this office and paying charges. \$5.

Kodak films developed, 50 cents per roll. Kodak photos 12 1/2 cents each. Goetzman's.

## IMPORTANT DECISIONS

### Gold Commissioner Senkler Renders Judgment in a Number of Cases.

### ANOTHER PRECEDENT ESTABLISHED.

### Hillside Claims Need Not be Located on Hill Ground.

### FORFEITURE CASE SETTLED

### Kern's Interest to be Sold and Royalty Due to be Paid From Amount Received.

Gold Commissioner Senkler this morning handed down an unusually large list of decisions upon cases heard some time previously, some of them being of great importance.

In the case of Thos. Charlton vs. R. S. Wood, a protest over a Gold Hill claim, the action was dismissed with costs.

Judgment was awarded plaintiff by default in the case of Charles Spain vs. John Peterson. The case involved the question of priority of staking and concerned the hillside adjoining the upper half, right limit of 240 below lower on Dominion.

Decision was given the defendant in Carl Maier vs. J. Hood, the ground involved being a bench on Gold Hill. Hood jumped the claim on account of insufficient work having been done on it to properly represent it and it is held the claim was open to relocation at the time.

In R. J. Hibbeck and D. C. McKenzie vs. Stark et al., over No. 8 in the Potatocatch group the ground was awarded the plaintiffs. The claim had been staked twice under different descriptions, No. 1 in the Townsite group being No. 8 in the Potatocatch group and as the ground lies on the Acklin farm it was adjudged some time ago that the original owner was entitled to compensation. The defendants not having deposited sufficient security their grant was cancelled. Plaintiff's protest was for the purpose of getting free and undisputed possession.

Final judgment was rendered in re. the Leonard claim on Monte Cristo Hill, formerly known as the Kern & Rynd claim. The property is the one in which Kern was declared to have forfeited his interest to the crown for non payment of royalty. The decision of the commissioner is that he will recommend to the department of the interior that the two-thirds interest formerly owned by Kern be sold at auction and from the proceeds derived the two mortgages now of record be paid and \$1000 refunded to Mrs. Pirloff, providing sufficient shall be realized from the sale after the unpaid royalty shall have been deducted.

In the cases of W. L. Grant vs. W. A. Reddoe and Sarah Groat vs. William Sorenson concerning claims on Lovett gulch the protest was dismissed with costs.

Probably the most important decision rendered was in the cases of Samuel

Freeman vs. Frank Wagner et al., Chas. Thompson vs. R. H. Cautley and Harold Lindstrom vs. R. H. Cautley. The question at issue in these cases was whether or not a hillside claim could be located adjoining a creek claim where the creek valley is so wide that after allowing the 1000 feet on each side of the creek claim, there is still 1000 feet or more between the side lines and the hill proper. It has long been held that a hillside claim must in fact be on a hillside, and the contention in this instance is that the stakers should have staked a bench 250 feet square instead of a hillside 250 by 1000. The ground involved is adjoining 230 below lower on Dominion where the creek valley is quite wide. The side lines of the creek claims are 1000 feet from the center of the creek. Adjoining them is additional ground of the same general character nowhere near a hill or elevation in the ground. It was insisted that a bench location in such a case would have been the proper location, but the gold commissioner holds the reverse, deciding that there is nothing in the regulations to preclude a hillside claim being located adjoining a creek claim regardless of whether there is a hill there or not. The decision is important as it establishes a precedent.

## JUDGMENT RESERVED

### In Injunction Case of Chas. Meadows vs. R. Cummings.

Ralph E. Cummings will appear as Padd'head Wilson tonight as usual. The injunction suit brought by Charles Meadows, the proprietor of the Savoy theater, to restrain him from appearing was heard before Justice Dugas this afternoon and proved a most interesting case.

The affidavit filed by Meadows in asking the injunction stated that Cummings had been hired by Meadows in Frisco for an engagement as leading man in the company for eight weeks, giving him the option of working two weeks longer at a salary of \$125 per week. Cummings was authorized to select his company and sign contracts with them for their engagement in Dawson.

In reply to the affidavit of Mr. Meadows, Mr. Cummings put in an affidavit denying ever having made any agreement with Meadows as to salary or length of engagement. Meadows had agreed to pay his traveling expenses to Dawson and give him \$125 per week to defray his personal expenses. They had left the agreement open to be arranged upon looking the situation over in Dawson with an understanding that Cummings was to obtain a lease of the theater providing the business justified it. During a conversation previous to his resignation from the Savoy Co., Cummings stated in his affidavit that Meadows had stated that he was not making any money and by mutual consent it had been agreed that Cummings should quit the company.

The attorney for the plaintiff wished to call Mr. Meadows to the box to dispute the affidavit of Cummings, but this was simply a motion and not a trial that was not allowed. A long and interesting argument ensued at the end of which the justice stated that he was disposed to favor the case of the defendant, but would reserve his judgment until tomorrow morning.

### Strayed Cattle.

Lost, 11 head of cattle and one calf, brand below hip, letter X. \$75 reward for location of same. Hay City Market.

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

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PETE McDONALD, PROP.  
CORNER FIRST AND KING  
STREETS.

**Drinks**

25 - Cents - 25

**Cigars**

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SPaulding League Balls  
BATS

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Razor Hones

**D. A. SHINDLER**  
THE HARDWARE MAN

**Dawson Transfer and Storage Co.**

DAWSON OFFICE, A. C. BLDG.  
Office Phone No. 4; Stable No. 3.  
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FRIGHTING TO ALL POINTS.  
... DAILY STAGE TO GRAND FORKS ...  
DOUBLE SERVICE  
Stages Leave Dawson 9 a. m. and 6 p. m.  
Grand Forks 9 a. m., 6 p. m.

**MILNE'S Grocery**

235 First Avenue.

**TENDERS WANTED**

For the Delivery of 5,000 Lbs.  
Ripe and Clean Native  
**CRANBERRIES**

**Champion Forges**

Bellows, Anvils, Fire Upsetters,  
Fire Benders, Blacksmith's  
Tools  
AND THE FINEST QUALITY

**Cumberland Coal**

**McL., McF. & Co., LIMITED**

For Sale. Lease and furniture of Hoffman house and cafe. Fur coats made to order. Mrs. E. R. Roberts, Second avenue. Sheriff, the Dawson Dog Doctor, Pioneer Drug Store.

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To understand how we do it. Simply that the goods are bought right and we are satisfied with moderate profits.

**Is the Reason.**

**We Can Sell You**

Ladies' up-to-date, full weight silk lined Bolero and Reefer Jackets, elegant material.

**At \$5.00, 7.50, and \$10.00 Each**

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**At \$5.00, 7.50, and \$10.00 Each**



# JUDGE NOYES INTERVIEWED

## Nome's Despised Official Talks in Self-Vindication at Seattle on His Way East to Confront Wholesale Charges Preferred Against Him.

Hon. Arthur H. Noyes, judge of the United States district court of Alaska, second division, with headquarters at Nome, was a prominent passenger on the steamer Roanoke, which arrived from Nome last night. Judge Noyes is en route to Washington. At his request he has been granted a leave of absence by Attorney-General Knox.

Judge Noyes has also been cited to appear before the circuit court of appeals in San Francisco on October 14, in connection with the Nome mining litigation, which attracted widespread attention last year. This trouble was the outcome of the appointment of Alexander McKenzie as receiver of the celebrated Anvil creek claims.

The litigations at Nome last summer was of such a complex nature and involved placer mining property of such great value that the legal battle waged with such fury, will go down on record as the most celebrated of its character in the annals of court proceedings. As a result of its intense feeling that was aroused, charges of collusion, corruption and bribery were made, affecting among others prominent court officials.

During the past winter general circulation was given to these charges in the newspapers. No explanation or defense was or could be offered by the court officials, by reason of their isolation in an ice-bound country. The expected arrival of Judge Noyes has been anxiously awaited. His friends have maintained that not a taint of suspicion or reflection would be attached to his name after the presentation of the true facts in the controversy to the proper authorities at Washington.

A Post-Intelligencer reporter sought an interview with Judge Noyes at the Rainier-Grand hotel last evening and the Post-Intelligencer is thus enabled to present for the first time a version of the famous controversy, that has never before been given. Judge Noyes expressed the utmost confidence in his ability, thoroughly to satisfy the department of the honesty of his actions and

thorough conscientiousness in the discharge of his official duties. Judge Noyes' friends, who came down to the Roanoke, say that the general opinion expressed by the Nomeites, who are without prejudice, is highly complimentary to the integrity and honesty of purpose of Judge Noyes. His administration of justice, they say has been dispensed under the most trying conditions in a land where litigation is rampant and conflicting interests have resorted to most extreme methods. In discussing the many vexed aspects of the recent controversy Judge Noyes said:

"I understand that charges of collusion with various individuals have been made against me. Notably in the appointment of Alexander McKenzie as receiver of several mining claims. My appointment as judge was made about the 6th of June, 1900. For some weeks prior to that time I had not seen Mr. McKenzie to talk with him, but did meet and have a short chat with him in Washington the day following my appointment. After that I never saw or communicated in any way, directly or indirectly, with him until we met in Seattle prior to my departure for Nome. I had no knowledge until then of his intended visit to the North.

"With the other court officials I expected to leave Seattle about July 1 on the United States revenue cutter McCulloch. We intended to go to Juneau in company with Judge Wickersham and there meet Judge Brown and arrange a division of the district. In the meantime I received a telegram from Washington practically advising that I go direct to Nome or St. Michael. The steamer Senator was the first available vessel to depart, and District Attorney Woods arranged for our transportation thereon. It transpired that Mr. McKenzie had previously secured passage on the same steamer. Mr. Chipps was also a passenger. I never knew him beyond a passing introduction, or of his having any litigation in the Alaska courts.

"I had known Mr. McKenzie person-

ally for sixteen or eighteen years and had heard of his connection with an Alaska mining company. However, I did not know who were interested with him, or anything about the company.

"Soon after my arrival at Nome the necessity of immediately appointing receivers for the Anvil creek claims was urged and pressed upon me. The appointment was first tendered to James Matthews, but he was going to the outside and did not care to take hold. I was practically unacquainted in the new region and naturally desired a man in whom I had confidence. By reason of my long acquaintanceship with Alexander McKenzie and the honored and responsible positions which he had previously held, I requested him to take the position. He consented.

"I believed that the receivership would be temporary. By reason of the difficulties to immediately procure a large bond I fixed the sum in a small amount with the idea of enlarging it later, if deemed advisable, which was done. I directed that most of the old employees of the company that operated the claims be retained, and that the property be worked with expedition and economy. I further made an order as soon as the defendants requested it, that all the gold extracted from the claims be placed in safe deposit vaults, allowing them to be present at the 'cleanups,' and the privilege of weighing all gold.

"When the defendants made demand that the receiver give a bond of \$100,000 on each claim I consented with the understanding that the property pay the high premium for the bond, which they declined to do. There was never any contention that Mr. McKenzie did not work the property in an economical and judicious manner. After various phases of litigation a writ of supersedeas was received from the circuit court of appeals. I consider that I complied with it absolutely. Contention, however, has been made that I issued an order directing the marshal not to permit the defendants to take possession of the gold which had been extracted from the claims in dispute. This is positively without foundation.

"Never, by word, act or deed, did I say or do anything, directly or indirectly, to interfere with or obstruct the order or process of the higher court. Affidavits, however, were presented to the circuit court as to the appearance of the records, and upon the strength of these incorrect affidavits I have been cited to appear and show cause why I should not be punished for contempt of court in failing to comply with the order in the matter of allowance of ap-

peal. Instead of indulging in the least possible evasion, on the contrary, I exerted every effort to enforce the court's order.

"On the arrival of the writ of supersedeas from the circuit court I was ill in bed. I was called upon by the military authorities in the person of Maj. Van Orsdale and Capt. French, who reported that there was a large gathering of excited people at the bank building and that bloodshed was likely to ensue. I assured them personally of my desire to enforce the order of the higher court and to render every possible assistance in the maintenance of order and protection to life and property. I had not then been able to examine the papers in the case. Later in the day, after I had done so, I dictated and signed two letters, of which these are verbatim copies.

"The letters shown by Judge Noyes are as follows:

"Maj. Van Orsdale, Nome City, Alaska: My Dear Major—After you called with Capt. French this morning I saw the original papers on file from the circuit court of appeals, and I find it is necessary for an order to be entered by this court which will be entered, of course, as soon as the same can be prepared, and such further steps taken as will be a full and complete compliance with the order of the circuit court of appeals.

"My anxiety in this matter is to do everything in my power and have all those whom I can in any wise control fully comply with the order of the court above, which of course will be done. In the meantime, it is necessary that matters should rest in statu quo, and peace and order be preserved, and I therefore request that you render such assistance to the marshal as may be necessary to maintain that peace and quiet.

"Assuring you of my desire to cooperate in every effort that is needful in order to preserve life and property, I am, very sincerely yours,

"ARTHUR H. NOYES, Judge."

"Nome, Alaska, Sept. 15, 1900.

"C. L. Vawter, United States Marshal, City: Dear Marshal—I have been able for the first time to make an examination of the original order sent down from the circuit court of appeals, and find that it will be necessary for me to enter certain orders of record here, which will be as soon as they can be drawn and spread upon record. In the meantime, it devolves upon you to preserve the peace and good order so far as it is possible for you to do, and I have taken occasion to request Maj. Van Orsdale to render such assistance as it is necessary to protect life and property and to hold things in statu quo until the order can be prepared and presented to the court. Sincerely yours,

"ARTHUR H. NOYES, Judge."

"I had the order referred to in the above letters, prepared and submitted to me on Monday," continued Judge Noyes. "It was not entirely satisfactory, and I directed that it be changed so as to include the exact language used by the higher court. This was done and the following morning I signed it. There were four cases involved. In two of them no papers were sent down other than the supersedeas. In the other two were included the order of court.

"When the case at issue were before me I refused to allow an appeal because, in my opinion, the appointment of a receiver was not an appealable order. The code especially provides for an appeal of an injunctive order. From authorities cited I did not believe the injunctive feature incident to the appointment of receivers made the order appealable. This feature was made prominent for the first time in the circuit court of appeals. No contention was ever made before me that the injunctive order incident to the appointment of a receiver was the appealable order provided for by the code. It was for the first time forced to the front in the argument, as seems to me, before the circuit court of appeals.

"In the early mails received February last I heard that charges had been filed against me and forwarded from Washington. I did not receive them until July 4, and knew nothing previous to that time as to the nature of the charges. I had never had or read

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Anderson Bros. We have the finest lot of wall paper and paints direct from the factory. Stains, oils, turpentine, white and colored enamel, putty, glass and Anderson Bros. Second Avenue.

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We Have Added to Our Hardware Department  
And are now ready to meet all the demands of the trade in that line. Call and get estimates.

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Store, Second Ave. Phone 36. Mfg. Dept. 4th St. & 3rd Ave.

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TO GRAND FORKS—Daily each way, Sundays included..... \$3.00 a. m. and 3:00 p. m.  
TO DOMINION AND GOLD RUN—Via. Bohemia and McCowan's Forks..... \$4.50 a. m.  
TO 4 ABOVE DIS., HUNKER—Tuesdays, Thursdays and Saturdays, return..... \$3.00 a. m. following days.

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Will Leave for STEWART RIVER Tonight at 8 O'Clock.

For Passenger and Freight Rates Apply to Frank Mortimer, Aurora Dock.

# Str. Gold Star

WILL SAIL FOR THE KOYUKUK September 5th, at 1:00 p. m.

In place of the Clara-Monarch which boat will not be dispatched. Passengers booked on the Clara-Monarch will be carried by the Gold Star.

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# The White Pass & Yukon Route

## British-Yukon Navigation Co., Ltd.

Operating the following Fine Passenger Steamers between Dawson and White Horse: "Victorian," "Columbia," "Canadian," "Whitehorse," "Selkirk," "Dawson," "Yukoner," "Bailey," "Klondiker," "Sylbi" and Five Freight Steamers.

A daily steamer each way, connecting with passenger trains at White Horse. Through tickets to all Puget Sound Ports. Baggage Checked and Bonded Through.

Travel by the Best Route and Avoid Trouble and Delay. Reservations Made on Application.

E. C. HAWKINS, Gen'l Mgr. W. P. & Y. R. B. BARLING, Gen'l Mgr. B. Y. R. Co. J. P. LEE, Traffic Manager. J. W. ROBERTS, Agent.

Coming In! - - - They Can't Stop Us!

# The Splendid Steamer Clifford Sifton

IS NOW IN DAWSON AND SHE WILL LEAVE

For Whitehorse Thursday, at 8 p. m.

If You Want a Berth Engage It at Once!

Stand by the People and Patronize the Opposition Boats!

CUT RATES!

First Class \$30,  
Second Class \$20

Join In With the Merry-Makers and Have a Pleasant Trip Up Stream.

Second Class Passengers Are Not Chinamen on This Boat.

Townsend & Rose, Frank Mortimer, LESSEES Ticket Agt., Aurora Dock

"Never, by word, act or deed, did I say or do anything, directly or indirectly, to interfere with or obstruct the order or process of the higher court. Affidavits, however, were presented to the circuit court as to the appearance of the records, and upon the strength of these incorrect affidavits I have been cited to appear and show cause why I should not be punished for contempt of court in failing to comply with the order in the matter of allowance of ap-

"I had the order referred to in the above letters, prepared and submitted to me on Monday," continued Judge Noyes. "It was not entirely satisfactory, and I directed that it be changed so as to include the exact language used by the higher court. This was done and the following morning I signed it. There were four cases involved. In two of them no papers were sent down other than the supersedeas. In the other two were included the order of court.

"When the case at issue were before me I refused to allow an appeal because, in my opinion, the appointment of a receiver was not an appealable order. The code especially provides for an appeal of an injunctive order. From authorities cited I did not believe the injunctive feature incident to the appointment of receivers made the order appealable. This feature was made prominent for the first time in the circuit court of appeals. No contention was ever made before me that the injunctive order incident to the appointment of a receiver was the appealable order provided for by the code. It was for the first time forced to the front in the argument, as seems to me, before the circuit court of appeals.

"In the early mails received February last I heard that charges had been filed against me and forwarded from Washington. I did not receive them until July 4, and knew nothing previous to that time as to the nature of the charges. I had never had or read

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NORA, LORA

successful boats sailing on All thoroughly refitted.

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The Best Pilots on the River

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Beginning on Monday, Sept. 2 and all week

FAMILY NIGHT EVERY NIGHT.

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### HOME FROM STEWART RIVER

#### Judge Dugas Talks of That Country's Possibilities

Believes it to be Good Country for the Miner of Small Capital—Much Gold Bearing Territory.

Mr. Justice Dugas and Joe Barrett returned yesterday from their hunting excursion on the Stewart river, accompanied by Weldy Young, the Clear creek mining recorder, who brought the gentlemen in a canoe from the mouth of Clear creek to the Yukon, a distance of 82 miles. Justice Dugas was seen at his residence yesterday afternoon and spoke most interestingly of his trip and the pleasures derived from it.

"The Stewart is a splendid river," said he, "and one can not gain an idea of its beauties and possibilities until they have seen it. We only went up as far as Clear creek, thence up the latter stream to the confluence of Barlow, a distance of 12 miles. Prospectors are constantly met, some going in and others coming out and they invariably report gold being found wherever it is prospected for, though most of the dirt is low grade. They all speak hopefully of the country and from what I was able to see and hear and judging from what experience I have had I believe the Stewart and its tributaries to be a poor man's district. By that I mean that a miner with no other capital than his labor may reasonably expect to make wages in hundreds of different places with the ordinary means of working a claim. It is a very large district, immense I should say, and some sections will doubtless turn out better than others. I talked with several prospectors who had recently arrived from Hazard and Seprer creeks, the latest discoveries, and they report about the same conditions existing at those points. I also heard considerable talk about a quartz discovery having recently been made on a tributary of the Klondike which heads directly across the divide from a confluent of Clear creek and distant about one day's travel, but I did not learn the particulars of the strike as the gentleman who made the find desires to keep it quiet for the present. As far as I can judge I believe there is any amount of gold on the Stewart. It may not be as rich in spots as the Klondike, but it covers a vast extent of territory. There are bars along the river which have been worked for years and my attention was called to one place where cuts were still to be seen which had been mined out 20 years ago. On one of the bars I met an old Peace river miner 70 years of age who, with his son, is at work with a hand made grizzly and is perfectly satisfied with his results. His paystreak is only about four inches thick and some days he will not make over \$2 or \$3, then again he strikes a good spot which yields a half ounce or more to the day, but he says he is satisfied. I understand there is an unusually good bar just above Clear creek that is being worked, but I did not see it. Messrs. Joe Barrett, Emil Stauff and Louis Paffard have four men prospecting their property on Barlow creek. Nothing can be said yet as to the results of the work, though I do not doubt there is gold there in paying quantities."

"What luck did you have shooting?" was asked.

"Not very good," was the reply, "and as a sportsman I would advise all to wait until the end of September before going either for geese or ducks as we were too early. We saw a number of some sort of chickens but only bagged a few. They are larger than ptarmigans, but smaller than pheasants and somewhat resemble a half-grown grouse."

Justice Dugas exhibited with pardonable pride a couple of huge bear's paws, each armed with five vicious looking claws from two to three inches long. They were presented to him by Weldy Young who stated that the original owner of the feet had attacked four men, only one of whom was armed with a rifle. A most fortunate shot luckily prevented what might have been a fatal catastrophe. It is said the Stewart river bears are unusually ferocious this year and the judge advises those going after big game to use nothing but soft nosed bullets in their cartridges.

**Graveled Streets.**  
On the majority of Dawson's streets and avenues mud and mire will hereafter be unknown. Thousands of wagon loads of sand and gravel have been distributed along these thoroughfares and a solid roadbed that will stand the wear of time has been made. The good work is still going on and will continue until the arrival of winter, by which time the public highways of Dawson will compare favorably with those of any city in the Dominion, and will be much better than streets found in many places larger and several times older than the Klondike metropolis.

Elegantly furnished rooms with electric lights at the Regina Club hotel

**Victor Vanishes.**  
Thomas Victor, against whom a capias warrant was issued by Mr. Tuck on an unpaid account of \$205 has made good his escape. It was supposed that he left Dawson on the last trip of the Clifford Sifton and wires were sent to intercept him at Whitehorse. Upon the arrival of the steamer at that place it was found that he was not among the passengers. The supposition now is that he went out by the lower river route in which case he has long ago crossed the boundary and has passed beyond the reach of the capias.

**Demand for Houses.**  
While there are a number of houses for rent in Dawson, desirable ones are very difficult to secure. The day of one-room cabins has passed, the demand now being for three and four room houses of which there are few if any for rent in the city.

We fit glasses. Pioneer drug store.

### MEIN HERR KALENBORN

#### Appointed Acting German Consul By Consul of Canada.

Rudy Kafelnorn, he of the fluent tongue and silvery voice, has now assumed new dignities. Yesterday he was apprised of his appointment as permanent acting German consul for the Yukon territory. Mr. Walter Wensky, the present consul, leaves shortly for an extended journey to the outside. The telegram which notified Mr. Kafelnorn of his appointment reads as follows:

Ottawa, Aug. 27.—Walter Wensky, Dawson, Y. T.: Furlough granted; Kafelnorn appointed acting consul. F. BOFF, Consul for Canada.



GERMAN CONSUL RUDY A. KALENBORN.

### STR. KERR ARRIVES

#### With Heavy Cargo of Refrigerated Meats.

The Pacific Cold Storage Co.'s steamer Robert Kerr, commanded by Captain Gray, arrived last night only 13 days actual running time, from St. Michael. As was stated previously in this paper, the cargo of the Kerr consists of about 200 tons of dressed meat comprising beef, pork, mutton, turkeys, chickens, ducks and geese. As the company has no local storage facilities for all the shipment the steamer will be held here during the fall and winter and her cargo disposed of as the condition of the market demands. With the present stock on hand and additional shipments to be received the Pacific Cold Storage Co. will be in position to do its share towards supplying Dawson with food during the long and cheerless winter.

The trip of the Kerr up from St. Michael was uneventful. Water on the lower river is higher than usual at this season of the year and even the deepest draught steamers of the lower river fleet need fear no scarcity of water during the remainder of the season.

**Is a Benedict.**  
Mr. G. I. McLean, the well known and popular stenographer in the comptroller's office, who left Dawson in June for a trip to his home in Ontario returned to Dawson Sunday morning accompanied by his wife whom he married at Hamilton, Ontario, shortly after his arrival there.

Mr. and Mrs. McLean made quite an extensive tour throughout Ontario and Eastern Canada and also made a trip to the Pan American Exposition at Buffalo, N. Y.

Mr. McLean says that business in Ontario, especially with the farmers, is very quiet and in many cases crops are not being gathered. In Manitoba the condition is just the reverse and men are being brought from other countries to harvest the immense crops. Mr. McLean says that he had a most pleasant trip and that he was greatly benefited by it, but like the rest of the sour doughs he is glad to get back home once more.

**Cabin for Sale.**  
A warm, comfortably furnished double cabin, best location in town, for sale cheap. Owner going outside. Apply at once Nugget office.

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

Fur garments repaired at Mrs. Roberts' Second avenue.

### OFF FOR THE KOYUKUK

#### Quartette of Husky Young Men Leave Today.

Wm. Weatherby, Fred Cedarstrom, John Larson and B. J. Marby left this afternoon in a small boat for the Koyukuk. It is the intention of the party to pole up to the head of Chandelar river and sled their outfit over the divide as soon as the snow begins to fly. By taking this route they cut off several hundred miles from the journey and expect to reach their destination 70 miles above Bettles on the Koyukuk about the middle of November. They are taking with them about 5000 pounds of provisions which they consider enough to last them for a year. One of the party has claims located in that district and the rest expect to get hold of some good properties before the end of the winter.

**On Trial Today.**  
The case of Frank P. Curtis vs. William Rowland came up this morning in the gold commissioner's court, the suit involving the side boundary line between creek claim No. 4 on Eighty pup, a tributary of Hunker, and No. 1 claim on a pup entering Eighty at No. 4. Before rendering judgment the gold commissioner will await the report of Mr. Belcher, the mining inspector.

### AUCTION NOTICE.

In the assigned estate of George Kruse, John Cogan and Charles Humphries, I will sell by public auction at the Flannery hotel on Saturday next, 7th September, at 2 p. m., that valuable mining property known as the

**MCCORMACK CLAIM.**  
ON CHECHAKO HILL.  
G. Vernon, Assignee.

### ALONG THE WATER FRONT.

The Gold Star has been substituted for the Monarch on the trip to the Koyukuk and will leave Thursday the 5th.

The Wilbur Crummins left for Whitehorse at 2 o'clock yesterday. The Clifford Sifton will arrive to-night. The demand for berths on her return trip has been unprecedented, nearly all now being sold.

The steamer Robert Kerr, Captain W. P. Gray, belonging to the Pacific Cold Storage Company, reported at Eagle Monday and arrived in port some time last night. She carried a cargo of 200 tons of cold storage meats, 50 tons of which consists of chickens, turkeys, geese and ducks. She had also a small quantity of fish. The Kerr will discharge about half her cargo in the company's cold storage plant, retaining the balance for retail customers. She will winter here the same as last season.

Ocean tugs of the N. N. Co. are now towing barges for up river points from St. Michael to Andreasky, thus saving 250 miles in travel for the steamers. At last accounts the Louise was ready to leave with two convoys.

Two outfits left today in small boats for the Koyukuk.

The F. K. Gustin and the Campbell, the latter one of the old Moran boats, are en route up the river with goods for the N. N. Co.

On her last trip up the river the P. B. Wear only came as far as Eagle, discharging her entire cargo at that point.

**Postponed to Friday, 11:00 p. m.**  
The sale of a few more tickets being required to enable me to include the larger diamonds in the drawing, same is postponed to above time; balance of tickets to be had of Sale the jeweler or myself.  
NELSON A. SOGGS.

**Wanted.**  
Good, live solicitor; good money. Apply at Goetzman's.

**KLONDIKE CORPORATION, Limited**

**STEAMER "ORA"**

Sails for WHITEHORSE

**Wednesday, Sept. 4, 8 p. m.**

UNDER THE MASTER HAND OF CAPT. BAILEY,

**TRAVEL IN SAFETY**

The Captains of our Boats are the Highest Paid and Consequently the Most Competent Navigators on the River.

**WE NEVER HAD AN ACCIDENT**

...KLONDIKE CORPORATION, Limited...

R. W. CALDERHEAD, Manager

**See the Chicks.**  
In one of the large plate glass window fronts which the Dawson Hardware Co. have recently put into its building is an old hen with a brood of as spry and lively little chicks as ever gladdened the eye of the farmer in any country. It is a pleasure to watch them scatching in the straw which has been placed in the window and hear

the old mother hen call when she imagines she has found a big worm, as it is a reminder of boyhood days on the farm. This is only another evidence of the rapid strides Dawson is making in demonstrating her ability to produce and successfully raise her own farm products. Horses and cows thrive here, chickens live and grow fat, vegetables grow in abundance and small

fruits will undoubtedly be grown in the future. This is certainly a remarkable country and the half has yet been told.

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

The Pacific Cold Storage Co. has every facility for keeping its products.

Goetzman's Magnificent

**Souvenir**

OF THE

**Klondike**

IS NOW BEING CLOSED

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**.. \$2.50 EACH ..**

This Work Is Without Exception the Finest Production Ever Published Showing Views of This Country. The Work Is Handsomely Bound With an Illuminated Cover, and Contains

**80 PAGES OF ILLUSTRATIONS**

OVER 200 VIEWS.

Printed on Heavy Coated-Book Paper.

Former Price \$5.00,

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Copies, While They Last, Can Be Obtained at All Book Stores or at

**Goetzman's Photograph Studio**

Corner First Avenue and Second Street

**Our Own Bouquet**

Have you seen the new type—job type—the kind that appeals to the reader in bold, self assertive style or that daintily and elegantly reflects your ideas in modest beauty? We now have all kinds of type adapted for all kinds of work, and paper—that's another story. You should see the warehouse full to the roof with paper, the kind you would get in the great cities of the east if you were a bit particular. All this material was purchased for you and is now awaiting your order.

**Dress Your Stationery in New Clothes**

And keep up with the times. Perhaps you are one of those "Rush Job" fellows. You can't frighten us if you are. Hundreds have tried it on us and we sent them all away astonished with our rapid action. There's all kinds of printing but we only stand for one—the good kind, clean and workmanlike.

**The Nugget Printery**

Rush Jobs Are Our Delight!

We Have Recently Added 750 Square Feet of Floor Space to Our Printing Department.

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HARDWARE AND MINING SUPPLIES.

Telephone No. 51. 107 FRONT STREET.

BOILERS, From 8 to 50 Horse Power, ENGINES AND PUMPS, PORTABLE SAW MILLS, Full Line of AIR TIGHT HEATERS, STOVES AND ROAD HOUSE RANGES.

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