

CONVERSATION WITH STEIFEL.

Jurors Grant Hampton and John M. Knight Make Affidavit Concerning It.

WARNED HIM OF THE DANGER.

When He Had Been Told of His Position Nothing Further Was Said—Steifel Tomorrow.

Jurors Grant Hampton and John M. Knight, who served in the case of Jane Steifel, the Utah Savings and Trust Co., administrator of the estate of Daniel S. Davidson, deceased, this morning filed their joint affidavit with Judge Stewart in relation to the conversation they had during the trial of the case with Maurice Steifel, a witness for defendant, who is cited for contempt of court for attempting to influence the verdict of the jury. The affidavit sets out that they were chosen as jurors in the case on Oct. 15 and that Steifel was a witness for defendant. The affidavit then relates the following conversation had with Steifel concerning the case:

"That on Oct. 15, on State street in this city, Maurice Steifel, a witness for the defendant, made to them the following statement: That he had been very busy with Mr. Davidson's accounts and that if the facts in the case could have been brought out there would have been nothing to it. That thereupon the above named affiant, Mr. Hampton, said to Steifel, 'You should not say anything to us about this case.' After which Steifel will appear before Judge Stewart tomorrow morning and answer to the affidavit filed today by Jurors Hampton and Knight, and also the affidavit filed yesterday by Juror Edward McCarrick. In the meantime he is at liberty under bonds for his appearance in the sum of \$100.

APPEAL DISMISSED.

Supreme Court So Acts in Case of Callen vs. Harris.

The supreme court today handed down an opinion dismissing the appeal in the case of Matthew Callen, appellant, vs. Harry Harris et al, and taxing the costs of appeal against appellant.

The action was brought in Beaver county to recover possession of a mining claim. The lower court rendered a decree in favor of defendants, and on May 8, 1901, signed the findings and decree. On July 1, 1901, plaintiff filed a motion to correct certain alleged errors in the findings and judgment, which motion was denied. From the order of the court denying the motion, plaintiff appealed to the court. It was contended by respondents that the order appealed from is not a final judgment and hence the appeal should be dismissed. The opinion of the supreme court, which was written by District Judge Morse and concurred in by Chief Justice Baskin and Justice Bartchels, holds that the contention of respondents is correct and that the order complained of should have been reviewed, upon an appeal from the judgment and not upon a special appeal from that particular order. Hence the appeal was dismissed with costs.

JURORS FOR U. S.

List of Grand and Petit Jurors Drawn in Federal Court.

The following is a list of grand and petit jurors drawn for the term to serve in the United States courts, and who are cited to appear Monday, Nov. 9:

Grand Jury—William B. Andrews, Salt Lake; James Armstrong, Ephraim; Joseph S. Wells, Salt Lake; Henry T. Egan, Salt Lake; William Raymond, Ogden; A. P. Bigelow, Ogden; John McCready, Ogden; Peter Nelson, Brigham City; W. W. Bookstead, Salt Lake; Miranda Pratt, Salt Lake; W. D. Hendrickson, Logan; John Chapman, Nephi; W. V. Haight, Farmington; Jacob Morris, Salt Lake; Edwin Kern, Salt Lake; H. E. Bingham, Trenton; Joseph W. McMurray, Salt Lake; Peter M. Wentz, Provo; Thomas M. McNamee, Nephi; Ledyard M. Bailey, Salt Lake; William Hatfield, Salt Lake; Thomas Hannagan, Ogden; E. S. Darling, Salt Lake.

PETIT JURORS

Petit Jurors—Mark Bezzant, Pleasant Grove; George B. Barker, Willard; David E. Jernigan, Salt Lake; L. L. Goddard, Salt Lake; John Ballister, Nephi; Byron D. Blackman, Salt Lake; Charles Jennings, Salt Lake; W. J. Shimmell, Nephi; H. E. Bywater, Salt Lake; Lewis Brimingham, Salt Lake; Richard Jones, Layton; W. S. Home, Salt Lake; George Webb, Lehi; L. E. Hall, Salt Lake; George McDermitt, Castle Gate; H. T. Burt, Salt Lake; William Hayes, Pleasant Grove; William T. Corcoran, Salt Lake; William Sullivan, Ogden; David Reese, Brigham City; O. Buel, Heber; John F. Howells, Salt Lake; James Crawford, Salt Lake; Richard Stringham, South Cottonwood; George M. Bridwell, Salt Lake; Hugh Dougal, Springville; Joseph Dunn, Panguitch; O. C. Osterholt, Silver City; John T. Russell, Salt Lake; John B. Brown, Ogden; H. J. Steele, Ogden; David McDaniels, Alpine; Thomas Clancy, Corinne.

DAMAGE SUIT BEGINS.

Case in Which Joshua Midgley Sues Management of Calder's Park.

The damage suit of Joshua Midgley against G. E. Ford, Jacob Bergmann, manager of Calder's Park, and Sheriff C. Frank Emery, was commenced before Judge Tanner in the city court this morning. The plaintiff seeks to recover \$400 for personal injuries received at Calder's Park several months ago. It is claimed that Ford, who was a special deputy sheriff at the park, pounced upon plaintiff and severely beat him inflicting injuries which required medical attention. It appears that Ford was taken as to the party. He intended to attempt to arrest another party and mistook Mr. Midgley for the man he was after. The case as against Sheriff Emery was dismissed today by Judge Tanner, but the trial proceeded as against the other two defendants.

Petition in Bankruptcy.

R. E. Armstrong, a miner, filed a voluntary petition in bankruptcy in the United States district court this morning. He resides at Bingham and the schedules show debts, \$2,178.19, and assets consisting of household goods valued at \$75.90.

Kelly Bound Over.

S. J. Kelley was bound over to the district court yesterday afternoon by Judge Tanner of the city court on the charge of forgery. His bond was fixed

Civilization of Trade Is a proper phrase for Schilling's Best

tea baking powder spices
coffee flavoring extracts soda

including the moneyback dealing in them by grocers.

at \$500, which he furnished and was released. It is charged that on Sept. 25, 1902, Kelley forged the name of G. H. Olmstead, superintendent of the Montana division of the Oregon Short Line at Pocatello, to a certificate of good service of E. R. Densch, an employee of the railroad company.

AGAINST LAMSON.

Decree Handed Down in Favor of Butler and Sampson Mining Co.

Judge Hall has handed down decrees in favor of plaintiffs in the cases of John Butler et al, vs. Allan G. Lamson, and the Sampson Mining company vs. Allan G. Lamson. Also decrees in favor of defendants in the case of Allan G. Lamson vs. S. Hays et al. All three actions were tried together and involve the title to the areas in conflict between the Allan G. Lamson, Power Plant and R. M. Lode claims, belonging to Allan G. Lamson, and the Agce, Claret, Protector and Safeguard lode claims, belonging to Hays, Butler and the Sampson Mining company. All of which claims are located in the West Mountain district. In another case entitled the Sampson Mining company vs. Allan G. Lamson, involving the Pandora and Newfoundland claims, and the Martha claim, Judge Hall handed down a decree finding that neither party is entitled to a patent to the area in conflict and ordering that the costs of suit be divided equally between the parties to the action.

Wants Receiver Appointed.

Suit has been filed in the district court by the F. W. Gardner company against W. T. Benson, C. R. Kom, H. W. Parker and J. E. Malloy to recover \$899.93 alleged to be due for printing done for defendants. Plaintiff also asks that a receiver be appointed over the defendants' property known as the printing department of the Utah Lithographing company.

COURT NOTES.

The following cases were argued and submitted before the supreme court today. D. C. Seery, appellant, vs. the Huntington Canal & Agricultural association; Joseph M. Jensen vs. the Deep Creek Farm & Live Stock Co., et al, appellants; H. B. Cole, et al, appellants, vs. the Richards Irrigation Co., et al.

The jury in the case of C. E. Shermers vs. Salt Lake City, which has been on trial before Judge Stewart for the past two days, this afternoon returned a verdict in favor of plaintiff and assessed his damages at \$1,150. The action was brought to recover \$1,500 damages to plaintiff's house caused by the water being turned into the pipes by the city, before the plumbing was completed. The pipes were not ready when the water was turned in, and the result was that the place was flooded and the walls of the house cracked and settled.

TO CURE A COLD IN ONE DAY.

Take Laxative Bromo Quinine Tablets. Druggists refund money if it fails to cure. E. W. Grove's signature on box. 25c.

JAMES CAREY FOUND DEAD.

(Special to the "News.")

Casper, Wyo., Oct. 20.—James Carey, well known throughout Wyoming, and a business partner of John Poma, Cheyenne, was found dead in his ranch house, 15 miles south of here yesterday. Carey died from natural causes and had been dead four weeks. The body was badly decomposed. Two horses had been tied in the stable. Both were dead.

PERSONALS.

Charles Keith of the Keith-O'Brien Mercantile company, leaves for New York City today.

Mrs. John Wilhart and daughter, Mrs. Charles G. Wilhart, will be at home to their friends, on Tuesdays, 723 south Eleventh East street.

Elder Anselm H. Woodruff, president of the Northern States mission, leaves for his field of labor tonight, after seeing his wife well on the road towards recovery.

Bishop Leonard has returned from Denver where he went to attend the annual convention of the Brotherhood of St. Andrew. He says there were 250 delegates present, and the occasion was a profitable one.

Dr. and Mrs. V. T. McGilleuddy are at the Canyon from New York. The doctor was an old timer in Wyoming, and saw considerable experience among the rough and ready gentlemen and Indians when Wyoming was a frontier state. He now represents an insurance company.

R. W. Osborne, general agent of an eastern fire insurance company at Hartford, is in the city from San Francisco on a business trip. Mr. Osborne does not take any gloomy view of the fire insurance outlook, and does not think there is any reason for apprehension. He holds that the west is making such headway in the matter of self protection that if in the course of the next two years there should be a great eastern panic, the west would not be affected to any appreciable extent.

"MY WHEEL AND I GO VISITING."

This game may be played by any number, though only four at a time can take part, the others acting as audience until their turn comes. The four occupy four corners of a room, or space marked out on a lawn. As large a space as possible should be chosen. Each player is provided with a wheel, or hoop. At a given signal all the players start at once to trundle their wheels. No wheel must be dropped, or it is, that player ceases to be a contestant. The trundling begins at the right, and each corner must be visited, and so on to the starting point of each player. He who reaches home first is the prize winner; or after all have tried, he who gets home in the shortest time wins the prize. The hurry and excitement of the four wheels visiting at the same time causes much merriment.

ROAD FOR TONOPAH.

Surveyors at Work and Contracts for Ties Sought.

Constructing Engineer Paul Iglehart arrived in Tonopah, Nev., from Soda Lake a few days ago, and spent some time with General Atkinson, chief of the Tonopah company. After concluding his business he left Tonopah with a surveying party of 17 to commence the road from Soda Lake to Tonopah. The survey will be completed in two or three weeks.

It also states that Superintendent Tripp is in San Francisco purchasing material, and that sufficient rails have been bought to build 40 miles of road. Actual construction is expected to begin within the next fortnight. It is claimed the road will be completed within six months.

SPIKE AND RAIL.

The Oregon Short Line will run an excursion from Ogden to Salt Lake next Saturday for the football game.

The Salt Lake route will put on a special between Salt Lake and Payson and intermediate points, to enable residents to witness the performance of "Ben Hur" on the evening of the 26th. At least 250 people are expected to arrive.

F. A. Dunbar of the Salt Lake route who has been down at Caliente several days returned last evening and reports work progressing favorably and in an orderly manner, the hoodlum element having entirely disappeared.

Charles E. Hooper of Denver, and W. H. Cundy, traveling passenger agent of the Rio Grande, left for eastern points last night.

The Fifth cavalry, United States regulars, returned from the Philippines over the Southern Pacific and Rio Grande system last evening and continued on their way to Fort Logan and Fort DuChesne. There were about 250 men and officers in the party which occupied several coaches.

Headache

It is often a warning that the liver is torpid or inactive. More serious troubles may follow. For a prompt, reliable cure of headache and all liver troubles, take

Hood's Pills

While they cleanse the liver, restore its regular action of the bowels, do not grip or pain, do not irritate or inflame the intestines, but have a positive tonic effect. 25c. at all druggists or by mail of C. I. Hood & Co., Lowell, Mass.

GOULD SUCCEEDS CHAS. W. WARNER.

St. Louis Man Steps Out to Make Room for Edwin on Board.

D. & R. C. ANNUAL MEETING.

Reports Show That Over \$3,000,000 Was Spent on Improvements And New Rolling Stock.

Denver, Colo., Oct. 20.—The annual meeting of the stockholders of the Denver & Rio Grande Railroad company was held today at its principal headquarters in this city at which were represented in person and by proxy 783-10 per cent of the total issue of the capital stock of the company. All the directors were re-elected with the exception of Charles G. Warner of St. Louis, who retires from the board by reason of impaired health, and is succeeded by Edwin Gould. The gross earnings for the year were \$17,304,559, and the net earnings were \$5,674,709. It was decided during the fiscal year to close the large traffic over the road, just closed, was also the 20 miles of Castle Valley cut-off, extending northeast from Salina, Utah, and during the same period the branch from Alamosa to Creede, Colo., a distance of 70 miles, was changed from narrow-gauge to standard gauge throughout.

While the system enters upon the new fiscal year better prepared than in any year to handle the large traffic offered to it, it is believed that still further purchases of freight and passenger cars and locomotives will be imperative before another 12 months expire. The strike of miners at Cripple Creek and Telluride has not materially affected the earnings of the Denver & Rio Grande system during the year ending June 30, 1903.

At the Rio Grande & Southern meeting the name of Edwin Gould was substituted for that of S. M. Wood as director.

No other change in the directorate was made.

TO COME TO UTAH.

Missouri Pacific and Rio Grande to Bring Prospective Investors Here.

Now that the Bankers' specials have come and gone, another of equal if not superior importance to the agriculturalists of the state, announced. J. J. Kestor and J. N. Holmes of Denver and Messrs. James and Brogan of Grand Junction, all of whom are connected with the land department of the Missouri Pacific, have gone to the St. Louis, Mo., to meet a special train over the Iron mountain road.

This special consists of six Pullman cars, a club car, dining car and a baggage car, and is described as being the most luxurious train that has ever left St. Louis. It will convey the members of the Missouri Pacific immigration bureau to Alexandria, where a conference will be held.

The party will then proceed to Little Rock, Ark., where they will be the guests of the board of trade. At Monroe, La., they will be given a reception at which the governor and mayor will be present, and at Alexandria they will be given a banquet and ball.

The principal object will be to lay before the people of the south the splendid opportunities offered in the west and to promote colonization along the line of the Missouri Pacific on the western slope, which will of course include Colorado and Utah.

RIVAL FOR MOFFAT.

Mysterious Attempt to Project Competitor to the Denver & Northwestern.

It is reported that an attempt will be made to make a competitor to the Moffat road for some portion of the way between Denver and Salt Lake. It is stated that capitalists connected with the Lakewood & Golden road are endeavoring to secure a compromise with the county treasurer of Boulder county for a cancellation of \$18,000 taxes standing against the road.

The road named went into the hands of a receiver in 1894, since which time it has paid no taxes. A compromise has been effected with the county and this movement is with a view to making compromises with the other counties through which the road was constructed.

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OGDEN BANK IS MINUS A CLERK.

Walter S. Hutchinson of the First National Bank is Now Missing.

PROBABLY A WOMAN IN CASE.

His Books Are All Straight, However—Lucin Cut-Off Laborers Try To Smuggle Whisky.

(Special to the "News.")

Ogden, Utah, Oct. 20.—Walter S. Hutchinson, who has been at the exchange window of the First National bank for some time past, is missing, and all efforts to locate him have thus far been unavailing. Hutchinson was at his post till Saturday noon last when he went out to lunch. Since then he has not been seen and his relatives and friends are naturally anxious concerning his whereabouts. He is a relative of David Eccles and has a brother living in this city. At first it was rumored that the young man was short in his accounts, but according to the statement of Assistant Cashier John H. Pinger, his books are straight, although he owes the bank \$125 on a note. Hutchinson came here from Michigan about two years ago and is a single man about 26 years of age. For the past month or two he has been living high, even beyond his means, and since his departure it has developed that he has several credit entries to whom he is owing small amounts. On Saturday his brother paid off some of these so that his creditors will not suffer much. It is rumored that there is a woman in the case, and that the young man has skipped off with her.

SCHEME DIDN'T WORK.

Today, some of the laborers on the Lucin cut-off expected to have a merry time and to this end had ordered several barrels of liquid refreshments. The roads were sent to the cut-off labeled "liquor," and "glassware" to avoid detection, and the railroad officials actively refused to allow intoxicants on the grounds. However, the scheme was found out and the matter reported to Sup't. Marsh, who ordered the liquor sent back to Ogden, whence it came. It is understood that Camp 19, which was responsible for the proposed jubilation, will be abolished and the workmen given their walking papers.

LATE LOCALS.

The Salt Lake Produce Exchange met tonight at the Commercial club, to perfect its organization. The officers elected were:

Today's local bank clearings amounted to \$563,005.45 as against \$580,592.14 for the same day of last year.

Secy. Beatty of the state board of health says that the health conditions throughout the state are satisfactory.

The tomato canneries in Davis county are reported as running full time, and with a good outlook for the local crop.

Deputy County Clerk J. C. Eldridge, Jr., has obtained a leave of absence for two weeks without pay from the county.

County Treasurer Carbis announces that he is ready to pay all witness and jury warrants outstanding up to Oct. 1, 1903.

The Guard house is being cleaned up and prepared for the return of Colonel and Mrs. Holmes from their round the world trip.

The first cross on the Catholic cathedral has been placed in position. It is located on the apex of the west nave, and can be seen for a long distance.

Fort Douglas is not the only post in the far west to be rebuilt. Gen. Funston recommends that Boise barracks be reconstructed and this will probably be done.

The palatial mansion of M. H. Walker will be ready shortly for the interior finish and the contract for this has been given to a Salt Lake man, William Rausch. A manufacturing company of St. Louis will furnish the house.

Parties coming into town from the east hills canyon report a slaughtering of quail, in direct violation of the law. In fact, it is said that so much of this sort of thing is going on that the supply of the game bird is being materially diminished.

Architect S. C. Dallas has returned from Cedar City, where he says that rapid progress is being made on the state university buildings that the main work will be completed in two weeks, and the entire building will be ready for occupancy by February 1, half a year's instruction will be given there during this scholastic year.

The latest car importations of the street railway are one window longer than those heretofore ordered from St. Louis and are therefore 18 windows long. They have four motors each, so that the steepest grade can be climbed with ease, although "loaded to the gunwale" there are two trolleys to each car, improved Hunter type wheels, brakes and side seats instead of the usual cross seats.

The many friends in this city of Mrs. E. G. Tuttle will be sorry to learn that she has decided not to return to Salt Lake to reside, chiefly on account of her health. Mrs. Tuttle is a talented musician, and was musical director of the East Side Baptist church during her residence here. She has been stopping in Philadelphia where her father, Rev. Dr. Conwell, is pastor of the largest Baptist church in that city.

London, Oct. 20.—A special dispatch from Rome says Premier Zannardelli telegraphed to King Victor Emmanuel today the resignation of the entire cabinet.

BANKERS' CONVENTION.

Three Meetings Held at Which Papers Are Read.

San Francisco, Oct. 20.—Three meetings preliminary to tomorrow's convention of the American Bankers' association were held today. The "trust company" section met in the California theater with E. A. Potter, chairman of their executive committee, presiding in the absence of Chairman John E. Borne. There was a fair attendance of delegates. The visitors were welcomed to San Francisco by Frank J. Symmes, representing the mercantile interests of the city.

The response was made by Chairman Potter, who paid a tribute to California hospitality, which was equalled only, he said, by the unbounded resources of the state.

The report of the secretary of the section showed a balance of \$2,519 in the treasury.

ALASKAN AWARD.

SIGNED AT 2:10 P. M.

(Continued from page one.)

he made any sort of concession to the United States. The fact is that when the commission was created, Secy. Hay felt that it was too much to expect of human nature to look to the Canadian members of the commission to take any but an extreme view of the case regardless of the proof presented by the Americans and he relied almost entirely upon the sound judicial instincts of the great English jurist who presided over the commission to properly appreciate the weight of the American case which the secretary regarded as invulnerable if it could ever have a fair hearing.

PORTLAND CANAL UNIMPACTED.

What Mr. Foster has to say as to that portion of the decision touching the Portland canal, goes to diminish the importance of even that alibi Canadian victory, for he confirms the London report to the effect that free navigation of the western coast of the western side while full control of the western shore is retained by the United States, while the loss of Pearce and Walesen islands from the extreme American claim is partially met by confirmation to the title of two other islands at the mouth of the canal which, from a military point of view, dominate the proposed terminus of the Great Simpson railroad and the adjacent British coast.

DIGEST OF DECISION.

London, Oct. 20.—The following is an official digest of the Alaska decision.

The decision of the tribunal is made up of answers to the seven questions contained in the treaty of 1903 constituting the tribunal.

First question—Answer: The line commences at Cape Muzon.

Second question—Answer: The Portland channel passes north of Pearce and Walesen islands and enters the ocean through the narrow passage, between Walesen and Sitikan islands.

Third question—Answer: A straight line to the middle of the entrance to the Tongass pass.

Fourth question—Answer: A straight line between Salmon and Bear river direct to the 56th parallel of latitude.

Fifth question—Answered in the affirmative.

Sixth question—Required no answer after the fifth question had been answered in the affirmative.

Seventh question—Answer: The majority of the line have passed the line of peaks starting at the head of Portland canal and running along the high mountains, on the outer edge of the mountains, shown on the maps of the survey, to the point where the line passes the Stikine river about 24 miles north of the mouth of the river.

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