THE DALLES WEEKLY CHRONICLE, SATURDAY, JULY 27, 1895.

OREGON would have been assisted. At the time

Entered at the postoffice at The Dalles, Oregor as second-class mail matter. STATE OFFICIALS

THE DALLES

GAZLA-G VE	ALAN/AJLANCE
Governor Secretary of State Treasurer Supt. of Public Instruct Attorney-General	H R Kinesis Phillip Metschau ionG. M. Irwin C. M. Idleman
Senators	G. W. MeBrid
Songressmen.	W. R. Ellis
otaw Printer	

COUNTY OFFICIALS.

County Judge	.Geo. C. Blakeley
Sheriff	
Clerk	A. M. Kelsay
Treasurer	Wm. Michell
Commissioners	Frank Kincaid
Assessor	.F. H. Wakefield
Surveyor. Superintendent of Public School	E. F. Sharp
Coroner	

FAIRNESS TO THE ACCUSED.

There is, without question, in many instances too much leniency shown by the competition of the Northern Pacific, courts to men convicted of crime on the freighters on this road have retired. Pacific coast; but the press of the coast will never be guilty of too much fairness visited Yakima, reports that the wool toward men accused of crime and not men of that section will next year revive yet convicted. From the time of the the freighting business from there here arrest of Durrant in San Francisco up to and ship their wool to this market; the present time the press have left un- prices here this year are from 2 to 3 cents improved no opportunity to prejudice higher than there and they will ship and embitter the public against him. False and exaggerated reports concerning the testimony have been published double leaded and spread broadcast dise in return as of yore; it behooves among the people from whom his judges are to be selected ; unnecessary and misleading statements concerning his ap- are such that we can furnish them goods pearance and conduct are published; and, not least among the unfair representations, are the pictures of him which are printed; if they are as correct likenesses of him as those often published of prominent people, the publishers should be punished on account of these for criminal libel.

The press dispatches say: "His closely cropped hair gives him a criminal appearance, and his clean shaved lips reveat the coarse sensuality of his mouth," and make other suggestions as read them. The hired detectives are hand to hand with the press, the latter and thereby enrich the corporations which publish them, and the former to of truth, honesty or justice.

We are reminded by the present conthe case and prepare the public to to the realization of bankruptcy. escaped, although the evidence was be entirely successful.

tain that had the circle of removals been DOLPH The Weekly Chronicle. tain that had the circle of removals been extended and Prof. E. B. McElroy included, the welfare of the university we doubted the wisdom of his election to the professorship of English literature

> however successful he may be in other pursuits, especially politics, has never tend an instructor in a progressive col-Chapman the university will be raised to the front rank. His ideas are progressive and his methods up to date. The trustees should not hamper him in his desire to build up the University of Oregon.

In days not long gone by, the road between The Dalles and Yakima was, during the summer season, lined with freight teams; the road was good, feed and water plenty and the distanceninety-five miles-not great. But since

A gentleman of this city, who recently here by team.

There is no reason who these teams tor says in his brief, and the Oregonian will not desire to take loads of merchanrepeats, "a scandal upon the administration of justice;" and had they reour merchants to cast an eye in this baked the circuit judge who permitted direction. Our transportation facilities such an outrage no one could or would answer them; it appears from the reupon just as good terms as Tacoma and port of the decision of the supreme court Seattle merchants and the freight from that this outrageous decree was entered here there, we venture to say, will be by consent of plaintiff and defendant; quite as low as from the sound cities. had the ex-senator and the Oregonian

gone so far as to suggest that the decree KLICKITAT COUNTY'S FINANCES

the attorneys and circuit judge we would The Goldendale Sentinel has some exnot have seen a very good defense to such cellent counsel in its last issue, concerning the payment of the indebtedness of an insinuation; we should certainly have joined them in criticising the cir-Klickitat county, among other things, it cuit court. But as we understand the says:

decision of the supreme court, as shown The county cannot exist and maintain its organization with such a condition of us by local attorneys, it was helpless in to his personal appearance, which are for the purpose of prejudicing those who read them. The hired detectives are Building of roads and bridges and all the matter. The court says: other expenses, whether necessary or unnecessary, must be cut off until the by consenting to the rendition of a judgment against himself the defendant. to create as much sensation as possible improvements and benefits we have al-and thereby enrich the corporations ready enjoyed have been paid for. in effect, waives his answer and thereby leaves no issue to be tried, and that from

There is nothing but sound sense in advertise their business and secure the these suggestions. Counties and cities rewards; methods are chosen regardless ought to manage their business in the defendant gave its consent * * * and same manner that conservative careful there being no evidence in the record to

business men manage theirs; when they duct of the San Francisco press of the have not the means to obtain what they history of the arrest of Hale, Barnard desire, find a way to do without it: and others in Gilliam county some years make expenditures come within the inago, for the robbery of the Roslyn bank come. But it is much easier to spend by the alleged Detective Sullivan. Or- money than to devise means to avoid. egon's leading journal lauded the al- spending it, and county commissioners leged detectives, declared that the ar- and city councils too often adopt the rested were guilty beyond a peradventure easiest course; the inevitable follows of a doubt and proceeded to prejudge and the municipality suddenly awakes

convict. The services thus rendered We sincerely hope Klickitat county's had its effect and the accused barely efforts to recover its financial health will AND THE SUPREME COURT.

decision complained of.

an execution.

\$939.14, and directing that the attorney's

fees be a preferred lien upon the pro-

ceeds of the sale, and that either of the

several attorneys among whom the fee

was divided might enforce payment by

Upon its face the decree appears to be

an outrage, and as the learned ex-sena-

had the appearance of jobbery between

"It has been held by this court that

such a judgment no appeal lies. * * *

The recitals in the decree show that the

guide it in determining what would be

reasonable, we conclude that the parties

intended that the court should ascertain

the amount in its own way and that they

should be bound by the result. * * *

So we have here a decree which the

plaintiff, through his attorneys specific-

ally requests the court to make, and the

defendant has upon the record consented

to every feature of it. * * * Now the

party making the request appeals to this

court, and demands that the decree be

roused in part without so much as mov-

ing the lower court to modify its find-

Mr. P. T. Knowles, who is travelling for the medicine company at Dufur. In yesterday's Oregonian ex-Senator called at THE CHRONICLE office this morn-Dolph criticises a decision of the supreme ing. He has been travelling extensively court in the case of Schmidt vs. the Or. through Eastern Oregon, Washington and we doubt it yet. Mr. McEltoy, Gold Mining Co., and the Oregonian, and Idaho and noticed the condition of as usual, backs the ex-senator and echoes the crops. Of any place he has visited

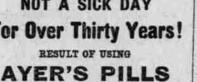
The Crop Outlook.

his sentiments. The statements of Mr. in the Northeast, the Wamie settlement shown those qualities which should at- Dolph and the comments of the Oregon- in Wasco county and the country in the ian make it to appear that the supreme vicinity of Walla Walla will produce the lege. Under the management of Dr. court have committed a most grave best harvest. The grain in both there error and established a precedent unjust localities is in splendid condition. The and contrary to all equitable and legal yield in Wasco and Sherman county rules, and rendered a most outrageous will be better on the average than in decision. Believing that there must be most places in Eastern Oregon and some explanation of the matter, we in- Washington with the exception of Walla terviewed some of the attorneys of this Walla. In Montana the harvest will city concerning these criticisms and not be nearly to the average. Stock. THE DALLES AND YAKIMA. learned something of the history of the Mr. Knowles found, in splendid condition. Large purchases of cattle have It seems that the circuit court for been made in Eastern Oregon by Mon-Union county, Judge Clifford presiding, tana buyers. Joseph Shenberger and rendered a decree in the case decreeing Dan Nettleton bought over 2000 head of the sale of the mortgaged premises and cattle near Huntington and shipped that the proceeds of the sale be applied them to Montana. Parties from Omaha in satisfaction of \$5500, adjudged to be have also made large purchases. Mr. Knowles reports business reviving in all a reasonable attorney's fee, and certain

costs which appear to have aggregated localities and that during the last five months his sales of medicine have ranged between \$2000 and \$3000. He is now on his way to Willamette valley.

> NOT A SICK DAY For Over Thirty Years! RESULT OF USING

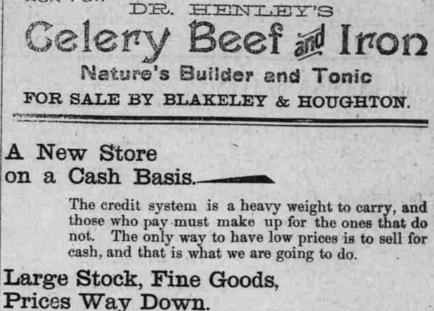
"Aver's Cathartic Pills for over thirty years have kept me in good health, never having had a sick day in all that time. Before I was twenty I suffered almost continually-as a result of con-



stipation — from dyspepsia, headaches, neuralgia, or boils and other eruptive diseases. When I became convinced



that nine-tenths of my troubles were caused by constipation, I began the use of Ayer's Pills, with the most satisfactory results, never having a single attack that did not readily yield to this remedy. My wife, who had been an invalid for years, also began to use Ayer's Pills, and her health was quickly restored. With my children I had noticed that nearly all their ailments were preceded by constipation, and I soon had the pleasure of knowing that with children as with parents, Ayer's Pills, if taken in season, avert all danger of sickness."-H. WETTSTEIN, Byron, Ill.



What Could Be Better

CELERY, for the entire NERVOUS system

BEEF, the greatest SUSTENANT known

IRON, to purify and enrich the BLOOD

AS A COMBINATION FOR HEALTH?

ASK FOR

We sell for cash, buy cheap, and our patrons have the benefit. We have bought out the business of H. H. CAMPBELL and will be pleased to see old patrons and new ones. We are in the field for business.

W. A. Johnston, No. 113 Washington St.



(2)

atterwards it was learned for a certainty that the accused were wholly innocent.

This same paper now follows the same course in the Durrant case. Commenting upon the defendant's application for a change of venue it says : "By these means (referring to the reading of the affidavits filed in support of the application) it is proposed to wear out the patience of the courts and the public and finally to escape justice through its sheer weariness." The fact is defendant's counsel advised the court of the time it would require to read the affidavits and asked to have the reading passed by and stated that the motion was made anticipating the difficulty in obtaining a fair usual under such circumstances; the CHEONICLE; before being put into circounsel were compelled by the judge to read the affidavits. Of course, according to this style of journalism, the whole trial is "to escape justice;" in other however innocent is in imminent danger when he gets the modern paid detectives business is picking up and the prosperity and these unfair journals after him, and of Oregon 18 assured. if he proves his innocence, a thing no man should be required to do, because the law presumes him to be, he is forthe same methods adopted by the really guilty.

should have a fair trial; if the San will not get it in that city.

CONCURRENT JURISDICTION.

Judges Bellinger and Hanford have decided the disputed question in the only practical way, giving each state exclusive jurisdiction to the middle of the over the entire river in all crimes common to both states.

We are glad it is settled; Washingtonians can fish on Sunday and Oregonians can fish without getting a license from the state of Washington.

There is trouble brewing in the State University. The trustees have put on the retired list the peting dist the peti the retired list two professors of long service in the institution. Whether or tees to say; but of one thing we are cer- is wind and we have plenty of it.

The price of wheat has taken a long ings * jump in the right direction ; a rise of 5 errors or irregularities."

cents a day would soon bring it where Eastern Oregon farmers want it. The THE CHRONICLE it seems to be the unanmarket reporter, however, forgot to say imous opinion that the proper course anything about silver; even the popu- would have been for the learned exlists will forget that "the crime of 1873" wheat if the price will only continue up- the parties had not consented to it and ward until our particular populists can that it was contrary to their wish; then harm will result.

Oregon horses are really going to be mint is now in full operation at Linnton, words, that justice be done, do away with financial problem is solved, not by humself and against his client and that the trial and hang the accused. A man Harvey, Horr or Carlisle, but by THE such a decree is not appealable, as the

Astoria is rejoicing over the prospect tunate. Justice should be fair above all desired railroad; we rejoice with them things else; it too often stoops to use and hope they will not be again disap-Francisco dailies have any influence he on her own account and because her the only safe and just one. prosperity is ours also.

> A company has been organized at Pendleton to build and operate a woolen

certainly greater reason for the establishment of such an enterprise here. We channel only in all offenses peculiar to have a larger wool market, an abundant transportation facilities.

> A telephone line is being constructed from Pendleton to Canyon City; why should not there be a line from here to Prinevile? It would cross a more thickly populated portion of the state and reach a larger city. Which of our

The Horr-Harvey contest should be not this was wise, remains for the trus- transferred to The Dalles. All they use Cure. For sale by Snipes-Kinersly Ding

* * or calling its attention to **Highest Honors at World's Fair** Among the attorneys interviewed by

The country surrounding The Dalles has never been extolled as very suitable senator to have moved the lower court to for bicycles and the Creator never inhas anything to, do with the price of modify the decree, make a showing that tended it for a race track. But wheels seem to go everywhere and mountain realize 50 or 60 cents per bushel. With had the lower court refused to modify the wheelist. Yesterday afternoon wheat at 60 cents, Harvey and his the decree, the question could be raised Douglas Dufur left The Dalles about 1 "Financial School" will be a back num- in the supreme court. The latter court o'clock and rode to Hartland, on the ber; he will be the loser, but no other takes the record as it is sent up from the other side of the Klickitat mountains, circuit court and in the absence of a and returning reached The Dalles shortly showing to the contrary assumes its re- after 6 o'clock. The distance covered

citals to be true. In this case, we are was twenty-tive miles and Mr. Dulur coined in accordance with the school of told, the attorneys for the appellant stopped to transact some business at jury. The course pursued is proper and horse sense, heretofore taught by Tux made the mistake of appealing from a several places along the way. A great decree assented to without having shown part of the trip he had to walk and push Successor to H. Moses & Co., adjoining the Diamond Mills. culation they will be tinned. The horse that it was not assented to; the supreme the bicycle up the hill. People who court has not, it appears, settled the law have said wheeling would be impracticanear Portland, and Eastern Oregon that an attorney can, in a case like the ble in this mountainous country will ranges are furnishing the horses. The one referred to, take a decree in favor of have to change their minds.

CHRONICLE and the mint at Linnton, distinguished ex-senator and his echo suggest, or anything of the kind; it has simply reiterated a well known rule of practice which the learned ex-senator should have known that consent decrees of the immediate construction of its long cannot be appealed from; and that parties desiring to raise the question as to whether they are consent decrees pointed. The interests of every town on must first in the lower court show that the Columbia are, in many particulars, there was no consent, a rule well estab-Durrant, like every other accused, identical with those of the city by the lished in the supreme court of this and sea, and we rejoice with her now both other states, and a rule recognized to be

As we understand the situation the supreme court was helpless to undo the wrong of the circuit court, because the appellant's attorney, who now criticises mill; we are glad of it. But there is it, did not bring his case into the supreme court in such condition as to present the question. Should the supreme court do what the omniscient its own laws and concurrent jurisdiction water supply, cheap fuel and unexcelled daily insists it should do-reverse this decision-it would have to sit at naught the best authorities as well as its own precedents. It did not establish the precedent complained of; it dismissed an appeal which presented no question which it had the right to pass upon.

> There is great danger in neglecting Colic, cholera and similar complants. An absolutely prompt and safe cure is found in De Witt's Colic and Cholera Co.

Ayer's Sarsaparilla Strengthens the System

Having just purchased the store of H. Moses & Co., I am prepared to meet all competition. A large invoice of

FRESH GROCERIES,

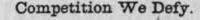
Bought for cash at low rates, enables me to sell closely. steepness seems to offer no hindrance for My stock is complete, and prices to suit the times.

> I SELL FOR CASH. (\odot)

And give more for a dollar than ano other store in The Dalles. Give me a call and examine for yourself.

B. A. HUNSAKER,

Opposition We Invite.



1924

