

The Weekly Chronicle.

THE DALLES - OREGON

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STATE OFFICIALS. Governor... Secretary of State... Treasurer... Sup't. of Public Instruction... Attorney-General... Senators... Congressmen... State Printer...

COUNTY OFFICIALS. County Judge... Sheriff... Clerk... Treasurer... Commissioners... Assessor... Surveyor... Superintendent of Public Schools... Coroner...

FAIRNESS TO THE ACCUSED.

There is, without question, in many instances too much leniency shown by courts to men convicted of crime on the Pacific coast; but the press of the coast will never be guilty of too much fairness toward men accused of crime and not yet convicted. From the time of the arrest of Durrant in San Francisco up to the present time the press have left unimproved no opportunity to prejudice and embitter the public against him.

The press dispatches say: "His closely cropped hair gives him a criminal appearance, and his clean shaved lips reveal the coarse sensuality of his mouth," and make other suggestions as to his personal appearance, which are for the purpose of prejudicing those who read them.

We are reminded by the present conduct of the San Francisco press of the history of the arrest of Hale, Barnard and others in Gilliam county some years ago, for the robbery of the Roslyn bank by the alleged Detective Sullivan.

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 jury.

Durrant, like every other accused, should have a fair trial; if the San Francisco dailies have any influence he 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 channel only in all offenses peculiar to its own laws and concurrent jurisdiction 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 two professors of long service in the institution. Whether or not this was wise, remains for the trustees to say; but of one thing we are cer-

tain that had the circle of removals been extended and Prof. E. B. McElroy included, the welfare of the university would have been assisted. At the time we doubted the wisdom of his election to the professorship of English literature and we doubt it yet. Mr. McElroy, however successful he may be in other pursuits, especially politics, has never shown those qualities which should attend an instructor in a progressive college.

THE DALLES AND YAKIMA.

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 distance—ninety-five miles—not great.

A gentleman of this city, who recently visited Yakima, reports that the woolmen of that section will next year revive the freighting business from there here and ship their wool to this market; prices here this year are from 2 to 3 cents higher than there and they will ship here by team.

There is no reason who these teams will not desire to take loads of merchandise in return as of yore; it behooves our merchants to cast an eye in this direction. Our transportation facilities are such that we can furnish them goods upon just as good terms as Tacoma and Seattle merchants and the freight from here, therefore, we venture to say, will be quite as low as from the sound cities.

KLIKITAT COUNTY'S FINANCES.

The Goldendale Sentinel has some excellent counsel in its last issue, concerning the payment of the indebtedness of Klickitat county, among other things, it says:

The county cannot exist and maintain its organization with such a condition of finances and every one should be interested in straightening out the tangle. Building of roads and bridges and all other expenses, whether necessary or unnecessary, must be cut off until the improvements and benefits we have already enjoyed have been paid for.

There is nothing but sound sense in these suggestions. Counties and cities ought to manage their business in the same manner that conservative careful business men manage theirs; when they have not the means to obtain what they desire, find a way to do without it; make expenditures come within the income. But it is much easier to spend money than to devise means to avoid spending it, and county commissioners and city councils too often adopt the easiest course; the inevitable follows and the municipality suddenly awakes to the realization of bankruptcy.

We sincerely hope Klickitat county's efforts to recover its financial health will be entirely successful.

The price of wheat has taken a long jump in the right direction; a rise of 5 cents a day would soon bring it where Eastern Oregon farmers want it. The market reporter, however, forgot to say anything about silver; even the populists will forget that "the crime of 1873" has anything to do with the price of wheat if the price will only continue upward until our particular populists can realize 50 or 60 cents per bushel.

Oregon horses are really going to be coined in accordance with the school of horse sense, heretofore taught by THE CHRONICLE; before being put into circulation they will be tinned. The horse mint is now in full operation at Linnton, near Portland, and Eastern Oregon ranges are furnishing the horses.

Astoria is rejoicing over the prospect of the immediate construction of its long desired railroad; we rejoice with them and hope they will not be again disappointed. The interests of every town on the Columbia are, in many particulars, identical with those of the city by the sea, and we rejoice with her now both on her own account and because her prosperity is ours also.

A company has been organized at Pendleton to build and operate a woolen mill; we are glad of it. But there is certainly greater reason for the establishment of such an enterprise here. We have a larger wool market, an abundant water supply, cheap fuel and unexcelled transportation facilities.

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

The Horr-Harvey contest should be transferred to The Dalles. All they use is wind and we have plenty of it.

DOLPH AND THE SUPREME COURT.

In yesterday's Oregonian ex-Senator Dolph criticizes a decision of the supreme court in the case of Schmidt vs. the Oregon Mining Co., and the Oregonian, as usual, backs the ex-senator and echoes his sentiments. The statements of Mr. Dolph and the comments of the Oregonian make it to appear that the supreme court have committed a most grave error and established a precedent unjust and contrary to all equitable and legal rules, and rendered a most outrageous decision.

It seems that the circuit court for Union county, Judge Clifford presiding, rendered a decree in the case decreeing the sale of the mortgaged premises and that the proceeds of the sale be applied in satisfaction of \$5500, adjudged to be a reasonable attorney's fee, and certain costs which appear to have aggregated \$939.14, and directing that the attorney's fees be a preferred lien upon the proceeds of the sale, and that either of the several attorneys among whom the fee was divided might enforce payment by an execution.

Upon its face the decree appears to be an outrage, and as the learned ex-senator says in his brief, and the Oregonian repeats, "a scandal upon the administration of justice;" and had they rebuked the circuit judge who permitted such an outrage no one could or would answer them; it appears from the report of the decision of the supreme court that this outrageous decree was entered by consent of plaintiff and defendant; had the ex-senator and the Oregonian gone so far as to suggest that the decree had the appearance of jobbery between the attorneys and circuit judge we would not have seen a very good defense to such an insinuation; we should certainly have joined them in criticizing the circuit court. But as we understand the decision of the supreme court, as shown us by local attorneys, it was helpless in the matter. The court says:

"It has been held by this court that by consenting to the rendition of a judgment against himself the defendant, in effect, waives his answer and thereby leaves no issue to be tried, and that from such a judgment no appeal lies. * * * The recitals in the decree show that the defendant gave its consent * * * and there being no evidence in the record to 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 specifically 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 rescinded in part without so much as moving the lower court to modify its findings * * * or calling its attention to errors or irregularities."

Among the attorneys interviewed by THE CHRONICLE it seems to be the unanimous opinion that the proper course would have been for the learned ex-senator to have moved the lower court to modify the decree, make a showing that the parties had not consented to it and that it was contrary to their wish; then had the lower court refused to modify the decree, the question could be raised in the supreme court. The latter court takes the record as it is sent up from the circuit court and in the absence of a showing to the contrary assumes its recitals to be true. In this case, we are told, the attorneys for the appellant made the mistake of appealing from a decree assented to without having shown that it was not assented to; the supreme court has not, it appears, settled the law that an attorney can, in a case like the one referred to, take a decree in favor of himself and against his client and that such a decree is not appealable, as the 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 cannot be appealed from; and that parties desiring to raise the question as to whether they are consent decrees must first in the lower court show that there was no consent, a rule well established in the supreme court of this and other states, and a rule recognized to be the only safe and just one.

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 criticizes 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 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 complaints. An absolutely prompt and safe cure is found in De Witt's Colic and Cholera Cure. For sale by Snipes-Kinersly Drug Co.

The Crop Outlook.

Mr. P. T. Knowles, who is traveling for the medicine company at Dufur, called at THE CHRONICLE office this morning. He has been traveling extensively through Eastern Oregon, Washington and Idaho and noticed the condition of the crops. Of any place he has visited in the Northeast, the Wamie settlement in Wasco county and the country in the vicinity of Walla Walla will produce the best harvest. The grain in both these localities is in splendid condition. The yield in Wasco and Sherman county will be better on the average than in most places in Eastern Oregon and Washington with the exception of Walla Walla. In Montana the harvest will not be nearly to the average. Stock, Mr. Knowles found, in splendid condition. Large purchases of cattle have been made in Eastern Oregon by Montana buyers. Joseph Shenberg and Dan Nettleton bought over 2000 head of cattle near Huntington and shipped them to Montana. Parties from Omaha have also made large purchases. Mr. Knowles reports business reviving in all 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 AYER'S PILLS

"Ayer'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 constipation—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. WETSTEIN, Byron, Ill.

AYER'S PILLS Highest Honors at World's Fair.

Ayer's Sarsaparilla Strengthens the System.

The country surrounding The Dalles has never been extolled as very suitable for bicycles and the Creator never intended it for a race track. But wheels seem to go everywhere and mountain steepness seems to offer no hindrance for the wheelist. Yesterday afternoon Douglas Dufur left The Dalles about 1 o'clock and rode to Hartland, on the other side of the Klickitat mountains, and returning reached The Dalles shortly after 6 o'clock. The distance covered was twenty-five miles and Mr. Dufur stopped to transact some business at several places along the way. A great part of the trip he had to walk and push the bicycle up the hill. People who have said wheeling would be impracticable in this mountainous country will have to change their minds.



Reader, did you ever take SIMMONS LIVER REGULATOR, the "KING OF LIVER MEDICINES?" Everybody needs take a liver remedy. It is a sluggish or diseased liver that impairs digestion and causes constipation, when the waste that should be carried off remains in the body and poisons the whole system. That dull, heavy feeling is due to a torpid liver. Biliousness, Headache, Malaria and Indigestion are all liver diseases. Keep the liver active by an occasional dose of Simmons Liver Regulator and you'll get rid of these troubles, and give tone to the whole system. For a laxative Simmons Liver Regulator is BETTER THAN PILLS. It does not gripe, nor weaken, but greatly refreshes and strengthens. Every package has the Red Z stamp on the wrapper. J. H. Zeilin & Co., Philadelphia.

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The credit system is a heavy weight to carry, and those who pay must make up for the ones that do not. The only way to have low prices is to sell for cash, and that is what we are going to do.

Large Stock, Fine Goods, Prices Way Down.

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.

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Past or present values cut no figure, as goods MUST be SOLD LESS than COST.

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