

SOME one has said that "eternal vigilance is the price of liberty." The remark continues to be quoted because it cannot be improved. (To avoid wounding the feelings of the sensitive let us here disclaim any intent to connect the noun "vigilance," with the adjective use of the word as applied to a "committee.") As with liberty so with safety, which lies even closer to the first law of nature. For this reason, and toward that end, does a newspaper comment upon events, and though it is sometimes easier to keep still yet it is due to the public, of which the journal is the exponent, to mirror the public mind.

Men for whose opinions we have high regard, have told us they considered our remarks in yesterday's issue as tending to cast a stigma upon the jury in the Hayes case, and make the jury-men the subject of obloquy. Such intent was foreign to our purpose, and, we trust, is not the case, as regards the twelve men who brought in that verdict last Thursday night upon which we commented. These men swore to try the case according to the law and facts; the testimony, they listened to attentively; the arguments of counsel, they heard, and noted; the charge of the judge was given them to guide them in their deliberation; they occupied a most solemn and in some sense a most painful position, and for their verdict they are not to be questioned. This much is their due. It is a position of the greatest responsibility, in which a man finds himself, when a juror in a case where the defendant is on trial for his life, and the twelve silent men before him are the arbiters of his fate. To cast aspersions upon their deliberation; to malign their motives, or to impute improper influence were a grave offense against the public good, and an outrageous breach of journalistic decorum. Our comments were such as the nature of the case and the whole chain of circumstances suggested. A newspaper writer is like any other man; if he lacks judgment he can not help showing it. To attempt to belittle the individual members of a jury that but did what they were sworn to do, to render a verdict to the best of their judgment, would betoken a lack of sense that, without any egotism, we disclaim.

But all causes have results, and resulting effects. To counteract the possible effect of such a verdict was uppermost at the time. This too, in a direct line of thought concerning the jury system. This system its self is on trial. Some of the most advanced thought of the age has assailed its efficiency. As we said yesterday, we say today, that it will be time to pull down when we have something better to put in place of the razed edifice, and that the only reason for the present continuance of the jury system is that while its inefficiency is beginning to be conceded, its successor has not been found. Change does not imply progress, and the jury system exists because of wise conservatism regarding the subversion of existing forms.

Great and sudden innovations may be neither necessary nor expedient. But when people look at this thing in its true light reform will ensue. Lawyers attached to the jury system will raise objections but will readily fall into the newly prescribed methods of procedure. Legislatures will bear in mind that law is to be enacted for the benefit of the people at large, and not for the sole accommodation of a single profession. The trial of civil actions without a jury is already preferred in a few states. In these cases matters of the greatest moment are involved with a result of less complaint than where jury trial obtains. In some states nearly all civil cases except those sounding in tort, that is, brought for wrongful acts, where the amount of damages to be recovered must be fixed upon, juries are nearly always waived, and the cause is decided by the judge alone, or is sent to a good lawyer "to hear, try and determine" as a referee. In the enterprising ter-

ritory of Wyoming, where women can vote, and where Mrs. Danway would find excellent result, a law was enacted about six years ago which requires a litigant, on a certain day of the term, to demand a jury, or the case is decided for with the clerk's seal. applied to the payment of a fine, and to be taxed as against the party making such deposit, was successful in his suit. This measure has been found to work admirably. Juries are waived, to the curtailment of time and expense, which latter item is to the tax payers a considerable one. In case a party to a suit is too poor to make such a deposit, the court has power to dispense with the rule in that particular instance.

A court without a jury? "What an anomaly!" some of our readers may exclaim. Why? Let the court be composed of three judges. Pay them sufficient to place them above suspicion of complicity regarding results. This system would lessen the grounds of appeal, fewer cases would be reversed, business would be disposed of more rapidly, expenses would be less and justice expedited. At the original trial witnesses could be examined in far less time than at present, counsel would not have to be so frequently heard on the question of the admission or the exclusion of impertinent and irrelevant testimony which might affect a jury but could not affect a court. The judges would have their reputation at stake. No judge likes to have his decisions reversed by an appellate court of higher jurisdiction. They frequently prefer to have juries try the cases in order that they themselves may be relieved of a large portion of responsibility. They are not readily affected by eloquence or appeals to sympathy in their own courts. They can easily unravel the webs of sophistry woven by counsel. If they should be affected by the logic or rhetoric of counsel it would be in a less degree than juries usually are.

In criminal cases under such a system, justice would be meted out more certainly and speedily, a less number of innocent men would be convicted, fewer guilty would escape, crime would decrease—for the certainty of punishment is more dreaded by criminals than the amount of it—and those conservators of justice, the legal gentlemen, who hold her robes and chant her canticles, would have no lack of business.

The time has arrived for a new departure. The genius of this afternoon of the nineteenth century will devise a better system than the present. Hurdled reform may be inexpedient, but, as an experiment at least, a general law restricting yet further the causes subject to jury trial would be of present good. Let there be also provision that two-thirds of the jury may find a verdict, instead of demanding unanimity as at present. This is in the line of reform, and is now in vogue in California. Let it be that judges alone would decide legitimate cases. They could not shift responsibility upon the shoulders of a jury, but well educated for their positions and well paid for their services, they would be held to strict account for their "findings of facts as well as of law." Should a judge err in his decision, the case would be in better trim for the appellate court than if tried by a jury, and the judge himself could be more readily reached by that which we insist is the highest court on earth—Public Opinion.

The appearance of the San Francisco papers which are full of dispatches, and the Portland papers which contain comparatively few, suggest that the strike, like the tariff, is "a local issue."

NEW TO-DAY. FOR TILLAMOOK. THE STR. GEN. MILES WILL leave Gray's Dock for TILLAMOOK ON Wednesday, August 22nd. Ladies' DRY GOODS FOR LESS than COST! Must be Sold in Next 10 days.

Special Auction Sale To-morrow, at 10:30 A. M.

By order of Mr. and Mrs. James Maceo, who have been ordered to sell the following: 1. A French Clock under glass cover, 1 large What-not, 1 Brussels Carpet, 1 large gilt frame Mirror, 422 feet Pictures and Engravings; also 1 Five Octave Melodion and 1 Desk. BEDROOM FURNITURE.—1 cottage Bed-room Suit, complete, 1 Dressing Bureau and Bureau Wash Stand, 10 single Bedsteads, 1 Table, Chair, Wash Stand, Mattresses, Spring Beds, Blankets, Pillows and Table Sets complete. KITCHEN:—1 Goldsmith Range No. 8 and furniture, Cookery and Glassware, Wash Tubs, Clothes' Wringer, etc. Also 1 barrel Salmon and 3 cords of Wood. One Cabinet Sewing Machine, cost new \$25.

E. C. HOLDEN, Auctioneer. Scow for Sale. I OFFER MY SCOW "ROUGH AND READY" for sale. Parties who wish to purchase will find her well adapted for carrying 100 tons of lumber or 1500 ft of lumber. PETER MULLER, Agent.

FOR TILLAMOOK. THE NEW MERCHANT A. B. FIELD. BARKER, Master. FOR SAILING DATES AND PARTICULARS apply to J. G. HUSTLER, Street Wharf, Astoria; ALLEN & LEWIS, Portland; J. L. STOHY, Tillamook.

FOR LONDON DIRECT! The Plymouth Line. "Glenborvie" 800 Register Will take SALMON in lots to suit shippers, on reasonable terms. For the above named ports and having large engagements will be quickly dispatched. For rates of freight and insurance apply to SIBSON, CHEEKS & CO., Portland, Or. or to P. L. CHEERY, Astoria, Or.

Annual Meeting. THE ANNUAL MEETING OF THE Stockholders of the O. P. & C. R. Association will be held on the fourth Thursday in August, the 29th at the hall of Beaver Lodge, No. 3, 1. 4. P. M., immediately after closing the Lodge.

Notice. IS HEREBY GIVEN, THAT HAVE THIS day abandoned all claim, in the title, right, and interest of my son, Michael Campbell, and I will pay to the future be responsible for any debts contracted by him, nor any business he may do, or for any debts he may be liable for, and have him free to work, and make such contracts as may be in his own right, as follows: NELL CAMPBELL, Proprietor, W. T. Ave. 11th, 1902.

Hess Farm for Sale. THIS VALUABLE FARM, ON CLATSOP, Oregon, consisting of 500 acres of dairy and crop land, together with stock and farm tools, is for sale on reasonable terms. For particulars apply to G. H. HESS, 24 Astoria, Oregon.

Hall's Safes. WE HAVE THE AGENCY FOR ASTORIA of the above safes. Parties desiring to purchase will do well to call and examine the same and price. DUNN & JOHNSON, Agents.

Stockholders Meeting. THE ANNUAL MEETING OF THE Stockholders of the White Star Packing Company will be held at the office of the company in Uper, Astoria, on Thursday, August 25th, at 10 o'clock A. M., for the purpose of electing a board of Directors for the ensuing year, and the transaction of such other business as may come before it, by order of S. C. JOHNSON, President.

FOR SALE. 500,000 First-class Red Brick. KILN SITUATED ON RIVER BANK. Can load on barges or Steamboats from the kilns. Address: P. H. REED, Portland, Oregon.

Plumbing and Gas Fitting. LOUVEA BRON. Plumbers, Gas, and Steam Fitters. Jobbing Promptly Attended to. A Full Supply of GAS FIXTURES, COOKS, STEAM FITTINGS, ETC., ALWAYS ON HAND. Cannery, and Steamboat Work a Specialty.

ESTABLISHED IN 1849. SUTTON & CO'S DISPATCH LINE For New York. 80 DAYS TO NEW YORK.

The New and Elegant A1 First Class Steamer. GEORGE S. HOMER, Master. Will be ready at Astoria, in a few days for cargo, and having the most of her capacity engaged will have the usual prompt dispatch of this line. Early application should be made for the pleasure of disengaging rooms or passage to the care of Allen & Lewis Portland, Oregon. Consignments in New York. MESSRS. SUTTON & CO.

SOLID GOLD JEWELRY, BRACELETS, Scarf Pins, Chains, Watches, SILVERWARE, Of every description. The finest stock of Jewelry in Astoria. 25% All goods warranted and represented. GUSTAV HANSEN, JEWELER. For Sale. FIVE HUNDRED COBINS DRY HEMLOCK Wood, which I wish to deliver at the houses of customers for \$4 a cord. Draying or all kinds done at reasonable rates. E. B. MARION.

Jordan & Bozorth Have a Full Line of

Crockery, Glassware, Platedware, Cutlery, Etc., Etc. Corner Chenamus and Genevieve Sts.

SPECIAL AND PEREMPTORY AUCTION SALE OF Balance of Stock ON HAND AT SHERIFF O'NEIL'S COMMENCING MONDAY, JULY 23, 2 P. M. I have received positive instructions from the BONA FIDE OWNERS OF THIS LARGE STOCK OF DRY GOODS OF EVERY DESCRIPTION To close the same out at Auction, WITHOUT RESERVE Sale commencing on above day. E. C. HOLDEN, Auctioneer.

BANKING AND INSURANCE. I. W. CASE, BROKER, BANKER AND INSURANCE AGENT. ASTORIA, OREGON. OFFICE HOURS: FROM 9 O'CLOCK A. M. UNTIL 3 O'CLOCK P. M.

Home Mutual Insurance Co., OF CALIFORNIA. J. F. HENNINGSON, President, 100 1/2 Street, Astoria, Oregon. Capital paid up in U. S. Gold \$250,000.00 Reserve \$50,000.00 I. W. CASE, Agent, Chenamus street, Astoria, Oregon.

\$67,000,000 CAPITAL. LIVERPOOL AND LONDON AND GLOBE. NORTH BRITISH AND MERCANTILE OF LONDON AND EDINBURGH. OLD CONNECTICUT OF HARTFORD, AND COMMERCIAL OF CALIFORNIA FIRE INSURANCE COMPANIES. Representing a capital of \$67,000,000. A. VAN DUSEN, Agent.

ASK FOR— Union India Rubber Co's Pure Para Gums CRACK PROOF RUBBER BOOTS. BEWARE OF IMITATIONS! Be sure the Boots are stamped CRACK PROOF on the heels, and have the RUBBER LUG SPRINGS on the feet and instep, which prevent their cracking or breaking. We are now making them with RUBBER AND ANTI-FRIZING Soles which will make them last more than twice as long as any other Rubber boots made. FOR SALE BY ALL DEALERS. ALL KINDS RUBBER BELTING, PACKING, HOSE, SPRINGS, CLOTHING, BOOTS AND SHOES, ETC. GOODYEAR RUBBER CO. 111 PLASS, J. I. Agents, S. M. BUNTON, 1 San Francisco.

TO THE TRADE! Messrs. Wm. E. Hooper & Sons BALTIMORE, MD., Have given us the EXCLUSIVE SALE for Pacific Coast of their Celebrated WOODBERRY TWINES & ROPE, Including a Full Line of COTTON SEINE TWINES, WRAPPING TWINES, SAIL TWINES, ETC. In addition to above, we have on hand a Complete Assortment of Needle Brand Seine Twines. Palmetto Seine and Wrapping Twines. HENRY DOYLE & CO. 517 and 519 Market Street, SAN FRANCISCO.

W. E. DEWENT & CO. DRUGGISTS. ASTORIA, OREGON. Carry in Stock, DRUGS, CHEMICALS, TOILET and FANCY ARTICLES. Prescriptions carefully compounded.

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Figures Never Lie! JEFF OF THE CHOP HOUSE RESTAURANT. Can prove by his books that he is doing the best business of any in the city, and he will guarantee to give the best meal for each.

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Astoria Oil Works. J. H. DE FORGE, Proprietor, P. O. Box 274, Astoria, Oregon. Manufacturer and Dealer in FISH OIL and SKID GREASE. Dealers will find my Skid Grease to be good and cheap.

ME GIN JOHN & CO. Cor. of Chenamus and Benton Streets, ASTORIA, OREGON. Have the best facilities for furnishing CHINA LABORERS Of all kinds, of any firm in the city. j2-1m

LEADING Boot and Shoe Store, NEW GOODS BEST STOCK. FINEST AND LARGEST STOCK OF Boots and Shoes Ever brought to Astoria, is opened to the Public in Brown's New Building, Next to City Book Store. Come and see Latest Styles. I. J. ARVOLD.

CARL ADLER Keeps constantly on hand a FULL LINE OF FINE WATCHES, CLOCKS, AND JEWELRY, which he offers to the public at the lowest figures. Every article guaranteed to be as represented. Repairing done by W. F. Anolander, Practical Watchmaker and Jeweler. Fine Watch Repairing a Specialty. All work guaranteed. j2-1m

Farm for Sale. THE "BUCKEYE FARM" ON BLIND SLOUGH, THREE MILES above Rainier, consisting of 100 acres of good land under cultivation and fence, timber for 600,000 feet of logs and an immense quantity of cord wood, which is easily accessible, is for sale. There is good range for 10 or 12 head of cows. Finest Water in the World, on the Place. For terms, etc., apply to J. G. ROSS, Pioneer Restaurant, Astoria, or to D. G. ROSS, on the premises. 07-1m-2u 4

FRANK L. PARKER. Fresh Fruits & Vegetables FANCY GROCERIES.

CITY BOOK STORE. We have to-day finished opening and putting in order the Immense Stock of Goods Bought in San Francisco by B. F. STEVENS. C. P. MOFFET will be found behind the counter. His long established reputation as a good and reliable salesman is all that need be said. You Will Find Prices Lower than the Lowest. B. F. STEVENS & CO.

STEAMER CLARA PARKER Eric Johnson, Master. For TOWING, FREIGHT or CHARTER apply to the Captain, or to E. P. PARKER.

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THE NEW MODEL RANGE CAN BE HAD IN ASTORIA ONLY OF E. R. HAWES, AGENT. CALL AND EXAMINE IT, YOU WILL BE PLEASSED. E. R. HAWES is also agent for the Buck patent Cooking Stove. And other first-class stoves. Furnace Work, Steam Fittings, etc., a specialty.

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ALL KINDS OF FURNITURE REPAIRED AND VARNISHED. CHAS. H. WILLIAMSON & CO. REAL ESTATE AND General Commission Brokers. Office on Genevieve street, in the rear of E. R. Hawes' building. A General Agency business transacted. READY FOR BUSINESS. Saddle and Harness Shop. A. J. CLOUTRIE. All manner of Repairing, etc., attended to. Shop in Page's new building on Cass street. OYSTER AND COFFEE HOUSE. Frank Fabre Has re-opened in the Old Fellows Building; Entrance on Cass street. Ice Cream, Ice, Etc.

Leinenweber & Co., C. LEINENWEBER, H. BROWN ESTABLISHED 1865. ASTORIA, OREGON, TANNERS AND CURRIES, Manufacturers and Importers of ALL KINDS OF LEATHER AND FINDINGS Wholesale Dealers in OIL AND TALLOW. Highest cash price paid for Hides and Tallow. ASTORIA Brewery Beer Saloon. The Best Beer 5 cts a Glass. Hot Lunch every Day from 10 to 12 A. M. The best of Liquors and Cigars on hand. A deservedly popular place of social resort. GEO. HILGER.