

The Daily Astorian.

ASTORIA, OREGON:
WEDNESDAY, JANUARY 28, 1886
ISSUED EVERY MORNING.
(Monday excepted)
J. F. HALLORAN & COMPANY,
PUBLISHERS AND PROPRIETORS,
ASTORIAN BUILDING, - - CASS STREET
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One year. \$4.50
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Advertisements inserted by the year at the rate of \$2 per square per month. Transient advertising fifty cents per square, each insertion.

THE HERBERT TRIAL.

A Verdict of "Murder in the Second Degree"
—Sentence of the Prisoner—"For Life."
When the large crowd in and around Liberty hall dispersed last Monday night and left the prisoner awaiting the deliberations of the twelve men who held his life in their hands, there was a wide diversity of opinion in the discussion that the trial elicited. The jury retired at ten minutes past eleven; immediately they balloted on a verdict, the result being four for murder in the first degree, four for murder in the second degree, three for manslaughter, and one for acquittal. A second ballot was taken an hour later with substantially the same result. The night wore on and morning paled the gas lights in the jury room and still there was no verdict. When the sheriff brought the jury out to breakfast there was a general impression that a verdict was ready to be given, but such was not the case after breakfast the discussion was resumed, and it noon the jury's ballot was eleven for murder in the second degree and one for manslaughter. The afternoon wore on, and as the hours passed by a good many thought that "a hung jury" was the result. Sheriff Ross and the bailiffs were proof against all questions, and nothing could be learned about the state of affairs, till at twenty minutes past six the jury sent word that they had a verdict. As soon as the necessary officers, counsel, etc., were on hand Judge Taylor asked, "Gentlemen, have you agreed upon a verdict?" "We have," replied the foreman, handing it up. It was read and handed to County Clerk Trenchard, who read it aloud: "We, the jury in the above entitled cause, find the defendant guilty of murder in the second degree." The strain on the prisoner broke his assumed quiet and he burst into tears. If ever a man was genuinely sorry for his act Charles Herbert was when he heard the verdict of the jury that, though it was accompanied by a recommendation of mercy, can have but one termination—imprisonment for life. The friends of Herbert were more sorry than surprised at the verdict, and the general opinion of the majority of the people is that it is a just verdict, and one that the circumstances and evidence justified the jury in rendering. Not a few there are who think that the verdict would have been justified by the facts, but it is an extreme case that will nerve twelve men to sign a verdict that deprives a fellow mortal of the life so dear to all. The prisoner was given till nine o'clock to decide if he wanted a new trial. At that hour he was brought into court and said he would not ask for a new trial; so the court then asked if he wished to be sentenced to prison with or without the allowed; he said he would waive the privilege and asked for immediate sentence. The court then directed him to stand up and asked him if he had anything to say before sentence was pronounced upon him. Herbert rose, and in a broken voice said that he was sorry for the commission of the deed and asked that the court be merciful. Judge Taylor said that he had no option in the matter; that the law prescribed the sentence and he could but carry out the plain mandate of the law; he then said, "The judgment of this court is that you be imprisoned in the penitentiary at Salem for the term of your natural life." Herbert sank back in his seat, and in a few moments followed the sheriff back to jail.

COUNCIL PROCEEDINGS.

A regular session of the city council was held yesterday evening. Present, Councilmen Bergmann, Dealy, Grate and Trenchard. In the absence of the mayor Councilman Trenchard was elected chairman pro tem; minutes of the last meeting were read and approved. Ordinances granting liquor licenses to Delia Gearhart, R. L. Jeffrey and Alex Campbell were passed under suspension of the rules. An ordinance making appropriations out of the general and police funds of the city of Astoria to pay the expenses of the city for 1886 was read first and second times and referred. The committee to whom was referred petitions asking street lamps on corner Lafayette and Jefferson streets and corner Benton and Court streets, reported favorably, which report was adopted. The committee to whom was referred report of police judge for month of December, reported favorably; report adopted. The following bill was ordered paid: R. L. Jeffrey, \$6.15. The following ordinance was passed under suspension of the rules: An ordinance making an appropriation for the paying of the expenses of the parties sent to the legislature with the city charter. The city of Astoria does ordain as follows: Section 1.—That there be and is hereby appropriated out of the general fund of the city of Astoria for the benefit of the parties sent to the Oregon legislature with the city charter to pay expenses of said parties the sum of two hundred (\$200) dollars. Section 2.—That the auditor and clerk is hereby authorized to draw a warrant on the treasury to the amount of such sum. On motion council adjourned.

ATTEMPT AT BURGLARY.

Three pistol shots and the cry of "Stop thief!" at half past nine last evening sent a crowd running up West 9th street from whence the sound proceeded. It appears that just before, Capt. Geo. W. Wood, who lives on the corner of Arch and West 9th street, heard some one trying to effect an entrance, by the window, and springing up and out on the porch caught a Chinaman and dragged him into the room. He turned to get some more clothes when the Chinaman made a jump for the door, Wood after him in hot pursuit, firing his revolver as he ran. The Chinaman eluded his pursuer, but ten minutes afterward was caught by John Brown and Officer Carlson on the corner of Cedar and West 6th streets. He was taken to Capt. Wood's residence, who promptly identified him by a mark he had made on the Mongolian's doctor optic, and the would-be burglar was taken to the city jail.

Furnished Rooms To Let.

Does not make any second-class Pictures at his New Gallery, No. 614, on the Roadway.

Success.

The sale of Syrup of Figs is simply immense. Everyone is taking it, and all praise that it is the best medicine ever used. Children cry for it on account of its pleasant taste, and grown people who have used it once never take anything else. Unlike other remedies for biliousness and constipation it never loses its power to act, and it always leaves the organs on which it acts stronger than before. Besides, one feels fresh and bright and realizes that it is Nature's own true laxative. W. E. Dement & Co. are agents for Astoria, Oregon.

Gray sells Sackett Bros' A1 sawed cedar shingles.

A full M guaranteed in each bunch.

THE CITY CHARTER.

An Argument For the Property Qualification Clause.
ASTORIA, Jan. 27, 1886.

ED. ASTORIAN:— I have read and listened to all the criticisms and objections to the amendments to the city charter proposed by the chamber of commerce; and in all I have read, or heard spoken, on the subject I do not find any valid, legal or practical objection to the amendment, and specially none against the amendment restricting the right of suffrage to tax payers in the city. The objections to that amendment as far as I have noticed are that it would be unauthorized by our state constitution and therefore illegal. A little consideration and investigation of that matter I think, will show such objections to be unfounded. The city of Astoria is a "corporation" the same as are all school districts in the state of Oregon,—the same as are all railroad companies, manufacturing companies, or the many other kinds of incorporated companies, as the salmon canning companies, etc. The constitution of Oregon, Article XI, Sec. 2, reads as follows: "Corporations may be formed under general laws, but shall not be created by special laws, except for municipal corporations, and such laws shall be subject to the approval or amendment or repeal, but not so as to impair or destroy any vested corporate rights." "§ 2.—The stockholders of said corporations shall be liable for the indebtedness of said corporation to the amount of their stock subscribed and paid up and no more."

The Philadelphia company that has the reputation of issuing the largest number of calendars this year sent out 175,000, at the cost of \$200,000. These went all over North America. About 500 of their agents received consignments of calendars, with their names and that of their towns and city specially printed on them. Half a dozen of the corporations ordered as many as 50,000 and 75,000 each. The cost of the calendars generally used by insurance companies is \$40 to \$500 per 1,000. Of the latter class there are specimens of the real works of art, and they, of course, are not distributed indiscriminately, as are the cheaper ones. The dearest kind of sheet calendars, all other things being equal, are those in which are affixed labels for each day in the year. It takes considerable trouble to prepare them. The companies are also annually taxed at this season to supply the demand of their agents for hinders. In addition to the advertisements of the corporations, these also have on their calendars in miniature. Half a million little blotters is not a very large record for concerns having sub-offices all over the country. The Philadelphia company's agents of Philadelphia companies are located, lawyers, editors and business men generally depend largely upon the agents for their department of their stationery. In very small towns the agents, although they may give away more cash in the shape of blotters than they receive in the way of business, aren't object. In some villages in Colorado, Kansas and New Mexico, where sand is sprinkled over the paper in the ink, it is said that natives would not know what blotting paper were it not for the insurance agents.

WHAT ARE NEIGHBORS GOOD FOR?

A Citizen having heard that his Neighbor was scandalizing him called Around at the office for an Explanation. "Haven't I always Spoken Well of you and yours?" he asked. "Oh, yes!" "Haven't I always leant you my Snow Shovel, my Flat-iron, and my Coffee Mill for these many years past?" "Yes, but—"

On the subject of suffrage and elections the state constitution says, Art. II, Sec. 2. "In all elections no other persons shall be eligible than those named and provided for in this constitution, every white male citizen of the United States, etc. etc., deining fully who 'shall be entitled to vote at all elections authorized by law.' This means 'in all elections, not otherwise provided for in this constitution.'"

Women With Dogs.

Did you ever notice any peculiarity about women who take dogs with them upon the streets? There are, of course, exceptions to all rules, but I have come to the conclusion that most of the women who forever have a dog about with them, either under their arms or sprawling at their feet, are the end of a strap on a string, are cranks. A perfectly normal woman does not like to make herself so conspicuous. I have seen ladies with large, fine looking Newfoundland dogs or greyhounds, looking behind them, who looked proper enough. A dog in quite in place, if he does not have to be led or carried. A dog that is not able to walk and not get lost from his master or mistress ought to be abandoned of himself, and is not worth having. The mania for carrying a dog about generally arises from neglect of the opposite sex. Women who resort to so ridiculous an extreme do so out of revenge, because they are not being in that esteem which they themselves are entitled to. Whether this is the explanation or not, I am sure it is always a distributing cause of some kind that drives a woman to the dogs.—N. Y. World.

Syrup of Figs.

Nature's own true Laxative. Pleas for the name, acceptable to the Stomach, harmless in its nature, painless in its action. Cures habitual Constipation, Biliousness, Indigestion and kindred ills. Cleanses the system, purifies the blood, regulates the Liver and acts on the Bowels. Breaks up Colds, Chills and Fever, etc. Strengthens the organs on which it acts. Better than bitter, nauseous Liver medicines, pills, salts and draughts. Sample bottles free, and large bottles for sale by W. E. Dement & Co., Astoria.

For a Neat Fitting Boot

Jr Shoe, go to P. J. Goodmans, on Chenamus street, next door to L. W. Case. All goods of the best make and guaranteed quality. A full stock; new goods constantly arriving. Custom work.

NO POISON IN THE PASTRY

"No more calendars given out," or some legend to that effect can be seen prominently displayed in the offices of many insurance companies. The practice of distributing calendars and almanacs as advertising mediums is at the height of its popularity. Nearly all those intended for use during the present year have by this time been scattered broadcast through the land and are now upon the walls of offices. The notice that "no more calendars will be given out serves as a warning to waste paper merchants whose myriads feed during the first week of the year on those who issue the almanacs. As a rule a customer of a corporation whose appearance is in his favor, on applying inside, finds that a clerk is able to find out a calendar from some clerk in spite of this notice. The calendars on account of competition, are getting more beautiful every year. The insurance companies realize that when a business man receives five or six of them he will utilize a certain proportion, say half, and, of course, the prettiest ones are selected. The idea on which the calendars are based is, of course, to familiarize people with the company giving them. It is not expected that a man will utilize a corporation merely because it gives him a calendar. Experience shows, though, that people, through seeing the name of an insurance concern day after day, will, when its name comes up in conversation, manifest good deal of confidence in it. They know that the name is a household word to them, and, although they hardly know how it became so, they retain the name with confidence and mentioned as an excellent one to trade with.

ARE USED.

Vanilla, Lemon, Orange, etc., flavor Cakes, Creams, Puddings, etc., as delicately and naturally as the fruit from which they are made. For Strength and True Fruit Flavor They Stand Alone.

DR. PRICE'S SPECIAL FLAVORING EXTRACTS

DR. PRICE'S LUPULIN YEAST GEMS

DR. PRICE'S LUPULIN YEAST GEMS

ARAMANDA SAYS YES AT LAST, AND SMITHERS WON HIS BEST GIRL!

AMANDA:— "I have heard that your Neighbor was scandalizing him called Around at the office for an Explanation. "Haven't I always Spoken Well of you and yours?" he asked. "Oh, yes!" "Haven't I always leant you my Snow Shovel, my Flat-iron, and my Coffee Mill for these many years past?" "Yes, but—"

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C. H. COOPER'S

SPECIAL ANNOUNCEMENT!

A Great Reduction Sale in Men's OVERCOATS!

- On account of an overstock in these goods I shall offer for cash, during the next 30 days, the following lines regardless of cost:
- | | |
|---------------------------------|----------------------|
| Men's Mixed Cassimere Overcoats | at \$9.00 for \$7.00 |
| Blue Chinchilla | at 11.50 " 8.50 |
| Gray Mixed Reversible | at 13.50 " 10.50 |
| California Doeskin | at 14.00 " 11.00 |
| Heavy Chinchilla | at 14.50 " 11.50 |
| Brown Beaver Dress | at 16.00 " 12.00 |
| Blue Beaver | at 16.50 " 12.50 |
| Black Diagonal | at 18.00 " 14.00 |
| Gray Chinchilla | at 18.00 " 14.00 |
| Huntsman Green Melton | at 20.00 " 16.00 |
| Blue Germania Beaver | at 22.50 " 17.50 |
| Brown Chinchilla | at 25.00 " 20.00 |
| Blue Chinchilla | at 25.00 " 20.00 |
| New Shade, Satin lined, Dress | at 30.00 " 25.00 |

C. H. COOPER,
Pythian Building, Astoria, Oregon.