

The Daily Astorian.

ASTORIA, OREGON: THURSDAY, FEBRUARY 12, 1885.

ISSUED EVERY MORNING. (Monday excepted). J. F. HALLOMAN & COMPANY, PUBLISHERS AND PROPRIETORS.

Terms of Subscription. Sent by Mail, per month, in advance, one year, \$7.00. Free of postage to subscribers.

Advertisements inserted by the year at the rate of \$2 per square per month. Transient advertising fifty cents per square, each insertion.

Notice to Advertisers. THE ASTORIAN guarantees to its advertisers the largest circulation of any newspaper published on the Columbia river.

Leat begins next Wednesday. The Columbia sailed yesterday.

The Agnes Sutherland has arrived out. Carl Adler and Griffin & Reed make a fine display of valentines.

The Carnival prizes are on exhibition at the New York Novelty Store.

The bill to repeal the mortgage tax law has been indefinitely postponed—kilt.

Salem has four daily newspapers with scarcely support enough for one good one.

Prof. A. L. Francis came down from Portland last evening and will remain till Tuesday.

Portland gets \$10,000 for an immigration board; Astoria gets \$10,000 for a pilot schooner.

The United States Indian training school is to be transferred from Forest Grove to Salem.

The bill incorporating Skippewa passed the house last Tuesday. Hereafter that shall be known as Clatsop city.

Masquerade tickets for Saturday night's carnival for sale at the New York Novelty store and at Clinton's cigar store.

There are \$2,200,000 deposited in the state treasury for foreign insurance and express companies doing business in this state.

Yesterday's Standard has a grapevine telegram from Salem regarding the reported appearance of Jno. H. Mitchell in the capital city.

The Pythian Land and Building association will pay the first and second dividend of \$1 per share at the office of the secretary on the 15th inst.

Judge Smith expects to be able to render a decision in the case of Hiram Brown et al., vs. School District No. 1, before the March election.

Mrs. Elizabeth Johnson, 44 Spurling street, Liverpool, writes for information about her husband, Geo. Johnson, who came here in the bark, Jesso, Johnson.

The diem sociable under the auspices of the parish and society of Grace church had been appointed for this evening has been indefinitely postponed.

Astoria Division No. One, Uniform Rank, K. of P., in common with other divisions of the same rank, will, on next Thursday celebrate the anniversary of the founding of the order.

The belief that a potato carried in the pocket will cure rheumatism, is considerably strengthened in the minds of three ancient and honorable citizens of this burg who claim that the carrying of potatoes in their pockets hath lately cured them of that distressing complaint.

REAL ESTATE TRANSACTIONS. Ike Bergman and wife to M. G. Haven, lot 6, blk 4, Adair's Astoria; \$1,000.

N. Rogers and wife to A. Hanson, 160 acres S 1/2 NE 1/4 and N 1/2 SE 1/4 sec. 227, T. 6 N., R. 6 W.; \$800.

A. F. Johns and wife to J. P. Anstine, lot 1, blk 7, 1st add. Ocean Grove; \$25.

A FINE COUNTRY. Writing to THE ASTORIAN from Union Peak, Tillamook county, under date of February 2th, Robert Crawford says that if men seeking homes knew that there was good land in that section to be taken up they would come and settle on it.

He says: "Begin on McKinnahan's creek in Clatsop county and go up eight or ten miles, there is room for quite a settlement; good land, rich and good for stock and crops. Still farther on, the north fork of the Nehalem is up land, which will produce good grain as well as pasture if it was cleared. Another good locality for settlement is God's valley, located between the north and south forks of the Nehalem. It is about five miles long and one and one-half wide, with a splendid creek running through it, and can furnish good pasture for stock. It has some prairie and open land in it; these lands are not yet surveyed but it is stated by Robert Harris, United States deputy surveyor, that there will be a survey made next summer, commencing at township 3 N., R. 9 W., and running north and east. There are six or eight miles here of good land to be settled, but on account of the railroad grant the land was rejected. Now as the grant has gone back to the government it is open for settlement. There are valuable deposits in it which I found while hunting through this region the last fourteen years; there are copper, lead, iron and the best of stone country there. Notwithstanding we have our drawbacks; we badly need a wagon road, and in my judgment it would pay Clatsop county to make one through their county to the line of Tillamook county. It would certainly be the cause of settling this country and give us in Nehalem a chance to trade in Astoria, as it is the best market in the state for us in Tillamook. A road of some kind would bring saw mills in here and lumber, which we all need very much."

Five Dollars Reward. For the return of three keys on a ring, lost on Squemoqua street last Wednesday night. Leave at this office.

White Cook Wanted. Inquire at New York Restaurant, next to R. Barth's.

Ten Thousand Dollars Worth. Of brilliant, flashing, dazzling diamonds on exhibition for the next ten days at Adler's Crystal Palace.

Open Again. J. G. Charters' Palace Baths. First class fittings. Only 25 cents. Private bathing apartments for ladies.

Gray sells Sackett Bros.' A1 sawed cedar shingles. A full M guaranteed in each bunch.

THE CASE OF KINNEY VS. HEATLEY, ET AL.

A Decree by Judge Smith in the Circuit Court Yesterday.

A decree was made by Judge Seneca Smith yesterday in the case of M. J. Kinney vs. E. D. Heatley et al., the effect of it being that on the payment of \$17,000 the plaintiff may recover possession of the extensive property known as The Astoria Packing Co.'s premises. At the time suit was commenced the trustees and creditors together claimed \$39,899.73. The Saleum Flour Mills Co., who were parties in the suit, get \$10,624.48 in adjustment of their claim, which admits of other and satisfactory adjustment. The decree is looked upon as a victory for M. J. Kinney. The case has been in litigation for three years and has occasioned considerable interest.

It appears that in October, 1876, the British ship Trian sailed from here for Liverpool with salmon and beef canned at Kinney's cannery in this city. Upon her arrival in Liverpool in March, '77, the agents there made demands for heavy reclamation charges, alleging that the salmon had spoiled on the passage and was almost wholly putrid. A salmon consignment on the bark Albert about the same time brought a similar report and claim. These claims were made in the summer of 1877, and were in the main acceded to by Mr. Kinney. W. & J. Lockett, Dickson, De Wolf & Co., N. Ten Bosch & Co., and Henry Coulbrough were the parties having the principal claims. In March, '78, Mr. Kinney executed a trust deed to his creditors, the trustees being E. D. Heatley et al.

In May, '78, two months after he had made this deed of trust, Mr. Kinney met Henry Olson here who had been second mate of the Trian on her voyage in 1876-77, and from him learned that the weather had been such as to justify a belief that the salmon was spoiled by reason of sea damage and not from any defect in the salmon itself. Olson's testimony was strong on this point, the result being that an inquiry developed a state of affairs which Mr. Kinney deemed justified him in notifying J. W. Grace of San Francisco not to pay these claims. He had approved the claims six months before, but claimed that the subsequent information given him placed the matter in an entirely different light.

Upon this suit was brought, and to get the matter properly into court the trustees, Heatley, et al., were made defendants in the matter. There were twenty different items and charges in the matter, the whole involving something over half a million dollars. C. W. Fulton, F. J. Taylor and Raleigh Stott were Mr. Kinney's attorneys; Killin & Moreland and Williams, Durham & Thompson represented the defendants. The suit has been pending in court for some time, by both sides; countless folios of testimony and printed briefs have been introduced, depositions and evidence from all over the world have been procured and from the mass of testimony with J. Q. A. Bowley, the referee in the matter, the above has been compiled.

Following is the substance of Judge Smith's decree: It is ordered, adjudged and decreed by the court:

That upon the payment by plaintiff into this court the sum of \$16,231.18, the said trustees execute and deliver to plaintiff, a good and sufficient deed, conveying said premises to plaintiff.

If the plaintiff does not within ——— days from this date pay into court said sum, then it is ordered and decreed by the court that said premises be sold as upon execution and that the proceeds be applied to the payment of the costs and expenses of the sale and to the payment of said sum of \$16,231.18 due on said claims, and, if such proceeds be not sufficient to pay said sum in full, then that such proceeds be applied in payment of said claims heretofore allowed, pro rata.

It is further ordered and decreed by the court that upon the payment by plaintiff of said sum into court, if said trustees do not within ——— days thereafter execute and deliver the deed as hereinbefore required, that this decree shall in that event stand in lieu of such deed and shall have all the force and effect of such deed, and shall operate to convey to plaintiff all the interest that said trustees and said defendants had in and to said premises at the commencement of this suit.

Valentines. Dile Valentines, Comic Valentines, Sentimental Valentines, Novelty Valentines, Fringed Valentines, Lace Valentines, Plush Valentines, Satchel Valentines, at Carl Adler's Crystal Palace.

The Telephone. Jeff's new saloon, the "Telephone," is now open. It is new all through; the building is new, the furniture and fittings are new, and of elegant finish and the proprietor has put in some new ideas that will commend themselves to the patrons of the Telephone. Everything about the place is first class, the wines and liquors of the best, and it will exert itself to make it pleasant for anyone who calls. He has put up and finely furnished a first class establishment and no cozier place can be found in the city in which to meet a friend or join in a social glass.

Headquarters for Valentines at Carl Adler's. Comic; sentimental; fine; call and take a look at them.

Hot Lunch, at the Telephone Saloon. From 11 to 2 every day. A fine lunch with drink or cigar, 25 cents. No charge after two o'clock. JEFF.

Of Course You Want. A nice valentine for next Saturday. The place to buy it is at Carl Adler's Crystal Palace.

At Carl Adler's. Is the finest stock of valentines in Astoria.

Fresh Eastern and Shearwater Bay Oysters. Constantly on hand, cooked to any style at Frank Fabre's.

At Frank Fabre's. Board for \$2.50 a month. The best in the city. Dinner from 12 to 7.

Furnished Rooms To Let. Apply to Mrs. MUNSON.

One of the finest billiard tables on the coast at Jeff's "Telephone."

For Dinner Parties to order, at short notice, go to Frank Fabre's.

—A Nasal Injector free with each bottle of Shiloh's Catarrh Remedy. Price 50 cents. Sold by W. E. Dement.

REED'S PILOT BILL.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. That sections 2, 3, 4, 21, 28, 29, 31, and 41 of the act entitled "An act to provide for pilots on the Columbia and Willamette rivers," approved October 20, 1882, be amended so as to read as follows:

Section 2. The pilot commissioners for the bar and river pilot grounds shall be elected biennially by the legislative assembly of the state of Oregon, in joint convention, and shall hold their respective offices for two years, and until their successors are elected, as in this act provided.

Section 3. Each of said commissioners shall be commissioned by the Governor, and before entering upon the duties of his office shall take and subscribe an oath of office, and file the same with the secretary of state, to the effect that he will support the constitution of the United States and of this state, and faithfully discharge the duties of the office of pilot commissioner according to law and the best of his ability.

A person to be eligible to the office of pilot commissioner under this act shall be over twenty-one years of age, must be a citizen of the United States and of this state, and two of said commissioners must have been engaged as steamerboat or mate on sea-going vessels or steamerboats for at least two years prior to their election as such commissioners.

Section 4. A pilot commissioner shall hold his office for the period for which he is elected and qualified, and all vacancies occurring in said board shall be filled by the governor.

Section 21. The board shall license such number of pilots for the bar and river pilot grounds respectively as it may consider best for the pilot service and the interests of commerce. The board shall cause to be built, at the expense of the state, and for the use of the pilots licensed under this act, a good, staunch and seaworthy pilot schooner, of not less than fifty tons burden, and at a cost not to exceed ten thousand dollars; and any moneys in the treasury not otherwise appropriated said sum of ten thousand dollars for the purpose aforesaid. Said pilot schooner shall be under the direction and control of the board of pilot commissioners, who will establish rules and regulations for the use thereof. The bar pilots appointed under this act shall at all times cruise outside the bar of the Columbia river, unless prevented by tempestuous weather, in said pilot schooner, and said pilot schooner shall at all times carry sufficient supply of provisions and water as may be necessary for the relief of vessels in distress; and such pilots must at all times promptly extend aid to all vessels in stress of weather or in case of disaster; and if any such pilot or pilots fail to comply with any of the provisions of this section, it shall be good cause for suspension or removal: Provided, That this section shall not affect any claim for salvage arising out of services involving any extraordinary danger and risk; and provided, further, that all such provisions and water carried on said schooner, and the victualing, equipping, maintaining and operating said pilot schooner, shall be at the expense of said pilots using the same, and furnished and provided by them.

Section 28. The compensation allowed for piloting a vessel upon or over the bar pilot grounds per foot draft of said vessel is as follows: For piloting an inward-bound or outward-bound vessel to or from Astoria over the bar or from within the bar to the open sea, eight (\$8) a foot for the first two feet draft, ten (\$10) for each additional foot; from or within the bar, and below Sand Island, one-half that rate; and from or above Sand Island one-quarter of the same.

Section 29. The compensation for piloting a vessel upon the river pilot ground per foot draft of said vessel, between Astoria and Portland, whether ascending or descending, is four (\$4) dollars, and the board is authorized to prescribe a proportionate compensation for pilot service between other points on Willamette rivers above Astoria (except vessels under one hundred tons burden) upon speaking such vessels within pilotage grounds and exhibiting to the master or officer in charge his branch or warrant, if required; and the authority of such pilot to take charge of such vessel shall be deemed complete upon the exhibition of such warrant or branch; and it is further provided that if a river pilot shall speak a vessel as herein provided, and his services shall be rejected by the master of the vessel, the pilot so speaking shall be entitled to full pilotage; to be recovered of such master or vessel.

Section 31. When a vessel outward bound takes a pilot, and is thereafter prevented from going to sea on account of stress of weather, and the pilot remains thereon at the request of the master, such pilot shall be entitled to compensation therefor at the rate of five (\$5) dollars per day, which additional compensation and per diem shall be considered and received as pilotage.

Section 41. If in any case the commissioners shall fail to elect a president at the first meeting at which they may do so, then, and until they do so, the commissioner senior in age shall act as president.

Section 2. That section 42 of said act be and the same is hereby repealed. (There are some amendments as yet unreported.)

Is It Not True? There can be no argument as to the qualities essential to a perfect remedy for the ills arising from a disordered or inactive condition of the Liver, Stomach and Bowels. Everyone will admit that it should be perfectly safe for old and young of both sexes, at any and all times; that it should be acceptable both to the taste and the stomach; that it should never fail to act promptly and thoroughly, yet painlessly, and it should give strength to those organs. It is now well known that Syrup of Figs possesses those qualities in a pre-eminent degree. W. E. Dement & Co. are agents for Astoria, Oregon.

A Boarding House To Let. Furnished complete, near the O. R. & N. Company's dock. Terms reasonable. Inquire at Foard & Stokes.

Buy your Lime of Gray at Portland prices.

—Are you made miserable by indigestion, Constipation, Dizziness, Loss of appetite, Yellow Skin? Shiloh's Vitalizer is a positive cure. For sale by W. E. Dement.

A LOGGER'S STORY.

"For a young man I have done pretty hard scraping in the Rockies and mining regions of New Mexico and Arizona, but a few days ago I had the worst scare in my life in the lumber districts of northern Michigan."

The speaker was a young man of some 27 years, dressed in rough-and-ready style and wearing a frizzly tow beard. He shifted the position of his broad shoulders as he lounged back in an easy chair in the Stearns house office, puffed his cigar vigorously, and then continued: "It was one of those bitter cold days we've just been havin', and I had got up at 3 o'clock to rouse the men and get the sprinkles out. The air seemed full of blue steel and out to my narrow like a razor. One of the teamsters got scared out and played off sick, so I had to take his place. When we had got a good load I took the reins and went down on the lugs of the logs, leaving the two loggers on behind. Of course about twenty feet of the load hung off the last log. The road was a sheet of ice, for the sprinkler ran over it every morning, and the horses were very nervous, so we slid along smoothly till we got to the slide—a pretty steep incline ending in a turn which was mighty sharp for a road sixty feet wide. As soon as we started down my horse began to stand on end, for the horses galloped like fury to keep ahead of the logs which were 'sawing all over the road. I got so paralyzed and nervous that when we approached the turn I reined in too suddenly, leaving the two loggers on behind. Of course about twenty feet of the load hung off the last log. The road was a sheet of ice, for the sprinkler ran over it every morning, and the horses were very nervous, so we slid along smoothly till we got to the slide—a pretty steep incline ending in a turn which was mighty sharp for a road sixty feet wide. As soon as we started down my horse began to stand on end, for the horses galloped like fury to keep ahead of the logs which were 'sawing all over the road. I got so paralyzed and nervous that when we approached the turn I reined in too suddenly, leaving the two loggers on behind. Of course about twenty feet of the load hung off the last log. 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He yelled for gin, and in a calm, unobtrusive sort of way filled his glass to the brim. "See here, my friend," expostulated the bartender, "that is gin you are pouring out no water."

"Mister," he said in a hurt tone of voice, "do I look like a man who would drink that much water?"

THE BEST SALVE IN THE WORLD for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by W. E. Dement & Co.

CHOW. Does not make any second-class pictures at his New Gallery, No. 614, on the Broadway.

Syrup of Figs. Nature's own true Laxative. Pleasant to the palate, acceptable to the stomach, harmless in its nature, painless in its action. Cures biliousness, 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.

WHAT! Do You Think that "Jeff" of The Chop House Gives you a meal for nothing, and a glass of something to drink? "Not much," he gives a better meal and more of it than any place in town for 25 cents. He buys by the wholesale and pays cash. "That settles it."

For a Neat Fitting Boot. Or Shoe, go to P. J. Goodmans, on Cheamus street, next door to J. W. Case. All goods of the best make and guaranteed quality. A full stock; new goods constantly arriving. Custom work.

Notice. The complete fittings and furniture belonging to the establishment of Roscoe Dixon will be sold at private sale in whole or in part. Any person wishing to purchase will obtain full particulars by application to S. HARRIS, Assignee. Astoria, Oregon, Feb. 6th, 1885.

For Dyspepsia and Liver Complaint, you have a printed guarantee on every bottle of Shiloh's Vitalizer. It never fails to cure. Sold by W. E. Dement.

—All the patent medicines advertised in this paper, together with the choicest perfumery, and toilet articles, etc., can be bought at the lowest prices, at J. W. Case's drug store, opposite the Union Hotel, Astoria.

Private card rooms at Jeff's new saloon—"The Telephone."

Test Your Baking Powder To-Day!

Brands advertised as absolutely pure CONTAIN AMMONIA.

THE TEST: Place a can top down on a hot stove until heated, then remove the cover and smell. A chemical test will not be required to detect the presence of Ammonia.



DOES NOT CONTAIN AMMONIA. The healthiest and NEVER has Ammonia in its composition. THE TEST OF THE OVEN: Price Baking Powder Co., BOSTON.

Dr. Price's Special Flowering Extracts. The strongest, most delicate and natural flavor known.

Dr. Price's Lupulin Yeast Gems. For Light, Healthy Bread. The Best Dry Hop Yeast in the world.

FOR SALE BY GROCERS. CHICAGO. ST. LOUIS. LIGHT HEALTHY BREAD. Dr. Price's LUPULIN YEAST GEMS.

Price Baking Powder Co., Manufacturers of Dr. Price's Special Flowering Extracts, Chicago, Ill. St. Louis, Mo. For sale by CUTTING, MEYER & Co., Agents Portland, Oregon.

IF YOU WANT To Dress in Style! IF YOU WANT The Best of Goods! IF YOU WANT the Lowest Bed-rock Prices

BUCKLEN'S ARNICA SALVE. THE BEST SALVE IN THE WORLD for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by W. E. Dement & Co.

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C. H. COOPER'S SPECIAL ANNOUNCEMENT! A Great Reduction Sale in Men's OVERCOATS!

Table listing various men's overcoats and their prices, such as Blue Chinchilla at \$9.00 for \$7.00, Gray Mixed Reversible at \$13.50 for \$10.50, etc.

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

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\$67,000,000 Capital! GERMANIA BEER HALL AND BOTTLED BEER DEPOT, North British and Mercantile, Old Connecticut of Hartford, COMMERCIAL OF CALIFORNIA, Fire Insurance Companies, Representing a Capital of \$67,000,000. B. VAN DUSEN, Agent.

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