

The Daily Astorian.

ASTORIA, OREGON: TUESDAY, SEPTEMBER 3, 1890.

THE I. R. & N. CO., OLSEN CONTROVERSY.

TO THE EDITOR OF THE ASTORIAN:

In a late issue of THE DAILY ASTORIAN, reference was made to a recent decision by Judge Allyn, in the case of the I. R. & N. Co. vs. Andrew Olsen, wherein it was stated that Judge Allyn held that a man cannot, "without a previous agreement, specifically stated, collect money for a communication to a newspaper."

This statement credits Judge Allyn with having decided a question that did not arise in the case, and, inasmuch as the article has been copied and commented on by the Oregonian and other papers, it is but just to Judge Allyn that a correct statement of his decision should be published. The facts in the case were as follows: The company instituted an action against Olsen to recover the amount subscribed by him towards the construction of its road. Olsen, in his answer, alleged as a counter claim that at the special instance and request of the company, he had written and caused to be published in the Pacific Journal an article "taking grounds against the allowance of damages claimed by John Briscoe for right of way for said railroad through the land of said Briscoe," and that said company "promised and agreed to pay therefor so much as the same was reasonably worth," and that "the same was reasonably worth the sum of \$500." The company denied making any such contract.

At the trial Olsen testified that such a contract was made and that the object was to "excite the people against Briscoe's demand that he could not recover it," he also introduced in evidence a copy of the article he claimed to have published pursuant to the contract. In that article he represented himself as having no interest in the controversy other than as a citizen and property owner in the county, and as such desiring to see the road constructed for the common good.

The counsel for the company then moved the court to withdraw the testimony of Olsen concerning the alleged contract from the jury and to instruct them to return a verdict for the reason that the alleged contract was void as being against public policy, in this, (1st), that Olsen, while in truth acting for hire, for the purpose of deceiving the public and exerting an influence which he otherwise could not, represented himself, in the published article, as being actuated solely by a desire to forward the public welfare, and (2d) that the object of the published article was to prevent Briscoe from securing an impartial trial before a jury in a court of justice.

This motion Judge Allyn allowed, and directed a verdict accordingly. While the court did not discuss the question presented, the argument, as to the first proposition was this, that it is against public policy to permit a person to recover compensation for services rendered under false colors. That while possibly, one might legally contract to write and publish, for a compensation, an article to influence the public in favor of the claim of the party whose cause he advocates, it is his duty to disclose the fact that he is paid for his advocacy, or at least to refrain from disclaiming a mercenary incentive. As to the second ground, the argument was that any contract, the purpose of which is to improperly influence or prejudice those who may become jurors to pass on the demand in question, in a court of justice, is void.

X.

Fishing Troubles at Florence.

Meyer & Kyle, proprietors of the Florence cannery, and the Fishermen's protective union, of Siuslaw have not been able to agree on the price of fish during the fishing season. An informant states that the cannery proprietors offered 50 cents for large fish and 30 cents for small fish, while the union demands 60 and 40 cents. A short time since Meyer & Kyle imported a number of Columbia river fishermen and started them to fishing last week. Members of the union thereupon went in boats, compelled the occupants to desist fishing, took up their nets and piled them in their boats. Mr. Kyle one of the proprietors came out to Eugene, Monday to secure protection in the matter, but we learn the authorities would do nothing without a warrant being issued. Attorney Geo. A. Dorris started down Wednesday morning to render legal advice in the premises.

From J. R. Sloan, who arrived from Florence Wednesday night, we learn that everything on the river is quiet but no fishing is being done. He says the river is full of splendid large salmon which can be seen jumping on every side. It is to be hoped that the matter will be settled amicably.—Eugene Guard, Aug. 31.

AN UGLY DISCOVERY.

A Report That Should Be Read. A recent analysis in Philadelphia by a celebrated chemist of ten popular brands of sarsaparilla discloses the astonishing fact that these ten samples of blood purifiers (7) contained in the aggregate sixteen different minerals, eleven of which were active poisons. Iodide of potash was discovered in every sample, mercury was found in all but two, while arsenic existed in six of the ten brands. Not one brand was the pure article.

A reporter took the above clipping to E. W. Joy, the manufacturer of Joy's Vegetable Sarsaparilla. Mr. Joy exhibited no surprise. He said druggists knew it. He said he long ago saw the crying need for a safe and absolutely pure vegetable preparation of Sarsaparilla, hence his was named Joy's vegetable sarsaparilla, because it contained nothing but pure sarsaparilla, combined with the purest of California's vegetable tannin. Unlike Iodide of Potash, it does not force impurities through the skin, but stimulates the various secretory organs, thereby correcting functional derangements and eliminating all impurities through the natural channels.—See Private Examiner.

THE CHARLESTON.

WASHINGTON, Sept. 2.—A telegram received by the secretary of the navy from the Union Iron Works expresses confidence that the contract horse-power of the Charleston has been exceeded. The estimated horse-power of 6,700 was made so as to come within the actual facts. The cards have not yet been worked out, but an esti-

TELEGRAPHIC.

Specials to The Astorian.

The Queen's Speech to Parliament.

Latest News From London and Paris.

McKinley Opposes an Extra Session.

Sandy Olds Brought into Court Yesterday.

LONDON, Sept. 2.—Parliament is prorogued. The queen's speech is as follows: My Lords: It is with great satisfaction I release you from the labors of a protracted session.

My relations with other powers are most cordial, and since the beginning of the session nothing has happened to diminish my confident expectation that the peace of Europe will remain unbroken.

The only exception to the tranquil course of events has been the partial attempts of the Mahdists to invade the southern frontier of Egypt.

The conference at Berlin has agreed upon a convention regulating the government of the Samoan islands. The instrument has been accepted by me and by the German emperor, and now awaits the assent of the American senate.

At my suggestion the king of the Belgians has consented to summon a conference of the European powers at Brussels to consider the slave trade by land and sea, and deliberate upon measures arresting or mitigating the evils.

An agreement has been reached whereby controversies with France, concerning boundaries, and possessions on the west coast of Africa, have been adjusted.

The queen announced a new postal telegraph convention with France and Germany, and also alluded to the educational act for Wales, and railway extensions in Ireland, and said that signs of growing prosperity were everywhere noticeable in the kingdom.

Addressing the commons, she said that measures have been taken to strengthen the naval defenses and make more complete the security of peace. She approved the act reforming the local government of Scotland, and expressed much regret at the failure to pass a bill conferring a responsible government in western Australia. She trusts this very desirable object will be effected at an early period.

ANNIVERSARY FETE.

PARIS, Sept. 2.—M. Alphonse, the distinguished engineer, is busy organizing the proposed fete in honor of the three hundred and ninety-seventh anniversary of the discovery of America. On that occasion the American and West Indian delegates to the exposition will march in procession to the residence of president Carnot to express their gratitude to France, and will thence proceed to the Hotel de Ville. The fete will conclude with a procession of boats similar to those of Columbus, to the Isle des Cygnes, where the statue of Liberty will be saluted.

TO DEFEND THE CHRONIN CONSPIRATORS.

CHICAGO, Sept. 2.—It is claimed by friends of the murdered Dr. Cronin that the old triangle camp of the Clan-na-Gael has made assessments to raise funds to defend the men under indictment for his murder.

OPPOSING THE EXTRA SESSION.

DEER PARK, Md., Sept. 2.—Congressman McKinley called on President Harrison yesterday. The two discussed the advisability of convening congress in an extra session. McKinley thinks an extra session is inadvisable and that congress could not be well assembled after hearing from four new states before November 1st and then there would be but four working weeks and that if by the death of Republicans or the election of new members the majority be with the Democrats, the president would, in calling an extra session, assume the responsibility for their actions, while this would not be the case in the regular session.

RAILROAD INTERESTS.

PHILADELPHIA, Sept. 2.—The Press says: Rockefeller is probably the largest owner of Northern Pacific stocks to-day, and has enormous interest in the Wisconsin Central and other companies identified with the Northern Pacific. There is no doubt that Rockefeller and the Standard Oil company, who are friends as well as leading capitalists of New York, Boston, Philadelphia and abroad, are helping Villard in his movement, or that they have some great and important plans which have not yet been developed.

BOGUS MONEY.

St. JOSEPH, Mo., Sept. 2.—A farmer named Robinson has been arrested for disposing of counterfeit money. He confessed that he was one of a gang of agents for the counterfeiters recently raided near Dayton, Ohio. He states that \$50,000 in counterfeit \$10 bills had been distributed among agents around this city. Later in the day a deputy arrested two other persons implicated. More arrests are expected.

SWEDISH COUNTERFEITS.

NEW YORK, Sept. 2.—Zimmerman and Fosbury of this city claim to have discovered a large number of counterfeit fifty-kroner notes of the Enskilda bank of Sundsvall, Sweden, dated 1875. The notes now offered come from San Francisco. The bills are a fair imitation, and have been received in exchange. Bills amounting to 10,000 kroners have been traced.

THE CHARLESTON.

WASHINGTON, Sept. 2.—A telegram received by the secretary of the navy from the Union Iron Works expresses confidence that the contract horse-power of the Charleston has been exceeded. The estimated horse-power of 6,700 was made so as to come within the actual facts. The cards have not yet been worked out, but an esti-

mate based on the boiler performance gives the indicated horse-power greatly in excess of the contract requirements.

POINTERS FROM PORTLAND.

PORTLAND, Sept. 2.—S. Ham, steward on the steamer Columbia was arrested when the vessel arrived in port last night, on a warrant charging him with stealing. For some time Ham has been suspected, and recently a detective went to his ranch in Washington county, and discovered a great lot of articles easily identified.

RICHARD IS TOUCHED.

Richard Walker, of Tacoma, the heir whom the press has criticized for having allowed his desire to gain possession of the property of his mother, bequeathed to him, to involuntarily cause the publication that she was a fallen woman, has written a long letter to the Telegram from Tacoma, in which he displays considerable feeling and says he will soon be in Portland when he will expose those who have been attempting to swindle him. He says of his mother, "She has a place deep in my heart. I will keep her there with all her faults, with my wife and two dear little boys, till such time as the Almighty calls me to take my stand with a woman of the town."

BOUGH ON MARY, EITHER WAY.

Mary E. Taden to-day began a divorce proceeding against her husband, who has threatened to kill her and himself if she secures a decree. Taden is employed in Weidler's saw mill.

SOME VALUABLE ORE.

E. O. Smith is exhibiting a box of magnificent surface croppings from his gold mine located at Golden City, on the north fork of the Santiam. The croppings assay \$24.17 to the ton, and the rock taken from a five-foot ledge at a depth of two hundred feet averages \$26 to the ton.

THE WRETCHED MURDERER.

This morning two departments of the circuit court resumed business after a recess since July 20. Sandy Olds, convicted of murder in the first degree for the killing of Emil Weber, was brought into court so that some time might be fixed to dispose of the case. Judge Stearns allowed Olds' counsel till Monday next to move for a new trial or file a bill of exceptions. If neither is done at that time the death sentence will be pronounced upon the defendant. Olds looked quite haggard and pale, his formerly smooth shaved chin is now hidden beneath a heavy growth of beard and his hair has grown quite long. The prisoner's eyes are sunken and dim. While in the court room he looked neither right nor left, and he seemed very apathetic. Olds bears the appearance of one now that the flame of excitement attendant upon his crime and subsequent trials have been extinguished, who realizes the future has no sunshine in store for him.

Hood's Sarsaparilla

Is carefully prepared from Sarsaparilla, Dandelion, Mandrake, Dock, Pipsissewa, Juniper Berries, and other well-known and valuable vegetable remedies, by a peculiar combination, proportion, and process, giving to Hood's Sarsaparilla curative power not possessed by other medicines. It effects remarkable cures where others fail.

Hood's Sarsaparilla

Is the best blood purifier. It cures Scrofula, Salt Rheum, Boils, Pimples, all Humors, Dyspepsia, Biliousness, Sick Headache, Indigestion, General Debility, Catarrh, Rheumatism, Kidney and Liver complaints; overcomes That Tired Feeling, creates an appetite, builds up the system.

Hood's Sarsaparilla

Has met unparalleled success at home. Such is its popularity in Lowell, Mass., where it is made, that Lowell druggists sell more of Hood's Sarsaparilla than all other sarsaparillas or blood purifiers. The same success is extending all over the country.

Hood's Sarsaparilla

Is peculiar in its strength and economy. It is the only preparation of which can truly be said "100 Doses One Dollar." A bottle of Hood's Sarsaparilla taken according to directions, will last a month.

Hood's Sarsaparilla

Is peculiar in the confidence it gains among all classes of people. Where it is once used it becomes a favorite family remedy. Do not be induced to buy other preparations. Be sure to get the Peculiar Medicine.

Hood's Sarsaparilla

Sold by druggists. \$1.00 per bottle. Prepared by C. I. HOOD & CO., Apothecaries, Lowell, Mass. 100 Doses One Dollar

NEW TO-DAY.

Notice.

ALL PERSONS KNOWING THEMSELVES indebted to me will please call at the old stand and settle with Messrs. Noe & Scully at once, to save costs. J. A. MONTGOMERY.

Dissolution of Partnership.

THE FIRM OF BERGMAN & CO., IS this day dissolved by mutual consent. I, BERGMAN, resign from the firm. All bills that are due by the old firm to any one will be paid upon presentation at the office. All persons knowing themselves indebted to the old firm are requested to make immediate settlement of the same. I, BERGMAN, H. CHRISTIANSEN. Astoria, Or., Sept. 3rd, 1890.

O. C. WILLIAMS.

WILLIAMS & STONE

Have taken charge of the

Parker House

DINING ROOM AND

RESTAURANT.

The Dining Room and Restaurant will be run on the European plan.

Fresh Oysters, Clams and Crabs

In season, served daily.

Best 25-cent Dinner in the City.

On Thursdays Only.

MRS. DR. OWENS-ADAIR MAY BE consulted by those desiring medical aid, at her rooms at Mrs. Rucker's, in the Home building on Thursdays, from 11 A. M. to 3 P. M.

J. H. MANSELL, REAL ESTATE BROKER, NOTARY PUBLIC FOR STATE OF OREGON. City Lots and Acre Property, Ranches, Timber Lands, and Water Frontage for Sale. Investments made for Outside Parties. Established, 1883. Correspondence Solicited. Next W. U. Telegraph Office. P. O. BOX 863.

City Book Store. GET YOUR SCHOOL BOOKS EXCHANGED AT

Griffin & Reed's Robb & Parker, PROPRIETORS OF EAST ASTORIA. \$50 PER LOT.

The New Model Range E. R. HAWES, Buck Patent Cooking Stove, FURNACE WORK, STEAM FITTINGS, ETC., A SPECIALTY. A FULL STOCK ON HAND. WALL PAPER AND CEILING DECORATIONS! CARPETS, New Smyrna Rugs, Portiere Curtains, China Matting, Etc., Etc. Call and examine.

H. B. PARKER, FIRE BRICK, FIRE CLAY, Hay, Oats, and Straw, Lime, Brick, Cement, Sand and Plaster. Wood Delivered to Order. Draying, Teaming and Express Business. STEAMER CLARA PARKER, Eben P. Parker, Master. For TOWING, FREIGHT or CHARTER apply to the Captain, or to H. B. PARKER.

Boots and Shoes! Of Best Quality, and at LOWEST PRICES. AT THE SIGN OF THE GOLDEN SHOE. JOHN HAHN.

New York Novelty Store. ALL THE LATEST NOVELTIES. Blank Books Stationery.

J. Strauss & Co.

Your Money's Worth IS WHAT YOU GET AT Foard & Stokes Groceries and Provisions. Everything in a First-class Store and at Extremely Low Figures. Goods Delivered all over Town. The Highest Price Paid for Junk. FOARD & STOKES

A. V. ALLEN, WHOLESALE AND RETAIL DEALER IN Groceries, Provisions and Mill Feed. Crockery, Glass & Plated Ware. The Largest and finest assortment of Fresh Fruits and Vegetables. Received fresh every Steamer.

JEFF'S Is the Leading and Only First-Class RESTAURANT. Good Cooking. Clean Services. Reasonable Prices. Polite Waiters. Prompt Attention. Try Him and You will be More than Satisfied. Private Rooms. MAIN STREET, ASTORIA. CHRIS. EVENSON, F. COOK

Central Hotel EVENSON & COOK. On the European Plan. LARGE CLEAN ROOMS. A FIRST-CLASS RESTAURANT Board by the Day, Week or Month. Private Rooms for Families, Etc. Transient Custom Solicited. Oysters, Fish, Meals, Etc., Cooked to Order. WATER ST., Opp. Foard & Stokes

PARKER HOUSE. First Class in Every Respect. Thoroughly Renovated and Repaired throughout: 87 large, sunny rooms. TWO DINING ROOMS. Tables supplied with everything the market affords. Fine Bar and Billiard Room: choice brands Wines, Liquors and Cigars. Free Coach to and from the House. A Fine Sample Room for Commercial Travelers. JUSTUS EDWARDS, DAVE KENNEDY, KEENEY & EDWARDS, PROPRIETORS OF THE

MOORE'S NEW Theatre Comique! This Week, the Largest Show on the Coast. Headed by the World's Renowned Trapeze Performers. THE EDGERTONS Also, the Great and Only CHAS. COWLES The New York Favorite The Yankee Clod Hopper In Connection With HANSON & MORTON'S Enormous Minstrel and Specialty Co. Ella Hewitt AND May Williams And Their Troupe of British Blondes.

Thompson & Ross AND get some of those No. One California Canned Fruits AND VEGETABLES. We Are Selling Cheap