

THE CIRCUIT COURT.

Cases Heard and Set for Trial—Report of the Grand Jury.

The circuit court met yesterday morning at 9:30, the case of the State of Oregon vs. May Ross being called. Defendant pleaded not guilty, and the case was set for trial on Tuesday, the 27th.

Charles Lawrence pleaded guilty to larceny and was sentenced to a term of one year in the penitentiary, and ordered to pay the costs of the action.

In the case of the State of Oregon vs. Charles Henry, charged with assault with a dangerous weapon, defendant was given until tomorrow to plead.

William Thomas, indicted for larceny, pleaded not guilty, and the case was set for trial.

At this point in the proceedings the jurors not in the Olsen case were excused until tomorrow morning.

Decree for plaintiff was granted and an order dismissing as to the Astoria Iron Works in the case of the Astoria Savings Bank vs. Eliza J. Hustler et al.

The case of Charles Olsen vs. M. M. Walker was next called and the following jury sworn: E. P. Noonan, C. Bradbury, W. J. Loomis, W. J. Denver, Gust Holmes, C. E. Anderson, August Juhra, A. J. Hill, E. B. Stoner, R. W. Warnstaff, John Bencke. The witnesses sworn were the plaintiff, J. L. Carlson, Edward Hallock and H. Ekstrom. The facts in the case are familiar to all readers of the Astorian, having been before the public at intervals during several months, and having occupied a prominent part in the proceedings of the city council. Plaintiff was represented by George Noland, and Dr. Walker by J. H. Smith, C. J. Curtis and F. M. Hughes. The case was dismissed as to the city, the court holding that the responsibility for the burning of Olsen's trunk and effects at the time of the smallpox scare rested elsewhere. Much of the afternoon was occupied by the argument of counsel.

The grand jury then came into court and returned a true bill against Andrew Eskola, charging him with the crime of assault. The report of the jury was as follows:

"In the circuit court of the State of Oregon, for Clatsop county: To Hon. Thomas A. Melville, Judge of the above-named court:

"We, your undersigned grand jury to the February, 1894, term of said court having now finished our investigations make this our final report and respectfully represent:

"That we have carefully investigated all charges of crime that have been presented to us, and have disposed of the same in such manner as we deemed warranted by the evidence.

"We visited and inspected the county jail, and found it clean and well kept and the prisoners therein well treated and kindly cared for.

"Statements having been made in the local press that May Ross, who is now confined in the county jail, has not been properly cared for by the sheriff and his deputies, we carefully investigated this matter, and found that during the time May Ross has been confined in the county jail she has been properly cared for and that all statements to the contrary are without foundation.

"We found that the partition wall in the county jail has settled so that the floor has to be cut away in order to open the door, and that the roof leaks. We recommend that the county court have these necessary repairs made as soon as possible.

"We visited the city jail and found it in good condition.

"We visited St. Mary's hospital which by contract is the county hospital, and with other grand jurors in commending its excellent management and the care and attention bestowed upon the unfortunate inmates.

"We visited the various county offices and found the records and books neatly kept, and each of the county officers efficiently performing the duties of his office. The books of the clerk, sheriff and treasurer having been expertly by the last grand jury, and it not being necessary for us to remain in session over five days to attend to all the criminal business which came before us, we did not deem it necessary for us to have the books experted at this time, and thereby prolong our session, but left the matter of experting the books to the next grand jury.

"And now, having completed our labors, we ask to be discharged.

"WM. E. JOPLIN, Foreman. MICHAEL DEVEREUX, THOS. J. WHERRY, WM. PORTER, L. LEBACK, G. P. BROWER, CHARLES ROGERS."

Judge Melville complimented the jury in flattering terms for their diligence. His honor stated that during all his experience he had never known a grand jury to be more expeditious and at the same time painstaking in the discharge of their duties, and concluded with the remark that the taxpayers of the county had reason for congratulation. The jury were then ordered discharged.

In the case of Eva Waldman vs. Theodore Brecker, a motion to amend complaint was argued and allowed.

Andrew Eskola was arraigned, and by his attorneys, Fulton Bros., asked that he be given until Monday morning to plead. An order was made to that effect.

ATTENDANCE AT THE FAIR. San Francisco, Feb. 24.—The admissions to the mid-winter fair today were 12,282.

NORTH CAROLINA'S SENATOR. Raleigh, N. C., Feb. 24.—Senator Vance is hopelessly ill.

Guano used to cure Bilious Attacks and Constipation, Small Bile Beans.

THE RAILROAD SITUATION.

Some of the members of the subsidy committee who went to Portland to interview Messrs. Baxter, Dickinson et al., returned yesterday morning, and report that the prospects are favorable for the beginning of work at an early date.

Mr. Baxter is understood to be willing to sign the contract at once, if the Astoria people will guarantee the right of way to Goble. No time will be lost in waiting upon the various owners of land along the river, and "dirt may be flying" before the first of April. The Flavel syndicate will subscribe to the subsidy on terms acceptable to Mr. Baxter and his associates, and to all appearance there is nothing that can now prevent the building of the road.

SCHOOL ELECTION. Notice is hereby given to the legal voters of the school district comprising the city of Astoria, that there will be held in said district an election on the second Monday in March, being the 12th day of March, 1894. Polls to be kept open from 2 o'clock p. m., till 6 o'clock p. m., of said day. This election is called for the purpose of electing one director to serve said district.

Polling places—Engine house of Iteau Co. No. 2; Judges, J. H. D. Gray, N. Clinton, C. H. Stockton; clerk, H. G. Smith.

Engine house of Engine Co. No. 1; Judges, P. A. Trullinger, Chas. Wilson, Victor Mikolaj; clerk, P. Shistad.

Ross, Higgins & Co. Uppertown store. Judges, Charles Goddard, Fred Wright, P. C. Reed; clerk, Wm. Young.

By order of the Board of Directors of School District No. 1. J. W. CONN, Chairman. H. B. FERGUSON, Clerk. Dated at Astoria, Ore., this 24th day of February, A. D. 1894.

CEAR STREET GRADE NOTICE. Notice is hereby given that the common council of the City of Astoria proposes to establish the grade of Cedar street, Alderbrook, in the City of Astoria, Oregon, at the following heights above the base of grades established by Ordinance No. 71, entitled "An ordinance establishing a base of grades for the streets of the City of Astoria, as follows, to-wit:

At intersection with the west boundary of the Shortest D. L. C. 24

At crossing of First street, 24

At crossing of Second street, 25

At crossing of Third street, 27

At crossing of Fourth street, 27

And unless a remonstrance signed by the owners of three-fourths of the property fronting on said portion of said street be filed with the Auditor and Police Judge within ten days from the date of publication of this notice, to-wit: On or before Tuesday, March 20th, 1894, the common council will establish said grade.

By order of the Common Council. K. OSBURN, Auditor and Police Judge. Astoria, Oregon, Feb. 24, 1894.

BIRCH STREET GRADE NOTICE. Notice is hereby given that the common council of the City of Astoria proposes to establish the grade of Birch street, in the City of Astoria, Oregon, at the following heights above the base of grades established by Ordinance No. 71, entitled "An ordinance establishing a base of grades for the streets of the City of Astoria, as follows, to-wit:

At crossing of Birch and First street, 23

At crossing of Birch and Second street, 23

At crossing of Birch and Third street, 23

At crossing of Birch and Fourth street, 23

And unless a remonstrance signed by the owners of three-fourths of the property fronting on said portion of said street be filed with the Auditor and Police Judge within ten days from the date of publication of this notice, to-wit: On or before Tuesday, March 20th, 1894, the common council will establish said grade.

By order of the Common Council. K. OSBURN, Auditor and Police Judge. Astoria, Oregon, Feb. 24, 1894.

SALE. Notice is hereby given that on Monday, the fifth day of March, 1894, at ten o'clock a. m., in Astoria, Oregon, and on the premises, I will sell to the highest bidder, for cash, the following property, to-wit:

One engine and boiler; one Hoarston mangle machine; one Povey planer; one hand-saw and rig; one mortise machine; one high-speed dado machine; one turning lathe, and the frame building 30x60 feet, situated on lot five, block 3, in the town of Astoria, as laid out and recorded by John McClure, in Clatsop County, Oregon. Said machinery being situated in said building. This is done to make the sum of \$2,250. Will be sold for one-third of the value, or one-half per cent per annum interest, or since August 24th, 1893, and costs, and attorney fee of one hundred dollars, and by virtue of a chattel mortgage executed by Harry Crabb and J. J. Laddie to the Astoria Savings Bank, August 24th, 1892, and subsequently duly assigned and transferred to me.

Astoria, Oregon, Feb. 23d, 1894. J. W. McCREGOR, Auctioneer.

STANDS WITHOUT A RIVAL. Gentlemen: I have been troubled with very severe headaches for years and have taken a great many different remedies, but have never found any thing to give me as speedy and permanent cure as Krause's Headache Capsules. In my opinion they stand with out a rival; they have cured me in every case. JNO. N. WILKIE, 36 Adams ave., West, Detroit, Mich. For sale by Chas. Rogers, sole agent, Astoria, Oregon.

PROVEN A BOON. Gentlemen:—I have always recommended Krause's Headache Capsules wherever I have had a chance to do so. My wife and myself have both used the medicine manufactured by the Norman Lichy Mfg Co., and we recommend them to the public as being just what they are represented.

J. E. WALTER, Leavenworth, Kansas. For sale by Chas. Rogers, Astoria, Oregon, sole agent.

ENDORSED BY THE PRESS. Gentlemen:—This is to certify that I have used Krause's Headache Capsules with satisfactory results. I bought a box which cost me 25c, and one capsule cured me of a dreadful sick headache. My wife and myself have both used the medicine manufactured by the Norman Lichy Mfg Co., and we recommend them to the public as being just what they are represented.

W. J. HUTCHISON, Ed. Gazette, Pleasant Hill, Mo. Twenty-five cents, for sale by Chas. Rogers, Astoria, Or., sole agents.

ORDINANCE NO. —

An Ordinance Providing for Taxing, Licensing and Regulating Bars, Rooms and Drinking Shops and Places Where Liquors Are Sold Within the City of Astoria.

The City of Astoria does ordain as follows: Section 1. That no person or persons shall, in the City of Astoria, Clatsop County, Oregon, either directly or indirectly, in person or by another, sell, barter, trade, or otherwise, for the purpose of being sold by another, or for or on his account, or otherwise, any wine, malt or spirituous liquors in less quantities than one gallon, without first obtaining a license so to do from the City of Astoria, in the manner in this ordinance hereinafter provided. Provided, that nothing in this ordinance shall be construed to apply to the sale of liquors for medicinal purposes, made by a regular licensed pharmacist upon a prescription therefor made by a regular licensed physician or surgeon, in the regular course of such physician's or surgeon's practice to a patient, and for medicinal purposes only.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police judge, shall be fined not less than Twenty-five Dollars, and if imprisoned in the city jail until such fine be paid, not to exceed One Hundred days. And it is hereby made the duty of the Chief of Police to cause compliance to be made with the provisions of this ordinance, and every violation of the provisions of this ordinance, and such violation must be prosecuted by such attorney.

Section 2. Every person applying for a license to sell wine, malt or spirituous liquors, in less quantities than one gallon, under the provisions of this ordinance, shall pay into the city treasury the sum of Five Hundred Dollars per annum, and in no case shall a license be issued for a less period than one year, and no license shall be in any manner transferable. Provided, further, that the Common Council shall have the right to revoke a license at any time.

Section 3. Before a license shall issue, as provided in this ordinance, the applicant shall petition the Common Council in a proper manner provided in Section 4 of this ordinance, and shall also, with said petition, present to the Common Council a bond in the sum of Five Hundred Dollars, with two or more solvent sureties, payable to the City of Astoria, conditioned that the applicant shall keep an orderly house, and will in all things comply with the provisions of this ordinance during the period of the year from the date of such license. Attached to said petition shall be a affidavit, verified by the oath of the applicant, to the effect that they are freeholders of the City of Astoria, and are in the aggregate worth the sum of One Thousand Dollars, and above all just debts and liabilities, exclusive of property exempt from execution. The applicant shall also present with such petition and bond, a receipt of the City Treasurer for the amount of money deposited for such license, to-wit: \$500.

Section 4. The petition required by this ordinance shall state: 1st—The name of the applicant. 2nd—Whether such applicant has become a resident of the City of Astoria, Oregon, and if so, at what time such license has or does expire. 3rd—The number and street where such house is situated where the liquors are to be sold. Such petition shall be verified by the applicant, or if more than one, then by one of said applicants, stating that such petition is true.

The receipt of the Treasurer mentioned in Section 3 of this ordinance shall state that the amount paid by such applicant is paid for liquor license, to be refunded in case the Common Council shall refuse to grant the petition of the applicant, otherwise upon the issue of such license, and shall be the duty of the City Attorney to prosecute the applicant for such applicant for any violation of its provisions.

Section 5. Any keeper of a bar-room or drinking shop, or place where liquors are sold, who shall permit any breach of the peace or disturbance of public order or decorum, by noisy or disorderly conduct on the premises, when it is in his power to prevent the same, or who shall sell or give any intoxicating liquors to any person already intoxicated, or to any person under the age of legal majority, or who shall allow or permit any minor to remain in or about any bar-room or drinking shop, or place where liquors are sold, or who shall permit any theatrical or minstrel show, exhibition or concert to take place in such bar-room or drinking shop, or place where liquors are sold, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Police Court, shall be fined not less than twenty-five nor more than fifty dollars, or both, in the discretion of the court, and shall forfeit the license to such bar-room, or drinking shop or place where liquors are sold.

Section 6. Each and every place where wine, malt or spirituous liquors are sold, bartered or delivered, shall be deemed a bar-room, or drinking shop or place where liquors are sold, under the provisions of this ordinance.

Section 7. Each and every person having a license under the provisions of this ordinance shall exhibit the same at all times, while the same is in force, in his or her place of business, and persons violating the provisions of this section shall, upon conviction thereof before the Auditor and Police Judge, be fined not less than twenty-five nor more than fifty dollars, or by imprisonment in the city jail not to exceed twenty-five days.

Section 8. Ordinance No. 1222, entitled "An ordinance providing for licensing and regulating bars, rooms and drinking shops within the corporate limits of the City of Astoria, Clatsop County, Oregon," approved March 11th, 1891, be and the same is hereby repealed.

Section 9. This ordinance shall take effect and be in force from and after the passage and approval by the Mayor, or President of the Council.

Attest: K. OSBURN, Auditor and Police Judge. Approved February 15, 1894. ALFRED KIRKBY, Mayor.

NOTICE

Of Completion and Acceptance of Young's Bay County Road.

Notice is hereby given that M. Kronquist, contractor, on Young's Bay county road, under the provisions of Ordinance No. 1844, do on the 18th day of February, 1894, file in the office of the Auditor and Police Judge of the City of Astoria, the certificate of the Superintendent of Streets and the City Surveyor, approved by the Committee on Streets and Public Ways.

After the expiration of the time hereinafter specified, if no objection to the acceptance of such work be filed, and the Common Council shall deem such improvement properly completed according to the contract and plans and specifications therefor, the same may be accepted.

Objections to the acceptance of said work, or any part thereof, may be filed in the office of the Auditor and Police Judge on or before Tuesday, February 27, 1894.

K. OSBURN, Auditor and Police Judge. Astoria, Ore., Feb. 16, 1894.

FOURTH STREET GRADE NOTICE. Notice is hereby given that the Common Council of the City of Astoria proposes to establish the grade of Fourth street, in the City of Astoria, Oregon, as laid out and recorded by John Adair, at the following heights above the base of grades established by ordinance No. 71, entitled "An ordinance establishing a base of grades for the streets of the City of Astoria, as follows, to-wit:

At intersection with Anger avenue, 22 1/2

At intersection with Abernethy, 22 1/2

At intersection with Bonville, 23 1/2

And that the grade of the intervening streets be a straight line between the crossings mentioned.

And unless a remonstrance signed by the owners of three-fourths of the property fronting on said portion of said street be filed with the Auditor and Police Judge within ten days from the date of publication of this notice, to-wit: On Monday, March 12th, 1894, the common Council will establish said grade.

By order of the Common Council. K. OSBURN, Auditor and Police Judge. Astoria, Ore., February 16, 1894.

CHIEF OF POLICE SALE. Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against NANCY WELCH, Commanding me to levy upon the north 12 1/2 feet, of lot 12, in block numbered 58, assessed to Nancy Welch, in that portion of said City of Astoria, Oregon, upon which an assessment of \$52.50 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled "An Ordinance declaring the probable costs of improving West Eighth street, approved August 6th, 1891. I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894. C. W. LOUGHERY, Chief of Police for the City of Astoria.

CHIEF OF POLICE SALE. Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against MARY MORGAN, Commanding me to levy upon lot No. 7, in block numbered 89, assessed to Mary Morgan, in that portion of said City of Astoria, Oregon, upon which an assessment of \$98.00 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled "An Ordinance declaring the probable costs of improving West Eighth street, approved August 6th, 1891. I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894. C. W. LOUGHERY, Chief of Police for the City of Astoria.

CHIEF OF POLICE SALE. Notice is hereby given that by virtue of a warrant issued by the Auditor and Police Judge of the City of Astoria, to me directed, dated the 20th day of January, 1894, and against JOHN M. SHIVELY, in Clatsop county, Oregon, upon which an assessment of \$98.00 is unpaid, assessed for the improvement of that portion of West Eighth street, in said city, between the south side of Water street and the southern limits of the city, approved March 11th, 1891, which assessment is declared and assessed upon said lot by Ordinance No. 1433 of said city, entitled "An Ordinance declaring the probable costs of improving West Eighth street, approved August 6th, 1891. I have this day levied upon said above described property, and on Tuesday, March 20th, 1894, at 2 o'clock p. m. of said day, in front of the Court House door, in said City of Astoria, County of Clatsop and State of Oregon, will sell said property to the highest bidder therefor, to pay said assessment, together with costs and expenses of sale. Dated Astoria, Oregon, February 19th, 1894. C. W. LOUGHERY, Chief of Police for the City of Astoria.

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