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EXCLUSIVE TELEGRAPHIC PRESS REPORT.

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ASTORIA, OREGON: WEDNESDAY MORNING, MARCH 31, 1897.

NO. 71

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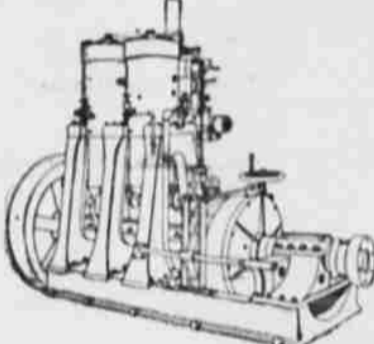
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It is the Best, the Strongest and Longest-Lasting Twine Made...

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Using gasoline or cheap distillate oil. Engines connected direct with propeller shaft, and no noisy, easily broken bevel gears used in reverse motion.

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Union Meat Company Shield Brand Hams, Bacon, Strictly Pure Lard ALL KINDS OF CANNED MEATS

The Columbia Iron Works ... FOUNDRYMEN ...

Blacksmiths, Machinists, and Boiler-makers

Ross, Higgins & Company GROCERS and BUTCHERS

R. L. Boyle & Co. Real Estate, Loans and Investments

The Palace Cafe... Is the Place for a Good Meal--Eastern Oysters

Astoria Roofing & Cornice Co. Gravel, Tin and Slate Roofing

Clarkson & McIrvin Boom Company LONG FIR PILING Promptly Furnished

Astoria Asphalt & Roofing Co. All Work Guaranteed

J. A. FASTABEND General Contractor House, Bridge and Wharf Builder--House Moving Tools for Rent

THE REBUTTAL TESTIMONY IN

Mislead Documents Concerning Smith's Point Road Found By County Clerk.

ROAD IS STILL A COUNTY ROAD

City Attorney Files Another Opinion, Which Endorses Action of Street Committee--Interview With Mr. G. C. Fulton.

Astoria, March 30.--(Editor Astorian.)--In your issue of this morning is given a letter from Jas. W. Welch, oracle of the city council, on the subject of "Smith's Point Road."

FRANK L. PARKER, Chairman Committee on Streets and Public Ways.

OPINION OF CITY ATTORNEY.

Hon. F. L. Parker, Chairman Committee on Streets and Public Ways. In reply to your request for an opinion as to the status of the Smith's Point road, I beg leave to submit the following report:

In December, 1888, an attempt was made on the petition of the Peninsula Land & Trust Co. to have the county road around Smith's Point vacated.

The petition is signed by twelve householders, but is defective in that it does not describe the road, either the commencement, terminus or intermediate points.

But the petition and the notice being insufficient, as required by the laws of Oregon, conferred no jurisdiction on the county court to vacate the road, and all proceedings thereunder are therefore void.

After a careful examination of all the papers and the law bearing on the question, although not as clear in my mind as it should be, I am however, of the opinion that the county road around Smith's Point has never been legally vacated and that it still exists as a county road.

A reporter from the Astorian called upon Mr. G. C. Fulton and inquired if he had read Councilman Welch's letter in the Astorian. Mr. Fulton said that he had, and was surprised that Mr. Welch had considered it necessary to charge "jobbery" and "mysterious disappearance" of certain papers relating to this road.

their fellow officers, even though it be on a question of law, without charging "jobbery." "Mysterious disappearance" of papers that have been mislaid. If any such party has knowledge of facts or evidence tending to justify such a charge, he should immediately acquaint the public with the same, and having it, if he fails to do so, he is in my judgment wholly unworthy of such office, and the same can be truthfully said if, in making such a grave charge, he is not possessed of such facts or evidence.

Fortunately, in this controversy there is no occasion whatever to make charges of jobbery or mysterious disappearance of papers. The Astoria Iron Works, one of the most energetic and enterprising of our citizens, has, by its energy and business ability, procured a contract to make certain repairs upon the government steamer Manzanita. In order to complete this contract it will necessitate the expenditure of many thousands of dollars in this city, and the giving of a large amount of employment to a large number of our laboring men. It is a fact that, although the natural point for the construction of the ways whereon to place vessels and repair the same is at Astoria, none have been built there; and in order to complete this contract it is necessary to construct ways, which also involves the selection of some advantageous point.

Now, permit me to say right here that had some person not residing or doing business here secured this important contract, and had such contractor even suggested the possibility of doing the work here, and building ways that could be used in the future for like work, there would have been held a meeting of the business men, a subsidy would have been raised and grounds dedicated or purchased, and in my humble judgment no breath or suspicion would have been raised that there no longer existed a road at Smith's Point.

The whole truth about this matter can be stated in a very few words. At the request of the iron works I made an examination of the records to ascertain whether, in my judgment, the Smith's Point road had been vacated. This being the first time that I had my attention called to it, I immediately examined the record, but could not then find the original petition, or proof of posting notice of the hearing thereon.

The county clerk was then very busily engaged with the county commissioners. I finally abandoned the search, with the promise from the officials to continue the search at some convenient time, and confined my examination to the records. The result of my investigation is found in my opinion, which has been published--which, by the way, was not intended to be and was not written for that purpose.

Now mark what follows. The clerk has found the original papers--found them where they were placed by the former clerk in the court house, and found them all together. No person, excepting he who wrongfully desired the proceedings relating to the vacation of this road should be suppressed, to the end that the same would be held not a county road, could possibly desire them to "mysteriously" or otherwise disappear, for the original papers show beyond controversy that there still does exist the Smith's Point road, as originally laid out. It appears from the original papers--

1. That the petition to vacate the road does not describe the beginning, intermediate points or terminus of the road to be vacated, but simply describes it as the "Smith's Point road." The statutes provide that this petition must describe the beginning, intermediate points and termination of the road to be vacated.

PARTY FEELING RAN VERY HIGH

During the Last Day's Debate On the Tariff Bill in the House.

DEMOCRATS TRY TO OBSTRUCT

But Not Very Successful--Senator Corbett's Certificate Amended--Railroad Pooling Bill Introduced By Foraker.

Washington, March 30.--Party feeling ran high during the last day of the tariff debate in the house. Political speeches were wedged in at every opportunity and there was constant maneuvering for political advantage.

The opposition directed their efforts toward stirring up dissension in the republican side, but they succeeded only in exposing a single instance of revolt today. That was on the subject of free hides. The democrats presented the question of duty on hides for the benefit of the farmer with such vigor that Hepburn was drawn into the debate and made a strong plea for dutiable hides. He demanded that the house be given an opportunity to vote on this question and declared that every western republican was in favor of it.

The ways and means committee held the floor with their amendments from 10 in the morning to 4 in the afternoon. About thirty-five were offered and adopted. Among them was one admitting free duty "books, scientific apparatus, charts, maps, etc." for scientific and educational purposes.

This motion has been prepared in the shape of a resolution by, and is the Dockery amendment to suspend the duty on articles whose prices are controlled by trusts or combinations. Even this motion may be held to be out of order, under the special order. There is some talk of a number of republican votes being cast against the bill, but nothing definite is heard.

HANKING AND CURRENCY.

Washington, March 30.--Representative Hettwole, of Minnesota, has introduced a resolution for a banking and currency commission, which is in line with the recommendations of McKinley's inaugural address, and of the Indianapolis conference. The resolution recites that in view of the present inadequate banking and currency system it is desirable that congress have the aid of experts in meeting the conditions.

TO LEGALIZE POOLS.

Washington, March 30.--Senator Foraker, of Ohio, today introduced the pooling bill. It is practically a reproduction of the Patterson bill introduced in the last congress. It is intended to meet the objections to pooling which were raised by the supreme court of the United States in its decision recently rendered in the trans-Missouri freight association case.

CERTIFICATE AMENDED.

Washington, March 30.--In the senate today McBridge, of Oregon, presented an amended certificate from the governor of Oregon as to the appointment of Henry W. Corbett as senator from that state. The certificate states that the appointment is "until the legislature

shall meet," thus curing the supposed defect in the first certificate, which did not fix the limit of service.

DREADFUL CYCLONE.

Many Killed and Injured and a Town Swept Out of Existence.

Guthrie, O. T., March 30.--A report is received here that twenty lives were lost this evening in the cyclone that swept over Chandler, a town of 1500 inhabitants, fifty miles east of here. It is reported that only two buildings were left standing--the Mitchell hotel and the Grand Island grocery store. In addition to the twenty persons reported killed, rumor has it that fully 150 were badly injured.

The cyclone struck at 5 o'clock this evening. The court house, in which Chief Justice Dale was holding court, was taken off its foundation. All communication with Chandler is now cut off.

MORE FROM CHANDLER.

Kansas City, March 30.--A special to the Journal from Guthrie, O. T., says: "At 5 o'clock this evening a terrific tornado, followed by hail and flood, swept through the town of Chandler, 40 miles east of here, completely devastating the town. Three fourths of the residences and business houses of the town were totally wrecked or badly damaged, scores of people injured and many killed. Darkness at once came on and the work of rescue is carried on under the greatest difficulties.

The telephone office was carried away, and 10 p. m. the telephone connected with a wire two miles this way and a message sent here for assistance. On every side can be heard groans and cries for help, and the scene is indescribable. A large number of physicians and other citizens have left here for the scene with surgical instruments, drugs and other supplies. A later message states that a large number of people known to have been in business buildings are missing and it is feared they are buried under the ruins. The true state of affairs cannot be learned until daylight.

IN WYOMING.

Denver, March 30.--A special to the News from Cheyenne, Wyoming, says a blizzard has been raging here all day and tonight there is no abatement. The snow on the line of the Union Pacific between Cheyenne and Laramie is between four and five feet deep. All trains have been delayed, though not seriously. The storm is the worst experienced in this vicinity in years and ranchmen are much alarmed for the safety of their stock on the range.

CRETAN SITUATION.

Powers Will Not Blockade Greek Ports--Trying to Compromise. Constantinople, March 30.--As to the Cretan situation proper, it is understood that the admirals in command of foreign fleets in Cretan waters are of the opinion that, now that Greece has virtually completed her war preparations on the frontier of Thessaly, a blockade of the principal Greek ports would be useless, thus bearing out the forecast previously made in these dispatches that the refusal of England to take an active part in the blockade of Greece might lead to a collapse of the scheme to prevent the outbreak of hostilities. Under these circumstances all the efforts of the ambassadors of the powers are now being directed toward prevailing upon the Turkish government to advise the sultan to withdraw the Turkish troops from Crete, as another sop to Greece, and as another attempt to prevent war, and in addition the ambassadors are endeavoring to prevail upon Greece and Turkey to agree to the establishment of a neutral zone between the opposing Turks and Greeks on the frontiers.

THE MASS MEETING.

The mass meeting last night was somewhat of a disappointment to its projectors, as the speakers were about equally divided for and against licensing gambling. Space will not permit a detailed report of the many excellent addresses made during the evening on both sides of the question. The meeting adjourned without taking definite action.

It would now be in order to appoint an investigating committee to find out what Senator Lexow and his comrades discovered.

ASTORIA PATENT IS PROTECTED

Hume Brothers Enjoined From Using the Jensen Soldering Machine.

THE INJUNCTION IS BROAD

Covers the Further Manufacture or Use of the Machine By Any Except the Alaska Packers' Association.

San Francisco, March 30.--Judge Morrow today granted an injunction on the complaint of the Alaska Packers' Association restraining Joseph Hume and Hume Brothers from operating or using the device known as the Jensen machine for packing salmon.

The machine was invented and patented by Mathias Jensen, of Astoria, Oregon, and the patent was purchased by the Alaska Packers' Association. The machine packs salmon automatically into cans with great rapidity and accuracy, an operation formerly performed by hand. The injunction is very broad. It not only enjoins the further manufacture of the machines, but prohibits the rebuilding and repairing of the old ones. This proceedings involves the validity of the first patent issued to Mathias Jensen for a can-heading machine, which was held by the United States Court of Appeals to be an infringement of a machine patented by Norton Bros., of Chicago, at whose instance the injunction above referred to was obtained. Mr. Jensen afterwards invented a much superior machine, which was duly patented to him, and also enjoined by the Norton Bros. as an infringement of their machine. The suit involving the validity of the second Jensen patent was recently tried before Judge Belinger in the United States circuit court for the district of Oregon, and is now pending the decision of the court. The latter suit, affecting the validity of the second patent, is of supreme interest to the packers of the Columbia river and elsewhere, and the judgment of the court is awaited with much anxiety by many packers who desire to operate the machine. If Mr. Jensen's second patent is sustained, the machines manufactured under the first patent will be superseded by the new machine, and it will result in a saving of many thousand dollars to the salmon packers of this coast, as it is the only successful machine that has ever been invented for doing the work now done by the process of hand-packing.

WORK OF REVENGE.

Chinamen Attempt to Blow Up the Woman Who Prosecuted Ark Wo. A sensation occurred on the Bowery about 2 o'clock this morning, occasioned by the explosion of two large Chinese bombs in the rooms near the corner of Seventh and Astor. A few days ago a white woman lost some clothes, which were stolen and pawned to Ark Wo for \$3.50. Ark Wo was arrested for receiving stolen property and bound over in \$500. He would not tell who brought the articles to him. Later the woman was threatened, last night Chinamen probably placed bombs under her bed, bored holes through the partition, attached fuse and at proper time lit them and ran--explosion and room on fire. Hearing the outcry, John and Pete Kenny and Al. Stefeldt ran across the street and arrived just in time to put the fire out. Officer Oberg did all he could to find the offenders, but before the explosion took place they were no doubt concealed a long ways off.

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