

### MUST NOT ENCROACH

#### Gillnetters Will Resent Interference By the Trappers.

#### WILL ESTABLISH TEST CASE

#### Suit Appealed by Stensland to Be Fought by Christensen, and Gillnetters Will Foot the Bill—Constitutional Rights Involved.

Gillnetters of the lower river have decided to take a united stand against the encroachment on the common fishing grounds, by trappers armed with State licenses and Government permits, for the purpose of maintaining pound nets. For some time gillnetters have felt that their interests could only be protected by some kind of a united effort along this line, and at a meeting of the Fishermen's Union a few nights ago, the matter was discussed at length. While no official action has yet been taken, it is probable that a lengthy petition will be drawn and presented to the officers of the States of Oregon and Washington, and to the officials of the Federal Engineering Department, setting forth the constitutional rights of the gillnetters, with a request that they hereafter be respected.

Much trouble has arisen in the last year, over repeated attempts on the part of trap locators, to appropriate grounds common to the use of the gillnetters. While the grounds would in most instances be ideal locations for pound nets, it is equally true they are invaluable for the use of the gillnetters.

The trappers, the gillnetters declare have little difficulty in securing licenses from the State, and in some cases permits from the Federal Engineers. Armed with this authority they do not fear to trespass upon the favorite grounds of the gillnetter's drifts. The latter however, base their contention against these alleged misappropriations, on the constitutional act which gives all men the

same rights and privileges. Along this line, the gillnetters argue that any permanent fishing gear, maintained by one man to the detriment and inconvenience of another, is contrary to the constitution of the United States.

A novel case in this connection, and one on which the gillnetters will make a test fight, arose last summer when a gillnetter lost his gear through the alleged interference of a Sand Island seine. A gillnetter named William Christensen was drifting near the island, when his seine became entangled in Stensland's seines. He lost its control and it went out over the bar. The seiners assert that they offered to return the net to its owner, but that he refused the offer, and returned to town without his net.

The case was tried in the justice court and a judgment of \$147.50 secured by the gillnetter. The seiners have since taken an appeal, and at a meeting of the Fishermen's Union Saturday night, it was decided to reimburse Christensen, for at least a portion of the cost of the suit, so that a test case may be had. The principal defense of Christensen will be that seining interferes with gillnetting, and thus deprives the gillnetter of his constitutional rights.

#### C. S. EXAMINATION.

The local Civil Service Commission will hold an examination on November 8 for an eligible to fill the position of trained nurse under the Isthmian Canal Commission on the Isthmus of Panama and on November 15, will hold an examination for the position of expert chemist in the Quartermaster's Department to fill a vacancy at Jeffersonville, Ind. Anyone desiring further information about these examinations can secure it from the secretary of the board, C. T. Crosby.

**Full of Tragic Meaning.**  
are these lines from J. H. Simmons, of Casey, Ia. Think what might have resulted from his terrible cough if he had not taken the medicine about which he writes: "I had a fearful cough, that disturbed my night's rest. I tried everything, but nothing would relieve it, until I took Dr. King's New Discovery for C consumption, Coughs and Colds, which completely cured me." Instantly relieves and permanently cures all throat and lung diseases; prevents grip and pneumonia. At Chas. Rogers' druggist; guaranteed; 50c and \$1.00. Trial bottle free.

### MYSTERY IS SOLVED

#### Man Missing From Astoria Shanghaied by Paddy Lynch.

#### ARAGONIA REACHES PORT

#### News of the Day Along the Waterfront of the City by the Sea—Lurline and Telegraph Resume Business This Week—Marine Melange.

"I hear that there is an effort being made to grant a pardon to Paddy Lynch who was sentenced by Judge McBride to a term of eight years imprisonment for the shanghaiing of a young man named Gardner. I would like to state that this same Paddy Lynch also caused me to be taken from Astoria, Oregon, to Pt. Elizabeth, South Africa, on the British bark Musselrag on the 4th of March, 1903. He induced me to go on board the vessel which was lying out in the river at Astoria, his man taking me in a row boat and promised to bring me back at 6 o'clock that same night he knowing that the ship was going to sail that day. Of course he never came or sent for me again and so I was taken with the rest, from there to Pt. Elizabeth and thence to Sydney, N. S. W., never leaving the ship for one moment for nine months, although I protested strongly (in Pt. Elizabeth) to being kept on board and again in Sydney, where I was released, I could not tell you all I had to suffer at the wretched hands and as I had never been on a ship before you may know I felt it very much, and I think he richly deserves all that Judge McBride intended he should have and I would like to say that in my opinion, such a scoundrel is not fit to be at liberty, and I suppose it is nothing more than a set of such men as himself that are anxious for his return to them. Hoping you will consider what I have written, I remain Yours respectfully,  
W. OSBORNE."

The foregoing letter dated on October 17th, and just received by Sheriff Thomas Linnville of this county and city, is self-explanatory.

It tells the tale of the man who was missed from this city early in 1903, after securing a room at the Oriol house, and depositing his personal luggage therein, and who was never seen after his first departure from that room. It was ascertained, at the time, that he was an ex-employee of the Seaside Spruce Lumber Company, having quit its service on the morning of March 4, 1903, the day and date upon which he became a tenant of the Oriol, and his fate has been a matter of conjecture until the receipt and publication of the letter.

It is no wonder he pleads with Governor Chamberlain against executive clemency toward the brute by whose machinations he was compelled to endure so much and so long; and there be many, knowing Paddy Lynch and his ilk, will heartily endorse the Governor's refusal to interfere in favor of the scoundrel who is responsible for this and a hundred other outrages of the same sort. Mr. Osborne is now dwelling in the East and will no doubt, hail with unfeigned joy the intelligence that Lynch will serve out the full measure of his penalty.

#### Notice to Mariners.

Columbia river, Oregon. (List of lights and fog signals, Pacific coast, 1904, page 28, No. 93, and lists of lights, buoys and daymarks, Pacific coast, 1905, page 49.)

Notice has been received that on October 20, Umatilla reef light-vessel was temporarily placed off the entrance to the Columbia river, Oregon, to mark the station of Columbia river light-vessel No. 50, which recently went adrift. Umatilla reef light-vessel is painted red, without name or number; and shows the same characteristics as to lights and fog signal as Columbia river light-vessel.

#### Same Old Lie.

Statements of bar pilots to the effect that the lowest depth of water at the Columbia river bar is 21 feet, and that disastrous results would follow taking a ship to sea drawing more than 24 feet of water, have been shown to be false in reports of the United States Engineers, who have just completed soundings and surveys, and who find the water over the bar to be 24 feet deep at lowest

stage. The careful character of the survey of the Government engineers makes it beyond doubt that the figures of the Oregon Bar Pilot's Association were in error. The 24-foot water is found only in a small area, the majority of the water being much deeper. Thus vessels drawing as much as 27 feet can pass out safely.—Telegram 23rd. The Portland press is breeding trouble, delay and disaster for its shippers by publishing such stuff as the foregoing. Better be honest, as the pilots are, and not put yourselves in a hole. When you have got some ship in irreparable difficulty by this lying, just remember you were duly warned.

#### FLOTSAM AND JETSAM

The big Portland & Asiatic liner Aragonia, from Hong Kong, by way of the Hawaiian Islands and San Francisco was the earliest arrival here yesterday morning, from sea. She left up for Portland almost immediately in charge of Captain Pease.

The steamer Despatch, laden with all the lumber she could carry, arrived down from Portland, yesterday morning and left out for San Francisco at 8 o'clock.

The Aurelia was another early sea-going steamer, yesterday morning, bound for San Francisco.

The steamer Daisey Mitchell came in from San Francisco at 7 o'clock yesterday morning and passed on to Portland. She is no kin to Charley Mitchell of the Callender dock.

The Columbine went to sea on buoy duty yesterday morning, returning in during the afternoon.

The Portland-San Francisco liner Columbia will dock at the O. R. & N. piers here this morning, en route to the California metropolis.

The steamer Alliance which was to have left here today for Coos Bay, Eureka and San Francisco will not depart hence before tomorrow morning. This gives her intending passengers from here more time in which to reflect upon the measure of 'mal de mer' that is likely to overtake them.

The steamer Jordan is again on the Cathlamet run and as bright as a new dollar with white and green paint, the

fleet colors of the Callender Navigation Company; she carries her nose about seven inches higher in the air than ever.

There is a strange bit of vowel play in the name of the three last steamships from abroad, to enter this port in sequence: Algoa, Volga Aragona; and the Abergeldie due.

The American ship St. Nicholas is now the property of the Columbia River Packers' Association. She was sold yesterday by her former owner, Samuel Elmore, for the nominal consideration of \$10, the bill of sale covering the negotiations being duly filed at the custom house here, yesterday morning.

The British steamship Abergeldie, twenty-three days out from Moji, Japan, is due to arrive here at any hour. She is of 2768 tonnage and consigned to the McNears at Portland.

The British steamer Agincourt is also looked for at any time from Hakodati. She hails from Japan and is under charter to Mitsui & Co., at Portland.

The steamer Lurline will resume her run between here and Portland, on Friday (or Saturday) next. There proved to be more repairs needed after her recent accident than was at first figured out.

The steamer Undine is still doing the Lurline's work on the Lurline's schedule. She left up for Portland last evening at 7 o'clock. Her passenger register bore the following names: M. P. Barger, Mrs. B. A. Reed, Mrs. W. B. McKenzie, J. F. Flanders, Mrs. Capt. Charles Jordan, W. L. Keels, E. L. McKinley, Mrs. F. Kennedy, Rev. G. Errett, and Alfred Welch.

The steamer Homer is due today from San Francisco.

General Inspector W. Haverstick, of the Treasury Department at Washington, was an Astoria visitor yesterday. He is on a tour of inspection covering all the custom houses in the country, 368 in all, and found the office in charge of Collector of Customs W. L. Robb, all that it should be in the exacting detail of requirement and so told the officers there, in terms most complimentary. He says the order and care of buildings, grounds, records and documents here, is equal to any he has noted anywhere.

Captain Philip H. Going, of the steamer America Maru, has surrendered his naturalization papers and his license to act as master of American vessels. His position on the America Maru will not necessarily be affected. The vessel flies the flag of the Rising Sun, and Japan will recognize Going's British master's license, which he still holds.

The dredging steamer W. S. Ladd has returned to this port from Portland, and is at work on the last station she worked on, near Buoy No. 2 in the neighborhood of Tongue Point.

The steamer Telephone is at the East Oak street dock, in Portland, where her owners are installing oil burners. The work will take quite a long time and river men say that it looks as if the Telephone will be tied up for another year.

Tired out, worn out woman cannot sleep, eat or work; seems as if she would fly to pieces. Hollister's Rocky Mountain Tea makes strong nerves and rich red blood. 35 cents. Tea or Tablets. Sold by Frank Hart, druggist.

### PUBLIC OFFER

To All Persons in Astoria Who Wish to Accept.

Are you thin? Do you require more flesh to be really well and strong? To every such person in Astoria, we make the following offer. Commence at once a course of treatment with Vinol, our cod liver oil preparation, without oil, and if after you have taken what we consider enough to restore your normal weight and it has not succeeded, we will pay for all the Vinol you have taken.

A prominent New York physician recently said, "I am convinced that the best way to gain good, solid, firm flesh is to take Vinol, for in it you get all the curative, flesh-making and strength-giving properties contained in that grand old remedy, cod liver oil, without the nauseating oil itself. It is delicious, and the weakest stomach can retain it. Thin people are usually weak and ailing, and Vinol is what they need."

Vinol acts first upon the stomach, creates an appetite for good, wholesome food, strengthens and tones up the digestive organs. Rich, red blood is sent coursing through every vein, firm flesh is created wherever it is needed, and emaciated figures, hollow cheeks and sunken eyes are soon a thing of the past.

Every thin person in Astoria should try Vinol on our guarantee." Charles Rogers, druggist.



### Remember

If you buy a Suit or Overcoat bearing P. A. STOKES label and it does not give the wear you expected it should, bring it back and we will refund your money.

### P. A. STOKES

Keeps a Dressy Shop for Dressy Men.

### GALLEGHER BUYS RESTAURANT

Purchases Establishment on Eleventh Street Operated by W. J. Hess.

Hess' restaurant, 120 Eleventh street was sold yesterday by W. J. Hess to S. M. Gallagher, proprietor of the Imperial. The price paid has not been made known, and Mr. Gallagher declines to say whether the place will be operated, or henceforth closed.

The place was closed this afternoon, immediately after the sale was announced but Mr. Gallagher will not take charge until Wednesday. He left for Portland on the train last evening, and on his return will decide what course he will pursue.

Mr. Hess has been in poor health for some time, and this influenced him largely in disposing of his business. He will probably leave for Arizona in a few days.

### HOTEL ARRIVALS. The Occident.

E. W. Dingman, Portland.  
Walter C. S. Smith, Jr., San Francisco  
C. S. Hampton, Chicago.  
C. M. Hollingsworth, San Francisco.  
Robert Morris, Centralia.  
Mrs. Morris, Centralia.  
Helma, Turner, Osceola, Mo.  
D. Errett, Salem.  
Henry Friedlander, Portland.  
William Grimes and wife, Portland.  
R. S. Smith, Warrenton.  
T. J. Stevens, South Bend.  
L. A. Foster Cathlamet.  
A. M. Young, Portland.  
W. C. Stuart, Portland.  
W. T. Stephens, Seaside.  
Chas. H. Wilcox, New York.

### Accordion, Sunburst and Knife Pleating To Order

STEAM PROCESS.  
No Hot Irons. No Burning of Goods.  
**Miss O. Gould**  
Eighth Floor, Marquam Building.  
PORTLAND.  
Prompt and Careful Attention Given to all Out-of-Town Orders.

### The Astoria Restaurant.

GOOD, CLEAN MEALS  
EXCELLENT SERVICE  
OPEN ALL NIGHT  
399 Bond St., cor. Ninth

# Free! Free! Free!

## One Magnificent Nickel Plated Malleable

# STEEL RANGE

### Valued at \$100.00 will be given Away by the Foard & Stokes Company on

## Saturday, Dec. 23

In order to introduce to our patrons the quality of stoves and ranges we are handling and at the same time boom business in our Dry Goods and Crockery Departments, we are going to give, commencing, Monday, October 23rd, one coupon with every dollar in cash you spend in either of the two departments mentioned and on Saturday, December 23rd we will have a drawing contest at the store and the person holding the lucky number will be presented with one Nickel Plated Malleable Steel Prize Range absolutely free.

This Range is one of the prize ranges that was on display at the Lewis and Clark exposition and is the finest specimen that thus far brains and workmanship have been able to produce.

Remember every dollar you buy here makes your choice for drawing the lucky number that much better. Some one will hold the lucky number—will it be you? No employee of the store will be allowed to participate in the drawing.

## THE FOARD & STOKES CO.

SEE OUR BASEMENT BARGAINS.



A great assortment of Ladies' furs. The most extensive line as well as the lowest priced ever shown in Astoria. We quote a few prices to give an idea of range of prices.

## Fox Furs

63 inches long ..... \$ 5.25  
1 2-3 yard ..... 7.65  
90 inches ..... 15.75  
60 inches ..... 18.00  
2 1-2 yards ..... 24.00  
1 1-3 yards long ..... 1.45

## Near Seal

1 2-3 yards long ..... 2.40  
1 2-3 yards long ..... 2.35  
1 1-2 yards long ..... 3.75

Ladies', misses and children's coats in the new, latest styles.

Now is your opportunity to get an exclusive style in a rain coat.

