

# The Daily Astorian.

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## Laws Regulating Fishing.

Acts Passed by the Oregon Legislative Assembly, A. D. 1878.

(Published by Request.)

An act regulating Salmon Fisheries on the waters of the Columbia river and its tributaries.

WHEREAS, The legislative assembly of the territory of Washington, at the last session thereof, passed an act entitled "an act regulating salmon fisheries on the waters of the Columbia river," approved November 8, 1877; and

WHEREAS, The 8th and last section of said act is as follows, to-wit: "Section 8. No section, proviso, or part of this act shall be considered as valid or operative until the legislature of the state of Oregon shall enact a similar section, proviso or act, in whole or in part, and from and after the passage of such a law by the state of Oregon, and such parts thereof as shall be so enacted shall immediately go into full force and effect; and the governor of this territory is hereby requested to transmit an attested copy of this act to the governor of the state of Oregon, requesting him to submit it to the legislature of that state;" therefore.

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

SECTION 1. That it shall not be lawful to take or fish for salmon in the Columbia river or its tributaries, by any means whatever, in any year hereafter, during the months of March, August and September, nor at the weekly close times in the months of April, May, June and July; that is to say, between the hours of six o'clock in the afternoon of each and every Saturday, until six o'clock of the afternoon of Sunday following; and any person or persons catching salmon in violation of the provisions of this section, or purchasing salmon so unlawfully caught, shall, upon conviction thereof, be fined in a sum of not less than five hundred dollars, nor more than one thousand dollars, for the first offense, and for each and every subsequent offense, upon conviction thereof, shall be fined not less than one thousand dollars, to which may be added, at the discretion of the court, imprisonment in the county jail for a term not exceeding one year.

Sec. 2. It shall not be lawful to fish for salmon in the Columbia river or its tributaries during the said months of April, May, June and July with gill nets, the meshes of which are less than four and one-eighth inches square, nor with seines whose meshes are less than three inches square, nor with weir or fish traps whose slats are less than two and one-half inches apart. Nothing herein contained shall prevent fishing in said river or its tributaries with dip nets during the fishing season, as established and defined by section 1 of this act.

Every trap or weir shall have in that part thereof where the fish are usually taken, an opening at least one foot wide, extending upwards from the bottom toward the top of the weir or trap five feet, and the netting slats and other material used to close such aperture while fishing shall be taken out, carried upon shore and there remain during the said months of March, August and September, and the weekly close time in the months of April, May, June and July, as prescribed in section 1 of this act, to the intent that during said closed time the salmon may have free and unobstructed passage through such weir, trap or other structure, and no contrivance shall be placed in any part of such structure which shall tend to hinder such fish. In case the enclosure where the fish are taken are furnished with a board floor, an opening extending from the floor five feet towards the top of the weir or trap shall be equivalent to extending the said opening from bottom to top. Any person or persons violating the provisions of this section, or encouraging its violation by knowingly purchasing salmon so unlawfully caught, shall be deemed guilty of misdemeanor, and upon conviction thereof shall be fined for the first offense not less than five hundred dollars, nor more than one thousand dollars, and for each subsequent offense shall, on conviction, be fined not less than one thousand dollars, to which may be added imprisonment in the county jail for a term not exceeding one year.

Sec. 3. The person or persons making complaint of any violation of the provisions of this act, shall, upon conviction of the offender, be entitled to one-half the fine recovered, and any Prosecuting Attorney who shall upon complaint being made to him of the violation of this act fail to prosecute the party accused, shall be deemed guilty of a misdemeanor in office, and upon conviction thereof shall be fined in the sum of five hundred dollars for each and every offense.

Sec. 4. This act shall not be so construed as to interfere in any way with any establishment or enterprise for the propagation of salmon, whether by the United States government, or any regularly organized company or society for that purpose, located or operated upon said Columbia river or any of its tributaries.

Sec. 5. It shall be unlawful for the proprietor of any saw-mill on the Columbia river or any of its tributaries, or any employe therein, to cast the saw-dust made by such saw-mill, or suffer or permit such saw-dust to be thrown or discharged in any manner into said river or its tributaries below the cascades of the Columbia river and falls of the Willamette river. For each and every willful violation of this section, the party guilty of such violation shall be liable to a fine of fifty dollars for each and every such offense, to be recovered before a Justice of the Peace of the proper county.

Sec. 6. Any party convicted of any violation of the provisions of this law, shall be sentenced to pay the fine and

costs adjudged, and in default of paying or securing the payment thereof, he shall be committed to the county jail until such fine and costs shall be paid or secured, until he shall have been imprisoned one day for every two dollars of such fine and costs. But execution may at any time issue against the property of the defendant for whatever sum may be due of such fine or costs. Upon payment of such fine or costs, or the balance after deducting the commutation by imprisonment, or securing the same, the party shall be discharged. All fines and penalties collected for violation of this act shall constitute a fund for the maintenance of hatchling houses for the propagation of salmon, and be disbursed in accordance with the provisions of an act entitled "an act to encourage the establishment of hatchling houses for the propagation of salmon in the waters of the Columbia river."

SEC. 7. All fines and penalties hereby or herein imposed, shall be enforced and collected as other fines and penalties, and jurisdiction to enforce such fines not herein given to the justice's courts, shall be vested in the circuit court of the proper county.

Approved October 16, 1878.  
An act to create the office of Fish Commissioner for the Columbia river, to license the taking of salmon in the Columbia river and its tributaries, and to encourage the establishment of hatchling houses on the waters of the Columbia river for the propagation of salmon.

WHEREAS, the legislative assembly of the territory of Washington, at the last session thereof, passed an act entitled "an act to encourage the establishment of hatchling houses on the waters of the Columbia river for the propagation of salmon," approved Nov. 6, 1877; and

WHEREAS, The 9th and last section of said act is as follows, to-wit: "Section 9. No section, proviso or part of this act shall be considered valid or operative until the legislature of the state of Oregon shall enact a similar section, proviso or act, in whole or in part, and from and after the passage of such a law by the state of Oregon, such parts hereof as shall be so enacted, shall immediately go into full force and effect and the Governor of this territory is hereby requested to transmit an attested copy of this act to the Governor of the state of Oregon, requesting him to submit it to the legislature of that state; therefore

Be it enacted by the Legislative Assembly of the State of Oregon: SECTION 1. That a Fish Commissioner for the Columbia river and its tributary waters be appointed by the Governor, who shall hold his office for two years and until his successor is appointed and qualified, who shall be a resident of one of the counties bordering upon said river. Said commissioner shall exercise a general supervision over the fisheries and report upon the introduction, production and culture of food fish, especially the salmon; co-operate with the Fish Commission of the territory of Washington; make report to the legislative assembly at each biennial session thereof, as hereinafter more particularly prescribed, and perform such other duties as may be hereinafter imposed. Before entering upon his duties he shall execute a bond to the state of Oregon, with two or more sureties, to be approved by the Governor, in the sum of \$10,000, conditioned for the faithful performance of his official duties, and the disbursement according to law of all money coming into his hands. Said commissioner may appoint deputies not to exceed one for each county bordering upon said Columbia river, for whose action he shall be responsible upon his official bond.

Sec. 2. It shall not be lawful to take or fish for salmon for traffic, barter or sale, in the waters of the Columbia river and its tributaries, with either of the appliances regulated and prescribed by the act entitled "an act regulating salmon fisheries in the waters of the Columbia river and its tributaries," without first obtaining a license therefor. The rates of said license shall be as follows: The owner or owners of each and every boat engaged in taking or catching salmon upon said river, and its tributaries, with a gill net, shall pay ten dollars for a license for one season. For each and every seine used in fishing for salmon upon said waters, the owner or owners shall pay for such license for one season ten dollars. For each weir or trap used in catching or taking salmon in said river or its tributaries, the owner or owners shall pay for a license for a season fifty dollars. For each and every dip net used for fishing for salmon in said river and tributaries, the owner or owners thereof shall pay an annual license of two dollars. Each and every net, weir, or fisherman, fishing or taking salmon with a gill net, shall be required to pay five dollars for a license for the season. Licenses issued under this act shall be untransferable and shall be good for the whole season upon any of the waters of the said Columbia river.

SEC. 3. The licenses aforesaid shall be prepared by said Fish Commissioner, attested by his official seal. The commissioner shall register the number thereof, to whom issued, and for what purpose. Owners of boats receiving license shall cause to be painted in plain, conspicuous figures upon both sides of the outside of their respective boats three inches below the washboard, the number borne upon the license of said boat. A failure or neglect to paint such register number upon such boat as herein prescribed, shall subject the owner or owners thereof to a penalty of ten dollars, to be recovered in an action before a Justice of the Peace. The commissioner shall be entitled to charge the following fees, viz: twenty-five cents for each license to a fisherman; fifty cents for a boat; one dollar for a seine or fish trap of any kind, and twenty-five cents for a dip net, which fees shall be reserved out of the money by him received for the licenses issued.

SEC. 4. Any person or persons, who, by the foregoing provisions of this act shall be required to take out a license,

shall do such act or use such boat, seine, gill net, weir or trap, dip net, or fish with gill net without having first taken out such license therefor as herein required, shall be liable to a penalty of fifty dollars for each and every offense, and shall moreover be required to pay the license fee required by law, to be recovered before a Justice of the Peace or other court having competent jurisdiction.

SEC. 5. Any proprietor managing agent, foreman or employe in charge of any cannery upon said Columbia river, employing a fisherman to whom no license has been issued, or knowingly purchase salmon from any person using a boat, seine, net or fish trap for which a license is required, without first having taken out such license, shall be liable to a penalty of fifty dollars for each and every offense, to be recovered before a Justice of the Peace.

SEC. 6. All moneys received for license herein referred to, excepting the fees for issuing the same, shall constitute a fund and be exclusively applied to the assistance of a hatchling house or houses on the said Columbia river or its tributaries. Any person or persons or incorporated company who shall furnish satisfactory evidence to the said Fish Commissioner that a hatchling house or houses has or have been established by such person or persons or company, and have actually hatched salmon with which said Columbia river is or has been stocked or supplied, the said commissioner shall forthwith pay over to such person, or persons, or company, the said funds; Provided, if there be two or more of such hatchling houses in operation by different persons or companies, then such funds shall be distributed pro rata according to the number of hatched salmon.

SEC. 7. The person or persons making complaint of any violation of the provisions of this act, by the failure to take out a license as herein required, or to do and perform other acts as herein prescribed, shall upon the conviction of the party accused, be entitled to one-half of the penalty recovered. All fines and penalties hereby or herein imposed shall be enforced and collected as other fines and penalties by law enforced or collected, and Justices of the Peace or other officers receiving such fines or penalties after payment of one-half of such penalty so collected to the complainant, shall forthwith pay the remaining half to the Fish Commissioner to be applied to the establishment of, or assistance of hatchling houses as provided in section 6 of this act.

SEC. 8. The said Fish Commissioner shall biennially on the 15th day of September, make a report to the Governor to be submitted to the legislative assembly; which report shall exhibit the amount of moneys received from licenses, penalties and other sources and how applied; the condition, progress, success, etc., of the hatchling houses; hints, suggestions or information on the subject of food fish propagation, and such matter as may be valuable in legislation for the protection or preservation of food fishes, and the salmon fisheries of the Columbia river.

SEC. 9. Any person or persons or incorporated company who shall receive from the Fish Commissioner the funds created by this act or any portion thereof, shall first execute a bond to the State of Oregon with two or more sureties, to be approved by the Governor, in the sum of ten thousand dollars, that all moneys coming into his or their hands under the provisions of this act, shall be used for the propagation of salmon and for no other purpose; and shall make a sworn report to the Governor on or before the first of January of each year thereafter, of the amount of money received and how expended, and the probable amount of salmon hatched by such person or persons during said year.

Approved October 16, 1878.

WANTS, LOST, FOUND, ETC.

AN ORGAN FOR SALE--At Mr. Holden's auction rooms. In good order an almost new. Apply at once. daw-1w

LAUNDRY FOR SALE--Inquire at the Astoria Steam Laundry. J. T. BORCHERS, Proprietor, Astoria, Oregon.

HOUSE TO LET--A nice residence, new, containing six rooms, will be ready for a tenant any time on short notice. For particulars inquire at THIS OFFICE.

Fish Commissioners Notice. THE UNDERSIGNED FISH COMMISSIONER for Washington territory, hereby gives notice that he will visit all the canneries on the Washington territory side of the river, from the first to the twentieth of March, and after that will be at Brookfield for the rest of the season. ALBERT F. STREAM, NORTH COVE, W. T., Feb. 17, 1879.

Fish Commissioners Notice. NOTICE IS HEREBY GIVEN THAT the undersigned, having been duly appointed deputy for Clatsop county, by C. Lienenweber, Fish Commissioner, under the laws of the State of Oregon, will be in readiness from and after this date, to issue licenses, at his office up stairs, corner of Cass and Squemoque streets, Astoria, Oregon. Persons sending in applications for licenses will please send No. of boat and the name of the fisherman or captain of the boat. DEPUTY FISH COMMISSIONER. H. B. FERGUSON.

TO WHOM IT MAY CONCERN. Notice is hereby given that all persons are forbidden trespassing upon, or in any way occupying any portion of the land or beach surrounding TONGUE POINT, or upon any part of the Henry Marlin land claim in Clatsop county, State of Oregon, without permission from the undersigned; and also from setting out fires upon said claim, whereby the standing timber may in any way be injured. VAN DUSEN & BROWN, Per A. VAN DUSEN, Astoria, Oct. 5, 1877.

OLD PAPERS.--We have a valuable lot of old papers on hand, just the thing for making scrap-books, or what housewives need for shelf covers. Will be sold in lots to suit purchasers at 50 cents per 100. First come, first served. ASTORIAN OFFICE.

## BANKING AND INSURANCE.

**BANKING AND INSURANCE.**  
**I. W. CASE,**  
BROKER, BANKER,  
-AND-  
INSURANCE AGENT.  
ASTORIA, - - - OREGON.

Exchange bought and sold on all parts of the United States and Europe.

OFFICE HOURS--From 8 o'clock A. M. until 4 o'clock P. M.

**Home Mutual Insurance Co.,**  
OF CALIFORNIA,

J. F. HOUGHTON, President  
CHAS. R. STORY, Secretary  
HAMILTON BOYD, Agents for Oregon  
GEO. L. STORY, Agents for Oregon

OFFICE--North-east corner of Stark and First streets, PORTLAND, OREGON.

Net Cash received for Fire Premiums in 1877.....\$335,511 04  
Assets, Jan. 1, 1878.....\$578,065 85

Liabilities--  
Losses unpaid.....\$3,638 37  
Dividends ".....1,957 00 5,595 37  
Surplus for Property Holders.....\$672,470 47  
Losses paid in Oregon in six years.....\$114,516 72

I. W. CASE, Agent, Astoria, Oregon.

**\$67,000,000 CAPITAL.**  
LIVERPOOL AND LONDON AND GLOBE,  
NORTH BRITISH AND MERCANTILE OF LONDON AND EDINBURGH,  
OLD CONNECTICUT OF HARTFORD, AND  
COMMERCIAL OF CALIFORNIA FIRE INSURANCE COMPANIES.  
Representing a capital of \$67,000,000.  
A. VAN DUSEN, Agent.

**COMMERCIAL UNION ASSURANCE COMPANY OF LONDON.**  
Capital \$12,500,000.  
MATT H. SIBSON, Agent, Astoria, Oregon.

**FIREMEN'S FUND INSURANCE COMPANY OF CALIFORNIA.**  
ORGANIZED IN 1863.  
Total Losses Paid Since Organization. \$3,680,435 95.  
E. C. HOLDEN, Agent, Astoria Oregon.

**C. H. BAIN & CO.**  
BEING NOW PREPARED WITH greatly increased facility to furnish the public with all kinds of

**Seasoned A No. 1 Lumber,**  
Boat Lumber, Doors, Windows, BLINDS, TRANSOMS:

And all kinds of hard wood at very low rates. Asks an examination of their prices and large lot of goods which will be sold low for CASH.

Steam Mill Near Weston Hotel, Cor. Genevieve and Astor streets.

**ECLIPSE MARKET.**

West-Eighth Street, near the O. S. N. Co's Wharf.

JOHN W. WEICHER, PROPRIETOR

A GENERAL ASSORTMENT OF FAMILIAR Groceries, and the various kinds of first-class Meats and Fish, furnished in best of style at the market, or delivered to any part of the city. Orders given to the messengers, or left at the market, will be promptly filled.

My endeavor will be, by prompt attention and fair dealing, to please my patrons.

All kinds of country produce taken in exchange for goods, and delivered to patrons free. Give me a call.

**G. T. REID.**  
CALEDONIA SALOON,  
Corner of Front and A streets,  
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Late butcher in the Central Market.

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**E. S. LARSEN**  
Wholesale and Retail Grocer,  
-AND DEALER IN  
**CROCKERY, GLASS,**  
**AND PLATED WARE,**  
Flour and Feed!

I am now prepared to furnish the choicest and best goods in my line, at the lowest cash prices. Patronage is respectfully solicited. References: My patrons.

E. S. LARSEN,  
Wholesale and Retail Grocer, Astoria.

**PURE CIDER VINEGAR!**

250 Gallons Pure Cider Vinegar, in 25 Gallon Packages.

For sale by  
**E. S. LARSEN.**

This is the best quality of vinegar that is made; it is warranted pure cider vinegar, put up by an Oregon factor, and persons in want of a good article, wholesale or retail, are invited to call on

E. S. LARSEN,  
Cor. Squemoque and Cass streets, Astoria.

**WHAT**  
Is All This Blowing About!

I HAVE JUST RETURNED FROM THE EAST AND WILL SELL MY GOODS AS **CHEAP**

AS ANY HOUSE IN THE CITY And am not going to say anything about it.

**A Square Deal Guaranteed**

At the corner of Main and Squemoque sts., ASTORIA, - OREGON.

**T. BAILEY**

Washington Market,  
Main Street, Astoria Oregon,  
**BERGMAN & BERRY**

**RESPECTFULLY CALL THE ATTENTION** of the public to the fact that the above Market will always be supplied with a FULL VARIETY BEST QUALITY

**FRESH AND CURED MEATS!** Which will be sold at lowest rates, wholesale and retail. Special attention given to supplying ships.

D. K. WARREN, C. A. McGUIRE  
**Astoria Market!**

Corner of Chenamus and Cass streets, ASTORIA, OREGON.

**WARREN & McGUIRE, Proprietors--** (Successors to Hubon & Warren.)

Wholesale and Retail Dealers in all kinds of

**Fresh and Cured Meats!**

A full line of Family Groceries, CANNED FRUIT, VEGETABLES, ETC.

Butter, Eggs, Cheese, etc. constantly on hand.

Ships supplied at the lowest rates.

**J. STRAUSS,**  
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CONSISTING OF

A A OLD VALLEY WHISKY,

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OLD KENTUCKY BOURBON,

MARTEL BRANDY,

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GRAPE BRANDY,

HOLLAND GIN AND RUM,

ANGELICA, PORT, SHERRY AND CLARET WINES,

PORTER, ALE, AND ST. LOUIS BOTTLE BEER.

These goods will only be sold at wholesale, and at lowest figures. Come and sample them before purchasing elsewhere.

**J. STRAUSS,**  
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