

The Daily Astorian

ASTORIA, OREGON. THURSDAY, JAN. 26, 1882. J. F. HALLAHAN, Editor.

Lapsed Railroad Grants.

COMMENTING upon the decision of Secretary Chandler in the case of the Florida Railroad grant, holding that, although the grant was by its terms a present grant, no title vested in the grantee until the definite location of the line of the road, and that, as the definite location of the road had not been made within the time allowed for completing the road, the grantee could acquire no rights under the grant after breach of condition; that no declaration of forfeiture was necessary to affect the grantee of a title with which the grantee was never vested, the Law Reporter says that the legal propositions announced in this decision will approve themselves to men of good common sense as well as to sound lawyers. The opinion was prepared by Assistant Attorney General Gaylord, who had a good reputation as a lawyer, and there is nothing in the opinion to discredit that reputation. The decision is said to be respected not only because it was made by the officer having the legal authority to decide, but, also because it is in harmony with established legal principles, and does not, like many railroad decisions, violate the plainest principles of law.

In January, 1881, the then Secretary of the Interior allowed a hearing on the alleged ground of newly discovered evidence, and on this rehearing it was decided that a part of the land was in fact definitely located in 1850; that the United States had rested at that time, and a copy of the map of definite location was filed in the office of the Secretary of the Interior. On the 20th of the month of such map every odd numbered section in the thirty three mile wide and throughout the forty two length of the road was withdrawn from the market, and is held in reserve for a railroad company that is yet to build its road, though the grant lapsed more than thirty years ago.

The question arising in the case of the Astoria Land Grant and others of like class, is just this way: If the proposition is sound that a grantee cannot after breach of condition acquire title, (and no honest, intelligent lawyer will question the soundness of a good fee in some form, present or prospective) grantee under railroad grants cannot acquire right to indemnity lands by constructing road after time allowed for completing same; and by filing map of definite location after the grant has lapsed, as the Northern Pacific and other roads have attempted to do.

If the Department would make a practical application of this rule it might restore to prevention and homestead settlement a strip of land eighty miles wide through

territories and forty miles wide through states which has been withdrawn from settlement for many years on account of the lapsed railroad grants to companies which have not filed maps of definite location, nor made a survey of its line.

A large amount of land withdrawn for the Northern Pacific Railroad company is along lines definitely located since the grant lapsed. Millions of acres of indemnity lands not earned before the lapse of grants, are now withheld from settlement; but should be immediately restored to settlement by executive order. There are hundreds of thousands of acres of land right here that should be thrown open to actual settlers now instead of suffering such a cloud of uncertainty to rest upon the title as to virtually deprive any one from settling on them with the intention of building up a home.

Astoria Land Grant.

In the Congressional Record of the 4th Inst., we find the following: Mr. Grover. I present the petition of J. L. Stout and other citizens of Oregon, praying Congress to declare forfeited the unearned portion of lands granted to the Oregon Central Railroad company by act of May 3, 1870, unless the road be completed by January 1, 1883. The petition might go to the committee on railroads, unless it raises a question of process in which case it would go to the committee on the judiciary.

The presiding officer, (Mr. Edwards) in the chair. The chair would state that at the last Congress, the chair thinks, a similar question was referred to the committee on the judiciary with instructions to consider the propriety of reporting a general bill. Mr. Grover. Then I move the reference of the petition to the committee on the judiciary. The motion was agreed to.

Extensive Programs.

The National Board of Trade now in session at Washington, has, among others, the following subjects for consideration: A bill in favor of a general pilotage law, providing for such compensation and certainty of remuneration as shall secure for every harbor a prompt, efficient and harmonious corps of pilots; an uniform bankruptcy law for the whole country, which shall conform to the following points: Rapid and inexpensive liquidation of assets; an avoidance of assignments or transfers of property or of honest bankrupts. Also the following resolution relative to American shipping: Favoring the removal of all State and local taxes; reciprocity in the matter of light dues or other charges in foreign ports, so that no vessel shall sail the ocean under more favorable conditions than those enjoyed under the American flag; the establishment of mail lines by such reasonable compensation as shall enable the nation to maintain intercourse with all important regions of the globe without depending on any other country for such service. The Philadelphia board also takes the ground that the rapid increase of surplus revenue in the United States treasury demands a revision of the revenue laws. The question of the adulteration of food and drugs will be discussed by the convention as well as the subject of trade relations with Canada.

It is all very well, as a matter of political gossip, to speculate upon the probable successor of President Arthur, and the prospective nominee of this or that party in 1884, but the whole thing is guess-work. Political wires may be laid any number of years in advance, but the history of nominating conventions in the United States shows a remarkable aptitude for upsetting every previous calculation by the adoption of the in-

probable. The late President is quite as likely to be some one never mentioned in that connection as any of the self-nominated aspirants.

John W. Draper.

The death of John W. Draper removes from the foremost rank of the world's scientists a man who for originality of thought, breadth of judgment, conscientiousness of statement and unwearying endeavor to learn and impart, has rarely been equaled. An Englishman by birth, he came to this country at such an early age that he can be claimed as an American. During the early years of his life he practiced medicine and wrote little, being more of an observer than a commentator, but in the fullness of his manhood he gave to the world many great benefits as the result of twenty years of study and careful observation. His studies on photography and light, on the laws of heat and the theory of acoustics were sources of information to thousands, and some of his most elaborate works upon natural science are acknowledged sources of authority. But his greatest work is the "History of the American Civil War." To us it seems the only history of our internecine strife that is worthy of mention. His research, fairness, justice and regard for truth and facts entitle it to the highest praise. The loss of this great man will be severely felt by the intellectual world, of which he was so bright a part.

NEW TO-DAY.

Consignees Notice. WHETHER THE CAPTAIN NOR THE UNDEVELOPED COMPANIES OF THE BRITISH STEAM NAVIGATION CO. shall be responsible for any debts contracted by the crew while lying at this port. RODGERS, MEYER & CO. Consignees. Astoria, Or., Jan. 25, 1882.

BARK HARVEST HOME!

SPECIAL AUCTION SALE!!

I am authorized by Capt. A. Mattson to sell at Public Auction, for account of whom it may concern, on the arrival of the Portland Steamer Astoria,

LIBERTY HALL. Thursday & Friday, Jan. 26 & 27.

On THURSDAY AFTERNOON, January 26, 1882,

The Stranded Bark Harvest Home,

Together with her

Yards, Standing Rigging, Running Gear, 2 new Pumps, Windlass and every other article of Ship's tackle and Furniture, including 1600 sheet of New Copper on her bottom.

Except the following which will be offered separately, viz:

2 Ships' Boats, 1 Anchor, 3000 lbs. and anchor chain, 1 Anchor, 18, 0 lbs. and anchor chain.

(The anchors are hanging over ships' bow.)

1 Kedge Anchor, 500 lbs., A lot of Ropes, 3 lower top-sails, 4 upper top-sails, 2 fore-sails, 1 main-sail, 3 royals, 4 top-gallant sails, 2 jibs, 1 flying jib, 1 fore top-mast staysail, 1 spanker, 1 gaff topsail, 1 mizzen stay-sail, 1 mizzen top-mast stay-sail, 1 main top-mast stay-sail, 1 main top-gallant stay-sail.

All of which have been removed from the wreck and are safely housed.

E. C. HOLDEN, Auctioneer.

Blank, Promissory notes, bonds for deed, quit claim deeds, mortgages and warranty deeds, at this office.

MISCELLANEOUS.

A. V. Allen, (SUCCESSOR TO PAGE & ALLEN.) Wholesale and retail dealer in

Groceries, Provisions, Crockery.

Glass and Plated Ware. TROPICAL AND DOMESTIC FRUITS AND VEGETABLES. Together with

Wines, Liquors, Tobacco & Cigars

The largest and most complete stock of goods in their line to be found in the city. Corner of Cass and Squemoque Streets. ASTORIA, OREGON.

Barbour's IRISH FLAX THREADS

Salmon Net Twine. Cotton Seine Twine, Cork and Lead Lines, Cotton Netting, all sizes. Seines Made to Order, Flax and Cotton Twine, Fishing Tackle, etc.

BARBOUR BROTHERS 511 Market Street, San Francisco HENRY DOYLE & Co., Managers.

LIBERTY HALL.

Thursday & Friday, Jan. 26 & 27.

F. W. STECHMAN, MANAGER

Engagement Extraordinary!

STAR NEW, GIGANTIC, STAR 30 ALL STAR MINSTRELS, AND

Emerson's Jockey. 12 CLOG 12 DANCERS, WITH CALCIUM LIGHT EFFECTS

THE GRANDST AND MOST Complete Minstrel Organization Now Traveling.

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A GRAND INSTRUMENTAL TRIUMPH.

Brass and String Bands.

10 Musical Artists. OUR VOCALISTS

The California Quartette.

This is the Finest and Largest Minstrel Company that has ever visited this Coast.

Every Artist a STAR! BOX SHEET OPEN AT CARL ADLER'S.

G. A. STINSON & CO. BLACKSMITHING.

At Capt. Rogers old stand, corner of Cass and Court Streets.

Ship and Cannery work, Horseshoeing, Wagons made and repaired. Good work guaranteed.

For Sale. HOMESTEAD OF JAS. SLATER, ONE mile from Elk Creek, Clatsop county, 50 acres, to cleared and fenced, house and barn. A good cattle ranch. Inquire of JOHN HUBSON.

50 TONS LIVERPOOL FISHERY SALT

For sale cheap. Apply to J. G. HUSTLER, Astoria, Dec. 29, 1881.

MISCELLANEOUS.

Geo. W. Hume Wholesale and Retail Dealer

GROCERIES, Provisions, Lumber, ETC. ETC. ETC.

Fishermen and Cannery SUPPLIES A SPECIALTY.

AGENT FOR THE San Jose Fruit Packing Company.

AND THE San Francisco Chemical WORKS.

ASTORIA OREGON. CHICAGO BREWERY, J. STRAUSS, AGENT.

Is now ready to supply the public with the Celebrated Chicago Beer

In any quantity to suit. I have also this Celebrated Chicago Beer in Bottles.

Which is now very popular among "all families and saloons."

Please send in your orders and they will have my best attention. J. STRAUSS, Astoria, Oregon. Agent for Oregon and Wash. Ter.

Piles! Piles! Piles! A Sure Cure Found at Last! No One Need Suffer!

A sure Cure for Hemorrhoids, Itching and Discharge - Piles has been discovered by Dr. Williams' (an Indian Remedy), called Dr. Williams' Indian Ointment. A single box has cured the worst chronic cases of 20 or 30 years standing. No one need suffer five minutes after applying this wonderful soothing medicine. Excessions, irritations and other various diseases arising from the rectum, are cured by this ointment, which is applied to the inside of the rectum, and is prepared only for Piles, itching of the private parts, and for itching eyes.

Read what the Hon. J. M. Conmurry of Cleveland, says about Dr. Williams' Indian Ointment: "I have used scores of Pills, Cures, and it affords me pleasure to say that I have never found anything which gave such immediate and permanent relief as Dr. Williams' Indian Ointment."

For sale by all druggists or mailed on receipt of price, \$1.00. HENRY & CO. Prop's. Cleveland, O. Hodge, Davis & Co. Wholesale Agents, Portland, Oregon.

CANNERY FOR SALE.

THE BUILDING, PLANT AND SUPPLIES OF THE BRITISH COLUMBIA PACKING COMPANY, near New Westminster, Fraser River. Apply to JAMES FINLAYSON, 318 Front St., S. F.

Or F. BIRRELL, on the premises.

HEADQUARTERS DEPARTMENT OF THE Columbia, Vancouver Barracks, W. C. Nov. 25, 1881.

Written proposals will be received by the undersigned, at Vancouver Barracks, W. T., until March 31st, 1882, for the right of exclusive mining on the Fort Stevens (Point Adams) Military Reservation, during the next fishing season. The right to reject any or all bids, as may be deemed best, is reserved by the undersigned.

O. D. GREEN, Maj. and Asst. Art. General, Bevet Brigadier General U. S. Army.

Health is Wealth.

Dr. E. C. West's Nerve and Brain Treatment: a specific for Hysteria, Dizziness, Convulsions, Nervous Headache, Mental Depression, Loss of Memory, Spasms, St. Vitus' Dance, Involuntary Emissions, Premature Old Age, caused by over-excitation, self-abuse, or over-indulgence, which leads to misery, decay and death. One box will cure recent cases. Each box contains one month's treatment. One dollar a box, or six boxes for five dollars; sent by mail prepaid on receipt of price. We guarantee six boxes to cure any case. With each order received by us for six boxes, accompanied with five dollars, we will send the purchaser our written guarantee to return the money if the treatment does not effect a cure. Guarantee assumed only by W. E. Dement, druggist, Astoria, Oregon. Orders by mail at regular prices.

Wanted. 100 SMALL ANCHORS. Any one having a quantity of small anchors weighing 15 to 20 pounds to sell will please notify C. J. FRENCHARD.

\$500 Reward. We will pay the above reward for any case of Liver Complaint, Dyspepsia, Sick Headache, indigestion, Constipation or Catarrhs, these we cannot cure with West's Vegetable Liver Pills, when the directions are strictly complied with. They are purely Vegetable, and never fail to effect a cure. Sugar coated. Large boxes, containing 30 Pills, 25 cents. For sale by all Druggists. Beware of counterfeits and imitations. The genuine manufactured only by JOHN C. WEST & CO., "The Pill Makers," 181 and 183 W. Madison St., Chicago. Free trial postage sent by mail prepaid on receipt of a 3 cent stamp. W. E. Dement, agent.

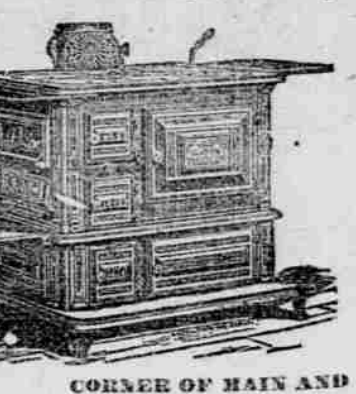
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MAKES UP FIRST CLASS STOCK INTO Harness and Saddles.

And will fit you out in better style and cheaper rates than any other man in Oregon.

A full line of Whips, Carry Combs, etc., on hand.

John A. Montgomery, (SUCCESSOR TO JACKINS & MONTGOMERY.) DEALERS IN



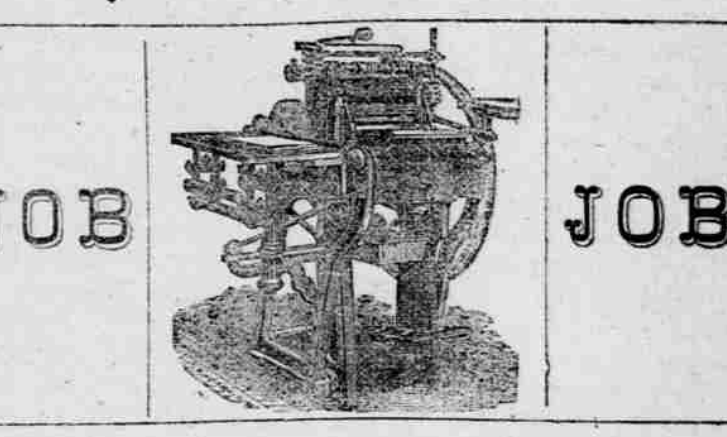
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Agents for Magee Stoves and Ranges. The Best in the market.

Pumbling goods of all kinds on hand. Job work done in a workmanlike manner.

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OILED CLOTHING, (Send for price list.)

Importers, manufacturers and dealers in Twines, Tents, Hose, Cotton Sail Duck, Belting, Waterproof Tar-paulins, Waterproof Covers, Patent Solid Cotton Belting.

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WAR IS DECLARED WITHOUT FURTHER NOTICE every man in Astoria has a new suit of clothes MADE BY MEANY.

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The finest line of samples on the coast to select from. P. J. MEANY, Main street, opposite Parker House, Astoria.

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CHINCHONA RUBRA, AND CALIFORNIA GRAPE BRANDY.

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See our local columns for particulars, and as you VALUE HEALTH, READ!

Notice. I WILL GIVE FIFTY DOLLARS REWARD for the recovery of the body of my father, Geo. Burchard, senior, who was drowned at Oak Point, Jan. 18th. GEO. BURCHARD, Jr.

Dissolution of Copartnership. NOTICE IS HEREBY GIVEN THAT the partnership heretofore existing between G. Leinenweber and A. A. Cohn is this day dissolved by mutual consent. The business will hereafter be conducted as formerly under the firm name of Leinenweber & Co. G. LEINENWEBER, A. A. COHN.

Astoria, Jan. 12, 1882.

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DEALERS IN Iron, Steel, Coal, Anchors, Chains, TAR, PITCH, OAKUM, WROUGHT AND CUT GALVANIZED SPIRES.

Nails, Copper Nails and Bars, Shelf Hardware, Paints and Oils, Rubber and Hemp Packing of all kinds.

PROVISIONS, FLOUR AND MILL FEED. Agents for Salem Flouring Mills.

Corner Chenamus and Hamilton Streets ASTORIA, OREGON.

B. B. FRANKLIN, UNDERTAKER.

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AND UNDERTAKERS GOODS.

CITY BOOK STORE.

We are constantly receiving new additions to our stock and have the finest and largest assortment of variety goods in the city.

Combs, Brushes, Stationery, Frames, Celluloid Goods.

All our goods are marked in plain figures. Call and examine quality and note prices. CHAS. STEVENS & SON

BILL HEAD PAPER, EVERY GRADE AND COLOR, Printed or plain, at lowest rates, at THE ASTORIAN office.