The Daily Astorian.

ASTORIA, OREGON:

WEDNESDAY.....JULY 19, 1882

J. F. HALLORAN.....Editor

Midnight, July 31st.

It seems to be the impression in some quarters that because of the number of cases of salmon packed on the Columbia river this season, in comparison to that of last, that it is the intention of canners and fishermen to catch on the Columbia river after the 31st inst., though the statute expressly prohibits such action. There are a number of points that, by reason of their lacking any direct bearing on the case, do not need more than allusion. Whether it is a settled fact that salmon will continue to run after the 1st prox., whether it is vitally essential to general or individual prosperity that the pack of '82 shall exceed the pack of '81; whether the inordinate desire for profit outweighs the natural spirit of justice or love of right that supposedly actuates the minds of all claiming to be civilized, or not, are questions that need no discussion. In all argument a certain amount of intelligence must be conceded to those who participate. A lack of ability to correctly appreciate facts, or state certain results, in no way affects the validity of the facts or the certainty of the results, though it is sometimes unfortunate for the erring participants.

It is unnecessary to go into a recital of facts that are patent to all who are conversant with this, our greatest industry here in Astoria. If the men at present employed in the business see fit to gouge its eyes out, that is their privilege; if our state, and state legislature see fit to put up with it, that is our misfortune. There seems to be a disposition on the part of some to handle this thing with kid gloves, and shrink from saying something that would be taken as an offense by parties who happen to have a little more of the yellow god in their breeches pockets or San Francisco safes than others.

In our opinion it is of prime importance to our Astoria chamber of commerce. It is for them to take action. To the credit of the Portland Board of Trade let it be said that that body met last Saturday to discuss the question. We quote from the Oregonian:

Mr. Whalley stated that the fishermen expected to evade the law by the difficulty which would be found by the prosecuting attorney to enforce the present statutes.

District Attorney Caples suggested that there was more talk than anything else. "There has as yet been no real violations of the law. Public opinion, however, is that these laws are not valid, yet [illegible] their test. [illegible] of trade [illegible] portant one. [illegible] Provided that the [illegible] boundary of the state of O[illegible] should be up the mid[illegible] the ship channel of the [illegible] and also says, inclu[illegible] tion in civil an[illegible] shall be conc[illegible] states and [illegible] river." [illegible]

[illegible] Columbia, [illegible] ing 'jurisdic- [illegible] criminal cases [illegible] rent with adjoining [illegible] territories over the whole [illegible] the question now rises, 'Does [illegible] boundary of a county extend across the river?' This question has never been decided, but it is in my opinion that in civil and criminal cases the boundary of a county will be considered the same as far as jurisdiction is concerned, as is provided by the constitution for the boundary of the state."

Mr. Dodd thought that as a body the board of trade should call upon all intererested in the packing business to stop on the first of August and not kill the goose that had laid so many golden eggs.

Capt. Ingersoll suggested that the board draw up an address to be sent to all cannerymen calling attention to this matter, and expressive of the sense of the board of trade in reference to the unlawful catching and canning of salmon in the waters of the Columbia and its tributaries, and the determination of the board to prosecute all violators of the laws in such cases made and provided. The suggestion was put in the form of a motion that a committee of three be appointed to do this, and was carried unanimously.

The chair appointed as such committee Messrs. Ingersoll, Whalley and Dodd.

This is a vital question to all Astorians: to all who prospose to stay here, and help make the place what nature designed it should be. In a wider sense it is a question of paramount importance to Oregon, and the Portland people are perfectly consistent in their recent action. For such action, the Portland [illegible] of trade deserves commendation.

The semi-legal opinion seems to be that the law against any fishing before or after certain dates, is a local law; that it can be construed as "special legislation," and that it is contrary to our Oregon state constitution. Yet the Sunday law is in force throughout the state; that is not a local law; *but there has never been any serious attempt to enforce it.* Gentle Caples tell us why. The law of Washington territory upon this matter, was once pronounced void, because it depended upon the action of the Oregon legislature, but that has ben remedied by a new law. What is the trouble across the river? Is a "local law" void there also? It is an alluring method of passing time, this wrapping up plain questions in legal subtleties and dusty cobwebs of jurisprudence.

The whole matter whittles right down to this: nothing can be done this season; there is too much on the one side and not enough on the other. Our next legislature has a duty before it, and it will be done—unless the more important necessities of making buncombe speeches on unimportant topics take up three-fourths of the session—the work for that legislature is to pass a law prohibiting the catching of salmon in any stream wholly or partly within the limits of the state of Oregon during the first twenty days of April and August of each year.

This cannot be considered as being "local" in its operation or significance; it applies to the Columbia; and in no way interferes with operations on Rogue river, at Tillamook, or elsewhere in the state limits. The second clause in the bill as drawn may be that all fishing on state rivers, between six P. M. Saturday, and six P. M., Sunday, shall be illegal. There may be knuckles inserted in eyes and tears squeezed therefrom over such cruelty, but the law demands it and the court should award it. The third article of this necessary law should be that all drifting nets below the upper or eastern extremity of Sand Island shall be prohibited. This will suggest itself as eminently fair and of absolute necessity as a preventative of disaster if for no other reason.

[illegible] let Washington territory [illegible] similar laws at its '83 sess[illegible] [illegible] quibble[illegible] of house[illegible] [illegible]nes be jointly and speedily [illegible]ettled; and then ENFORCE THE LAW.

So much for the case in general. But justice to Astoria demands that more be said. It was our Clatsop county delegation that got the present law placed upon the statute book. There was never a test case brought. Why? Whether justly or unjustly it was and is today the current belief that the judge before whom the case would be tried is of the opinion that the law is unconstitutional, and would so decide any case brought before him for adjudication. That gentleman is undoubtedly an able jurist, his residence is in the city with which his interests are identified in common with a good many others who recognize the fact that the enforcement of the law would be a direct benefit to Astoria, and its being rendered inoperative would not largely redound to our immediate prosperity as a commercial community. There are wheels within wheels. We are glad to note the sudden interest manifested by our Portland friends, now, and pleased to have their co-operation. It would have been a matter of congratulation had the same spirit been openly manifested when it was the unanimous desire of our cannerymen to make a test case here, and when the report was industriously circulated by those inimical to Astoria's advancement, that those whose position made their words weighty, had said that the law was unconstitutional, and would so be declared. But there is always more joy over one Portland man who gets over his ridiculous jealousy of Astoria, than there is over ninety and nine Astorians who go not astray. Only we move that it be engrossed upon the records and a copy sent to the family of the resuscitated that our people have, in the main, been consistent in their advocacy of restrictive and furthering measures ever since the subject was first broached.

So the object of protection is to compel the "working class" of the United States to wear serge and hodden-gray instead of cloth and silk? Certainly this is the effect of protection. But is rather startling to find the N. Y. Times avowing this as the object of protection in such a paragraph as the following:

"Considering that it is only the well-to-do who can afford to buy silks, it will not be considered oppressive by the working classes that the government derive a revenue of about $21,000,000 from the import silk trade of the year. This taxation did not fall upon them."

Pray, why should not the wives and daughters of the "working class" buy and wear silks?" In order to secure monstrous profits to thirty silk manufacturers the framers of the tariff have so closed the markets of the United States against the enterprise of mankind that "it is only the well-to-do who can afford to buy silks." Were the protective duties levied to secure these monstrous profits removed, "the working class in this country" could afford to buy "silks" in this year of our Lord 1882, as they used to do before this "taxation" was imposed. The "taxation" of which the Tribune discourses so glibly falls directly upon them in the offensive form of a practical discrimination against them in dress.

BORN.

At Knappa, Oregon, July 13th, 1882, to the wife of D. Overton, a daughter—11½ pounds.

NET FOUND.

ABOUT 90 FATHOMS OF 5½ MESH NET. A Floats branded I. L. H., found on or about 4th inst. Can be had by owner applying to me and paying charges.

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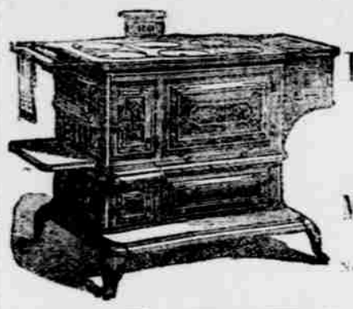

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Genuine Mercer French Calf

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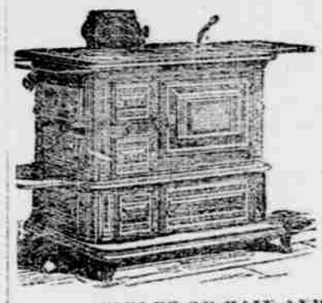
THE PARTNERSHIP HERETOFORE existing between John Moy and A. Keller, under the firm name of Moy & Keller is this day dissolved by mutual consent. All debts due the firm will be collected by John Moy.

JOHN MOY,
A. KELLER.

Astoria, Oregon, July 13th, 1882.

John A. Montgomery,

(SUCCESSOR TO JACKINS & MONTGOMERY,)



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