

THE AMENDMENT IS LEGAL

Judge Stott's Opinion on the Gambling Ordinance.

HE WRITES THE ASTORIAN

A Plain Statement From One of the Most Eminent Lawyers on the Pacific Coast.

The Astorian is in receipt of the following communication from Judge Raleigh Stott, of Portland:

Office of Stott, Boise & Stott, attorneys at law.

Portland, Oregon, March 31st, 1893.

To the Editor of The Astorian:

Dear Sir:—I have considered the question you propounded in regard to the new city charter of Astoria empowering the city to license gambling. From your letter I understand that the new charter expressly grants the power to the city council to license gambling. If that is so and the city has the express power granted it in plain terms, an ordinance licensing gambling may be legally passed and enforced, in my opinion. Such a provision, giving the city council the authority, in express terms, would operate to repeal by implication the general law against gambling within the limits of your city. In some states it has been held that the words "regulate" and "restrain" in a city charter imply the power to license; but this is denied in many other states, and the rule laid down is that the right to license must be plainly conferred or it will not be held to exist. This rule is sustained by the greater weight of authority and is, in my judgment, based on sound reason. The courts of the different states are united in further holding that a charter or special act passed subsequent to the general law and plainly irreconcilable with it will, to the extent of the conflict, operate to repeal the latter by implication.

Without having a copy of the provision of your new city charter before me, I can only say that if the power to license gambling is allowed by express terms in your charter, the council may pass and enforce an ordinance to that effect. Respectfully yours, RALEIGH STOTT.

ABOUT THE CITY.

Easter morning.

Is this the second flood?

County taxes will be delinquent tomorrow.

The churches are fragrant with flowers today.

Mr. Estebrook, of Ilwaco, is very seriously ill.

Two deeds were filed in the recorder's office yesterday.

Colored eggs today. The old German custom still lives and flourishes.

Church bells will ring out gaily today. Easter services everywhere.

Captain J. H. D. Gray injured his ankle yesterday by slipping on the sidewalk.

The Loyal Temperance Legion met at the Y. M. C. A. rooms yesterday afternoon.

Remember the Austin House at the Seaside is open the year around.

Times are fearfully hard in Astoria. Twelve thousand dollars were up on the glove contest last night.

If you want some extra fine photos, Mooers' is the place to get them.

In response to the unanimous invitations published in Saturday's Astorian, Mr. G. A. Charnock has again resumed his duties as secretary of the Y. M. C. A.

Call at the Albatross Fish Market for fresh smelts daily.

Col. Andrew Stevenson is in the city visiting many friends. He looks well and not at all run down with his arduous labors in various parts of the state, in the cause of temperance.

Columbia Tender Company No. 3, will give a bal April 8th, at Columbia cannery. All invited.

The reception given by the ladies of the Astoria Library Association last evening was highly successful. There were, in spite of the weather, a large number of visitors, and the evening was spent very pleasantly in songs, recitations, and instrumental solos.

Swope & Slater will be pleased to furnish estimates on interior decoration to all who call or address 459 Fourth street.

Ng Ah Si, the Chinaman for whom a warrant was sworn out yesterday for being a party to the assault of Chu Shet, has disappeared, and it is thought that he has gone to Portland. Every effort will be made to ascertain his whereabouts. The case against Ng Ah Lung will be heard tomorrow.

Just from New York a large and handsome line of ladies and misses wraps and jackets at Cohen's Low Price Store.

S. A. Wherry came in from Elsie on the Humburg, yesterday. While coming over the Fishhawk divide on Friday snow fell heavily for five hours. There are not many trees down in the road, but the mud is almost bottomless. He reports that Old Mrs. Gragg, who has been very ill, is improving.

Wing, Lee & Co. carry a full line of Japanese and Chinese fancy goods, novelties and curios. Ladies' underwear made to order. 523 Third street.

There died in this city yesterday of heart disease, William Orders, eldest son of Mrs. M. Nowlen, aged sixty years. The funeral service will be held at the Methodist church at half past one Monday afternoon, and the inter-

ment will be made at Greenwood cemetery. Services at the grave will be private.

Sing Lung, 255 Third street, carries a full line of Japanese and Chinese goods, novelties, curios, ladies' underwear made to order, at low prices.

The committee to examine and report on the condition of the cemetery bulkhead, it is said, have found that the bulkhead idea was a mistake, and will recommend that the council condemn the cemetery and forbid further burials there. The manner in which the bulkhead was constructed will also form a subject of this report.

Forged the Certificates.

Collector Taylor was busy all day yesterday investigating a number of cases of forgery of Chinese certificates. It appears that the names of A. J. Megler, Herman Wise, A. R. Kanaga, S. S. Gordon, R. N. Carnahan, and Mr. Schoene were forged as witnesses that the Chinese holding the certificates were merchants doing business in Astoria.

The suspicions of Collector Taylor were first aroused by the fact that so many of the certificates bore the mark of a rubber stamp similar to one used by Mr. Gordon in the First National bank. When Mr. Kanaga was informed of the circumstance, he proceeded to the custom house to examine the signatures and made the discovery that some exceedingly clumsy work had been done. Mr. Kanaga's notarial seal appeared on all the certificates, but when that gentleman more closely inspected his signature he saw at once that the efforts of the forgers were bungling. He also discovered that the names of the men holding the documents had not been signed in the jurat, where they belonged, also that in the attempt to follow his style of chirography throughout the document the effort resulted in failure. Instead of using the word "compared," where the certificate should read—"I have carefully compared the photograph with the original," the forger had used the word "composed" in five different certificates, the issuing of which covered a period of over two years. As Mr. Kanaga is fairly well acquainted with the English language and the correct application of the words therein, he is somewhat disgruntled over the reflection cast upon his intelligence.

When Collector Taylor showed these certificates to the gentleman whose names appear as witnesses, the seeming resemblance of the signatures to their handwriting for a moment deceived them, but on closer observation all saw at once that forgery had been committed. Mr. Gordon, who is well acquainted with Mr. Kanaga's handwriting and signature through banking business, promptly recognized the forgery of his name.

The theory has been advanced by the officials that the certificates were made out in China, the style having been obtained from a genuine certificate issued to Hong Gee something over a year ago, to which all the names of the gentlemen mentioned above were signed. Gee has not yet returned from China, and the supposition is natural that he preserved his certificate. Mr. Schoene, the Occident Hotel barber, states that he never signed but one certificate. As for the impress of the notarial seal, it is evident that some soft metal was used in the manufacture of that obtained by the forgers, because in the one used by Mr. Kanaga the letters are clearly cut out of steel, while in the forged certificate the letters are blurred and indistinct.

The Chinese will be kept on board by Collector Taylor and returned to the Celestial Empire.

At a meeting of the session of the First Presbyterian church of this city, held on March 26th, the following resolutions of respect and recognition to the memory of the late Mr. Henry Powell were unanimously adopted and ordered spread upon the minutes: Whereas, God, "in whose hands are the issues of life," in His divine wisdom, has called to eternal rest our beloved brother and fellow laborer, Henry Powell, for thirteen past an elder of this church; therefore, be it

Resolved, 1st, that in the death of Elder Henry Powell, the First Presbyterian church of Astoria, Oregon, has sustained the loss of a faithful friend and wise counselor; and, while we bow with submission to the divine will, we cannot but mourn the demise of one who, as an eminently consistent Christian in all the relations of life, was a bright and shining light in the church of the Lord Jesus Christ.

Resolved, 2nd, that in honor and justice to the memory of our departed brother and co-worker, we hereby place on the seasonal records our high estimation and appreciation of the work he has been permitted to do and of the example he has left us to follow.

Resolved, 3d, that a copy of these resolutions be presented to the family of our deceased brother, on whom we invoke the divine blessing, and pray that the God of all graces and consolation may comfort and sustain them in their bereavement, and, when they too shall have "finished their course," reunite them to the beloved husband and affectionate father who now awaits their coming "on the other shore."

R. B. DILWORTH, Pastor. E. C. HOLDEN, C. A. HANSEN, J. T. ROSS, Elders

The names of the two comedies which are to be presented by Society Amateur at Liberty Hall next Tuesday evening, are "What's in a Name," a case of Mistaken Identity, and "The train for Mauro." Music and recitations will also be given and the "Exhibition of the Sphinx."

JEFFS, The Only Restaurant.

WHY THE UNION PACIFIC?

The Oregonian Speaks a Second Time About the Railroad.

SOMETHING OF THE DIRECTION

How We Should Urge on the Union Pacific the Necessity for Building the Line at Once.

Yesterday's Oregonian said editorially:

"The extent of the Union Pacific's mileage in Oregon, Washington and Idaho, together with the requirements of its transcontinental and transoceanic business, renders it necessary for this great railroad to complete its system in the West by an extension from Portland to Astoria. A road from Portland to Astoria could be operated with advantage only by the Union Pacific, and as such road is necessary to the Union Pacific the Union Pacific should build it. Built independently, it would be of small use either to the Union Pacific or to the country at large. Through traffic, under a single management, is the necessary condition, and the extent of the Union Pacific's mileage in these three states, and the advantages that this great road would derive from through traffic to and from the sea, on lines and in a situation where it could have no direct competitor, suggest the construction of the Astoria road by the Union Pacific as a necessity to itself.

The way then, to get this road is to urge it upon the Union Pacific as an undertaking required by its own interests, to press on that road as the one additional thing necessary to enable it to meet competition north and south and to remove out of sight forever any inequality as to its Western business. No other road covers so much western territory as the Union Pacific; no other reaches so much productive territory in the three Northwestern Pacific states. No other can, it ought, therefore, to go direct to the seaboard, to Astoria, to the mouth of the great river, where the jetty, now approaching completion, has made an entrance and harbor not surpassed in the world. To do this will require construction of but 100 miles of road on a water level, an effort absolutely insignificant in proportion to so great a system.

It will not help the Union Pacific to go to Puget Sound. There it would meet its great and powerful rival; the bridge across the Columbia would cost nearly as much as the line to Astoria, and the road having considerable grades, could not be operated so easily or cheaply as the line on water level to the mouth of the Columbia. Here the Union Pacific would develop its greatness within territory wholly its own. Of all our roads, this distinctly is Oregon's road, Oregon's own, or rather it should be, since it is in the position and has all the necessary opportunity to realize the fact and to make the most of it. The greater part of the business of the Northwestern states would be made the Union Pacific's own, without a rival, if it would build the line to Astoria. It would be a small thing for results so great. It is the thing necessary for the Union Pacific, in order to concentrate upon its lines the traffic of the great region drained by the Columbia river, in magnitude the second watershed of the United States."

The fishing season is close at hand, and matters piscatorial are in order. An Astorian reporter was yesterday shown a neatly packed box of smoked Columbia river smelt. In general appearance they resemble the smoked herring that is common in the market. These smoked Columbia river smelt have been tasted by competent judges and pronounced to be far superior in flavor and richness to the common smoked herring. A fisherman named John Murphy, near Westport, cured these and it proves that we have here material for the development of an important industry. There are tons of smelt that either go to waste or are allowed to go untaken every year. All that is necessary is to use proper enterprise in pushing these smoked smelt into the market and it will not be long till their superior qualities will cause inquiry and demand for them. It requires time and persistent effort even with products of great merit to get that trade which through habit demands articles of old, established reputation and dislikes to experiment with that which is comparatively unknown. Once let the retail dealers give their customers a chance to try these fish and the demand will from that time be established and continue to grow. These little smelts have long been known as a toothsome fry that were unequalled among finny food, but this experiment shows how the enormous and perishable supply may be converted into a valuable commercial form. This Columbia river of ours is a mine of vast and varied wealth that as yet has yielded from but one vein for the industrial prosperity of our city.

DR. PRICE'S Cream Baking Powder. The only Pure Cream of Tartar Powder. No Ammonia; No Alum. Used in Millions of Homes—40 Years the Standard.

WANTED.

PUSHING CANNYER OF GOOD ADVICE. Liberal salary and expenses paid weekly. Permanent position. BROWN BROS. Co., Nurserymen, Portland, Oregon.

RELIABLE PERSON TO TAKE EXCLUSIVE control, on new plan, of circulation of my World's Fair magazine, "WORLD'S COLUMBIAN EXPOSITION ILLUSTRATED," authentic organ of the Fair, in Astoria. Send stamp for particulars. J. B. Campbell, 139 and 141 Adams Street, Chicago, Ill.

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FURNISHED OR UNFURNISHED ROOMS for rent, pleasantly located near business. Call at No. 309 West 8th Street.

HOTEL TIGHE, FURNISHED ROOMS IN suite or single at reasonable rates by the day week or month.

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NICELY FURNISHED ROOMS BY DAY, week or month terms very reasonable at the hotel, 716 Third Street.

ROOM FOR OFFICE OR LIGHT HOUSEKEEPING. Inquire at F. H. WILLS at the Occident bar.

ROOMS FOR LIGHT HOUSEKEEPING. Ground floor, good location. Inquire at this office.

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OBRIEN'S HOTEL 107 WEST SIXTH Street. Alb. Halder, Proprietor. Rates per day \$1 Single meals 25 Everything is kept in good order and we do our best to suit everybody who gives us a call.

CALL ON P. BAKER, 478 THIRD STREET and have your clothes dyed and cleaned.

W. O. McLEAN, CORNER OLNEY AND ANTON streets, does a general business in blacksmithing and repairing.

HEACOCK'S SECOND HAND STORE 615, Third Street, buys and sells new and second-hand furniture, highest cash price paid.

YOUNG & LEWIS, AGENTS AND DEALERS in real estate and Oregon Pine Lumber, 516 Second street.

City lots and acreage, Tongue Point property, Flavel property, all on easy terms.

10-acre fruit and chicken tracts close to town, cheap.

Best thing on the market.

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Farragut Post G. A. R.

Will give a

CALICO BALL

For the aid of the memorial fund, at

Fisher's Hall, April 14th.

Two prizes will be given for the neatest dressed lady.

Calico will be the only material used in dresses.

Price of admission, \$1. Ladies free.

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Safes, Fireproof.

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Hardware and Ship Chandlery,

Pure Oil, Bright Varnish, Biscuit Oil, Cotton Canvas, Hemp Sail Twine, Lard Oil, Wrought Iron Spikes, Galvanized Cut Nails

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Agricultural Implements, Sewing Machines, Pumps and Oils.

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You can't go wrong if you buy

MARSHALL'S Twine.

The 1893 make is now being delivered to customers. It is made of the flax crop of 1890.

WHY?

Because the 1891 and 1892 crops have been inferior. Marshall never uses inferior flax. That is why his twine

IS THE BEST!

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On Meter System.

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Incandescent, all night... \$1.50

" " 12 o'clock... 1.00

" " 10 " " 75

Or by meter, 1 cent per hour.

Installation - Free - of - Charge

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AUG. DANIELSON,

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Wines, Liquors and Cigars.

Agent for the GUNN steamship line and the TRINGVALLA Steamship Line, direct.

Also, agent for "Svenska Tribunen" and "Svenska Amerikanerna."

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