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Convention Notes (Aug. 17, 1889)

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ANACORTES PROGRESS.

SATURDAY AUGUST 17, 1889

Salt Lake City is now, for the first time in its history, free from the control of the polygamous Mormon, the Gentiles having carried the last municipal election.

A new seam of coal in the Wallington mine, British Columbia, is said to be the finest yet struck on the coast. It is also capable of turning out, it is said, a thousand tons of coal a day.

The location of the capital of the future State of Washington will be left to a decision of the people. If the citizens of Western Washington have the strongest pull, Olympia will continue to be the capital.

It is said to be a fact that the O. R. & N. Co. have secured control of the Seattle, Lake Shore & Eastern road. If this is true, some surprises may be anticipated by the people of the Sound in the way of increased transportation facilities.

When, and that "when" will not be long deferred, the Seattle Northern has made a connection with the line building across the Cascades, the shortest rail route between New York and the Pacific Coast will have its terminus on Fidalgo Island.

The Constitutional Convention is having a regular monkey and parrot dime during the closing hours over the question of tide flats, etc., and Moore of Spokane and Durio of King, the leaders in debate on these subjects, got considerably excited at times, and their talk smacked much of personality.

The Constitutional Convention has about completed its labors and will soon adjourn. While the work of this body cannot be perfect, still the fundamental law they will present to the people for ratification will compare very favorably with the constitutions of other states, being free from many of the objectionable features found by the experience of other commonwealths.

The political pot has begun to boil in the populous centers of the State. There are numberless self-sacrificing patriots who are willing to serve the people in any capacity, even if they must out the political throats of other patriots for the good of their country. There will be some fine juggling between now and election day.

News is received that work has been commenced on the West Coast Railroad at Gera on Upper Samas, at the British Columbia line. It would not be a matter of surprise if within eighteen months the people of Anacortes can travel north and south over the West Coast road by the connection which will be made by that line and the Seattle Northern.

It was more or less funny, says the Tacoma Globe, the outcome of that capture in Behring sea. A great fuss was made about it. War talk was indulged in. Canada "rard back on her postern jints" and roared in feeble imitation of the British lion. The captors put one seaman on board the captured vessel and the master sailed off with his vessel and his seal skins whithersoever he wotted, and now where is that loyal American sailor? That is the question. We want our sailor back and we want him bad. If that nasty old British skipper don't send him home he shan't play in our pond any more.

As an exhibition of first-class gull the following postal card sent to business men in Portland:

Your attention is respectfully called to the immense business advantage which would result to the city of Portland from the location of the capital of the new State of Washington at Vancouver. It is the most convenient place in the whole Territory for all of the people to meet, and the chances are at least equal that it may be selected. "A word to the wise."

The people of Vancouver ought to know that the voters of the State will not separate their capital at any suburb of Portland, or any where else where it can only be reached by traveling through Oregon. The Portland business men will do well to keep their fingers out of our pie

SHOOTING OF DAVID S. TERRY.

From Wednesday's daily papers information is gleaned of the killing at Lathrop, California, on the 14th inst. of the notorious Judge David S. Terry, while in company with his wife, the equally notorious Sarah Althea Hill, who was brought into such malodorous prominence by reason of her connection with the celebrated case of Hill vs. Sharon. The killing of Terry was directly the result of an adverse decision rendered by Supreme Justice Stephen J. Field in this case. Terry met Field in the hotel dining room and slapped his face, when Deputy United States Marshal Nagle pulled a pistol and shot Terry dead. The United States District Attorney having been informed that there was a likelihood of trouble for the Justice on the part of Terry, had sent Nagle to protect him. Terry and his wife boarded the train when it stopped at Fresno. Justice Field told the reporter that when the train stopped at Lathrop for breakfast he went to the dining room with Nagle. There they had just commenced their meal when Terry came up from behind and struck him in the face. Nagle started up in his seat and told Terry not to do that again. Terry paid no attention to what Nagle said and drew back his hand again when Nagle shot him. Terry never uttered a sound after being shot. Colonel Otis, editor of the Los Angeles Times, who was a witness of the shooting of Terry, when asked if Marshal Nagle was considered blameable, said: "Not at all. I happened to know that he was acting under direct instructions of the Attorney-General of the United States to protect the person of Justice Field at all hazards. This order was made in consequence of the frequent threats which Terry had made against him. In conversation with me, Judge Field said that he was much distressed at the constant attendance of the deputy. He did not want a bodyguard, but the officer insisted on carrying out his instructions to the letter. He went on the same train with the Justice to Los Angeles, and has actually lived in his shadow ever since. He was in the faithful discharge of his duty when he killed Terry."

David S. Terry was born in Kentucky March 8, 1823. He served in the Texan army under Sam Houston, and was engaged in the battle of San Jacinto.

He led a company of Texan rangers to California in 1849 and followed the business of mining, which he abandoned for law pursuits. In 1850 he was defeated for Mayor of Stockton and five years later he was elected Justice of the Supreme Court.

On the death of Chief Justice Murray, in 1857, Judge Terry became Chief Justice. An extraordinary adventure marked his first judicial year. It was the year of the Vigilantes in San Francisco. He took sides as a judicial officer against that body. The committee summoned one Maloney, friend of Terry's, to testify, and when he refused, an attempt was made to arrest him. Terry, armed to the teeth, refused to allow the arrest, and when the Vigilance Committee's officer forcibly attempted it, Terry stabbed him in the neck, inflicting a terribly wound.

Terry was held by the vigilantes, but the officer recovering he was released.

The event which gave Terry national notoriety was his famous duel with Senator David C. Broderick, in 1859, whom he killed. The duel arose out of political differences.

In the United States circuit court on September 3d of last year Chief Justice Field delivered a decision declaring the marriage contract in the famous case a forgery. Sarah Althea asked the justice how much the defendants had paid him for his decision. She was ordered removed from the court room.

United States Marshal Franks attempted to obey the order of the court when he was assaulted by her husband.

For this outbreak the latter was sentenced to six months and the woman to thirty days in the county jail. It was that which resulted in the tragedy.

TIDE LANDS.

T. O. Abbott, in a paper read to the Pierce County Bar Association says:

1. That all land under tide waters below mean high tide and low tide belong to the State, by virtue of its inherent sovereignty.
2. That the State has absolute dominion and power of disposition of such lands.
3. That riparian or littoral rights cannot intervene to defeat or restrain the rights of the State.
4. That a grant of land by the United States along the shore could not by any possibility convey rights below mean high tide, the government being unable to convey any right which it does not itself possess.

The States have invariably declared, not in their constitutions, it is true, but by their legislatures and their courts, that these lands belong to them, some for one purpose and some for another. Massachusetts, for instance, reserves only the control of them, granting the use and ownership to upland owners, and she is followed to a certain extent by Maine, Connecticut and Rhode Island. New York, New Jersey, Maryland, Pennsylvania and all the others assert unqualified ownership, and especially is this the case in Alabama, California and Oregon.

Some have, however, endeavored to throw doubt upon the power of the State to dispose of these lands without regard to what they are pleased to term the riparian or littoral rights of upland owners, asserting that these are rights of which the individual cannot be deprived without compensation. The assumption is, in fact, that the riparian proprietor has paramount rights to those of the State—which appears to me to be tantamount to saying that water can rise higher than its source.

If the State has original ownership in the lands, how can the upland owner acquire any right except through the State? The almost unbroken line of decision by the Supreme Court is to the effect that the State possesses absolute control and disposition of these lands, and that it can dispose of them in whatever manner it pleases. The case of Yates vs. Milwaukee (10 Wall, 497) is sometimes cited as adverse to this view, but upon careful examination of the facts of that case I find that the dispute was one arising between one Yates and the city of Milwaukee, both claiming grants and privileges arising from the State. The court held that the riparian rights "when once vested, the owner can only be deprived of in accordance with established law," leaving the question as to when it was vested wholly undetermined.

About 6 o'clock Tuesday morning the steamship Umatilla ran ashore at Brown's point, opposite Tacoma, on her way from Seattle to the City of Destiny, her prow running into the bushes, and the steamer lying astraight on the sand as she usually does in the water. Steamer Premier made an unsuccessful attempt to pull her off, and at last advices she was lying in the same position. It is not thought she will be much injured.

A LIBERAL OFFER.

The publishers of Progress have just concluded arrangements whereby they are enabled to furnish to subscribers on payment of \$2 a copy of this paper for one year and a new improved and colored map of Puget Sound, acknowledged to be the most accurate yet published, embracing as it does a comprehensive outline of the Mediterranean section common to British Columbia and Washington Territory, and showing all the operated and projected lines of railway, the coal stratus, and giving other information of great value. This map was drawn by an experienced civil and mining engineer, and is pronounced by those able to judge to be the best chart of Puget Sound yet issued. No person interested in Puget Sound should be without one of these excellent maps.

Persons who have already subscribed for the paper can secure one of these maps by the payment of 50 cents additional. Remember, the map and Progress for one year for \$2; the paper alone, \$1.50.

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Anacortes, Wash.

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SAW MILL SITE.

A first-class site offers itself for a 50,000 to 100,000 capacity saw mill at Anacortes, including the necessary water; situated on the reserved and improved lands of Anne C. Bowman; in the exact center of Ship Harbor, and in the center of the lands where will be built any town on Ship Harbor larger than a village.

For location and its advantages, conditions, etc., apply at this office, or by letter to John Griffith, Anacortes.

A SASH, DOOR AND SHINGLE FACTORY

For foreign shipment, employing about fifty hands, is offered a site, well selected for such business, on the Curtis place, at Lamb Creek, Anacortes. Selected with a view to expansion into a still larger house and furniture factory. Water supply. Track and probably station of Seattle & Northern. Apply at this office, or by letter to John Griffith.

SMELTING WORKS AT ANACORTES.

Capt. Newton's spit, more recently known as Weaverling's spit, has been purchased with special reference to securing favorable grounds and conditions requisite for a smelting works company's location. The selection has been made by a mining engineer familiar with the operations and necessities of such works. A sufficient water supply, deep water shipping point, and railway track connecting north, south and east are united on this property, with room for expansion to any necessary extent. Apply at this office, or by letter to John Griffith, Anacortes.

"JACK OF ALL TRADES" SHOP.

The old blacksmith and carpenter's shop, wagon and wheelbarrow maker's shop, paint shop, shoe cobblers and tin shop and general tool house, which has subserved so useful a purpose at Anacortes—where tools were always to be had for the hooking of them—had to be dismantled for good and sufficient reasons. But the shop and all the non-portable tools are still there; and the necessity is greater than ever for a "Jack of all Trades" to attend to a varied and urgent business. For a boatman or boat builder of broad gauge, with a family, the place offers a chance worth taking. It is to let. Apply at this office, or by letter to John Griffith.

THE COMMISSARY'S STORE.

Just vacated by removal of stuff to Avon, originally Jack Dowling's saloon, now offers its hospitable shelter to the hardware man, or the vendor of notions, knickknacks, newspapers or drugs, among which real estate cannot justly be classed at present. It is large enough for a general store. Apply as above.

TOURISTS' HOTEL AND SUMMER RESORT FOR THE ISLANDS.

To those who are acquainted with all the beauties and varieties of attraction of the "Archipelago De Haro"—that nest of islands extending across the Georgian Gulf, between Vancouver Island and the American mainland, and designated as Washington Sound on the Coast Survey charts—no claim need be made of the immense popularity and success in store for a tourists' hotel and summer resort of "the Islands," picturesquely and conveniently located. Such a hotel and resort already exists in a rudimentary form—two substantial framed buildings together 90x146 feet in dimensions, barring a 60 foot connection not yet constructed—at Rose Point, Anacortes, situated in a beautiful sheltered cove, graced by magnificent maple trees, and fronting over deep water in full sight of Ship Harbor and of Mt. Baker. It awaits only the finishing doors, windows and verandas to transform it, now that the time has arrived, from a warehouse to an "Island Club House;" but what is more important, it awaits the right man to come and look at it, to oversee such transformation, and to run the house for all that may be in it. To that end it will perhaps be best for the "right man" aforesaid to buy it outright. The ground is 100 feet front, by 200 feet running back. Any one having capital enough to make the hotel what is needed at this place, can have these buildings and the choicest of sites for the purpose, for \$5000. Apply at this office, or by letter to John Griffith, Anacortes.

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Offers for sale for the season of 1889-90 a large and complete stock of

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O. R. & N. CO. TIME TABLE.

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Leaves Tacoma every Sunday, Tuesday and Thursday at 7.30 p. m.; leaves Seattle at 11 p. m.; leaves Whatcom, returning, at 6 p. m. Monday, Wednesday and Saturday at 7 p. m. Starr leaves Sehome and Whatcom for Blaine and Skidmore every Friday at 1 p. m.

MAIL STEAMER HASSALO, Leaves Seattle Monday, Wednesday and Friday at 11 p. m. for Whatcom, touching at all landings. Returning leaves Whatcom at 5.30 p. m. Sunday, Tuesday and Thursday.

STEAMSHIP IDAHO, For Whatcom from Portland every ten days. Will carry freight and passengers at reduced rates. For rates inquire of Agent, in the Purdy building, Whatcom.

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Leaves Seattle at 9.00 p. m. sharp Sundays, Tuesdays and Thursdays, arrives at Whatcom at 10 a. m. next day. Returning leaves Whatcom at 7 p. m. Mondays, Wednesdays and Fridays, arrives at Seattle at 10 a. m. next day.

Str. City of Quincy (Touching at La Conner.)

Leaves Seattle at 9 p. m. Mondays, Wednesdays and Fridays, arrives at Whatcom at 12 a. m. next day. Returning leaves Whatcom at 7 p. m. Tuesdays and Thursdays; Sundays at 7 a. m.; arrives at Seattle at 10 a. m. next day; Sundays at 7 p. m. GEO. S. JACOBS, Sec'y. D. B. JACKSON, President

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