

## A QUICK LUNCH

Why spend a couple of hours preparing your noonday lunch? We carry a large line of ready cooked foods.

Little Neck Clams, Canned Crabs, Chicken Tomales—Spanish, Asparagus Tips, Etc., which can be prepared in a very few minutes.

### A. V. ALLEN,

Phones 3871 and 711 Main.  
Sale Agents for Baker's Barrington Hall Steel Cut Coffee.

## NOT YET COMPLETE

Jury in Thaw Trial Meets With Fresh Changes.

## MORE JURORS DISCHARGED

Former Pittsburg Chief of Police Declares He Has Secured Data and Information Valuable to the Defense in the Case.

NEW YORK, Jan. 31.—Sensations were frequent today in the Thaw case and before the session closed three more sworn jurors had been released from further service. Two of these were replaced. Regarding two of the jurors excused no explanation was given. Regarding the third jurors, number 11, Mr. Kleinberger, it was stated that ill-health made it dangerous for him to act in the capacity of juror. The other two, Mr. Walker, juror No. 4, and Mr. Haas, juror No. 9, were both surprised when asked to step down. Those secured today are Oscar A. Pink, salesman, 48 years old, who becomes number 4; Wilbur S. Steele, manufacturer, 60 years old, who takes the place of juror No. 9, and juror No. 11 was replaced by Joseph B. Bolton, 56 years old, a clerk by trade. It is believed the twelfth juror will be secured today, but the uncertainty of the term of service of one juror, who is sitting on the trial bank, and at whose selection Thaw was visibly pleased, is so great that predictions are all but worthless. It was stated tonight that Thaw's counsel might give in to Jerome's demand for an excuse of one of the jurors, if he would agree to excusing a juror which the defense does not regard altogether with favor. This could not be verified. The release of so many sworn jurors has resulted in an increase by ten in the number of peremptory challenges. The defense has used 29 of its original 30, and now has but eleven left. The prosecution has 20 of its peremptory challenges still at its command. District Attorney Jerome announced today for the first time that he had decided not to make the opening address to the jury. He will turn that work over to his assistant, Francis P. Garvan, who has had immediate charge of the Thaw case ever since the tragedy.

NEW YORK, Jan. 31.—The work of selecting a jury to try Harry K. Thaw for the killing of Architect Stanford White is nearing completion. Eleven jurors were in the box when court adjourned yesterday and the last juror, it is confidently expected, will be chosen early today. When the real business of the trial, which the public generally has looked forward to with interest, will begin, District Attorney Jerome will personally outline the state's case in his opening address. This, it is believed, will be a comparatively brief statement, setting forth the crime as it is known to have occurred. He will trace the movements of Thaw and his victim on the fatal evening and bring them together in the roof garden of Madison Square, where Thaw deliberately shot and killed Stanford White, while the latter sat at a table with some friends watching a theatrical performance.

Roger O'Mara, former chief of police of Pittsburg, who has been working for several months gathering evidence in behalf of Thaw, arrived in town last night. He is said to have obtained information and data valuable to the defense, but refused to disclose its nature. "I have come here in answer to a telegram from Mr. Thaw's counsel," said O'Mara last night. "I have known Harry Thaw for years and we have been friends, and I know that he desires that I shall be on hand during his actual trial. "I have information and data which are of value to the defense. I can say that, for I have been constantly employed for months in the gathering of evidence and making investigations for my client and his counsel." The members of Thaw's family, who are standing loyally by the side of the accused, and Thaw himself, while naturally anxious, have looked forward eagerly for the day to come when the real trial would begin. Now that it is here they have announced that they will attend every session of court in an endeavor to cheer and encourage the young man who is fighting for his life.

NEW YORK INNOVATION.  
NEW YORK, Jan. 31.—It was announced at a meeting yesterday of the committee on physical welfare of school children of this city that a staff of twenty dentists has been organized to care for the teeth of pupils. All of the dentists volunteered their services. This is said to be the first attempt in America to provide dental treatment for school children.

## NEW YORK INNOVATION.

NEW YORK, Jan. 31.—It was announced at a meeting yesterday of the committee on physical welfare of school children of this city that a staff of twenty dentists has been organized to care for the teeth of pupils. All of the dentists volunteered their services. This is said to be the first attempt in America to provide dental treatment for school children.

## CASTORIA For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of *Chas. H. Fletcher*

## LONGS FOR FIGHT

Raynor Assails President for Joining Congressional Wars.

## OVER RIDES CONSTITUTION

Usurps Functions of Government Not Conferred Upon Him by Constitution—Enlarges Federal Power at Expense of States.

WASHINGTON, Jan. 31.—Disclaiming any intention of "assailing" President Roosevelt and professing for him profound personal esteem, Senator Raynor of Maryland today addressed the Senate in critical review of what he termed the President's usurpation of governmental functions not conferred on him by the constitution.

He first referred to the recent speech of Secretary Root in which was described the gradual enlargement of federal power at the expense of the states. "I regard this doctrine," said Mr. Raynor, "as a most dangerous and insidious attack on the institutions of the country." He said that because these doctrines "must be taken, as they were intended to be taken, as manifesting the purpose of the administration to carry this new doctrine of constitutional construction into execution whenever the opportunity or emergency may arise for its exercise."

Before reviewing the specific actions of the President which met his criticism, Mr. Raynor remarked: "The President is laboring under the honest impression that he is responsible to the country for the legislation of Congress."

The first instance of "conflict" between the executive and legislative functions, Mr. Raynor said, was in the *Santo Domingo* affair, in which, he said, "The President has evidently made his own treaty."

Without discussing whether the treaty is right, he said: "The charge I make is that he has accomplished this in violation of the constitution. The treaty has been practically carried into effect without consulting the Senate." The same means, he said, might be employed for the collection of debts from any Central or South American republic.

Mr. Raynor turned his attention to the judiciary, announcing his belief that it ought to be free from executive interference. "It is therefore my judgment," he added, "that the criticism by the President of Judge Humphrey with reference to his decision in the case known as the packers' case in the Illinois courts was an invasion of judicial prerogatives."

Senator Raynor then pronounced his disapproval of the President for "his intrusion" upon the states, taking for example, the note of the President to Governor Guild of Massachusetts, in which the course of the governor was commended in refusing to interfere in the carrying out of the death sentence against Charles L. Tucker. "I never knew of a communication of this sort to be sent by a President to the governor of a state since the foundation of the republic," said Mr. Raynor, "and I deeply regret and deplore the occurrence. It would have been extremely good taste for Governor Guild to have respectfully remitted this telegram to the President with a caution that he did not request the President's opinion in the case, nor the sanction of his high station to the carrying out of the execution."

While admitting that no technical violation of any provision of the constitution was involved, Mr. Raynor contended that it was a practical announcement that the acts of state officials were subject to the approval or displeasure of the federal government. The turbulent times in the Senate attendant on the passage of the railroad rate bill were next alluded to by Mr. Raynor. "The President came into the game early," he began, and then added:

"We realize that no fight is thoroughly equipped on this floor unless the President is in it. He longs for a fight as the hart panteth after the water brooks. It was a match to the finish between the senior senator from Rhode Island (Aldrich) and the President."

"The most wonderful exhibition of the President's power in Congress" Mr. Raynor believed to have been at the time of the legislating for the sea level canal. After describing this fight he remarked:

"It shows how the dominating spirit of the President can ride the whirlwind when he has made up his mind to legislate and how in absolute de-

fluence of the laws of nature he can produce a senatorial vacuum beneath the sweep of his mighty genius."

The Schley case was the next topic reviewed by Mr. Raynor, particularly with reference to the President's action in the matter. He predicted that the Schley case would yet be reopened, just as a similar case had recently been in another land. "Admiral Schley shall be heard," he announced, "living or dead. I have never known an injustice of this sort to have been done that the occasion did not arise to redress it."

The result of the President's construction of his prerogatives, Mr. Raynor said, had raised a new school of scribes who had commenced to edit a revised edition of the constitution, called the "unwritten constitution." The President is the prophet of this new creed. "But," he added, "one thing he has no right to do, and that is to use the public patronage at his disposal to compel obedience to his views. Another thing he has no right to do is to make compacts with the speaker of the House of Representatives, or its committee to accomplish or prevent legislation. He has no right either beyond his messages in which he is given the right at any time to suggest any measure he may deem proper or necessary, to interfere with legislation and to force Congress either to adopt his recommendations, or if it rejects them to bring about a breach between the legislative and executive departments that is detrimental to the best interests of the country. That constitutes an assumption of dictatorial power which the people of this republic will not submit to."

In conclusion Mr. Raynor said: "I believe that if the Democratic party would take up as its battle cry the reserved rights of the states and the inviolate constitutional distinction of the legislative, the judicial and the executive departments that we could rally around the doctrine the intelligent suffrages of our countrymen."

## REPORTS TO MAYOR.

NEW YORK, Jan. 31.—Borough President Bird S. Coler of Brooklyn has sent to Mayor McClellan a report dealing with transportation in which he advocates the ownership of transportation facilities by the city. The borough president contends that the matter of transportation has become so complex in the cities that it soon must take its place as a natural function of the government.

## THREATENS EXISTENCE.

French Cabinet Faces Crisis Because of Clash in Chamber.

PARIS, Jan. 31.—The existence of the cabinet is believed to be in danger as a result of a clash in the Chamber of Deputies last night between Premier Clemenceau and Minister of Education Briand. The incident, which was superficially smoothed over, it is learned, was over a radical divergence of views regarding the proposition of the French bishops. Briand and Clemenceau both regard the proposition as unacceptable in its present form, but Briand believed the door of conciliation should not be closed. Clemenceau, however, will brook no opposition.

When Freedom from her mountain height Unfurled her Standard for all to see, These words appeared in black and white, "Drink Rocky Mountain Tea." For sale by Frank Hart.

Foley's Honey and Tar cures the most obstinate coughs and expels the cold from the system as it is mildly laxative. It is guaranteed. The genuine is in the yellow package. T. F. Laurin, Owl Drug Store.

## The Old Stove Man

Has been hunting around for a year or more to find a line of **STOVES**

as good or better than the kind he sold here twenty years ago (some of these are beginning to wear out). He thinks he has found the line. He will show them to you if you will call at the store of

### W. C. LAWS & CO.

Plumbers and Steam Fitters.

## To Be Happy and Gay

Means not only good things to eat, but also the best of things to drink, and the best of all good drinks is Sund & Carlson's

**Rye and Bourbon Whiskies, Choice Wines and Champagnes.**

### THE COMMERCIAL

509 Commercial St.

## FISHERMEN, ATTENTION!

SEE OUR WINDOW EVERYTHING YOU NEED!

**PAINT, COTTON ROPE, SAIL-CLOTH, NETTING TWINE, NETTING NEEDLES, OARS & FLOATS**

### The Foard & Stokes Hardware Co., Inc.

Successors to Foard & Stokes Co.

## ASTORIA IRON WORKS

JOHN FOX, Pres. F. L. BISHOP, Secretary Nelson Troyer, Vice-Pres. and Supt. ASTORIA SAVINGS BANK, Treas.

Designers and Manufacturers of

THE LATEST IMPROVED

**Canning Machinery, Marine Engines and Boilers,**

Complete Cannery Outfits Furnished.

ORRESPONDENCE SOLICITED. Foot of Fourth Street.

## First National Bank of Astoria, Ore.

ESTABLISHED 1886.

Capital \$100,000

## WHAT IS IT YOU NEED?

Your house wired? Your door bell fixed? or your telephone connected up?

## STEEL & EWART

UP-TO-DATE ELECTRICIANS. No. 222 TWELFTH STREET.

## Our Doors Are Open

We are anticipating your patronage and will appreciate it.

We will do business on the basis of

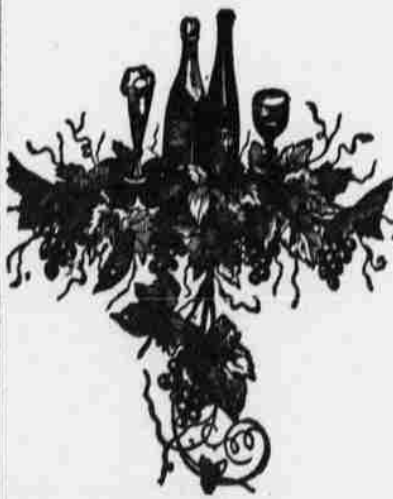
"A Dollar in Value for a Dollar in Cash."

We offer nothing but the best and genuine

### Liquors and Wines

Our reputation going with the goods as they are sold. Drop in and look over the stock we are handling.

We dispose of our wares only in bulk, bottle and package. A wholesale line on wholesale terms.



### American - Importing - Co.

Successors to Foard & Stokes, 589 Commercial Street, Phone Main 1883.

## Oregon Restaurant

Is now open as an up-to-date house. Serves the best meals in the city. Everything strictly first class.

REGULAR HOME DINNER, 35c.  
SUNDAY CHICKEN DINNER A SPECIALTY 50c.

OPEN DAY AND NIGHT

Wm. G. PATTERSON, Prop.  
NINTH AND ASTOR STREETS.