

Marvelous Sale...

FRANK D. LA LAMNE & CO.
Cotton and Woolen Mills
Philadelphia, Pa.
Dec. 15, 1898.
Messrs. McAllen & McDonnell,
Portland, Oregon.

Gentlemen:
We are in receipt of our favor of 7th inst., and accept your offer for our goods—one-third off.
We think you will be able to make money out of the lot at this figure, for it is a big loss to us, but the goods have been handled since they left our place, and we prefer to sell them cheap, rather than have them returned. Yours very truly,
FRANK D. LA LAMNE & CO.

Will be added to goods already catalogued in our Clearance Sale.

A new lot of Jackets, the latest creation of the tailors' art, and will be sold at Less Than Cost.

McAllen & McDonnell

Dressgoods At Portland Clearance Sale Prices

Albert Dunbar's CLEARANCE SALE.

P. J. Meany

Merchant Tailor and Exporter of Furs.

Highest Cash Price Paid for Fur Skins.
Tenth and Commercial Sts. Astoria, Or.

POYLEE

(Formerly with Chas. Kan & Co.)
Manufacturer of Ladies' and Gents' UNDERWEAR, FURNISHING GOODS and HOSIERY.....

Ladies' Underwear Offer a Specialty.
25 1/2 Bond Street, Cor. Seventh.

TODAY'S WEATHER.

Occasional rain.

AROUND TOWN.

Money to loan—Ferguson Bros.

Candles 15 cents a pound at the Parlor.

Best 15-cent meal, Rising Sun restaurant, 612 Commercial street.

The British ship King David left up in tow for Portland yesterday.

Poston, agent of the Pacific Coast Company at Portland, is in the city.

The men's monthly tournament takes place at the A. F. C. alleys tomorrow.

Mr. H. M. Ogden, a well known Portland traveling man, is in the city for a few days.

Fresh Shoalwater Bay oysters and clams at the "Fair" Market, 5 1/2 Commercial street.

Best California wine 30 cents per gallon. Alex. Gilbert, sole agent for Astoria. Telephone 3.

Mr. Clyde Fulton, who has been ill with lagrippe for the past week, has fully recovered.

Wallend coal and coke is the best for domestic purposes. For sale by the Astoria Gas Light Co.

Dr. Finch has removed his office to the new Spearth building, Commercial street, near Eleventh.

Mr. P. Becker, of Portland, arrived down from Portland yesterday afternoon and will remain in the city for a few days. He is a guest at the Occident.

W. A. Gaines' private stock whiskey, handled exclusively in Astoria by John L. Carlson, is one of the most popular beverages sold. Its purity and quality are guaranteed, and it is especially recommended for family use. It is sold in any quantity at the corner of Twelfth and Bond streets.

There will be a special membership meeting of the members and friends of the First M. E. church tonight.

John Farney, foreman for the Treseott Packing Company, is in the city making preparations for the coming fishing season.

Four boats of sailing yet remain to be driven for the Young's bay bridge, but it is probable the pile driver will complete the job today.

During Dr. Tuttle's absence in British Columbia, Dr. J. A. Fulton will be acting assistant surgeon of the United States marine service.

The Norwegian bark Akorhus and the Danish bark Sixtus, both wheat laden for Queenstown for orders, were towed to sea yesterday.

The barkentine Chehalis, which arrived from Portland Monday, carries 76,000 feet of lumber, valued at \$600. She is bound for Shanghai, China.

Mrs. Helen Bennett, of Anacortes, Wash., is in the city on a visit of a few weeks to her son, J. H. A. Bennett, of the First National bank.

Mr. W. I. Reed, president of the Oakland Lumber Company, arrived from Portland yesterday on business connected with his shipping interests.

The funeral of Indian Dick took place yesterday from Pohl's undertaking parlors and the remains conveyed to Ocean View cemetery for interment.

If you use our Saponaceous Tooth Wash it will whiten your teeth, preserve your gums and give a delightful fragrance to the breath. Rogers, druggist.

Gold medals to Harper whiskey at New Orleans and World's Fair, Chicago. Try it, you will endorse the judge's verdict. Sold by the Ford & Stokes Company, Astoria, Or.

The dredger employed on the tidelands near the Young's bay bridge finished there yesterday and will be taken to Goble today by the steamer Belshaw, which arrived from Goble yesterday.

New furniture was put in the office of Chief of Police Hallock yesterday. The improvements were much needed and will give the office an appearance to correspond with the dignity of the position.

The popularity of the merchant's lunch served by Mr. George Bartley at the National is growing daily, and many business men can be found there every day for their midday meal. The lunches set by Mr. Bartley are the finest in the city.

The sailor received at the hospital Monday, suffering from a broken arm, belonged to the German ship Eucador and not to the British ship King David. The arm was amputated immediately on his arrival at the hospital and the patient is now in a fair way to recovery.

The steamer Serena Thayer, which arrived from San Francisco Monday, will take the lumber unloaded from the steamer Lakme on the West Shore Mills Company's dock to Portland. The Lakme will take the cargo to its destination as soon as repairs to her are completed in Portland.

The county court was in session yesterday afternoon. It had under consideration business connected with the construction of the Young's bay bridge and had nothing to give out for publication.

A new postoffice for the convenience of residents on the Washington shore will be established at Frankfort. People living in that vicinity now have to go to Knappa or Chocoma for their mail and the Frankfort office will be a great convenience.

The Bernhard Walthor Concert Company comes to Astoria with strong endorsements from Europe and America. This concert promises to be a great treat to the music lovers of Astoria. The company is composed of Mr. Bernhard Walthor, the great Belgian violinist; Madame Walthor, the English mezzo-soprano; and Miss Escherbaum, an accomplished German pianist.

If you want a fine shoe for very little money you can get it at F. O. Walters, corner of Twelfth and Bond streets. His expense is small, but his experience is large and he is a practical shoemaker. He knows exactly how and what to buy. He does not advertise to sell far cost, but his customers are not charged 100 per cent advance in regular prices, as is the case with some of his competitors.

The suit brought by James McCarthy, customs house boatman, against the owners of one of the British vessels which was in the harbor about a month ago, has been compromised out of court. While climbing on board the vessel Mr. McCarthy fell from the rail back into the boat and received injuries from which he still suffers. It is understood a substantial sum was awarded McCarthy by the owners.

The latest reports from Nehalem are to the effect that the two bar-bound schooners, the Seven Sisters and the Volante are yet stuck in the harbor. The southwest wind prevailing keeps the condition of the bar very rough and renders it unsafe to cross out with their full cargoes on board. The tug Maggie is now at Nehalem and will tow them to sea when a favorable opportunity offers. Tugs from San Francisco, sent up by the owners, will tow them down the coast.

The following is from the Daily Chronicle, of London, England: "As a violinist, Monsieur Walthor possesses a fine tone. His selections displayed complete mastery over the instrument. His technique is fine and insinuating, faultless, while the brilliancy of his bowing is in its way followed, as in the case of rapid passages, by corresponding loss of power. For each of his numbers he was repeatedly recalled. The 'Adagio Pathetique' and 'La Ronde des Lilies' were superbly rendered and well deserved the encore which was demanded."

Clinton & Co's pile driver was engaged yesterday in making soundings in front of the O. R. & N. dock preparatory to the driving of test piles for the extension of that structure out to the pier head line. The lower or west end will be extended 10 feet and the east end a distance of 20 feet, bringing the entire warehouse out to the edge of the present shipping channel. Mr. Lounsbury was seen in regard to the extension yesterday but denied that any such work was contemplated by the O. R. & N. Company, or if it was, that he knew anything about it. The facts as stated, however, and it is further understood that the work of extending the warehouse will be commenced at once.

Factional differences have sprung up between the milkmen of the city, and their meeting every morning at the landing on Young's river, after supplying the residents of Astoria with milk results in a running battle between the contestants. The trouble arose through gossip between the Lewis and Clarke milkmen and those living across the bay on Young's river. In the battles that have already occurred the Lewis and Clarke men have been routed, one of them lately having run into the chilly waters of Young's bay to escape from his adversary. He got away from his pursuer but narrowly escaped drowning. The two factions have fought every morning since Sunday, and it is not known whether the last battle was the decisive one or whether the affair will be kept up longer.

The Oregon Road Club has selected the following team to defend the Feldensheim trophy against the Astoria Football Club's team next Saturday evening: Buckman, Millburn, Rossiter, Boyce, D. Solomon and May. This aggregation should average close to B and the local team will have to do its best to win if it would win. Bowls is a highbinder net and has repeatedly made over 20 pins in tournaments. The Portlanders are practicing faithfully, and will do everything possible to prevent the trophy slipping from their grasp. They are in the opinion, according to the Telegram, that they will have a hard game. If the kinglys at the Road Club are good the local team will make a respectable showing, but with pins such as are in use at the A. F. C. it is impossible to make a score, except in very rare instances.

The department of agriculture will introduce into the United States the great honey bees found in the Philippines. These bees are twice as large as those of this country, and produce five or six times as much honey. They have extra long tongues, and can reach the nectar in many flowers that our own variety cannot. While this move will be of material benefit, it will not be any more so than Hostetter's Stomach Bitters, which reaches and cures many ailments that other remedies fall short of. Among them are indigestion, constipation, biliousness, nervousness, and ailments of the kidneys and blood. We especially recommend the Bitters to men and women whose nervous systems are shattered.

These pins are some which were manufactured under the "new process," and the clubs of the northwest are made to suffer for the experiments of the Brunns, Wickmaier-Collander Company. Wise of the local team, has been B, but he will probably be in trim by Saturday. The other players are bowling very well and the Road Club will probably not play alone in the contest.

The British steamship Lennox arrived yesterday from the coast with the usual list of Oriental merchandise and Japanese and Chinese passengers. The Lennox left Hongkong and touched at Kobe and Honolulu on the trip for freight and passengers. Before leaving Honolulu 100,000 tons of coal, belonging to the United States government, which had taken on the river last night for the Lennox, was being stowed. The fire was caused by spontaneous combustion, and the entire pile of coal was removed, at an expense equal to its original cost. The damage caused by the fire was slight. The officers of the Lennox report very pleasant weather the entire trip. Bright, sunny weather prevailed all the way, which was enjoyed by the Mongolian and Jap passengers, as well as the officers and crew. The Lennox proceeded up after clearing at the customs house and will at once load a cargo of general merchandise for the return trip, which awaits her on the wharves at Portland.

NEW ZEALAND FISH MAN VISITS THE NORTHWEST

Commissioner Ayson Now in Oregon Studying the Work of Artificial Propagation in This Section.

Mr. L. F. Ayson, government fish commissioner of New Zealand, arrived in the city yesterday, the guest of Mr. H. B. Parker. Mr. Ayson is in the United States for the purpose of making a thorough study of fish culture, and it was his intention to visit the hatchery at Clatskanie. The officials at the hatchery have put all their fish, however, and Mr. Ayson left by the river last night for Kalama, to visit the state hatchery at that place.

Mr. Ayson says a determined effort is being made in New Zealand to increase the output of all kinds of fish. He is particularly interested in artificial propagation as followed in the northwest and he will thoroughly investigate the work being done here. He says hatcheries have already been established in New Zealand, the eggs being obtained in the United States. The results thus far have surpassed the expectations of those in charge of the fishing industry on the island and a liberal appropriation has been made by the government to carry on the work.

The visiting commissioner yesterday met Mr. H. G. Van Dusen, the enthusiastic fish culturist of the Puah Club, and was given considerable information as to the means employed to increase the output of Columbia river salmon. Mr. Ayson was gratified to learn that Oregon had at last taken hold of the matter, and expressed his firm belief that excellent results will be obtained. His visit to the Kalama hatchery will greatly assist him, as that is one of the best operated institutions of the kind in America. Mr. Ayson will take to New Zealand a large quantity of eggs from Oregon and Washington.

SERIOUS ACCIDENT ON THE ASTORIA RAILROAD.

Laborer Named Dobbs Crushed Yesterday Morning by a Falling Log, which Broke His Back.

What will probably result in a fatal accident happened on the Astoria & Columbia river road near Swenson yesterday morning. A large log, which was being worked on the grade, a log fell on him, breaking his back. The unfortunate man was carried to Swenson and medical assistance was wired for.

Dr. J. A. Fulton went to Swenson to attend the sufferer. The man is very severely injured, but was made comfortable as possible by Dr. Fulton. The log which fell upon him was a heavy one and crushed him frightfully.

Dr. Fulton has had several similar cases, and in each instance the patient lived for a few months and then died. Usually in such cases the lower limbs of the sufferer become paralyzed and death is only a question of time. It is feared Dobbs will not recover from his injury.

HONEY BEES FROM PHILIPPINES

The department of agriculture will introduce into the United States the great honey bees found in the Philippines. These bees are twice as large as those of this country, and produce five or six times as much honey. They have extra long tongues, and can reach the nectar in many flowers that our own variety cannot. While this move will be of material benefit, it will not be any more so than Hostetter's Stomach Bitters, which reaches and cures many ailments that other remedies fall short of. Among them are indigestion, constipation, biliousness, nervousness, and ailments of the kidneys and blood. We especially recommend the Bitters to men and women whose nervous systems are shattered.

ADVERSE REPORT

Judiciary Committee's Summing Up of the Bill for Additional Justices.

Instrument is One of the Most Complete Ever Drawn in Oregon and is Given in Full.

One of the most important bills introduced at the present session of the legislature was that for adding two judges to the supreme court bench. Every practicing attorney in the state realizes that something ought to be done to relieve the supreme court as constituted of the enormous and increasing volume of business now being transferred to that tribunal. Various plans have been proposed to relieve this condition, among them the one for enlarging the supreme court by the creation of two additional justices and another limiting the right of appeal from the circuit court to suits involving a subject matter of more than a certain pecuniary value. Much interesting discussion has been aroused pro and con on the scheme to enlarge the supreme court, some authorities contending for the legislature's right to do so and others of equal weight denying the constitutionality of such proceeding. The bill providing for an increased supreme court was in due course referred to the senate judiciary committee, and on last Thursday it was reported back to the senate with an adverse recommendation. Senator C. W. Fulton, as chairman of the committee, wrote and submitted the report which was described by both the special correspondent of the Oregonian and the Associated Press at the time as a "masterly summing up of the constitutional objections." The report is quite lengthy, but it is such a complete vindication of the restrictions imposed by the constitution as to constitute one of the most important constructions of that instrument ever made within the history of the state. Mr. Fulton's report will doubtless become a precedent on constitutional interpretation which will carry weight and authority not only in Oregon for many years to come, but in various other states where such questions may arise throughout the Union. The report in full is as follows:

Mr. President: Your committee on judiciary, to whom was referred house bill No. 2, bearing a bill for an act to increase the number of justices of the supreme court, beg leave to report that they have had the same under consideration, and would respectfully report as follows:

On the question of the desirability, and even the necessity of affording the supreme court relief, your committee is in entire accord, and were it clear that this bill, if enacted, would not be in conflict with the constitution the committee would doubtless unanimously recommend its passage.

Upon the question, however, of the power of the legislature to enact the bill proposed, your committee is not in accord. A majority of the committee is of the opinion that the legislature is without authority to increase the number of justices of the supreme court, and in view of the importance of the question and the interest manifest thereon, we feel justified in submitting briefly some of the reasons which have impressed us with this conviction.

Section 10 of article VII of the constitution reads as follows:

"Sec. 10. When the white population of the state shall amount to two hundred thousand, the legislative assembly may provide for the election of supreme and circuit judges in distinct classes, one of which shall consist of three justices of the supreme court, who shall not perform circuit duty, and the other class shall consist of the necessary number of circuit judges, who shall hold full terms without allotment, and who shall take the same oath as the supreme judges."

It is pointed out by those who are of the opinion that the bill is not in violation of the constitution, that while the section quoted provides that the supreme court shall consist of three justices, it does not say that the number shall never be increased, and in support of their view that the legislature may properly enact the proposed law, they quote that familiar rule applicable to the interpretation and construction of state constitutions, namely, that such instruments are not grants of power, but are limitations only of the power of the legislature, the legislature being vested with all legislative power not delegated to the general government by the federal constitution, or expressly or by necessary implication, inhibited by the state constitution. While such is the rule, the question presented is does the language above quoted, or does the constitution taken as a whole, expressly or by necessary inference, limit the number of justices of the supreme court to three?

In considering this question, it is important to bear in mind that there are other rules of interpretation and construction besides the one above mentioned. For instance, we believe it to be universally conceded that in interpreting the language and construing the constitution, the language employed must be interpreted in its ordinary acceptation and meaning, and the constitution must be considered as a whole for the purpose of ascertaining the intention of its framers in any one particular. Cooley's Constitutional Limitations, pages 73, 75, 102, 104.

The constitution provides a system of government and the powers of that government are divided into three separate departments, namely: (1) the legislative; (2) the executive, which includes the administration; and (3) the judicial. The legislative power is vested in the legislative assembly, which shall consist of a senate and house of representatives. It will probably not be argued that a third house or legislative body could be created by the legislature, yet the power to do so is not in so many words expressly denied.

The chief executive power of the state is "vested in the governor," and it will hardly be contended that two or more governors may be provided by the legislature, yet the power so to do is not expressly prohibited.

It follows, then, that it will not in all cases suffice to invoke the rule that the legislature is vested with all power not expressly or by necessary implication inhibited by the constitution, for the purpose of showing or proving that the legislature is not denied the power to

(Continued on page three.)

USED BY THE NOBILITY.

The Remedy That Makes People Well---Paine's Celery Compound.



In every civilized country rich and poor alike have found restored health and new vigor in Paine's celery compound.

"Hard-working people of ordinary means are to be congratulated," says an English writer in reviewing the scientific work of the last quarter of a century "upon having so easily within their reach today a remedy which the wisest and most influential persons must themselves use, if they would get the best that modern medical skill offers. Paine's celery compound proves that the science of medicine has kept pace with the wonderful progress which characterizes the life of the present generation."

The astonishing reputation that this most wonderful of all remedies has acquired is entirely due to the world-moisture recommendation and endorsement of men and women of the highest business and social standing, as well as those in humbler but no less important positions who have themselves discovered its merits.

Mrs. Maria Countess Schimmelmann, whose portrait is here given, in a recent letter to the Wells & Richardson Company speaks of Paine's celery compound, and who first advised her to recommend it to her friends.

The countess, as is well known, is a prominent member of the Danish court. Her coming to this country has been much talked of. Her real object was one of charity, for she is using her great wealth and influence this winter in assisting the Danish people in the western states. She is stopping in Chicago, and from there writes her straightforward endorsement of Paine's celery compound. Women who are easily excited, who waste energy worrying over trifles, who are often sufferers from sick headache and nervousness, should read the plain, unadorned statements of what Paine's celery compound has done for other women.

Among the diseases that cause a vast amount of needless suffering that may be readily cured by Paine's celery compound are biliousness, torpid liver, headache, sleeplessness, dizziness, constipation, dyspepsia and general nervousness and debility.

No man or woman who is continually ailing can successfully carry on business, or be of much real comfort to the household.

And only a thoroughly nourished body that has all the used-up and therefore harmful material promptly removed from the blood and tissues can be healthy. When either of these vital conditions of adequate repair or elimination are completely done, the organs need just such help as Paine's celery compound is fitted to give. No other remedy is so valuable.

Where other remedies have failed, Paine's celery compound will succeed.

Save Half Your Money

The actual cost of shoes is not determined by the price you pay for them, but by the length of time they wear, and by the satisfaction they give.

We have the right shoes for the right price.

John Hahn,

The Reliable Shoe Dealer.

W. F. SCHEIBE, Manufacturer of the Always Reliable

A full line of Pipes, Tobacco, and Smokers' Articles.

474 Commercial St.

"La Belle Astoria" Cigar Scheibe's Opera Star Scheibe's Special And Other Brands

IN OLDEN TIMES.

People overlooked the importance of permanently beneficial effects and were satisfied with transient action; but now that it is generally known that Syrup of Figs will permanently overcome habitual constipation, well informed people will not buy other laxatives, which act for a time, but finally injure the system. Buy the genuine, made by the California Fig Syrup Co.

FUNERAL NOTICE.

Died—Monday afternoon, January 23, Charles Stoll, aged 72 years. Funeral from Undertaker's establishment on Wednesday, at 1:30 p. m. Rest will leave for Greenwood cemetery at 2 o'clock p. m. Friends of the deceased are invited to attend.

REAL ESTATE TRANSFERS.

E. J. Ford to J. N. Coffey, lots 12, 14, and 15, block 40, New Astoria, \$ 300
Neil Nelson to Jennie Bluffe, 100 acres in section 6, township 6 north, range 9 west 1500

SWISS WATCH REPAIR SHOP

Victor Rost

Chronometers
Watches and
Nautical Instruments

Promptly fixed and repaired.

Alarm Clocks from \$1 up.

Warranted. 110 Eleventh St.

Next to Postal Telegraph.

ORCHESTRA

Under the leadership of A. W. Uttinger and consisting of nine of the best musicians in the state.

ADMISSION:

Gente Masquers \$1.00
Ladies Masquers 50
Spectators 25
Children 10

OUR ANNUAL SALE

Commencing Tuesday, January 3rd, 1899.

Every article in the House reduced.

This will be the greatest offering in

Fine Dry Goods, Fancy Goods, Clothing, Furnishing Goods, Etc.

Ever placed before the people of the Lower Columbia River.

Positively no goods will be charged for at sale prices. Orders from the country will receive the same benefit as if bought personally at the counter. But cash must accompany the order.

DURING THIS SALE

Owing to manufacturers' restrictions we are not allowed to place the following goods at reduced prices: Standard Patterns, Spool Silk and Cotton, W. C. C. Corsets E. & W. Collars and Cuffs, Oil Clothing and Rubber Goods.

C. H. COOPER

The Leading Dry Goods and Clothing House of Astoria, Oregon.