RECENT ELECTION IS HELD REGULAR

ATTORNEY GENERAL BROWN COINCIDES WITH THE PREVIOUS RULING OF DISTRICT ATTORNEY NEUNER AND COUNTY CLERK LENOX.

OPINION WAS RECEIVED HERE

Election of Three Commissioners of the Port of Umpqua at the Last Election Was Held Regular By Attorney General.

District Attorney George Neuner last evening received a copy of the recent opinion rendered by Attorney General George M. Brown, in which he held that the election of three commissioners of the Port of Umpqua at the last election was regular, and in accordance with the laws governing the selection of these officials. The opinion of the attorney general is in direct accord with the previous ruling of District Attorney George Neuner and County Clerk E. H. Lenox, of this city. At the time of the last general election here there were some people who contended that only two commissioners should be elected, and for that reason the matter was referred to the attorney general for a legal opinion.

The opinion of the attorney general follows:

Salem, Dec. 1, 1916.

Mr. George Neuner, Jr., District Attorney, Roseburg, Oregon.

Dear Sir:—

Your favor of the 14th ultimo, requesting my opinion with respect to the number of commissioners of the Port of Umpqua which should have been elected at the recent election, has my attention after a necessary absence from my office on official business.

It appears from your letter and that of Mr. Cassius R. Peck, the attorney for said Port of Umpqua, that said port was organized in 1913, and that five commissioners were appointed to exercise its powers as provided by Section 6122, Lord's Oregon Laws; that one of the three commissioners whose terms by allotment, as provided in said section, were to expire on the first of January after the second succeeding general election held throughout the state, resigned prior to the general election held in 1914, and that in pursuance of the provisions of Section 6124, L. O. L., the vacancy thereby caused was filled by the remaining members of such board of commissioners by the appointment of Mr. Christie, who held office under such appointment until the first of January following the general election of 1914, and at said election he was elected to succeed himself; that at the election held November 7, 1916, the names of three candidates for commissioners for said port appeared on the ballot and were voted for by the electors of said port.

The question thus arising is whether all three of said candidates should receive certificates of election from the county clerk or only the two receiving the greatest number of votes, depending upon whether two or three commissioners should have been elected under the circumstances above stated.

This will depend upon the provisions of the statute providing the terms of office of such commissioners. Referring to Section 6122, L. O. L., it is therein provided, after providing for the appointment of such commissioners, as follows:

"The term of office of commissioner shall be determined by lot at the first meeting of the board. Two of said commissioners shall hold office until the first day of January next following the succeeding general election held in said state of Oregon and the remaining three of said commissioners shall hold office until the first day of January following the second next general election in said state. At such first general election two commissioners shall be elected, each to hold office for the term of four years from the first day of January following such election, and at the second general election three commissioners shall be elected, each to hold office for a term of four years from the first day of January following such annual general election. At each succeeding general election held in the State of Oregon thereafter, commissioners shall be elected for a term of four years each, to take the piace of those whose terms of office expire on the first day of January following such election."

A careful analysis of this language shows that there are two classes of terms of office provided for therein. The first class includes the terms of the commissioners first appointed, two of whom hold office until and their terms expire on the first day of January succeeding the next general election after their appointment. The remaining three hold office until and their terms expire on the first day of January succeeding the second general election following their appointment and after these respective terms expire commissioners are elected for a full term of four years each at succeeding elections. It will be noticed, however, that the language found in the last sentence above quoted from said section does not apply until the expiration of the terms of office of the commissioners first appointed. This is apparent from the language of said sentence wherein it is stated that "At each **succeeding** general election held in the state of Oregon **thereafter.**" It is well established that in construing the language of a statute every word and phrase contained therein are to be given their ordinary interpretation, unless some special meaning is evidently intended by the lawmakers and that each word and phrase are to be assigned some meaning. It is important, therefore ,to notice the two words underscored in the last above quotation and to inquire first what is meant by the word "succeeding." In other words, succeeding what? An examination of the words preceding this shows that it is succeeding the first and second general elections occurring in the State of Oregon after the organization of the port and, in the present case, that would be after the elections held in 1914 and 1916. Also it is important to investigate what is meant by the word "thereafter," found in the same quotation. In other words, after what? And the same answer must be given to this question; that is, after the two elections first occurring following the organization of the port. It is the commissioners elected thereafter, that is to say, after these two elections, who are to be elected for the term of four years, and the statute also provides that of the two commissioners whose terms first expire their successors are to be elected at the first election following their appointment for the term of four years and that the successors of the three commissioners, whose terms expire at the second electoin following their appointment, are elected for four years, but the terms of the commissioners first appointed are fixed by statute, two to expire at the first of January after the first succeeding election and the other three to expire at the first of January after the second succeeding election.

Our Supreme Court has held in the cases of State v. Johns, 3 Or., 533, and State v. Ware, 13 Or., 380, that where the term of office is fixed by the law creating the office and not limited to begin or end at any definite time, the term attaches to the person of the officer and begins when he is elected and qualified for such office, and, therefore, that a county judge elected to fill a vacancy when no term is specified separ-

(Continued on Page 4.)

DEO FOR COUGHS AND COLDS
Dennis Eucalyptus Ointment
AT ALL DRUG STORES
TUBES 25c JARS 50c

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Your Rod or Your Camp Kit

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RECREATION, the "Been There" Sportsman's Magazine, will keep you in that delightful tickled state of mind. Edward Cave, its editor, has hunted, fished and camped from Nova Scotia to British Columbia, and from Maine to California. HE knows how to dig up all the tiest and most useful information for you—he has "been there." HE knows how to pick out the best stories, with the most fun and "real thing" quality in them, written by the pick of the country's sportsmen. A dozen feature stories and articles and a score of departments in every number. Cover design in full colors, suitable for framing.

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RECREATION is far and away the most readable, best illustrated and most reliable sportsman's magazine published. ZANE GREY'S own "been there" experiences in a couple of numbers are alone worth the yearly subscription price of $1.50. You will say "The Trail of a Trapper," by BILLY SNOW, is the finest serial story of the kind you ever read.

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CITY EXPENSES TO BE EXAMINED

ACTIVITIES OF COUNCIL ARE AWAKENED BY MOVE STARTED BY NEW MEMBERS TO RUN CITY ON ECONOMIC BASIS—INQUIRIES STARTED.

STREET DEPARTMENT CRITICIZED

Report of Manager Shows Needless Overtime Charge, Says Councilman—Work by Superintendent Desired.

INVESTIGATION lyd C6'slaen

Believing that the administration of the various city departments should be as efficiently conducted as if the business were of a private nature, the city council will probably soon begin the investigation of several large sources of expense with the object of curtailing the heavier drains upon the treasury, if it is possible to secure the present amount of service at less cost.

Apparently with the advent of Councilman B. S. Nichols as one of the ordinance makers, the council has become awakened to the need of a more careful examination into all expenses, especially as set out in the reports of some of the heads of the departments. Monday night Mr. Nichols was roused to apprehension by the reading of the report for the past month of Supt. A. M. Oeland for the street cleaning department. His objections were first directed at the overtime charged for the working of the regular employes after the usual day's work, but it later developed into a general criticism of the policy of Mr. Oeland in not doing manual work along with his employes.

Mr. Nichols stated that he had made some investigations and had concluded from his information that much of the overtime charged against the city might have been elliminated if Mr. Oeland had done some of the work himself. His criticism brought a gentle rebuke from Mayor Rice, however, who cautioned that if a thorough investigation had not meen made, Mr. Oeland being interviewed personally, the matter should be dealt with less harshly. Mayor Rice was of the opinion that the city was getting good service from the street cleaning department and warranted consideration until it should be definitely proved that the management had been lax. Mr. Nichols stated that with four men employed he could see no excuse for overtime. Councilman Hamilton and Mr. Creason also became interested, with the result that the street committee was finally instructed to investigate the street cleaning expense at once and make a report at the next meeting.

According to the city recorder the expense of the department for the last month was $360.80, with no overtime. One of the employes was present and answered many questions propounded by the councilmen, although nothing definite was learned concerning the time spent by Mr. Oeland.

A Clogged System Must Be Cleared.
You will find Dr. King's New Life Pills a gentle yet effective laxative for removing impurities from the system. Accumulated waste poisons the bloom; dizziness, biliousness and pimply, muddy complexion are the distressing effects. A dose of Dr King's New Life Pills tonight will assure you a free, full bowel movement in the morning. At your Druggist, 25c

RECOVERY OF MONEY.

B. F. Shields, proprietor of a local jitney system, late Monday afternoon filed a suit in the justice court here against W. A. Bogard, a real estate agent. Mr. Shields asks to recover the sum of $53.35, which he claims is due on a promissory note. In addition to the principal, Mr. Shields asks for interest, together with the costs and disbursements incurred in prosecuting the action.

DIVORCE CASE FILED.

Another chapter in the domestic troubles of Mr. and Mrs. Joseph Kunstatsky came to light here Monday, when Mrs. Kunstatsky filed a suit for divorce against her husband in the Circuit Court. Mr. and Mrs. Kunstatsky were married in Roseburg on August 10, 1914, according to the complaint, and have since been residents of this city. One child was born to their union by a former marriage. In addition to a decree of divorce, Mrs. Kunstatsky asks for permanent alimony in the sum of $30 a month, together with the costs and disbursements incurred in prosecuting the action. Mr. Kunstatsky is a shoe cobbler and was recently acquitted by a jury in the Circuit Court on a charge of non-support.

How to Prevent Croup.
In a child that is subject to attacks of croup, the first indication of the disease is hoarseness. Give Chamberlain's Cough Remedy as soon as the child becomes hoarse and the attack may be warded off and all danger and anxiety avoided. c

CASTORIA
For Infants and Children
In Use For Over 30 Years
Always bears the Signature of Chas. H. Fletcher

ACIDS IN STOMACH SOUR THE FOOD AND CAUSE INDIGESTION

"Pape's Diapepsin" Fixes Sour, Gassy, Upset Stomachs in Five Minutes.

If what you just ate is souring on your stomach or lies like a lump of lead, refusing to digest, or you belch gas and eructate sour, undigested food, or have a feeling of dizziness, heartburn, fullness, nausea, bad taste in mouth and stomach headache, you can surely get relief in five minutes.

Ask your phammacist to show you the formula, plainly printed on these fifty-cent cases of Pape's Diapepsin, then you will understand why dyspeptic troubles of all kinds must go, and why it relieves sour, out-of-order stomachs or indigestion in five minutes. "Pape's Diapepsin" is harmless; tastes like candy, though each dose will digest and prepare for assimilation into the blood all the food you eat; besides, it makes you go to the table with a healthy appetite; but what will please you most, is that you will feel that your stomach and intestines are clean and fresh, and you will not need to resort to laxatives or liver pills for biliousness or constipation.

This city will have many "Pape's Diapepsin" cranks, as some people will call them, but you will be enthusiastic about the splendid stomach preparation, too, if you ever take it for indigestion, gasses, heartburn, sourness, dyspepsia, or any stomach misery.

Get some now, this minute, and rid yourself of stomach misery and indigestion in five minutes. (Adv.)

AND STILL THEY COME

A Wonder For the Money
Splendid qnality sweater coats, cannot be duplicated under $2.50 are selling here at 98c

HATS
Regular $2.50 and $3.00 HATS, all colors, shapes, including the new fall styles your choice here for only $1.95

Extra heavy fleece lined Union Suits, $1.50 grade, selling here 98c

SUITS
$20.00 best Oregon Cassimere Suits, with extra pair of trousers free
$13.75

With business booming with us, and many entirely new items added to our already very long list of Extra Special attractions, we are at work on an entirely new and different event from anything ever witnessed in Roseburg.

It's just a trifle too soon to publish this news, you'll have the full particulars by Thursday. All we will hint is to make no engagements for next Monday night. We will require your attention that evening. This includes the ladies as well as the gentlemen.

Keep your eye on our Thursday evening's announcement.

Boys'
All lined Canvass Coats, never before less than $2, now on sale here at only 98c

Boys'
Fleece lined Union Suits, dandy quality on sale at only 59c

Boys'
$1.75 grade Sweater Coats, while we have them, at only 89c

Handkerchiefs
Last of the famous 10c handkerchiefs,
6 for 25c

The Live-wire Merchant
HARTH'S
Actual Facts Not Idle Promises

Let Me Choose My Own Present This Year!

If SHE could select her own Christmas gift she would undoubtedly choose "something electric." The beauty and up-to-date usefulness of electric ware appeals to every woman.

The range of choice is large. Our display of electrical gifts contains "just what you have been looking for." Let us show you a G-E Toaster, Flatiron, Grill, Percolator or Uni-Set Cooking Outfit.

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Remember This:
Many people are selecting their Christmas gifts here—
See our other ad for specials during "Electrical Week."
Have Everything Electrical—its the best way.

Roseburg Electric Company
Do It Electrically.

DRY WOOD
OAK and FIR, SPLIT and BLOCK
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Christmas Speedily En Route

"What will you give"—the same old perplexing question arises again just as last year. We make a specialty of helping you to select the right gift. Come in and see our selections made

For the married couple — For the young man
For the bachelor — For the baby
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You can find here a gift which will be appreciated and as cheap as $1.00.

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The Busy Watchmaker — Jackson St., Roseburg

An
Advertisement

Should Tell:

Who you are, where you are and what you have to offer in the way of skill, talent or commodity.

A newspaper advertisement is an investment, you buy so much space in which you tell the people in plain words what you have to sell. An ad that tells the public in plain understandible language, what you have to sell, will bring results.

An Ad In The

Paper that is read by the most people will do the most good—buying advertising space is like buying sugar, you want all you can get for your money—This paper can and does give the best service in Douglas County—We will write your ad for you, if you like, or help you write it.

Read this over again and Remember the way to get results is by running a plain, easy read ad in The

Roseburg Review