

WATSON LOSES AND TREASURER SPELLED

High Court Says Corporation Official Cannot Employ Special Counsel.

OPINION IS FAR REACHING

State Department Heads Must Not Hire Permanent Legal Aid Unless Provided by Legislative Enactment.

SALEM, Or., Jan. 13.—(Special.)—Assigning four valid reasons for so holding, the Supreme Court today, Justice Burnett writing the opinion, decided that Corporation Commissioner Watson could not legally employ special counsel and that State Treasurer Kay was justified in declining to honor the warrants of Claude McCulloch, State Senator, who had acted in a legal capacity for the Commissioner.

The court held that the Attorney-General and the District Attorneys should be the legal advisers of the state officials and commissions, that as State Senator Mr. McCulloch is holding one lucrative state office and cannot hold two, that he cannot be appointed to a state office created by an act of the Legislature of which he was a member, and that the functions of the corporation department pertain to the administrative department of the government, in which a member of the legislative department is forbidden to participate.

The opinion will put an end to the employment of permanent special counsel for state officials or departments unless provided for by legislative enactment, as in the case of the State Railroad Commission. Mr. Watson contended that Senator McCulloch had been designated an assistant commissioner, but the evidence showed that the appointee actually performed legal work for the commission. The court dismissed a writ of mandamus to compel the State Treasurer to honor Senator McCulloch's warrants. He was employed at a salary of \$125 a month by the corporation department and a salary of \$125 a month by the State Industrial Accident Commission, but in view of the decision it is believed that no effort will be made by him to obtain compensation for work for the latter commission.

Senator McCulloch, representing Baker County, was Governor West's chief lieutenant on the floor of the Senate at the last session of the Legislature, and it was alleged his appointments by the commissions were in the nature of payment for political services. Mr. Watson having been appointed by the Governor from his private secretary to Corporation Commissioner, and the Governor having accepted the members of the Industrial Accident Commission. The opinion says in part:

"There is a further reason for not upholding the claimant in the situation involved. It is said in section 1, article 8, of the state constitution, that the powers of the Government shall be divided into three separate departments, legislative, executive, including the administrative, and the judicial; and no person charged with official duties in any of these departments shall exercise any of the functions of the other, except as in this constitution expressly provided. In any view of the case no functions of the Corporation Commissioner and his assistants, including stenographers and clerks, pertain to the administrative department of the government, in which a member of the legislative department is forbidden to participate.

The claimant was not authorized to accept the appointment or perform the duties mentioned in the writ. He could not, therefore, properly or lawfully claim the compensation annexed to that appointment. The warrant of the Secretary of State issued upon the State Treasurer, who, under the questions appearing in the record, was justified in refusing to pay the same."

The other decisions were: West Oregon Lumber Company, appellant, vs. Martin Denny, an appeal from Multnomah, suit to recover money; judgment affirmed.

E. R. Hanan, appellant, vs. S. A. Sanford et al., appeal from Douglas, suit in equity to enjoin the prosecution of an action at law; affirmed.

S. S. Johnson vs. Miami Lumber Company, appellant, appeal from Tillamook, action for fees for legal services; affirmed.

William L. Borwick, appellant, vs. J. E. Johnson, appeal from Multnomah, suit to quiet title; reversed.

Astoria Southern Railway Company, appellant, vs. Fealman, appeal from Multnomah, suit for an action at law; affirmed.

L. V. Keedy, appellant, vs. Hattie L. Martin, appeal from Multnomah, action to recover dower; affirmed.

In the matter of the estate of assignment of the Standard Cafeteria Company, an insolvent debtor, vs. Standard Cafeteria Company, appellant, appeal from Multnomah, involving a claim against it; affirmed.

W. J. Cook et al. vs. J. D. Gordon, appellant, appeal from Multnomah, action for a broker's commission; modified.

Roy Fisher vs. Portland Railway, Light & Power Company, appellant, appeal from Multnomah, motion to dismiss appeal denied.

R. M. Vaughan vs. Canby Canal Company, appellant, appeal from Multnomah, suit for the cancellation of a judgment; reversed.

Richard Willis et al. vs. Horticultural Fire Relief of Oregon appellant, suit to recover on a fire insurance policy; reversed.

Petitions for rehearing were denied in Simpson vs. Durbin, Wilson vs. Peterson and McFarland vs. Carlisad Hot Springs Sanatorium.

was the loss at all serious. This was caused by the fire in the basement and first floor of the Oddfellows building last February, when a loss of \$10,000 was sustained. Operation of the fire department for the year cost \$311, of which \$1100 was for new hose.

OREGON CITY TRIAL OPENS

Harry Clark Faces Charge of Killing Last Chief of Molallas.

OREGON CITY, Or., Jan. 13.—(Special.)—Harry Clark faced trial today in the Circuit Court on a murder charge growing out of the death of Insan Henry Yolkis at Molalla last Summer.

Testimony was introduced to show that Clark and Henry had been drinking heavily during the day and there was a hint to the effect that the defense would try to show the old Indian chief had died of heart disease and that Clark had nothing whatever to do with his death.

The case will be continued tomorrow before Judge Campbell. Henry was the last chief of the Molallas and was found dead on a dusty county road near Molalla several months ago. Clark was the last man seen with him.

Coos County Pioneer Has Birthday.

MARSHFIELD, Or., Jan. 13.—(Special.)—M. C. Cole, a former seaman, but recently employed at the Hercules

ALBANY HIGH-SCHOOL DEBATORS OUT FOR STATE HONORS AGAIN



ALBANY, Or., Jan. 13.—(Special.)—The success of the Albany High School debating team in its initial contests this season indicates that the school has one of the strongest teams in its history and has a chance to win the championship of the Oregon High School Debating League, which it won two years ago. In the opening series, which was a triangular debate with the high schools of Corvallis and Albany, the team won with both its affirmative and negative teams, and the remarkable part of the victory was that both teams won by a unanimous decision.

This year's debating team is composed of Miles McKey, Ruby Moeach, Archer Leech and Margaret Gibson, all of whom are prominent students.

ed her 89th birthday in this city. Mrs. Lockhart and her husband settled on the land where North Bend now stands when they first arrived here.

Clatsop Election Unique.

CLATSOP, Or., Jan. 13.—(Special.)—With no ticket in the field and not one of the trustees elected having made an organized campaign, the voters of this town were today handed blank ballots and selected from their citizens the following officers for the year: Trustees John Waterhouse, Fred Poole and Dan G. Malarkey re-elected, and C. N. Bennett and J. W. Burgess, successors of Reese and J. Chadwick; Recorder, Robert Poole, and Marshal, H. Behenna. The tax-levying power of this municipality is limited to 1 mill per annum.

Military Tournament Planned.

UNIVERSITY OF WASHINGTON, Seattle, Wash., Jan. 13.—(Special.)—Assurances were given today by Lieutenant McCammon, commandant of the cadet corps of the University of Washington, that the cadets would participate in the military tournament to be held at the Panama-Pacific International Exposition at San Francisco in 1915. An invitation has been extended to all the universities and colleges of Oregon, Washington and Idaho to participate.

Range Bucks Ordered Inspected.

SALEM, Or., Jan. 13.—(Special.)—Having been advised by the state veterinarian that scabies exists in virtually all other states, Governor West today issued a proclamation preventing the importation of range bucks until they have been thoroughly inspected and dipped twice. The proclamation does not apply to bucks intended for immediate slaughter.

School of Commerce Planned.

UNIVERSITY OF WASHINGTON, Seattle, Wash., Jan. 13.—(Special.)—A course in commerce, to include the subjects embraced in transportation, banking and public service, will be included in the curriculum of the State University next year, according to arrangements made at a recent faculty meeting.

WILLAMETTE UNIVERSITY HAS NEW FACULTY MEMBER.



WILLAMETTE UNIVERSITY, Salem, Or., Jan. 13.—(Special.)—Willamette University has secured Professor Wallace MacMurray, A. M., to take the department of English and public speaking. Miss Winnifred Davis, who has had charge of this work, had not been in the best of health, and resigned just before the Christmas vacation.

Professor MacMurray has made a special study of the history of the both medieval and modern, which study included not only the drama as literature, but its technique and interpretation as well. He has also had advanced courses in composition and rhetoric, debate and oratory, as well as special work in interpretation.

President Craig, of Morning-side College, where Professor MacMurray taught last year, says: "He is a brilliant man, with unusual equipment, and is particularly well fitted for the position."

Mr. MacMurray has had a great deal of experience in rating students to take part in debates and oratorical contests.

A delegation sent to Tahiti, Society Islands, by the French minister of colonies, has recommended that the islands be sold to the United States for \$1,500,000 in order to meet the big increase in trading which is anticipated following the opening of the Panama Canal.

TENINO SCENE OF TRAGEDY

M. C. Cole Kills Dr. C. E. Robson, Family Doctor, Then Commits Suicide.

CAUSE IMAGINED IS BELIEF

Quarry Employee Believed Victim Was Paying Attention to Wife and Became Insane Is Theory Eye Witnesses at Shooting.

TENINO, Wash., Jan. 13.—(Special.)

M. C. Cole, a former seaman, but recently employed at the Hercules

stone quarry, today shot and instantly killed Dr. C. E. Robson, and then turned the revolver on himself and committed suicide. Jealousy was given as the cause. J. F. Canon, an insurance man, had talked with Cole but a few minutes before the double tragedy. Mr. Canon had gone to the Cole home at Mr. Cole's request to make measurements of two houses for purposes of insurance. They measured the houses and Mr. Canon started up town. He had gone but had a block when he heard two shots fired. Turning he saw Dr. Robson on the ground with a bullet in his head, and Mr. Cole standing over him in the act of shooting again.

Dr. Robson was shot first through the head, and after he had fallen Mr. Cole fired again three times. The first shot killed Robson.

Tragedy Thoroughly Planned. Making sure that his victim was dead, Cole entered his house, the killing having taken place immediately in front of his residence. Telling his wife goodbye, at the same time taking some \$700 from his pockets, Cole threw the money on the bed, went out on the front porch and killed himself with the same weapon he had used to kill the doctor.

Evidently Mr. Cole had thought out his plan thoroughly. He visited Co-tralia this morning and there purchased a new automatic revolver. He drew his bank account and never evened his books.

There were at least half a dozen eye-witnesses to the shooting. Mr. Cole had for three or four months held a delusion that his wife and Dr. Robson were on intimate terms.

Mr. Cole was 61 years old, his widow is much younger. Mrs. Cole was popular with Tenino young people.

Victim Family Physician. Dr. Robson was the family physician. All who know Mrs. Cole and who knew Dr. Robson are strongly in their favor and hold them blameless. Mr. Cole is reported to have told his wife he intended killing Dr. Robson before the day ended, but she thought it only a bravado on the part of her husband. He is reported to have slept at all last night, according to members of his family, and to have been in an abnormal frame of mind for the past three or four months.

Dr. Robson is survived by a wife and daughter, 4 years old. His mother and sister live in Boston, Mass., from which city he moved to Tenino about seven years ago. His body is being held pending their arrival. Mr. Cole is survived by a wife and two children, a son 15, a daughter 17, and another son 12.

The bodies of the two men were left where they fell after the shooting until Coroner Sticklin could come from Olympia, which was several hours after the tragedy. Meantime friends covered the body of Dr. Robson to protect it from rain.

QUESTING IS THREATENED

MINORITY MEMBER OF PENDLETON BOARD MAKES NEW MOVE.

Attack on Two on Water Board to Be Made in Court on Ground of Insufficient Tax Payment.

PENDLETON, Or., Jan. 13.—(Special.)—After laying the foundation for Circuit Court proceedings Dr. J. A. Best, minority member of the Board of Water Commissioners, announced he will quit Will Moore and Marion Jack from the board. At the annual meeting he served them with affidavits showing neither is paying city taxes on \$2500 worth of city property, this being one of the charter requirements for membership on the board. On this ground he challenged their right to participate in the meeting and when City Attorney Carter ruled they could hold office until they were formally ruled out by the courts, Dr. Best announced he would take the matter to the Circuit Court.

This is a sequel to a long quarrel in which Dr. Best opposed to the installation of the gravity water system now in course of construction, has been opposed by the other four members of the board. They have accused him of attempted graft and he has accused them of misappropriating the water funds. A recent report by the Council and experts completely exonerated the majority members.

That the city is divided by the quarrel is evidenced by the fact that while two of the four members were returned to the board at the recent city election, Best was also re-elected by a big majority.

A delegation sent to Tahiti, Society Islands, by the French minister of colonies, has recommended that the islands be sold to the United States for \$1,500,000 in order to meet the big increase in trading which is anticipated following the opening of the Panama Canal.

MANY MEASURES UP

Washington Uses Initiative and Referendum First Time.

NINE PROPOSALS IN VIEW

Eight-Hour Law, State Prohibition and "Drugless Physicians" Act Submitted and Consolidation of Boards May Arise.

WOMEN WILL AID NEEDY

La Grande Club Appoints Committee to Look After Helpless Ones.

LA GRANDE, Or., Jan. 13.—(Special.)—Club women of La Grande have appointed a committee from the Neighborhood Club, which is to investigate and look after the immediate wants of any person in La Grande who is without the necessities of life, or in need of raising them. The committee will act with the Aid societies of the different churches and Mrs. E. Polak will direct the work of relief. Unemployed persons will be largely looked after. The winter has been mild and but little effect of the unemployed troubles has been felt, yet there are families in need, and among these especially it is that immediate attention will be given.

CLUB AFTER NEW MEMBERS

Hoquiam Commercial Body Opens Campaign With High Jinks.

HOQUIAM, Wash., Jan. 13.—(Special.)—The Hoquiam Commercial Club has set in motion one of the biggest membership campaigns it has ever held, the campaign to close January 30, the annual meeting night.

The membership of the club is now more than 200 and it is expected the present campaign will add more than 100. The campaign was started with a high jinks for which the programme was a burlesque on the recent activity of Governor West and county officers at Copperfield. Two sides have been chosen. The losers will treat the winners to a dinner.

Judges Exchange Courts.

VALE, Or., Jan. 13.—(Special.)—Judge Anderson, of Baker, has been in Vale the past week, taking care of the preliminary work of the Malheur County Circuit Court, in the absence of Judge Biggs, who had been called to Baker to try some cases in which Judge Anderson was interested.

La Grande Library Ready Soon.

LA GRANDE, Or., Jan. 13.—(Special.)—The new Carnegie Library here will

WHAT TO DO FOR NEURALGIA

The one great symptom of neuralgia is pain; the one great cause is lack of nutrition for the nerves—in plain language, starved nerves.

There are two things to do for any form of neuralgia. Apply heat to the affected part to soothe the pain, and feed the nerves by taking a tonic containing the elements needed by them. Heat, as afforded by hot flannel, hot water bags, etc., lulls the inflamed nerves into temporary quiet. It does not cure. Not until nutrition of the nerves is restored will the inflammation subside.

Dr. Williams' Pink Pills furnish to the blood the needed elements and the blood conveys them to the nerves. The only way of getting food or medicine to the nerves is through the blood. Remember that.

Neuralgia is a general term. It means inflammation of a nerve. It is given different names according to the nerve affected. Sciatica is neuralgia of the sciatic nerve. Application of heat will soothe the pain in all forms of neuralgia and Dr. Williams' Pink Pills will correct the condition that caused it.

Your own druggist sells Dr. Williams' Pink Pills and the Dr. Williams' Medicine Co., of Schenectady, N. Y., will send you a little book on "Home Treatment of Nervous Disorders" for the asking.—Adv.

Another Great Sacrifice on Women's Suits!

Every Garment Must Go Before I Vacate Broadway Building, Jan. 31

It seems a pity to sacrifice such elegant Tailored and Dressy Suits for less than actual cost to make, yet I have no other alternative! These final "Clear the Store" reductions go in force today:

\$30 to \$40 Suits, \$17.50
\$45 to \$50 Suits, \$21.50
\$60 to \$75 Suits, \$29.50

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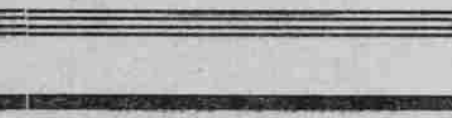
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14 NATIVE SONS REGISTER

Oldest Living White Born West of Rockies to Vote in Linn.

Teacher Found Dead.

DAYTON, Wash., Jan. 13.—(Special.)—Professor W. D. Fox, teacher of the Mount Vernon School on Eckler Mountain, was found dead Saturday at Fichtenwald, the Summer home of R. E. Peabody, which he had leased for the school term.

The body was sent to Watsburg, where Professor Fox's family resides.

Others who registered who were born in Oregon more than half a century ago are: H. H. Hewitt, ex-Circuit Judge of the Third district; O. P. Daniels, D. D. Hackleman, J. D. Isom, W. H. Bowman, John Catlin and J. W. Maxwell, all of Albany; D. W. King, T. J. Malone and T. J. Philpott, all of Holley; H. D. Haight, of Knox precinct, near this city; W. H. Hulbert, of Orleans precinct, near Albany; and E. C. Roberts, of Lebanon.

Fourteen native sons of Oregon of pioneer days registered as voters in Linn County during the first week the books were open for registration for the 1914 primaries and election. Included in the number was Cyrus H. Walker, the oldest living white child born west of the Rocky Mountains, who

