FILLING OF SENATE VACANCY OPPOSED

Members to Resist Seating of Rice, Whom West Named to Succeed Neuner.

LEGALITY IS QUESTIONED

Legislators Contend That Special Election Is Required-Precedent Also Attacked as Dangerous, Permitting Control.

Members of the State Senate will resist any effort on the part of Governor West or anyone else to fill the vacancy in that body caused by the recent resig-nation of George Neuner, Jr., of Douglas County.

The Governor has appointed Dexter Rice, County Judge of Douglas, to succeed Senator Neuner, who resigned to accept the appointment by the Governor as District Attorney in that county to succeed George M. Brown, who becomes Attorney-General tomerrow.

After Senator Neuner's resignation had been accepted by the Governor Attorney-General Crawford ruled that nis appointment as County Attorney of Douglas County is illegal. It is probable that the Supreme Court will be asked to make a final decision in the case. Rice, County Judge of Douglas, to suc-

case.

The question of legality has been raised because Mr. Neuner was a member of the Senate at the 1913 session of the Legislature when the County Attorney bill was passed. This law provides a county prosecutor for every county of the state. Mr. Brown had been prosecutor in the old Third District, comprising Douglas, Coos and Curry counties. Under provisions of the new law he remained prosecutor in Douglas County.

Associatment Upheld by Some.

Appointment Upheld by Some.

The constitution provides that "no Senator or Representative shall, during the time for which he may have been elected, be eligible to any office the election to which is vested in the Legislative Assembly, nor snall he be appointed to any civil office of profit which shall have been created, or the emoluments of which shall have been increased during such term, but this latter provision shall not be construed to apply to any officer elective by the people."

The issue in the Neuner case seems to be on the point whether the office to which he has been appointed was "created" by the Legislature of which he was a member.

In spite of the Attorney-General's decision, many Portland attorneys contend that the Governor's appointment of Mr. Neuner is regular and legal.

"I believe the Governor's action in Appointment Upheld by Some

gend that the Governor's appointment of Mr. Neuner is regular and legal.

"I believe the Governor's action in appointing Mr. Neuner is regular," said a prominent attorney yesterday. "The way I understand the situation Mr. Brown's office was not a new office. He retained his old office, but the area of his district was reduced by the elimination of Coos and Curry counties.

the elimination of Coop and Curry counties.

"But had Mr. Neumer been appointed to the office of County Attorney in either Coop or Curry County it is clear that the appointment would have been illegal. The constitution of the office of County Attorney in either Coop or Curry County it is clear that the appointment would have been illegal. The constituent from accepting, by appointment, any office of prefit that he, as a member of the Legislature and of the Legislature and of the Legislature are of the opinion, however, that the appointment of Judge Rice to aucceed Sensor Neumer may not at all vacancies in the state of the County before the Legislature are of the opinion, however, that the appointment of Judge Rice to aucceed Sensor Neumer may not at all vacancies in the Legislature are of the opinion. There is not time now to hold a special election in Douglas County before the Legislature most in this way, it is apparent that rembers of the Sense in various parts of the state will contest such appointment.

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House Sent Contested.

If the Governor's appointee is not seated there will be a vacancy in the Senate, leaving only 29 members in

had disqualified himself for the office by entering into a corrupt agreement with a constituent. He has not received his certificate of election Meanwhile Hurst is preparing to file a contest with the Secretary of State. The contest probably will go to the committee one resolutions.

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STEP IS TERMED HAEGAL Attorney-General Contends That Governor Oversteps Right.

SALEM, Or., Jan. 2.—(Special.)—Attorney-General Crawford said today that Governor West could not legally appoint a successor as State Senator to George Neuner, recently appointed District Attorney of Douglas County to succeed George Brown, the new Attorney-General. Governor West amounced that he intended to appoint Dexter Rice, of Rossburg, State Senator, but the Attorney-General says a special election must be held to fill the vacancy.

The Governor gave as his authority for his proposed act a section of the constitution which provides that the Rovernor Shall issue writs of election to fill such vacancies as may have occurred in the Legislative Assembly.

Mr. Crawford says the object of the provision was to prevent a Governor from gaining control over a Legislature by appointing any of its members.

Orence Has Community Sing.

organization which provides that the Governor "shall issue writs of election to fill such vacancies as may have occurred in the Legislative Assembly."

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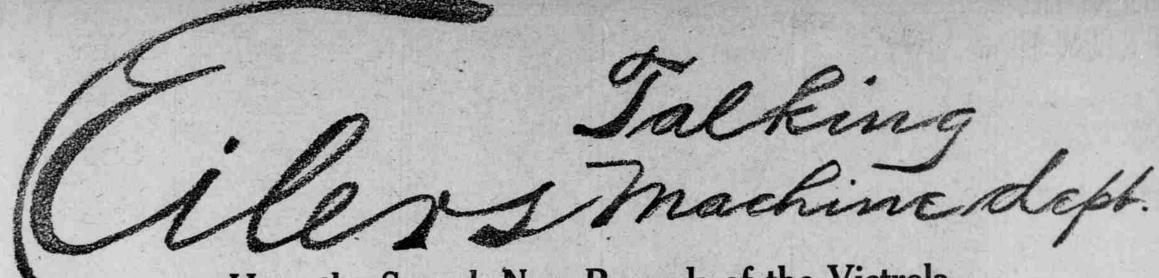
Orenco Has Community Sing.

The question of yards will be left to the individual, and where extraordinary effort is needed, either the health department or the police will be asked to co-operate in the campaign.

The committee heads for the general association are: A. E. Doyle, subdivision of city; J. A. Curry, contests; Mrs. Bertha Taylor Voorhorst, publicity; E. T. Mische, education; Mrs. J. C. Frankel, public works; Mrs. Martin Wagner, schools; Mrs. J. E. Locke, supplies, operating with the Rose Society, Seedamen's Association and Floral Society.

Astoria Has Dry December.

Astoria Has Dry December. year was passed as a watch meet-



EDISON'S MASTER ACHIEVEMENT.

Hear the Superb New Records of the Victrola, Grafonola and the Marvelous Edison



NEWPORT, Or., Jan. 2.—(Special.)— Three saloonkeepers mingled with the New Year's erowd on the streets of Newport yesterday, for the town had been voted dry, and simultaneously three saloonkeepers opened new bars at Glenada, across from Florence at the mouth of the Shelaw Elver. The New at Gienada, across from Florence at the mouth of the Siusiaw River. The Newport men had been voted out of business and the Gienada men had been voted into business on condition that they pay a city license of \$2000 in addition to Government fees and other charges.

Gienada had incorporated itself with the intention of having saloons. Florence, where there are lumber mills, being dry. A railroad building near Florence also tempted saloonists.

When the first saloonman arrived at

ence also tempted saloonists.

When the first saloonman arrived at Glenada he squirmed at a \$2000 license fee in a town of 200 population, but paid it. Then another arrived and put un \$2000, threatening to reduce the paid it. Then another arrived and put up \$2000, threatening to reduce the business by half. Finally, a third took out a license for his share of the trade, and there are two more on the spot, each watching the result with intent to start saloons if the three pioneers find it profitable.

Glenada promised to become known as the only oasis between Astoria and Coos Bay, but Waldport, 40 miles north of Alsea Bay, having a population of 300, had voted wet and thereby lessened Glenada's assets.

Glenada's assets.

Closing night at Newport was tame.

The promised celebration did not take
place, most of the residents going to a
dance given by the volunteer firemen.

PIONEER OF 1851 PASSES Mrs. Marguerite Malone Dies Near McMinnville, Aged 91.

M'MINNVILLE, Or., Jan. 2.—(Special.)—Mrs. Marguerite Maione died December 30, aged 91. Mrs. Malone came to Oregon in 1851 and settled on the donation land claim northeast of McMinnville. She was buried on the same claim beside her husband, Madison Malone, who was one of the company of 600 sturdy pioneers who came to this section of the Oregon country in 1843. M'MINNVILLE, Or., Jan. in 1843.

Malone leaves the following Mrs. Malone leaves the following children: Mrs. Virginia Hennagin, of Corvallis; Mrs. W. W. Johnson, of Mc-minnville: Mrs. G. E. Savage, of Portland: Hoyt Malone, Riley Malone and William Malone, of McMinnville.

Junction City Skaters Win.

JUNCTION CITY, Or., Jan. 2.—(Special.)—The Junction City rollerskate basketball team defeated Springfield here last night, 52 to 3. R. Mulligan was referee and S. Moorehead umpire. Sorenson and Hays starred for Junction City.



A group of Edison's latest achievement, the Diamond Point indestructi-ble Edison Phonograph, no needle

There are Victors and Victrolas in great variety of styles from \$10 to \$200

Combination Offer XV. 24

Grand Opera by the Great-

est Celebrities. Entertainment by the Foremost

Artists. Music for all the

new steps all now to be

had for a few dollars in

every home.

This \$200 Vietrola, in fancy polished mahogany, or figured oak, with forty-nine (49) latest selections, including the famous Sextet from "Lucia" and other famous numbers, complete with liberal supply of medium, soft and loud-toned needles, oil and oil can, \$238 eash, or \$28 eash, and \$10 a month.

Favorable Action Likely.

without reaching a decision, an offer of \$2.50 an acre for 20,000 acres of the land which the Hyde-Benson syn-

consideration will be given the offer by
the Board at its next meeting.

The land is located in several counties and is about one-third of the total
which the Hyde-Benson syndicate is
alleged to have obtained fraudulently.
The fact that the present owners paid
a fair price and had nothing to do with
the original transaction, it is believed.

will result in the offer being accepted. An appropriation was made by the iast Legislature for legal action look-ing to the recovery by the state of the property. Permission of Federal au-

property. Permission of Federal au-thorities to accept the offer made to the Board probably will be necessary.

J. Walrath, Retiring, Is Honored.

In honor of J. Walrath, retiring man

In honor of J. Warrath, retiring man-ager of the Aldon Candy Company after 10 years in that position, fellow em-ployes of the concern gave a banquet last night in the Foundain Grill at the Hotel Benson, and presented Mr. Wal-rath with a handsome watch fob. Their regard for the guest of honor was ex-pressed in a number of speeches. Mr.

regard for the guest of speches. Mr.
Walrath's resignation took effect January 1. J. H. Walker, who has been assistant manager for the past nine years, succeeds Mr. Walrath as man-

Object Is to Make Portland's Attractions as Place of Summer Residence Better Known by

Senated there will be a vacancy in the Senate, leaving only 29 members in that body.

Another vacancy is threatened in the House through the contest between Roscoe P. Hurst and C. M. Hurtburt for the seat from the Multnomah-Clackamas joint district.

Hurtburt was regularly elected after his repudiation by the Republican organization on the allegation that he had disqualified himself for the office by entering into a corrupt agreement the different districts will consuit with the heads of organization committees

ASTORIA, Or, Jan. 2,-(Special)- tion City,

avoid firing into American territory.

Acting Secretary Lansing, of the State Department, conferred with President Wilson and later with Acting-Secretary Breckenridge, of the War Department, who dispatched further suggestions to General Scott. Enrique C. Llorente, Washington representative of Gutierrez, also talked at length with Mr. Breckenridge, Mr. Llorente and high officials said they were confident an adjustment would be reached without requiring decisive action by the batteries of artillery recently posted across the line from Naco.

The following statement explanatory of the situation was issued by Secretary Tumuity, after a conference with the President:

"There is a hitch about the signing of the agreement between Maytown."

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"There is a hitch about the signing of the agreement between Maytorena and Hill, and this Government is attempting to adjust the differences. The Government has not been informed exactly what the differences are, but is trying to ascertain them."

WASHINGTON, Jan. 2.—Difficulties have arisen in the negotiations of Brigadier-General Scott, chief of staff of the United States Army between Generals Maytorena and Hill, of the Gutierrez and Carranza factions, respectively, for the designation of Naco, Sonora, as a neutral town to see the content of the particular of the Content of the Gutierrez and Carranza factions, respectively, for the designation of Naco, Sonora, as a neutral town to see the content of the president. There is a hitch about the signing of the agreement between Maytorena and Hill, and this Government is attempting to adjust the differences. The Government has not been informed exactly what the differences are, but is trying to ascertain them."

Until today it was generally supposed that both Hill and Maytorena were ready to agree that the former would abandon Naco and move his forces to Agua Prieta, while Maytorena was to transfer his men to Nogales.

While the negotiations of Naco, Mr. Llorente said tonight some other method of reaching the same result was being discussed.

The State Department received word today from its agents in Mexico City as Present Owners Are Innocent, Present Owners Are Innocent

PROMINENT GRANTS PASS RESIDENTS CELEBRATE GOLDEN WEDDING.



MR. AND MRS. C. A. HEATH.

MR. AND MRS. C. A. HEATH.

GRANTS PASS, Or., Jan. 2.—(Special.)—New Year's day marked the golden wedding anniversary of Mr. and Mrs. C. A. Heath, prominent residents of Grants Pass. The event was celebrated by 35 relatives and friends, who gathered at the old couple's home.

Mr. and Mrs. Heath were married in Michigan, January I, 1865, and came West in 1883, settling in Wasco County, in Eastern Oregon. They moved to Grants Pass in 1910. Mr. Heath, who is 73 years old, was born in Andover County, Michigan, October 5, 1842. Mrs. Heath is three years her husband's junior and is a native of New York State. Before her marriage she was Miss Elizah Rose.

Five children were born to them, only two of whom are living: E. F. Heath and I, A. Heath, both of Grants Pass.

CIGARETTES ON MATCH-BOXES IN

Fire Department Checks Blaze, "Traps' Are Found and Arrest of Proprietor and Clerk In Asked.

SALEM, Or., Jan. 2.—(Special.)— Plans of Incondiaries to burn the shoc tore at 263 Commercial atreet tonight were frustrated by the quick response of the fire department. The interior of of the fire department. The interior of the store was burning when the department arrived, but the flames were ason extinguished and it was discovered that virtually the entire atore has been soaked with kerosepe. On various shelves were boxes of matches with eigarette stumps upon them. The matches in one of the boxes evidently became ignited and started the biaze. Chief of Police Weish said that M. Silver, proprieter, and Eiden Irvins, clerk, left for Portland on the Oregon Electric train departing from here at 7:45 o'clock tonight. Silver came here from Portland September 8 and soon

from Portland September 8 and soon after opened the store. He had con-ducted several "bankrupt sales." Chief Welsh has telegraphed a request to the Portland police to arrest Silver and

The Chief says he is convinced that the SALEM, Or., Jan, 2.—(Special.)—The chief says he is convinced that the cigarettes, which were of a kind that will burn of their own accord until consumed, were lighted and placed that Land Board today considered, upon the boxes of matches. About a without reaching a decision, an offer dozen of these alleged traps were

COLUMBIA CHANGES DUE

the land which the Hyde-Benson syndicate is alleged to have obtained through fraudulent entrymen, provided the state will dfamiss the suit filed several months ago for the recovery of the land. The offer was made by a representative of the present owners of the property, who say they paid a fair price for it and were in no way connected with the original deal. Further consideration will be given the offer by the Board at its next meeting. New Officials to Begin Work and County Year Begins Tomorrow.

ST. HELENS, Or., Jan. 2.— (Special.)—Columbia County begins its official year Monday with changes in the Sheriff's office and Clerk's office. E.—C. Stanwood, Sheriff-elect, will serve in that office, with Charles Brown, Deputy. They succeed Sheriff C. M. John and Deputy Martin White.

Clerk-elect A. F. Barnett will take office with present County Clerk H. E. La Bare as his deputy. Mr. Barnett has served as Mr. Le Bare's deputy during the last lerm.

County Commissioner B. F. Keelan is supplemed by Judson Weed.

The County Court recently put into office by recall will continue to hold office 'de facto' until the Supreme Court takes action.

1 to 5 Is Divorce-Marriage Ratio. ALBANY, Or., Jan. 2.—(Special.)—
There was approximately one divorce
for every five marriages in Linn County during 1914. The total number of
marriages in the county during the
year was 259, and exactly half a hundred decrees of divorce were entered
in the State Circuit Court here in the
ways but concluded. year just concluded.

Bananas in the Causty Islands are now bringing only one-sixth as much as they sold for in July.