

FILING 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 resignation 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 tomorrow.

After Senator Neuner's resignation had been accepted by the Governor Attorney General Crawford ruled that his 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.

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.

Appointment Upheld by Some. The constitution provides that "no Senator or Representative shall, during the term for which he may have been elected, be eligible to any office the election to which is vested in the Legislature."

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 appointing Mr. Neuner is regular," said a prominent attorney yesterday. "The way I understand the situation, Mr. Neuner'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."

Constitution is Quoted. "But had Mr. Neuner been appointed to the office of County Attorney in either Coos or Curry County it is clear that the appointment would have been illegal. The constitution forbids a member of the Legislature from accepting, by appointment, any office of profit that has been vacated by the Legislature, aided in creating. 'I don't think that Senator Neuner aided in creating the office to which he has been appointed.'"

Many members of the Legislature are of the opinion, however, that the appointment of Judge Rice to succeed Senator Neuner may not be legal. "I believe the constitution forbids a member of the Legislature from accepting, by appointment, any office of profit that has been vacated by the Legislature, aided in creating. 'I don't think that Senator Neuner aided in creating the office to which he has been appointed.'"

Another vacancy is threatened 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. Hurlburt for the seat from the Multnomah-Clatsop joint district.

Hurst 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 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 on resolutions.

STEP IS TERMED ILLEGAL

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 announced that he intended to appoint Dexter Rice, of Roseburg, State Senator, but the Attorney-General says a special election must be held to fill the vacancy.

The Governor gave his authority for his proposed act a section of the constitution which provides that a vacancy shall fill any vacancy which might occur in any state office before general elections. The Attorney-General, however, calls attention to another section which provides that the Governor "shall issue writs of election to fill such vacancies as may have occurred in the Legislative Assembly."

ORENCO HAS COMMUNITY SING. ORENCO, Or., Jan. 2.—(Special.)—An old-fashioned community sing was held in the parlors of the Orenco Presbyterian Church Thursday. For about an hour and a half the favorite old songs were sung. C. A. Jones and Miss Ruth Jones sang solos. Refreshments were served and a social hour was enjoyed. The last half hour before the new year was passed as a watch meeting.

Edison's Talking Machine Dept. Hear the Superb New Records of the Victrola, Grafonola and the Marvelous Edison

Advertisement for Edison's Talking Machine Dept. featuring Victrola, Grafonola, and Edison records. Includes images of various record players and promotional text like 'EDISON'S MASTER ACHIEVEMENT' and 'COMBINATION OFFER XV-23'.

SUMMER PLANS SET

City Beautiful Committees Will Meet Tuesday.

Object is to Make Portland's Attractions as Place of Summer Residence Better Known by Adding to Natural Beauty.

UNIFORMITY IS KEYNOTE

The second general meeting of the Portland city-beautiful committees will be held Tuesday night at the Commercial Club, when the committeemen from the different districts will consult with the heads of organization committees relative to the first steps towards making Portland, more than ever, the most beautiful Summer city in the United States.

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WASHINGTON NOT INFORMED OF CAUSE OF DISAGREEMENT.

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. Lorente, Washington representative of Gutierrez, also talked at length with Mr. Breckenridge.

RESTITUTION IS OFFERED

HOLDERS OF 20,000 ACRES OF HYDE-BENSON LAND TENDER PAYMENT. State Board Reaches No Decision, but as Present Owners Are Innocent, Favorable Action Likely.

PROMINENT GRANTS PASS RESIDENTS CELEBRATE GOLDEN WEDDING.

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.

PIONEER OF 1851 PASSES

Mrs. Marguerite Malone Dies Near McMinnville, Aged 91.

JUNCTION CITY SKATERS WIN.

JUNCTION CITY, Or., Jan. 2.—(Special.)—The Junction City roller-skate basketball team defeated Springfield here last night, 52 to 3.

SALEMS FIREBUG FAILS

CIGARETTES ON MATCH-BOXES IN OIL-SOAKED STORE CLEW. Fire Department Checks Blame, "Traps" Are Found and Arrest of Proprietor and Clerk Is Asked.

COLUMBIA CHANGES DUE

New Officials to Begin Work and County Year Begins Tomorrow.

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.

J. Walrath, Retiring, Is Honored.

In honor of J. Walrath, retiring manager of the Aldon Candy Company after 10 years in that position, fellow employees of the concern gave a banquet last night in the Fountain Grill at the Hotel Benson.

SALEM, Or., Jan. 2.—(Special.)—The State Land Board, today considered, without reaching a decision, an offer of \$250 an acre for 20,000 acres of the land which the Hyde-Benson syndicate is alleged to have obtained through fraudulent entries.

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