

## HIGHWAY ENGINEER TO BECOME DEPUTY

Attorney-General Holds Mr. Lewis After May 22 Is to Direct Road Work.

## NEW LAW IS EXPLAINED

Mr. Brown Rules That Legislature Intended to Abolish as Separate Office Place Which Mr. Cantine Fills.

SALEM, Or., May 8.—(Special.)—

Holding that it was the intention of the recent Legislature, when it changed the State Highway act, to transfer to the State Engineer all powers, duties and responsibilities of the State Highway Engineer, Attorney-General Brown today, in an opinion given at the request of State Engineer Lewis, said E. I. Cantine, State Highway Engineer, would become Mr. Lewis' chief deputy when the law became effective, May 22.

Mr. Brown said it was apparent that the office of State Highway Engineer, as a separate office, was abolished by the consolidation bill. He did not answer the question as to whether the State Engineer would be entitled to two salaries of \$3000 each because of the peculiar construction of the act. Mr. Lewis not asking for an opinion on that. The Attorney-General held that Mr. Lewis would have to give an additional bond of \$10,000, as required by the new act, and that, although the Governor would approve the chief deputy, he must report to the State Engineer. It is further held that the State Engineer would be responsible for the assistants of the chief deputy, the opinion declaring that they are in effect the appointees of the State Engineer.

## Road Work Up to Mr. Lewis.

Mr. Lewis, the Attorney-General held, will be responsible for the construction of the Mitchell's Point section of the Pacific Highway and other work contracted for and in progress. The opinion continues:

"The transfer of powers and duties from the office of State Highway Engineer to the State Engineer, under the new law, is a mere change of title, and does not create any new rights or duties in respect to any of the contracts existing for the construction of highways at the time said act takes effect. Consequently the words 'State Engineer' from and after the time when said charter becomes effective are to be understood instead of the words 'State Highway Engineer'."

Mr. Brown holds that the State Engineer is responsible for all the property of the state to the same extent as was the State Highway Engineer during the existence of that office. While the Governor, as chairman of the State Highway Commission, under the new law appoints the chief deputy, from the construction of the Attorney-General it is evident that should the appointee be satisfactory to the State Engineer, his superior, friction would result.

## Ambiguous Section Cited.

Regarding an ambiguous section of the statute the Attorney-General says: "Taking these words literally and not construing in connection with the remainder of the statute and the legal principles governing the appointment and authority and duties as hereinbefore defined, another independent result in an analogous condition. For instance, the chief deputy is to be appointed by the Governor and serve at his pleasure, but he is a deputy to another officer elected by the people, and whose authority is prescribed by statute. His duties are to be defined by the Highway Commission, and to appoint his own deputies and assistants as approved by the State Highway Commission. A more complete mixture and conflict of authority could not well be conceived, especially, but this language is to receive a construction according to intention, which must be ascribed to the Legislature to enact a legal and valid law and not a nullity."

## PIONEER OF LINN IS DEAD

James Fitzwater Survived by 11 Children and 50 Grandchildren.

LEBANON, Or., May 8.—(Special.)—James Fitzwater, who died at the home of his son, Lyman Fitzwater, near Lebanon, Or., April 12, was born in Franklin County, Missouri, in August, 1828.

He was a veteran of the Mexican war. He came across the plains by ox-team in 1864, and settled in Linn County on a farm near Lebanon, where he lived for 51 years. He is survived by seven sons and four daughters—John Fitzwater, Lakeview, Or.; Alex. Fitzwater, Salem, Or.; James Fitzwater, Lebanon, Or.; Lyman Fitzwater, Asbury Fitzwater, Green Fitzwater and Mrs. J. Landley, La Grange, Or.; Mrs. George Bellinger, Berlin, Or.; Mrs. George Jones, Linn, Or.; Mrs. Addie Sylvester, Linn, Or. There are 50 grandchildren and several great-grandchildren.

## SUIT TESTS LIQUOR RULING

Right of Brewery to Sell Products in Vancouver Is Questioned.

VANCOUVER, Wash., May 8.—(Special.)—Whether or not the Northern Pacific Brewing Company, which has a brewery in Vancouver, has a right to sell its products in Vancouver is to be determined in a suit filed in the Superior Court of Clark County by J. O. Blair, County Attorney.

In December, Judge Cushman, of the Federal Court at Tacoma, granted a restraining order against the city and county officials of Vancouver and Clark County from interfering with the operation of the brewery. The suit is to test this order.

The issue is a result of a conflict between the state-wide prohibition law, which will become effective January 1, 1916, and the local option law, which is alleged to have become effective January 1.

## COOS GRAND JURY EXCUSED

No Indictments Returned in Coach-Treadgold-Simpson Affair.

MARSHFIELD, Or., May 8.—(Special.)—The Coos County grand jury

## SCHOOL NEEDS AID

Investigators Commend Head of Ashland System.

## 24 CHANGES ARE ADVISED

Tables Show That Teachers Rate High in Experience and Training and Salaries Are Well Up in List—Graduates Teach.

UNIVERSITY OF OREGON, Eugene, May 8.—(Special.)—A report of the Ashland school system, just issued by a survey committee, tends to approve of that system which is being carried on in the district. The committee is composed of Fred C. Ayer, professor of education at the University of Oregon; C. E. Fraser, superintendent of the Everett, Wash., public schools; and Don C. Sowers, professor of municipalities and accounting at the University of Oregon.

The unanimous verdict of the survey committee, the report reads, is that the chief cause of efficiency in the Ashland school system is to be found in its superintendent, George A. Briscoe. The more the committee has studied existing conditions the more has been its admiration for the head of the Ashland schools. Quiet, dignified, considerate, we have found him master of every phase of the administrative work with time left to devote to class instruction and clerical duties.

Two tables show that the Ashland school teachers are well up in training and experience, averaging well above cities of similar size in the West.

Changes Are Advised.

The committee lists 24 detailed changes that it advises to further efficiency. Two of the committee passed six days in a personal examination of the entire Ashland school system and two days were passed by one in a special study of the business administration.

The report shows that in every case with the exception of one the standard courses in the high school are followed by university graduates with professional training, the medium length of experience for the teachers in the high schools being four years.

In salaries paid high school teachers, Ashland ranks seventeenth among the 19 first-class districts in Oregon, with an annual salary average of \$842. Among these first-class districts Ashland stands twelfth in enrollment, thirteenth in salary of high school principal, and seventh in salary of grade principal. The superintendent receives \$1800, which amount is Ashland with three other cities for thirteenth place.

The committee suggested that an occasional specific increase be made rather than lose good teachers to other districts.

Twelve graduates of the high school course in normal training are teaching at salaries ranging from \$55 to \$85 per month. Training teachers in the vocational activity of the Ashland schools. While the law's requirements for teacher's training courses have been modified in some particulars, the committee found that the spirit of these requirements is carried out fully in the Ashland course.

Specimens of pupils' handwriting in grades from the fifth inclusive were taken and graded according to the Ayres handwriting scale.

Inspection showed that more than one-half of the fifth grade pupils wrote as well as one-fourth of the eighth grade pupils, and one-third of the sixth as well as one-half of the seventh. For the final eighth grade examination, Ashland uses the questions prepared by the state superintendent of Public Instruction. Results from eight representative Oregon cities where the same questions are used show that an average of one-third of those trying the examinations fail.

In Ashland less than four per cent failed to pass the Modified Oregon examination. The committee says that a part of the better showing might be attributed to the different standard of grading used in Jackson County.

Girls progress more rapidly through the grades than do the boys, according to the figures collected in the report. The difference, however, is less marked than in many other schools that have been investigated. The girls secure 90 per cent of the possible marks, while the boys make 82 per cent.

Financial Work Commended.

Taking up the managing and financial side of the Ashland school system, the report commends the board for the efficient management of the school budget. It was recommended that a reorganizational system be installed.

Some of the outside recommendations follow: That an outside room be set aside for the manual training classes and that a larger room be provided for the sewing work.

That efforts be made to secure a loan or gift of a larger collection of seed plants, and that the school be equipped with 65 degrees be established as the standard temperature of the schoolrooms instead of 70 and that the hall of each school be warmed.

That the main efforts of the Ashland school be directed toward strong courses in the standard academic branch, but that physical and industrial education be given strong emphasis.

That prospective rural teachers take the high school course in training. That classes in penmanship be reorganized on a basis of ability. That good writing be made a prerequisite for admission to the bookkeeping course.

That various physical exercises be required in each grade room for at least five minutes during every session, or its equivalent in other forms of activity.

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\$14.50 Dressing Table, in golden finish, for..... \$6.75

\$15.50 Dressing Table, in white enamel finish, for..... \$9.75

\$19.50 Dressing Table, in white enamel finish, with triplicate mirror, for..... \$12.75

\$24.00 Toilet Table, in birdseye maple, for..... \$13.50

\$30 Toilet Table in Circassian walnut, Sheraton pattern, with large mirror \$15.00

\$31.50 poster-style Bed in ivory enamel finish, three-quarter size, for..... \$16.50

\$31.50 Chiffonier, Colonial pattern, in ivory enamel finish, for..... \$16.50

\$35 Chiffonier, in mahogany, Sheraton pattern, for..... \$17.50

\$41.50 Mahogany Dresser, Adam pattern, with cane panels, for..... \$18.75

\$34 Dresser in Circassian walnut, Sheraton pattern, with large mirror..... \$18.75

\$52.50 ivory enameled, cane-paneled Bed, three-quarter size, for..... \$25.50

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