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KLAMATH PALLA. . . ORBOON MONDAY, OCTOBER 96, 1914



THE SUPREME COURT DECISION

HE decision of the supreme court in the Multnomah county case, judges is concerned. will have one wholesome effect, at least. It will make every intelligent roter view with suspicion each and appearing on the ballot at this clestion and forever dereafter.

ed in 1910, by which it is claimed county judges were elected for six years, contained a joker that the framers thereof had only a minor conception of. Had the people known or suspicioned that it was the intention of the amendment to change the term of office of county judges from four to six years, they never would have sanctioned its adoption. Had they understood that it was the further intention of that amendment to ballot this year upon which the voters Chautauqua lecturer. are to pass judgment, contain meanings foreign to their titles. Let us the pits dug for the unwary.

Sec. 1., Art. VII., of the Constitu-

ion, as it originally stood, reads: "The judicial power of the state hall be vested in a supreme court, circuit courts and county courts, which shall be courts of record, having general jurisdiction, to be defined. limited and regulated by law in acrordance with the constitution. . . . "

vere boodwinked into adopting reads: "Sec. 1.-The judicial power of the

courts as may from time to time be created by law. The judges of the supreme court and other courts shall be elected by the legal voters of the for a term of six years. . . . "

No mention is made of elections by counties, and it would seem that the mission was intentional and in harony with the idea that county courts were to be done away with by the

Section 2 of the amendment:

"The courts, jurisdiction and judicial system of Oregon, except so far as expressly changed by this amendment, shall remain as at present constituted until otherwise provided by

Sec. XI. of Art. VII .- "There shall be elected in each county, for the term of four years a county judge."

It will be noted that the amendment EXPRESSLY lodges the judicial power of the state in one supreme court and such other courts as may from time to time be created by law. Section 2 of the amendment is of no force except that it attempts to preserve the status of the circuit courts and county courts and judicial system of Oregon for the time being, or until otherwise provided by law.

At the 1913 session of the legislature an act was passed abolishing the office of county judge of Multnomah county. The legislature presumably found their authority for that piece of legislation in the aforesaid amendment. Now comes the supreme court in a proper case, and says that piece

of legislation is unconstitutional. Referring to the amendment again: The judicial power of the state is rested in one supreme court and in such other courts as may from time to ime be created by law."

What is meant by that expression? it certainly doesn't mean circuit courts and county courts as now con-stituted. If it did, why amend the original section which vested them with judicial powers? The expression, "and in such other courts as may, from time to time be created by law" must mean created by the legis-lature or by initiative measures. If it had been the intention of the

er of the state vested permanently in and the sunshine laring us all out of a supreme court, in the circuit courts doors, as was the case yesterday, it's and in the county courts as originally hard-oh, verra hard, isn't it, to realprovided by Section 1, Article VII., ine that Christman is just about two

Published daily except Sunday by why was not the identical language of months off?
The Herald Publishing Company of the original section used in the Klamath Palls, at 115 Fourth Street amendment? No language could be ONE SWA plainer or freer from ambiguity. tion of "such other courts as may from time to time be created by law' the courts, jurisdiction and judicial

> ent constituted until otherwise provided by law. . . . To be more exact, the only change Section 1 of the amendment and sanctioned by the decision of the supreme court, is the change in the terms of the supreme court held that Secion only dry candidate. 1 of the amendment is unconstitutional in so far as it authorises the abolition of the county courts as at-

It seems, to the casual observer in the light of the decision, that if the courts, judicial system and jurisdicevery amendment to the constitution tion of the courts of Oregon, was to remain as at present until otherwise provided by law," notwithstanding It is as plain as the nose on your the provisions of Section 1 of the face, now, that the amendment adopt- amendment, that the terms of the judges of the county courts would remain unchanged also.

and constitutional so far as it pertains

to the changing the terms of county

## Scattered Shots

EVERY DAY we learn something more about law-so 'twould appear.

GOVERNOR WEST saks: "What is Withycombe going to do?" Cut out abolish entirely the office of county this false economy, for one thing, and judge, it would have undoubtedly conduct his office for the best interbeen overwhelmingly defeated. There ests of the people, not for the edificais no doubt that the majority of the tion of a sensation loving public, or as constitutional amendments on the a medium to qualify himself as a society which believes that the finan-cieties, representing, as we believe,

**FUTURE** generations of school beware that we fall not again into kids ought not to have much difficulty that the beverage livor traffic is rein remembering the battles of France and Belgium during the present war. If the press dispatches are right, it pression, and standing, therefore, in has been one continual battle since favor of a dry city, a dry Oregon and the first storming of Liege, although a dry United States, do earnestly enthe fighting has extended almost to Paris and back into Belgium again.

time to begin saving up for that trip gressional District. The amendment that the people to the Panama-Pacific International.

WITH THE beautiful Indian sumstate shall be vested in ONE SU- mer weather we are now enjoying, for a house to house canvass of the

and the sale of

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gold and silver bands, fur bands, ribbons, new face veils,

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fifteen of the more moderate priced ones ranging from

\$12.50 to \$18.00. These will go for . . \$8.00 to \$12.00

The Evening Herald amendment to leave the judicial pow-weeks to come, with the roads ideal

ONE SWALLOW doth not a summer make but sometimes one swal-In the interim between the adop- low of a dark brown fluid will make tion of the amendment and the crea- a breath sufficient to brand a man for

### system of Oregon, except as so far Endersements for EXPRESSLY CHANGED by this Cleaver for Congress amendment, shall remain as at pres-

"We, the W. C. T. U. women of the assembled this 2nd day of October. 1914, at The Dalles, Oregon, do most body in keeping itself warm. heartily endorse the candidacy of

We appreciate the attitude of one thousand citizens of his home county who, amembled in La Grande on the ent signing the same: I hereby ex press my intention of voting for the State Prohibition Constitutional mendment in order to make Oregon dry, and for George L. Cleaver for order to make the United States dry. pressed in the following words:

We, the women of said Congressional District, desiring to work in and temperance organizations which last, and resolved on a campaign for national prohibition by the election of prohibition congress, do earnestly call upon all organizations interested in humanities' uplift to join with us in a vigorous campaign for the election of Mr. George L. Cleaver to United States Congress.

"We, the Committee of 100 of The Dalles, Oregon, consisting of business and commercial men and women and laborers, representing that element in of a people depends upon their moral as well as their industrial status, and crime, immorality and industrial dedorse the candidacy of George L. Cleaver of Union county, Oregon, for Congress, THE ONLY DRY CANDI-RIGHT NOW is the psychological DATE, in the Second Oregon Con-MRS. A. F. WAGNER, SGI FIRST

"We further endorse the move ment launched at a mass meeting of a thousand citizens in his home county PREME COURT, and in such other and prospects of a continuance for voters of the Second Oregon Congress-

# Our Weekly Health Talk

By DR. R. R. DANIELS, Editor "The Hygienist."

Fats-Concentrated Fuel Foods Are Valuable in Winter

Pat, whether animal or vegetable, vegetable oils are valuable sources is a highly concentrated food. In the of fat.

The question naturally arises, and George L. Cleaver for congress—the winter, do not eat sufficient fat. Dur- ing is completed. As far as possible pork fat being the most easily digest- paper and flour batter, the fast is not tempted by the act of the legisla- who, amembied in La Grande on the pork lat being the most cooked into the tean, and the whole is turn in the Multnomah county case, evening of September 24, 1914, gave ed, while lamb and mutton fat are dif- cooked into the tean, and the whole is turn in the Multnomah county case, evening of September 24, 1914, gave ed, while lamb and mutton fat are difexpression to the following declara- ficult of digestion. When fresh, but- rendered easily digested. Cooked in tion by two-thirds of the voters pres- ter and cream are valuable, easily di-

is a highly concentrated food. In the animal the excess digested food is stored up in various parts of the body and ruined as food by popular methin the form of fat; this fat is usually ods of cooking as the fats. Bad cookput on in the summer and fall to fur- ing is responsible for the limited use nish the animal with heat during the of fats. As they usually come to the winter. Laboratory experiments dem. table, fats disagree with the average onstrate that fat yields more heat for valuable food. Fried foods should its weight and bulk than any other never be eaten. To be easily digested really authorized by the language of Second Oregon Congressional District, form of food. During the winter con- fats should be neither cooked nor siderable fat is used by the human baked with any other food including augar, starches and vegetables.

However, fats may be added to oth The majority of persons, during the er foods as seasoning, after the cooking cold weather when the body needs our meats should be cooked into the Comingfuel to keep itself warm, our diet lean portion. Roast pork is decidedly should contain considerable fat. The hard to digest, but when roasted in a fats of various meats are all good, jacket of alternating layers of brown gested fats; when stale, they carry gested; they will agree with almost objectionable germs into the stomach any stomach, and can be used in conand intestine. Olive oil and other siderable quantities in the winter.

congress, the only dry candidate, in dry state AND A DRY NATION, ex- sire to co-operate in the movement for

ed States dry."

Signed by order of the Committee Dalles, on October 4, 1914: M. G. ELLIS, Chairman.

DR. ADALINE KEENEY, Sec. "We, the citizens of Hood River

October, 1914, in union meeting of receipts. Phone 55. the churches and young people's social prosperity and economic growth the cause of both individual and civic suring. See Chilcole.

sional District in the interest of a righteousness, hereby express our de-A DRY STATE AND A DRY NA-"I hereby express my intention of TION, as expressed in a union meetvoting for the Prohibition State Con- ing of one thousand citizens of Union harmony with the ninety-seven church stitutional Amendment in order to county, and signed by two-thirds of make Oregon dry and for George L. the voters present: "I hereby express met at Washington, D. C., December Cleaver for congress, the only dry my intention of voting for the Problcandidate, in order to make the Unit. bition State Constitutional Amendment in order to make Oregon dry and for George L. Cleaver for conof One Hundred, assembled at The gross, the only dry candidate, in or der to make the United States dry."

Signed by order of meeting. F. D. YOUNG, Chairman (Paid Advertisement)

Oregon, assembled this 4th day of will store grain and issue warehouse

If it's worth having, its worth to

# as well as their industrial status, and that the beverage liver traffic is responsible for more than half the THIS WOMAN TRANSFORMED FROM PHYSICAL WRECK TO GOOD HEALTH

STREET, PORTLAND, TAKES AKOZ FOR CATARRH

From all sections of the Coast here Akoz, the wonderful California medicinal mineral has been introduced, come letters telling of the benfits derived from the mineral remedy ments. The letter below by Mrs. A. F. Wagner of the Hawthorne apartments, 564 First street, Portland, is a typical one:

"After giving the Akoz remedies a fair trial for catarrh of the head and stomach, I feel it my duty to send you this testimonial. When I began using the remedy I was a physical afflicted as I was, who will give weight in that time. Since taking cerely, your medicine my appetite is good.



Mrs. A. F. Wagner

wreck; had no appetite; had eaten no 'Akoz' a fair trial, will surely derive solid food without distress; lived al- great benefit from it. Hoping that most entirely on milk for three these lines may be the means of remonths, and decreased 33 pounds in storing someone to health, I am, sin-

(Signed) MRS. A. F. WAGNER

friends have noticed and spoken of ath Falls by the Underwood Pharthe improvement in my appearance, macy, where further information may and I firmly believe that any person be had regarding this advertisement

have gained steadily in weight, and Akoz will be found as effective for can eat anything I wish without suf- rheumatism, stomach, liver, kidney fering the slightest discomfort, and and bladder trouble, ulcers, piles, skin can attend to all my housework, diseases, eczema and other allments. which I could not do before. My Akoz is being introduced in Klam-



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### FOR JUSTICE OF THE PRACE

I desire to call the attention of the oters to the fact that in addition to being the present incumbent, I am the nominee of the Republican and Progrecalve parties for re-election 1

stand upon my record. E. W. GOWEN

# Herald's Classified Advs.

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NICELY FURNISHED steam bested hooms at the Clairmont. 5-25-18" LOWER APARTMENT - Furnished or unfurnished. Whitlock's apart

### MISCELLANEOUS

ments, Bisth and High.

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