CERTIFICATES.

Cashier Albert's Vtews of the Nature of Claims Against the State.

J. H. Albert, cashier of the Capital National bank, holds that the action of Secretary of State Kincaid, in suspending the issue of certificates of indebtedness (so called) to creditors of the state does not affect the status of claims. It only emphasizes the fact, says Mr. Albert, that such certificates have never approved a claim, but merely certified that a claim had been presented and filed, not audited. Mr. Albert further says:

"Holders of these certificates have been generally misled as to their character, assuming the unread printed form signed by the secretary to be a negotiable instrument, issued in recognition of an audited claim against the state.

"The secretary is powerless to recognize such claims, being authorized to audit and issue warrants of claims only after the legislature has appropriated funds therefor; the two separate and distinct acts of audit and payment being held, by the decision of the supreme court, in Brown vs. Fleisher, to be inseparable.

"The suspension of payments by the state in 1868-1870, by reason of non-appropriation, was free from much of the hardship and injustice to creditors that must inevitably follow a similar omission on the part of the present legislature—by the issuance of warrants in payment of claims. These warrants being negotiable found a market at a maximum discount of 25 per cent. However, in the meantime the political complexion of the legislature had changed, and, its investigating committee repudited the claims, cutting down and in some instances repudiating the warrants. A succeeding legislature, however, paid the repudiated debts in full, fortified by the decision of the supreme court to the effect that the secretary was the sole auditor of public accounts under the constitution, hence the work of the "smelling committee" was ultra vires.

"Our laws afford no protection to a claimant who has rendered service or furnished supplies to the state, even though authorized by law, and the compensation fixed by statute. Under section 24, of the constitution, the legislature 'may provide by general laws for bringing suit against the state,' but as there has been no legislation to carry this provision into effect, all claimants, the just and the unjust alike, must depend on the whim of the legislature for an appropriation, provided it organize and provided, further, it appropriate.

"Should the present legislature fail to perfect its organization, so as to make the necessary appropriations, for which being collected, the state—unless it repudiate the claim of its creditors for interest, which is as just and legal as for the principal debt—will directly lose to that extent. It will also lose by reason of the enhanced prices required to be paid for its future supplies,

"The unpaid claims to the present date—including some $55,000 of last year's deficiencies—aggregate approximately $160,000, all upon a cash basis, the loss by reason of depreciation in the value falling upon the claimants.

"The most grievous loss however, will be borne by the state's employes, many of whom depend upon their quarterly stipend for the maintenance of themselves and families, and whose necessities will compel them to discount their wages to the full extent of all doubt and uncertainties as to be finally paid.

"It must be remembered that the certificates now being withheld by Secretary Kincaid cannot interfere with the sale of the claim, which can be transferred by indorsement of the verified voucher itself, instead of the certificate for the voucher on file, as heretofore."

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STATE NEWS.

There are 118 pupils enrolled in the Eugene puclic schools under 6 years of age.

The Monroe creamery is to be built now. A meeting having been held and a bonus is promisd.

It is reported that not a fruit bud in and near La Grande has been injured by reason of cold weather thus far.

Simpson Roberts, aged 76, one of the early pioneers of the county, died of heart disease at his home in Springfield this morning.

About $300 worth of coarse and fine gold, the product of various mines, was shipped last week by the First National bank, of Grant's pass.

A trolly-car collided with the farm wagon of Fred Schruble at Oregon City, Wednesday afternoon throwing M. Schruble out and breaking some of his ribs,

The latest output of the Bonanza mine, in the Robinsonville district, was received at Baker City Monday. It amounted to $10,000 in bullion, the result of a 17 days' run.

The contract for building the steel-truss bridge across Hood river was awarded at The Dalles to the San Francisco Bridge Company their bid being $3799.50.

The experiments at the agricultural college in Corvallis show the root of the wild parsnip is a deadly poison when eaten by cattle. A calf to which a parsnip was fed last Thursday died in less than three hours after eating the bulb.

The Corvallis city jail is to be provided with two new steel cages. The contract has been awarded, and, under it, the work is to be completed within 60 days. Fred Oberer is to be the builder, and he is to receive for the work the sum of $230 88.

Mr. Lot Livermore, chairman of county central committee of Umatilla county, and a resident of Pendleton, has been in Baker City for a few days. He is a prominent candidate for the receivership of the land office at La Grande.

L. Ipsen, while superintending the work of removing an old storebuilding in Enterprise, Wallowa county, last week, had rigged up a capstan. When the capstan was started, the sweep broke and a piece of it struck Mr. Ipsen on the head, crushing his skull He died a few hours aftrerward. He was 33 years old, and a native of Denmark.

San Francisco capitalists have purchased the Cameron placer mine—482 acres of ground—on the Applegate. H. D. Henderson and J. L. Kalfus negotiated the sale. The sum paid for the mine is said to be $50,000. It is announced that the new owners will put in a $25,000 hybraulic plant on the ground and operate on an extensive scale.

An A. P. A. ticket unexpectedly made its appearance in the school election at Corvallis Monday. The fight was earnest, but good-humored, and, though anti-A. P. A. votes were divided between two condidates, the A. P. A. ticket was defeated by a vote of nearly 2½ to 1. The property qualification for electors was strictly enforced. The result of the election is: John Simpson, director; W. A. Buchanan, clerk.

CLEAR LAKE.

Farmers are anxious for clear weather.

T. J. Arthur has come out ahead again in his land contest with M. L. Jones.

W. J. Steel and family paid Mr. Hult a visit the first of the week.

The Clear Lake Literary and Debating society has adjourned until next November.

Sunday school every Sunday at 2 p. m., and preaching on the 2nd and 4th Sundays of each month by Rev. J. Bowersox.

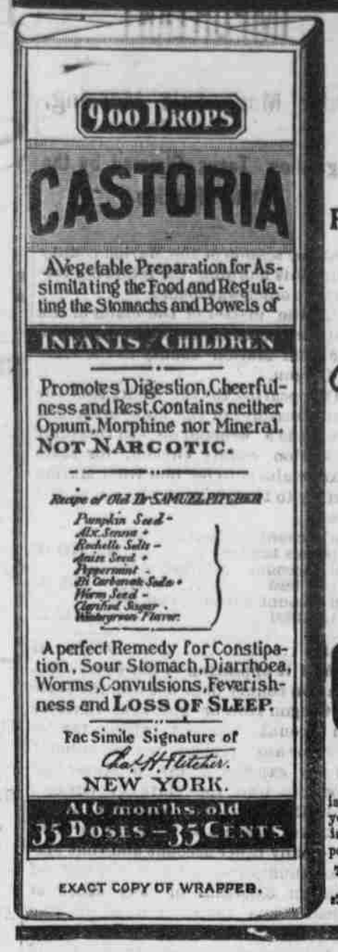
At the annual school meeting A. L. Beckner, was re-elected director and J. R. Leisy was re-elected clerk. J. C. McFarlane was re-employed to for the ensuing year at encreased wages.

School closed on last Friday, and will reopen again on March 15. We had eight months school last year and will have eight months this next year.

The school pupils and members the Literary society gave an excelent entertainment to a crowded house on the evening of February 27.

The majority of the citizens here were anxious for the legislature to organize and do some good legislative work, which they believe to be more esential than the election of a United States senator. We have very little use for the members of the Benson house and those of the joint convention, as public officers. And think that we will be able to remember some of the names should they ever appear before the public for an office.

THOSE CRAYONS.—In the store windows drawn by Prof. Craig are unique announcements of Hon. D. P. Thompson's lecture on Egypt at University chapel Friday, March. 5 at 8 oclock 4 4t



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I am not a philanthropist, nor do I pose as an enthusiast, but there are thousands of men suffering the tortures of weakened manhood who would be cured at once could they but get such a remedy as the one that cureed me. Do not try to study out how I can afford to pay the few postage stamps necessary to mail the information, but send for it and learn that there are a few things on earth that although they cost nothing to get they are worth a fortune to some men and mean to lifetime of happiness to most of us. Write a Thomas Slater, Box 390, Kalamazoo, Mich and the information will be mailed in a plain sealed envelope.

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tf HOFER BROS, Editors.

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