

UNCAID ON FLAT SALARY

Law and Philosophy
From the Grand Old Man
of Lane

When Penoyer was governor there was some talk of passing a "flat salary" law, but he opposed it on the ground that it would be unconstitutional, and the scheme was dropped. He would have vetoed the bill. He was willing to receive more money than \$1,500 a year provided in the constitution for the governor, and sign an appropriation or allowing more as for the secretary of state, state treasurer, judges, etc., for extra services not contemplated or foreseen by makers of the constitution, but he deemed it must be for extra duties created by the legislature since the constitution was adopted, and not as a "flat" or lump "salary." He drew a line at "flat salaries" greater than

named in the constitution, and took his extras, as did the secretary of state and treasurer, in so much each month for managing the asylum and other state institutions; always paid in separate warrants. This had been the custom before his time and has been since. This was thought by some to be more of a technical than a real objection, but it was the view that had been adopted by former legislatures and was accepted by all state officers as being legal. It was applied to the judges of the supreme court as well as to state officers and their salaries were not raised directly above the \$2,000 named in the constitution, but the legislature created extra duties by sending them to Pendleton in Eastern Oregon to hold court once each year and has given them \$1,500 extra for performing that duty, which was not dreamed of by the framers of the constitution. In this way the judges have been receiving \$3,500 a year, and by the "flat salary" bill will receive \$4,500, if it becomes a law. It will be a "flat" violation of the constitution, of course, in a direct manner, while the other was only indirectly, if at all. Perhaps the supreme court would have decided against the other method if it had been brought before them, but it was not, and of course the acts of the legislature were and are valid until decided otherwise by the court. If the court would have declared the extra fees and emoluments, not paid as salaries, but allowed for services rendered to individuals or to the state for duties provided by the legislature, unconstitutional, as many believed they would if brought before them, it is almost impossible to conceive how they can sustain this "flat salary" law and "flat" violation of the constitution, should it come before them. If the fees and emoluments are repealed in the same act that provides the "flat salaries," and if the act shall be declared void, then the fees and emoluments, and the present patched up salaries in the form of extra payments, will still remain, but if they were repealed in a separate act, the validity of which could not be questioned, then, if the "flat salary" act should fail, the salaries would go back to the constitutional limit; where they started nearly 50 years ago. That would create an imperative necessity for amending the constitution, unless the state officers and judges should be required

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to live on outside grafts like the common scoundrels of some cities where they will vote to close up and give the land in a street, worth many thousands of dollars, to build shops on, or do anything for boodle. Penoyer received about \$3200 a year, \$1500 as salary of Governor, and about \$1700 for extra duties. Lord received about \$4200 a year. Geer received the same or a little more, and Chamberlain is perhaps receiving the same. But by this bill, if it becomes a law, the Governor's salary will be increased nearly \$1000, and judges' salaries increased \$1000, while the pay of the secretary of state will be greatly reduced, and the treasurer's pay, so far as it comes from the state, will remain about the same, but the interest or bonus which he has sometimes received for the loan of state money, at great personal risk and peril, will be cut off.

WORSE EVERY YEAR.

Plenty of Salem Readers Have the Same Experience.

Don't neglect an aching back. It will get worse every year. Backache is really kidney ache. To cure the back you must cure the kidneys. If you don't, other kidney ills follow—

Urinary troubles, diabetes, Bright's disease. A Salem citizen tells you how—the cure is easy.

William M. Spayd, living at the corner of North Winter and D streets, says: "Words cannot express my opinion half strong enough of Doan's Kidney Pills. I have known their remarkable merits for the last eight years, having used them in Clinton county, Mich., where I was living. My kidneys were a source of annoyance for quite a number of years. I had much pain across my loins, and the secretions from the kidneys were irregular in action, causing me to rise often during the night, and at times there was a scalding. I procured Doan's Kidney Pills at Dr. Stone's drug store and gave some to a person visiting us, and they gave her wonderful relief, and in my case I was benefitted in every way. My backache was relieved and the trouble with the kidney secretions was corrected. You are at liberty to refer to me as one who can endorse the claims made for Doan's Kidney Pills. I also know of a great many others who have used them with the best of results."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States. Remember the name—Doan's—and take no other.

A Pleasant Way to Travel.

The above is the usual verdict of the traveler using the Missouri Pacific railway between the Pacific coast and the east, and we believe that the service and accommodations given merit this statement. From Denver, Colorado Springs and Denver there are two through trains daily to Kansas City and St. Louis, carrying Pullman's latest standard electric-lighted sleeping cars, chair cars and up-to-date dining cars. The same excellent service is operated from Kansas City and St. Louis to Memphis, Little Rock and Hot Springs. If you are going east or south, write for particulars and full information.

W. C. M'BRIDE, Gen. Agt.,
124 Third St., Portland, Ore.

The Salem Abstract
And Land Company will hereafter represent the Phoenix Assurance Company, replacing H. B. Thielsen. In case Phoenix policy holders desire any change in their contract, kindly present the same to the newly authorized agents. Renewals and applications for additional insurance will receive prompt attention.

The Best Known of All

Every one knows that it is the best known of all brands, and all smokers know that it is the best quality. The La Corona cigar.

FEW MEN HUNG

Oregon's Homicide Record
for 13 Months

During the year of 1904 and the month of January, 1905, there were 35 homicides in the state of Oregon. In 14 of these cases there were no arrests made in connection with the crime. In seven of the cases arrests were made and the suspects either exonerated by a coroner's jury of acquittal by a court. Seven of the cases are still hanging fire some of them having awaited settlement for months. In but two of the cases were sentences of life imprisonment imposed and there was not one case of capital punishment.

In addition to these crimes noted, Norman Williams, tried and found guilty at The Dalles of murdering two women named Nesbitt, remains unhung. Frank Guglielmo, who shot and killed his sweetheart, Freda Guarascia, has been tried and found guilty, but he also remains unhanged, the supreme court considering his case at the present time. Bert Oakman, who fatally stabbed Frank Bennett at Hillsboro, received a life sentence after pleading guilty in the second degree.

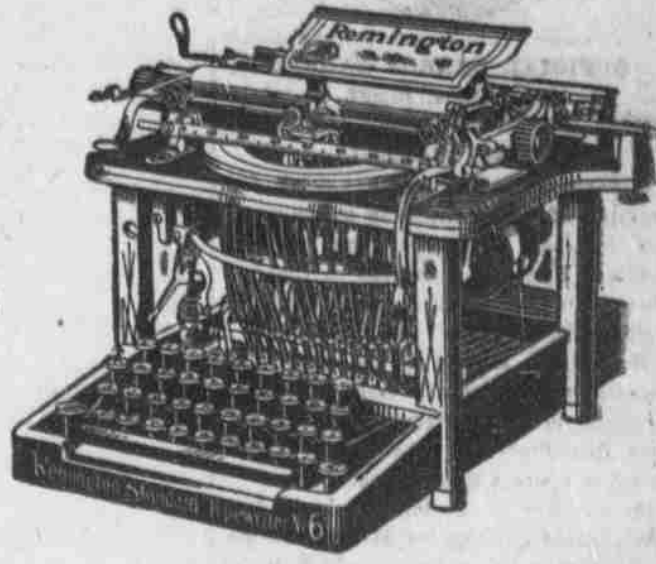
Lee Sing Nom, the Chinese physician, was killed at the corner of Fourth and Pine streets in Portland and there are no arrests in connection with the crime, though it occurred between 9 and 10 o'clock at night, when people were passing on the streets. Gus J. Bruer was murdered at the door of his saloon at Union avenue and East Clay streets, seven persons were arrested for the crime and all were allowed to go free without a trial. The mystery of these two murders has never been solved, neither has the mystery of the murdered baby whose body was discovered in a grip at the Union depot. The murder of Creep Conn near Lakeview in April and the killing of Edwin Stone at Newport last month are also unsolved.

Cab War Still On.

Cab hire to any part of the old city limits, to or from the depot, 25 cents. All orders, day or night, promptly attended to. All other orders at reasonable rates. Club Stables. C. W. Yankke. 2-15-1f

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Public Is Aroused.

The public is aroused to a knowledge of the curative merits of that great medical tonic, Electric Bitters, for sick stomach, liver and kidneys. Mary H. Walters, of 546 St. Clair ave., Columbus, Ohio, writes: "For several months I was given up to die. I had fever and ague, my nerves were wrecked; I could not sleep, and my stomach was so weak from useless doctor's drugs that I could not eat. Soon after beginning to take Electric Bitters I obtained relief, and in a short time I was entirely cured." Guaranteed at J. C. Perry's drug store; price 50c.

Dr. Stone's Drug Store

does a strictly cash business; owes no one, and no one owes it; carries a large stock; its shelves, counters and show-cases are loaded with drugs, medicines, notions, toilet articles, wines and liquors of all kinds for medical purposes. Dr. Stone is a regular graduate in medicine and has had many years of experience in the practice. Consultations are free. Prescriptions are free, and only regular prices for medicine. Dr. Stone can be found at his drug store, Salem, Oregon, from 6 in the morning until 9 at night.

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SELZ

When Your Cold Catches You Just There



There is No Time to Wait.

It is not a "little thing." It's a deadly thing. It will not "get well by itself" if you let it alone. Whiskey and quinine and such things brace you up for the time, but they don't cure you.

Ask any intelligent doctor why you catch cold so easily. He will say, "Because you are a bit run down." He means that the force which nature placed in your body to keep out disease germs—the resistive force—is weakened. The door is open a little way toward disease.

There is not a gravestone in any cemetery in the world caused by consumption or pneumonia or any lung trouble whatever, which did not start with what you call "Nothing but a cold."

A cold should not be beaten back or drugged over—it should be cured, and the general health should be built up.

ACKER'S ENGLISH REMEDY

should be taken at the first symptoms of cold. It is a tonic for the whole body, a specific for sudden colds, coughs or sore throats. It doesn't matter where the cold is or how it got there, we know that Acker's English Remedy will reach it and cure it. It is sold on a positive guarantee.

NO CURE NO PAY. If you have a cold—no matter how slight—it means something. Take Acker's English Remedy at once. Keep it in the house. If it does not relieve you almost instantly, we will refund you the price paid.

"ACKER'S ENGLISH REMEDY saved my life. A cough, slight at first, grew constantly worse and I finally had to give up my work in the Knife Factory at Walden. I had frequent bleeding spells. Was examined by local doctors, prominent physicians in New York and at a Medical College. They all pronounced my case hopeless. I began using ACKER'S ENGLISH REMEDY and a few bottles cured me. I am today a perfectly well man." (Signed) A. H. SIMPSON, Walden, N. Y.

Acker's English Remedy is sold on a positive guarantee that the purchase money will be refunded in case of failure. 25c., 50c., and \$1.00 per bottle.

SOLD AND RECOMMENDED BY DAN'L FRY, DRUGGIST, SALEM, OREGON.