

UPHOLD LAW TO RAISE SALARIES

Special Supreme Court Directs Auditors to Pay at New Rate.

THE JUDGES ALL AGREE

Under Decision Justices and Industrial Body Receive More Pay.

Special to The World. OKLAHOMA CITY, Dec. 20.—The special bench of the state supreme court which heard the case of Thomas H. Owen, chief justice, and Taylor Taylor, member of the industrial commission, involving payment of salaries to members of the supreme court and Commissioner Taylor at the increased rate provided by the last legislature, yesterday handed down opinions the effect of which is a direction to State Auditor Carter

to pay the salaries at the new rate. The opinion, written by Special Justice H. A. Ledbetter of Ardmore, was concurred in unanimously. Following is the syllabus: Salary of justices of the supreme court, section 10, article 23, of the constitution, construed with section 16 of the schedule of the constitution. Section 10, article 23 of the constitution provides: "Except wherein otherwise provided in this constitution, in no case shall the salary or emoluments of any public official be changed after the election or appointment, provided that all officials in this state shall continue to perform the duties of their office until their successors shall be duly qualified." Held: That said section 10, article 23 of the constitution, must be construed with section 16 of the schedule of the constitution when determining the constitutionality of chapter 204, session laws of 1919, increasing the salaries of the justices of the supreme court. Now favors the increase. Present increase in salaries authorized: A justice of the supreme court who has been duly elected, has qualified and entered upon his term of office is legally entitled to the in-

crease in salary authorized by Chapter 204, Session Laws of 1919, for the reason that section 16 of the schedule of the constitution expressly provides that the "salaries of justices of the supreme court shall be \$4,000 per annum each until changed by the legislature." Legislature has changed salaries of justices of the supreme court by Chapter 204, Session Laws of 1919. By Chapter 204, Session Laws of 1919, the salaries of justices of the supreme court are "changed by the legislature" and this change is authorized by section 10, article 23, of the constitution and section 16 of the schedule of the constitution. Legislature having once acted has exhausted its power to change salaries during the term of office. The authority to change the salaries during the term of office provided for in section 10, article 23 of the constitution and section 16 of the schedule of the constitution, same having been exercised the power thereunder is exhausted. Chapter 204 of the session laws of 1919 is not a change of salaries of the justice of the supreme court. The special bench of the supreme court, appointed by Governor Robertson to hear these cases, comprised: Judge N. A. Gibson of Muskogee, who was chosen presiding justice; J. C. Combs, Sapulpa; Phila Jones, Wilburton; H. G. McKeever, Enid; R. H. Looftornow,

Heaver, H. A. Ledbetter, Ardmore; Ralph E. Campbell, Tulsa; J. C. Halk, Atoka, and J. A. Huff, Cordell, five of whom are democrats and the other four, republicans.

The United States has established a gas-mask department of the bureau of mines.

QUAIL ARE LESS PLENTIFUL

Big Pastures, Busy Hunters, Drought and Oil Development Causes. HOMINY, Dec. 20.—Hunters are having to work hard to get any

sort of a bag. Some don't get a feather quail they got disgusted and went to shooting sparrows. It is regrettable but true that the quail population is receding. The wild life of Osage county is fast fading out from several causes. Quail are at their best in a thick settled farming section where

landowners keep the hunters out. The farming area is also restricted and the enemies of quail have such free hand that the supply is slowly diminishing. The big pastures practically ruin great tracts for quail. There is no stubble or grass for them to hide in or hatch in. The droughts we have

in this section are hard on quail, making it necessary for them to go over large areas of exposed territory to get water. The hawks, owls and other enemies take toll all along. All nations used 250,000 carrier pigeons in the war.

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