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GOVERNOR, LEGISLATURE AND JUDICIARY.

OWING to the intense interest just now in the Copperfield affair, we reprint a portion of the opinion of Justice Cooley in the case of the state of Michigan against the governor, as printed in the 29 Michigan, 321. Justice Cooley among other things said:

"Our government is one whose powers have been carefully apportioned between three distinct departments, which emanate alike from the people, have their powers alike limited and defined by the constitution, are of equal dignity and within their respective spheres of action equally independent. One makes the laws, another applies the laws in contested cases, while the third must see that the laws are executed. This division is accepted as a necessity in all free governments, and the very apportionment of power to one department is understood to be a prohibition of its exercise by either of the others. The executive is forbidden to exercise judicial power by the same implication which forbids the courts to take upon themselves his duties.

"It is true that neither of the departments can operate in all respects independently of the others, and that what are called the checks and balances of government constitute each a restraint upon the rest. The legislature prescribes rules of action for the courts, and in many particulars may increase or diminish their jurisdiction; it also, in many cases, may prescribe rules for executive action, and impose duties upon, or take powers from the governor while in turn the governor may veto legislative acts, and the courts may declare them void where they conflict with the constitution, notwithstanding, after having been passed by the legislature, they have received the governor's approval. But in each of these cases the action of one of the departments which controls, modifies, or in any manner influences that of another, is had strictly within its own sphere and for that reason gives no occasion for conflict, controversy or jealousy. The legislature in prescribing rules for the courts, is acting within its proper province in making laws, while the courts, in declining to enforce an unconstitutional law, are in like manner acting within their proper province, because they are only applying that which is law to the controversies in which they are called upon to give judgment. It is mainly by means of these checks and balances that the officers of the several departments are kept within their jurisdiction, and if they are disregarded in any case, and power is usurped or abused, the remedy is by impeachment and not by another department of the government attempting to correct the wrong by asserting a superior authority over that which by the constitution is its equal.

"It has long been a maxim in this country that the legislature cannot dictate to the courts what their judgments shall be, or set aside or alter such judgments after they have been rendered. If it could, constitutional liberty would cease to exist; and if the legislature could in like manner override executive action also, the government would become only a despotism under popular forms. On the other hand it would be readily conceded that no court can compel the legislature to make or refrain from making laws, or to meet or adjourn at its command, or to take any action whatsoever, though the duty to take it be made ever so clear by the constitution or the laws. In these cases the exemption of the one department from the control of the other is not only implied in the framework of government, but is indispensably necessary if any useful apportionment of power is to exist.

"The appointment of power, authority and duty to the governor, is either made by the people in the constitution, or by the legislature in making laws under it; and the courts, when the apportionment has been made, would be presumptions if they should assume to declare that a particular duty assigned to the governor is not essentially executive, but is of such inferior grade and importance as properly to pertain to some inferior office, and consequently, for the purposes of their jurisdiction, the courts may treat it precisely as if an inferior officer had been required to perform it. To do this would be not only to question the wisdom of the constitution or the laws, but also to assert a right to make the governor the passive instrument of the judiciary in executing its mandates within the sphere of his own duties. Were the courts to go so far, they would break away from those checks and balances of government which were meant to be checks of co-operation, and not of antagonism or mastery, and would concentrate in their own hands something at least of the power which the people, either directly or by the action of their representatives, decided to entrust to the other departments of the government."

The printing of stories as to the remarkable marksmanship of Col. Lawson and the militia boys with him, gives a touch of comic opera to the Copperfield war.

The offer made to Sheriff Rand by Governor West Tuesday does not seem a very hard one to comply with, and it should be accepted by him. If the dove of peace can be made to again flutter her white wings over our great state simply by the appointment of Mr. Snodgrass to the position of deputy sheriff without pay, then sheriff Rand should by all means make the appointment, and let her flutter.

Emile Deschamps says the American woman is defective in her education, indelicate in the matter of love, and shocking in her pursuit of a husband. Aside from that, however, she is all right.

Lincoln Beachy has succeeded in looping the loop in his aeroplane six times in one day. Most newspapers have Beachy's obituary notice in type.

The debate whether it should be parcel post or parcels post was settled by the letter carriers at Christmas time. It is parcels post.

YOUTH KILLS HIMSELF. Harold A. Lathrop, aged 21, traded his Portland, Or., Jan. 7.—Disinherited at watch for a cheap gun, then selected fruitless efforts to secure employment, an isolated place on the east side and faced the possibility of having to shoot himself through the heart. His sweetheart, Miss Marie Body was found yesterday. Lathrop's Fenwick, of Hood River, without funds, mother lives at Pomeroy, Washington.

LADD & BUSH, Bankers
TRANSACTS A GENERAL BANKING BUSINESS SAFETY DEPOSIT BOXES. TRAVELERS' CHECKS.

REPUBLICANS PLAN TO MAKE GOOD RECORD

Important Reform Measures Will Be Pushed at This Session of New York's Legislature.

FORMER GOVERNOR BACK AS AN ASSEMBLYMAN THERE

Hinted That Democratic Minority Will Join With Independents in Making Trouble for G. O. P.

[UNITED PRESS LEASED WIRE]

Albany, Jan. 7.—With a well bossed Tammany Senate glaring across the corridor at a defiant Republican assembly, the New York legislature of 1914 convened here today. It is the first New York legislature that ever had an impeached governor in its membership, and the first that has had a free lance assembly, although the republicans elected a majority of the members.

The republicans had looked forward to this session as an opportunity for them to enact such progressive measures as workmen's compensation, direct primaries and reform ballot. A republican conference in New York pledged the assemblymen to these measures, but the democrats forestalled the gathering of these political ammunition by passing these same progressive bills during the final days of the special session of the democratic legislature.

Former Governor Sulzer now an assemblyman, bears the unique distinction of being virtually "a man without a party." He cast off the democrats following his impeachment and was elected to the assembly on the progressive ticket. The progressives, however, have not included him in their conference and have not numbered him as among those to be relied upon by their party.

Just where and when the trouble will begin is the problem. Former Governor Sulzer is apt to vie with Assemblyman Hinman in getting in a stiff resolution to investigate everything democratic and Hinman wants especially to dig into the expenditure of the millions that have failed to furnish the barge canal. Sulzer wants most of all a general uncoupling of Tammany Hall's use of money at elections but is not averse to any inquiry that would show up any graft.

It is hinted that the democratic minority will join with the independents to do anything that will make real republican trouble, but this feature of the session will develop as opportunity offers.

Oppose Investigation.

At the outset the leaders will try to stave off the immediate introduction of investigation resolutions. They prefer to have but few and these dead, but admittedly it will be hard to hold back Sulzer and several more of the determined independents.

The senate although powerfully of the Tammany persuasion is disposed to be really good. With the governor and with fear to do otherwise it fairly well squared accounts with the people by the reform legislation put through at the close of the extra session. Now it sees no real reason for legislation unless the governor has something further in mind.

BIG EATERS GET KIDNEY TROUBLE

Take a Glass of Salts Before Breakfast if Your Back Hurts or Bladder Bothers You.

The American men and women must guard constantly against kidney trouble because we eat too much and all our food is rich. Our blood is filled with filter acid which the kidneys strive to filter out, they weaken from overwork, become sluggish; the eliminative tissues clog and the result is kidney trouble, bladder weakness and a general decline in health.

When your kidneys feel like lumps of lead; your back hurts if the urine is cloudy; full of sediment or you are obliged to seek relief two or three times during the night; if you suffer with sick headache, or you have rheumatism when the weather is bad, get from your pharmacist about four ounces of Jad Salts; take a tablespoon in a glass of water before breakfast for a few days and your kidneys will then act fine. This famous salt is made from the acid of grapes and lemon juice, combined with lithia, and has been used for generations to flush and stimulate clogged kidneys; to neutralize the acids in the urine so it no longer is a source of irritation, thus ending bladder disorders.

Jad Salts is inexpensive; cannot injure, makes a delightful effervescent lithia-water beverage, and belongs in every home, because nobody can make a mistake by having a good kidney flushing any time.

GIRLS! THICKEN AND BEAUTIFY YOUR HAIR

Bring Back Its Gloss, Lustre, Charm and Get Rid of Dandruff—Try the Moist Cloth.

To be possessed of a head of heavy, beautiful hair; soft, lustrous, fluffy, wavy and free from dandruff is merely a matter of using a little Danderine. It is easy and inexpensive to have nice, soft hair and lots of it. Just get a 25-cent bottle of Knowlton's Danderine now—all drug stores recommend it—apply a little as directed and within ten minutes there will be an appearance of abundance; freshness, fluffiness and an incomparable gloss and lustre, and try as you will you cannot find a trace of dandruff or falling hair; but year real surprise will be after two weeks' use, when you will see new hair—fine and downy at first—yes—but really new hair—sprouting out all over your scalp—Danderine is, we believe, the only sure hair grower; destroyer of dandruff and cure for itchy scalp and it never fails to stop falling hair at once.

If you want to prove how pretty and soft your hair really is, moisten a cloth with a little Danderine and carefully draw it through your hair—taking one small strand at a time. Your hair will be soft, glossy and beautiful in just a few moments—a delightful surprise awaits everyone who tries this.

mind. Of course the usual "regular bills" will be introduced and very likely these will come in early. Otherwise the senate expects simply to keep an eye on the assembly and be prepared at all times to do the governor's bidding.

Since Governor Glynn is out to make a record and has declared that he will advise the legislature by message from time to time, rather than hand out everything as one developments will have to be awaited from this source also.

The governor has to make several of the most important appointments in the gift of the executive and Tammany has long been anxious to know his choice. Governor Glynn has declared for a short session and few appointments.

DEMOMATION MAY AFFILIATE WITH UNIVERSITY

[UNITED PRESS LEASED WIRE.]

Champaign, Ill., Jan. 7.—A denominational religious department in connection with a state university is the unique scheme being perfected today by Methodist leaders of Illinois here. Within a few months the Wesley foundation will consist of a \$200,000 endowment fund for this purpose, according to announcement of Executive Secretary McAnnon today.

The Wesley foundation is incorporated under the laws of Illinois. Courses in religious instruction by prominent Methodist divines and theologians will be offered to regular students of the university, and due credit given by the university for the work done. Bachelor's degrees will be given for courses combined from the Methodist department and other departments of the university.

The foundation fund and the supervision of the courses is in the hands of a board of thirteen trustees. The officers of the board are Bishop W. E. McDowell, Chicago, chairman; District Superintendent F. B. Madden, Champaign, vice-chairman; Jessie B. Danley, of Chicago, secretary; and Dr. C. B. Taylor, of Champaign, treasurer.

A local executive committee, with residence at the university, consists of John W. Stipes, F. H. Boggs, F. P. Madden, James C. Baker and J. W. Van Cleave, all leading Methodist ministers in the state.

FIGHT FOR SUFFRAGE.

[UNITED PRESS LEASED WIRE.]

Rome, Jan. 7.—Italian suffragists today launched a new movement for the wresting of the right of suffrage from the present parliament. Since the death two years ago of Lady Marescotti the founder of the movement and who all but succeeded in attaining the desired end, the movement in Italy has been practically dead. Now the women have grounds for hope. During the recent elections, the socialists having declared for women's suffrage, the women today an active part in their support. They were instrumental in increasing the socialistic block in parliament from 25 to 80. Premier Giolitti is dependent on the socialists for his majority in parliament and in return for this it is necessary for him to concede to the socialists certain legislation which they desire. The women have already charged a committee of the latter with the drawing up of the suffrage bill which they will have introduced.

PRIZE NOT SO DESIRABLE.

[UNITED PRESS LEASED WIRE.]

Rome, Jan. 7.—"Grand Prix de Rome" formerly the most coveted prize in the world is not as desirable now as it used to be. The winning of it entitled the artist, sculptor or painter, as the case may be to spend three years at the famous French academy in the Villa Medici at Rome, which is

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High standard quality, worth up to \$15, \$18 and \$20; all new shades
Prices now
\$7.90
\$9.90
AND
\$11.90

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Ladies \$3.00 Shoes, odd sizes, pair \$1.49
Fine Laces and Embroideries on sale at less than cost to clean up.
\$1.00 Corsets now .. 49c
\$1.00 Kid Gloves 49c
Long Ostrich Plumes, now 98c, \$2.45

PRICES CUT AWAY DOWN

Remnants of Outing Flannels, yard 31c
Muslins and Sheetings at mill prices.
Emerald Green Petticoats, now 98c
Odd lots of Hosiery and Underwear half price.

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We are leaders in Silks and Dress Goods. Come here for bargains and the best stock in Salem to choose from. **CLEARING PRICES.**

19c, 25c, 35c, 49c yd. and up

Ladies' Coats

All new, bought at 60c on the dollar. Values up to \$12, \$15, and \$20 now only

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AND
\$11.90

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Ladies' 15c
Fast Black Cotton Hose 4 Pair for 25c

75c
Black Sateen Mercerized Petticoats Now 25c

THE ROUND-UP.

now under the direction of Besnard, the famous French artist. It has just been decided that in the future the "pensioners" will not be allowed to marry as the big villa has not the accommodations necessary for the domestic happiness of the students. Exceptions will be made, however, by the French Minister of Public Instruction, when the case seems to warrant it.

LINE BETWEEN CHEHALIS AND CENTRALIA BLOCKED

[UNITED PRESS LEASED WIRE.]
Chehalis, Wash., Jan. 7.—The electric line between Chehalis and Centralia has suspended operations today as the result of the worst flood in this vicinity for years. The tracks are partially submerged. The mill dam at Doty went out today and 4,000,000 feet of cedar logs valued at \$40,000 swept everything before them. It is expected that a boom at Littell will save the logs from being lost. The telegraph wires to South Bend were down. No northbound trains on the Northern Pacific or Oregon and Washington arrived here today.

HE CERTAINLY WILL.

Wright—I have half a mind to become a newspaper man.
Purman—Oh, you'll need more mind than that.

BREAKS A BAD COLD IN A JIFFY! TRY IT

"Pape's Cold Compound" Ends Cold and Grippe in a Few Hours—Don't Stay Stuffed-Up!

You can end grippe and break up a severe cold either in head, chest, body or limbs, by taking a dose of "Pape's Cold Compound" every two hours until three doses are taken. It promptly opens clogged up nostrils and air-passages in the head, stops nasal discharge or nose running, relieves sick headache, dullness, feverishness, sore throat, sneezing, soreness and stiffness.

Don't stay stuffed-up! Quit blowing and snuffling! Ease your throbbing head—nothing else in the world gives such prompt relief as "Pape's Cold Compound," which costs only 25 cents at any drug store. It acts without assistance, tastes nice, and causes no inconvenience. Be sure you get the genuine.

The last grading camp on the railroad between Mapleton and Acme has closed down, and the grading on the Willamette-Pacific line from Eugene to Coos Bay has been finished as far as Acme, with the exception of two short pieces, one at Mapleton and the other at Point Terrace sawmill.

An observer of Christmas trade at Ashland reports that the popular taste in gifts ran largely to articles of furniture and other such useful things. Also, trade was better than last year.

than for 10 years past and with an exceedingly bright outlook for 1914.

The big storm out Bay City off the map Monday, and it will be without communication for several days.

Captain Charles Wickstrom, first officer of the bar dredge Chinook, died very suddenly at his home in Astoria Monday.

MAY RESTRAIN COMMISSION.

[UNITED PRESS LEASED WIRE.]
Portland, Or., Jan. 7.—An order restraining the state railroad commission from enforcing its order of December 5 directing joint use of the one intercommunicating telephone system in the Oregon hotel in Portland on the part of the Home Telephone company and the Pacific States Telephone and Telegraph company is asked for in an injunction suit by the latter company on file in the United States district court. Two violations of the federal constitutional are alleged in the complaint, one being that the order is confiscatory.

La. M. Curl is now the mayor of Albany, he talking office Monday night. He succeeds Mayor P. D. Gilbert, who has held the office for two years.

According to Bridge Commissioner Hart, one of those in charge of the construction of the Portland-Vancouver bridge, he has been offered bribes by at least three firms who wanted to buy his vote.

The Oregon Pacific & Eastern railroad, operating 20 miles of road from Cottage Grove into the timber and Bohemia mining district, has secured a loan of \$500,000, which will be used in betterments.

At Corvallis Monday, Edith Hill Boak, president of the Women's State Christian Temperance Union, in an address, stated that in 1914 the state of Oregon would be dry, and that in 1920 the United States would also be dry.

Lloyd H. Wilkins, convicted of the murder of Leo L. Winters, at Portland, was Monday sentenced to be hanged March 24.

Yeggen blew the safe of the Bowman Bros.' store in Portland, Monday morning, and got away with \$700 in cash, \$200 in jewelry and \$180 in checks.

Don't stay gray! Look young! Either prepare the tonic at home or get from any drug store a 50 cent bottle of "Wyeth's Sage and Sulphur Hair Remedy." Thousands of folks recommend this ready-to-use preparation, because it darkens the hair beautifully and removes dandruff, stops scalp itching and falling hair; besides, no one can possibly tell, as it darkens so naturally and evenly. You moisten a sponge or soft brush with it, drawing this through the hair, taking one small strand at a time. By morning the gray hair disappears; after another application or two, its natural color is restored and it becomes thick, glossy and lustrous; and you appear years younger. Local agent, J. C. Perry.

SAGE TEA KEEPS YOUR HAIR DARK

It's Grandmother's Recipe to Bring Back Color, Thickens and Luster—Everybody is Using it Again.

Gray hair, however handsome, denotes advancing age. We all know the advantage of a youthful appearance. Your hair is your charm. It makes or mars the face. When it fades, turns gray and looks dry, wispy and scraggly, just a few applications of Sage Tea and Sulphur enhances its appearance a hundred-fold.

Don't stay gray! Look young! Either prepare the tonic at home or get from any drug store a 50 cent bottle of "Wyeth's Sage and Sulphur Hair Remedy." Thousands of folks recommend this ready-to-use preparation, because it darkens the hair beautifully and removes dandruff, stops scalp itching and falling hair; besides, no one can possibly tell, as it darkens so naturally and evenly. You moisten a sponge or soft brush with it, drawing this through the hair, taking one small strand at a time. By morning the gray hair disappears; after another application or two, its natural color is restored and it becomes thick, glossy and lustrous; and you appear years younger. Local agent, J. C. Perry.