

COURT HEARS HIGHWAY DATA

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case, standing in this chamber as defendants in impeachment proceedings."

Slattery and J. J. Lynch, of the governor's counsel, contended the governor acted "legally, properly, within his jurisdiction and correctly" in filing the charges, holding the public hearing and finally ousting the commissioners. They argued the district court had no jurisdiction in the case and that its restraining order was "void."

Horace Davis, of the commissioners' counsel, contended the entire case hinged on whether a court has the right to review the governor's removal proceedings. He contended the governor had no legal cause for removing the commissioners and had acted "arbitrarily and capriciously" and had exceeded his jurisdiction in so doing.

John Bonner, of defense counsel, claimed the governor and the attorney general, as members of the state board of examiners, "by approving claims of the commissioners for fees they now contend in the removal proceedings to be illegal have laid themselves open to impeachment."

George Hurd, of defense counsel, called the governor's removal proceedings "the most high-handed procedure ever heard of in this state." He asserted the governor had acted "on the theory the king can do no wrong," and added, "we're only trying to confine him to his realm."

Hurd denied affairs of the highway department had been impeded and that any "exigencies exist to require the supreme court to issue a writ of supervisory control."

Governor Holt and Commissioner McGregor were not in court during Saturday's hearing. Commissioners Brown and Croonenberghs were present.

Supreme Court Weighs Arguments in Highway Commissioners Case (continued)

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