

## SUPREME COURT TO TAKE ACTION IN HIGHWAY CASE

Ousted and Newly-Appointed Commissions Ordered to Appear Before Body Jan. 2.

Helena, Dec. 28.—(AP)—The Montana supreme court Monday ordered two sets of state highway commissioners before it on January 2 to decide which, if either, is entitled to hold office.

The newest move in the drawn-out controversy between Gov. Eimer Holt, who twice ousted Commissioners Rockwood Brown, Dr. H. J. McGregor and H. L. Croonenberghs on charges of collecting illegal fees and who appointed Fred Fligman, Thomas O. Collins and D. L. O'Hern as their successors, was in the form of a quo warranto proceedings filed Monday morning.

Attorney General E. K. Matson brought the action at the direction of the governor which resulted in the supreme court issuing an order to both sets of board members to appear and "try their rights" to the office.

The petition for such an order, which the attorney general filed, contended both the commissioners the governor removed and the successors he appointed claim the board memberships, " . . . and conditions arising out of this controversy are disrupting to an orderly and efficient

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## Montana Supreme Court Will Decide Commissioner's Legitimacy

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