

COURT TO HEAR COMMISSIONERS

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administration of the state highway commission

The petition contended the controversy had created a turmoil detrimental to the proper administration of highway department business and asked the supreme court to decide which, if either, of the boards has the legal right to the office.

The highway commission ouster proceedings were before the supreme court once before. The controversy began when the governor cited Commissioners McGregor, Brown and Croonenberghs before him, held a two-day public hearing and declared them removed from office.

The accused commissioners secured a restraining order from Lewis and Clark county district court and the governor then took the case into the supreme court, which held he was free to carry the proceedings to a conclusion, while ruling, at the same time, he had been in error by closing the first hearing without allowing the commissioners to finish their "good faith" defense.

Governor Holt reopened the hearing December 17 to allow presentation of this defense. After six days and nights of hearings, he again declared the commissioners ousted from office on the night of December 23 and announced the appointment, immediately, of Commissioners Fligman, O'Hern and Collins as successors to the former board.

The new group took office, organized a new board and began functioning after announcing no changes in highway personnel were contemplated immediately.

The former commissioners, through one of their attorneys, George Hurd, of Great Falls, disclosed they planned further legal moves in the controversy.

Montana Supreme Court Will Decide Commissioner's Legitimacy (continued)

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