

TEST SUIT INSTITUTED HERE AGAINST ROAD COMMISSION ON PROPOSED NEW BUILDINGS

P. R. Guillot of Helena yesterday instituted in the Montana supreme court an injunction suit against the state highway commission, attempting to enjoin that body from having constructed a separate highway building in this city, to cost approximately \$138,000.

The state supreme court assumed original jurisdiction over the case and the complaint was filed direct with that tribunal. The action will be a test suit to determine if the commission has authority under the law to dispose of state gasoline tax money in any other way than for the "construction, reconstruction, betterment, maintenance, administration and engineering of highways . . ."

Not Constitutional

In the complaint filed yesterday, the plaintiff asked the supreme court to issue a permanent writ of injunction against the state highway commission, forbidding that body from proceeding to call for bids, from entering into any contract, or from "in any manner expending the funds of the commission for the construction of said state highway commission building or for any expenses in connection therewith . . ."

On Oct. 16, 1935, the commission adopted a resolution calling for the expenditure of not more than \$138,000 for the new and separate building. Believing that the commission will receive no aid from the public works administration and that money to be expended will be taken from the gasoline tax fund of the state, plaintiff seeks to enjoin any such procedure, being himself a motorist and a gasoline taxpayer.

The suit was instituted by John Chapman, local attorney. John W. Bonner, special assistant attorney general and counsel for the highway department, will represent the commission when the case advances.

Members of the commission mentioned in the complaint as defendants include Chairman Harry J. McGregor, Great Falls; L. J. Croonenberghs, Missoula; and Rockwood Brown, Billings.

FOUR KILLED AND SEVERAL HURT BY ALABAMA STORM

(Continued from Page 1)

perished trying to ride out a 40-mile blow.

A young couple, returning from a dance near Sisseton, S. D., died from carbon monoxide poisoning when their car stalled in a snow bank. A companion was given a chance to recover.

Two deaths in Oklahoma and one in Kansas was attributed to exposure or traffic conditions resulting from ice sheathed thoroughfares.

Trains from the west were late in Chicago as a blustery snow starting early in the morning brought an estimated three-inch fall over southern Illinois. West of the Mississippi, Iowa and Nebraska reported falls ranging as deep as 12 and 18 inches.

I. C. C. ORDER

Washington, Jan. 18.—(P)—The Interstate Commerce commission today ordered the establishment of the lowest proportional freight rates possible for the transportation of horses and mules in carloads from points in Arkansas, Iowa, Kansas, Missouri, Nebraska, Oklahoma, Texas, Wyoming, Louisiana, Colorado and eastern New Mexico, to lower Mississippi river crossings.

Suit Seeks To Quash Highway Building

Clipped By:



seabix1

Sun, Jun 13, 2021