

FOR SALE AT KNOWLES & GRABER'S

- 1 Spaulding Carriage—2 seat; almost new.
- 1 Buggy—1 seat; almost new.
- 1 Buggy—old but still in the ring.
- 2 Wagons—1 Better and 1 worn.
- 3 Horses—9 and 10 years old.
- 1 Piano—Ivers & Pond, old style.
- 1 Organ—Mason & Hamlin, old style.
- 1 House and two large lots. 40 acres timber.

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H. Harrington WILL DO YOUR DRAYING AND MOVING

promptly and satisfactorily. They have every facility for handling all classes of goods, and simply solicit a trial.

All kinds of Hauling & Piano Moving
Phone No. 72 Cottage Grove

CALAPOOYA Springs Hotel

Located at London, Oregon, in the Calapooya mountains, 800 feet above sea level, twelve miles from Cottage Grove, Ore.

Cuisine and accommodations excellent. Hot mineral baths, recommended by physicians for rheumatism, stomach, liver and kidney troubles. Very extensive grounds with swings, tennis court, croquet and other amusements. Splendid trout fishing at hand. Automobile line from Cottage Grove over good roads. Write for full particulars, rates, etc. Address

Calapooya Springs Co.
Cottage Grove, Ore.

Southern Pacific Railway Time-Table COTTAGE GROVE STATION

South Bound	North Bound
No. 15 1:26 a. m.	No. 16 1:48 a. m.
No. 13 3:42 a. m.	No. 14 2:25 a. m.
No. 19 5:01 p. m.	No. 18 11:32 a. m.
No. 17 9:52 p. m.	No. 20 3:56 p. m.

O. & S. E. R. R. COMPANY. TIME TABLE NO. 5. To Take Effect June 19, 1909.

E. BOUND No. 1	STATIONS	W. BOUND No. 2
7:30 A. M.	LEAVE COTTAGE GROVE	12:00 A. M.
7:50 3:5	WALDEN	11:25
7:59 6:7	CERRIL GORDO	11:16
8:14 5:8	STAR	11:06
8:40 12:5	DOCKERS	10:46
8:50 13:5	WICKS	10:33
9:05 15:9	RED BRIDGE	10:25
9:15 16:6	WILLOW	10:15
9:45 20	DISTON	10:00

Two extra trains for passengers only leaves Cottage Grove on Tuesday and Saturday at 2:30 p. m., returning arrives at Cottage Grove at 5:30 p. m.
Subject to change without notice.
All outward freight to station where there is no agent will be left at risk of owner.
Stage leaves Diston after arrival of train on Monday, Wednesday and Friday for Orasco.
Freight will not be received at the O. & S. E. R. R. Depot after 5 p. m. To insure forwarding on next train freight must be delivered in ample time to permit of its being loaded.

A. B. WOOD, Manager.

OVER 65 YEARS' EXPERIENCE

PATENTS

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SAN FRANCISCO, CAL.
We buy Gold—rich Ore—amalgam and all mining products. We pay cash and give a square deal. Assaying 50c.
Established 20 years. Reference: First National Bank of San Francisco.

Inserted between regular news items, Sentinel want ads. get results.

C. SPENCER AGAINST THE RECALL

ARGUMENT SUBMITTED IN DEBATE WITH U. OF W.

Picks Many Flaws in System that Is a Feature of Oregon System.—Shows How It Can Be Perverted.

(Continued from first page)

shown, attendant and inherent evils which are greater than the evils it proposes to remedy. My time will be taken up by showing that the popular recall will not remedy the faults of our courts and I will point out remedies for the various judicial ills which will be more effective than the recall, and which do not carry with them any attendant evils.

In the first place the courts have been blamed for a great deal that cannot rightly be laid to their discredit. As my colleague has pointed out the judges are placed upon the bench to interpret the laws according to justice, equity, and the constitution. With this in mind what is to be done in the case of a law wrongly drawn up and poorly constructed? If the law is drawn up in such a way that it conflicts with the constitution the judge is bound by oath to declare it so. Then our opponents would cry "legislation by the courts, fire the judge!" Or if the law stands defective in its construction and the judge enforces it according to the letter of the law, our opponents cry "adherence to technicality, fire the judge!" Who is to be blamed for this but the lawmakers? How would our opponents remedy this by the popular recall of judges? Recall the judge because the lawmakers made a botch of drawing up a law. Our system of lawmaking is defective. Blackstone has said, "It is amazing that there should be no other occupation in which instruction is not looked upon as requisite except only the science of legislation, the noblest and most difficult of any." Henry W. Farnham, writing in the American Labor Legislation Review for Jan., 1912, says that the difficulty in regard to labor laws has been due to the framers of those laws and not to the judiciary. Here is the word of a labor leader who has made a life study of that branch of litigation which is perhaps most important today. He further says, "Our legislation which is prodigious in its mass, amounting easily in a single year to 16,000 enactments, is mainly the product of unskilled labor. Hence when it is submitted to the trained minds of our courts, it is not surprising that a great deal of it is condemned." He cites as examples a law regarding tenement houses in a western state which was impossible of execution because it required in country districts certain appliances which could be found only in cities. Again in a New England State a law provided for the appointment of three commissioners, yet so arranged the dates that the law could not be complied with without the appointment of four. In the state of Oregon there have been laws directly contradictory. Numerous other states have laws drawn up in improper form, so that oftentimes slight mistakes hinder the administration of justice. How, I ask our opponents, would they remedy this by subjecting the judges to popular recall? Would it not be much better to establish a system in all the states such as we find in Wisconsin, in the countries of Europe and especially in England? Here is the system: A board of expert draftsmen composed of skilled lawyers and lawmakers works in conjunction with the legislature. If, for example, a farmer in the legislature desires a law to meet the needs of his constituents, instead of writing it out himself, a process for which he is ill-fitted, he applies to the board of draftsmen, gives them the subject matter he wishes made into an act, and the law is drawn up so that it will hold water and not delay and hinder justice. It must be plain then that with reference to the criticism that the courts nullify many laws, the thing to do is not to recall the judge who is only performing his duty, but to change our legislative methods and prevent slipshod and defective legislation. Our opponents would apply the recall which could not possibly reach the evil but which would make a judge either violate his oath and allow a defective law to stand or else run the risk of losing his position and his professional honor by antagonizing a transient majority.

Now let us take up the evil of technicality. This is due to the rules of procedure which exist in our courts. These rules are sometimes derived from the common law, sometimes from statutes upon the subject. In either case, the judge is bound by oath to follow the rules in force. The result is that oftentimes justice is perverted by adherence to technicality and precedent. How would our opponents remedy this? "Fire the judge" for obeying the rules. How would we remedy it? Revise the rules. Give the judge rules to follow which will aid in the dispensation of justice. This is already being done to some extent. In Oklahoma there is a law to the effect "that no precedent shall be followed unless it is based upon a sound and just reason and unless it applies to conditions of the present time." The American Bar Association recommends that "no judgment shall be reversed or new trial granted unless it shall appear that the accused has been harmed by the error complained of." In England where this principle has been established a criminal seldom escapes justice. In Chicago the enforcement of a similar rule decreased crime 38 per cent in one year. The slowness of our judicial system of which our opponents complain is due to the cumbersome legal machinery which we allow to remain in our courts. This can be remedied only by laws providing more simple machinery. A great part of the delay of justice is due to the unlimited right of appeal. This should be limited. It has been done in England and in some of our states and can be made universal. These, ladies and gentlemen, are some of the changes needed to remedy existing conditions. We admit there are many of them, but there are also many evils. Social and political panaceas are in the same class with the philosopher's stone and the dreams of the alchemist. We aim to avoid the irrational seizure of a high-sounding theory, and to secure practical results by scientific, definite and workable methods which meet the exact evil by removing the specific cause.

But our opponents further contend that in some cases our state courts are unduly influenced by corporate wealth which results in the misinterpretation of the law at the expense of public welfare. We are willing to grant that there may be rare cases where the courts are influenced by business interests, or where their decisions fail to comply with present day needs. Such cases, however, are the rare exceptions and the domination of corporations has been much more common in both the legislative and the executive branches of our government than in the judiciary. James Brice has declared that our courts are the most efficient branch of our government and in all cases have they most nearly complied with the needs of the people. Even the radical Wm. Allen White, says, "The courts are as mobile as the people, and as matters stand today, the Supreme Court is the most progressive institution under our Federal Government. Still we recognize the need for a safe-guard against the influence of corporate power.

Here is our way of handling this need. Make the judges subject to recall by a majority of the legislature. This necessitates a legislative body directly responsive to the people, and can best be obtained by the direct primary. In some sections the initiative and referendum might be necessary, or perhaps the amendment of the constitution by a majority vote through the initiative. But, in every case the state should be governed by its local needs. In regard to those examples cited by our opponents where the legislative recall has not been effective, I wish to point out that in those cases the same influence which dominated the courts also dominated the legislatures. But the measures which I have just mentioned, would place the legislative bodies directly in the hands of the people. The efficiency of the legislative recall is not to be measured by the number of men removed, but by its effect in preventing the courts from nullifying needed legislation or rendering decisions out of harmony with public needs. In Massachusetts the legislative recall has met with excellent results and although that state has the most radical economic legislation in the Union, in no instance have the Massachusetts courts nullified any of these laws or given an improper interpretation to them, and this in spite of the fact that the Massachusetts judges are appointed, and hold office for life. Furthermore, this method would not have the attendant evils of the popular recall because the legislature would be in a position to get all the facts in the case, and would be men of proper intellectual ability and training to draw correct conclusions from the facts.

Instead of this system our opponents would apply the popular recall and strike a death blow at a judge who has followed the rules laid down for him. Is it not much more sensible to establish a system which will reach the real source of the trouble than to establish the system suggested by our opponents which not only fails to reach the source of trouble but which will also bring down upon us the multitude of evils which inevitably accompanies a subservient judiciary?

We have listened in vain to learn how the popular recall of judges would remove the judiciary from corrupt corporate influence. Would not a corporation exercising vast power be just as likely to use it corruptly in a recall election as in the original election? Still farther, would not the recall make the judges even more subservient to the dictates of big business? Suppose for example, there is a community wherein a corporation exerts vast power. A judge adheres to law and equity contrary to the interests of the corporation. It would not take ex-

pecially shrewd management nor great expenditure to secure the 25 per cent of signers. Very likely that many voters would be connected with the payroll of the corporation itself. A hue and cry would be raised, confusing the real issue, subsidized newspapers would take up the fight and even if the final outcome did not result in the judge losing his position he would be disgraced, subjected to destructive mental strain, and meanwhile be detracted from the duties of his office.

It is almost inevitable that the party or faction which supported a judge originally will support him again in case of recall and that faction which opposed him will seek to discredit their opponents by opposing him again. Chancellor Kent has said, "The danger to be apprehended, as all past history teaches us, is the spirit of faction and the influence of active, ambitious, reckless demagogues, combining, controlling, and abusing the popular voice for their own selfish purposes. Much more grievous would be such results when applied to judges." The only possible way to control corrupt corporate influence is to enable the people to formulate their will into laws through a responsive legislature, or if need be, through the initiative and referendum, and after these laws are once made, then we must have a judiciary strong and independent enough to enforce these laws in spite of the vast influence of corporate power. The recall, by making judges weak, irresponsible, vacillating, and dependent would have exactly the opposite effect.

We now come to the evil upon which our opponents have laid greatest stress. This is the power of the judges to pass upon the constitutionality of measures. They have said that the decisions of judges have been reactionary, that they have gone contrary to the will of the people. They suggest the recall as a remedy, but as usual they have failed to show us in the least particular how it would accomplish the result. How would the recall apply in a case of this kind? A series of laws come up before the Supreme Court. In one case, for instance, part of the judges decide one way, part another. The next time the situation is reversed. Those who voted for, now vote against, and vice versa. A judge may oppose the people's will this time and be on the popular side the next. Which judges are you going to recall? Those judges whom the people wish to retain in this case may be the ones they wish to recall in the next.

Justice White is a good example of this. In the Income Tax Case he gave the dissenting opinion which happened to be on the popular side, and so he received the praise and laudation of the masses. However, in the Tobacco Trust Case he voted on the prevailing side which was contrary to the popular sentiment. Now he received the blame and censure of the masses, and if possible might have been recalled. But a few days ago he again gave the dissenting opinion in the Mimiograph Case and is again receiving the praise and laudation of the people. This shows that a judge cannot conscientiously follow the law and the constitution and always be on the popular side.

But suppose at last through the recall we do lower the standard of our

(Concluded next week.)

SELLING ON LABOR

Portland, Oregon, April 2, 1912.—Mr. Chris Lolltick, Portland, Oregon.—Dear Chris: Your letter of recent date in regard to Mr. Selling's position on labor matters received. In answer will say that the official reports of the State Federation of Labor show that Mr. Selling's record in the legislature on labor matters has been such as could only elicit the gratitude of the working people of this state.

In some instances these reports show that Mr. Selling not only favored measures for which we contended, but in one instance, notably the female ten-hour bill, on his own volition he struck out a certain provision which made the law far better and stronger than in its original draft.

I presume you are making inquiry on account of Mr. Selling's candidacy for the United States Senate. I know you keep posted on labor legislation, and you will not have to stretch your memory to recall that only a short time ago we had an amendment to the Sherman anti-trust law before Congress, and the American Federation of Labor was bending every energy to secure its passage, but you remember one of the Senators from Oregon flatly refused to support it.

We are now on the eve of nominating a candidate for Senator. We hope to have the Sherman law amended, as the application of it to trades unions threatens our existence. I feel we should support men for the Senate and Congress who are friendly to our great movement.

Speaking locally, Mr. Selling's record toward trades unions has been uniformly fair. In fact, he must have experienced no little embarrassment the past few years on account of his indulgent attitude toward the working people.

This is a time when organized labor can show its appreciation of its friends, and I feel that in the result no one can



Getting Meats Ready

is a pleasure in the home where our groceries are used. For everything tastes so good, besides looking so. No boasting about what meals "mother used to cook" when we supply the supplies. Mother never had half as good groceries as we sell or one tenth the variety. Phone us your order if you can't come in person.

KERR & SILSBY

accuse the trades union movement of ingratitude or appreciation.
Trusting I have fully answered your letter, I remain,
Fraternally,
WILL DALY,
President State Federation of Labor

False Advertising Prohibited.

Section 1 of H. B. 300, passed Feb. 23, 1909, is as follows: "Any person who, in a newspaper or other periodical, or in public advertisement, or by letter or circular, knowingly makes or disseminates any statement or assertion concerning the quantity, the quality, the value, the price, the method of producing or manufacture of his merchandise or professional work, or the manner or source of purchase of such merchandise, or the motive or purpose of any sale, which is untrue or calculated to mislead, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$50, or by imprisonment in the county jail not exceeding 20 days, or by both such fine and imprisonment."

At the last meeting of the Eugene Merchants' Protective association, the following resolution was adopted unanimously: "Resolved, that this association go on record as heartily endorsing the action of the Portland association in causing the arrest and conviction of merchants violating the law in reference to false advertising and that we do everything in our power to uphold this law in Eugene and vicinity."

PEOPLE SHOULD GUARD AGAINST APPENDICITIS

Cottage Grove people who have stomach and bowel trouble should guard against appendicitis by taking simple buckthorn bark, glycerine, etc., as compounded in Adierika, the German remedy. A single dose relieves sour stomach, gas on the stomach and constipation instantly because this simple mixture antiseptizes the digestive organs and draws off the impurities. The New Era Drug Co.

Go Way Back and Sit Down

That advice is all right if you've got something to sit on

But then you can easily rectify any deficiency of that kind. We can supply you with most anything that was ever meant to be sat on—Rockers, some comfortable ones, Chairs, both cheap and expensive kinds, Lounges, the kind you liked before you were married, and also larger ones, Baby Chairs of all kinds.

Drop in and Let us Show You

SIMERAL & VAN DENBURG THE FURNITURE DEALERS

RESPONSIBILITY

There is no place where more care should be taken than in the preparation of prescriptions. We fully realize the responsibility of this end of our business and no part of it receives more care. And we keep our stock of prescription articles strictly fresh.

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Clothes Do Not Always Make the Man

But the kind I sell will help a whole lot. They will give him front, give him confidence in himself.

Suits, Fit, Style and Workmanship
Guaranteed, up from \$15

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