

# PORTLAND MAN SAYS ELECTION GOVERNOR WEST MARKS DISAPPROVAL OF MACHINE IN POLITICS SENDS MESSAGE TO SOLONS

Salem, Jan. 9.—The Oregon biennial legislative session opened today, organization of the senate being affected this afternoon with Ben Selling, of Portland, as president. This makes Selling acting governor of Oregon until Oswald West, Democrat, is inaugurated tomorrow. President Selling explained, in his speech of acceptance, that he considered his selection a mark of disapproval of machine politics in Oregon. It is thought that several ballots will be necessary to elect the speaker of the house.

## ARDON REFUSED BANK WRECKER

Acting Governor Bowerman Refused to Act in His Behalf  
Salem, Or. Jan. 8.—Acting Governor Bowerman last night refused to grant a pardon to J. Thorburn Ross, president of the defunct Title Guaranty & Trust company. Ross was convicted in the Oregon courts in 1908 on a charge of embezzling over \$285,000 of the state bond funds and was sentenced to five years in the Oregon penitentiary.

In the opinion of Wallace McCamant, who presented the petition for pardon, Ross has little chance of earning his sentence unless executive clemency is extended to him. He stated that in his opinion the writ error had no merit and would be dismissed by the United States supreme court.

The case of J. Thorburn Ross has been one of the most memorable in the state of Oregon and since his conviction in 1908 every influence that has political and financial power could be seen to have been used in his behalf but without avail.

Mr. Bowerman refused to pardon Ross on the ground that the United States supreme court and that executive clemency should be asked for after every effort had been exhausted to secure his freedom in the state.

## ANOTHER RURAL PHONE USER MAKES COMPLAINT OF SERVICE

Editorial:—I noticed in The Daily Guard of January 3 a communication from W. B. Smith, in regard to telephone charges, and wish to protest against his offering a positive refusal to pay for his phone and wiring \$5 switch charges. As for the proposition, it would not be so if we could have any assurance getting good service, but at the present time it has been about two weeks since we could get central. If it was the first time I would not say a word, but we have had the trouble a number of times, and as long as three and four weeks at a time. It is not this line alone, it is a general complaint. Then that is the use of paying \$5, \$3 or any other amount for something we can't get? Why would it not be fairer to just get another company to run their line into Eugene, as it is a general complaint in the county and city as to service and charges, now let us hear from other lines and see if we cannot get together and do something.

JOHN R. MARSH, Phone Farmers 377.

## INDICATIONS OF OIL NEAR COTTAGE GROVE

Cottage Grove, Jan. 9.—Frank James, who recently came to Cottage Grove, purchased a 20-acre tract of land of John Hull, two miles south of town, discovered signs of oil while digging a drainage ditch, both on his own and adjoining property. He states there are numerous oil blossoms, and it is his intention to gather some of them and send them to Corvallis for analysis.

## JUDGE GRAHAM IS ELECTED PRESIDENT

San Francisco, Jan. 8.—After a two-day session which the league magnates solemnly aver was time wasted, the Pacific Coast League today took the program that had some time ago been announced and named their old officers to hold for the ensuing year.

## RICH ORE SHIPMENT FROM BOHEMIA MINES

Cottage Grove, Jan. 9.—Ninety-nine sacks of ore from the Champlain mine in the Bohemia gold mining district have been shipped to the smelter at Tacoma since the Kelso, Wash., parties bought the Wheeler interests in the West Coast Mines company property. The first shipment ran approximately \$5000 to 10 sacks, and, calculating on the same basis, this shipment will show a value of \$49,500.

## SOCIALISTS OBJECT TO ROSEBURG ARMORY

Roseburg, Jan. 9.—Declaring that they are strenuously opposed to the erection of the proposed armory in Roseburg, the members of the local Socialist party and of the several Roseburg trade unions are circulating petitions throughout the county, in which they protest against the possible action of the county court in levying a special tax for armory purposes during their present term.

## Prohibit Hunting On State Farms.

The State owns adjoining its institutions several thousand acres of land which would afford fine breeding grounds for upland birds if they were given protection, and it would suggest that it be made unlawful to take, kill, or have in possession any game bird on lands surrounding the several State institutions in this State.

U. S. to Claude E. Yates 156 acres in sec. 22-17-9 W. Pat. U. S. to Lavell C. Howes SE 1/4 of Sec. 20-20-2 W. Pat. U. S. to George Nicolle S 1/2 of SE 1/4 of sec 2-18-10 W. Pat. U. S. to Myrtle Nicolle 157 acres in sec. 6-18-9 W. Pat. J. J. Wilkinson to Indian Creek Sporting Club, tract in sec. 36-16-10 W. \$1.00. Clarence A. Sluss to Bernice M. Warblinton 19.16 acres in D. L. C. 77, tp. 18-2 W. \$1.00. B. B. Scott to Grace M. Shaub lot 10 in blk. 12 of Creswell \$100.

For years the laboring classes have been knocking at the doors of these legislative halls begging for relief from certain unjust rules of law in personal injury cases, but without success. Two years ago they came with an employers' liability bill and stood ready to make any reasonable compromise, but the opposition had come to annihilate and not to construct labor legislation their bill was defeated and they were driven to the initiative and the people for relief. The result was the passage of a law which is more far-reaching than anything they had hoped to receive at the hands of the legislature. This showed to convince any one of that good business if not fair dealing, demands that the needs of the laboring classes should at all times be given careful consideration.

An eight-hour law was passed at a previous session of the legislature, but as it applies only to the State, county and municipal employees it should, as recommended by the State Labor Commissioner, be extended at least to contractors and sub-contractors doing work for the State, counties or municipalities and thus be made uniform with the Federal law.

The railroad employees of this State, after years of struggle, secured in 1907 the enactment of a law intended to prevent railroad companies from working their men more than 14 consecutive hours without rest. The Railroad Commission, whose duty it is to see that all such laws are enforced, made repeated attempts to secure convictions for violations of this statute, but it had been so loosely enforced that convictions under it were impossible.

Justice and fair dealing demand that whenever an employee of a public utility is discharged or voluntarily leaves the service of such corporation that he be given, upon request, a letter setting forth the nature and duration of the service rendered by him, whether he had voluntarily left the company's service or had been discharged, and in case of the latter a statement setting forth the cause which led to his discharge. Such a law would afford some protection against the prevailing unjust practice of discharging employes without giving them a chance to be heard or informing them as to the cause of this discharge.

There are great quantities of prison-made goods, manufactured in Oregon, that are shipped into Oregon every year, which, together with those manufactured by our own contracted prison labor, is sold in competition with similar articles manufactured by free labor. Believing not only that every tub should stand on its own bottom, but that every reasonable protection should be given to the business, I recommend that a law be passed requiring prison labor to be so labeled.

United States Senator Elihu Root of New York in a speech delivered before the National Civic Federation in November 1909, said: "It seems to me that our present system of dealing with those injuries that come to the employees in our great industrial life is foolish, out. It is discreditable to have a fact that in all industries there are accidents, and that every crushed foot, every broken arm, every ruined life, is expended in the business. It is a part of the cost of doing the business. All accidents, all injuries, are subject to the law of average. The cost of support which is made necessary by the injuries suffered in a business is just as much a part of the cost of the business as the tools that are worn out or the material that is consumed. It ought to be paid for by the business as a part of the cost and not left to the charity of the nation at large. It ought to be paid for so that the man who has spent his life and his strength as a necessary part of doing the business will feel that he is being paid in a way that preserves his manhood instead of being thrown upon charity in a way that destroys it."

There is in operation in some of the European countries a system of industrial which is producing excellent results. Through the co-operation of the employer, employe and the state—each bearing a portion of the burden, which, of course, is passed on to the ultimate consumer—provision is made in advance for the injured. This question has been taken up in this country by the National Civic Federation and has resulted in the organization of a special department on "Compensation for Industrial Accidents and Their Prevention." This department is composed of a large number of employes, representative labor men, attorneys and State officials, who are working together in an earnest endeavor to solve the problem of how to lessen the hardships from the hazards of industry and furnish relief to the injured. A movement of this character should be given every encouragement and I assure my friends that they will find me ever ready to lend a hand in bringing about some just solution to this most important problem.

## Good Roads.

Oregon will never come into her own in the way of development until she takes steps to improve her highways. There are sections of our

## Unpaid Claims of Normal Schools.

When the normal schools were abolished at the last session of the legislature no provision was made for the payment of the salaries of the teachers for the balance of the term for which they had been employed. Some of them received \$100 or no pay from January 1, 1909, to the end of the school term in June, and what little they did receive was derived largely from private donations. The legislature, therefore, should not fail to provide for the payment of any and all unpaid salaries that may be justly due from the State.

## Railroad Commission.

The four years' work of the Railroad Commission speaks for itself. Since the creation of the commission the public has been a marked improvement in the road-bed, equipment, station facilities and train service of our railroads and is receiving the benefit of an annual saving of several hundred thousand dollars through rate reductions. The great task of ascertaining the original cost and cost of reproduction of all of the railroads in the State is about finished and the information thus obtained will be of inestimable value both for taxation and rate making purposes. This undertaking

could lose several of the New England States—absolutely without means of reaching the railroads or marketing with their products except by a two or three day's and sometimes a week's, journey over almost impassable wagon roads. We may sing the State's praises to the sky and spend a fortune in advertising our resources but we will have but little success unless we can point to some movement towards the construction of good roads over which the products of the farms may be hauled to market.

Realizing how greatly the State was in need of good roads and that through our clip-shed methods of road-matching thousands of dollars of the people's money were being squandered annually, a number of our public-spirited citizens, through their organization, the Oregon Good Roads Association, have thoroughly investigated the whole question of road building and I understand will submit to you for your consideration a number of bills which embody their views and recommendations in the matter. Knowing that their recommendations are being prompted solely by an earnest desire to see this state gridironed by the best system of highways in the world and at the least possible cost to the taxpayers, I ask that the whole question be kindly given the most consideration by you.

Oregon City Canal and Locks  
Chapter 80 of the session laws of 1909 provides for the appropriation of \$300,000 by the State, contingent upon the appropriation of a like sum by congress for the purpose of assisting the Federal Government in acquiring, by purchase, condemnation, or construction of boat canal and locks around the falls in the Willamette River at Oregon City. Congress, at its recent session, met the contingency of this statute by including in the River and Harbor bill an appropriation of \$500,000 for the acquisition of a canal and locks at the place named.

Section 3 of the State law provides that the Governor, Secretary of State, and State Treasurer, acting jointly, in January, 1911, January, 1912, and January, 1913, shall provide in the usual manner for raising the \$300,000 appropriated by the act. No specific provision is made, however, for the payment of this \$300,000 to the Federal Government.

It seems to me in the negotiations and possible legal entanglements incident to providing free locks at Oregon City, that the State's co-operation might be of great assistance to the general Government, and that such co-operation might materially hasten the time when the existing bar to free and open river transportation would be removed.

Judicial System.  
Reform in our judicial system has been long overdue. The people, at the last election, passed an amendment which removed all constitutional obstacles from the path of betterment and the way is now open for the burial of the many antiquated features of our system and the birth of new ones.

Any attempt at revision, however, should come only after thorough investigation and deliberate discussion. I would suggest, therefore, that provision be made for the appointment of a commission, to serve without pay, whose duty it shall be to prepare and submit to the next legislature a bill which will make a thorough revision of the whole system. The two years of investigation and discussion will give every one an opportunity to be heard and should enable the commission to give the State the best judicial system on earth. I am opposed to all hasty and patch-work legislation at this, or any time, and believe that the plan proposed is the only sane method for ascertaining and making the necessary changes in our present system.

Education.  
Oregon, more than any other State, demands an intelligent and educated citizenship. The voters of this State, by reason of our advanced laws, are regularly called upon to exercise the function of legislators and to decide by their ballot questions of grave public moment. It follows, therefore, that Oregon should make liberal provisions for its educational system. It would be better and wiser by far to show scanty consideration for other departments or institutions of the State, in order to provide needed funds for the State's schools and colleges, than to scrimp the funds for the schools to aid other institutions or departments. I believe in economy of government but not in economy of education, and I trust that in passing upon the needs of the State's educational system this legislature will show no disposition to refuse any of the schools or colleges such support as their necessities and healthy development may require.

Income Tax.  
Congress, some years ago, with a view of bringing about a more equitable distribution of the burdens of taxation, passed an income tax law, but the supreme court of the United States held it to be unconstitutional. Congress has now passed an amendment to our constitution, which, by removing all constitutional obstructions, will permit the passage of such a law, and it is being submitted to the several states for approval or rejection. The proposed amendment is as follows: "Article XVI. Congress shall have the power to levy and collect taxes on incomes, from whatever source derived, without apportionment among the States, and without regard to

any census or enumeration." This amendment, before becoming effective, must be ratified by at least three-fourths of the states. A number of the states have already approved the measure, while a few have rejected it. It is to be hoped, however, that Oregon will go on record as being in favor of this most meritorious and progressive measure.

The "Oregon Plan"  
The eyes of the nation are focussed on Oregon today. The progressive laws of this state are being made the pattern of state after state. Oregon has tried out the direct primary law, the direct election of United States senators, the initiative, the referendum and the recall, and has found these measures good. Other states, boss-ridden and machine-controlled, have watched this state strike off the shackles of political slavery and are now driving the old convention system with its ringmasters, its graft and corruption, into oblation.

Within the past few days Governors Osburn, of Michigan; Foss, of Massachusetts; Marshall, of Indiana; Platsted, of Maine, and Norris, of Montana, have all declared that their states must adopt the "Oregon system" for political regeneration.

Oregon's system is no longer an experiment. It has been refined in the fires of fierce opposition and has stood the test well. If imperfections exist, these in time may be remedied or adjusted. But I hold that if changes must come, they should come at the hands of the friends of the law, and I say now that during my term of office I will zealously guard the integrity of these laws of the people, and will combat by every means in my power any attempt to injure, infringe or subvert them. The people of Oregon, at different times and in no uncertain tones, have declared for these laws, and no men or hostile influence should be permitted to attempt, in any manner, to wrest from the people their hard-won victory.

Conclusion.  
In conclusion, gentlemen, I bespeak for myself that courteous consideration at the hands of this distinguished body, which it and each of its members will receive from me, and I trust that united effort will mark this session as an epoch in the good fortune and prosperity of the state. And in this connection I remind you that as each and every measure appearing during the session should receive your careful consideration, you should guard against the usual turmoil of the closing days. I would suggest that you should adopt a resolution at the first of the session providing that no measure should pass from one house to the other during the last five days of the session, which would go far toward permitting fuller discussion of those important measures which are always late in reaching final consideration. And I would suggest that this state now has many laws, and that this legislature would go down in history more blessed for a few well-considered and timely enactments than for a large amount of ill-considered and faulty legislation.

OSWALD WEST, Governor.

## STILL TALKING NESMITH COUNTY AT GROVE

Roseburg, Jan. 9.—Determined that the proposed county of "Nesmith," defeated at the last general election by a vote of four to one, shall become a reality, a committee of Cottage Grove citizens, headed by Robert Veatch, passed the day here conferring with the county court in the hope of securing concessions that the formation of the county may be perfected without opposition during the coming session of the legislature.

According to the plan outlined, Mr. Veatch requested the county court to appoint a committee of five citizens to meet with a like committee from Eugene and one from Cottage Grove, at a sort of get-together meeting to be held at the latter city soon.

According to County Judge Wonscott the plan will be ignored as far as Douglas county is concerned, inasmuch as the proposed division is very strenuously opposed by the citizens of this county.

## NOTICE FOR PUBLICATION

Department of the Interior, U. S. Land Office, Roseburg, Oregon, November 25, 1910.  
Notice is hereby given that Walter E. Stafford, of Eugene, Oregon, who, on the 9th day of December, 1909, made Timber and Stone application No. 057676, for W 1/2 NW 1/4, section 18, Township 17 S., Range 2 W., W. 1/2, Meridian 18 S., filed notice of intention to make final proof, to establish claim to the land above described, before Register and Receiver, United States Land Office, at Roseburg, Oregon, on the 13th day of February, 1911.

Claimant names as witnesses: Frank Stafford, of Springfield, Oregon; J. E. Yarnell, of Eugene, Oregon; Jess Seavey, of Eugene, Oregon; and Eld Hanson, of Eugene, Oregon.  
BENJAMIN F. JONES, Register.

Sam Manerud has left for Rogers, Ark., on business.