

## LOCAL NEWS

Mrs. Sayer spent the past week with Portland friends.

Grandma Heinz is visiting old friends in Silverton this week.

Messrs Blazer and Kellner made a trip to Molalla last Friday.

Edwin Durno was among the sick ones in Silverton Monday night.

Clyde Ramsby and Frank Blackerby were Salem visitors Monday.

**BORN**—To Mr. and Mrs. Jay Myers, April 29th, an eight pound girl.

A. A. Miller, of Bandon, Oregon, was in Silverton the first part of the week.

Mrs. Robert Chamberlain of Portland, is visiting Silverton friends this week.

**WANTED**—Furnished house-keeping, rooms. See Cascade Real Estate Co.

Walter Ruble and James Maulding were incoming passengers on Saturday's train.

The Ladies Aid of the Methodist church met at Mrs. T. Lukens on Wednesday afternoon.

Fifty new ones were added to the Mt. Angel K. C. order Sunday, April 18.—Catholic Sentinel.

Mr. and Mrs. Wm. Coke, of Los Angeles are spending a few weeks at the Garry Haynes home.

See the new auto caps and large new sailors at Mrs. Hines. All trimmed hats at reduced prices.

Floy Hartman has recovered from her recent illness and is able to be out to enjoy the beautiful weather.

Mrs. C. M. Wray is again able to walk down town and has entirely recovered from her recent operation.

The Charles Hartman family entertained Mr. and Mrs. D. A. Brodie of Portland the first of the week.

Protect your property from loss by fire in the Concordia Fire Insurance Co.—E. W. Ross is the agent for Silverton.

**FURNISHED HOUSE**—Only \$12 per month. Fruit, berries, and city water. Good location. See Cascade Real Estate Co.

Mr. Stinson, of Salem, Grand Keeper of Records and Seals of the State, Knights of Pythias Order, was in town Wednesday.

**HOUSES TO RENT**—8 room house on Third street. Only \$8.00 per month. Bath and toilet. City water. Small garden.

Mrs. John Scism left for home at North Howel on Wednesday, after a pleasant visit at the home of her mother, Mrs. Frank Webb.

**FOR SALE**—Furniture, beds, rugs, extension tools, chairs, etc. Also 18 young chickens. Enquire of E. L. Hines, at the Millinery store.

The W. C. T. U. will meet with Miss Alva Mosher on Jersey street Tuesday afternoon at 2:30. All members and friends are requested to be present.

Mrs. P. Vorseth's friends will be sorry to learn of her serious illness. She was taken to a Portland hospital Tuesday, where she will receive special treatment.

\$2000 buys forty acres of land, all fenced. Five acres in oats. Near railroad. Thirteen thousand feet of lumber goes with the place. Come Quick. Cascade Real Estate Co.

Don't forget that the best work ever done in a garden and the quickest work, is done with the Gravity Hand Cultivator. For Sale by J. E. Hosmer, Silverton, Oregon. Price \$8.00.

W. A. Cross and Ira Geer went to Molalla Wednesday, caused by the anxiety of Mr. Cross about his nephew who was thought to have been lost in the mountains, but which report was learned to be unfounded.

**FOR SALE**—A good team of geldings, 8 years old, weight 2100 pounds, guaranteed for any kind of work. Price \$300. For further particulars apply in person or write to Joseph Labunski, Hult, Ore. 27c28.

30 Lots in Napa, Cal., to sell or trade. This is a great winter resort. Hot springs and thirty miles from San Francisco both railroad and boat. Will either sell or trade one lot or all. Cascade Real Estate Company.

Upon the recommendation of Mrs. Hopkins, matron of the girls' industrial school, the state board of control authorized releasing Bertha Herrick, a ward of the industrial school, to the Home of the Good Shepherd, of Portland. The Herrick girl is described as feeble-minded.

Married Sunday, April 25th, at San Francisco, Cal., Miss Antonette Maulding to Mr. Arnold C. Shelton. The many Silverton friends of the bride, who is best remembered here as Miss Nettie Jemerson, will all congratulate the happy pair and wish them happiness without limit, and so say we of the Journal.

John Lais and wife, well known Mt. Angel people, left for San Francisco last week, going on the boat Northern Pacific, which was caught in the storm that raged along the coast. Grave fears were entertained for their safety, but friends later learned of their having had nothing happen to them, except a severe fright.

\$3200 buys an improved farm in Alberta. \$1000 worth of buildings, insured, all fenced, two miles from town, in a level country. 1600 trees that have been set out two years, and are growing nicely. Soil is a chocolate loam, and two horses will draw a 14-inch plow, and plow two acres a day. Coal is worth \$1.50 at the mine, two miles to the mine. Cascade Real Estate Co.

An invitation has been extended to the Eva Rebekah Lodge of Stayton on Thursday evening, May 13th, by Tryphena Rebekah Lodge No. 38, of Silverton. A letter of thanks has been received by the secretary of Tryphena Lodge, saying that as many as possible would attend from that order. There will be six or eight candidates initiated that evening and a general good time is expected by the Rebekahs.

One of the most pleasant social events of the season was held at the G. A. R. hall last Saturday afternoon. The occasion being the regular semi-monthly meeting of the W. R. C.'s of Silverton, and was also flag raising day. The Women's Relief Corps was presented with a large, beautiful flag by the George H. Thomas Post No. 9, G. A. R. Patriotic songs were sung at the raising of the flag, followed by an interesting talk by Comrade Theodore Upton. There were about 70 present, to whom a delicious lunch of coffee and cake was served and a social afternoon was passed.

**A PLEASANT SURPRISE.**  
The many friends of Mr. and Mrs. A. C. Murray gave them an agreeable surprise on the evening of April 30th, in the form of a surprise party to welcome home their son Connell.

Gathered with the neighbors were friends from Hult and the Porter neighborhood and Silverton. Refreshments were served and all reported an enjoyable time.

**ENJOYABLE AFFAIR.**  
The entertainment Monday night given by the Women of Woodcraft, in honor of the Woodmen of the World, was a great success. There was a good crowd present and a program given which was enjoyed by all. It consisted of music and readings, as follows: Mrs. Preston, reading, Song, Vivian Brown. Song, Opal Down. Recitation, Maudie Sayer. Piano selection and song by Harry Levy. The drill given by the W. O. W. was fine. A nice lunch was served and altogether this was an enjoyable event.

### SCHOOL NOTES.

The Senior Class is rejoicing over the re-entrance of Alicia Welty, who has been out of school several weeks, on account of sickness.

The joint program to be given by the two literary societies on May 14th, is as follows:

1. Selection—Boys Quartette.
2. Debate:  
Question: Resolved, that we should have a Government Owned and Controlled Merchant Marine.  
Affirmative—Rholin Cooley, Alvin Hobart, Hilda Chase.  
Negative—Edwin Durno, Anna Hobart, Clara Larson.
3. Selection—H. S. Orchestra.
4. Dialogue—Paul Wray, Harry Carson.
5. Selection—Girls Chorus.
6. School Paper: "The Resurrected Stylus." Editors—Sophia Madson, D. Kathryn Dilley.

Edwin Durno is out of school on account of sickness.

It is thought the Eighth Grade Girls team will play a game of base ball with the High School Girls team next Thursday.

At the Field Meet held at Canby last Saturday our High School made second place. Woodburn made first with fifteen contestants, and Canby made third. We entered only seven men, but were able to make second place. The boys who represented Silverton High are Oral Palmater, Edwin Durno, Homer Pittman, Morley Browne, Alvin Hobart, DeWalt Wolfard and Paul E. Wray. They were accompanied by Mr. James and Mr. Conkle.

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## LITTLE BY LITTLE.

John M. Work, in an excellent article recently written, says in part: You wouldn't think that a semicolon could amount to much. But I am going to tell about one.

Away back yonder, during the first year or two of the present century, I decided that I would find out whether or not the courts of the United States really have the legal power to declare laws unconstitutional. I waded through the Federalist and Elliot's Debates on the Constitution. I found that the courts have no such legal power.

While making the above mentioned search, I ran across this semicolon story:  
The courts decided that a certain sub-section of the constitution means the same as if it read as follows:  
"Congress shall have power to lay and collect taxes, duties, imposts and excises in order to pay the debts and provide for the common defense and general welfare of the United States; etc."

In other words, the courts decided that, under this sub-section, congress merely has the power to raise revenue for the purpose of carrying out such provisions for the common defense and general welfare as are enumerated in their parts of the constitution. They decided that this was merely an explanatory clause reciting the purpose of raising revenue.

This is a horse of a very different color.  
The controversy over this sub-section began immediately after the adjournment of the constitutional convention of 1787, which framed the constitution.

The strict constructionists discovered that under this sub-section the powers of congress were only limited by the express commands and prohibitions of the remainder of the constitution. They sought to put a sweeping limitation upon these powers by changing the interpretation of this sub-section. So they began to claim that the general welfare clause was merely a subordinate clause explaining the purpose of raising revenue, instead of a distinct power to provide for the general welfare.

Among those who traced it as a separate and distinct power conferred upon congress, were George Mason, Richard Henry Lee, Patrick Henry, James Monroe, John Quincy Adams, and Andrew Jackson.

Some of these men opposed the adoption of the constitution because they considered this clause a distinct power and thought it gave congress too much authority.

Before the constitutional convention met, Alexander Hamilton drafted a constitution embodying his ideas as to what the constitution ought to contain. He took his draft to the convention with him and urged the adoption of the principles contained in it. In his draft there was a clause to the effect that "The legislature of the United States shall have the power to pass all laws which they shall judge necessary to the common defense and general welfare of the Union."

In the consolidation and boiling down of the different provisions which were presented by the various delegates, it is probable that the general welfare clause now in the constitution was borrowed directly from Hamilton's draft.

That Hamilton considered the general welfare clause to be a distinct power is evident from his argument on the Bank of the United States in 1791.

It is stated in Elliot's Debates on the Constitution, Volume IV, Page 615, that both Washington and Hamilton regarded it as a distinct power.

Among the chief executives, Presidents Thomas Jefferson and James Madison regarded it as a subordinate clause. President George Washington, James Monroe, John Quincy Adams and Andrew Jackson regarded it as a distinct power. Elliot's Debates, Volume IV, Pages 525-527; Federalist No. 41.

Richard Henry Lee was very much opposed to the adoption of the constitution. In a letter to Governor Edmund Randolph, of Virginia, he said: "But what is the power given to this ill-constructed body? (meaning the congress.) To judge of what may be for the general welfare; and such judgments, when made, the acts of congress become the supreme law of the land. This seems a power co-extensive with every possible object of human legislation." Elliot's Debates, Volume I, Page 503.

In the House of Representatives, in 1817, Timothy Pickens treated this clause as a distinct power when he was advocating the passage of an internal improvement bill.

The bill was passed, and President Madison vetoed it on the ground that the general welfare clause was a subordinate clause.

Judge Story, in his work on the constitution, enters into an elaborate argument in an attempt to prove that the clause is a subordinate, explanatory clause. Section 905, et seq. If it were true that the general

welfare clause is a subordinate clause not conferring any power upon congress to provide for the general welfare, then it would follow that the constitution has been violated every time a protective tariff law has been passed, every time new territory has been acquired, when paper money was made legal tender, when the weather service and agricultural department were established, and in a myriad of other instances.

If this is a subordinate clause, then the constitution has been stretched and twisted out of all recognition.

But it is not a subordinate clause. It is a distinct power.

This is conclusively demonstrated by another fact. Now we come to the historic semicolon.

In the official copy of the constitution as it came from the convention of 1787, this clause is cut off from the words preceding it by a semicolon. This makes it read as follows:  
"The congress shall have power to lay and collect taxes, duties, imposts and excises (semicolon) to pay the debts and provide for the common defense and general welfare of the United States; etc."

Judge Story admits this in his book, and, so far as I know, no one has ever denied it.

In the printed copies of the constitution some one substituted a comma for that semicolon, and in all the printed constitutions now in use the comma appears.

But the semicolon is in the original copy, and of course the original copy is the one that is authoritative.

The semicolon makes the clause a separate statement, and therefore a distinct power granted to congress to provide for the general welfare.

Under this clause congress has power to provide for the general welfare of the United States.

Now, if it decided by congress that it is a benefit or for the general welfare to forever do away with war, to prohibit the practice of such frauds as Roman Catholicism, to prohibit the sale and manufacture of intoxicants, to certainly has the constitutional right to do so, or to change the form of government entirely, even to establishing a co-operative commonwealth.

### BREAKING UP HOMES

The following appeared in the Capital Journal of May 1st:

"What is said to be an outgrowth of the attempt to secure a mother's pension by Mrs. Myrtle Adams from Marion county and which is said to be designed to discourage her from continuing her suit, is a complaint filed against Mrs. Adams by Mrs. C. H. Pickett alleging that the mother is not giving her three children, Blanche, Anna and Frank, proper care and attention. The purpose of suit is to be to take the children from Mrs. Adams."

At the hearing the mother demanded a jury trial, and the jury decided in her favor, which was a fitting rebuke to what appears to have been simply a piece of officious impudence. The law covering such cases seems plain enough. The Widow's Pension Law proceeds upon the principle that families should be kept together, and the home preserved. This is the wise and humane way, and no sympathetic leanings toward Catholic sectarian institutions must be permitted to prevail.

All over the country juvenile courts and truant officers are hand-in-glove with Hierarchy, gathering in the dependent for the work-shops and slave pens of ecclesiastical masters. In Iowa a law has just been enacted forbidding secret sessions of juvenile courts, and requiring a ten days' notice to parents before the hearing, and the evidence must be taken down in short hand to make possible an appeal. The law is intended to prevent the railroading of children like criminals to prison via the juvenile court route.

The whole business of sending dependents to private or sectarian institutions to be worked for profit, or for punishment, is wrong, and must be cut out. Judge Bushey has a capital opportunity to "throw cold water" on the zeal of certain subordinate officiousness in this regard.  
L. D. Ratliff.

### FOR RENT

Furnished Housekeeping Rooms. Call at Journal Office.

SILVERTON TIME TABLE	
Arrive from Portland	8.25 A.M.
" " "	11.05 A.M.
" " "	4.15 P.M.
" " "	8.20 P.M.
" " Salem	10.59 A.M.
" " "	5.00 P.M.
Arrive from Albany via Lebanon	9.15 A.M.
Depart for Portland	7.30 A.M.
" " "	9.15 A.M.
" " "	2.00 P.M.
" " "	5.00 P.M.
" " Salem	8.25 A.M.
" " "	1.00 P.M.

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