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Oregon Journal

DAILY — WITH HER THE UNION — SHE FLIES ON HER OWN WINGS

JOURNAL CIRCULATION YESTERDAY WAS 36,584

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KERBY REPEATS STORY OF CABINET SCANDAL

SENATOR NELSON SHOWS HIS HAND IN INVESTIGATION

Representative Graham Forced to Request Chairman to Allow Witness to Tell His Story Without Interruption.

(Special Dispatch to The Journal.)

Washington, May 17.—"Mr. Kerby, did you think you performed your honorable obligations to your chief when you gave that statement to the newspapers?"

Senator Root in his most impressive tone put this question to the stenographer witness.

Every one listened. Then came the answer:

"Senator, I thought I was performing my duty to my chief, my ex-chief and my country."

Senator Root asked no more questions.

(United Press Leased Wire.)

Washington, May 17.—Frederick M. Kerby, former stenographer in the interior department, who Saturday gave out a statement telling of the preparation of the "Lawler memoranda" in the Ballinger case, was today called as a witness before the investigating committee. Senator Knute Nelson, chairman of the committee, after placing President Taft's letter of explanation of May 16 on the record, asked that Kerby be called. The president's letter explained the use to which the Lawler letter was put.

Attorney Brandeis, representing Glavis, asked that Kerby's affidavit and Secretary Carpenter's denial be also placed on the record. Senator Nelson refused this request.

When Attorney Vertrees asked Kerby if he was a "confidential clerk," Kerby said:

"Occasionally we handled confidential information. I considered that my position as clerk in the government service was not that of confidential clerk to the secretary of the interior, but confidential clerk to the government."

Kerby said the Lawler memorandum was the only document he ever gave out.

No Persuasion From Garfield.

He admitted that he was friendly with former Secretary of the Interior Garfield, but denied having received any communication from Garfield regarding his recently issued statement.

The witness said he told Garfield when he met him in February that he would testify, if necessary, but did not want to do so, because he would lose his job.

"Why?" asked Representative Denby of the committee.

"Well, I knew what happened to Glavis," replied Kerby.

Then he said Garfield had told him too many had been sacrificed already and he appreciated Kerby's "delicate position."

Kerby declared that he gave his statement to Robert F. Wilson, a correspondent of the United Press.

"Do you know that Wilson and his papers are against Ballinger?" Attorney Vertrees asked.

"I do not," Kerby answered.

Chairman Nelson frequently interrupted the witness and finally Representative Graham asked Nelson to allow Kerby to proceed, with some chance to tell his story.

Denies Selfish Motive.

Kerby testified that he had attended a conference with former Secretary Garfield at Pinchot's home. The conference, he said, was of his own seeking.

Kerby said that Garfield particularly had asked him not to act as a spy.

He said he saw Brandies later on the night of the conference. He said that he knew Ballinger intended to discharge Director Newell of the reclamation

(Continued on Page Fourteen.)

KICKED OUT

The People Propose But Joseph Disposes

DENVER TO VOTE "WET" OR "DRY"

Bitter and Spectacular Prohibition Fight to Be Decided —First Time in History.

Denver, May 17.—A bitter and spectacular prohibition fight will be decided today. The voters of Denver are casting their ballots for or against the saloon. It is the first local option election ever held in this city. When the discussion of "dry" Denver was first started, it was not believed possible that a petition could be secured through voluntary workers that would carry a sufficient number of names to insure the question being put on the ballot. But the young people's societies, the federated churches and the anti-saloon people set to work with a will and secured nearly 30,000 signatures to the petition. During the campaign noted prohibition speakers from outside the city were heard. While there are few unbiased onlookers who believe that Denver will go "dry" at this election, there are many of the opinion that the present battle will pave the way for future success.

Among the special issues voted on at the election the water question stands next to the liquor question in public interest and probably comes first in importance. For a number of years the

(Continued on Page Two.)

EARTH MAY DO JIG ON TRIP THROUGH BIG COMET'S TAIL

Few Things Not Nailed Down Expected to Do Flip Flop; Electric Current Will Do Many Strange Stunts.

May 17. Halley's comet rose today at 2:43 a. m.; tomorrow nearly with the sun. Sun rises at 4:44 a. m. Speed today about 1642 miles per minute. Comet approaching its nearest, and coming between sun and earth, as, owing to its retrograde motion, it passes from west

(Continued on Page Two.)

REMOVAL OF BODY OF KING EDWARD ATTRACTS CROWDS

Not a Sound Heard in Crowded Streets as Funeral Cortege Passes Along; Short Service at Westminster Hall.

(United Press Leased Wire.)

London, May 17.—The removal today of the body of King Edward from Buckingham palace, where it has lain in state, to Westminster hall, where it may be viewed by the gentry of England, resembled a glittering dress re-

(Continued on Page Two.)

LUMBERMEN OF NORTHWEST GIVE LOGGERS BACKING

Firm Stand Will Be Taken by Producers in Oregon and Washington Against Buyers of Lumber in California.

STABILITY TO BE GIVEN TO MARKET FOR LOGS

Leaders in Industry Get Together for the First Time in History.

The fight that for years has been waged between the California lumber buyers and the Oregon and Washington lumber manufacturers for power to establish the market value of lumber is said to be about to reach a climax, with the loggers of the northwest stepping in to back up the manufacturers. Heretofore the logger has figured little in the contest excepting as market conditions have reflected upon that industry. At no time have they taken steps to back up the manufacturer, morally or otherwise.

During the past several months strenuous effort has been made by the large buyers in California to break the lumber market both in Oregon and Washington with the manufacturer standing between the buyer and the logger, excepting in cases where the manufacturer himself, as in many cases, markets his own product through a line of retail yards.

To the manufacturer it mattered not so much whether rough lumber sold on a basis of $9 or $10, so long as he bought logs in the open market and could shade log values accordingly, but with logs holding firm, backed by stumpage values, the millman has been forced to take a solid stand.

Loggers Take Firm Stand.

Loggers on the Columbia river, after carefully investigating the situation, have decided to stand pat on values believed to be altogether just and such as to place the industry on a sound basis, with the element of speculative fluctuation eliminated to the lowest degree. And with logs holding firm it is held that the manufacturers will be forced to stand pat against the market smashing tactics of the buyers.

The loggers believe it is their privilege to establish values of logs, as long as they keep within reason, and they believe it is the only way by which the industry will remain on a basis that will permit of doing business on sound lines in the big markets of the world.

For several weeks past the California buyers, who supply strings of retail yards, are said to have been buying sparingly from hand to mouth, in hope of breaking prices, but so far without success. These tactics have resulted in some accumulation of stocks, it is admitted, but with good demand from other sources and the mills well able to cope with the situation, it is considered only a matter of time when the California buyers, also will have to admit that values should, to a certain

(Continued on Page Fourteen.)

STATE ATTACKS STORY RELATED BY PEPOON OF HIS GIRL WIFE'S DEATH

Mrs. J. J. Hennessy, witness for the state, and Charles Adam of Northport, Wash., witness for state.

ALLEGED SLAYER BECOMES NERVOUS WHEN QUESTIONED

Assumes Cloak of Injured Innocence but Drops It and Loses Control Under Stiff Cross-Examination.

George L. Pepoon, on trial for the murder of his beautiful girl wife, is today making his supreme effort to escape the gallows. Marking the close of the case, Assistant Attorney General Bell is cross-examining Pepoon this afternoon.

Pepoon Monday evening related his version of the death of Edith Pepoon, daughter of Mrs. E. D. Wolcott of Portland, who fought for five months before she was able to secure an investigation into the alleged murder of her daughter at the lonely mountain homestead.

The Journal this afternoon prints Pepoon's story in detail. It has not before been published in Portland.

By Verne Hardin Porter, Journal Staff Correspondent.

Colville, Wash., May 17.—Under cross-examination by counsel for the state today, George L. Pepoon, who is charged with the murder of his wife, destroyed the fine fabric of the story he weaved yesterday on direct examination. Nerved to a high pitch, the man accused of murder depreated many statements he made under direct examination, and entangled himself in a net cast by the state to impeach his testimony. He followed his first story for a time with deliberate exactness, but when the cross-fire of questions got too hot, the cloak of injured innocence was dropped and he lost his self-control for a time.

When court opened today on the closing session of the trial, the courtroom was crowded with a curious crowd, a majority of whom were women. Pepoon showed restrained nervousness when put under cross-examination by George A. Bell, assistant attorney general of counsel for the state. Taking up the subject of Ray Wilcox, the prosecution learned that Pepoon was first introduced to the paroled convict in Northport. Pepoon said the first time he saw Wilcox was when the convict went to him and asked if he might work for him (Pepoon).

Pepoon Caught in Trap.

Pepoon said he did not learn until later that Wilcox had been working for Maude Keller, who is Pepoon's wife. Then Pepoon admitted that when Wilcox left Northport, presumably for Chehalis, he (Pepoon) owed him only $10, although he loaned him $100. He said he gave it no thought and did not think it peculiar that Wilcox should desire to leave so suddenly at such a significant time.

"I did not think it strange at that time," he said, "but have since."

When he said he did not know that Wilcox had a knowledge of chemistry, Lee produced a letter which Pepoon wrote to Crary, N. D., commenting on Wilcox's study of the subject. Further, he said, if Wilcox was a "dope fiend" he did not know it, but the letter produced showed he was acquainted with the fact.

When asked why he did not get medical assistance for his wife he said he did not have confidence in any of the physicians in northern Washington. He said he directed Wilcox to give his wife laudanum and that the convict also gave her morphine, which he had in his possession. The defendant forcibly denied having mixed, with Wilcox, a strange brown colored liquid and giving it to his wife, shortly after dinner on Sunday. He said Wilcox asked him for laudanum and not for that "stuff," as testified to by "Massie" Downs.

Denies Downs' Testimony.

Then going down the line of "Massie" Downs' testimony, he denied it at all damaging points. He said it was not

(Continued on Page Fourteen.)

MANY PLEAS USED TO KILL BONDS FOR BROADWAY BRIDGE

Frank Kiernan's Suit May Establish New Mark in Matter of Technicalities in Face of Demand for Span.

Frank Kiernan's fight against the Broadway bridge promises to set a new mark in the voluminous pleas by which he hopes to upset the will of 62 per cent of the voters of the city, as expressed at the polls in the election of 1909.

The case makes a lawyer's delight in the variety of technical points that have been raised. When a demurrer was sustained by the judges of the circuit court sitting en banc to the original 32 page complaint, Ralph R. Duniway, attorney for Kiernan, came back with an amended complaint of 42 pages. In the meantime Duniway had discovered that the ballot numbers were not printed on the ballot the way they were in the of-

(Continued on Page Fourteen.)

COMING OF THE COMET, ITS GOING AND ITS HISTORY HEREWITH TOLD IN BRIEF

Written for The Journal

The passing tomorrow of Halley's comet between the sun and the earth is an event awaited with unusual interest not alone by astronomers in all parts of the world, but by the lay folk as well. While the men behind the telescopes look forward to the transit of the comet merely with the intense interest evoked by any rare and scientifically important phenomenon in the sphere of astronomy, the interest of the "unscientific" masses is not altogether free from more or less fear of the possible consequences of the coming event.

Many Theories.

The authoritative statement that on May 18 the earth would pass through the tail of the comet, together with the fact that the divergent theories of the astronomers concerning the nature of the comet's tail confused the masses and led them to lend a certain amount of credence to the most absurd and alarming vagaries of ignorant and superstitious sensationalists, is responsible for the dread with which some persons anticipate tomorrow's phenomenon.

The Comet's Orbit.

Halley's comet, the transit of which will be observed tomorrow, moves in an eccentric and elliptical orbit around the sun. At the tremendous speed with which the comet travels it requires about 75 years to complete its course. This is not the first time that Halley's comet has been visible to the inhabitants of the earth, but what makes its visit this year of special interest to astronomical science is the fact that tomorrow the erratic wanderer of the skies will present itself under conditions which have never been observed before.

Between Sun and Earth.

The comet will pass between the sun and the earth and it will be possible to make observations that may give a clue to the composition of the comet. The orbit of the comet apparently intersects that of the earth at two points. The first point of intersection was passed by the comet some time ago, the second will be reached in a few days. Having passed its perihelion the comet is now approaching the earth's orbit at a speed of about 1000 miles a minute. Tomorrow it will reach not only the point of greatest proximity to the earth, but also a position which brings it in direct line with the earth and the sun. As the comet's tail, whatever may be its composition, is pointing away from the sun, it is quite probable that the earth will pass through rarified portions of it.

No Danger.

Astronomers and physicists have advanced many divergent theories as to the effect which the passing through the comet's tail may have upon the earth, but there is absolutely no reason to expect more than perhaps some slight modification of the atmospheric conditions, as a result of which the sun, at the time of the comet's transit, may appear veiled in a mist or haze of a reddish or yellowish tinge. Twice before this, in comparatively recent times, the earth passed through the tails of comets and the only phenomenon which indicated that fact was a similar haze, through which the sun appeared of a reddish tinge.

Edmund Halley.

Halley's comet was discovered by Edmund Halley, an English astronomer (born 1656 and died 1742), in 1705. Halley was the son of a soap manufacturer in London and received his education at Oxford. He developed a great love for astronomy and devoted himself to his favorite science. After leaving college he spent two years on the island of St. Helena, preparing a catalogue of the stars.

In 1703 Halley became professor of geometry in Oxford and, while holding that position he discovered the comet named after him. He made careful computations upon the basis of which he maintained that his comet was identical with the comet observed by Apian in 1534 and by Hepler and Longomontanus in 1607. He calculated the time which the comet consumed in completing its orbit at about 76 years and predicted that the comet would again be visible in 1758, which proved to be correct. In recognition of his valuable work in the field of astronomy Halley was appointed astronomer royal in 1721, which position he held to his death. The comet has been observed repeatedly since then, but never under more favorable conditions.

WOMAN PUTS B. R. CHARLES IN BUSINESS AND NOW SUES FOR $1300 SHE LENT HIM

B. R. Charles, who came into notoriety several weeks ago by reason of his allegations that some one had broken into his safety deposit box at the German American Bank and taken $5000 in gold, has been sued by Miss Jeane Elsner, formerly of Honolulu, for the recovery of $1300 which amount she lent him while he was in the island city.

In her complaint, which is the foundation for a strange and somewhat weird tale, Miss Elsner charges that she lent Charles $1000 in return for which she was given two notes for $500 each. This was done in Honolulu, May 28, 1906. The first note was for two years and the second for one. Miss Elsner also alleges that she advanced an additional $300 to Charles during the months of January and February, 1907. None of this money has ever been repaid to her, Miss Elsner alleges, wherefore she asks the circuit court to give her a judgment and costs. According to the story back of the suit Miss Elsner was a resident of Honolulu in 1906 and Charles was also in the same city. She was interested in Oriental philosophy and mental science.

Meet at Circle.

Charles visited the circles maintained by that cult and became acquainted with Miss Elsner, who finally lent him $1000 to go into business. This sum has never been repaid.

According to the story, as told by Miss Elsner, she first met Charles when he came to a meeting of people interested in occult science held in Honolulu. At that time Mrs. Elsner was living in Honolulu and had considerable money. She was in poor health.

After several meetings, she says, Charles came to her and said he was sent by "the masters" to give her relief. She let him treat her, and after several treatments he confided that he needed $400 to go into business. Miss Elsner, after discussing the question with him, finally went to the bank and drew $1000 in gold, which she gave to Charles. At first Charles did not give

(Continued on Page Two.)

TAFT'S SON SIGNS MORSE PETITION

All Yale Seniors Sign With Him for Bank Juggler's Pardon From Federal Prison.

(United Press Leased Wire.)

New Haven, Conn., May 17.—Every member of the senior class at Yale, including Robert A. Taft, son of the president, has signed a petition for the pardon of Banker Charles W. Morse, according to a report current here today.

The petition will be presented to the president following the Yale commencement next month.

Ervine Morse, the banker's son and Robert Taft are classmates and warm friends.

SECRETARY NAGLE TO VISIT OREGON

Will Investigate Irrigation Matters and Salmon Fisheries on Pacific.

(United Press Leased Wire.)

Washington, May 17.—Secretary Nagle of the department of commerce and labor announces that he will leave Washington the latter part of June for a trip to Seattle, Portland and Alaska. He will investigate irrigation matters in Washington and Oregon and look into matters pertaining to the salmon fisheries in Alaska. His trip will last two months.