THE DAILY JOURNAL IS

The weather-Rain tonight and Sunday; warmer tonight.

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JOURNAL CIRCULATION

PRICE TWO

Campaign Most Intense and Results to Be Most Momentous in Many Years-Insurgency's First Test.

POPULAR VERDICT WILL LARGELY CONDITION 1912

Hard Fighting in Insurgent California and in States With Presidential Timber.

New York, Nov. 5.—In most of the states of the Union today the congres sional campaign is drawing to a close in a few states the red fire will glow on Monday evening and a few husky voiced campaign speakers will address such voters as will listen on the eve of election. But the real close of the campaign is today, In every state except Maine and Ver-

mont congressional elections will be held. In 25 states new state tickets complete will be voted for. In some of the states the gubernatorial fights are considered characteristic and indicative of the struggle two years hence, when a new president will be chosen. Not since 1890, when the house of representatives was returned aweepingly Democracie with a Republican president and Republican senate, has an "off year" election aroused such interest.

Politicians of the older schools de-

clare that conditions today are similar to those of 4880 and that the election now has the same Democratic trend that was noted when the voters of the United States placed President Benjamin Harrison in the presidential chair and then gave him a lower house consist-ing of 226 Democrats and 88 Republis, in the second half of his admin-

The revulsion of political feeling which Democrats profess to have seen and which admittedly has worried the and which admittedly has worried the stroyed by the storm of yesterday, and the same predicament in which Presides and have perished.

Nome, may have been completel: degoing over the question with City Auditor Barbur today. He is George P. votes that are responsible for the killing of the bill. er politicians predict.

Voters' Interest Unusual, For this reason, and because of the insurgent movement which has gathered greater impetus than ever before in its history, the coming elections are being watched with interest throughout the country. Leaders in most of the states north of Mason and Dixon's line and in some of those south of it, where the independent movement is the real issue, declare that the interest of the voters themselves as deeper than is usual in a congressional election, and they are predicting that an unsually heavy vote will be cast.

(Continued on Page Seven.)

This Position Taken by T. N. G. Captain in Case of Convicted Sergeant

(United Press Leased Wire.)
Dallas, Texas, Nov. 5.—As a result of the conviction of Sergeant J. D. Manley of manslaughter, committed when Manley bayoneted a man at the time of President Taft's visit here in 1909, the national guard of Texas faces disrup-

Captain Kinnard of the Dallas company, today asked the adjutant general . to muster out the entire company, saying he could not order his men to guard duty when they might become subject to conviction by the civil authorities for

obeying military orders.

Four officers of the national guard

was sentenced to ninety-nine years' im-

Lakeview, Or., Nov. 5 .- The Oregon Trunk railway, which is building southward along the Deschutes river, has filed a survey for an east and west line in the government land office here to run from a point on Crooked river south of Madras, Crook county, to which point rails will be laid from the Columbia river by February 1, 1911, thence to a point in Harney county near Silver Lake. The new survey will open to settlement much of the fertile lands that lie within the Lakeview land district and covers some of the finest valleys in central and southern Oregon. The survey as filed here for the portion of the proposed route which lies within the limits of the Lakeview land district starts from a point on the east line of section 25, township 23 south, range 25 east, and thence to the west line of section 33-22-22, thence east line section 2-22-22, thence to a point on the west line section 15-21-19, thence

Carey and Korr of Portland have acted for the railway in filing these surveys and the complete filings have been sent to the department of the interior at Washington for approval. It is believed that the Oregon Trunk will be in a position to complete this line the coming year as they will be able to bring men and material in over their own line as far as Crooked river and the main line south will also be ex- WOULD MAKE CAPITAL intended.

One feature of the new survey that it will give the people of the north end of Lake county a competing line against the Oregon Eastern which is surveyed through Christmas lake, Edith, Horse Mountain and other valleys in the north end of Lake county. This region while the most fertile in many places to be found in Oregon has been denied railway transportation which seems to be coming in large to a point on the east line of section pacl: ages now that the eyes of 16-21-19 and to a point on the west railway builders have been opened. pacl:ages now that the eyes of the

Representatives of

L. Day & Co. of that place.

others upon the bonds,

IOWA DECREASES IN

census bureau today.

POPULATION, PEOPLE

(United Press Leased Wire.) Washington, Nov. 5.—The pop-ulation of the state of Iowa was

announced as 2,224,771 by the

These figures show a decrease

of 7,082, or 3-10 per cent. The

decrease is attributed to the

heavy influx of Iowa emigrants

Good Price.

Block of Bonds Will Bring

No News at Nome From Village Where 50 Persons Were Exposed to Waves: Nome Situation Improves.

Nome, Nov. 5 .- For all the news that has reached Nome today the camp of located on the wind swept stive of a large eastern bond buying peach of Norton sound, 23 miles east of concern arrived this morning and is

The telephone line between Nome and

their establishments. The beach ends of all the buildings facing on Front street were badly damaged by the surf last night and the cellars are still filled with water. The sand spit is a mass of wreckage.

WEST ENDS CAMPAIGN IN MULTNOMAH AT FOURTH AND ALDER

Oswald West, anti-assembly and Statement No. 1 candidate for governor, will speak on the issues of the campaign this evening at 8 oclock from an automobile at the corner of Fourth and Alder streets.

This address will close a hard day of campaigning for the antiassembly candidate. Today he visited Sellwood at 1:30 o'clock, Lents at 2:20 o'clock and Gresham at 6:30. This evening he will meet the voters of Lower Albina at 8:30 o'clock,

The street meeting at Fourth and Alder at 8 o'clock this evening will be the principal address made by the candidate during the day and will mark the close of his campaign in Multnomah

In his address Mr. West will discuss the assembly and antiassembly issue of the campaign and go into 'he questions which confront the voters of the state.

Notarial Commissions. (Salem Bureau of The Journal)
Salem, Or., Nov. 5.—Notarial commissions have been issued to A. G. so resigned and it is feared that the Clark, Glendale; Edwin J. Catlow, outle will spread.

Denis; Velma G. Davis, Albany; Harry Manley killed Louis Reichenstein and H. Pearce, W. H. Powell and G. E. Walling, Portland; and Walter C. Mil-

THE SUNDAY JOURNAL

The Newspaper for the Home

Among the Striking Features of The Sunday Journal for Tomorrow Are:

RUNNING BOUNDARY SURVEY IN ALASKAN WILDS An engaging account of the difficulties and perils that beset the picked men who are fixing for all time, the boundary line between Alaska

and Canada. GOOD ROADS IN OREGON-AN ISSUE OF CONSEQUENCE

A sane discussion of the state wide movement for improved high-ways in Oregon, which is in part responsible for the proposed constitu-tional amendment extending the counties' bonding power upon which the

electors will cast their votes at Tuesday's polls.

THE PSYCHOLOGY OF THE SMUGGLER

for Loeb of the Port of New York, in an interview with Ed ward Marshall, throws some interesting sidelights on human traits as called forth by an honest enforcement of the customs laws, from which the inference to be drawn is of a quickened public conscience that makes

BOWERMAN USES AS CLUB BILL HE

In Attacking West for Working Against Speed Regulation Measure He Overlooks Fact He Took Same Action.

OUT OF NOTHING

West, Like Bowermanites, Felt Law Too Drastic: Record Makes Charges Silly.

Jay Bowerman opposed in the Oregon senate, senate bill 186, proposed by Judge Bennett of The Dalles, requiring railroads to carry livestock at a continuous speed of 15 miles an hour. This is the bill over which Mr. Bowerman's campaign managers and newspapers, are seeking to make capital against Oswald West. C. W. Nottingham, manager of Mr. Bowerman's campaiga committee, opposed this bill. It was also opposed by State Senator Frank Miller, of Albany, now the assembly candidate for railroad commis-

The bill was disposed of by indefinite postponement. The motion for indefinite postponement was made by State Senator John B. Coffey, late assemblyite candidate for county clerk, and Bowerman strong supporter of Mr. The ayes and nays were called for and Buyers Here; Say Second those voting aye for indefinite postponement were; Abraham, Barrett, Bingham Chase, Coffey, Hart, Hedges, Johnson, Frank J. Miller, Norton, Nottingham, Schofield, Wood and Mr. President (Bowerman.) (See senate Journal session of 1909, page 522.) Grange Opposed Bill.

Bidding on the second block of Broad-The vote against indefinite postponeway bridge bonds Monday promises to ment was eight, and eight were abcorrey and Mr. Hart, all supporters of be very spirited. Another represent-Mr. Bowerman, hat voted the other

The legislative committee of the Ore-Mr. Fogg placed the bid of Estabrook gon State Grange opposed the passage Solomon was broken and no word has been received from the camp. In former days Solomon had a population of 500, but it has dwindled to a small setsale Monday will bring a much better 'Portland, November 4, 1910.

The surf today is normal. Merchants price than the first block. No fear is now held by bidders, he says, of the member of the legislative committee of the oregon State Grange. I was present at the 1909 legislative session, and opat the 1909 legislative session, and opposed senate bill 186, prepared by Judge City Auditor Barbur is in receipt of a letter from a New York concern, Bennett and requiring railroads to make which has a representative on the way a continuous speed of 15 miles an hour to place a bid. The representative of a in the transportation of livestock. Chicago bond house arrived yesterday, Hon. C. E. Spence, now master of the state grange, was also present at the and looked over the proceedings advertising the sale, and pronounced them session in the same capacity, and joined with me in opposing the bill. in first class shape. The bids will be opened at 2 o'clock by the city auditor Bill Too Drastic.

before the ways and means committee. We conferred with Judge Bennett with reference to the bill, with State Senator Frank Miller, and others who were informed on the subject. We came to the conclusion that the bill was too drastic in that it required too great a rate of speed. There was also a strong LEAVE FOR CANADA belief that if passed it would prove to be unconstitutional, a decision in another state, the title of which I do not now remember, being cited in evidence

> "The bill was opposed by Senator Frank Miller, now a candidate for railroad commissioner, and by Mr. Bowerman, now a candidate for governor. It was also opposed by Chairman Nottingham of Mr. Bowerman's campaign committee.

(Continued on Page Three.)

astly to the disappointment of a the jury at 4 o'clock. closely packed crowd that wedged into every seating space and foothold available, the attorneys for Mrs. Kersh, Kersh was the final witness to be put charged with aiding J. P. Webb to murder W. A. Johnson, announced that they would waive their right to make a final argument to the jury, trusting, they said, to the judgment of the ju-

This action on the part of the defense surprised Deputy District Attorney Fitzgerald, who had reserved for his expected rebuttal speech all the telling facts deduced by the state against the Judge Morrow then called a recess

until 11 o'clock in order to prepare his instructions to the jury. These were greatly in favor of Mrs. Kersh, in that the court held that the jury could find the woman guilty of only murder in theory of conspiracy.
"If you find that the defendant Webb

was guilty of murder in the first degree and that Mrs. Kersh conspired with him to commit murder, then you must find her guilty of the same degree of murder. The two defendants must stand or fall together, if the conspiracy

is proven.
"You may infer a conspiracy from the evidence if it is strong enough to convince you that there was a conspiracy, but if you find that Mrs. Kersh did not know of the murder until after it had been committed then you must return a verdict of not guilty. She would be in that case an 'accessory after the fact' and not an 'accessory before the fact'." As the case of the state was built

upon the theory of conspiracy the judge's instructions had the effect of making this the issue in the minds of the jurors. According to the instructions the jury had only one of two alternatives: To return a verdict guilty of murder in the first degree or of acquittal. Always provided, however, that the jury considered the case with its relation to a possible

Taking of testimony was completed in the case yesterday afternoon, when Deputy District Attorney Frank Collier

sional campaign committee, today issued

"From the best reports obtainable

the percentage of the Republican vote

going to the polls Tuesday.
"That voters have taken but slight in-

terest in the pending campaign is evi-

tickets. It would seem that this fore-

Secretary Trimble, of the Democratic

congressional campaign committee, pre-

dicts a Democratic majority of 51 votes

"We believe that we will have a ma- lutely assured."

the following statement:

Contrary to general expectations and | began to make the opening argument to

Jesse P. Webb occupied the witness chair during most of the day. Mrs. on the stand by the defense. The purpose of calling her was to submit her testimony to the effect that a picture of two men offered by the state in evidence as likenesses of William A. Johnson, the murdered man, was a photograph taken by a friend of Mrs. Kersh's Louis Andrus. Mrs. Kersh says the pic-ture shows two views of Andrus. One of these views was identified by Walter

H. Johnson as a likeness of his brother. The largest crowd that has yet atended the trial thronged the courtroom all day, feasting with morbid eyes and ears upon Webb, who was severely cross-examined by Deputy Fitzgerald. His replies to the state's attorney were made with such vindletive intonation, accompanied by such murderous glances. the first degree, if at all, on the state's that the crowd kept stretching their necks to see and hear.

Damaging Admission. After worrying the witness for sev eral hours, his merciless inquisitor succeeded at last in eliciting from the murderer a most damaging admission. Both Webb and Mrs. Kersh have stoutly maintained through the entire trial that Mrs. Kersh knew nothing of the murder until after her arrest by the detectives. Webb had just told the jury the story of his alleged fight with Johnson. He exhibited his right hand to show a scar made, he said, while defending himself from a blow of the blackjack he afterward used, according to his tale, on

When and where did you first tell anyone that that cut was made with a blackjack and who did you tell?" asked the prosecutor. "I told Mrs. Kersh in room 109," re-

plied Webb. As the murderer made the false step into the trap prepared for him there was an agonizing twitching of the muscles on Mrs. Kersh's face. She endeavored to catch the murderer's eye, and when she did so she sent a whole world of desperate warning to him telepathically

While Mrs. Kersh was flashing the (Continued on Page Three.)

jority of 51 votes in the lower house

clusion by giving each party the dis-

tricts of which we thought they were

the country to which they are confined. We expect a gain in every state now. having Republican representation, ex-

cepting four. We do not expect to lose

"In the beginning of the campaign the

selves that the revolt against the Payne-

Aldrich tariff law and Republican mis-

management has grown daily until now

it has become so evident that an over-

whelming Democratic victory is abso-

(United Press Leased Wire.)
Chicago, Nov. 5.—Chairman William of congress after the coming elections."

3. McKinley, of the Republican congressial Trimble. "We arrived at this con-

am confident that the Republicans will reasonably sure. The remaining dis-

a fair working majority. The size of Republicans and Democrats. While our

this majority, and in fact the outcome gains will be more pronounced in the

of the election, will be determined by east, there will be no specific part of

dent by the small vote cast at the pri- more than two districts now represented maries for the candidates on the various by Democrats.

casts an extraordinarily light vote especially in the rural districts, where so bright that we feared it might be the farmers are enjoying unusual pros- only temporary. We congratulate our-

AT CAPITAL CITY

Most Enthusiastic and Largest Crowd That Has Greeted Any Speaker at Salem Gives Him Applause.

HOLDS ATTENTION OF AUDIENCE FOR HOUR

Given Ovation on Every Hand -Bowerman's Economy Scheme Taken Up.

(Salem Bureau of The Journal.)
Salem, Or., Nov. 5.—Fully 1590 people greeted Oswald West, candidate for overnor, when he appeared at Grand Opera house in this city last night, and it was a West crowd throughout. It was undeniably the most enthusiastic and the largest crowd by several hundred that has greeted any political speaker in the capital city in years. Hundreds were turned away. Standing room was at a premium and assemblyite leaders today on every side have given up the last hope, reserved that Bowerman can save Marion from the enemy. The opera house was packed from gallery to pit with a shouting mass of humanity and all apparently were on West's side.

Old Friends Are True. It was expected that a large assem-

page would greet West on his appearance in this city, but the most sanguine were astonished when they could not get into the house, it tardy in arrival. West's childhood and much of his life have been spent at Salem. Marien county holds many friends that are dear friends.

West expressed his gratitude to the many that had stood with him throughout the perversities of a bitter cam-

Without an Introduction West came on the stage after a vocal solo by Halile Parish Hinges, amid the cheers of enthusiastic audience. He expressed his pleasure in being able to meet the people with whom he had lived for many years on the return from a long and trying trip over the state of Ore gon. He told the people of the capital city that he would rather have the respect of the people of Salem than the highest office that it is within their power to give him. West exploded the Bourne-Chamber-

lain bugaboo by reading a letter from Senator Chamberlain written last June, in which he advised West not to become a candidate for governor for the reason that it meant a hard fight and the incurring of many enmittee and other unpleasantness not realized until one becomes involved in a bitter political embroglio. Bowerman Overlooked Chance

The speaker said he asked for the votes of the people on his record and for what he had done. He challenged control the sixty-second congress with tricts we divided equally between the his audience to point out one thing that Bowerman, his opponent, was saying had been accomplished by him during his six years of public service as state senator. "Mr. Bowerman, my distinguished op-

ponent," said the speaker, "has stated that he will save the state \$50,000 on the purchase of supplies, for the state institutions. Mr. Bowerman has lived in Salem. He knows how supplies have been bought and sold by the state institutions at Salem. Also as state senator he had ample opportunity to familiarize himself with the methods in use for buying state supplies. Why did he not while in the legislature in-troduce a bill correcting these extravagances? The governor enacts laws. As governor he cannot pass any

A COURT FREE FROM POLITICS

perity."



Will R. King.



Woodson T. Slater.

Four members of the supreme court principle in the election of judges. The terms, Frank A. Moore and Will R. King cules non-political nominations for the of Oregon are to be chosen at the elec- four judges who are candidates for re- for the six-year term. Oregon are to be chosen at the elecnext Tuesday. Two will be chosen
four-year terms and two for sixfour-year terms and two for sixare universally conceded to be men of the four-year term, and George H. Burticket should not be confused with tion next Tuesday. Two will be chosen year terms. Voters should remember high integrity and ability, and they owe nett of Marion county is running as a Judge Robert S. Bean of the United to vote for two under each heading, no obligations to special interests.

These are the men, now on the supreme bench, who are running on the principle that the courts should be free from politics. Find their anames on the ballot, with the words "Non-political Judiciary" opposite their names, and vote for them.

to vote for two under each heading.

These four candidates, who deserve to term. Partisan argument is being ad-Slater, Moore and King are all nominator places lies between six candidates. These four candidates, who deserve to term. Partisan argument is being ad-Slater, Moore and King are all nominator places lies between six candidates. These four candidates are the only of the continued in office by reason of their vanced for their election. The Republican nees of the non-political judiciary movement. Their numbers on the ballot are opportunity to establish the non-political Woodson T. Blater for the four-year votes for them as Republicans, and ridi- 29, 32, 35 and 36,

(Continued on Page Two.) SCREAMS IN VAIN

Court Clerk at Los Angeles Is Saved by Chance From Horrible Death.

(United Press Leased Wire.) Los Angeles, Nov. 5.—Deputy Clerk W. C. Hart of the United States dis trict court is recovering from the harrowing experience of being locked in an airtight vault in the federal court. where his screams for help falled to penetrate to his fellow clerks working on the other side of the 10-inch wall of concrete and steel.

Hart went into the vault an hour before time for closing the office yesterday. The massive steel door swung shut behind him and he was caught in the cell, which was not lighted.
For ten minutes he lay on the floor, his mouth at the bottom of the door, straining his throat to make the other clerks hear. In a frenzy of four he heat upon the door until his knuckless bled, but was unable to attract attention. At the end of 10 minutes, Have said today, breathing land apparently become difficult, although it was after-

tained air sufficient to preserve life for two hours. Deputy Clerk Owen, ceeking a ment that had been placed in the vanit, opened the door and Hart fell fainting into his arms.

ward calculated that the vault