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The weather—Rain tonight and Sunday; warmer tonight.

Oregon Daily Journal

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PORTLAND, OREGON, SATURDAY EVENING, NOVEMBER 5, 1910.—TWO SECTIONS—24 PAGES. PRICE TWO CENTS.

ON TRAINS AND NEWS STANDS FIVE CENTS

COUNTRY'S ISSUES PASS TONIGHT TO FINAL SUBMISSION

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.

(United Press Leased Wire.) New York, Nov. 5.—In most of the states of the Union today the congressional campaign is drawing to a close.

In every state except Maine and Vermont congressional elections will be held. In 25 states new state tickets complete will be voted for.

The revolution of political feeling which Democrats profess to have seen and which admittedly has worried the Republican leaders, may leave Taft in the same predicament in which President Harrison found himself, the older politicians predict.

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 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 is deeper than is usual in a congressional election, and they are predicting that an unusually heavy vote will be cast.

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GUARDSMAN RIGHT IN KILLING MAN

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 disruption.

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.

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 highways in Oregon, which is in part responsible for the proposed constitutional amendment extending the counties' bonding power upon which the electors will cast their votes at Tuesday's polls.

THE PSYCHOLOGY OF THE SMUGGLER Collector Loeb of the Port of New York, in an interview with Edward 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 for higher ethics.

OREGON TRUNK FILES SURVEY FOR EAST AND WEST LINE IN LAKEVIEW LAND DISTRICT

(Special Dispatch to The Journal.) 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.

CAMP OF SOLOMON ISOLATED; MAY BE REDUCED TO RUIN

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

(United Press Leased Wire.) Nome, Nov. 5.—For all the news that has reached Nome today the camp of Solomon, located on the wind-swept beach of Norton sound, 23 miles east of Nome, may have been completely destroyed by the storm of yesterday, and its inhabitants, some 50 people, may have perished.

The telephone line between Nome and 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 settlement.

WEST ENDS CAMPAIGN IN MULTNOMAH AT FOURTH AND ALDER

Oswald West, anti-assembly candidate for governor, will speak on the issues of the campaign this evening at 8 o'clock from an automobile at the corner of Fourth and Alder streets.

Notarial Commissions. (Salem Bureau of The Journal.) Salem, Or., Nov. 5.—Notarial commissions have been issued to G. Clark, Glendale; Edwin J. Cullow, Denis; Velma G. Davis, Albany; Harry H. Pearce, W. H. Powell and G. E. Walling, Portland; and Walter C. Miller, McMinnville.

BOWERMAN USES AS CLUB BILL HE ALSO OPPOSED

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

WOULD MAKE CAPITAL 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.

The bill was disposed of by indefinite postponement. The motion for indefinite postponement was made by State Senator John B. Coffey, late assembly candidate for county clerk, and a strong supporter of Mr. Bowerman.

The vote against indefinite postponement was eight, and eight were absent. If Mr. Bowerman, Mr. Miller, Mr. Coffey and Mr. Hart, all supporters of Mr. Bowerman, had voted the other way, the bill would have passed the senate, which means that it was their votes that were responsible for the killing of the bill.

The legislative committee of the Oregon State Grange opposed the passage of the bill. The following signed statement by Eugene Palmer, a member of the committee, bears on the subject: "Portland, November 4, 1910.

"To the Editor of The Journal: As a member of the legislative committee of the Oregon State Grange, I was present at the 1909 legislative session, and opposed senate bill 186, prepared by Judge Bennett and requiring railroads to make a continuous speed of 15 miles an hour in the transportation of livestock.

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 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 thereof.

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.

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CHARGE OF MURDER AGAINST WOMAN NOW IN HANDS OF JURY; INSTRUCTIONS IN HER FAVOR

Contrary to general expectations and vastly to the disappointment of a closely packed crowd that wedged into every seating space and foothold available, the attorneys for Mrs. Kersh, 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 jurors.

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 defendant.

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 a woman guilty of only murder in the first degree, if at all, on the state's 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 of guilty of murder in the first degree or acquittal. Always provided, however, that the jury considered the case with its relation to a possible conspiracy.

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

CHAIRMEN OF CONGRESSIONAL COMMITTEES MAKE FORECASTS; CONFIDENT CLAIM BY TRIMBLE

(United Press Leased Wire.) Chicago, Nov. 5.—Chairman William B. McKinley, of the Republican congressional campaign committee, today issued the following statement: "From the best reports obtainable I am confident that the Republicans will control the sixty-second congress with a fair working majority. The size of this majority, and in fact the outcome of the election, will be determined by the percentage of the Republican vote going to the polls Tuesday.

"That voters have taken but slight interest in the pending campaign is evident by the small vote cast at the primaries for the candidates on the various tickets. It would seem that this forecast is an accurate one, especially in the rural districts, where the farmers are enjoying unusual prosperity."

Secretary Trimble, of the Democratic congressional campaign committee, predicts a Democratic majority of 51 votes in the next house.

"We believe that we will have a ma-

1500 CITIZENS HEAR WEST TALK 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 1500 people greeted Oswald West, candidate for governor, when he appeared at the 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 assembly 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 assembly would greet West on his appearance in this city, but the most sanguine were astonished when they could not get into the house, if tardy in arrival. West's childhood and much of his life have been spent at Salem. Oregon 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 campaign.

Without an introduction West came on the stage after a vocal solo by Halle Farish Hinges, amid the cheers of the 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 Oregon. 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-Chamberlain 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 enemies and other unpleasantnesses.

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 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 opponent," 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 introduce a bill correcting these extravagant laws? The governor enacts no laws. As governor he cannot pass any

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LOCKED IN VAULT; 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 district court is recovering from the harrowing experience of being locked in an airtight vault in the federal court, where his screams for help failed 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 fear he beat upon the door until his knuckles bled, but was unable to attract attention. At the end of 10 minutes Hart said today, breathing had apparently become difficult, although it was afterward calculated that the vault contained air sufficient to preserve him for two hours.

Deputy Clerk Owen, seeking a document that had been placed in the vault, opened the door and Hart fell fainting into his arms.

A COURT FREE FROM POLITICS



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 names on the ballot, with the words "Non-political principle in the election of judges. The four judges who are candidates for election come equally from the Republican and Democratic parties. They are universally conceded to be men of high integrity and ability, and they owe no obligations to special interests.

Four members of the supreme court of Oregon are to be chosen at the election next Tuesday. Two will be chosen for four-year terms and two for six-year terms. Voters should remember to vote for two under each heading, remembering that the contest for these four places lies between six candidates. At this election the people have an opportunity to establish the non-political

principle in the election of judges. The four judges who are candidates for election come equally from the Republican and Democratic parties. They are universally conceded to be men of high integrity and ability, and they owe no obligations to special interests. These four candidates, who deserve to be continued in office by reason of their faithful service, Thomas A. McBride and Woodson T. Slater for the four-year