

SUGAR TRUST WAR BEGUN BY NATION

Federal Petition Asks Dissolution of 30 Firms in Alleged Combine.

SUIT MAY LAST TWO YEARS

American Refining Company, 29 Subsidiary Firms and Eight Individuals Are Defendants. Western Concerns Included.

NEW YORK, Nov. 28.—Renewed battle was begun by the United States today against the alleged sugar trust, a combine of the American sugar, the Philadelphia and 29 other companies, which are said to be operating in violation of the Sherman anti-trust law.

Henry Wise, United States District Attorney, filed in the United States District Court for the Southern District of New York a petition asking for the dissolution of the so-called sugar trust. The 29 companies composing the sugar combine have an aggregate capitalization of \$220,000,000, and control a large percentage of the output of sugar in this country. This combine is also, the Government alleges, able to fix prices arbitrarily. The petition charges that for years the companies have violated the law and suppressed competitors and ground them out of existence. Railroad rebates and customs frauds are mentioned as devices which were employed to raise the combine to the commanding position which it occupies today.

The present suit, which it is estimated will be the security for two years before a final adjudication is reached, is the result of many weeks of preparation.

Noted Counsel Employed.

Opposed to the Government in the struggle will be some of the most able corporation lawyers in the country. James M. Beck, former Assistant United States Attorney-General, and now counsel for the American Sugar Refining Company, will lead the attack on the Government's position. Mr. Beck said the sugar combine was not a monopoly, but that it appeared when the Sherman law in the tobacco and oil cases, that the sugar company was in any respect violating the law, steps would be taken immediately to comply with the law as thus interpreted.

In general, the petition charges that the defendants "restrain and monopolize" and "obstruct interstate and foreign trade and commerce among and between the several states and territories of the United States and with foreign nations in raw sugar, sugar beets, refined sugar, molasses, syrups and other by-products of raw sugar and sugar beets, and to monopolize the same."

Injunction Is Asked.

The Government petitions the court to decree: "That the defendants have been engaged in unlawful combination and conspiracy to restrain and monopolize trade, and that their officers, directors, stockholders, agents and employees be perpetually enjoined from doing any act to carry out the purpose of such unlawful combination."

"That the court adjudge that the American Sugar Refining Company of New Jersey and the Western Sugar Refining Company is each in itself an unlawful combination to restrain and monopolize trade, and that each of them be restrained from engaging in interstate or foreign trade or commerce."

The criminal sugar combine, the petition sets forth, was the Sugar Refineries Company, which was formed in August, 1887, under the lead of H. O. Havemeyer, and embraced companies which together controlled the business of the sugar trade in interstate and foreign trade of the country.

Within two years of the formation of the original company, it is charged, the combination closed 13 refineries. In 1889 it obtained the independent California company, leaving outside the combination only the four Philadelphia concerns.

The State of New York attacked the arrangement in a suit to dissolve the North American Sugar Refining Company, which was one of the parties to the agreement, and the courts held the combination to be illegal. Thereupon the present American Sugar Refining Company was formed in January, 1890, and continued the business of the combine.

From 1882 to 1890, it is said, independent refineries started up and others tried to. One company built a plant at Baltimore, but before it could operate the American company bought its capital stock and never allowed it to operate its refinery. The same thing happened in the Hawaiian States Refinery, it is said, in 1896, when it built a plant at Camden, N. J. The suppression of the Pennsylvania Sugar Refining Company, which was brought out in a suit against the American Company some years ago, is also referred to. The California and Hawaii Sugar Company, controlled by Hawaiian planters, was put out of business, it is alleged, by means of an agreement, whereby the combine was to pay \$200,000 a year for three years, provided it retired from the field.

The Government charges that the American has obtained unfair advantage over competitors by obtaining money on imports by custom frauds, as was brought out in the Government's recent suits, by receiving rebates from railroads and by working in harmony with wholesale grocery associations throughout the country and keeping up the price of sugar.

A considerable portion of the petition is devoted to the history of the combine of the best sugar plants when that industry began to grow formidable. At present, according to the petition, the American company and its subsidiaries control 72 per cent of the total output of refined sugar in the country, which is said to be enough to permit it absolutely to control prices after meeting a certain amount of competition.

Many Defendants Named.

The companies made defendant, in addition to the American Sugar Refining Company, are the American Sugar Refining Company of New York, the Franklin Sugar Refining Company of Philadelphia, Spreckels Sugar Refining Company of Philadelphia, Western Sugar Refining Company of San Francisco, California Sugar Refinery of San Francisco, National Sugar Refining Company of New Jersey, National Sugar Refining Company of New York, New York Sugar Refining Company, Mollenhauer Sugar Refining Company of Brooklyn, W. J. Mahan Sugar Refining Company of Philadelphia, Cuban American Sugar Company of New York, Colonial Sugar Company of New York, Alameda Sugar Company of San Francisco, Union Sugar Company of San Francisco, Spreckels Sugar Company of San Francisco, Utah-

PROMINENT FIGURES IN PROSECUTION OF ALLEGED SUGAR TRUST.



ABOVE, HENRY A. WISE, FEDERAL DISTRICT ATTORNEY, IN CHARGE OF CASE. BELOW, J. M. BECK, ASSISTANT IN PROSECUTION, AND HENRY O. HAVEMEYER, ONE OF THE CHIEF DEFENDANTS.

Idaho Sugar Company of Salt Lake City, Amalgamated Sugar Company of Ogden, Utah; Lewiston Sugar Company of Lewiston, Idaho; Great Western Sugar Company of Jersey City, N. J.; Sterling Sugar Company of Denver, Morgan County construction Company of Denver, Billings Sugar Company of Billings, Mont.; Scotts Bluff Sugar Company of Denver, Michigan Sugar Company of Saginaw, Mich.; Iowa Sugar Company of Waverly, Ia.; Carter County Sugar Company of Chaska, Minn.; Continental Sugar Company of Cleveland, O., and the Menominee River Sugar Company of Menominee, Mich.

In addition to these corporations, a number of individuals are made defendants, including Washington B. Thomas, president of the American Sugar Refining Company, and all the directors of the company; John D. and Adolph B. Spreckels, of San Francisco; Joseph F. Smith, of Salt Lake City, head of the Mormon Church, and Horace Havemeyer, Louise W. Havemeyer, Asseline H. Franghuyesen and Electra H. Webb, executors and trustees under the will of the late H. O. Havemeyer.

JUROR TO BE ON TRIAL

YEANDEL INDICTED FOR BRIBETAKING IN MURDER CASE. Member of Nan Patterson Jury Now Accused of Wrong in Trial of Edward T. Rosenheimer.

YUANDEL INDICTED FOR BRIBETAKING IN MURDER CASE.

NEW YORK, Nov. 28.—One of the jurors in the second of the famous murder trials of Nan Patterson, who was set free because no verdict could be reached against her, was put on trial himself today, charged with accepting a bribe to bring a jury. He is George W. Yeandell, an architect, who was discharged from the jury drawn to try Edward T. Rosenheimer, on a charge of murder. Rosenheimer's automobile killed Miss Grace Hough and the state tried to establish murder in the first degree.

Yeandell was indicted Dagobert Tiemendorfer, who was accused of being the go-between. Tiemendorfer testified today that, acting under instructions from Yeandell, he had informed James W. Osborne, counsel for Rosenheimer, that for \$2500 he could deliver the vote of a jury in favor of Rosenheimer.

Mr. Osborne told the District Attorney that he had been approached and a trap was set. Money, it is alleged, was passed and Yeandell and Tiemendorfer were arrested and indicted on the testimony of detectives that Tiemendorfer accepted a bribe of \$500 in the presence of Yeandell.

OREGON STOCK SHOWN

HEPPNER MAN EXHIBITS FAT CATTLE IN CHICAGO. Food Commissioner Bailey Says Display Is Best He Has Seen. Other Oregonians Attend.

CHICAGO, Nov. 28.—(Special.)—W. O. Minor, of Heppner, Or., who brought seven short-horns to Chicago's Fat Stock Show and International Livestock Exposition from his 2,000-acre ranch, will try for awards tomorrow when the short-horn cattle are judged.

The trip from Oregon occupied 11 days, but the stock stood the journey pretty well. Mr. Minor was telling a story today about one of his stock men, who before this journey had never been very far from home.

"Well," he said, according to Mr. Minor, "if the world is as big the other way, as it is this, it is a whopping big place." Mr. Minor, besides numberless range cattle, has hundreds of pure bred short-horn cattle and Shropshire sheep. J. W. Bailey, of Portland, Pure Food and Dairy Commissioner of Oregon, arrived at the show today. "It is the finest stock show I have ever seen," he said. Wayne Hughes, a Shropshire sheep breeder of Carlton, Or., arrived today. Al Hahn, herdsman for E. H. Looney, at Jefferson, Or., is also visiting the show. John L. Smith, wealthy Holstein breeder and stock judge of Spokane, Wash., is another Western visitor.

GOVERNOR BENSON TO RETURN SOUTH

Friends Fear He Will Be Unable to Hold Office and Problem Arises.

CONDITION THOUGHT WORSE

If Secretary of State Resigns, Republicans Can Retain Post if Bowerman Names Successor Between January 1 and 9.

SALEM, Or., Nov. 28.—(Special.)—Governor and Secretary of State Benson will return this week to California to remain until warmer weather comes in Oregon. Mr. Benson, confirmed this report tonight upon being asked as to the Governor's plans.

It is generally considered that Mr. Benson's prospective return to California signifies that his condition of health has changed for the worse; that the improvement reported upon his recent return from the South has not proved permanent. That the Governor will be able to fulfill the duties of the office of Secretary of State through the new term to which he has been elected is now considered doubtful by many of his friends.

New Secretary Would Be Named.

Should Governor Benson resign his office as Governor and Secretary of State between now and January 1, Acting Governor Bowerman would become Governor. In fact and would appoint a new Secretary of State, who, however, would hold office only until the inauguration of Oswald West as Governor. If Governor Benson resigns after January 1, the Governor would then appoint a Secretary of State who would serve the full term for which Mr. Benson has been elected. If Governor Benson, as Secretary of State, should resign at any time following the inauguration of West as Governor, a Democrat would be appointed to succeed him thus placing two Democrats on the State Board and giving complete control of the state administration to the minority party.

Republicans Have Chance.

There is a chance, however, for a Republican to be placed permanently in the office of Secretary of State in case Governor Benson's withdrawal is found necessary. This comes about through the fact that the new state officers, except Governor, will take office January 1 and that the new Governor will not be inaugurated until January 9.

If, after the other state officers have taken office on January 1, Secretary of State Benson should resign, Acting Governor Bowerman would then appoint his successor, who would hold office during the term. "This is according to the Attorney-General Crawford's opinion, given upon request, this evening.

Attorney-General Comments.

According to the Attorney-General, any appointment which the Governor may make between this time and the first of the year would continue in full force and effect until the new Governor is given the oath of office. But in event of an appointment being made by the Chief Executive between the first of the year and the time that the new Governor takes his oath of office, that appointment will remain in full force and effect until the next general election, which would be two years from the last election.

It is understood that a movement will be placed on foot among party leaders here to ask Governor Benson to

PROBE NEARS END

Indictments Expected Today in Times Explosion Case.

AT LEAST 4 WILL BE HELD

Perhaps Five or Six Persons Will Be Charged With Complicity in Wrecking of Los Angeles Newspaper Plant.

LOS ANGELES, Nov. 28.—The final stage in the Times explosion investigation has been reached. The special grand jury which has been conducting the inquiry for four weeks will reconvene tomorrow and officials of the District Attorney's office, as well as outside observers of the progress of the case, are expecting the immediate return of indictments. How many of the true bills there will be is unknown, but it is common belief that there will not be fewer than four and probably five or six.

Three Indictments Assured.

It is practically certain that three of these will be directed against alleged conspirators who are said to have purchased the dynamite with which the Times plant was blown up. In labor union circles, there is a strong impression that the special grand jury will name at least one man who has been prominently identified with the organized labor movement.

Work Practically Concluded.

The grand jury practically concluded its investigation prior to adjournment last Wednesday for Thanksgiving. Only three witnesses are yet held. These are Anton Johannsen, organizer for the building trades, "Jack" Lort-house and Mrs. Belle Lavin, all of San Francisco.

Upon adjournment last Wednesday, the jury instructed them to be on hand again tomorrow. The session tomorrow will mark the completion of a full month's work by the inquisitors. They were assembled October 29 and have worked five days a week, excepting last week. More than 100 witnesses have been examined, some of them two or three times.

INDICTED CASHIER SUICIDE

While Out on Bail George Tufts Ends Life With Bullet.

Feared Consumption

Entirely Cured. Interesting Case. W. H. Burtch, Bingham, Pa., writes: "I was in a terribly run-down condition, my lungs were weak and sore, and I had a dull, heavy pain between the shoulders. I lost flesh very rapidly, and feared I was going into consumption. After taking four bottles of Hood's Sarsaparilla I was entirely cured, and never felt better." In cases where a strengthening, tonic, appetite-giving medicine is needed, Hood's Sarsaparilla has effected thousands of cures. There is no real substitute for it. If urged to buy any preparation said to be "just as good" you may be sure it is inferior, costs less to make, and yields the dealer a larger profit. Get it today in usual liquid form or chocolate tablets called Sarsataba.

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resign. Such a move would clear the political atmosphere for two years at least, and assure a majority of Republicans on the Board which would include Oswald West, State Treasurer Thomas B. Kay, and some man to be appointed to fill the place of Mr. Benson.

AGED PASTOR FOUND DEAD

Escaping Gas in Room, but Doctor Says Death Is Natural.

PHILADELPHIA, Nov. 28.—The Rev. M. A. Starr, formerly pastor of the Grassway Methodist Episcopal Church, Los Angeles, was found dead in his room here today. Gas was escaping from a pipe which connected with a stove, but a physician declared the aged minister had died of heart disease and had probably disconnected the gas pipe as he fell.

He was 75 years old and came to this city after the death of his wife, six years ago. He had no regular charge, but acted as a missionary among the poor.

Culligan Case Being Heard.

DETROIT, Mich., Nov. 28.—The case of Patrick Culligan, of Alpena, Mich., who was indicted May 5, 1906, with three other Michigan men for conspiracy to defraud the Government of timber lands in Oregon, came up before Commissioner Davidson in the United States District Court today. When completed, the testimony will be reviewed by Judge Swan, who will decide whether the defendant shall be sent to Oregon for trial.

Jury Disagrees on Mining Frauds.

CARSON, Nev., Nov. 28.—The jury in the case of Sidney Flower, on trial in the Federal court here on the charge of using the mails to defraud in connection with the sale of mining stocks, failed to reach a verdict and was discharged today by Judge Farrington. Flower was formerly well-known in Chicago and Des Moines. He operated in Goldfield.

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Waking of Spring, Del Riego
Suite "Casse-nolette" (Nut Cracker) op. 71, Tchaikowsky
Overture Minutaire; Marche, Danse de la Fée Orange; Trappe, Danse Russe, Danse Arabes, Danse Chinoise, Danse Des Mirlitons, Danse Des Fleurs.
MISS KLING
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Noun and Night, C. B. Hawley
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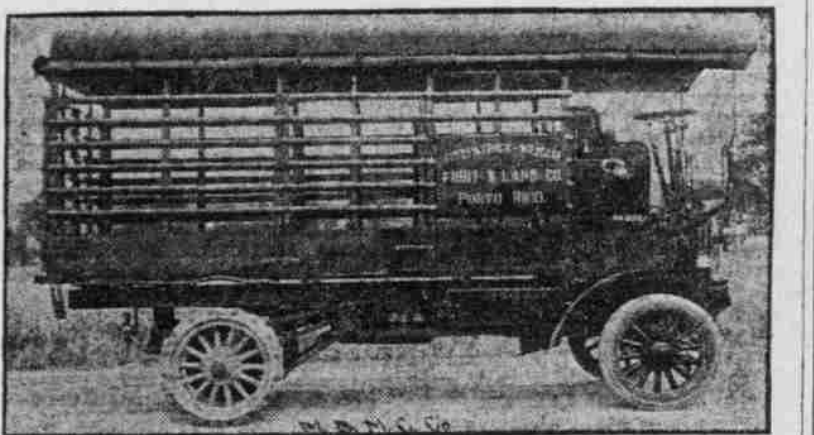
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