

BRONAUGH OVERRULES DEMURRERS IN BANK CASE

COURT HOLDS INDICTMENTS ARE CLEAR

Defendants Give Notice That They Are Ready to Plead at Any Time—Court Explains Why He Ruled Against Accused Men.

In a decision that sweeps away all the technicalities advanced by the attorneys for the defense, Presiding Judge Bronaugh in the circuit court this morning overruled the demurrers to the 12 indictments in the case of Walter H. Moore, W. Cooper Morris, Henry A. Moore, B. E. Lytle and Leo Frieda, the accused officers and directors of the Oregon Trust & Savings bank.

John H. Hall was the only attorney representing the defendants in the courtroom, and he said that the defendants represent themselves and are ready to plead at any time. Judge Bronaugh fixed tomorrow afternoon at 2 o'clock as the time for pleading.

Considers Every Point.
The court gave attention to each point of the demurrers in an oral opinion of some length. He specifically held that the indictments are sufficiently clear and concise in language, without setting out the particular notes and securities alleged to have been embezzled, that the statute of limitations does not bar prosecution under the banking act of 1907 until three years have elapsed from the date of the offense, that the legislature had the power to fix one date for the act to go into effect and another for penalties to attach, and that directors as well as the other officers of the bank are liable for receiving deposits after the bank became insolvent, provided they possessed guilty knowledge of the condition of the bank.

At the same time the court made it plain that the directors who did not actually receive deposits or act in a ministerial capacity must be shown to have guilty knowledge or they cannot be convicted when brought to trial. The state will have to bring home to Leo Frieda and Henry A. Moore the knowledge that the bank was insolvent, or they cannot be convicted. Judge Bronaugh first continued.

HILL TO BUILD ANOTHER ROAD

Work on Line From Vancouver, B. C., to Kootenay to Be Commenced.

(United Press Leased Wire.)
Vancouver, B. C., Dec. 15.—That James J. Hill intends immediately to commence the building of the Vancouver, Victoria & Eastern railway, connecting Vancouver with Kootenay by a short line, is shown by the calling for tenders today by the Great Northern for the construction of two sections of the line. These are 78 miles from Abbotsford, a point on the Fraser river to which the Great Northern now operates, to Hope, and from Princeton west to Tulameen.

ROCKEFELLER MAY RUN DRUG STORES

Lays Plans to Reap Double Profits From Oil, Is the Rumor.

(United Press Leased Wire.)
Chicago, Dec. 15.—That John D. Rockefeller contemplates establishing a chain of drug stores throughout the country is the substance of a rumor current in wholesale circles here today. Many of the by-products in oil preparation are utilized in the drug trade, and the Standard magazine is said to have laid plans by means of which he hopes to reap a double profit in his venture. Agents believed to be representing Rockefeller have been investigating conditions in many middle west cities, and have been negotiating for the purchase of retail stores. While they refused to admit they were in Rockefeller's employ, the rumor that he is planning to run drug stores has spread rapidly.

KING LEOPOLD'S CONDITION TAKES CHANGE FOR WORSE

PHYSICIANS ARE HASTILY CALLED

Brussels, Dec. 15.—The condition of King Leopold took a marked change for the worse this morning. The physicians who have been attending him immediately were called into consultation. During the operation performed Monday night the surgeons found a sort of paralysis of the intestines, which they stated would eventually necessitate another operation.

COASTERS CRASH INTO LOCOMOTIVE

1 Killed and 14 Seriously Injured When Sled Gets Beyond Control.

(United Press Leased Wire.)
La Fayette, Ind., Dec. 15.—A flying dash down a long hill on a big bobbed sled today cost the life of Frank Klumpe, 16 years old, the serious injury of six boys, some of whom may die, and the slight injury of eight others, when the sled got beyond control and crashed into a Wabash locomotive.

NOTARIAL COMMISSIONS.

(Salem Bureau of the Journal.)
Salem, Or., Dec. 15.—Notarial commissions have been issued to H. A. Thiesen, Condon; A. L. Emmons, Corbett, and Arthur C. Dayton, Portland.

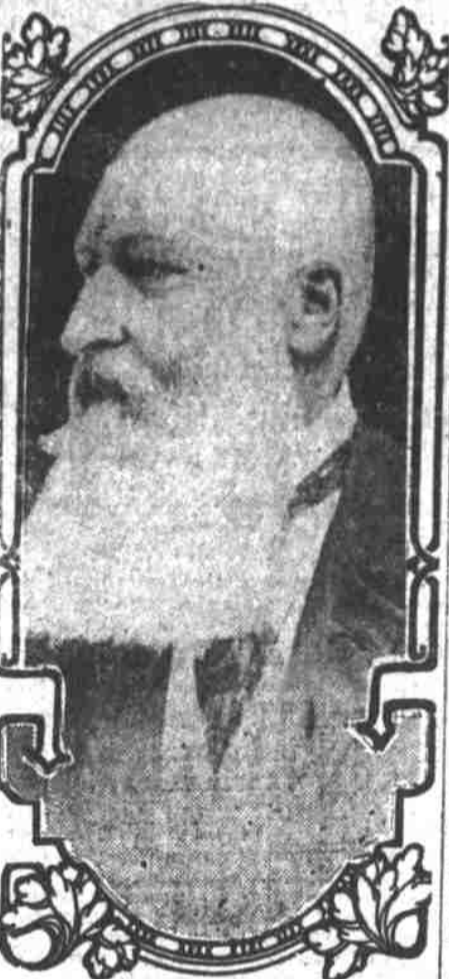
TWO NEW STATES MAY BE MADE

Arizona and New Mexico Admitted If Their Laws Are Satisfactory.

(United Press Leased Wire.)
Washington, Dec. 15.—Chairman Hamilton of the house committee on territories happen today the newly appointed captain of the Arizona and New Mexico would be granted separate statehood at this session of congress if they did not insist on including in their governing laws the features that President Taft has found objectionable in Oklahoma's constitution. Chairman Hamilton stated it as his belief that the chief executive would withhold his approval otherwise.

TELLS WHY ANGEL CITY IS ENJOYING GOOD GOVERNMENT

Describing how the machine politicians of both parties joined hands under the name of regular Republicans, and how all the vicious elements of the city flocked under that banner, a Chicagoan, who has been in Portland for some time, tells below of the triumph of the Good Government forces in the recent election at Los Angeles. How, under the operation of the recall, Los Angeles is now enjoying the best government in her history; how the primary law, though distasteful to "machine" politicians, is prized by all good citizens, and how certain news sent out from Los Angeles and published in Portland relative to the operation of the primary law was "tailed" to the degree of being untruthful are interesting features of the narrative.



King Leopold of Belgium.

PRIVATE DIVORCE TRIAL AT BOISE

Judge Clears Court Room While an Ohio Plutocrat Tells His Troubles.

(United Press Leased Wire.)
Boise, Idaho, Dec. 15.—The divorce suit of Valentine A. Winters, traction magnate of Dayton, Ohio, against Helen Clegg Winters, daughter of a Dayton millionaire, was called for trial here today. The defendant is fighting the case and sensational testimony is promised. Winters joined the Boise divorce colony a year ago. All spectators were barred from the courtroom by order of Judge Wood.

NOTHING TO EAT BUT HUGE CAKES

Thirty Sailors Marooned on Wrecked Boat Suffer From Hunger.

(United Press Leased Wire.)
Port Burwell, Ont., Dec. 15.—Marooned on the car ferry "Ashabula," which went ashore on the shoals near this city, 30 sailors are suffering severely from hunger today. The only food they have had since the ferry was wrecked early yesterday has been a huge Christmas cake, baked in the model of the boat, which was made several days ago.

NEW CORPORATIONS.

(Salem Bureau of the Journal.)
Salem, Dec. 15.—Articles of incorporation were filed in the office of the secretary of state today as follows: Three Pines Lumber company, principal place of business, Portland; capital stock, \$20,000; incorporators, E. A. Miller, J. D. Cook and G. A. Steel.

ZELAYA WILL GIVE UP OFFICE

Consular Agent of United States at Managua, Nicaragua, Declares Madriz Is Dictator's Choice—Demonstration at Consulate.

(United Press Leased Wire.)
Washington, Dec. 15.—Dr. Caldera, consular agent of the United States in Managua, cabled today that Zelaya had published a statement promising to resign in favor of Senor Madriz, who is reported to be with him at the palace in Managua. The dispatch also stated that Madriz apparently would not be a popular choice, and Zelaya's fulfillment of his promise would probably do little to smooth over the present difficulties. Last night Caldera stated large crowds surrounded the American legation. Hundreds paraded the streets cheering for Estrada and the United States.

It is intimated here that Zelaya's promised withdrawal in favor of Madriz would not likely be received, with favor by the United States government. No statement concerning the proposition was given out from the state department.

Dispatches today say Zelaya has accumulated more than \$5,000,000 in profits from properties in Nicaragua. He is alleged to hold illegally. Seventeen trade monopolies on Nicaragua's Pacific coast are credited to him, as well as virtual control of the fields of manufacture and exploitation of natural resources.

UNCONFIRMED RUMORS.

(United Press Leased Wire.)
Panama, Dec. 15.—Fragments of wireless messages picked up by the local station indicate that marines from the United States warships either have been landed or will land today at Corinto. Adverse weather conditions prevented the full text of the messages from being learned. Another dispatch indicated that Managua is still in the hands of a mob and that the people are clamoring for the overthrow of Zelaya.

GENERAL WOOD SUCCEEDS BELL

Secretary of War Names Him Chief of Staff of Army.

(United Press Leased Wire.)
Washington, Dec. 15.—Secretary of War Dickinson today announced the selection of Major General Leonard Wood, now commander of the department of the east, to succeed Major General J. Franklin Bell as chief of staff of the army. General Bell will retire next April. He has been chief of staff since April, 1906.

BUTTE SWITCHMEN RETURN TO PLACES AFTER CONFERENCE

(United Press Leased Wire.)
Butte, Mont., Dec. 15.—As a result of a conference between representatives of the striking switchmen employed in the Butte yards, W. M. Clark, of Indianapolis, vice president of the Order of Railway Conductors, and Robert McIntyre, of Los Angeles, vice president of the Brotherhood of Railway Trainmen, 40 strikers returned to work today. The Amalgamated Copper company's local mines also resumed operations this morning with a full force of 3000 men.

HUSBAND SURPRISES WIFE



Mrs. W. Gould Brokaw.

Mrs. W. Gould Brokaw, who is suing her husband for divorce in New York, Mrs. Brokaw was on the witness stand yesterday. Her husband gave the court a surprise by introducing, through his attorney, the following telegram from him to Mrs. Blair, his mother-in-law: "I have closed my house and am sorry to say I must sue Mary for a separation. Her act, culminating in a house party last Sunday night, forced me to this step. She entertained three ladies and three men that day. Two of the ladies I do not approve of and the third I do not know at all. I do not know the men. She allowed one man to occupy my bedroom over night, after putting my nurse and one lady in bedchamber quarters. She refused to give me the names of the men, in spite of my request."

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LOS ANGELES POLICEMAN SHOT IN DUEL, BUT CAPTURES HIS ASSAILANT.

Los Angeles, Dec. 15.—Though shot through the right hip and seriously wounded by an unidentified man early today, Policeman E. E. Sanders drew his revolver and after a pistol duel captured a man who it was alleged by Sanders shot him. The prisoner refused to give his name or speak regarding the affray.

PORTLAND MAN CAN SOLVE MURDER OF F. A. ASH IN CODY

W. W. Rucker, a Portland man, holds the key that can disclose to the public the details of one of the most dastardly crimes ever committed in Wyoming. F. A. Ash, a druggist at Cody, Wyo., was killed with a shotgun which had been placed in such a position that when he opened the door of his room he was shot.

TWELVE DEAD IN RAILWAY DISASTER

Train Through Trestle on Southern Railway, North Carolina—Conductor Hero of Wreck—George Gould a Passenger; Unhurt.

(United Press Leased Wire.)
Charlotte, N. C., Dec. 15.—Twelve persons are reported to have been killed and probably 40 injured, when passenger train No. 11 on the Southern railway, southbound, moving at the rate of 35 miles an hour, plunged over a trestle and fell 25 feet into Reedy creek, four miles north of Greensboro, today. The dead and injured lie in three feet of water.

The news was flashed to Greensboro only after Conductor George Cable, the hero of the wreck, had dragged himself nearly two miles to a station, though one of his legs had been broken. Physicians and nurses with medical supplies were immediately put aboard a special train and rushed to the scene. George Gould and his son Jay were on the train, but escaped without injury.

List of Victims.
The engineer and fireman are among the dead. It is feared some of the victims were buried under the wreckage in the bottom of the creek.

The following are among those reported killed, according to a message sent by wire from here to the general offices of the Southern railway in Washington, D. C.

A. H. BROADNAX, Greensboro.
A. HOLCOMB, Mount Airy, N. C.
EDWARD, SEXTON, Denton, N. C.
A. P. CONE, superintendent of the Richmond division of the Southern railway.

D. C. NOLAN, Pullman conductor.
C. H. WHITE, traveling auditor.
Flagman, name unknown.
R. H. Russell, private secretary to George Gould, was badly injured, sustaining severe bruises and being hurt internally. Jay Gould was slightly bruised.

ARKANSAS MOB THREATENS JAIL

Negroes Accused of Crimes Object of Shawnee Citizens' Wrath.

HENEY TO MAKE LECTURE TOUR

Will Make Arizona Towns and May Sign Contract With Lecture Bureau.

Tucson, Ariz., Dec. 15.—It is expected that Francis J. Heney, who has been engaged for the past two years as a special prosecutor in the so-called graft cases at San Francisco, will start on a lecture tour through this state within a few days. Arrangements are being made for a tour embracing Tucson, Globe, Douglas, Bisbee and Phoenix. The last lecture will be delivered in El Paso for Heney to return to San Francisco before Christmas.