

REFINERS PAY FINES

United States Treasury Receives \$2,830,573.

COMPANIES STILL HELD LIABLE

Evidence in Trial That Employe Was "Caught With the Goods" and Would "Squal."

New York, Dec. 16.—Arbuckle Bros., generally credited with being the largest independent rivals of the American Sugar Refining company, have acknowledged that from 1898 to 1907 they have failed to pay to the government all the money due as customs charges on imported sugar.

In settlement of all civil claims against them the Arbuckles have offered, and the treasury department, with the concurrence of the attorney-general, has accepted payment of \$995,573. But criminal prosecution of those responsible will in no wise be hampered or conditioned by this acceptance.

The government has now received the following voluntary restitutions and fines from importers of raw sugars:

The American Sugar Refining company (voluntary), \$2,000,000; the American Sugar Refining company (fine imposed by the court), \$135,000; Arbuckle Bros. (voluntary), \$685,573. Total received, \$2,830,573.

Today's announcement of new irregularities in the sugar industry, ramifying into quarters never suspected by the public, was made in a recess of the criminal trial of six employees of the American Sugar Refining company. Messrs. Stimson and Dennison, special counsel for the government, then gave out a statement in part as follows:

"In June last an investigation was begun as to duties paid on sugar landed on the docks of the Arbuckle Bros., New York refinery. The firm voluntarily gave us access to its books and a thorough comparison was made between the books and the custom-house records. As a result a shortage was reported to the members of the firm. As soon as they had verified the government's figures they voluntarily offered to pay this sum into the treasury of the United States."

The statement admits reference to methods by which the frauds were effected.

"The matter is now pending before the grand jury," is the only reply Mr. Stimson would vouchsafe.

FOURTEEN DEAD IN WRECK

Broken Rail Sends Passenger Train Over Trestle

Greensboro, N. C., Dec. 16.—Local passenger train No. 11, on the Southern railway, known as the Richmond and Atlanta train, due in Greensboro at 6:40 o'clock, was wrecked this morning at 6:32 o'clock at Reedy Fork trestle, 10 miles north of here, and at 6 o'clock tonight 12 dead bodies had been removed from the wreckage. It is reported that 14 are dead and 24 injured are being cared for at St. Leo's hospital.

George J. Gould, who, with his son, Jay, was in one of the Pullmans when the train jumped the track, and who was reported dead, escaped uninjured. He, his son, Jay, and a friend, H. B. Russell, of New York, ex-editor of the Metropolitan magazine, had just got out of their berths when the wreck occurred. Mr. Russell was badly hurt by coming in contact with a car stove, and is at the hospital.

Mr. Gould and his son came in on the special bearing the dead and injured. He left this afternoon for his hunting trip, 15 miles from here, stating that the wreck had not disarranged his plans for a week's outing.

The derailment was caused by a broken rail about 200 feet from the trestle that spans a small stream. The train was composed of two baggage, express and mail cars, three day coaches and two Pullmans. The engine, baggage, mail and express cars passed over in safety, while the day coaches and Pullmans were thrown from the trestle into the creek and along the banks 20 to 30 feet below.

At the point where the first coach left the track, the right rail was broken into fragments for several feet and torn entirely from the ties.

Big Railway Union, Plan

San Francisco, Dec. 16.—The Order of Railway Employees with an announced membership of more than 30,000 on the Pacific Coast, has been reorganized and hereafter will be in charge of railroad men in actual service. At a meeting here the resignation of F. W. Voegt as supreme superintendent was accepted and new supreme officers were chosen. Louis H. Ledger, of the Santa Fe system, was made supreme conductor; Samuel P. Veatch, of the Southern Pacific, supreme treasurer; and A. Linsley, of San Francisco, supreme secretary.

Oklahoma Bank Law Wins

Keifer, Okla., Dec. 16.—Every depositor of the First State bank of Keifer, which closed yesterday as a result of the failure of the Farmers National bank of Tulsa who demanded his money today was paid in full. The bank is protected by the state guaranty fund.

ZELAYA RESIGNS

Says Fate Was Against Him—Successor Not Chosen.

Managua, Dec. 17.—Jose Santos Zelaya has resigned from the presidency of Nicaragua. He placed his resignation in the hands of congress yesterday.

Apparently there was no other course to take. The people were aroused at last. The guns of the revolutionists threatened. The warships of the United States lay in Nicaraguan ports.

Managua has been seething for days. The spirit of revolt has spread even to the gates of the palace. Zelaya has surrounded himself with an armed guard. Unchecked the populace has marched through the streets, crying for the end of the old and proclaiming the new regime.

Who will take up the reins no one knows or cares. It is sufficient that Zelaya as dictator will be known no more. There is no doubt that congress will act quickly on his resignation, for the people have demanded it.

Dr. Jose Madriz, judge of the Central American court of justice at Carago, who has been close to Zelaya, and is now his choice for president, is on his way here. He will arrive on Saturday. Madriz has his following, strong and influential, even among the revolutionists, but General Estrada, under whose command the body of fighting insurgents now faces Vasquez' troops at Rama, will have some of him. Estrada's word will bear weight in the choice of president.

Zelaya has known, too, that Madriz is not acceptable to the United States, and he has sought to learn who would be looked upon with favor by that government as his successor, but the American government, so far as can be learned, has named no man, and the choice probably will lie with those who have gained the upper hand.

KING LEOPOLD IS DEAD

Passed Suddenly After Making Brave Rally From Operation.

Brussels, Dec. 17.—King Leopold died at 2:35 o'clock this morning, his aged and wasted body unable to stand the strain put upon it. The collapse occurred suddenly and at a moment when the doctors seemingly had the greatest hopes for his recovery.

Throughout yesterday bulletins issued from the sickroom indicated progressive improvement. The bulletin posted at 6:30 o'clock gave the king's temperature, pulse and respiration as practically normal. Apparently the drainage of the wound was perfect, as no fever was present all day. The king had been able to take nourishment.

The public at large was satisfied that the king would recover, but within the pavilion where the king lay, anxiety was felt, chiefly because of Leopold's great age. After a restful day the patient was able to sleep for a brief period early in the evening and the night passed quietly.

The king's coolness and courage in the heroic struggle won the admiration of all, for at no time did he seem to fear the result. Now that he is dead it is considered remarkable he was able to survive so long by the force of his mentality.

When Goffinet emerged from the high walls of the royal garden, his pale face startled the newspaper correspondents outside. He paused for a moment and said solemnly, "The king is dead."

Two Dynamiters Are Dynamited

Tulsa, Okla., Dec. 17.—That the intervention of death frustrated a well arranged plot to dynamite the safe of a Tulsa bank is the belief of the local authorities, following the discovery of the bodies of two men terribly mangled by the explosion of nitroglycerine, two miles from this city early today. Near the torn bodies were found complete kits of craftsmen's tools. A battered receptacle that had contained the explosive was found on the river bank several rods away. The police believe the men were making their way toward Tulsa.

Wind Blows Cars Eight Miles

Sheridan, Wyo., Dec. 17.—Burlington passenger train No. 41 ran into five cars which had been blown by the snow storm from a switch at Wyola, Wyo., tonight, demolishing the cars and wrecking the engine. No one was injured. The runaway cars had been blown eight miles before the passenger struck them. Other cars started by the wind have not been found.

Wheels Grind Up \$250,000

Pittsburg, Dec. 17.—More than \$250,000 worth of internal revenue tax paid whiskey stamps, the property of the government, were mutilated or blown away today when the iron arm attached to a mail car on a fast train failed to connect properly with a registered mail bag and threw it under the wheels. The accident occurred at Gibsonton, near here.

Longer Car Grant Loses

Kansas City, Dec. 17.—The proposition to extend the franchise of the Metropolitan Streetcar company—which now holds the traction rights of the city up to 1925—26 years, or 42 years from the present, was defeated at a special election today by a majority of 7,091. This was the first election held under the referendum law.

OREGON STATE ITEMS OF INTEREST

IMPROVING O. R. & N.

Contract Signed for \$600,000 Worth of Work on Des Chutes Line.

The Dalles—Twohy Bros., contractors, are putting an army of 700 men to work on the trackage of the O. R. & N. Co. between The Dalles and Des Chutes for the purpose of removing curves and reducing the grade to a maximum of 15 per cent. The contract was signed just prior to Vice-President J. P. O'Brien's departure for New York a few days ago.

The project is one of the largest put under way for a long time, outside of new construction, and will involve the expenditure of at least \$600,000.

While not admitted by the railroad officials at this time, it is understood that the work means the preliminary and essential step towards double tracking the company's line from Portland to Des Chutes, which distance will be subjected to unusually heavy traffic with the completion of a branch into central Oregon by way of the Des Chutes canyon.

Umatilla Project Nears Completion.

Pendleton—The Umatilla irrigation project is now 80% per cent completed, according to an announcement from the reclamation office in Washington, D. C. This announcement is based on reports furnished by the engineers in charge of the project.

It is said that the project represents an investment to date on the part of the government of \$1,138,425. The final cost will be close to \$1,500,000.

The canal system is completed sufficiently to permit of the irrigation at the present time of approximately 15,000 acres. The total number of acres included in the project as it will stand when completed is 23,171.

Water right applications have been made to date for 6,300 acres, and settlers have begun to make payment of project charges for the return to the government of the latter's investment. As fast as this money is repaid it will be available for use in the undertaking of other projects.

Two Cars of Paper for New Code.

Salem—It will require two carloads of paper to print Oregon's new code. The code will consist of two volumes and there will be printed 5,000 sets, or a total of 10,000 volumes, a respectably large library. State Printer Dunlavy estimates that the printing will take 70,000 pounds of book paper.

The first volume has already been compiled and the copy is being placed in the hands of the printer rapidly. William P. Lord, James B. Montague, James Godfrey and William P. Lord Jr. compose the commission created by the last legislature for compiling a new code. It will be ready for distribution in November, 1910.

Ontario Scholars Chosen.

Ontario—The faculty of the Ontario High school has chosen two debating teams, one of which will debate with the Baker City High school January 7, and the other with a team from the Cove Hill school on the same date. The six students chosen to represent Ontario are Herbert Williams, Eddie Draper, Miss Margaret Dunbar, George Hardman, Howard Mallett, and Miss Ethel Millikin.

Gooch Gets Postoffice.

Shelburne—A postoffice has been established in the new town of Gooch, located on the Corvallis & Eastern, about 20 miles east of this place, and will be supplied with mail by the C. & E. trains daily except Sunday. The inhabitants of the town are chiefly engaged in logging and lumbering. The large sawmill of the Fred Gooch Lumber company is located at Gooch.

Big Orchards for Douglas.

Roseburg—Five thousand acres of land have been planted to orchard in this section this year. The general success of fruit growing in Oregon has stimulated the industry near Roseburg. Next year the orchard area will be nearly doubled.

New Theater at Medford.

Medford—Excavation has begun for the Page building, the work to be finished by February 1. The basement is 8x150 feet. The plans for the building include an up-to-now theater and also storerooms and offices.

W. U. at Klamath Falls.

Klamath Falls—The Western Union Telegraph company has been granted permission to enter the city of Klamath Falls. It is the intention of the company to open an office at once so as to handle the business of the city.

Oregon Wants Wood.

Salem—The largest wood contract ever offered by the state is to be let December 20. The boards of the several state institutions want 10,000 cords of green cut wood delivered early next year.

New Depot at Milton.

Milton—Milton is to have a new depot. The present freight house has become entirely inadequate to accommodate the business, and arrangements are being made to erect a large brick structure.

Big Crop Alfalfa Seed.

Lakeview—George Gerald, of the Honey Lake valley, threshed 40,000 pounds of alfalfa seed this season, which at the selling price of 13 cents brought him a nice income of \$5,200.

RUSHING SPRAGUE BRANCH

Three Hundred Men Pushing Klamath Line to Reservation.

Klamath Falls—Andrew Erickson, railroad contractor, has taken a subcontract to build the last 12 miles of the 25 miles of track to be built from Klamath Falls to Sprague river by Erickson & Peterson. Sub-Contractor Erickson has already established his camp on the Indian reservation and has about 100 men employed, and intends to start a steam shovel in the near future.

There are now over 300 men employed in the railroad camps from here to Sprague river, and this end of the work is being rushed as fast as possible.

The track is laid on the main line a distance of about three miles. The industrial spur from the main line to the lake is completed and the railroad can now take the material to be used in construction work to the lake and then by water to the different points along the lake shore where the men are working.

At the waterfront the Southern Pacific is building a large wharf and warehouse. These waterfront improvements will be used in connection with the railroad construction, and when the work is completed will be used as freight houses, etc., in connection with shipping on the upper lake by the Southern Pacific.

ARTESIAN WELLS FOR HARNEY.

Farmers Plan Irrigation System in Interior Country.

Andrews—In the Wild Horse valley, north and south of Andrews, many farms are successfully irrigated by means of flowing wells. A. H. Hollis, south of Andrews, has six or seven of them on his place, and there are many others having similar and lesser numbers. All the way south to Denio, through the Pueblo and Trout creek valleys, these wells are found, and in a short time there will be a great many of them drilled and put to good use in a general irrigation system.

Taking the character of the soil and the favorable climatic conditions, the possibilities for fruit and vegetable production under a generous water supply are beyond present calculation. Where a flow can be obtained at a depth of 65 to 125 feet, the cost is nominal, and the water can be used at great profit. Under such an impetus Harney county is sure to make rapid progress.

Increase in School Population.

Lebanon—The school census of the Lebanon district has been completed, and it shows that there are 555 children of school age in the district, of which 298 are girls and 257 are boys. This is an increase of 111 over the enumeration of 1908, the total number last year being 444.

PORTLAND MARKETS.

Wheat—Bluestem, \$1.19@1.20; club, \$1.08; red Russian, \$1.06; Valley, \$1.04; 40-fold, \$1.08.

Barley—Feed and brewing, \$30 per ton.

Corn—Whole, \$25; cracked, \$26 per ton.

Oats—No. 1 white, \$33 per ton.

Hay—Timothy, Willamette valley, \$18@20 per ton; eastern Oregon, \$18@21.50; alfalfa, \$16@16.50; clover, \$15@16; cheat, \$15@16; grain hay, \$15@16.

Butter—City creamery extras, 39c; fancy outside creamery, 34@30c per lb.; store, 22@24c. (Butter list prices average 1 1/2c per pound under regular butter prices.)

Eggs—Fresh Oregon extras, 45c per dozen; eastern, 31@37 1/2c per dozen.

Poultry—Hens, 14c; springs, 14c; roosters, 9@10c; ducks, 16@16 1/2c; geese, 11@12c; turkeys, live, 21c@22c; dressed, 25c.

Pork—Pancy, 10@10 1/2c per pound.

Veal—Extras, 11@11 1/2c per pound.

Fresh Fruits—Apples, \$1@3 box; pears, \$1@1.50 per box; quinces, \$1.25@1.50 per box; cranberries, 40@9.50 per barrel.

Potatoes—Oregon, 60@75c per sack; sweet potatoes, 1 1/2@2c per pound.

Vegetables—Artichokes, 75c per dozen; beans, 10c per pound; cabbage, 1 1/2c per pound; cauliflower, \$2 per dozen; celery, \$2.75@3.50 per crate; horseradish, \$1.50 per box; pumpkins, 1 1/2@1 1/2c; sprouts, 8c per pound; squash, 16@1 1/2c; tomatoes, 75c@81c; turnips, \$1 per sack; carrots, \$1; beets, \$1.50; parsnips, \$1.50; onions, Oregon, \$1.50 per sack.

Cattle—Best steers, \$4.50@4.75; fair to good, \$4@4.25; medium and feeders, \$3.50@3.75; best cows, \$3.50@3.75; medium, \$3@3.75; common to medium, \$2.50@3.75; bulls, \$2@3.50; stags, \$2.50@3.50; calves, light, \$5.25@5.50; heavy, \$4@4.75.

Hogs—Best, \$8.40@8.60; medium, \$7.50@8; stockers, \$6.50@6.75.

Sheep—Best wethers, \$4.75@5; fair to good, \$4.25@4.50; best ewes, \$2.75@4; fair to good, \$3.50@3.75; lambs, \$5.50@6.

Hops—1909 crop, 18@22 1/2c; 1908 crop, nominal; 1907 crop, 12c; 1906 crop, 8c.

Wool—Eastern Oregon, 16@23c pound; Mohair, choice, 25c pound.

Casaca bark—4 1/2c per pound.

Hides—Dry hides, 18@19c per pound; dry kip, 17@18c per pound; dry calfskin, 19@21c per pound; salted hides, 10 1/2@11c; salted calfskin, 15@16c per pound; green, 1c less.

REIGN OF TERROR

Zelaya Said to Have 500 Political Prisoners in Chains.

Bluefields, Nicaragua, Dec. 14.—It is learned from an authoritative source that a reign of terror is being maintained in Managua, and that not less than 500 persons identified with politics are in chains in the prisons. A Catholic society has been ordered to cease sending supplies to the prisoners, who may starve to death, as they are allowed only 2 cents a day for food. Corporal punishment is meted out daily to various alleged offenders.

Zelaya, to create an impression that the sentiment of the people of Managua is hostile towards America and Americans, recently ordered Amelio Estrada, a prominent liberal and a brother of the revolutionist chief, to organize a demonstration against the United States. This he refused to do.

It is understood that Dr. Julian Iria, minister-general, has been making attempts to start an uprising in his favor as Zelaya's successor, but whether with Zelaya's consent is not known. It is reported also that Iria's home has been surrounded by soldiers. Further authoritative dispatches state that 500 of Zelaya's forces have been entrenched to prevent American marines from passing over the bridges into Carinto.

Since last Thursday, when General Estrada became certain that General Vasquez, in command of a portion of Zelaya's troops, was attempting to make a detour of Rama to seize an unguarded river point and descend upon Bluefields, forces of the provisional government have been acting with great energy. Rama has been occupied, and less important river landings have been strongly guarded. All available boats have been held in reserve to rush reinforcements to any point that may be threatened.

General Chamorro and 250 men arrived today to assist in guarding the entire 60 miles of the Escondido river, from Rama to Bluefields. General Chamorro left 300 men guarding the land passage between Bluefields and Greytown.

FOUR DROWN IN COLUMBIA.

Three Rescued After All Night Struggle With Death.

Rainier, Or., Dec. 13.—Four young people, residents of Maygers, Or., met terrible death by drowning in the Columbia river early Sunday morning, when a launch in which they were riding turned turtle at Burton's landing, spilling the party of seven into the icy cold water. Three of the party were rescued after hanging to grim death for seven hours, which to them seemed like centuries.

The dead are: Miss Selma Hendrickson, aged 17; Anna Hendrickson, aged 19; Grace Waud, aged 16, and Lee Barber, aged 20.

The rescued are: Pearl Proctor, aged 20; Frank Kasper, aged 20, and Amos Card, aged 19.

A party of 10 or 12 young people from Maygers, 10 miles west of Rainier, came here Saturday to spend the evening at the skating rink. After the closing of the rink at 10 P. M., a party of seven left Rainier in the gasoline launch Hendrickson for Maygers.

The seven clung desperately to the overturned boat.

Lee Barber, who hung on for nearly an hour and a half, was first to let go. "I'm getting sleepy," he said. "I'm going to sleep," and he slipped back into the water and did not rise. The next to drop off was Miss Selma Hendrickson, who held on perhaps a half-hour longer. Soon after Anna Hendrickson, her sister, went to a watery grave.

The survivors clung to the boat until 6 A. M., making just seven hours in all, when the toughest Burton came along and answering their cries rescued them.

Troops Arrive at Panama.

Colon, Dec. 14.—The United States transport Dixie, with 700 marines aboard, which sailed from Philadelphia December 6, arrived at 6 o'clock this morning.

The Dixie proceeded to dock 11, Cristobal, where cars were in waiting to transport the men, provisions and ammunition immediately to Panama.

Fire Cry Fatal to Three.

Cleveland, O., Dec. 14.—A cry of "fire" that started when a woman fell downstairs from the balcony of the Majestic theater tonight caused a panic in the crowded house and the death of three women.

Mrs. William Richter, Miss Mary Corrigan and Miss Mary McCafferty were crushed in the crowd and died in ambulances. Many other women and a number of children sustained minor injuries.

It took the efforts of squads from near-by police stations to stop the struggling of the mob.

Mine Burns Six Entombed.

Weatherport, Ky., Dec. 15.—A rescue party entered the Baker mine of the West Kentucky Coal company today in search of six negro miners imprisoned in the second level by an explosion yesterday. Fire in the mine has been burning steadily, and it is hardly possible that the rescuers will penetrate far.

STANDARD APPEALS

Dissolution Suit Will Be Fought To Finish.

DEFENSE ALLEGES 65 ERRORS

Claims Sherman Anti-Trust Law Was Not Violated—Competition Does Exist.

St. Louis, Dec. 18.—Attorneys for the Standard Oil company of New Jersey, its subsidiaries and the seven individuals against whom the government recently won its dissolution suit, today filed an appeal from the adverse decision of the federal circuit court.

Sixty-five instances in which the trial court is alleged to have erred are cited as reasons for appealing to the federal supreme court.

Collectively, the assignments of error are that the evidence did not show a violation of the Sherman anti-trust law. The findings in respect to competition between corporations occupying contiguous territory are assailed, as are also conclusions of the court regarding the part that John D. Rockefeller, H. H. Rogers, John D. Archbold and other individual defendants took in the formation and conduct of the various companies. The order granting the appeal was signed by Circuit Judges Hook and Adams.

Error is also alleged in the ruling that a holding company owning the stock of companies that otherwise would be competitive, is a firm of trust prohibited by the Sherman act.

The document then turns to the court's reference to the Northern Securities case, and alleges that error was committed in deciding that the case was ruled by the older decision.

The attitude of the rulings regarding the defendant subsidiary companies is next attacked, error being asserted in the findings as to their relations with the Standard of New Jersey.

Criticism of the decree begins in assignment No. 48. The court enjoined the New Jersey company from voting the stock of the subsidiary concerns, smaller companies from paying dividends to the larger, individual defendants from continuing the combination which it found to exist or the formation by them of any similar arrangement looking to the control of price or transportation of petroleum. All these orders are declared to be in error.

FIGHT FOR LEOPOLD'S WEALTH

Will Leave \$3,000,000 to Be Divided Among Three Daughters.

Brussels, Dec. 18.—The filing of King Leopold's will today shows that he bequeathed \$3,000,000 between his three daughters, Princess Louise, Princess Stephanie and Princess Clementine. This practical disinheriting of his children signals the beginning of a gigantic legal battle to obtain the king's wealth, similar to that which ensued on the death of their mother, Queen Henrietta.

The exact amount of Leopold's fortune probably never will be revealed. Henry Winer, the king's friend and confidential legal adviser, told the Associated Press today that Leopold turned over a large portion of it to the Baroness Vaughan and her children and created a stock company of his estates to forestall a possible raid upon it by the Princesses Louise and Stephanie or their creditors.

Senator Winer said that later perhaps large portions of the estate would be given to Belgium. The Princess Clementine, aside from bequests she will receive, is provided for by a special income from Congo property.

Investigation shows that the right of succession to the throne of the child of King Leopold by the Baroness Vaughan is not worthy of serious attention. It is pointed out by Senator Winer that if there were only a religious ceremony, laws of the kingdom would prevent the accession of the child of such a union. The senator, however, does not believe there was even a religious marriage.

If it is established that the Baroness Vaughan is of foreign birth, she probably will be expelled from Belgium, like the favorite of Leopold I, the Baroness Mayer, whose house was attacked and destroyed by a mob after the king's death.

Family of Eleven Marooned.

St. Paul, Minn., Dec. 18.—Levi Frank, his wife and nine children were brought in an exhausted condition to this city yesterday from a point several miles up the Mississippi river. In the recent big blizzard the three open rowboats, in which they had fought their way for 400 miles down the Father of Waters, were stranded on an island in midstream. Frank braved the crush of the river ice, endured the privations of cold and hunger and struggled in vain for days to swim through the chill currents of the Mississippi to secure help.

Wrecked Ferry Is Found.

Eric, Pa., Dec. 18.—The wreck of the car ferry Marquette & Bessemer No. 3, which foundered during the great storm on Lake Erie December 7, resulting in the death of 33 persons, was found late this afternoon by the tugboat Reed of this city, at a point 12 miles from Conneaut, Ohio.