

OCTOPUS DEFIES LAWS OF TEXAS

Again Does Business Under Alias.

TILFORD TRIES TO HIDE FACT

Rockefeller Owns One-Fourth Standard Stock.

HISTORY OF EXTINCT TRUST

Treasurer Shows How It Wiggled Through Laws and Court Decisions to Continue Existence Under Changed Names.

NEW YORK, Sept. 19.—That the Standard Oil Company is operating under the name of the Corsicana Refining Company in the state of Texas, which has forbidden the oil combine to operate within the state, was indicated today when Wesley H. Tilford, treasurer of the Standard Oil Company, under examination in the government's suit against the company, testified that H. C. Frazier and C. M. Payne, whom Mr. Kellogg, the attorney for the government, states, control the Corsicana Company, are prominent in the conduct of the affairs of the Standard Oil Company.

Mr. Kellogg sought to draw from the witness the information that the Corsicana Company was really a Standard Oil Company and was operating in Texas because the anti-trust laws of that state would not permit the combine to operate. Mr. Tilford replied that as far as he knew the Standard Oil Company had no interests in Texas. He said that Mr. Folger and Mr. Payne were both officers of the Standard Oil Company, but he was not aware that they owned the Corsicana Company.

Tracing Changes of Trust.

Mr. Rockefeller spent a busy day tracing the various changes in development of Standard Oil from the time of its inception in 1862, when the trust was formed, until the trust was dissolved in 1899 and the Standard Oil Company of New Jersey was formed. Mr. Kellogg developed many of his questions from the trust agreement of 1862, which was contained in the bill of complaint filed in St. Louis last December, when the present action was commenced. This trust agreement, which was entered into by John D. Rockefeller and 45 other oil interests, provided that the Standard Oil Company should be formed in Ohio, New York, Pennsylvania and New Jersey, and in other states whenever the trustees deemed advisable.

Rockefeller Owned One-Fourth.

"I'm quite sure they did not," replied Mr. Tilford.

"Then, who voted? The officers of these subsidiary companies?" asked Mr. Kellogg.

"They were elected by individual stockholders of these companies," answered Mr. Tilford.

Mr. Kellogg took up the method of liquidating a company and showed the witness a certificate of assignment made with John D. Rockefeller.

"This shows that John D. Rockefeller owned 26,854 shares out of a total of 972,500 shares of trust certificates in 1892," said Mr. Kellogg. "Is that correct?"

"I think so, according to the assignment here," replied Tilford.

"Well, you, as counsel for the trustees, were one of the signers of the assignment, were you not?"

"Yes."

"Then, when you made out this assignment you transferred to Mr. Rockefeller his proportionate control of all the stocks of the subsidiary companies?"

"Yes, sir," replied Mr. Tilford.

Mr. Tilford was asked if he could produce a record showing the amount of stock of the Standard Oil Company, of New Jersey, issued to John D. Rockefeller.

The witness replied that he did not know.

Series of "I Don't Knows."

Mr. Kellogg then called upon the witness to produce a record showing the amount of trust certificates held in 1892 by H. H. Rogers, William G. Rockefeller, H. M. Flagler, O. H. Payne, S. J. Harkness and John D. Archbold, and the amount of the stock of the Standard Oil Company issued to the same persons. These records would show, according to Mr. Kellogg, whether Mr. Rockefeller and his associates purchased or disposed of any of their holdings in the oil combine during the liquidation period.

Mr. Tilford was asked who made up the plan to place the stocks of the subsidiary companies in the Standard Oil Company of New Jersey. The witness said he did not know.

"You were treasurer of the new company, you were attorney for the liquidating trusts, and also a trustee," said Mr. Kellogg. "Were you not prominent in the company?"

"I hardly think it could be said I was prominent in the company," replied Mr. Tilford.

"Can you tell me where the trust certificates turned over to your company may be found?" inquired Mr. Kellogg.

"I cannot," replied Mr. Tilford.

As to whether the directors of the subsidiary companies were elected through proxies held by the liquidating trustees, the witness had no recollection, nor could he tell how much stock the liquidating trustees held during the period of liquidation as individuals.

Mr. Tilford said he had been president

Rockefeller Owns Over Fourth.

Mr. Tilford, as secretary of the company, could give the government counsel the title information during the period of the Standard Oil trust, though he was a liquidating trustee. Mr. Kellogg finally asked Mr. Tilford if during the period of liquidation there had been any real change in the management of the company, and the witness replied there was not.

Another interesting development was the official statement made for the first time today by John D. Rockefeller's personal holdings in the Standard Oil Company. Just to what extent the reputed head was individually interested in the great concern has long been a matter of speculation. It was brought out today that Mr. Rockefeller owned 26,854 shares, or more than one-fourth of the total of 972,500 certificates of the Standard Oil Company. Based on the earnings of the company as placed on record Tuesday, it is computed that Mr. Rockefeller's personal profits during the past eight years have aggregated almost \$125,000,000. At Tuesday's hearing it was testified that in the years 1889 to 1906 inclusive the Standard Oil Company had earned total profits of \$490,219,344.

Wesley H. Tilford, treasurer of the Standard Oil Company, was questioned by

Mr. Kellogg, in an effort to glean further facts and figures about the development of the Standard Oil Trust and its subsequent liquidation into the present Standard Oil Company of New Jersey. Mr. Kellogg said today that the records of the liquidating trustees, which had been finally furnished by the Standard Company, were now being examined by the government's counsel, and that it might be several days before the information desired could be produced in court. Mr. Kellogg also intimated that further witnesses might be subpoenaed as a result of the developments of the last two days and that the hearings would likely be prolonged for some time.

Mr. Tilford was shown a copy of the agreement of 1862, showing a list of companies that entered into the trust.

"It appears that the Chess Carley Company signed that agreement, have you thought about that since I spoke to you last night?" asked Mr. Kellogg.

Trust Still Kept Control.

"No, I have not," replied Mr. Tilford, who yesterday testified that he had been

NEW YORK, Sept. 19.—(Special.)—Henry H. Rogers' physical breakdown is now attributed to the enormous financial losses he has suffered during the last year. Mr. Rogers has incurred personal obligations to the amount of \$40,000,000 in the construction of the Tidewater Railroad in Virginia. He has put \$30,000,000 in cash into the project, and has had to guarantee a \$10,000,000 loan to provide further funds to carry on construction. It is reported that he will try to save what he can and quit active participation in finance.

LOSS OF MILLIONS COST HIM HEALTH

Secret Rogers' Breakdown Is Out.

HALF OF FORTUNE IN RAILROAD

Sacrificed \$50,000,000 of Gilt-Edged Stocks.

HIS SUCCESS IS DUBIOUS

Tidewater Railroad in Virginia Absorbs Vast Sums and Is Unfinished—He Recovers From Paralysis and Regains Speech.

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It appears that Mr. Rogers has tied up 25 or 30 per cent of his entire fortune in this one undertaking, and he has several others on his hands. Some bankers say the figure should be 50 per cent. His fortune has been estimated at \$60,000,000 to \$80,000,000. This railroad has been a pet scheme of the oil magnate, and he has made great sacrifices to carry it through.

Collapse Due to Worry.

Mr. Rogers' financial affairs, as may be easily inferred, became badly involved as a result of this venture, and it is believed that worry over this situation resulted in his physical collapse. He suffered a slight apoplectic stroke in July. Since then he has practically abandoned all business cares to his son and lieutenants, although he did come to New York once to show himself in Wall Street in order to avert a threatened crash. It is reported that he will not be able to resume his business place for two years, and in some quarters it is believed he will never again be an active force in the hurly-burly of the financial world.

Bulldozed Road Through Virginia.

Some five or six years ago, against the advice of his friends, Mr. Rogers started to build in West Virginia a low-grade road which would parallel the Norfolk and Western. His object was to carry coal and lumber to tidewater. The line was to be 45 miles long. Only 12 miles have been completed.

In order to meet the demands made upon him in connection with the construction of the railroad, Mr. Rogers was forced to dispose of a large amount of investment stocks at a sacrifice. All during the recent decline in prices, the vice-

president of the Standard Oil Company sold gilt-edged stocks, such as Standard Oil, Consolidated Gas, Union Pacific and St. Paul.

Only a few months ago, in order to raise \$10,000,000 for the Tidewater road, H. H. Rogers issued his personal notes, secured by \$20,000,000 first-mortgage bonds; \$10,000,000 stock and \$10,000,000 dividend or interest-paying collateral. These 6 per cent notes were indorsed by H. H. Rogers personally.

Scheme Is Problematical.

Railway officials, who have watched the construction of the road with intense interest from the beginning, say that the project, even at this stage, is more or less problematical. It is confidently hoped, however, that with the sacrifices already made in disposing of high-priced securities, Mr. Rogers is in a position to gain his end and to see the mileage completed.

It was learned some months ago that the Standard Oil man and his associates had bought all the available lumber and coal land in West Virginia. These purchases amounted to thousands of acres, and will at some future time supply the Tidewater road with traffic.

HEALTH IS MUCH IMPROVED

Rogers Recovers Speech and Paralysis Has Disappeared.

NEW BEDFORD, Mass. (Sept. 19.—(Special.)—Dr. C. A. Pratt, who has made daily visits up to within a week ago, now considers H. H. Rogers so much improved that he has ceased his calls altogether. The doctor said today:

"Mr. Rogers looks immeasurably better now than he did after his nervous stroke in New York, but he is not entirely well by any means. If he continues to rest, as he does not, there will be no reason for apprehension to his condition. He has entirely recovered the power of speech. The day after the stroke he was hardly able to speak a word. Gradually the paralysis disappeared, and there is now no trace of it."

The millionaire has been taking quiet exercise each day with Indian clubs, and each morning after breakfast he takes a stroll about his estates. When he recovers his health, he will probably live in retirement.

Did Not Buy Rogers' U. P. Stock.

NEW YORK, Sept. 19.—(J. P. Morgan today authorized a denial that he or the banking house of J. P. Morgan & Co. has taken over 50,000 shares of Union Pacific Railway stock from Kuhn, Loeb & Co. supposed to be owned by Henry H. Rogers, of the Standard Oil Company.

WARRANTS FOR GRAFTERS

BUILDERS AND ARCHITECTS PLACED UNDER BONDS.

Payne & Weller, Builders, and Huston, Who Assisted Architect, Are to Be Hailed Into Court.

PHILADELPHIA, Sept. 19.—Warrants reached this city late this afternoon from Harrisburg for the arrest of George F. Payne, builder of the State Capitol, Charles G. Weter, his partner, and Stanford Lewis, an associate of Architect Huston, who planned the Capitol. Counsel for Payne and Weter, waived hearings and bail for Payne was fixed at \$10,000 and for Weter at \$500. Counsel for Lewis accepted service in his behalf and furnished \$600 bail for his client's appearance in court. Payne is said to be ill at Mount Clemens, Mich.

Warrants for George K. Storm and John C. Neiderer, of New York, stockholders in a concern which manufactured the lighting fixtures of the Capitol, also arrived here today. The men are supposed to be in New York and it is stated that unless they accept service, the warrants will be served in that city.

TWO INCIDENTS IN THE RECENT HISTORY OF THE DEMOCRACY.

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WELCOME TO MONOPOLY LODGE!

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YES.

THEN, WHEN YOU MADE OUT THIS ASSIGNMENT YOU TRANSFERRED TO MR. ROCKEFELLER HIS PROPORTIONATE CONTROL OF ALL THE STOCKS OF THE SUBSIDIARY COMPANIES?

YES, SIR, REPLIED MR. TILFORD.

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PORTLAND DAY IS RECORD SMASHER

Crowd of 20,000 Gatherers at State Fair.

SALEM CAN'T FEED VISITORS

Nobody Growls, However, and Are Happy Although Hungry.

CAR SERVICE EXCELLENT

Throngs Handled in Capital City Without Any Difficulty—Awards Made on Milch Cows—Blue Ribbon to Holstein.

SALEM, Or., Sept. 19.—(Special.)—Twenty thousand people, of whom 2500 came up from Portland on the excursion train, visited the State Fair today and viewed the exposition at its best. It was the biggest crowd that ever gathered upon the fair grounds, and was also the best natured, else there would have been much complaining.

Restaurants and lunch counters were crowded all day long, and sandwiches and coffee could not be served fast enough for a score of stands. It was impossible to feed all the people, but the crowd realized the situation, and those who had to go hungry did so with good grace. On the return trip to Portland this evening the Southern Pacific trains were packed, but the passengers were happy and jolly when the train pulled out of the fair grounds.

Fortunately the streetcar service was excellent, and the crowds between the fair grounds and the city were carried without delay or mishap. The weather was ideal, and all indications are that it will be perfect through the rest of the week.

Gate Receipts Break Record.

That the fair this year is a great success is already apparent, for the gate receipts have been beyond all precedent. An innovation was established this year in the form of a 25-cent charge for admission to the grandstand, but the grandstand has been filled nevertheless. It is evident that the fair will close with a large surplus on hand with which to make permanent improvements.

The chief events at the fair today were the awards for county exhibits and for milch cows. Benton County secured the blue ribbon for a magnificent display of products arranged by H. L. French, of Corvallis. The premium is \$300. Lane County took second prize, \$250, on an exhibit by E. M. Warren, of Eugene. Multnomah came third, and its exhibitor, A. J. Miller, carried off \$200. W. J. Fullerton won fourth place, for his Columbia County exhibit, and C. S. Dow, of Astoria, took fifth prize for Clatsop. The last two premiums were \$150 and \$100 respectively.

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"The most important action taken in connection with the strike was made on Wednesday, and we are satisfied that it will bring a speedy and satisfactory settlement."

Mr. Russell, who is also chairman of the local strike committee, added that word had reached him late tonight that Washington to see Labor Commissioner Neill and to express to the Commissioner dissatisfaction with the conduct of the strike. If the report was true, Mr. Russell said, the men who had gone to Washington were not authorized to speak for the strikers, and that their action was unwarranted. No dissonance, he said, existed in the New York union, and resolutions setting forth that the members were in perfect accord would be adopted at a meeting of the union tomorrow.

Small Going to Chicago.

NEW YORK, Sept. 19.—It was said tonight that President Small of the Telegraphers' Union would leave for Chicago tomorrow morning. The illness of a member of his family, it is understood, has made necessary the trip.

MESSAGES NO MORE DELAYED

Western Union Withdraws Strike Reservation in East.

Fined for Comment on Trial.

WALLACE, Idaho, Sept. 19.—(Special.)—Henry G. Coats was fined the costs of an action of contempt of court this afternoon by Judge W. W. Woods. Coats is editor of the Mullan Miner and had published a red-hot editorial on the Hicks trial, after instructions concerning this sort of thing had been issued by the court. Coats defended himself by pleading that he was unaware of the law dealing with these matters, and thought it one of his privileges. He had not been long in the newspaper business and had simply followed the lead of the papers in the district in connection with this and other cases.

OPERATORS SEEK ROOSEVELT'S AID

Union Leaders Visit Him at Oyster Bay.

THEY PROPOSE ARBITRATION

Spirits Revive With Hope of End to Strike.

COMMITTEE SEES NEILL

Suggest Arbitration Board With Roosevelt as Umpire—Clowry Still Says That Western Union Will Not Accept Arbitration.

NEW YORK,