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 Stan dard Oil Company is operating under the name of the Corsicana Refining Company in the state of Texas, which has forbidden the oll combine to operate within the state, was indicated today when Wesley H. Tilford, treasurer of the Standard Oil Company, under examination in the Gov ernment's suit against the company. "stifled that H. C. Folger 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 Oli 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 ould 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 Oll Company, but he was not aware that they owned the Corsicana Company.

Tracing Changes of Trust.

Mr. Kellogg spent a busy day tracing the various changes in development of Standard Oil from the time of its inception in 1882, when the trust was formed, until the trust was dissolved in 1899 and the Standard Oll Company of New Jersey was formed. Mr. Kellogg develope many of his questions from the trust agreement of 1882, 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. Rocke. ler 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' All the properties and assets of the embraced corporations and companies were to be turned over to the several Standard Oil Companies, which in turn issued their own stock in exchange. Under the terms of this trust agreement all stock was to be delivered to nine trustees, who issued to the depositing stockholders trust certificates equal at par value to the par value Mr. Tilford. of the several Standard Oil Companies. The nine trustees under the original agreement were John D. Rockefeller, O. H. Payne, William Rockefeller, J. A. Bostwick, H. M. Flagler, W. G. Warden, Charles Pratt, Benjamin Brewster and John D. Archhold.

Trustees in Absolute Control.

the control of the companies. They could purchase with the trust funds the stocks and bonds of the other oil companies on such terms as they deemed advisable, and could dispose of them whenever they considered it necessary. The trustees, who were elected to hold office three years, were balloted for by owners of trust certificates.

The agreement further provided that the trust should continue during the lives of survivors of the trustees named in the agreement and 21 years thereafter.

Mr. Tilford was questioned at length on the trust period between 1882 and 1892, and the period of trust liquida-

tion from 1892 to 1899. Rockefeller Owns Over Fourth.

Mr. Tilford, as secretary of the com pany, could give the Government counsel little information during the period of the Standard Oil trust, though he was a liquidating trustee. Mr. Kellogg finally asked Mr. Tilford if during the of the company, and the witness replied there was not.

Another interesting development was the official statement made for the first time today of 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 Kellogg, "Were you not prominent in the brought out today that Mr. Rockefeller owned 256,856 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,-At Tuesday's hearing it was testified that in the years 1899 to 1906 inclusive the Standard Oil Company had earned total profits of \$490,319,344.

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 developmen 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 he liquidating trustees, which had been inally furnished by the Standard Comoany, were now being examined by the Government's counsel, and that it might be several days before the information de sired could be produced in court. Kellogg also intimated that further witnesses might be subpensed as a result of the developments of the last two days and that the hearings would likely be pro-

onged for some time. Mr. Tilford was shown a copy of the agrement of 1882, showing a list of comanles that entered into the trust. "It appears that the Chess Carley Com-

any signed that agreement; have you hought about that since I spoke to last night?" asked Mr. Kellogg.

Trust Still Kept Control.

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



E. L. Fulton. Brother of Senator W. Fulton, of Oregon, Elected Democratic Congressman From Oklahoma.

member of the Chess Carley Company of Louisville, before he became identified with the Standard Oil Company. Mr. Tilford was asked when it signed the trust agreement. He replied that the stockholders were F. D. Carley and the Standard Oil Company, of Ohio. Mr. Tilford said that he became identified with the Standard Oll Company, of Ohio in 1878. He was a liquidating trustee and one of the trustees under the trust agree ment, he said. Mr. Tilford testified that between 1892 and 1899 the trustees received the dividends on the unliquidated stocks of the subsidiary companies, and distributed the money to the holders of the rust certificates and the holders of the quidating assignments. The trustees did not vote this subsidiary stock, as they had done before the company underwen iquidation. Prior to 1892, Mr. Tilford said, the trustees voted the stock and elected the directors of all the subsidiary com-

Mr. Kellogg again asked Mr. Tilford if it was not a fact that the liquidating trustees during the liquidation period voted the stock of the subsidiary companies whose stock was still unliquidated.

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.

"They were elected by individual stock-

polders of these companies," answered 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 256,854 shares out of a total of 372,-

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?"

"Then, when you made out this assign ment 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 prouce a record showing the amount of stock of the Standard Oil Company, of New Jersey, issued to John D. Rocke-

The witness replied that he did not

Series of "I Don't Knows."

Mr. Kellogg then called upon the witsess 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; 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 period of liquidation there had been his associates purchased or disposed of any real change in the management 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 cor pany, you were attorney for the liquidation trusts, and also a trustee?" said Mr.

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

"Can you tell me where the trust cer-"Can you ten me where the day ifficates turned over to your company may be found?" inquired Mr. Kellogs. "I cannot," replied Mr. Tilford.

As to whether the directors of the sub-

As to whether the directors of the suc-sidiary 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 liqui-Mr. Tilford said he had been president

(Concluded on Page Five.)

CLE

PORTLAND, OREGON, FRIDAY, SEPTEMBER 20, 1907.

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.

NEW YORK, Sept. 19 .- (Special.)-Henry H. Rogers' physical breakdown is now attributed to the enormous financial losses he has suffered dur-Ing 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.

It appears that Mr. Rogers has tied up 35 or 40 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 His fortune has been estiper cent. mated 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 apoplection 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.

Builds 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 & Western. His object was to carry coal and lumber to tidewater. The line was to be 443 miles long. Only 125 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

Scheme Is Problematical.

Railway officials, who have watched he construction of the road with intensinterest 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 securi-ties, Mr. Rogers is in a position to gain his end and to see the mileage completed It was learned some months ago tha the Standard Oil man and his associated 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 dally 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 immeasureably better now than he did after his nervous stroke in New York, but he is not entirely well by any means. If he continues t rest, as he does not, there will be no reason for apprehension as 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

Did Not Buy Rogers' U. P. Stock. NEW YORK, Sept. 19 .- (J. P. Morgan

day authorized a denial that he or the banking house of J. P. Morgan & Co. has taken over 60,000 shares of Union Pacific Railway stock from Kuhn, Loeb & Co. supposed to be owned by Henry H. Rogers, of the Standard Oll 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. 9.-Warrants reached this city late this afternoon from Payne, builder of the State Captol Charles G. Weter, his partner, and Stanford Lewis, an associate of Architect Huston, who planned the Capitol. Counsel for Payne and Wetter, waived hearings and hall for Payne was fixed at \$10,000 and for Wetter at \$9000. Counsel for Lewis accepted service in his behalf and furnished \$4000 bail for his client's appearance in court. Payne is said to be ill at Mount Clemens, Mich.

Warrants for eGorge 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

RECORD SMASHER

Crowd of 20,000 Gathers 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 trains, 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 from 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 Port land this evening the Southern Pacific trains were packed, but the passengers were happy and jolly when the train

pulled out of the fain 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

Gate Receipts Break Record.

That the fair this year is a great suc cess is already apparent, for the gate receipts have been beyond all precedent. An innovation was established this year in the form of a 35-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 t

make permanent improvements. the awards for county exhibits and for milch cows. Benton County secured th 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. two premiums were \$150 and \$100 respe tively

Blue Ribbon to Holsteins.

Of course there is the usual disagree ment as to the merits of the exhibits. but the judges made more than a super

orrect awards.

ed to Scappoose Lundo Dekol, a 5-year The rate is equitable, however, for i applies to all alike. The blue ribbon win \$1.03, total \$1.19. Third money went to delding a fraction less than \$1 total. Bor

ficial examination and undoubtedly made

The Holsteins have again won the milk test, the blue ribbon having been awardld cow, owned by P. A. Frakes. The awards were made upon a test of both skim milk and butter fat, the skim milk being valued at 29 cents per hundred pounds and the butter fat at 25 cents a pound. This is taken as an average valuation, though it is a little below the average valuation of the past two years. ner, in the test covering two days showed skim milk worth 17 cents and butter fat worth \$1.08, total \$1.25. Second place went to a Jersey, Line May, owned by Charles Cleveland, and giving skin milk to the value of 16 cents, butter fat an Ayrshire, Bonnie Lad of Bandon, en tered by Gilbert McMillan, of Walia Walla, and giving milk 17 cents, butter fat 83 cents, total \$1. A Holstein, Stanlope Belle, owned by Frank, was fourth



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, Sept. 19 .- (Special.)-Direct negotiations with President Roosevelt have been started looking toward a settlement of the commercial telegraphers strike and, while knowledge of the fact was denied by strike leaders and officers of the companies tonight, it is known that Percy Thomas, deputy president of the National union, and Daniel L. Russell, expresident of the New York local, had a two-hours' talk with the President in Oyster Bay yesterday, and that this conference was by appointment.

On their return to union headquarters in New York there was a marked revivil of spirits among the strikers, and trusted men were sent in various directions on secret and important errands.

Colonel Robert C. Clowry, president of the Western Union Telegraph Company, declared tonight that his company would not arbitrate

WASHINGTON, Sept. 19 .- (Special.)-Negotiations aiming at a settlement of the telegraph strike were begun here to day. Charles P. Nelli, Commissioner of Labor, held a conference with Thomas Mahon and Arthur Douglas, unlon members, who came here specially from New York to explain to the Commissioner that they represented the dominant sentiment of the union telegraphers, and that they wished to make this proposition for set-

A jury of six to be appointed to settle questions under discussion and, providing they could not agree, a seventh to be appointed by President Roosevelt.

SENTENCE COMES QUICKLY NEGOTIATE WITH ROOSEVELT

of Dissension in Ranks.

LONDON, Sept. 19 .- The trial of Arthur P. Greene and Charles Rorer, two Amer icans extradited from New York, charged with robbing the Tiffanys' London store, on Bond street, of Jewelry and gems valued at \$25,000, was concluded today. Rorer was discharged, but Greene was sentenced to five years' penal servitude and recommended to deportation at the expiration of the sentence.

Burd Cassel, Congress;

Conspiracy in Connection With

chesi Jennie Gray, seventh, an Ayrshire

entered by McMillan, took fifth prize,

Excitement Over Awards.

There was intense interest over the

milk contest and a sensation was sprung

when first premium was awarded to a

Red Polled or dual purpose cow. Later

it was found that a circical error had

een made in transcribing the records

and the Red Polled gave place to a

Holstein. Naturally the Holstein breed-

The single farm products contest was

decided today in favor of W. H. Hulburt,

Store Gets Five Years.

Mrs. F. A. Wolf, of Polk.

with a total of almost 99 cents.

Capitol Frauds.

ers are jubilant.

getting second prize.

of Albany.

Pennsylvania, Accused of

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Man Who Robbed Tiffany's London Operators Seek Arbitration-Rumors

> NEW YORK, Sept. 19 .- Conflicting reorts regarding the possibility of an early settlement of the telegraphers' strike were current tonight. From one unofficial ource it was given out that direct negotiations had been opened with President Roosevelt, seeking his aid to bring about arbitration. According to this authority, Percy Thomas, of the National Union and Daniel L. Russell, ex-president of the New York local, had a two-hours' talk with the President at the latter's home in Oyster Bay, on Wednesday last, This could not be confirmed tonight, but Mr. Russell did say:

"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 two members of the union had gone to 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 dissension, 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 tomocrow.

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.

NEW YORK, Sept. 19.—Superintendent Brooks of the eastern division of the Western Union Telegraph Company to-day issued instructions withdrawing the day issued final tools with the state of the strike. The withdrawal extends to the territory east of Buffalo and Pittsburg and north of Washington and includes the entire East.

WALLACE, Idaho, Sept. 19.—(Special.)

—Henry G. Coats was fined the costs of on action of contempt of yourt 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. Coates 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 apply followed the lead of the preserve simply followed the lead of the papers in the district in connection with this and other cases.





HEARST, THE INTERESTS' LATEST CANDIDATE-"I DIDN'T MEAN A W ORD OF IT, FELLOWS, I HAD MY

FINGERS CROSSED ALL THE TIME."