

# THE RALEIGH EVENING TIMES.

VOLUME 30.

RALEIGH, N. C., WEDNESDAY, SEPTEMBER 18, 1907.

PRICE 5c.

## STANDARD'S THOUSAND DOLLAR A DAY LAWYER

Moritz Rosenthal Arrives and Takes Charge of the Big Case

W. G. ROCKEFELLER AND WADE HAMPTON

The Two Gentlemen With the Distinguished Names Will Be Important Witnesses This Evening or Tomorrow—The Evidence So Far Satisfactory to Counsel For the Government—The High-Priced Standard's Chief Counsel Is Reinforced By a Number of Competent Attorneys and the Big Suit Is Being Hotly Contested—It Is to Be a Fight to the Finish and the Roosevelt Administration Is Evidently in Earnest.

(By Leased Wire to The Times.)  
New York, Sept. 18.—William G. Rockefeller, nephew of the oil king and himself a power in the financial world, will take the witness stand before the end of today at the hearing in the Standard Oil Company case, if the plans of Frank P. Kellogg, the government's counsel, do not suffer some unforeseen change. He will probably be followed by Wade Hampton of the company.

Between these two witnesses Mr. Kellogg expects to obtain some new light on many questions relative to the early organization of the company. It is probable, too, that he will learn something valuable concerning the Standard Oil trust that existed prior to the formation of the present company, and that from persons who will hardly be in the position to say they do not know anything about it, or that they have forgotten. At the rate of speed with which Mr. Kellogg went through the examination of witnesses yesterday it seems likely that the process of taking testimony in this jurisdiction will be concluded in about a fortnight.

The government attorneys express themselves as being very well satisfied with the information thus far obtained. They believe that they have already established a good part of their case in the suit for dissolution of the Standard Oil Company as an illegal monopoly.

The testimony today.  
C. G. Fay, comptroller of the trust was the first witness.  
Moritz Rosenthal, chief of the Standard Oil's great array of lawyers, arrived from Chicago today and assumed active charge of the defense. He was surrounded by half a dozen other lawyers of distinction. It was understood that Mr. Rosenthal, who is said to know more about the Standard Oil Company than any of its officers, had been retained at a fee of \$1,000 a day.

Mr. Kellogg started work on what is described in the trust's ledgers as the "C. M. Pratt Investment," and elicited the information that Comptroller Fay, although he had been the chief book-keeper for eight years

Profits of Half Billion in Eight Years. He elicited the information from Comptroller Fay that in the last eight years the profits of the Standard Oil Company had amounted to nearly half a billion dollars.

"On what is this entry 'C. M. Pratt Investment, \$137,400?'"  
"That amount was received in February, 1905, from C. M. Pratt."  
"Do you know the source of that income?"  
"I do not."  
"Does your balance sheet show the asset from which it was derived?"  
The witness hesitated.

"After staring blankly at the Standard's lawyers he volunteered the information that he 'did not know.'"  
"Is the Waters-Pierce Oil Company's account listed as an asset in your books?"  
"Since 1905 it has not been carried as far as I know."  
"Was it there before 1899?"  
"Yes."

Rosenthal said the stock in question was listed as a stock in 1899.  
"Yes, I want to find where it was while earning an income as it did in 1892," said Kellogg.  
"What is the asset in 1899?"  
"\$3,967,832.16, the value of 2,747 shares."

Attorney Milburn objected to the line of questioning but was overruled.  
"If the books show a \$3,000,000 asset in 1899, and nothing in 1900, should the books show what disposition was made of it—what was received for it?" the attorney said.  
"It should."  
"Do you know of any entry that would explain where the stock is?"  
"No, sir."  
"Then all you know is that in 1902 the Standard Oil received from the C. M. Pratt Investment \$137,400; in 1904 \$1,099,200; and in 1905 \$1,853,700?"  
"Yes, sir."

The examination was then direct—  
(Continued on Page Five.)

## LOEB SAYS HIS CHIEF DID NOT

(By Leased Wire to The Times.)

Oyster Bay, N. Y., Sept. 18.—Because of the widespread publicity given the statement of Bishop Berry of Detroit, that either President Roosevelt or Secretary Loeb and not Mr. Fairbanks was responsible for the cocktails used at the luncheon tendered by the vice president at Indianapolis, Secretary Loeb has issued this formal statement in denial:  
"The statement is too absurd to be given any credence. Neither the president nor his secretary, either directly or indirectly ordered anything of any kind at the lunch in question or at any other lunch where they were guests."

Col. L. C. Edwards, of Oxford, Dead.

(Special to The Evening Times.)

Oxford, N. C., Sept. 17.—Col. L. C. Edwards, who has been sick for several weeks with pneumonia, died yesterday afternoon at 4 o'clock at the advanced age of 83 years. The funeral takes place this afternoon from the Episcopal church, of which the decedent was a member.

## MOORS WILL TOMORROW ANSWER PEACE OFFER

(By Cable to The Times.)

Paris, Sept. 18.—Dispatches received today from Tangier state that delegates of the Moorish tribes will tomorrow make answer to the peace terms proposed by General Druce, commander of the French forces.

The representatives of the tribesmen have had many consultations with General Druce and in consequence the Moorish situation has greatly improved. There is strong hope entertained that the tribesmen may come to terms and end the long existing trouble. It has been pointed out to the tribesmen that the French government is not concerned in the struggle now going on between the two sultans of Morocco. All that France and Spain are concerned about is the restoration of peace and the inauguration of the police system according to the terms of the Algeiras convention. The peace terms presented by General

Druce contain many clauses, the most important being the following:  
The punishment of the authors of the Casa Blanca massacres and the ringleaders of the movement.  
An agreement that no tribesmen shall enter with arms within a radius of 12 kilometers of the city.  
The acceptance in principle of the payment of a war contribution, the amount of which will be fixed hereafter by negotiations between the Moroccan government and France and Spain.  
The surrender of hostages to insure the fulfillment of these conditions.  
The surrender of Kaid Oula Hartz, chief instigator of the troubles at Casa Blanca.  
The French government feels greatly encouraged over the present state of affairs in Morocco. At one time it was feared that France would have a genuine war on her hands, but peace prospects are now fair.

## WE HAVE GOT ALL THE BOOKS; A GREAT JOKE

(By Leased Wire to The Times.)

Washington, Sept. 17.—The Southern Railway had a laugh coming today. And the laugh came. It was all because Standing Master Montgomery, appointed by Judge Pritchard to take evidence in the Southern Railway matter in North Carolina, granted the dearest wish of the attorneys for North Carolina and ordered the Southern's officials to produce the books and papers showing the operating expenses of the road in North Carolina.

When the hearing, which had been adjourned from September 11th, convened this morning in the Southern's offices, Mr. Woodard, representing North Carolina, announced, with a note of triumph in his tones, that he would like to have the books and documents produced showing the operating expenses of the Southern's lines, leased lines and otherwise operated lines in the state of North Carolina, for the fiscal years of 1906 and 1907.

"Well, we'll have to seek larger quarters," said Comptroller Plant,

of the Southern.

"Oh, well, we'll see; we'll see," replied Mr. Woodard, evidently in fine feather.  
Mr. Plant called to his subordinate to produce all the records, books, vouchers and other papers as asked for by the state's counsel. Then he turned to the state's counsel and remarked, calmly:  
"There will be about 12,000 vouchers a month, making about 290,000 vouchers, not to mention the records and other books and papers."

Then began a curious scene. Into the small room on the fifth floor of the Southern's building trooped boys and half grown young men, each weighted down with boxes containing what turned out to be but a small proportion of those 290,000 vouchers. Solemnly and ceaselessly, the pilgrimage of the vouchers proceeded. They apparently came from every floor on the building and from other buildings. They were piled on tables, chairs and the floor. Each little box bore a calligraphic sign intelligible to the road's officials but

Greek to the state's attorneys.

Finally, Mr. Bryant, of counsel for the state, asked that one of the records, these being books containing the collected information of the vouchers, be brought in. It was done. It turned out to be a book about two feet wide and a foot and a half tall. Its expansive pages bore figures in red ink that looked like a wilderness of meaningless mathematics.

Mr. Woodard and Mr. Bryant looked at it in despair, and turned the pages in disgust. Mr. Plant sniggered. General Counsel Thom, of the Southern, smiled broadly. Then Mr. Woodard asked Mr. Plant to explain what that awful array of figures meant.  
Mr. Plant tried to do so.  
Mr. Woodard remarked that he and Mr. Bryant, Mr. Justice being absent today, would spend the remainder of the day looking through the books and finding out what they meant. Something in his tone indicated that he knew the size of the task he was mapping out.

## EVENTS CROWD THEM TOO FAST

Rockefeller Will Again Take an Active Part

## JOHN D. IN HIS OFFICE

After Staying Away Eight Years the Oil King Shows Up Twice in the Standard Oil Company's Offices Within Last Two Weeks—Troubles of Company Multiplying So Fast the Old Man Thinks It Advisable to Keep More Closely in Touch With the Management.

(By Leased Wire to The Times.)

New York, Sept. 18.—Things have been happening so fast in the last few months to the Standard Oil Company and the companies in which it is interested that John D. Rockefeller has decided that it is time for him to take a hand. It is learned that he has been down at his office twice in two weeks, although before that time he had not been down for eight years.

He did a good deal of looking around on these occasions, and it is understood that he is going to keep a close watch on the management of the company until several important matters are cleared.

This will not be the case until a successor for H. H. Rogers, who has been the active head of the organization for a long time, and who is now, it is conceded, to retire permanently owing to ill health, has been chosen; until the affairs of Amalgamated Copper and the copper situation generally have been adjusted; until the hearing here before Judge Ferris is weathered; the policy for fighting the \$29,240,000 fine is decided on, and the company has got back some of the peace of mind it enjoyed a few years ago.

## THREW MONEY TO THE WINDS

Reckless Extravagance of Chicago Schoolboys

## MADE RAG-PICKER RICH

Chicago Schoolboys Steal a Pile of Money and Blow It in With Characteristic Juvenile Frivolity—Fool the Detectives After the Thieves and Are Given Away By Associates With Whom They Divided Their Ill-Gotten Wealth.

Chicago, Sept. 18.—Boys and girls of the northwest side are reveling in the possession of unexpected \$5 and \$10 bills as the result of the prodigality of three school boy thieves.

The trio—Edgar Hettlinger, 11 years old; Frederick Clark, 10 years old, and Eric Kell, 10 years old, pupils of the Richard Yates school, "blew in" \$251 in a few hours. The money was stolen from the locker of Mrs. Eva A. Clerie in the school.

Mrs. Clerie had been given this by her husband to deposit in the bank. She left her room for a few moments, carelessly placing her keys on her desk. When she returned she discovered the loss of her money.  
Half a dozen detectives were detailed on the case. A man told the police that his little son and daughter had each given him \$20 which they said had been presented to them.

A detective was sent to the home of young Hettlinger only to be told by his mother, a widow, that he was not at home.

A guard was then placed at the boy's home. Shortly after 2 o'clock in the morning the long-watched was rewarded.

At that hour the lad appeared wearing a new pair of shoes and a new suit of clothes. He was questioned by the policeman as to where he had been and nonchalantly replied:  
"Down to lake for a swim."

To all questions about the missing sum of money the boy made evasive answers. Not until he was confronted with the boy and girl to whom he had given the \$20 each did he confess and implicated his two youthful companions, Clark and Kell.

All three related how they had enriched acquaintances with \$5 and \$10 bills, how they had purchased new suits, leaving their old clothes in a convenient ash barrel, how they had bought roller skates, visited nearby amusement parks, tipping the attendants and how they had ridden in autos until midnight.  
Then, proud of his achievements, Hettlinger told of tossing \$5 bills to the amount of \$95 to the wind in an alley in the rear of the Western avenue station of the Metropolitan Elevated.

These bills, the police learned, had been picked up the following morning by a rag-picker. The boys will be prosecuted.

## HEAD TORN FROM BODY

Horrible Fate of a Charlotte Stenographer

## CRUSHED UNDER TRAIN

Wm. H. Desmond, Jr., Beheaded by Train from Which He Had Just Dismounted—Accident Occurred Near Coal Chute but Engineer Was Not Aware of It Till He Reached Gastonia—Father Notified and Inquest Today.

(Special to The Evening Times.)

Charlotte, N. C., Sept. 18.—Mr. William H. Desmond, Jr., aged 17 years, a stenographer in the office of the American Machinery Manufacturing Company, was run over and killed by Southern passenger train No. 35 just below the old coal chute at 10:25 o'clock last night.

Conductor Gilmer, as his train was pulling out, noticed some one jump off. When he reached Gastonia he wired back to the men in the local office, telling them of what had happened and suggesting an investigation.

A short search revealed a ghastly find. To one side of the track, about 300 yards south of the east Second street crossing, a boy's head was found lying in a pool of blood. The skull had been crushed in and the neck was severed as if with a sharp axe. Fifty feet below the head was the body. It was partly across the track and bore such marks as if the entire train had passed over it. The trunk had been cut almost in two and the legs severed just above the ankles. Every bone in the body and limbs had been broken. Blood and fragments of flesh spattered the tracks nearby. A coat, all tattered and torn, lay to one side of the body. A new hat was found near the severed head.

## BUT HIS ENEMIES MIGHT TEMPT HIM

(By Leased Wire to The Times.)

New York, Sept. 18.—"The president is firm against becoming a candidate for another term, and nothing can alter his determination not to run, unless it is some movement on the part of his enemies."

The above statement was made by one of a party of guests at President Roosevelt's Sagamore Hill residence. According to the same authority, the president believes that at the present stage of the political campaign Secretary Taft is the leading republican candidate, but realizes that Hughes' boom is rapidly assuming large proportions.

## DEATH OF OLD SOLDIER AT HOME THIS MORNING.

Mr. James A. Pittman, aged 74 years, died at the Soldiers' Home this morning. He was a native of Franklin county and has been in the home since 1902. The funeral services will be held tomorrow morning at 9 o'clock

## PRESCRIPTION FOR RAILROAD EXTORTION

and the interment will be in the Confederate cemetery.  
Mr. Pittman was a member of Co. F, 47th North Carolina regiment. He has been twice married, but both of his wives preceded him to the grave. He is survived by several children, all of Franklin county, and by a niece, Mrs. Batchelor, of this city.

## MARRIED AND DEAD WITHIN ONE HOUR.

New York, Sept. 18.—Informed by his physician that he must die in a few hours, Alfred Adler, a wealthy glove dealer at 745 Broadway, summoned a rabbi to his bedside in the hospital and was married to Miss Johanna Harlung to whom he had been engaged for eight years. He died an hour later.

## PETTIBONE MAY NEVER BE TRIED; NEARLY DEAD.

Boise, Idaho, Sept. 18.—George A. Pettibone was unable to appear in the district court today to have his case set for trial.

An affidavit of a physician said he was suffering from a disease which unless soon checked, will prove fatal. It says an operation may be necessary, but fears the patient will be unable to survive it.

## JAP AMBASSADOR TO GERMANY RESIGNS.

Tokio, Sept. 18.—Count Inouye, having resigned as ambassador to Germany, Viscount Aoki, now ambassador at Washington, is mentioned as his possible successor. Should Aoki go to Berlin it is possible that Baron Kaneko may be sent to Washington.

## BARR QUILTS THE JIMTOWN EXPO

(By Leased Wire to The Times.)

Norfolk, Va., Sept. 18.—In a letter addressed to the committee of directors which arranged a settlement of differences existing some weeks ago between himself and President Harry St. George Tucker, of the Jamestown Exposition, James M. Barr requests to be relieved of his duties as director general. Continued conflict between Mr. Tucker and Mr. Barr over the social features of the exposition caused Mr. Barr's action. He claims he cannot continue in his present position and maintain his self-respect.

Director General James M. Barr's resignation came as a bombshell in the camp of the exposition officials although it was known to the committee named by the directors recently to settle the misunderstanding between Mr. Barr and President Tucker. In reference to the social functions at the exposition, that Mr. Barr was not satisfied with the adjustment announced.

In making public his letter of resignation, directed to the committee having the matter in charge, Mr. Barr declared the matter settled and refused to make any further statement.

## AN INTERESTING TIME FOR THOMAS F. RYAN

(By Leased Wire to The Times.)

New York, Sept. 18.—The Evening Post today prints the following story:  
Not many days after Thomas F. Ryan arrives in New York (he is due aboard the steamship Deutschland on Thursday) a subpoena will be served upon Jacob H. Schiff, head of the banking firm of Kuhn, Loeb & Company, demanding his appearance at the traction investigation before the public service commission. Mr. Schiff, it is understood, will be asked to explain how and why he compelled Ryan and his associates, 1903, to take off the banks hands \$6,600,000 of Metropolitan Securities Company stock, over night.

The financial district was somewhat startled one morning, about four years ago, by the announcement that Mr. Schiff had coerced the Ryan clique—presumably through holding over the traction men's heads the threat of disclosing certain facts which had come to light—into raising the large sum necessary for taking back the securities which the banking firm had undertaken to underwrite.

## Inter-State Commerce Commissioner Clements Suggests Remedy

## TIME FOR CO-OPERATION AND NOT COMPETITION

Commissioner Clements Takes Issue With His Chief, Chairman Knapp, and Does Not Agree Fully With President Roosevelt That Pooling Should Be Legalized and Thus Excepting Railroads From Anti-Trust Law—Necessity of Maintaining Natural Laws of Commerce—What the Commission Will Do About Basic Rates—Time Has Come When Co-operation Should Supplant Competition—Preventive of Unjust and Unreasonable Rates.

(By Leased Wire to The Times.)

Washington, Sept. 18.—Judson C. Clements, a member of the Interstate commerce commission, today takes issue with Chairman Martin A. Knapp, who, in an interview in Chicago Monday, declared that the Sherman anti-trust law in its application to railroads and the interstate commerce act, was utterly inconsistent. Chairman Knapp added it plain also that he believed that the time had come, in the management of railroads, when co-operation should supplant competition.

In commenting upon the observation of the head of the federal commission, Judge Clements said:

"Without discussing the advisability of permitting carriers to enter into certain agreements, which are now supposed to be forbidden by the anti-trust act, I have never yet been able to see why the carriers cannot obey the interstate commerce act and the anti-trust act, or the necessity they are alleged to be under, that to comply with the one they must violate the other. The anti-trust provision of the interstate commerce act is in perfect accord with the purposes and principles of the anti-trust act. If the public could at all times be assured of just, reasonable and non-discriminatory rates, there would, of course, be no necessity for either of these acts as applied to the carriers. Neither could there, in such a case, be objection to combination, so often designated by the milder term of 'co-operation.'"

"The experience of the world does not prove that it is safe to construct laws upon the theory that no harm will come to the consumers of any article because of the pacific co-operation between the producers of the same, whereby competition among themselves is destroyed or limited.

"The people who manage railroads are not essentially different in their nature from other classes of people. They desire to make all they can out of the business, just as other people do in their lines of business. What they can get when competition is eliminated may be more than is just and reasonable."

(Continued on Second Page.)

The story in "the street" at the time was that the banker fixed a definite hour for the production of the money, and that the traction group was put to considerable difficulty to raise the cash.

In any event, as has become well known since the little episode, Mr. Schiff got his money back, and it is now certain that he obtained it by telling Ryan and others that he knew the affairs of the Metropolitan Street Railway system had been grossly misrepresented to his firm.

The commonly accepted version of the argument used effectively by Mr. Schiff in his interview with Ryan is about as follows:

"I shall not make public anything I am doubtful about, and what I say will get some attention."

It is learned on trustworthy authority that for years prior to the Jerome investigation the Metropolitan system kept two sets of books; also that Jerome's expert accountant got the wrong set for the purpose of starting criminal proceedings. As is generally known, it was admitted recently that the Metropolitan Company had destroyed all its books.