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HITS THE OIL TRUST

Kellogg Fires Big Gun at the Standard.

RESULT OF TWO YEARS' SEARCH

Brief of the Special Assistant to the United States Attorney General Contains 1,400 Printed Pages—In Argument Mr. Kellogg Declared Rockefeller and Flagler Effected Combination to Secure Monopoly of Petroleum Trade.

St. Louis, Mo., Special.—Special Assistant to the United States Attorney General, Frank B. Kellogg, filed his brief of 1,400 printed pages with the clerk of the United States Court of this city Monday and commenced his argument, after two years of evidence taking, in the government's suit to dissolve the gigantic Standard Oil Corporation of New Jersey for alleged violation of the Sherman act.

Mr. Kellogg commenced with a rather full interview of the evidence taken by the government, before discussing the law applicable to his case. He told of the combination effected by John D. Rockefeller, William Rockefeller and Henry M. Flagler in 1879, conceived, he declared, to effect a monopoly of the petroleum trade, both domestic and export. It was at that moment, according to the Federal lawyer, that the alleged illegal conspiracy to monopolize the oil trade of the country was conceived.

Alleges Conspiracy. Later, said Mr. Kellogg, Henry H. Rogers, John D. Archbold, Oliver H. Payne and Charles M. Pratt were taken into the conspiracy by the other defendants.

To tell more clearly the story of Standard Oil, the special attorney general divided the alleged conspiracy into three periods—the first, from 1870 to 1882, when it was, he said, a simple combination, acting in harmony with its stock interests pooled in the hands of three trustees.

From 1882, continued Mr. Kellogg, to 1899, the defendants' interests were in the form of a trust controlled by nine trustees. This trust, declared illegal by the Ohio courts, was liquidated, and from 1899 to the present time, said Mr. Kellogg, concluding that portion of his narrative, has taken the form of a holding corporation, the Standard Oil Company of New Jersey, controlling subsidiary corporations in alleged restraint of trade or otherwise.

Charges Rebating. After charging that the Standard Oil not only received rebates on all of its own oil but upon all that shipped by the independents, Mr. Kellogg told of the dissolution of the original trust by order of the courts of Ohio and its subsequent liquidation by the trustees.

Never had the government been able to ascertain the exact number of the outstanding trustees' certificates nor who owned them, continued Mr. Kellogg, despite the most earnest search that could be made. That the Ohio trust was never dissolved in good faith was another of the Federal lawyer's charges. Following this alleged liquidation, continued the speaker, the Standard Oil Company of New Jersey was formed to do as a corporation what the trust could not do.

A Costly Contract.

The formation of the Corsicana (Texas) Refining Company and the intricate method by which the Manhattan Oil Company, owning a pipe line in Ohio, was purchased through an alleged dummy English company, was next described. Mr. Kellogg said that the real consideration of the latter company's purchase was a contract to supply the Chicago gas plant of Anthony N. Brady and E. C. Benedict, of New York, with gasoline for ten years at half the market price. That contract, stated the speaker, was worth \$1,300,000.

Mr. Kellogg charged that in the formation of the original Standard Oil Company, of Ohio, men controlling the principal railways of the country, necessary to the conduct of the oil business, were taken in as stockholders.

It was incidental to the acquisition of the Brooklyn firm of Pratt & Co., Mr. Kellogg said, that H. H. Rogers came into the Standard.

"This original trust agreement was never made public in the many Standard Oil investigations throughout this country until the exigencies of this case forced Mr. Rockefeller to produce it in justification of that agreement," said Mr. Kellogg with emphasis.

Mr. Kellogg laid much stress upon the Standard's acquisition of the Se-

curity Oil Company of Texas, with its refinery, through another London concern. Especially did he condemn the big defendants' secret ownership of a majority stock holding in the Waters-Pierce Oil Company, of Missouri.

Enormous Profits. Mr. Kellogg told of the wonderful profits of the Standard Oil Company. For the ten years ending in 1906 the concern had earned, he asserted, the comfortable sum of \$598,226,525 upon a capitalization of \$97,250,000.

The Standard trust and the Standard Oil Company had paid dividends of \$548,436,446 between 1882 and 1906. "And yet," exclaimed Mr. Kellogg, "Mr. Rockefeller, while on the witness stand, talked of the 'hazard' of the business."

"The only place where oil is cheap is where independents sell it," observed Mr. Kellogg, "and if this court gives the Standard Oil Company carte blanche to do as it pleases there will not be an independent company in this country in two years."

Capture One of the Yeggmen.

Asheville, N. C., Special.—News reached the town Monday night at 8 o'clock that Special Deputy Sheriff Frank Rogers, had intercepted the two yeggmen who broke jail at Greenville, S. C., Saturday night, at Craggy station, a point five miles below Asheville; that he engaged in a fierce fight with the two escaping men and that while capturing one he was badly beaten up. It was stated here that Rogers at 8 o'clock, had one of the men under arrest; that the other one had taken his pistol and escaped across the river.

Adams-Butler Suit.

Greensboro, Special.—Friday's proceedings in the Adams-Butler libel suit were rather dull and listless, the greater part of the time being consumed in reading a number of depositions made by persons in Oklahoma and Washington, the object being to attempt to justify the publication by the defendants of articles in The Raleigh-Caucasian reflecting on the personal and official integrity of Judge Adams.

Woman Blackmailed Peppared With Shot.

Washington, Ind., Special.—A woman was shot Tuesday night as she picked up a decoy prepared after Banker N. G. Read had received a letter demanding that he deposit \$30,000 at a designated spot. A man who accompanied the woman escaped unhurt, and the police are looking for him. The woman was peppered with birdshot. The woman, besmeared with blood, was taken to jail, where she was identified as Miss Zella Clark. She has been employed as a domestic.

Whole Jury Panel Unfit For Services

New Orleans, Special.—In the criminal district court Thursday Judge F. D. Chretien dismissed the entire jury panel on motion of District Attorney Adams, who charged that the panel as a whole had shown itself unfit for service; that although the State presented clear cases against a number of accused persons it was unable to secure any convictions before the jurors.

Dr. Jones Slain by Hill Men.

Manilla, Special.—A telegram from the constabulary at Echague reports that the body of Dr. Wm. Jones, the noted anthropologist of the Columbian Museum at Chicago, who was murdered by tribesmen, was taken to that place by friendly Illogots. The murder was committed about fifty miles south of Echague, where Dr. Jones was engaged in studying the wild hill tribes, living among them for the purpose of preparing an exhaustive report of their customs and traditions.

MANY ARE OBLONG.

The decision has been arrived at among certain makers of high-class ready-to-wear suits and dresses that "the oblong woman" is to continue, and hipless dress forms will be the feature of future wearing apparel of this class. Among individual makers, however, practically nothing but the princess dress obtains; but it is so varied that each one seems to be in a class by itself. Some are so severely simple that they really take the place of the tailored suit. Many are "oblong," but many, too, are fitted to the figure quite to the hip line. I have seen one or two which were fitted to and cut off at this line, the skirt below being added there under flat stitching. Sometimes the body portion is made with plaits, stitched flat to the hips, after which they fall free.—Harper's Bazar.

Says the Providence Journal: It is idle to argue further as to the pressing demand for the preservation of the forests. While Congress hesitates the spoliation is going on. Already much injury that is well-nigh irreparable has been done.

FIRE AT FORT WORTH

Destroys \$5,000,000 Worth of Property.

SIX LIVES WERE SACRIFICED

Fire Breaks Out in Fashionable Residence District, Gets Beyond Control Within Fifteen Minutes—Dynamite Effective—Assistance is Rushed From Neighboring Towns.

Fort Worth, Tex., Special.—Fanned by a stiff wind, a fire in the southern portion of this city Saturday afternoon swept over an area of ten blocks in length and seven in width, destroyed property roughly estimated in value to be in excess of \$5,000,000, and caused the death of six persons.

The fire, which broke out in a fashionable residence district, was beyond all control within 15 minutes after it started, and was not checked until dynamite was resorted to, four hours later.

The spread of the flames was not checked until they had eaten their way to the Texas & Pacific Railroad reservation on the east. On the south the fire was checked at the Texas Pacific passenger station, this steel and stone structure forming a bulwark that saved the wholesale district of the city, which at one time was in imminent danger of destruction.

A patient whose identity has not been learned, perished in Walker's Sanitarium and three men were electrocuted and their bodies burned to cinders in the Sawyer electric plant. Herbert Stacy was fatally burned in an endeavor to save his dwelling, and a fireman fell from a house top and was killed.

It is estimated that 500 families are homeless. Many of these have gone to Dallas, where shelter has been offered.

A party of small boys carelessly handling cigarettes is believed to have been the cause of the fire.

SULLY'S PLAN.

Would Save Great Sums to Cotton Farmers—The Warehouse Plan—No Faith in it Say Augusta Cotton Exchange Men.

Atlanta, Ga., Special.—Daniel J. Sully, the one-time great cotton bull manipulator of New York was here Friday and set forth a scheme by which he claims \$150,000,000 to \$250,000,000 may be saved to the raisers of cotton in the South.

He said, "A minimum fund of \$10,000,000, subscribed by the most conservative financiers of the United States, is available to be invested in such iron-clad securities as shall insure the ability and the responsibility of the plan's promoters to redeem their promises and obligations to the last detail."

"The people of the South will be given the first opportunity to invest in this project, if, upon receiving it, it commends itself to their judgment."

The plan contemplates a chain of warehouses across the South sufficient to hold one-third of the cotton crop and thereby enable farmers to store their cotton and draw small amounts upon it to enable them to sell at will instead of by compulsion.

A Savannah special of Sunday however, says the plan does not commend itself to the cotton factories there. They claim that the scheme is not practical or it would have been adopted already through the Farmers' Union without the aid of Sully. They claim that no improvement may be expected from this source.

Killed in Duel With Officers.

Fitzgerald, Ga., Special.—Robert Gresham was killed early Sunday morning in a pistol duel with Chief of Police Brubaker and Patrolman Johnson. The man was being hunted by the officers and fired upon them from a hiding place in a dark alley. The officers jointly opened fire and Gresham fell with four bullet wounds.

Three-Cornered Duel in Streets of Georgia Town.

Hazelhurst, Ga., Special.—Eugene and J. L. Williams, brothers, were shot down on a street of this place by V. T. Stowers, formerly of Conyers, Ga. J. T. Williams being probably fatally hurt. The brothers are members of the firm of Jarman & Williams. It was stated that Stowers had given this firm a check the bank would not honor; that Eugene demanded the money and a fight resulted. J. L. Williams went to his brother's rescue, it is alleged, when Stowers drew his pistol.

RAILWAY FINISHED

Virginian Road Connects Norfolk and Deepwater, W. Va.

BIG CELEBRATION THE SEQUEL

The Great and Splendid Enterprise Financed by E. H. Rogers Given an Auspicious Send-Off.

Norfolk, Va., Special.—The opening of the Virginian Railway, extending from Sewell's Point, Norfolk, to Deepwater, W. Va., on the Kanawha river, a distance of 446 miles, took place last Friday with a most auspicious celebration here, made more notable by the presence of E. H. Rogers, who built the "Virginian" at a cost of about \$40,000,000; Samuel Clements (Mark Twain), and several prominent New York financiers interested with Mr. Rogers in the undertaking.

The celebration festivities began with the arrival early in the day of 625 people from along the line of the new system, on a special train of 12 coaches and two Pullman cars.

The day was filled with events of interest, the programme of entertainment for the visitors including an inspection of the Norfolk harbor, the new Virginian coal pier at Sewell's Point, the largest in the world with a dumping capacity into ship bottoms of 36,000 tons per day, and finally, a public reception to Mr. Rogers and his guests. Mr. Rogers was the guest of honor at a \$20-per-plate banquet Saturday night.

The Virginian Railway, begun in March, 1902, was completed February 17, 1909. More than one million acres of coal lands in West Virginia have been made accessible by it, and the road has opened up a country never before enjoying railway facilities.

Facts About New Railway.

Built by Henry H. Rogers at a cost of \$40,000,000.

Extends from Sewalls Point, tide-water, Virginia to Deepwater, West Virginia, a distance of 446 miles.

Work of construction started March, 1902, and the road was completed February 17, 1909.

Sewalls Point coal pier is the largest one in the world and has a dumping capacity of 36,000 tons a day.

Section traversed by the road one of the richest and most productive in the East.

With a whoop and a hurrah, the echo of which sounded along the line from Norfolk to Deepwater, in the rugged mountains of West Virginia, 442 miles west, Henry H. Rogers' Virginian railway was officially proclaimed completed and ready for business Friday.

Mr. Rogers, the president of the road, as well as the man who furnished most of the money and inspired the building of the road, was here to make the announcement. With him were his friend, Mark Twain, to see that all went well; his son, Henry H. Rogers, Jr., and his son-in-law, Urban H. Broughton. Here as guests of the city and the Virginian Railway, were 700 business men from along the line of the Virginian, and mingling with these were the citizens of Norfolk. Of course, the center of attraction was in Mr. Rogers, and then everybody wanted to see Mark Twain.

The celebration came to a close Saturday night with an elaborate \$20 a plate banquet, given in honor of H. H. Rogers, at the Monticello Hotel by the business men of Norfolk. Among the speakers of the evening were H. H. Rogers, W. H. White, president of the Richmond, Fredericksburg and Potomac Rail-

way, who acted as toastmaster; President W. W. Finley, of the Southern Railway; George W. Stevens, of the Chesapeake and Ohio; Alfred P. Thom, general counsel of the Southern Railway; Governor Claude A. Swanson, of Virginia; W. R. Mayo, of Norfolk and Samuel L. Clemens, (Mark Twain).

The features of the evening were the brief speech by Mr. Rogers and a humorous talk delivered by Mr. Clemens.

Shortly after Mr. Rogers had announced that the road was completed and ready for business, the first steamer, the M. C. Holm, Captain Hagelberg, arrived at the great coal pier of the road at Sewells Point for coal for her bunkers. Four hundred tons were put aboard of her by means of the loading apparatus in us at the pier in three-quarters of an hour. This is probably a record for bunkering ships on the Atlantic seaboard. The steamer Everett arrived at the pier Saturday for a cargo of 7,500 tons of coal for Boston. Mr. Rogers and many others watched the dumping of this coal.

GUILTY IN SECOND DEGREE

Earl Cotten, Tim Holderfield and E. A. Hopkins Convicted.

Raleigh, Special.—After being out all night the jury in the trial of three men for the murder of Dr. E. W. Smith, of Richmond, Va., Saturday morning brought in a verdict of murder in the second degree against Earl Cotten, Tim Holderfield and E. A. Hopkins, otherwise known as "Red" Hopkins, young white men.

With regard to Hopkins the jury recommended mercy. Judge Lyon, of the Superior Court, sentenced Cotten to 30 years in the penitentiary, the full limit, holding him as the leading spirit in the murder. Holderfield, because he was in the employ of Cotten at his cafe, and because of testimony that he was of good character, was sentenced to only 10 years in the penitentiary. "Red" Hopkins was sentenced to 2 years.

Enterprise at a Crisis.

Wadesboro, Special.—While nothing authoritative on the subject can be obtained, there is every reason to believe that the unfortunate litigation in which the Rockingham Power Company has been involved for the past year will ultimately result in the sale of the Blewett Falls property, and that, too, at no distant day. Factional fights have long prevailed in the company. These fights have been between what are known as the North Carolina interests, headed by Hugh McRae & Co., of Wilmington, and the Northern interests, with headquarters in New York and Boston. The warring factions have made several unsuccessful efforts to get together and this means that, unless they yet compromise their differences the great water power must inevitably be sold under the hammer. Over a million and a half dollars have already been spent at the Falls, and it is said that it will take at least as much more to complete the development.

Plant is Sold.

Greensboro, Special.—Trustees in Bankruptcy of the Industrial News, Underwood, Saturday afternoon reported to Referee in Bankruptcy Ferguson that he had effected a sale of the property to E. C. Duncan, for the amount of the mortgage, \$8,000, and recommended that this price be accepted. Referee Ferguson made an order confirming the sale upon payment of the purchase money. Mr. Duncan's purpose in buying the Industrial News is understood to be to resume the publication in Greensboro of a Republican State daily paper. It is rumored that Z. P. Smith, of Raleigh, will be general manager of the business.

Lenoir Hotel Gutted.

Lenoir, Special.—The Hotel Archer, F. V. Archer, owner and proprietor, was nearly destroyed by fire here Sunday morning. The fire company and citizens using the fine water system just installed, by the two hours' heroic effort extinguished the flames and saved the walls and rooms of the building intact, but as a result of the fire and water together, the remains are almost worthless. The building was originally constructed for a sanitarium at a cost of \$20,000. Rooms were finished in the finest woods procurable. The loss cannot be estimated, insurance \$10,000.

Will Build Power Plant.

Asheville, Special.—A franchise has been granted to George E. Lashaw, Gabriel Cannon and A. L. White, all of Spartanburg, S. C., for the building and operation of a \$250,000 power plant at Potts Shoals, on Green River, a point seven miles from Hendersonville. The officers of the company will be at Hendersonville.

Troopers From Washington.

Charlotte, Special.—Through the efforts of Senators Simmons and Overman and Congressmen Webb and Morehead, the War Department of the United States government has agreed to send to Charlotte during the 20th of May celebration troopers, flags and other accessories of the department which will aid materially in the grand event.

Norfolk & Western Trestle Destroyed by Fire.

Durham, Special.—The Norfolk & Western passenger train due here Monday night at 9:15 was annulled and will not be able to make the trip in several days. The trouble comes from the bridge over Staunton river, 35 miles this side of Lynchburg, five spans being burned out and rendering the track on it unsafe for passage. The company made up a train from this point and sent it out there Monday night. For several days the passengers will be transferred.

STOP AT GIBRALTAR

Mr. Roosevelt Spends Several Hours There

WOULD NOT BE PHOTOGRAPHED.

The ex-President Steps Off For a Short Visit—Is Attended by the American Consul and Governor General of Gibraltar—Steamer Sails For Naples at 12:20 O'clock—Tells of the Alleged Assault.

Gibraltar, By Cable.—The steamer Hamburg with Theodore Roosevelt and the members of his party on board, came to Gibraltar a few minutes before 9 Friday morning. Mr. Roosevelt came ashore with Richard L. Sprague, the American consul, and an aide-de-camp of General Sir Frederick Forester-Walker, Governor of Gibraltar.

Accompanied by the Governor, an aide, and Mr. Sprague, Mr. Roosevelt drove in the Governor's carriage out along the North front and up to the limit of British territory.

With Mr. Sprague Mr. Roosevelt then visited the Mediterranean Club, where his name was entered on the visitors' book.

Mr. Sprague and Mr. Roosevelt then drove back to the pier, whence Mr. Roosevelt went off to the Hamburg shortly after half-past eleven. The dock was crowded with people, who gave Mr. Roosevelt an enthusiastic farewell. The Hamburg sailed for Naples at 12:20 o'clock.

Mr. Roosevelt refused to be photographed and declined every request for an interview.

Wednesday night at a dance on the Hamburg, Mr. Roosevelt danced with Miss Ruth Draper. Before withdrawing for the night Mr. Roosevelt appeared in the smoking room and chatted with the passengers for twenty minutes.

When asked directly concerning the rumor that an attack had been made upon him during the voyage, Mr. Roosevelt said that the only basis for it was an "idiotic, excitable Italian" used angry expressions to him while he was on the bridge of the vessel talking to the Captain. He said this man made no attempt upon him whatever and that he was promptly removed and confined below the remainder of the voyage.

As to Child Labor.

New Orleans, Special.—The Southern child labor conference at its session here adopted resolutions embodying a number of important recommendations for legislation on the subject of child labor in the South.

The following are the recommendations in substance:

The employment in factories of no child under the age of 14 years.

The employment in a mine or quarry of no child under the age of 16 years.

The employment of no child under the age of 16 years in any gainful occupation except agricultural and domestic service unless such child can read and write simple sentences in the English language.

That no boy under the age of 16 nor girl under the age of 18 years, except in agricultural or domestic service, be employed between the hours of 7 p. m. and 6 a. m.

An eight-hour day law for children under 16 years of age and for all women.

Employment under the certificate plan.

The employment by the State of proper officials for the inspection of all mines and factories with the power to prosecute violations.

Thorough sanitary and safety regulations.

Making the conference a permanent organization.

In connection with the recommendation for employment under the certificate system, the provisions of the Kentucky law are indorsed.

At the morning session of the conference Oliver R. Lovejoy of New York, general secretary of the National Labor committee, made an address stating that the South wants capital; but that capital must conform to reasonable statutes for the guarding of the welfare of children.

Three Negroes Murdered.

Elizabeth City, Special.—One of the bloodiest brawls that has ever been known in this section occurred Thursday night at Columbia, Tyrrell county, in which three negroes were killed and one terribly wounded. Nothing was known of the trouble until Friday morning when a white man passing heard someone say, "Don't cut me any more." Upon investigation dead negroes with blood still flowing, razors and guns were found on the ground, presenting a horrible spectacle.