

ARCHBOLD VERY ADROIT WITNESS

Asked Regarding Railroad Rates To Independent Shippers. Replied Not a Railroad Man.

STANDARD OIL AND TARIFF.

Talk of Favoritism to His Company "All Bosh"—Investigation Adjourned Until Monday.

New York, Dec. 3.—When the hearing in the government's suit to dissolve the Standard Oil company was resumed today, John D. Archbold, vice president of the company, testified that the Standard purchased the Pacific Coast Oil company of California in 1900 for \$7,000,000. After that its capitalization was increased by successive stages to \$17,000,000 in 1906, when the name was changed to the Standard Oil company of California. Regarding the Barnesdale loan of \$7,500,000, Mr. Archbold said there was no contract of the loan in the city, whereupon Mr. Rosenthal, counsel for the Standard, said he would telegraph the escrow holders in Pittsburgh to mail the contract to the master of the hearings for inspection.

Mr. Archbold said that as far as he knew, the Texas Oil company was not owned or controlled by the Standard. The Texas company sold some of its output, the witness said, to the Standard.

PUTTING REFINERIES IN TRUST.

Mr. Archbold's attention was called to the cost of refineries put into the trust in 1882, which was \$17,000,000. This was the inventory value, said Mr. Archbold, who was then asked if the exhibits of the defense, showing the cost of refineries in 1906 to be \$5,700,000, were not gross costs instead of cost less depreciation. Mr. Archbold said it might have been an error of bookkeeping, whereupon the accountants for both sides began an examination of the exhibit.

At the seaboard were the first refineries at the seaboard, which early realized their value in the export business and took them over.

Mr. Archbold desired to know that if it was not a fact that in 1871, before the Standard was formed, the percentage of export and refined oil to crude productions was not greater than today, when it is only 15 per cent.

"I could not say," replied the witness. "Certainly since then there has been an immense production of low grade oil which is not available for refining."

Mr. Archbold asked the witness if the Devoe Manufacturing company had not sold oil in cans abroad before the Standard purchased it.

Mr. Archbold said the Devoe company had.

Replying to a question, Mr. Archbold said the Standard had purchased oil in Russia, but not now. The Standard had interests in Roumania.

The government counsel then took up the question of tariffs.

The government counsel then took up the question of tariffs on oil in the various countries, and Mr. Archbold said the duties in Russia were just what that country chose to make them.

"If they will let our oil in free, they can get their oils in free here. There is no favoritism among the countries where crude oil is produced. If France has a duty against American oils, the same duties apply to other countries."

Mr. Kellogg asked what were the Standard's advantages with regard to the tariff and Mr. Archbold replied: "All this talk of favoritism to the Standard by the tariff is bosh."

Mr. Archbold said that in spite of the Russian policy of protection, "we manage to get a little in on them occasionally."

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"So if Russia keeps you out we keep them out," said Mr. Kellogg.

"What is meant by 'we'?"

"What do you mean by 'we'—the Republican party?" broke in Mr. Milburn.

The laugh that followed ended the tariff inquiry.

Mr. Kellogg interrogated Mr. Archbold regarding the European petroleum union.

Mr. Archbold said he did not know whether that union divided the European markets or not, but the Standard had a trade agreement with it. He could not say whether the Standard and Russian company divided the German market.

Mr. Archbold spoke of the early difficulties of refining in the Lima oil field because of the sulphur in crude oil and that they had continued to buy it, hoping that some day a way might be found to eliminate the sulphur.

The source of the Standard's crude oil production was inquired into fully by Mr. Kellogg.

"Suppose the producer don't accept the price all he can do is to kick," asked Mr. Kellogg.

"Oh, no, he can store his oil and wait for better prices or find other purchasers. Further, he could stop production and await better prices."

Mr. Archbold said that the Standard would transport any crude oil for any independent producers over all its pipe lines, which were common carriers, in conformity with the tariffs filed with the interstate commerce commission.

Mr. Kellogg asserted that no independent refiners existed at any points at which tariffs were made.

Mr. Archbold said that the pipe lines should not be classed as common carriers.

"Is it not a fact that when the Hepburn law was passed you transferred the pipe lines across Maryland and New Jersey, which were owned by your Pennsylvania company, to prevent them from becoming common carriers?"

"We have at all times shaped our business in conformity with the laws under advice of counsel," replied Mr. Archbold.

SOUTHERN PIPE LINE.

The accounts of the Southern Pipe Line company from 1899 to 1907 showing loans to P. S. Trainer varying from \$2,500,000 to \$1,000,000 each year, and aggregating \$22,000,000, were inquired into by Mr. Kellogg.

"The balance sheets of the Southern Pipe Line company show the following loans," he said: "1899, \$2,607,000; 1900, \$3,300,000; 1901, \$2,745,628; 1902, \$3,256,967; 1903, \$2,963,729; 1904, \$3,915,536; 1905, \$2,341,344. Now Mr. Trainer testified that he knows nothing about these loans, and that the money was never paid to him. Do you know anything about these loans?"

"I do not," said Mr. Archbold.

Mr. Archbold was questioned about a contract that existed between the National Transit company and the Pennsylvania railroad in 1884, whereby the Pennsylvania was to obtain 25 per cent of all crude oil shipped to the seaboard.

Mr. Kellogg wanted to know if it was not a fact that under the contract the Standard paid a part of the railroad rate to the Pennsylvania on the crude oil which the National Transit company carried in its pipe and which the Pennsylvania did not carry.

Mr. Archbold said he was not prepared to give information regarding the contract which, the witness said, was abandoned in 1893.

"But why was the contract cancelled?"

"Because it was thought best to put the contract definitely out of the way."

Mr. Kellogg asked:

"Is it not a fact that the railroads held up the rates, which are practically prohibitive to an independent shipper?"

"I am not a railroad man."

Mr. Archbold said there were many independent refiners today who ship by railroad. These independents went out of business voluntarily and amicably, as they realized their plants were not fitted to survive.

Mr. Archbold raised a laugh when he said he had denounced the South Improvement company, declaring that it was "an outrage on those included in it."

Mr. Kellogg called attention to the evidence that the Standard later went into it.

Mr. Archbold said he had been told afterward that the Standard was to be in an agreement with the South Improvement company, which included all the oil-carrying railroads.

PENNSYLVANIA CONTRACT.

The early contract between the Standard and the Pennsylvania railroad, whereby the Pennsylvania gave a drawback of 10 per cent on all crude oil shipped to seaboard in return for a certain amount of oil to be shipped over the Pennsylvania, was inquired into.

Mr. Rockefeller had testified to this contract at length. Mr. Archbold said there was no secrecy about the contract, which did not continue a long time. He said the 10 per cent was a fair return for evening the process of oil shipments which the Standard guaranteed.

Mr. Kellogg sought to show, through a contract between Daniel O'Dell, of the American Transfer company, and the Pennsylvania railroad, that the Pennsylvania gave a rebate of 20 cents a barrel to the Standard on all oil shipped by others.

Mr. Archbold said that he did not think that possible.

Mr. Kellogg wanted to know about the stipulation made in a contract between the Acme company with the Pennsylvania, whereby the rates for oil transportation should be made public.

"That was probably put in there for the benefit of the shippers. It did not amount to a hill of beans and was all folderol. There were no established tariff rates in those days. We had to bargain for our shipping. I always got the best rate I could."

"Didn't you testify in 1897 that you got a rebate of 63 cents out of a freight rate of \$1.29 1/2 in 1878?"

"I have no recollection."

The attention of Mr. Archbold was called to the testimony of Alexander J. Cassatt, then vice president of the Pennsylvania, that the railroad paid a rebate to the American transfer company on all oil shipped over the Pennsylvania.

A QUEER CUSTOM.

Mr. Archbold said he recollected there were some suits, and added that "it was a sort of custom in those days out in Pennsylvania to bring suits."

Mr. Kellogg pursued the question of rebates given by railroads and Mr. Archbold replied he "got the best rates he could, and he had no doubt that whatever the railroad man promised you, the chances are that on his way home he gave some other man a lower rate."

"Do you know that Mr. Cassatt testified that the Standard received lower rates than any other shipper?"

"I do not know that he so testified."

Mr. Kellogg desired to know if it was not a fact that the price of oil sold to retailers throughout the country today was not higher than it was in 1890.

Mr. Archbold said he did not think so.

"Is it a fact that the marketing stations have reduced the price of oil to their retailers?"

"They were organized to increase the efficiency of distribution."

"Is the price lower to the consumer than it was in 1890?"

"I cannot state as to prices."

Mr. Archbold's cross-examination was closed pending the submission of some information in the form of statements, which will be compiled.

An adjournment was taken until Monday.

MRS. JACK GARDNER AND HER SMUGGLING TROUBLES

Chicago, Dec. 3.—Federal authorities in Chicago will relinquish their hold on the art treasures once owned by Mrs. Jack Gardner of Boston and shipped into the country as household goods by Mrs. Emily Crane Chadbourn of Chicago, only to be seized when their intrinsic worth became known, as soon as Mrs. Chadbourn deposits a bond secured by a certified check equal to the appraised value. Preliminaries were completed today with the filing of a petition in the federal district court in which Mrs. Chadbourn sets forth all the proceedings attendant on the shipping of the valuables and their detention by the government, the payment of the assessed duty and the federal penalty of half the appraised value, and declares that she will file a bond secured by a certified check, made payable to Thomas C. McMillen, clerk of the court, for the appraised value of the articles which have caused such a stir.

Coincident with the filing of the petition signed by Mrs. Chadbourn was a petition from Mrs. Isabelle C. Gardner, otherwise Mrs. "Jack" Gardner, waiving all title to the goods and expressing the desire that they be released and given into the possession of Mrs. Chadbourn.

LINEMAN ELECTROCUTED.

Reno, Nev., Dec. 3.—E. E. Carney, a lineman in the employ of the local power company, was electrocuted at 4 o'clock today while at work on a pole at the corner of Morrill avenue and Fourth street. Four thousand volts passed through his body and he hung limp across the wire until horrified spectators telephoned the station house and the current was turned off. Carney's body was lowered and Dr. Ritchie worked over an hour on him, but the spark of life was gone. Carney was a native of Carson City, Nev., and was a candidate for assessor on the Independence league ticket at the recent election.

ARIZONA ELECTION RETURNS.

Phoenix, Ariz., Dec. 4.—The official result of the vote for delegate to Congress shows:

Cameron, Republican, 12,425; Smith, Democrat, 11,727; Cannon, Socialist, 1,142; Cleary, Independence League, 118; Stewart, Socialist-Labor, 69; Sibley, Prohibition, 166.

WAR WITH JAPAN

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Counsel for Archer went before the governor at the Arlington hotel, and the governor, after hearing both sides, told the New Jersey officials that they would have to produce more evidence to offset the upriver conduct of Archer since he had been a resident of this state for more than seven years.

Archer will probably be released today.

BENTLEY'S BODY FOUND.

Barstow, Cal., Dec. 4.—The body of William Bentley, aged 87, was found yesterday 50 feet back in an abandoned mine on the desert about two miles from town. About a year ago Bentley drifted away from his former associates and took up his abode in the tunnel. He was said to have gathered quite a fortune, but only five cents in cash was

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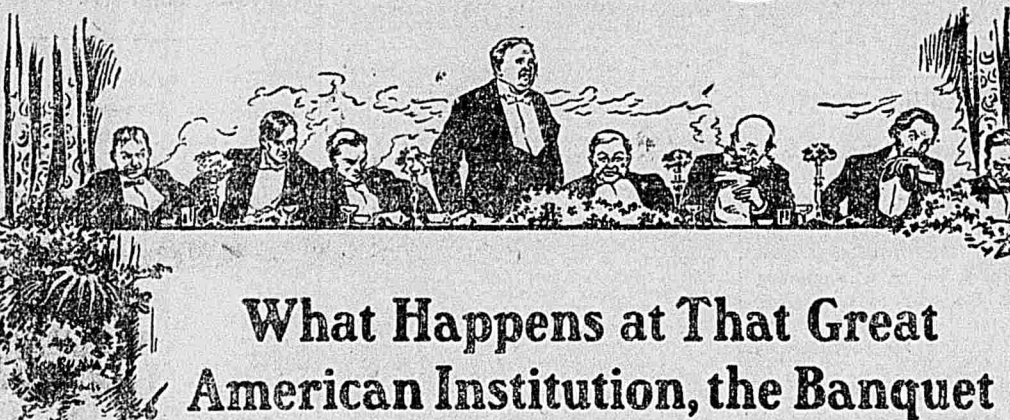
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"We Have With Us To-Night"



What Happens at That Great American Institution, the Banquet

THE society—any society, in any city—is giving a banquet. The diners have had their food hurled at them and have hurled it into them. A long and imposing toast-list has been prepared and the speakers are at the head table trying not to appear self-conscious. Cigars are lighted. The orchestra is playing The Merry Widow. A few of the younger set are humming along with the tune. The ladies have arrived in the gallery. The Toastmaster rises, taps with the gavel, glances around the room and smiles complacently. There is a great noise of chairs being shifted so everybody can face the head table. The Toastmaster straightens his tie, pats his shirt bosom and begins.

What happens is told by Samuel G. Blythe in the Christmas Number of

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found on the body. Men will start tomorrow to dig in the mine in quest of his supposed hidden treasure.

WELLS-FARGO EXPRESS CO. MAY BE ENJOINED

San Francisco, Dec. 4.—On the petition of five of the largest drygoods firms in this city, Circuit Judge Van Fleet yesterday ordered the Wells-Fargo Express company to show cause why a temporary injunction restraining the company from making collections at the advanced rates on large shipments between New York and Pacific coast points should not be granted. The new rates show an increase over the special rates heretofore effective of from 12 per cent advance on 500-pound shipments to 92 per cent advance on 20,000-pound shipments.

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