CHAPTER IX

~~Lincoln Steffins' first contribution to the~~ conscious effort of McClure's Magazine to bring itself into closer touch with the serious problems stirring the country was "The Shame of the Cities" Ray Stannard Baker's, "The Railroads." As for me I was to tackle the monopolistic trusts. There had been a deluge of them since the close of the Spanish-American war and the return of prosperity." It disturbed and confused people. They felt It was contrary to their philosophy, the belief that given free opportunity, free competition, there would always be brains and energy enough to prevent even the ablest leader monopolizing an industry. What was interfering with the free play of the forces in which they trusted? They had been depending on the Federal Anti-trust law passed ten years before. Was it quite useless? It looked that way.

There was much talk in the office about it and there came to the top finely the idea of using the story of a typical trust to illustrate how and why the clan grew. How about the mother of them all - the Standard Oil Company?

I suppose I must have talked rather freely about my own recollections and impressions of its development. It had been a strong thread weaving itself into the pattern of my life from childhood on.

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I had come into the world just before the discovery of oil, the land on which I was born not being over thirty miles away from that first well. The discovery had shaped my father's life, rescuing him as it did thousands of others from the long depression which had devasted the '50's. I had grown up with oil derricks, oil tanks, pipe lines, refineries, oil exchanges. I remembered what had happened in the Oil Regions in 1872 when the railroads and an outside group of refiners attempted to seize what many men had created. It was my first experience in revolution. On the instant the word became holy to me. It was your privilege and duty to fight injustice. I was much elated when not so long afterwards I first fell on Rousseau's "Social Contract" and read his defense of the right to revolt.

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I had been only dimly conscious of what had happened in the decade following-the decade in which the Standard Oil Company had completed its monopoly. It was the effect on the people about me that stirred me, the hate and suspicion and fear that engulfed the community. I had been so deeply stirred by this human tragedy that I had made a feeble and ineffectual attempt to catch it, fix it in a novel.

The drama continued to unfold while I was abroad, came into our very household when a partner of my father ruined by the complex situation shot himself leaving father with notes. To pay them it was necessary in the Panic of '93 to do what in his modest economy was unsound and humiliating - mortgage our home. While the personal tragedies came in my mother's letters my brother wrote me vivid accounts of what was going on in the outside oil world, of the slow action of the Interstate Commerce Commission from which all independents had hoped so much, of businesses ruined while they waited for the decision; of the Ohio suit which drove the trust to reorganization, a legal victory which in no way weakened its hold or crippled its growth. Depressing as this was I was elated by my brother's reports of the growing strength of a strongly integrated co-operative effort of producers, refiners, transporters, marketers. The only escape possible for those who would do independent business, he argued ably, was building their own combination depending less on agitation, politics, legislation, more on sound business. Fight if necessary but above all do business.

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While I was still in Paris this clutter of recollections, impressions, indignations, perplexities, was crystallized into something like a pattern by Henry D. Lloyd's brilliant, "Wealth against Commonwealth." I had been hearing about the book from home but the first copy was brought me by my English friend, J. Wickham Steed, who fresh from two year's contact with German socialism took the work with seriousness. Was not this a conclusive proof that capitalism was necessarily inconsistent with fair and just economic life? Was not socialism the only way out as Lloyd thought?

I was more simple-minded about it. As I saw it it was not capitalism but an open disregard of decent ethical business practices by capitalists which was at the bottom of the story Mr. Lloyd told so dramatically.

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~~since Whitman's Seignobos told us emphatically, as George Kennan's "Siberia" ... There you have a strong frontier contribution to world history.~~

The reading and discussions whetted my appetite and when I came back to America in 1894 and heard anew in the family circle of what had been going on my old desire to get the drama down seized me. Where were those notes I had made back in my Chautauquan days? Gathering dust in the tower room. I looked them up, saw that I had done well in choosing Pithole for my opening scene. Nothing so dramatic as Pithole in oil history. How many men it had made and ruined, but the "bottom had dropped out" in 1866. What was left of it now - 1894? My brother and I drove over to see.

Thirty years before Pithole had been a city of sixteen thousand men and women with all the equipment for a permanent life. Now only stripped fields with no outline of a town remained. We spent a long day trying to place the famous wells, to fix my father's tank shops so profitable while Pithole lasted, to trace the foundations of the Bonta House which had furnished the makings of our home in Titusville. The day left us with a melancholy sense of the impermanence of human undertakings and more to the point it showed me that if I were to reconstruct the town with its activities and its people, picture its rise and its fall, I must go back to records, maps, reminiscences, that I had a long and serious piece of investigation before I began. But given the material how about my ability to make

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them live, to create the drama which I felt? One must be an artist before he can create - that I knew. I was no artist.

Mr. McClure's call to come on and write a life of Napoleon put an end to my hesitations and Napoleon done there had been Lincoln and the Spanish-American War - no time to consider oil, even rejoice over the final success of the integrated industry to which my brother had tied his fortune.

But there I was again faced with the old interest. The desire to do something about it, get down what I had seen seized me. Was it possible to treat the story historically, to make a documented narrative? The more I talked the more convinced I was that it could be done. But to tell the story so people would read it was another matter. Mr. Phillips finally put it up to me to make an outline of what I thought possible. We couldn't go ahead without Mr. McClure's approval and he was ill, in Europe with all his family.

"Go over," said John Phillips, "show the outline to Sam, get his decision." And so in the Fall of 1890 I went to Lausanne in Switzerland to talk it over with Mr. McClure. A week would do it I thought, but I hadn't reckoned with the McClure method.

"Don't worry about it," said he, "I want to think it over. Mrs. McClure and you and I will go to Greece for the winter. You've never been there. We can discuss Standard Oil in Greece as well as here. If it seems a good plan you can send

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for your documents and work in the Pantheon" - and he chuckled at the picture.

Almost before I realized it we were headed for Greece via the Italian Lakes, Milan and Venice. In Milan Mr. McClure suddenly decided that he and Mrs. McClure needed a cure before Greece and headed for the ancient watering place of Salsomaggiore. Here in the interval of mud baths and steam soaks and watching such magnificent humans as Cecil Rhodes and his retinue recruiting from their latest South African adventure we finally came to a decision. I was to go back to New York and see what I could make of the outline I had been expounding. Greece was to be abandoned.

Leaving Mr. & Mrs. McClure to finish their cure I headed for New York to write what as far as title was concerned certainly looked like a doubtful enterprise for a magazine like McClure's - The History of the Standard Oil Company.

"McClure's has courage." How often that remark was made after our undertaking was under way. But courage implies a suspicion of danger. Nobody thought of such a thing in our office. We were undertaking what we regarded as a legitimate piece of historical work. We were neither apologist or critics, only journalists intent on discovering what had gone into the making of this most perfect of all monopolies. What had we to be afraid of?

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I soon discovered, however, that if we were not afraid I must work in a field where men and women were afraid, believed in the all-seeing eye and the all-powerful reach of the ruler of the oil industry. They believed that nobody would be allowed to go ahead openly with a project in any way objectionable to the Standard Oil Company without direct or indirect attack. Examination of their method had always been objectionable to them. "Go ahead and they will get you in the end," I was told by more than one who had come to the conclusion either from long observation or long suffering.

Even my father said, "Don't do it Ida, they will ruin the magazine."

It was a persistent fog of suspicion and doubt and fear. From the start this fog hampered what was my first business, making sure of the documents in the case. I knew they existed. Almost continuously since its organization in 1870 the Standard Oil Company had been under investigation by the Congress of the United States and by the Legislatures of various states in which it had operated, on the suspicion that it was receiving rebates from the railroads and was practising methods in restraint of free trade. In 1872 and again in 1876 it was before Congressional committees, in 1879 it was before examiners of the Commonwealth of Pennsylvania and before committees appointed by the Legislatures of New York and of Ohio for investigating railroads. Its operations figured constantly

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in the debate which led up to the creation of the Interstate Commerce Commission in 1887, and again and again since that time the Commission had been called upon to examine directly or indirectly into its relation with the railroads.

In 1888, in the Investigation of Trusts conducted by Congress and by the state of New York, the Standard Oil Company was the chief subject for examination. In the state of Ohio, between 1882 and 1892, a constant warfare was waged against the Standard in the courts and Legislature, resulting in several volumes of testimony. The Legislatures of many other states concerned themselves with it. This hostile legislation compelled the trust to separate into its component parts in 1892, but investigation did not cease; indeed, in the great industrial inquiry, conducted by the Commission appointed by President McKinley, the Standard Oil Company was constantly under discussion, and hundreds of pages of testimony on it appear in the nineteen volumes of reports which the Commission submitted.

This mass of testimony, all of it submitted under oath contained the different charters and agreements under which the Standard Oil Trust had operated, many contracts and agreements with railroads, with refineries, with pipe-lines, and it contained the experiences in business from 1872 up to 1900 of multitudes of individuals. These experiences had exactly the quality of the personal reminiscences of actors in great events, with the additional value that they were given on the witness stand, and it was fair, therefore, to suppose that they

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were more cautious and exact in statement than many writers of memoirs are. These investigation, covering as they did all of the important steps in the development of the trust, included full accounts of the point of view of its officers in regard to that development, as well as their explanations of many of the operations over which controversy had arisen.

Aside from the great mass of sworn testimony accessible to the student there was a large pamphlet literature dealing with different phases of the subject, as well as files of the numberous daily newspapers and monthly reviews, supported by the Oil Regions, in the columns of which were to be found not only statistics but full reports of all controversies between oil men.

But the documentary sources were by no means all in print. The Standard Oil Trust and its constituent companies had figured in many civil suits, the testimony of which was in manuscript in the files of the courts where the suits were tried.

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Where could I get a copy of that investigation? More than one cynic said, "You'll never find one, they have all been destroyed." When I had located copies in each of two private collections I was refused permission to put my hands on them.

To be sure I did by persistant searching find that so guarded investigation in a phamplet which is one of the three which are all I know to be in existence. I am not supposing that there are not others for I quickly learned when I was told that the entire edition of a printed document had been destroyed to go on looking. Once in print somewhere, sometime, a copy turns up however small the edition. For instance, there was the important Hepburn investigation of the relations of railroads and private industries made by the State of New York in 1879. I could not find a copy in the Oil Regions where I was working. The Standard had destroyed them all I was told. At that time there was in the Public Library of New York City one of the ablest of American bibliographers - Adelaide Hasse. She had helped me more than once to find a scarce document.

"How about this Hepburn investigation?" I wrote Miss Hasse.

"Here in the Library for your use whenever you will come around." But she added, "Only one hundred copies were ever published. It is a scarce piece. I have known of a complete set selling for $100.00. It was understood at the time," she explained, "that one or two important railroad presidents whose

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testimony was given before the committee bought up and destroyed as many sets as they could obtain."

In the end all the printed documents were located. But there were the unprinted testimony taken in law suits. Had incriminating testimony been spirited away from the court files? Henry Lloyd made such an accusation in his first edition of "Wealth vs. Commonwealth." It disappeared from a second edition. I wrote to ask him, "Why?" "The testimony was put back after my book first appeared," he answered. I was particularly anxious to have the original of a dertain document but when I came to look for it it was not in the files. Where was it? How was I to locate it? And if I did succeed would there be any chance judging from past experience that it would be turned over to me? I saw that I must have an assistant, someone preferably in Cleveland, Ohio, so many years the headquarters of the Standard's operations. It meant more expense and I was already costing the office an amount which shocked my thrifty practice. But Mr. McClure and Mr. Phillips being generous and patient and also by this time fairly confident that in the end we would get something worth while told me to go ahead.

I had learned in my Lincoln work that an assistant, even if faithful and hard working, may be an incumbrance when it comes to investigation. It needs more than accuracy; it needs enthusiasm for finding out things, solving puzzles - anybody's puzzles. I wanted a young man with college training, a year or two of experience as a reporter,

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intelligent, energetic, curious, convinced everything he was asked to do was important, even if he did not know why. He got his fun in the chase - you in the bag. Also one to be trusted to keep his mouth shut.

I can recommend the technique I practiced in this case for finding my rare bird. From three different editors in Cleveland I asked the name of a young man whom he thought competant to run down a not very important looking bit of information. To each of the names given me I wrote instructions from New York. I would be around soon to pick up the report, I told them, adding that I would prefer that he say nothing about the assignment.

When I went to Cleveland to view my prospects I found both number one and number two fine intelligent fellows. Their reports were excellent, but they had not the least interest in what they had done. I thanked them, paid them and said, "Good day." The third young man came, short and plump, his eyes glowing with excitement. He sat on the edge of his chair. As I watched him I had a sudden feeling of alarm lest he should burst out of his clothes. I never had the same feeling about any other individual except Theodore Roosevelt. I once watched the first Roosevelt through a White House musical when I felt his clothes might not contain him, he was so steamed up, so ready to go, attack anything, anywhere.

The young man gave me his report but what counted was the way he had gone after his material, his curiosity, his

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conviction that it was important since I wanted it. I thought I had my man. A few more trials convinced me I was right - John M. Siddell, at that time an associate of Frank Bray in the editing of The Chautauquan, the headquarters of which ~~[illegible]~~ ~~time~~ had been shifted to Cleveland from Meadville.

When Siddell once understood what I was up to he jumped at the chance - went to work with a will and stayed working with a will until the task was ended. He was a continuous joy as well as a support in my undertaking. Nothing better in the way of letter writing came to the McClure's office. In time everybody was reading Siddell's letters to me, whether it was a mere matter of statistics or a matter of the daily life in Cleveland of the head of the Standard Oil Company. If anything in or around Ohio interested the magazine the office immediately suggested, "Ask Sid." And Sid always found the answer. Mr. McClure and Mr. Phillips began to say, "We want Sid as soon as you are through with him." Sid saw the opportunity and as soon as I could spare him in Ohio he joined the McClure staff.

I had been at work a year gathering and sifting materials before the series was announced. Very soon after that Mr. McClure dashed into the office one day to tell me he had just been talking with Mark Twain, who said his friend, Henry Rogers, at that time ~~perhaps~~ the most conspicuous man in the Standard Oil group had asked him to find out what kind of a history of the concern McClure's proposed to publish.

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"You will have to ask Miss Tarbell," Mr. McClure told him.

"Would Miss Tarbell see Mr. Rogers?" Mark Twain asked. Mr. McClure was sure I would not ask anything better which was quite true. And so an interview was arranged for one day early in January of 1902 at Mr. Roger's home, then at 26 East 57th Street. I was a bit scared at the idea. I had met many kinds of people but this was my first high ranking Captain of Industry. Was I putting my head into a lion's mouth? I did not think so. It had become more and more evident to me that any attempt to bite our heads off would be the stupidist thing the Standard Oil Company could do, their reputation being what it was. They were not that stupid, I told myself. However, it was one thing to tackle the Standard Oil Company in documents, as I had been doing, quite another thing to meet it face to face. And then would Mr. Rogers "come across?" Could I talk with him? So far my attempts to talk with members of the organization had been failures. I had been met with that formulated chatter used by those who have accepted a creed, a situation, a system, to ~~refuse any longer to examine what they have accepted~~, baffle the investigator trying to find out what it all means.

My nervousness and my skepticism fell away when Mr. Rogers stepped forward in his library to greet me. He was frank and hearty. Plainly he wanted me to be at ease. In that way he knew that he could soon tell whether it was worth his while to spend further time on me or not.

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Henry Rogers was a man of about sixty at this time, a striking figure, by all odds the handsomest and most distinguished figure in Wall Street. He was tall, muscular, lithe as an Indian. There was a trace of the early oil adventurer in his bearing in spite of his air of authority, his excellent grooming, his manner of the quick-witted naturally adaptable man who has seen much of the world. His big head with its high forehead was set off by a heavy shock of beautiful grey air; his nose was aquiline, sensitive. The mouth which I fancy must have been flexible, capable both of firm decision and gay laughter, was concealed by a white drooping moustache. His eyes were large and dark narrowed a little by caution, capable of blazing as I was to find out shaded by heavy gray eyebrows giving distinction and force to his face.

I remember thinking as I tried to get my bearings, "Now I understand why Mark Twain likes him so much. They are alike even in appearance. They have the bond of early similar experiences - Mark Twain in Nevada, Henry Rogers in the early oil regions.

"When and where did your interest in oil begin?" Mr. Rogers asked as he seated me - a full light on my face I noticed.

"On the flats and hills of Rouseville," I told him.

"Of course," he cried, "of course. Tarbell's Tank Shops. I knew your father. I could put my finger on the spot where those shops stood."

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We were off. We forgot our serious business and talked of our early days on the Creek. Mr. Rogers told me how the news of the oil excitement had drawn him from his boyhood home in New England, how he had found his way into Rouseville, gone into refining. He had married and put his first thousand dollars in a home on the hillside adjoining ours.

"It was a little white house," he said, "with a high peaked roof."

"Oh, I remember it," I cried, "the prettiest house in the world I thought it." It was my first approach to the Gothic arch.

We re-constructed the geography of our neighborhood, lingering over the charm of the narrow ravine which separated our hillsides, a path on each side.

"Up that path," Mr. Rogers told me, "I used to carry our washing everyMonday morning and go for it everySaturday night. Probably I've seen you hunting flowers on your side of the ravine. How beautiful it was; I was never happier."

Could two strangers each a little wary of the other have had a more auspicious beginning for a serious talk? - for what followed was serious with moments of strain.

"What are you basing your story on?" he asked finally.

"On documents. I am beginning with the South Improvement Company."

He broke in to say, "Well, that of course was an outrageous business. That is where the Rockefellers made their big mistake."

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I knew of course that Mr. Rogers had fought that early raid tooth and nail, but I also knew that later he had joined "the conspirators" as the Oil Regions called them in carrying out point by point the initial program. But I did not throw it up to him.

"Why did you not come to us at the start?" Mr. Rogers asked.

"It was unnecessary, besides it would have been quite useless - you have written your history," I told him.

"We've changed our policy," he said. "We are giving out information." As a matter of fact Mr. Rogers may be regarded I think as the first Public Relations Counsel of the Standard Oil Company - the forerunner of Ivy Lee, as I was so far as I knew the first subject on which the new policy was tried.

In the close to two hours I spent that afternoon with Henry Rogers we went over the history of the oil business. We talked of rebates and pipe lines, independent struggles and failures, the absorption of everything that touched their ambition. He put their side to me, the mightiness of their achievement, the perfection of their service. Also he talked of their trials, the persecution, as he called it, of their rivals, the attack of Lloyd. "I never understood how Harper could have published that book. Why I knew Harry Harper socially."

"There has always been something," he said a little ruthfully. "Look at things now - Russia and Texas. There seems

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to be no end of the oil they have there. How can we control it? It looks as if something had the Standard Oil Company by the neck, something bigger than we are."

The more we talked the more at home I felt with him and the more I liked him. It was almost like talking to Mr. McClure and Mr. Phillips.

Finally we made a compact. I was to take up with him each case in their history as I came to it. He was to give me documents, figures, explanations and justifications - anything and everything which would enlarge my understanding and judgment. I realized how big a contribution he would make if he continued to be as frank as he was in this preliminary talk. I made it quite clear to him, however, that while I would welcome anything in the way of information and explanation that he could give it must be my judgment, not his, which prevailed.

"Of course, Mr. Rogers," I told him, "I realize that my judgments may not stand in the long run, but I shall have to stand or fall by them."

"Well," he said as I rose to go, "I suppose we'll have to stand it. Would you be willing to come to my office for these talks? It might be a little more convenient."

"Certainly," I replied.

He looked a bit surprised.

"Will you talk with Mr. Rockefeller?"

"Certainly," I said.

"Well," he said a little doubtfully, "I'll try to arrange it."

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For two years our bargain was faithfully kept, I usually going to his office at 26 Broadway. That in itself at the start for one as unfamiliar as I was with the scene and customs of big business was an adventure. My entrance and exit to Mr. Rogers' office was carried on with a secrecy which never failed to amuse me. The alert, handsome, business-like little chaps who received me at the entrance to the Rogers' suite piloted me unerringly by a route where nobody saw me and I saw nobody into the same small room opening on to a court, and it seemed never the same route. I was not slow in discovering that across the court in the window directly opposite there was always stationed a gentleman whose head seemed to be turned my way whenever I looked across. It may have meant nothing at all. I only record the fact.

The only person besides Mr. Rogers I ever met in those offices was his private secretary, Miss Harrison, a woman spoken of with awe at that date as having a $10,000 salary, one of those women who knows her employer's business from A to Z and whom he can trust absolutely. She radiated efficiency - business competency. Along with her competency went that gleam of hardness which efficient business women rarely escape. Miss Harrison never appeared except on rare occasions when an extra document was needed. She was as impersonal as the chairs in the room.

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We discussed in these interviews with entire frankness the laws which they had flouted. I could not shock Mr. Rogers with records, not even when I confronted him one day with the testimony he had given on a certain point which he admitted was not according to the facts. He curtly dismissed the subject. "They had no business prying into my private affairs." As for rebates "somebody would have taken them if we had not."

"But with your strength, Mr. Rogers," I argued, "you could have forced fair play on the railroads and on your competitors."

"Ah," he said, "but there was always somebody without scruples in competition, however small that somebody might be. He might grow."

There it was, the obsession of the Standard Oil Company, that danger lurked in small as well as great things, that nothing however trivial must live outside of its control.

These talks make me understand as I could not from the documents themselves the personal point of view of independents like Mr. Rogers who had been gathered into the organization in the first decade of monopoly making. For instance there was Mr. Rogers' reason for desiring the trust agreement made in 1882:-

"By 1880," said Mr. Rogers, "I had stock in nearly all of the seventy or so companies which we had absorbed. But

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the real status of these companies was not known to the public. In case of my death there would have been practically no buyer except Mr. Flagler, Mr. Rockefeller and a few others on the inside. My heirs would not have reaped the benefit of my holdings. The formation of the trust changed this. The public at once realized the value of the trust certificate. That is, my estate was guarded in case of my death."

He often emphasized the part economies had played not only in building up the concern but their individual fortunes - economies and putting their money back into the business. "We lived in rented houses and saved money to buy stock in the company," he told me once.

Only one who remembers, as I do, the important place that owning your own home took in the personal economy of the self-respecting individual of that day can feel the force of this explanation.

I was curious about how he had been able to adjust his passion for speculation with Mr. Rockefeller's well - known antagonism to all forms of gambling.

"Didn't he ever object?" I asked.

"Oh," he said a little ruthfully, "I was never a favorite. I suppose I was a born gambler. In the early days of the Charles Pratt Company, the Company of which I was a member - I always carried on the speculations for the concern - Mr. Pratt ~~had~~ said ~~to me~~, 'Henry, I haven't got the nerve to speculate. I kicked all the clothes off last night worrying about the market.'

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"Give me the money," I told him, "and I will furnish the nerve. We simply racked in the money," making a gesture with both hands. "And of course it came out of the producer."

"That is what my father always said," I told him. "One of the severest lectures he ever gave me came from one of those booms in the market which sent everybody in the Oil Regions crazy, for which I suppose you were responsible. I remember a day when the schools were practically closed because all the teachers in Titusville were on the street or in the Oil Exchange - everybody speculating. I was in High School, the fever caught me, and I asked father for $100.00 to try my luck in the market. He was as angry with me as I ever saw him. 'No daughter of mine,' he said, etc., etc."

"Wise man," Mr. Rogers commented.

"But it was not because he was so cautious," I said. "It was because he thought it was morally wrong. He would no more have speculated in the stock market than he would have played poker for money."

"I always play poker when the market is closed," said Mr. Rogers. "I can't help it. Saturday afternoons I almost always make up a poker party and every now and then John Gates and I rig up something. He'll come around and say, 'Henry, isn't it about time we started something?' We usually did.

All of these talks were informal, natural. We even argued with entire friendliness the debatable question, "What is the worst thing the Standard Oil Company ever did?" Only now and then did one

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of us flare and then the other generally changed the subject.

"He's a liar and a hypocrite and you know it", I exploded one day when we were talking of a man who had led in what to me was a particularly odious operation.

"I think it is going to rain," said Mr. Rogers looking out the window.

Mr. Rogers not only produced documents and arguments he produced people with whom I wanted to talk. The most important was Henry Flagler who had been in on the South Improvement Company, that early deal with the railroads which had started the Standard Oil Company off on the road to monopoly. There had always been a controversy as to who had suggested that fine scheme. Mr. Flagler was in it. What did he know? Mr. Rogers arranged that I talk with him.

Henry Flagler was not an acceptable figure even to Wall Street in those days. There were scandals of his private life which true or not his fellow financiers did not like. Bad for business. I found him a very different type from Henry Rogers. He, for instance, did not conceal his distrust of John Rockefeller. "He would do me out of a dollar today," he said off his guard, "that is," catching himself, "if he could do it honestly."

Mr. Flagler knew what I had come for but instead of answering my direct questions he began to tell me with some show

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of emotion of his own early life, how he had left home because his father was a poor clergyman - $400.00 a year, a large family of children. He had not succeeded until he went into the commission business with Mr. Rockefeller in Cleveland. "And from that time we were prospered," he said piously. In the long story he told me the phrase,"We were prospered," came in again and again. That was not what I was after. Their prosperity was obvious enough. Finally I returned with some irritation to the object of my visit.

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"I see you do not know or are unwilling to say, Mr. Flagler, who originated the South Improvement Company, but this is certain Mr. Rockefeller had the credit of it in the Oil Regions. You know, yourself, how bitter the feeling was there."

"But, ah, Miss Tarbell," he said, "how often the reputation of a man in his lifetime differs from his real character. Take the greatest character in our history, how different was our Lord and Saviour regarded when he was alive from what we now know him to have been."

very amusing

After that further questioning was of course hopeless and I sat listening to the story of how the Lord had prospered him until Mr. Rogers returned. I never was happier to leave a room but no happier than Mr. Flagler was to have me go.

Mr. Rogers produced Mr. Flagler and others of lesser importance. But although I referred to his semi-promise in our first interview to produce Mr. Rockefeller I found that after a few months there was no hope of this. If I hinted at it he parried.

Nearly a year went by after my first interview with Mr. Rogers before the articles began to appear. I rather exptected him to cut me off when he realized that I was trying to prove that the Standard Oil Company was only an enlarged South Improvement Company. But to my surprise my arguments did not seem to disturb him. They had won out, had they not? He sometimes complained that I had been unnecessarily blunt or a bit vindictive, but he

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continued to receive me in friendly fashion and to give me perhaps not all the help he might but always something to make me think twice, frequently to modify a view.

But if he was not himself disturbed by what I was doing why did he continue the interviews? Gradually I became convinced it was because of his interest in my presentation of a particular episode in their history. It was a case in which Mr. Rogers along with all of the members of the Board of a subsidiary company, the Vacuum Oil Company of Rochester, New York, had been indicted for conspiring to destroy an independent refinery in Buffalo, New York.

In my opening interview with Mr. Rogers he with some show of feeling had told me he wanted me to get a correct and impartial version of this Buffalo case, as he always called it. There had been a break in his voice when with hesitation he said, "That case is a sore point with Mr. Archibald and me. I want you to go into it thoroughly. I have the reports of the testimony before the Grand Jury; it took me months to secure them. Of course in a sense I have no right with them. I told my children that if their father's memory is ever attacked this will serve to vindicate him. He must stand or fall in their estimation by that testimony."

At our second interview he produced the testimony before the Grand Jury, repeating again that of course he had no business with it but that he had to have it. He would not allow me to take it away and at his request I read the sixty or more pages

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in his presence. It seemed quite clear to me, as I told Mr. Rogers on finishing the reading, that his connection with the affair had been so indirect that I could see no reason for his indictment, although it seemed equally clear to me that there was ample reason for the indictment of certain of his co-directors. The Judge was of that opinion for he dismissed the indictment against Mr. Rogers and two of his fellow directors while sustaining that against the responsible operating heads of the concern.

I soon discovered that what Mr. Rogers wanted me to make out was that the three men who had founded the independent enterprise, all of them former employees of the Vacuum Oil Company, had done so for the sole purpose of forcing the Standard to buy them out at a high price, that is that ~~from the start~~ it was a case of planned blackmail. But the testimony certainly showed little evidence of that while it did show clearly enough that the managers of the Vacuum Oil Company from the hour they had learned of the undertaking had made deliberate and open attempts to prevent the Buffalo Refinery doing business.

The more thoroughly I went into the matter - and I worked hard over it - the more convinced I was that while there had been bad faith and various questionable practices on the part of members of the independent firm they had started out to build up a business of their own. Also it was clear they had had hardly a shadow of success under the grilling opposition of the Standard concern. This included various suits for infringement of patents all of which the Standard had lost. In course of the years of litigation

four juries, two Grand Juries and two Petite Juries gave verdicts against the Standard. Oil Company.

Finally the independent concerns was so shot to pieces by the continuous bombardment that it had to be put into the hands of a receiver. The Standard offered to settle for $85,000.00 and the Judge ordered the acceptance. This made them the owners of the bone of contention.

I had a feeling that my final conclusion in the matter would probably end my relations with Mr. Rogers. I did not want to spring that conclusion on him, that is, I wanted him to know ahead of publication where I had come out. Although I had never allowed him to read an article before its appearance, that being part of the original compact, I broke my rule in this case. Promptly I received a letter asking me to call at 26 Broadway. He received me in his usual cordial way and told me he had gone over my article carefully, compared it with certain papers in his possession and had written me a letter in which he had stated his criticisms.

Handing me the letter he said, "I think it will be a good plan for you to read that out loud, so that we can talk it over here."

I began to read, but broke off with the first sentence. Mr. Rogers had written that he appreciated my request that he should make the story correspond with his knowledge and opinion of the case.

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"Mr. Rogers," I said, "if you will look at my letter you will see that I did not suggest that you make the article correspond with your opinion of this case. I am convinced that I cannot do that. I asked you to examine the article and see if I had made any errors in statement or had omitted any essential testimony on either side."

He smiled. "Never mind, go ahead," he said.

The letter was admirable, almost every point well taken. There was nothing which it was not proper for me to consider at least, and with certain of his points I said at once that I was willing to comply. The discussion of the letter finished I inwardly breathed a sigh of satisfaction. We were going to part on friendly terms with neither of us having yielded our conviction.

But I had not counted on the resources of Henry Rogers in a matter in which he was deeply concerned, particularly one which touched his personal pride and aroused his fighting spirit. For as I was about to go he sprang on me an entirely new interpretation of the case. Not only was the suit of the independent refinery in which he had been indicted a continuation of the original blackmailing scheme, but the lawyers in the case had themselves been in the conspiracy. He laid before me a number of documents which he claimed proved it. The chief of these was the itemized report of the receiver. This report showed that the lawyers had taken the case knowing that if the Buffalo concern did not win there would be no fees, that when

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the matter had finally been settled that they had made what the receiver considered exhorbitant claims for their services. There were five of them and they finally were allowed some thirty thousand dollars.

"You can see," Mr. Rogers said as he pointed out these facts, "why they were so eager to convict us. They were making a raid on the Standard and the Bench was with them."

That the Bench was with them he based on the fact that two of the lawyers originally in the case had later been elevated to the Bench. They had not of course heard the case but they had put their information and conclusionsat the disposal of their successors.

I was startled by this sudden and sinister accusation and sat for some time with my head bent over the documents forgetting his presence trying to get at the meaning of the document. Was there any other explanation then that which Mr. Rogers had given me with such conviction? Looking up suddenly for the first time in my experience with Mr. Rogers I caught him looking at me with narrowed and cunning eyes. I took alarm on the instant.

"We are not the only ones you see, Miss Tarbell."

"If this means what it seems to mean you are not, but I shall have to study these doduments Mr. Rogers; I shall have to consult a lawyer about the practice common in such cases."

"That will be all right," he said.

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He was more exultant than I had ever found him. "I knew that paper would come in well some day. To get it I consented to our people buying the Buffalo refinery - we did not want it but I wanted to get the receiver's reports and know just what had been done with the money we had paid them."

On the whole I had never seen him better pleased with himself than he was at that moment. His satisfaction was so great that for the first time in our acquaintance he gave me a little lecture for a caustic remark I had made. "That is not a Christian remark," he said. I contended that it was a perfect expression of my notion of a Christian.

"You ought to go to Church more frequently," he said. "Why don't you come and hear my Pastor, Mr. Savage?"

We parted on good terms after a discussion of our religious views and church going practices and he gave me a cordial invitation to come back which I agreed to do as soon as I had studied the new angle in the Buffalo Case.

Aided by a disinterested and fair-minded lawyer I gave a thorough study to the documents, but do my best I could not convince myself that Mr. Rogers' contention was sound. It is not an unusual thing for lawyers to take cases they believe just knowing that their compensation depends on their winning. Many clients with just cases would be deprived of counsel if they had to insure a fixed compensation, for not infrequently, as in the Buffalo Case, all that a client has is involved in a suit. The practice is so common among reputable lawyers that it certainly

cannot be regarded as a proof of a conspiracy, unless there is a reason to suppose that they have taken a case of whose merits they themselves are suspicious. There was no evidence that the counsel of the independent concern was not convinced from the first that they had a strong case. Their claims were large, but lawyers are not proverbial for the modesty of their charges and besides, exorbitant charges can hardly be construed as a proof of conspiracy.

When I finally had written out my conclusion I sent a copy of it to Mr. Rogers saying I would be glad to talk it over with him if he wished. He did wish it - wrote me that he had new material to present. But before the date set for the meeting an article in our series was published which broke off our friendly relations.

In studying the testimony of independents over a period of some thirty years I had found repeated complaints that their oil shipments were interferred with, their cars side-tracked en route while pressure was brought on buyers to cancel orders. There were frequent charges that freight clerks were reporting independent shipments.

I did not take the matter seriously at first. The general suspicion of Standard dealings by independents had to be taken into consideration, I told myself. Then, too, I was willing to admit that a certain amount of attention to what your competitor is doing is considered legitimate business practice.

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that
I knew/in the office of McClure's Magazine we were very keen to know what other publishers were doing. And, too, there is the over-zealous and unscrupulous employee who in the name of competition recognizes no rules for his game.

But the charges continued to multiply. I met them in testimony and I met them in interviews. There was no escaping, men told me. "They know where we send every barrel of oil. Half the time our oil never reaches its destination." I could scarcely believe it. And then unexpectedly there came to my desk a mass of inconvertible proofs that what I had been hearing was true and more. As a matter of fact this system of following up independent oil shipments was letter perfect, so perfect that it was made a matter of office bookkeeping.

"It looks sometimes," Mr. Rogers had said to me "as if something had the Standard Oil Company by the neck, something bigger than we are."

In this case the something bigger was a boy's conscience. A lad of sixteen or seventeen in the office of a Standard plant had as one of his regular monthly duties the burning of large quantities of records. He had carried out his orders for many months without attention to the content. Then suddenly his eyes fell one night on the name of a man who had been his friend since childhood, had even been his Sunday School teacher, an independent oil refiner in the city, a Standard competitor. The boy began to take notice; he discovered that the name appeared repeatedly on different forms and in the letters which he was destroying. It made him uneasy and he began to piece

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the records together. It was not long before he saw to his distress that the concern for which he was working was getting from the railroad offices of the town full information about every shipment that his friend was making. Moreover, that the office was writing to its representative in the territory to which the independent oil was going, "Stop that shipment - Get that trade." And the correspondence showed how both were done.

What was a youth to do under such circumstances? He didn't do anything at first but finally when he could not sleep nights for thinking about it he gathered up a full set of documents and secretly took them to his friend.

Now this particular oil refiner had been reading the McClure's articles. He had become convinced that I was trying to deal fairly with the matter. He had also convinced himself in some way that I was to be trusted so one night he brought me the full set of incriminating documents. There was no doubt about their genuineness. The most interesting to me was the way they fitted in with the testimony scattered through the investigations and law suits. Here were bookkeeping records explaining every accusation that had been made. But how could I use them? Together we worked out a plan by which the various forms and blanks could be reproduced with fictious names and persons and places substituted for the originals.

It was after this material had come to my hands that I took the subject up with Mr. Rogers. "The original South Improvement Company formula, Mr. Rogers, provided for reports of

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independent shipments from the railroads. I have come on repeated charges that the practice continues. What about it? Do you follow independent shipments? Do you stop them? Do you have the help of railroad shipping clerks in the operation?"

"Of course we do everything we legally and fairly can to find out what our competitors are doing, just as you do in McClure's Magazine," Mr. Rogers answered. "But as for any such system of tracking and stopping, as you suggest, that is nonsense. How could we do it even if we would?"

"Well," I said, "give me everything you have on this point."

He said he had nothing more than what he had already told me.

Nothing that I had taken up in the course of the investigation disgusted me as much as this espionage system. It was so unworthy of the powerful creatures they were. It seemed a confession of inward panic as well as utter indifference to other men's rights. No article that I wrote produced so profound an impression on the office. Even my Cleveland assistant, John Siddell insistant as he was on facts and their cool-headed presentation was stirred to eloquent comment.

"This," he wrote me on reading the story, "is a drama in which we all have speaking parts. Which of us, pray, has no place in this story? Rockefeller's amazing grasp of things big and little - his ability to show the world a perfect

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organization, absolutely perfect - his power to surpass any in the development and maintenance of legitimate trade devises - and then, the ceaseless and wicked vigilance exacted from employes - the destruction of young men's ideals - the public degraded - disbelief in righteousness extended - the money cost of savage warfare beat from the hides of the poor and innocent. My good old mother will be interested. Hasn't she bought enough coal oil to float her house in? She'll be mad clear through. I know. I've heard the rumblings. This will be her first chance to get to the bottom of the thing."

As I have said, the article came out just before I was to see Mr. Rogers on what I hoped would be the last of the Buffalo Case. The only time in all my relations with him when I saw his face white with rage was when I met the appointment he had made. Our interview was short. "Where did you get that stuff?" he said angrily, pointing to the magazine on the table.

And all I could say was, "Mr. Rogers you can't for a moment think that I would tell you where I got it. You will recall my efforts to get from you anything more than a general denial that these practices of espionage so long complained of were untrue, could be explained by legitimate competition. You know this bookkeeping record is true."

There were a few curt exchanges about other points in the material but nothing as I now recall on the Buffalo Case. The article ended my visits to 26 Broadway. Nearly four years passed before I saw Henry Rogers again - four years which brought great changes to both of us.

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