

**INDUSTRIAL RECORD**

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sociation. Adopted September 11, 1903, as  
the only official organ of the T. O. A.Commended to lumber people by special  
resolution adopted by the Georgia Sawmill  
Association.**THE RECORD'S OFFICES.**The publishing plant and the main offices  
of the Industrial Record Company  
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very heart of the great turpentine and  
yellow pine industries.**NOTICE TO PATRONS.**All payments for advertising in the In-  
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Industrial Record Publishing Co.

**TO OBTAIN TURPENTINE FROM  
RESINOUS WOOD.**The attention of Consul General George  
N. West has been called to a small plant  
in operation in Vancouver in which ex-  
periments have been carried on for several  
years with the view of obtaining turpen-  
tine from the resinous woods of British  
Columbia by an electrical process of dis-  
tillation. He reviews the process made:"The operations thus far have been car-  
ried on in a small way, only about two  
cords of wood or mill refuse having been  
treated daily. It is claimed, however, that  
the results have been eminently satisfac-  
tory. The turpentine, after tests by  
chemists and painters, who have used the  
product edge of the process and cost of  
manufacture, they claiming that the  
small plant now in operation is producing  
the products at the price a cord stated."The amounts of by-products to be ob-  
tained from one cord of wood (amount of  
turpentine not being stated) are as fol-  
lows: Rosin, 60 pounds; tar oil, 20 gal-  
lons; charcoal, 1,300 pounds. The oil is  
used for wood preservative, and is also  
manufactured into shingle stain. The  
charcoal, having been coked and cooled in  
a can out of contact with the air, is very  
perfect and valuable for making powder."The resinous woods necessary for use  
in this plant are accessible in large quan-  
tities at cheap rates, not only from the  
many mills in Vancouver and near vicini-  
ty, but also from the standing timber  
that is not salable for lumber, and canreadily be procured. The plant has re-  
cently been increased to treat forty cords  
of wood a day."—Consular Report.**LUMBER CUT OF THE UNITED  
STATES IN 1908.**During the year 1908, 31,231 sawmills  
in the United States manufactured 33,-  
289,369,000 feet of lumber, according to  
a preliminary report just issued by the  
Bureau of the Census. These mills also cut  
12,106,483,000 shingles and 2,986,684,000  
lath. Lumber manufacturing like every  
other industry, felt the effects of the busi-  
ness depression which began in October,  
1907. Consequently the production in  
1908 was below that for the previous year.  
In 1907 the cut of 28,850 sawmills was  
40,256,154,000 feet, the highest production  
ever recorded. Notwithstanding, there-  
fore, that in 1908 reports were received  
from eight per cent more mills than in  
1907, the decrease in lumber cut reported  
by them was slightly over seventeen per  
cent.Washington, as for several years past,  
still ranks first among the States in lum-  
ber production, its cut in 1908 being 2,-  
915,928,000 feet—a decrease of 22.8 per  
cent over the cut in 1907. Nearly all the  
lumber manufactured in Washington is  
Douglas fir, the market for which was  
seriously affected by the panic. Louisi-  
ana ranks second, with 2,722,421,000 feet,  
a decrease of 250,000,000 feet or 8.4 per  
cent over the cut in 1907. Louisiana is  
first in the production of both yellow pine  
and cypress. Cypress is a particularly  
useful and valuable wood, and apparently,  
the manufacturers of it did not suffer as  
severely from dull times as did the manu-  
facturers of yellow pine and Douglas fir.  
Mississippi was the third State in lumber  
production in 1908, with a total of 1,861,-  
016,000 feet—a decrease of eleven per cent  
from the cut in 1907. Arkansas ranked  
fourth, with 1,656,991,000 feet—a decrease  
of nearly seventeen per cent over the pre-  
vious year's output, and Wisconsin fifth,  
with 1,613,315,000 feet against 2,003,279,-  
000 feet in 1907. In Texas, where the  
lumber industry is confined almost exclu-  
sively to yellow pine, the falling off was  
very heavy. The total cut of the State in  
1908 was 1,524,008,000 feet—a decrease of  
31.6 per cent over the cut in 1907. Eight  
other States manufactured more than one  
billion feet each of lumber last year. In  
the order of importance they were: Mich-  
igan, Oregon, Minnesota, Pennsylvania,  
Virginia, Alabama, North Carolina, and  
West Virginia. California and Maine,  
other States which reported more than one  
billion feet in 1907, went just below that  
figure in 1908. The totals for a few  
States were greater in 1908 than in 1907,  
but this was chiefly due to the larger  
number of reports secured in those States  
in 1908. In Georgia, for instance, a par-  
ticularly close canvass increased the num-  
ber of mills reporting nearly one-third,  
while the resulting increase in reports of  
total production was only six per cent.  
In Massachusetts; 610 mills reported a cut  
of 384,526,000 feet in 1908 as compared  
with a cut of 364,231,000 feet by 518 mills  
in 1907. In Colorado, 254 mills cut 182,-  
036,000 feet in 1908, while in 1907, 230  
mills cut 134,239,000 feet. A particularly  
large gain in mills reporting was made in  
Oklahoma. In 1907, 129 mills in that  
State cut 140,015,000 feet, while in 1908,  
214 mills cut 158,756,000 feet.While there are many very large saw-  
mills in the United States, the small mills  
far outnumber the large ones, and it is  
particularly interesting to note how manyof these small mills there are in the States  
which are not now of first rank in lumber  
production. The statistics for New York  
were collected by the Forest, Fish and  
Game Commission of that State, which se-  
cured reports from 2,291 mills. In Penn-  
sylvania, 2,224 mills reported to the Cen-  
sus, and in Virginia, 1,937 mills. In North  
Carolina reports came from 1,740 mills,  
and in Kentucky from 1,530 mills. The  
number of mills reporting from Tennessee  
was only forty less than from Kentucky.  
In West Virginia, Georgia, Missouri, Ohio,  
and Indiana between 1,000 and 1,100 mills  
each were engaged in cutting lumber last  
year. The average output per mill was  
350,000 feet in New York, and 5,260,000  
feet in Louisiana, these two States pre-  
sented nearly the extremes of production  
by small and large mills.Yellow pine, Douglas fir, white pine,  
oak, hemlock, and spruce, in the order  
named, were the woods cut into lumber in  
the largest quantity. Yellow pine has  
ranked first since it surpassed white pine  
in the later nineties, and it is still far in  
the lead. More recently, white pine has  
also been superseded by Douglas fir, so  
that now it occupies third place.Washington has been the principal shin-  
gle producing state since the use of red  
cedar shingles became general, and it sup-  
plied three fifths of the total output of  
shingles last year. Among the other shin-  
gle producing States, Michigan, Louisi-  
ana, Maine, and California were the most  
important. The shingle cut in Michigan  
and Maine are chiefly of white cedar, those  
in Louisiana of cypress, and those in Cali-  
fornia, of red wood. Laths are generally a  
by-product of lumber manufacture, and  
are made to some extent from almost  
every wood that is cut into lumber. Among  
the kinds of lath which are most promi-  
nent are white pine, Douglas fir, spruce,  
yellow pine, cypress, and hemlock.**TURPENTINE STATISTICS.**Mr. A. C. Symmes of The McKoy Cup  
Co., of New Orleans, paid The Record a  
very pleasant visit last week.His company has been making a per-  
sistent search after the truths of the  
naval stores productions during the last  
few years and we hope soon to publish  
some of the more interesting data.**NAVAL STORES TRUST CASE.**

(Continued from page 5.)

pose of this evidence is to sustain a count  
in the indictment of alleged coercion, the  
coercion alleged being, if I understand it  
correctly, that the American Naval Stores  
Company declined to make a contract to  
buy the merchandise of the West, Flynn  
& Harris Company, represented by Mr.  
West, unless that company would agree  
to put its merchandise upon the termi-  
nals of the National Transportation and  
Terminal Company, the theory of the  
prosecution being that that company was  
substantially the American Naval Stores  
Company; to use the exact language of  
Mr. Akerman, as taken down stenographi-  
cally on yesterday, we expect to show  
you in his address to the jury that the  
National Transportation and Terminal  
Company is a warehouse company, abso-  
lutely owned and controlled by the Amer-  
ican Naval Stores Company, which owns  
storage yards at a great many places, and  
that the American Naval Stores Com-  
pany and its officers named in this indict-  
ment, by the means, which will be explain-  
ed to you shortly, compelled these factors  
to store the naval stores at the terminal  
on the yards controlled by the AmericanNaval Stores Company, for the purpose of  
giving the American Naval Stores Com-  
pany unfair advantage over the other peo-  
ple engaged in that business. Now we  
have several objections to that testimony;  
one is there is no supporting allegation in  
the indictment; the second is that even if  
there were, in a case like this, under the  
authorities, the Court should require as a  
preliminary, a proof of the agreement as  
set forth in the indictment; and the third  
is that such evidence is utterly immat-  
erial, and in no legal sense has any con-  
nection whatever with the Sherman act;  
and the fourth objection is that in no le-  
gal sense is such evidence any evidence  
at all of coercion. Now, if your Honor  
please, that matter is important. We  
have very decided convictions and we de-  
sire to submit them to the Court, realiz-  
ing how profoundly how liable we are to  
err; but we think we can give you good  
reasons why this line of testimony should  
be stopped, eliminated, and the further  
hearing of this case concluded. We find,  
if your Honor please,—one reason why I  
wanted them brought into court was to  
indicate how many they were. There is a  
large crowd of witnesses. If the doors  
were opened to put in any evidence that  
the prosecution contends is competent,  
the doors taken off the hinges to endeavor  
to show here and there this thing and that  
thing, we will be here for weeks, and per-  
chance for months; why that is no legal  
reason for excluding testimony it is a good  
reason if the court really believes that the  
case cannot be made out, for stopping it  
and exercising the discretion of the court,  
if your Honor concludes that it is simply  
a matter within your discretion, exercising  
the discretion of the court to stop it and  
demand what is first preliminary proof;  
and if it can not be forthcoming to stop  
the case, just as according to the newspa-  
pers, Judge Huff, a district judge, recently  
did, where there was a charge of conspir-  
acy in New York to remove people into a  
state of peonage. He finally told them,  
Well, gentlemen, now prove your con-  
spiracy; and there was no conspiracy  
shown, and they could not show it, and  
the case stopped. Now, if your Honor  
please, the only count that charged that  
these defendants did anything, was the  
third count that was stricken.Now, what are the two counts in here?  
They are substantially the same. It is  
going to be the same evidence word for  
word, there is going to be no evidence. So  
far as the evidence is concerned one is  
that the parties not only conspired and  
combined and confederated together to  
restrain trade—either case, to monopolize  
trade, to agree to restrain trade, agree  
to monopolize trade, and agree that they  
would use certain specified means.— I  
respectfully submit that the indictment  
clearly requires the construction that not  
only did the defendants agree to restrain  
trade or to monopolize trade, but in addi-  
tion that they agreed together—to use  
the language of the indictment—to effect  
that purpose by certain means; the means  
are the least part of the agreement as the  
contemplation is that the agreement is to  
restrain or monopolize trade. Now, it is  
technically, therefore, a case of holding  
them to the agreement. In any case, if  
your Honor please, where the conspiracy is  
charged, particularly when you propose to  
put in the statements or acts of alleged  
conspirators, the proper practice is to  
prove the conspiracy first. I need read  
your Honor, only one authority on that  
general subject because the Florida court  
follows the well known text writer. I re-