THE EVERESTS CONVICTED

END OF THE STANDARD OIL CONSPIRACY TRIAL.

SUNDAY MORNING SCENES IN THE BUFFALO COURT—A MOTION FOR A NEW TRIAL PROBABLE.

BUFFALO, May 15.—"Guilty" came from the foreman of the jury in the Court of Oyer and Terminer this morning. The faces of Hiram B. Everest and his son, Charles M. Everest, thus convicted of the crime of conspiring to destroy the business and blow up the works of the Buffalo Lubricating Oil Company, grew a shade paler. The Hon. Daniel Lockwood's eyes stood out in the greatest astonishment and dismay. Lawyer Outerbridge was a picture of dejection. President C. B. Matthews, the complainant, stroked his beard with an evident feeling of satisfaction, and the little District Attorney's face spoke volumes of victory. There had been a general feeling that the jury would either disagree or convict, and the crowd of visitors that quite filled the court showed no great signs of surprise when the word came.

The crime of which the Everests have thus been convicted is punishable by imprisonment for one year in a penitentiary at hard labor, or a fine of $500, or both.

Soon after 9 o'clock the marble floors of the City Hall were trodden by an eager crowd waiting for the opening of the court. The Everests, without any particular appearance of concern at first, ex-defendant Archbold, and others, were conversing in the corridors, and then took their usual places in the court room, where the defendants, father and son, soon gave way to a demeanor that betokened no confidence in a favorable verdict. Lawyer Outerbridge looked as though he had been told what was to come—utterly despondent. District Attorney Quinby entered the railing smiling beneath the weight of a silk hat almost as high as himself. Complainant Matthews came in quietly and sat down on the first bench outside the railing. Lawyers Coggswell and Lockwood soon followed, and all was in readiness before 10 o'clock for the opening of court. Several lawyers present amused themselves by betting on the result, while the observer who watched the demeanor of the defense on the one hand and of the prosecution on the other might readily have imagined that there had been intimations of what was to come. The verdict was: "Guilty as charged in the indictment."

The defendants will appear in court to-morrow for sentence. They and their lawyers express great surprise at the verdict. Mr. Outerbridge said to-night that it had not been decided whether to ask for a new trial or to take an appeal. One course or the other will undoubtedly be pursued. The jury, it is reported, did not come to their decision without a good deal of discussion. The first ballot taken after they had returned from supper at 7 o'clock Saturday night stood 8 for conviction, 3 for acquittal, and 1 blank. After a debate of about one hour another ballot was taken, standing 9 for conviction and 3 for acquittal. Four more ballots were taken without any change, and finally, just before midnight, one more juror was convinced that the evidence was conclusive as to guilt, and the result was 10 to 2. The other two soon followed, and at 12:15 A. M. a unanimous ballot for conviction was taken.

The conviction of the Everests is a somewhat unexpected ending of a most remarkable trial, which in the popular estimation has been a trial of the Standard Oil Company. The defendants, Hiram B. Everest, the father, and Charles M. Everest, the son, are part owners of the Vacuum Oil Company, of Rochester, a concern which is under the control of the Standard Oil Company. They were indicted, together with John D. Archbold, Henry H. Rogers, and Ambrose M. McGregor, all of this city, large stockholders and high officials of the Standard Oil Company, the Standard Trust Company, and of the other concerns under various names controlled and owned by the Standard, and having offices in its immense building at 26 Broadway. The crime with which they were charged was a conspiracy to blow up, and thereby destroy, the works of the Buffalo Lubricating Oil Company. The story which the prosecution sought to prove was that in 1880 the Everests sold a three-fourths interest in the Vacuum Company to Archbold, Rogers, and McGregor, who represented the Standard, and that thereafter they and the Vacuum became the property of the Standard. In their employ were Charles D. Matthews, Albert A. Miller, and J. Scott Wilson. These men made up their minds, soon after the sale of the Vacuum to the Standard, to leave it and go to Buffalo and set up for themselves. Miller is a practical oil refiner and understands all the processes of making, burning, and lubricating oils from crude petroleum. By using their own money and by borrowing they built works at Buffalo, which they carried on under the name of the Buffalo Lubricating Oil Company. The active management was in the hands of Miller. One day in June, 1881, an explosion took place. Miller disappeared; but it was presently discovered that he was in the employ of the Standard Oil Company and receiving high wages for doing apparently nothing. He went to New-York, to Boston, and thence to California. In time he returned to Corry, Penn., where he belongs, and at last disclosed to Mr. Matthews the history of the explosion. It was simply that the Everests threatened him at the time he left their employ, that he and his partners would be ruined, the elder saying to him significantly: "We have $75,000,000 behind us and will crush you." Threats having been tried, temptation was resorted to, and under temptation he fell. On the day of the explosion he placed 250 barrels of petroleum in the still, heated everything red hot, and weighted the safety valve so that it would not act. Then he left the works, went over to a manufactory owned by the Standard, a little distance off, and awaited events. The result was an explosion which but for unexpected circumstances would have completely destroyed the Buffalo company's works.

Although Miller had dealt only with the Everests District Attorney Quinby, of Erie County, to whose ability and pertinacity the conviction of the Everests is due, after making investigations concluded that Archbold, Rogers, and McGregor were equally guilty, his theory being the natural one, that small fry like the Everests would not act unless greater fish were urging them on, especially when the greater fish had immeasurably more to gain by the transaction. Accordingly he had them all indicted by the Grand Jury of Erie County last October. In proving his case Mr. Quinby had for his principal witness an informer, who confessed that he was guilty of the criminal act for the commission of which he accused the defendants of conspiring. Consequently all the essential parts of his testimony had to be corroborated by extrinsic evidence in order to warrant a conviction. To do this required a great deal of careful investigation, which Mr. Quinby conducted against extraordinary impediments which were thrown in his way. Miller had to be watched every minute; he might be spirited away or he might be "done for," which was threatened.

The case was begun on the 3d inst., and the jury were sent out for deliberation on Saturday evening. Daniel N. Lockwood, United States District Attorney, and several other prominent lawyers, conducted the defense. John D. and William A. Rockefeller, and other heads of the Standard Oil Company were present in court day after day. In spite of all Mr. Quinby could do, however, he was not able to connect Archbold, Rogers, and McGregor with the conspiracy sufficiently to warrant a conviction—the proof of which must be made out "beyond a probable doubt"—and when the prosecution rested its case, upon the application of their counsel, the court ordered a verdict of acquittal as regards them to be rendered.

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