

HARRIMAN SYSTEM DECLARED TRUST BY THE SUPREME COURT

Government Wins Suit for Dissolution of Relations Between Union Pacific and Southern Pacific.

JUSTICE DAY READS DECISION

Acquisition of Stock Declared Violation of Sherman Act.

REMANDED TO LOWER COURT

It is Ordered to Reverse Order Dismissing Bill.

CERTAIN MODIFICATIONS MADE

Union Pacific Will Be Allowed to Acquire Central Pacific Under Conditions Outlined by the Court.

WASHINGTON, Dec. 2.—The supreme court today in an opinion announced by Justice Day held that the Union Pacific Railroad company by the acquisition of stock in the Southern Pacific had effected a combination in violation of the Sherman anti-trust law.

Justice Day, reading the opinion, indicated that the court would enter a decree to dissolve the combination and also an injunction to prevent the Union Pacific from voting Southern Pacific stock.

In announcing the opinion Justice Day said: "This court reaches the decision that the Union Pacific and Southern Pacific systems, prior to the stock purchase, were competitors engaged in interstate commerce, acting independently as to a large amount of such carrying trade, and that since the acquisition of the stock in question the dominating power of the Union Pacific has suppressed competition between the systems and has effected a combination in restraint of interstate commerce within the prohibitions of the act."

Will Issue Injunction. "In order to enforce the statute, the court is required to forbid the doing in the future of acts like those which are found to have been done in violation thereof and to enter a decree which will effectively dissolve the combination found to exist in violation of the statute."

The decree should provide an injunction against the right to vote this stock while in the ownership or control of the Union Pacific company or any corporation owned by it, or while held by any corporation or person for the Union Pacific company and forbid any transfer or disposition thereof in such wise as to constitute an indirect combination in violation of the anti-trust act.

As the court below dismissed the government's bill it was necessary to consider the disposition of the shares of stock acquired by the Union Pacific company which acquisition, as we are told, constituted an unlawful combination in violation of the anti-trust act.

May Buy Central Pacific. "As to the suggestion made at the oral argument, by the attorney general as to the nature of the decree, that one must be entered which, while destroying the unlawful combination, insofar as the Union Pacific secured control of the competing line of road extending from New Orleans and Galveston to San Francisco and Portland, would permit the Union Pacific to retain the Central Pacific connection from Ogden to San Francisco and

Fifty-Seven Millions Wanted for Rivers and Harbors Work

WASHINGTON, Dec. 2.—Estimates aggregating \$57,000,000 for improvements of rivers and harbor works throughout the country during the next fiscal year were submitted to congress today in a report of General William B. Egan, chief of engineers of the army.

Estimates for improvements include: Mississippi River—Head of passage to Ohio river, \$3,000,000; Missouri river to Minneapolis, \$1,500,000; high lock and dam between St. Paul and Minneapolis, \$18,000,000; southwest pass, \$300,000; Missouri River—Six-foot channel, Kansas City to mouth, \$2,000,000; improvement Kansas City to St. Louis, \$15,000,000; Ohio River—Locks and dams below Pittsburgh, \$12,000,000; open channel work, \$500,000.

In that portion of his report treating of fortifications, General Egan states that the plans of the national coast defense board are sufficient for present needs. He submits estimates on account of fortifications in the United States proper, aggregating \$11,000,000, some of the details being: Gun and mortar batteries, \$100,000; modernizing old emplacements, \$100,000; electrical installations, \$30,000; searchlights, \$200,000; sites for fortifications, \$150,000; and preservation and repair of forts, \$300,000.

Harvester Agent Disburses \$500 to Kill Bill in Dakota

ST. LOUIS, Dec. 2.—That an agent for the International Harvester company hept \$500 or \$50 in 1903 to kill a bill pending in the South Dakota legislature which would have authorized the manufacture of binding twine in the state.

A few days later I received a package of \$90 bills, with instructions to turn the money over to Bowler. Lamb declared. He explained he thought the money was a contribution, not a bribe. He also paid \$50 or \$100 to a reporter to write an editorial against the passage of the twine bill. Lamb further testified.

Pope Announces Appointments of American Prelates

ROME, Dec. 2.—The pope today officially announced the appointment of the following American prelates: Right Rev. Dennis J. O'Connell, bishop of Richmond; Right Rev. Patrick A. McGovern, bishop of Cheyenne; Right Rev. Austin Dowling, bishop of Des Moines and Rev. Edward J. Hanna, auxiliary bishop of San Francisco.

Jannus at Memphis On His Way South

MEMPHIS, Tenn., Dec. 2.—Tony Jannus, on route from Omaha to New Orleans in a hydro-aeroplane, arrived here today from Osceola, Ark. He hoped to reach Helena, Ark., before night fall.

TWO GAVELS BROKEN BY SPEAKER CLARK IN HOUR-LONG SESSION

Both Houses of Congress in Opening Meeting Complete Preliminary Organization.

SENATE DEPRESSED BY DEATHS

Sherman, Heyburn and Rayner Are Missing Since Last Session.

PRESIDENT'S MESSAGE TODAY

Lower Chamber Greet Its Leaders with Loud Enthusiasm.

SENATE REPUBLICANS CONFER

Attempt Will Be Made to Unite Members of Party to Allow Election of Challenger as Preceding Officer.

WASHINGTON, Dec. 2.—The senate and house settled down to work today for the high pressure session that is to end the sixty-second congress. Speaker Champ Clark, wielding his emblem of order with ever increasing force, succeeded in breaking two valuable gavels before he had brought the enthusiastic house through an hour and ten minutes of business.

The senate, depressed by the recent death of Vice President Sherman and Senators Heyburn and Rayner, was in session but twenty-two minutes. Both houses adjourned as soon as the preliminaries of organization were concluded out of respect for officers and members who had died since the adjournment in August.

Meet Early to Hear Message. President Taft's message will come to both houses tomorrow. The senate will meet at 11 o'clock, an hour before the customary time, so that the message may be received and read before proceedings are begun in the court of impeachment which is to try Judge Robert W. Archbold of the commerce court.

Botcherous enthusiasm greeted the return to the house of Speaker Clark, former Speaker Cannon and other members whose names have long been associated with the important affairs of the body. The roll call in the house was stated, and as the roll proceeded the members cheered and applauded the names of the more prominent members.

Former Speaker Cannon was given a rising greeting when his name was reached. Democrats and republicans joined in the applause for speaker Clark when he entered. The chamber at noon jumped to their feet and joined in the cheering. Four governors-elect, who will go from the house of representatives to their respective state capitals, also were vigorously cheered as the roll proceeded. They were Representatives Sulzer, New York; Cox, Ohio; Robinson, Arkansas; and Hanna, North Dakota.

Bills Introduced in House. No business was transacted by the senate, but a number of bills and resolutions were introduced in the house. A joint committee was named by the two houses to hold the passage of the twine bill. Lamb further testified.

Democratic Office Seekers Storm City Hall in Chicago

CHICAGO, Ill., Dec. 2.—Democratic office seekers crowded the corridors of the city hall and county building before daylight this morning as a preliminary to the newly elected officials assuming their duties today.

Kansas Corporation Law Declared Void

WASHINGTON, Dec. 2.—The supreme court today reaffirmed its decision of the Kansas corporation law doing Kansas state courts to foreign corporations without a certificate to do business in the state was unconstitutional. Two years ago the law was declared unconstitutional as a burden on interstate commerce.

Monarchs of All They Survey



From Right to Left—King Ferdinand of Bulgaria, King Peter of Serbia, King Nicholas of Montenegro, King George of Greece.

NEW FEATURES IN CONGRESS

Short Session Precedes Transfer of Power to Democrats in March.

LITTLE REAL WORK IS EXPECTED

Supply Bills Will Be Passed and Routine Matters Attended To—Many Noted Men Will Be Absent Next Session.

WASHINGTON, Dec. 2.—The third session of the sixty-second congress begins at noon today under circumstances of unusual interest. It comes together after a political upheaval of far-reaching extent which will soon transfer all the executive branches of the federal government to democratic control.

While the present session is merely the expiring stage of a congress soon to go out of existence and to be superseded in political control and policy after March 4, yet today's sessions in the senate and house brings together for the first time since the recent overthrowing of those leaders and elements of the various parties who have been most prominent in public affairs. The old faces and figures are again in evidence today, although some of them, like Ex-Speaker Cannon, will soon pass off the congressional stage, while others, like Speaker Clark and Chairman Underwood, have had their tenures renewed and strengthened.

As a whole, however, the dominant note is that new conditions, new policies and new men have been ushered in as a result of the recent election and that about the only function of the present short session, lasting until March 4, is to pass annual supply bills and wind up what remains of the old regime.

In the senate, Vice President Sherman has been removed by death from the presiding officer's chair, which will be filled temporarily by Senators Bacon, of Georgia, and Gallinger, of New Hampshire, alternating. The republican control of the senate, with about fifty votes as against the present democratic strength of about forty-two, will continue until March 4, although this control is conditioned largely by the presence of two elements, regular and progressive, in the republican total of fifty. Senator Heyburn, of Idaho and Weyner, of Maryland, have died since the last session closed, but in other respects the personnel continues unchanged until March 4.

Blind Man Has His Sight Restored

OKLAHOMA CITY, Okla., Dec. 2.—A bit of child flipped from a rubber band by a blind is declared responsible for the restoration of the eyesight of Rev. G. C. Rupert, pastor of a local church, who had been blind for twenty-eight years. The miracle, fired at random by a grandchild of the minister, hit him in one of the eyes and to alleviate the pain, hot cloths were applied. This occurred several days ago and when it was ascertained that his sight was being restored the applications were continued. Practically normal vision returned today. Mr. Rupert became suddenly blind while conducting a revival service in Huntington, O., in 1884.

The National Capital

Monday, December 2, 1912.

Four Defendants Discharged on Motion of the Government.

INDIANAPOLIS, Ind., Dec. 2.—Four of the forty-five defendants in the "dynamite conspiracy" trial were discharged by the government today on the grounds that the charges against them had not been sustained.

A. K. Smiley, Peace Advocate and Friend of the Indian, Dead

REDLANDS, Cal., Dec. 2.—Albert K. Smiley, peace advocate, patron of the Indian and negro, and founder of the Lake Mohonk mountain retreat where the annual peace convales are held, died early today at his home here. He was 84 years old. His aged wife is at the point of death and is not expected to survive more than a few hours.

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DYNAMITE BILLS QUASHED

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PROSECUTION RESTS ITS CASE

Detroit Attorney Miller Says Released Men Had Not Been Connected with Alleged Conspiracy in Recent Years.

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Sign Agreement Tuesday

LONDON, Dec. 2.—The work of charting a new map of what hitherto has been European Turkey will begin immediately after the signature of the armistice by the plenipotentiaries of Turkey and the Balkan allies at the village of Raghetis tomorrow. If the allies are able to agree among themselves as to the portions of the spoils they are to receive there seems no probability of a resumption of hostilities.

Steers Sell for \$12 on Chicago Market

CHICAGO, Dec. 2.—The highest price ever paid for steers in the open market was reached today when ten Angus yearlings were bought at \$12 per 100 pounds for the eastern trade. The highest previous price was \$11.65 on October 21.

GERMAN CHANCELLOR SERVES NOTICE UPON RUSSIA AND SERBIA

Kaiser Will Support Austria-Hungary and Italy with Force of Arms if Necessary.

SPEECH CAUSES A SENSATION

Address in Reichstag is Repetition of One Made in 1908.

SITUATION IS BECOMING MIXED

Allies Expect to Sign Treaty of Armistice Tuesday.

GREECE MAY REJECT THE TERMS

Greek Minister at Paris Says His Government Will Not Agree to Re-provisioning of Adriatic and Other Cities.

BERLIN, Dec. 2.—Imperial Chancellor Bethmann-Hollweg today uttered a plain warning to Russia that in case hostilities should arise out of the Austro-Serbian difficulties Germany would draw her sword to assist her ally.

The imperial chancellor made this declaration in the course of a speech in the Reichstag discussing the Balkan situation. It was a repetition of the statement made at the time of the controversy over the question of Bosnia and Herzegovina in 1908, which then caused an immense sensation in European capitals. Although at that period it was threatened to sweep away the pacific Russian cabinet, the current of feeling aroused among the Slavs ultimately brought peace.

Attempt to Localize Fatalities. Dr. Von Bethmann-Hollweg, after summarizing the outbreak in the Balkans, and later on, when it was found to be inevitable, to localize hostilities, passed on to the question of the interests of the great powers directly affected by the final settlement. He said: "When our allies, Austria-Hungary and Italy, in maintaining their interests, are attacked—although this is not the present prospect—by a third party, and thereby threatened in their existence, then we, faithful to our compact, will take their part firmly and decisively."

"Then we shall fight side by side with our allies for the maintenance of our own position in Europe and in defense of the security and future of our own fatherland. "I am convinced that we have the whole nation behind us in such a policy."

The imperial chancellor was at this point of his speech heartily applauded by many of the members present. Continuing Von Bethmann-Hollweg declared the hallmarks in the present war did not dispute the right of the great powers to have a word in the final settlement of the Balkan question in which their interests were all involved. The wishes of the powers, he said, would carry greater weight if they were presented collectively. Negotiations with that end in view were now proceeding and he hoped they would result successfully.

Germany, he said, is several of the other great powers, was interested in preserving Turkey as a powerful economic and political factor. He was able, he said, to deny reports that the great powers, or several of them were planning acquisition of Turkish territory. It was assumed the imperial chancellor was referring to the report that England was about to proclaim a formal protectorate over Egypt.

The vigorous tone adopted by the imperial chancellor surprised the house, which was expecting the usual diplomatic assurances that everything was going well.

Greeks Object to Armistice. PARIS, Dec. 2.—Greece will not accept the terms of the armistice proposed by Turkey, according to Athos Romanos, the Greek minister to France, in an interview appearing in the Temps.

The Greek minister says he told President Poincaré this morning that Greece would repulse any idea of permitting the provisioning of places like Adrianople, Janina and Scutari instead of the surrender of those fortresses, as asked by the allies.

Should this be granted, he says, it would permit Turkey to push on the war vigorously in case the armistice should not be followed by real peace.

The comparatively favorable terms which from all accounts have been offered by the allies to Turkey are so different from the original proposals that they seem to suggest the idea that the governments of the Balkan league realize that with winter gripping the country, Turkey has gained an ally which will prove more fatal to the armies fronting Adrianople, Scutari and Thessalonica than have been the Ottoman cannon.