THE WEATHER.

OMAHA, TUESDAY MORNING, DECEMBER 3, 1912-TWELVE PAGES.

SINGLE COPY TWO CENTS.

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 curt today in an opinion announced by Justice Day held that the Union Pacific Ratiroad 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, ladicated that the court would enter a decree to dissolve the combination and also an njunction to prevent the Union Pacific from voting Southern Pacific stock. In announcing the opinion Justice Day

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 the Phillippines, \$67,000. Union Pacific has suppressed competition between the systems and has effected a combination in restraint of interstate commerce within the prohibitions of the

'In order to enforce the statute, the court is required to forbid the doing to 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 contuue its control and should provide an court which shall collect and hold such dividends until disposed of by the decree of the court.

As the court below dismused the government's bill it was necessary to consider the disposition of the shares of stock acquired by the Union Pacific company which acquisition, we are told constituted an unlawful combination in violation of the anti-trust act. To effectually onclude the operating force of the combination such disposition should be niude subject to the approval and decree of the ourt and any plan for the disposition of this stock must be such as to effectually dissolve the unlawful combination thus reated. The court shall proceed, upon the presentation of any plan, to bear the government and defendants and may of the stock in conformity to the views herein expressed.

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 competiting line of road extending from New Orleans and Galveston to San Francisco and Pertland, would permit the Union Pacific to retain the Central Pacific connection from Orden to San Francisco and (Continued on Page Two.)

The Weather

For Nebraska-Increasing cloudiness; warmer. For lows - Increasing cloudiness: warmer.



1912, 1911, 1910, Normal temperature.

Vericency for the day.

Total excess since March 1.

Reports from Stations at 7 P. M. Station and State

Station and State Ten of Weather. I p theyenne clear to the property of the pr Temp. High- Rain. 7 p.m. car full 24 42 66 28 24 28

Fifty-Seven Millions Wanted for Rivers and Harbors Work

WABHINGTON, Dec. 2-Estimates ag regating \$6.78.982 for improving the civer and harbor works throughout gregating \$56.768.962 for improvements a country during the next fiscal year noal report of General William chief of engineers of the a stationary is \$16.211.372 greater than the last fiscal year, as

the lest fiscal year, so the total standard in the continuous surveys continuous total. \$61,829,610, inof rivers and harbors, sor which there may be no special appropriation submitted, it is to be provided for in the regular river and harbor appropriation bill at this session of congress. For the PRESIDENT'S MESSAGE TODAY ontinuing of contract work, \$12,987,583 19 asked of congress to be appropriated in

the sundry civil appropriation bill. Evtimates for improvements include:

Mississippi River-Head of passes to Orio river 88,000,000; Orio river to Mississippi River-Head of passes to Orio river 88,000,000; Missouri river to Mineapolis, \$1,200,000; high lock and dam between St. Paul and Minneapolis, \$185.000; southwest pass \$500,000.

Missouri River-Six-foot channel, Kansas City to mouth, \$2,100,000; improvement, Kansas City to Stoux City, \$150,000. Stoux City to Fort Benton, \$150,000.

Ohjo River-Locks and dams below Pittsburgh, \$12,000,000; open channel work, \$550,000.

In that portion of his report treating of fortifications, General Blxby 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 \$1,111,000, some of the details being for gun and mortar batterice, \$100,000; modernizing old emplacements, \$100,000; electrical installations. \$50,000; searchlights. \$550,000; sites for fartifications, \$150,000, and preservation and repair of forts, \$200,000.

For the fortification in the insular possessions, the estimates aggregate \$1,225,869, including see coast balteries for Hawali, \$70,000; for the Philippines, \$1.-000,000; for electrical installation, \$84.465; for casemates and galleries for mines in had died since the adjournment in Au-

Harvester Agent Disburses \$500 to

ST. LOUIS, Dec. 2.-That as agent for the International Harvester company he spent \$300 or \$500 in 1903 to kill a bill pending in the South Dakota legislature which would have authorized the manufacture of binding twine i othe state penitentiary, was testified to today by Michael H. Lumb of Mission, Tex., at the opening session of the St. Louis hearing in the government suit to dissolve the International Harvester company. Testimony was taken before Speclal Examiner Robert Taylor of Duluth.

injunction against the payment of divi-agent of the McCornick Harvester comdends upon such stocks while thus held, pany and later of the International, testifled that when the bill came up he consulted John H. Bowler, former warden of the penitentiary and being told it would take money to defeat the bill he wrote to Henry L. Daniels, general manager of the International.

"A few days later I received a puckage of \$30 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 editorial against the passage of the twine bill. Lamb further testified

with Harry L. McCormick in Chicago in January, 1908, in which McCormick complimented him for his loyalty in the past that hereaffer be was to push the other bring additional parties whose presence makes of binders that were controlled by may be necessary to a final development the International Harvester company with the same spirit as he had shown in handling the McCormick make.

Pope Announces Appointments of American Prelates Democratic Office

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. Mc-Govern, bishop of Cheyenne, Right Rev. Austin Dowling, bishop of Des Moines and Rev. Edward J. Hanna. auxillary bishop of San Francisco.

A consistory was held by the pope today, at which the red hat was placed on the heads of several prelates, who, with Archbishop Parley of New York and Archibishop O'Connell of Boston were on November 27, 1911, designated cardinals, They are Francis X. Nagl, archbishop of Vienna; Guiseppe Maria Cos y Macho, archbishop of Valladelid; Antonio Vico, papal nuncio to Spain; Francia S. Bailer, archbishop of Olmnetz, and Enrique de Almarez y Santos, archbishop of Seville. Several hundred Americans were present at today's ceremony. The pope looked very well and his voice was quite strong. Contrary to custom the pope did not deliver an allocution today. It is suggested in explanation that it was unnecessary, owing to the lack of any spe-

g cal religious questions. Jannus at Memphis

MEMPHIS. Tenn., Dec. 1-Tony Jan- The point this year armse in the members and Range company and nus, on route from Omaha to New Orleans in a hydro-aeropiane, arrived other corporations to subject the ranch here today from Osceola, Ark. He hoped of P. B. Mason of Saline county, Kan-

MRS. INLOW CHARGED WITH

SALT LAKE, Utah. Dec. 2-Mrs. Genevieve Inlow, who, with her husband, C. A. inlow, was arrested charged with 60 feur killed in his taxicab on the night act of 1907 authorizing the government to of October 4, was held to the district deport women who become undesirable to court at the conclusion of her preliminary inhabitants within three years from the hearing today. Witnesses identified her time of their arrival in the United States as the passenger who engaged White's was today again upheld by the supreme machine a short time before the fatal court in the case of Ursaulia Zakonalte.

TWO GAVELS BROKEN BY SPEAKER CLARK IN HOUR-LONG SESSION

ooth Houses of Congress in Opening Meeting Complete Preliminary Organization.

SENATE DEPRESSED BY DEATHS

Sherman, Heyburn and Rayner Are Missing Since Last Session.

Lower Chamber Greets Its Leaders with Loud Enthusiasm.

SENATE REPUBLICANS CONFER

Attempt Will Be Made to Unite Members of Party to Allow Election of Callinger as Presiding Officer.

WASHINGTON, Duc. 2.- The senate and house settled down to work today for the high pressure session that is to end the staty-second congress. Speaker Champ Chark, wielding his emblem of order with ever increasing force, succeeded in breaking two vehicule gavels before he had brought the enthusiastic house through an hour and ten minutes of business. The sessions in both houses served to complete the prollminary work of organization and left congress ready for legislative business tomorrow.

The senate, depressed by the recent death of Vice President Sherman and Senators Heyburn and Rayner, was in seedion but twenty-two minutes. Both bouses adjourned as soon as the preliminaries of organisation were concluded out of respect for efficers and members who

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

Boisterous enthusiasm greeted the return to the house of Speaker Clark, forner Speaker Cannon and other members whose names have long been issociated with the important affairs of that flody. The toil call in the house was by states, and as the roll proceeded the members cheered and applauded the names of the more prominent members.

Former Speaker Cannon was given a reached. Democrats and republican whe had joined in the applause for Speaker noon jumped to their feet and joined in the cheering. Four governors-elect, who will go from the house of repres were vigorously cheered as the roll call proceeded. They were Representatives Sulzer, New York; Cox. Ohio; Robinson. Arkansas, and Honna, North Dakota,

Bills Introduced in House, No business was transacted by the sen ate, but a number of bills and resolu-\$50 or \$100 to a reporter to write an joint committee was named by the two at noon today under circumstances of unhouses to notify President Taft that con- usual interest. It comes together after gress was ready to receive communica- a political upheaval of far reaching ex-The witness narrated a conversation tions. Senator Bacon, presiding officer tent which will soon transfer all the exof the senate, appointed Senators Cul- scutive branches of the federal governlom and Martin and Speaker Clark ment to democratic control. named Representatives Underwood of

> of Kentucky. the selection of a permanent presiding since the recent overturning those leaders officer of the senate. It is expected that and elements of the various parties who a republican caucus will be held before have been most prominent in public afthe end of the week and that an effort fairs. The old faces and figures are again

(Continued on Page Two.)

Seekers Storm City Hall in Chicago

CHICAGO, III., Dec. 2-Democratic office seekers crowded the corridors of the city hall and county building before dayight this morning as a preliminary to the nowly elected officials assuming their duties today.

At 4 o'clock in the morning the throng of job hunters numbered several hundred and an extra force of bulliffs was neces-

For the first time in several years the democrate have control of practically all the city and county offices and the rush democratic party workers to appear at the public buildings long before daylight

Kansas Corporation Law Declared Void that in other respects the personn tinues unchanged until March 4.

WASHINGTON, Dec. 2-The appeared court today reaffirmed its decision of the Kunsas corporation law closing Kansas ctate courts to foreign cornorations without a certificate to do business in the state was unconstitutional. Two years On His Way South as the law was declared unconstitutional as a burden on interstate commerce.

to reach Helena. Ark., before night fall, victors of Texas.

MURDER OF CHAUFFEUR Law to Deport Women is Again Upheld

ASHINGTON. Dec. 2-The constituthe murder of Thomas E. White, a chauf- tionality of the section of the immigration shots were heard. Inlow also was held arrested in East St. Louis. Iil., and held for departation to Russia

Monarchs of All They Survey



Right to Left-King Ferdinand of Bulgaria, King Peter of Servia, King Nicholas of Montenegro. King George of Greece.

Brawn for "The Sphere" by Christopher Chark.

reached Democrats and resultions NEW FEATURES IN CONGRESS The National Capital DYNAMITE BILLS QUASHED

Clark when he entered the chamber at Short Session Precedes Transfer of Power to Democrats in March.

their respective state capitals, also LITTLE REAL WORK IS EXPECTED Supply Bills Will Be Passed and

Routine Matters Attended To-Many Voted Men Will Be Absent Next Session.

WASHINGTON, Dec. 2-The third so tions were introduced in the house. A sion of the Sixty-second congress begins

While the present session is merely the to the McCormick company, but told him Alabama, Mann of Illinois and Johnson expiring stage of a congress soon to go out of existence and to be superceded in Senate republicans held an informal political control and policy after March conference during the day in an effort to 4, yet today's ressions in the senate and solve the tangle which has prevented house brings together for the first time in evidence today, although some of them like Ex-Speaker Cameon, 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 dominent note as both branches of congress assemble s that new conditions, new policies and new men have been unbered in as a result of the recent election and that about the only function of the present short session, lasting until March 6, is to pass annual supply bills and wind up what re mains 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 and an area around it and established of the senate, with about firty votes as the mountain house which became famous against the present democratic strength of about forty-two, will continue until Smiley, for twenty years, was trustee of for the places held by republicans led March 4, although this control is condi- Brown university. For a time be was tioned largely by the presence of two elements, regular and progressive, in the Normal school at New Plats, N. Y. republican total of fifty. Senator Hayburn, of Idaho and Raynor, of Maryland, have died since the last pession closed. but in other respects the personnel co

Notable Men Who Retire.

of service as the session opened.

former speaker, and center of many tur-Shelby H. Cullom, for thirty years a Steers Sell for \$12 Shelby H. Cullom, for thirty years a senator from Hunois, a personal friend and contemporary of Lincoln, and who was elected to his first term in the national house of representatives in 1965. Both Cannon and Culton: came back for the winter's work the victims of politial defeat. Senator Joseph W. Dailey of Texas, long a democratic leader in debate, came with the voluntary announce-(Continued on Page Two)

Monday, Becember 2, 1012.

Convened at noon, Senator Baron, president pro tempore, presiding.

Chairman Clapp of interstate commerce committee announced an effort would be made to reach an agreement on a report and the antiecommending amendments to the anti-

Campaign expenditures investigatin ommittee will resume hearings Decen Ber. 19.
Adjourned at 12:22 p. m. until 11 a. m. Tuesday, out of respect for the memory

The House.

Convened at noon, Speaker Clark presiding.
Estimates for running government dur- been austained.

harbor improvements.

First bill introduced was one by Representative Deforest of New York to pension former presidents and widows of former presidents.

Adjourned at 1:10 p. m. until noon Tues
Mr. Miller then moved the dismissal of perial chancellor surprised the house.

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

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

born in Vassalboro, Me., and was of a Quaker family. For years he taught in Friends' colleges in New England. In 1869 he purchased-Lake Mohonk, N. Y., because it took no guests on Sunday. Mr. also president of the New York State

Blind Man Has

In the house Speaker Clarke and the OKLAHOMA CITY, Okla., Dec. 2-A arious chairmen of the two preceding bit of cinfoil flipped from a rubber band Benson besides being head of the Detroit seasions, continue to direct affairs, with by a child is declared responsible for the Federation also was connected with the a total democratic vote of 290, giving a restoration of the syesight of Rev. G. Cl. democratic majority of about thirty three. Rupert, pastor of a local church, who had The personal aspect was very pro- been blind for twenty-eight years. The of Michael J. Cummo of Philadelphia, sounced as the session began today, the missile, fired at random by a grandefilld Clarence E. Dowd of Rochester, N. Y. air of democratic victory pervading the of the minister, bit him in one of the formerly of Detroit; John H. Barry of capitol from end to end. Scores of men eyes and to alleviate the pain, but cloths St. Louis, James E. Ray of Peoria, Murwhose manes have been prominently iden- were applied. This occurred several days ray I. Pennell of Springfield, Ill., Fred tified with affairs of congress for many ago and when it was apparent that his Moony of Duluth and other defendants years, and who have shaped politics and sight was being restored the applications, was overruled. egislation, faced their last three mouths were continued. Fractically , normal vision returned today. Mr. Rupert he- listen to motion as to a few more de- dispute is yet visible. Vienna continues of house and senate "Uncle Joe" Cannon, revival service in Birmington, O., in 1884.

on Chicago Market

vas reached today when ten Angus yearngs were Lought in at \$12 per 160 pounds for the eastern trade. The highest previous price was \$11.05 on

October St

Four Defendants Discharged on Mo-

District Attorney Miller Says Released Men Had Not Been Cou-

nected with Alleged Con-

tion of the Government.

spiracy in Recent Years. of Vice President Sherman and Senators the forty-five defendants in the "dyna-Heyburn and Bayner." INDIANAPOLIS, Ind., Doc. 2.- Four of hoped they would result successfully. mite conspiracy" trial were discharged by other great powers, was interested in prethe government today on the grounds serving Turkey as a powerful econom

Benson, East Galleway, N. Y., former, president of the Deteroit Federation of well. Labor: Moulton H. Davis, Westchester, Pa., former member of the executive

P. Meadows, Indianapolis, Ind., business

Reasons for Discharge defendants did not affect the merits of the allies. the remaining cases.

"Contrary to the contemptible published Mr. Smiley came here in 180. He was District Afterney Miller, addressing the should not be followed by real peace. statements of Olaf A Tvoitmon," said war vigorously in case the armistics court, "the government has no desire to punish an innocent defendant. We have transports should land troops in Asiatic Meadows have had guilty knowledge of a from that side, according to a dispatch compliancy illegally to transport expinsives to the Tempe from Athens. It adds that the evidence is not conclusive. Henson the Greeks are opposed to an signistice. Detroit has retired to a farm and is no forger consected with a union.

"In the care of Davis the evidence ! combalve that he is guilty as a conandrator. His letters as an executive board member of the fronworkers' union show he knew of the dynamits plots. There is His Sight Restored any one reason we ask his discharge. " is that he retired from the upton in 707 and has taken no part to it since." Davis formerly was of Philadelphia steamfitters" union

Motion by the defense for the dismissal

"I will say at the end of the trial I will entertained now." said Judge A. B. An-

Byan First Witness. Frank M. Ryan, president of the iron-

first witness for the defense. CHICAGO, Dec. 2.—The highest price mite conspiracy by writing letters as nected with Servia by railroad, ever paid for steers in the open market president of the fremworkers union and In the meantime, however, a by appropriating as an executive board trodden on the toes of Italy by quartering member maney with which John J. Mo- a regiment of troops who recently oc-Namata bought explosives.

(Continued on Page Two.)

GERMAN CHANCELLOR SERVES NOTICE UPON RUSSIA AND SERVIA

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 Rig Government Will Not Agree to Reprovisioning of Adrinnople and Other Cities.

BERLIN, Dec. 2.-Imperial Chancelled Bethmann-Hollweg today uttered a plain warning to Russia that in case hostilities should arise out of the Austro-Servica difficulties Germany would draw her

sword to assist her allies. The imperial chancellor made this declaration in the course of a speech in the Reichstag discussing the Balkan shnation. It was a repetition of the states ment made at the time of the controversy over the question of Bornia and Herzegovina in 1968, which then caused an immense sensation in European capitals. Although at that period it first threatened to sweep away the pacific Russian cabinet, the current of feeling aroused among the Slavs ultimately brought peace.

Attempt to Localier Futalities,

Dr. Von Bethemann-Hollweg, after summarizing the outbreak in the Balkans, and later on. When war was found to be inevitable, to localize heatilities, 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 insintaining 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 compacts, 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 fath-

erland. "I am convinced that we have the whole nation helpford us in such a policy." The imperial chancellor was at this

point of his speech heartly applauded by many of the members present. Continuing Von Bethmann-Hollwak declared the belligerents in the present war nd 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 new proceeding and he

Germany, he said. like several of the that the charges against them had not and political factor. He was able, he said, to deny reports that the great powing flexal year of 1914 submitted by the necretary of the fregative. The dismissal of the cases, leaving ers, or several of them were planning necretary of the fregative. These associates forty-one labor union officials still on acquisition of Furkish territory. It was 1913 and include \$66,766,992 for river and trial, came when Charles W. Miller, assumed the imperial chancellor was re-

Mr. Miller then moved the dismissal of perial chancellor surprised the house, the defendants as follows: William K. which was expecting the usual diplomatiassurances that everything was going

Greeks Object to Armistice. PARIS, Dec. 2.-Greece will-not accept board of the International Association of the terms of the armistice proposed by Bridge and Structural Ironworkers: John Turkey, according to Athes Romanos, the R. Carroll, Syracuse, N. Y., former offi- Greek minister to France, in an intercial local fronworkers' union; Spurgeon view appearing in the Temps.

The Greek minister says he told Pres egent of the local council of the Internamler Poincaire this morning that Greace tional Brotherhood of Carpenters and would repulse any idea of permitting the provisioning of places like Adrianople Janina and Scutari instead of the sur-The government said its release of these render of those fortresses, as asked by

Should this be granted, he ways, it would permit Turkey to push an the The Greek nation desires that Greek procluded that while Carroll, Henson and Turkey in order to attack Constantinople

> Sign Agreement Tuesday. LONDON, Dec. 2.-The work of charting 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 ailles at the village of Raghtche tomorrow. If the ailies are able to agree among themselves as to the portions of the spolls they are to receive there seem no probability of a resumption of hor comparatively Davorable terms which from all accounts have been of fered by the allies to Turkey are so dif-

ferent from the original proposals that they seem to suggest the idea that the governments of the Balkan league realize prove more fatal to the armies fronting Adrianople, Scutari and Tchatalia than have been the Ottoman cannon. No adjustment of the Austro-Servian

In this notable company were the deans came suddenly blind while conducting a fandants, but those motions will not be to show passimism and the newspapers there maintain their threatening attitude but in spite of this, official relations between St. Petersburg and Vienna seem to have become somewhat more cordial, and workers' union, was then called as the it is thought in diplomatic quarters that eventually Servia will obtain a small merilyan is charged with promoting a dyna- cantile port on the Adriatic sea con-

In the meantime, however, Servia has copied the port of Durageo in the Italian Ryan testified he became president of school buildings there. An energetic re-

(Continued on Page Two.)