

THE WEATHER
Fair and cooler today; Wednesday fair; light to moderate variable winds.

ELECTION OVER!
Now for business. Early advertising reaps a rich harvest during the holiday season.

RAILROAD MERGER
IS HELD ILLEGAL
Supreme Court Decides Against the Union Pacific Railroad Co.

STOCK IN SOUTHERN PACIFIC
Acquisition by Union Pacific Constituted Unlawful Combination in Violation of Sherman Act—What Decree Means

Washington, Dec. 2.—The great Harriman merger, created when the Union Pacific Railroad Company bought 46 per cent. of the stock of the Southern Pacific Railway system, was split asunder today by the Supreme Court of the United States as a violation of the Sherman anti-trust law.

Justice Day announced the unanimous opinion of the court. Judge Vandever took no part in the consideration of the case today. His personal finding as a judge of the Utah Circuit Court, that the two roads were not competitors and that there was no violation of the law had resulted from the purchase, was reversed and annulled. Instead of foreign reasoning of Justice Vandever and Judge Sanborn and Adams, the court in substance approved the minority holding of Judge Hoar that the roads were competitors and that it was just as much a violation of the law for one road to buy the controlling stock of a competitor as it was for a holding company, as in the Northern Securities case, to buy the controlling stock of two competing companies.

The Circuit Court for the District of Utah was directed to supervise the separation of the two roads after hearing and in emergency to appoint a receiver to sell the stock. The Union Pacific, if the Circuit Court sees proper, may retain control of the old Western Pacific line from Ogden to San Francisco. The decision of the lower court that there was no violation of the law in the attempt to acquire the Northern Pacific stock and the stock of the Atchison, Topeka & Santa Fe Railway Company, afterwards abandoned, and a certain interest in the San Pedro, Los Angeles & Salt Lake Railroad Company, was allowed to stand.

It is the general belief that the application of the decision to the railroad situation of the country will be widespread, placing a power of the precedent in the hands of the Federal Government, to prevent consolidation of competing roads.

Department of Justice officials, however, were not prepared tonight to discuss the full effect of the decision. Attorney General Wickersham, elated over the outcome, issued a statement in which he fully declared that the case extended principles of the Northern Securities case and re-affirmed those of the Standard Oil and St. Louis Terminal Association cases.

Justice Day, in his first opinion, dealt with the law in the case. He said that the Sherman law is the authority on the interpretation of the Sherman anti-trust act, and then proceeded to apply to this merger the principles discussed in those decisions. "We take it, therefore," he said, "in this connection, that it is regarded as settled, that a combination which places railroads engaged in interstate commerce in such relation as to create a single dominating control in one corporation whereby natural and existing competition in interstate commerce is unlawfully restricted or suppressed, is within the condemnation of the act. While the law may not be able to enforce competition, it can reach combinations which rendered competition impracticable."

It is the scope of such combinations and their power to suppress and stifle competition or create monopoly which determines the applicability of the act," Justice Day declared. Justice Day replied to the argument that a majority of the stock had not been participated and therefore no control had been acquired. He said that Mr. Harriman, saying that a company, united ownership of 46 per cent. of a big corporation was sufficient to control it.

Washington, December 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.

Announcing the opinion, Justice Day said: "This court reaches the decision that the Union Pacific and Southern Pacific systems, prior to the stock acquisition proper, 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 permitted a combination in restraint of interstate commerce within the prohibited area."

FOR THE HARBOR WORK
Chief of Army Engineers Submits Report—Estimates Aggregate \$56,766,992—Half a Million for Cape Fear.

Washington, Dec. 2.—Estimates aggregating \$56,766,992 for improvements to river and harbor works throughout the country during the next fiscal year were submitted to Congress today in the annual report of Gen. Wm. H. Bixby, chief of Engineers of the Army. This sum is \$16,311,372 greater than the amount appropriated during the last fiscal year for the same purpose. Of the total \$43,829,010, including \$250,000 for examinations, surveys and contingencies of rivers and harbors, for which there may be no special appropriation submitted, is to be provided for in the regular river and harbor appropriation bill at this session of Congress. For the continuing of contract work on projects already begun, \$12,937,982 is to be provided by Congress in the sundry civil appropriation bill.

Estimates for improvements include: Potomac river \$33,000; Norfolk, for continuing improvement, including approaches thereto and channel at Thimble Shoal, \$1,975,500; for maintenance, including approaches thereto and channels of the Eastern, Western and Southern branches of Elizabeth river, and channel to Newport News, \$30,000; for continuing improvement, including approaches thereto and channel to Thimble Shoal, \$165,500; Inland waterway, Norfolk to Beaufort, N. C., \$800,000; James river \$75,000; Upper Nachodoc creek, \$3,200; Onancock river, \$1,000; Pagan river, \$1,000; Rappahannock river, \$25,000; York, Mattaponi and Pamunkey rivers and Occoquan, Lower Machodoc, Mandau, Aquia and Carter creeks, \$15,000.

North Carolina: Cape Fear river, for continuing improvement by the construction of locks and dams, in completion of contract, \$200,000; Beaufort harbor, \$5,000; Beaufort Inlet, \$10,000; Morehead City harbor \$2,000; Cape Lookout harbor of refuge, \$1,100,000; Bay river, \$1,000; Cape Fear river, for completing improvement at and below Wilmington, \$352,940; Fishing creek, \$1,500; Neuse and Trent rivers, \$12,000; New river and waterways to Beaufort, \$5,000; Northeast, Black and Cape Fear rivers, \$12,000; Swift creek, \$500; Waccamaw and Little Pee Dee river, N. C. and S. C., \$30,000.

Richmond, Va. Dec. 2.—Five Governors reached Richmond today for the fifth annual Governors' Conference, which opens here tomorrow. Thirty-six Governors, it is expected, will attend. Those arriving today were Francis X. Nagel, Archbishop 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.

Richmond, Va. Dec. 2.—The Pope today officially announced the appointment of the following American prelates: Right Rev. Dennis X. 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.

Several hundred Americans witnessed today's ceremony. The Pope spoke in a very well and his voice was quite strong.

GOVERNORS' CONFERENCE.
Fifth Annual Meeting Will Open at Richmond, Va.
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BANK DIRECTORS MEET.
No Statement in Regard to Closed Leesville, S. C., Institution.
Leesville, S. C., Dec. 2.—Directors of the people's Bank of Leesville, S. C., closed business today, but refused to make any statement at this time. An expert accountant, is examining the bank's records. Nothing has been heard from Dr. E. J. Etheridge, president of the institution, who is held to be away on a trip in an effort to obtain funds to enable the bank to resume business. The institution's capital is \$30,000.

ENVOYS AGREED ON IMPORTANT POINTS
Definite Conclusions Regarding Armistice May Be Reached Today

GERMANY ON THE SITUATION
Empire is Co-Operating With England in Behalf of Peace—Greeks Want to Continue the War—Jealousy With Bulgaria.

London, Dec. 3.—The Imperial German chancellor's statement on the European situation, together with that of Herr Von Kiderlen-Waechter, the German foreign secretary, confirming that Great Britain and Germany are co-operating amicably in favor of the spirit of moderation already shown in the armistice negotiations.

Dr. von Bethmann-Hollweg's declaration of the solidarity of the Triple Alliance, which it is reported has just been renewed, and his announcement of Germany's determination to pursue a policy upholding Turkey in an economic sense, is likely to influence the delegates of all the countries concerned, to discuss peace conditions in the spirit of moderation already shown in the armistice negotiations.

Major J. E. Hale, of Fayetteville, has authorized me to state that his friends will no longer press him for his position in the cabinet of President-elect Woodrow Wilson.

ENGINEER FATALLY HURT.
And Fireman Severely Scalded—Cab Flooded With Steam.
Danville, Va. Dec. 2.—George Robinson, a well known Southern Railway locomotive engineer, was horribly and fatally scalded and his fireman, George Cranford, white, sustained several injuries this morning near Whittles, 35 miles north of Danville, by an accident which flooded the cab with steam and forced both men to leap from the moving train.

OUTLINES
President-elect Wilson visited the Beiruth Parliament yesterday, and heard the first tariff discussion since his election.

The third session of the 62nd Congress convened at noon yesterday, the Senate and House adjourning shortly afterwards out of respect to the memory of members who have died since the last session.

The Supreme Court yesterday held that the Union Pacific Railroad Co., by the acquisition of stock in the Southern Pacific Co., had effected a combination in violation of the Sherman anti-trust law.

Germany Stands With Austria.
Berlin, Dec. 2.—Germany stands firmly with Austria-Hungary in the conflict which has arisen between that country and Serbia, or, for that matter, in any conflict which may be forced upon the dual monarchy.

CHAIRMANSHIP TO SIMMONS
North Carolina Senator Will Assure Head Powerful Finance Committee—Tar Heel Delegation To Support Daniels

(By Parker R. Anderson.)
Washington, D. C., December 2.—Senator Simmons is now assured of the chairmanship of the Senate Finance Committee. It can be stated upon the best authority that Senator Thomas P. Gore, of Oklahoma, the man with whom a few radical progressives were expecting to run against Senator Simmons for this position, is supporting the senior Senator from North Carolina. Even the Washington Times, which has endeavored to stir up strife in the Democratic ranks, admitted today that Senator Simmons would be the choice of the Democrats of the Senate for this important position.

Senator Thomas Martin, of Virginia, will be made chairman of the Democratic caucus, and Senator Overman will be given one of the large committees, probably Judiciary. Senator Sherman paid today that the thousands of letters which he is receiving from North Carolinians, asking for positions, does not worry him in the least. "I am glad to receive these letters," said the Senator today. "I only wish I could give them all good places. Unfortunately there will be only a few positions, not near enough to go around."

Senator Simmons said today he had been invited to make a speech before the Rivers and Harbors Congress, but he had declined, because, when he received the invitation he was sick at Statesville.

Congressman Hannibal L. Godwin today gave out the following statement: "Major E. J. Hale, of Fayetteville, has authorized me to state that his friends will no longer press him for his position in the cabinet of President-elect Woodrow Wilson."

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THIRD SESSION OF 62ND CONGRESS ON
Crowded Galleries See the Upper and Lower Houses Called to Order

BOTH ADJOURN UNTIL TODAY
Senate and House Postpone Work Out of Respect to Memories of Dead Members—Billion-dollar Session—Old Faces

Washington, Dec. 2.—The Senate and House settled down to work today for the high pressure session that is to end the 62nd Congress. Speaker Champ Clark succeeded in breaking two valuable gavels before he had brought the enthusiastic House through an hour and 10 minutes of business.

The session in both Houses served to complete the preliminary work of organization and left Congress ready for legislative business tomorrow.

Boisterous 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 that body.

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G. O. P. FUND NEARLY MILLION
President Taft's Brother Was Largest Contributor With \$150,000—Entire Fund Amounted to \$904,823—Expenditures

Washington, December 2.—Charles P. Taft, of Cincinnati, brother of the President, led the contributors to the Republican campaign fund with \$150,000, according to the final statement of the Republican National Committee, filed with the clerk of the House today. The total contributions reached \$904,823. The expenditures were \$900,383 for speakers, salaries, advertising, rents and other purposes, including \$75,000 to the American Association of Foreign Newspapers.

There were \$10,000 lump contributions each from William Nelson Cromwell Drexel and Company, the Union League Club, of Philadelphia; J. B. Ford, New York, and Edwin S., and Charles W. Harkness, of New York.

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CONFERENCE ENDS AT FAYETTEVILLE
Appointments of Pastors for New Year Were Read at Noon

NUMBER OF CHANGES MADE
Rev. J. C. Wooten Goes to Elizabeth City; Rev. N. H. D. Wilson to Goldsboro—Other Changes in Itinerary

Fayetteville, N. C., December 2.—Just at noon today Bishop Collins Denny read the appointments of the North Carolina Conference of the M. E. Church, South, and immediately thereafter its 76th annual session adjourned.

Appointments
The Appointments
Wilmington District—L. E. Thompson, presiding elder; Burgaw circuit, T. G. Vickers; Carver's Creek circuit, W. E. Brown; Chabourn, W. C. Martin; Clinton circuit, W. A. Stannary; Hallsboro circuit, R. N. Fitts; Jacksonville, N. M. Wright; Kenansville circuit, D. C. Geddie; Magnolia circuit, E. C. Sell; Onslow circuit, R. L. Carraway; Richlands, J. M. Lowder; Seagate and Wrightsville, G. B. Webster, supply; Scott's Hill circuit, R. A. Bruton; Shalotte circuit, J. M. Marlowe, supply; Southport station, C. M. Lance; Swansboro circuit, J. C. Whedbee; Tabor circuit, R. L. Beasley, supply; Town Creek circuit, F. A. Lupton, supply; Whiteville, J. P. Pate; Wilmington, Bladen Street, W. L. Rexford; Fifth Street, G. T. Adams; Grace Church, J. D. Bundy; Wilmington Trinity, C. T. Rodgers; Wallace and Rose Hill, B. H. Black. Conference Missionary Circuit, J. D. Bundy.

Durham District—R. C. Beaman, presiding elder; Burlington station, A. Sykes; Burlington circuit, J. W. Hackney, supply; Chapel Hill, G. S. Becken; Durham, Branson, H. C. Smith; Durham, Carr church, A. L. Ormond; Durham, Mangum street, C. B. Culbreth; Durham, Memorial, G. F. Smith; Durham, Lakewood mission, L. D. Hayman; Durham, Trinity, R. C. Craven; West Durham, A. J. Parker; Durham circuit, W. P. Constable; Graham, E. G. L. Edwards; Hillsboro circuit, J. M. Ormond; Leasburg circuit, C. R. Ross; Milton circuit, S. F. Smith; North Carolina City, N. L. North Alamance, F. E. Nobility; Pelham and Shady Grove, R. L. Andrews; Pearl Mill and Bethany, B. H. Slaughter; Roxboro circuit, E. M. Sulpes; South Alamance, W. F. Blalock; Secretary Y. M. C. A. in China, E. E. Barnett; Prof. in Trinity College, H. S. Speer; Headmaster Trinity Park, W. W. Peele; student in Vanderbilt, G. M. Daniel, Trinity Q. Conference.

Elizabeth City District—M. T. Plyler, presiding elder. Camden circuit, A. W. Price; Chowan circuit, B. T. Hurley; Columbia circuit, K. F. Duval; Currituck circuit, C. P. Jerome; Dare circuit, J. A. Morris; Edenton, P. D. Woodard; Elizabeth City, City Road, J. H. Buffalo; Elizabeth City First church, J. C. Wooten; Gates circuit, W. H. Brown; Hatteras circuit, William H. Smith; Hertford station, F. M. Shamburger; Kennebec circuit, J. L. Midgett; Kitty Hawk circuit, M. B. Cox, supply; Moyock circuit, J. A. Martin; North Gates circuit, T. M. Grant; Pamlico circuit, V. A. Royal; Pantego and Belhaven, C. H. Jones; J. H. Miller; Junior P.; Perquimans, B. P. Robinson; Plymouth station, W. J. Watson; Roanoke Island, J. T. Draper; Roper station, J. W. Potter. Student at Trinity, T. W. Lee.

Fayetteville District—R. B. John, presiding elder. Bladen circuit, J. M. Whitson, supply; Buckhorn circuit, L. M. Chaffin; Carthage circuit, E. E. Rose; Cokesbury circuit, F. E. Dixon; Duke, Frank Culbreth; Dunn, J. H. Shore; Elise circuit, T. C. Ellers; Fayetteville, Hay Street, W. R. Royal; Fayetteville circuit, G. B. Starling; Goldston circuit, M. D. Giles; Haw River circuit, W. E. Trotman; Hope Mills circuit, N. B. Strickland; Jonesboro circuit, J. G. Johnson; Lillington circuit, Geo. W. Perry; Newton Grove circuit, G. T. Simmons; Parkton, E. L. Stack; Pittsboro circuit, W. F. Craven; Sanford, K. D. Holmes; Sampson circuit, L. W. Sawyer; Siler City circuit, T. H. Sutton. Newbern District—J. E. Underwood, presiding elder. Atlantic, Z. B. Pyatt, supply; Beaufort station, S. A. Cotton; Bridgeton circuit, R. E. Pittman; Cartaret circuit, F. T. Fulcher; Dover circuit, L. N. B. Petishall; Elm Street and East Kingston, J. M. Wright; Goldsboro, St. Paul's, N. H. D. Wilson; Goldsboro, St. John's, B. C. Thompson; Goldsboro circuit, C. O. Durant; Grifton circuit, E. D. Dodd; Hookerton circuit, W. E. Houtt; Jones circuit, C. E. Vale; Kingston station, F. S. Love; LaGrange circuit, J. M. Carraway, supply; Morehead City station, E. H. McWhorter; Mt. Olive circuit, W. H. Frizzelle; Mt. Olive circuit, W. A. Piland; Newbern, Centenary, J. B. Hurley; Ocracoke and Portsmouth, F. P. Eure, supply; Oriental circuit, Walter Patten; Pamlico circuit, F. S. Beeton, supply; Seven Springs, R. C. Johnson, supply; Snow Hill circuit,

ARCHBOLD TRIAL TODAY.
Senate Will Take Up Impeachment Proceedings Against Judge Robert W. Archbald, of the Commerce Court, will take no personal part in the conduct of his case before the Senate when that body re-assembles as a court of impeachment tomorrow. Attorneys for Judge Archbald, whose impeachment was demanded by the House of Representatives after investigation into business relations, alleged to be a violation of his judicial oath, stated today he would leave the presentation of his defense entirely to his lawyers. Senator Bacon, now temporary presiding officer, will preside over the court when it opens tomorrow.

Nashville, Tenn., December 2.—At a banquet here tonight in honor of the Vanderbilt football team Enoch Brown was elected captain to succeed Lewis Hardage, who is ineligible to play next year.