

WEATHER.

Rain Thursday; Friday clearing and cooler.

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HUGHES WIRES CONGRATULATIONS TO PRESIDENT WILSON

ADAMSON 8-HOUR LAW UNCONSTITUTIONAL IS JUDGE HOOK'S RULING

Makes It Plain His Decision Is Not Based Upon Mature Consideration of the Case.

WAS MADE ON EXPEDIENCY

Complied With Request of Counsel in Missouri, Oklahoma and Gulf Railroad Suit.

GOES TO HIGHEST TRIBUNAL

Supreme Court Expected to Have Evidence by Saturday.

Kansas City, Mo., Nov. 22.—

The Adamson 8-hour law was held unconstitutional here today by Judge William C. Hook, in the United States District Court. The court made it plain that the decision was not based on mature consideration of the merits of the case, but on expediency desired by all parties at interest because of the necessity of a final decision by the Supreme Court of the United States before January next, when the law goes into effect.

Gregory Set Ball Rolling.

The legal moves in the process of sending the case direct to the highest court of the land were somewhat involved from the law points of view, but the lawyers concerned rushed the matter through with a speed seldom witnessed in courts of law. Just what action Attorney General Gregory would take remained a closely guarded secret until yesterday, when Frank Hagerman, retained as special counsel to represent the Federal government in the suit, suddenly set the ball rolling by asking Judge Hook to instruct the receiver for the Missouri, Oklahoma and Gulf railroad, complainant in an injunction suit, to join with the defendant in proceedings which would consign the case on its merits to the Supreme court. Today these events transpired in court by agreement:

1.—Counsel for the receivers asked that their bill for an injunction be granted and the Adamson law be declared null and void.

2.—Mr. Hagerman for the government asked the court to dismiss the bill and declare the law constitutional.

3.—The court overruled Mr. Hagerman and declared the law invalid.

4.—Preparation of a transcript of the evidence for presentation to the Supreme court was begun and it was expected in Washington by Saturday.

5.—Counsel for the receivers were instructed to notify counsel for all railroads of the moves made here and to invite them to join in the case before the Supreme court.

Additional Test Case. The present case in view of Mr. Hagerman, provides all of the factors necessary for a test case, but it was said by James Dunlap, of the legal staff of the Attorney General, and Santa Fe, that among lawyers there is some difference of opinion on this point. He said that in some quarters it was thought that perhaps one or two additional test cases should be brought to afford a wider range of inquiry and analysis.

The Missouri, Oklahoma and Gulf railroad is in the hands of a receiver and the receiver could do only as directed by Judge Hook, who has the final say in the direction of the road's affairs. Mr. Dunlap said that certain additional test cases of the law might develop in a case where the complaint was independent.

Santa Fe Case Today. The case of the Santa Fe is scheduled to come up before Judge Pollock in the United States District court in Kansas City, Kan., tomorrow. There is much interest as to what effect, if any, Judge Hook's decision would have on this case. Mr. Dunlap said that until the arrival tomorrow of his associates he could not predict what action would be taken.

Mr. Hagerman said that he was not in any way bound by the decision in the Santa Fe and all other railroad cases could not be settled by today's decision.

SIX NAVY YARDS TO BE ENLARGED

Norfolk and Philadelphia Yards to be Equipped for Building of Capital Ships.

\$6,000,000.00 WILL BE SPENT

Department Considering Purchasing of Jamestown Exposition Tract for Aviation and Submarine Training Schools.

Washington, Nov. 22.—The Navy yards at Norfolk and Philadelphia will be enlarged to permit the construction of capital ships, it was formally announced by the Navy Department today, and it is understood that the Norfolk yard virtually will be re-built.

In addition Rear Admiral Harris, chief of the bureau of yards and docks, today told the House naval committee that the department was considering the purchase of the Jamestown Exposition tract for the establishment of aviation and submarine training schools. It is probable that the marine barracks and some other military features of the Norfolk yard will be transferred if this plan is carried out.

To Spend \$6,000,000. The announcement by the Navy Department said that the \$6,000,000 appropriated by Congress last summer for the enlargement of Navy yards will be spent on the Norfolk, Philadelphia, Charleston, Boston, Bremerton and Portsmouth, N. H., plants. The first two will be equipped with slips for the construction of capital ships; the Boston and Bremerton yards will be enlarged to build and repair vessels not exceeding 12,000 tons; and those at Charleston and Portsmouth will be fitted for handling gunboats, destroyers, submarines and other smaller craft. Just how the appropriation will be divided has not been determined.

When the foregoing programme has been completed the Navy will have four plants capable of turning out battleships, as the New York and Mare islands yards already are so equipped.

The \$6,000,000 available immediately represents only a small part of the money to be spent ultimately in developing and enlarging the Navy's shore stations. Rear Admiral Harris told the House committee that various new plans were being held up pending a.

(Continued on Page Two.)

CALIFORNIA MAY BE DEPRIVED OF ELECTORAL VOTE?

Secretary of State Threatens to Withhold Certificates to 13 Presidential Electors.

SLIGHT ERRORS ARE FOUND

Such Action Would Cause Delay, and Might Possibly Affect Mr. Wilson's Election.

"SUCH A PROPOSITION TOO RIDICULOUS TO DISCUSS" Fresno, Cal., Nov. 22.—Chester H. Rowell, chairman of the Republican state central committee, in a statement tonight said:

"Whether there are such irregularities in the returns as to justify proceedings in the courts is a matter which the state committee will have to determine after consultation with Chairman Willcox and the National Committee in New York. I estimate that the insignificant errors in two precincts discovered by Secretary of State Jordan would not justify him as an administrative officer in permanently withholding the certificates of election of the California electors and thereby depriving California of its vote in the electoral college. Such a proposition is too ridiculous to discuss."

Sacramento, Cal., Nov. 22.—Secretary of State Frank C. Jordan predicted that unless certain mistakes and omissions discovered in returns of the election from Yuba and Orange counties are corrected he will withhold the certificates of election to presidential electors from California.

Should this be done there undoubtedly will be delay if not a serious situation, possibly affecting the re-election of President Wilson, since the election depends on the votes of the 13 Presidential electors from California.

Following is the statement issued by Jordan concerning the situation:

Secretary Jordan's Statement. "Under the provisions of Section 1313 of the political code, it is the duty of the secretary of state to compare and certify the votes given for electors. Such comparison and estimate is to be made as soon as returns are received from all the counties in the state."

"In Marysville precinct number three, 12 Democratic electors are credited with 96 votes each, but the votes received by Loren A. Handley, Democrat, (Continued on Page Ten.)

HEIR TO THRONE WAS AT BED-SIDE OF THE EMPEROR

Aged Ruler of Austria Passed Away Peacefully, as Though Sinking Into Sleep.

GLOOM CAST OVER VIENNA

Francis-Joseph Was World's Oldest Monarch; His Life One Continuous Tragedy.

Vienna, via London, Nov. 22.—The death of Emperor Francis Joseph last night occurred at 9:05 o'clock. The end was peaceful, the aged monarch passing away as though sinking into sleep. Among those in the death chamber at Schoenbrunn Castle was the heir-apparent, Archduke Charles Francis Joseph.

Shortly after midday there was an appreciable rise in the emperor's temperature. Although the emperor had been about early to attend to state duties and had eaten a light meal, it was evident after two o'clock that a crisis was approaching. About 6 o'clock in the evening, the attending physicians were almost ready to abandon hope, the emperor lapsing slowly into unconsciousness.

Developed Pneumonia. The emperor had been suffering from a bronchial inflammation but pneumonia developed and suddenly reached a critical stage and from 6 o'clock on his chances of surviving grew slimmer. Baron Burian, foreign minister and also minister of the imperial and royal household, was summoned. He left the sick chamber a little after 8 o'clock, but hardly had reached his office when the death of the emperor was announced.

The death of Francis Joseph was known to few people in Vienna last night, but rumors which had been in circulation during the day cast a gloom over the city.

Comment in the newspapers voiced regret that the emperor would not see the end of the war, which, according to the accepted view here, nobody regretted more than he, as he never tired of assuring his intimates.

Life a Continuous Tragedy. With Emperor Francis Joseph passes the world's oldest monarch, a man whose life was one continuous tragedy, which was to end in the greatest tragedy of all time—the present war. Francis Joseph was really half a score of men. They found in him the cement which held together the state structure of Austria-Hungary.

To the very last the emperor, who had no conception of the value of money, spent prodigious sums in charity, never overlooking any of the many old men and women who used to come to Schoenbrunn Park to receive alms. Despite his tendency to spend lavishly, the emperor was exceedingly painstaking in making a note of alms for instance, in any scrap of paper he had about him. He was in the constant company in later years of a little group of old friends who addressed him familiarly.

Great Capacity for Work. The emperor had prodigious capacity for work rising generally at 4 o'clock in the morning and taking up various reports. During the progress of the war, he took the keenest interest in the fortunes of his own and the allied armies with never-failing zeal. He declared it was a bitter disappointment that he was not allowed by reason of his age and the solicitation of his entourage to lead his troops himself.

The heir-apparent, Archduke Charles Francis Joseph, assumed the guidance of the empire automatically tonight. It is not likely that festivities of any kind will usher in his reign, certainly not through the war.

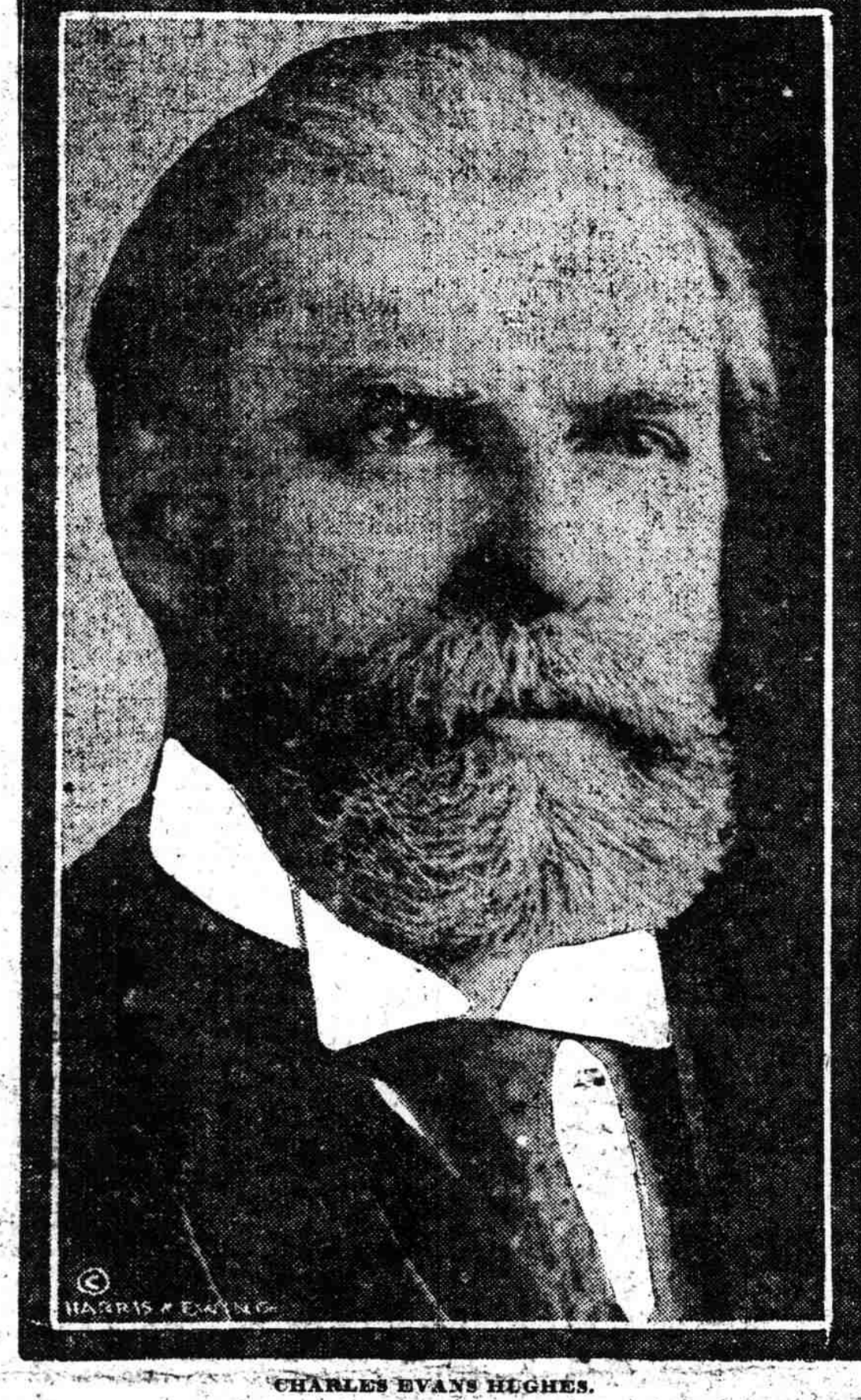
HEIR TO THE AUSTRIAN THRONE MARRIED ITALIAN

Rome, Nov. 22.—In connection with the death of Emperor Francis Joseph, attention is being called in Italy to the fact that Archduke Charles Francis Joseph, heir to the Austrian throne, is married to an Italian. She was Princess Zita, of Parma, and was brought up in Italy.

PRESIDENT WILSON SENDS MESSAGE OF CONDOLENCE

Washington, Nov. 22.—President Wilson today sent the following message of condolence to Emperor Karl Franz Joseph, of Austria-Hungary, upon receipt of word of the death of the late Emperor Francis Joseph:

CONCEDES HIS DEFEAT 15 DAYS AFTER THE ELECTION.



CHARLES EVANS HUGHES.

LINER BRITANNIC, SERVING AS ALLIED HOSPITAL SHIP, SUNK IN THE AEGEAN SEA

More Than One Thousand Sick and Wounded British Men Are Said to Have Been Aboard, Most of Whom Are Believed to Have Been Saved—Either Struck a Mine or Was Torpedoed on Tuesday—Ship Belonged to White Star Line.

Athens, Nov. 22, (via London)—The White Star Line steamship Britannic, serving as a hospital ship for wounded soldiers of the Entente Allies, has been torpedoed and sunk, according to an official announcement made here today.

The Britannic was sunk off the Island of Kea (Keos, southeast of Attica in the Aegean). She carried 1,000 British sick and wounded men. The Britannic was equipped with 36 life boats and the loss of life incident to the sinking is supposed to have been small.

LONDON REPORTS THERE WERE OVER 1,000 SURVIVORS

London, Nov. 22.—The hospital ship Britannic was sunk by a mine or torpedo yesterday morning in the Aegean sea, according to an official statement issued here today. It is stated there were 1,026 survivors, of whom 28 were injured.

NO AMERICAN RED CROSS MEMBERS BELIEVED ABOARD

London, Nov. 22.—Officials of the American Red Cross said here tonight that so far as they knew no members of that organization were on board the Britannic when she was sunk.

The liner Britannic, which belonged to the fleet of the White Star Line before the war, is the third vessel of the larger type of ocean liners to be lost since the building of giant passenger-carrying ships for trans-Atlantic trade began. The first was the Titanic, sunk on her maiden trip to New York by striking an iceberg. Then came the sinking of the Cunard Line steamer Lusitania by a torpedo off the Irish coast.

Maritime records show there are now left six of the big vessels registering over 31,000 which were plying the Atlantic before the war or were at that time about ready for service. Of these six, two are owned by Germans, the Vaterland and the Imperator. The others are the Cunard liners Aquatania and Mauretania, the White Star Line Olympic and the Statendam, built in England for the Holland-America Line and recently reported as having been taken over by the British government.

None of these ships is now in the regular trans-Atlantic trade, either having been laid up or diverted to hospital and transport service.

CONVEYS TO HIM BEST WISHES FOR SUCCESSFUL TERM

Says Delay in Conceding the Election Was Due to Closeness of California Vote.

STATEMENT BY MR. WILCOX

Says He Has Been Informed That Complete Returns From California Show No Change.

Lakewood, N. J., Nov. 22.—Charles E. Hughes tonight sent to President Wilson a telegram congratulating him upon his re-election. In his telegram Mr. Hughes said:

"Because of the closeness of the vote, I have awaited the official count in California, and now that it has been completed permit me to extend to you my congratulations upon your re-election. I desire also to express my best wishes for a successful administration."

WILCOX LEARNS HIS CALIFORNIA VOTE IS UNCHANGED

New York, Nov. 22.—William R. Willcox, chairman of the Republican National Committee, tonight issued the following statement in reference to Mr. Hughes' telegram to President Wilson:

"Having conferred by telephone during the day and late this afternoon with the Republican state committee and the Republican National Committeeman in California, I am informed that the official canvass of the vote has been so nearly completed that no change will result from the few precincts not counted in the returns thus far compiled.

"This means that the majority of the Wilson electors in California ranges from about 1,200 to 3,800 votes, and that this is the final result of the canvass for which we have been waiting. So far as any re-count is concerned, the National Committee is not advised that there are sufficient grounds to call for such an application."

MR. WILSON AT A THEATRE WHEN THE TELEGRAM CAME

Washington, Nov. 22.—President Wilson was at a theatre with Mrs. Wilson when the telegram from Mr. Hughes reached the White House, and did not know of it until he returned. There was no comment. Some of the hundreds of messages of congratulations received during the past ten days and withheld from publication until Mr. Hughes should be heard from, probably will be given out tomorrow.

LEADERS OF LARGE WAGERS BEGIN TO PAY THEM OFF.

New York, Nov. 22.—Holders of some of the largest wagers made in Wall Street on the Presidential election began paying the bets off today on the assumption that there now was no doubt President Wilson had been elected.

Estimates of the total sum wagered in the financial district range from \$3,000,000 to \$5,000,000. Probably half was paid within a week after election, but it was said few who placed money on Hughes still insist their bets not be paid until President Wilson's election is officially conceded.

JACK LONDON, THE AUTHOR, DIES OF UREMIC POISONING

Found Unconscious on His Ranch at Glen Ellen, Cal., Yesterday Morning.

Santa Rosa, Cal., Nov. 22.—Jack London, the author, died at his Glen Ellen, Cal., ranch near here at 7:45 o'clock tonight a victim of uremic poisoning. London was taken ill last night and was found unconscious early today by a servant who went to his room to awaken him.

His condition at first alarmed his sister, Mrs. Eliza Shepard, who summoned physicians from this city. It was at first believed that the author was a victim of ptomaine poisoning, but later it developed he was suffering a severe form of uremia. Dr. J. Wilson Shields, of San Francisco, a close friend of the writer, was summoned during the day and declared that the patient's condition was serious.

J. S. NEWTON CHARGED WITH EMBEZZLEMENT

Fayetteville Lawyer Placed on Trial in Superior Court.

Amount Involved is \$6,800 of W. E. Brady Estate, Which Has Been Made Good by the Attorney's Bonding Company.

(Special Star Telegram.)

Fayetteville, N. C., Nov. 22.—J. Sprunt Newton, a well known attorney of this city, was placed on trial in the Superior court here today on a charge of embezzlement from the estate of W. E. Brady. Newton is charged with having embezzled \$6,800 while acting as administrator for the estate. The case was unfinished at adjournment this afternoon.

The principal witness who testified today was Mrs. W. E. Brady, formerly of this city, now of Henderson, who was administratrix of her husband's estate with Newton. She testified as to the \$6,800 alleged to have been embezzled by Newton from the estate of W. E. Brady, a negro business man of this city, which was cancelled with Newton. The \$1,000 was owed the estate by Mrs. Nancy Bullard. A. D. McKenzie, of Rowland, testified that he bought the land subject to the Bullard mortgage.

These amounts were recovered by Mrs. Brady from Newton's bondsmen, United States Fidelity & Guaranty Co. R. J. Hester, register of deeds of Bladen county, testified as to the cancellation of a mortgage by Mr. Newton in that county.

Solicitor S. B. MacLean is assisted in the prosecution by Davis & Sandrock of this city. Mr. Newton is represented by W. H. Face, of Raleigh; Judge W. P. Bynum, of Greensboro; Robinson & Lyon and D. M. Stringfield, of Fayetteville.

PROFITS THE CAUSE OF WAR SAYS HENRY FORD

Take Out the Profits, and There Will Be No More War, He Says.

Sojourning at Asheville, the Automobile Maker Declares He Thinks Wilson's Election Greatest Event in History.

(Special Star Telegram.)

Asheville, N. C., Nov. 22.—"Take the profits out of war and there will be no more wars," and "The election of President Wilson is the most important event that ever happened on earth," are two of the most significant statements made today by Henry Ford, who is spending a rest period at Asheville. Mr. Ford was interviewed while on a hike from Grove Park Inn to the post-office, a distance of two miles. He is an inveterate walker.

"Profits are the cause of war," he declared.

"Desire for profit and commercial greed are the direct causes of the great war in Europe, where the people are now being exploited for the benefit of the interests as they have been in the United States before the election of the President. I consider that the election of Wilson is the most important event that ever occurred on earth," he declared.

Asked if the statement was not pretty broad, Mr. Ford declared that it could not be too broad, as the election of Wilson means the dawn of a new day. He estimated that the interests spent \$75,000,000 to defeat Mr. Wilson. Mr. Ford says he expects to see some changes in the cabinet. He declared himself as opposed to the naval building programme.

"Efficiency will some day take the place of these ships of war and great standing armies," he said, "and, I believe that American efficiency will result in the invention of devices that will make war impossible."

Mr. Ford is greatly interested in agriculture. (Continued on Page Two.)