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## TEXT OF DECREE IN

Decree of U. S. Circuit Court Head of Labor Organization Was Entered and Signed By the Four Judges Yesterday

MOTION OF INDEPENDENTS TO INTERVENE DENIED

Court Was Unanimous in Its Decision To Refuse Motion of Counsel for the Independent Manufacturers-The Decree Entered and Signed By the Judges Yesterday Sets Forth the "Necessity of Situation in the Judgment of the Court Requires Extension of Period For Carrying Into Execution" the Plan and "Not Exceeding Sixty Days From December 36 to February 28"-The Terms in Full as Laid Down By the Court. College Colleg

WICKERSHAM CANNOT PRE-

VENT THIS APPEAL

(By the Associated Press)

New York, Nov. 16.—The
decision which was not unexpected by counsel for the soalled independents, furnishes a definite point upon which they may appeal to the Feder-

al Supreme Court.
Felix H. Levy, one of the counsel in charge of the fight against the Circuit Court's approval of the dissolution plan, said upon learning of the de-

We are already taking steps to continue the light. This does not end the matter by

Te declined to say, however, what the next move of the in-dependents would be. 

(Special to News and Observer.)

New York, Nov. 16 .- The United States Circuit Court today handed l'elly 10 Levy, counsel for the incependent tobacco manufacturers and

The order is endorsed on the application of Mr. Levy, which includes the affidavit made by District Attorney Wise Wednesday. The endorsement on the application is signed by all four judges of the court—Judges I.acombe, Coxe, Noyes and Ward.

What the Decree Sets Forth.

It is declared that the plan as set "is a plan or method which, taken with injunctive provisions hereafter set forth, will dissolve the com-bination beretofore adjudged to be lliegal in this cause and will recreate ut of the elements now composing stly with, and not repugnant to law and without unnecessary injury to the public or rights of private property.

It is further ordered, adjudged and decreed that said plan as hereinbefore set forth, be, and it is hereby approved by this court and defendants herein are respectively directed proceed forthwith carrying the

time Extended to March First. "The necessity of the situation, in the judgment of this court requires an extension of the period for carrying into execution said plan, and so a further time is granted (not to exceed sixty days from December 30, 1911); it is ordered that defendants be allowed until February 28th to carry said plan into execution."

Enjoined Meanwhile.

By the terms of the decree, the de-

fendants, their officers, directors and representatives are severally enjoined and restrained from continuing or arrying into further effect the comcause, and from entering into any like combinations or conspiracy the effect of which is or will be to restrain commerce in tobacco or its products, or in articles used in connection with the manufacture and trade in to-

bacco and its products.

Itichardson Company Escapes Cost.

The court orders that the cost of the entire proceedings, including ex-penses of committees formed to pro-tect the interests of the 4 per cent and 6 per cent bondbolders and pre-ferred stockholders, be paid by defendants, from whom are excluded R. P. Richardson, Jr., and Company, (Inc.), whose sait against the American Tobacco Company was dismissed before opinions of the court were

handed down. STILL AWAITING TAFT'S ANSWER TILL AWAITING TAPT'S ANSWER

terests are today still waiting for

tax.

The Senate committee pursued a lernard. Judge & Co., Ganagner

tax.

The Senate committee pursued a lernard. Judge & Co., Ganagner

tax.

ersham. It was learned today that on Tues-Lewis Cass Ledyard, one of the leading counsel who prepared the tobacco Trust's plan, held a conference with attorney General Wickersham in Washington. It was also learned that the Tobacco Trust's lawyers confidently look for the Attorney General's complete approval of the plan next

As to the tobacco decision. Theodore Roosevelt says, "The decision of
the Circuit Court, if allowed to stand,
means the Tobacco Trust has merely
been obliged to change its clothes;
that none of the real offenders has
received any real punishment. Miscarriage of justice is not too strong a
term to apply to such a result when
term to apply to such a result according to the dispatches, of protests made by the
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patches, of protests made by the
the Lehigh Valley Railroad Co.
Those indicated for receiving rebates
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Those indicated for receiving rebates
from the Lehigh Valley Railroad Co.
Those indicated for receiving rebates
from the Lehigh Valle Roosevelt Says Its a Sham

# THE TOBACCO SUIT SAYS MR. GOMPERS

Opposed to Using Federation Fund for McNamara

THE RADICALS ARE ABOUT TO "START SOMETHING"

There Will Be Trouble Later on-This Report Says That "Before The Convention is Over President Gompers and Four Others May Be Asked to Sever Their Connection With the National Civic Federation," an Alleged "Bitter Enemy of Organized Labor."

(By the Associated Press.) Atlanta, Ga., Nov. 16 .- That President Gompers, of the American Federation of Labor, is opposed to the Federation appropriating \$50,000 for the McNamara defense was indicated at the convention of the organization today. It is understood he favors aid-ing the brothers charged with the Los Angeles Times disaster, but thinks money to be used to that end should be raised by private subscrip-

McNamara case in his annual report on which a committee now is working. Foday delegate A. J. Gallagher, of California, announced that he had a resolution bearing on the McNam-ara case, but did not wish to introduce it until the committee had reported on the president's address, fearing it might cause friction in the convention. Gallagher asked the chair if his resolution could be in-troduced if the committee report was Gallagher asked the

not satisfactory to him.
'It cannot," retorted Mr. Gompers.
Later another delegate asked the chair if a delegate could not move to substitute a resolution for a portion of a committee report. Mr. Gompers

replied in the affirmative.

Before the convention is over Mr.

Gempers and four other labor leaders who are heads of various crafts may be asked to sever their connection with the National Civic Federation. which, according to a resolution of-fered today by the United Minc-Workers, "is largely composed of and financed by employers of labor, many of whom are the most bitter enemies

of organized labor."

The resolution recites that the conflict between the employing and workor classes to constantly becoming more intense and that the former is constantly becoming more brutal in their treatment of the workers, as is evidenced by the desperate attemnts to throttle organized labor by use of the injunction, the black list and the more recent method of kidnapping the officers of labor organizations.

### CONCRETE PLAN FOR LEGISLATION

Designed to Control Gigantic Combinations Without Hampering Business Organization---The First One Up

(By the Associated Press.)
Washington, Nov. 16.—The Scante
Committee on Interstate Commerce
which is inquiring into the trust problem received today the first concrete su=estions for new legislation designed to control gigantic combinations without hampering business organizations.

Zachariah T. Vinson, of Huntington. W. Va., suggested the organiza-tion of separate Federal commissions to treat with the coal, iron and steel

agreements for sening the properties.

A method of trust regulation through a graduated tax on the capital stock of corporations was suggested by W. S. Dwinnel, an attorney from Minnespolia Mr. Dwinnel said stock of the indictments are against such a tax, increasing in proportion to the amount of capital, would prevent monopoly, and stimulate com-

Trust Has Great Confidence in Wick
Trust Has Great Confidence in Wick
Trust answer to their tax.

The Senate committee pursued a such Ascher, O. Car. F. Kosche, trading and Charles D. Stone & Co.; American to the control of prices. Mr. Vinson said his scheme for a Federal coal mine commission did not contemplate a control of prices. Natural coal mine commission would be stimulated, he said, if the small coal mine operators were permitted to make reasonable for giving rebates to George W. Shelwere permitted to make reasonable for giving rebates to George W. Shel-combinations to order to market their don & Co., of New York and Chicago.

coal more cheaply. Mr. Dwinnel who proposed the Fedcral tax on capital stock, declared the big combination would not be able to pass this tax on to the consumer, because an increase in price would bring into operation at once many small concerns that would not be em-barrassed by the big tax.

NEW YORK'S FIRST SOCIALIST LAWMAKER, AND WHAT SCHENECTADY'S ASSEMBLYMAN WILL ATTEMPT TO DO IN THE LEGISLATURE



# GRAND JURY BRINGS MUNICIPAL LEAGUE

of Business Firms Are Indicted As Individuals

CHARGE IS REBATING ON MERCHANDISE SHIPMENTS

of the Indictments Are Against K. B. Ways, of Baltimore and Ohio Railroad Company For Giving Rebates-Two Men Named As Defendants For Receiving Rebates Enter Tentative Pleas of Not Guilty, and Are Admitted to Bail-But, After All What Can Be Expected of the Wickersham Sham Prosecution?-Time For Electing a President

(By the Associated Press.) officials and members of firms in day. this city and Chicago. All of the

Six of the indictments are against Robert B. Ways, foreign freight agent of the Baltimore and Ohio Railroad Company for giving rebates to the for-

Other indictments are against the following parties for receiving re-bates, from the Baltimore and Ohio

Association Completes Successful Session at Richmond

THE POLICE AND LIQUOR

Franchises and Education Were Other Matters Which Claimed Attention of Delegates on Closing Day- Act finally fact United States Government Pictured as the "Friend of the Blind Tiger" Because of Some Laws on Statute Books-Los Angeles Invited Body to Meet There Nett Year, But Matter Was Left to Executive Commit-

(By the Associated Press.) Richmond, Va. Nov. 16 .-- With the continuation of discussion on Fran-New York, Nov. 16,-Thirteen in- chises, Education, and Police and dictments were returned this after- Liquor Problems, the 17th annual noon by the Federal grand jury which | meeting of the Monteipal League and has been investigating charges of re- 19th National Conference for City bating against several railway freight Good Government came to a close to-

lumber and oil industries, with power to authorize small combinations and indictments are similar except as to to meet there next year, but the meet agreements for selling the products the details of the particular transacting place was left to the executive council to name.

F. S. Spence, a municipal official of Toronto, Canada, told the delegates that so long as corporations operated public utilities under the franchise system there never would be satisfac-Plans for an exhaustive study of

amen with the limit of their opentions recommended in the report of the committee on Viguor presented by A determination of the market manual in which to lodge the issuance of licenses was deemed to be of prime "Under a strong and good licensing

authority almost any statute is work-"The Federal Government, through the operation of some of its statutes, was pictured as the friend of the blind tiger and the liquor interests against prohibition by William H.

baies, from the Baltimore and Ohio
Railroad Company; Jules E. Bernard,
of Bernard, Judae & Co., and Maurice
Ascher, of Gallagher & Ascher, of
New York; Oscar E. Kosche, trading
as Charles D. Stone & Co.; Albert E.
Graser, president American Shipping
Co., and August Bontoux, president
International Forwarding Co.
Those indicted for receiving rebates
from the Lehigh Vailey Railroad Co.
are:
George W. Sheldon and Henry W.
Ackhoff, president and vice-president
of Geo. W. Sheldon & Co.
Tentative pleas of not guilty were
entered to the indictments by Vicepresident Jarvis and Freight Traffic
liquor-selling could be substantially ritory, a large per cent of the illicit liquor-selling could be substantially

Swords With Packers' Attorneys in Court at Chicago

PECUNIARY SELFISHNESS NEW OFFICERS ELECTED PUBLIC WELFARE AGAINST

Corpus Proceedings Over the Indicted Meat Packers at Chiing on Criminal Clause of Sherman Law Continued Over Till Today. (By the Amsociated Press.) Chicago, fil., Nov. 16 .- Pitting a

question of fact against a question of law and advocating the cause of public welfare against an allegation of selLsh pecuniary motives, lawyers for the indicad Chicago packers today fought Government counsel in an effort to obtain a final ruling on the criminal clause of the Sherman Anti-Trust Act from the United States Supreme Court before the packers shall go to trial.

The court room of United States Circuit Court, Judge C. C. Kohlmat was the battleground for the clashing forces of legal wit and experience. When the court day emied, both sides claimed the advantage. The argument will be resumed tomorrow morn-

The question of fact advanced by counsel for the packers was to the effect that the defendants really had been under restraint for one hour net Monday, after they had been surrendered by their bondsmen and were, therefore subject to the operation of the habeas corpus law.

Against this, lawyers for the Goverament declared that as a question of law, the packers had no right to their method of surrender was illegal, and therefore, legally they were not under restraint.

After they had threshed out these knotty points, the lawyers proceeded to portray two widely different purposes which they said actuated the packers in making the petition for the writ of habeas corpus.

Levy Mayer, of counsel for the in-dicted men declared that the welfare of business in all lines the country Railway Officers and Members The 17th Annual Convention of ruling from the United States Supreme Court upon the validity of the criminal clause of the Sherman Anti-

"Not since the irea silver agitation. said Attorney Mayer, "has the busi-ness of the country suffered to such POLICE AND LIQUOR
PROBLEMS DISCUSSED

PROBLEMS DISCUSSED

Tames Sharker.

for the Government said the purpose behind the petition of the packers was to avoid, if possible, the expenses of trial until the constitutionality of the criminal section of the Sherman

### A New World's Running Record

# LABOR ON FARMS

Conditions Emphasized By

State Immigration Officials

at Conference With Federal

Authorities at Washington

Bishop Kilgo, the presiding officer, said:

"Education is not a sister of religion, but a child. We want religion here. The dispatch came from Hong for our schools and education in our churches. By your action you have taken control of one of the oldest and most historical educational in Quong Tong Province had received from Gen. Li Yuen Heng orders to send reinforcements to Wu Chang, there to concentrate in preparation.

crying need for labor on the farms of the United States, offering opportunity to the immigrant and the native unemployed. This condition was em- Chamber presented a brilliant specphasized by State immigration officials tacle today when the Duke of Conhere today at a joint conference with paught, Governor General of the Dothe Federal immigration authorities minion, formally opened the first

was represented. A number of reso-lutions were effered and a committee appointed to evolve a practical method. The Duchess of Connaught occuby which the division of information pied a place beside the Duke.

of the United States immigration service and the State immigration offi-

of the Marquis of the clared that college students arrows the best help on the farms. Four-delivered by the Duke in both English fifths of the farms of Ohio are in need and French.

The speech made no reference to The speech made no reference to the Canadian navy.

### DR PREMIER'S WITH MEAT TRUST WILL BEIN THE LIGH CABINET IS NAMED

Attorneys for U. S. Measure State Association Decides to Announced In An Imperia Hold Fifth Annual State Convention Here Next Year

AT YESTERDAY'S SESSION

Dr. Joseph Hyde Pratt Elected Prestdent and George R. Boyd Secretary -A Feature of the Day Was the Strong Address of Congressman Small — Important Resolution Asking for Establishment of the Chair of Drainage at the University and A. and M. College-Other Matters Disposed of on Last Day of

(Special to News and Observer.) Elizabeth City, N. C., Nov. 16 .- The fourth annual convention of the



MON, JOHN B. SMALL

Who Delivered Fine Address Yesteradjourned today at noon.

Italeigh was selected as the meeting place of the convention next year. Dr. Joseph Hyde Pratt, of Chapel Hill, (Continued on Page Three.)

### NO CARNEGIE FUND RANDOLPH-MACON

James Sheehan, of special counsel Methodist Conference Decides Virginia College Shall Remain, Instead, Denomina- China, president; Wu Chen, vice-pres tional Institution

(By the Associated Prest: [The nearest American records to that established by Bonin are the indoor and outdoor six mile records, made by G. V. Bonhag, Irish-American Athletic Club, which are respectively 30 minutes, 42 seconds and 31 minutes, 5 1-2 seconds.] meeting of his committee with a similar committee from the Baltimore corference and Randolph-Macon board of trustees. This proposition was to the effect that wheneve a vacancy occurred in the board of trustees, no member should be appointed without his appointment 'trustees, no member should be appointed without his appointment 'trustees, no member should be appointed without his appointment 'trustees, no member should be appointed without his appointment 'trustees, no member should be appointed by the Appointment of the Methodist Episcopal Church, South. This notion was unanimously adopted by the conference After the vote was taken Bishop Kilgo, the presiding officer, said:

Washington, Nov. 16 There is a Dominion of Canada Parliament Opened.

(By the Associated Press.) Ottawa, Nov. 16. The S-natecalled for the purpose of co-operation with the Government forces for the distribution of immigrants, settlers and the unemployed to the localities where they are needed.

Practically opened the braid session of the twelfth Parliament of Canada. The booming of the Reyal salute greeted the Duke when he attributed at Parliament Hill, and when he entered the Senate chamber one of the most brilliant assemblages ever sathered for a similar function rose.

to greet him.
The Duchess of Connaught occuis the first time a woman has sat on

of labor, according to A. P. Sandles, The speech made no reference Secretary of Agriculture of that State. reciprocity or the Canadian navy.

Edict, "But It Is Doubtful Whether It Will Stand"

PLANNING BIG BATTLE FOR THE NEAR FUTURE

That Will Test the Lingual Accoun-Some Will Probably Refuse to Serve and Others Expressed Great Astonishment That They Should Such a Canacity-Developments in the Chinese Situation.

(By the Associated Press.) Peking, Nov. 16.-Premier Yuan Shi Kai's new cabinet was named to an imperial edict today, but it is questionable whether it will stand. of the members express ed amazement at his appointment. It te believed that few of the new minis ters have been consulted and it is expected that several will decline to

The cabinet comprises curious ap pointments. Llang Chi-Chiao, appointed vice-president of the Board of Justice, is the great Chinese reformer who was exiled by the late Empress Downger at Yuan Shi Kare suggestion. Chang Chien, appointed president of the Board of Agricuiture and Commerce, is a member of the new government of Klang-Su. He signed, with Wu Ting Fang, the dewhich the reformers sought to have delivered to the Prace Regent through the American legation. Several other members of the new cab-inet are known to be strong sympathizers with the revolutionary move-

The composition of the new consti-titional campet is as mines.

Premier 1 van Shi Kal.

Board of Foreign Affairs Lians Tun Yen, president; Hu Wei To, vice president. Board of Finance Yen Shi-Si

president, Chen Chin-Tao, vice presi dent. Board of Communications -Yang Shih Chi. president, Liang Ju-Hao vice-president

Board of War Nang Shih-Cheng president; Tien Wen Tien, vice-presi

Board of Justice Shen Chi-Pen. pregident; Llang Chi-Chiao, Vice-pres Board of Agriculture and Commerce

Chang Chien, president; Hsi-Yen vice-president.
Board of the Navy-Admirat Sah Chen-Ping, president. Tan lisuch-liets, vice-president. Board of Instruction—Tang Ching

Chung, president. Yang-To, vice president. Board of Colonies—Sa Show, presi dent. Yung Hgun, vice-president. Board of Interior—Chao Ping

1dent The organization of the cabinet was personnel representatives of all parties. The question arises the (By the Associated Press:

Solisbury, Md. Nov. 16.—At today's

Yuan Shi kal was unable to foresee
somion of the annual convention of
his inability to operate such a cabinet (By the Associated Press.)

Paris, Nov. 16.—J. Bonin, the Colombes runner today covered a kilometers, 721 meters (about six miles 50 yards) in haif an hour. This beats the world's record established in 1863 by J. W. White, of England.

[The nearest American records to tides of the annual convention of the annual convention of the Mother in the Virginia Conference of the Methal is it is could be actually formed. Opinion is divided with respect to the object Yuan Shi Kai has in view. Somethink he has lest his astuteness and intuition, while others hold that he is playing a deep same. His real object may be to convince the throne that convents he would be actually formed. Opinion is divided with respect to the object Yuan Shi Kai has in view. Somethink he has lest his astuteness and intuition, while others hold that he is playing a deep same. His real object may be to convince the throne. that a capable cabinet cannot be formed, but he gives the impression to visitors, both Chinese and foreign ers, that he is determined to defeat

The foreign diplomatic represents tives have under discussion the apthe maritime customs, which are be ing reserved by the inspector general. Francis Arthur Aglen, for leans and indemnities. This seems to be the beginning of foreign interference in the financial affairs of China.

Preparing for Attack on Peking. San Francisco, Cal., Nov. 16. At-tack on Peking in the immediate fu-

Reformers' Waterloo. Reformers' Wat the Imperialists, was preparing to re-ceive the reformers army, which he confidently asserts will meet its waterloo before Nanking Imperialist troops moved out of the city and were distributed to strategic points to herk the advance of the revolutionlsts from Chin Kiang. The defenses at Pukow are formidable. Revolutionaries Flocking to the Stan-

chin Kiang. Nov. 16.—Revolutionaries continue to come into this city in thousands. The scene is marvelous in its confusion. The troops are disorganized, but not disorderly. The forward movement of the revolution-aries has not yet begun, but large numbers have been taken aboard the gunboats, and transports which are proceeding up the river in the direc-tion of Nanking. It is presumed that a flank movement is planned to held General Chang's troops in Nanking or to cut them off if they try to ad-

vance.

Much anxiety is felt concerning the whereabouts of missionaries and rail-(Continued on Page Five.)