

WEATHER FORECAST: Fair; light north winds, changing to west.

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Highest Temperature Yesterday, 58; Lowest Sunday Night, 48. For Details of the Weather See Page 15.

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VOLUME CXIII.—NO. 3. SAN FRANCISCO, TUESDAY, DECEMBER 3, 1912.—PAGES 1 TO 10. PRICE FIVE CENTS.

KAISER IS READY TO BACK FRANZ JOSEPH Warns Russia Against Pact With Servia To Control Adriatic

SUPREME COURT KNOCKS OUT S. P. HARRIMAN DEAL

Merger With Union Pacific Split Asunder as Violation of Sherman Law; Vandevanter's Decision in First Suit is Thereby Reversed

OLD CENTRAL LINE MAY BE RETAINED

Justice Day Cites Northern Securities and Oil and Tobacco Cases; Aim to Curb Competition is Clear Is Unanimous Opinion

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 system, was split asunder today by the Supreme Court of the United States as a violation of the Sherman anti-trust law.

Then, with the end of the merger before it, the court sent forth its portentous declaration that "while the law may not be able to enforce competition, it can reach combinations which render competition impracticable."

Justice Day announced the unanimous opinion of the court. Justice Vandevanter took no part in the consideration of the case today, but his principal finding when he was a circuit judge, to the effect that the two roads were not competitors and therefore no violation of the law had resulted from the purchase, was reversed and annulled.

MAY KEEP CENTRAL LINE

Instead of following the reasoning of Justice Vandevanter and Judges Sanborn and Adams, the court in substance approved the minority holding of Judge Hook 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.

As the Northern Securities company plan failed nearly 10 years ago, so the Harriman plan fell today.

OTHER DEALS ALLOWED

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 Atchafalaya, Topeka and Santa Fe Railway company, afterward abandoned, and a certain interest in the San Pedro, Los Angeles and Salt Lake Railroad company, was allowed to stand.

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

Department of Justice officials were Continued on Page 2, Column 4

UNCLE JOE PLANS BUTTERFLY LIFE

Former Speaker, 76, to Drop State Cares and Flit Among Debutantes

Special Dispatch to The Call. WASHINGTON, Dec. 2.—Uncle Joe Cannon is going to spend his last winter in Washington in careless frivolity among debutantes.

Uncle Joe, who is 76 years old, let the cat out of the bag today, when he was asked to tell what his plans are for the last winter he will spend in congress.

"I don't calculate to be very busy with legislative matters," he drawled, "but I am expecting to do a good bit of dancing. You see, it's this way: I've got a granddaughter to be introduced into society this winter, and she wouldn't think she was properly launched if her granddaddy didn't go along to the parties. Her name is Virginia—Virginia Leseure, and she is the prettiest, sweetest, dearest little girl in the world. I'll certainly have to go along to the parties, or else these young fellows will be cutting me out, and she is pretty fond of her granddad right now."

Miss Virginia Leseure is the daughter of Mrs. E. X. Leseure. The young woman is to be formally presented to society this month by her mother and her aunt, Miss Cannon.

TEST SHOWS FISH WORMS CAN THINK

Harvard Professor Using Two Dark Holes in Dish and Battery Reveals Crazy Matter

Special Dispatch to The Call. BOSTON, Dec. 2.—From a series of experiments conducted by Professor Yerkes of the psychological department of Harvard, the professor has become convinced that an angle worm can think.

Knowing that an angle worm will always crawl out of a lighted place into a dark one, the professor put the worm which he was experimenting upon into a glass dish into which were two dark holes. The right hand hole was merely a regular earth cavity. The left hand hole contained a mildly charged electric battery, the object of which was to give the worm a shock in case he should desire to poke himself into it.

At last reports the worm had learned his lesson well and was continually going to the right when he was put into the glass dish.

SEVEN ARE INJURED IN AUTOMOBILE ACCIDENT

Machine Runs Into a Ditch Near Sacramento in Early Morning; Two Women Are Hurt

Special Dispatch to The Call. STOCKTON, Dec. 2.—Five young men and two girls were injured early this morning when an automobile in which they were riding ran into a ditch alongside the Lower Sacramento road.

The injured are: Percy Silver; fractured skull. B. Garby; fractured skull. Bert White; contusions on the head. Earl Bigham; left arm broken. Ray Howard; cut over the left eye. Viola McHugh; badly hurt about the body.

Florence Pickler; slight bruises. Silver and Garby are in a precarious condition. The party was riding in a machine owned by George Thompson. White was driving the car, which is a complete wreck.

HIGH PRESSURE SESSION OF LAW SMITHS BEGINS

Pall of Death Over Congress; Senate Adjourns in Honor of Sherman, Rayner and Heyburn

HOUSE OPENS WITH OVATION FOR CLARK

Preliminary Work of Organization Completed and Few Bills Introduced

First Moves of Congress Legislative Doings in Brief

WASHINGTON, Dec. 2.—Day in congress: Sixty-second congress, third session, opening day.

SENATE Convened at noon, Senator Bacon, president pro tempore, presiding.

Campaign expenditures investigating committee will resume hearings December 10. Adjourned out of respect for the memory of Vice President Sherman and Senators Heyburn and Rayner.

HOUSE Convened at noon, Speaker Clark presiding.

Estimates for running government during fiscal year of 1914 submitted by secretary of the treasury. First bill introduced was one by Representative de Forest, New York, to pension former presidents and widows of former presidents.

Representative Browning introduced a bill for comprehensive currency system.

Representative Clayton introduced a bill authorizing supreme court to regulate procedure in common law cases before federal courts.

By GEORGE T. HILL. WASHINGTON, Dec. 2.—The shadow of death hung over the senate when it convened at noon to begin the final session of the present congress. In respect to the memory of Vice President Sherman, Senator Rayner and Senator Heyburn, all of whom died during the brief recess, adjournment was taken almost immediately after Senator Bacon, the presiding officer, called the chamber to order.

The session lasted only 20 minutes. Sixty-six senators responded to the rollcall. Brief tribute was paid to the late vice president by Senator Root, who made reference to his "serene and cheerful temperament" and his just decisions. Senator Borah and Senator Smith of Maryland announced the death of their colleagues and the brief meeting came to an end.

Air of Friendliness But the usual incidents at the opening of a congressional session were not lacking. Despite the air of mourning that prevailed in the senate itself there was a degree of friendliness not apparent, at least, before the campaign, and when the preceding session was brought to a close with a final outburst of dissension and strife.

Senator Root beamed as he shook hands with Senator O'Gorman. Senator Cullom, republican, made it a point to go over and welcome Senator Martin, the nominal democratic leader. Senator Gallagher, against whom the insurgent republicans directed their bitterest attacks, shook hands with Senator La Follette warmly. During this demonstration of buried animosities and good feeling the crowded galleries had opportunities to satisfy their curiosity.

Clark Still Ovation

Giving the sounding board on his table a resounding thump, Speaker Clark called a noisy house to order at noon today and stilled a great ovation which had been accorded him when he entered the chamber.

The floor was crowded with incidents, consisting chiefly of demonstrations for members who had achieved success at the polls, but including one remarkable ovation for Uncle Joe Cannon, a veteran legislator, who went down to defeat.

Bill Sulzer entered the chamber at an opportune moment—just as the prayer of the chaplain was concluded—and his auburn locks were ruffled as he bowed to the greetings of approval.

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Bugler of the Greek army of Diadica, commanded by Crown Prince Constantine, sounding the call to "charge" at the battle of Yaniza. The portrait is of Princess Eugenie Paleogou, residing in West Kensington, England, who bases her claims as empress of Constantinople on documents proving her descent from the Byzantine emperors.



KICK IS TAKEN OUT OF KICKERS

Edward Rainey, the Mayor's Secretary, Is the Guy That Performed the Operation

"I'm the guy that took the kick out of the kickers."

So saying, Edward Rainey, Mayor Rolph's secretary, with the representatives of the press took his hat and left the deserted courtroom, into which not a single "kicker" wandered last night to attend the regular Monday night "kickers' party."

"Mayor Rolph has turned them into boosters, I guess," Rainey remarked, with a wistful expression on his face. Perhaps he rather liked the idea of sitting benignly and listening to a varied assortment of complaints from a varied assortment of persons.

Anyway, there is a dearth of kickers in San Francisco, or else they are waiting the mayor's return and intend to descend on him in a body.

BRYAN HUNTS CAPITAL ROOM—BUT WHAT FOR?

Nebraskan Seeking Suite Starts Rumor He's to Be Unofficial Adviser or Wants Commoner Branch

Special Dispatch to The Call. WASHINGTON, Dec. 2.—When the report became public today that William J. Bryan is negotiating for office rooms in the Woodward building a new line of political speculation was opened. If Bryan is going into the cabinet it is not understood what he wants with private offices. His search for quarters of that character is taken by many to mean that Bryan expects to be a sort of unofficial adviser of the new president and will be right on the job most of the time. Another theory is that Bryan is going to establish a branch of the Commoner in Washington.

17 INJURED BY LIGHTNING

Mourners Struck Down by Side of Grave; One Killed

JOHANNESBURG, South Africa, Dec. 2.—Lightning struck down 17 mourners while they were standing at a graveside in Germiston in Rhodesia today. One of them was killed and five others were so severely injured that their lives are despaired of.

THIS SENATOR VERSATILE

Ashurst Is Lumberjack, Cowboy, Hod Carrier and Abo Others

WASHINGTON, Dec. 2.—Lumberjack, cowboy, clerk, cashie in a store, reporter, hod carrier and lawyer is the description of his life work given by Senator Ashurst of Arizona in the new congressional directory.

Germany Blocks Russo-Servian Collusion Warns Bear Claws Off Dual Kingdom

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

The imperial chancellor made this declaration in the course of a speech in the reichstag discussing the Balkan situation. It was a repetition of the statement made at the time of the controversy over the question of Bosnia and Herzegovina in 1908, which then caused an immense sensation in the 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.

Doctor von Bethmann-Hollweg, after summarizing the efforts of the great powers, in the first place, to delay the outbreak in the Balkans and, later on, when war was found to be inevitable, to localize hostilities, passed on to the question of the interests of the great powers directly affected by the final settlement.

LINA CAVALIERI SEEN IN MIRAGE BY FORMER MATE

Bob Chanler Found Tracing Divorced Wife's Features With Eyes Riveted on Desert Horizon

LOS ANGELES, Dec. 2.—Beneath a scorching sun on the American desert, John H. Gallup of Denver and his companion, W. L. Miller, according to their story, last week came across first a yellow umbrella, then a small package of paints and then, under the umbrella, a man. He was Bob Chanler, cow punchee and Indian fighter, but more recently the husband of Lina Cavallieri, one of the most beautiful women in the world.

"Sheriff Bob was painting," said Gallup, who is at the Lankershim, "not the sunset shades of the great American desert nor the prismatic effects in the canyons far away, but the lovely face of Lina Cavallieri, his former million-dollar wife. Before him he had a mammoth easel and under the yellow umbrella a stock of paints. On the canvas were the first tracings of the head of the famous 'Lina' and the bare outlines of her beautiful neck."

Gallup said that as Chanler sat before the easel the wonderful colors of the desert apparently seemed to flow on him and his eyes seemed riveted in a faraway gaze to the horizon beyond which lay Paris and Cavallieri.

"We just stopped to say 'howdy,'" added Gallup, but as we drew out of sight Sheriff Bob was still gazing longingly at the picture before him."

BOY DIES FOR HIS MATES

Utah Lad, Guiding Sled Into Culvert to Avoid Collision, Killed

SALT LAKE CITY, Dec. 2.—Rather than injure and perhaps kill some smaller boys who were in the path of his sled, Allen Rosslyn, 15 years old, chose death for himself today. He was coasting on a steep hill in E street, finding no other way to avoid the collision, he turned his sled sharply into a water culvert and incurred injuries from which he died shortly afterward.

GENERAL WAR MIGHT BRING DISARMAMENT TO THE WORLD

Realizing That Ultimately Europe Must Settle Its Sectional Differences With Powder and Ball, Germany Is Believed to Be Planning Conflict Which Will Lead to Peace After Strife Has Exhausted Resources of Nations

TRIPLE ALLIANCE HAS BEEN RENEWED

All Reports Point to Beginning of Turko-Balkans Armistice Today and Assembling of Peace Envoys, but Neither Austria Nor Servia Has Shown Any Disposition to Back Down With Reference to the Domination of Albania

By PAUL LAMBETH Special Cable to The Call

LONDON, Dec. 2.—The one salient feature of the Balkan situation today was the statement of Chancellor Bethmann-Hollweg to the effect that Germany was back of Austria-Hungary, and that any attempt to deprive the "dual kingdom" of justice meant war with the Balkan nations, with Germany backing Franz Josef to the limit. It may be known in cabinet circles just what has called forth this declaration of the German chancellor at this time, but that it has made a distinctly bad impression is not to be gainsaid.

Ultimate War Seems Certain As it has been pointed out in these dispatches, there is an element in official circles in all the capitals which regards war ultimately as certain and which believes that this is as favorable a time as any to fight out the issues which have made and kept Europe an armed camp and thus bring about a condition which would bring the dream of general disarmament and universal international arbitration within the realm of practical politics.

While the price of a general European war at this time would be enormous in both treasure and blood, this element is inclined to the belief that the results which would follow such a struggle would be worth the sacrifice, particularly as they hold that at some time in the future war is bound to come.

Germany Ready for Strife The renewal of the triple alliance, announced today coincidentally with Bethmann-Hollweg's utterance, leads to the belief that Germany has decided that this time is as good as any for war to come. Germany thinks it is better prepared for war than any other nation, and has supreme confidence in its ability to hold its own against all Europe, if necessary.

All reports point to the beginning of the armistice between Turkey and the allies tomorrow and the assembling of the peace envoys, probably in Switzerland, where the terms of a treaty terminating the war will be thrashed out, although the differences between Servia and Austria apparently are no nearer a

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