

HILL IS HAPPY. Court of Appeals Is Against Harriman. DECIDES MERGER CASE Northern Securities Plan of Distribution Legal. APPEAL WILL BE TAKEN

Harriman's Claim for Return of Original Stock Denied, but He Will Still Fight—Stock Rises in Consequence of Decision.

PHILADELPHIA, Jan. 3.—The United States Court of Appeals for the Third Judicial District, in an opinion filed here today, reverses a decision of the New Jersey Circuit Court which restrained the Northern Securities Company from distributing certain stock of the Northern Pacific Railroad Company.

By a decree of the New Jersey court, the Northern Securities Company was restrained from disposing of 29,225 shares of the common stock of the Northern Pacific Railway Company...

Today's decision gives the Northern Securities Company the right to dispose of the stock. Harriman and Pierce, who the Northern Securities Company had declared by the United States Supreme Court to be an illegal combination...

QUESTIONS AT ISSUE.

Harriman averred that the shares of railway stock in question were acquired by the Securities Company; that it held them as custodian, depository, or trustee...

After quoting the resolution under which the stock was acquired, the opinion says the resolution contemplated a purchase, and not a trust...

"The Northern Securities Company is the owner of 1,577,000 shares of the stock of the Northern Pacific Railway, which has been restrained from voting or receiving dividends...

"If the question before us had been involved and decided in the suit of the United States vs. the Northern Securities Company, or if it had been passed upon, though but incidentally, by the Supreme Court of the United States in disposing of the appeal in that case...

"This was all that was requisite, and it was accomplished by that part of the decree which has been already quoted, and the added clause, though apparently suggested by the prayer of the bill...

Decision Is Reserved. "But nothing herein contained shall be construed as preventing the Northern Securities Company from returning and transferring to the stockholders of the Northern Pacific Railway Company and the Great Northern Company...

TO FORCE HER RELEASE. Habeas Corpus Writ May Secure Bail for Nan Patterson. NEW YORK, Jan. 3.—A determined effort to secure the release from the Tombs prison on bail of Nan Patterson, accused of the murder of Caesar Young, was begun today...

Runaway Soldiers Drown in Bay. NEW YORK, Jan. 3.—During an evidently designed stampede of the officers' horses at Fort Hamilton early today, four prisoners escaped from the guardhouse and plunged into the harbor...

Dr. Chadwick's Bail Is Reduced. CLEVELAND, O., Jan. 3.—The bail bond of Dr. Leroy S. Chadwick for his appearance in the criminal court upon a date to be fixed later was renewed today...

One Judge Dissents. Judge George Gray, of Delaware, filed a dissenting opinion. He said: "I dissent from the judgment of the majority of this court. I do not think the judge below exercised other than sound judgment in granting the injunction."

Runaway Soldiers Drown in Bay. NEW YORK, Jan. 3.—During an evidently designed stampede of the officers' horses at Fort Hamilton early today, four prisoners escaped from the guardhouse and plunged into the harbor...

Dr. Chadwick's Bail Is Reduced. CLEVELAND, O., Jan. 3.—The bail bond of Dr. Leroy S. Chadwick for his appearance in the criminal court upon a date to be fixed later was renewed today...

HARRIMAN WILL APPEAL. Case Will Go to Supreme Court of United States.

NEW YORK, Jan. 3.—(The adjourned annual meeting of the Northern Securities stockholders in Hoboken today has again been adjourned until January 5. The only persons present at the meeting were W. F. Clough, the fourth vice-president, and the secretary-treasurer. No action except that of adjournment was taken.

MERGER STOCK RISES.

Decision of Harriman Case Sends Up Price on Exchange. NEW YORK, Jan. 3.—The announcement of the Northern Securities Company caused a jump in the price of Northern Securities on the curb from 12 1/2%, at which it closed on Saturday...

JUDGES EVENLY DIVIDED.

Harriman Says They Have Stood Two and Two. NEW YORK, Jan. 3.—E. H. Harriman, when he was shown the bulletin announcing the decision of the court in the Northern Securities case, said: "The matter now has been before four judges, and so far it is an even decision, two having declared for us and two against us."

GET DOWN TO WORK.

Canal Commission Fools Away Time Quarreling. WASHINGTON, Jan. 3.—(Special.)—There is a well-defined movement on foot to secure legislation during this session of Congress that will abolish the Isthmian Canal Commission and place the construction under the direct supervision of a board of engineers...

READY TO MEDIATE. Not Till Both Parties Are Willing Will President Interfere. WASHINGTON, Jan. 3.—(Special.)—President Roosevelt has decided that he will offer his good offices to bring about peace between Russia and Japan whenever either party to the conflict shall request him to do so.

WILL NOT OFFER MEDIATION.

Not Till Both Parties Are Willing Will President Interfere. WASHINGTON, Jan. 3.—(Special.)—Whatever effect the fall of Port Arthur had upon the ultimate issue of the war, the attitude of this Government toward the belligerents has not undergone the slightest change...

TO FORCE HER RELEASE.

Habeas Corpus Writ May Secure Bail for Nan Patterson. NEW YORK, Jan. 3.—A determined effort to secure the release from the Tombs prison on bail of Nan Patterson, accused of the murder of Caesar Young, was begun today...

Runaway Soldiers Drown in Bay.

NEW YORK, Jan. 3.—During an evidently designed stampede of the officers' horses at Fort Hamilton early today, four prisoners escaped from the guardhouse and plunged into the harbor...

Dr. Chadwick's Bail Is Reduced.

CLEVELAND, O., Jan. 3.—The bail bond of Dr. Leroy S. Chadwick for his appearance in the criminal court upon a date to be fixed later was renewed today...

WILL NOT YIELD. Russian Scouts All Talk of Making Peace.

ST. PETERSBURG, Jan. 3.—The report circulated in St. Petersburg to the effect that an armistice is being negotiated for the week is not confirmed in official circles.

JAPAN WILL BE MODERATE.

President Roosevelt Ready to Intervene Whenever Either Belligerent Asks Him to Act for It—Russia Will Fight to End.

ST. PETERSBURG, Jan. 3.—(2:40 A. M.)—The telegrams from abroad bringing talk of peace arouse little sentiment in official circles here and many Liberals who are urgently pressing the government for reforms...

GET DOWN TO WORK.

Canal Commission Fools Away Time Quarreling. WASHINGTON, Jan. 3.—(Special.)—There is a well-defined movement on foot to secure legislation during this session of Congress that will abolish the Isthmian Canal Commission and place the construction under the direct supervision of a board of engineers...

JUDGES EVENLY DIVIDED.

Harriman Says They Have Stood Two and Two. NEW YORK, Jan. 3.—E. H. Harriman, when he was shown the bulletin announcing the decision of the court in the Northern Securities case, said: "The matter now has been before four judges, and so far it is an even decision, two having declared for us and two against us."

GET DOWN TO WORK.

Canal Commission Fools Away Time Quarreling. WASHINGTON, Jan. 3.—(Special.)—There is a well-defined movement on foot to secure legislation during this session of Congress that will abolish the Isthmian Canal Commission and place the construction under the direct supervision of a board of engineers...

READY TO MEDIATE. Not Till Both Parties Are Willing Will President Interfere. WASHINGTON, Jan. 3.—(Special.)—President Roosevelt has decided that he will offer his good offices to bring about peace between Russia and Japan whenever either party to the conflict shall request him to do so.

WILL NOT OFFER MEDIATION.

Not Till Both Parties Are Willing Will President Interfere. WASHINGTON, Jan. 3.—(Special.)—Whatever effect the fall of Port Arthur had upon the ultimate issue of the war, the attitude of this Government toward the belligerents has not undergone the slightest change...

TO FORCE HER RELEASE.

Habeas Corpus Writ May Secure Bail for Nan Patterson. NEW YORK, Jan. 3.—A determined effort to secure the release from the Tombs prison on bail of Nan Patterson, accused of the murder of Caesar Young, was begun today...

Runaway Soldiers Drown in Bay.

NEW YORK, Jan. 3.—During an evidently designed stampede of the officers' horses at Fort Hamilton early today, four prisoners escaped from the guardhouse and plunged into the harbor...

Dr. Chadwick's Bail Is Reduced.

CLEVELAND, O., Jan. 3.—The bail bond of Dr. Leroy S. Chadwick for his appearance in the criminal court upon a date to be fixed later was renewed today...

Lipman, Wolfe & Co. "Our Great Sale" Is the Once-a-Year Opportunity When Every Personal or Home Need Can Be Filled at Most Substantial Savings

Our Great Sale Offers Remarkable Lace Values. And in embroideries and appliques as well. Offerings that no woman can afford to pass by.

Our Great Sale Offers Remarkable Neckwear Values. The values we offer for today in women's novelty Neckwear are tempting enough to induce you to buy by the dozen.

Our Great Sale Offers Remarkable Suit, Waist and Coat Values. Suits at \$11.45, Suits at \$14.75, Suits at \$18.50, Suits at \$21.50. \$20 Tourist Coats \$12.75.

Our Great Sale Offers Remarkable Values in Curtains, Draperies, Couch Covers. UPHOLSTERY FABRICS AT HALF PRICE. SCOTCH LACE CURTAINS FOR LITTLE.

Lipman, Wolfe & Co. Great Special Sale of Choice Furs. Tut's Pills Cure All Liver Ills. Hood's Pills.