

SUPREME COURT KNOCKS OUT CLAIMS OF WILDES

No Justification for Paying Enormous Salary and Attorney's Fees Bitter Hostility Aroused By Wilson's Canal Message

(By Associated Press.)
WASHINGTON, March 6.—The Sins bill to repeal tolls exemption was favorably reported by the house commerce committee by a vote of 17 to 4. Doremus, Knowland, Hamilton and Lafferty opposed.

Pointexter introduced a resolution in the senate, calling on the president to explain to what he referred when he said in his address to Congress, "Matters of even greater delicacy and more consequence."
The Senate foreign relations committee is likely to give Felix Diaz a hearing on his proposed revolution in Mexico.

The White House is pushing for action on the tolls repeal.
Senator Works, in an address to the senate, voiced the emphatic disapproval of the administration, and the legislation it passed. He charged the president with using coercion in Congress in getting the income tax and currency bills passed.

Stock Speculators Smash Prices by the Circulating of Maliciously False Reports

Unscrupulous speculators are responsible for the bear raid on Tonopah stocks that was engineered yesterday by a bunch of local sharpers who were willing to do anything that they might profit from the losses of their neighbors. The Bonanza is in possession of certain information leading to the guilty parties and, as soon as the story is authenticated, this paper will give all the facts to the public that they may judge for themselves of the character of the rascals who frame up such conspiracies to undermine confidence in Tonopah mining securities.

Last Tuesday night the Miners' Union at their regular meeting adopted a resolution ordering a referendum vote on a proposition to have the members suspend work in the district. This vote will be taken on March 24th, when it is probable that the members in arrears will have paid up their dues and the whole matter be dropped. No one took the report seriously, as it was deemed a matter strictly belonging to the union and not a single person can be found in Tonopah who is familiar with the circumstances and the conduct of the Miners' Union that has the slightest apprehension of an enforced stoppage of work.

Taking advantage of eastern ignorance these parties laid their plans for a raid on all stocks. They could have sent out the fact Tuesday night but it did not suit their purpose. On Wednesday they found the market was too boyant, especially on West End, and that evening the chief conspirator who had shorted the entire list concluded to distort the truth and warn the world that a general labor strike was impending in Tonopah. They wired Philadelphia, New York, Boston and San Francisco that the "MINERS' UNION HAD ORDERED A GENERAL STRIKE EFFECTIVE NEXT TUESDAY AND THAT EVERY MINE IN TONOPAH WOULD BE CLOSED."

This was a deliberate falsehood and a quarrel ensued over the circulation of the report, as some of the knockers did not want to go to such an extent before they could put out a line of shorts that would net them more than they stood good to win. This quarrel led to the story leaking out and caused a heavy run of buying orders from local investors that gave them the benefit of the low prices.

SENATOR MASSEY DIES SUDDENLY ON TRAIN GOING TO SUSANVILLE

(Special to the Bonanza.)
RENO, March 6.—Former United States Senator Massey died yesterday afternoon aboard a train on route to Susanville, California. Heart disease was the cause. The senator had apprehensions for some time that the oppression in the region of the heart, frequently noted during his campaign, was due to an accumulation of fat and by strict dieting and special exercise managed to reduce his weight almost fifty pounds. This is said to have weakened the system and lessened the power of resistance.
Hon. William Alexander Massey was born at Oakfield, Perry county, Ohio, on the seventh day of October, 1856, and was taken by his parents in the spring of 1865 to Edgar county, Ill. There he attended the common schools and subsequently was sent to the U. C. College at Merom, Indiana, and Ashbury University, at Greencastle, Indiana, but did not take a

degree. He studied law at Paris, Illinois, and commenced the practice of that profession at Sullivan, Ind., on the 29th day of October, 1877; he was married at Merom, Ind., on the 23d day of September, 1879, of which marriage two sons were born, Robert H. Massey, a son who is a dentist in Illinois, and William H. Massey, a physician practicing in San Francisco. In 1880 he came to the coast, stopping for a short time at San Diego, and finally settling at Tuscarora, in Elko county, where he remained about five years prospecting and mining. While living in Elko county his wife died. He was elected to the Assembly from Elko county, and, after serving his time as assemblyman, engaged in the practice of law at Elko, was elected district attorney for Elko county without opposition in 1894, and was elected justice of the Supreme court in 1896. On the 12th day of February, 1898, he

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Referring to the tolls question, he said the people favoring free tolls "will want some good reason why this change of front of the Democratic party, under the leadership of the president."
He would approve Wilson's stand if he sincerely believed exemption were wrong but not to satisfy the demands of Great Britain. He attacked the tariff and currency laws as overthrowing the civil service system, scoring Wilson in this connection.

In another address he sharply criticized the administration's Mexican policy, predicting the United States soon would be forced to intervene for restoration of peace. He said: "For three long years Americans have been murdered, their wives and daughters outraged, homes pillaged, and property destroyed and the administration had done nothing but offer mild protests, and submissive appeals."
He ridiculed diplomatic moves for every step of several years. Going into details he denounced the administration generally in most bitter terms.

was married to Miss Annie Sheehan, of Elko, at Carlin, Nevada. He resigned the office of justice of the Supreme court on the 1st day of September, 1902, and removed to Reno, since which time he was engaged in the practice of law. On the 1st day of July he was appointed by Governor Oddie to fill the vacancy caused by the death of the late Senator George S. Nixon and served in the United States Senate until the 29th day of January, 1913.

Slab artists refuse offers from federals. Giants and White Sox not attracted by offers of big pay.

SLAB ARTISTS REFUSE OFFERS FROM FEDERALS

(By Associated Press.)
NEW YORK, March 6.—Virtually every member of the Giants-White Sox world tourists has received an offer of some kind from the Federal League, either wireless or personal, upon arrival, in a snowstorm, from England, where they finished an eminently successful tour.
Enticing Federal contracts were figuratively waved as greetings, while harbor craft noted a welcome. Organized baseball representatives obtained revenue cutter passes and met the tourists before they landed.
The Federals were less fortunate. Each homecoming player announced he had no intention of accepting Federal offers. Several signed contracts with their old team.
Leading baseball men of the country are assembled here again, holding big, small, formal and informal meetings for a final struggle for supremacy between Federals and the organized forces.

UNIVERSITY GLEE CLUB

The University of Nevada Glee Club is trying to arrange for a concert in Tonopah some time in April. The club has had a very successful season and the papers of the state speak in the highest terms of the ability of the vocalists and musicians.

TEMPERATURE REPORT

Highest temperature yesterday, 56; a year ago, 58.
Lowest temperature last night, 41; a year ago, 35.
Anthony J. Drosel, banker of Philadelphia, is leading in the tango craze in London.

SWEEPING VICTORY FOR DEPOSITORS WHO ARE ENTITLED TO RESTITUTION OF FUNDS TAKEN FROM STATE BANK

(Special to the Bonanza.)
CARSON CITY, March 6.—The decision of the Supreme court of Nevada by Justices Talbot and McCarran setting aside the orders of Judge Langan fixing the compensation of the receiver and attorney's fees means that their compensation to the extent of \$75,000 is completely set aside and no compensation can be allowed either attorneys or receiver for any services past or future from the beginning of the receivership except upon a hearing in which notice must be given to all parties interested. The attorney general, representing the state, must be notified. Moneys heretofore drawn by the receiver and his attorneys were without authority of law and orders authorizing them are void.

The receiver is responsible upon his official bond for any moneys wrongfully or unlawfully paid out to himself or attorneys. The court decided that, under the police power of the state, the state and legislature have the right to protect depositors of insolvent institutions as well after failure as before and have a right to say that the remaining assets of any defunct institution shall be profitably and equitably distributed to depositors and creditors. This decision means the state has control over the services of banking institutions.
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It seems to your committee that the court should take judicial notice of the fact, within the notice of almost every one, that during the first nineteen months of that period in which the receiver was supposed to be giving his entire time and attention to the affairs of the receivership, he was drawing down a salary of \$166.66 per month as deputy state treasurer of the state of Nevada. Either the exercise of memory, or a slight investigation by independent action of the court would have disclosed this fact.
Your committee finds that, from May 18, 1908, to December 30, 1906, in addition to compensation at the rate of ten thousand dollars per year paid to Frank L. Wildes, as receiver, for giving his entire time to the affairs of the defunct State Bank and Trust Company, he also drew down and pulled out of the state treasury of the state of Nevada a salary as deputy state treasurer in the sum of \$3,166.66, for which he was also, under the law, devoting his entire time, attention and energy, to the affairs of the state of Nevada—a most wonderful man with a most wonderful personality.
During the time he was drawing this salary as receiver of the State Bank and Trust Company, and devoting his entire time and attention to the affairs of the state in the state treasurer's office, he had some two or more deputies to the receiver who drew down salaries aggregating about \$550 a month.
Therefore it appears to your committee that during a period of almost two years the receiver of the State Bank and Trust Company and ex officio deputy treasurer of the state of Nevada was drawing down \$166 per month from the state treasury, almost \$1900 per month as receiver of the State Bank and Trust Company, and had deputies in his employ aggregating \$550 a month, a total received by the receiver, deputy treasurer, and deputies of the receiver, of about \$1700 a month.
The foregoing statements are borne out and shown by the records, papers and files in the case of State of Nevada, ex rel. John Sparks v. State Bank and Trust Company, and by the records and files in the office of the controller of the state of Nevada.
Your committee recommends that this report be submitted to your committee on judiciary, with instructions that it take up the matter of this report with the attorney general in order that we may determine the legal status of this affair, and your committee stands ready and willing to furnish the necessary evidence to substantiate all of the matters set forth in this report.
Respectfully submitted,
E. A. KELLIHER,
F. R. BALZAR,
H. S. WINSLOW.
Dated March 11, 1913.

(Special to the Bonanza.)
CARSON CITY, March 6.—The Supreme court late yesterday handed down its opinion in the state bank cases. The opinion is by Judge Talbot and concurring opinion by Justice McCarran. The court held that the act of the legislature of 1913 authorizing the attorney general to investigate the State Bank and Trust Company and institute such proceedings as he deemed necessary is within the police power of the state and that the state under that power may continue to protect the depositor even after the bank has failed, instead of leaving him to hire his own attorneys to protect his interests. It holds that under this statute the attorney general should have been served with notice and further that his motion to set aside the order

granting attorney's fees and receiver's fees should be granted.
The court holds that a publication of notice is not sufficient notice in the absence of such statute; personal notice should have been served upon the depositor or some one of them representing the class. The court further held that it having appeared as a matter of record that the court had made a mistake in fixing the compensation of the receiver that it should have been corrected upon motion or by the court of its own volition.
Justice McCarran in his concurring opinion holds that the state as a party plaintiff was entitled to notice of the proceedings for the reason that the object of the litigation so far as the state was concerned was primarily to prevent insolvent institutions from conducting an unsafe business where the public might be the

victim, and secondly, that it was the duty of the state, having instituted the action, to see that the affairs of the institution were wound up equitably so that the creditors might receive their just share of the remaining assets of the institution. That the order fixing the compensation having been made without notice to the state the order was void.
Justice Norcross dissented and filed a lengthy dissenting opinion. This was expected and no surprise was expressed over his attitude.
The prosecution was based on the following report of a special committee of the Assembly:

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Bullion Shipments Today Aggregate Over \$213,000

Shipments of bullion and concentrates this morning amounted to \$213,930. This was nothing more than the regular output but the appearance of the platform at the railroad station would not have tempted a road agent or train robber to any special effort. The bullion was in bars weighing from 150 to 200 pounds each and it would have required nothing short of a railroad train to have taken the stuff away. Notwithstanding the difficulty of marketing such plunder as it has to go through the hands of a smelter or refinery which always insists on knowing the origin of all bullion offerings, a special guard occupied a station in the express car.
The weight of the shipment totaled 17,584 pounds, or 416 pounds short of nine tons of bullion. In addition to these shipments two companies sent out 82 tons of concentrates. The bullion shipments were as follows:

Mine	Bars	Pounds	Value
Belmont	74	11,114	\$117,600
Tonopah Mining	26	2,760	34,000
Montana	17	1,283	12,830
Tonopah Extension	25	2,427	25,000
Totals	142	17,584	\$189,430

The shipments of concentrates were:
Tonopah Mining, 47 tons, valued at..... 12,500
Belmont, 35 tons, valued at..... 12,000
Grand total.....\$213,930
The Tonopah Mining Company treated 2700 tons of an average value of \$18; the operation of stamps represented 96 per cent.

COUNTY HOSPITAL MAY BE BUILT IF COST SUITS

The county commissioners have agreed in a tentative way to go ahead with the construction of a building to take the place of the present county hospital, if the cost does not exceed the preliminary estimates furnished by Charles Pancher. Bids will be advertised for as soon as specifications are approved and the board has some knowledge of the probable cost, including a steam or hot water heating plant.
A canvass of the requirements of the county leads the county clerk to believe they can get a building to meet all requirements for about \$100,000.

THE VOLUNTEER FIREMEN WILL MEET THIS EVENING

The volunteer firemen will meet this evening at the gymnasium to consider important business requiring immediate attention. The gymnasium has been completely overhauled and renovated and the place is more attractive than at any time in its history. President Oke thinks more enthusiasm can be aroused on the part of business men when they learn of the advantages of belonging to the association and he wants every member to come tonight and offer suggestions for increasing the usefulness of the association.

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Villa Will Slay Hostage For Want of Half Million

(By Associated Press.)
EL PASO, March 6.—Luis Terrazas, Sr. has been given until Sunday to pay the \$500,000 ransom for his son, who is a prisoner of Villa at Chihuahua. His father, aged 80, once worth \$40,000,000, one gold is unable to raise the ransom. It is believed, because his vast estates are already confiscated by the rebels. He is greatly shocked at the part of his son. George Carothers, the department of state agent, said he was unable to aid Terrazas.

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