

TRENCHES TAKEN AT POINT OF BAYONET

Germans Cross Bzura in Advance on Polish Capital

GRAND JURY SUBMITS FINAL REPORT TO DISTRICT COURT

Following is the report in full of the grand jury of Nye county, submitted to the fifth judicial district court:

Honorable Mark R. Averill,
Judge of the Fifth Judicial District Court of the State of Nevada, in and for Nye County.

Sir:—We, the grand jury, beg leave to submit the following report of our investigation of the matters and things brought to our attention through the instructions of the court and the different witnesses appearing before the body during the present year; this report is intended to be a final and complete report of our investigations for the year 1914. The report is made up and consists of the work of the grand jury, distributed among different committees appointed by the foreman, relative to the investigation of matters of public interest.

Criminal Charges

The case of the State of Nevada vs. David Burroughs, true bill; State of Nevada vs. Mike Chorovich, true bill; State of Nevada vs. Tom Shippe, true bill; State of Nevada vs. Harry Atfield and C. T. McDowell, true bill; State of Nevada vs. Harry Atfield and C. T. McDowell, true bill; State of Nevada vs. Harry Atfield and C. T. McDowell, true bill; State of Nevada vs. Enrico Pavoli, true bill; State of Nevada vs. H. E. McGueon. In this case the statement and conclusions of the grand jury are attached to the form of the indictment as herewith returned into court, and it is the desire of this grand jury that the statement so attached be particularly called to the defendant's attention when the defendant is brought into court.

A number of other investigations were made in regard to alleged commission of crimes, and after hearing the testimony the grand jury reached the conclusion that there was not sufficient evidence to warrant the bringing in of indictments and therefore, at this time, do not set forth particularly the crimes to which the said investigations referred.

We find the conditions as to law

and order throughout the county to be very satisfactory, with the exception of such subjects as are hereinafter specially referred to. The grand jury has paid particular attention to the enforcement of the law relative to all general subjects that have come to the attention of the grand jury by evidence of witnesses as well as their own individual knowledge of the situation that prevails throughout the county.

The Gambling Law

We have given particular attention to the universal violation of the gambling law, as prescribed by the statute, and we deplore the universal neglect on the part of the officers, whose duty it is to enforce the gambling law. Throughout the different towns of the county, it has been brought to the attention of this grand jury that "draw poker," "stud poker" and "black Jack" or "twenty-one" are commonly played in saloons and other places, and in the town of Tonopah all of these games are countenanced by the officers as well as a great many persons who have no other visible means of support than that of short card playing. Games are openly carried on in the public places of Tonopah and the situation seems to be increasing rather than diminishing. It has been a difficult problem with us to determine exactly what course to pursue to prevent the continuation of universal gambling throughout the county. No formal complaint or presentment has been made against any particular officer for his failure in this regard to enforce the law. Had such a case been formally presented, we would have felt it our duty to inform against him or them as the case might be, so we are in the position of having the desire to enforce the law but without means to do so, other than to request, to demand, to urge and instruct officers, whose duty it is, to rigorously enforce the gambling law by prosecuting all violators thereof. As one means, however, of preventing universal gambling, it has

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GIRL USES HAIR BRUSH IN HER DEFENSE OF FATHER

MILLIONAIRE ATTORNEY KILLED IN HIS HOME BY BURGLAR

(By Associated Press.)
LOS ANGELES, Dec. 22.—William Montrose Alexander, retired attorney, said to be a millionaire, was shot and killed in his home by a burglar. His son William was wounded in the breast and left hand while endeavoring to aid his father, but was not seriously hurt. Penelope Alexander, his daughter, hearing the shots, attacked the burglar with a hair brush. The intruder escaped. Mr. Alexander practiced law in Dallas, Texas, for 26 years. The family returned from Europe last week.

GOVERNMENT BUILDS MOUNTAIN ROADS

PART OF NATIONAL FOREST RECEIPTS EXPENDED ON LINCOLN HIGHWAY

RENO, Dec. 22.—One hundred miles of road were constructed by the federal government in district 4 during the fiscal year 1914 with the fund obtained from 10 per cent of the national forest receipts. The total for the last six or eight years is over 800 miles in this district.

This fund, which was provided by congress in 1907, is used exclusively for roads which will benefit settlers and residents of those counties containing national forests, and through routes are not constructed unless they happen to coincide with the needs of the local communities.

BULLION SHIPPED BY TONOPAH EX. CO.

LOAD OF CONCENTRATES ALSO GOES FORWARD FROM MILL

Twenty-nine bars of bullion were shipped this morning via Wells-Fargo by the Tonopah Extension company. The weight of the shipment was 3,640 pounds, valued at \$32,895. The bullion was the result of a week's run. In addition a carload of concentrates, weighing better than 20 tons, was sent out. The concentrates, which are valued at about \$5,000, were the result of two weeks' run.

MINE EXPERTS AND LEGAL TALENT DEPART

Judge W. H. Dickson, Judge S. B. Downer, A. C. Ellis, A. M. Winchell, H. N. Winchell and W. H. Wiley, counsel and expert witnesses for the West End company, and Justice Curtis Lindley, Wm. Colby, J. W. Finch, Fred Seavies, Jr., and Prof. A. C. Lawren, who represented the Jim Butler company in the recent litigation, left this morning for their respective homes at Reno, San Francisco, Salt Lake City and elsewhere.

SIX LEASERS NOW AT WORK AT TONOGOLD

Mike McGlynn, a leader in the new Tonogold district, came into town yesterday and will remain until after Christmas. He says that six sets of leasers are at work. The Murphy and Kelly & Campbell leasers are now respectively in and 35 feet in depth. Staking was resumed on the latter yesterday.

TODAY AND A YEAR AGO.

Official readings of the thermometer by the United States observer at Tonopah:

	1914	1913
5 a. m.	12	20
9 a. m.	14	20
12 noon	20	24
2 p. m.	25	25

FRANCE TO FIGHT TILL ANCIENT WRONGS ARE RIGHTED

PREMIER SAYS MILITARISM OF PRUSSIA MUST BE CRUSHED

(By Associated Press.)
PARIS, Dec. 22.—Premier Viviani, stating the views of his government concerning the war to the chamber of deputies, said: "France, with her allies, will not sheathe her arms until taking vengeance for outraged right; until she has united to the French fatherland the provinces ravished from her by force and has restored heroic Belgium to the fullness of material life and political independence, and until Prussian militarism has been crushed, to the end that it will be possible to reconstruct, on the basis of justice, a Europe regenerated." The extraordinary war session of the deputies has aroused much interest.

DEBATE BEGINS IN HOUSE ON HOBSON RESOLUTION TODAY

PROVIDES SUBMITTING TO STATES PROHIBITION CONSTITUTIONAL AMENDMENT

(By Associated Press.)
WASHINGTON, Dec. 22.—Under a special rule, adopted without roll call, the house began an eight-hour debate on the Hobson resolution to submit to the states the constitutional amendment providing for national prohibition. There will be an eye and may vote tonight. A rolling chorus of "ayes" greeted the question. The house then plunged into one of the most interesting, if not the most spectacular, debate in recent years. The passage of the rule is conceded by those who oppose the Hobson resolution, many of whom voted for the rule to get the resolution out to vote on it. Passage of the resolution requires a two-thirds vote of the house, and a two-thirds vote later in the senate before it is submitted to the states.

WIELDS BOTTLE AND IS GIVEN TEN DAYS' TIME

B. R. Wilcox and Oscar Saari engaged first in an argument night before last, followed by blows, culminating in Wilcox hitting his adversary over the head with a bottle, rendering him unconscious. They were brought into Justice Dunseath's court yesterday. Saari was discharged and Wilcox sent up for 10 days. Both now were so drunk at the time of the scrap that neither could remember where it happened.

MANY LEAVE TONOPAH TO SPEND HOLIDAYS

Sixty-six tickets were sold at the Tonopah passenger depot this morning. Nearly all were bound for other cities in which to spend the holidays, while the departing attorneys and experts in the apex litigation materialized swelled the number.

PROVINCE OF DOBRUDJA CEDED BY ROUMANIA TO BULGARIA ON AGREEMENT WITHOUT PRESSURE

(By Associated Press.)
PETROGRAD, Dec. 22.—The Bulgarian minister has announced an agreement between Roumania and Bulgaria under which Roumania will restore to Bulgaria the province of Dobrudja, and most of the other territory acquired from Bulgaria as a result of the second Balkan war. "The agreement was reached without pressure by either the Germans or allies," said an official of the Bulgarian ministry. "We will continue to be neutral. We believe Roumania also will be neutral."

FRENCH ATTACKS UPON GERMAN POSITIONS IN THE WESTERN ZONE REPULSED WITH HEAVY LOSSES

(By Associated Press.)
LONDON, Dec. 22.—The battle in France and Belgium has grown more violent, the Germans and allies making furious attacks. Although the French asserted recently that the Germans were on the defensive everywhere, the latest French statement refers to German attacks on four points. The German statement in turn describes several attacks by the allies. No marked change in positions have occurred, although the French say that they captured entrenched positions. References to trenches taken and retaken, after violent bayonet engagements and heavy losses inflicted, show the desperate nature of the struggle. The Germans say the French attacks in the neighborhood of Albert, Souvain and Perthes were repulsed with heavy losses to the French. The Germans say fierce fighting is in progress in Poland. At some points the Germans have crossed the Bzura on the way toward Warsaw.

JIM BUTLER-WEST END TRIAL CONCLUDED WITH DISPATCH, POETRY, BANQUET AND NO ILL FEELING

The trial of the Jim Butler-West End case, involving title to one of the important ledges of Tonopah through apex rights, came to a conclusion earlier than anticipated in Judge Averill's court yesterday afternoon.

Little evidence in rebuttal was taken and the case was given over to the judge almost without argument. This trial will go down into history as one of the most important ever tried in Nevada, not merely in the amount of property involved and the significance of the decision, but in the brilliant contingency of legal talent and mining experts engaged.

It is noteworthy in that, while the attorneys fought strenuously for their respective clients, there was not a sign of a wrangle over law points, nor was Judge Averill called upon to pass upon a single objection. In the trial of this case a number of expensive models were used, the method of taking and transcribing testimony was unique, as was also the system of diagrams sketched by a number of the expert witnesses, to become a portion of the records in the case. Then there was also the invocation of the Muse, as follows, to wit:

The "Litigation Kid" has again broken into poetry (?). This is the second spasm since the Jim Butler-West End case came on for trial, and there is no assurance that this will

MOTOR SHIP ASHORE OFF SOUTHERN CALIFORNIA

(By Associated Press.)
SAN DIEGO, Dec. 22.—Bound from San Francisco for Norway, the motor ship Malakka is ashore on Cedros islands, 200 miles south of San Diego. The freighter Arizoman is standing by. It is not known how badly the ship is damaged.

PIONEER RESIDENT OF NEVADA PASSES AWAY

John W. Loder, a pioneer resident of Nevada, passed away recently at his home in Reno after a long illness incident to old age. Last summer he and his wife celebrated their golden wedding together with Mr. and Mrs. Ed. Ferris, another aged couple of that city. Mr. Loder, who was 73 years of age, is survived by his wife, a daughter, a sister and a brother.

be the last of the series. Here it is; he prepared for the worst, or nearly the worst:

Jim Butler had an accident
Down in the mine one day,
Then he quickly for a doctor sent
And unto him did say:
"I've broke my toe; I've broke my toe;
It gives me awful pain,
Pray narcotize my mortal woe
And make me whole again."
Oh! they're guessing, guessing,
guessing
What the judge will have to say
in bestowal of his blessing
On the parties in the fray
When he's heard the apex case out
in Nevada.

Yes, they are artfully prepared,
The sketches Finch designed;
But, like a rural rustic's beard,
The fringe stuck out behind;
And Siebert's fault was made quite plain,
As tho' the subject's wite;
He shaved the "hair" off the vein,
Left it in sorry plight.

Oh, they're laughing, laughing, laughing
At the role the experts play
When each other's views they're chaffing
in a condescending way.
As they try out apex cases in Nevada.

THE TEMPERATURE.

Highest temperature yesterday, 18; a year ago, 24.
Lowest temperature last night, 11; a year ago, 19.

German Force Driven Back

(By Associated Press.)
PETROGRAD, Dec. 22.—A German column driven across the east Prussian frontier from Mlawka, to spreading east and west. It is the purpose of the German movement to reinforce the troops in the vicinity of Thorn in protection against the Russian advance.

RAILWAY MERGER INVOLVES THREE HUNDRED MILLION

(By Associated Press.)
CLEVELAND, Dec. 22.—Consolidation of the Lake Shore railroad with the New York Central was effected at a meeting of Lake Shore stockholders when they ratified action taken by the New York Central stockholders on July 20. The merger involves \$300,000,000. The Lake Shore has 1,300 miles of road between Buffalo and Chicago and many branches.

FORMER UNITED STATES SENATOR DIES SUDDENLY

(By Associated Press.)
VALDOSTA, Ga., Dec. 22.—Former United States Senator William West died today of apoplexy. He was appointed to the senate in March last to fill the vacancy caused by the death of Senator Bacon. His term expired in November.

Lives Lost in Theatre Fire

(By Associated Press.)
PARIS, Dec. 22.—A Bilbao, Spain, dispatch says that a serious fire has occurred in the Arriaga theatre there. Some casualties are reported, but the number of victims is unknown.

SEVEN MILLIONS PRICE OF ROAD AT FORECLOSURE

COLLATERAL AUCTIONED TO PAY DEFERRED INTEREST ON BONDS

(By Associated Press.)
NEW YORK, Dec. 22.—Ownership of a railroad, represented by millions of dollars' worth of stock, was auctioned today from the steps of the county court house. Old stock of the Chicago, Rock Island and Pacific was up on foreclosure sale. It was bid in for \$2,000,000 by James Wallace, chairman of the protective committee of the Rock Island company, against which the stock was collateral. The foreclosure was by the Central Trust company for its interest on bonds valued at \$11,000,000.

FIRE IN JACKEY MINE ON THE COMSTOCK LODE

Fire broke out late Sunday afternoon in the Yellow Jacket and Crown Point joint incline at Bald Hill and a force of men is employed in an attempt to extinguish the flames before any great amount of damage results. The flames are confined to the 1500-foot level of the properties and the damage so far has been small. The cause of the blaze is unknown.

J. W. HUTCHINSON, mill superintendent of the Goldfield Consolidated, returned from Aurora on today's train and continued on to Goldfield.