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Carson City Daily Appeal

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EFFORTS BEING MADE TO REOPEN BOY BANDIT CASE

Parents Hope That Trial May Be Granted In Order That Punishment Will Be Commuted to Life Imprisonment

LOS ANGELES, Dec. 30.—Ralph Fariss, the Bakersfield youth, who turned train robber and killed Horace E. Montague, traveling passenger agent for the Southern Pacific, in the hold-up of the Sunset express at El Monte, California, December 1, will be given a chance tomorrow to offer in his own behalf any evidence he may have, but the state will insist that he pay the death penalty just the same. Fariss was sentenced to death Saturday after pleading guilty, but relatives are trying to re-open the case.

It was expected that a motion to set aside the sentence would be made today, but action was delayed. An attorney engaged for the youth is examining the records and is expected to move tomorrow for the setting aside of the judgment.

Court officials expressed a willingness to waive the death sentence if any legal ground for such procedure could be found, but there was no willingness to set aside the plea of guilty entered by the prisoner.

Failure of the district attorney and Judge Gavin Craig, of the Superior court, to express the "dereg" of the murder of Horace E. Montague, is the alleged technical error by which the father of the youthful train robber and his attorney hope to invalidate the sentence of death imposed upon him.

Should a new trial be granted, a new plea of not guilty will be entered, it is said. In case success does not attend this effort, the mercy of Governor Johnson will be invoked. Fariss is under sentence to hang within ninety days.

Celebrated War Picture at Grand

An absorbing dramatic story leads up to the eve of the conflict. Stonewall Jackson was dead and Grant was besieging Vicksburg. In desperation, Lee marshalled his forces and made a dash to the north with 59,000 men. The Union army, numbering 77,000 met him at Gettysburg on July 1, 2, 3, 1863, and there followed a bitter struggle with booming cannon, bursting shells, thrilling cavalry and infantry charges, hand to hand encounters and thrilling deeds of valor.

Facing defeat on the third day, General Lee ordered General Pickett to charge the Union center with 4,000 men, following a fierce cannonading, and the brave soldiers rushed into the valley of death, raked by a deadly fire from the entrenched foe, while their ranks were decimated at every step by murderous artillery shot, but they were not stopped until half their number were stretched on the field. At the Grand tonight.

Prices 15 and 25 cents.

Shipping Hay

Two hundred narrow gauge cars of hay, equal to a train of 67 standard cars, are being transferred from the N. C. O. Railway to the Southern Pacific main line in Reno at the rate of 6 small cars daily. The hay is being sent to California markets by F. McArthur of Likely, and has been purchased by Charles E. Grosse of San Francisco. It consists of baled timothy and grass hay and is reported to have brought a price of \$14 on board the cars at Likely. The total of the shipments is in the neighborhood of 1,000 tons.

Death of Pioneer

Louis Stern, a resident of Hiko, Lincoln county, for more than forty years, died recently at the Soldiers' home at Sawtelle, Cal. He was aged 87 years and for a long time was postmaster. He was the first justice of the peace in White Pine county and as such presided at the only murder trial ever held in a justice's court. The prisoner was found guilty and was hanged the same afternoon.

Railroad Man Dies

Word has been received of the death at Ogden of F. H. Voorhes, who was formerly chief clerk for the Southern Pacific company at Wadsworth, and later was promoted to a position in Utah. The death occurred Saturday following a short illness. He leaves a widow to mourn his loss.

At "Dick's Place," Saturday night. Grand concert during the evening. Everybody come.

Operations Will Be Continued In 1914

That the Nevada Sugar company's plant at Fallon will operate next year was made manifest when, upon petition of the creditors, the District court of Washoe county issued a mandate that when signed by the bond and mortgage investors of the east, will constitute a writ empowering I. H. Kent, receiver, of Fallon, to contract with farmers for the raising of beets during 1914.

Copies of the mandate have been forwarded to the Bay City, and Detroit, Michigan, stockholders for their signatures.

The basic rate to be paid the farmers next year will be \$5 per ton for beets going 15 per cent sugar. For each additional 1 per cent of sugar the farmers will receive 15 cents per ton. They will be penalized in a like amount for beets going less than 15 per cent, the shortage to be computed only when the sugar contents fall short more than one-half of 1 per cent. A bonus is provided for those who will be compelled to haul their beets a distance more than four miles, four miles hauling entitling the beet grower to a bonus of 50 cents per ton and each additional mile up to twelve miles 15 cents.—Yerington Times.

Suicide Left Sister

F. H. Hill, the man who committed suicide by hanging himself to a rafter in the Verdi Lumber company's shed in East Fourth street, Saturday, left a sister, Miss Aggie Hill, residing at Battle Creek, Michigan, and so far as Groesbeck & O'Brien, the undertakers who have charge of the remains, have been unable to ascertain, there are no other relatives. The inquest was held this afternoon, Coroner Davis summoning a jury, which heard the meager evidence in connection with the affair. Funeral arrangements will be deferred pending advice from Miss Hill at Battle Creek.—Gazette.

"Bill" Will Remain

Wilson Brougher, after spending Christmas with his family in Carson, departed for Reno yesterday morning where he was joined last night by Mrs. Brougher and their daughter. From Reno they continued to their winter home in Oakland, Cal. Young "Bill" will remain until after the Firemen's Ball, New Years eve, when he will join his parents.

Tom and Jerry

Jess Paxton has arranged with Tom and Jerry to be ready for his patrons every day. 6-1f

Fresh eastern oysters at the Bon Ton. 19-1f

BELIEVED SCHMIDT JURY WILL FAIL TO REACH VERDICT

NEW YORK, Dec. 30.—A possible disagreement of the jury in the case of Han Schmidt, the former priest, who has been on trial three weeks on the charge of murdering Anna Aumuller, was indicated early this morning. At that hour the jury had been out nearly ten hours. They reported to Judge Warren W. Foster, of the court of general sessions, that they had been unable to reach a verdict. The judge directed them that in the interests of justice, they ought to deliberate further and the jury returned again.

The trial of the one-time assistant rector of St. Joseph's church came to a close early yesterday afternoon, after Judge Foster had briefly charged the jury, which had heard Schmidt's counsel describe the man as tainted with hereditary insanity.

The prosecution held that Schmidt was sane at the time he killed Anna Aumuller.

The foreman of the jury in reporting that a verdict had not been reached said he feared it was "a hopeless case." He said that some of the jurors had refused to discuss the case at all.

Judge Foster warned them they must be obedient to their oaths. They retired and were again locked up.

Tunnel 150 Feet In Order to Reach Vault of Oroville Bank

SAN FRANCISCO, Dec. 30.—Crackmen tunneled 150 feet and pierced the concrete walls of the First National bank of Oroville vault some time between closing time Saturday and Monday morning. They obtained \$3,700 in silver, but were unable to blow the manganese steel coin safe, in which was stored a much larger amount of gold and currency.

The news was telephoned here today by W. W. Gingles, the cashier, who discovered the loss when the bank was opened.

The base from which the robbers worked was a cellar of a building occupied only when lodge meetings were held at night, and they had ample time to dig the tunnel at leisure and show the dirt where it would not be observed.

Supposedly they worked up to the walls of the vault some time Saturday, waited to be sure the bank was empty, and then attacked the concrete with drills.

The silver within was lying loose. There was evidence to show that the coin vault had been attacked but that the robbers' drills had not the temper to pierce the manganese steel deeply enough to seat a sufficient charge of nitro-glycerin.

Reno Has Big Day In Divorces Filed

With but three days left in the year in which to file divorce complaints based on a residence of one party for six months, another large consignment of divorce applications was filed in the district court yesterday. Eight complaints were filed including the following:

Walter S. Lazier against Bertha Lazier; Frances B. Swain against Charles E. Swain; Katherine S. Bonney against Holbrook Bonney; Henry Bach against Clara Bach; Alfred Wilson against Carrie M. Wilson; Harry L. Patch against Addie L. Patch; Belle B. Titman against Clark J. Titman.

Ninety Inches at Summit

Snow seven feet and a half deep on the level is the report which has been made to the local office of the weather bureau indirectly through the Sacramento office from Summit. Friday the snow was ninety-two inches deep, but the Saturday report shows a depth of ninety inches. More snow has probably fallen since then, as two inches fell in Reno Saturday night.

Offered Washington Job

The position of assistant sergeant at arms of the United States senate is said to have been offered to Gilbert Tyler, chief electrician for the Verdi Lumber company, by Senator Pittman. Tyler has not decided whether to accept the post or not. Tyler was graduated recently from the University of Nevada.—Gazette.

Arguments to be Heard

Arguments in the case of the Gaslow-Western Mining corporation vs. Healey, Scott, Davis and Foubert, will be heard in the Federal court before Judge Farrington on the 6th of next month. Evidence in this case was submitted in the Federal court about three weeks ago, but because of the fact that the time had arrived for the hearing of other important cases the arguments were deferred till a later date. Sam Platt of Carson and Gustin & Gillette of Salt Lake represent the plaintiff and Attorney-General Thatcher appears for the defendants. The case, it will be remembered, involves the ownership of valuable placer mining claims in the Copper Canyon country, near Battle Mountain.

Crisp Los Angeles lettuce at the Bon Ton. Two for 15 cts. d10

OBJECTS TO GOVERNMENT HANDLING CALUMET CASE

Governor Ferris Says State Authorities Need No Help From United States Officers--Grand Jury Is Now Ready to Investigate

BIG RAPIDS, Mich., Dec. 30.—John B. Densmore, solicitor of the government department of labor, conferred with Governor Ferris at his home here today concerning the strike situation.

"I am still of the opinion that there is no necessity for the federal authorities to take action in this affair," said the governor this morning. "There is a grand jury now in session at Houghton. Moyer or anybody else can go before that body and get justice. It is strictly a state matter and Michigan can handle it."

After the conference had concluded Governor Ferris said Solicitor Densmore had explained that he did not come to Michigan to begin a federal investigation into the strike conditions.

"He made it plain," said the governor, "that he came here merely on a conciliatory mission and of course I have no objection to any efforts in that direction."

CALUMET, Mich., Dec. 30.—With most of the dead buried, Calumet today turned its attention to the coroner's inquest of the Christmas eve panic which cost the lives of seventy-two persons, and to the Houghton county grand jury investigation of the forcible ejection from the copper country of Charles H. Moyer, president of the Western Federation of Miners.

The coroner's inquest began here today and the grand jury investigation is expected to begin tomorrow at Hancock, where Moyer was assaulted and put aboard a Chicago-bound train.

Believed Slayer Escaped From Mine

BINGHAM, Utah, Dec. 30.—That a secret and fruitless search for the body of Lopez, the Mexican bandit, was made in the Andy workings of the Apex mine Sunday night, is admitted by two of the searchers. They are said to have spent three hours in the mine, searching the likely places for the body of the Mexican, afterward leaving as they entered and replacing the bulkhead.

Nothing was found changed, according to the two members of the party interviewed. No evidence that the Mexican had been in the mine since the bulkheads were put there was found, it is said, except numerous candle ends that might have been left by him or by miners or guards.

Mason Valley Production

According to the Yerington Times the Mason Valley smelter last week handled 4,501 tons of ore, received from the following points: Mason Valley mines, 2,605 tons; Nevada Douglas, 1,303 tons; other mines in the district, 593 tons. During the week nine carloads of matte were shipped.

Sheep to be Shipped

Eighteen empty stock cars were sent to Minden today by the Southern Pacific company for the use of the Western Meat company in making a shipment of sheep from the Dangberg ranches. The sheep are to go forward December 30.—Gazette.

Condition Bright at Goldfield

A report recent issued from Goldfield says that while that camp is not at present making the great production of precious metals that marked its earlier years of activity, the district is looking better than for a long time past. This statement finds confirmation in the opinions of business men, bankers, mining men, mining engineers and visitors to the camp who take an interest in its mines. Development is in progress at many points where the showing is favorable for the opening up of producing mines, and it is impossible to find a person familiar with conditions who will predict other than a bright future for the camp.

Bids Submitted

The members of the Board of Directors of the State Orphans' Home are holding a meeting this afternoon to consider bids for supplies for the Home for the ensuing six months. Ed Walsh, Art G. Meyers and Frank Lopez, Carson merchants have submitted bids.

Getting In Shape for Fireman's Ball

For the past few days the fire boys have been working industriously at Armory hall getting the place in shape for their big dance on the night of the 31st. As a result the hall presents a scene that is both attractive and artistic. Flags and banners reach about the room in all directions, and intermingled are ferns, flowers and electric lights, the whole presenting a very pretty picture.

Today 250 pounds of turkey arrived from Gardnerville and these will form the nucleus of the big "feed" which is promised as a diversion from the monotony of the dance. In addition to the national bird, salads and other epicurean dishes will be served. The price for the supper has been set at fifty cents, and it will be worth it. To the dance the price of admission for lady and gent will be \$1, fifty cents to be charged for each extra lady.

Nearly 200 tickets have already been sold for the dance, and it is expected that number will be doubled.

Irondyke Will Be Big One

Recently when Walter Trent, of the Trent Engineering works of Reno, was in Mina, he visited the property of the Irondyke Mining company, five miles north of Mina. Mr. Trent gave the property a pretty thorough inspection. In a conversation with the representative of this paper Mr. Trent had no hesitancy in declaring it as his belief that with further development the Irondyke will become one of the biggest producers of copper ore in the state.—Western Nevada Miner.

Ready to Rejoin

It now appears that the action taken by the Hale and Norcross directors at the annual meeting in regard to rejoining the United Comstock Pumping Association was in the form of a resolution offered by Director Turney, that the President of the Hale and Norcross be instructed to confer with the President of the Pumping Association and arrange for rejoining that body. It was this resolution that was unanimously voted by the directors, including H. L. Slosson, Jr.—San Francisco Bulletin.

Commissioner of Oaths

The Secretary of State today received a voluminous document from England conveying the fact that Percy Braby of Dacre House, London, had been appointed commissioner of oaths for the State of Nevada.

Tom and Jerry at Paxton's awakens the inner man. 6-1f