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ALBUQUERQUE MORNING JOURNAL.

ALBUQUERQUE, NEW MEXICO, MONDAY, JANUARY 12, 1914.

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A Month, Single Copies, 1c.

THIRTY-SIXTH YEAR.
VOL. XXXVI. No. 12.

BORDER GUARD HOLDING 2,800 FEDERALS AND 6 GENERALS PRISONERS

Serious Problem Confronts United States Cavalry at Presidio, Following Capture of Ojinaga By Rebels.

OROZCO, SALAZAR AND ROJAS FLEE SOUTHWARD

Fifteen Hundred Civilians Ac- company Vanquished Gar- rison Across Rio Grande; On to Mexico City is Cry.

Specialists provided for them on the American side, others were without clothing sufficient to protect them from the cold and all were drenched from wading through the river. The scene of disorder was almost as bad on the American side as on the Mexican.

Scores of federal guns had been thrown into the river, and were protruding out of the mud. Federal and rebel wounded had clung to the river bank, side by side, and were waiting across, helped by the American soldiers.

Suddenly made guardsmen of an entire foreign legion, generals and all, these American border patrol soldiers were to be done with the Mexican soldiers. It was believed that the question would be referred to the war department and that Major McNamee would be ordered to deliver the soldiers to the nearest point in Mexico where the fugitives might return to their own country without jeopardy to their lives. At all events the soldiers will be taken to Marfa, Tex., the nearest railroad station.

From a military standpoint, the situation was regarded as being without precedent since in time of peace, the United States army has never had to surround, disarm, hold in custody and care for so large a body of aliens. Less than 500 cavalrymen handled the panic stricken mob of almost ten times their number. Although many of the federal soldiers had loaded rifles and ammunition, the rounding up and disarming was done without any untoward incident.

Both General Villa, the victorious rebel leader, and General Mercado, the defeated federal commander, standing on opposite banks of the Rio Grande, discussed the incidents in Mexican history in which they had just taken part. General Villa had triumphantly in the little adobe palace of the plaza in Ojinaga, and General Mercado a refuge, at in the camp of the border patrol. "It was hopeless," said General Mercado. "Our men had left only seventy-eight rounds of ammunition, and we could not have resisted a charge by the rebels. It would have been a massacre. I ordered the evacuation and flight to safety across the river on grounds of humanity.

"Hundreds of women and children refused to desert the soldiers. These non-combatants had no arms and would have been killed in the confusion. We also had many loyal soldiers and officers who had reason to believe they would have been executed if captured. The loyalty of the government forces was unquestioned. There was no indication of a general desertion. When I saw there was no hope, I had to command the soldiers to leave. I chose to place the lives of my men in the care of the United States rather than to risk them to the rebels. We are grateful for our hospitable asylum here."

General Villa said:

"The credit for this victory is due to General Tiburcio Ortega. He led the original attack a week ago. He knew the rebels had only a limited supply of ammunition. Our tactics were to exhaust that supply. General Ortega started an attack to draw the federal fire and succeeded.

"For a whole week the federal garrison kept firing back at us with little effect. We did not go near enough to endanger any of our men. Then we withdrew for six days to Ojinaga."

(Continued on Page Two.)

Robber Is Said to Have Secured Little of Value, Overlooking Many Registered Letters and Packages.

Los Angeles, Jan. 11.—The bandit with the painted face who held up the mail clerk on a northbound Southern Pacific train near Tropico last night, was at large tonight. According to postoffice officials here the bandit got only a trifling amount. He was in the car only a few minutes, and overlooked nearly all of the registered mail, some of it carrying money and other articles of considerable value.

MAIL TRAIN BANDIT BELIEVED STILL AT LARGE

The bandit boarded the train before it left the Arcade station in this city. He entered the mail car immediately after the train drew out of the station and dumped off at Tropico, seven miles north.

There were two mail clerks in the car, A. G. Wendland and D. W. Perry. They say the bandit wore a blue-bordered handkerchief about the lower part of his face. That part of his countenance showing above the handkerchief was stained, Wendland said, and the eyebrows heavily penciled.

At the bandit's order Wendland and Perry, drew empty mail sacks over their heads. The robber began ripping open mail sacks. He had rifled only a few before the train slowed down at Tropico. He made the mail clerks goodbye and dropped off the car.

RANDIT USED TACTICS OF FORMER ROBBERS

San Francisco, Jan. 11.—The man who robbed the mail car of the Southern Pacific railroad's Sunset limited near Los Angeles last night did his work exactly as did the man who robbed mail cars at Birmingham and San Jose, Calif., some six weeks ago, police authorities said today. In each instance, the man compelled the clerks to pull the canvas sacks over their heads, after which he tied the drawstrings bonnet-wise under their chins and chased them under a table.

PORTUGUESE ARRESTED ON SUSPICION OF ROBBING

Riverside, Calif., Jan. 11.—Estavada Viega, thirty year old, a Portuguese, was arrested today on a eastbound Southern Pacific train at Beaumont and brought to the county jail here, on suspicion that he was the Tropico train robber and also the murderer of City Marshal Alexander at Corona. Alexander was killed December 22.

Worthy Scandinavian Brewer Dies

Copenhagen, Jan. 11.—Dr. Carl Jacobson, a worthy brewer and a patron of art, died today. He was 72 years of age. Dr. Jacobson had visited the United States many times.

WILLIAMS LIKELY LEGISLATIVE TO BE NAMED AS COMPTROLLER

Washington Believes Secretary McAdoo Will Insist Upon Assistant Being Given Im- portant Post.

Washington, Jan. 11.—With the return to Washington of the reserve bank organization committee interview in the new federal finance system centered today on the question of who is to be made comptroller of the currency.

Persons on close terms with Secretary McAdoo are convinced that he intends to have President Wilson nominate J. S. Williams, at present assistant secretary of the treasury, in charge of finances. Political observers believe that if the secretary insists the name of Williams will be sent to the senate shortly after the return of the president on Tuesday.

Aside from the question of the comptrollership, members of congress are waiting eagerly to learn if the president has decided on the five other men he is to appoint on the federal reserve board. It is regarded as probable, however, that the board will not be named for several weeks, as it would have nothing to do until the reserve bank organization committee announces the limits of federal reserve districts and the location of reserve cities. Such an announcement is not expected before the end of February.

The organization committee will not begin its public hearings here until Wednesday.

ALASKA RAILWAYS FIRST ON CALENDAR

Anti-Trust Measures, Farmers' Banks and Rural Credits, and Other Democratic Policies to Be Considered.

Washington, Jan. 11.—Congress will start tomorrow upon the second stage of the long regular session, with the calendars of both houses crowded with legislation of far-reaching character. Refreshed by nearly three weeks' vacation, the first complete relaxation since President Wilson convened the special tariff-currency session last April, senators and representatives returned to Washington to-day keenly interested in the prospective developments of the next few months.

Regulation of the trusts through further corrective and prohibitive legislation will hold much of the attention of both houses, but other subjects to share the legislative arena with the corporation measures. The first of the trust bills to bear any official status are expected to appear during the present week with the endorsement of the democratic membership of the house judiciary committee, and their scope and terms probably will reflect closely the views of President Wilson and Attorney General McPherson.

The president will reach Washington Tuesday with a draft, if not the completed copy, of his message to congress upon trust legislation. This will be gone over at conferences between the president and anti-trust bill framers of house and senate before it is submitted to congress. The general character of the anti-trust bills prepared by Chairman Clayton and his associates of the house committee already has been publicly outlined, and their provisions are in accord with the ideas of the democratic leaders.

Trust reform legislation also will receive attention when the present returns. The bill will take the form of a measure creating a system of country banks from which farmers and stock raisers can obtain credit upon special terms of security and time of maturity, and the creation of credit associations by which farming communities can finance their own operations.

Scores of other legislative subjects are pressing for consideration in both houses and congressional leaders predict that the present session will be crowded with work until well into the summer. Efforts are to be made to dispose of the appropriation bills and to push the most important work of other character as it may be completed by June.

This will be done so democratic congressmen can get out into their own states to join in the campaign that is expected to occur for the full congressional elections.

President Wilson has impressed upon party leaders his belief that the enactment into law of legislation promised by the democratic platform should be accomplished as early as possible in order that senators and representatives may take an active part in the fall campaign when the contest of congress again will be at stake.

Some of the problems that will receive early attention from congress are:

The linking of trading in cotton futures to prevent speculation; constitutional amendments granting suffrage to women and prohibiting the manufacture or sale of liquor; Panama legislation, including the fixing of the form of government and the establishment of the free-trade provision for Alaska; strengthening of the army organization and the authorization of two new battleships for the navy; construction of government railroads in Alaska; establishment of a hierarchy for immigration; extension of federal aid for building of roads and for instruction in agriculture and trades; regulation of the employment of women.

The Alaskan railroad measure has first place on the calendars of both houses of congress, and will come up tomorrow for consideration. It is believed congress will agree to the financing of government roads to develop the resources of Alaska, and to bring Haledud and minerals into commerce.

Resolutions for the investigation of the Calumet strike are expected in both houses tomorrow. Senator Ashurst has announced that he will demand an investigation by the senate, in a resolution to be offered as soon as congress convenes.

Senator Thomas will address the senate tomorrow on his resolution for an international silver conference.

REBELS SHOOT TWO SOLDIERS OF U. S. TENTH CAVALRY

Negro Private Fatally Wounded In Naco and Trumpeter Is Shot While on American Soil and Dragged Across

El Paso, Texas, Jan. 11.—Mexican rebel soldiers at Naco, Sonora, today shot and mortally wounded Private John Bryce of the Tenth Cavalry cavalry while he was in Naco, Sonora, and later fired across the international boundary line wounding Trumpeter Warren, Tenth Cavalry. After shooting Warren, the Mexicans dragged him across the line, arresting him. Three other American negro soldiers, who were in Mexico, came to Bryce's assistance when he was shot, but were placed under arrest and threatened with death if they resisted. The Americans were unarmed.

Bryce was talking with a Mexican woman when he was attacked by the Mexican rebels. He was shot in the thigh and will die. Warren came to the international line when he heard the shooting and he was shot in the head.

Late this afternoon Captain Tompkins, Tenth Cavalry, demanded the release of the American soldiers, and the Mexicans immediately complied.

ELIOTT LEAVES FOR NEW YORK CITY.

Washington, Jan. 11.—Howard Elliott, chairman of the board of the New Haven & Hartford railroad, left tonight for New York to lay before the New Haven directors the plan of reorganization agreed to yesterday with the department of justice.

STRIKE CONDITIONS IN SOUTH AFRICA GROW BETTER

Martial Law Is Not Declared and Labor Meetings Are Orderly, Leaders Advocating Peaceful Methods.

Johannesburg, Union South Africa, Jan. 11.—The railway strike situation was more favorable tonight. The mass meeting of the council of the trades federation, held in the market square proved to be orderly. Martial law was not proclaimed and conditions were quiet both here and at Pretoria.

The government appears to retain full control, and the mass meeting at Cape Town was unable to agree to a resolution either for or against the strike. This points to continued loyalty of the Cape men who are the pivot of the situation. Restricted railway service continues at all points.

The warrants for the arrest of Ben and Mason, the leaders of the trades federation, have not been served, owing to the vigilance of their followers. Nine thousand persons attended the market square meeting. Not a policeman or soldier was visible, although there were plenty secreted within the hall.

Mason delivered a violent speech. Bain, who is secretary of the federation, urged that there was still time to compromise and suggested the formation of a conciliation board. The other speakers commended respect for the law. Resolutions were adopted supporting the federation and in favor of a general strike.

CAPE TOWN RAILROAD MEN NOT FAVORABLE TO STRIKE

Cape Town, Jan. 11.—A strong conflict of opinion as to the advisability of a strike was displayed at the mass meeting here today. The meeting began in a theater, but was adjourned to Parade square, owing to the inadequacy of the theater accommodations. The younger men favored the strike but the predominance of feeling was against it and it was found impossible to carry a resolution.

The presiding officer declared the meeting closed, whereupon it resolved itself into a laborite meeting and adopted a resolution demanding that the strike leaders be set at liberty, and that the policy of railway retrenchment be changed.

The authorities regard the meeting as encouraging, because all the responsible railway leaders were opposed to a general strike.

EDITOR OF ENGLISH NEWSPAPER KILLED

Shanghai, China, Jan. 11.—Z. F. How, founder and managing director of the Commercial Press, was shot dead in the street today. The assassin was arrested. The killing of How is believed to have been the result of the part he took in urging the municipal court to take over control of the Chapel suburbia of Shanghai, the scene of the rebels' operations in July.

How began his career as a small printer and built up the Commercial Press, which possesses the finest printing works in Asia.

BEGINS AGAIN TO GRIND OUT NEW BILLS

After Vacation of Three Weeks, Senators and Representa- tives Return to Program of President.

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CHINA'S PARLIAMENT FORMALLY DISSOLVED

Peking, Jan. 11.—The Chinese par- liament which practically has been non-existent for months was defini- tely dissolved by proclamation to- day, the administrative council hav- ing approved the proposal, support- ing to emanate from General Li Yuen Hong, vice president of the re- public, and the military and civil gov- ernors of all the provinces last De- cember, suggesting the termination of the parliament. The proclama- tion says that the parliament will be re-provoked in due course of time.

It is now intended that the administrative council shall draft a constitution. This body numbers twenty-one members and consists of the cabinet officers and others appointed by the president as well as the provincial governors. In the meantime the moderate members of the parliament threaten a peaceful agitation throughout the provinces against the action of President Yuan Shi Kai, while evidences are not wanting that the extremists will persist in their efforts to inaugurate a new rebellion.

FAMINE AND ANARCHY PREVAIL IN ALBANIA

Vienna, Jan. 11.—Private letters from Avlona depict Albania as the prey of famine and anarchy. Owing to lack of money, business is at a standstill. Exports have ceased and imports are so small that the people face starvation. Flour and meat are at exorbitant prices and other food can scarcely be obtained. The towns and villages are overrun with beggars whose importunities are so threatening that they really amount to robbery.

Despite efforts of the provisional authorities, crime is rampant, especially in the mountain districts where travelers are in danger of being robbed and murdered.

Aviator Falls 3,000 Feet to Death.

Santiago, Chile, Jan. 11.—Lieutenant Mery, a military aviator, while making a flight today, fell 3,000 feet and was crushed to pieces.

PRINCETON NEEDS A BIGGER ENDOWMENT

Princeton, N. J., Jan. 11.—The growth of the Princeton university is being impeded by an annual deficit of between \$50,000 and \$70,000 in the running expenses of the institution, according to a report which will be presented to the trustees tomorrow by President John C. Hibben.

"Lack of funds," the report says, "is also working harm on the efficiency of the faculty, because some of the more prominent professors are being drawn away from Princeton through larger offers of salary."

In making for a definite provision for professional salaries "based on a liberal minimum with a graded scale for income remunerative to an adequate maximum," Dr. Hibben says:

"Under our present salary list 72 per cent of the full professors of the faculty receive a salary of \$2,500 or less. We have not been able to keep pace in this direction with our rival universities because of our deficit."

STIFF BLIZZARD IN BELGIUM FOLLOWS RAIN STORM

Brussels, Jan. 11.—The temperature dropped suddenly 20 degrees this morning, converting the torrential rain into a stiff blizzard. Throughout Belgium there has been a heavy snowfall.

The heavy snow had a beneficial effect, however, on the flood situation, and the waters are now receding rapidly. The danger, temporarily at least, is considered over, although later the melting snows are likely to cause fresh inundation.

The people are beginning to realize the enormous losses caused by the flood. The subsidence of the Vendre river has left a deep coating of mud over thousands of houses. Miles of footways have been washed out, sidewalks have disappeared, and hundreds of houses, the foundations of which have been undermined, threaten to collapse.

Streets are strewn with the bodies of cattle, fowls, dogs and cats. The machinery in mills and factories practically has been ruined, and this means a long suspension of operations and the prospect of suffering among the industrial population.

In some places where the waters reached a height of eight feet in the principal streets, the residents took refuge in the upper part of the houses and were rescued by hoists.

In the province of Liekevinger the blizzard today is reported to have done considerable destruction.

HARRY THAW IS NOT INSANE NOW SAYS REPORT OF BOARD

Commission Appointed to In- quire Into Mental Condition of Late Inmate of Mattea- wan Submits Findings.

Concord, N. H., Jan. 11.—Harry Kendall Thaw would not be a public menace if he were released on bail, according to the report of the commission appointed by Federal Judge Aldrich to inquire into the state of Thaw's mentality.

The report says the commission finds Thaw is not now afflicted with any of the mental diseases from which he was suffering when he slew Stanford White. The finding was announced today.

While the commissioners say they have reached "a definite and positive opinion as to the present mental condition of Thaw and his probable state of mind at the time of the homicide," they refrain from expressing this opinion in view of their instructions from the court not to "embarrass" any subsequent litigation where the broad question of insanity might be involved.

"Upon the question of menace or danger through the granting of bail, we may, however, be permitted and probably are compelled," concludes the report, "to record our finding that whatever may have been the mental condition of Harry K. Thaw at the time of the homicide, on which question we express no opinion, he is not now suffering from any of the forms of mental disease alleged by the prosecution at the time of the trials or subsequently thereto, namely, mania-depressive insanity, paranoia, dementia paraxosa, or delusional insanity."

"In our opinion, it is reasonably probable that Harry Kendall Thaw's liberty under bail would not be dangerous or a menace to the public peace and safety."

The commission, which was appointed December 17, consisted of General Frank S. Streeter, a lawyer of this city, as chairman; Dr. Morton Prince, of Boston; Dr. O. Alderblumet, superintendent of Butler hospital for the insane, Providence, R. I.; and Dr. Charles H. Bancroft, superintendent of the New Hampshire hospital for the insane, of this city.

The report will be considered by Judge Aldrich this week in connection with the petition of Thaw for admission to bail under rescripts naming the commission. The judge said that after the presentation of the report, the interested parties would have an opportunity to be heard further before the question of bail was passed upon.

No date, however, for such a hearing has been set.

After referring briefly to Thaw's second trial and his commitment to Matteawan state hospital as a victim of "mania-depressive insanity," the report says the commission examined all the entries of the official record of the hospital relating to Thaw from February 1, 1908, to the date of his escape from the institution, August 15, 1914. Transcripts of three cross-examinations of Thaw by counsel for the state of New York on habeas corpus proceedings instituted in his behalf were also inspected.

"All the cross-examinations," says the report, "revealed the most searching inquiry into Thaw's mental condition and attitude. The report then tells of the public hearing held on January 7, at which interested parties were asked to offer evidence of acts committed by Thaw since his commitment to Matteawan, tending to show personal violence, and evidence to the contrary.

"Counsel for the state of New York," it continues, "declined to appear on the alleged ground that our power under the order of the court was inadequate to a determination of the question submitted. Counsel appeared for Thaw and offered evidence of his conduct since September 18, 1913."

Mental examinations of Thaw were made by the commission during four days in December and frequently afterward. The report says these examinations "covered a searching inquiry into all the acts of his life, including a review of his statements made in the various cross-examinations referred to. They also include an examination of his present and former mental attitudes with reference to all his acts."

Floods Are Subsiding, Revealing Enormous Damage to Buildings and Machinery in Factories.

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"STEWART" HEATERS
More Heat—Less Fuel



Prices Reasonable
RAABE & MAUGER
115-117 N. First St.

AZTEC FUEL CO.

GALLUP LUMP COAL, \$7.50
ALL KINDS OF WOOD
PHONE 251

MANSION CAFE

21 South First Street
Clean, well-served food. Regular meals or short orders. Chinese Chop Suey and Noodles. Private booths for parties and banquets—Mandarin or American style—dignors from Savoy bar. Prompt service, moderate prices. Open day and night.

BORDER GUARD HOLDING 2,800 FEDERALS AND SIX GENERAL PRISONERS

(Continued From Page One.)
Our future plans are now well defined. As soon as the situation here is clear I, with many of my troops, will return to Chihuahua whence we will conduct our campaign southward.

FEDERAL REFUGEES WILL BE REMOVED TO MARFA

San Antonio, Texas, Jan. 11.—General Tucker, U. S. military agent for Mexican soldiers and refugees who fled from Chihuahua, Mexico, before the rebel army led by General Villa, will be taken to Marfa, Texas, and temporarily detained. He said no plans had been made for their final disposition.

GOVERNMENT PROBABLY WILL HOLD FEDERALS

Washington, Jan. 11.—Only meagre dispatches were received at the war department today from Brigadier-General Bliss, commanding the American forces patrolling the Mexican border. They reported that apparently the entire body of Mexican federal soldiers, including a number of the commanding officers, are held in American territory and were held as refugees.

GOVERNOR CAN DO NOTHING FOR THEM

Gov. O'Shaughnessy, it is believed, will remain at Orizaba until the law is re-opened.
The action of the rebels is said to be the outcome of the recent suspension of the transportation of oil in defiance of the rebel warlords.

30,000 VOICES!

Thirty thousand voices—what a grand chorus! And that's the number of Assumption men and women who are publicly praising Deane's Kidney Pills for relief from backache, kidney and bladder ills. They say it to friends. They tell it in the home papers. Assumption people are in this chorus. Here's an Assumption case.
J. J. Ryan, 223 N. Broadway, Albuquerque, N. M., says: "I had noticed for some time that my kidneys weren't acting as they should. The car of riding on a wagon and heavy lugging weakened them. I had sharp twinges in the small of my back. My head ached and I had dizzy spells. I got Deane's Kidney Pills from a neighbor and they had cured him of kidney complaint. One box was all I needed for a permanent cure."

Zabera Protest Against Acquittal

Zabera, Alamo, Jan. 11.—A mass meeting in protest against the acquittal of Cal. Van Reuter and Lieutenant Shad and the granting of the appeal of Lieutenant Rayon Von Ferkel from a sentence of imprisonment for connection with the recent incidents between the military and civilians of Zabera was held today. A large number of persons attended the meeting, but there were no disorders.

Wanted—Clean cotton rags at special price

W. E. RUTLEDGE

BRITISH MINISTER MAKES PROTEST TO HUERTA

Interruption of Railroad Line Between Mexico City and Vera Cruz Excites National Capital.

MEXICO CITY, Jan. 11.—The interruption of traffic between the Mexican capital and Vera Cruz by the cutting of the Mexican railway last night by the rebels and the attack on a freight train, with the consequent isolation of the American charge d'affaires, Nelson O'Shaughnessy, at a way station, has stirred the capital. The British minister, Sir Lionel Garden, made personal representations to President Huerta today regarding the better policing of that line, which is British property, and revived speculation in the capital as to how far the British government would go in protecting the property of its nationals.

The attack was the first serious effort the rebels have made to interfere with traffic between the capital and Vera Cruz, but their work was confined to looting and burning oil cars.

Charge O'Shaughnessy and his wife were on a train which left Vera Cruz this morning. The train was stopped at Orizaba, where it remained all day while work of clearing the tracks of the burned cars was in progress. The charge had expected to arrive here this morning.

Traffic over a branch of the Inter-Oceanic railway was interrupted last night by the rebels, which gave rise to the report that the main line to Vera Cruz had been cut.

In the concession granted to the English owners of the Mexican railway, more than forty years ago, it was provided that they should have the right to police the property with British troops. The incident of last night scarcely had been reported in the capital when the British minister called on President Huerta and insisted that better protection be afforded immediately.

Early in the day a troop train was sent from Mexico City to that portion of the line, but the rebels had disappeared.

The rebels have been increasing in numbers along the line, especially south of the Cordoba and appearing almost as frequently along the Inter-Oceanic, the only outlet from the capital for freight and passengers.

President Huerta appeared not to be greatly worried by the incident. He attended a ball fight this afternoon where an enormous crowd gathered for the benefit of Guana, Mexico's noted bullfight. The president was given a tremendous ovation. He crossed the admiration of bull fight devotees by publicly presenting each of the bull fighters with a fifty peso note.

The fall of Orizaba has aroused public interest in the capital. The greatest demonstration for many weeks was that of the Catholics, to the number of 2,000, who marched through the principal streets today to the cathedral, where prayers were offered for the restoration of peace. Contrasting with this was a smaller, but more dramatic procession in the early hours of the morning, when prisoners were herded through the streets from Bolan prison to the soldiers' barracks where they were placed in the ranks.

O'SHAUGHNESSY LEAVES VERA CRUZ FOR CAPITAL

Vera Cruz, Jan. 11.—The American charge d'affaires, Nelson O'Shaughnessy, who has been in conference here with John Lind, President Wilson's personal envoy, and Rear Admiral Fletcher, for several days, left Vera Cruz this morning on a special train for the Mexican capital. He was halted at Orizaba, however, by a rebroke in the Mexican railway which was cut last night by rebels between Esperanza and Matruza. The rebels burned a train of oil cars.

GOVERNOR CAN DO NOTHING FOR THEM

Gov. O'Shaughnessy, it is believed, will remain at Orizaba until the law is re-opened.
The action of the rebels is said to be the outcome of the recent suspension of the transportation of oil in defiance of the rebel warlords.

C. H. MOYER GOES TO DENVER FOR SHORT VISIT

Labor Chief Expects to Return to Chicago Soon and Attend Meeting of United Mine Workers of America.

CHICAGO, Jan. 11.—Charles H. Moyer, president of the Western Federation of Miners, returned to Chicago today almost as unexpectedly as he had departed last Wednesday for the Calumet district, where he was attacked and deported three weeks ago.

Moyer was in conference with Yanco Terzich, a member of the executive council of the federation, and left five o'clock for Denver, where he makes his headquarters. He will familiarize himself with developments in the Colorado strike situation and return to this city later in the week to attend the convention of the United Mine Workers of America at Indianapolis, which opens January 25.

President Moyer will be present at one of the meetings of the American Federation of Labor which begins at Washington January 15.

On January 25 he will be at Lansing, where the Michigan Federation of Labor will hold a special convention to consider a state-wide strike in sympathy with the striking copper miners in the northern peninsula.

At the Washington council Moyer said he would urge the American Federation of Labor to obtain a congressional investigation of the strike situation and federal intervention if possible.

He will visit the Michigan federation, he said, to urge the Michigan miners to go on a state-wide strike and at Indianapolis he will seek only to unite the interests of the United Mine Workers and the Western Federation of Miners more firmly.

DICTAPHONE USED TO GET SECRETS OF FEDERATION

Houghton, Mich., Jan. 11.—Evidence gathered through a dictaphone device concealed in the office of attorneys for the Western Federation of Miners may play an important part in future developments of the copper strike situation. It was learned today that an operative of a detective agency said that one of the dictaphones was in the Calumet office of August W. Kery and Edward E. Legrande for five weeks last summer and that more recent conversations between Charles H. Moyer, president of the federation, and O. N. Hilton, its chief counsel, were recorded by the same method in the Scott hotel, Hancock.

None of the men concerned in the conference seemed perturbed by the revelation.

"Suppose they did have one of those things in the room; it doesn't worry me," was the gist of their comment.

They said they had heard that the device was being used by agents for the companies.

Messrs. Kery and Legrande have been legal advisers to the union, since the strike started last July. In its early stages many of the most important conferences of the strike leaders were held in their offices.

It was stated that alleged records of conversations were turned over to the mine managers and there was a hint also that some of them went before the grand jury, which has been investigating all aspects of strike lawlessness.

Attempts to confirm this after the afternoon met with failure. George McNeil, special prosecutor in charge of the grand jury, declines to discuss any phase of his work.

It was said the arrest of two men in New York on charges of buying false affidavits relating to the use of "gun men" by the mine managers, was one of the direct results of the use of the secret device.

A lister went in from Lake Superior today and caused a halt in strike activities. Regular Sunday meetings of the various locals were held, however.

Everybody at Church in New Haven.
New Haven, Conn., Jan. 11.—As the result of an "oversight" at church campfire it is estimated that fifty thousand persons attended services at New Haven's ninety-two churches today, about 25,000 more than usual. Many prominent citizens were back of the movement, including former President Taft.

MILITIAMAN KILLS STRIKE BREAKER IN COLORADO

Man Is Alleged to Have Refused to Halt When Challenged, and Fatal Shot Followed Quickly Thereafter.

Walsenburg, Colo., Jan. 11.—John German, a miner, was shot and killed by a militiaman on sentry duty here tonight when he refused to halt at command and crossed the sentry line into the military camp.

According to reports made to Adjutant General Chase in Denver tonight, German, who is said to have been intoxicated, crossed the sentry line and refused to halt at the challenge. The sentry was said then to have fired at the intruder.

Orders have been issued to sentries to shoot to kill when an intruder refuses to stop at the third warning.

Other reports of the killing, unofficial, state that German refused to stop at the first challenge and engaged in a scuffle with the sentry, during which the sentry's gun was discharged, the shot killing the intruder.

The sentry has been arrested by military authorities and his trial will be held tomorrow by the military commission. Judge Advocate Major Boughton stated tonight that he could give none of the details of the killing for publication, since a recital of the facts on his part necessarily would amount to prejudgment of the case.

It is known that the sentry, whose name also is withheld from publication, was considered in the words of a high commanding officer—a good soldier and a cool head.

German was a strike breaker employed at the Colorado Fuel & Iron property at Cameron, one mile from here.

DELEGATES PREACH IMPROVEMENT OF RACE

Dr. Sumner Points to Necessity of Precautions Against Spread of Infectious and Contagious Diseases.

Battle Creek, Mich., Jan. 11.—Race improvement sermons were delivered in Battle Creek churches today by delegates attending the national conference on race betterment. Among the speakers were Dr. Gifford H. Sumner, secretary of the Iowa State Board of Health; Graham Taylor, of Chicago, and Dr. J. N. Barry, of Indianapolis. Mrs. Ella Flagg Young, of Chicago, who was expected to speak, was unable to be present.

"Disease and Its Prevention" and "The Public Repression of the Social Evil" were two of the important topics today.

The "cur-all" doctor, the exclusive pill-and-potion doctor, the advertising quack, the so-called drugless healer of human ills, the medical liberty league man or the teacher who claims that human ills are only imaginary, are not the modern, scientific doctors of the medical profession," Dr. Sumner asserted.

The sphere of the medical man has been enlarged and he has discovered that tuberculosis, typhoid fever, diphtheria, scarlet fever, smallpox and many of the diseases are economic maladies, and trade and occupational conditions will not disappear until social conditions have been made better.

ANOTHER CHANCE OFFERED
to get furniture at actual cost---
THE REASON WE WANT TO SAVE WE MUST MOVE
COST OF MOVING WE MUST MOVE
We Lose Money You Make It

308-310 W. Central Ave.  **Albert Faber** 308-310 W. Central Ave. ALBUQUERQUE, N. M.

HUNDRED THOUSAND OFFER ACCEPTED BY BEACHEY

America's Foremost Aviator to Be Paid Fortune by Japan for Five Exhibitions in Empire of Mikado.

ANNA GOULD CASE DISCUSSED IN ROME

Rome, Jan. 11.—The rejection by the signature tribunal of the Roman Curia of the appeal of the Duchess De Tallard, formerly Anna Gould, from the verdict of the Tota tribunal annulling her marriage to Count Beal De Castellane, has been the subject of discussion. The pope, when informed of the decision and of the possible impression it might produce in the United States, is reported to have said that although it was to be regretted that the decision of the Tota tribunal should produce such an impression, it was a subject which could not be held as an ecclesiastical tribunal rendered their verdict on the merits of the case independently of the moral effect it might have, and without respect to persons.

JEALOUSY RESULTS IN DEATH OF THREE MEN

Panthers, Minn., Jan. 11.—David Craig and Sandy Rogers, farmers, were shot and killed today by Harry Reedy, a farmer living near here, who then committed suicide. This is the conclusion of the authorities who found the three bodies tonight.

Reedy was said to have been infatuated with a 16-year-old school girl and objected to the attentions paid her by Craig and Rogers, who were single.

A few days ago, the authorities say, Reedy, in a letter to the girl, threatened to kill Craig and Rogers unless she discontinued her association with them.

E. LEROY YOTT VIOLATES INSTRUCTION, HARMONY, COUNTERPOINT

Washington, Jan. 11.—A joint resolution, approved by the interior department and proposed as an administration measure for the conservation of radium, to authorize the president to withdraw from entry public lands containing carnotite, pitch blende or other radium bearing minerals, will be introduced tomorrow by Representative Foster of Illinois, chairman of the house committee on mines and mining.

CONSERVATION OF RADIUM PROPOSED

The resolution will be opposed by several western members of the house who object to segregation of any more lands.

Under the resolution the president would be authorized "at any time in his discretion" to withdraw from all disposition, public lands in the United States or in Alaska containing minerals or ores from which radium may be derived.

NOTE RAISING PLANT FOUND BY POLICE

San Francisco, Jan. 11.—Following the arrest of J. H. Connolly, and his wife Mabel, here last night on charges of stealing a muff in a restaurant the police raided their rooms today and found an outfit for changing denominations of paper money. Spurious bills, aggregating \$5,000 were found, mostly in \$50 and \$100 denominations, and the verminosity of the Connollys seemed further indicated by a collection of silverware marked with the names of leading hotels in the cities and summer resorts of the Pacific coast.

What Is It?



The usual cup of coffee contains about 2 1/2 grains of caffeine, a drug which often produces aches, ails and discomfort; but the habit can be quickly overcome by using well-made Postum.

One of the most pleasing features of this change from coffee to Postum is the total absence of a sense of something missed.

But more important is that "good all over" feeling of returning health; and it's the finest trade possible to quit coffee and get well.

Postum, made of prime wheat and a small per cent of New Orleans molasses, is a pure food-drink. It is wholesome and nourishing; and has a delicious, snappy flavour resembling that of Old Gov't Java, but is entirely free from the coffee drug, caffeine.

Anyone can make a stand for the old fashioned fun that comes with health and the power to "do things." Suppose you try it.

"There's a Reason" for POSTUM

Postum now comes in two forms: Regular Postum—must be boiled 15 to 20 minutes. Instant Postum—is a soluble powder. A scant teaspoonful stirred in a cup of hot water dissolves instantly.

The convenience of Instant Postum is apparent. But, when prepared according to directions, both kinds are exactly the same. The cost per cup is about equal.

—Grocers everywhere sell both kinds.

SPORT

BIG SUNDAY CROWD WATCHES BENNY CHAVEZ WORK

Capacity of Gymnasium Taxed to Accommodate Admirers of Trinidad Boy, Who Makes Splendid Impression.

Local friends and admirers of Benny Chavez taxed the capacity of the New Mexico Athletic club's gymnasium yesterday afternoon in extending to him the invitation extended to him to turn out and see Benny work.

The Trinidad boy was never in better form and in the highest degree endeared to his supporters. Four counterweight rounds were boxed, two with Frankie Fowler, the welterweight, and Jack Torres, lightweight. Both boys gave Benny plenty of work to do, and he did it in a manner which delighted the big crowd present. Bag punching, shadow boxing and the numerous other training stunts were also done through with, and at the end of the performance Chavez was given a good round down by his handlers.

Chavez will also be seen in action again tonight, beginning at 8 o'clock in the gymnasium, and another crowd is certain to be on hand to watch him go through his paces. No better drawing card than the Trinidad lad has ever been seen in Albuquerque, and the mere announcement that he will give a public exhibition is sufficient to bring out the fans in large numbers.

FITZSIMMONS CARRIES HIS CASE TO COURT

New York, Jan. 11.—The state supreme court will decide whether "Bolt" Fitzsimmons, former heavyweight champion of the world, is eligible to re-enter the ring with a view to winning back his title. The state athletic commission has informed today that Fitzsimmons had applied to the supreme court for an injunction to restrain the commission from enforcing its recent order, prohibiting the former glove champion from fighting in this state. An appeal on the application will be heard Wednesday. Affidavits which Fitzsimmons filed with his application included one by "Mike" Donohue, trainer of the New York Athletic club, and A. J. Drexel-Biddle, of Philadelphia, each certifying that the former fighter is in proper physical condition to re-enter the ring.

TWO NEW WORLD'S RECORDS ARE MADE ON ICE SKATES

Christiana, Jan. 11.—Oscar Mathison, set two new world's skating records today. He covered 500 meters in 47-10 seconds and 1,500 meters in two minutes, nineteen and a half seconds. The previous records were 47-15 seconds and 3:20.55 respectively.

TOM M'ORMICK OF AUSTRALIA BEATS JOHNNY SUMMERS

Sydney, N. S. W., Jan. 11.—Tom M'ormick of Australia, today defeated Johnny Summers, the English pugilist, in a two-round contest for the British welterweight championship. M'ormick won on points.

WOMEN AND WET FEET

Cold and wet feet are a dangerous combination, especially to women, who are more prone to kidney diseases than men. Congested kidneys come from a cold and backache, rheumatism, urinary irregularities and rheumatic forms are not unusual results. Foley Kidney Pills restore the regular and normal action of the kidneys and bladder, and so remove the cause of the trouble. It is an honest and effective medicine that always gives results. For sale by Butts & Co.

Turning the Leaf

Turn over a new leaf—begin the New Year right. That long delayed sitting for a portrait—your children want it—your parents want it—your love it to them. So come in today, while the year is young and the thought fresh in your mind.

Albuquerque THE GRAY STUDIOS Santa Fe, 219 San Francisco St. Phone 1623. GROUND FLOORS. Phone 522.

TRUST REGULATION BILLS READY FOR INTRODUCTION

Representative Webb of North Carolina Has Measure by Which Competition Is to Be Fully Restored.

Washington, Jan. 11.—Several new measures relating to monopolies will be thrown into the arena of anti-trust legislation when congress resumes its session tomorrow.

A bill designed to strengthen the Sherman law will be introduced tomorrow by Representative Webb of North Carolina, who ranks next to Chairman Clayton of the judiciary committee as the anti-trust legislation program is completed.

Representative Webb is not in sympathy with other measures that are being planned for the anti-trust program, and he will urge action along the lines of his bill to amend the Sherman law.

"If my proposed amendment is adopted," he said tonight, "then every contract, combination or conspiracy in restraint of any part of trade or commerce, whether slight or material, becomes illegal. I believe that it would give the Sherman law all the vitality that it ever had and all that the country wants."

POLITICAL PRIEST IS SUSPENDED BY BISHOP

Abbe Jules Lemire Is Ordered to Withdraw From Candidacy and Quit Lecture Platform.

Hazebrouck, France, Jan. 11.—Abbe Jules Lemire, the only priest who is a member of the chamber of deputies, has been suspended by the bishop of Lille, and M. Boute, editor of Le Cri Des Flamands, the organ of the abbe's supporters, has been excommunicated as a result of differences over the abbe's political program.

The bishop's letter, which has been read in all the pulpits of the diocese, has aroused intense interest. Friends of Abbe Lemire have signed a strong protest against the episcopal action, and it is understood that the subject will be carried to the highest ecclesiastical authorities.

JUAREZ TO PERMIT BOXING BOUTS AGAIN; NEXT CARD ARRANGED

El Paso, Tex., Jan. 11.—The light game at Juarez will be revived. A permit to hold a fight was granted yesterday to El Paso sports. A number of fans from this side of the river joined in the effort to bring the game to life again. Cal Mitchell and Jack Bruce will do the business for the new club, which will be called the Border Athletic club.

INCENDIARY SPEECH MADE BY ETOR TO STRIKERS

Labor Leader Urges Union Men to Resort to Violence if Necessary to Defeat Capitalist Classes.

Tacoma, Wash., Jan. 11.—Plans for the prosecution of the strike at the Tacoma smelter, which has been waived for the past week and has resulted in the death of one striker, were discussed at a meeting held tonight under the auspices of the central labor council, the Industrial Workers of the World and socialists.

Red Sox Sign School Boy.

Boston, Jan. 11.—Another school boy baseball player has been signed by the Boston Red Sox for development with Harold Jarvis. The new player is Dominick J. Mulrean, a right-handed pitcher from Woburn high school, who led a local league in batting and pitching.

TANGO STEPS SLIDE TO HELL, SAYS PREACHER

Rev. G. H. Morrill Illustrates Dance Before Congregation and Calls It Indecent and Depraved.

Minneapolis, Minn., Jan. 11.—Illustrating his sermon by going through the positions of a tango dance in his pulpit, the Rev. G. L. Morrill, pastor of the People's church, preached today on "the tango."

Mr. Morrill, who has recently returned from South America, compared the dance, as performed in the United States, with that in the southern republics. During his sermon he said:

"The savage heathen dance recently seen in Bolivia is outdone by civilized, Christian Americans."

SUFFRAGISTS PLAN GRAND CAMPAIGN FOR BALLOT

Should Democrats in Congress Fail To Support Measures, Ladies Threaten to Overthrow Majority.

Washington, Jan. 11.—Plans for a vigorous nation-wide campaign to procure a constitutional amendment giving suffrage to women were outlined today by the congressional union for woman suffrage. The program included a schedule of "demonstrations" that will according to the suffrage leaders, "awaken the country as never before to a realization of the issue and if necessary transfer the majority in congress to a party that will stand for suffrage."

MINE WORKERS TO HOLD ANNUAL CONVENTION

Nearly Eighteen Hundred Delegates Are Expected to Meet in Indianapolis for Important Conference.

Indianapolis, Ind., Jan. 11.—One thousand, seven hundred and eighty-one delegates, representing approximately 415,000 members, will attend the twenty-fourth international convention of the United Mine Workers of America, which will open in this city January 20 and continue about three weeks. It will be the first meeting under the new constitution which provides that the conventions shall be held biennially.

GOVERNMENT WORK FOR UNEMPLOYED

San Francisco, Jan. 11.—(Govt.)-ment co-operation has been secured by San Francisco in dealing with her unemployed.

Many landlords and tenants first met through the want columns of The Journal.

ELKS THEATRE 12 MONDAY, JAN. 12 THE GREAT BIG HUMAN PLAY



It Has the Throb
It Has the Thrill
Special Scenery
SPLENDID ACTING COMPANY
Prices \$1.00, 75 and 50c.
Seats on Sale Friday
At O. A. Matson & Co.

MADAME DEAN'S FRENCH FEMALE PILLS.

NEVER KNOWN TO FAIL. Safe? Sure? Rapid? Healthy? Guaranteed. 25c per box. Will send three on trial, to be paid for when received. Shipping Free. 11-year druggist does not have these and most orders in the U.S. UNITED MEDICAL CO., BOX 74, LANCASTER, PA.

National Foundry & Machine Company

General Foundry Work, Iron and Brass Castings. BABBITT METAL. Albuquerque, New Mexico

Hudson for Signs Wall Paper

HUDSON Fourth Street and Frames Copper Ave.

Drummer Bowling Alley

205 W. GOLD. BOWLING ALLEYS AND POCKET BILLIARDS

DUKE CITY Cleaners-Hatters

220 W. Gold Phone 448

BUY YOUR Lumber, Glass, Paints and Cement AT THE SUPERIOR LUMBER & MILL CO.

Snaps in Real Estate

I desire to close out immediately the remainder of the property owned by the Bank of Commerce and myself, listed below. This property is all well-located—close in—and should be an attractive purchase for the investor looking for bargains, or the speculator wanting to make a turn.

Choice property of this kind is not to be picked up every day and the time to buy is when the owner wants to sell.

I will consider any reasonable offers and give satisfactory terms.

Two lots north side Silver Ave. between Fourth and Fifth Sts. 94 2-2x75 feet corner Coal avenue and Third street.
Three lots north side Silver avenue, near Eighth street.
One lot, Copper avenue between Second and Third streets.
Three lots, S. E. corner Tijeras Road and Tenth street.
My residence, on Central avenue, at Tenth street, comprising four double length lots fronting on three streets.
Nine-room house frame, over brick; fine shade and grounds; Hot water heating; all modern conveniences. Choicest residence location in the city.
Two lots on South Second street, below Coal avenue.
Corner Broadway and Gold avenue, Highlands, 100x107.
Two lots corner Iron avenue and Sixth street.
Property known as the Rio Grande Woolen Mills, fronting on Mountain Road and the A. T. & S. F. R. R.
Three-story building, 100x100; also large brick office building. Complete equipment for manufacturing woolen goods. Complete equipment for scouring wool, etc., etc.
This woolen mill plant represents the expenditure of very large sums of money, but as we are liquidating our affairs, it must be sold. Here is a chance to make a good profit. We will consider any offer submitted. Bear in mind, you do not have to operate it as a woolen mill—you can utilize the building for storage or other purposes and sell the machinery. R. H. siding at door. Make me an offer.

W. S. STRICKLER
Telephones 723 or 42

IT'S EASY TO LEAD IF YOU START RIGHT AND SHOW YOUR FRIENDS YOU MEAN BUSINESS IN WORLD TOUR RACE

Pearl Corson Jumps to Head of Honor Roll in Less Than Week—Outside Candidates Make Big Advancement—"Opportunity" Period and Extension of General Campaign Greeted With Enthusiasm by Old as Well as New Entrants in Morning Journal's Campaign.

ROLL OF HONOR

Table listing names and points for the Roll of Honor. Includes Pearl Corson, Lorena Wells, Florence Harte, Sadie Olsson, etc.

Less than a week ago Miss Pearl Corson, who heads the honor roll this morning, started an active campaign. A week ago today Miss Corson had only the points obtained through the increase of friends who deposited coupons to her credit.

What Miss Corson accomplished in one week is substantial proof of what may be done by any candidate. It is a question of getting started. The starting thing, once fairly launched is pleasant and exciting and grows more exciting daily.

The extension of two weeks to the general campaign has met with instant and hearty approval of all the candidates. Yesterday several telephone messages were received from young women whose names have been included in the list of candidates in Albuquerque but who have not started an active campaign.

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No ballots issued prior to January 12 but not count will count on the winning of this award. The standing bid any candidate in this morning's ballot exhibit merely counts on the general results and has no bearing whatever on the winning of the special Tropical Tour. Beginning this morning points will be counted to apply on the special trip and all points secured during this special preliminary count will count on the general results.

Get In and Win. If YOUR name has not yet been sent in to the Tour Department forward it today. This is YOUR opportunity. By taking advantage of it YOU may be declared the winner at the end of the four weeks period and then when the campaign closes February 28 you may also be awarded the \$1,000 of the Round the World Tour or one of the district awards.

DISTRICT NO. 1

Table listing names and points for District No. 1. Includes Lorena Wells, Pearl Corson, Florence Harte, etc.

DISTRICT NO. 2

Table listing names and points for District No. 2. Includes Lorena Wells, Pearl Corson, Florence Harte, etc.

DISTRICT NO. 3

Table listing names and points for District No. 3. Includes Lorena Wells, Pearl Corson, Florence Harte, etc.

ASERO SYSTEM (Copyright) MERCHANDISE

Large table listing various merchants and their names. Includes BUTTS, Inc., KAPPEL FURNITURE CO., THE GRAY STUDIO, etc.

Housekeepers

Worth While Savings Here on the Very Highest Grades of Kitchen and Household Necessities.

We're going out of the wholesale business and are taking the quick, low-price way to CLOSE OUT OUR SURPLUS STOCK.

Special for Tuesday

A Splendid Assortment of Imported White Enameled Steel Ware—Absolutely Guaranteed and Recognized Everywhere as the Very Highest Grade of Enameled Ware. Note these values:

Table listing various household items and their prices. Includes Six-quart Pudding Pan, Six-quart Dairy Pan, etc.

See Window Display

McIntosh Hardware Co.

Herbert Asselin, Sales Manager. 317 West Central Ave. Phone 394

PAST YEAR SUPPLY ONE FOR SUPREME COURT

Table with 2 columns: Item description and Amount. Includes Under advisement by the court, On the docket for argument, etc.

FEET WARM, HEADS COOL, MOUTHS SHUT

BY MORNING JOURNAL SPECIAL LEASED WIRE. Chicago, Jan. 11.—Distinction in the Chicago police department is to be won by patrolmen who keep their heads cool, their feet warm, their eyes open and their mouths shut, according to instructions issued to them today by James Gleason, superintendent of police.

LUMBER Glass-Paint Cement-Plaster Albuquerque Lumber Co. 423 North First Street

ASERO SYSTEM Nomination Blank. The Albuquerque Morning Journal's 'Round the World and Tropical Tour Campaign. Good for 1,000 Points. I hereby nominate Miss, or Mrs. ... Dist. No. ... as an eligible candidate in the Albuquerque Morning Journal 'Round the World and Tropical Tour campaign.

ASERO SYSTEM FREE COUPON. The Albuquerque Morning Journal's 'Round the World and Tropical Tour Campaign. GOOD FOR 5 POINTS. THIS COUPON VOID AFTER JAN. 21. NOTE—This coupon is good only if deposited at the Tour Department of the Morning Journal, on or before the date printed above. Trim neatly for filing.

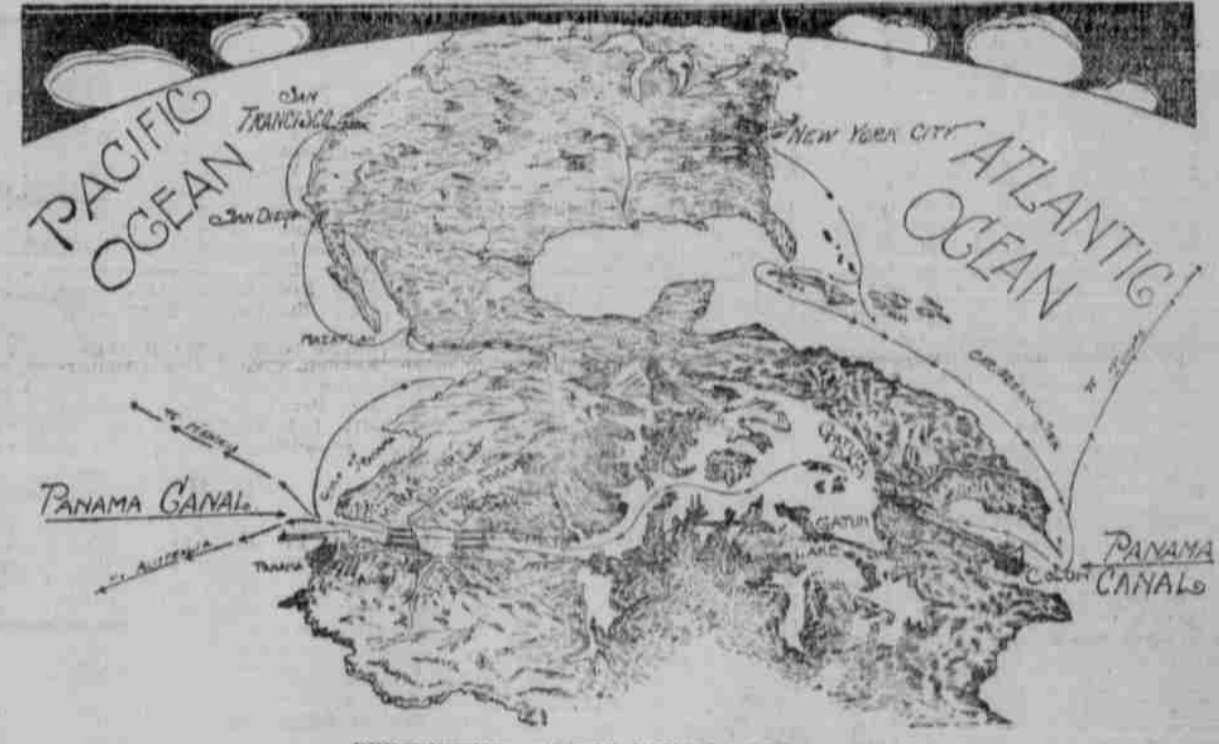
ASACRYO SYSTEM OPPORTUNITY PERIOD

(FOUR WEEKS)

FIRST GRAND "OPPORTUNITY" AWARD

Every candidate starts even--points obtained prior to this date *do not count* on the winning of this special award. *New entrants and candidates heretofore inactive have equal chance with leaders* in The Albuquerque Morning Journal's

\$1,000 IN GOLD OR
Tour of the World Campaign
EXTRA TRIP TO THE TROPICS AND EXTRA PANAMA CANAL



With a view of giving every candidate, now entered and other young women who desire to enter and compete for the magnificent awards offered by The Morning Journal in this campaign, AN EQUAL CHANCE, a special period has been declared, beginning tomorrow morning, Monday, January 12, and ending Saturday, February 7, at 9 o'clock p. m. As a SPECIAL INDUCEMENT for four weeks extra effort The Morning Journal will award to the candidate MAKING THE GREATEST GAIN IN POINTS OBTAINED ON SUBSCRIPTIONS within the four weeks period, beginning Monday, January 12, and ending Saturday, February 7, at 9 p. m.

One Tropical Tour de Luxe via the Panama Canal

This is the same trip, identically, as that provided as the first award in each district. It will last more than thirty days, leaving New York March 11, 1914, covering 11,288 miles of travel with sight-seeing trips at New York, Havana, San Juan, Kingston, Colon, the Panama Canal, Panama City, La Guayra, Port of Spain, Brighton, Barbados, Fort de France, St. Pierre, St. Thomas, and points of interest in the United States.

Only Four Weeks Effort Wins This Trip

Competition for this special award is open to all regularly nominated candidates in the Asacry System Profit-Sharing campaign, or others who are eligible under the rules and regulations governing same.

EVERY CANDIDATE STARTS EVEN. Ballots issued on subscriptions turned in to the Tour Department of The Morning Journal prior to January 12, 1914, but not cast, will **NOT BE COUNTED** on the winning of this special award even if they are balloted during the "Opportunity" period.

ALL BALLOTS TO COUNT ON THE WINNING OF THE SPECIAL AWARD MUST BE OBTAINED ON SUBSCRIPTIONS SECURED AND TURNED IN TO THE TOUR DEPARTMENT BETWEEN THE DATES OF JANUARY 12 AND FEBRUARY 7, AT 9 P. M.

The same rules which govern the closing of the general campaign will apply likewise in the closing of the "Opportunity" period.

Letters containing subscriptions and remittances for same will be received and ballots will be issued thereon and counted in the "Opportunity" period PROVIDED THE ENVELOPES BEAR A DISTINCT POSTMARK showing that such letters were mailed prior to 9 p. m. on the date of the close of this special period.

GREEN BALLOTS issued on subscriptions turned in to the Tour Department prior to January 12 will not count in the winning of this special award. All Green Ballots issued after January 12 will apply to the "Opportunity" period. Green Ballots are issued ONLY to subscribers who take The Morning Journal for ONE YEAR OR MORE, both old subscribers and new subscribers.

ALL POINTS GAINED DURING THE "OPPORTUNITY" PERIOD WILL APPLY IN THE GENERAL RESULTS FOR BOTH THE GRAND AWARD AND THE DISTRICT AWARDS AT THE CLOSE OF THE CAMPAIGN.

General Campaign Closes February 28

At the request of regularly nominated candidates in this campaign the Management of The Morning Journal and the Tour Manager have consented to extend the regular period of the campaign from February 14, 1914, to February 28, 1914. During the holiday period two weeks were practically lost by the candidates. The extension is granted that they may have the full benefit of ten weeks uninterrupted effort, which was the duration originally announced for the campaign. Positive announcement is hereby made that this campaign will close promptly at 9 p. m., Saturday, February 28, 1914.

Districts 4 and 5 Merged

In accordance with Rule No. 7 of the official rules and regulations governing this campaign, districts No. 4 and No. 5 are hereby merged into one district. All territory in both districts will henceforth be included in District No. 4 and all candidates in what was formerly known as District No. 5 will be listed in District No. 4, and their point standings as published and contained in the official records of the Tour Department, will be transferred to the records of District No. 4. The awards offered in district No. 5 are hereby withdrawn from competition. The official rule:

"No. 7.—Any district that may have only one active candidate for each award may be declared off, and said district merged with district closest to it in points, and candidates from said district added to the one with which it is merged. Mergers of districts will be at discretion of Manager of campaign."

All Candidates Benefit

By the merging of Districts No. 4 and 5 all candidates in the entire campaign are benefitted. Instead of withdrawing the Tropical Tour via the Panama Canal, which the management of The Morning Journal had a right to do, this award is to be given the candidate making the greatest gain in points during the next four weeks of the campaign. Every candidate has an equal opportunity to win this extra award WITHOUT IN ANY WAY EFFECTING HER CHANCES OF SECURING THE \$1,000 OR THE TOUR OF THE WORLD. Also it does not effect her chances of winning a district award. ONE CANDIDATE MAY WIN THE EXTRA TRIP TO THE TROPICS AND THE PANAMA CANAL AND WITH THE ADVANTAGE THUS GAINED GO ON TO THE END OF THE CAMPAIGN AND WIN THE GRAND AWARD OF \$1,000 IN GOLD OR A GRAND TOUR OF THE WORLD OR EITHER OF THE DISTRICT AWARDS. It provides an opportunity for ONE CANDIDATE TO WIN THE EXTRA TRIP AND THE REGULAR DISTRICT TRIP AND TAKE HER MOTHER OR A FRIEND WITH HER.

Candidates in the merged districts have the SAME LIST OF AWARDS for which they were striving before the districts were merged. The only difference is that there is one set of awards instead of two with no greater competition than that in other districts in the campaign. Candidates in the merged districts also have the same opportunity of winning the special award announced above as has any other candidate.

An Unprecedented Opportunity

Just think! Only four weeks effort in a pleasant occupation among friends to win a trip to the tropics and the Panama Canal! Could there be a more attractive inducement to energetic young women to secure for themselves something really worth while in an educational way? Is there anything more delightful than a tropical cruise on board a floating palace? And YOU CAN WIN IT IN FOUR WEEKS!

Any young woman, 16 years of age or over, of good character, is eligible to compete not only for this special award but also for the general awards consisting of \$1,000 in Gold or a Four Months Tour of the World to the one who secures the greatest number of points in the campaign, regardless of districts; a trip to the tropics and the Panama Canal (the same as the special award above offered) to the candidate securing the greatest number of points in each district; a \$400 Josse French Piano, purchased from the Leonard-Lindemann Co., of Albuquerque, to the next highest point winner in each district and a \$75 U. S. S. scholarship, (applicable on any course) to the third highest point winner in each district. Besides, \$500 has been set aside to remunerate non-prize winners on a five per cent basis. Every active candidate who fails to secure an award but who turns in \$100 or more on subscriptions, will be paid a commission of five per cent on all the money she turns in on subscriptions to The Morning Journal.

Now Is the Time to Start Send in your name today. Do not delay. This is the opportunity you have been looking for. You have the same chance to win this special award as the leader in the race. The advancement you make during this special period may be the means of your winning the \$1,000 or the Tour of the World or some of the district awards. Clip nomination blank from another page of this paper and mail to Tour Dept. immediately.

FOR FURTHER INFORMATION TELEPHONE, WRITE OR CALL ON

TOUR MANAGER,

PHONE 176

The Morning Journal

ALBUQUERQUE, N. M.

INDEPENDENT NEWSPAPER
The Albuquerque Morning Journal

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THIS MORNING JOURNAL IS THE LEADING REPUBLICAN PAPER OF NEW MEXICO, SUPPORTING THE PRINCIPLES OF THE REPUBLICAN PARTY ALL THE TIME AND THE METHODS OF THE REPUBLICAN PARTY WHEN THEY ARE RIGHT.

Larger circulation than any other paper in New Mexico. The only paper in New Mexico issued every day in the year.

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MONDAY, JANUARY 12, 1914

DEFINING THE SHERMAN LAW

Following the example of the American Telephone and Telegraph company, the New Haven has agreed to reorganize on terms agreeable to the department of justice and relinquish its grip on the transportation of the New England states. The great financiers are voluntarily withdrawing from interfering directorates. The new currency law will decentralize money and give independence to financial interests of the country. The year 1914 promises to be remembered in history as the year of the great reformation of business.

While the culmination seems to be coming under the Wilson administration, let us not lose sight of the fact that President William Howard Taft contributed mightily to the definition of what was actually contained in the Sherman anti-trust law. The great achievement of the Taft administration resulted from the persistent efforts of the president to secure judicial interpretation of that law so as to make it a practical and effective statute. Among the decisions won by the Taft administration were:

1. The Standard Oil trust was forced to dissolve into its constituent elements. The decree has been sneered at because it was not followed by the collapse of the Standard Oil securities. Such was not the purpose of the government then, nor is it the purpose of the government now to ruin business. Standard Oil as an industry was not attacked. It was standard oil methods of suppressing competition that were under fire.

2. The decision in the tobacco case was one through which monopoly could find few loopholes to crawl safely.

3. In the Union Pacific-Southern Pacific merger case the government won its contention that the roads must be separated and must be competitive. An order was added by the court making it not only illegal for the officers to be the same, but that the stockholders must be so separated that no group of them would have a controlling voice in the management of the two lines.

4. In the bathhouse case it was decided that the owner of a patent could not dictate in what price an article should be sold after that article had passed from the ownership of the manufacturer.

5. In the bathhouse trust case, as in the National Cash Register case, the government brought personal responsibility to the officers and directors of a corporation for acts in restraint of trade.

6. Under President Taft, the government brought within the purview of the law any business, prior to that time, had been regarded as pertaining through always legal performance of American business men when it intimated James A. Fenton and he pleaded guilty to manipulating a "corner" by which the price of cotton was pushed up from thirteen and a half cents to twenty cents a pound. Corners are no longer possible under the device.

These decisions in suits instituted under the Taft administration prominently advanced the value of the Sherman law as a protector of fair trade and a deterrent to monopolistic design. They made the plain people of the Wilson administration and indicated to "big business" where it must lead in or feed the sharp teeth of the law.

The fact that the Taft administration earned the credit of clearing away the brush is no wise detracted from the record of efficiency that is being made by the Wilson administration in enforcing the Sherman anti-trust law to the needs of the country. But Mr. Taft's part in it should not be forgotten by the people. Also it should not be forgotten that when the supreme court of the United States had the opportunity presented, its decisions did the best.

MEXICO'S STRONG MAN

The capture of Ojuna by General Villa finishes the power of Huerta in northern Mexico. The small force of federalists in Nuevo Laredo, further east, is negligible and the way is open for the march of the constitutionalists on Mexico City. The fall of Huerta is not far off.

The struggle in Mexico has developed two men who are strong through

their limited vision. Huerta is a good organizer, resourceful and shrewd. He never was crushed either by Diaz or Madero. He was known to be cruel and was regarded as treacherous and financially corrupt. But he had tenacity of purpose, candidness and boldness and absolute physical courage. He planned to be dictator of Mexico, as Porfirio Diaz was dictator, by the right of might. But Huerta failed to reckon with the moral scruples of one Woodrow Wilson, president of the United States.

The other strong man is Francisco Villa, a man scarcely known six months ago, and formerly a bandit. He is, it is said, because he killed an army officer who had wronged his father. The Villa family belonged to the peon class, and peon girls were subjected to much the same sort of treatment as peasant girls of France before the revolution when the lex prima noctis was recognized. Villa cast his lot with Madero and gave evidence of his metal when Juarez was besieged by the Maderistas. Colonel Tamborel, commanding the garrison, told the newspaper correspondents that Madero was afraid to fight and that if any of his followers came into Juarez, they would be shot. Villa heard of the boast. He called his bandits about him, went into Juarez, killed Tamborel with his own hand and the city was taken.

On the morning of November 16, while the federal garrison believed itself safe from attack, Villa entered the city, captured it and executed about all the Huerta men who fell into his hands. A few weeks later, he was in possession of Chihuahua City, capital of the state, the federalists retreating before him to Ojuna.

Villa sent a rebel force in pursuit of the federalists and a six days' battle resulted in which the Huerta men more than held their own, the rebels being repulsed with heavy loss. Villa hurried across the country in an automobile, took command of the forces, began an attack at 5 o'clock Saturday evening on the four thousand entrenched federalists in Ojuna and at 9 o'clock was in possession of the town, the last candidate Huerta's army in the north being scattered or driven across the border.

Villa has shown unmistakable evidence of strength. The supreme test will come when he moves his forces southward and drives Huerta from Mexico City. Then if he can keep his head and recognize his own limitations and yield the civil power to men of better education and more experience than himself, he will be a far bigger man than he is now and will live in the history of Mexico.

THE ONE WEAK SPOT

The one weak spot in the business situation of the country is that of the railroads. More is demanded of them in the way of service and rates. They are facing markets for material far higher than heretofore. They are paying their employees better wages and working them shorter hours.

The interstate commerce commission shows that the net operating revenues of 132 railroads of the country show an aggregate decrease of nearly forty million dollars for the five months ending December 1, as compared with the corresponding five months of the previous year.

Sixty-one railroads in eastern territory which are asking a five per cent increase in freight rates showed an increase of \$4,569,960 in gross earnings, but this was far more than offset with an increase of nearly \$21,669,990 in operating expenses. Those roads therefore showed a net operating loss, compared with five months of the previous year, of more than \$26,000,000.

In the circumstances, no money can be borrowed for the betterment of the railroads or for their extensions, and their incomes are barely enough to take care of fixed charges, allowing for decreased dividends to the strongest of them.

The result has been that the railroads have retrenched and laid off employees whenever possible, and the reduction of working forces will continue unless there is a more liberal policy pursued by the public. While it is true that the railroads will suffer far more than the public will suffer for want of them, this truth should sink in far enough to stop the wild attack that is being made upon the most vital industry of the country by men who fail to look beyond the penny they may save while they lose a pound.

One of the speakers at the late bitter conference at Battle Creek declared that the solution of the liquor evil is by government monopoly. How Uncle Sam would be depressed by the prohibitionists.

A "black hand" letter writer told Judge Landis that he had only written it for a practical joke. The judge gave him five years in which to think it over.

Regardless of the pronouncement by former Senator Beveridge to the contrary, it is pretty safe to bet there will be a union of the republicans and progressives in Democratic county.

We are to have congress on our heads again, after a much-needed session for the members and for the country.

The Atlanta penitentiary is responsible for the long list of disgraced guests it has been able to receive.

Let everybody pull together for Albuquerque and the year 1914 will be the best in the history of the city.

DECISIONS HANDED DOWN BY STATE SUPREME COURT

Important Cases Are Decided By New Mexico's Highest Judicial Tribunal; Death Sentence Affirmed.

SPECIAL CORRESPONDENCE TO MORNING JOURNAL

Santa Fe, N. M., Jan. 11.—The supreme court on Saturday handed down nine opinions, in which a death sentence was affirmed and another chapter added to the now notable *Canavan vs. Canavan* case. The syllabus of the opinions rendered, follow:

Pickering vs. Palmer.
This is an action by D. H. Pickering and Laura Pickering, his wife, stating in their complaint that the deceased Scott, used them in the justice of the peace court for Precinct No. 7, San Juan county, for debt in the sum of \$100, that summons on the motion was served on them on the 15th day of November, 24th day of November to appear on the 23rd of November. Scott, wrongfully and unlawfully induced the justice of the peace to hear the evidence in the case and render judgment for the above sum and costs. That on the 25th of July, 1911, execution was issued, based on the said judgment. Appellees decried on the ground that the complaint failed to state a cause of action. The demurrer being sustained, plaintiffs refused to further plead and judgment was rendered, dismissing the action. Reversed.

Syllabus By the Court.
1. A judgment rendered by a justice of the peace, before the return day of the summons, is void, as being without jurisdiction.
2. A person against whom a judgment of the peace has rendered a judgment void for want of jurisdiction, is not bound to appeal or remove the same by writ of certiorari, even though he have actual notice of the existence of the judgment.
3. In this state where a justice of the peace has no power to set aside his judgments or grant a new trial, and where upon appeal or certiorari to the district court, the cause is tried de novo only, one against whom a void judgment has been rendered by a justice of the peace, is not, though with actual notice thereof, guilty of laches and negligence sufficient to bar his right to an equitable remedy against such judgment, because he fails to appeal or sue out a writ of certiorari.
4. An action for damages for trespass under a void judgment and execution issued thereunder, is not such a plain, speedy and adequate remedy at law, as will bar an action to enjoin the enforcement of the judgment.

Botetwine vs. Rogers.
The appellee was arrested and held in custody by appellant who was the marshal of the village of Dexter, in Chaves county, New Mexico, under and by virtue of a warrant issued by a justice of the peace, filed with him against appellee, charging him with a violation of an ordinance. Application was made to the judge of the Fifth judicial district for a writ of habeas corpus by appellee, and upon the hearing, he was discharged from the custody of the marshal. From the order made the town marshal prosecuted this appeal, which appellee has moved to dismiss upon the ground that no appeal can be taken from an order commanding or discharging petitioner. Motion to dismiss granted. Cause dismissed.

Syllabus.
An order in habeas corpus proceedings discharging petitioner is not appealable, in the absence of a statute prescribing such right.

Canavan vs. Canavan.
The writ of error here was used out on the 11th day of March, 1913. On the 15th day of April, 1913, the attorneys for the defendant in error joined the attorneys for plaintiff in error in a stipulation which was filed in this court. The terms of the stipulation are not material to a decision of the questions before the court. The fact that it was entered into and filed, however, is important, because there by the defendant entered a general appearance in this court. The stipulation is not binding limited in this regard. On July 15, 1912, defendant in error moved to dismiss the cause because of the failure of plaintiff in error to file a cost bond, as required by Section 14, Chapter 57, S. L. 1897, within the time specified. On December 22, 1912, plaintiff in error filed an application for leave to file a cost bond which was tendered with such application.

Motion to dismiss denied. Leave granted to file cost bond.

Syllabus By the Court.
1. Under Section 14, Chapter 57, S. L. 1897, a cost bond is required, on appeal or writ of error, only for the protection of the appellee or defendant in error, and is not essential in order to confer jurisdiction upon this court.
2. Where a cost bond is required by statute, on appeal or writ of error, only for the protection of the adverse party, failure to give the same may be waived.
3. A general appearance, without objection to the failure to file a cost bond, operates as a waiver.

State vs. Roberts.
This is an indictment for larceny of meat cattle. The appellants were convicted and sentenced to a term of not less than three nor more than four years. Defendants appeal. Judgment of the court below affirmed.

Syllabus By the Court.
1. Where, in a prosecution instituted for a violation of Section 78, C. L. 1897, the indictment charges that the defendants "then and there, unlawfully and feloniously did take, steal and knowingly drive away, etc." the animal in question, it is not necessary to further allege that the owner was thereby deprived of the immediate possession of the animal.
2. The verdict of a jury will not

be set aside on appeal when it is supported by substantial evidence.

1. Upon cross-examination the jury has the right to expose to the jury the relations existing between the witnesses testifying and the defendant and the fact that the witnesses have been frequently used by the defendant to establish an alibi was proper to go to the jury for the purpose of weakening the evidence given by the witnesses on their direct examination.

4. Evidence that a witness for the state expects to receive a reward upon conviction of the accused can properly be elicited upon cross-examination of such witness for the purpose of showing his interest in the result of the prosecution.
5. A witness, however, cannot be introduced as a reward offered for the arrest and conviction of parties other than the defendants, or in which the witness had no prospective interest.

6. When, on cross-examination, a witness is asked a question the answer to which calls for an explanation, the adverse party has the right, on redirect examination to ask the witness to explain the same.

Childers vs. Latham.
Submitted to the court upon the motion of appellee to dismiss for the failure of appellant to issue and serve citation as provided by statute and the motion of appellant for leave to issue and serve citation at this time.
Motion to dismiss denied. Leave granted to issue and serve citation.

Syllabus By the Court.
1. An appearance, in practice, is coming into court as a party to a suit, whether as plaintiff or defendant and is a formal proceeding by which a defendant submits himself to the jurisdiction of the court.
2. The question as to whether a party has appeared and submitted himself voluntarily to the jurisdiction of the court, should be tried by the record and not by other evidence.

3. When a party takes an appeal in open court, he must see that the record affirmatively shows that it was taken in open court, and whether the record is silent upon the question the presumption is that the appeal is not taken, and in such case it is incumbent upon appellant to cause citation to be issued and served upon appellee.
4. Where good cause is shown for the failure to cause citation to be issued and served upon appellee, at and within the time, required by statute, the appellant court can extend the time for serving the citation and will permit a citation to be issued and served at any time before the end of the term of the appellate court to which the appeal was properly returned.

McMillen vs. Bank of Clovis.
On February 1, 1909, C. S. McMillen executed to appellant a promissory note for the sum of \$561.99, due ninety days after date. To secure the payment of the same he endorsed and delivered to appellant as collateral security a note for \$1,600, secured by vendor's lien on certain property in the town of Herford, Tex., and also a promissory note for \$25, dated October 1, 1909, made to said C. S. McMillen by J. W. McMillen, McMillen, failing to pay his note to the bank when due and the vendor's lien note being past due and unpaid, appellant together with McMillen and his wife instituted suit in Deaf Smith county, Texas, against W. A. Price, the maker of the note, to foreclose the vendor's lien. May 30, 1910, the Texas court entered judgment, foreclosing the lien and directing a sale of the proceeds of the sale, there should be first paid to the First National Bank of Clovis, the amount owing by C. S. McMillen, on the promissory note.

The trial court held that appellant had acquired title by its purchase under second execution, and was bound by said sale, and gave appellee judgment for the proceeds of the note. From such judgment, appellant prosecuted this appeal.

Judgment of the court below affirmed.

Syllabus By the Court.
1. Under the decisions of the supreme court of Texas, a failure to endorse upon an alias or pluries execution the number of previous executions which had been issued on the judgment, as required by Section 7, Art. 2729, Rev. Civ. St. Tex., 1911, is merely an irregularity, which does not render the execution and sale thereunder void.
2. Statutory provisions as to the order of sale and the manner of making it are for the benefit of the defendant alone, and can be waived by him, and where there are irregularities in this regard, and he does not move to dismiss, he is considered to have waived them.

3. Where a court renders final judgment in a cause, it has no jurisdiction to proceed further, except in carrying out the terms of the judgment, and where that is left to non-judicial officers, their power is fixed by the terms of the judgment, and when once executed the power is ended.
4. Every person may disregard judicial proceedings which are nullities and without jurisdiction.
5. Appellee was not estopped to deny the invalidity of the proceedings had under the third execution, where it is not shown that he caused such execution to issue, or had knowledge of its issuance, or acquiesced therein.

Southard vs. Latham.
This is a suit on a promissory note by the appellant Frank D. Morgan and H. L. Hoyer, executed and payable to E. E. Southard, and bearing interest at the rate of 12 per cent payable in sixty days. The note was in the usual form with the exception the following stipulation: "A failure to pay any of said interest when due shall cause the whole not to be counted as principal at the option of the holder of the note." This note was transferred by the note to E. E. Southard, as follows: "Pay to the order of E. E. Southard, Ed. Patten." This action was instituted in the court below to recover by Latham the balance due on the note. To the complaint complainant demurred on the ground that the note was not negotiable under the laws of this state, hence, a failure to state a cause of action. The demurrer was overruled and judgment was entered against Latham.

Judgment of the court below, affirmed.

Syllabus By the Court.
1. The endorsement and delivery of a promissory note operates as an assignment, where the note is non-

negotiable, and the assignee, under the statute of New Mexico, may sue thereon in his own name. Where a note is transferred after maturity it is subject to defenses existing between the payer and the payee, and the question of its negotiability is immaterial.

2. Transfers of property made to innocent third parties, in violation of a restraining order, are not void nor voidable, because made in disregard of such order.

3. A surety, on a promissory note, is not discharged from liability by an extension of time, granted the principal, where the maker are not precluded from paying the note prior to the expiration of such an extension, and the extension granted was without consideration.

4. An exception to findings of fact made by the trial court must specify the particular finding or findings objected to, where more than one finding is made, and a general objection is insufficient to present any question for review unless all the findings are incorrect and an objection to a finding, where no requested finding on the proposition is asked, which points out counsel's theory or contention, should clearly indicate the claimed error.

Faggard & Co. vs. Cunningham.
This is a case where a default judgment was entered against appellant by a justice of the peace in Precinct No. 1, Roosevelt county, from which he appealed to the district court. In the court a motion was interposed to dismiss the appeal, upon the ground that no appeal could be taken from a default judgment, entered by a justice of the peace, which was sustained, and the appeal dismissed.

Judgment of the court below, reversed; cause remanded.
Syllabus By the Court.
Under Sections 2202 and 2266 C. L. 1897, a defendant may appeal from a default judgment rendered and entered against him by a justice of the peace.

State vs. Cabodi.
Appellant Cabodi was convicted in the district court of McKinley county of murder in the first degree and was sentenced to death. From the judgment he appeals to this court.

Judgment of the court below affirmed.

Syllabus By the Court.
1. Assuming the meaning to be plain, false grammar or wrong spelling will not render an indictment insufficient.

2. A question, not jurisdictional, cannot be raised the first time on appeal.

3. Where the name, Dewey Dimon, appears upon the roll of jurors empanelled to try a cause, and the verdict is signed "DeWitt Dimon, Foreman," and no objection to the variance is made in the trial court, the supreme court, on appeal, where the question is first raised, is warranted in assuming that no substitution in the personnel of the jury was made and that Dewey Dimon named on the jury roll signed the verdict as DeWitt Dimon.

4. Where a complaining party is aware at the time that the interpretation of the evidence, by an interpreter, is not correct, it is incumbent upon him to call the court's attention to such erroneous translations, and ask to have it corrected; and where he has not such knowledge at the time, but afterwards becomes aware of the fact, he must set out all the facts in his motion for a new trial, pointing out therein specifically the evidence erroneously translated, and support such contention by affidavit or proof, so that the trial court can pass intelligently upon the question.

5. Under the provisions of Sec. 14, Art. II, of the state constitution, the defendant is entitled to have the testimony interpreted to him in a language which he understands. While such right cannot be denied a defendant, it is incumbent upon him to, in some appropriate manner, call the attention of the trial court to the fact that he does not understand the language in which the testimony is given.

6. The word "charge," used in Section 14, Article II, of the state constitution, in the clause "to have the charge and testimony interpreted to him in a language that he understands," refers to the indictment or information, and not the instructions given to the jury by the court.

SHERIDAN RESIGNS AS POSTMASTER AT SILVER CITY

Republican Leader of Grant County Wants to Be Relieved of Office at Once; Several Candidates for Job.

SPECIAL CORRESPONDENCE TO MORNING JOURNAL
Silver City, N. M., Jan. 11.—Postmaster J. E. Sheridan has sent in his resignation to the postoffice department at Washington, same to take effect at once or as soon as his successor is appointed and qualified.

Postmaster Sheridan was appointed to the office by President Taft for four years and assumed the duties of the office October 1, 1912, having been the incumbent therefor a little over fifteen months. The term of his predecessor, J. A. Wiley, would have expired in June and this would probably have been the limit of Mr. Sheridan's service under the democratic administration had he not resigned, as few, if any, of President Taft's late appointments are being honored by the administration for the full term of appointment. Mr. Sheridan is a loyal party man himself and he is not grumbling over the policy of the administration in replacing republicans with democrats.

There are a number of candidates for the position, chief among whom are W. M. Spence, a retired newspaper man of this city and E. M. Brumback, business manager of the Silver City Independent. Y. T. Manville, chairman of the board of county commissioners, who was a candidate, has withdrawn from the race.

When the Children Cough Use MUSTEROLE

No telling how soon the symptoms may develop. When you have a jar of MUSTEROLE at hand to give prompt relief. It positively does not blister the tenderest skin. As first aid and a certain remedy, there's nothing like MUSTEROLE. Thousands of mothers know it. You should keep a jar in the house. It is the remedy for croup, whooping cough, measles, sore throat, bronchitis, tonsillitis, croup, stiff neck, asthma, neuritis, headache, congestion, pleurisy.



At your druggist's in 25c and 50c may develop. When you have a jar of MUSTEROLE at hand to give prompt relief. It positively does not blister the tenderest skin. As first aid and a certain remedy, there's nothing like MUSTEROLE. Thousands of mothers know it. You should keep a jar in the house. It is the remedy for croup, whooping cough, measles, sore throat, bronchitis, tonsillitis, croup, stiff neck, asthma, neuritis, headache, congestion, pleurisy.

Accept no substitute. If your druggist cannot supply you, send 25c or 50c to the MUSTEROLE Company, Cleveland, Ohio, and we will mail you a jar, postage prepaid. (58)
Mrs. J. Hocking, West Philadelphia, Pa., says: "My four-year-old son had severe bronchitis. I found Mustereole the best thing I ever used."

DIRIGIBLE BALLOONS FOR BATTLESHIPS

BY MORNING JOURNAL SPECIAL LEADERS
Washington, Jan. 11.—Equipment of all battleships with at least one dirigible balloon and the concentration of all naval aeronautical training work at Pensacola, Fla., are among the principal recommendations of the board of officers appointed by Secretary Daniels to draw up a comprehensive plan for the organization of a naval aeronautical service. The board's report was made public today with the announcement that it has been approved by the secretary. It was suggested that the purchase of the dirigibles be made at the earliest practicable date.

NOTICE OF DISSOLUTION

Please take notice that I have sold my interest in "The Famous" to H. L. Fouts. Mr. Fouts assumes all indebtedness and will continue the business under the style and name of "The Famous."
(Signed) N. M. CUDABAC.

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We now have in our employ a piano and desk finisher with years of factory experience, who is prepared to do work of the most expert kind.

Scratches, deep mars, broken veneer repaired so that it cannot be detected. Phone or write and our representative will call and give you an estimate. Satisfaction guaranteed.

Learnard-Lindemann Co.
206 West 6th Avenue.
Phone 150

DOMA ANA COUNTY DECEMBER IS MUCH BELOW NORMAL IN TEMPERATURE

Will Purchase Tractor or Motor Truck for Maintaining Highways; Twenty-Five Miles of Gravel Laid.

SPECIAL CORRESPONDENCE TO MORNING JOURNAL. Las Cruces, N. M., Jan. 11.—The purchase of a tractor or motor truck for road maintenance purposes, the matter of public crossing over the Santa Fe railroad tracks at Mesquite, and the improving of several new roads, were a few of the important matters upon which the Dona Ana county road board took action at its regular monthly meeting held in the court house, a few days ago.

How, however, excess of precipitation made up for this, being the greatest in seven years. The deficiency in temperature was general, with the exception of small areas in the lower Rio Grande valley and southern. The northern border counties—the Arriba, Tros, Colfax and parts of Mora, San Miguel and western Union, had, however, much the greatest deficiency, averaging from 4 degrees to 14 degrees a day below the normal, and giving a severe month, with deep snow and steady cold.

DEATH OF COAL MAN DUE TO RESCUE WORK HELPED LYNCH MAN TWENTY YEARS AGO

SCOOP The Cub Reporter Yah-Yah Scoop and Dachs Are Housed at Last



The Journal Classified Columns IF YOU HAVE A WANT TELL IT THROUGH THE JOURNAL

SAVOY HOTEL OPPOSITE SANTA FE DEPOT European Plan. Rates 50c, 75c, \$1.00. Sunny, Outside, Steam-Heated Rooms

FOR SALE 22,500—5-room brick, modern, W. Coal Ave., close in. 22,200—5-room frame, modern, lot 50x142, shade trees, 4th ward; close in; easy terms; \$200 cash, balance same as term.

REAL ESTATE, LOANS, RENTALS, INVESTMENTS, INSURANCE. John M. Moore Realty Co. Est. 1888, Inc. 1903. 214 W. Gold Ave. Phone 10.

STORAGE. WANTED—Pianos, household goods, etc., stored safely at reasonable rates. Advances made. Phone 549. The Security Warehouse & Improvement Co. Offices: Hahn Coal Co., 107 E. Central Ave.

PROFESSIONAL CARDS ATTORNEYS. JOHN W. WILSON—Attorney-at-Law. Rooms 16-17-18, Cronwell Bldg. Res. Phone 1622 W; Office Phone 1173.

FOR SALE 22,500—5-room brick, modern, W. Coal Ave., close in. 22,200—5-room frame, modern, lot 50x142, shade trees, 4th ward; close in; easy terms; \$200 cash, balance same as term.

Another Good One We sold the two-room house advertised last week for \$300, but here is another bargain equally as good! Three-room frame house, 50 ft. 50 ft., price only \$250; \$50 down, \$15 per month. You'll have to hurry if you want this one.

FOR RENT—Rooms. FOR RENT—Furnished rooms; modern, no sink. Apply 598 1/2 W. Central Ave. FOR RENT—Furnished rooms for housekeeping, 218 S. Walter, Tel. 292.

FOR SALE—Real Estate. FOR SALE—100-acre ranch, 2 miles from town. Address 159, Journal. FOR SALE—About 5 acres improved land adjoining Lockhart ranch at a bargain, Henry Lockhart, phone 1628.

PHYSICIANS AND SURGEONS A. G. SHOOTLE, M. D.—Practice Limited to Tuberculosis Hours 10 to 12. Phone 1177. 224 1/2 W. Central Ave. Albuquerque Sanitarium, Phone 843

PORTERFIELD CO. FIRE INSURANCE—LOANS 216 West Gold For Sale The Best Little RESTAURANT in the city, \$600.00 Thaxton & Co. 211 W. Gold Phone 657

HELP WANTED—Male. EMPLOYMENT AGENCY. Wanted—Laborers, \$17.50, \$22.00 and \$25.00 per day; carpenters, \$22.25 per day; experienced waiters.

FOR RENT—Dwellings. FOR RENT—3-room cottage, close in, 307 S. Broadway. FOR RENT—3-room adobe house, 702 W. Fruit, Inquire Geo. K. Nebel.

FOR SALE—Miscellaneous. FOR SALE—Fertilizer 1042 W. FOR SALE—Sound, gentle family horse, and surry, Phone 109.

GRADUATE NURSE. Emergency nurse, Mrs. Alexander, Telephone 1023. DRESSMAKING. MRS. PFAFF Dressmaking, Parsons State Hotel, 4th and Central Ave. Phone 1274W.

BERNALILLO SHOWS BANNER RETURNS OF ALL COUNTIES Though It Is Smallest of Twenty-Six Sub-divisions of the State, Its Assessment Roll Is Twice as Much.

SPECIAL CORRESPONDENCE TO MORNING JOURNAL. Santa Fe, N. M., Jan. 11.—Bernalillo, the smallest of the twenty-six counties, has more than twice the wealth of the next smallest county, Santa Fe, and almost twice the wealth of the largest county of the state, Socorro.

WANTED—Positions. WANTED—Position by experienced waitress, Phone 1253W, Bellevue Hotel.

FOR RENT—Rooms With Board. FOR RENT—Board and room. Rates \$1.50 per day, home cooking. 511 S. Broadway.

Table with columns: No., Class, Arrives, Departs. Santa Fe Railway schedule.

Crescent Hardware Co.

Stoves, Ranges, House Furnishing Goods, Cutlery, Tools, Iron Pipe, Valves and Fitting, Plumbing, Heating, Tin and Copper Work.

MATTHEW'S DAIRY

Phone 420

BOSS PATENT FLOUR

NEEDS NO PREMIUMS NOR COUPONS TO GIVE IT VALUE. ITS VALUE IS IN THE QUALITY.

Try L. B. P. CANNED GREEN CHILI

If you live anywhere within 300 miles of Albuquerque and want anything special in the grocery line, write us for delivered price.

WARD'S STORE 215 Marble Ave. Phone 298-299 HOMER L. WARD, Mgr.

Strong Brothers Undertakers PROMPT SERVICE, PHONE 75. STRONG BLDG., COPPER AND SECOND.

NOTICE TO SUBSCRIBERS. SUBSCRIBERS who fail to receive the Morning Journal should telephone NEWLAN'S MESSAGE SERVICE.

\$5.00—REWARD—\$5.00 THE ABOVE REWARD will be paid for the arrest and conviction of anyone caught stealing copies of the Morning Journal from the doorways of subscribers.

LOCAL ITEMS OF INTEREST FORECAST

Washington, Jan. 11.—New Mexico Local snows in north, snow or rain in south Monday; Tuesday fair.

For the twenty-four hours ending at 6 o'clock yesterday evening: Maximum temperature, 29 degrees; minimum temperature, 19 degrees; temperature at 5 p. m. yesterday, 25; North winds; cloudy.

Dr. Schwenker, Osteopath, Tel. 717. Feet's Candy Store. Prompt attention given to mail orders.

Dr. H. B. Kaufmann left last night for San Francisco for a short business trip.

E. S. Ritter, a mining engineer of Colorado Springs, Colo., is a visitor in Albuquerque.

The Bernalillo County Bar Association at its regular meeting tonight will elect officers for the next year.

S. E. Aldrich, well known Gallup merchant, arrived in Albuquerque last night and will spend today here on business.

Harry P. Owen yesterday returned from Hillsboro, Sierra county, where he attended a special adjourned term of the district court, held by Judge M. C. Mechem.

Born to Mr. and Mrs. J. A. Enoch in Boscville, Kan., at 10 o'clock Sunday morning, a daughter, Mr. Enoch is a Santa Fe conductor with a run out of Albuquerque.

Prof. C. E. Bennett will speak upon the subject of "Municipal Ownership" tonight before the Citizens' League at the Central school auditorium. Other speakers will talk upon the same subject briefly.

J. J. Sheridan, clerk for Col. E. W. Dobson, became suddenly ill while in Colonel Dobson's offices in the Crownwell building yesterday morning. He was taken to St. Joseph's hospital. His condition is said to be serious.

Dennis Noonan's bay horse and buggy were stolen from the Sacred Heart church about 5:30 o'clock yesterday morning. He had tied the horse to a post near the church. No

SPRINGER TRANSFER CO. Extra Well Rotted Manure—For Lawns and Things.

PRISONERS ESCAPE SHOPS FORCE WILL NOT BE REDUCED, SAY OFFICIALS

Convicts, Who Desert San Marcial Gang, Believed to Have Started Toward Albuquerque; Police on Lookout.

The police here yesterday morning were notified that two convicts, John Harvey Foster and George Julian, escaped from the convict road camp near San Marcial on the Camino Real.

The prisoners deserted the camp about midnight Saturday and they are believed to have started toward Albuquerque. Two men were boarding a northbound Santa Fe freight train at San Marcial at 1 o'clock yesterday morning.

The officials planned betterment of the service and in connection with this discussed the conditions at the Albuquerque shops. While they decided to economize rigidly hereafter, they did not regard as necessary to this policy the laying off of any of the men now at work here.

The statement made by Mr. George will dissipate some of the uneasiness prevalent in business circles here due to a rumor, in circulation for the last few days, that upon the return of the officials from Amarillo a large number of men would be discharged.

Neither Julian nor Foster is personally known to officers here. The police were not informed where they had been convicted, what their sentences were and what crimes they had committed.

Foster and Julian are the second and third prisoners to escape from the camp near San Marcial within two days. The police here received a telegram last Saturday that a prisoner, Bernard Duran, got away last Friday.

IMPOSING BUSINESS BLOCK FOR WEST GOLD AVENUE

Two-Story Brick Building, With Frontage of 100 Feet, to Be Erected Between Second and Third Streets.

A handsome new business block, with a frontage of 100 feet, is to be built in the near future on Gold avenue, between Second and Third streets.

While negotiations have not been finally closed for the erection of the new building, these have proceeded far enough to insure their successful conclusion.

The new block will be modern in every respect and one of the finest buildings on Gold avenue when it is completed. It will greatly improve the commercial prestige of this avenue.

ASHES DUMPED NEAR SHED CAUSE FIRE; CHIEF TO INVESTIGATE

The central station fire company at 3 o'clock yesterday morning extinguished a fire which nearly totally destroyed a shed in the rear of the apartments at 193 West Maxwell avenue, occupied by Mrs. Carolina Salazar, Ambrosio Candelaria is the owner.

Chief Jacob Klein said the fire was caused by the dumping of hot ashes near the shed. He found piles of ashes along the fence in the rear of other apartments of the tenement, he said.

CHASES BIKE THIEF ON FOOT, BUT LOSES AFTER LONG RACE

Frank Rose, 620 West Silver avenue, reported to Chief Thomas McMillin of the police department yesterday that his bicycle had been stolen. He saw a boy riding the bicycle and ran after him as far as Matthew's dairy, but there gave up the unusual race.

Chief McMillin advised him to look for it in the vicinity of the industrial school, north of the city, saying that several stolen wheels had been found on the roadside in that neighborhood recently.

B. M. WILLIAMS DENTIST Rooms 1 and 2, Whiting Building, Corner Second and Gold. Phone No. 484

C. H. CONNOR, M. D., D. O. Oculist, Specialist. I treat all curable diseases. Office Stern Bldg. Phone 655 and 425.

MINER, INJURED IN MADRID DISTRICT, DIES HERE

Camille Quintana, Caught Under Fall of Rock, Brought to Albuquerque for Medical Aid, But Succumbs.

Camille Quintana, a miner, who was injured by a fall of rock in a coal mine at Madrid, died here at 1 o'clock yesterday morning.

Quintana was caught under a cave-in while working underground. The rocks, which fell, were not heavy and other miners freed Quintana without trouble or delay.

The miner was sent to the surface and at that time his injuries were not regarded as dangerous. Last Saturday, however, as his condition became worse, he was placed on Santa Fe train No. 1 and brought to Albuquerque for medical treatment.

Quintana was conscious when he arrived here at 7 o'clock Saturday night, but after he had been at the hospital several hours, he began to sink rapidly.

The body was taken to Strong's undertaking rooms. Authorities here will make an effort to locate relatives of the dead man. The miner who accompanied him here knew little about his relationship. The undertaker was informed that relatives live in Santa Fe or near that place, but late last night he had not received any answer to his telegram.

"A GIRL OF THE UNDERWORLD" TONIGHT AT ELKS THEATER

"A Girl of the Underworld," which is the attraction tonight at the Elks theater, is a strong play in more ways than one. It is intensely interesting, full of strong situations, yet there is a splendid vein of comedy running through the piece, even to the very end.

1914 WORLD ALMANAC ENCYCLOPEDIA IS OUT

The 1914 World Almanac Encyclopedia, issued yearly by the New York World, is out. This publication is invaluable as a reference book. Besides the usual 25,000 facts and figures, the 1914 almanac contains interesting and well-written articles concerning the new tariff duties, the parcels post and Panama canal, the income and corporation tax laws, President Wilson's peace proposal, American women who married foreign titles, impeachment of Governor Suter, mothers' pensions, and many others which will aid everyone in their work during the year 1914.

TO REPRODUCE PAINTED DESERT AT SAN DIEGO

This locality is known as the Painted Desert. It is a land where no white man has dared attempt agriculture or mining, where there is nothing but the Indian, his ancient civilization unaltered, living in six-story houses of his rooms without an outside door. Doing the same things in the same way his forefathers did for centuries before white men came to America.

CITIZENS' COMMITTEE AND COUNCIL WILL HOLD JOINT SESSION

The citizens' water committee is scheduled to hold its first session tonight, jointly with the council. The afternoon at a meeting held last Monday night, adjourned until tonight to meet with the committee which they expect to aid them in dealing with the question of acquiring a city water works.

THEATRE SPECIAL WILL GO THROUGH HERE TODAY

The Biograph Motion Picture company will arrive here this morning on a special train enroute from New York to Los Angeles. The train is run as the second section of No. 9, and will arrive about 3:30 o'clock.

About 100 members of the company took up the party on the special. This number is understood to include nearly all the actors and actresses known to the motion picture going public through their appearance in Biograph films. A crowd of "movie" patrons, anxious to see in real life the people they have learned to know on the screen, probably will be at the Santa Fe station when the special commences.

The Biograph train was expected several days ago, but its departure from Chicago was postponed.

DEATHS AND FUNERALS.

Funeral of Ethel Preston. Funeral services for Ethel Preston, the 4-months-old daughter of Mr. and Mrs. H. C. Preston, who died last Friday, were held at 2:30 o'clock yesterday afternoon at Fred Crockett's chapel. The Rev. Thomas Harwood officiated. Burial was in Fairview cemetery.

NOTICE. Olson and Ester have bought out the business stock of F. H. Furlow, 122 West Silver avenue. All outstanding debts will be settled by Ed Frank.

JUDGE MECHEM IS MAJOR CASE WILL BE TRIED TODAY IN ALAMOGORDO

Special Term of Court in Sierra County Ends Saturday; Business of Much Importance Transacted.

Hillsboro, N. M., Jan. 11.—The special term of Sierra county court called by Judge Mechem, to consider cases in which juries had been waived, was adjourned on Saturday, after having disposed of much important litigation.

Only civil cases were heard by the judge, one of the most interesting of which was the suit brought by Peter March against E. F. Bloodgood to foreclose a mortgage for \$12,000 on estate. No defense was interposed by E. F. Bloodgood, but a son undertook to set up title to part of the cattle covered by the mortgage. The court held in favor of the intervenor as to all cattle marked with the "E. V. C." brand.

The case of James Macey against the First National bank of Cutter and others, opened up to a considerable extent the history of the old Bigelow-Hopper mining ventures, which gave Sierra county some valuable advertising and almost cost Hillsboro the county seat. The suit involved an accounting between Macey and the bank. The court took the case under advisement and will announce the decision later.

Thomas Ross, of Albuquerque, has been attending court here and looking after his interests at Hermosa, Sierra county.

Moses L. Stern, the well known Albuquerque wholesale merchant, was in Hillsboro on business during the week. Mr. Stern introduced an interesting and highly diverting variation of the tango dance to Hillsboro, which is likely to become exceedingly popular in this city. His terpsichorean efforts were put forth at the Orchard hotel and created much amusement. A mechanical toy did the dancing, by way of explanation.

Chicago Mill & Lumber Co. General Planing Mill. 3d and Marquette Phone 8

JOHN HERBOTH THE PAINTER WHO GIVES YOU A SQUARE DEAL. Phone 1493-J. 201 Lewis Ave.

LET US SEND A MAN To Replace That Broken Window Glass. ALBUQUERQUE LUMBER COMPANY. Phone 423. 423 N. First.

WALLACE HESSELDEN General Contractor. Figures and workmanship count. We guarantee more for your money than any other contracting firm in Albuquerque. Office at SUPERIOR PLANING MILL. Phone 877.

GENTRY'S BANCH EGGS. Fresh, clean, dependable. Each egg stamped and guaranteed. Sold by Jaffa, Maloy, and Hawkins.

SHUFFLEBARGER'S TRANSFER LINE OFFICE AND SALES STABLE. 219 W. Copper. Phone 345-1413.

CRYSTAL-PASTIME TODAY

- "BIRDS" Selig
"JOURNEY TO NAPLES" Pathé
"HER WEDDING GOWN" Two-Reel Biograph Feature
"WHEN THE WELL DRY" Lubin Comedies
"GOOD RESOLUTIONS" Selig
"A VILLAIN UNMASKED" Two-Reel Eclipse
"THROUGH TRACKLESS SANDS" S. & A. Western

High Class Licensed Pictures and Exclusive Service. Gallup Lamp Cerrillos Lamp HAHN COAL CO Gallup Store Cerrillos Store. ANTHRACITE, ALL SIZES, STEAM COAL. Coke, Mill Wood, Factory Wood, Cord Wood, Native Kindling, Lime

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