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The Socorro Chieftain.

VOL. 20

SOCORRO, NEW MEXICO, SATURDAY, JANUARY 17, 1903

NO. 52

G. BIAVASCHI'S

TWO SALOONS.

THE OLD STAND.

Still stands as it has stood for 20 years the favorite resort for strictly first-class liquors of all sorts from a drink to a gallon cask.

THE ARCADE.

This place has just been richly furnished and is strictly up to date in all respects. The motto here is "Once a customer always a customer."

SHORT ORDER RESTAURANT.

An old Harvey House cook has been employed and as good meals will be served as can be had in the State of New Mexico. Single meals, or board by the day or by the week. Come and bring your friends for a square meal.

FAMILY TRADE SOLICITED.

NEWLY FURNISHED ROOMS.

Everything brand new, clean and comfortable. The best place in town for lodging by the night, by the week, or by the month. Solid comfort while you sleep.

ALL FIRST CLASS.

G. BIAVASCHI'S.

WHITNEY COMPANY

WHOLESALE

HARDWARE

Implements, Iron Pipe, Pumps and General Machinery.

Agency, New Mexico and Arizona.

HOME COMFORT STEEL RANGES.

Write for prices and catalogues.

113-115-117 South First St., Albuquerque, New Mexico.

CROWN MILL COMPANY

The Crown Mill Company of Socorro is now offering a better bargain than ever before in flour of the very best quality.

KANSAS HIGH PATENT, \$2.30 PER HUNDRED

This flour is guaranteed to be equal to or better than any other Kansas flour made. Try it and be satisfied.

Well known to be the best.

INDEPENDENTS VICTORIOUS!

Full Text of Judge McMillan's Decision, Which was Handed Down Wednesday Morning.

THE CONTEST ORDERED DISMISSED.

The Decision Turns on the Priority of the Filing of the Certificates and Both Tickets Are Decided Legal.

Hon. Dan'l H. McMillan handed down his decision in the Socorro county election contest case Wednesday morning in Santa Fe, where he was in the discharge of his duty as an associate member of the supreme court now in session. Following is the full text of the decision.

District Court, Fifth Judicial District of New Mexico, Socorro County.

Abran Abeyta, Contestant, vs. No. 4011.

Hermene G. Baca, Respondent. This is a contest, under the election law, for the office of treasurer and ex-officio collector of Socorro county.

The contestant, Abeyta, was the candidate for treasurer and collector of Socorro county on the Republican ticket, to which office he was duly and regularly nominated by that party in convention. The respondent, Baca, was the candidate for the same office on the Democratic ticket. The conventions which nominated these candidates were each held in the city of Socorro on the 2d and 3d days of October, 1902. By reason of some dissension in the Republican party, a number of Republicans convened in the public plaza in that city on the 3d of October, about midday, and arranged to hold a convention of independent Republicans at 5 o'clock in the afternoon of that day; such convention, however, was not held until 7 o'clock in the evening, at which time they organized as Independent Republicans, and nominated a ticket which, with the exception of the Republican delegate to congress, was identical with the ticket nominated by the Democratic party of that day. It appears, however, that one or two of the candidates nominated on the Democratic ticket were Republicans.

At the convention held on the evening of October 3 by the Independent Republicans, they adopted resolutions declaring their principles or the reasons for the organization of the party, perfected a party organization, and adopted as their party emblem the American flag enclosed within a square. The Republican party in convention on the same day, between the hours of 3 and 4 o'clock in the afternoon, by resolution, duly adopted the American flag as their party emblem.

Nothing further was done by either the Republican organization or the Independent Republican organization, with reference to perfecting the right of either, to their respective party emblems adopted by the respective conventions, by way of filing a duly authenticated certificate thereof, until October 29, 26 days after the conventions adopting the respective emblems had adjourned. On October 29, at 11 o'clock in the forenoon, the certificates required by statute, duly certifying the adoption of a party emblem and the nomination of a ticket, together with a printed ticket embracing the emblem and candidates nominated by each of said conventions, were duly filed in the office of the probate clerk in the city of Socorro as required by statute. The endorsement made by the probate clerk on each of these certificates is as follows:

On the Republican certificate, "Territory of New Mexico, Socorro County, ss. This instrument of writing was filed for record on the 29th day of October, A. D. 1902, at 11 o'clock a. m., and duly recorded in Vol. . . . of . . . on page . . . H. G. Baca, probate clerk and recorder, by E. V. Baca, deputy."

On the Independent Republican certificate,

"Territory of New Mexico, Socorro County, ss. This instrument of writing was filed for record on the 29th day of October, A. D. 1902, at 11 o'clock, a. m., and duly recorded in Vol. . . . of . . . on page . . . H. G. Baca, probate clerk and recorder, by E. V. Baca, deputy."

Each of these endorsements was accompanied with an impress of the seal of the probate court of Socorro county. Each endorsement was made by a rubber stamp, in blank, the year, month, day, and hour and the signatures thereto being filled in with pen and ink.

The whole number of Independent Republican votes that were cast and counted in this election were 324. It is contended on the part of the contestant that the 324 Independent Republican tickets cast and counted in said election are illegal and void, for the reason that the American flag within a square is the same or a similar device to that adopted by the Republican party; and that it was calculated to mislead and deceive; and that the Independent Republicans had no legal right to use such emblem.

The statute regulating the adoption of a party emblem is as follows:

"That hereafter it shall be lawful for any political convention held in this territory or county thereof for the purpose of nominating candidates to be voted for at any election held in this territory or any county thereof, to adopt by resolution some mark or designating device to be printed on the face of and at the head of the ticket or ballot containing the names of the candidates for office nominated by such convention, and when such mark or designating device shall have been adopted by such convention and an imprint of such ticket or ballot containing such mark or designating device so adopted and the names of the candidate or candidates nominated by such convention, and the secretary thereof, shall have been filed with the probate clerk of the county in which such convention was held, it shall be unlawful for any other political convention, person or persons in such county to adopt or use any such mark or designating device for election purposes, or to cause the same to be placed or printed on any ticket or ballot to be voted at such election without having printed in such ticket or ballot all of the names of the candidates nominated by the political convention adopting such mark or designating device, and it shall be unlawful for any person or persons whatsoever after the adoption and filing of such mark or designating device to print or cause to be printed, utter, distribute or circulate, or cause to be uttered, printed or circulated, any ticket or ballot having thereon such mark or designating device with any name printed thereon other than the name or names of the candidate or candidates nominated by the political convention adopting such mark or designating device. . . ."

Compiled Laws of 1897, Sec. 1633.

From a reading of this section it appears that it is only upon the filing of the certificate that a party acquires priority in the use of the emblem which it adopts. From and after the time of the filing it is made unlawful for any other political convention, person or persons in such county to adopt or use any such mark or designating device for election purposes. The adoption and prior filing of an emblem are essential to give any party the sole right to its use as an emblem, as against any other convention or person.

At the time the Independent Republicans adopted their emblem, the Republicans had acquired no exclusive right to the use of the American flag in the county of Socorro for the election of 1902, for the reason that at that time no certificate had been filed. It was therefore legal, and not within the prohibitions of the statute, for the Independent Republicans to adopt the flag within a square at the time such action was taken by their convention.

Had the Republicans, however, filed their certificate first, the

action of their convention in adopting the American flag as the emblem of their party in Socorro county for the election of 1902 would have been given vitality, and their exclusive right to such emblem would thereby have been established, and the use of such emblem by any other party or person would thereafter be unlawful. But the two certificates having been filed concurrently, no priority in the use of the emblem adopted by either convention was acquired. Both were legal and regular at the time of their adoption, and priority could only be given by priority in the filing of the certificate. There being no priority in the filing of either certificate, but the filing of both being concurrent, the emblem and ticket of each party is legal and regular, and could legally be cast and counted.

It has been urged on behalf of the contestant that the filing of the Republican certificate, although concurrent with the filing of the Independent Republican certificate, related back, and became operative from the time of the adoption of the emblem by the Republican convention, and that thereby the Republicans gained an exclusive right to the American flag. This is not the legal rule. The filing or recording of an instrument in writing only relates back to the date of its execution or delivery when the statute fixes the time within which such filing must be made after its execution or delivery. (Clark vs. White, 12 Peters, 178; Hanson vs. Cochran, 31 Atlantic Reporter, 800.) Where there is no statute fixing the time after delivery within which a written instrument must be filed or recorded, priority is acquired from the moment of filing or recording. Here the statute makes priority date from the time the certificate is filed, and the common law rule has no application. To hold that the filing of the certificate of adoption of an emblem relates back to the time of its adoption, would put it in the power of a few persons to hold a convention in a remote precinct of a county at an early day in the canvass and to refrain from filing a certificate of adoption until the evening before election, and thereby defeat the use of such emblem by any party whom they might have reason to believe would adopt such emblem for their party ticket to be used in the same canvass and within the same county.

Had the court considered the oral testimony as to whether or not either certificate was filed before the other, it would have been led to the conclusion that the preponderance of such evidence showed that the Independent Republican certificate was first filed; but the endorsements made by the probate clerk on the backs of the certificates showing that each was filed at 11 o'clock on the morning of October 29, having been made at a time when the office was open for business, and being regular on their face, the court has taken such endorsements to be conclusive as to the time when the certificates were actually filed.

The court is therefore of the opinion that both the Republican tickets and the independent Republican tickets cast and counted in Socorro county in the election of 1902, so far as the infringement of the emblem of either by the other is concerned, were regular and legal, and should stand as counted and certified by the board of county commissioners of said county.

This disposes of the only question raised by the notice of contest on behalf of the contestant. The various other questions raised by the answer and the replication are unnecessary to consider, for the reason that no different result would be attained by any decision the court might reach upon such questions. The notice of contest is therefore dismissed, and judgment ordered in favor of the respondent.

DANIEL H. McMILLAN, District Judge.

Officers of San Miguel Band.

The members of San Miguel band held their annual election Jan. 11. Officers were elected as follows: President, Donaciano Torres; Vice-President, Florentino Gallegos; Clerk, Celso Lopez; Director, Rafael Peña; Manager, Tomas Fernandez.

JUDGE McMILLAN DEPENDS HIMSELF.

He Goes to Washington to Answer Charges. Is Supplied with Ample Evidence in His Own Favor.

A Washington special dated on Monday last says:

"Members of the New Mexico delegation remaining here held a meeting today to decide upon recommendation of a candidate for judge of the 5th judicial district to succeed Judge D. H. McMillan, whose tenure of office may end soon. President Roosevelt has informed New Mexico Republican leaders that Judge McMillan must answer charges which have been made against him relative to his conduct while on the bench or resign. It is believed by the New Mexicans who are here that his resignation will be the result. At the meeting today it was decided to recommend Judge A. A. Freeman of Carlsbad for McMillan's place. It is not certain that this recommendation will be accepted by the president, as Freeman has been energetic in the movement for McMillan's removal."

Commenting on the above dispatch the Santa Fe New Mexican of Wednesday morning says:

"In connection with the above dispatch, Judge McMillan left this morning for Washington, carrying with him a large number of affidavits and facts to controvert and disprove the charges made against him. It seems that he has never been furnished with a copy of the charges, and he goes to Washington for the purpose of obtaining such copy, and to answer the charges in detail. A special agent of the department of justice spent several weeks in this territory investigating the charges and preparing a report upon them, but of this Judge McMillan had no official knowledge, and the special agent never called upon him for any defense or disproof of the charges."

At The Opera House

Next Monday and Tuesday nights Winter Bros. big Biograph Production of moving pictures and illustrated songs will appear at the opera house under the auspices of the Socorro Cemetery Association as a benefit to the fund for the improvement of the cemetery grounds. Messrs J. P. Chase, president, A. E. Howell, treasurer, and J. J. Leeson, secretary, in conjunction with the ladies' auxiliary have taken the matter in hand and by securing the engagement of Winter Bros. Biograph Co. for two nights will no doubt add a snug sum to the two hundred dollars now in the treasury for improvement purposes. Through the efforts of Mrs. Lula B. O'Gara and lady associates in presenting the "Koonville Koonlets" the fund took substantial shape and to them much credit is due. The management is very fortunate in securing the Winter Bros. attraction, as these people are known as the Biograph Kings of the world, and come here with the highest recommendations.

Admission 50 cents, children 25 cents. Reserved seats now on sale at Howell's Drug store. No extra charge.

Levi Claypool Case.

The supreme court has reversed and remanded the Levi Claypool case taken up from the district court for this county. It will be remembered that Claypool was accused of being implicated in some manner in the larceny and unlawful sale of sheep over in the northeast corner of the county. He was convicted in the circuit court even though he had all papers necessary to show that his part in the transaction was perfectly regular. Claypool comes of an eastern family of excellent reputation and for this reason the action of the supreme court is especially gratifying to Hon. H. M. Dougherty, his attorney.

New Officials Installed.

B. A. Pino took formal possession of the office of probate clerk last Saturday and all remaining newly elected officials were installed yesterday. Abran Abeyta has asked through his attorney that he be allowed until Monday to deliver the books of the collector and treasurer's office to his successor.

The Socorro Chieftain.

PUBLISHED BY
SOCORRO COUNTY PUBLISHING CO.
E. A. DRAKE, Editor.

Entered at Socorro Postoffice as second class mail matter.

TERMS OF SUBSCRIPTION.
(Strictly in advance.)
One year.....\$2.00
Six months.....1.00

OFFICIAL PAPER OF SOCORRO COUNTY.

SATURDAY, JAN. 17, 1902.

New Mexico demands statehood of the 57th congress.

THE committee in Washington in behalf of statehood are still making strenuous efforts for the measure and say that the prospect was never brighter.

It is a remarkable fact that not an eighth of an inch of snow has yet fallen in Socorro this winter though several inches of snow has fallen at other points south even as far as El Paso.

THE Roswell Register has been enlarged to a 6-column, 8-page paper. The Register is up to date in all respects and under its present editorship and management is sure to continue to rank among the foremost weeklies of the territory.

If the suggested division of Socorro county is designed solely for the material benefit of all concerned, that is one matter. If, however, the proposed division is merely a scheme of somebody who has a political ax to grind, that is quite another matter.

JERRY SIMPSON is nothing if not original. He is now keeping a pile of Pecos valley apples in each of the cloak rooms at the national capitol. If the munching of a New Mexico apple will inspire a grave and reverend senator to vote for statehood, who will care a rap whether the Honorable Jerry ever wore socks or not?

WHILE people in Chicago are perishing with cold because of scarcity of fuel, the coal operators and dealers are piling up hundreds of tons of coal just outside the city limits to await a further advance in prices. It would be difficult to devise a more forceful argument than this in favor of government ownership of coal mines and railroads. If that is socialism, is socialism after all a thing to be sneered at?

EVERY day's experiment renders the practical utility of Marconi's great invention more probable. Cheapness, speed, secrecy, and effectiveness in calm and in storm, over land and over sea—all these points have already been demonstrated to be in favor of wireless telegraphy. What spheres of usefulness this invention may yet fill and what deep hidden secrets concerning nature's forces it may yet reveal are still beyond human comprehension.

ONE of the chief necessities developed by the acquisition of foreign territory by the United States is that of establishing and maintaining a more powerful navy. This is simply an illustration of the fact that with greater power comes greater responsibility. The present administration will not hesitate to assume the responsibility and the act will receive the hearty support of the American people. In fact, a consciousness of unmeasured power is abroad in the land and there is no disposition to shirk any responsibility however grave. The American navy will be strengthened until the country's coast line and its foreign possessions are secure against the assault of the most powerful navy that can be brought against them.

Let Mexizona In.
THERE would be nothing small about a state comprising New Mexico and Arizona. The longest straight line that could be drawn across it would equal the distance from New York to Chicago or to Charleston, or from Chicago to Vicksburg. Such a state would be equal in area to three and a half times all New England, four and three-quarters times New York, or 188 times Rhode Island. It would outrank Indiana in area by the ratio of six and a half to one, and the only states in the Union that would compare with it in extent would be the state of Texas and the state of Senator Beveridge's imagination. Open the door, by all means, and let Mexizona in.

A Twentieth-Century Marvel.
THE message from the Governor-General of Canada to King Edward, flung from a masthead in Cape Breton into the all-pervading ether, and caught up by a receiving instrument on the coast of England, marked the beginning of a new era in man's communication with his fellows. Wireless telegraphy is not the latest novelty. Ships at sea have conversed with other ships long miles away; messages have been transmitted on the land between points separated by mountain ranges; signals, faint yet recognizable, have been exchanged across the Atlantic; but never until the beginning of Christmas week was an intelligible sentence set upon the waves of the ether to the other shore of the broad ocean. Then for the first time all limits within which this new mode of communication is possibly available were removed.

In an early number of Nile's Register, of Baltimore, when the steamboat was to an astonished people what the wireless message is to this generation, the remark was made, with the appropriate number of exclamation-points, that the time might come when a person could go from Baltimore to Boston in thirty-six hours.

Harper's Weekly, in a spirit of fun, lately suggested that when the wireless system has been developed, if John Smith wishes to talk with his brother, he may send out the message, "James, where are you?" and receive immediately the answer, "I am on top of Mount Saint Elias," or "I am in the Klondike, digging gold," or "Am on the Chicago limited; will be home Sunday." In our time it is not safe to laugh at even so grotesque a fancy as that. It may yet come true. Fifty years hence some literary grub, turning over the pages of this year's Companion, may alight on this article, and wonder that the word "fancy," still less "grotesque," could be applied to the suggestion that the communication by the wireless system may yet become universal.—Youth's Companion.

The Kaiser's Anger.
THERE is good reason for the displeasure of William II. at the failure of his representative in the United States to inform him of the real feeling here with regard to the demonstration by Germany and England against Venezuela. He has removed the German minister at Washington on this account, and thus has caused some excitement in Berlin, Washington, London and other national centers. It is supposed that Dr. von Holleben, Germany's ambassador at Washington, told the kaiser that there would be very little antagonism in this country to the allies' demonstration against Venezuela, provided it stopped short of territorial appropriation. It is intimated also that the ambassador led the kaiser to suppose that President Roosevelt would act as arbiter in the affair, and this was the reason why the kaiser proposed him.

Evidently the German government was surprised at the opposition which the menace to Venezuela aroused in the United States. There was no real belief here

that Germany meditated any territorial seizure, but the harshness of its procedure called out strong expressions of hostility in this country. The German's sinking of the Venezuelan war vessels, which could not possibly do any harm to Germany, was an outrage which would be sure to excite a feeling of opposition here at any time. This act was so needlessly offensive to the sensibilities of the little country assailed that every American felt the government at Washington should protest against it vigorously, as it did.

In regard to the question as to whether the President would or would not act as arbiter, the German minister at Washington had some excuse for being astray. The President himself was not adverse to the acceptance of that trust, but he was persuaded against it by the cabinet. There are good reasons for assuming that the President could have met the duties of that post without any embarrassment to the country at present or in any future time, and without creating any precedent that would come up to bother us. However, in putting the job of arbitration on the Hague tribunal the President did a good work for that council, which somebody in authority ought to have done. The incident, so far as regards the United States, has been closed, and it has been closed in a way which gives satisfaction to the American people.—Globe-Democrat.

Watch St. Louis.
The Greatest World's Fair the world has ever seen will be held at St. Louis in 1904. To keep in touch with the work of preparation for this great World's Fair and to get all the news of all the Earth every reading person should at once subscribe for the great newspaper of St. Louis, the GLOBE-DEMOCRAT. It stands pre-eminent and alone among American newspapers, and acknowledges no equal or rival. Its circulation extends to every state and territory of the Union, to Canada and Mexico, and to every part of the World where there are readers of the English language. It ought to be in your home during the coming year. See advertisement elsewhere in this issue.

A Munchausen Yarn.
Baron Munchausen, when hunting for deer upon one occasion, encountered a magnificent animal, but found himself without shot. Speedily gathering together a handful of cherry stones he loaded his gun with them and fired at the deer, hitting him squarely between the eyes, not killing him, however. The deer managed to escape, but some time later the baron encountered him again and was surprised to see a beautiful cherry tree growing out of the animal's forehead, covered with blossoms and fruit.

Milo Was a Glutton.
Milo, the famous athlete of ancient Greece (born 520 B. C.) was victor at both the Olympic and Pythian games for six times in succession. On one occasion he ran four miles with an ox on his shoulder, killed the animal with a blow of his fist and then ate the entire carcass in one day. An ordinary meal for this gluttonous Titan was twenty pounds of bread, twice that much meat and fifteen pints of wine.

"The nicest and pleasantest medicine I have used for indigestion and constipation is Chamberlain's Stomach and Liver Tablets," says Melard F. Craig, of Middlegrove, N. Y. "They work like a charm and do not gripe or have any unpleasant effect."—For sale by A. E. Howell Socorro; W. M. Borrowdale, Magdalena.

It Is Doubtful.
We trust the Mexican silver question will stand long enough to permit Mr. Bryan to study it.—Washington Post.

The Leasing Bill.
In his late annual report the Secretary of the Interior calls attention to a bill now before congress, providing for the leasing of public lands for grazing purposes, and points out the inevitable results that would follow the passage of the bill, as follows:
"Should that bill become a law, the public domain in the sixteen states and territories mentioned therein, aggregating an area of 525,000,000 acres, practically all of the vacant public domain west of the Mississippi, would be subject to lease at 2 cents per acre for ten years, with a privilege of renewal for ten years more.

"It is needless to say that such a bill, if enacted into law, would place the last acre of desirable public land out of the reach of the homeseeker and defeat the purpose of the government to preserve the public domain for homes for actual settlers. It would also defeat the operations of the reclamation act, and make possible the formation of a land monopoly never contemplated by the public-land system, but which, on the contrary, it is one of the purposes of that system to prevent."

Dislocated Her Shoulder.
Mrs. Johanna Soderholm, of Fergus Falls, Minn., fell and dislocated her shoulder. She had a surgeon get it back in place as soon as possible, but it was quite sore and pained her very much. Her son mentioned that he had seen Chamberlain's Pain Balm advertised for sprains and soreness, and she asked him to buy her a bottle of it, which he did. It quickly relieved her and enabled her to sleep which she had not done for several days. The son was so much pleased with the relief it gave his mother that he has since recommended it to many others. Sold by A. E. Howell, Socorro; W. M. Borrowdale, Magdalena.

One from Boston.
A little girl had sent back her plate for turkey two or three times, and had been helped bountifully to all the other good things that go to make a grand Thanksgiving dinner. Finally she was observed looking rather disconsolately at her unfinished dish of ice cream. "What's the matter, Ethel?" asked Uncle John. "You look mournful?" "That's jus the matter," said Ethel. "I am more'n full."

And then she wondered why everybody laughed.—Boston Herald.
A Rough Criticism.
Lord Houghton's epigram on "Sordello," probably the most obscure of Browning's poems, though it has often gone the rounds, is worth recalling. Said Lord Houghton, then only Dicky Milnes, "There are but two lines in 'Sordello' I can understand—the first and last—'Who will may hear Sordello's story told' and 'Who would hath heard Sordello's story told,' and both are false."

A Pickwickian Character.
It must annoy Col. Watterson to observe that, no matter how serious he may try to be, everybody prefers to attach a Pickwickian significance to everything he says.—Washington Post.

Two of a Kind.
The Omaha safe blowers who got 30 cents for an all-night job probably agree with Mr. Bryan that this prosperity is not all it is cracked up to be.—Denver Republican.

Not the Fighting Kind.
It is said President Castro used to be a whisky salesman. Recent affairs would indicate, however, that he did not make a specialty of the fighting kind.—Denver republican.

Candies, nuts, oranges at Katzenstein's.

How long will it take the man to fill the sack if he does not stop the leak? To attempt to nourish the body when the stomach is diseased is like trying to fill the sack with the hole in it. When the stomach and other digestive and nutritive organs are diseased, there is a constant loss of nutrition.

Enough is eaten but the body loses flesh—plain proof that the food eaten is largely wasted because it is not digested and assimilated.

Dr. Pierce's Golden Medical Discovery cures diseases of the stomach and other organs of digestion and nutrition. It stops the leaks by which nutrition is lost, and enables the building up of the body by the nutrition derived from food. The gain in weight proves the cure.

Dr. Pierce's Pleasant Pellets cure constipation.

Tea Growing in the United States.

The United States Department of Agriculture has been carrying on the work of introducing tea culture in the United States. Experiments conducted at Pinehurst, Summerville, S. C., in cooperation with Dr. Charles U. Shepard have yielded interesting results. Dr. Shepard now has at his place about 100 acres in tea gardens. His factory is well equipped for carrying on the work on a commercial scale and for accurate scientific experiments. The yield of tea in Dr. Shepard's gardens last year was 4,500 pounds. For 1902, there were about 9,000 pounds of marketable tea. Some of the gardens have proven very prolific and profitable, while others have given very slight yields of tea of pure quality. A tea farm is soon to be established in Texas if suitable land can be secured. Whether or not tea growing in this country can be made a commercial success will depend in a large measure upon the most rigid attention to the details of field and factory work.—Scientific American.

The Story He Read.
If it is short and pithy, with a snap like that of a whip cracker at the end of it, the probability is that the late Thomas B. Read really said it.—Chicago Tribune.

That new stock of fine stationery at the Chieftain office is selling rapidly. It does not fail to please.



Miss Ida M. Snyder,
Treasurer of the Brooklyn East End Art Club.
"If women would pay more attention to their health we would have more happy wives, mothers and daughters, and if they would observe results they would find that the doctors' prescriptions do not perform the many cures they are given credit for."

"In consulting with my druggist he advised McEure's Wine of Cardui and Theodor's Black-Druggist, and so I took it and have every reason to thank him for a new life opened up to me with restored health, and it only took three months to cure me."

Wine of Cardui is a regulator of the menstrual functions and is a most astonishing tonic for women. It cures scanty, suppressed, too frequent, irregular and painful menstruation, falling of the womb, whites and flooding. It is helpful when approaching womanhood, during pregnancy, after childbirth and in change of life. It frequently brings a dear baby to homes that have been barren for years. All druggists have \$1.00 bottles of Wine of Cardui.

WINE OF CARDUI



LOCAL TIME TABLE.

South	SOCORRO.	North
1:30 a m	Passenger	4:12 a m
1:59 p m	Fast Freight	11:55 a m
12:15 p m	Local Freight	10:00 a m

No. 99 and 100 carry passengers between Albuquerque and San Marcial.

MAGDALENA BRANCH.
Daily except Sunday.
7:45 a m | Lv. Socorro, Ar | 12:10 p m

Official Directory.

FEDERAL.

Delegate to Congress, B. S. Rofey
Governor, Miguel A. Otero
Secretary, James W. Reynolds
Chief Justice, W. J. Mills

Associates,
(Ben) S. Baker,
F. W. Parker,
J. K. McFie,
D. H. McMillan

Surveyor-General, M. O. Llewellyn
United States Collector, A. L. Morrison
U. S. Dist. Attorney, W. B. Childers
U. S. Marshal, C. M. Foraker
Reg. Land Office Santa Fe, M. R. Otero
Reg. " " " " E. F. Hohart
Reg. " " " " Las Cruces, S. S. Galles
Reg. " " " " Henry Bowman
Reg. " " " " Roswell, H. Leland
Reg. " " " " D. L. Geyer
Forest Supt., L. B. Hanna, Santa Fe
Forest Supervisor, Gila River Reserve
R. C. McClure, Silver City
Forest Supervisor, Pecos River Reserve,
George Langenburg, Las Vegas.

TERRITORIAL.

Solicitor-General, E. L. Bartlett
Dist. Attorney, R. C. Gortner, Santa Fe
" " " " W. H. H. Llewellyn,
" " " " Las Cruces
" " " " R. P. Barnes, Silver City
" " " " C. A. Spies, Las Vegas
" " " " J. Leahy, Raton
" " " " G. W. Prichard, Socorro
Librarian, Lafayette Emmett
Clerk Supreme Court, J. D. Sena
Supt. Penitentiary, H. O. Bursam
Adjutant General, W. H. Whiteman
Treasurer, J. A. Vaughn
Auditor, W. G. Sargent
Oil Inspector, John S. Clark

Territorial Board of Education.

Supt. Public Instruction, J. F. Chavez.

FIFTH JUDICIAL DISTRICT.

Counties of Socorro, Lincoln, Chaves and Eddy. Headquarters Socorro, New Mexico.

Judge, Dan'l H. McMillan
Clerk and Register, J. E. Griffith

SOCORRO COUNTY.

Commissioners, John Greenwald,
Matias Contreras,
A. E. Rouiller

Sheriff, C. F. Blackington
Treasurer & Collector, Abran Abeyta
County Clerk, Hermenegildo Baca
Assessor, Benjamin Sanchez
Probate Judge, Jose E. Torres
Supt. Public School, Elifego Baca

CITY OF SOCORRO.

Mayor, M. Cooney
Clerk, R. T. Collins
Treasurer, Ricardo Abeyta
Marshal, Felipe Baca
City Attorney, A. A. Sedillo
Police Magistrate, Camilo Baca

REGENTS SCHOOL OF MINES.

Juan J. Baca, president; C. T. Brown, secretary and treasurer; A. B. Fitch, F. G. Bartlett, J. E. Smith.

SOCIETIES.

MASONIC.

SOCORRO LODGE, No. 9, A. F. & A. M.—Regular communications, second and fourth Tuesdays of each month. Visiting brethren cordially invited. GEO. E. COOK, W. M. C. G. DUNCAN, Secretary.

SOCORRO CHAPTER No. 8, R. A. M.—Regular convocations first and third Tuesdays of each month. JAS. G. FITCH, E. H. P. C. G. DUNCAN, Secretary.

MAGDALENA CHAPTER No. 9, Order of the Eastern Star.—At Masonic Hall first and third Mondays of each month. MRS. MARY BARTLETT, W. M. MRS. LIZZIE GRIFFITH, Secretary.

K O P P.

RIO GRANDE LODGE, No. 3, K. of P.—Regular meeting every Wednesday evening at 8 o'clock at Castle hall. Visiting knights given a cordial welcome. A. MAVER, C. C. S. C. MEEK, K. of R. and S.

Teams Wanted
For hauling coal and lumber, and for freighting. Steady work guaranteed. Address, A. H. HILTON, Manager, San Antonio, N. M.

Falls a Deadly Attack.
"My wife was so ill that good physicians were unable to help her," writes M. M. Austin, of Winchester, Ind., "but was completely cured by Dr. King's New Life Pills." They work wonders in stomach and liver troubles, Cure constipation, sick headache, 25c at all druggists.

PROFESSIONAL CARDS.

DR. SWISHER, (Graduate of the University of New York City, 1876, and former U. S. Examining Surgeon.) Socorro, - New Mexico.

DR. C. G. DUNCAN, PHYSICIAN AND SURGEON. South California street, nearly opposite the postoffice. Socorro, - - New Mexico.

J. KORNITZER, PHYSICIAN AND SURGEON. Socorro, - - New Mexico.

L. E. KITTRELL, DENTIST. Offices, Socorro, Abeyta Block; San Marcial, Harvey House.

H. M. DOUGHERTY, ATTORNEY AT LAW. Socorro, - - New Mexico.

JAMES G. FITCH, ATTORNEY AT LAW. Office in Terry Block. Socorro, - - New Mexico.

ELFEGO BACA, ATTORNEY AT LAW. Socorro, - - New Mexico.

FREEMAN & CAMERON, ATTORNEYS AT LAW. Carlsbad, - - New Mexico.

W. E. KELLEY, ATTORNEY AT LAW. Socorro, - - New Mexico.

W. B. CHILDERS, ATTORNEY AT LAW. Albuquerque, - - New Mexico.

POHLE & PARMELEE ASSAYERS AND CHEMISTS, Special Attention to Control and Unripe Work. Orses tested to determine the best method of treatment. We have a new thoroughly equipped Laboratory. Over 30 years of practical experience in Colorado. Prices and sample sacks free on application. 1627 Champa St., Denver, Colo.

PROVIDENCE HOSPITAL

111 FAO. TEXAS. A general hospital for MEDICAL SURGICAL AND OBSTETRICAL CASES. MISS M. R. SHAVER, Supr. Graduate Normal Infirmary of Louisville, Ky., and Post Graduate, General Memorial Hospital, New York City. A training school for nurses is run in connection with Hospital. For information apply to Superintendent.

H. CHAMBON DEALER IN

General Merchandise SOCORRO, - N. M.

E. E. BURLINGAME & CO., CHEMICAL ASSAY OFFICE AND LABORATORY. Established in Colorado, 1866. Samples by mail or express will receive prompt and careful attention. Gold & Silver Bullion refined, melted and assayed. Concentration Tests. 1736-1738 Lawrence St., Denver, Colo.

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This will save your Life. By inducing you to use Dr. King's New Discovery, Consumption, Coughs and Colds. The only Guaranteed Cure. NO CURE, NO PAY. Your Drug list will warrant it. ABSOLUTELY CURES Grip, Influenza, Asthma, Bronchitis, Whooping Cough, Pneumonia, or any Affection of the Throat and Lungs. TRIAL BOTTLES FREE. Regular Size 50 cents and \$1.00.

OPPOSED TO LEASE LAW.

Datil Correspondent Gives Reasons Why Great Caution Should Be Exercised in Approving Any Such Law.

The question of the passage of a national lease law has attracted considerable attention of late, though doubtless not as much attention as the importance of the question demands. The following expression of opinion from one of the Chieftain's correspondents speaks for itself.

Datil, N. M., Jan. 14. Editor Chieftain:

In a recent issue of the Chieftain I see that there is likely to be another bill brought before congress for the leasing of the public domain. It is said to be the work of Nebraska cattlemen. Since carefully reading a copy of the proceedings of the committee on public lands appointed by congress to investigate such matters, the writer is somewhat leary of any lease law for fear there will be an opening left that will allow the big companies to gobble the bulk of the open range, thereby squeeze out the little cattleman as well as most of the sheepmen.

It is well known that most of the cattle men of New Mexico are little men owning from one hundred to three hundred head of cattle. Now let us suppose there is a lease law compelling, as you might say, everyone who owns cattle, sheep, or horses to lease land to run them on at, let us say, one cent an acre. Now every man of any enterprise who has a small herd expects to build them up to five or six hundred head in eight to ten years. Now the question is this: If he has range to build up his cattle or other stock to that proportional number he must lease it when he may not own more than one hundred and fifty cattle. The steers out of that many stock cattle at the average price would not much more than pay the lease on a sufficient amount of land to build his herd up to six hundred cattle, the limit proposed by the Nebraska cattlemen. The same applies to the sheep industry.

While I am interested in cattle and have no interest in sheep I would very much dislike to see any law enacted that would in any way cripple the sheep industry. I verily believe it would be hard to so frame or enact a lease law that it would not put many of our small sheepmen out of the business. So it would be with the small cattlemen. It would take most of his income to pay the lease, thereby leaving him but little to subsist on. I do not believe that most of the little stockmen who are advocating a lease law gotten up by the cattle barons are fully aware of what they may get into by so doing.

Whenever you find such men as F. C. Lusk, president of the American cattle growers association, John P. Irish, Henry M. Porter, and others who were appointed on the committee who were to draft the bill to go before congress, so strenuously advocating a lease law for the protection of the little stockman it is then you should look for the bug under the chip, for I tell you it is there as was shown by the committee and others who were investigating the matter during the last sitting of congress.

I think it is not generally known that there are several thousand cattle coming from Texas to New Mexico seeking free range. They have been driven out of Texas on account of the lease law. It is claimed the tax was too great. The business would not justify it.

It seems to the writer if there must be a lease law for the protection of the cattlemen against the sheepmen (for that is the long and short of it) the cost to the stockmen should be made as light as possible, simply enough to defray the expenses. The intent of the law should be to guarantee each man his rights on the

range and should not be a matter of profit to the government. I would be glad to know that every one who is interested, be he cattle or sheepman, would write our congressman giving his views on the subject.

One other point I would call special attention to, and that is the subject of taxes. We all kick at high taxes. Let us figure a little. At one cent an acre every hundred dollars invested in stock would make an additional tax of \$3.00. Add this to the territory and county taxes and it will amount to \$6.50 to \$7.00 a year actual taxes on every hundred dollars invested in live stock in the territory. If the stock raiser, the little man, could add on to the price of his animals the cost of his lease it would not be so hard on him, but not so. It is an established fact that the producer never regulates the price of his product. It is the law of supply and demand that regulates such things regardless of the cost of production.

In conclusion let me say that we are going to have a lease law sooner or later and let every one interested give the subject serious thought and speak and write those thoughts so that we may the nearer get what we need in the way of a just and equitable law—a law that will protect the range, guarantee each and every one his rights at a cost that will give the little man a chance to build up in the business.

ED. R. KELLEY.

Croup.

The peculiar cough which indicates croup is usually well known to the mothers of croupy children. No time should be lost in the treatment of it, and for this purpose no medicine has received more universal approval than Chamberlain's Cough Remedy. Do not waste valuable time in experimenting with untried remedies, no matter how highly they may be recommended, but give this medicine as directed and all symptoms of croup will quickly disappear. For sale by A. E. Howell Socorro; W. M. Borrowdale, Magdalena.

Colonists Rates to the Southwest.

The St. Louis and San Francisco Railroad Co. is offering colonist half-fare-plus-\$2.00 rates from and via St. Louis, Kansas City and Memphis to points in the southwest. The advent of colonist rates should prove an important factor in the development of the southwest, New Mexico included.

A Judicial Gem.

"A husband is not guilty of desertion when his wife rents his room to a boarder and crowds him out of the house." This is no joke, but a piece of solemn judicial wisdom. It is found in 153 Penn. St., 450.

No Occasion.

Those persons who expected President Roosevelt to become excited and strenuous over the affairs to the south of us bumped into a big bank of disappointment.—Washington Post.

BAD BREATH

"I have been using CABCRETS and as a result my breath is sweet and my stomach is regular. My daughter and I were bothered with bad breath and indigestion. They were cured by taking a few doses of Cabcrets and my breath is sweet and my stomach is regular. They are a great help in the family." W. H. HOLLIMAN, FRISCO, TEXAS. 117 Hittenshouse St., Cincinnati, Ohio.



Pleasant, Palatable, Potent, Taste Good, Do Good, Never Hurts, Weakens, or Grips. No. 30. CURE CONSTIPATION. Besting Ready Company, Chicago, Montreal, New York, 218 N. O-T-O-B-A-C. Sold and guaranteed by all druggists to cure tobacco habit.

How Snakes Fascinate.

The cobra of the Cape fascinates birds by coiling itself on a branch, erecting its head and swinging to and fro. Sundowner states that the snake will go on "fascinating" and keeping the bird twittering and unable to leave the tree in which it is "for hours" and that if the bird is driven away it comes back. This may be a "yarn," but from the curious fascination which nonterrifying objects, such as "lark glitters," have for some birds and their apparent inability to resist hovering around the lure the far greater mesmerizing power of the serpent may be conjectured. Movement, more or less regular, is always part of the means of fascination employed by snakes. Their fondness for music of any kind is not extended to the sound of the human voice singing, which snakes clearly do not appreciate at all. They only care for "instrumental music," which includes the concertina, tomtom and Jew's harp. But from experiments made in this country it was evident that they like the bagpipes best.—Spectator.

Every Bottle of Chamberlain's Cough Remedy Warranted

We guarantee every bottle of Chamberlain's Cough Remedy and will refund the money to anyone who is not satisfied after using two-thirds of the contents. This is the best remedy in the world for the gripe, coughs, colds, croup and whooping cough and is pleasant and safe to take. It prevents any tendency of a cold to result in pneumonia. For sale by A. E. Howell Socorro; W. M. Borrowdale, Magdalena.

Dolly's Explanation.

"Mother, what are twins?" asked little Bobbie. "I know," chimed in Dolly. "Twins is two babies just the same age; three babies is triplets, four is quadruplets, and five is centipeds."

Notice.

Notice is hereby given that whereas the undersigned has been duly appointed by the probate court of the county of Socorro, N. M., as the administratrix of the estate of Pedro Sarracino, deceased, therefore all those having any claim against said estate are hereby required to present the same to me for approval before said court within the time prescribed by law; and those owing to said estate are likewise required to come and settle the same with the within named administratrix during the time aforesaid, otherwise I shall enforce payment as authorized by law. MARIA Y. B. DE SARRACINO, Administratrix, Frisco, N. M.

Sufferers from Consumption will find it to their interest to apply to DOCTOR J. KORNITZER the originator of ELECTRIC TREATMENT OF TUBERCULOSIS for literature. Address-Dr. J. Kornitzer, Socorro, - - - - NEW MEXICO.

Notice of Suit. In the District Court of the Fifth Judicial District of the Territory of New Mexico, within and for the County of Socorro. Robert Hannigan, Plaintiff, vs. Robert H. Holliman, and Lillian Holliman, Defendants. No. 4023.

The above named defendants, Robert Holliman and Lillian Holliman, will take notice that a suit has been commenced against them by the above named plaintiff, Robert Hannigan, in the above named Court, in which the plaintiff asks judgment against the defendant Robert Holliman upon a promissory note dated November 7th, 1899, calling for Four Thousand Dollars, with interest from date at the rate of ten per cent per annum and ten per cent additional as attorneys fees in case of legal proceedings to enforce collection—with one year's interest paid up on said note, and for the costs of this suit.

The said plaintiff further asks for the foreclosure of a mortgage given to secure the payment of said note and covering the following described property: All the right, title and interest of the said Robert Holliman in and to all cattle (and the increase thereof) in the following brands, ranging north and west of the Gila river in New Mexico and Arizona, to-wit, X V, X I X, E, K 4 and 4 on jaws, 4 on side and 4 on hip, known as three four brand, four horses, three burros more or less in X V brand; all the right, title and interest of said last named defendant in and to all cattle in the W Y brand, the said brand being on both sides, and the increase thereof, there being three hundred or more head.

The said plaintiff further asks that the interest of the defendant, Lillian Holliman, may be declared if any she has, subject to the lien of plaintiff. That the said cattle and horses and other live stock may be sold by an order of said Court upon the range, without the same being gathered, and that the plaintiff be permitted to bid on the same as other bidders. That out of the proceeds of the sale of said cattle, horses and other live stock the costs of sale and other expenses be paid, including the keeping of said live stock, that the said judgment prayed for be next paid, rendering the surplus, if any, to the said defendant, Robert Holliman, and granting a deficiency judgment against the said Robert Holliman if the said property shall not sell for sufficient to pay said judgment and costs; and for such other and further relief as may seem meet.

The said defendants are further notified that unless they appear and answer on or before the 3rd day of March, A. D. 1903, judgment will be taken against them by default. Plaintiff's attorney is H. M. Dougherty, whose postoffice address is Socorro, New Mexico. January 2nd, 1903. JOHN E. GRIFFITH, Clerk of said District Court.

Notice of Forfeiture.

Mogollon, Socorro County, N. M., Jan. 1, 1903. To J. E. Bailey: You are hereby notified that I have expended one hundred dollars (\$100) in labor and improvements upon the Kraus mining claim, and also one hundred dollars (\$100) upon the Ray & Randolph mining claim, as will appear by certificate filed on the 27th day of Sept., 1902, in the Recorder's office of Socorro county, and recorded in Book 50, Page 83, in order to hold said premises under the provisions of section 2324, Revised Statutes of the United States, being the amount required to hold the same for the year ending Dec. 31, 1902.

And if within ninety days after this notice by publication you fail or refuse to contribute your proportion of such expenditure as co-owner, your interest in said claims will become the property of the subscriber under said section 2324. HARRY HENDERSON.

Estray Notice.

Territory of New Mexico, County of Socorro. This day appeared before me Irwin Wallace, agent for W. R. Morley, and being duly sworn says he has taken up one bay horse about eight (8) years old, thirteen and one-half (13 1/2) hands high, broken to saddle and harness, branded on left thigh and M C on right thigh, and that he has made inquiry as to the proper owner of said horse and cannot find said owner; also one bay stallion three (3) years old, unbroken, branded J on left shoulder, also one sorrel mare about fourteen (14) hands high, white face, branded B J on left hip, about seven (7) years old. Owner may have same by proving title and paying costs of this affidavit and notice. Signed, W. R. MORLEY, by IRWIN WALLACE, Agent. Sworn and subscribed to before me this 4th day of October, A. D. 1902. J. C. BLINN, Notary Public.

The Bryan Dairy.

Mr. Bryan has moved into his handsome new residence, and the \$5,000 barn is now occupied exclusively by the \$450 heifer and the other blooded live stock.—Washington Post. Subscribe for THE CHIEFTAIN.

"What is a synonym?" asked a teacher. "Please, sir," said a lad, "it's a word you can use in place of another if you don't know how to spell it."—Sacred Heart Review.

Notice of Suit.

In the District Court of the Fifth Judicial District of the Territory of New Mexico, within and for the County of Socorro. Juana Gurule de Montoya, vs. Luis Montoya. No. 402L.

The above named defendant, Luis Montoya, is hereby notified that a suit has been commenced against him in the above named Court by the said plaintiff, Juana Gurule de Montoya, for a divorce from the bonds of matrimony now existing between plaintiff and defendant, on the grounds of abandonment and failure to provide for the custody of the minor child of the parties hereto, Aurelia Montoya and for such other and further relief as may seem proper.

That unless the said Luis Montoya enters his appearance in said cause on or before the 17th day of February, A. D. 1903, judgement and decree will be entered against him in said cause by default.

Plaintiff's attorney is H. M. Dougherty, whose postoffice address is Socorro, New Mexico. JOHN E. GRIFFITH, Clerk of said District Court.

Aviso. Aviso espor esta dado que por cuanto la abajo firmada ha sido debidamente nombrada por la corte de pruebas del Condado de Socorro, N. M., administradora del estado de Pedro Sarracino, defunto, por lo tanto todos aquellos que tengan reclamos en contra de dicho estado son por esta requeridos de presentar los mismos a mi para su aprobación ante dicho corte dentro del tiempo prescrito por ley, y aquellos que deban al dicho estado del mismo modo estan avisados de venir y arreglar con la aqui nombrada administradora durante el tiempo antes dicho, de otro modo el pago sera esforzado segun requiere la ley. MARIA Y. B. DE SARRACINO, Administradora, Frisco, N. M.

A Good Route to Try



It traverses a territory rich in undeveloped resources; a territory containing unlimited possibilities for agriculture, horticulture, stock raising, mining and manufacturing. And last, but not least it is

The Scenic Route for Tourists.

The Frisco System now offers the traveling public excellent service and fast time—

Between St. Louis and Kansas City and points in Missouri, Kansas, Arkansas, Oklahoma, Indian Territory, Texas and the Southwest. Between Kansas City and points in Tennessee, Alabama, Mississippi, Georgia, Florida and the Southeast. Between Birmingham and Memphis and points in Kansas, Arkansas, Oklahoma, Indian Territory, Texas and the West and Southwest. Full information as to route and rates cheerfully furnished upon application to any representative of the Company, or to Passenger Traffic Department, Commercial Building, Saint Louis.

GARTHAGE COAL MINING CO.

M. L. Hilton & Givane Luera, Proprietors. Lump Screened, Fine.

C. T. BROWN, Agent, Socorro. A. H. HILTON, General Agent, San Antonio. First Class Coal. Low Prices. Patronize Home Industry.

Keeley Cure For Drunkenness, Opium, Morphine and other Drug Using, the Tobacco Habit and Neurasthenia. THE KEELEY INSTITUTE, Dwight, Ill.

The Socorro Chieftain.

EDITORIAL COMMENTS.

POSSIBLY Socorro county may sometime submit to the same unscrupulous political domination that is said to afflict two counties not a thousand miles further north, but not yet.

Those editors up the road who were so knowing and so blatant over the Chieftain's attitude toward the election contest seem to have suffered a mysterious paralysis of both brain and tongue.

HON. H. H. HOWARD will represent Socorro county in the 35th legislative assembly. He is expected to be alert to the interest of his constituency and it is safe to predict that the expectation will be realized.

THE CHIEFTAIN was yesterday made the official paper of Socorro county by the action of the recently elected board of county commissioners. Circumstances now make it possible for this paper to give all official proceedings much more in detail than heretofore.

It is something of a platitude to say that as the territorial legislature is almost solidly Republican it should be especially careful to make the party responsible for only wise legislation, but judging from some indications in the last territorial election returns the present is one of the times when a platitude acquires force.

ATTORNEYS Dougherty and Fitch are entitled to every word of the generous praise that has been bestowed upon them for the spirited and skillful manner in which they fought for the interest of their clients in the election contest cases. They contended against very adroit lawyers in the persons of Messrs. Childers and Dobson and they won a signal victory.

It is the intention of the Chieftain to give its readers a full and accurate statement of the assets and liabilities and the revenue and expenditures of Socorro county as soon as possible under the new order of things, and to repeat such a statement periodically thereafter. County Treasurer Hermene G. Baca has expressed himself as more than willing to furnish the necessary information.

THE School of Mines closed the first session of its work for the year 1902-3 yesterday. Judged by the enrollment and grade of work done the session was by far the most successful in the history of the institution. A few students have dropped out recently but their places have been supplied by other students of more advanced standing. The prospect for this flourishing institution was never before so bright as now.

JUDGE McMILLAN's conduct of the trial of the election contest cases merited and has received highest praise. There was no time during all the several days' trial when he could fairly be accused of partiality in his rulings. This fact tended to strengthen the feeling of confidence already entertained that the case before him would be decided strictly on its merits. The event amply proves that such confidence was in no wise misplaced.

JUDGE BAKER undertook to decide that the Independent Republican tickets were fraudulent and intended to deceive and should therefore not be counted. To put it in mildest possible terms, it is remarkable that he should assume to render a decision on so important a question when that question was in no manner before him. However, in the judgment of the court before whom the question of the legality of the tickets was formally

brought, the law and the evidence do not sustain Judge Baker's premature delivery of opinion.

Judge McMILLAN's Decision.

JUDGE McMILLAN's decision of the election contest case in favor of the respondent was the only decision possible under the law and the evidence presented at the trial. This assertion does not detract in the least from the credit due Judge McMILLAN for his clear comprehension and clean cut statement of the one fact upon which the decision must turn. A less judicial mind than his might easily have been fogged by the hundred and one minor facts that were presented and urged by counsel for the contestant.

In logical order the first vital question that presents itself in the consideration of this case is that of the filing of the emblems. The law plainly says in effect that the prior filing of an emblem is necessary for the exclusive use of that emblem. The Chieftain urged this point in its discussion of Judge Baker's decision. Mr. Fitch argued the same point at length before Judge McMILLAN, and the decision of this interesting and important case was made to turn upon that point alone. It does not follow, however, that there were not other questions in the case the consideration of which would have led to the same decision.

Even if the Independent Republican tickets had been decided illegal it would not have followed that they must not be counted. The statutes of New Mexico provide a penalty for printing, circulating, and using illegal ballots but do not provide that they shall not be counted after being cast. In his argument of the case Mr. Dougherty challenged opposing counsel to cite a single instance within the bounds of the United States in which a court had ordered ballots thrown out unless the statutes under which the case was tried made that express provision. The instance was not cited. On this point also, then, the court would doubtless have given a decision in favor of the respondent.

Death of Ethan McCuistion.

Ethan McCuistion died in this city Sunday morning. Though deceased had been sick several months the end came unexpectedly. The remains were laid to rest in Socorro cemetery Wednesday.

Ethan McCuistion was born in Butler, Bates county, Mo., Sept. 28, 1867. He came to Socorro in 1883 and on December 10, 1890, was united in marriage to Miss Mary Gordon. Since 1892 he had lived in Mexico, occupying a responsible and lucrative position with the Guggenheim company at Monterey. He was a man of excellent reputation, much esteemed and respected wherever known. A wife, a mother, and four sisters mourn his loss.

Stockholders Meeting.

A meeting of the stockholders of the Ida Hill Mining and Smelting Company is hereby called to meet at the office of said company in Socorro, N. M., on Monday, January 26th, at 2 o'clock p. m. for the purpose of filling a vacancy in the board of directors and the transaction of such other business as may properly come before the meeting.

C. N. BLACKWELL,
Secretary.

Socorro, N. M., Dec. 16th, 1902.

Piano For Sale.

An upright Kimball piano in good condition for sale on very reasonable terms. Address A. K. Herrick, Magdalena, N. M.

NOTICE FOR PUBLICATION.

DEPARTMENT OF THE INTERIOR,
Land Office at Las Cruces, N. M.,
Jan. 15th, 1903.

Notice is hereby given that the following-named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before United States Court Commissioner at Mogollon, N. M., on February 21, 1903, viz: George B. Hudson, Hd. E. No. 3753 for the $\frac{1}{2}$ sec. 4 n $\frac{1}{2}$ e $\frac{1}{2}$ section 35 tp. 6 s r 19 w. N. M. P. Mer.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: George L. Hood, of Reserve, N. M.; Lewis Jones, of Reserve, N. M.; Andrew Higgins, of Reserve, N. M.; Darsey Coleman, of Alma, N. M.

NICHOLAS GALLES,
Register.

OF HOME INTEREST.

L. J. Otto of Magdalena is a guest at the Windsor today.

Abran and Ricardo Abeyta have been in Albuquerque on business since Wednesday.

Miss Agnes Jaques has been among Socorro's representatives at the El Paso carnival this week.

J. R. Vigil was decorating the city Monday with announcements of show at the opera house Monday night.

We have an exceptionally large and assorted line of new farinaceous goods, figs, dates, etc. PATON BROS. & CO.

Assessor Benj. Sanchez is the proud possessor of a commission as Notary Public just granted by Governor Otero.

Doctor and Mrs. C. G. Duncan have been among the pleasure seekers from Socorro in the Pass city during the carnival.

J. S. Mactavish and W. A. Richardson of Magdalena were in the city Thursday on their way to Albuquerque on business.

The board of county commissioners yesterday made the Chieftain the official paper of Socorro county for another term of two years.

Constancio Miera occupies the desk of deputy in the office of Probate Clerk Holesio A. Pino. The choice appears to be an excellent one.

Misses Mary Ludwig and Lena Griffith went down to the El Paso carnival Thursday and are expected to return tomorrow morning.

Contrary to an announcement made last Sunday, there will be no services at the Presbyterian church tomorrow. Mrs. Borden is unable to be present.

The Illinois Brewing Co. are erecting a two-story stone addition to their brewery in the north part of the city. They are doing a good business because they merit it.

Mrs. W. N. McCammon of Datil and Miss Edith McCuistion of El Paso arrived in Socorro Wednesday to attend the funeral of their brother, Ethan McCuistion.

A. J. Lane and family of Angus recently arrived in Socorro to become permanent citizens. Mr. Lane and family are occupying a cottage on North California street.

Ambrosio Torres went out to Magdalena this morning to meet Mrs. Torres who has been visiting relatives there this week. Mr. and Mrs. Torres will return home Monday.

S. Michaelis of Magdalena was a guest at the Windsor Tuesday on his way to Gallup to meet Mrs. Michaelis who was returning from a visit of several months in California.

Dr. Chas. R. Keyes attended the meeting of the International Mining Congress in El Paso Tuesday and read a paper on "The Opportunities for Mining Training in the Rocky Mountain Region."

For a bad taste in the mouth take a few doses of Chamberlain's Stomach and Liver Tablets. Price 25. Warranted to cure. For sale by A. E. Howell, Socorro; W. M. Borrowdale, Magdalena.

S. T. Reynolds returned to Socorro Wednesday morning from a visit of six weeks with relatives and friends in the extreme east. He was glad to escape from the "beastly" weather prevailing on the Atlantic coast.

J. W. Terry and daughter, Miss Helen, went down to El Paso Monday to visit relatives and friends and see the sights of the carnival. Miss Helen may possibly remain in the Pass city for several months.

Amos Green and J. J. Gallegos were the unanimous choice of the voters of Socorro precinct No. 1 for the offices of justice of the peace and constable respectively. Each received every one of the large number of votes cast.

The winter's record was broken Thursday when nearly an inch of snow fell at Socorro. It melted rapidly during the latter part of the day, however, and practically all that was left disappeared under Friday's bright, warm sun.

Landlord J. M. Allen of Magdalena was in the city Thursday on his way to El Paso to find some help for the culinary department of his hotel and, merc-

ly incidentally of course, to take a peep at the sights of the carnival.

N. A. Field of Burley was among the visitors in the city Wednesday. Mr. Field does a flourishing general merchandise business and is postmaster. He reported the election of Pablo Armijo as justice of the peace and of Ygnacio Chavez as constable in his precinct.

Mrs. A. M. Hunt of Phoenix, Arizona, arrived in Socorro Thursday accompanied by her son A. J. Hunt, a young man who came for the purpose of entering the technical department of the School of Mines. Mr. Hunt was a junior at the University of Colorado last year.

Frank E. Jackson, while doing some work out at Captain Cooney's ranch in the San Mateo mountains a few days ago, had a fall that injured one of his hands so badly that he has not been able to do much carpentering since. He will doubtless soon be in condition, however, to do such work again with his customary neatness and dispatch.

Conrado Baca arrived in Socorro yesterday morning from Santa Fe to enter upon his duties as deputy in the office of the county collector and treasurer. Mr. Baca is an excellent accountant and will doubtless render good service in this position. He has of late occupied a responsible clerical position at the territorial penitentiary under Superintendent H. O. Bursum.

Charles Rouiller, son of Hon. A. E. Rouiller of Paraje, has just graduated at the Leland-Stanford university. He is but 19 years of age and is the youngest graduate of the institution. Chemistry is his specialty. Mrs. Rouiller, the mother of the young man, has lived in Palo Alto during his attendance at the university and is still there looking after the education of her daughter.

Mayor Cooney states that at the last meeting of the city council he ordered the health committee, consisting of Abran Abeyta, A. C. Abeyta, and August Winkler, to consult Rev. Martin of the church of San Miguel concerning certain alleged unsanitary conditions resulting from the burial of the dead beneath the church. He states also that he and certain attorneys are preparing a bill to present to the legislature designed to cheapen titles to old holdings within the city grant.

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