

TRAIN ARRIVALS

No. 1—7.45 p. m.
No. 4—5.50 p. m.
No. 7—10.55 p. m.
No. 8—7.40 p. m.
No. 9—11.45 p. m.

ALBUQUERQUE CITIZEN

"WE GET THE NEWS FIRST"

ALBUQUERQUE, NEW MEXICO, MONDAY EVENING, SEPTEMBER 23 1907.

WEATHER FORECAST

Denver, Col., September 23--
Fair tonight and Tuesday.

NUMBER 223

VOLUME 22.

COURT GAVE BURSUM
LONG DELAYED
FAIR PLAY

Records, as Examined by Impartial Referee. Proved to be Entirely Correct in Detail.

FRAUD CHARGERS
FAILED TO APPEAR

None of Them Had Nerve to Face Court--No Objections to Auditor Safford's Report and It Was Confirmed.

As published in The Citizen of Saturday evening, Judge Frank W. Parker in the Fifth Judicial district court at Silver City, confirmed the report made by Charles V. Safford in the case of H. O. Bursum for an adjustment of the accounts of the penitentiary during the time he was the superintendent, and granted Mr. Bursum a judgment against the territory for the sum of \$4,333.54.

This sum represented the amount turned into the territory, under protest by Mr. Bursum, at a time when he was unable to get a hearing in court, as well as a balance shown to be due him by the books of the penitentiary.

A Flasco. The granting of this judgment and the failure of any of Mr. Bursum's accusers to appear in open court to testify against him, makes a flasco out of the libelous charges of malfeasance and mismanagement which were published with considerable gusto by the Morning Journal at every opportunity during the past two years.

It also punctures the so-called Colorado expert's report compiled for the late Governor H. J. Hagerman. In fact, it was shown that when the books of the territory were honestly and truthfully audited, Mr. Bursum had money coming to him.

None Appeared. Not one of the men who a few months ago were charging fraud on all sides had the nerve to appear in court and make good their assertions.

When the case came up for trial before Judge Parker, the territory was represented by the new attorney general A. B. Fall. Mr. Bursum was represented by H. M. Dougherty, of Socorro, his attorney, and the Colorado company, whose attorneys were compelled the report for H. J. Hagerman, which the Morning Journal published, was represented by Neill B. Field, of Albuquerque.

Not Well Found. E. P. Holcomb, special agent, was present in court ostensibly as the representative of Ormsby McHarg, special assistant to the territory general of the United States.

Mr. Holcomb said the United States was not a party to the suit but its interests were protected by stipulation in the judgment rendered by the court.

Mr. Dougherty, representing Mr. Bursum, and Mr. Fall, representing the territory, were questioned of the exceptions filed by the attorney general, G. W. Pritchard and Ormsby McHarg.

The objections were taken up one at a time and most of the court not finding them well founded. After an examination into the exceptions, the attorney general stated that he failed to find where Mr. Bursum had handled the funds created by appropriation or the sale of lands since these funds were expended upon warrants approved by the penitentiary commission.

Mr. Safford was placed on the stand and underwent an examination as to the correctness of his report, which he substantiated fully.

There being no witnesses to show that charges of dishonesty, etc., previously made against Mr. Bursum were true, the judgment was rendered accordingly, allowing in a copy of the judgment in the case.

Judgment of the Court. In the District Court of the Third Judicial District of the Territory of New Mexico, within and for the County of Socorro.

Helm O. Bursum, Plaintiff, vs. Territory of New Mexico. (No. 5173)

This cause coming on for hearing upon the report of C. V. Safford, Esq., and upon the exceptions heretofore filed to the said report by the defendant, the Territory of New Mexico, and it appearing that upon the completion of his investigation, the said C. V. Safford, Esq., filed a detailed report in writing hereto, together with all the testimony taken by him, and that the said report states an account between the said plaintiff, Helm O. Bursum, as ex-superintendent of the New Mexico Territorial Penitentiary, and the Territory of New Mexico, covering the period of his several terms of office, commencing on the 13th day of April, 1899, and extending up to and including the 13th day of April, 1906, and that the said referee has made all findings of facts necessary to show the basis of his report; and comes now to the aid of the plaintiff, and his attorney, H. M. Dougherty, and a hearing has been had upon the exceptions filed to the said report of the said referee, and the court being duly advised, it is hereby ordered, adjudged and decreed that each and all of the said exceptions to the said report be and the same are hereby overruled;

And it further appearing from an examination of the report of the said referee that he has found all books of original entry which were kept during the period that the said Helm

How'd You Like to Play Foot Ball?



"Coach A. A. Stagg declares the Chicago University eleven will taboo meat and train on vegetables."--News Item.

ONE KILLED AND FOUR HURT IN SUNDAY QUARREL

Natives at Segundo, Colo., Use Knives With Deadly Effect.

TWO ARRESTS HAVE BEEN MADE FOR CRIME

Trinidad, Colo., Sept. 23.—Andre Salazar is dead, Juan Tafaya fatally stabbed, and three others injured as a result of a free-for-all fight among natives in a saloon at Segundo near here Sunday. Two men have been arrested, who are suspected of having been implicated in the trouble.

Quarrelled Over Drinks. Some sort of a celebration took place near the saloon Saturday night, lasting over until today and the parties who became involved in the fatal trouble were in attendance.

After the celebration closed, many of the guests remained in the neighborhood of the saloon, drinking and continuing the carousal. Salazar, Tafaya and the others were in this crowd, and while drinking in the saloon they became involved in a quarrel over drinks. The saloon keeper quieted them for a time, but suddenly a blow was struck and knives flashed in the air. When the fight was stopped, Salazar was found on the floor with two knife wounds in his chest, his throat cut and dozens of cuts on his body. Tafaya's wound is near his heart and will undoubtedly kill him. He is also badly cut about the body. The other wounded men received a number of small cuts about their bodies.

WIRELESS SERVICE TO GREAT BRITAIN

Sydney, N. S., Sept. 23.—M. Marconi arrived at Glace Bay, N. S., last night to make preparations for the establishment of trans-Atlantic wireless communication between America and Great Britain. Within a few weeks a constant night and day service will be in operation.

"BEYOND POWER OF COURT" SAYS LAWYER

Lincoln, Neb., Sept. 23.—In his brief filed in the federal court today at Omaha in resistance of the application of the railroads for a temporary injunction against the railroad commission's grain rates, Attorney General Thompson set out the fact that fixing of rates is essentially legislative in its character, and that the railroads are trying to enjoy legislative discretion in their fight against the new rates on grain.

Mrs. Levi Letter is Dying in France. Paris, France, Sept. 23.—Mrs. Levi Letter, widow of the Illinois capitalist and mother of Lady Curzon, is confined to her hotel here, suffering from liver trouble. Her children have been sent for.

WHOLESALE ROBBERY OF TRAINS BY MANY EMPLOYES

Fifty Conductors, Brakemen and Freight Handlers Involved in Thefts.

\$75,000 TAKEN FROM SOUTHERN PACIFIC CARS

Los Angeles, Sept. 23.—Systematic robbery of freight and baggage from the Southern Pacific coast line between Los Angeles and San Francisco was discovered today by detectives. The thefts aggregate \$75,000 and about fifty conductors, brakemen and freight handlers are believed to be implicated in the transaction. It is stated that a number of arrests will be made at once. A box of stolen goods found in the room of Harry Ward, conductor of a work train, led to disclosures of the scheme. He was arrested, but was released on a writ of habeas corpus on a technicality. Another warrant is to be issued for him.

"A Go-Between." The scheme was worked out through a "go-between" in the freight office. A box containing valuable silks was shipped to a department store in San Francisco. It was marked and tossed off the train at a station designated by the "go-between."

Ward was noticed to pick it up on his return to Los Angeles. In the meantime the detectives had discovered the method of operation. The box was traced back to this city, where it was received and the goods identified. It appears that the scheme has been worked successfully for six months. The railroad company paid the shortage on the shipments on demand of the merchants and is out a large amount. A corps of detectives has been kept at work to find the thieves.

"ROBERT FULTON DAY" CELEBRATED AT JAMESTOWN

Every Class of Steam Vessel Participated in Great Parade.

Norfolk, Va., Sept. 23.—Elaborate and beautiful ceremonies marked today's observance of "Robert Fulton day" at the Jamestown exposition. The orator of the day was Martin V. Littleton, of Brooklyn. Cornelius Vanderbilt, president of the Robert Fulton monument association, and Dr. Samuel L. Clemens (Mark Twain), each accompanied by a party of guests, came on yachts from New York. The spectacular feature of the celebration was the marine parade in Hampton Roads in which every sort of craft propelled by steam held a place.

Trolley Collides With Work Train. Los Angeles, Cal., Sept. 23.—A Hollywood trolley car, loaded with a work train in Hollywood early this morning while running twenty miles per hour. Five passengers and the motorman were severely injured.

GRAND JURY INDICTS DEAD GOVERNOR OF IDAHO

As "John Doe" He Figures in Same Indictment as United States Senator Borah.

LATTER'S TRIAL ATTRACTS CROWDS

Prominence of Defendant and Fact That Scores of Other Men Are Interested in Alleged Conspiracy Causes Much Interest.

Boise, Idaho, Sept. 23.—It developed today in the opening of the trial of United States Senator Borah, accused of conspiracy to defraud the government of land, that an indictment had been returned by the grand jury against an ex-Governor of Idaho, under the name of "John Doe," charging the governor, who was killed some time ago, with complicity in the conspiracy. It is one of the few cases of the kind ever heard.

The case of United States Senator William E. Borah, charged with conspiracy to defraud the government of valuable timber lands, was called today before Judge Edward Whitson in the United States district court.

Borah's prominence and popularity, the leading part he took in the prosecution of William D. Haywood, who was charged with the murder of ex-Governor Steunenberg, and the fact that over one hundred well known residents of south Idaho are alleged to be involved, which marked the first of the proceedings against him, practically equal to that which marked the first of the proceedings against the governor here. The district court room was crowded to overflowing.

Imposing Array of Counsel. The array of counsel on either side is imposing. The government, whose representative is the chief prosecutor, has practically taken the case out of the hands of the local district attorney, Norman E. Ruick, against whom charges of improper conduct before the grand jury have been filed, and assigned the matter to special attorneys trained in timber land laws and fresh from successful prosecution by F. Burke, of Wyoming. Among Borah's attorneys is James H. Hawley, senior counsel for the state in the Haywood case.

Conspiracy Alleged. The indictment against Borah alleges that he conspired to defraud the government of many thousands acres of timber lands in Boise county. It is alleged that one hundred and eight residents of Boise took out timber claims and swore in doing so that they were acting solely in their own interests, whereas they had entered into agreements to turn the timber lands over to the government of many thousands acres of timber lands in Boise county. It is alleged that one hundred and eight residents of Boise took out timber claims and swore in doing so that they were acting solely in their own interests, whereas they had entered into agreements to turn the timber lands over to the government of many thousands acres of timber lands in Boise county.

Indicted Dead Governor. In beginning the work of empanelling a jury to try Senator Borah, District Attorney Ruick announced that former Governor Steunenberg was one of the men indicted with Borah, he being represented in the indictment as "John Doe."

Charges Against Ruick. In a hearing of the charges against Ruick it developed in the testimony of the grand jury that the names of "John Doe" and "Richard Roe," appearing in the indictments were not on the list of names given him to vote upon. He also developed that Ruick told the jurors he thought the evidence warranted the indictment and that he was acting under direct orders from Washington. Ruick is yet to be heard in his own defense.

CLUB PREPARING TO DEFEND AMERICA'S CUP

New York, Sept. 23.—Preparations for the defense of the America's cup have been started by the New York Yacht club. At least one syndicate is being organized to build a defending yacht and there may be others. All appear to agree that the management of the defender will be vested in E. D. Borgan.

Trolley Collides With Work Train. Los Angeles, Cal., Sept. 23.—A Hollywood trolley car, loaded with a work train in Hollywood early this morning while running twenty miles per hour. Five passengers and the motorman were severely injured.

Happy Hunting Grounds When Teddy Comes Again



Roosevelt Will Hunt in the Cane Brakes Next Month.

CURRY JUST DROPPED GIRL IN TO SAY HELLO INFORMALLY

Executive Spent Sunday in Albuquerque and Left For Capital This Morning.

WILL MOVE OFFICES HERE FOR BIG FAIR

George Curry, governor of New Mexico, spent Sunday in the city and enjoyed an informal visit with old and new friends. The governor came to Albuquerque for the purpose of meeting the fair officials and securing information about the big territorial fair. As a result of his talk with Manager Jay A. Burke, the governor announced that he will remove the executive office to this city for that week and with his secretary, Miss Clara Olson, will occupy offices at the Alvarado.

Regarding Statedhood. The governor was a statedhood man, first, last and all the time, just as he always has been. Regarding the proper method of procedure to obtain statedhood, the governor said that while he had given the matter deep and serious consideration, he was not yet ready to announce what he desired.

Returned to Santa Fe. Governor Curry left this morning for Santa Fe on number two. The train was so late that the Lamy branch train would not make connections but the Santa Fe officials upon learning that the governor did not like that Lamy who recognized a lot of other people, graciously condescended to hold the branch train until number two reached Lamy.

While the governor dropped into Albuquerque rather unexpectedly, he was given a hearty welcome and had his presence in the city been known in advance he would have had little time for anything except to shake hands with those who are only awaiting an opportunity to pay their respects to the soldier executive. "But I'll be back," said the governor as the train pulled out.

MINISTER SHOT BY THUGS AT GREELEY

Greeley, Colo., Sept. 23.—On the most traveled avenue of the city last evening, Rev. Oscar Gustafson, minister of the Swedish Lutheran church was shot by two robbers, receiving two serious wounds. The shooting followed his refusal to throw up his hands.

ARMY ENGINEERS FOR PHILIPPINES. Washington, D. C., Sept. 23.—All engineer companies of the army are to be recruited up to the maximum limit of the law. This action was decided upon with a view of complying with a request made by Major General Leonard Wood, commanding the Philippine division, that two additional companies of engineer troops be delegated to that station for service.

GIRL PRISONERS ARE SHOT WITHOUT TRIAL

Two Young Women and Seven Men Executed in Russia Today.

WERE ACCUSED OF REVOLTING MURDER

Lodz, Russia, Sept. 23.—Seven workmen and two girls were executed here today by shooting, without trial, for participating in the murder of Marius Silberstein, owner of a large cotton mill, who was killed by his employees on September 13, because he refused to pay them for the time they were on strike. The police and troops on September 20 made a sudden descent on the mill and arrested 600 employees, none of whom have yet been tried.

Claims They are Justified. Officials here today stated that they were justified in shooting the seven men and two girls without having first given them a hearing, since there was no doubt that they were of the party which killed Silberstein. Other workmen say that the girls were merely spectators and that not more than one of the men slain today could have been guilty.

Killing of Manufacturer. The death of Silberstein was a peculiar affair. He had gone to the mill to listen to the demands of his workmen concerning their wages during the strike, which he believed he had successfully ended. While he was talking to the workmen, someone hit him with a piece of stone and in a moment a riot was in progress which was not stopped until his body was broken into fragments. An indiscreet remark made by the victim is alleged to have been the cause.

That I will give my assistance to that end whenever possible."

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FOUR KILLED IN KATY COLLISION

Kansas City, Mo., Sept. 23.—Two M. & T. freight trains collided head on at Bensenville, Mo., twenty miles southeast of Moberly, early today. Engineers Bledsoe and Whitaker and a fireman and brakeman were killed.

OLDEST ACTRESS WILL RETIRE FROM STAGE. New York, Sept. 23.—Mrs. Annie Yeaman, America's oldest actress, will retire from the stage with the celebration of her 72nd birthday on Nov. 19 next. She has been before the public for sixty-two years.