

# The Daily New Mexican

THE NEW MEXICAN PRINTING CO.

Entered as Second-Class matter at the Santa Fe Post Office.

**RATES OF SUBSCRIPTIONS.**  
Daily, per week by carrier, \$2.00  
Daily, per month by mail, 1.00  
Daily, three months by mail, 2.00  
Daily, six months by mail, 4.00  
Daily, one year by mail, 7.50  
Weekly, per month, 35c  
Weekly, per quarter, 1.00  
Weekly, per six months, 1.90  
Weekly, per year, 3.50

The NEW MEXICAN is the oldest newspaper in New Mexico. It is sent to every Postoffice in the Territory and has a large and growing circulation among the intelligent and progressive people of the southwest.

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MONDAY, MARCH 7.

AND now what a howl will there be, men and brethren?

GOVERNOR OTERO's backbone is in the right place and strong, thanks, gentlemen.

THERE was a vacancy in the office of solicitor general of the territory. Its lex scripta est.

BLUFF and audacity will not cut much of a figure in contests for office. The law is supreme and shall be supreme.

NOTWITHSTANDING all the fuss made by the yellow journals in various cities of the country, Major McKinley is still president and this country is still one nation.

A CHICAGO newspaper man has been put at the head of the secret service of the U. S. treasury department. Is this action to aid the Chicago papers to scoop the New York yellow journals?

In a recent issue of the New York World the following head lines appeared over a lot of Cuban news: "War News Written by Fools for Fools." Truly the World is getting quite candid these days.

WHY some of our valued contemporaries worry about the NEW MEXICAN is not exactly clear. The NEW MEXICAN is certainly too busy working for the welfare of the people to worry about them.

A NEW YORK man says he can manufacture diamonds by electricity. He should go into partnership with the man in Chicago who says he can manufacture gold and the two ought to be put into one insane asylum for the present.

THEY may rail at Speaker Reed all they please and call him a czar and anything else they want to, but there will be no river and harbor bill this session of congress, which means a saving to the treasury of about \$20,000,000 and which is a good thing all around.

SINCE marrying his pretty stenographer, Ignatius Donnelly has discovered that instead of dictating to her, the role has changed and she is now dictating to him. This, however, was to be expected, and no one pities the gentle, if somewhat aged, swain.

GEORGIA sees South Carolina and goes that state one better. In South Carolina they murder postmasters because they are colored men. In Georgia they murder colored men, because they are applicants for postoffices. The Georgia plan shuts out the federal government and is therefore much more simple and effective than the South Carolina plan.

IF our esteemed friends, the Democratic statesmen and politicians of the territory, desire a political fight as far as executive appointments are concerned to fill vacancies in territorial offices, why, by the great nine gods of Clustium, they will get what they bargained for and more. Governor Otero will prove a strong man in such a fight and having the law and right on his side need not entertain the slightest concern as to the outcome thereof.

DELEGATE FERGUSON has introduced a bill for the creation of a sixth judicial district and for the appointment of a judge for the same. In the southern part of the territory petitions favoring the passage of the bill are being numerously signed. The sixth district would, of course, consist of the counties of Chaves, Eddy and Lincoln. This growing section of the territory is entitled to a district of its own. At present, the seat of the court of the district is at Socorro and it is a great hardship for the people of the southeastern counties of the territory to be compelled to travel hundreds of miles to attend the U. S. District court. The creation of the new district would be a matter of simple justice and would prove a measure of great economy. The bill should pass both houses of congress and become law during the Fifty-fifth congress.

THE report that Governor Otero has removed Hon. A. B. Fall from the office of solicitor general of the territory is incorrect. The governor has simply informed the auditor and treasurer of the territory that a vacancy exists in the office of solicitor general of the territory, it having been demonstrated to the satisfaction of the executive that Judge Fall was not legally eligible to have and to hold the said office. He has directed the officials named to pay no salary vouchers of Judge Fall's, if presented, and to pay no heed to any opinions that may be rendered them in their official capacity by Judge Fall as solicitor

general. The case is very simple. The law is plain in declaring that no member of the legislative assembly of the territory shall be eligible to any office, the salary or emoluments of which have been increased during his term of office as such member of the assembly. The emoluments of the office of solicitor general having been increased by the Thirty-second legislative assembly, of which Judge Fall was a member, it is held that he was not legally eligible to the office of solicitor general and has never held the same from any legal standpoint. De facto he was solicitor general during the 48th fiscal year; de jure, it is claimed by high legal authority, he never was such officer. That is the case in a nut shell. As far as making any contest, that is Judge Fall's right and privilege. That the order of the governor will stand in law and in fact, is the opinion of some of the best and ablest lawyers of the territory.

## A Judicial Crime Undone by the Executive.

Some years ago one Abram Miller was indicted, tried and convicted in Lincoln county for the larceny of an animal valued at \$15. The judge of the district court in that county, assessed a punishment of ten years imprisonment and costs of prosecution on the convicted man. The latter, being poor and not a very bright sort of a man, took his punishment without complaint. He has been confined in the penitentiary for about four years. Recently the case of this unfortunate man was brought to the attention of Governor Otero. The man's brother-in-law, also a poor man and a citizen of Lincoln county, had been hard at work for years to obtain his relative's pardon and to show, if possible, that Miller was innocent and was wrongly convicted. The latter impression seems to have gotten hold of the public mind in Lincoln county, as numerous petitions asking for Miller's pardon and now on file in the executive office, show.

But the strongest link in this chain of petitions is the following letter dated at Lincoln and signed by the district attorney who conducted the trial:

"To the Governor of New Mexico, Santa Fe, N. M.—Dear Sir: A few years ago, when I was district attorney for the counties of Lincoln, Chaves and Eddy, I tried one Abram Miller at Roswell for stealing a cow and convicted him and he was sentenced for ten years. Since the trial I learn from reliable sources that Miller was an instrument in the hands of one \_\_\_\_\_, who should have been charged with the theft of the cow instead of Miller, and, in fact, that Miller was persecuted by \_\_\_\_\_ to save himself. I would recommend that Miller receive a pardon at your hand. Respectfully yours, GEO. B. BARBER."

"I concur in this recommendation."  
"A. A. FREEMAN,  
"Late Associate Justice Supreme Court."

The names of the men who bore false witness to save themselves and whose testimony convicted Miller are, for obvious reasons, not published. Strong evidence in addition to the above letter and to the many petitions filed, tending to establish Miller's complete innocence of the crime, has also been furnished the executive. After a full investigation the governor exercised his prerogative and granted Miller a full and unconditional pardon.

The NEW MEXICAN dwells upon this case at greater length, because it is so flagrant. A poor devil, a man with a wife and four children dependent upon him, was convicted upon perjured testimony under an indictment, also obtained by perjury, of the crime of stealing a cow worth \$15, a great sum indeed. The outraged majesty of the law sentenced the convicted man to ten long, dreary years in prison for this crime, which he never committed. This was done, as it is claimed, because the man had once before been convicted of larceny. When one remembers that hundreds of men in this territory, have been punished with a lesser punishment for taking human life wantonly, the case appears all the more grave and serious. It shows how very, very blind justice may be at times and how well it is to have the power of exercising clemency in the hands of the governor to undo injustice and to relieve oppression, committed under the forms of law by the very officers of the law. Governor Otero, after examination, concluded that a grave and fearful injustice had been done and that a judicial crime had been committed. He saw his duty, and, as in all other cases upon which he has been called upon to pass since assuming the duties of governor of New Mexico, he did it fearlessly and promptly. Miller has been released and has gone upon his way to his wife and four children who have been deprived of the care and support of a husband and father for several years and all because the law of the land made a grievous mistake. Four years of a man's life wasted and no redress; a man disgraced and severely punished and no redress.

This case shows clearly and strongly how easily courts, judges, district attorneys and juries may err and how wise and good is the provision vesting the pardoning power in the executive branch of the government.

It is also often the case, as in this instance, that newly discovered evidence or circumstances in favor of the accused, not to be had at the time of trial, are presented to the executive for consideration. It then becomes the sworn duty of the executive, regardless of public clamor, to take such under advisement, to act with justice and equity toward the rights of all concerned, the people on the one side, and the man for whom clemency is asked, on the other side, and to act without fear or favor.

## Code of Civil Procedure.

Every practicing attorney in the territory should have a copy of the New Mexico Code of Civil Procedure, bound in separate form with alternate blank pages for annotations. The New Mexican Printing Company has such an edition on sale at the following prices: Leatherette binding, \$1.25; full law sheep, \$2; flexible morocco, \$2.50.

## SUGAR BEETS ONE OF THE BEST CROPS

The Department of Agriculture Fostering the Industry.

Secretary of Agriculture Wilson is pursuing his work looking to the establishment of a great sugar beet industry in this country with unremitting vigilance. The new stock of beet seed has been received by the department of agriculture and will be distributed to those sections of the country desiring to make further tests this year to determine whether they can probably raise beets for sugar making. The secretary believes that the sugar beet is to be one of the best crops which this country has developed for many years. Not only, says he, will our farmers be able to ultimately produce all the sugar consumed in the country, but the refuse product, after the extraction of the sugar, makes excellent feed for stock, and his belief is that the industry will tend to greatly stimulate dairying in the United States.—Eddy Argus.

## NEW MEXICO SUPREME COURT.

Petition for the Appointment of a Sixth Member.

A strong petition has gone to Washington from Chaves, Eddy and Lincoln counties urging congress to pass Delegate Ferguson's bill creating a sixth judicial district in New Mexico, and providing for the appointment by the president of a sixth member of the Territorial Supreme court. At present this section is judicially looked after by Judge H. B. Hamilton, whose headquarters are at Socorro, nearly 400 miles distant, and the creation of the new district would cause a decided saving to the government in the matter of mileage and fees of court officers, jurors and witnesses, besides proving of much greater convenience to the citizens of southeastern New Mexico.—Eddy Argus.

## Register Emil Solignac.

Register Emil Solignac arrived in Las Cruces Tuesday morning and registered at the Rio Grande. Mr. Solignac has made a most favorable impression upon all who have had the pleasure of meeting him, as a gentleman well qualified to fill the important position to which he has been appointed. He has already qualified and his bond has been forwarded to Washington City and he now awaits his commission from that city which will be here in about a week or ten days, when he will take office.—Dona Ana County Republican.

## TAXING SHEEP AND CATTLE.

Transient Herds Should Be Taxed—Stock from Colorado or Texas While in New Mexico Should Not Escape.

(New York Wool Record.) For a number of years there has been a practice in vogue in some of the western states, of driving herds of cattle and flocks of sheep from one state to another, better situated perhaps for winter feeding. This has been the subject of much comment and the basis of not a little trouble.

A decision rendered by the Supreme court of Wyoming has just decided a test case, brought to show by what right, if any, the drovers have moved their flocks across state boundaries. The court in its decision holds that the law taxing transient sheep or stock passing through the state applies in this matter as well as in transient flocks for market. Nor does it matter whether the same flocks or herds have been taxed in other states and the tax paid for the year.

In all cases where sheep or cattle pass into Wyoming, sheepling stock for breeding purposes, the transient tax holds good and should be properly affixed and collected.

Cattlemen heretofore will have to pay the tax on all live stock brought into Wyoming from another state for purposes of winter feeding.

## PROPOSALS FOR ERECTION OF SCHOOL BUILDINGS.—U. S. Indian Service, Phoenix Indian Industrial school, February 24, 1898.—Sealed proposals, indorsed "proposals for erection of school buildings," and addressed to the undersigned at Phoenix, A. T., will be received at this school mail box, p. m., of Thursday, March 24, 1898, for furnishing the necessary materials and labor required in the construction and completion at this school of the following buildings, viz: One brick dining hall and water and sewer system; one brick school house and water closet; one brick bath house; one brick laundry building; one brick workshop; all in strict accordance with plans and specifications which may be examined at the Indian office, Washington, D. C., the offices of the "New Mexican," of Santa Fe, N. M.; the "Evening Express," of Los Angeles, Cal.; the Builders' and Traders' Exchange, Omaha, Neb.; at the U. S. Indian Warehouse, 1602 State street, Chicago, Ill., and at this school. For additional information apply to S. M. McCOWAN, Superintendent, Phoenix, A. T.

## PROPOSALS FOR ERECTION OF SCHOOL BUILDING.—U. S. Indian Service, Santa Fe Indian Industrial school, Santa Fe, N. M., Feb. 21, 1898.—Sealed Proposals, indorsed: "Proposals for the erection of school building" and addressed to the undersigned at Santa Fe, N. M., will be received at this school until 12 o'clock p. m., on Thursday, March 17, 1898, for furnishing the necessary materials and labor required in the construction and completion of one (1) brick dormitory building at Santa Fe Indian school, New Mexico, in strict accordance with plans and specifications which may be examined at the Indian office, Washington, D. C., the offices of the "Citizen," of Albuquerque, N. M.; the Builders' and Traders' Exchange, Omaha, Neb., the U. S. Indian Warehouse, No. 1602 State street, Chicago, Ill., and at this school. For additional information apply to THOMAS M. JONES, Superintendent.

## Hopeless Task.

"What strange methods some men adopt to get wives," she remarked as she looked up from the newspaper which she had quietly appropriated as hers by right because she was first at the breakfast table.

"What's happened now?" she asked.

"Why, a New York widower has made application for one at the Barge office where the immigrants land," she explained. "He says he wants a woman who is thoroughly respectable, of kind disposition, fairly good looking, good to children, obedient."

"Hold on!" he interrupted. "What's that last?"

"Obedient."

"He might as well give up."

## AN INTELLIGENT POLLY.

When Considered Properly, the Bird Was All the Saller Best Claimed.

The man with a sailorlike appearance murmured something about having got on the wrong street and tried to lodge when the lady ran down the steps and made for him.

"You ought to be ashamed of yourself!" she exclaimed as she took her stand squarely in front of him to prevent escape.

"You ain't the lady I sold the parrot to, are you?" he asked, throwing back his head and looking at her with one eye.

"Yes, I am."

"An how's the parrot treatin' you? Fine, I warrant."

"You're a swindler."

He dropped his head and shook it deprecatingly, still keeping one eye closed. "You told me," she went on with increasing indignation, "that parrot was one of the most intelligent animals of its species and that it had a gift of language which you had never heard surpassed."

"Did I tell you all them things?" he inquired.

"You unquestionably did."

"Well, then I'll stand by 'em. You got a prize an you don't appreciate it. That bird has even more smartsness than I give him credit for. Talk about intelligence! He's a marvel. An he kin talk, too, though I never pertended he had had the advantage of good society. He kin roll off observations of the most p'nt character without end, though I call on you to remember that there warn't nothin said about politeness."

"But it doesn't say a word."

"That's jes' it, ma'am. That's what shows his intelligence. The minute he sees you he knowed you was a lady an he holds his tongue."—Washington Star.

He Saved Her Mickle.

Some of the British troops in the Irish rebellion did not fight particularly well. A certain general at a lord lieutenant's party in Dublin was admonishing a begging woman to leave the place when she said, "It is I that am proud to see your honor here in the red coat you wore the very day when you saved the life of my boy, little Mickle."

"Indeed!" replied the general, not sorry to hear anything by his credit on such a distinguished occasion. "I had forgotten all about it. How did I save his life?"

"Well, your honor, when the battle was at its hottest your honor was the first to run, and when no little Mickle saw the general run he ran, too, the Lord be praised!"—Argonaut.

His Fad.

"The blond captive," confidentially whispered the undersecretary to the king of the Garbage islands, "is a bird. Which is it your wish to discuss for dinner?"

A smile played upon the mobile features of the dusky potentate. "Do you know," he murmured, "I have always been something of a bird fancier? Yes."

No Criterion.

Anxious Mother—My dear, it's perfectly abominable the way the men hang out at these hotel hops. Now look at that couple coming this way. See how respectfully that gentleman treats the lady he is dancing with. He holds her almost at arms' length.

Pretty Daughter—But, ma, they are married.—New York Weekly.

A Doubtful Compliment.

Author—What do you think of my new book?

Friend—It certainly contains much food for thought.

Author—Do you really think so?

Friend—Yes, but it seems to have been wretchedly cooked.—Chicago News.

The Bright Side.

"A woman naturally sees a bright side to everything," remarked the observer of men and things, "until she has been married about three years. After that she accepts her husband's jokes."—Detroit Journal.

## SOCIETIES.

Montezuma Lodge No. 1, A. F. & M. Regular communication first Monday in each month at Masonic Hall at 7:30 p. m. F. S. DAVIS, W. M. J. B. BRADY, Secretary.

Santa Fe Chapter No. 1, R. A. M. Regular convocation second Monday in each month at Masonic Hall at 7:30 p. m. JAMES B. BRADY, H. P. ARTHUR SELIGMAN, Secretary.

Santa Fe Commandery No. 1, K. T. Regular convocation fourth Monday in each month at Masonic Hall at 7:30 p. m. MAX. FROST, R. E. C.

ADDITION WALKER, Recorder.

I. O. O. F.

PARADISE LODGE No. 2, I. O. O. F. meets every Thursday evening at Odd Fellows' hall. Visiting brothers welcome. H. W. STEVENS, Recording Secretary.

CENTENNIAL ENCAMPMENT No. 3, I. O. O. F. Regular communication the second and fourth Tuesday of each month at Odd Fellows' hall. Visiting brothers welcome. THOS. A. GOODWIN, C. P. A. F. EARLEY, Scribe.

MYRTLE REBEKAH LODGE, No. 3, I. O. O. F. Regular meeting first and third Tuesday of each month at Odd Fellows' hall. Visiting brothers and sisters welcome. THOMAS A. GOODWIN, Noble Grand. HATTIE WAGNER, Secretary.

AZTLAN LODGE No. 3, I. O. O. F. meets every Friday evening in Odd Fellows' hall, San Francisco street. Visiting brothers welcome. NATE GOLDROP, N. G. A. F. EARLEY, Secretary.

K. O. P.

SANTA FE LODGE No. 2, K. O. P. Regular meeting every Tuesday at 7:30 o'clock at Castle hall. Visiting knights give a cordial welcome. R. H. BOWLER, C. C. LEE MURPHY, K. of R. & S.

INSURANCE

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DENTISTS.

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ATTORNEYS AT LAW.

MAX. FROST, Attorney at Law, Santa Fe, New Mexico.

GEO. W. KNAEBEL, Office in Griffin Block. Collections and searching titles a specialty.

EDWARD L. BARTLETT, Office in Griffin Block. Collections and searching titles a specialty.

CHAS. F. EARLEY, (Late Surveyor General), Attorney at Law, Santa Fe, N. M. Land and mining business a specialty.

E. A. FISKE, Attorney and Counselor at Law, P. O. Box "F," Santa Fe, New Mexico. Practices in Supreme and all District Courts of New Mexico.

C. F. CONWAY, W. A. HAWKINS, CONWAY & HAWKINS, Attorneys and Counselors at Law, Silver City, New Mexico. Prompt attention given to all business entrusted to our care.

A. B. REBEHAN, Attorney at Law, Practices in all Territorial Courts, Commissioner Court of Claims. Collections and title searching. Rooms 3 and 3 Spiegelberg Block.

## Pecos Valley Railway

Time card in effect January 31, 1897. (Central Time) Leave Pecos, Tex., daily at 9:40 a. m., arriving at Roswell, N. M., at 12:30 p. m. Leave Roswell daily at 12:30 p. m., arriving at Pecos at 6:05 p. m., connecting with the Texas & Pacific Ry., for all points north, south, east and west.

Stages for Lincoln, White Oaks and Nogal leave Roswell on Mondays, Wednesdays and Fridays at 7 a. m. For low rates and information regarding the resources of this valley, and the price of lands, or any other matters of interest to the public, apply to

E. O. FAULKNER, Receiver and General Manager, Eddy, N. M.

Notice to Taxpayers.

The taxpayers of Santa Fe county are hereby notified that I will commence to receive the reports of the taxable property of said county during the months of March and April, 1898, as provided by law. And to all those who fail to make their reports within the time prescribed by law, the penalty of 25 per cent will be added.

J. R. HUDSON, Assessor.

THE SEVENTH Beet Sugar factory in the United States was erected at Eddy, New Mexico, in 1896, and made its first "campaign," beginning November 15th, 1898, and closing February 15th, 1897.

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MORE FORTUNATELY the Pecos Irrigation and Improvement Co. and the Roswell Land and Water Co. have an irrigation system of great magnitude, covering a vast body of the BEST SUGAR BEET lands on earth. The water is applied to the crop WHEN NEEDED.

THE SUN SHINES more hours in the day and more days in the year in Eddy and Chaves counties, New Mexico, than in any other section of the west.

Can be had by applying at this office. It is full of matter describing the mineral, agricultural, horticultural and all the varied resources of New Mexico. Just the thing to send any one inquiring about or interested in the territory. Price 10 cents, wrapped and mailed for 11 cents.

Illustrated Special Edition New Mexican

PECOS IRRIGATION AND IMPROVEMENT CO. EDDY, NEW MEXICO.

OR ROSWELL LAND AND WATER CO. ROSWELL, NEW MEXICO.

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On this Grant near its western boundary are situated the famous Gold Mining Districts of Elizabethtown and Baldy, where mines have been successfully operated for 25 years, and new rich discoveries were made in 1895 in the vicinity of the new camps of Hematite and Harry Bluff as rich as any camp in Colorado, but with lots of as yet unlocated ground open to prospectors on terms similar to, and as favorable as, the United States Government Laws and Regulation.

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The DAILY NEW MEXICAN will be found on file at the Hotel Wellington.

194 separate analysis, chiefly carload lots, showed AN AVERAGE OF 17.01 per cent sugar in beet; 84.1 per cent purity.

THIS REMARKABLE RESULT was accomplished by raw farmers, unacquainted with the culture of beet root, on new land and under very trying circumstances, as the factory was not assured until May, and a majority of the acreage was planted between JUNE 1st and AUGUST 10th.

## THE SUGAR BOWL OF THE GREAT SOUTHWEST

is the Rich Valley of the Rio Pecos.

IN THE COUNTRY OF EDDY AND CHAVES OF NEW MEXICO.

GOOD SOIL makes the seed germinate. WATER makes the plant grow. SUNLIGHT puts the sugar in the BEET. THE ONLY BEING left to be desired that the Pecos Valley has not on hand in abundance is PEOPLE. We need thrifty farmers; 500 heads of families each on a 40-acre farm. NO FAIRER terms or conditions of sale of beet and fruit lands were ever made. WATER for particulars.

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