

WEATHER FORECAST  
Fair tonight and Thursday, Warmer.

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VOL. XXX, NO. 124

EAST LAS VEGAS, NEW MEXICO, WEDNESDAY, MARCH 31, 1909

AFTERNOON EDITION

## AMENDMENT WAS NOT LEGAL

### MONEY DECLARES PORTION OF CONSTITUTION LACKS VALIDITY.

### ASKS COURT TO INVESTIGATE

### REPRESENTATIVE M'KINLAY OF CALIFORNIA MAKES STRONG SPEECH ON TARIFF.

### GREAT FEAR OF ORIENT

### JAPAN TRYING TO MAKE GOODS SO CHEAP THAT AMERICA WILL BUY THEM.

Washington, March 31.—Considerable attention is being directed to Senator Money's resolution, directing the supreme court to inquire into the validity of the fourteenth amendment, although there is small probability of its passage.

The resolution was introduced to counteract public opinion in the bills introduced to limit the congressional representation in the south, because of the curtailment of the franchise privileges of negroes.

The resolution claims the fourteenth amendment was not ratified by three-fourths of the states in ratification of the two-thirds vote of congress, as provided. Money may speak on the resolution.

Indications today are strong that a rule will be brought into the house next Monday, fixing April 10 as the day for a vote on the Payne tariff bill. The discussion today began with a debate on the zinc schedules and was participated in by a number of congressmen.

Mann of Illinois, chairman of the pulp and paper committee, discussed the recommendations of the committee. He declared the committee last summer declined to be influenced by the "newspaper clamor," when a report favorable to the reduction of the pulp tariff would have been of great value to the republicans. If, he declared, the United States was to have cheap paper, in the future the question was where would the spruce come from, and he pointed out that if the duty is reduced on mechanically ground wood pulp, the desired result would be reached.

### Cautions Congress to Go Slow.

Pointing to a new industrial rival, Representative McKinlay of California in a speech in the house today cautioned congress to go slow in removing the protective tariff from articles in which there is likely to be competition with the Orient.

"The competition of Europe need no longer be feared," he said. "The rivalry to be feared is that of the Orient." He explained that he meant not Japan alone, but all the Oriental countries.

"We find in the countries surrounding the Pacific ocean with their eight hundred million people," he continued, "competitors in production and manufacture, as well as consumers of the products which we are anxious to dispose of in order to maintain in continued operation our home industries." He pointed out that American trade with China, Japan, Korea, Manchuria and the islands of the coast of Asia is diminishing. This is due, he claimed, to the fact that the competition of Japan in almost every line of manufacture is displacing American products.

He told the house of two interviews he had had with Marquis Ito, "the Gladstone of Japan."

"I remember well the conclusion of our second interview," said Mr. McKinlay. "The marquis was speaking of the conclusions of the war with Russia. 'When we get back those million men from the armies in Manchuria and the ships of the sea,' he said, 'we are going to train them in industrial and productive employ-

ment of every kind. We are going to send our bright young men into the world to learn every trade and craft and every kind of business system and some day we will be able to make goods and products so cheap that you people in America will buy them, and so we prefer to keep our labor at home.'

"I find that the words of the marquis have been more than made good. Japan has the most paternal government of any country in the world and in any possible way the government is assisting in the promotion of every form of manufacture, trade and commerce."

Mr. McKinlay said he believed the Payne bill, which admits 300,000 tons of Philippine sugar to the United States is a wise one. "The fears of the sugar producers of the United States," he said, "are groundless and will remain so as long as the United States is compelled to import in the neighborhood of a million tons of sugar annually."

He assured the house that Philippine tobacco cannot compete seriously in American markets with American tobacco and that the fears of Louisiana rice growers of Philippine production were unfounded.

"If the Payne bill is made the law of the land," he added, "it should secure to the American manufacturer the trade of the Philippines. And thus the market of the Philippine islands under the provisions of this bill should become a part of the great home market of the United States."

## TALLMADGE STILL ALIVE WHEN TRAIN REACHED EMPORIA

### TOP SPEED WILL BE MAINTAINED UNTIL SICK MAN REACHES HOSPITAL AT CHICAGO.

### So Far Special Has Been Making an Average of Fifty Miles an Hour and Speed Will Be Increased.

Chicago, Mich 31.—Ordered to break all records, at a cost of \$3,000, a special train has left Santa Fe, New Mexico, for this city, bearing C. L. Tallmadge, member of the real estate firm of Tallmadge Brothers of Chicago and Denver. Tallmadge is traveling under the care of a physician and servants.

He was taken ill at a Santa Fe hotel, Monday, and was ordered to a lower climate to save his life and top speed will be maintained until the train reaches Chicago.

### Race Against Time.

Topeka, Mich 31.—The Santa Fe special train, making a race against time, to get Tallmadge, who is sick, from Santa Fe to his home in Chicago, reached Emporia at 11:15 this morning, making an average of 50 miles an hour. Tallmadge's condition is reported satisfactory.

## TRAIN DERAILED AND DESTROYED BY FIRE

Ogden, Mich 31.—Westbound Union Pacific passenger train No. 3, due here at 5:45 this morning, was derailed near Castle Rock, in Weber canyon, 56 miles east, at 3:55 a. m. The train was destroyed by fire.

S. J. Lewhan, the fireman, and C. J. Gordon, baggageman, were killed.

### Mysterious Murder in Seattle.

Seattle, Wash., March 31.—A bodiless head, badly crushed where the murderer's instrument struck it, and thickly incrustated with quicklime has been found by the crew of a dredger on the east waterway. Coroner J. C. Snyder, who investigated the discovery, declares that the man had been murdered and his body cut up and packed away in quicklime and then thrown into a city garbage dump. The man was about 35 years old. The right upper jaw is missing.

### Mrs. Boyle Bound Over.

Mercer, Pa., March 31.—Mrs. Helen Boyle, wife of James H. Boyle, the alleged kidnaper of Willie Whittle, was arraigned today before Justice McClain on the charge of kidnaping. She pleaded not guilty and was held on \$25,000 bail.

## BELIEVES IN NOT CERTAIN UNITING ROADS CHIEF IS CAUGHT

### HARRIMAN SAYS ALL SHOULD BE UNDER MANAGEMENT

### COULD DO GREAT MERGER WOULD WEAK LINES AN FIT TO SURE

### SAYS ROOSEVELT HAS DONE GREAT HARM IN FUTURE

### DECLARES THAT DENVER, MICH 31.—

### HARRIMAN SAYS ALL SHOULD BE UNDER MANAGEMENT

Denver, Mich 31.—Secretary of the man could have and C. T. Bro

bring all the rail head and begin to one giant cough medicine. Mr. Harriman spent two Denver yesterday as the chamber of commerce, then on his return journey. "I've thrown out a lot of lines throughout the country and immediately the expenditure between \$250,000,000 and \$300,000,000 to improve them," said Mr. Har in an informal talk at the chamber of commerce. "It ought to be done immediately, and I think I can do it as an expert on these matters should be done openly and in sort of government supervision, we would all be put in price tried it."

Mr. Harriman also declared that his roads have spent in the neighborhood of \$350,000,000 since 1870 in building and repairing in the west and through the mountains. He repeated his assertion that he had found a great change in public sentiment towards railroads and railroad building throughout the land.

"Five years ago," said Mr. Harriman, "I told President Roosevelt he was wrong, and that he would have many imitators in various states and cities who would do the country great harm, and what I told him has proved correct. Roosevelt was wrong all along in his fight on me and the railroads, and the truth of this is getting clearer every day."

### Jury Lacks Two Members.

San Francisco, March 31.—After 12 weeks the jury which is to try Patrick Calhoun, president of the United Railroads, needed but two members to be complete this morning.

### Agreement Extended.

New York, March 31.—Pending further conferences with the anthracite operators, the mine workers have agreed to extend the present working agreement until April 1st.

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## DEATH OF MRS. H. J. MUELLER SHOCK TO ENTIRE COMMUNITY

The entire community was shocked today by the sad intelligence that Mrs. H. J. Mueller had suddenly passed away this morning at 7 o'clock. She has been in poor health for several years, but not even her most intimate friends had any idea that her condition was serious. Few knew that she was sick, which made the shock all the greater. The immediate cause of her death was heart failure. She leaves a husband and a little

people and we paid for it with our land back in Alabama. If it was given to me what right has the United States to take it from me without first asking my consent?"

Senator Teller, a member of the committee, asked the interpreter if he believed the old man to be honest in his statements. The interpreter replied:

"I believe in my heart and soul that he is just as sincere and honest in his statements as a living man can be."

"That is the way he impressed me," replied Senator Teller.

### Favors Free Trade.

Manila, March 31.—The insular commission, sitting at Baguio today passed a resolution favoring free trade and the general provisions of the Payne bill but requesting the aid of the American government during the first three years of the new arrangement. It is possible that the assembly will modify the extreme stand taken against the Payne bill.

### Dynamite Demolishes Viaduct.

New York, March 31.—An explosion of dynamite, said to have been fired with criminal intent, partly demolished the steel viaduct in process of erection, over the flats between Hoboken and West Hoboken this morning. Several small tenements were damaged, about \$10,000 being the loss. None were seriously hurt.

## JAPANESE ALLEGE THAT CHINA SHOWS LACK OF COURTESY

### ISLAND EMPIRE HINTS THAT MALIGN INFLUENCES HAVE BEEN BROUGHT TO BEAR.

### British Government Has No Present Intention of Intervening in Matter of China's Demand.

Tokio, March 31.—The Japanese government has asserted in the most positive terms that it is unable to accede to the suggestions of China that pending questions in regard to Manchuria be referred to The Hague for arbitration. It maintains that this suggestion shows a lack of courtesy and it attributes the Chinese change of attitude in this manner to "malign influences."

### England to Keep Hands Off.

London, March 31.—The British government has no present intention of intervening in the matter of China's demand that the Manchurian question be submitted to arbitration at The Hague. Foreign Secretary Gray said that he had received no communication on this subject from either Japan or China and although he understood that the Japanese government had declined to submit to Manchurian questions to arbitration, he saw no reason for taking any step in support of China's proposal.

## WELL KNOWN SCIENTIST SLAIN IN PHILIPPINES

Chicago, Mich 31.—Dr. William Jones, according to a dispatch from Manila, was murdered in the town of Dumbato, on the headwaters of the Cuyayan river. He was assistant curator of the Field-Columbian museum here. Jones had Indian blood in his veins, being born among the Sac and Fox Indians in Oklahoma. He was educated at Andover, Harvard and Columbia. He was 34 years old and had been in the Philippines since 1896, studying the tribes.

### "Cowboy" Mayor Wins in Primary.

Omaha, Neb. March 31.—The returns of the primary election show the nomination of "Cowboy" Mayor James C. Dahlman over E. P. Berryman of the democratic ticket and indicate the nomination of John P. Breen over Harry E. Zimman on the republican ticket.

### Rear Admiral Converse Buried.

Washington, March 31.—The funeral of the late Rear Admiral George Albert Converse, U. S. N., was held today, with full military rites.

## CUTOFF WILL BE BUILT AT ONCE

### RELIABLE INFORMATION PHELPS-DODGE COMPANY WILL CONSTRUCT

### AT OUTS WITH ROCK

### RUMORED COMPANIES BOTH REFUSE TO PRESENT AGREEMENT

### WILL USE SANTA FE TR

### ROCK ISLAND WILL REACH PASO BY WAY OF RIO GRANDE DIVISION.

The Phelps-Dodge company begin the work of constructing a cut-off from Terrance or Duran through Las Vegas to Dawson, connecting the El Paso & Southwestern with the company's big mining camp this summer, is the declaration of those who are best informed in railroad affairs in New Mexico. Many declare that there is not a particle of doubt but that the cut-off will be constructed almost immediately.

The cause for the renewal of the rumors of the construction of this project, is due to the changes contemplated by the Rock Island railroad. The Rock Island has had a traffic agreement with the El Paso & Southwestern which expires July 1. The latter railroad has refused to renew it and as a result the Rock Island has entered into a deal with the Santa Fe to go over its lines to El Paso, instead of over the Southwestern.

By the terms of the present agreement The Phelps-Dodge company, to get to its mines, runs its cars over its own road as far as Santa Rosa. From there to Tucumcari the trains go over the Rock Island, and then over the Dawson railroad, their own line, to the mines. The Rock Island used the Southwestern from Santa Rosa to El Paso and then got to the coast over the Southern Pacific.

If the Phelps-Dodge company refuses to enter an agreement with the Rock Island, allowing that road to get into El Paso, it is hardly likely that the Rock Island will allow the Southwestern to run its trains over its road from Santa Rosa to Tucumcari. The agreement was made for five years and still has about two years to run. This gives the Phelps-Dodge company plenty of time to construct a cut-off, which has already been surveyed three times through Las Vegas. Should the company not get the cut-off done in time, it can at least reach Las Vegas and run its trains over the Santa Fe to French and then up the Dawson road, until the north end of the cut-off is completed.

The statement has appeared in a number of territorial papers, that the New Mexico Central railroad, connecting with the Rock Island at Terrance, has been purchased by the Atchison, Topeka & Santa Fe, and that the Rock Island will effect a traffic agreement with the Santa Fe for use of the Central and the Albuquerque Eastern into Albuquerque, so that the Rock Island can get into El Paso over the Rio Grande division of the Santa Fe.

Later developments indicate that the Rock Island intends to parallel the Southwestern tracks for a distance of four or three miles, from Santa Rosa to Vaughn. There it will strike the Santa Fe cut-off. By using this road the Rock Island trains can go to Belden and then down the Rio Grande division of the Santa Fe to El Paso.

But regardless of what route the Rock Island takes to get to El Paso it is a foregone conclusion that the Rock Island will cancel its agreement with the Southwestern for the use of its tracks from Santa Rosa to Tucumcari. This leaves the Phelps-Dodge people with but two alternatives. (Continued on Page 4)