

## NEW INCORPORATIONS.

### Two Companies File Papers With Territorial Secretary.

#### CONDEMNATION COMMISSION.

Tuesday morning the following articles of incorporation were filed in the office of Territorial Secretary J. W. Reynolds: The Roswell Printing company of Roswell. The incorporators are Charles E. Kessler, Benjamin F. Harlow, William A. Wilson, William H. McClintock, James W. Wilson and Wendell M. Reed, all of Roswell. The capital stock is \$5,000, divided into 100 shares of a par value of \$50 each. The term of existence is fifty years as the principal place of business is at Roswell, with the object of establishing a printing plant at any place in the territory. The purpose for which the incorporation is formed, is to procure a suitable site for the establishment of a printing plant, to carry on a general printing, publishing, binding, blank book manufacturing, engraving and lithographing business, to purchase and sell all kinds of stationary, books, papers, magazines, office fixtures and supplies, to manufacture and sell wrapping paper and paper bags.

The following articles of incorporation were filed in the office of Territorial Secretary J. W. Reynolds: The Alamo Mining and Developing company, whose principal place of business is Alamogordo, N. M.; the term of existence is fifty years, and the capital stock is \$500,000, with 500,000 shares of a par value of \$1 each. The company is to begin existence with the filing of the articles of incorporation, and the purposes for which it is created is for the development and operation of gold, silver, copper and other kinds of mines; to acquire mines and mining claims, and to acquire and dispose of personal and other property. The incorporators are: Maurice P. Coakley, W. C. Hood, W. K. Shelton and Thomas T. Leask of Otero county, New Mexico, and Walter Irish of Polk county, Iowa.

#### Condemnation Commission Appointed.

Associate Justice John R. McPhe in the First judicial district court for Santa Fe county, has appointed as a commission to appraise the property involved in the cases of the Santa Fe Central Railway company vs. Mrs. Esther B. Thomas, vs. Philip E. Meisner, and vs. William E. Berger, the property being certain lots situated in ward 2 of Santa Fe. The commission is composed of Arthur Seligman, Frederick Muller and Charles H. Haspelmath, and will meet July 31 to take the matter under consideration.

#### Suits Filed.

In the district court for San Juan county a suit was filed styled The First National Bank of Durango, Colo., vs. Simon Martinez, Vidal Martinez and Manuel Prado. It is a civil action brought for the collection of a certain promissory note, executed September 1, 1902, for \$200.

Tuesday morning in the district court for Taos county, a suit was filed by Edith D. Jourdan and N. B. Laughlin against John Cinley. It is an adverse mining claim, and the plaintiffs pray that they shall receive an undivided three-fourths interest in the Copper King lode mining claim, situated in Taos county.

#### WANT MORE TIME.

### Safety Appliances Act May Be Suspended in Operation.

The interstate commerce commission has granted a hearing to several lines which desire an extension of the time in which to comply with the provisions of the amended safety appliance act. The hearing will take place in Washington, D. C., August 5. The act as amended last March became effective September 1. There is some doubt in the minds of members of the commission as to whether they have the power under the amended law to grant an extension of time for compliance. If there is any such power, however, it must be granted before September 1, when the penal sections of the law begin to run. The commission will probably be called upon in its course of time to decide whether the act can be made to apply to vehicles which are engaged in a strictly state commerce. By its terms the law is evidently intended to apply to cars, locomotives and all vehicles, whether or not they cross state boundaries. But the courts have never determined the right of congress to legislate for or of the commission to enforce laws against instrumentalities of commerce which are not outside of the state's geographical lines.

Ground was broken Tuesday in Cincinnati, O., for what will be the largest building in the world devoted to the uses of a freight depot or warehouse. The new structure will be erected by the Baltimore & Ohio Southwestern railroad, on the north side of Second street, extending from the Chesapeake & Ohio bridge to Mill street, a distance of about three ordinary city blocks, the full length of the building being 1,277 feet, width at the first of 55 feet and 48 feet above that story.

General Manager Avery Turner and Traffic Manager Don A. Sweet of the Santa Fe, were in Carlsbad several days last week and looked over the field pretty thoroughly. While not definitely decided, it is pretty sure that

the work on the new depot will commence at once and that the extension of the water system will be on a much more ambitious scale than was at first contemplated.

#### LOVELL IN CHARGE.

Acting as Santa Fe Superintendent of Motive Power.

It is expected that some time this week the appointment of a successor to succeed Geo. R. Henderson, as superintendent of motive power for the Santa Fe, will be made says the Topeka State Journal.

Mr. Henderson's resignation is effective August 1 and if the change of office is carried out according to the usual custom the circular announcing the appointment of his successor will be issued before that date. Meanwhile Alfred Lovell, assistant to Mr. Henderson, is looking after the business of the office. It is understood that all correspondence have dropped Mr. Henderson's name and are addressing Mr. Lovell, as superintendent of motive power. All business of that office is being carried on under Mr. Lovell's name. For this reason it is thought that Mr. Lovell has already been appointed to the position and that the authorities are only waiting for Mr. Henderson's resignation to become effective before announcing Mr. Lovell's appointment.

Charles Beiert, formerly operator here for the Santa Fe railroad, and now agent at Rowe station, has seened his annual vacation, and is in Santa Fe making preparations for a fishing trip. He will leave in company with several other Santa Fe people the first of the week and expects to be gone ten days or longer.

The stockholders of the Western Pacific Railroad company have formally authorized the directors of the company to issue \$50,000,000 worth of bonds, redeemable in thirty years. It was stated that the company has four men surveying parties at work mapping out a route from San Francisco to Salt Lake.

The machinists of Las Vegas are making elaborate preparations for the grand ball to be given at the Montezuma casino on the evening of the Raton picnic, August 22.

## SENATOR DOLLIVER.

### He is Returning to Washington From the Coast.

#### HE IS OPPOSED TO NEW MEXICO.

United States Senator Jonathan P. Dollivar of Iowa, was in Albuquerque about thirty-five minutes this morning while en route to Chicago from a month's visit on the Pacific coast. Senator Dollivar's home town is Fort Dodge, Iowa, but since his election to the senate he has lived at 1415 Massachusetts avenue northwest, Washington.

"I have been on the coast a month for no other reason than to get a little rest," said Senator Dollivar to a representative of The Citizen.

"I found that country prosperous," continued the senator. "The people going right along picking their fruit and paying little attention to stock panics in Wall street and other eastern financial disturbances.

"I am much impressed with the push and business like character of you western people. You have a fine hotel here. You get a good meal there, one that makes you feel like you were in Washington."

Just as the reporter was about to touch the senator on the statehood question, the conductor shouted "all aboard" and the interview was brought to a close.

Senator Dollivar was not a friend to New Mexico and Arizona in the fight last winter. He made his opposition on the grounds that the territory was strong for free silver. This one statement of Senator Dollivar's made to a member of the New Mexico statehood committee which visited Washington during the fight is proof enough that the senator is not conversant with the conditions of the southwest.

As to the free silver question New Mexico gave a majority of 13,000 votes for gold standard.

#### Farming Fruit Growers.

The Fruit Growers' association met at the Times office Saturday night with President Brothers in the chair. The matter of boxes for summer fruit was discussed and it was decided to order 2,000 boxes for plums and peaches. The proposition of Wolf & Co. was further discussed as also the matter of grading. It was decided that it was only feasible for the association to attempt to handle the first and second grades. D. R. Ross was appointed as representative to visit Durango and have a formal contract drawn and signed between Wolf & Co. and the association.

W. N. Kight and Robert O. Hanna added their names to the roll of membership. The meeting adjourned to meet in regular session, at the city hall next Saturday evening.

The executive committee of the fall fair met at the Hustler office Friday evening and selected the committees that will act for the various departments. The finance committee is headed with A. Graff and Judge Bowman has charge of the infant industry.—Farmington Times.

## OFFICIAL MATTERS.

### Land Office Transactions—Notaries Public Appointed.

#### WORLD'S FAIR COMMISSION MEET.

The following notaries public were appointed by Governor Otero: George A. Campfield of Albuquerque for Bernalillo county; Lucius K. McGuffey of Roswell for Chaves county.

#### Land Office Business.

The following homestead entry was made in the United States land office: John Hixenbaugh of Raton, 120 acres of land in Colfax county, being the SE 1/4 of the SE 1/4 of section 23, and the NE 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4 of section 26, T. 32 N., R. 24 E.

#### Meeting of Board of Managers of the Louisiana Purchase Exposition.

The New Mexico board of managers of the Louisiana Purchase Exposition met at Santa Fe yesterday afternoon at 2:30 in the private office of J. F. Chaves, superintendent of public instruction, at the capitol building. There was present the following members: Hon. Charles A. Spiess, president of Las Vegas; Secretary W. B. Walton of Silver City; Treasurer Arthur Seligman of Santa Fe; H. J. Hagerman of Roswell, Professor Fayette A. Jones of Albuquerque, and Eusebio Chacon of Las Vegas.

Of course no great amount of work was accomplished yesterday afternoon, the time being so short, but the board was called to order by the president and several matters were discussed. These matters will be taken up today and disposed of before the meeting closes.

Many subjects of weighty importance to the whole of New Mexico will come before the board at today's meeting. Among other things might be mentioned the report of the president, Charles A. Spiess, on the result of his trip to St. Louis, where he inspected plans and specifications for the New Mexico building to be erected at the World's Fair in St. Louis. The matter of preparing and getting together a suitable exhibit of the different industries of the territory will come up for consideration and the board will have to devise means of getting the proper exhibits ready for the big show and gathered together.

#### Notary Reappointed.

W. H. Waring was reappointed a notary public in and for Rio Arriba county by Governor Otero. His post office is Tierra Amarilla, N. M.

#### Application to Purchase.

Tuesday morning W. A. Dunlavy of Santa Fe made application to purchase the following coal lands in Sandoval county: SE 1/4 of section 8, T. 13 N. R. 6 E. The application was suspended until September 15, Valentina S. de Mondragon and Antonio Ortiz of Santa Fe and Petrita Sanchez and N. B. Young of San Pedro, N. M.

#### Land Office Business.

The following homestead entry was made in the United States land office: Anastacio Sandoval of Galisteo, N. M., 160 acres in San Miguel county, being the S 1/2 of the SE 1/4 and the SE 1/4 of the SW 1/4 of section 31, and the SW 1/4 of the SW 1/4 of section 32, T. 12 N., R. 13 E.

#### Grant County's Large Area.

According to the figures given out from the office of the United States surveyor general at Santa Fe, Grant county has an area of 4,737,594 acres or 7,403 square miles. There are only three counties in the territory of larger size: Socorro, Chaves and Valencia, in the order named.

#### G. A. R. NEWS.

### Tourists to National Encampment Will Stop Over in This City.

Cut rate tickets to the National Encampment of the Grand Army of the Republic, to occur at San Francisco August 17-22, inclusive, over the Atchison, Topeka & Santa Fe, will be put on sale in the eastern states August 1. About August 5 or 6 the flood of old soldiers and old soldiers bound for San Francisco will begin passing through Albuquerque. The first special train carrying nothing but G. A. R. excursionists is scheduled to arrive in Albuquerque August 11 at 7:15 o'clock, running as No. 1 of that day. This train will stop over in the city about twelve hours, as will some others due to arrive later. Although the Rock Island has been chosen by the commander in chief of the Grand Army of the Republic as the official road, the Santa Fe is making an effort and will likely carry a large part of 50,000 or 60,000 people, who are expected to attend the encampment. The Santa Fe has issued a pamphlet in regard to the encampment excursion rates and accommodations along the Santa Fe route, setting forth the interesting country it passes through and stop overs allowed.

In respect to the stop over at Albuquerque, the circular says: "Remaining over night for a glimpse of this remarkably progressive western city of 12,000 inhabitants, with its colleges, universities and other attractive buildings and private residences; but particularly for a visit to the Harvey museum, where are displayed Indian curios valued at \$75,000 collected from all western tribes. The museum is a unique feature of the Hotel Alvarado, the finest railway hotel in the southwest, which cost \$125,

000. The main building is 330 feet long, 190 feet wide with open court. An arcade 200 feet long connects it with the new Santa Fe passenger depot."

The train will leave here the following morning at 6:30 o'clock en route to the Grand Canyon of Arizona, stopping a short time at the villages of the Ileta and Laguna tribes of the Pueblo Indians.

#### White in Albuquerque.

Department Commander J. W. Edwards said this afternoon that as yet no provision had been made in the way of entertainment of the Grand Army of the Republic excursionists, who will take advantage of the preferred stop overs here and visit our city. Commander Edwards said that he didn't know whether or not the post would be able to do anything toward the entertainment of the visiting comrades. He thought that the responsibility would fall on the Commercial Club, and that it would be the club's duty.

#### For Fast Riding.

A young man riding a bicycle at a high rate of speed darted out of an alley opening on Gold avenue between First and Second streets yesterday afternoon and into a pedestrian street passing. There was a mixup and some hot words passed. The collision happened to be a deputy sheriff and the young man was pinched until he was badly frightened. The officer was lenient and the cyclist was released after receiving a severe scolding.

#### SANTA FE OFFICIALS.

### Here Last Night Going to El Paso on Union Depot Matters.

General Manager H. U. Mudge and General Superintendent D. E. Cain of the Atchison, Topeka & Santa Fe system of railroads, were in the city a short time last night while en route to El Paso, where, presumably, they go on matters pertaining to the proposed El Paso union depot. They were accompanied by Judge E. B. Kenne, vice president and general counsel for the Santa Fe, which is another good reason to believe that Mr. Mudge and Cain have gone to the Pass city on union depot business.

The railroads have experienced some trouble in securing a title to the depot site on account of some of the property owners holding their lands too high. The Santa Fe, on account of its interests entering El Paso, the Rio Grande division and the Mexican Central, which latter road is thought to be controlled by the Atchison people, has taken considerable interest in the union depot matter, and as they have their chief attorney on the field, it is thought that they will make an effort to secure the coveted land by some process of law.

Mr. Mudge had retired before reaching the city last night, and could not be seen, but it is understood that he will, on his return east, stop off at Glorieta for an outing.

#### Court Marshal Ended.

The court martial sitting at Fort Logan to try Major D. M. Appel, surgeon in the United States army, and Hiram McL. Powell, captain in the Twenty-fifth infantry, on technical charges, has adjourned. The findings of the court have been returned to Adjutant General Sharpe, to await the return of General Baldwin. It will be two or three days before the verdict is made public but the feeling is that the officers will be acquitted. General Baldwin is now out on an inspection trip of the posts in the department. He is expected to return tomorrow or the next day, and as soon as possible he will review the proceedings of the court and make them public.—Denver Times.

#### OFFICIAL MATTERS.

Yesterday morning the following land was sold by the United States land office:

To Mary J. Nutt, Cedar Hill, San Juan county, on receipt and certificate No. 2091, 40 acres of land in San Juan county, being the NW 1/4 of the NE 1/4 of section 8, T. 31 N., R. 10 W. The price paid was \$2.25 per acre, or a total of \$90.

The following reservoir declaratory statement was filed this morning in the United States land office: For stock watering rights, by Alexander J. Bushkervitz of Roy, the S 1/2 of NE 1/4, section 23, T. 22 N., R. 24 E., in San Miguel county.

Machinist C. A. Schooley had an operation performed by the hospital physicians at Las Vegas for the removal of a growth in the nose. He will be subject to the doctor's orders for some time yet.

#### KOUNS GOING WEST.

### Santa Fe Official From Topeka Reaches San Francisco.

C. W. Kouns, superintendent of transportation of the entire Santa Fe system with headquarters in Topeka was in this city yesterday in his private car No. 19, says the San Bernardino Sun. Later in the day he continued his way to Los Angeles. He comes west to locate his family at Santa Monica for the summer. Mr. Kouns is one of the most important men in the employ of the Santa Fe railroad. He has entire charge of the distribution and the movement of cars, both passenger and freight, on all the company's lines. If a bunch of freight cars is wanted in handling the corps in California, it is up to him to have those cars on hand, and the same applies when cars are wanted in one of the middle west states to take care of the wheat crop or in the south to move a big cotton yield.

## INDIAN SCHOOLS.

### Delegate Rodey Will Endeavor to Secure Larger Appropriations.

#### NEW MEXICO HAS BEEN SLIGHTED.

Monday a representative of the New Mexican called upon Delegate B. S. Rodey at Albuquerque, and requested his opinion upon the question of Indian education, and asked him to state what stand he intended to take upon the desired increase in appropriations for the schools so that a greater number of Indian youths could be educated. Mr. Rodey said:

"The time draws near for the heads of departments at Washington to make estimates for the coming fiscal year and to send the same to congress. I think that New Mexico has not heretofore had a fair show in the matter of appropriations for the teaching of Indian children in New Mexico at the different schools, and for experimenting for artesian water and the construction of reservoirs upon Indian lands; and I am, therefore, going to make an effort at the coming session of congress to have congress do better in this regard by the territory.

"Years ago Indian schools were established in out-of-the-way places in other states, and yearly the agents of those schools came down into New Mexico, visited the various tribes, and carry off Indian children to be educated far away from home, who could just as well be educated at Santa Fe and Albuquerque, and the money for their education spent here in the territory. The members of congress of those states having such Indian schools, of course, work hard to get immense yearly appropriations, that really belong to New Mexico and Arizona.

"I will also try to get a clause inserted in the appropriation bill permitting all children who have as high as one-sixteenth Indian blood to be educated in the Indian schools, and not barred, as they are now, by a recent regulation of the department.

"I am also of the opinion that priests and ministers of the gospel all over the territory, who have influence with the different Indians who belong to their denominations, can aid materially in inducing Indian parents to send their children to the different Indian schools in the territory, instead of sending them to the states, and thus cause New Mexico schools to be filled and enable the superintendents to ask for larger appropriations for their education with a greater prospect of success. All clergymen who have such influence ought to aid the territory in this way, because the government schools are strictly non-sectarian, and the children of each denomination are permitted and encouraged to attend the church of their choice.

"As the law stands, government of Indians, certainly as to the Pueblo Indians, are without power to compel attendance of Indian children at Indian schools, and, therefore, influence with parents is necessary.

"There is no reason why the Indian schools at Santa Fe and Albuquerque should not be educating 1,000 Indian children each, instead of a few hundred, as now; and the day schools in all the pueblos and at the different agencies should be educating the balance of the Indian children within the territory."

#### El Paso Poet.

A short time ago The Citizen contained a spicy article relative to the "doing" or "misdoings" of certain gay people of both El Paso and Albuquerque. The article was "town talk" down in El Paso last Monday, and a young poet of that city has submitted the following sad lines for publication:

"I can't believe her faithless  
Her eyes they were so black;  
I still think that she loves me,  
And think that she will come back,  
I am waiting for her coming  
From dark till break of day  
The hours are very lonely  
Since Rena went away."

#### Special Correspondence.

Kansas City, July 27.—Cattle receipts at Kansas City this week were 29,937 head, against 59,100 the same week last year. Light supplies made a good market, and trade was quicker and prices better on all kinds of stuff. The good prices on steers brought in quite a run of wintered stock Friday, which sold from \$4.35 to \$4.55. Some westerns sold at \$5.10 Thursday, but they were very good. Fleshy cows and heifers sold from \$2.75 to \$3.25, with occasionally a sale as high as \$3.65. Stockers and feeders gained more than any other kind of cattle, except veal calves, and sold from \$2.75 to \$3.75, with one sale of western feeders at \$3.95. Veal calves jumped up fully \$1, and natives sold Friday as high as \$5. Two hundred pound westerns brought \$4.25 the same day. A mixed train of cattle arrived from Rifle Tuesday of last week. Stockers, 503 pound brought \$3.25; 930 pound feeders \$3.25; canner cows, \$3.30 and \$2.40. There is a heavy run today, 11,000 cat-

tle, and prices on killing stuff are off 5c to 10c. Stockers and feeders are selling steady, some traders claim they are strong.

Sheep receipts picked up a little at Kansas City last week, 12,156 head arriving, but do not compare well with a year ago, when 18,922 head came in. The first Idaho of the season came in last week, and ewes and wethers mixed sold at \$3.35 and \$3.45. A shipment of Idaho yearlings, 89 pound, is on the market today, and sold for \$3.75. Not nearly enough sheep have been coming, and packers are getting anxious to see the run of westerns begin. Some Utah mixed sheep, 98 pound, sold at \$3.50 today. The market is 10c higher today, in the face of lower reports from the east. Lambs gained 25c to 35c last week. Arizonas brought \$5.7 today, and natives up to \$5.85.

Prices of horses at Kansas City gained some last week from the depression into which they have fallen. There was a good inquiry for rangers. Thirteen loads of range horses arrived Thursday. Horse receipts are about double what they were at this time last year, and the regular horse auctions were resumed last week, after being discontinued for a short time.

Harry Reed of Wichita, who has been here a couple of weeks visiting his father, J. F. Reed, left last night on his return to the Kansas town. He is inspector of telephones for the city of Wichita. Mrs. Ed Byers, who is here from Wichita, will remain some time.

#### Where the Alfalfa Goes.

Many remarks of surprise are heard concerning the large shipments of alfalfa hay this year. Feeders are holding off their purchases and saying hay is too high in price to feed. Some have been saying that there has been an abundant rainfall in Texas and that was our only market and prices would go down—but where does the hay go? The Felix ranch is shipping to Honolulu. Mr. Creighton has been shipping to South Africa. Mr. Brown at Hagerman is considering a proposition to ship to Philadelphia. These places are very far distant and wide apart.—Roswell Record.

## FAVORABLE FOR CATTLEMEN.

### Excellent Range Conditions in Southern Part of Territory.

#### GOOD CALF CROP PROMISED.

A recent bulletin issued from the headquarters of the National Live Stock association at Denver has the following to say concerning conditions in New Mexico which will be of especial interest to stockmen.

In the southern and southwestern part of the territory general snow and rains from January to and including March, and heavy rains in May brought about exceptionally good range conditions, such as have not existed for twenty years. Cattle were put in splendid condition and were sought after early for immediate movement and fall delivery. Up to June 1, 45,000 head had been shipped out, most of them consigned to the Kern County Land company, Bakerfields, Cal.; 9,000 yearlings were consigned to points in Colorado at \$15, \$18, and \$21, and 10,000 were contracted for fall delivery to go to California for \$14, \$17 and \$20. The calf crop is 80 per cent, and the October roundup promises to yield a big branding; on some ranges every two-old-year heifer or some range a calf. Generally, conditions point favorable for cattlemen in this particular section of New Mexico, comprising Socorro, Luna, Grant and part of Dona Ana counties, with Deming as the trading center.

Northern and eastern New Mexico reports are encouraging. Very cold nights and high winds during April and May kept the prairies as dry and yellow as in winter, resulting in thin cattle and some losses. There is no grass in all that district above a line drawn east and west through Albuquerque, and the southeastern part of the territory is in no better shape.

Taking the territory in general the calf crop will be about 50 per cent of normal and the lamb crop about 60 per cent. There are 15 per cent more sheep in New Mexico and about 20 per cent less cattle than last year or about 1,250,000 head.

The wool clip is stated to have been satisfactory. Wool sold in Las Vegas and Albuquerque in March and April at 16 to 16 1/2 cents per pound. Cattle losses during the winter are estimated at not over 5 per cent and sheep losses from 8 to 10 per cent. From Roswell complaints are strong against the order of the government to remove the drift fences, and the enforcement of this order has resulted in sending several larger outfits into Canada. One result of this is an increase in farming in the Pecos valley.

J. W. Harling, from near Moriarty station, dropped into The Citizen office this morning. He says that a severe wind storm blew down the round house at Estancia, which was under construction.

## OFFICIAL OPINIONS.

### Fees to Sheriffs and Assessors for Collection of Gaming and Liquor Licenses.

#### IMPORTANT MATTERS.

Upon the request of Traveling Auditor Charles V. Safford for official opinions upon three important questions involving the allowance of commissions to the treasurer and ex-officio collector, the sheriff and assessor of each county upon collection of liquor and gaming licenses, and certain school funds, Solicitor General Bartlett has rendered opinions upon the subjects. There are three in number, dated July 25, 1903, and as they are of great interest to the people and county officials, are published herewith.

### Four Per Cent Commission to Collector and Ex-Officio Treasurer's Not Allowed.

"In response to your inquiry as to whether county treasurers and collectors are entitled to 4 per cent commission upon liquor and gaming licenses, under section 6, chapter 19, laws of 1901, and the other laws governing such licenses and the compensation to be paid treasurers and ex-officio collectors, I would say, that section 6, of chapter 19, laws of 1901, expressly makes the sheriffs of the several counties the collectors of all liquor and gaming licenses and authorizes them to retain out of license so collected a commission upon such licenses. The proceeds of these licenses are to be turned into the county treasurer, and not to the collector. The compensation of 4 per cent is allowed to the treasurer and ex-officio collector upon all taxes and licenses collected by him. It cannot be said or inferred that the ex-officio collector has collected any of this money, when that duty is specifically imposed upon the sheriff and a commission of 4 per cent allowed to him for his services."

### Commission Allowed Assessors.

"Your favor yesterday asking my official opinion as to whether the county assessor has the right to collect from the school fund a commission of 4 per cent or any other sum for issuing liquor licenses is received, and in reply would say, that chapter 19 of the laws of 1901, in section 6, provides that the sheriffs of the several counties shall hereafter be the collectors of all liquor and gaming licenses, and to retain out of the proceeds a commission of 4 per cent. Two-thirds of such collections to be paid to the school district in which the same is collected, and the remaining third to the credit of the general school fund. The same section provides that such licenses shall be made and issued as provided by law. The provision of law for issuing such licenses is found in section 4156 as amended by the laws of 1901, chapter 59, making such license annually only, and chapter 108, section 6, specifically amending this section so as to make it the duty of the assessor to assess the amount of tax.

"The assessors are allowed 4 per cent upon all moneys collected upon assessments made by them by section 1794, compiled laws of 1897, as amended by chapter 25, session laws of 1899.

"Therefore, I am of the opinion that the assessor is entitled to this commission upon such licenses, and also a fee of 50 cents, as provided by laws of 1901.

"For the information of your office, I hand you herewith copy of an opinion given by me on the 13th of March, 1902, which is still the law, as follows:

### No Commission Allowed Upon Public School Funds from Land Sales.

"In reply to your communication stating that some collectors have been in the habit of taking out 4 per cent commissions upon moneys coming into their hands derived from the lease of school lands and 5 per cent from the proceeds of sales of public lands by the United States government, and asking my opinion as to the legality of this action on their part, has had my attention, and in reply would say this is not justified by law. The territorial tax for the support of the common schools is laid and collected as other taxes; but under section 1527, compiled laws of 1897, the collector is limited to 2 1/2 per cent on the amount. While the moneys derived from leases of school sections and the sale of government lands is paid direct to the different counties by the territorial treasurer, and there is no allowance for this fund to either the collector or treasurer. The law under which compensation of the treasurer and collector is provided is section 7 of chapter 60 of the session laws of 1897, and provides 'As full compensation for all services 4 per cent of the amount of taxes and licenses collected by them.' The school moneys referred to above are neither taxes nor licenses and the detention of any part of the same will subject the officer so detaining to removal from office, and the other penalties provided for misapplication of public funds."

Mrs. George L. Davis, wife of the engineer for the American Lumber company, returned this morning from a month's visit with friends in Detroit and Grand Rapids, Mich.

## Grove's Tasteless Chill Tonic

has stood the test 25 years. Average Annual Sales over One and a Half Million bottles. Does this record of merit appeal to you? No Cure, No Pay. 50c.

Enclosed with every bottle is a Ten Cent package of Grove's Black Root Liver Pills.