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IMPORTANT ORDERS IN TIMBER SUITS ARE ISSUED BY JUDGE POPE

American Lumber Company of Albuquerque, Alamogordo Lumber Company, of Alamogordo and Other Individuals and Corporations Interested.

STATE INSTITUTIONS WILL REAP BENEFIT

Ending of Litigation Now in Sight Means That Lumber Mills Will Be Enabled to Continue Operations on Big Scale.

Orders of much importance, relative to the final settlement of the famous timber land suits, instituted by the government several years ago against New Mexico corporations and individuals, were issued in the United States district court in Santa Fe last Saturday by Judge William H. Pope. The suits involved thousands of acres of valuable timber land, purchased from the then territory of New Mexico by the American Lumber company of Albuquerque, the Alamogordo Lumber company of Alamogordo, and other concerns and individuals interested in lumbering. The timber purchased at that time was and is absolutely essential for the continued successful operation of the various enterprises and in more than one instance the litigation which followed the government investigation seriously crippled the lumber industry. The final adjustment of the litigation, which is now believed to be in sight, will be of great benefit to the state educational institutions and the University of New Mexico will profit greatly in a financial way. Because of the unusual importance of the cases and the far reaching results of the final adjustment a brief history of the cases will doubtless be interesting at this time.

In 1907 Ormsby McHarg, special assistant, to the attorney general of the United States, came to New Mexico and instituted eleven suits in the name of the government and against the American Lumber Co., Pennsylvania Development Co. and Col. Hopewell, the Alamogordo Lumber Co., Gross, Kelly & Co., Clark M. Carr and S. H. Day to set aside and cancel deeds executed and issued by the commissioner of public lands to the different purchasers and also to set aside certain contracts for the sale of the full grown and matured timber. The government, or rather the special attorney for the government, made the then territory of New Mexico a defendant in the various suits, and charged the territorial officials with bad faith, and neglect in looking after the interests of the public institutions for whose benefit the said lands had been sold. After these suits had been brought, efforts were made to procure congressional legislation and to have the sales ratified, as they had been made in good faith and the territory had received full and adequate price for the lands and timber. After several attempts congress failed to grant any aid. Last fall one of the cases was tried before Judge Wright and the demurrer interposed by the Alamogordo Lumber Co. was sustained and the suit dismissed. The government prayed an appeal to the United States circuit court of appeals, but failed to properly perfect the appeal before President Taft signed the proclamation giving us statehood, and the court sustained a motion to dismiss the appeal.

About two years ago Mr. Ernest Knaebel, first assistant attorney general of the United States, came to New Mexico and made a thorough investigation with reference to the charges of fraud and conspiracy and took considerable testimony, which resulted in his reporting to the department of justice that all of the transactions and sale of land and timber were honest and fair and exonerated all of the territorial officials and also the representatives of the different corporations and individuals who had the dealings with the territory.

After New Mexico was admitted into the union, the question arose as to whether the United States had any further interest in the litigation, and as to whether the state was not the sole party interested.

About three weeks ago the attorney general of the United States addressed a letter to Governor McDonald, Attorney General Clancy and United States Attorney S. B. Davis, asking for their views and recommendation as to the further prosecution of the suits by the government of the United states and all of the state officials so consulted recommended the dismissal of the suits at once, and it was finally agreed that it might be better to have the state of New Mexico substituted as plaintiff instead of the United States of America, which was accordingly done last Saturday.

From the position taken by Mr Clancy as attorney general of the state, it is believed that he will decline to prosecute the cases and that they will be dismissed in a few days.

The beginning of these suits it is alleged has worked a hardship upon the people of New Mexico. When the Alamogordo Lumber Co. was forced to suspend operations and the cutting of timber and close down its mills, it threw several hundred men out of employment and thus retarded the growth of the town. When the contract was made with the American Lumber Co. to purchase the full grown and mature timber the University of New Mexico was to have the proceeds from the sale of the timber, and on the strength of the contracts having been made contemplated making extensive improvements by way of buildings and equipment. The different public institutions of the state have received in the aggregate over two hundred thousand dollars, and with the litigation disposed of the University and other institutions will reap the benefit of the sales made but not carried out on account of the institution of the suits.

E. W. Dobson represents ten of the defendants and Messrs. Hawkins and Franklin represent the Alamogordo Lumber Co., and the gentlemen have labored hard and long to accomplish the result of having the cases dismissed.

Ignorance Causes Two Deaths.

Trinidad, Colo., March 3.—Steven Toch, a Slav, aged 35, and Louis Chesaron, an Italian, aged 35, lost their lives as a result of their unfamiliarity with the workings of the Tollchburg mine of the Cedar Hill Coal and Coke company. The men were employed as track layers and wandered into an abandoned part of the mine, where they were overcome by black damp and died before they were discovered by a searching party.

IF WOMEN ONLY KNEW

What a Heap of Happiness It Would Bring to Albuquerque Homes.

Hard to do housework with an aching back.

Brings you hours of misery at leisure or at work.

If women only knew the cause—that

Backache pains often come from weak kidneys.

'Twould save much needless woe.

Doan's Kidney Pills are for weak kidneys.

Read what an Albuquerque citizen says:

Mrs. Frank J. Smith, 1021 S. Arno St., Albuquerque, N. Mex., says: "I derived great benefit from Doan's Kidney Pills and this has led me to recommend them to more than one of my friends. For five years I was troubled by a dull pain in the small of my back, always more severe if I stood for awhile. I felt tired and I was unable to get relief. Finally Doan's Kidney Pills were brought to my attention and on taking them, I was helped. I have unlimited confidence in this remedy and shall always have a good word for it."

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Remember the name—Doan's—and take no other.—Adv. 24

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SEE OUR WINDOW DISPLAY OF
Lace Curtains
25 PER CENT OFF THIS WEEK

We carry a complete line of choice patterns including Nottingham, Irish Point, Brussels, Battenburg and Cluny. Also Door Panels and Bed Sets.

Strong Bros.
SECOND AND COPPER

LIVELY SCRAP ON PIE-DISTRIBUTION EMBITTERING FAITHFUL

Any Democrat Who Wants a Job Free to Go to It, Consensus of Opinion of Central Committee.

MARTINEZ RESOLUTION CAUSES SOME GASPS

Governor Against Patronage Trust Because He Thinks Newspaper Has Given Dear People Wrong Idea of It.

[Special Dispatch to Evening Herald]

Santa Fe, N. M., March [illegible].—That any democrat who desires an appointment to office under the federal government is free to go after it in any manner he sees fit was the decision of the democratic state committee at its meeting here Saturday. The meeting was the largest in the history of the party in the state, but it can scarcely be called a successful one, since when it adjourned the party was no nearer an agreement as to who among the many candidates for positions under President Wilson should have the indorsement of the organization, and it is safe to predict that there will be some lively scrapping before this seemingly paramount question is decided. That the party will split on the patronage question no one believes, but even the most optimistic admit there will be some sores opened which it will take time and considerable time at that to heal.

As to the possible actions of the committee neither of them are popular. They consisted of the question that Spanish-Americans, under the democratic regime, should have as many and as good offices as they had under the Taft administration, and the adoption of a resolution indorsing the governor's recent course, presumably with reference to the county salaries bill. The Spanish-American resolution comes a long way from voicing the sentiments of the men who gathered in Santa Fe Saturday, and its adoption is only another evidence of the wonderful power wielded by the Hon. Felix Martinez, who represents Colfax county in the committee.

The resolution indorsing the governor may be properly placed under the head of charity, since there are mighty few among the real leaders of the Democratic party in New Mexico who view the governor's veto as anything but a political break, which can only be excused upon the ground that he was one who made it, as he walked down under an overwhelming burden of work, coupled with very indifferent health. There may be only one chance in a hundred for excusing the consummation of that blunder, and that is that there are 32 politicians who only and exercise the veto.

Another action of the committee which attracted some attention and not a little sympathy for State Chairman A. H. Hudspeth was the appointment of this gentleman as a proper person to go to Colfax county and settle or oversee the settlement of the row which has threatened to disrupt the party in that bailiwick.

The committee held three sessions, one in the morning and one in the afternoon and another in the evening. All the old war horses were present as well as a host of newspaper men. Some were seeking offices, some had friends who were seeking offices, and all were interested in offices. The only discordant note in the proceedings was a speech by State Treasurer O. N. Marron. Mr. Marron didn't believe that the principal purpose of the Democratic organization was the furtherance of the ambitions of office seekers. This aroused Judge McGill of Bernalillo county, who is a candidate for a position in the land office at Fort Sumner. The judge told a little story, the point of which was that officeholding looked different to a man who was outside looking in than it looked to a man who, like Mr. Marron, was on the inside looking out upon the useless cuss who had not called to office.

Oratory was the feature of the day's proceedings, and old molten was demonstrative, parliamentary rules were ignored, the main idea being that everybody and everyone should have a chance to talk as long and as often as the rather desired.

Governor McDonald was among those who spoke in opposition to the plan of distribution of the federal patronage adopted by the executive committee at its meeting here yesterday. The governor said it was a good plan but that it had been misunderstood by the Democrats throughout the state. This misunderstanding, according to the governor, was due largely to the work of a Republican—he did not say "leading" newspaper in Albuquerque which he declared had given prominence to the work of the committee. The governor, however, gave the sheet one ugly word in his reference to the newspaper in question.

It was fairly apparent in the proceedings that the executive committee's plan was opposed by a number of men and office seekers who seem to know none of it. It was pointed out that the men chosen to the executive committee, meeting in Albuquerque yesterday, were all members of the committee or had been candidates for office, and that two of them were very active candidates. The rank and file of the party did not propose to have their claims to indorsement at the organization passed upon by men who might be themselves candidates for the same office. There would be big rollicks among the committee, old Judge McGill, and he pointed to cases where both committeemen from county were candidates for office and he did not believe other candidates for the same positions would have much chance of securing the indorsement of the state organization if this indorsement could only be had through the medium of the committeemen who were themselves candidates.

National Committeeman Fornoff, the principal exponent of the executive committee plan of distribution of the patronage, finally offered a compromise plan by substituting the name of the state central committee instead of the executive committee, but this was opposed and later when he offered to change the word shall into may, which might have had the effect of no longer making it mandatory for committees to secure the indorsement of their local committees before confirming the party tenders, he was again turned down.

The Hon. J. D. Hand, one of the strong party leaders from northern New Mexico, presented an amendment to the plan for indorsement of candidates which eliminated all who did not secure the indorsement of their precinct committees, which eliminated another bunch when they failed with their county committees, and finally constituted the state central committee as the tribunal to choose between the survivors. This plan appealed to much of the machine to suit Mr. J. G. Fitch of Socorro, and the committee agreed with Mr. Fitch and Mr. Hand's plan was tabled, along with those of Mr. Christ, Mr. Jones and the executive committee.

Mr. John A. Hicks of Carrizozo has the honor of being the author of the resolution which was finally adopted and which reads as follows:

"Resolved, That each candidate for a federal appointment, within or without the state of New Mexico, be left to his own judgment as to the method he may use and the channel through which he will present his application to the final appointing power."

This matter disposed of, the Hon. Felix Martinez, one of the strongest men in the party, and who had taken a leading part in the deliberations of the committee, presented a resolution which struck a chord into the hearts of his fellow members. Mr. Martinez' resolution in brief provided that all federal offices now filled by Spanish-Americans should go to the new regime be filled with Spanish-American Democrats.

The matching started. The present United States marshal is a Spanish-American, and some of the most prominent Democrats in the state who are not Spanish-Americans are anxious to succeed Mr. Romero. They believe that he will be one of the first federal officers to be succeeded by a Democrat. There are also several other offices of trust and power, the different land offices, the collector of internal revenue for instance, which are now held by Spanish-Americans, and Democratic candidates for these places had no idea of sleeping themselves out of the running.

Several members proposed amendments, among them being Mr. J. D. Easton of Dona Ana who induced Mr. Martinez to change his resolution so that it required that the Spanish-Americans should be given as many offices and of as good a grade as they now hold. This change was only made after a cantankerous protest from Levi Ives K. C. of Bernalillo, who declared that Spanish-Americans were competent to hold any office within the gift of the government, and as possible that of president.

Several commissioners from the eastern counties want a the Spanish-Americans given representation in proportion to their strength as voters in the Democratic party. This was resisted by Mr. Martinez who declared that if the Democratic party were to be once called in New Mexico it must gain the support of the Spanish-Americans, and this could only be done by giving them recognition in the distribution of the patronage.

At the night session of the committee a resolution was adopted indorsing Governor McDonald's administration, and especially the governor's attitude toward the various bills that had been presented to him during the session of the legislature. While it was not mentioned, the resolution is generally construed as an indorsement by the committee of the governor's veto of the county salaries bill. A report was prevalent during the day that the committee would pass a resolution condemning Senators Dorsey, Watrous and Biggs for voting to override the governor's veto. The three senators, however, had a host of friends in the committee, and these opponents succeeded in wiring had to attempt any direct condemnation.

SEVERE PENALTIES PROVIDED

Representative Chrisman Introduces Drastic Bill for Suppression of Red Light Evil in State.

[Special Dispatch to Evening Herald]

Santa Fe, N. M., March 3.—Representative Chrisman today introduced in the house his bill for the suppression of the red light evil, which provides severe penalties for keepers of houses of disorderly repute. Following is the text of the bill:

An act to provide the keeping, maintaining or maintenance of, to aid or assist in keeping, operating or maintenance of houses of prostitution, houses of ill-fame, bawdy houses or assignation houses within the state of New Mexico.

Be it enacted by the legislature of the state of New Mexico:

Sec. 1. It shall hereafter be unlawful for any person, firm, association or corporation to keep, operate or, maintain, or to aid, assist or abet in keeping, operating or maintenance of any house of prostitution, house of ill-fame, bawdy house, house of assignation within the state of New Mexico, and any person who shall be found guilty of keeping, operating or maintaining or aiding, assisting or abetting in the keeping, operation of bawdy house, or a house of prostitution, house of ill-fame, bawdy house or assignation house within the state of New Mexico, shall be fined in any sum not exceeding five thousand dollars or sentenced to imprisonment in the penitentiary for a term not exceeding two years or both such fine and imprisonment in the discretion of the court.

Sec. 2. All persons who are in charge of and all persons who may be found employed in and about such houses of prostitution, houses of ill-fame, bawdy houses and assignation houses, and all persons who own such houses and grounds, or who shall [illegible] to be used for such purposes and all persons who are domiciled or located in the aforesaid or such houses shall be deemed to be vagrants within the meaning of this act.

FINE PROGRAM FOR RONEY CONCERT

Juvenile Musicians Extremely Proficient in Music and Play With Ease Compositions of Greatest Masters.

Albuquerque people in general and the school children in particular are looking forward with a great deal of pleasure to Thursday, March 13, when the Roney Juvenile Band will be here to give the afternoon and evening. The Roney's have gone modeling of much time and play the classic and popular music with the greatest ease and correctness.

Many amusing incidents have occurred on account of the name "Roney's Boys" by which are known all sorts of rumors are the supposed conducted which Mr. Roney will bring to this city for a concert on Thursday, March 13. Letters from all parts of the country, from different states, the boys are all orderly and polite to Mr. Roney, their trained and managers for conductors and hotel men report no talking to be done in an afternoon about their "boys" and the conductors find the musicians as orderly as any amusement. The band "Blue Birds" Other, the noted phenomenon, some years ago, before the death of the great composer, Sousa. The band has become a household in musical circles to Mr. Roney, and since his death, in his efforts to keep his boys up to the standard he has established, he has had to work hard and long for good music in Roney.

Piles Cured in 6 to 14 Days.

Your druggist will refund money if PAZO OINTMENT fails to cure any case of Itching, Blind, Bleeding or Protruding Piles in 6 to 14 days. 50c.

A "Going-Away" Suit

Brides--and others--who are preparing for journeys will be interested in this early showing of spring suits and coats.

It provides what many women are seeking at this time --fresh spring weight clothing in styles that can be trusted.

These are Wooltex coats and suits and can therefore be trusted implicitly to be in the styles that will be stylish. Wooltex designers never need to experiment or guess.

They *know* what the styles are to be--in fact, this is so well recognized that they often help to *make* the styles, so closely is their work watched aud copied by others.

But here are the originals--and beautiful models they are. Guaranteed for this spring and *next*--the Wooltex makers stand behind Wooltex garments for two full seasons.

Reasonably priced. This is a good time to make your choice.

Rosenwald's