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Quay County 1-1-14

The Tucumcari News

AND TUCUMCARI TIMES

Largest Circulation of Any Paper in Quay County

VOL. XIII | TUCUMCARI, QUAY COUNTY, NEW MEXICO, THURSDAY, APRIL 15, 1915 | NO. 29

DISTRICT COURT IN SESSION SINCE MONDAY, APRIL 5

District court has been in session since Monday, April 5, and a number of cases have been dismissed and otherwise disposed of. Judge Leib in his fearless manner has made many friends among those who wish for the victory of law and order, and while he has perhaps made a few mistakes they have been very few and the more we see him perform the more we think of his ability to do the right thing at the right time. Politics cuts no ice with him but he is accommodating to those deserving and deals leniently with those who have made a mistake by accident or if the offense is the first before his court. He is ably assisted by District Attorney Geo. E. Remley.

The following seventeen cases were dismissed at plaintiffs' costs and have been stricken from the docket:

Walter E. Cecil vs. Bessie Cecil.

Vincinte Cordoba vs. Secundino B. de Cordoba.

Peter K. McMillen vs. Mary McMillen.

R. P. Donohoo, Receiver, vs First National Bank of Tucumcari.

Morros-Thomas Hardware Co. vs. H. C. Zillman.

R. P. Donohoo, Receiver, vs Jesse B. Smith and E. E. Ennis.

S. A. Butler vs. Bad Lands Oil Co.

W. A. Noffsker vs J. H. Welch

Wofford & Edwards vs. Lewis Hill.

L. D. Leger's Medicine Co. vs C. Cisco.

Lee Hudson et al vs. W. T. Morgan

Carrollton Pottery Co. vs Johnson Mercantile Co.

First National Bank of Tucumcari vs. J. S. Price.

P. B. Gonzales vs. W. B. Smith.

The case of J. A. Wright vs W. B. Rector, et al was stricken from the docket.

The case of J. W. McCarty vs C. W. White, demurrer overruled and defendant required to further plead within 10 days.

Globe Surety Co. vs. W. F. Buchanan, was dismissed.

Several other cases have been tried before a jury, one of them being the case where H. Grubbs asked for the possession of improvements on land he purchased through the agency of C. W. DeYampert. Jury decides in favor of Grubbs and prays the court to give him that which he asks.

The case in which Mart Fowler was asked to pay for a car load of apples received by him in bad order, was also tried before a jury and Mr. Fowler was favored with dismissal from any cost whatever.

Several other case have been tried but Judge Leib has not handed down his decision. The case of Sands-Dorsey Drug Co. vs. the City of Tucumcari in which the drug company asks damages to the amount of something like $1000 for loss of stock of drugs and other article, is in the hands of Judge Leib and his decision is being awaited with interest.

Report of Grand Jury

To the Honorable Thos. D. Leib, Judge of said Court:

We, the duly elected, qualified and empanneled Grand Jurors of Quay county, for the April Term, 1915, of said Court, do hereby respectfully submit this our final report, and on approval thereof by the Court, beg to be discharged from further attendance upon the Court.

We have been in session for five days, during which time we have examined 30 cases, and have examined a large number of witnesses in connection therewith and have returned into Court twenty-three indictments and seven no true bills.

We find that the laws of the State are being generally obeyed in this county.

We have examined into the offices of the County Officers and find that the records are being kept in very excellent condition; and that the Officers are performing their duties, as we understand them.

We beg leave to make the following recommendation:

We recommend to the Commissioners of Quay county, the installation of a toilet on the second floor of the Court House, and further recommend that the Grand Jury room be enlarged and altered, or that another room be assigned to the Grand Jury sufficient for its use; the present meeting place of the Grand Jury being wholly inadequate and insufficient in size, and in accommodations.

Upon thorough investigation we have found that the recent raising of the cells, and other repairs on the jail, by the Commissioners, are a great improvement over the old conditions. We find the jail clean and sanitary, and the Sheriff's records are in good condition, but his office is poorly furnished.

The Grand Jury would further recommend the heating of the court house and jail by some heating system of approved design, instead of stoves, and submit that such a system would make for economy and comfort.

We extend our thanks to the District Attorney, and other officers of the court for their kindness and attention during our labors.

Respectfully submitted,
T. F. Gorman, Foreman

The following were members of the grand jury and their work was entirely satisfactory to Judge Leib, who thanked them very kindly for their efficient work: G. Dowd, John Furlow, Jacob Brower, J. M. Eager, J. B. Scarbrough, H. P. Whiteside, A. Dominguez, J. B. Armstrong, H. M. Warren, L. L. Bell, William M. Brown, C. F. Marden, J. E. Swift, H. W. Cecil, T. F. Gorman, F. C. Jennings, G. F. Odell, Geo. W. Evans, Wm. Troup, Geo. W. Shelton, Earl Lumpee.

POPULAR PICTURES SHOWN

The Trey O' Hearts, the popular picture at the Photoplay, was ended Monday night with a record-breaking crowd. The house was filled twice and Manager Small gave the patrons their money's worth by giving two reels of the famous "Master Key" in connection with three reels of the Trey O' Hearts. These pictures are being shown in all of the larger cities of the United States and never fail to draw large crowds.

It costs thousands of dollars to secure photographs of these novels, then put them in shape to reproduce them on the screen, but the public has proven that they enjoy reading the story and then seeing it acted out by such actors as you see in these special features. Mr. Small has established another winning feature—that of always charging the same, no matter whether he puts on a special attraction or six reels of regular films The Master Key will take the place of The Trey O' Hearts and will be shown every Monday night, so if you want to see a serial with class don't miss this one.

Exploits of Elaine is winning favor with the theatre goers and will become popular when they find out that they can read the story in the News and see the pictures the next night. These stories are produced by the best companies in the land and are instructive morally and otherwise.

Master Key, Monday nights.
Perils of Pauline, Wednesday nights
Exploits of Elaine, Friday nights

MANY NEW SETTLERS

C. W. White was in this week from Rana and told us that part of the country was fast settling up any a great number of new families have move in from Texas and Oklahoma, settling every available 160 or 320 acres of land. A large strip was recently opened between his place and the Canadian river, but this did not last long as it was desireable land for farming purposes.

His son Dean who was kicked by a mule is recovering nicely and will soon be well.

Mr. White said one reason the voters in that neighborhood turned the road bond down so hard was because $60,000 was not enough to go anywhere and would no doubt run out before it got to his precinct. He suggests that the best remedy for any election of that kind would be to vote for at least $200,000 in bonds, letting each precinct have the right to use whatever amount it was entitled, going by the amount of taxes paid by said precinct. In other words, if Tucumcari precinct pays 25 per cent of the taxes let her have that per cent of the money derived from the bonds, to use any place desired, assist any precinct which would be beneficial to Tucumcari. That would guarantee work in every precinct in the county. Not such a bad idea, is it?

SENSATION AVERTED

It is reported that a bunch of regular toughs or crooks have congregated in this city and the officers are watching them for another move to place them where they belong. One of them is said to be a woman and she is working in conjunction with these men, assisting them in doing their hellish crimes. One young woman narrowly escaped being dragged into their net and no telling what the outcome will be if these dogs are allowed to remain in our city. Our informant was not an eye-witness to the affair which occurred the other night but overheard a conversation which put him next and other circumstances proved that it was no small affair.

Hoboes, gamblers, jail birds and crooked women do not make desirable citizens and should not be given jobs to keep them here. Plenty of good men and women to do the work.

NEW SIDEWALK

Joe Ritz has just completed the new sidewalk connecting 1st and 2nd Sts on the south side of Center street. This sidewalk is a nice one and is only one of the many nice ones put down by this popular cement worker.

E. P. Ralls of Atoka, Okla., is the guest of M. S. Provine this week.

Read "Exploits of Elaine" in News.

NIGHT AND DAY SHIFT AT THE NEW FIBRE FACTORY

The fibre factory put on the night shift Monday night under the superintendency of Chas. T. Haas, a local machinest, and a man especially fitted for this position on account of his knowledge of machinery. Twenty men are used during the night and thirty or more during the day. The day shift is under the supervision of Mr. Mowry, who came here with Mr. Raymond the owner and head of the factory. He is assisted by another local mechanic, E. C. Muckelroy, who had charge of the plant Tuesday on account of the sickness of Mr. Mowry's wife, which necessitated his absence from the factory.

A local photographer went down this week and took several pictures of the exterior but on account of the dust inside was unable to take any interior views.

The factory has a large order for fibre and is working all the machinery now to turn out all they can. When the other machines arrive which are now en transit, a full force will be put on and it is thought more than a hundred people will soon be at work.

This factory is a great thing for Tucumcari and the R. I. railroad and when the owners see fit to install the machines with which to make rope ard binder twine Tucumcari will have a right to feel proud of the fact that "made in Tucumcari" products will be used all over the west and central states, therefore every ball of twine will advertise this city.

TRYING TO STOP ELECTION

Chicago, April 10.—Judge Carpenter in the United States district court today denied an injunction restraining the annual meeting of the Chicago, Rock Island and Pacific railroad from being held in this city next Monday. The application was filed yesterday by minor stockholders who asserted that they had been hindered in their attempt to gain proxies.

Despite the ruling of the court proceedings will be started to prevent the election of directors, according to Attorney Jacob Newman, representing the petitioning stockholders. He refused to say "for the tactical reasons what steps would be taken, but said "this is only the beginning of the fight."

The petition for the injunction was opposed by Attorney M. L. Bell, general solicitor of the Rock Island railroad. He pointed out that the points on which it was asked—classification of directors and non-residence of the majority of stockholders in the state of Illinois—were not sufficient basis on which to restrain the holding of the annual meeting and election.

In denying the petition, Judge Carpenter said:

"As far as I can see the conduct of this road is the same now that it has been for several years. I can see no especial reason why the election should not be held now. The conduct of the elections in the past appears to have been regular and in accordance with the law."

HORSE VS. CITY MARSHAL

Fred Groves, city marshal, was the recipient of a knock-out blow delivered by his riding pony. It was a right hand (foot) undercut and Fred came near taking the count. He had lately traded for this animal on account of desiring a more gentle horse to ride about town, the pony he formerly owned being a little tricky. This new animal was guaranteed to not run down at the heel and perfectly safe for boys and women, nothing was said whether the animal liked city marshals or not but experience has shown the animal to be a respector of persons with an enmity toward a city officer. Fred is able to be out and around and will no doubt have more sympathy for Jack Johnson than he would have otherwise had had he not experienced this powerful blow, one similar to those delivered by big Jess Willard.

CRISIS FOR "SAFETY FIRST"

The "Safety First" movement has come to the place where it needs the solicitude of its friends.

A couple of years ago the slogan seemed to be "Safety First." The propaganda has had a wonderful run of popularity, but the spirit that promoted has apparently died, for no preceptable time is given to the movement as before. It cannot be preserved by being neglected where it is used with small judgment and little sense of the fitness of things, robs it of its force for the railroad employes.

(Contributed)

RAISED QUARANTINE

Santa Fe, N. M., April 13.—Gov. W. C. McDonald today issued a proclamation removing the New Mexico quarantine from livestock and commodities coming from Texas, Arizona and Colorado, effective April 15.

The regulations with regard to other states remain in force. The action is taken on the advice of the state cattle sanitary board and following an interstate agreement.

Miss Grace Goodloe, who has been visiting her brother, O. C., and wife, returned to her home in Pratt, Kas., this week. She will visit several points in Oklahoma on her way.

THOUSANDS OF TIN CANS DELIVERED TO THE LADIES

About seven big wagon loads of cans were congregated in a big pile across from the post office Saturday by the boys in answer to the proposition to give a free show ticket to every boy or girl who would bring fifty cans to that place. Some of the boys carried several hundred and secured a number of show tickets.

About two wagon loads were delivered to the ladies on the north side of the track and the city wagon has been busy hauling same away.

The town looks somewhat cleaner, especially in the business section, the nearest place to the receiving point, and if no bad disease results from the crusade, the ladies will have accomplished something worth while.

A special matinee was given at the New Theatre and the house was filled to the doors with children and older folks who chanced to have a little spare time.

DISCHARGES GRAND JURY

Alamogordo, N. M., April 8.—Another sensational chapter was added to the dramatic story of the murder of Ralph S. Connell at Tularosa on June 17, 1914, when Judge David J. Leahy, of San Miguel county, sitting in the Otero county court in the place of Judge Medler, discharged all members of the grand jury, except M. W. Fulton, foreman, and ordered another grand jury drawn to complete the work which the discharged jury is said to have left undone. This is said to be the first case of the kind on record in New Mexico, and Judge Leahy's action caused a sensation in legal circles when it became known.

It is generally believed that the failure of the grand jury to indict J. L. Porter and O. M. Talley, charged with having been implicated in the murder of Connell or of having guilty knowledge of the crime, caused the court to order the empaneling of a new jury to review the evidence against Porter and Talley said to have been presented to the grand jury. While Judge Leahy gave no intimation of his reasons, it is believed he holds the grand jury did not do its full duty in the premises.

SIX ARE INDICTED IN THE SALAZAR CASE

Santa Fe, N. M., April 12—Elfego Baca prominent attorney, counsel for General Jose Inez Salazar of Mexico, and now facing trial for the killing of Celestino Otero in El Paso; Manuel U. Vigil, district attorney for the Bernalillo county district at Albuquerque, and an attorney of high standing; Trinidad C. de Baca, state game and fish warden of this city; Carlos Armijo jailer of the Bernalillo county jail; Z. Perfillio Savedra of Albuquerque, and Monico Aranda, were indicted by the federal grand jury Saturday night on two counts on the charge of conspiracy with each other and with the late Celestino Otero to commit an offense against the United States in the rescue and release of Jose Inez Salazar from the custody of the United States marshal, in the Bernalillo county jail at Albuquerque on November 20 last. Warrants for the arrest of these persons were issued to the United States marshal.

It is charged that the jailer, Carlos Armijo, who was found cut and beaten and handcuffed to a post in the jail yard, allowed Salazar's cell to be opened and allowed the prisoner to be taken out. De Baca, Otero and Aranda, the indictment states, drove an automobile belonging to de Baca, up to the jail and thence took Salazar to a "place of concealment."

Salazar is now in the field in western Chihuahua, Mex., at the head of a band of soldiers. He took a prominent part in the Orozco revolution and afterwards fought with the Huerta forces at the battle of Ojinago, escaped across at the battle when Villa captured that city, and crossed the line and was afterwards arrested at Sanderson. He was held as a prisoner of the federal authorities on a charge of conspiring to violate the neutrality laws. He was afterwards placed in the Albuquerque jail from which he escaped.

ADDIE WEAVER DEAD

Addie Weaver, the 11-year-old girl of Mr. and Mrs. J. W. Weaver, our fellow townspeople, died at Tucumcari in the hospital last Friday morning at 9 o'clock. An operation had been performed on the little girl a few days previous to her death by the hospital physicians for appendicitis and as her case became complicated at the beginning with pneumonia, her chances for recovery were very doubtful from the outset.

The remains were entered at Montoya cemetery Saturday afternoon, the Rev. Fretwell, performing the burial services, and the last sad rites were witnessed by a large crowd of Montoya friends of the family and deceased.—Montoya Republican.

BARGAIN in Cabinet Grand Piano.
L. BLITZ

Every "sure thing" has a string tied to it somewhere, and some tricky person at the other end of the string is bound to jerk as soon as the innocent party grabs for it.

KLASSIC KLANS WIN BEAUTIFUL SILVER LOVING CUP IN H. S. MEET

A good crowd gathered at the athletic field meet given by the High School last Friday afternoon on the track southwest of town. The afternoon was somewhat dismal and it rained most of the time, but most of the spectators stayed until the close of the events. While the Klassic Klan Society had the best of the score, the Clio Society has a number of good athletes who always give a good account of themselves.

The first event was a 100-yard dash participated in by boys from the Central School and High School. This was won by Herbert Gerhardt who covered the distance in 11 4-5 seconds.

The 100-yard dash participated in by the girls of the two societies, was won by Rosa Tarpley, 1st; Hettie Allen 2nd; Edith Edwards 3rd. Time 14 2-5 seconds.

The 100-yard dash, boys, won by Gallegos, with Goldenberg a close second; Fausnacht 3rd. Time 10 3-5

12-pound shot put, won by Jackson; Gerhardt 2nd; Gallegos 3rd; 31 feet 2 inches.

8-pound shot put by girls, won by Scott; Holt 2nd; Allen 3; 22 feet, 4½ inches.

Half mile run, won by Gentry in 2:22 4-5; DeOliviera 2nd; Fausnacht 3rd.

Pole vault won by Jackson; Gallegos 2nd; Goldenberg 3rd.

120-yard high hurdles, won by Jackson in 18 4-5 seconds; Gerhardt 2nd; Goldenberg 3rd.

120-yard low hurdles, girls, Tarpley first; Scott 2nd; Kinerim 3rd.

440-yard run, won by Gallegos in 58 3-5 seconds; Goldenberg 2nd; Clinton Wharton 3rd.

220-yard low hurdles, won by Gerhardt in 30 4-5 seconds; Jackson 2nd; Dixon 3rd.

220-yard dash, won by Goldenberg in 25 flat; Gallegos 2nd.

Mile run, won by Tom Gentry; Rae DeOliviera 2nd; Geo. Ostic 3rd.

½-mile relay, girls, won by the K. K. team.

Mile relay, won by the Klassic Klan team, covering the distance in 4;02 and 2-5.

The total points scored during the afternoon by the boys of the Klassic Klan was 46 to 39 for the Clios, giving them a majority of 7. Two events were omitted on account of the rain.

The Klassic Klan girls succeeded in making 28 points to the Clios 4.

All the events of the afternoon were hotly contested and interesting from start to finish.

The three events which were postponed on account of the rain, were pulled off Tuesday afternoon and the K. K.'s again triumphed but were surprised in two of the three events by Jackson, who is an all 'round athlete, entering and winning the hop, step and jump and the running broad jump. The three events were as follows:

High jump, won by Gerhardt; Boyet 2nd; Aull 3rd. 4 feet, 10 inches.

Hop step and jump, won by Jackson 1st; Dixon 2nd; DeOliviera 3rd. 35 feet 7 inches.

Running high jump, won by Jackson; Boyet 2nd; Fausnacht 3rd. 17 feet 8 inches.

These three events gave the K. K's 15 more points, while the Clios got but 12, making the whole total 61 to 51 in favor of the K. K.'s, winning the field meet by ten points in the most hotly contested meet ever pulled off in this city.

The Tucumcari boys will probably enter eight of the contests in the big state meet. These will be 100-yard dash; 220-yard dash; 440 yard run; half mile run; mile run; 220 low hurdles; 120-yard high hurdles and the mile relay.

Seven boys will be chosen from the following list—Gentry, DeOliviera, Wharton, Goldenberg, Gallegos, Jackson, Fausnacht, Gerhardt and Dixon. These will represent the Tucumcari High School and we hope they will bring back the honors and they will if those in charge of the meet do not allow some of the high schools to run in "ringers."

A beautiful silver loving cup is on exhibition at the jewelry store of L. L. Ernst. It was purchased by the faculty of 1915 and will be presented to the Klassic Klan society for its athletic achievements during the recent field meet. This beautiful trophy stands 14 inches high on an ebony base and has the "Faculty of 1915" engraved in large letters on one side and will have "Klassic Klans of 1915" engraved on the other. It will be presented to the winning society, after which it will be placed in the high school for safe keeping, where the winners from year to year will have their society name inscribed thereon giving the year.

Prof. Shadwick deserves great deal of the praise for rounding the boys and girls into shape to do athletic work in an honorable manner. Mr. Shadwick had considerable experience in athletic work in Missouri before coming here two years ago, and is well liked by every member of the different societies for his impartial work in putting on these games and field meets. He will accompany the boys to Albuquerque and assist in putting on the finishing touches for the contests at the state meet.

"A STRENUOUS LIFE"

The High School students played in hard luck again by choosing Wednesday night to repeat their play "A Strenuous Life," but a number brayed the rain and witnessed the second performance. Those who did attend were high in their praise of the characters as performend by the young actors. Home talent plays are not usually very satisfactory to those who want to see a good play, but these players have practiced and been trained to the minute and like every other thing undertaken by Prof. Shadwick and a number of the teachers, nothing is left undone to make everybody feel like they have gotten their money's worth.

This play was put on at a big expense to the high school students and it was hoped that they would be favored with a good night, but luck has been againt them both in the nights when this play was produced and at the local field meets. We hope now that all their bad luck has passed and that they will be successful in bringing home a number of the prizes when the local athletes enter the contests in the state meet at Albuquerque.

ICE MAN IS DOOMED

After years of experimenting and hard study a refrigerator has been made which does not use ice in any form whatever. It sells for about the same as the regular refrigerator, but the company has not been organized long enough to build a factory large enough to make refrigerators fast enough to supply the demand. It is a better seller than the Ford car and will revolutionize the kitchen as vegetables, meats, fruits, etc may be kept as long as 144 hours in perfect condition.

One of these wonderful machines is on exhibition at Eager Bros. and the owner and exhibitor has recommendations from everybody who has ever seen it work. He is not selling the machines now but will establish an agency here where they may be bought later. The factory is said to be working night and day trying to fill orders and if you wanted a machine now you would perhaps be disappointed because they are three months behind with their orders.

The factory representative is selling shares in the company which will have a million dollar capital and will be located in this state, perhaps at the thriving little city of Deming.

The coolness is obtained by a certain kind of cloth being used to conduct water to the different parts of a specially made box, or refrigerator. Perfect ventilation is obtained at all times and many thing are proven by the demonstrator which would seem impossible should we try to describe it here. Call at Eager's store Friday or Saturday as that will be the last time you will have to examine it until they are placed on sale in this city.

This company is backed by such men as W. D. Murray, president of the Silver City Nat'l Bank; F. P. Jones president El Paso Bank and Trust Co.; F. W. Johnson, vice president of Pecos State Bank.

INFORMATION VENDERS

We understand that District Attorney Remley has been the recipient of a number of anonymous letters since arriving in this city. They were of the nature of information in regard to cattle stealing, etc. The writers told varied stories about men whom they would have indicted by the grand jury and if they had signed their names to the letters there would have been a number more cases brought before the grand jury which was in session until last Saturday. The jury returned 23 indictments and a number of no-bills. One of these being a self-confessed house breaker, but we understand the members of the jury thought he had served enough time in the county jail to pay for the crime. He said he was hungry and entered a house to get something to eat. He secured a few ginger snaps before he was captured, and the witnesses did not seem to know anything against the man and did not know whether he even entered the house.

Those who know of crime in any form and want the authorities to look into the matter must sign their names to their letters of information as these "tips" do not justify the court in ordering an arrest unless they have the assistance of a prosecuting witness. It cost money to try cases, but if you know some one who should be dealt with. Don't be afraid but sign your communication so that the District Attorney will have some one to assist him in dealing out justice to those who deserve it.

Read "Exploits of Elaine" in News.