SUPREME COURT CONVENES AT SANTA FE

Quo Warranto Proceedings in Cases of Hubbels and Armijo's Important.

The supreme court of New Mexico convened in adjourned session at 11 o'clock Thursday morning in the chambers in the capitol building. There were present Chief Justice William J. Mills, Associate Justices John R. McFie, Frank W. Parker, William H. Pope, Edward A. Mann, Ira A. Abbott. Jose D. Sena, clerk of the court, was at his post. The territory of New Mexico was represented by Attorney General W. C. Reid.

The cases heard at this special session were those of the territory ex rel. and Thomas S. Hubbell, appellants, vs. Perfecto Armijo, appellee, and the territory ex rel. and Frank A. Hubbell, appelants, vs. Justo R. Armijo, appellee. Attorneys E. W. Dobson, W. B. Childers and A. B. McMillen, of Albuquerque, appeared as counsel for the appellants, while the appellees were represented by Attorneys Neil B. Field and F. W. Clancy, of Albuquerque. Although Attorney General Reid's name appears on the brief formally as having granted the right to file the information in the name of the territory, he did not take any part in the arguments.

The Hubbell cases have been in the courts for some time and have aroused considerable interest throughout New Mexico. Thomas S. Hubbell and Frank A. Hubbell were respectively sheriff and treasurer of Bernalillo county and were removed by Governor Otero for alleged malfeasance in office and other charges. They were ousted on August 21, 1905. Governor Otero appointed Perfecto Armijo to the office of sheriff and Jose R. Armijo to fill the vacancy in the office of county treasurer.

The Hubbells, through their attorneys, filed a petition for a writ of quo warranto in the Second judicial district court before Judge Ira A. Abbott. The respondents demurred to the petition and the court sustained the demurrer pro forma by agreement between the counsel on both sides in order that the cases might be appealed to the supreme court and decided before the expiration of the terms of the incumbents in the offices of sheriff and treasurer.

The questions involved in the cases are to determine whether or not Governor Otero had a legal right to remove the appellants from the respective offices to which they had been elected.

Having rendered a pro forma decision in sustaining the demurrer in the district court, Associate Justice Abbott was not disqualified from sitting when the two cases came up before the supreme court.

ORATORICAL CONTEST PROMISES INTERESTING

The interscholastic oratorical contest to be held at the Duncan opera house tonight promises to be of uncommon interest, says the Las Vegas Optic. Representatives have come from the leading schools of the territory. Lawrence Clark will appear for the East Las Vegas high school and Edward Cumstock for the normal. Judges of ability and experience will be selected. It will be remembered that last year the second prize went to Las Vegas and this year citizens are confident that one of the home contestants will land first place. However, the visiting orators come with excellent records and the contest will be close.

Program.

Mixed Quartet—"Spring Song" ..... Pinsuti
Mrs. Rankin, Miss Holmes, Messrs. Thresher and Larkin.
"Margins" ..... Alice Schrieber
Albuquerque High School.
"Mother's Always in the Shadow" ..... Veta Bills
Raton High School.
Solo ..... J. G. McNary
"The Money Power" Lawrence Clark
Las Vegas High School.
Solo—"Calm as the Night"... Boehm
Mrs. R. C. Rankin.
"Shall Political Graft Continue?" ..... Lytton Taylor
A. & M. College.
"True Americanism"..... Edward Comstock
Normal University.
"Political Integrity" ..... Grover C. Emmons
University of New Mexico.
Whistling Solo, Miss Cora Pettijohn
Decision of Judges.
Presentation of medals by the President of the Oratorical Association, Supt. J. E. Clark
Mixed Quartet—"Goodnight Beloved" ..... Pinsuti
Mrs. Rankin, Miss Holmes, Messrs. Thresher and Larkin.

ESTANCIA MINISTER DELAYED AT SANTA FE

An accident which befell his young son a few days ago has delayed the arrival in Estancia of the newly appointed minister of the Methodist Episcopal church there. Rev. W. A. Pratt, of Hydro, Okla., who accepted the call to the pastorate, had all of his household goods packed ready for shipment to his new parsonage when his young son had the misfortune to fracture an arm. In a letter to Frank Dibert, assistant cashier of the Santa Fe Central railway, Rev. Pratt says that he will leave for Estancia as soon as the injured lad is able to undertake the trip.

FACT VS. FALLACY ABOUT IDA M. TARBELL

Some Amusing Stories Which Have Been Told and Some Real Events.

Ida M. Tarbell, whose new hitorical erial, "The Tariff in Our Times" is just beginning in The American Magazine, recently traveled through the west and south collecting material and visiting friends. While she was on the road several old-time fallacies about her were given fresh circulation — and some surprising new ones were invented.

One story is that Miss Tarbell got her information about Rockefeller and Standard Oil while serving as private secretary to Rockefeller. Of course the truth is that Miss Tarbell never met Rockefeller and never saw him but once, and that was in church in Cleveland in the fall of 1902. Her history of Standard Oil and Rockefeller was written from documents just as her histories of Lincoln, Napoleon and Madame Roland were written.

An interesting story was printed the other day in a very important daily newspaper in the south. The writer said: "What influence the late Charles A. Dana, editor of the New York Sun, had upon the character and career of Miss Tarbell belongs to that category of things that are pleasant, but profitless to speculate upon. She was for several years that great editor's private secretary, and soon after she quit his service she began to write her history of Standard Oil."

Miss Tarbell never worked on the staff of The Sun, and was never secretary to Charles A. Dana. As an editor she had some business with Mr. Dana at the time of the publication of his reminiscenes in the magazine—assisting Mr. Dana in the collection of certain corroborative documents.

The latest story about Miss Tarbell was created by an over-heated press agent. The story is that Miss Tarbell is soon to go onto the stage and take the part of Shirley Rossmore in "The Lion and the Mouse" at a salary of $2,500 a week. Of course, Miss Tarbell never even considered doing such a thing.

In this connection, and to calm the reader's troubled spirit, a few facts may not be unwelcome. Ida M. Tarbell was born in Erie county, Pennsylvania, and is a graduate of Alleghany college, located at Meadville, Pa. After service as a school teacher in Poland, Ohio, she became associate editor of The Chatauquan in 1883, and continued in that position until 1891. From 1891 until 1894 she was a student in Paris at The Sorbonne and College de France. From 1894 until May, 1906, she was associate editor of McClure's Magazine. In July, 1906, she became associated with John S. Phillips, William Allen White, F. P. Dunne, Lincoln Steffens, Ray Stannard Baker and others in the conduct of The American Magazine.

SISTERS' ACADEMY BURNS AT PRESCOTT

FORMER REPORTER OF THE EVENING CITIZEN ONE OF FIRST TO DISCOVER FIRE.

St. Joseph's academy at Prescott, Ariz., had a narrow escape from total destruction by fire on Wednesday last, its salvation being due to the prompt action of F. R. Dyas and Richard Herron. Mr. Dyas, formerly of the staff of The Evening Citizen, who left here recently to assume the position of night editor of the Prescott Journal Miner, and Mr. Herron, were the first persons to arrive at the scene of the fire. Together they succeeded in kicking in the front door of the building and notifying the inmates of their danger, afterward rescuing a number of the children from suffocation and aiding the Sisters of Charity in various ways in their efforts to preserve their effects. At the time of their arrival the interior of the building was completely filled with smoke.

The origin of the fire is as yet a mystery. It started in the basement at the south end of the academy and had made considerable headway before its discovery, the inmates of the building being unconscious of its presence till awakened by Messrs. Dyas and Herron.

Owing to the holiday season most of the pupils of the academy were at their homes, fourteen only remaining in the building beside the sisters and those in charge. These were rescued through the bravery of the gentlemen above mentioned and others who arrived at the scene shortly afterward.

The academy building is a fine modern three-story stone structure, well covered by insurance. The total loss will aggregate about $5,000.

NOTICE FOR PUBLICATION.

Department of the Interior, Land Office at Santa Fe, New Mexico.
December 26, 1906.

Notice is hereby given that Pablo Gallegos of Belen, N. M., has filed notice of his intention to make final five year proof in support of his claim, viz: Homestead Entry No. 6621, made October 21, 1901, for the NW¼, Section 2, Township 4 N, Range 3 W, and that said proof will be made before Jesus Luna, Probate Clerk, at Los Lunas, N. M., on February 7, 1907.

He names the following witnesses to prove his continuous residence upon, and cultivation of, the land, viz:

Ruperto Jaramillo, of Belen, N. M.; Simon Serna, of Los Chavez, N. M.; Pablo Ballejos, of Los Lunas, N. M.; Jesus Jaramillo y Gallego, of Belen, N. M.

MANUEL R. OTERO,
Register.

Queen of the "400" Yields Scepter at Nearly Four Score

MRS. ASTOR, WHOSE INVITATION RAISED ONE TO HIGHEST SOCIETY, IS NOW BEDRIDDEN AND MUST GIVE UP HER QUEENSHIP—HAS RULED SOCIETY FOR DECADES—NO ASTOR BALL THIS WINTER—NOW NEARER 4000 THAN 400.

MRS. ASTOR.

Aged 75 years.
Born in Brooklyn.
Daughter of Abraham Schermerhorn, wealthy.
Married, 1853.
Children, four daughters (two deceased), one son.
Widowed in 1892.
Ruler of America's most exclusive social set for 30 years.

Special Correspondence.

New York, Dec. 28.—Friends of Mrs. Astor, for many years the queen of New York's famous 400, and the undisputed high dictator of American fashionable life, now admit that her rule is ended. She is an invalid in the magnificent Astor mansion, 842 Fifth avenue, scene of many of her regal entertainments.

For the first time in many years there will be no Astor ball on the second Monday night in January, given by the wonderful woman whose former favor was a passport to the so-called American aristocracy. Society misses her from the opera.

Mrs. Astor is much over three score and ten. Until a year ago she seemed exempt from the ravages of age and ruled with the power that characterized her since the long ago date which brought defeat to the ambitions of Mrs. Wm. Waldorf Astor and won to Mrs. Wm. Astor the family title of "Mrs. Astor."

While abroad last summer Mrs. Astor began to fail. She collapsed after her return from Europe. For a time at Newport it was feared that she would die.

Mrs. Astor is the daughter of Abraham Schermerhorn, of one of the old Knickerbrocker families. When she married Wm. Astor, the colossal Astor fortune had been well established, though a million dollars counted for much more in those days than they do now.

Hers the "400."

It was Mrs. Astor who decided that there were only 400 families in the metropolis who, from the point of breeding and wealth, were eligible to belong to the "highest social circle."

The invitation list to her annual ball was for many years the real social directory.

Never a great beauty, Mrs. Astor was famous for her kindliness in her circle. Scandal never tainted her name. She permitted no discussion of scandal in her presence. She frowned upon the principals in any episode which brought them before the pubilc in unenviable light. When members of her own family disregarded the rules of convention she dealt with them as she would with others. Her own daughter was no exception. However, it is a tradition that Mrs. Astor was never heard to utter an unkind word to anyone, even a servant. Her punishment was implied by her slights.

Vacant Leadership.

There is much talk now as to a possible successor to Mrs. Astor. There is no Four Hundred in reality. There has been none for several years. With Fifth avenue flanked for miles with the gorgeous mansions of Americans who have built up vast fortunes since the dawn of the commercial age, the list of eligibles has constantly increased until four thousand would be nearer the number. The old line families, however, keep well together, and the result is that there are various classes of "upper crust" society.

Few Eligibles.

Mrs. Stuyvesant Fish has been frequently mentioned as a possible successor to Mrs. Astor. It is known that her social ambitions have no bounds. Backed by aristocratic lineage and vast means she is high on the social ladder. However, she has powerful opponents, not the least of whom are the Astors.

The wives of the young Vanderbilts may have ambitions, but their sway is kept closely confined. The wife of Wm. K. Vanderbilt, Sr., cares more for the London set. Mrs. Geo. Gould is essentially domestic, and keeps well away from the social strife of New York. Mrs. Clarence Mackay is regarded as one of the most beautiful and best dressed women in New York society, but her social power does not extent beyond her own coterie.

It is doubtful if any woman will ever be able to take up the scepter and crown that Mrs. Astor will cast off at death.

NOTICE FOR PUBLICATION.

Department of the Interior, United States Land Office.
Santa Fe, N. M., Dec. 19, 1906.

Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before the probate clerk at Los Lunas, N. M., on January 26, 1907, viz: Mariana Chavez de Otero, for the Small Holding Claim No. 2547, situate in Sec. 26, T. 7 N., R. 2 E.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Francisco Aragon y Baca, of Los Lunas, N. M.; Aniceto Aragon, Guillermo Orona, Quirino Samore, of Peralta, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the interior department why such proof should not be allowed will be given an opportunity at the above mentioned time and place to cross examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO,
Register.

Small Holding Claim No. 2547.

"MY WIFE'S FAMILY" ON NEW YEAR'S EVE.

If you wish to drive dull care away and forget the blues, don't fail to see the laughable three-act musical farce comedy success, "My Wife's Family" from the pen of Hal Stephens and Harry Linton, who are known as prolific writers of excellent farce. This merry comedy met with universal success wherever produced last season, in fact it was such a hit that return dates were played in many places. Bright lines, absurd laughable situations and a budget of original song and dance numbers by the authors add spice and color to the record breaker of the comedy worded. "My Wife's Family" will be seen here at the Elks' opera house, December 31st.

"MARRIAGE OF KITTY" ON JANUARY FIRST.

Miss Florence Gear, who is to be seen at the Elks' opera house on January 1st, under the management of Pulos Murry in the delightful comedy "The Marriage of Kitty," has a song to sing in the second act. Miss Gear is an accomplished vocalist, but only recently has she attempted to play her own accompaniments. While playing in the east, a year or two ago, she was asked to sing a song and was obliged to refuse because she had not familiarized herself with the accompaniment. "That was my first and only lesson," she said the other day in relating the circumstance. "I realized how completely I am in the power of any one who 'obliges' and murders a song in his or her efforts. Since then I have always played my own accompaniments and found that the added security was more of a compensation than all the florid accompaniments that are offered by strangers."

Miss Florence Gear In "The Marriage of Kitty."

"MY WIFE'S FAMILY.