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ALBUQUERQUE MORNING JOURNAL.

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ALBUQUERQUE, NEW MEXICO, WEDNESDAY, DECEMBER 6, 1911.

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JIM McNAMARA CONDEMNED TO LIFE IN PRISON

Elder Brother Sentenced to Fifteen Years in San Quentin For Part in Dynamite Outrages at Los Angeles.

JUDGE BITTERLY SCORES PRISONERS

You Are Worthy of Gallows, He Tells Younger Man; Finds John J. Deserving of No Mercy From Court.

(By Morning Journal Special Leased Wire.)

Los Angeles, Dec. 5.—Two brothers—James B. McNamara, secretary-treasurer of the International Association of Bridge and Structural Iron Workers, and John J. McNamara, a native of Cincinnati, Ohio—the one sly, drop-shouldered and the other a broad, robust man of ready countenance, felt today the strong hand of justice which they long had thought to evade, the former being sentenced to life imprisonment and the latter to fifteen years in the state penitentiary.

It was the retaliatory action of the law against those lawless methods which John J. McNamara, secretary-treasurer of the International Association of Bridge and Structural Iron Workers, thought it necessary to pursue in coping with what he regarded as the all-powerful opposition of capital.

Though the younger brother, James B., informally presenting his confession to the court today, declared he intended no murder when he placed sixteen sticks of dynamite beneath the Los Angeles Times building on October 1, 1911, twenty-one persons being killed by the terrific explosion, John J. McNamara, recounting tonight to his attorneys his principles, broke down as he muttered that he fought against great odds in the best way he could. It was a sequel to the court room scene earlier today when he received his sentence in tears of abject surrender.

For the crime of the times building explosion, James B., was punished, for directing the destruction by dynamite of the Llewellyn Iron Works, wherein no lives were lost, John J. was sentenced, yet hardly a few hours had passed when the word went forth that subpoenas would be issued for both men to appear before the federal grand jury to divulge further details of their dynamiting conspiracies.

The United States government now will demand of them information concerning interstate trafficking in dynamite which is alleged to have resulted in more than a hundred explosions at bridges and factories where labor warfare was involved.

50,000 Curious People Disappointed.
Something of the same fear of terrorism brought by those explosions flitted through a crowd of nearly 15,000 persons today, as it surged back and forth around the jail expecting to see the McNamaras taken out into the open air on their way to the hall of records, where previously scenes in the trial had been enacted. But the court and counsel, taking cognizance of possible lawlessness, held the final session in a court room adjoining the jail and the prisoners were taken thither over an interior bridge passageway.

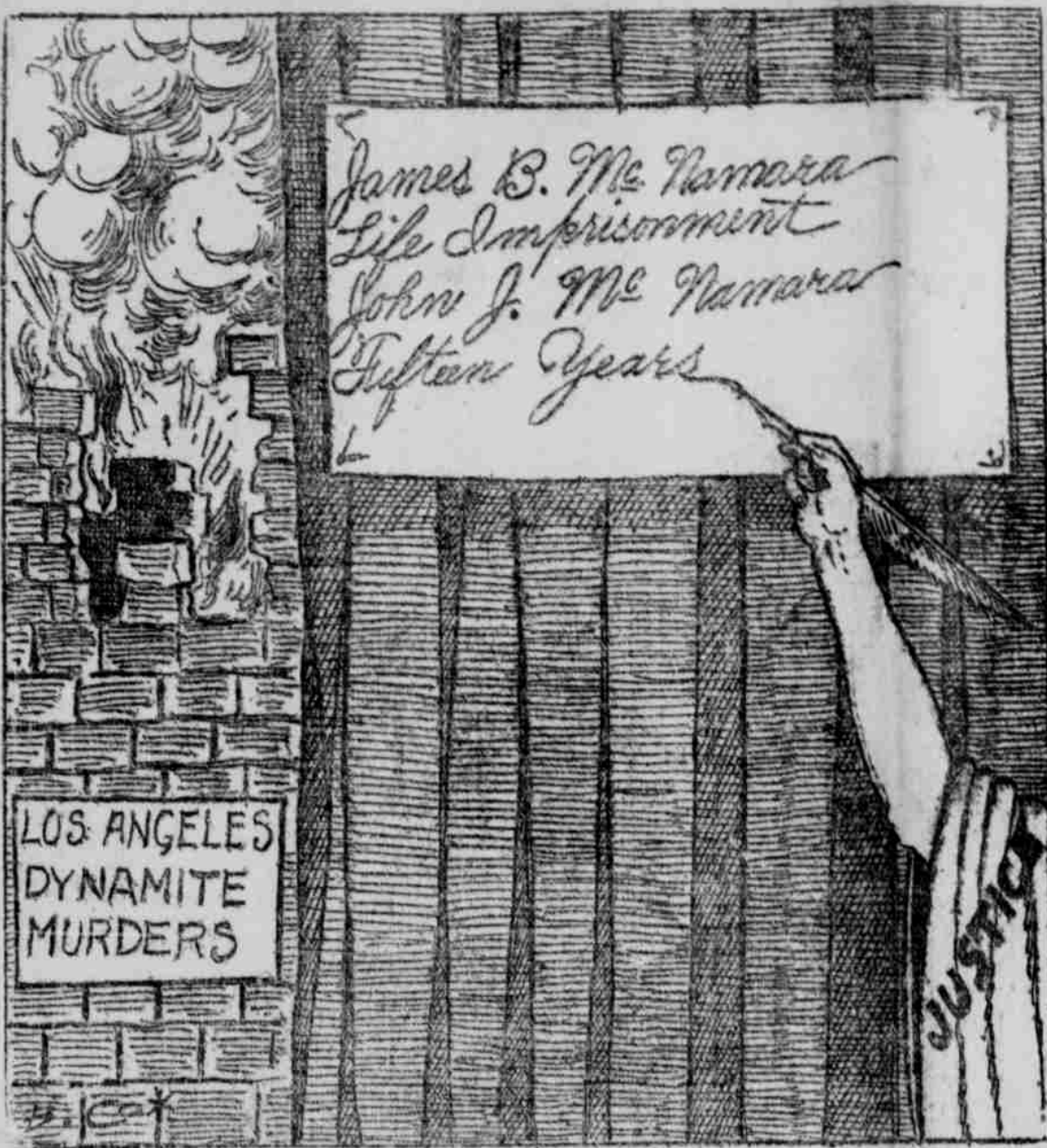
"I never carried a gun before, since the McNamara affair started," confided Samuel L. Brown, chief of the state department of investigation, and his detectives reported to him that suspicious characters by the scores were scattered in the crowd.

Judge Bordwell changed his mind several times, but took final precaution and held court in the small chamber beside the jail.

Outside the crowd begged for entrance. An army of policemen fought his efforts. To the Hall of Records, not far distant, the mass of humanity moved back and forth in confusion and eagerness and even many who really were entitled to admission were denied that privilege because of the mix-up over the place for the final sitting.

In the Hall of Records, eight floor stairways were choked with the curious. Only a hundred persons saw the two brothers led through the narrow passageway into the chamber beside the jail.

A supreme ordeal faced James B. McNamara, who worried as to whether or not the court would inflict the extreme penalty, and John J. McNamara less liable to such severity, was anxious for his brother's sake. The twenty-four minutes of procedure that decided the fate of the two men went forward slowly. It was quiet almost to the point of monotony, and seemed prearranged, as the sentences of the prisoners had come after an abrupt closing of the trial, pleas of guilty being entered with the assurance of District Attorney Fredericks that he would urge clemency.



Cheating the Gallows.

not come, the severity of Judge Bordwell's remarks cut deep and John J. McNamara's accustomed expression, half smile and half sneer, as he fought his battles, passed into one of sad dejection.

"I never saw a man change so much within a few minutes," afterward declared Judge Bordwell. Attorneys close by saw tears in the eyes of John J. McNamara. It was the older brother who received the lesser sentence, who quivered. The younger man, the confessed dynamiter, took his sentence calmly, almost without comprehension of what lay before him. As he resumed his seat, he caught the eye of a newspaper man a few feet from him and smiled in recognition—a peculiar smile from a face of sunken cheeks and deep-set eyes.

Judge Bordwell talked nervously, slowly and with supreme gravity. He used to criminal trials, he pronounced his first sentence of importance outside of the civil cases which he has been handling for a score of years. Affected himself by the drama of the moment, which determined the destinies of two men who together confessed having caused great destruction of life and property, the judge peered steadily at the prisoners as he pronounced his judgment.

Judge Inclined to Death Sentence.
James B. McNamara arose first. He wore dark clothing and a white tie, to which his face added a somber contrast. District Attorney Fredericks made a brief statement of the case, reading the prisoner's confession for the first time. As he spoke the court room was still. James B. McNamara stared hard toward the windows opposite him.

"There are two sentences," said Fredericks with deliberation, "which the court may pronounce, possibly of equal severity. One is death and the other is life imprisonment. However, in the minds of a great many persons and possibly in the mind of the defendant, I do not know, but I assume the sentence of imprisonment for life would be considered in some degree a less punishment than the punishment of death. There has been no dicker or bargaining in this matter. Counsel on the other side are well aware of the usual customs of granting some degree of consideration to a defendant who has pleaded guilty—not on the ground of mercy, but on the ground of service to the state.

"This defendant has pleaded guilty. By so doing he has settled that which for all time in the minds of a great many would have been a doubt in question. He has served the state in other ways, and it is my judgment that some small degree of consideration should be extended to him because of this fact."

To that point the prisoner was calm and unmoved, but suddenly the judge startled him.

"The court," began Judge Bordwell, turning to the prisoner on the inquiring look, "desires to ask you one question and one only. Mr. McNamara, you have stated in the writing which the district attorney has read that you placed sixteen sticks of dynamite, known as 50 per cent pure, in the Times building, and caused it to be exploded. The question I ask you is this: Did you seek to purchase for that same purpose dynamite of a higher degree of percentage?"

The defendant paused and seemed to lose his composure. Finally he spoke:

"No, your honor; no, sir."

"No, did not?"

"No, sir."

"There is very little or no ray of comfort, Mr. McNamara," continued Judge Bordwell, "in the assertion by you that you did not intend to destroy life. The circumstances are against you in making any such claim. A man who would put sixteen sticks of

50 per cent dynamite in a building full of explosives—I do not now refer to the explosives of which you may have had no knowledge, I really mean combustible material—I say that a man, who under these circumstances would place a dynamite charge of that quality in such a building, in which you, as a printer, know gas was burning in many places, and in which you knew there were scores of human beings toiling, must have had no regard whatever for the lives of his fellow beings. He must have been a murderer at heart."

"You feel merit the maximum punishment prescribed by law?"

The prisoner quivered and his head dropped. He twisted his fingers in his hands behind him and then lifted his head again.

"That the judgment of the court does not condemn you to death upon the gallows is due to the existence of an extenuating circumstance whatever, but because it appears to the court the part of wisdom to do otherwise."

"It is the judgment of the court that as the punishment for the crime of murder in the first degree to which you have pleaded guilty, you shall be confined in the state prison of this state, at San Quentin for and during your natural life. You may be seated."

As relieved as any one could be with a life sentence confronting him, the prisoner sat down beside his brother.

The big brother arose and the little brother received him affectionately.

John J. McNamara Deeply Moved.
After the court had read the indictments charging him with having caused the destruction of the Llewellyn Iron Works in this city, the district attorney began a brief statement and John J. whispered to James B. that he could sit down while the district attorney was talking.

The man about to be sentenced was plainly moved by what the court had said to his younger brother.

From across the room a ray of sunlight streaked and sparkled against the tears in his eyes.

"There were no lives lost in this case," remarked District Attorney Fredericks, "and while the destruction of property was considerable, it was not great."

He cited the custom of leniency where a defendant pleaded guilty and continued:

"The extreme penalty which the law could inflict for this offense would be life imprisonment, and all I would suggest in that connection would be that the court take into consideration the probable life remaining to the prisoner and leave to him a few hours of freedom at its end; not as a matter of mercy, not as a matter of consideration, not as a matter that he has earned it or is entitled to it, but because I believe it is a wise policy of the state, when a man surrenders himself, gives up and pleads guilty, and because of other services rendered to the state, that some small consideration—not much, but some—be extended."

The defendant arose again.

"Mr. McNamara," said Judge Bordwell, "you have heard the court's remarks to your brother and in no small degree, sir, they undoubtedly apply to you. And, as in his case, the fact that the court may not mete out to you the extreme penalty of the law is in no degree due to any doubt that you merit it, but simply because it appears to be the part of wisdom to do otherwise. The judgment of the court now pronounced upon your plea of guilty to this charge, is that you be confined in the state prison at San Quentin for the period of fifteen years."

"You may be seated."

"Anything further?"

One a Printer; Other Iron Worker.

The district attorney indicated that

it was customary to ask the occupation of the defendants.

"Is that a matter the court should take up at this time? That is a new section, isn't it?" queried the judge.

District Attorney Fredericks referred to the statute declaring that it was designed to supply information for the prison officials.

The brothers were again asked to arise.

James B. said he hoped his trade was printing and John J. said "structural iron worker."

The prosecuting attorney reminded the court that it had thirty days to make a report on the criminal character of the prisoners for the prison officials and the proceedings were concluded.

The prisoners were led quickly back to the jail by Sheriff Hamill.

Around the table where counsel had been seated the spectators gathered, some congratulating the prosecuting attorney on his work.

Charles S. Darrow, chief counsel for the defense, sat in silence throughout the proceedings. At the end he arose and with his associate attorneys, followed the sheriff into the jail to console the prisoners.

Outdoors a disappointed crowd lingered. When the crowd learned that the McNamaras had been sentenced while it was waiting for them to come out of the jail on the expected trip to the Hall of Records, there was much dissatisfaction but the officers dispersed the multitude. For a long time, however, a number of persons lingered about the jail in the hope of seeing the McNamaras hustled away to the train for San Quentin.

In his office in the Hall of Records, District Attorney Fredericks later discussed the case. It was pointed out to him that the age of John J. McNamara as given by himself on the jail records was 34 years and a sentence of fifteen years, which means nine years and two months of good behavior, would bring the prisoner's age only to 43 years.

"Well, I do not fix the number of years," said Mr. Fredericks, "but I suppose the court took into account John J. McNamara's apparent age which certainly seems like 47 years. In fact, I always have had the impression that he was that old. After nine years in state prison he will be an old man."

"Some of the statements from union leaders repudiating the McNamaras are sincere and some are not," Mr. Fredericks continued. "Some of the men who are making the loudest public utterances are implicated in the dynamiting outrages for which these men were sentenced today."

"As for John J. McNamara, I think there is nothing that he knows concerning this case which I do not know. It is not necessary for him to make any further statement."

Greatest Crisis Since Civil War.

"The case is not yet closed. I believe that never since the civil war has the United States passed through such a crisis as was involved in this tremendous case. I believe that this trial and the ultimate results will mark the passing of the bluegown, the walking delegate and the dynamiter from the ranks of union labor."

"If this happens, as I am confident it will, labor will have cleansed itself, and untold good will follow."

Federal Attorneys Talk Over Plans.

Later in the afternoon Oscar Lawlor, appointed today as special prosecutor for the government in its investigation of alleged dynamiting conspiracies, talked at length with District Attorney Fredericks and members of his staff. Books and papers and details of the evidence in the McNamara case were on a table before them. Edward A. Reagan, assistant United States district attorney, joined the gathering for a short time, and when he returned to his office it was said the subpoenas for the appearance of the McNamara brothers before the federal grand jury which has adjourned.

(Continued on Page 5, Column 1)

GENERAL BERNARDO REYES BOLDLY RETURNS TO MEXICO

Accompanied By Party of Followers, Exiled Military Leader Secretly Re-Enters Republic.

WIDESPREAD REVOLT MAY OCCUR ON TENTH

Torreon Scene of Probable Uprising in North; "Che" Gomez and Eight Others Lynched in Oaxaca.

(By Morning Journal Special Leased Wire.)

Mexico City, Dec. 5.—General Bernardo Reyes has returned to Mexico. Just where he is and just where he crossed the international boundary is not generally known, but that he is in Mexican territory is an official statement issued tonight.

Instead of manifesting alarm because of his coming, government officials profess keen pleasure. They believe they will have little trouble in effecting his capture and the statement is made that if taken he will have to stand trial on the charge of inciting rebellion.

REYES AND HIS PARTY SECRETLY CROSS BORDER.

Corpus Christi, Tex., Dec. 5.—According to information brought to Corpus Christi tonight, General Reyes and a small party of his followers boarded a southbound San Antonio and Aransas Pass train at Pettus, Texas, late yesterday. Tickets were held to Alice, a junction point of the International Great Northern and the San Antonio and Aransas Pass roads.

Reyes and his party, it is declared, traveled from San Antonio to Pettus in an automobile. At Pettus the car is said to have been discarded. The route of the International and Great Northern railroad from Alice is directly to Laredo on the border.

TORREON LIKELY BASE OF OPERATIONS IN NORTH.

Torreon, Mex., Dec. 5.—Alarmed by reports that this city is soon to be the scene of an insurrection, the foreign colonies have petitioned the consular offices to request military protection. Secret service agents of the government claim to have information that five hundred rifles and twenty thousand rounds of ammunition have been distributed among the laboring men of the district, who have accepted them with the understanding that they will rise in revolt in favor of General Reyes. Detectives say the uprising was planned for December 10.

REBEL LEADER GOMEZ AND FOLLOWERS LYNCHED.

Mexico City, Dec. 5.—"Che" Gomez, whose rebellion at Juichitan resulted in a clash between President Madero and the governor of Oaxaca, was lynched this afternoon at Rincon Antonio. Eight of Gomez' partisans met a like fate.

Gomez, on his way to the capital, with eight of his followers, was taken from the train at Rincon Antonio, Oaxaca, yesterday and placed in jail by order of Governor Juarez, despite a passport, signed by the chief executive. He was taken from the jail by a frenzied mob of citizens, augmented by hundreds from the neighboring regions, marched two miles from the center of the town and shot to death.

(Continued on Page 2, Col. 5.)

THE DAY IN CONGRESS

THE SENATE.

Lorimer investigation resumed with testimony for the defense.

Stephenson election investigation committee probably will report to the full committee just before Christmas.

Monetary commission decided to prepare a bill carrying out its conclusions along lines of the Aldrich currency plan.

President's message on trusts was read in both houses.

Senator Hoke Smith turned back to the treasury \$2,000 pay for senatorial services while governor of Georgia.

About 200 recess nominations, mostly postmasters, army and navy officers, submitted by president.

Senator Poinsett, of Washington, criticized court of commerce decision in Spokane rate case.

Abrogation of Russian passport treaty proposed in bill submitted by Culbertson, of Texas, and petition presented by Martineau, of New Jersey.

Repeal of Canadian reciprocity proposed in bill by Heyburn, of Idaho.

Adjourned 3:19 p. m. to 2 p. m. Thursday.

THE HOUSE.

Sugar trust inquiry resumed by special committee.

Agricultural department investigation centering on Dr. Wiley, discussed by special committee. Report to be made within a fortnight.

Representative Hamlin urged a bill requiring expenditures from secret fund of state department be reported to congress.

Socialism Grapples in Final Struggle For Supremacy in Los Angeles and is Overwhelmingly Repudiated.

PROHIBITION ISSUE LOSES TWO TO ONE

Victorious Mayoralty Candidate Carries Entire Good Government Municipal Ticket Into Office With Him.

(By Morning Journal Special Leased Wire.)

Los Angeles, Dec. 5.—Estimates based on a partial count of the vote at 10:30 o'clock tonight place the majority for Mayor Alexander over Job Harriman, socialist, at more than 50,000. In 110 precincts counted, out of 177, Alexander's net gain over his primary vote was 25,990. Alexander carried Harriman's home precinct, 1,537 to 192.

Partial returns indicate that prohibition has been defeated two to one.

(By Morning Journal Special Leased Wire.)

Los Angeles, Dec. 5.—Socialism grappled in a final struggle with its opponents under the "good government" banner at the ballot box today and was defeated.

Prohibition, the other big issue in the municipal campaign, received scant attention from the vote counters tonight and the fate of the drastic ordinance remains uncertain though the probability is that it has been defeated.

Forced to yield first place in the nominating ballot October 31, when the vote cast totaled 45,000, Mayor George Alexander polled today, apparently more than a two to one majority over Job Harriman, socialist, in a vote which totaled 140,839. When Harriman gained a plurality of 3,000 over the mayor in the October primaries, the registration was approximately 75,000. Today, 137,000 persons, including 75,000 women, were entitled to vote.

Ninety per cent of the registration on the west side, where the vote was light in the primary, was voted today, while on the east side Harriman's stronghold, there was a falling off in comparison. The women of the west side out-voted the men.

The reverse was in the precincts where Harriman was the stronger in the primary. But the balance of power which the women were credited with having prior to the astounding finale of the McNamara case last Friday did not figure in the result.

Persons who would not vote for Alexander simply stayed away from the polls. Chairman S. C. Graham of the good government organization declared tonight in predicting a majority of at least 50,000 for Alexander.

Harriman was in conference with his campaign manager, Alexander Irvine of New York, early in the evening. He declared that gross fraud had been perpetrated by the opposition, but refused to concede his defeat.

The victorious ticket consists of Mayor Alexander and nine councilmen, made up of bankers, lawyers, storekeepers and realty brokers.

On the defeated socialist ticket, beside Harriman, the lawyer, there were one negro junk dealer, a former editor of one of the local morning papers, two iron moulders and several labor leaders.

One feature of the balloting was the scratching, which was early apparent, of Joseph A. Scott, candidate for re-election to the school board, who also was one of the attorneys for the McNamara case.

It became apparent early that the trouble expected to develop on account of the feeling engendered because of the McNamara case would not occur during the balloting. The "peace insurance" army of 1,500 officers, detailed by Chief of Police Sebastian and Sheriff Hamill, had little to do. Only three minor cases of trouble were reported.

The women were treated with the greatest gallantry.

Many went to the polls propelling baby carriages and often fathers took care of baby while mother voted.

A precinct a puzzled woman voted in favor of the prohibition ordinance, though she was opposed to it. When she learned what she had done, she rushed back to the booth and declared: "I want to change my vote."

She was told that was impossible.

"Oh, but it must be changed," she exclaimed and the election officials patiently explained that it was impossible to change the vote.

Carolina M. Severance, 32 years old, a former associate of Susan B. Anthony, made her way to the polls. "I have waited fifty years for this, my first vote," she said, as she emerged smilingly from the election booth.

Socialism, the meteor that flashed ascendancy upon the political horizon of Los Angeles in the primaries on October 31, three weeks after the opening of the McNamara trial, plunged into a sea of opposition votes yesterday, four days after the dynamite conspirators had pleaded guilty.

At the time the brothers were being sentenced 140,000 men and women voters were piling up a majority estimated at from fifty to sixty thousand for Mayor George Alexander, the "good government" and citizens' committee candidate, over Job Harriman, the socialist and former attorney for McNamara, who polled a plurality of three thousand votes over the mayor in the nominating primary little more than a month ago.

Prohibition, represented in the most drastic "dry" ordinance ever produced, was defeated.

(Continued on Page 2, Column 6.)

TAFT FEARLESS IN DEMANDING REGULATION OF TRUSTS

In First Message to Sixty-Second Congress President Presents Views in Logical and Fearless Manner.

STRONGEST UTTERANCE HE HAS EVER MADE

Counsels Against Repeal of Sherman Act But Urges Supplemental Legislation to Make Interpretation Explicit.

(By Morning Journal Special Leased Wire.)

Washington, Dec. 5.—President Taft's message on the trusts was read in both branches of congress today and was well received generally. The president's objection to a repeal of the Sherman law was approved by some of the leaders on both sides, although the democrats held that his first message should have dealt with the tariff.

Democratic Leader Underwood said the president and the administration were trying to overshadow the tariff with trust issues.

"The message is an able one from the president's standpoint," Mr. Underwood said, "but we feel that the leading message should have dealt with the tariff. There seems to be an effort on the part of the president and the administration to force trust issues ahead. I am opposed to a repeal of the Sherman law, but there may be supplemental legislation to define it. I think the house does not favor a federal incorporation act."

Speaker Clark said he could not discuss the message until he had studied it thoroughly.

Republican Leader Mann, who has not always agreed with the president, praised the message.

"It is probably the strongest utterance President Taft has ever made," he said. "It shows that he is on the side of the people, that he is not controlled by the trusts and that he does not wish to cause undue violence to proper combinations of capital."

In the house the reading of the message was interrupted by applause from the republican side. As the reading clerk was droning through the ten thousand words a majority of the members were following the reading from printed copies which had been distributed to their desks.

The senate heard the reading of the message with unusual dignified attention and then adjourned out of respect to the memories of Representatives Madison of Kansas and Latta of Nebraska, whose deaths were announced by a committee from the house.

For lack of something to do the senate will not meet until Thursday afternoon and will then adjourn until Monday.

The house will meet at noon tomorrow.

President's Message.
The message of President Taft follows:

To the Senate and House of Representatives:
This message is the first of several which I shall send to congress during the interval between the opening of its regular session and its adjournment for the Christmas holidays. The amount of information to be communicated as to the operations of the government, the number of important subjects calling for comment by the executive, and the transmission to congress of exhaustive reports of special commissions, make it impossible to include in one message of a reasonable length a discussion of the topics that ought to be brought to the attention of the national legislature at its first regular session.

The Anti-Trust Law—The Supreme Court Decisions.

In May last the supreme court handed down decisions in the suits in equity brought by the United States to enjoin the further maintenance of the Standard Oil Trust and of the American Tobacco Trust, and to secure their dissolution. The decisions are epoch-making and serve to advise the business world authoritatively of the scope and operation of the anti-trust act of 1890. The decisions do not depart in any substantial way from the previous decisions of the court in construing and applying this important statute, but they clarify those decisions by further defining the already admitted exceptions to the literal construction of the act. By the decisions, they furnish a useful precedent as to the proper method of dealing with the capital and property of illegal trusts. These decisions suggest the need and wisdom of additional or supplemental legislation to make it easier for the entire business community to square with the rule of action and legality thus finally established and to preserve the benefit, freedom, and spur of reasonable competition without loss of real efficiency or progress.

No Change in Rule of Decision—Merely in Its Form of Expression.

The statute in its first section declares to be illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states or with foreign nations."

(Continued on Page 4, Column 2.)

REORGANIZATION OF WABASH ROAD DECIDED ON

Financial Readjustment of Important System Gives Rise to Rumors That Goulds Have Been Forced Out.

(By Morning Journal Special Lensed Wire.) New York, Dec. 5.—Financial re-adjustment and reorganization of the Wabash railroad was decided upon at a meeting of the directors today.

The announcement caused surprise, it having been believed that the railroad plan of the Wheeling & Lake Erie—Wabash Terminal roads, would be accomplished, thereby materially reducing the Wabash's financial burden.

Winslow R. Pierce, once a prominent figure in all Gould projects, returned to his early affiliations as chairman of the Wabash board and reorganization committee, succeeding E. T. Jeffrey, who continues as a director.

Other new men on the board are Edwin Hawley, who comes in not because of any interest in Wabash, but as a practical railroad man; Robert Gould and Alvin W. Knoch, president of the Equitable Trust company, which is trustee of the first mortgage and other securities of the Wabash.

Relations between Kuhn, Loeb and company and the Goulds have not been especially friendly since the unexpected withdrawal of the bankers from Missouri Pacific financing early in the year, but they are now to be associated with the re-organization of the Wabash.

Conjecture as to the future of Wabash became rife as soon as announcement of re-organization was published. It is believed in financial circles that control of the property has been wrested from the Goulds.

A CALENDAR WORTH HAVING

Among the great multitude of calendars brought out for the New Year, the Pabst Extract American Girl Calendar stands out strongly in contrast, as a true work of art—a beautiful creation worthy of a place in every home.

The Pabst Extract Calendar Girl is known to thousands and thousands of enthusiastic admirers and each year her appearance is looked forward to with pleasant anticipation.

The 1912 calendar is a remarkably beautiful panel, 13½ inches in size, showing a typical American Girl, mounted on a horse. The picture, truly a work of art, is a twelve color reproduction of a painting by two famous American artists. It surpasses in excellence of design and richness of coloring any of the previous Pabst Calendars and will prove a beautiful ornament to any room in even the finest homes.

Any one who would like one of these extremely artistic calendars may obtain same, gratis, by sending 10c in stamps or silver, to cover cost of postage and mailing, to the Pabst Extract Co., 222 Chestnut St., Milwaukee, Wis.

GERMAN CAPTAIN IS ARRESTED AS A SPY

Portsmouth, England, Dec. 5.—Heinrich Grose, a captain in the German merchant marine, was arrested on the charge of being a spy and arraigned today at the police court here. The magistrate remanded him for a week without bail.

BE STRONG

The men and women who do big things are strong and full of vitality and rich red blood. It takes a great deal of strength to meet the demands of every day life too, and everyone should watch his strength as closely as he watches his money.

If you are not as strong as you ought to be, but feel weak and tired after a little effort, if you are pale, thin and nervous, then you need Vinol, our splendid cod liver and iron tonic, which has done such a wonderful work in making the weak strong all over this country. We sell so much of it that we can judge of its remarkable strengthening and blood-making power. So we say, "Take Vinol on our say-so, no matter if you are young or old, and if it does not please you we give back your money."

J. H. O'Reilly Co., Druggists, Albuquerque, N. M.

CITY PHYSICIAN CENSURED BY BOARD

Action in Refusing Copy of Death Certificate Upon Proper Application Not in Accordance With Duty.

The board of health yesterday morning, after hearing the evidence in the charges filed against Dr. R. L. Burton, city physician, mildly censured that official for his failure to issue a certified copy of a death certificate upon proper application.

In the case where the city physician was charged with charging an excessive fee for furnishing a copy of a death certificate, Dr. Richardson and A. E. Moon, failed to substantiate their charges to the satisfaction of the board, and the case was dismissed.

In the matter of the burial and issuance of a death certificate in the case of the late negro "Spee" Brown, the board was of the opinion that the city physician had used poor judgment.

Undertaker A. Borders, in whose interest the doctor had dared the wrath of Attorney A. B. Richardson by refusing to issue a certified copy of the

ENTIRELY BALD

Her Hair Commenced to Grow After Two Weeks' Use of Newbro's Herculicide.

"Fever caused me to be entirely bald. I had given up all hope of again having hair when I was advised to use Herculicide. After two weeks my hair commenced to grow. I now have the most beautiful hair anyone ever saw. Praise to Newbro's Herculicide."

This writes Mrs. Howard Bailey, of Bellevue, Mich. We can point to thousands of instances where the proper use of Herculicide has been followed by a remarkable growth of hair.

Newbro's Herculicide is the original remedy which kills the dandruff germ and stops falling hair.

One Dollar Size Bottles are sold and guaranteed by all druggists. Send for in postage for sample and booklet to The Herculicide Co., Dept. 12, Detroit, Mich.

Applications may be obtained at the best hair and hair dressers.

The J. H. O'Reilly Co., Special Agents.

WITHOUT PEER AS SINGER IN LIGHT OPERA WORLD

Grace Van Studdiford Sure to Captivate Albuquerque Theatergoers in "Paradise of Mahomet" Tomorrow Night.

So much expectation has been indulged in by local theatergoers upon the approaching visit of Grace Van Studdiford to this city that considerable interest now attaches us to whether the joys of realization will equal those of expectation. It is more than likely that she will captivate her listeners by her charming personality and superb voice, for she is without a peer as a singer in the entire American light opera world. She will appear in "The Paradise of Mahomet" at the Elks' theater tomorrow night.

Just as the play's the thing with all dramatic stars, so is the man made a large part of the entertainment where singers are concerned. Manager Daniel V. Arthur has undoubtedly provided Miss Van Studdiford with a score of the highest quality, for the composer of "The Paradise of Mahomet" was the gifted Frenchman, Robert Planquette.

This imported offering, which comes from Paris, was considered as much out of the ordinary by French audiences that it ran for over two seasons at the Theatre des Varieties. Its original version was written by Henri Boudreau. To suit it to American tastes, Harry H. and Robert H. Smith were brought into communion.

According to the opinion of the metropolitan press and that of critics wherever else "The Paradise of Mahomet" has been presented, the book and lyrics are worthy of the inspired music of Planquette.

The two acts of "The Paradise of Mahomet" are laid in the Orient, which means that there are many opportunities for a lavish display in both scenery and costumes, as well as a wealth of color.

SANTA FE WELCOMES ARCHBISHOP PITAVAT

Venerable Head of Roman Catholic Church in New Mexico Returns From Pilgrimage in Rome.

(Special Dispatch to the Morning Journal.) Santa Fe, Dec. 5.—The most Rev. Archbishop J. B. Pitavat returned to Santa Fe today after a year's absence, during which he made a pilgrimage to Rome, and visited his boyhood home in France.

The archbishop brings with him from Rome the blessing of his holiness Pope Pius X, and a special message from his holiness addressed to the people of New Mexico.

A reception in honor of the venerable archbishop was held this evening in St. Francis' cathedral, which was largely attended by the members of the church and the citizens of Santa Fe generally.

"BEST ON EARTH" This is the verdict of H. J. Howell, Tracy, O., who bought Foley's Herculicide and Tar Compound for his wife.

"Her case was the worst I have ever seen, and looked like a sure case of consumption. Her lungs were sore and she coughed almost incessantly and her voice was hoarse and weak. Foley's Herculicide and Tar Compound brought relief at once and less than three bottles effected a complete cure."—J. H. O'Reilly.

GOVERNMENT RED TAPE BITTERLY ASSAILED

CAUSING MONTANA SETTLERS TO STARVE

Delegate Tells Irrigation Congress of Iniquitous Bureaucratic System of Interior Department.

(By Morning Journal Special Lensed Wire.) Chicago, Dec. 5.—Senator Charles McNamara, of Montana, today charged that "the bureaucratic system of the department of the interior, together with red tape" was retarding the irrigation projects of the state and that thousands of persons in Montana are starving because of the system, were made before the National Irrigation congress at its opening session today.

Fred Whitfield, a state senator and a delegate from Montana said that fifty per cent of the money spent by the government on irrigation was for "supervision" and that in one instance seventeen supervisors were employed to watch eight men dig a tunnel.

"An instance of the extravagance," the speaker said, "is shown by the abandonment just announced, of a part of a project which cost \$245,000. That much money was to be thrown away just as flippantly as if it were no more than a postage stamp. The bureaucratic system in the department covers up all the errors of the engineers and the holders who have to pay the bill have no means of finding out where the money is going."

Montanians the people who went out there with visions of a happy life and abundance, are without employment and are starving. They are not only unable to keep either automobiles or horses; they cannot afford to keep a dog. The situation is appalling. If they leave their stakes to seek employment elsewhere, a dozen detectives swoop upon the place to investigate the outrage."

All the money spent on irrigation projects, he asserted, was levied on the property so that many of the holders, unable to produce any crops because of lack of water, had to sell out.

Action of the congress also was asked on a resolution offered by Gen. M. Barston, a delegate from Texas, who denounced so-called fake irrigation schemes. He said these schemes were gotten up to extort money from "land hungry" people in the east and three districts upon the whole "back to the land" movement. The resolution was referred to a committee.

CHINESE REBELS ARE REGAINING CONFIDENCE

Leaders Unwilling to Concede Any Terms to Government Except Those Providing For Republic.

(By Morning Journal Special Lensed Wire.) Peking, Dec. 5.—The Chinese rebels in the vicinity of Hankow are regaining confidence, according to consular reports received here today and the leaders are not willing to concede any terms in the government except those providing for a republic.

Rebel reinforcements are marching toward Hankow from Wu Chang. The revolutionaries announced the arrival at Hankow of representatives of eight provinces and state that the delegates adopted a provisional constitution for the new republic. It is asserted, will be elected by delegates appointed by the provincial governors.

Five boards will be created, viz: Civil, finance, finance war and communications. A popular convention will be called after six months have elapsed.

The revolutionaries hope to make Nanking the capital. In the interim the Hs. Pen military administration will continue and the rebel provinces. It is believed a strong movement is on foot to substitute a Chinese regency.

WHY WOMEN SUFFER

MANY ALBUQUERQUE WOMEN ARE LEARNING THE CURE.

Women often suffer, not knowing the cause. Backache, headache, dizziness, nervousness. Irregular urinary passages, weakness, languor.

Each a seeming torture of itself. Together tell of weakened kidneys. Strike at the root—get to the cause.

Quickly give the help the kidneys need. No remedy endorsed like Doan's Kidney Pills.

Recommended by thousands—Endorsed at home. Here's convincing proof from an Albuquerque citizen.

Mrs. E. Adair, 817 S. Edith St., Albuquerque, N. Mex., says: "Two and a half years ago I used Doan's Kidney Pills and was so pleased with the benefit I obtained that I was glad to publicly recommend them. In giving this second statement it is my desire to show that I value this remedy as highly as ever. I had such severe pains across my loins and between my shoulders that I was greatly inconvenienced in getting around. The contents of one box of Doan's Kidney Pills relieved me so greatly that I could not do otherwise than praise them."

For sale by all dealers. Price 50 cents. Foster-McLure Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

for the present recent, who, with other Manchurian, will retire from Peking. But it is unlikely that even this will satisfy the majority of the provinces.

RUSSIA AND JAPAN HAVE SECRET ALLIANCE

London, Dec. 5.—The Peking correspondent of the Daily Telegraph says that a secret agreement exists between Russia and Japan by which those powers demand as an indispensable right sixty per cent participation in all future loans north of the great wall and bind themselves to secure the cancellation of Article XVI of the Four-nation \$10,000,000 loan.

Article XVI provides that the bankers making the loan shall have the option of undertaking further loans. Where the Locality Does Not Count. Wherever there are people suffering from kidney and bladder ailments, Foley's Kidney Pills will help them. Belvidere, Ill. E. H. Kelly, an ex-engineer says: "Three years ago my kidneys became so bad that I was compelled to give up my engine and quit. There was a severe aching pain over the hips, followed by an inflammation of the bladder, and always a thick sediment. Foley's Kidney Pills made me sound and well again. I can not say too much in their praise."—J. H. O'Reilly.

OKLAHOMA NEGRO LYNCHED BY MOB

Yallant, Okla., Dec. 5.—A mob forced an entrance into the jail here today secured a young negro who refused to give his name and hanged him to a tree. The negro was arrested on the charge of attacking the 12-year-old daughter of Lee Saunders.

With the Coming of Middle Age. There is a letting down in the physical forces often shown in annoying and painful kidney and bladder ailments, and urinary irregularities. Foley's Kidney Pills are an splendid regulating and strengthening medicine at such a time. Try them.—J. H. O'Reilly.

URGENT NEED FOR MARINE FORCE ON ISTHMUS

Major General Biddle Does Not Believe Army Garrison Will Prove Adequate to Police Canal.

(By Morning Journal Special Lensed Wire.) Washington, Dec. 5.—Although the army has made its plans and is now executing them for the establishment of a numerous garrison of troops on the Isthmus of Panama, Major General Biddle, commander of marines, advances the suggestion in his annual report that there is still need for the marines in the canal zone.

He expresses the opinion that a body of marines, subject to the control of the navy department, which can be dispatched without due attention being brought to the movement would be of great value. He suggests the allotment of a ship in the canal zone for use as a base for expeditionary forces of the marine corps.

At present 50 per cent of the total enlisted force is composed of Americans, native born or naturalized.

There was a notable decrease in the number of desertions last year, due principally to the liberal policy of discharging men for good reason prior to expiration of enlistment. The total number of discharges during the year was 18,758.

New Officers Assume Charge. New York, Dec. 5.—The new officers of the standard oil, elected yesterday to replace the Rockefeller and their old time associates, assumed control at 76 Broadway today.

There has been no hint of any large block of stock has changed hands and it is assumed that control of the various companies in the Standard Oil group remains where it was before the dissolution.

Porte Turns Down Russia. Berlin, Dec. 5.—A dispatch to the Morning Post from Constantinople says the Porte has rejected Russia's demand that the Bosphorus and the Dardanelles be open to Russian warships.

TRIAL OF CHICAGO PACKERS OPENS TODAY

Chicago, Dec. 5.—The trial of the indicted Chicago meat packers will begin tomorrow morning in the United States district court, before Judge Carpenter.

The United States supreme court today to issue a stay in order that the constitutionality of the Sherman anti-trust act, under which the accusations are made, might be tested without the expense of a long trial, brought the right for delay to an end.

The selection of a jury will begin as soon as motions are disposed of in court tomorrow. Thirty peremptory challenges will be allowed each side. Only one question was not settled tonight by the defense or, if settled was not a disputed public. That was whether an attempt would be made to try the packers one at a time instead of concurrently. This, it was known, United States District Attorney Wilkerson was prepared to combat, inasmuch as the men were on trial for conspiracy.

It will take a day and a half for the defense to present its side of the case, the packers' attorneys said today.

Every fifth person will be given a free sitting at the informal opening of Gray's Ground Floor Studio, 219 West Central, Saturday evening.

CHICHESTER'S PILLS

THE DIAMOND BRAND. Ladies! Ask your Druggist for Chichester's Pills in Red and Gold wrapper. They are the best for all ailments of the system. Take one or two. Buy of your Druggist. Ask for CHICHESTER'S PILLS. Sold by DRUGGISTS EVERYWHERE.



GENERAL BERNARDO REYES. Exiled Military Leader, Who Has Returned to Mexico With Avowed Purpose of Wresting Presidency of Republic from Francisco I. Madero, the Newly Elected Incumbent.

GENERAL BERNARDO REYES BOLDLY RETURNS TO MEXICO

(Continued from Page 1.) In this city or elsewhere probably went down in the ruck with socialism under the landslide. This too, in spite of the fact that approximately 50 per cent of the 55,000 women registered for their first votes in California, exercised this suffrage.

The reversal of the majority vote in spite of the pre-election predictions to the contrary, was attributed by the leaders of both factions in a great part at least to the sensational ending of the McNamara trial on Friday last.

"The people who could not bring themselves to vote for Alexander, stayed at home," declared S. H. Graham, chairman of the good government organization.

"The poor man would not vote," was the explanation of Alexander Irvine, manager of Harriman's campaign. Harriman himself, would not make any statement.

The prohibition ordinance was beaten by a vote of two to one. If it had carried not a drop of any kind of liquor could have been sold or given away in homes or other places, anywhere in the city. But a drop of liquor of any sort could have been manufactured and several breweries would have been put out of business.

Only a physician's prescription would have prevailed to procure any liquor containing alcohol.

An organization known as the taxpayers' league, which claimed that no saloon keepers or liquor men were members, paid thousands of dollars in advance for space to urge its defeat. Its appeal prevailed. On the face of the returns the men—and women—who voted for the so-called good government ticket, headed by a man previously elected as a reformer, rejected the proposition to make this city the "driest town anywhere in the country."

INDIGESTION AND A SICK STOMACH RELIEVED

No Dyspepsia, Heartburn, Gas, Headache or Other Stomach Misery Five Minutes After Taking a Little Diapiesin.

Take your sour out-of-order stomach—or maybe you call it indigestion, dyspepsia, gastritis or Catarrh of Stomach; it doesn't matter—take your stomach trouble right with you to your pharmacist and ask him to open a 50-cent case of Pape's Diapiesin and let you eat one 2-grain Tri-angle and see if within five minutes there is left any trace of your former misery.

The correct name for your trouble is Food Fermentation—food souring; the Diapiesin cream becomes weak; there is lack of gastric juice, your food is only half digested, and you become affected with loss of appetite, pressure and fullness after eating, vomiting, nausea, heartburn, griping in bowels, tenderness in the pit of stomach, bad taste in mouth, constipation, pain in limbs, sleeplessness, belching of gas, biliousness, sick headache, nervousness, dizziness or many other similar symptoms.

If your appetite is fickle and nothing tempts you, or you belch gas, or if you feel bloated after eating, or your food lies like a lump of lead on your stomach, you can make up your mind that at the bottom of all this there is but one cause—fermentation of undigested food.

Prove to yourself in five minutes that your stomach is as good as any; that there is nothing really wrong. Stop this fermentation and begin eating what you want without fear of discomfort or misery.

Almost instant relief is waiting for you. It is merely a matter of how soon you take a Little Diapiesin.

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.

JAFFA

GROCERY CO. GOOD THINGS TO EAT

Our New Pack Can Goods Are Arriving Daily

New Ferndell Asparagus
New Ferndell Peas
New Ferndell Corn
New Ferndell Succotash
New Ferndell Tomatoes
New Ferndell Preserves
New Ferndell Olives
New Ferndell Mince Meat

SPECIAL

4 heads of California Head Lettuce, 25c
3 Dill Pickles, 10c

Bakery Department

Cream Puffs
Schiller Locks
Nut Loaf Cakes
Layer Cakes
Patty Shells
Slices
Cheese Straws
Hot Rolls and Fresh Bread at 11 o'clock
25 Bread Tickets for \$1. Each ticket good for 5c in trade.

The Jaffa Grocery Co.

PHONES 31-32

members, paid thousands of dollars in advance for space to urge its defeat. Its appeal prevailed. On the face of the returns the men—and women—who voted for the so-called good government ticket, headed by a man previously elected as a reformer, rejected the proposition to make this city the "driest town anywhere in the country."

SANTA BARBARA WOMEN ELECT DOCTOR MAYOR. Santa Barbara, Cal., Dec. 5.—Early returns indicate the election of Dr. Elmer Rowke by a two to one vote over William Wiles, the opposing candidate for mayor. Women cast half the vote.

Indoor men keep your muscles in shape by playing boxball. Good sport besides. 218 S. Second st.

INCORPORATE YOUR BUSINESS

C. F. Kanen's New Mexico Corporation Laws, Rules and Forms, compiled to date. A useful guide for corporation officers, attorneys and engineers. You need no other. It has everything in one book. Post yourself. Avoid expensive mistakes.

All Territorial laws on ALL classes of Corporations: Banking, Building and Loan, Benevolent, Industrial, Irrigation, Insurance, Mercantile, Mining, Railroads, Taxation, etc., with extensive Citations.

The only complete New Mexico Corporation, Irrigation and Mining Code published.

Complete Forms and Rules for drawing and filing all kinds of corporation papers; references, footnotes, by-laws, etc. Territorial Irrigation Rules and Forms.

United States Laws which apply to New Mexico: Carey Act, Irrigation, Mining, Railroads, Taxation, Rules and Forms for securing U. S. Rights, Rights of Way, etc.

Useful with or without statehood. 1 vol., 925 pages, buckram binding.

C. F. KANEN Santa Fe, N. M.

HEALTHSEEKERS

The place you have been looking for, a ranchboarding house for invalid and convalescent tubercular cases, located near Silver City, altitude 6,000 feet, home cooking, sleeping porches, fireplace in each room, plenty of shade, no dust; terms reasonable. Write us for full particulars and pictures.

OAK GROVE RANCH, Tyrone, N. M.

Montezuma Trust Company ALBUQUERQUE, NEW MEXICO Capital and Surplus, \$100,000 INTEREST ALLOWED ON SAVINGS DEPOSITS

Oak and Maple Polished Flooring Builders' Supplies Albuquerque Lumber Co., 423 N 1st St.

SPORTS

BUSINESS COLLEGE PUTS BASKETBALL TEAM IN FIELD

Intercollegiate Rules to Govern Playing of This Game in New Mexico; Professor Conwell Honored.

The members of the basketball team of the Albuquerque Business College last night announced themselves as contenders for the New Mexico championship. They say that with the opening of their season in about two weeks, they will be ready to meet all comers. A splendid squad of eight men, has been selected for practice the last week and are being coached into good shape. With this as a nucleus, the Business College expects to show some of the New Mexico teams how to play.

The varsity team this year expects to play a strenuous schedule. Some splendid material is at hand, and with it Manager Robert Arens expects to make out a championship team. The basketball schedule calls for two games each with the Normal University of Las Vegas and the Agricultural College, Little Rock, all-New Mexico centers for last year, will again play his old position, while Lembo and Carlsyle will probably be the guards of the team.

For the first time in the history of the varsity inter-collegiate rules will be used, this system allowing of a much more open play and a faster game than does the A. A. U. rules. The rules committee governing the playing of inter-collegiate basketball in the United States has designated Professor H. H. Conwell of the University of New Mexico as the New Mexico representative in the list of officials in the third division comprising the states of Kansas, Missouri, Iowa, Colorado, Wyoming, Nebraska, Texas and New Mexico.

Professor Conwell is chairman of the faculty committee on basketball at the New Mexico Varsity and was when a student at the Kansas Agricultural College one of the best basketball players in his state.

The team representing New Mexico at the game last year also had the distinction of having the team picture printed in the inter-collegiate basketball guide for 1911-1912.

WALTER COFFEY NO MATCH FOR GIBBONS

New York, Dec. 5.—Mike Gibbons, of St. Paul, a welterweight, had the better of Walter Coffey, the California middleweight, in every round of their 15-round bout at the Fairmount Athletic club tonight.

Several times Gibbons appeared to have Coffey on the verge of a knockout, and each time the bell intervened.

The first round opened in a peculiar manner. At the sound of the bell both fighters feinted and each landed a clean-cut left punch to the jaw. Several times, in the fourth, sixth, eighth, ninth and tenth rounds, Gibbons had Coffey in a bad way, but by holding Coffey managed to save himself.

The wonder of the fight to the spectators was not that Gibbons won, but that Coffey managed to stay the ten rounds. He was dazed and bewildered from the second round to the end.

Successful Plays Produced Everywhere.

"The Lion and the Mouse" has been played not only in America and England, but has been produced in France, Germany, Italy, Russia, Sweden, Spain and Japan. The company now touring the West are enroute for Australia, where they will spend the greater portion of a year opening the Australian tour at Melbourne.

Send your soiled clothes to The Duke City Cleaners, 226 WEST GOLD AVE. The most up-to-date cleaning plant in New Mexico. Outside Orders Solicited.

FLKS THEATER

December 9

JOHN C. FISHER PRESENTS

The Greatest Musical Comedy Success Since His "Florodora"

THE REBEL ROSE

By Harry B. and Robt. B. Smith. Music by Robert Hood Bowers. Direct from the GLOBE THEATER, N. Y.

Immense Company, 24 Musical Numbers, Wonderful Parisian Costumes, Stunning Chorus and Ballet-Scenic Novelties

SEE "THE STUDENTS GLIDE" Prices, \$1, \$1.50 and \$2 Seats on Sale at Matson's

CARLSYLE CHOSEN CAPTAIN OF 1912 TEAM

Election Takes Place at Reception Tendered Coach Hutchinson Who is Presented With Handsome Blanket.

At a reception tendered by the members of the New Mexico university football team last night, Coach R. E. Hutchinson was presented with a magnificent Indian blanket, the gift of the members of the team, and Hugh Carlsyle, left end, was elected captain for the season of 1912.

The reception was given in the homes of the Tri Alpha and Sigma Tau fraternities. First the crowd went to the Tri Alpha house, where the preliminary business was attended to, and then they adjourned for a good old-time college sing at the Sigma Tau house. At a late hour the Hamiltons immediately took place in the evening broke up and numerous college yells for Coach Hutchinson and New Mexico.

Early in the evening the members of the team and a few invited guests gathered in the Tri Alpha house where the presentation took place. After a short time spent in smoking and talking, the members of the team were taken upstairs and with Professor Conwell and Coach Hutchinson decided upon Hugh Carlsyle as the captain for 1912, to succeed Captain Hamilton. Immediately after the selection, the guests downstairs were apprised of the choice by the yells of the men upstairs shouting "What's the matter with Carlsyle?"

The new and old captains then came down the stairs arm in arm, and on the first landing each made speeches to the men below. Captain Hamilton thanked the team for the support they had given him during the season and asked for the same consideration for Captain Carlsyle.

The newly-elected captain in turn thanked the players for the honor conferred and told them of his determination to strive for U. N. A. next year. The election of Hugh Carlsyle follows a hard year's work on his part for the football team, for which he proved himself to be the best left end in New Mexico. He is a freshman year at the Varsity, and with his experience this year he should be able to do great things for the Varsity next year.

Shortly after this, Captain Hamilton and Carlsyle stealthily retired and soon came in the back way carrying a great bundle. When opened the proved to be a magnificent Indian blanket of the strongest weave. While the two captains held the blanket, the players gathered about them for inspection. Frank N. Lanham stepped forward and in a neat speech in which he took occasion to call Coach "Hutch" some of the things he had called the players during the year, presented the blanket.

With tears in his eyes and in broken voice, surprised at the unexpected turn affairs had taken, the coach thanked the men for their kindness and support, and complimented them on the work they had done. "This has been one of the pleasantest fall terms I have ever spent in my life," he said.

The "ants" came on and the boys then adjourned to the Sigma Tau house, where a room or two of men was taken. In addition to the men, the football squad, were present, Coach Hutchinson, J. W. Miller, City Engineer, E. Gladding, Professors Conwell, Clark, Pynch Stephen and Weems, F. V. Lanham, H. S. Huggett and R. E. Hutchinson.

Fancy aprons and needlework sale at the Women's club on Friday the 8th. Many artistic novelties.

RACE RESULTS.

At Juarez, Mexico, Dec. 5.—The first ladies' day of the meeting drew out a big crowd at Juarez today. The public did not have a good day, as the favorites were beaten in all six races. Results:

First Race—Six furlongs: Lucile Allen, 9 to 1, won; Oseuro, 7 to 2, second; Americas, 5 to 1, third. Time 1:16.

Second Race—Five and a half furlongs: Maria Hyde, 19 to 1, won; Lady Tendi, 8 to 1, second; Meddlin Hannah, 2 to 1, third. Time 1:08 3/4.

Third Race—Five and a half furlongs: Thistle Belle, 10 to 1, won; John Griffin, 3 to 1, second; Marsand, 5 to 2, third. Time 1:07 4/5.

Fourth Race—Six furlongs: Meadow, 3 to 1, won; Follie, 7 to 5, second; Flying Wolf, 12 to 1, third. Time 1:13 3/5.

Fifth Race—Six furlongs: Closser, 5 to 1, won; Ajax, 2 to 1, second; Yink, 7 to 2, third. Time 1:14.

Sixth Race—Mile: Rompie, 5 to 2, won; Hannah, 5 to 1, second; Keep Moving, 5 to 1, third. Time 1:42 4/5.

At Columbia, Dec. 5.—Fair weather and an attractive crowd at the fair grounds. Two favorites won. Republican easily defeated good field of two-year-olds in the first race at the prohibitive odds of 7 to 20. Results:

First Race—Six furlongs: Republican, won; Panchette, second; Duke Duffy, third. Time 1:14 3/5.

Second Race—Six furlongs: Belle Clem, won; Moltke, second; Oakley, third. Time 1:14 4/5.

Third Race—Five furlongs: Bertie, won; J. H. Barr, second; Kironi, third. Time 1:02.

Fourth Race—Five furlongs: Paul Davis, won; Horace E., second; Hal-deman, third. Time 1:01 1/5.

Fifth Race—Five furlongs: Sare Get, won; Fort Worth, second; Rubia Grande, third. Time 1:01.

Sixth Race—Six furlongs: Ella Brown, won; Abrasion, second; Elizabeth Harwood, third. Time 1:13 4/5.

BEET SUGAR MEN FOLLOWED LEAD OF REFINERS

When Trust Advanced Price Independents Followed Suit "Because It Was Good Business."

(By Morning Journal Special Lensed Wire.) Washington, Dec. 5.—Representative Baker of California drew from W. T. Willett a sugar expert, before he house investigating committee today, the magnitude of the profit made by the beet sugar interests on the use to the consumer which began last June.

Mr. Willett said that when the New York price of sugar advanced a corresponding rise was announced in the west, although the beet sugar refineries of Colorado and California had an enormous supply of their product on hand.

Mr. Willett, who earlier in his testimony said that sugar had drifted back to approximately six cents a pound, testified that the farmer who raised the sugar beets got no benefit from the rise. He was paid the same price for his beets that was named in the contracts dated months before.

"Why did the beet sugar manufacturers of California raise their prices at a time when New York refiners three hundred miles away did so?" Mr. Baker asked.

"Because it was good business," "That is what is known as 'good business' is it?"

"Yes, of course. If they had not done so, they would have been called out if they gave away two cents a pound."

Mr. Willett gave the committee a rest deal of statistical data on operations in sugar. He denounced the ratting given the Hawaiian sugar planters by free entry to the United States and expressed the opinion that the raw sugar would "starve the beet sugar men to death."

TWO THOUSAND AT ORPHEUM SHOW

The largest crowd since its opening last night the beautiful Orpheum has lighted to overflowing and more than 200 people were again turned away, although filled to capacity, within ten minutes after the doors were opened.

The theater was completely uptight through its many safety exits. Enthusiasm remains unabated over this great show, and already some are clamoring for reserved seats for tonight. Change of program.

Tonight will be the last chance to see your questions answered by the wonderful Arzulla. The great Arzulla and La Wayne, hypnotists, will appear on the stage tonight and give some of the most wonderful acts of hypnotism yet presented.

A great double bill as usual. General admission, 10 cents; reserved seats, 20 cents; box seats at 3 p. m. at Orpheum box office.

Jack Johnson Will Retire.

Paris, Dec. 5.—In a published interview, Jack Johnson, the colored heavyweight pugilist, reiterated his resolution to retire from the ring. Even if he finds himself working for 10 a week for bread.

ALBUQUERQUE FIRM CHANGES NAME

Ferguson & Collister Are Succeeded By Kistler, Collister & Company.

Some time ago Mr. Ferguson notified the members of the firm of his desire to dispose of his interest, because of the necessity of change of his residence, and also on account of having to undergo a serious operation in the near future. Yesterday an opportunity presented itself and the deal was consummated.

It is with extreme regret that the firm loses the services of Mr. Ferguson. He is a thorough drydock man and has friends innumerable in Albuquerque and throughout the state.

The firm of Ferguson & Collister was organized in July, two years ago, and opened up to the public on August the 29th of the same year, through the efforts of Mr. Ferguson and his colleague, Mr. Collister, the business was a success from the start and has grown by leaps and bounds since that time.

Elsewhere in the paper Mr. Ferguson has a card where he solicits from his friends the same liberal patronage for the new firm that was extended to the old.

ITALIANS HAVE FULL POSSESSION OF TRIPOLI

Washington, Dec. 5.—Tripoli now a virtually in the undisputed possession of Italy, according to a dispatch received at the Italian embassy here tonight from the Italian minister of foreign affairs. The dispatch is as follows:

"The Italian troops have now occupied Alzarna. This victory clears the Turks away from the entire oasis, shutting them off from the coast and thus deciding the situation in Tripoli."

The Italians captured eight guns and ammunition and provisions, according to the dispatch. The losses are not mentioned.

Persia May Take Offensive.

London, Dec. 5.—The Morning Post's Tehran correspondent says Persia has presented an ultimatum to Russia demanding that the Russian troops shall not proceed beyond Kabin and that orders for further drafts of troops shall be countermanded. Unless these terms are conceded within 20 hours Persia will take the offensive.

DEMOCRATIC GAINS IN OFFICIAL CANVASS

BERNALILLO AND CHAVES COMPLETED

Count Shows Increase of From Eleven to Twenty-Four Votes For All Candidates On Progressive Ticket Here.

(Special Dispatch to the Morning Journal.) Santa Fe, Dec. 5.—The official canvassing board, at work on the returns of the November election, got down to real business today and the count proceeded rapidly. During the session the board completed its work on Bernalillo and Chaves counties and a good start was made on Colfax. As a result of today's work it is now predicted that the entire count will be completed by the 15th of the present month.

In Bernalillo county the official canvass disclosed several discrepancies, the majority of which were in the precinct of Duran. As a result of the changes in the figures the vote of the democratic candidates on both state and county ticket is increased in every instance. The increase runs all the way from eleven to twenty-four votes.

In Chaves county the Democratic candidates were likewise fortunate, and an average increase of ten over the unofficial figures is disclosed by the official count.

Only three precincts in Colfax county had been disposed of when the board adjourned for the day, and in these the figures ran about the same as those of the unofficial announcement.

In Socorro county, in several of the precincts, the poll books were sealed up in the ballot boxes and sent to the county commissioners. Not being informed as to the law in the premises, the commissioners opened these boxes and forwarded the books to Santa Fe. Probate Clerk E. H. Sweet of Socorro arrived in Santa Fe today to identify the books and canvasses.

In Clayton the board was informed today the supply of blue ballots was exhausted before the polls closed, and some 50 voters were unable to express their will on the question of making the constitution easier of amendment. It is not believed, however, that this matter will be given much attention on account of the overwhelming majority in favor of the blue ballot amendment.

The first day of the actual canvass was a severe disappointment to the republican candidates, who hoped for election by a slender majority, for in every instance where a change was made, the change increased the majority of their democratic opponents. If the ratio as shown by today's canvass is maintained throughout the entire count, it is believed Congressman Curry and Attorney General Clancy will be the only republicans elected on the state ticket.

COMEDIANS MAKE HIT AT CRYSTAL

Bartlett & Collins, comedians of rare merit, were greeted with enthusiastic applause last night at the Crystal theater. Their act is burlesque in a class all by itself. Mr. Bartlett's first entrance before the audience was greeted with a roar of applause, and the antics he goes through afterwards are laughable in the extreme. Miss Collins does "heavy stuff" in burlesque that cannot be equaled. The act is above the ordinary and will please the patrons of the theater. The price of admission to the Crystal still remains the same, 10 cents any seat in the house.

BIG REDUCTION IN CABLE MESSAGE RATES

New York, Dec. 5.—As a result of the movement to secure a reduction in cable rates between America and Europe, announcement was made today that the British cable and postal authorities, in conjunction with the Western Union Telegraph company, had arranged a system of cable letters and deferred press messages costing as low as 5 cents a word. The new form, which becomes effective tomorrow, is based on the principle of deferred service, and is as follows:

1. The day cable, \$1.50 for 20 words.

2. The week-end cable letter, \$1.50 for 30 words.

3. Deferred press, 5 cents a word.

PLAN TO ERADICATE TUBERCULAR GERMS

Chicago, Dec. 5.—Officers will be elected tomorrow and a final discussion of the problem of preventing tuberculosis in cattle, particularly as it relates to the situation in Texas, will be held by the United States Live Stock Sanitary association.

Registration of tubercular cattle and interchange of such records, in connection with elimination of infected stock from the herds and destruction of them if their cases are advanced, will be urged.

FIFTEENTH INFANTRY TO FORT MCKINLEY

Manila, Dec. 5.—The Fifteenth Infantry has been landed and ordered to proceed to Fort William McKinley. It is believed that their stay will be only temporary.

The United States transport *Spokane* leaves here Sunday for the United States with the Seventh and Twentieth infantries. The transfer of local troops to raise the Fifteenth Infantry to war strength has been completed.

SACRIFICES LIFE IN VAIN EFFORT

Steamboat Springs, Colo., Dec. 5.—Patrick Lewis, 50 years old, night watchman at the Moffat coal mine company's plant at Philipburg, near here, was burned to death this morning through his efforts to save several hundred dollars of his earnings from being destroyed in a fire in a saloon. When the fire was near its height, he rushed into the building and was overcome. His family reside in Denver.

OFFICIAL PIRACY PERMITTED BY SECRET FUND

Representative Hamlin of Missouri Severely Criticizes President and Secretary of State.

(By Morning Journal Special Lensed Wire.) Washington, Dec. 5.—Criticism of the president and secretary of state for their interpretation of the statute governing the secret fund for the state department, was made by Representative Hamlin of Missouri in a speech in the house today. Mr. Hamlin is chairman of the committee on state department expenditures which has been making an investigation of this matter.

In six years Mr. Hamlin said the department officials had expended secretly \$122,881, averaging \$122,000 a year, when the secret fund appropriated for such a purpose was only \$50,000 a year. He called upon the house to amend the statute to prevent the fund becoming "the very haven of official piracy."

As a remedy Mr. Hamlin urged the passage of his bill to create a joint committee of senators and representatives to which the president shall make an itemized report of expenditures of the money given him for "emergencies arising in the diplomatic and consular service." The bill makes misuse of the fund an impeachable offense. The committee, it provides, shall hold in confidence all necessarily secret matters.

"I have found out enough about this secret fund," Mr. Hamlin said, "to make me anxious to know how many thousands of dollars have been expended each year on portraits, pleasure trips, dollar diplomacy, increased salaries and other things that Congress never contemplated should be paid from the secret fund."

"Last year we spent nearly \$200,000 when there were no war clouds on the horizon. We are told the money went for secret purposes, but where it went only God and the little crowd at the white house and the state department know."

"The president arrogates to himself greater authority over expenditures than is possessed by either house or senate. Every questionable or suspicious transaction investigated by our committee has led directly into the mystery of this so-called secret fund," concluded Mr. Hamlin.

PREPARATIONS FOR INAUGURATION UNDER WAY

Executive Committee in Session at Santa Fe Decides On Program For Installation of Governor McDonald.

(Special Dispatch to the Morning Journal.) Santa Fe, Dec. 5.—The executive committee and officers of the sub-committees in charge of the arrangements for the inauguration of Governor McDonald held a meeting at the office of the Daily New Mexican here this afternoon.

The principal work of the meeting was the adoption of the program for the ceremonies of January 1. According to the arrangements as outlined, Governor-elect McDonald is to be escorted to the capital in state where he will be greeted by retiring Governor Mills. Governor Mills will deliver his farewell address in the hall of the house of representatives at 11:30 a. m. The oath of office will be administered by Governor McDonald to Chief Justice William H. Pope at noon, following which the new governor will deliver his inaugural address. There will be no other speakers. Archbishop Plaval has been invited to deliver the invocation.

In the evening there will be a public reception at the old palace of the governors to be followed by the inaugural ball, which will be probably the most brilliant social event in the history of New Mexico. It has not been decided definitely whether the ball will be held in the Palace hotel or in the armory, but it is believed that the armory will be selected. It is proposed to have a covered way between the armory and the old palace. Both buildings will be beautifully decorated, myriads of electric lights being used in the plan as outlined by the committee.

At its meeting this afternoon the executive committee apportioned the funds among the different subcommittees having charge of the details of the affair. The meeting was presided over by Mayor Arthur Seligman and was attended by Secretary Paul A. F. Walter and nearly every member of the committee. The enthusiasm manifested at the meeting augurs well for the success of the affair and that the regularity is shared by the citizens in general is attested by the generous responses to the committee's appeal for the necessary funds to carry off the affair.

The committee has already entered into negotiations with the different railroads of New Mexico for a reduced rate for the inauguration. It is now almost certain that a rate of one and one-fifth fare for the round trip can be secured, and it is even possible that a lower rate will be secured if the committee is assured of the attendance of 1,000 or more out-of-town visitors.

SEES TO ABOLISH COMMERCIAL COURT

Senator Poindexter Introduces Bill to Dissolve Body Which He Says Destroys Interstate Commission.

(By Morning Journal Special Lensed Wire.) Washington, Dec. 5.—In introducing a bill for the abolition of the court of commerce, Senator Poindexter today sharply criticized the decision of that court in the Spokane rate case. He said the effect of the court's decision was to destroy the long and short-haul clause of the interstate commerce law, as well as the power of the interstate commerce commission to perform its function.

Mr. Poindexter said "that in every important case where the petition was filed by a railroad company the commerce commission has obtained the order of the interstate commerce commission."

"It has destroyed the effectiveness of this commission," he said. "The commission by its good work for years has won the confidence of the people. The Spokane rate was considered for years by the commission, and yet the raw commerce court on a brief hearing enjoined this carefully considered and thoroughly tested order."

"The court is entirely superfluous, has grossly exceeded its authority and will be constantly prone to arrogate to itself functions which do not belong to it, which are not judicial and which can never be properly exercised by a judicial tribunal. It should be abolished at once."

LAS VEGAS SCENE OF ANOTHER KIDNAPING

Husband Who Had Wife Arrested For Abducting Little Daughter, Drops Charges On Regaining Child.

(Special Correspondence to Morning Journal.) Las Vegas, N. M., Dec. 5.—R. S. Davidson, who preferred charges for kidnaping against his wife, Mrs. Davidson, who was taken into custody yesterday afternoon on train No. 1, at the direction of Sheriff Jack Spahn of Oklahoma City, arrived this morning from Oklahoma City to make explanations. The charges, so he claims, were a mistake. Though no divorce proceedings have been begun the couple have not been living together for the past eighteen months, and the child has been in the custody of Mrs. Davidson.

The woman, accompanied by her two daughters, one Janet, the "kidnaped" child, and the other, a full grown young lady, left Oklahoma for the coast a few days ago. Mr. Davidson objected to having Janet, who is only 4 years old, accompany her mother, and when the three left the city, he filed charges of kidnaping against his wife.

The woman was intercepted at Las Vegas by Chief of Police Ben Coles and placed under arrest. The sheriff and Mrs. Davidson arrived this morning. With Attorney Herbert W. Clark representing Mrs. Davidson and S. B. Davis, Jr., looking after the interests of Mr. Davidson a settlement was arrived at and Janet accompanied her father to Oklahoma. Mrs. Davidson and her elder daughter, left this afternoon for the coast, while Mr. Davidson and Janet took a train in the opposite direction.

Big River Steamer Sinks.

Thebes, Ill., Dec. 5.—The large steamer City of Savannah sunk in the Mississippi river at Elkins Landing, ten miles below here at 5 o'clock this afternoon. No lives are believed to have been lost. The boat carried a large cargo.

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ALBUQUERQUE TAXI LINE

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ALBUQUERQUE BUILDERS SIT DOWN TO BANQUET

Some 40 members of the Albuquerque Builders' Exchange sat down last night to a "get together" dinner in the new banquet hall of the Fashion cafe, which was specially decorated for the occasion. Mike Nash presided as chairman and toastmaster. Messrs. Cox and Anson were the committee on arrangements for this initial meeting of the exchange. The object of the dinner was to enable the members to get in touch with one another and to discuss matters relative to the building and allied trades. Several architects were present, and the guests were addressed by Attorney R. W. E. Bryan. An enjoyable evening was spent by all and an excellent menu was done full justice.

ENGINEER CHRYSTAL LEAVES HOSPITAL

After having been in the Santa Fe Coast Lines hospital in this city under the care of Dr. J. W. Colbert, surgeon in charge, James W. Chrystal, of Winslow, one of the oldest and best known engineers on the Coast Lines, left last evening for home, accompanied by Mrs. Chrystal, who made being in constant attendance on him.

Engineer Chrystal, it will be remembered, was seriously injured on October 4, when the engine of his train crashed into the rear-end of a freight train near Navajo, Ariz.

"Uncle Jim" Chrystal, as he is known by the railroad boys, is especially grateful for the kindness shown him by his friends during the many weeks he spent in the hospital, and this appreciation is shared by Mrs. Chrystal.

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Anyone acquainted with pharmaceuticals, knows that the name of Squibb means "Guaranteed Pure." You can buy Squibb's Olive Oil from us, 50c and \$1.00.

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A Safe, Certain Remedy for Menstrual Disorders. NEVER KNOW TO FAIL. Sold in Albuquerque by the J. H. O'Reilly Co.

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There is Only One

"Bromo Quinine"

That is

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USED THE WORLD OVER TO CURE A COLIC IN ONE DAY.

Always remember the full name. Look for this signature on every box. 25c.

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SHERIFF STEPHENS TELLS OF BATTLE WITH BANDITS

Luna County Sheriff Who Killed John Greer, Notorious Outlaw, Had Miraculous Escape From Death.

A short, heavy set man, with a modest bearing, wearing a wide gray felt hat was seen walking across the station last night waiting for the El Paso northbound train to be made up. When approached and asked a few questions, it was discovered that he was none other than Sheriff Dwight H. Stephens of Luna county, who, after an exciting ten-day chase, brought to bay probably the most notorious bandit who has infested the southwest since the days of "Black Jack" John Greer.

Sheriff Stephens was returning to his home at Deming in company with Mounted Policeman John Beak after having taken a batch of prisoners to the penitentiary at Santa Fe. When asked about the fight with the bandits on the V. Cross T. ranch on the afternoon of November 17, he appeared very diffident and anxious to avoid any personal reference to himself or his part in the affair other than that he had tried to do his duty.

That he himself came out of the fight alive is a wonder, for, at one time during its progress, he was the target of not only the bandits, but of his own deputies, and he was forced to lay still behind an ant hill, while the red-fanged little insects crawled over him and bit him at their heart's content. When he was satisfied his comrades had emptied their guns, he arose and waved his hat at them, apprising

them of why he was.

Sheriff Stephens story is one of intense interest.

"I was sitting in the jail at Deming," he said, "on the night of the state election, when a masked man walked into the office from the jail yard and commanded me to throw up my hands. This I did without asking any questions. While I was trying to reach the ceiling with my hands, two of my deputies came in, and they were immediately covered by the man, and a confederate who came up on the outside. They took the keys to the jail, released a prisoner by the name of John Greer, alias Gates, and rode away to the mountains.

"As soon as I could, I got together a posse composed of Tom Hall, Al Smithers, Ed Simpson and myself and started after them. After a ten days' search, we came upon the outlaws at the V. Cross T. ranch, about 35 miles northwest of Lordsburg in the Black range. It is that time we had been forced to change mounts five times, and for two days we went without eating.

"The men we were after, were discovered in an adobe house, sitting. As soon as they found out we were near they came out of the house, mounted their horses and rode off. I was about 250 yards away, but Hall and Smithers were nearer the men than I.

"Tom Hall was one of the squarest men in the world and I think he must have yelled to them and asked them to throw up their hands, for the next thing I heard was a fusillade of shots and Hall fell. Then I began scattering lead in that direction and the deputies stood off. Soon I saw one of the outlaws fall and start creeping off up the canyon in the weeds, while yet another made toward the corral. This fellow started shooting at me, and I suspect the fellows must have thought I was the outlaw and he, me, for he was dressed almost exactly as I was. I naturally flopped to the ground at that behind an ant hill. The little varmints crawled all over me while I was waiting for the fellows to empty their guns. In the meantime I was also trying to keep my eye on the Mr. Man crawling up the canyon. Sometimes I would take a shot at him. Every time I lifted up, however, I would

hear a bullet sing over me too close for comfort.

"Smithers was shot soon after this. He must have been shooting the last load in his gun when he was killed as his arms were extended and he was hit in the wrist and through the chin.

"As soon as the fellows found out it was me back of the ant heap, they quit shooting in my direction and gave me a little chance to get into the fight. I took another shot at Gates and he fell. The others made away to the hills. We gathered up two dead deputies, and the body of the outlaw, on which was found the keys to the Deming jail, and started back to Lordsburg. It took us a day with three changes of mounts to get there.

"Greer was a man whose end but few people regret. He was one of the fiercest men I ever saw, and one of the best shots. He has since been proved the man, who, single-handed, held up the Southern Pacific passenger train last winter, right in the El Paso yards and not one hundred feet from the Stanton street station. He is also thought to be the man who shot and killed Pop Graham on Arizona street in that city shortly afterwards.

"I understand he served some time with the Madero forces in the insurrection in Mexico and was wounded in the battle of Casas Grandes."

At this time, the conductor called all aboard and further information about the fight or the plans of the officers was precluded.

PROBATE COURT CLEANS UP ITS DOCKET

Judge Filomeno Mora Disposes of Numerous Official Matters Affecting Estates of Deceased Persons.

In the probate court, yesterday, Judge Filomeno Mora, presiding, the last will and testament of the late Matthew Ridley, was admitted to probate. In compliance with the will, Mrs. May Elizabeth Ridley, was appointed executrix to serve without bond.

The provisions of the will are exceedingly generous, conferring the same recognition upon Elizabeth Ridley Rindlinger, his daughter by a former wife, who has pending in the district court a suit for a division of the estate, as it does upon Miss Fawn Ridley, his daughter by his second and surviving wife. The other portion of the estate goes to Miss May E. Ridley. The witnesses to the will were Dr. Burton, Otto Duckmann and Miss Bell.

The court instructed the clerk to post the usual order and notice in the English and Spanish. The executrix of the estate of the late Fred C. Nash, was discharged. The bond of Mrs. Della Georgia for \$12,500, as guardian of Mrs. Maria J. Sayres, an insane person, was filed and approved.

The hearing of the final report of Juan Martinez, administrator of the estate of Annie Martinez, was postponed until the first Monday in February.

Coming to the fact that Lily M. Mitchell, administratrix of the estate of James P. Mitchell, has moved out of the jurisdiction of the court, she was removed as administratrix and A. Bowers was appointed administrator. He posts non. His bond was fixed at \$500.

The claim of the Water Supply company against the estate of the late Thomas S. Hubbell in the sum of \$225 with interest, was allowed.

Following this the court adjourned.

TAFT FEARLESS IN DEMANDING REGULATION OF TRUSTS

(Continued From Page 1.)

and in the second, declares guilty of a misdemeanor every person who shall monopolize or attempt to monopolize or combine or conspire with any other person to monopolize any part of the trade or commerce of the several states or with foreign nations.

In two early cases, where the statute was invoked to enjoin a transportation rate agreement between interstate railroad companies, it was held that it was no defense to show that the agreement was as rates complained of was reasonable at common law, because it was said that the statute was directed against all contracts and combinations in restraint of trade whether reasonable at common law or not. It was plain from the record, however, that the contracts complained of in these cases would not have been deemed reasonable at common law. In subsequent cases the court said that the statute should be given a reasonable construction and refused to include within its inhibition certain contractual restraints of trade which it designated as incidental or as indirect.

These cases of restraint of trade

that the court excepted from the operation of the statute were instances which, at common law, would have been called reasonable. In the Standard Oil and Tobacco cases, therefore, the court merely adopted the tests of the common law, and in defining exceptions to the literal application of the statute, only substituted for the test of being incidental or indirect, that of being reasonable, and this without varying in the slightest the actual scope and effect of the statute. In other words, all the cases under the statute which have now been decided would have been decided the same way if the court had originally accepted in its construction the rule at common law.

It has been said that the court, by introducing into the construction of the statute common law distinctions, has emasculated it. This is obviously untrue. By its judgment every contract and combination in restraint of interstate trade made with the purpose of necessary effect of controlling prices by stifling competition, or of establishing in whole or in part a monopoly of such trade, is condemned by the statute. The most extreme critics can not instance a case that ought to be condemned under the statute which is not brought within its terms as thus construed.

The suggestion is also made that the supreme court by its decision in the last two cases has committed to the court the undefined and unlimited discretion to determine whether a case of restraint of trade is within the terms of the statute. This is wholly untrue. A reasonable restraint of trade at common law is well understood and is clearly defined. It does not rest in the discretion of the court. It must be limited to accomplish the purpose of a lawful main contract to which, in order that it shall be enforceable at all, it must be incidental. If it exceed the needs of that contract, it is void.

The test of reasonableness was never applied by the court at common law to contracts or combinations or conspiracies in restraint of trade whose purpose was in whose necessary effect would be to stifle competition, to control prices, or to establish monopolies. The courts never assume power to say that such contracts or combinations or conspiracies might be lawful if the parties in them are only moderate in the use of the power thus secured and did not exact from the public too great and exorbitant prices. It is true that many theorists and others engaged in business violating the statute have hoped that some such line could be drawn by courts, but no court of authority has ever attempted it. Certainly there is nothing in the decisions of the latest two cases from which such a dangerous theory could be derived. The court is enforcing this measure can derive the slightest sanction.

Force and Effectiveness of Statute a Matter of Growth.

We have been twenty-one years making the statute effective for the purposes for which it was enacted. The Knight case was discouraging and seemed to limit to the states the whole available power to attack and suppress the use of the trusts. Evidently, however, the error of that judgment was corrected, and only in the last three or four years has the heavy hand of the law been laid upon the great illegal combinations that have existed since an absolute dominion over many of our industries. Criminal prosecutions have been brought and a number are pending, but juries have felt averse to convicting for jail sentences, and judges have been most reluctant to impose such sentences on men of respectable standing in society whose offense has been regarded as merely statutory, and as the offense of a business man understood and the committing of it partakes more of studied and deliberate defiance of the law, we can be confident that juries will convict in the future and that jail sentences will be imposed.

The Remedy in Equity By Dissolution.

In the Standard Oil case the supreme and circuit courts found the combination to be a monopoly of the interstate business of refining, transporting, and marketing petroleum and its products, effected and maintained through thirty-seven different corporations, the stock of which was held by a New Jersey company. It in effect commanded the dissolution of this combination, directed the transfer and pro rata distribution by the New Jersey company of the stock held by it in the thirty-seven corporations to its stockholders, and the corporations and individual defendants were enjoined from conspiring or combining to restore such monopolies, and all agreements between them, existing or hereafter made, tending to produce or bring about further violations of the act were enjoined.

In the tobacco case, the court held that the individual defendants, twenty-nine in number, had been engaged in a successful effort to acquire complete dominion over the manufacture, sale and distribution of tobacco in this country and abroad, and that this had been done by combinations made with a purpose and effect to stifle competition, control prices, and establish a monopoly, not only in the manufacture of tobacco, but also of the sale and distribution in its manufacture and of its products of cigars, cigarettes and snuffs. The tobacco suit presented a far more complicated and difficult case than the Standard Oil suit for a decree which would effectuate the will of the court and end the violation of the statute. There was here no single holding company as in the case of the Standard Oil trust. The main company was the American Tobacco company, a manufacturing, selling, and holding company. The plan adopted to destroy the combination and restore competition involved the redrawing of the capital and placing of the whole trust between some of the companies constituting the trust and new companies organized for the purpose of the decree and made parties to it, and numbering, new and old, fourteen.

Situation After Readjustment.

The American Tobacco company, with readjusted capital, \$22,900,000; the Liggett & Myers Tobacco company (new), capital \$17,500,000; the P. Lorillard company (new), capital \$17,500,000; and the R. J. Reynolds Tobacco company (old), capital \$7,500,000, are chiefly engaged in the manufacture and sale of cigars and smoking tobacco and cigars. The former one tin-rod company is divided into two, one of \$25,000,000 capital and the other of \$10,000,000. The one snuff company is divided into three individual companies, one with a capital of \$15,000,000, another with a capital of \$15,000,000,



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We go to Bohemia for hops. Our barley is selected by a partner in our business.

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Schlitz beer is sent to you in Brown Bottles, protecting its purity from the brewery to your glass. Light starts decay even in pure beer. Dark glass gives protection against light.

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600, and a third with a capital of \$5,000,000. The license companies are two, one with a capital of \$2,750,000 and another with a capital of \$2,000,000. There is also the British-American Tobacco company, a British corporation, doing business abroad with a capital of \$2,000,000, the Porto Rican Tobacco company, with a capital of \$1,000,000, and the corporation of United Fruit Stores, with a capital of \$9,000,000.

Under this arrangement, each of the different kinds of tobacco will be distributed between two or more companies with a division of the prominent brands in the same tobacco products, as to make competition not only possible, but necessary. Thus the smoking tobacco business of the country is divided so that the present independent companies have 23.33 per cent, while the American Tobacco company will have 12.5 per cent, the Liggett & Myers 10.65 per cent, the Lorillard company 22.52 per cent, and the Reynolds company 2.56 per cent. The stock of the other 12 companies, both preferred and common, has been taken from the defendant American Tobacco company and has been distributed among its stockholders. All covenants restricting competition have been declared null and further performance of them has been enjoined. The preferred stock of the different companies has now been given voting power which was denied it under old organization. The ratio of the preferred stock to the common was as 75 to 25. This constitutes a very decided change in the character of the ownership and control of each company.

In the original suit there were twenty-nine defendants who were charged with being conspirators through whom the illegal combination acquired and exercised its unlawful dominion. Under the decree these defendants will hold amounts of stock in the various distributee companies ranging from 41 per cent as a maximum to 25.12 per cent as a minimum, except in the case of one small company, the Porto Rican Tobacco company, in which they will hold 45 per cent. The preferred stock of the defendants are enjoined for three years from buying any stock except

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ELKS' THEATER, Dec. 7th

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The Biggest Song Hit in Years

DANIEL V. ARTHUR Presents

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In the Exquisitely Beautiful Parisian Comic Opera "THE PARADISE OF MANOMET"

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"More beautiful than 'The Merry Widow.'"

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Nothing finer will be here all season.

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Special Bargain for Today Only

JAPANESE ALL-SILK HANDKERCHIEFS—15 inches square, narrow hemstitched border; delicate flower patterns in corals, mauve, brown and blue effects; always sold for 50c to 75c each— for one day only, December 6th

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To have pure and wholesome food, be sure that your baking powder is made from cream of tartar and not from alum.

The Label will guide you

Royal is the only baking powder made from Royal Grape Cream of Tartar

No Alum No Lime Phosphates

JIM M'NAMARA CONDEMNED TO LIFE IN PRISON

(Continued From Page One.)

Journal until Thursday, was withdrawn.

Today's conference is said to have chiefly been concerned with the confession of Orrie E. McNamara, whose case has not yet been disposed of by the state. McNamara's story will be used to lay the preliminary foundation for the federal inquiry here.

Mr. Lawlor, who will be in charge of the inquiry, declared that he had not yet decided upon the course the investigation would take, and in today's conference he was simply talking over plans.

"I do not know yet when the McNamaras will be subpoenaed," he said. "It is a subject we have not fully discussed among ourselves."

One of the attorneys for the defense declared "it would do no good to subpoena the McNamaras, as they would not tell anything anyway," but District Attorney Fredericks intimated otherwise.

In jail tonight the McNamaras read afternoon newspaper accounts of their sentences, and John J. McNamara, speaking for both, said:

"We are satisfied. We are resigned to our fate. We are ready to start our sentences at once. We are ready to start for San Quentin on 15 minutes' notice. We wish to express our appreciation of Sheriff Hammill's treatment of us here, and likewise all the jailers, and we will get as humane treatment in the state prison."

Sheriff Hammill received word tonight from United States Prosecutor Lawlor to postpone preparations for removing the McNamaras to San Quentin.

Judge Bordwell denounces stiffeners. Judge Walter Bordwell issued a formal statement late today giving his views as to the trial, and especially what brought about its termination. The statement in part follows:

"In a spirit of indifference to everything in the McNamara case save the facts and the law applicable thereto, I deem it due to the court and to this community that I should make a brief public statement regarding the circumstances connected with its termination. I am, however, with sufficient comment to indicate my views as to such circumstances. This is done in the hope of correcting, if possible, some of the misconceptions due to erroneous publications, and particularly to an article which appeared in a local newspaper on the 22d inst., over the signature of Lincoln Steffens."

"In the first place the claim or suggestion that the termination of the cases was due to the efforts of himself and other outsiders who undertook to influence the officers of the court—either the judges—is without justification in fact."

"I wish also to denounce the claim of that gentleman and of other persons for him that the change of the pleas in these cases from 'not guilty' to 'guilty' was due to his efforts as grounds and excuses. He is correct in the statement that the court was not a party to any negotiations for what he terms a 'compromise' of these cases; but there is no ground for any claim that he induced the prosecution to come to an agreement in this matter. The district attorney acted entirely without regard to Mr. Steffens, and on lines decided upon before the latter appeared upon the scene."

Discovery of Bribery Ended Cases. "As to the defense, the public can rely upon that developments of last week as to bribery and attempt at bribery of jurors in the James B. McNamara case, were the direct cause of the change of pleas which suddenly brought these cases to an end. The district attorney could have had James B. McNamara's plea of guilty long ago if he had been willing to discontinue the case against his brother, but he refused, insisting that the latter was guilty and should suffer punishment. The first proposition from those interested in the defense was that James B. McNamara should change his plea from not guilty to guilty on condition that he should not be sentenced to death, and that his brother should go free. The district attorney would not agree. Afterward emissaries from the defense brought to the district attorney the proposition that James B. McNamara would plead guilty and be sentenced to death if the court so ordered, provided his brother should be saved. But the district attorney still would not agree. Those interested in the defense continued to urge his acceptance of the last proposition for ten days or more, and until the bribery developments revealed the desperation of the defense and paralyzed the effort to save John J. McNamara by sacrificing his brother. Then it was that the change of the pleas of these men was forthcoming."

Brothers in No Sense Heroes. "The motion broached in the Steffens article that the McNamaras are

the commission of crimes as confessed by them are 'two heroes' is offensive to common intelligence and repellant to the conscience of all just men. To say nothing of the abhorrence of the law for such sentiment, and I am confident that the district attorney was not influenced by any such sentiment in considering the proposal that the defendants should withdraw their pleas of not guilty."

"Upon the entries of the pleas of guilty both defendants placed themselves upon the mercy of the court, and the responsibility—sole and undivided—developed upon the court to determine the punishment."

"The lesson taught by these cases is that the law must be rigorously enforced against all offenders—whether they be rich or poor, high or low, capitalists or laborers—and that only by obedience to the law can society be maintained and its blessings enjoyed."

James B. McNamara's Confession. James B. McNamara's brief confession, penned by his own hand and bearing many evidences of a man little skilled in letters, read just before sentence was passed on him, reads as follows:

"I, James B. McNamara, defendant in the case of the People, having heretofore pleaded guilty to the crime of murder, desire to make this statement of facts:

"And this is the truth. On the night of September 1, 1910, at 5:45 o'clock, I placed in Ink Alley, a portion of the Times building, a suit case containing sixteen sticks of 80 cent dynamite, set to explode at 1 o'clock the next morning. It was my intention to injure the building and secure the owner, I did not intend to take the life of any one. I sincerely regret that these unfortunate men lost their lives. If the giving of my life would bring them back I would gladly give it. In fact, in pleading guilty to murder in the first degree I have placed my life in the hands of the state."

(Signed) "JAMES B. McNAMARA."

MEN WOULD HAVE BEEN CONVICTED AND HUNG

"Nothing but the gallows at the end," was the outcome predicted today by Attorney Clarence S. Darrow, as chief of counsel for the defense, if the trial had run to a jury verdict and to subsequent appeals.

For the first time Mr. Darrow cited specific instances of evidence which he said it would be impossible to refute. "Even to have put James B. McNamara on the stand in his own behalf would have been hopeless," he declared.

"Judge Bordwell's statement says it was proposed by the defense that James B. McNamara should plead guilty and even take the death sentence if his brother could be free," Darrow was told.

"Well," replied Darrow, "I've denied that charge so often that I'm not going to do it over again now."

Mr. Darrow's statement is as follows:

"I entered the case with the greatest reluctance and only after the most earnest persuasion. I did it unselfishly. I have for many years given my time and best ability and my life to the cause of labor and the poor."

"I have been here six months and have spent many troubled days and sleepless nights trying to run down every clue, and make every possible investigation and trying to do the best I could for my clients and the cause that I served. I had able associates, who gave me their best efforts and best service through it all."

"From the first there was never the slightest chance to win. To those who say it would have been better to have gone to trial and suffer complete defeat, I would call attention to the fact that there were 50 or 60 hotel registers—three in Los Angeles, many in San Francisco, and others in different parts of the country. There were scores of witnesses to identify James B. McNamara as being present practically on the very day, and one, at least, in the building. There was overwhelming evidence of all kinds, which no one could have surmounted if they would."

"If the state had put on its case, we could not even have put the defendant on the stand to deny the facts. We could not prove an alibi. We could not prove that he was not here. The failure to do so would have been as much an admission as it was today. We are confronted with the situation of dragging our case, perhaps for years, with nothing but the gallows at the end and no chance to raise any doubt in a thinking mind, and in the meantime collecting money from the thousands of persons who could not know the facts. To go on under such circumstances would have been madness, and only postponed an

evil until it would have been a still greater evil and the consequences greater than they are now."

"All of this was thoroughly understood by my associates, and no one hesitated about accepting it. We acted as we thought right and best, and will take the consequences of the act. I can conceive of no way in which we could justify ourselves and not save the lives of our clients. Our first duty as lawyers and men was as to the lives in our charge, and our duty to the cause called for the same action."

"From the beginning I have been watching and working to this end. We have accomplished it. I am reconciled to the result. For myself, personally, I have spent many years in this cause. If I had not believed in it I would have abandoned it when I was young and ambitious. In some form I shall continue in it to the end. I have fought this and all my battles without hatred or malice to anyone, recognizing that in this great drama and all that is connected with the case, all men of both sides are helpless as to themselves and acting a part that is forced upon them by a bitter conflict which only right feeling between capital and labor can ever end."

"If people misjudge my motive, I can say for myself that I have acted unselfishly and from devotion alone, and I have always been ready and fairly able to take upon myself all the responsibility for my actions, and I shall continue to do it so long as I have the strength."

"I do not beg anybody's friendship or sympathy in this matter. I have the consciousness that I have done everything that I could do and have acted in the way that is best for all in this world-wide conflict."

"If anything more is asked from me by either side, they will find me ready when the time comes."

Attorney Joseph Scott, of counsel for the defense, issued a statement declaring he had participated in the case because of a desire to give the McNamaras a fair and impartial trial.

"I endorse the effort now being made to bring labor and capital together in this city and will be glad to give any feeble efforts at my disposal to accomplish this result," he said.

"As to anything back of the motives actuating the sudden climax to the case, I don't think it is necessary for me to say to my friends, or even to those who may not know me, that I personally should welcome the most rigid investigation."

SALT LAKE UNIONIST SHADOWED BY DETECTIVES

Salt Lake City, Dec. 5.—When told of the sentences imposed on James B. and John J. McNamara, J. E. Munsey, business agent of the local bridge and structural iron workers' union, declared he knew he was being shadowed by detectives and fully expected to be arrested in connection with the alleged dynamiting conspiracy.

Munsey announced he would not attempt to evade arrest. He has been alleged to have been in the city since the first of the McNamara case. He also has been asserted that the dynamiting of the Hotel Utah here while in course of construction two years ago has been the subject of investigation by federal officials. No one was injured and little damage done by the explosion at the hotel.

PENALTY IMPOSED WAS ADEQUATE, SAYS GOMPERTS

New York, Dec. 5.—"I am glad a death sentence was not imposed. I am opposed to capital punishment under any circumstances. I think the sentences received by both men were appropriate to the crime."

This was the comment of Samuel Gompers tonight when asked if he was satisfied with the punishment meted out to the McNamara brothers in Los Angeles today. Mr. Gompers and Frank Morrison, secretary of the American Federation of Labor, expected to return to Washington tonight after a conference with Alton B. Parker, their counsel in the Bucks Store and Range case, to which both men will have to answer to the court several days hence.

"I would like to make one statement," Mr. Gompers continued, "and that is in concerning the strictures made by District Attorney Miller of Indianapolis as to the wisdom of my leadership of the American Federation of Labor. I want to say that if Miller has a case to prosecute against me, or anybody else, let him go ahead and prosecute; but it is not for him to say whether my leadership is wise or not. I consider his criticism gratuitous and unwarranted impertinence. Miller has no right to set himself up as a guide. I propose to stand true to the men of labor."

Mr. Gompers was asked if it were true that he and other labor leaders were advising "an era of pacification" in the matter of calling strikes in the future until the country had forgotten the McNamaras.

"All I can say to that," he replied, "is that when employers treat labor as fairly as organized labor treats the employers, then there will be peace. The executive committee of the American Federation of Labor is the greatest conspiracy I have ever known, and it has existed anywhere. It desires peace and is always ready to meet employers half way."

"Mr. Gompers, did the Bridge and Structural Iron Workers' union receive any money from any other organization during the time the McNamara brothers were active in their dynamiting plots?" was asked.

"I am not sure, but I am under the impression that they did not receive one dollar from any outside organization," was the reply.

Frank Morrison tonight added to the funds raised by the American Federation of Labor for the McNamaras' defense, by saying that in due time a pamphlet would be published containing an itemized account showing where every dollar of the money went. He stated earlier in the day that Darrow had received a fee of not less than \$50,000 for his services in defending the McNamaras.

UNIONS MUST REFUSE RADICALS LIKE GOMPERTS

Cleveland, Dec. 5.—"Organized labor, the decent, orderly element, will profit by the outcome of the McNamara case," Detective Burns said here today. "And just as soon as they rid themselves of such radicals as Samuel Gompers their progress will be all the more rapid and satisfactory."

"I think the public should be well satisfied with the sentences passed by Judge Bordwell at Los Angeles today, because if Judge Bordwell, an eminently fair and able jurist, considered a life sentence for James B. McNamara and 15 years for John J. adequate punishment, his judgment has

all the weight that could be given it by his long study of the case."

"I can say that I am satisfied with Judge Bordwell's disposition of the matter, though I frankly say I think the McNamaras may consider themselves fortunate in escaping a greater penalty."

Mr. Burns would not say what were the results of his visit to Cleveland, nor would he outline his future movements, except to say that after spending Wednesday in Philadelphia he would go to New York, working on the dynamite cases in both cities.

He was asked if his work here would result in more arrests or more indictments, but he declined to say anything in that connection.

He said he had no reason to expect that further confessions of the McNamaras would result in indictments of others not now concerned in the dynamiting cases.

TO PUMP WATER FROM WELLS AND RECLAIM DESERT

"The Suburban Gardens," Near Roswell, to Be Made Beautiful Tract; Comprise 3,000 Acres of Land.

(Special Correspondence to Morning Journal) Roswell, N. M., Dec. 4.—The first well on a 3,000-acre tract to be known as "The Suburban Gardens," is nearing completion and the tract, now apparently a desert lying five miles south of Roswell and two miles east of South Spring station, will, upon the completion of this well, be thrown on the market by the Pecos Valley Irrigation Co., of which F. R. Schwenker is president and M. R. Summers is secretary. It is a rich soil and over it will be placed an eight-inch, forty-horsepower pump that will have a capacity of 2,500 to 2,600 gallons per minute. The company will build good roads through the tract, cement the irrigation ditches to twenty-acre tracts and plant shade and apple trees. They also offer a contract to care for the land for five years. The first well will be completed this week.

First Congress Held in Deming. William E. Holt, editor of the Deming Graphic, left Saturday night as a delegate to the National Irrigation congress that opens in Chicago this week. It is recalled by several of the older residents of Deming that it was at this place the first irrigation congress held its meeting in 1892. At that time such men as Thomas R. Catron, W. S. Hopewell, ex-Governors Prince and Thornton were among the speakers. This meeting was held in Baker's

hall. Several residents have in their possession badges that were distributed at this first meeting. Delegate Holt took one of these with him to Chicago on these badges is engraved a pick and watering pot with the inscription, "First Meeting of the Irrigation Congress, Deming, New Mexico, 1892."

Y. M. C. A. Sanitarium. Frank Leslie, for several years a prominent Y. M. C. A. worker at Decatur, Ill., has made four out of five years of his proof on a claim near Acme, fourteen miles north of Roswell, where he plans to erect a sanitarium for members of this association. On the land is a spring of pure water and other requisites to such an institution. As soon as he completes his proof he will promote a proposition for the sanitarium.

Election Bet Remains Unpaid. The bet of \$2,250 on the election of W. C. McDonald between J. W. Stockard and Phelps White, of Roswell, backers of McDonald, against

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It cures, and you remain cured. We know, and you will if you try it. Conceded the greatest kidney water on earth.

Why not visit Faywood Hot Springs first, and you will eventually go there anyway.

Large modern hotel. Perfect climate. Booklet.

T. C. McDermott, "The Faywood," Faywood, N. M.

High School Debating Contests. The Roswell High School and Clovis High School debating clubs open the inter-town contests of the winter with their first meet at Clovis on December 15, when the clubs will thrash out the question: "Resolved, That the Labor Union and Strikes Have, as a Whole, Been Beneficial to the United States."

Roswell will take the negative side of the question. The speakers will be: Clovis—Bert Eskelman, Harry McRee and Lester Evans; Roswell—Ralph L. Warren, D. E. Gillespie and Lloyd E. Franzen.

Pecos Valley Fruit the Best. Roswell fruit topped the Texas market, according to W. N. Baldwin, manager of the Roswell Fruit Growers' association, who returned today after an absence of two months, during which time he was in Fort Worth, Dallas and other Texas cities selling the immense apple shipments of the association. Mr. Baldwin will call a meeting of the members within a few days and make a report. He states that final settlement will not come until late this month, but that everything will be satisfactory when all returns are in.

Shoppers Operate in Roswell. Seven shoppers have been located in Roswell and detected in the act of stealing goods from the counters while the stores are crowded with the Christmas shoppers. All of the parties so caught have paid up and no arrests have been made.

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hospital. Orosco has lived here for many years. Mallanillas has been working for some time on the new Mahoney building.

Man Under Sentence Breaks Parole. George Keller who pleaded guilty at the recent term of court to the charge of larceny and housebreaking, was re-arrested Saturday near Nutt station by Jailer Hilliard, after an expected chase. Keller had received a sentence of two years at Santa Fe, but was paroled during good behavior.

The day after his release, he again broke the law, also his parole, by burglarizing into the farm home of Gus Wheat, who lives a few miles southeast of Deming. He stole a number of articles, including firearms, field glasses and razors. He was taken here by Judge Browning and voluntarily signed a statement of what he had done. It is quite likely that he will be sent to the penitentiary at Santa Fe to serve the two years' sentence.

Would-Be Burglars Arrested. Harry Smith and E. James, who registered at a local rooming house as hailing from Oklahoma, were arrested late Saturday afternoon. They had been for several days soliciting subscriptions for magazines. When they left the home of H. G. Bush, shortly after noon Sunday, they took the front door keys to the house, among them being the keys to the cash drawer of the lumber company. They were given a hearing today in Judge Browning's court and each were sentenced to ten days in jail, in addition to receiving a fine of \$15 and costs. This they were unable to pay and went to jail.

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ALBUQUERQUE NEW MEXICO

MR. TAFT'S RENOMINATION.

In the matter of a renomination
for the man in the White House, the
history of the republican party is in-
teresting and quotable at this time,
says the Washington Star.

Mr. Lincoln was threatened with
retirement as the end of his first
term approached. Some of the most
prominent members of his party
thought he had failed in office, and
favored a new man for 1864. Luckily
for the whole country—for the south
as for the north—his advice was
ignored, and Mr. Lincoln was re-
nominated and re-elected. And lucky
would it have been for the whole
country if that great life had been
spared. Under so wise and conciliatory
a leader, we should have been
saved from the extreme features of
the reconstruction era, and at a
much earlier day than the one re-
corded, the two sections would have
been firmly knitted together again.

Gen. Grant's second term was not
a success, but what should we have
suffered if Mr. Greeley, supported by
a combination almost comic in its
heterogeneousness, had been elected?
Always an emotional man, and
without experience in executive of-
fice, he would probably have been
pulled hither and yon by the strong
and selfish interests surrounding him.

Gen. Harrison had to fight for his
second nomination, but if he had
missed it the choice would have fallen
on Mr. Blaine, who probably
would not have lived to see election
day. As it was, without having to
meet any of the exactions of the
campaign, he did not live to see Mr.
Cleveland inaugurated. The change
decreed at the polls threw the coun-
try into acute distress, and the four
years between 1893 and 1897 rank as
the most disastrous in our history in
times of peace. Luckily would it have
been for the country if Gen. Harrison's
successful four years had been
lengthened to eight.

Mr. McKinley has no trouble secur-
ing endorsement, either from his
party or the country, and had he lived
would probably have duplicated in his
second term the success he had
achieved in the first. For one thing
in particular, he would have handled
the tariff question in a way to save
the country much of the trouble it
has experienced on that head since his
death. He had full knowledge of
the form revision should take, and
ample influence with congress and
the country to put the proper measure
through. But when he passed the
subject was allowed to drift, and
the longer it drifted the more em-
barrassing it became.

It is for the friends of Mr. Taft
to consider that the opposition to the
renomination of Mr. Lincoln, of Gen.
Grant and of Gen. Harrison was sup-
ported by some of the most eminent
republicans of those days. Each of
those presidents was accused, as Mr.
Taft now is, of having failed. But the
opposition, while strong, did not pre-
vail, and that it did not is now the
subject of congratulation in republic-
an circles of all sorts, regardless of
differences of opinion about current
questions and the existing party lead-
ership.

THE McNAMARA CONFESSION.

Union labor—the principle of or-
ganization for the betterment of the
conditions of work and wages—is
of the great forces of the civilized
world. It is above men and wider
than any union or group of unions.
Its future is not at stake upon events
in any country, much less upon the
vicissitudes of fortune which may be
encountered by one or a dozen unions
in the United States.

What is true of the civilized world
applies also to America. There can
be no greater error than to assume
that anything which can ever hap-
pen in any case in court, or any
strike or lockout, or in any business
entanglement, in one labor union can
involve the success or failure of all
such organizations.

Organized labor has its great work
to do, its place to fill. It must go on.
Its tasks must be grappled with no
matter how often it makes mistakes.
Its service to the millions who work
with their hands and live by physical
toil must be performed.

But men who lead labor organiza-
tions are a different question. They
may prove unfit and dangerous.
They may fall an organized labor
march on. They may have to be
cast out, one group of them or more,

to make room for cleaner, better,
super leaders.

The great mistake which organized
labor has made in the McNamara
case has been to stake too much upon
the men under arrest. It has gone
too far in their defense, too far in
insisting that they must be accepted
by the country, in advance of trial,
as innocent, not in the usual legal
sense but as a certainty not to be
questioned.

Men high in the world of organized
labor have gone to such lengths in
this respect that to them the con-
fession made by the two brothers
under arrest in Los Angeles may
prove a stunning blow. They have
bet their own credit, as it were, on
the failure of the efforts of the state
to convict either James R. McNamara
or his brother, John J. McNamara,
the secretary-treasurer of the struc-
ture ironworkers' union.

Now it will be idle to attempt to
make capital of the so-called "kid-
naping" of the elder brother, at In-
dianapolis. All that the country has
heard about, from the first, has been
essential justice. It has given little
heed to technical points of any
kind. It has waited with intense in-
terest to see whether the McNamara
brothers were guilty or innocent of a great
crime.

In the face of the confessions the
American people will judge labor or-
ganizations by their attitude toward
self-branded murderers and those
who are proven to have aided them
in their work of destruction.

POSTAL GOVERNMENT BY TAPE MEASURE.

The Hughes Postal Commission re-
port relating to second class mail mat-
ter could not be better framed if the
purpose is to throw the newspaper
and periodical publishing business in-
to needless confusion. Rates are
doubled over the present cent a pound
for all such matter, and even the higher
rate is denied to publications de-
voting more than half the space to
advertisements. Only half the read-
ing space can be given to fiction.

Under this arrangement no publish-
er can ever know until he has gone to
press where he stands in relation to
the postal charge. He may be lean
on advertisements one day and gain
the two-cent rate as a special privilege.
There may be a rush of advertising
the next day and the privilege vanishes.

He must surround himself with agents
quick at long measure and figures
and the meaning of fiction under the
law, and the government must sur-
round him with like officials of its
own. An inch under or over 50 per
cent may mean thousands of dollars
won or lost in this apportionment of a
government privilege.

The whole scheme is preposterous—
costly to the government, unjust to
publishers, confusing to all. If the
service must charge more for second-
class mail matter to cover cost, let
the higher charge be made and left open
to all without foot-note distinctions
and privileges.

That American railroads lose and
waste a total of about \$170,000,000
worth of fuel annually is the startling
report of Chief Engineer L. C. Fitch
of the Chicago Great Western. Fitch's
report follows an investigation under-
taken as a result of the statement
some time ago of Louis Brandeis, that
railroads in this country waste about
\$1,000,000 a day in inefficient service.
Waste is one of the great vices of
Americans and it is not surprising per-
haps, that it extends to the operations
of the great corporations. National
unthrift is our great sin. We are the
most prosperous country on the globe,
and the most profligate. Some day we
shall probably be more saving. But
we are taking a long time to make a
beginning.

A writer in one of the magazines
asks: "Is Tripoli worth taking?" and
answers his own question by saying
it is not. He bases his assumption on
the fact that it is not a very produc-
tive country at present and on its
very inconsiderable trade. But he for-
gets that there might be a wholly
different showing made if the occu-
pants of the land were Italians in-
stead of Arabs. It is not at all im-
possible that, once in the possession
of Italy, Tripoli could be made to at-
tain the importance it possessed in
antiquity, when skilled cultivators
rendered it as fruitful as the most
favored parts of the world of those
days.

That the foreign trade of Porto
Rico during the fiscal year 1911
amounted to \$78,700,000, as against
only \$16,600,000 in 1900, shows how
greatly the island has prospered un-
der American rule. Whatever may
be said of the ethics of the Spanish-
American war, there can be no doubt
that it has brought material bene-
fits to Porto Rico, Cuba and the Phil-
ippines, and it is probable that Spain
is better off, too.

The courts have now knocked out
that de luxe edition of Roosevelt's
writings by rendering a decision that
the publisher must return heavy dam-
ages to the subscribers. Those judges
should remember that a return of
Teddy would put them in a hot box.

Casualties on the football field for
this year number twelve dead and
283 wounded. The highwater mark
was reached in 1908 which gave us
fifteen dead and 328 injured, so that
the molly-coddles have not helped
matters much.

Cardinal Gibbons said "President
Taft is the embodiment of peace," but
he did not add "and content."

New York chorus girls out of work
can always do the waiting stunt to
perfection.

"Neil McMullen, of Willow Island,
Neb., a bachelor, while tearing down
his old store building, found \$4,500
in gold and silver that he had hid-
den, and forgotten." Why mention
the fact that he didn't have a wife?

"Aerial somnambly" is one of the
dangers that aviators must face in
high altitudes. Perhaps that is what
ails some of the presidential booms
which were launched early, full of
wind.

The New York World reiterates its
inquiry: "Why is the Tomba full?"
Without a close study of the subject
we would suggest that the Tomba
may have taken in too much.

Gen. Funston's book is being well
advertised. His experience teaches
him the necessity of employing an
able press agent—what made the man
should sell the book.

Sir Edward Grey makes a peace
speech and Dr. von Bethmann-Holl-
weg makes a peace speech, and next
day there is talk in both countries of
increasing the navy.

A woman's political organization
has decided to teach women how to
talk in public. That ought to be easy
considering woman's proficiency on
ordinary occasions.

The attorney general of California
holds that under the common law
women can not act as jurors. But
what is the common law between
suffragettes?

Maeterlinck says that it will be easy
to die in the future. Evidently he has
come to the conclusion that no im-
provement in vaudeville is to be
looked for.

Harper's Weekly had an inspired
hunch, about a month ago, when it
declared that the silence at Oyster
Bay was "becoming almost profane."

At least the Manchus in China are
receiving the benefit of the silent
prayers of certain distinguished mem-
bers of the United States senate.

An X-ray examination of a Michi-
gan man discloses the fact that his
vital organs are on the wrong side.
Railroad train or football?

Begins to look as though the head
of the Chinese uprising is wise in do-
ing his injuring at long range, from
this country and Europe.

Perhaps the reason for Mr. Little-
ton's high estimate of himself is the
fact that he is the representative of
Theodore Roosevelt.

It is too distressing to think of
what may happen to Rudyard Kip-
ling when the women of England get
the right to vote.

Now are the American peace-makers
promoting harmony by insisting
that Germany stands in the way of
universal peace?

Russia forbids Italy to blockade
the Dardanelles, and Japan grins
while waiting to see what Italy will
do about it.

In North Dakota a wife has been
ordered to pay alimony—and that's
what comes of votes for women, some
will say.

"Natural gas has been discovered
in Alabama." But what's the use, so
long as it has Richmond Pearson
Hobson?

The Durbar will give the famine
driven East Indians a chance to spend
a fortune on their emperor.

TEACHER KILLED IN RUNAWAY ACCIDENT

Unfortunate Young Man Drag-
ged to Death When Horse
Takes Fright On Lonely Road
Fifty Miles From Roswell.

(By Morning Journal Special Leased Wire.)
Roswell, N. M., Dec. 5.—Word
reached here today of the tragic
death of Roy Conley, a young school
teacher at Dunlap, a small place 50
miles north of Roswell.

The unfortunate young man, ac-
cording to the report, was driving
home from school when his horse
took fright and ran away, throwing
the driver from the cart and drag-
ging him to death.

The only witness to the tragedy was
Ned Hester, a small boy pupil in Con-
ley's school. The boy says he rode
up behind Conley and his pony
caused the teacher's horse to bolt.
The frightened animal left the road
and dragged the cart across the
rough country. Conley was pitched
head on to the horse; his clothing
caught in the harness and he was
dragged a considerable distance be-
fore the boy could stop the horse, and
the teacher was dead when picked up.
Conley was 24 years old and had
lived at Dunlap for two years. The
body will be shipped to the former
home of the deceased at Paintsville,
Ky. No inquest was held.

FOLEY KIDNEY PILLS.
Tonic in action, pick in results. Will
cure any case of kidney or bladder
disorder not beyond the reach of
medicine. Do not accept any substi-
tute.—J. H. O'Reilly.

TAFT FEARLESS IN DEMANDING REGULATION OF TRUSTS

(Continued from Page 4.)

establishing a monopoly. If we shall
purpose to regulate competition be-
tween the large units into which the
capital and plant have been divided,
we shall have accomplished the use-
ful purpose of the statute.

**Supplementary Legislation Needed, Not
Repeal or Amendment.**
I see no objection—and indeed I
can see decided advantages in the
enactment of a law which shall de-
scribe and denounce methods of com-
petition which are unfair and are
badges of the unlawful purpose de-
nounced in the anti-trust law. The
attempt and purpose to suppress a
competitor by unfair means is a crime
as much as the attempt to drive
him out of business, or the making of
exclusive contracts with customers
under which they are required to give
up association with other manu-
facturers, and numerous kindred meth-
ods of stifling competition and effecting
monopoly, should be described with
sufficient accuracy in a criminal statute
on the one hand to enable the
government to shorten its task by
prosecuting single misdemeanors in-
stead of an entire conspiracy, and
on the other hand, to serve the pur-
pose of pointing out more in detail to
the business community what must be
avoided.

Federal Incorporation Recommended.
In a special message to congress on
January 7, 1910, I ventured to point
out the disturbance to business that
would probably attend the dissolution
of these offending trusts. I said:

"But such investigation and possi-
ble prosecution of corporations
whose property or destruction af-
fects the comfort not only of stock-
holders but of millions of wage ear-
ners, employees and associa-
tions, men, necessarily tend to disturb
the confidence of the business com-
munity, to slow up the flow of
sources of capital from its places of
hoarding, and produce a halt in our
present prosperity that will cause
suffering and strained circumstances
among the innocent many for the
faults of the guilty few. The ques-
tion which I wish in this message
to bring clearly to the consideration
and discussion of congress is whether
in order to avoid such a possible busi-
ness danger something can not be
done by which these business combi-
nations may be offered a means, with-
out great financial disturbance, of
changing the character, organization,
and extent of their business into one
within the lines of the law under fed-
eral control and supervision, secur-
ing compliance with the anti-trust
statute."

Common Stock Ownership.
It has been assumed that the present
prospect and common ownership in
all these companies by former stock-
holders of the trust would insure a
continuance of the same old single
control of all the companies into
which the trust has by decree
been disintegrated. This is erroneous.

It is based upon the assumed in-
efficiency and incoherence of judi-
cial action, and the fact that the com-
panies are enjoined from co-operation or combi-
nation; they have different managers,
directors, purchasing and sales agents.
If all or many of the numerous stock-
holders, reaching into the thousands,
attempt to secure concerted action of
the companies with a view to the con-
trol of the market, their number is so
large that such an attempt could not
well be concealed, and its prime
movers and all its participants would
be at once subject to contempt pro-
ceedings and imprisonment of a sum-
mary character. The immediate re-
sult of the present situation will nec-
essarily be activity by all the com-
panies under different managers, and
then competition must follow, or there
will be activity by one company and
stagnation by another. Only a short
time will inevitably lead to a change
in management or the stock will be
portunity for continued co-operation
must disappear. Those critics who
speak of this disintegration in the
trust as a mere change of garments
have not given consideration to the
inevitable workings of the decree and
described little the personal danger
of attempting to evade or set at
naught the solemn injunction of a
court whose object is made plain by
decree and whose prohibitions are set
forth with a detail and comprehen-
siveness unexampled in the history of
equity jurisprudence.

**Voluntary Reorganizations of Other
Trusts at Hand.**
The effect of these two decisions
has led to decrees dissolving the com-
bination of manufacturers of electric
lamps, a southern wholesale grocery
association, an interlocking decree
against the powder trust with direc-
tions by the circuit court compelling
dissolution, and other combinations of
a similar history are now negotiating
with the department of justice look-
ing to a disintegration by decree and
reorganization in accordance with law.
It seems possible, to bring about these
reorganizations without general busi-
ness disturbance.

**Movement for Repeal of the Anti-
Trust Law.**
But now that the anti-trust law is
seen to be effective for the accom-
plishment of the purpose of its enact-
ment, we are met by a cry from many
different quarters for its repeal. It is
said to be obstructive of business
progress, to be an attempt to restore
old-fashioned methods of destructive
competition between small units, and
to make possible those useless combi-
nations of capital and plant which are
of the cost of production that are
essential to continued prosperity and
normal growth.

In the recent decision the sup-
reme court makes clear that there is
nothing in the statute which condemns
combinations of capital or mere big-
ness of plant organized to secure an
economy in production and a reduction
of its cost. It is only when the
purpose or necessary effect of the
organization and maintenance of the
combination or the aggregation of im-
mense size are the stifling of com-
petition between small units, and the
enhancing of price and establishing
a monopoly, that the statute is violat-
ed. Mere size is no sin against the
law. The merging of two or more
business plants necessarily eliminates
competition between the units, but
combined plant organized to secure an
economy in production and a reduction
of its cost of production that are
essential to continued prosperity and
normal growth.

The complaint is made of the statute
that it is not sufficiently definite in
its description of that which is for-
bidden, to enable business men to
avoid its violation. The suggestion is,
that we may have a combination of
two corporations, which may run for
years, and that subsequently the
attorney general may conclude that it
was a violation of the statute, and
that which was supposed by the com-
biners to be innocent then turns out
to be a combination in violation of
the statute. The answer to this hy-
pothetical case is that when men at-
tempt to pass such stupendous cap-
ital as will enable them to suppress

competition, control prices and es-
tablish a monopoly, they know the
purpose of their acts. Men do not
do such a thing without having it
clearly in mind. If what they do is
merely for the purpose of reducing
the cost of production, without the
thought of suppressing competition by
use of bigness of the plant they are
creating, then they can not be con-
victed at the time the union is
made, nor can they be convicted
later, unless it happens that later
on they conclude to suppress
competition and take the usual meth-
ods for doing so, and thus establish
themselves a monopoly. They can,
in such case, hardly complain if the
motive which subsequently is dis-
closed is attributed by the court to the
original combination.

New Remedies Suggested.
Much is said of the repeal of this
statute and of constructive legislation
intended to accomplish the purpose
and blaze a clear path for honest
merchants and business men to follow.
It may be that such a plan will be
submitted, but I submit that the dis-
cussions which have been brought out
in recent days by the fear of the con-
tinued execution of the anti-trust law
have produced nothing but glittering
generalities and have offered no line
of distinction or rule of action as de-
finite and as clear as that which the
supreme court has laid down in en-
forcing the statute.

**Supplementary Legislation Needed, Not
Repeal or Amendment.**
I see no objection—and indeed I
can see decided advantages in the
enactment of a law which shall de-
scribe and denounce methods of com-
petition which are unfair and are
badges of the unlawful purpose de-
nounced in the anti-trust law. The
attempt and purpose to suppress a
competitor by unfair means is a crime
as much as the attempt to drive
him out of business, or the making of
exclusive contracts with customers
under which they are required to give
up association with other manu-
facturers, and numerous kindred meth-
ods of stifling competition and effecting
monopoly, should be described with
sufficient accuracy in a criminal statute
on the one hand to enable the
government to shorten its task by
prosecuting single misdemeanors in-
stead of an entire conspiracy, and
on the other hand, to serve the pur-
pose of pointing out more in detail to
the business community what must be
avoided.

Federal Incorporation Recommended.
In a special message to congress on
January 7, 1910, I ventured to point
out the disturbance to business that
would probably attend the dissolution
of these offending trusts. I said:

"But such investigation and possi-
ble prosecution of corporations
whose property or destruction af-
fects the comfort not only of stock-
holders but of millions of wage ear-
ners, employees and associa-
tions, men, necessarily tend to disturb
the confidence of the business com-
munity, to slow up the flow of
sources of capital from its places of
hoarding, and produce a halt in our
present prosperity that will cause
suffering and strained circumstances
among the innocent many for the
faults of the guilty few. The ques-
tion which I wish in this message
to bring clearly to the consideration
and discussion of congress is whether
in order to avoid such a possible busi-
ness danger something can not be
done by which these business combi-
nations may be offered a means, with-
out great financial disturbance, of
changing the character, organization,
and extent of their business into one
within the lines of the law under fed-
eral control and supervision, secur-
ing compliance with the anti-trust
statute."

**Only Supplementary Legislation
Needed.**
The opportunity thus suggested for
federal incorporation, it seems to me,
is suitable constructive legislation
needed to facilitate the squaring of
great industrial enterprises to the rule
of action laid down by the anti-trust
law. The statute as construed by the
supreme court must continue to be
the line of distinction for legitimate
business. It must be enforced, unless
we are to banish individualism from
all business and reduce it to one com-
mon system of regulation or control
of prices like that which now pre-
vails with respect to public utilities,
and which when applied to all busi-
ness would be a long step toward

decrees in the tobacco trust dissolu-
tion by an expert from the bureau of
corporations and Federal Corporation Pro-
posed.

I do not set forth in detail the terms
and sections of a statute which might
supply the constructive legislation
permitting and aiding the formation
of combinations of capital into fed-
eral corporations. They should be
subject to rigid rules as to their or-
ganization and procedure, including
effective publicity, and to the closest
supervision as to the issue of stock
and bonds by an executive bureau of
commerce and labor, to which in times
of doubt they might well submit
their proposed plans for future busi-
ness. It must be distinctly under-
stood that incorporation under a fed-
eral law could not exempt the com-
pany thus formed and its incorpora-
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FINANCE AND COMMERCE

Wall Street.

New York, Dec. 5.—Wall street displayed only a languid interest in stocks today. Professional operators spent the morning in waiting for the president's message. When the message appeared the operators did not move. As a market influence the developments at the Wash. headquarters were of greater interest than the president's message.

When the news of the reorganization reached the street the only activity of the day resulted. Wash. securities tumbled and the whole market weakened with them. Wash. securities showed the effects of heavy selling at the outset today. In the afternoon the pressure became more severe. The common stock yielded 1-2 to 1-3, the preferred 5-8 to 1-2 to 3-4, and the 4 per cent bonds 1-8 to 1-2. Before the close there was a partial recovery. The selling reflected the uncertainty which is now felt as to the future of the Wash. The strategic position of this line is such that the future disposition of this property, it was felt, might change the railroad map of the country.

Canadian Pacific became weak notwithstanding the fact that the November report of gross earnings showed a gain of more than \$1,000,000. The pressure against this stock came largely from abroad. The coal roads also were weaker. Among the industrials, American can preferred lost two points after it was announced that the regular dividend had been declared.

Closing stocks:

Allis Chalmers pfd.	10
Amalgamated Copper	61 1/2
American Agricultural	55
American Beet Sugar	52 1/2
American Can	11 1/2
American Car & Foundry	54
American Cotton Oil	44 1/2
American Hide & Leather pfd.	23 1/2
American Ice Securities	19 1/2
American Lumber	9
American Locomotive	35
American Smelting & Refg.	72
do. pfd.	103 1/2
Am. Steel Foundries	32 1/2
American Sugar Refining	116 1/2
American Tel. & Tel.	139 1/2
American Tobacco pfd.	101 1/2
American Woolen	26
Anacosta Mining Co.	39 1/2
Atchafalpa	106 1/2
Atlantic Coast Line	136 1/2
Baltimore & Ohio	101 1/2
Bethlehem Steel	29
Brooklyn Rapid Transit	77 1/2
Canadian Pacific	229 1/2
Central Leather	21
do. pfd.	32
Central of New Jersey	295 1/2
Chesapeake & Ohio	74 1/2
Chicago & Alton	246 1/2
Chicago Great Western	138 1/2
do. pfd.	38
Chicago & North Western	142 1/2
Chicago, Mil. & St. Paul	110 1/2
C. C. & St. Louis	59 1/2
Colorado Fuel & Iron	66 1/2
Colored. & Southern	45 1/2
Consolidated Gas	139 1/2
Corn Products	10
Delaware & Hudson	166 1/2
Denver & Rio Grande	22 1/2
do. pfd.	47
Distillers Securities	31 1/2
Erie	32
do. 1st. pfd.	52
do. 2nd. pfd.	42
General Electric	153 1/2
Great Northern pfd.	127
Great Northern Ore Cfs.	42
Interborough-Met	14 1/2
do. pfd.	17 1/2
Inter-Harvester	104 1/2
Inter-Marine pfd.	17 1/2
International Paper	32 1/2
International Pump	32 1/2
Iowa Central	16 1/2
Kansas City Southern	28 1/2
do. pfd.	65
Laclede Gas	103 1/2
Louisville & Nashville	156 1/2
Minneapolis & St. Louis	30 1/2
Minn. St. P. & Sault Ste. M.	133 1/2
Missouri, Kansas & Texas	30 1/2
do. pfd.	66
Missouri Pacific	38 1/2
National Biscuit	139
National Lead	50
Natl. Ry. of Mexico 2nd. pfd.	24
New York Central	106
New York, Ontario & Western	40
Norfolk & Western	108
North American	73 1/2
Northern Pacific	117 1/2
Pacific Mail	31 1/2
Pennsylvania	122 1/2
People's Gas	103 1/2
Pittsburgh, C. C. & St. Louis	95
Pittsburgh Coal	18
Pressed Steel Car	33
Pullman Palace Car	158 1/2
Railway Steel Spring	30
Reading	149 1/2
Republic Steel	23
do. pfd.	23
Rock Island Co.	49 1/2
do. pfd.	49 1/2
St. Louis, San Fran. 2nd. pfd.	41 1/2
St. Louis Southwestern	20
do. pfd.	70
Sloss Sheffield Steel & Iron	41 1/2
Southern Pacific	111 1/2
Southern Railway	29 1/2
do. pfd.	71
Tennessee Copper	57
Texas & Pacific	23 1/2
Toledo, St. Louis & West.	17
do. pfd.	41
Union Pacific	173 1/2
do. pfd.	93
United States Realty	67 1/2
United States Rubber	45 1/2
United States Steel	63
do. pfd.	109 1/2
Utah Copper	50 1/2
Virginia Carolina Chemical	50 1/2
Wabash	34 1/2
do. pfd.	19 1/2
Western Maryland	61 1/2
Westinghouse Electric	64 1/2
Western Union	78 1/2
Wheeling & Lake Erie	4 1/2
Lehigh Valley	177 1/2
Total sales for the day	257,700

The bond market was heavy. Total sales, par value, \$4,742,000.

United States bonds unchanged on call.

Boston Mining Stocks.

Amalgamated Copper	62 1/2
Am. Zinc Lead & Sm.	25 1/2
Arizona Commercial	38
Bos. & Cob. Cop. & Sm.	6 1/2
Butte Coalition	16 1/2
Calumet & Arizona	57 1/2
Calumet & Hecla	23 1/2
Centennial	11 1/2
Copper Range Con. Co.	51 1/2
Franklin	8 1/2
Giroux Consolidated	4
Granby Consolidated	29 1/2
Greene Cananea	7 1/2
Isla Royale (Copper)	19 1/2
Kent Lake	2 1/2
Lake Copper	32 1/2
La Salle Copper	5 1/2
Miami Copper	22 1/2
Mohawk	44
Nevada Consolidated	18 1/2
Nipissing Mines	7 1/2
North Butte	25 1/2
North Lake	6 1/2
Old Dominion	46 1/2
Oscoda	96
Parrott (Silver & Cop.)	11
Quincy, ex-div.	65
Shannon	8 1/2
Superior	25 1/2
Superior & Boston Min.	3 1/2
Tamarack	25 1/2
U. S. Sm. Ref. & Min.	34 1/2
do. pfd.	47 1/2
Utah Consolidated	16 1/2
Utah Copper Co.	59 1/2
Winona	50 1/2
Wolverine	58

Chicago Board of Trade.

Chicago, Dec. 5.—Action taken by the leading owner of cash wheat here in using newspaper advertising space as a method of finding customers for his property, led today to the most pronounced selling pressure noted for weeks in the option trade on 'change. The outcome was a violent break in prices with the close showing a loss of 1-4 to 1-2 net. All other staples suffered in sympathy—corn, 7-8 to 1-2 to 1-3 net; oats, 5-8 to 1-2 to 1-3 net; and hog products 5-8 to 1-2 to 1-3 net.

Through out the day the wheat market seemed almost on the verge of demoralization. Traders in general who were on the bull side were not only disheartened but also much puzzled at the unprecedented course of advertising millions of bushels of grain for sale as if the article offered was a department bargain instead of the most important stock of food in the nation, approximately \$10,000,000 worth.

The advertisement occupied only a couple of inches of space at the bottom, but that did not prevent the market from dropping in nearly a vertical decline with big houses liquidating and stop loss selling by small holders. Exchanges elsewhere, especially northwest and southwest, were equally weak. But about the only other subjects that received attention were the continued big receipts at Minneapolis and the fine weather helping the harvest in the Argentine. The tone of trade became comparatively steady at the close. May, the principal option, ranged from 98-1-8 to 99-7-8, with the close 1-2 cent net lower, at 98-3-8.

Corn sold at the lowest price in months. May fluctuated between 61-1-4 and 61-7-8, closing steady 1-2 cent down. Cash grades were weak. No. 2 yellow (old) was quoted at 71 cents.

In oats there was a great deal of unloading on the part of longs. Short selling, too, was of an influential sort. Top and bottom figures touched for May were 49-5-8 and 49-3-4 and 48-7-8 and 49, with the close 1-2 to 1-4 cent net lower, at 49-4-8.

Extreme weakness developed in provisions. Pork showed a drop of 2-1-2 to 2-1-4; lard, 7-1-2 to 12-1-4, and ribs 5 to 7-1-2 to 10.

The Metal Markets.

New York, Dec. 5.—Standard copper weak; spot and December, \$12.70 to \$12.80; January, \$12.72 to \$12.80; February and March, \$12.72 to \$12.80. London easy, spot, No. 5, 11s 3d; futures, No. 5, 6d 3s. Arrivals reported New York today, 2,950 tons. Customs house returns show exports of 2,825 tons so far this month. Lake copper, 13-1-8 to 13-1-4; electrolytic, 13-1-8 to 13-1-4; casting, 12-5-8 to 12-7-8.

Lead quiet, \$4.40 to \$4.50 New York; \$4.25 to \$4.35 East St. Louis, London, 15, 16, 6.

Spelter weak, \$6.50 to \$6.55 New York; \$6.50 East St. Louis, London, 27.

Antimony dull, Cooksons, \$7.87 to \$7.90.

Bar silver, 55-1-8; Mexican dollars, 46-1-8.

St. Louis Spelter.

St. Louis, Dec. 5.—Lead steady, \$4.37 to \$4.40; peller firm, \$6.85.

Boston Wool Market.

Boston, Dec. 5.—The activity of foreign spot wool absorbs much of the interest in the domestic wool market, yet a good demand is reported of wools approximating quarter blood grade. Values held fairly steady, while a firmer tendency is reported in the fleece market owing to the growing scarcity. Territory wool shows no material change, but California and Texas wools are dull.

Quotations: Scoured basis—Texas fine, six to eight months, 45¢ to 47¢; fine, twelve months, 52¢ to 53¢; fine fall, 42¢ to 44¢.

California, northern, 48¢ to 50¢; middle counties, 46¢ to 47¢; southern, 45¢ to 46¢; fall free, 40¢ to 42¢.

Oregon, eastern No. 1 staple, 55¢ to 56¢; eastern clothing, 49¢ to 50¢; valley No. 1, 46¢ to 47¢.

Territory fine staple, 60¢; fine medium staple, 58¢ to 59¢; fine clothing, 51¢ to 52¢; fine medium clothing, 45¢ to 46¢; half blood combing, 55¢ to 56¢; three-eighths blood combing, 46¢ to 47¢; quarter blood combing, 45¢ to 46¢.

Pulled extra, 50¢ to 51¢; fine A, 49¢ to 50¢; A supers, 45¢ to 46¢.

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Following Lingering Illness of Cancer, Final Summons Comes at Sanitarium in El Paso, Texas.

Nicolas Galle of Las Cruces, one of the most prominent citizens of the Mesilla Valley, and for years president of the Mesilla Valley Chamber of Commerce, died of cancer yesterday morning at 10 o'clock, at Hotel Dieu in El Paso, at the age of 53 years. A telegram was received here yesterday by his brother, L. W. Galle, apprising him of the sad news. He left last night for Las Cruces.

The body will be taken to Las Cruces, where it is likely the funeral will be held. This, however, has not yet been definitely decided. Mr. Galle is survived by a widow and two daughters. One daughter is Mrs. Mark B. Thompson of Las Cruces.

L. W. Galle was a man of action, and lived an eventful life. He came to this section in the early days, when a young man, from Lake City, Minn., soon after finishing his schooling.

Soon after arriving in New Mexico he began to take a prominent part in the affairs of the territory, and in 1884 was elected to membership in the territorial legislature. He was the father of Sierra county, pushing the bill organizing that county through the legislature.

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FOR SALE.

\$1600.00—Modern, well located, three large rooms, closets, large pantry, screened porch, neat and in splendid condition. Large bath room, lot 25x142. Good outbuildings.

\$4000.00—Six-room, new bungalow, 4th ward.

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\$5000.00—Beautiful home on Tularos avenue, lawn and shade.

\$2600.00—Six-room modern brick, 4th ward.

\$2100.00—Six-room, modern frame, Highlands.

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FOR RENT.

\$ 25.00—7-room modern, Highlands.

\$ 25.00—5-room modern brick, 4th ward.

\$ 12.00—4-room cottage, West Central; good condition.

\$ 17.00—4-room modern brick, close in.

\$ 6.00—4-room adobe, near Mountain road.

\$ 5.00—3-room cottage, near brewery.

\$ 25.00—9 rooms, second floor, modern, close in.

JOHN M. MOORE REALTY CO.

FIRE INSURANCE, REAL ESTATE, LOANS AND ABSTRACTS.

214 West Gold Ave. Phone 10.

New York Cotton.

New York, Dec. 5.—The cotton market closed very steady at a net advance of 2 to 3 points.

St. Louis Wool.

St. Louis, Dec. 5.—Wool steady; medium grades combing clothing, 21¢ to 1-2¢; light fine, 15¢ to 16¢; heavy fine, 12¢ to 15¢; tub washed, 27¢ to 30¢.

The Livestock Markets.

Chicago Livestock.

Chicago, Dec. 5.—Cattle—Receipts, 7,500 head; market slow. Beves, \$4.60 to \$5.25; Texas steers, \$4.25 to \$7.25; western steers, \$4.50 to \$7.25; stockers and feeders, \$3.50 to \$5.75; cows and heifers, \$2.50 to \$5.90; calves, \$3.50 to \$5.50.

Hogs—Receipts, 23,000 head; market 10 cents lower; light, \$5.50 to \$6.20; mixed, \$5.80 to \$6.37 1-2; heavy, \$5.90 to \$6.40; rough, \$5.50 to \$6.20; good to choice heavy, \$6.10 to \$6.40; bulk of sales, \$6.40 to \$6.50.

Sheep—Receipts, 25,000 head; market weak; native, \$2.50 to \$4; western, \$2.70 to \$4; yearlings, \$3.50 to \$5; lambs, native, \$3.75 to \$6; western, \$4 to \$6.

Kansas City Livestock.

Kansas City, Dec. 5.—Cattle—Receipts, 9,000 head, including 400 head southern; market steady to 10 cents higher; native steers, \$5.25 to \$5.50; southern steers, \$4.50 to \$5.50; southern cows and heifers, \$3.50 to \$4.40; native cows and heifers, \$2.60 to \$3.75; stockers and feeders, \$4.50 to \$5.75; bulls, \$3.50 to \$4.75; calves, \$4 to \$7; western steers, \$4 to \$6.50; western cows, \$3 to \$5.

Hogs—Receipts, 19,000 head; market 5 to 10 cents lower; bulk of sales, \$5.75 to \$6.25; heavy, \$6.20 to \$6.30; packers and butchers, \$6.40 to \$6.50; light, \$5.60 to \$6.15; pigs, \$4.50 to \$5.25.

Sheep—Receipts, 6,000 head; market steady; muttons, \$3 to \$4; lambs, \$4.25 to \$6; range ewes and yearlings, \$3.25 to \$5; range calves, \$2 to \$4.

Without opinion or harmful drugs of any kind Foley's Honey and Tar Compound stops coughs and cures colds. Do not accept any substitute. —J. H. O'Reilly.

PIONEER OF NEW MEXICO, NICOLAS GALLES, DEAD

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CRESCENT HARDWARE CO.

Stoves, Ranges, House Furnishing Goods, Cutlery, Tools, Iron Pipe, Valves and Fittings, Plumbing, Heating, Tin and Copper Work.
318 W. CENTRAL AVE. TELEPHONE 313

IF YOU ARE NOT ALREADY USING

MATTHEW'S MILK

LET US SERVE YOU

PHONE 420

CHARLES ILFELD CO.

Wholesalers of Everything

LAS VEGAS ALBUQUERQUE SANTA ROSA

Allow us to
Suggest**CANNED
HOMINY**

For Breakfast

It is pleasing to many and
may be to you. The price
is nominal.

2 Cans for 25c

Ward's StoreHOMER H. WARD, Mgr.
315 Marble Ave. Phone 206

PHONES

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BRYANT'S

Quick Parcel Delivery and Messengers

WALLACE HESSELDENGeneral Contractors.
Figures and workmanship count.
We guarantee more for your money
than any other contracting firm in Al-
buquerque. Office at—
SUPERIOR PLUMBING MILL,
Phone 313.**THE WM. FARR COMPANY**Wholesale and retail dealers in
Fresh and Salt Meats—Sausages a
specialty. For cattle and hogs the big-
gest market prices are paid.

Try a Journal Want Ad. Results

**Make Somebody
Happy with a**

Smoking Jacket

Bath Robe

Handkerchief Case

Tie Rack

Silk Muffler

Silk Hat

Opera Hat

SET--Hose, Tie and Handker-
chief

SET--Tie and Handkerchief

Earl and Wilson Shirt

Fancy Vest

NECKWEAR in an endless vari-
ety, pure silks50c, 75c, \$1.00, \$1.25,
\$1.50, \$1.75 up to
\$2.50 eachSHOP EARLY WHILE STOCKS
ARE COMPLETEMAIL ORDERS PROMPTLY
FILLED**E. T. Washburn Co.**

1222 S. Second St. 1218 N. Gold

TOYLANDJoyland
Happy Boy and
Girl Land

The place to bring
the young folks. A
place to gladden the hearts of the old folks.
Hundreds and hundreds of joy bringing
amusements on display and you are all invited.
See the wonderful dolls, mechanical toys, wag-
ons, air ships, steam engines, railroads, walking
dogs and others too numerous to mention.

TOYLAND
Third Floor**Rosenwald's**and Edgar Jones, Wichita, Kan.;
Clarence Smith and Mrs. Joseph Mor-
gan, Albuquerque.Dr. J. P. Kuster, chief surgeon of
the Santa Fe system, with headquar-
ters at Topeka, Kan., is in the city,
in company with Conductor James
Thomas, of the board of control of
the hospitals of the system, on mat-
ters connected with the business of
their offices. Dr. Kuster formerly re-
sided in Albuquerque.A joint meeting of the committees
appointed by Highland Lodge B. O. E.
F. and E. the Commercial club and
the mayor of Albuquerque to arrange
for a grand union meeting of the B.
O. E. F. and E. is called for this
evening at 7:30 at Commercial club.
Every member is asked to be present.
Jay A. Hubbs, chairman Commercial
club committee.There will be a regular meeting
of the Fraternal Music Circle tonight
in their hall, 317 1-2 South Second
street. All members are urged to be
present. Election of officers for the
year. Refreshments will be served
following the completion of the busi-
ness of the evening. F. D. Shuffe-
lberger, W. R.An interesting wedding took place
last evening at 8:30 at the home of
the bride, 1019 Kent avenue, when
Henry P. Mohr, a well known contrac-
tor, and Miss Sarah Maddox, were
united in matrimony. Only a few per-
sonal friends were present. Rev. C. O.
Heckman officiating. The bridal
couple left last night for El Paso,
where the honeymoon will be spent,
returning in a few days to take up
their residence in their new home,
422 South High street.Pete Parenti appeared before the
city court yesterday morning in an-
swer to a charge of keeping a disor-
derly house. The case was continued.**SPRINGER
TRANSFER CO.**For Extra Well Rotted Manure
For Lawns and ThingsWe sell everything for a home from the cement for foot-
ing to the varnish at the finish.**SUPERIOR LUMBER AND MILL CO.**Cerrillos Lamp
Gallup Lamp**HAHN COAL CO.**

PHONE 91.

ANTHRACITE, ALL SIZES, STEAM COAL.
Coke, Mill Wood, Factory Wood, Cord Wood, Native Kindling, Fire
Brick, Fire Clay, Santa Fe Brick, Common Brick, Lime.**CHICAGO MILL AND LUMBER COMPANY**

WM. F. OHLHAU, Manager.

Manufacturers of Everything used in Building Construction.
Our Motto—"Big Business, Small Profits."

Corner Third and Marquette.

Phone 8.

New Hats

We have just opened a new line of Stetson Hats

**The Rough Boss Raw Edge
Kettle Finish Stetson Hats**

(Made of pure nutria fur.)

are among them in the latest shapes and colors. You
will notice a nice display in our windows.

Prices \$3.50 and \$5.00

SIMON STERN

The Central Avenue Clothier

\$1,500.00 worth of Photo-
graphs given away at Gray's
Ground Floor Studio, 219 West
Central, Saturday evening.Sale of home cooking at the Wom-
an's club on Friday, both afternoon
and evening. Hand painted china and
fancy work sale. Come and buy your
Christmas presents.From my many friends in Albuquer-
que and vicinity I solicit for the new
firm of Kistler, Collister & Co. the
same liberal patronage that was ex-
tended to the old firm of Ferguson
and Collister. D. M. FERGUSON.Art sale at Woman's club, Friday
December 8, both afternoon and even-
ing. Everything for Christmas gifts.The best saddle horses to be had in
the city are at W. L. Trimble's, 111
North Second Street. Phone 3.Play boxball—popular game at
healthful exercise for ladies and gen-
tlemen. 218 S. Second St.**NOTICE!****The Tongue Coal and
Oil Company**reserves the right to withdraw
its Treasury Stock at 40 cents,
appearing in last Sunday's issue
of the Journal, and to refuse
any or all subscriptions to stock
on that basis.**The Tongue Coal and
Oil Company**P. O. Box 301,
Albuquerque, N. M.**ALBUQUERQUE FOUNDRY
AND MACHINE WORKS**Engineers, Founders, Machinists Cast
ings, Pumping Plants, Repair Work
sent for estimates. Albuquerque, N. M.**AT PRIVATE SALE**Contents of a well furnished,
ten-room house. Apply at**Mrs. A. Rosenwald**713 W. Copper Avenue,
At Home in the Mornings.**ALBUQUERQUE PARCEL AND
BAGGAGE DELIVERY****PHONE 47**Satisfaction Guaranteed.
Kaba & Quinn, Successors to
E. Kelly.FOR RENT—Corner store-
room, 25x42 feet, up-to-date
front, best location in city for
general merchandise. Posses-
sion Jan. 1st or Feb. 1st, 1912.
Address P. O. Box 574.**AZTEC****FUEL****COMPANY**Gallup Lump Coal
Gallup Stove Coal
All kinds of Wood

Phone 251 First and Granite

MRS. CLAY.16 S. Fourth St. Opp. Postoffice.
MANICURING.
Combs made up. Maricello
Toilet Articles sold here.

TEL. 285.

TEL. 126.

French & LowberFuneral Directors
and Embalmers

Lady Assistant.

COR. FIFTH AND CENTRAL.

Office Phone 560.

DUNBAR AND BEAUCHAMP

PLUMBERS.

The cold weather is coming on and
now is the time to have your work
done right.

208 So. 3rd St. Office Phone 63.

O. K. Transfer Company,A general transfer business
conducted.

Phone 411.

PATTY & SECRES, Props.

Forest Mills UnderwearWe recommend "Forest Mills" Underwear, for in our judgment
they are good fitting and comfortable and wear longer than most
makes, and as long as any underwear that is made.
They come in different weights and fabrics, suited to every need.
Separate garments from 35c to \$2.00 each. Union Suits from 65c to
\$3.75 a suit.**Wool Challies for Holiday Gifts**Twenty-five pieces of Challies in new patterns and new colorings,
specially adapted for house dresses, kimono, and children's dresses.
The most durable light weight wool fabric known. Washable. Prices
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