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Santa Fe Daily New Mexican, 02-01-1889

New Mexican Printing Company

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And farmers and ranchers will find it to their advantage to deal with me. A Free Corral in connection with my new store, to all those coming to Santa Fe by team. Call and be convinced.

Santa Fe, N. M., January 1, 1889.

ABE GOLD.

HUDSON'S JEWELRY STORE

GRANT RIVENBURG

C. M. CREAMER

ESTABLISHED 1865.

The Wholesale and Retail

Druggist!

We have in stock a line of Toilet Articles of every description; also a full line of imported Cigars, imported and California Wines and Brandy.

Everybody admits we carry the Largest Stock in the territory on our line, consequently we defy competition in quality and in prices.

OPEN DAY AND NIGHT

The Daily New Mexican

FRIDAY, FEBRUARY 1.

TEMPERATURE TO-DAY



Corrected daily from self-registering thermometer at Creamer's drug store.

METEOROLOGICAL

Time of day	Temperature	Wind	Clouds	Humidity	Barometer
5:56 a.m.	21.8	SE	17	78	30.0
8:56 a.m.	21.8	SE	17	78	30.0
11:56 a.m.	21.8	SE	17	78	30.0
2:56 p.m.	21.8	SE	17	78	30.0
5:56 p.m.	21.8	SE	17	78	30.0
8:56 p.m.	21.8	SE	17	78	30.0
11:56 p.m.	21.8	SE	17	78	30.0
Maximum Temperature	21.8				
Minimum Temperature	21.8				
Total Precipitation	0.0				

W. L. WIDENEY, Serg. Signal Corps.

BILLY'S
Plaza Restaurant and Wine House
Oysters, Fish and Game a Specialty.
THE BEST COOKS IN THE SOUTHWEST TO CATER FOR PATRONS DAY AND NIGHT. THE CHOICEST WINES, LIQUORS AND CIGARS OF ALL BRANDS.
Fischer's Beer on Draft.
SOUTHEAST CORNER OF THE PLAZA.
W. C. BURTON, Proprietor.

RATHER BREEZY.

Tabling of Council Bills in the House—Non-Payment of Poll Tax to Bar Jurors.

The \$300 Exemption—Defect in the Libel Law—Lively Session in the Senate.

SENATE.

THURSDAY'S AFTERNOON SESSION.

When the senate met yesterday afternoon, Mr. Catron presented a memorial to congress concerning the government price of unsecured railroad grant lines, which was thrice read and adopted.

Mr. Catron, chairman of the judiciary committee, reported back C. B. No. 78, an act to tax certain costs in appeals or writs of error to the territorial supreme court, and recommended its passage.

Mr. Catron, chairman of the judiciary committee, reported back C. B. No. 4, an act relating to the powers of the attorney general and district attorneys, with a substitute. The report was read.

Mr. Rodey, of the judiciary committee, made a minority report signed by himself and Mr. Franks, a member of the same committee. The report and substitute submitted by Mr. Rodey were read, and Mr. Rodey moved to adopt the minority report, which was seconded by Mr. Franks.

Mr. Catron moved to lay it on the table indefinitely.

After extended explanations and discussion, Mr. Catron demanded the previous question, and demanded the ayes and nays, resulting ayes 7, nays 5.

The question reverting to the motion of Mr. Catron, to lay on the table indefinitely the report and substitute of Mr. Rodey, Mr. Rodey demanded the ayes and nays, resulting ayes 6, nays 6; so the motion of Mr. Catron was lost.

On motion of Mr. Pera, it was ordered that the bill lie on the president's table, to come up in the regular order.

A message announced that the house had passed H. B. No. 11, to amend Secs. 1360, 1361, 1362 of the Compiled Laws of New Mexico.

Mr. Catron reported back from the judiciary committee C. B. No. 39, an act relating to tax suits, with a substitute. The report was read and adopted. The substitute provides that no suits shall be commenced where the amount is less than \$100.

Mr. Catron reported from the judiciary committee C. B. No. 3, an act repealing Sec. 2225 of the Compiled Laws. The report, on motion of Mr. Dolan, was adopted.

Mr. Franks introduced C. B. No. 129, an act relating to the observance of Sunday. The bill closes all saloons on Sunday under penalty of a heavy fine and imprisonment for each offense committed. Read first and second time and referred to the judiciary committee.

By Mr. Jaramillo, C. B. No. 130, an act relating to the collecting of the poll tax by the constables of each precinct, for the benefit of the school fund of each precinct. Read first and second time and referred to the committee on education.

By Mr. Fort, C. B. No. 131, to amend section 2808 Compiled Laws. The bill repeals the exemption of \$300 from the head of a family.

Mr. Prichard moved to amend by exempting \$100.

Mr. Baca spoke quite feelingly in behalf of the poor people of the territory. President Chavez called Mr. Baca to the chair and took the floor and made a telling speech in favor of the poor people against the monopolists. He said under the Cleveland and Ross governments, by the favor of the district attorney of the 2d judicial district, the richest man of Valencia county, who is a millionaire, refused to pay a cent of taxes for three years to support the territory, county or public schools. The said district attorney let him pay the taxes for one year, and let him off from paying for two years. If the gentleman from San Miguel would make railroads and other monopolists that refused to make any returns to assessors, and refused to pay their taxes till forced—if he would give more of his attention to that kind of tax payers instead of going for the poor people it would look better.

On motion of Mr. Pera the bill was referred to the finance committee.

Mr. Prichard reported back from the special committee council joint resolution No. 5, with the governor's veto thereto. On motion of Mr. Jaramillo the report was adopted.

On motion of Mr. Prichard the resolution passed—ayes 12, nays 0, the objection of the governor to the contrary notwithstanding. It requires the clerk of the two houses to note the time of the passage of bills and inform the houses if the governor does not return bills as required by law.

Mr. Dolan reported back C. B. No. 103, to limit incorporated towns from making assessments of more than one-half of 1 per cent of tax valuation, with an amendment.

Mr. Rodey asked for three days time to communicate with his constituency. The amendment was adopted.

The chair announced that it felt called upon to say that half the session had passed and the most important legislation is not passed upon.

Mr. Pera thought that considering the amount of territorial, county and school taxes paid by Albuquerque, he thought 1/2 cent for city tax high enough.

Mr. Rodey moved to strike out the enacting clause. Lost—ayes 3, nays 10. On motion the bill passed.

Mr. Dolan reported correctly enrolled C. B. No. 10, relating to consanguinity; C. B. No. 25, fixing the fees of justices of the peace and constables; C. B. No. 37, relating to proceedings in civil cases, and the president signed the same.

By Mr. Catron, C. B. No. 132, an act to enable counties and municipal corporations to refund their matured and bonded indebtedness. Read the first and second time and referred to judiciary committee.

By Mr. Jaramillo, C. B. No. 133, to prohibit persons receiving pay in two territorial offices. Read the first and second time and referred to the finance committee.

Mr. Prichard gave notice that at 2 p. m. tomorrow he would call up the council bill for a constitutional convention.

On motion of Mr. Franks the council adjourned to 10:30 tomorrow.

TO-DAY'S SESSION.

After the usual preliminaries had been gone through this morning, all members present.

Mr. Rodey presented a petition from citizens of Bernalillo county, protesting against the passage of the high license law, which was read and referred to the finance committee.

Mr. King presented a petition from citizens of Grant county in favor of the passage of the high license law, which was read and referred to the finance committee.

Mr. Fort introduced C. B. No. 135, to fix salaries of probate judges. Read the first and second time and referred to the judiciary committee.

By Mr. King, C. B. No. 136, to correct an act entitled, "An act to define the offense of libel and affix the punishment therefor." The bill was read the first and second time. The word "oral" inserted.

Mr. Franks said the enrolled bill was the law, and a penal statute must be construed liberally.

Mr. Rodey said the bill ought to be referred to a committee. There was so much hurrah in the public press about the libel law he thought it ought to be referred to the committee, and it might be the sense of the legislature, and moved to refer it to the judiciary committee.

Mr. Prichard did not think the bill needed any amending, and demanded a vote on this bill.

Mr. Pera thought this was only an amendment to the law passed.

Mr. Catron said the press that made so much hurrah did not know what it was talking about. The penalty was not as severe as under the common law. It prevented going into the private life of a person.

Mr. Rodey said he was in favor of a reasonable law. When this law was copied from the Texas law the section favorable to the press was left out. It prevented going into the private life of a person.

Mr. Jaramillo rose to a question of order, that the bill was on the third reading.

The chair sustained the question.

Mr. Rodey asked for the ayes and nays on appeal from the chair. On a vote the chair was sustained and the bill passed—ayes 11, nays 1, Mr. Rodey.

therefor." The bill was read the first and second time. The word "oral" had been omitted from the enrolled bill.

The president asked if the bill could not be taken to the secretary and the word "oral" inserted.

Mr. Franks said the enrolled bill was the law, and a penal statute must be construed liberally.

Mr. Rodey said the bill ought to be referred to a committee. There was so much hurrah in the public press about the libel law he thought it ought to be referred to the committee, and it might be the sense of the legislature, and moved to refer it to the judiciary committee.

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Mr. Pera moved to make C. B. No. 66, the finance bill, the special order for 2 p. m.

By Mr. Catron, C. B. No. 137, to provide for the maintenance, government and police of the penitentiary, also the mode of appointment of officers, and to fix the salary of the same, and repeal several acts in relation thereto. Read the first and second time and referred to the penitentiary committee.

By Mr. Jaramillo, C. B. No. 138, to provide for the election of justices of the peace and constables second Monday of January, 1890, and every year thereafter. Adjourned to 2 p. m.

HOUSE.

THURSDAY'S AFTERNOON SESSION.

When the house met yesterday, on motion of Mr. Romero H. B. No. 11, referring to charity hospitals, was taken up under suspension of the rules, debated at length and after several attempts to have it again referred, was finally passed by a vote of 17 to 3.

H. B. No. 16, an act to amend section 2901, was tabled indefinitely.

H. B. No. 21, an act on limited business partnerships, was passed.

C. B. No. 40, an act to repeal section 2024, Compiled Laws, was passed.

C. B. No. 61, an act relating to forms of pleadings, was passed.

H. B. No. 53, relating to the collection of licenses, was tabled indefinitely.

C. B. No. 57, an act to amend the Silver City charter, was favorably reported and passed.

C. B. No. 62, an act to secure the right of appeal from judgments of justices of the peace and fixing a penalty for the refusal thereof, was reported against, and H. B. No. 65, on the same subject, reported favorably.

C. B. No. 48, an act relating to guarantee companies, was favorably reported, at once taken up on motion of Mr. Baldwin, and passed.

C. B. No. 29, an act relating to vagrants, was favorably reported and read a third time and passed.

C. B. No. 70, an act in relation to lotteries, was favorably reported and placed upon its passage and deferred.

C. B. No. 11, an act authorizing the mortgaging of real property of minors, was favorably reported, read a third time and the house tabled it indefinitely.

C. B. No. 83, an act concerning the negotiability of promissory notes, was read a third time and tabled indefinitely.

C. B. No. 81, an act to repeal chapter XII, Session Laws of 1884, was read a third time and passed.

C. B. No. 108, an act to prevent women from entering saloons for the purpose of drinking therein and for other purposes, was referred to a special committee composed of Messrs. Foster, Sanchez and Mascareñas and made the special order for this afternoon.

On motion of Mr. Prichard a resolution in criminal cases and for other purposes, was read a third time and passed.

C. B. No. 104, an act to amend an act providing for the repair of public roads and highways, was read a third time and passed.

Council substitute for H. B. No. 18, an act relating to the redemption of property sold on foreclosure of mortgages, was referred, with the original, to the judiciary committee.

C. B. No. 19, an act relating to the filing of information, was reported favorably and passed.

C. B. No. 116, an act in relation to trial by jury, and tabled indefinitely by a vote of 13 to 5.

C. B. No. 64, an act providing for the review of certain judicial orders, was favorably reported and tabled indefinitely.

Council joint resolution No. 6, providing that the territorial library be removed from its present quarters at the capitol and set up in the supreme court chamber, was taken up and tabled indefinitely.

C. B. No. 84, an act relating to the running of animals in the streets of cities and towns, was referred to the committee on stock raising.

C. B. No. 71, an act to amend section 192, Compiled Laws, was referred to the judiciary committee.

C. B. No. 102, an act authorizing and regulating voluntary assignments for the benefit of creditors, was referred to the committee on private corporations.

Mr. Dolan, from the senate, reported as correctly enrolled and signed C. B. Nos. 10, 25 and 37.

The following bills were introduced and referred:

By Mr. Kintler, H. B. No. 102, an act for the protection of public parks and squares.

By Mr. Foster, H. B. No. 103, an act in relation to the protection of the protection of live stock and other purposes, approved April 1, 1884.

By Mr. Lesmet, H. B. No. 104, an act to pay enumerators and superintendents of the territorial census of 1885.

By Mr. J. M. Sandoval, H. B. No. 105, an act repealing the act regulating the inheritance and distribution of property.

By Mr. Sandoval, of Valencia, H. B. No. 106, an act relative to justices of the peace and for other purposes.

By Mr. Sandoval, of San Miguel, H. B. No. 107, an act in relation to the fees of attorneys appointed by the district courts in certain criminal cases.

H. B. No. 56, an act relating to the location and relocation of mining claims, and for other purposes, was reported, correctly enrolled and signed; also joint resolution No. 5, relating to the purchase of flags for the capitol.

Adjourned to 2 p. m. to-day.

TAFOYA VS. MONTAÑA.

The house this afternoon is considering the report of the committee in the case of Tafoya vs. Montaña, contest involving the right of the latter to retain his seat.

The report sets forth that the certificate held by Montaña, the sitting member from Taos, given him by the Democratic county commissioners of that county,

shows his election by a majority of 68 votes over Tafoya, when in truth and in fact Montaña's majority, as shown by a careful examination of the poll books, is but 52. This is the first suspicious circumstance cited by the report. It then goes on to show that Montaña was illegally credited by the county commissioners of Taos with 14 votes that were not registered, and with 8 illegal votes that were cast by residents of southern Colorado, showing a total illegal vote for Montaña of 26, which taken from his majority of 52, as shown by the poll books, cuts down his actual majority to 26.

On the other hand Tafoya should have credit for 20 votes which were disfranchised and kept from voting by reason of the county board's arbitrary action in removing the Las Cordovas polling place; credit also for 8 votes duly registered, and which demanded to vote on regular certificates in precincts other than their own, but which were refused, and credit also for similar reasons for 11 votes in another precinct and 4 votes in another precinct, making a total credit of 43 votes, in favor of the contestant, Tafoya. Among the 12 illegal voters from Colorado, who voted in Taos county, it was found that 4 of them voted for Tafoya, hence from his credit of 43 the committee deducts 4, leaving a clear credit to Tafoya of 39 votes against a credit of 26 votes for contestant, Montaña, giving Tafoya a legal majority over Montaña of 13 votes.

AN ACT RELATIVE TO THE SERVING OF WRITS OF ATTACHMENT, REPLEVIN OR EXECUTION ON LIVE STOCK, INTRODUCED BY MR. FRANKS, PROVIDES THAT HEREINAFTER WHEN ANY WRIT OF ATTACHMENT, REPLEVIN OR EXECUTION UNDER THE LAWS OF THIS TERRITORY IS ISSUED AGAINST ANY CATTLE OR HERD OF CATTLE THAT ARE RANGING GENERALLY WITH OTHER CATTLE OVER ANY RANGE COUNTRY, AND WHERE IT WOULD BE PRACTICABLE OR IMPOSSIBLE TO ROUND UP, GATHER OR TAKE POSSESSION OF THE CATTLE MENTIONED IN SUCH WRIT, WITHOUT AT THE SAME TIME ROUNDING UP AND CUTTING OUT THE LIVE STOCK BELONGING TO OTHER OWNERS, THEN AND IN SUCH CASE THE SHERIFF OR OFFICER HOLDING SUCH WRIT SHALL ONLY TAKE POSSESSION OF SUCH CATTLE MENTIONED IN SAID WRIT AS HE MAY BE ABLE TO GET WITHOUT INTERFERING WITH THE LIVE STOCK OF OTHER OWNERS, AND AS TO THE SUFFICIENCY OF SUCH WRIT TO SUBJECT THEM TO THE LIEN OF SAID WRIT THAT THE OFFICER SHALL FILE WITH THE CLERK OF THE PROBATE COURT OF ANY COUNTY IN WHICH SAID LIVE STOCK SHALL RANGE, OR IN WHICH IS RECORDED THE BRAND OF SAID CATTLE, A CERTAIN COPY OF THE WRIT, AND IMMEDIATELY UPON THE FILING THEREOF THE CLERK OF SAID COURT SHALL NOTE THE SAME IN THE RECEPTION BOOK OF HIS OFFICE AND ALSO NOW THE SAME IN RED INK ON THE MARGIN OF THE PAGE OF THE BOOK WHEREIN SUCH BRAND IS RECORDED, AND SHALL PROPERLY INDEX THE PROCESS IN THE GENERAL AND OTHER PROPER INDICES OF HIS OFFICE.

Section 2. And such process when so filed, noted and indexed, shall have all the binding force as to said live stock as if the same had been levied against said live stock on the range and the sheriff had taken possession of the same. And upon the next round up all persons coming into possession of any said live stock shall treat the said sheriff or officer as the owner thereof, and shall not hinder or turn the same over to him the same as to any other cattle owner on the range, etc., etc.

CAPITOL CRUMBS.

Messrs. Hunt, Cook and Wrigley, leading citizens of Raton, are in the city for the purpose of securing the passage by the legislature of a simple incorporation act for towns and villages. They regard the existing law as too cumbersome and complicated. This is a matter of very general interest to many ambitious towns in New Mexico, and should have early action at the hands of the law makers.

Mr. Catron's memorial to congress asking that the government price of unearned railroad grant lands in New Mexico be reduced from \$2.50, the double minimum, to \$1.25, is now in the hands of the house. It is important and should be immediately adopted and forwarded to Washington.

Either this afternoon or to-morrow Mr. Baldwin will introduce into the house a bill providing that penitentiary brick shall be used in the construction of an insane asylum, the management of the construction of which shall be under a board of commissioners representing the various counties of the territory.

Many Santa Feans are pleased at the prospect for the adoption of the law limiting incorporated cities from raising assessments more than one-half of 1 per cent of the city's tax valuation. They ought to do away with much opposition to the measure in the future.

Col. Prichard will call up the state constitution bill in the senate at 2 p. m. to-morrow. The friends of statehood are thoroughly aroused now. The legislature seems inclined to do its duty in the premises.

ROUND ABOUT TOWNS.

Don't fail to secure your seats for the Philharmonic concert.

In a dispute over a game of cards Johnny Griffin attempted to make a gun play last night, but nothing serious came of it. He was arrested.

A good stock man, with business ability and knowledge of the English and the Spanish language can learn something to his advantage by calling at the New Mexican office.

To-morrow is the last day of the supreme court term. To-day Clerk R. M. Foree resigned as clerk of the supreme court and Summers Burkhardt was appointed in his stead.

Hon. C. B. Eddy, a leading and influential citizen of Lincoln county, and one who is doing a great deal to advance the interests of New Mexico, is in the city on business. He will remain several days. He can be found at the Palace.

The Mesilla valley delegation now visiting the capitol to-day received from Las Cruces a bushel basket filled with fresh radishes, lettuce, spinach, celery and water cress, all grown in the open ground in this beautiful valley. These delicacies were served them for dinner at the Palace hotel and distributed among the local friends of the delegation. It was a fine exhibit of early vegetables.

Billy Green, of Las Vegas notoriety, has been put under \$400 bonds to preserve the peace toward Sol. Lowitzki and appear before the grand jury which meets on Monday. Green is this afternoon suing Lowitzki for \$2.50 which he says is due him. Lowitzki says the whole difficulty grows out of the fact that he discharged Green because of his outrageous charges for city hack service, and he states that Green made such charges on citizens and strangers as to permanently injure his business and cause strangers to heap curses on the town for patronizing such a hack driver. Green was sentenced to the penitentiary October 19, 1887, for horse stealing, for a period of eighteen months, and was pardoned on April 20, 1888.

LOCAL IMPROVEMENTS.

A New \$11,000 School for the Presbyterians Mission-Building Notes.

Over on Grant avenue, between the Presbyterian church and Hon. T. B. Catron's mansion, Messrs. Donoghue & Monier have commenced the construction of a handsome brick building to be used as a boarding school for the Presbyterian board of missions. Practically, it will be four stories high, having a stone basement, two stories of brick and a fourth story under a mansard roof. The foundation is 60x47 feet, and the building will accommodate seventy-five pupils. The building is done under the supervision of Architect Walker, of Tucson, who has just completed a similar structure down there, and is to be finished before June 1.

Bernardinelli & Palladini have the contract for the stone and brick work on A. Windsor's \$3,500 dwelling near Olinger's, and are pushing the work.

Architect Brigham has in hand the draft of plans for a fine residence and two business blocks to be erected this spring.

The grading of the federal building grounds will be completed in a few weeks. The eighty foot roadway, nearly half a mile in length, which encircles the stone and iron fence about the grounds, bids fair to be a very popular drive this summer.

The city drainage is properly graded. A better grade of dwelling houses, brick, constitutes a positive need in Santa Fe at the present time. There is much inquiry for this class of buildings among new comers.

The capitol grounds will hardly be completed before mid summer, let the contractors do their best. At present a dozen stone cutters are at work on the fence and as many more are engaged at the quarry.

G. W. Hickox's new store house on Palace avenue is going right up. It will be ready for occupancy by the middle of March.

There never was a season when the Santa Fe builders started out with such bright prospects as now. All contractors anticipate having their hands full throughout the year.

John Dignoe is remodeling his store house and dwelling at the corner of Manhattan avenue and College streets, and when completed it will be an ornament to that part of the city.

A. Kahn, the enterprising wholesaler in liquors and cigars, has decided to put up a fine double store adjoining the 2d National bank block in the spring.

Mrs. Manderfield and daughters visited Rosario cemetery on Thursday and gave final directions about the vault and chapel to be erected in memory of the late Judge Manderfield. It will be a handsome piece of sepulchral architecture and will cost from \$3,000 to \$4,000.

RHEUMATISM.

Is undoubtedly caused by lactic acid in the blood. This acid attacks the fibrous tissues, and causes the pains and aches in the back, shoulders, knees, ankles, hips, and wrists. Thousands of people have found in Hood's Sarsaparilla a positive cure for rheumatism. This medicine, by its purifying action, neutralizes the acidity of the blood