

'The Official Newspaper of Lincoln County'

LINCOLN COUNTY NEWS

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THURS., JULY 6, 1989

CARRIZOZO, N.M. 88301

ESTABLISHED 1905



Final county budget hearing

The final budget hearing for Lincoln County fiscal year 1989-90 will be held in the courthouse in Carrizozo at 2 p.m. Monday, July 10. The preliminary budget had been approved May 30 and was sent to the state department of finance administration (DFA) for adjustments prior to final approval by county commissioners.

Commissioners hold meetings, meetings, and more meetings

By Ruth Hammond

Lincoln County Commissioners met an average of once a week during the first six months of their administration. According to the official minutes book in the county clerk's office, commissioners met 29 times; there were 14 special meetings, 12 regular meetings, two budget workshops and/or hearings, and one proposal workshop. Previous commissions met fewer times during the period from Jan. 1 through June 30. The commission of

Bill Elliott, Kenneth Nosker and A.W. Gnatkowski met seven times for regular meetings only from Jan. 1 through June 30. The commission of John Hightower, Ralph Dunlap and Bill Karn met 13 times in 1987 with eight being regular meetings, two were special meetings, one was a closed session for litigation and another meeting was also closed. Hightower, Dunlap and Karn met 13 times in 1988 from Jan. 1 through June 30; five were special meetings and eight were regular

meetings. Receipts of warrants paid to commissioners for mileage and per diem for the six month period reflect the cost to the county for the additional meeting dates. Mileage and per diem paid to the 1988 commission was \$1,838 compared to \$2,732.90 paid to the 1989 commission. Totals for mileage and per diem for 1989 include costs for commissioners to attend workshops and/or seminars sponsored by the New Mexico Association of Counties, meetings with the road department and state highway department, meeting with other commissions, budget workshops and/or hearings, interviews for county manager, mileage to have radios installed, Lincoln County Medical Center board meetings, testifying at water hearings, CDBG (Community Development Block Grant) hearings, a rural addressing workshop, and meetings concerning the landfill situation. Totals for mileage and per diem for the 1988 commissioners included costs for commissioners to attend workshops and/or seminars sponsored by the New Mexico Association of Counties, Sierra Blanca Airport Commission meetings, grievance hearings, meetings with other commissions, Economic Development Corporation of Lincoln County meetings, water hearings, personnel meetings, litigation update meetings, court hearings, road meetings including state highway department meetings, and the airport dedication ceremony at Sierra Blanca Regional Airport. State statutes require the Board of County Commissioners to meet in the county seat at quarterly meetings in January, April, July and October. In addition, the commission may meet at other times when it is necessary to conduct public business. The 1989 commissioners meet twice a month for regular meetings compared to previous commission meetings scheduled for every three weeks. During the mid-year budget review Dec. 23, 1988 it was reported the 1988 commission had used \$1,322.40 for mileage and per diem in the first half of the 1988-89 fiscal year leaving \$1,677.60, more than half the amount budgeted for mileage and per diem, for the new commission. The 1989 commission used \$1,400.20 more for mileage and per diem than was budgeted. Line item transfers were made from the PERA and group insurance line items to give the mileage and per diem line item a positive balance instead of a negative balance. Commissioners have budgeted \$4,500 for mileage and per diem for the 1989-90 fiscal year.

There's no county attorney as of now

Lincoln County has no county attorney at this time. The contractual agreement with the Parsons & Bryant law firm for county attorney services expired June 30. County commissioners took action June 26 to offer an amended contract to Robert Beauvais to provide county attorney services for up to six months at a cost of \$19,500. One amendment approved by commissioners was to offer Beauvais \$60 an hour for the legal services. Beauvais declined to accept the amended contract. County manager Nick Pappas plans to meet with Beauvais on Monday prior to the county commission meeting at 2 p.m. to discuss modifying the contract. If an agreement is reached between Pappas and Beau-

vais the matter will be presented to the commission for its approval or rejection. State purchasing policies allow the county to procure professional services having a value not exceeding \$20,000. Pappas said the amount paid to a county attorney would be closely monitored to make sure not more than \$20,000 was paid. The county will be required to ask for requests for proposals for county attorney services for future legal services after the allowed amount has been spent. The county has budgeted \$50,000 for county attorney services in fiscal year 1989-90. The two line items in the budget are for \$36,000 for professional services and \$14,000 for litigation.

Flag burned in Carrizozo; in honor, not in protest

The American flag was burned in Carrizozo Tuesday night. This was not a protest flag burning but instead was the grand finale of the giant fireworks display at the Carrizozo Recreation Park near the golf course. Red, white and blue fireworks were a replica of the American flag built on a frame and burned brightly as the national anthem was broadcast over the loudspeaker. More than 500 people watched and cheered at the finale as well as when the rockets burst in the air in brilliant colors during the one and one-half hour program sponsored by the Carrizozo Volunteer Fire Department. Many people brought their own personal fireworks and set them off at the park, which had been well watered prior to the lighting of the first fuse. Fire Chief Albert Najjar has expressed his appreciation to all who

helped make the evening a success. The array of colors from all the fireworks were enjoyed not only by the people in the park but by drivers on Highway 380 as well. Semi-trailers, cars and pickups were parked on the highway for half a mile during a major portion of the program. Three fire trucks, firemen, ambulance and EMTs were on standby as children with sparklers and individuals contributed to the festive celebration of the birth of our nation. The Carrizozo Lions Club assisted the fire department with the display. Donations to help pay for the fireworks will be accepted. Business, organizations and individuals wishing to make donations are asked to contact Najjar or any volunteer fireman.

Thank You, CVFD!



PIECE OF CAKE, say header Eddie Womack and heeler Bill Jones. This was part of the jackpot roping July 2 in Capitan

Thousands in Capitan July 4

By Bartley McDonough

Thousands lined the parade route in Capitan July 4 to witness one of the best parades ever put on in this mountain community. Grand Lady Gertrude Huey and Grand Marshal Herbert Lee Traylor led the Smokey Bear Stampede Parade which consisted of approximately 45 units. The Capitan Chamber of Commerce sponsors this parade every year. Frank Warth was the parade starter and co-chairman of the parade. Dick Beck was also a parade co-chairman. Units awarded trophies and plaques were: floats, 1st, Corriente CowBelles; 2nd,

Willie Hobbs; 3rd, Nogal Camp Meeting. Organizations, 1st, Shrine Rocket Riders; 2nd, Christ Community Church; 3rd, Capitan Zia Senior Citizens. Antique cars, 1st, Junior Hill; 2nd, Bob Watson; 3rd, J.P. Aguilar and his camouflaged jeep. Classic vehicles, 1st, Mike Riska; 2nd, Julie Hardy; 3rd, Larry Caywood. Bicycles, 1st, Buffie York; 2nd, Bobby York; 3rd, Stephanie Childres. Walking groups, 1st, Larry and Jackie Bandy; 2nd, Juan Baca (dog on pony). Mounted groups, 1st, Chaves County Sheriff's Posse; 2nd, Army of New Mexico from Carlsbad; 3rd, Lincoln County Sheriff's

Parade judges were Kay Strickland, Maxine Wright and Bartley McDonough. Assistant parade starters were Carol Reamy and Hazel Hefker.

(Cont'd on P. 3)

Michael Sainz charged with battery, assault

Michael A. Sainz, Carrizozo, of the New Mexico State Police, has been charged with three counts of aggravated battery and one count of assault upon his wife, Mary Francis Sainz. The complaint was filed June 16 in magistrate court of Lincoln County by District Attorney Bert Atkins. Sainz entered a plea of not guilty. Count I alleges that Sainz used force to Mrs. Sainz, on or about May 8, which caused painful temporary disfigurement to her face and back. Count II alleges that on

or about May 18 the defendant again applied force to Mary Francis Sainz with the intent to injure, and which caused temporary disfigurement of her legs. Count III alleges that on or about May 25 the plaintiff was the victim of assault by defendant. Count IV alleges that on or about May 26 the defendant caused painful temporary disfigurement to Mary Francis Sainz' head and legs. No date for a hearing on the matter has been set pending response from the defendant's attorney.



SCOTT LONG was the winner of the 10K Smokey Bear Run, July 1, in Capitan. Long is a graduate of Alamogordo High School, and now attends New Mexico State University. At one time he was on the University of New Mexico track team.

Tax increase looms, again

Lincoln County Commissioners are considering imposing a one mill tax levy with the proceeds to be used for financing a sanitary landfill, capital outlay needs for the road department, and economic development for the county.

The commission has scheduled a public hearing concerning the matter on Monday, July 10, from 1 to 1:45 p.m. in the courthouse in Carrizozo. The regular commission meeting will be held at 2 p.m. following the public hearing.

The Economic Development Corporation of Lincoln County had requested funding to continue to seek economic development for the county.

The public is invited to attend and voice opinions regarding the proposed one mill tax levy on property in the county.

DeWees is new principal at Tularosa High

Supt. Scott Childress of the Capitan Municipal Schools announced June 28 the resignation of high school principal Larry DeWees.

DeWees leaves Capitan to become the high school principal in Tularosa.

Childress told the News he is still looking for a combination girls basketball coach and English teacher.



Engagement announced

Melvin Romero of Las Cruces and Mrs. Johnnie Banner of Capitan announce the engagement of their daughter, Catherine, to John Paul Ventura, son of Mr. and Mrs. Joe Ventura of Carrizozo.

The couple will be married July 15, at Santa Rita Catholic Church in Carrizozo, with Fr. Dave Bergs officiating.

Eggleston jail sentence suspended for 30 days

District Judge Richard Parsons said he has suspended enforcement of the incarceration of Leon Eggleston at this time. Eggleston of Ruidoso was sentenced to 30 days in the county jail, later reduced to 10 days in the county jail, because of his barking dogs.

Catherine graduated from Capitan High School in 1984, and is employed at the Fort Stanton Hospital & Training School. John Paul graduated from Carrizozo High School in 1982 and is employed by Synergy Gas Corporation in Carrizozo.

Eggleston first appeared in district court because he appealed a municipal court decision of a \$100 fine in the case. When the matter came before Judge Parsons it was a trial de novo, a new trial on the merits of the case as if no previous trial had been held.

According to testimony during the trial, the situation of the barking dogs had continued for three years. Motel owner Tom Beatty testified that he was losing \$100 each week because of Eggleston's barking dogs.

Eggleston has paid the \$300 fine but will not know for 30 days if he will still be required to serve the incarceration in the county jail. Judge Parsons said the suspension will be for 30 days and the case will be reviewed at that time.

Eggleston has agreed to keep his dogs inside when no one is at home and to have the dogs outside only when someone is with them.

Marine Lance Cpl. Dale K. Delling, son of John W. Delling of Ruidoso, recently reported for duty with 1st Marine Aircraft Wing on Okinawa. He joined the Marine Corps in February 1988.

In the service

In the service

Answers

Sheriff reports

Old grave discovered in county

A grave was uncovered seven miles east of Capitan near Lincoln on June 29 when Ervin Aldaz was digging a ditch for the cable to his satellite dish.

According to Lincoln County Sheriff James McSwane, it is possible the grave dates back more than 100 years. The body was in a sitting upright position.

The remains were sent to the office of the medical examiner in Albuquerque.

McSwane reported his officers are investigating a rash of burglaries in the Bonito Lake area. Breaking and entering of a vehicle was reported July 1, items were stolen from two vehicles July 2 and one vehicle July 4.

Arson is suspected in the fire at a shed at 5th and Aspen in Carrizozo July 4. The state fire marshal will conduct an investigation.

Holland hired as football coach

The Carrizozo Board of Education met in special session June 27 and hired Principal Mel Holland as football coach for the 1989-90 school year.

Steve Gore's contract as transportation coordinator will continue for another year.

The board discussed but did not take action on the resignations submitted by special education teacher Patricia Coulter and Chapter I teacher Mary Nickless. The school also needs a kindergarten teacher.

Three men were arrested in Carrizozo July 3. Danny Hicks, 31, was charged with probation violation and disorderly conduct. Bond was set at \$200. Hicks remains in custody. Joe Lueras Jr., 20, of Carrizozo was charged with disorderly conduct and allowing self to be served. He posted \$400 bond and was released. Leroy Anthony Silva, 24, of Carrizozo was charged with disorderly conduct. He posted \$200 bond and was released.

July 2 Steve Woods of Capitan was arrested and charged with probation violation, aggravated assault with a deadly weapon and criminal damage to property in Fort Stanton.

New Mexico State Police are investigating an accident with injuries on July 2 that happened 4.6 miles from

Nogal and an accident with injuries on Highway 37 on June 29.

A range fire in the Hondo Valley was extinguished in 20 minutes on June 28.

July 1 a woman was killed in a one vehicle rollover near mile marker 145 north of Carrizozo on Highway 54. State Police are investigating the accident.

Capitan alumni meet July 29

The 1989 alumni reunion at Capitan High School is scheduled for July 29.

Registration will begin Friday night in the multipurpose foyer by the new gym. The gym will be open for basketball players.

Registration and coffee will continue Saturday morning at the same location. A lunch will be served at noon, and the business meeting will follow at 2 p.m.

Activities will conclude Saturday night with a dance at the Lincoln County Fair Building. Seldon Burks and his band will play for the dance which begins at 8 p.m. and ends at midnight. There will be a charge for lunch and the dance to cover expenses.

Co-chairmen for the Capitan Alumni Association are Tom Guck, L.C. Cozzens and Barbara Beckley.

Card of Thanks
I wish to thank all my friends for their acts of kindness and consideration during my recent illness.
Ellis Hodge

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Crossword Puzzle

ACROSS
1. Title
4. Norwegian city
8. Grasp
12. Greek letter
13. Rushed
14. At this place
15. Seaweed
17. Scarlet
18. Above
19. Reemploys
21. Utilize
22. Woody plant
23. False
26. Useful quality
28. Limit
29. In la
30. Musical note
31. Milk shops
34. In
35. Label
37. Habel
38. Winds
40. Purioins
42. Old
43. Public notices
44. Tending a fire
47. Solid
49. Cow's cry
50. Mix
51. Cain's brother
52. Bind together
54. Single
55. Withered
56. Distribute sparingly
57. Light beam
23. One: prefix
24. Soviet mountain chain
25. Consumer
26. Branch of learning
27. Chair
28. Sea eagle
29. Those in power
33. Searches for
36. Carrier
39. Publication director
41. Muddle
42. Coral like former condition
44. Alone
45. Grl's name
48. Color
47. Fuzziness
48. Lincoln
49. Disordered
53. You

Answers
next week

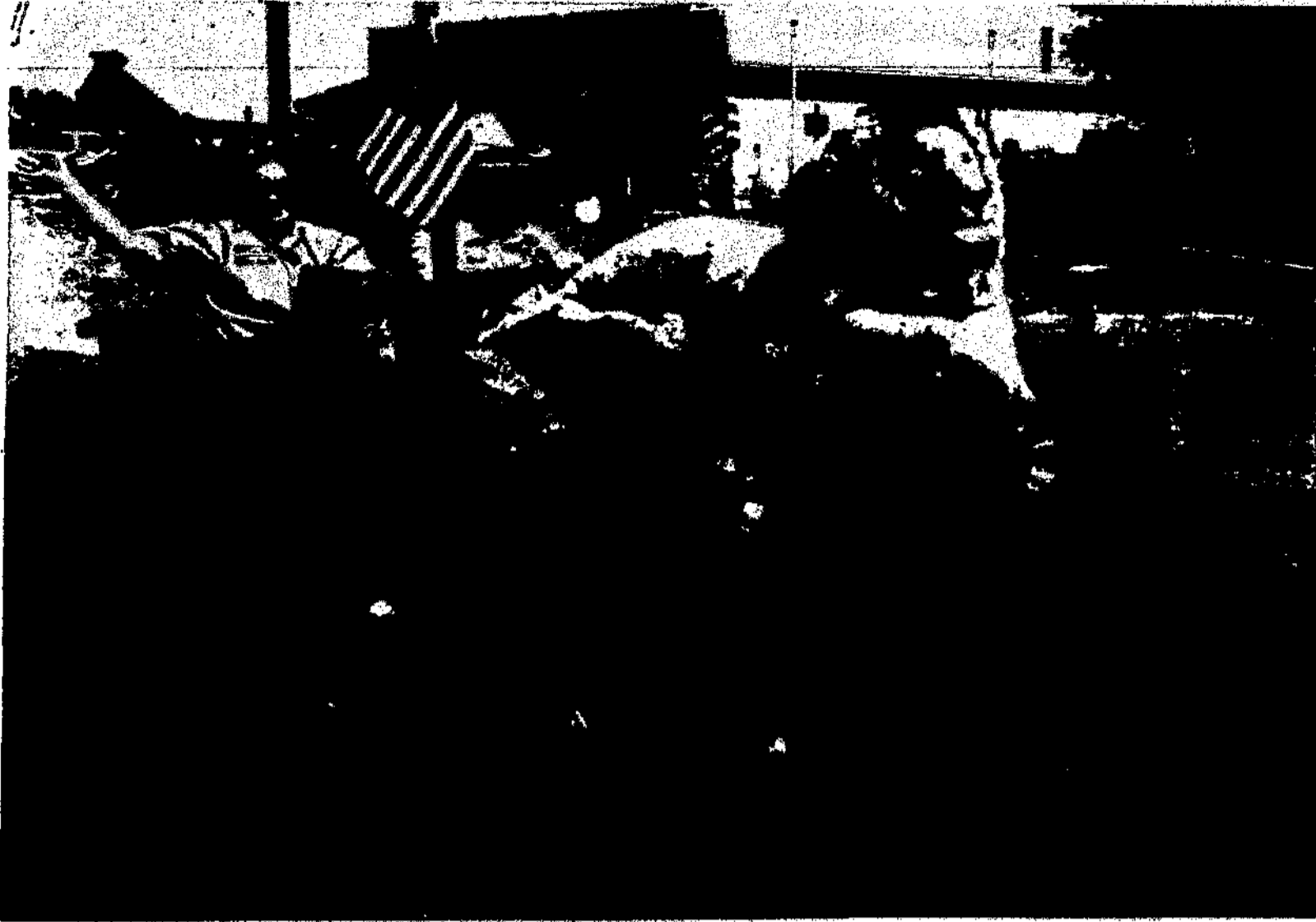
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MOST ORIGINAL entry in the July 4 Smokey Bear Stampede Parade in Capitan, was the Smokey Bear Lions Club unit. That's Helen and Wayne Townsend of Ruidoso aboard.

District Court Docket

12th Judicial District Div. III court docket for Judge Parsons for week of July 10—July 15:

Monday, July 10
 9:00 a.m.—Glen Howard Bowman vs. Hillary Tootie Ann Bowman.
 11:00 a.m.—Juveniles sequestered.
 1:30 p.m.—Kathy Myers vs. New Mexico Broadcasting Co., et al.
 2:30 p.m.—Walter Morgan, et ux vs. Robert Houlick
 3:30 p.m.—Broadview Lumber Co. vs. great Western Builders, et al.
 4:00 p.m.—Juvenile sequestered.
Tuesday July 11
 9:00 a.m.—Ruidoso. SNM vs. Garland Yulay, P & D.
 SNM vs. Hector Lozano. Plea.
 SNM vs. Steve Spall. Prob. Rev.
 SNM vs. Rose Lueras. 1st app.
 SNM vs. David A. Briscoe. Sentencing.
 SNM vs. Filbert R. Herrera. 1st app.
 SNM vs. Luis Chavez. 1st app.

SNM vs. Robert Mattson. 1st app.
 SNM vs. Gretchen Torres. 1st app.
 SNM vs. Olegario Godinez. 1st app.
 SNM vs. Joseph Aguilar & Montros R. Lopez. 1st app.
 SNM vs. Jose J. Del Rio. 1st app.
 SNM vs. Robert Barrozo. 1st app.
 SNM vs. Antonio F. Cortez. 1st app.
 SNM vs. Rebecca McDougal. 1st app.
 SNM vs. David Arreola. 1st app.
 SNM vs. Thomas Nieto. 1st app.

SNM vs. Christopher Crawford. 1st app.
 SNM vs. Leo B. Chavez. 1st app.
 SNM vs. Philip Wayne Turner. 1st app.
Wednesday, July 12
 9:00 a.m.—Ruidoso. Criminal Cases. Juvenile sequestered.
Thursday, July 13
 9:00 a.m.—Reserved for Juvenile and Criminal matters.
 1:20 p.m.—Sears Roebuck & Company vs. Gerald Mccoz.
Friday, July 14
 9:00 a.m.—Georgia Ortiz vs. Phillip Ortiz.
 1:29 p.m.—Judge Parsons to Socorro. State vs. Kevin C. Sullivan.

July 4 . . .

(Cont'd from P. 1)
Bradford.
 The signs for the winning parade units were made by Jo Warth, Duffy Morton, Maxine Wright, Elnaline Beck and Kay Strickland.
 The convertible for the grand lady and grand marshal was provided by Tony Romero.
 The Capitan Chamber of Commerce sponsors bingo every Thursday evening in Capitan on 1st Street next to the bank building. The chamber has a few Smokey Bear medallions left to sell. Write the Capitan Chamber of Commerce, P.O. Box 441, Capitan, NM 88316.

Alton Whittaker for July 4 weekend were Linda Dunagan and Grace Parker, Allison, Andrew, and Elizabeth Parker of Carlsbad.

Stacy Cox reports from Boys Town Center in Nebraska. Her work with the students is interesting, and she enjoys it. She will go directly to Eastern New Mexico University in Portales from Nebraska.

went to Carlsbad to see their new granddaughter, Lacy, who was born June 13.

Guests of Pauline and

(Cont'd on P. 7)

CAPITAN NEWS

By Margaret Rench

Very hot, dry and sultry until Thursday night when we received .2 tenths of rain. Oh, that precious moisture and the coolness though it lasted only that night. Nothing but heat since.

The hardware in Capitan is now open. Mr. and Mrs. Bennie Peterson and daughter from Austin, TX, have moved to Capitan and he has taken over that business. Welcome. We are happy to have you and wish you many years of success and happiness with us.

The Capitan City is beautiful and spacious with air conditioning. Those city employees will enjoy that after they get settled. It's lovely.

The Capitan Church of Christ Bible School will be held July 10-14, 9:30 - 11:30 a.m. All ages. Bus will run.

The Smokey Bear Museum had 5540 registered visitors during the month of June. The first two days of July there were 815.

Rev. Irwin Loud Jr. is the new minister of Capitan Methodist Church. He lives in their parsonage in Carrizo and takes care of both places. He is a retired chaplain.

I wish many happy birth-

days to Cathleen Massey June 23, and Misty Allred, age 5, July 7.

Happy 50th wedding anniversary June 27 to Ray and Nita Taylor. They are residents of Lincoln. The celebration will be July 22, with open house from 2 to 4 at the Perry Ranch in Glencoe, NM. Everyone is invited.

Netta Nolan is the new city employee. Welcome.

At this time Elma Campbell and her family are holding their family reunion at their old home. It is great to see you all again.

David Nolan enjoyed three weeks home from the Air Force Academy. He is back now, ready to finish his fourth year and last year there. June Taylor and four daughters have moved to Capitan to make their home permanently from Salt Lake City, Utah. They live at the corner of 2nd & Stanton. June is a nurse at the Care Center in Ruidoso. The girls ages are from 6 years to 12. Their mother was formerly June Avant. She was a grand niece of Bundy Avant. Many will remember him. We are happy to have you with us.

Mr. and Mrs. Charles Ray have just returned from a seven-day cruise in the Caribbean.

Happy 31st wedding anniversary to Mr. and Mrs. Charles Willions, whose day was July 4 and happy birthday to their grandson, Charles Willions, July 14.

Mr. and Mrs. Larry Ray of Carlsbad spent last weekend visiting his father, Charles Ray.

Butch and Netta Nolan



went to Carlsbad to see their new granddaughter, Lacy, who was born June 13.

Guests of Pauline and

(Cont'd on P. 7)

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SEAGRAMS 7 \$6.99 750 ML	SEAGRAMS 7 \$8.83 CASE	CANADIAN HUNTER \$12.49 1.75	CANADIAN HUNTER \$74.94 CASE
IMPORTERS VODKA & GIN \$10.39 1.75	IMPORTERS VODKA & GIN \$62.34 CASE	TWO FINGERS TEQUILA \$7.29 750 ML	TWO FINGERS TEQUILA \$87.48 CASE
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PUBLIC SCOPING MEETING FOR ENVIRONMENTAL IMPACT STATEMENT FOR DYNAMIC CONCRETE MEASUREMENT SYSTEM (DYCOMS)

PROPOSER: U.S. Air Force
 PURPOSE: To enable public input on scope and content of Environmental Impact Statement
 DATE: 12 July 1989
 PLACE: Cochise Audubon Society, Ruidoso, NM
 TIME: 7:00 p.m. - 10:00 p.m.
 CONTACT: Don A. Smith (505) 257-4141



Ernest V. Joiner's

OPINION

● Forget about statutes and constitutional amendments to punish flag burners. Instead, just turn flag burners over to our war veterans who know how to handle such matters—and with no cost to the American people

● The US Supreme Court ruling that burning the flag is constitutionally protected by the First Amendment of the Bill of Rights continues to intrigue me. In the decision the court relied on its interpretation of the First Amendment that guarantees freedom of assembly, speech, religion and press. The document nowhere mentions any guarantee of "freedom of expression" outside the spoken or written word. What a person does physically to make a political point can in no way be equated with the spoken or written word. Yet the court dwelt almost entirely upon "freedom of expression." Judge Robert Bork said on a recent TV show that the Texas man who triggered the court case by burning the flag could have "expressed" his viewpoint in a hundred other ways.

● Some authorities say that President Bush's plan for a constitutional amendment prohibiting desecration of the flag would be dangerous in that it would set a precedent for other, and more trivial, amendments that would further curtail the freedom and liberty we enjoy under the First Amendment. On the other hand, thousands of constitutional amendments have been submitted during the last 200 years, but only 26 have been approved. However, amending the constitution is not the "slippery" process some say it is, for which we can be thankful. The constitution has already slipped a lot, not by amendment, but by how the high court interprets the plain, hard and explicit language of the original constitution. Supreme Court justices substitute their thinking for the thinking of the Founding Fathers, a practice that cannot but contribute to the dilution of the original document and to the loss of rights we once enjoyed.

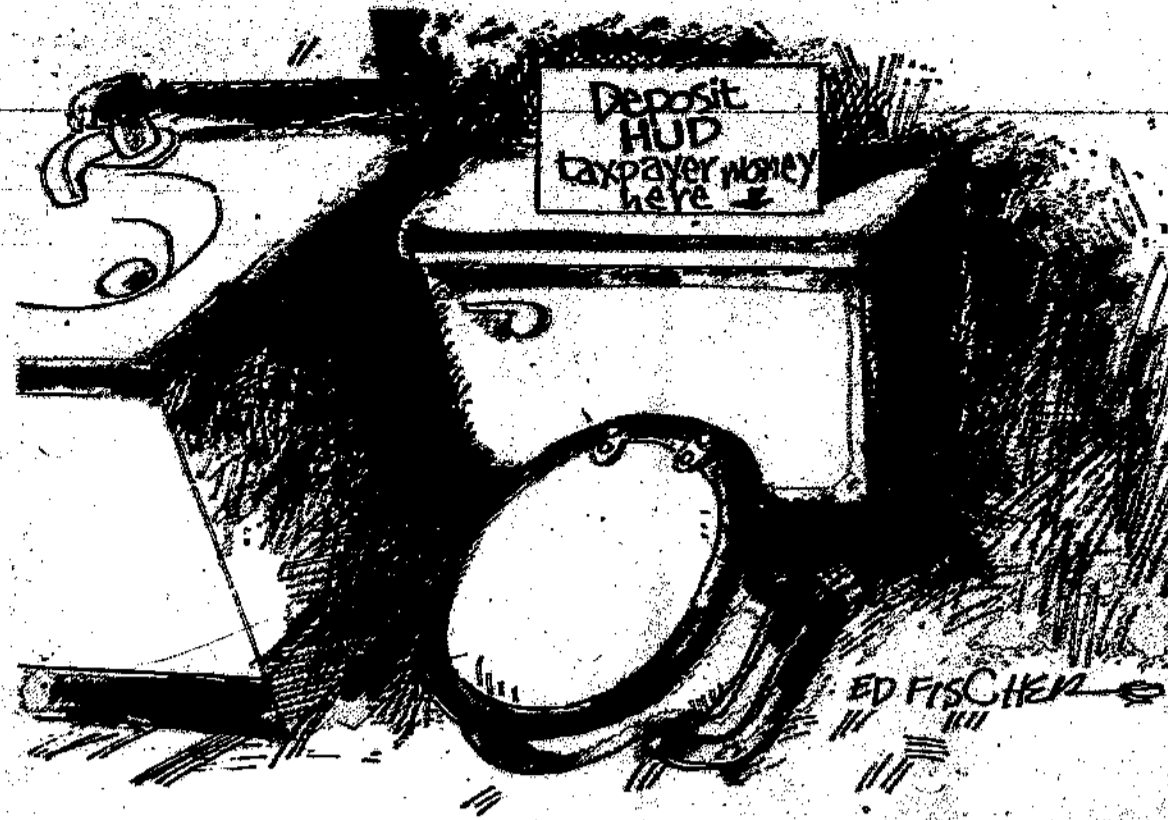
● For example, if you still believe there is unrestricted freedom of the press as a First Amendment, come to my office and take a look at a large volume of law that deals with libel, defamation of character, and other media no-nos. If I printed the unvarnished truth about some of the things that go on around this town, I would be arrested and convicted, fined and probably sent to jail. There are harsh punishments on the press that commit libel and indulge in character assassination. If this newspaper printed the names of juvenile lawbreakers, the publisher, editor and reporter could be fined and jailed, and the newspaper put out of business. The press had best shy away from printing government classified documents, even though they are leaked to the press by congressmen who face no penalty.

● It was long ago established by the Supreme Court that one cannot shout "Fire!" in a crowded theater without incurring heavy fine and/or imprisonment. There are other restrictions on the right to free speech. Slander can put a person behind bars. Ever heard of verbal assault? I was arrested for verbal assault a few years ago. All I did was call a man the son-of-a-bitch he was (and still is) in the presence of witnesses. I managed to escape fine and imprisonment for never having laid a hand on the bum. Divulge deliberations of a grand jury and see what happens. Under the First Amendment there is also an implied right not to speak, right? One of the quickest ways to get in jail is to refuse to answer a question put to you by a court judge. You are fined and jailed for contempt of court. Lie to a government agency and you will be jailed for perjury. It is possible for a congressman to lie to the American people, as witness the case of the late Speaker of the House Representatives Jim Wright. Wright lied, but his punishment was to resign from congress and stay eligible for huge pension that will gain more than a million dollars. But a citizen may not lie to the congress, as witness the case of Col. Oliver North who yesterday was fined \$150,000 on grounds he lied to congress—and his Marine Corps pension of nearly \$2,000 a month was revoked. Our right to free speech is already eroded, and the erosion continues, without constitutional amendment or statutes.

● Freedom of religion, also guaranteed by the First Amendment? Don't count on it. God has already been banned from public schools. Religious schools are being shut down by government, and in some cases their teachers are being jailed. Church property, until recently exempt from taxation, are now being taxed. Scenes depicting Mary and Jesus are banned from public property by the same court.

● Freedom of assembly is guaranteed in the Bill of Rights. But in a national emergency the Bill of Rights is usually suspended. One's associates are often

(Cont'd on opposite column)



Inside The Capitol

By Jay Miller



SANTA FE—Once again New Mexico's lawyers have shown us what rubes we were when voters gave them the power last November to appoint our judges.

The constitutional amendment that was passed in the name of "judicial reform" purported to create nominating commissions composed of 14 members to develop a list of names to present to the governor. The president pro tem of the Senate, the House speaker and the governor were each given two appointments—a lawyer and a layman. The chief justice of the state Supreme Court and two judges from the Court of Appeals automatically serve. The dean of the University of New Mexico law school is automatically on all judicial nominating committees, which essentially gives the UNM Board of Regents that appointment. The three judges and the president of the state bar association then appoint four additional lawyers to "politically balance the commissions."

According to legal fraternity representations prior to last November's vote, the last four appointments would be ample for balancing the nominating commissions on a political basis. Lawyers supporting the constitutional amendment were fond of talking about the significant role the three public members would play on the commissions. Though outnumbered 11 to 3, their numbers were still significant enough to be the eyes, ears, conscience and probably several other body parts for the commissions, according to supporters.

As far as I was ever aware, no detractor ever suggested the possibility of the judges and the state bar president getting cuts and appointing, say, 11 additional lawyers instead of four. We would have been called negative and alarmists and that sort of thing for ever suggesting the appointing authority would be misused.

But that is exactly what has happened! The commission appointed to recommend nominees to Gov. Garrey Carruthers for the state Supreme Court seat being vacated by Justice Harry Stowers has not 14 members but 21.

You see the three judges and the state bar president got together and had the divine inspiration that their first duty was to "add four lawyers representing different specialties in the profession," according to Charles Pharris, the state bar prexy. Where they got that revelation I have no idea. I never saw it in anything put out by the judicial reformers prior to the vote.

And would you believe it? All four of those specialists are Democrats. Evidently there is not a single Republican specialist in New Mexico sufficiently qualified to represent his or her colleagues. It's a scathing indictment of Republican legal competence and one with which it might be assumed the New Mexico GOP would want to take extreme exception. But that hasn't happened. Maybe the prospect of having seven Republican lawyers named all at once was sufficiently enticing. Could the state Republican party have had any involvement in naming

the block of seven lawyers? How does the commission find out about the party affiliation of every lawyer in the state?

There are many questions to be answered. Meanwhile the non-lawyer influence on this particular commission has shrunk from 3 of 14 to 3 of 21. The majority of the commission has now been appointed by four lawyers—three judges and the state bar president. Those 11 appointees could control the commission of 21 members.

The situation looks fishy enough that Senate President Pro Tem Manny Aragon, an Albuquerque Democrat, has asked Attorney General Hal Stratton whether the state constitution is being appropriately followed. Stratton, a Republican, says formal opinions normally take several weeks to months to research and write. By that time, this commission will probably have finished its work.

Aragon has been an opponent of the judicial selection process. Stratton remained silent while it was being considered by voters last fall. Even though Aragon and Stratton are political enemies, the AG should be expected to call this as he sees it. The question isn't political. Aragon's concern is the dilution of the appointing authority of the speaker, the president pro tem and the governor.

Will the lawyer's high jinks never end?

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Letters to the Editor

Try a little logic

EDITOR—When five Supreme Court judges cannot tell the difference between freedom of speech and burning an American flag in protest, then there is serious reason to question whether or not they should be on the bench.

If they have no more respect for the patriotic symbol that our flag is, then maybe we could humbly point out that burning the flag does constitute a fire hazard; additionally, burning flags pollute the environment.

They may argue that they are assuring rights recently discovered in the First Amendment. Heaven help the Supreme Court justice that would have attempted such an outrage the morning of Dec. 7, 1941.

RAYMOND C. WILSON,
San Juan Bautista, CA.

Are we buying Gorbachev's line

EDITOR—Is the Cold War over? Listening to a lot of experts would lead one to believe that it is.

Today the West, and in particular the people of the United States, are being dazzled by a public relations campaign whose success suggests that its origins are more likely to be found in New York than in Moscow.

Many Americans already believe that fundamental changes, even in the structure of the Communist government, are taking place in the USSR. That even slight changes are merely cosmetic seems never to enter the consciousness of people who want peace so badly that their wishes overcome their common sense.

If there were fundamental changes in the USSR, there would be an end to socialism.

Its record as a 70-year-long failure is demonstrable. What the Soviet Union needs is complete structural change. Scrap socialism for free enterprise; tear down the iron curtain; open up the Gulags and free their occupants; put an end to world terrorism; and allow hundreds of millions of captives basic rights and freedoms.

Is this is what is happening? Quite the contrary, none of it is even planned. In November 1987, while speaking at the festivities marking the 70th anniversary of communism, Gorbachev heaped praise on the concept of socialistic collectivization, lauded Stalin for his contributions to the struggle for socialism, and denounced Trotsky for "anti-socialist ideas." The harsh reality of socialism is not about to be ended in the Soviet Union. Nor will there be any end to the Iron Curtain, gulags, terrorism and suppression of God-given freedoms.

Gorbachev ended his speech with, "We are moving toward a new world, the world of Communism. We shall never turn off that road." The Communists have no intention of changing. What should change is all the help that is given by the West, communism's target.

EDWARD SHELLENBARGER,
Galt, CA.

Opinion . . (Cont'd from opposite column)

questioned. Curfews are imposed. Travel rights are suspended, as was the case at the beginning of Japan's entry into World War II. Japanese-Americans were ordered out of the West Coast War Zone. If they didn't comply voluntarily, they were sent to relocation centers from which they could go anywhere in the US—except back to the war zone. Blackouts are imposed in certain areas. Those consorting with suspected enemy agents are questioned and sometimes arrested.

● So don't take the freedom guarantees of the First Amendment as absolute. Time, court rulings, and precedence have eroded that cherished litany of individual rights. I would hesitate to further soften this Bill of Rights by amendment making it a crime to burn or desecrate the flag. We have done pretty well for 200 years by leaving this matter to the states, and to a public that finds flag burning despicable.

● Reason and logic indicate that if a person blows up the Washington Monument, a national symbol of less sanctity than the flag, as that person's protest against government, he would, under present law, be punished for destruction of public property, desecration of a national symbol, disorderly conduct, sabotage, and God only knows what else. But should the same individual burn the American flag, our greatest symbol of liberty, he goes unpunished because the court says such an act is an "expression" of political dissent guaranteed by the First Amendment. Incredible. Destroy the nation's cherished symbol and it's dandy. Blow up the lesser national symbol, the Washington Monument, and the expessor is in deep trouble. Any logic in that?

Member

Lincoln County News

"The Official County Seat Newspaper of Lincoln County"

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LEGALS

TWELFTH JUDICIAL DISTRICT COURT COUNTY OF LINCOLN STATE OF NEW MEXICO

BREWSTER OIL COMPANY, RALPH O. PEARSON, a widower, and THE RALPH O. PEARSON AND FRANCES R. PEARSON REVOCABLE TRUST,

Plaintiffs,
vs.
THE UNKNOWN HEIRS OF FRANCES R. PEARSON, Deceased, and ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO PLAINTIFFS,
Defendants.

NO. CV-89-191
Div. III

SUMMONS AND NOTICE OF SUIT PENDING

STATE OF NEW MEXICO

TO THE UNKNOWN HEIRS OF FRANCES R. PEARSON, Deceased; and ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO PLAINTIFF

GREETINGS:

You, and each of you, are hereby notified that there has been filed in the District Court of Lincoln County, New Mexico, a certain cause of action wherein Brewster Oil Company, Ralph O. Pearson and The Ralph O. Pearson and Frances R. Pearson Revocable Trust are Plaintiffs, same being Cause No. CV-89-191 on the civil docket of said Court.

The objects and purposes of said suit are to quiet Plaintiff's title in and to the fee simple estate in the SE 1/4 NE 1/4 of Section 24, Township 9 South, Range 13 East, N.M.P.M., lying West of the right-of-way of State Highway 48; and the NE 1/4 SW 1/4 of Section 18, Township 9 South, Range 14 East, N.M.P.M., lying East of the right-of-way of State Highway 48, Lincoln County, New Mexico, all as specifically set forth in the Quiet Title Complaint on file herein.

You, and each of you, are further notified that unless you enter your appearance in said cause on or before the 29th day of August, 1989, judgment will be rendered against you by default in said cause and Plaintiff will apply to the Court for the relief demanded in the Quiet Title Complaint.

The name of Plaintiff's attorneys is Hinkle, Cox, Eaton, Coffield & Hensley whose post office address is P.O. Box 10, Roswell, New Mexico 88202.

WITNESS my hand and seal of the Court this 30th day of June, 1989.

MARGO E. LINDSAY
District Court Clerk.

By Elizabeth Lueras,
Deputy Court Clerk.

(SEAL)
Published in the Lincoln County News on July 6, 13, 20, & 27, 1989.

NOTICE

NOTICE is hereby given that on May 11, 1989, City of Alamogordo, 511 Tenth Street, Alamogordo, New Mexico, 88310, filed application number 13-T with the State Engineer for a Temporary Permit for Alternate Place of Use of Surface Waters of the Rio Bonito, a tributary of the Rio Hondo/Pecos River as follows:

The City of Alamogordo has the right to divert a maximum of 1449.02 acre-feet of water per annum from the Rio Bonito, a tributary of the Rio Hondo/Pecos River, under State Engineer file number 13, at a point lying in the S 1/4 NE 1/4 of Section 12, Township 10 South, Range 12 East, NMPM, at a point whence the North Quarter Corner of Section 12, Township 10 South, Range 12 East, bears North 42 degrees, 52 minutes West, 2,049 feet distant, for municipal, governmental, domestic, mechanical, industrial or commercial purposes in the City of Alamogordo, and on various and permitted locations along the Bonito Pipeline. The applicant's intention under this application is to make available to the Village of Capitán, from the applicant's Bonito Lake right, 20 acre-feet per year for a maximum of five (5) years on a temporary basis pursuant to the April 25, 1989 contract attached to the application. The alternate place of use at the Village of Capitán will revert to its prior place of use automatically upon expiration or termination of said contract. No increase in the presently permitted amount of diversion or storage is requested by this application.

Any person, firm or corporation or other entity objecting that the granting of the application will be detrimental to the objector's water right shall have standing to file objections or protests. Any person, firm or corporation or other entity objecting that the granting of the application will be contrary to the conservation of water within the state or detrimental to the public welfare of the state and showing that the objector will be substantially and specifically affected by the granting of the application shall have standing to file objections or protests. Provided, however, that the state of New Mexico or any of its branches, agencies, departments, boards, instrumentalities or institutions, and all political subdivisions of the state and their agencies, instrumentalities and institutions shall have standing to file objections or protests. The protest or objections shall be in writing and shall set forth all protestant's or objector's reasons why the application should not be approved and must be filed, in triplicate, with S.E. Reynolds, State Engineer, Bataan Memorial Building, Room 101, Santa Fe, New Mexico 87503, within ten (10) days after the date of the last publication of this Notice.

NOTICE

In accordance with Article IV, Section 8 of the By-Laws, the Board of Trustees has appointed the following member-consumers to serve on a Committee of Nominations:

- Larry Sharp.....HighRolls
- Joe Saenz.....Bent
- Melissa Stowary.....Pinon
- Dub Cox.....Mayhill
- Johnson Stearns.....Carrizozo
- Roy Holcomb.....Boles Asros
- Hollis Fuchs.....Capitan
- Alan Breck.....Cloudercroft
- Ralph Hunt.....Alto
- John Cooper.....Tinnie

This Committee, keeping in mind the principle of geographical representation, shall prepare and post, at the principle office of the Cooperative at least twenty (20) days before the Annual Meeting of Members a list of nominations for Trustees.

Incumbent Board Members whose terms expire in 1989 are: Fred Hanson.....NE District; James Rogers Central District; G.B. Oliver, Jr.....SW District; Charles Mulcock.....SE District.

Nothing contained in this Section shall prevent an incumbent from being re-elected if nominated, nor prevent additional nominations from the floor or by petition duly executed.

Time and date for the meeting of this Committee has been set for Wednesday, July 12, 1989 at 10:00 A.M. in the office of the Cooperative in Cloudercroft, New Mexico.

Published in the Lincoln County News on July 6, 1989.

Obituary

CEDRIC B. RUE
Cedric B. Rue, 47, Ruidoso Downs, died June 24, in California.

The Rosary was recited at 7 p.m., Thursday, June 29, at St. Eleanor's Catholic Church, followed by funeral services Friday, June 30. Officiating were Fr. Dave Bergs of St. Eleanor's and Fr. Larry Gosselin of St. Joseph's Catholic Mission at Mesalero. Interment was in Forest Lawn Cemetery, Ruidoso, with LaGrone Funeral Chapel in charge of services.

Mr. Rue was born Aug. 11, 1941 in Arabella, NM. He was married May 18, 1963 in Ruidoso to Sally Miller, who survives him. He was resident of Lincoln County all of his life. He was a dynamite man for Barney Rue Construction.

He is survived by the wife, Sally Rue of Ruidoso Downs; two sons, Cedric F. Rue Jr. of El Cajon, CA and Henry A. Rue of San Diego, CA; a daughter, Marcie E. Rue of Ruidoso Downs; his mother, Nora Rue of Ruidoso Downs; four brothers, five sisters, and numerous nieces and nephews.

Starting a small business takes dedication

Many small businesses begin with a brainstorm. For example, Anne's sugar-free apple pies were famous in her community. But she never dreamed of baking for a living. Then, one day, a neighbor raved about her baking at a local gourmet-food store. Soon after, the owners of the store asked Anne if she would be interested in supplying them with a line of sugar-free deserts. Anne readily agreed.

Peter had a similar experience. As a buyer for a national retailer, he had traveled extensively. Friends and co-workers constantly asked him for tips about hotels and restaurants. When Peter's company relocated to another state, a former co-worker recommended that Peter start his own business, one that would capitalize on his travel expertise. The suggestion hit home. Today, Peter publishes a small monthly newsletter on travel information for business people.

If you hope to launch a small business of your own, your business concept may have developed in a brainstorm as well. But the New Mexico Society of CPAs warn that a business concept is just a pipe dream until you evaluate your own management capabilities, assess the business' financial feasibility, and develop a sound business plan.

Managing even a small business takes a tremendous amount of time and dedication. If you are serious about venturing out on your own, you should take a long look at your previous business experience and education, your history as an employee,

and the amount of hours and money you are willing to invest. Weigh all the factors honestly. If you still believe you can succeed as an entrepreneur, make sure the business you have in mind is a viable one.

EVALUATE YOUR BUSINESS IDEA

To determine whether or not a business can succeed, start by talking. Talk to family, friends, and professional acquaintances. Ask them for their opinions on the product or service you hope to provide. Consult with owners of similar businesses who are located far from your target community. As long as you are not in direct competition with these people, they may be willing to give you some vital tips about the preferences and buying trends of their customers.

Next, survey your own potential customers. What type of businesses do they frequent? How much would they pay for the service or product you plan to market? What times of the day are they most likely to stop by stores at a particular location?

As you gather information, you may find that you have to alter or modify your plans. Peter, for example, originally wanted to open his own travel agency. But after talking to friends and potential clients, he realized that many business people either did not have the time to visit a travel agency or they had to make travel plans through a specific agency selected by their employer. What these people wanted, and what they were willing to pay for, was a good, concise travel

publication that recognized the special needs of the business traveler. At that point, Peter switched gears and began focusing on a travel newsletter.

WRITE A BUSINESS PLAN

Once you've refined your business concept, write a preliminary business plan outlining the objectives of your business, how you plan to achieve them, and what obstacles you may face. Be as specific as possible, including such items as how much you expect to earn annually and how many employees you will need. Make sure you consider issues that can affect the long-term profitability of a business, such as changing technology or social trends.

You should also estimate how much money you need to get the business off the ground. Include the cost of furnishings and equipment, such as a desk, filing cabinet, computers, telephone, or fax machine. Consider, too, basic office supplies, such as stationery and business cards. Marketing and promotion costs should also be included in your estimate. Next, list your possible sources for start-up capital.

The business plan should describe your criteria for selecting a business site. Pay special attention to such areas as local customer demographics, the availability of transportation services to the site, traffic patterns, space requirements, and zoning regulations.


To be truly comprehensive, your business plan should also examine the extent of local competition and the amount of risk asso-

ciated with your product or service. Ask yourself whether your business will involve any risk of consumer injury. If it does, the insurance costs may be prohibitive.

Finally, decide how you want to record your revenues and expenses. You may want to consult a certified public accountant; not only can a CPA help you set up an accounting system, but he or she can also advise you on tax-related matters. For instance, a CPA can explain how various ways of organizing a business—whether sole proprietorship, partnership, or corporation—may affect your tax liability.

(Cont'd on P. 7)

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86 BRONCO, like new, extra clean, runs great, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 378-4400, 30 day warranty. TFN-June 8.

FOR SALE: 1972 Cadillac DeVille. For more information call 648-2863 in Carrizozo. tfn-July 6.

FORMS AVAILABLE at Lincoln County News: No Camping Permitted, Posted-No Hunting or Trespassing (also in Spanish), Warranty Deed, Bill of Sale, Quitclaim Deed, Proof of Labor on Mining Claim, Statement of Transaction. All forms 25¢ each, signs 75¢. TFN-May 11.

FOR SALE: RV 1977 Dodge Free Spirit 26 foot, sleeps 6, bath, furnace, combination propane-electric refrigerator, air conditioned, 48,000 miles. \$6500.00. Mo-Ped 500 miles \$250.00. Red Spanish roof tile \$100.00. Johnson Stearns, Carrizozo, NM. 2tc-July 6 & 13.

HOUSE FOR RENT in Nogal, 3 bedroom, 1 bath, \$250 per month. Call 622-6056 in Roswell. 4tc-June 15, 22, 29 & July 6.

'88 TOYOTA pick up, 4x4, AC, extra clean, save thousands, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 378-4400, 30 day warranty. TFN-June 15.

87 PONTIAC, 6,000 Sedan, loaded, extra clean, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 30 day warranty, 378-4400. TFN-May 25.

JOB WANTED: Married, 29 year old, 8 years heavy equipment and 5 years ranch experience, welder and horseshoer. Looking for job in Lincoln or Otero County. Call collect 602-333-4390. 2tp-June 29 & July 6.

HAVE SEVERAL large lots in clean area. Water, lights, sewer; available to every lot. Payments for about as cheap as you can rent a lot. S.B. Boykin, Box 490, Carrizozo. Phone 648-2577. Home 648-2265. 4tc-July 6, 13, 20, & 27.

BARTENDERS WANTED: experienced, full and part-time. If relocating, free housing provided. Club Carrizo Carrizozo. Phone for appointment, 9 to 4. 648-9985. tfn-July 6.

FOR SALE: 2 bedroom, 2 bath house in Carrizozo on large lot with unattached garage. Selling price \$23,700. Call Mary at 437-4560. tfn-April 27.

87 CHEVROLET BLAZER, 4x4, power windows/locks, like new, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 378-4400, 30 day warranty. TFN-June 1.

88 F-150, 4x4, AC like new, save thousands, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 30 day warranty, 378-4400. TFN-May 25.

FOR SALE: 3 bedroom, 1 bath, two-story house in Carrizozo. This house has history behind it, near the center of town and needs a lot of TLC. Make offer. Call Woody Schlegel, Broker, Plains Realty, 505-648-2472. 2tc-July 6 & 13.

RESPONSIBLE PERSON Wanted to own and operate high profit candy vending route. Nationally proven program since 1959 includes training. Requires cash investment of \$4237 to \$14070. Call 1-800-328-0723 EAGLE INDUSTRIES - Since 1959 - 1tp-July 6.

Business . . . (Cont'd from P. 6)

DON'T FORGET LEGAL CONSIDERATIONS Before you can put your plan into action, research local and federal laws and requirements. In many parts of the country, you will need to apply for a business license at the town or county clerk's office. In addition, you may have to file a "fictitious business name statement," if the name of your business does not include your surname.

Even a small business can demand a big investment in time and energy. Before you consider a venture of your own, OPAs suggest that you carefully assess your ability to succeed in the wide world of small business.

"ATTENTION:" Earn Money Reading Books! \$82,000/year income potential. Details. 1-602-838-8885 Ext. BR 4766. 4tp-July 6, 13, 20 & 27.

88 JEEP WRANGLER, 4x4, like new, only 10,700 miles, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 378-4400, 30 day warranty. TFN-May 4.

ATTENTION - HIRING! Government jobs - your area. \$17,840 - \$69,485. Call 1-602-838-8885. EXT R4766. 3tp-July 6, 13, & 20.

87 FORD F-150, super cab, extra clean, AC, bedliner, finance with \$195 down, Ruidoso Ford, Lincoln, Mercury, 378-4400, 30 day warranty. TFN-June 1.

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Margaret Rench . . . (Cont'd from P. 3)

Dr. Jane Kelley from the University of Calgary and Dr. Joe Stewart of Lakehead University visited with Pauline and Alton Whittaker at the Hitchin Post Lodge.

Their son-in-law Robert Bullard and his daughter Sny Lyn are living in their home so she can attend Capitan school. Lucille is improving nicely.

Sue Shrum and Jim Simpson of Snyder, TX were guest of the Terry Stricklands last weekend visiting her father, Bill Strickland, the David Stricklands, and the Curtis Reeves.

Wendy and Misty Hobbs visited from El Paso.

Elinton Harris and daughter Sonya Yates are visiting Bill and Mary Harris.

Mr. and Mrs. Jack Forrester and family of Palmer, Alaska, are spending 10 days with his parents, Mr. and Mrs. Jack Forrester. Their other children, James Forrester and family and Mrs. Bob Star and family of Roswell, joined them for the holiday.

Thirty attended the Purcella family reunion at Baca Campsite last week.

Mr. and Mrs. Fernie Stokes and family of Norwalk, CA is spending some time in their home in

Lucille and Albert Paul arrived from the ranch near Socorro to enjoy July 4 at

home. Their son-in-law Robert Bullard and his daughter Sny Lyn are living in their home so she can attend Capitan school. Lucille is improving nicely.

Obituary

ALVIN MORRIS CARL
Alvin Morris Carl died June 2, at Fresno, CA. Mr. Carl was a native of New Mexico, born Oct. 2, 1912 at Carrizozo. He is remembered by his friends at Carrizozo High School for his excellence in track.

He is survived by his wife of 51 years Elsie; son, Melvin, recently of Houston, TX; grandson, Charles Alvin of Tujunga, CA; sister, Alta Farmer of Santa Rosa, CA; brothers, Earl of Fallon, NV, Lee of Alamogordo, and Charles of Hanford, CA.

I just must express my deep heartfelt gratitude to Lincoln County News and The Four Square Church; the flowers of all kinds and plants, messages and cake as well. The names are too numerous to mention, but I want all of you to know and realize the happiness you have given. Thank you and God bless all of you. What an 87th birthday!

He started work as a youth at Paden's Drug Store with Melvin G. Paden M.D. He also worked as a projectionist at the old Lyric Theater for the late R.A. and Birdie Walker.

A memorial service will be held Saturday, July 8, 10:30 a.m., at First Assembly of God Church in Alamogordo, 10th and Florida. Burial will follow at Evergreen Cemetery in Carrizozo.

During World War II Mr. Carl worked in California with Pacific Electric in railroad communication.

Ranchmen's Camp Meeting set

Returning to New Mexico, he worked for Hughes Aircraft at Holloman AFB and at Culver City, CA until retirement after 27 years.

The 50th annual Nogal Mesa Ranchmen's Camp Meeting will be held July 19-23. Camp preachers are Garth Hyde, Rosemead, CA, and Randy Steele, Fort Collins, CO. Music minister is Paul Biggs, Bartlesville, OK and the youth minister is John Walker of Carrizozo.

Mr. Carl was always active and faithful to his church. He attended the Assembly of God Mission at Mescalero during the ministry of the late Bro. Billy Olson. At First Assembly in Alamogordo he served as a member of the board, and as usher and greeter for many years.

For more information contact Johnson Stearns in Carrizozo.

He moved to Oakhurst, CA almost two years ago for health reasons.

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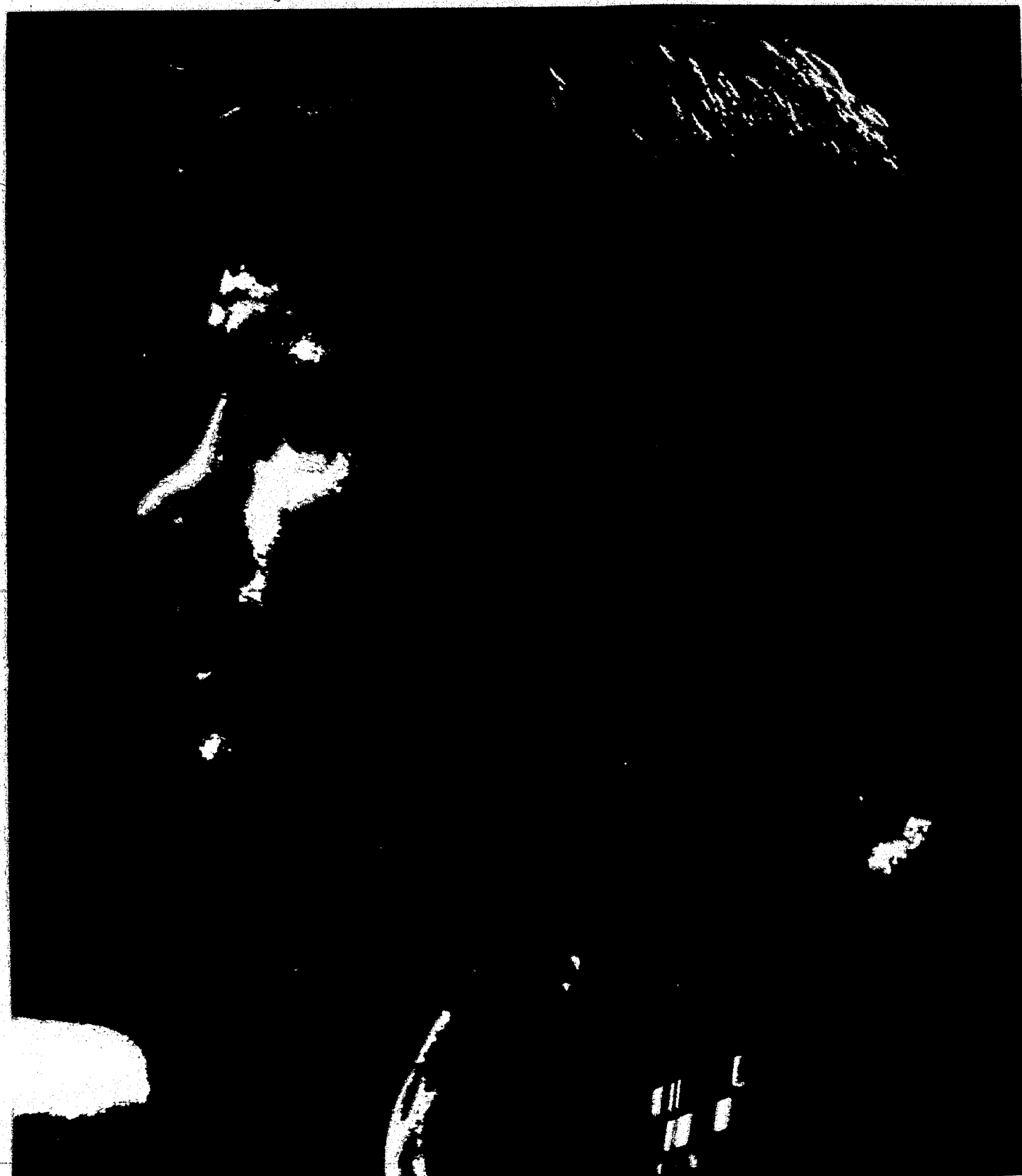
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