

Sederwall Loses First Round in Court

by Patrice Brazie

Former Capitán mayor Steve Sederwall lost the first round in court last week in an effort to have his name placed on the general election ballot in November as an independent candidate for Lincoln County Sheriff.

The would-be candidate failed to submit a completed nominating petition with his declaration of candidacy earlier this year, but says that he was given misinformation about the requirements from employees at the Lincoln

County Clerk's office and by election officials in the office of the Secretary of State.

Sederwall and his attorney Timothy Rose alleged that, because incumbent candidate Sheriff Rick Virden was not required to submit a nominating petition, Sederwall's right to equal treatment under the law was violated.

In a brief written by New Mexico Assistant Attorney General Scott Fuqua, who represented Secretary of State Mary Herrera, a defendant in the case, Fuqua stated that it was his belief, as well

as that of the Secretary of State, that Sederwall should be allowed to have his name placed on the ballot.

In the brief Fuqua wrote, "The laws of the State of New Mexico require independent candidates for county office to file nominating petitions in support of their candidacy in order to appear on the general election ballot. The same laws also require major party candidates for the same offices to file nominating petition signatures in order to appear on their party's primary election

ballot. Because it would be inequitable to apply the same legislative requirement to only one candidate, Defendants Mary Herrera and Daniel Miera believe that Plaintiff belongs on the general election ballot for the office of Lincoln County Sheriff."

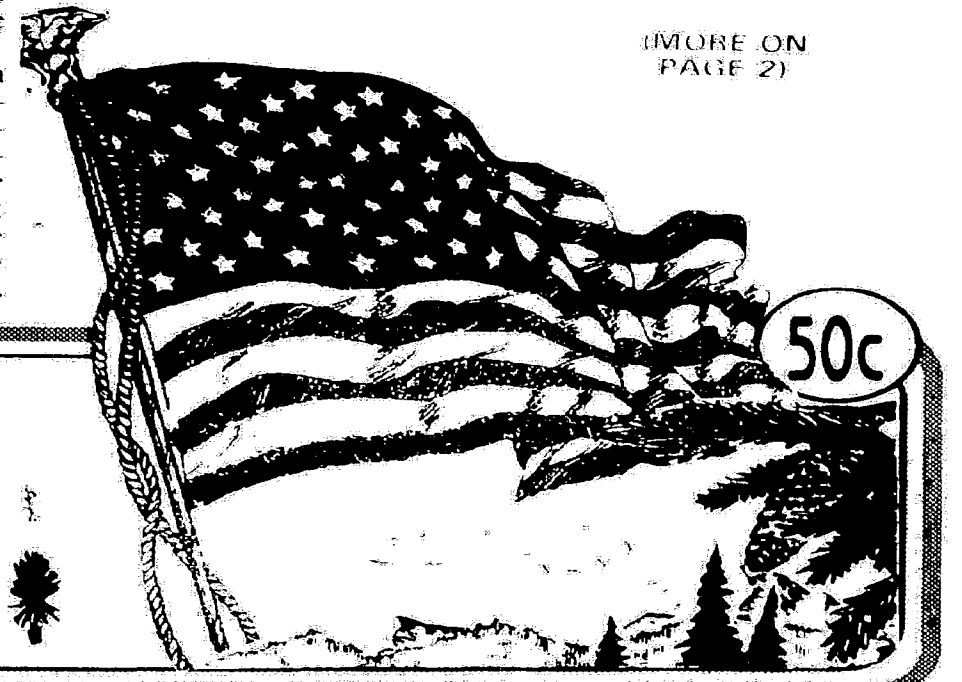
Rose told *The News* on Tuesday that the state officials named in the case agreed that state statutes required both candidates to file nominating petitions, that Sederwall and Virden were treated differently under the law and that Sederwall's

name should be on the November ballot.

"The judge (Santa Fe District Court Judge James Hall) questioned us about whether or not the remedy would be,

instead of putting Sederwall on the ballot, why not take Virden off," Rose said. "We argued, and the Attorney General's office for the Secretary of State argued, that that was

(MORE ON PAGE 2)



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FLOOD LADY

Barbara Tammons of Lubbock, Texas, considered herself lucky as she watched the clean up efforts in the River Ranch RV Park in Ruidoso. During the flooding there, when a person can't get out, they can't get in. She was on the line and started her boat. It floated up and down the side, but not on the inside. Tammons said, "Our deck not a quarter of an inch off the ground. That's why it didn't get pulled in. It was just floating on the water, just floating on the water."

Roadrunner Food Bank's Mobile Food Pantry Responds to Ruidoso Flood

The Roadrunner Food Bank sent a truck containing 36,000 pounds of food and supplies to the Angie Nazarene Church in Capitán on July 30. The need of food and supplies was coordinated with local emergency responders and will benefit those affected and relocated by the flooding in Ruidoso.

Executive director Melody Wattenbarger said, "When we were alerted to the flood several days ago, we began pulling inventory in our warehouse immediately, that way we could act quickly to have responders called on us for support. That call came and within a few hours the truck was loaded and ready to drive to Capitán."

Roadrunner Food Bank is prepared to respond to disasters such as the flooding in Ruidoso by providing food, water and other supplies. In August 2006, the Food Bank provided emergency food to 150 families affected by flooding in the Hatch, Alamogordo, Socorro, and Laguna. The food bank also participates in statewide disaster planning.

For more information about Roadrunner Food Bank or future deliveries, please contact Sonya Warwick at (505) 349-868.

County Road Crews are Scrambling After Flood

by Patrice Brazie

Lincoln County Road Department workers are once again busy repairing flood damaged roads and culvert washouts, just after closing out on a list of flood damage projects from high water damage two years ago.

Road department superintendent Albert Hernandez was out with a crew working on the access to Bonito Lake recreation areas earlier this week. He talked about the road workers' group and after the flooding of a week and a half ago. "We've got an agreement with the Forest Service to maintain road 107 up to the Runnells Stables," Hernandez said on Tuesday. "It got washed out really badly during the flooding and there were a lot of campers on the other side of the river that couldn't get out," he said. "We worked about 14 hours during the flooding to haul about 150 yards of road to get the campers out. It was so busy, no one could get across. We had two deputies stranded in there all day Sunday and Sunday night," Hernandez said. "We got them out on Monday. That was our first priority because of the campers that were in there," he said.

Hernandez also reported that he had a crew working a Spring Canyon at about the same time. "That one was really bad too," he said.

Most of the damage there was caused by clogged culverts that forced the water to create new paths and directions of flow. "We also had washouts over the top of Cedar Creek and Muskethall roads. A culvert was washed out completely on Hill Circle Court and residents were stranded for a night in there," Hernandez said.

The crew at the Bonito access was working to fill in the ground around a bridge

on 107 that Hernandez said had been undermined by the rapidly rushing water and the debris it carried. The bridge is still impassable and the bank is all washed away on

one side of it, Hernandez said.

The county road department will also be working on

(MORE ON PAGE 3)



Cindy Najar, RN Joins Carrizozo Health Clinic

The Carrizozo Health Clinic, CHC, and the Carrizozo Medical Center, CMC, are pleased to announce that Cindy Najar, RN, has joined the Carrizozo Health Clinic. The Carrizozo Health Clinic is managed by Lincoln County Medical Center in Ruidoso. It is supported by multiple communities.

"I love working in a community where I live," said Najar. "I grew up and live in Carrizozo. My family and

my friends live here and I have a great job. I'm excited to be here."

Cindy Najar, RN, is a graduate of the University of New Mexico and worked in Albuquerque before the Carrizozo Health Clinic. She graduated from the nursing program at NMMSI in 1995. Najar worked at the Carrizozo Health Clinic.

(MORE ON PAGE 3)

PEACHES FOR SALE

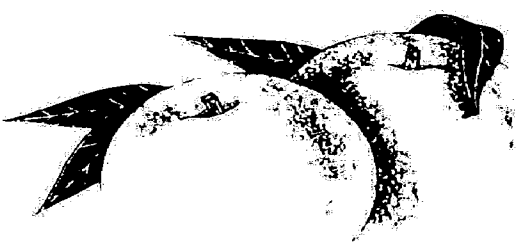
Albertas - Rangers - Redhavens

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Pick up Orders
8 am - 12 Noon
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Orchard Located on County Rd. A002, East of Oscura





Sederwall Loses

(Continued from Page 1)

not the proper remedy, that it would be more fair to put both of them on the ballot."

According to Rose, Judge Hall reviewed the statute that requires major party candidates to file nominating petitions, and stated that he found the language to be ambiguous. That analysis of ambiguity is one of the requirements necessary to have the courts look beyond the statutes and try to determine the specific intentions of the legislators, Rose explained.

"The judge made a finding that the legislature really didn't intend Republicans and Democrats to have to file a nominating petition," Rose said. "So, because they are not required to, there's no equal protection problem. It's contrary to the clear language of the statute and the judge pretty much said that," Rose added. He suggested that Judge Hall was setting up the case for a hearing before the New Mexico Supreme Court to get a clearer interpretation of the law.

"The judge found that the Secretary of State's Office and the clerk's office gave Sederwall wrong advice and that he relied upon the advice," Rose said, "but the judge also said that the statute was clear and (Sederwall) should have known."

Dan Bryant, the attorney representing Lincoln County and the county clerk's office, said earlier this week that Sederwall took one sentence from one statute and interpreted it to say that all candidates are required to file nominating petitions. "The judge said 'you're wrong,' and the other thing the judge said is that at best (one statute) is ambiguous," the attorney said.

Bryant also said that Judge Hall interpreted the intent of the legislators to be that candidates running for county office in a primary election are not required to file nomi-

nating petitions. "He said the legislative intent is crystal clear," Bryant said. "On page 31 of the election guide, the Secretary of State says that people running for county office in a primary election do not need nominating petitions," he added.

Bryant said that he pointed out in court that Sederwall did not run in a primary election. "He's running in the general. To get on the general election ballot, major party candidates have to run in a primary. That's how they show significant support to justify getting on the general election ballot," Bryant said. "Independents are, and the judge found that statute to be absolutely clear, required to file a nominating petition. There are two different processes," Bryant said.

In an interview with *The News* on Monday, Fuqua further explained the court's decision regarding equity between the candidates' requirements. "The court didn't say that it was okay to apply a law that requires one person to get petition signa-

(MORE ON PAGE 6)

Emergency Hotline for Flood Victims

The Public Regulation Commission has established a hot line for emergency response regarding insurance and FEMA assistance for the flooding. That number is 1-866-913-1011.

They also recommend - check your homeowners insurance with your local agent; if you have questions regarding the policy call the PRC hot line - 1-866-913-1011; if you have flood insurance the contact for filing a claim is 1-800-638-6620; FEMA Disaster information is available at 1-800-462-9029.

DISTRICT COURT CALENDAR

The Calendar for District Judge Karen Parsons

Monday, August 4
 Judge Counts Jury Trial
 Judge Parsons
 8:15 a.m. Midland Credit v. Harvey Twite; CV-2007-507 (Mtn/Judgment on Pleadings)(Grubel/ProSe)
 8:30 a.m. Telephonic - SNM v. Charles Struwe; CR-2008-30 (Judicial Inquiry)(Burson/R.Hawthorne)
 9:00 a.m. Lawrence Chavez v. Christina Kennedy; DM-2008-13 (Merits)(S.Cook/ProSe)
 1:15 p.m. Telephonic - Gary Wolfe v. Mitchell et al; CV-2007-127 (Judicial Inquiry)(Stevens/Mitchell)
 1:30 p.m. Paul Heath v. Jennifer Griffin; CV-07-368 (1/2 Day Merits)(Rose/ProSe)
 4:30 p.m. Pamela Eakins v. Quentin Eakins; DM-2008-57 (Default FD)(Gibson/ProSe)

Tuesday, August 5 - In Ruidoso
 8:00 a.m. Burns v. Burns; DM-2008-27 (Cont of Mtn from 5/15)(Entry/ Consolidated Judgment/Merits)(Kelsey/Kraft)

Juveniles
 10:00 a.m.
 Brandon G.; JR-08-33/34 (FA)
 Lindsey V.; JR-08-17 (JI Reg. Time) Adjudicatory
 Angelo M.; JR-07-26
 Tyler R.; JR-08-30
 Desirae N. JR-08-32

Disposition
 Gage O. JR-2007-33 (report may not be ready)
 12:00 p.m. Drug Court Advisory
 2:00 p.m. LCJTB
 3:00 p.m. Drug Court Screening
 4:30 p.m. Drug Court

Darrell Brantley
 10:00 a.m. Socorro Maldonado v. Ricardo Maldonado; DV-2003-96 (Intp./Diem)(TRO)
 11:00 a.m. Susan Hall v. Tony Cooper a/k/a Alfred Bejar; DV-2008-50
 1:15 p.m. Melanie Luttrell v. Tracy Frost; DV-06-98/07-50(App.Modify)

Wednesday, August 6

Criminal Day
 8:30 a.m.
 First Appearance
 Alice Jackson; CR-08-178
 Julie Grisham; CR-08-177
 Tim Tice; CR-08-172/171
 Elijah Romero; CR-07-190 (FA-BW)
 Sonja Zamora; CR-07-24
 Raycel Zamora; CR-07-69
 Change of Plea
 Pamela Zamora; CR-08-16
 Steve Saenz; CR-07-44
 Geno Mendoza; CR-07-16
 Weaver Ballard; CR-08-69
 Veronica Zamora; CR-08-74
 David Hollingsworth; CR-03-236
 Fermin Salcido; CR-07-155
 Josh Reed; CR-08-31
 Brandon Pablo; CR-08-64
 Judicial Inquiry/Other
 Kenneth Payne; CR-08-55/56
 Joseph Martin; CV-08-86
 Adrian Herrera; CR-08-26

(MORE ON PAGE 4)

FIRST AND THIRD THURSDAYS.
 Representative from State Engineer's office at Ruidoso Village Hall from 9 a.m. to 12 noon.

THIRD SATURDAY OF EACH MONTH
 American Legion Post #11, serving the Carrizozo area, meets at 9:00 a.m. at Wells Fargo Bank in Carrizozo.

TUESDAYS
 Captain Public Library preschool reading hour at 1 p.m.
 Alcohol Anonymous 6:30 p.m. Carrizozo First Baptist Church Fellowship Hall

SATURDAY, AUGUST 9
 Clean Up Day in Carrizozo, 8 a.m. to 12 noon. Call before noon Friday to schedule pickup, place on street by 8 a.m. today, Saturday, August 9.

MONDAY, AUGUST 11
 Captain Chamber of Commerce 6:30 p.m. at Visitor Center
 Carrizozo Town Council 6:00 p.m., rescheduled from Tuesday, August 12 due to Municipal League annual conference in Clovis.

The Republican Party of Lincoln County monthly meeting at Ellys Store in Laneador. Dinner at 6:00 p.m., speaker at 7:00 p.m. For information call Bill Dement at 973-0541. The speaker will be Dr. J.R. Dammron discussing the health care bill that Gov. Richardson will present at the special session.

TUESDAY, AUGUST 12
 Carrizozo Chamber of Commerce 12 noon at Lou Winds Restaurant
 Ruidoso Village Council 4:30 p.m.
 Corona Village Council 5:30 p.m.
 Captain Village Council 6:30 p.m.

WEDNESDAY, AUGUST 13
 Corona School Board 6:00 p.m.

THURSDAY, AUGUST 14
 Carrizozo Woman's Club 6:00 p.m.
 Captain School Board 6:30 p.m.

New Bookmobile Schedule for area August 25, 26, 27 and 28

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First Savings Bank Branch Relocating During Construction of New Facility

Daryl Lindsay, Branch President of the Ruidoso branch of First Savings Bank has announced plans

to rebuild the current bank location at 2713 Sudderth Drive in Ruidoso. The branch will close


at 2:00 pm on Friday, August 1, 2008 to move to a temporary location and will reopen at 8:00 am on August 4, 2008. During construction of their new offices, the bank will operate inside the Mountain Annie's building located at 2710 Sudderth Drive, across the street from the permanent bank location and continue to offer full banking services during the construction of the new building.

The existing structure

will be completely demolished and replaced with a new building that features 5053 square feet of meeting and office space. This new space will provide a more comfortable place to conduct banking. The new facilities will also feature a new parking area that will increase the amount of parking available for customers visiting the branch. Construction is expected to last between 6 and 7 months.

First Savings Bank is a family-owned, community bank operating in 21 communities and 6 states throughout the Midwest and Southwest. The bank offers full banking services and specializes in commercial and agribusiness lending.

First Savings Bank is FDIC insured, an Equal Housing Lender, an approved SBA & USDA lender, and along with its affiliate banks has over one billion dollars in assets.



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CARRIZOZO GRIZZLY

2008 VARSITY FOOTBALL SCHEDULE

August 23	Cloudcroft (Scrimmage)	Away	TBA
August 29	Tucumcari	Away	7:00 PM
September 5	Capitan	Away	7:00 PM
September 12	Marfa, TX	Home	6:00 PM
September 18	Alamo JV	Home	6:00 PM
September 27	Escalante	Away	1:00 PM
October 3	Hagerman	Home	7:00 PM
October 10	OPEN		
October 17	Ft. Sumner	Away	7:00 PM
October 24	Mescalero	Away	7:00 PM
October 31	Jal	Home	7:00 PM

JR. HIGH SCHEDULE

Aug. 28	Cloudcroft	Away	4:00 PM
Sept. 4	Mescalero	Away	4:00 PM
Sept. 11	Capitan	Home	4:00 PM
Sept. 25	Mescalero	Home	4:00 PM
Sept. 29	Capitan	Away	4:00 PM
Oct. 9	Cloudcroft	Home	4:00 PM



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THE TASK AHEAD OF YOU, IS NEVER AS GREAT AS THE POWER BEHIND YOU.



BE STRONG IN THE LORD, AND IN HIS MIGHTY POWER. EPHESIANS 6:10

Cindy Najar Joins

(Cont. from P. 1)

Center in Carrizozo from January 1996 to May 2001 when she started with the Heritage Program for Senior Adults.

Najar is a native of Carrizozo and a graduate of Carrizozo High School. She is married to Lee and they have three sons, Stefan, 16, Christian, 10, and Daniel, 4. Lincoln County Medical Center is a county-owned facility leased by Presbyterian Healthcare Services. This partnership has existed since 1972 and is dedicated to improving the health of individuals, families, and communities. Lincoln County Medical Center and Presbyterian Healthcare Services operates a hospital, six clinics and a countywide ambulance service. Lincoln County Medical Center employs more than 250 people, including more than 15 providers throughout Lincoln County.

County Road Crews

(Cont. from P. 1)

an area in Capitan where high water damaged culverts and compromised roadways, destroying some work that was just completed about one month ago, Hernandez said. More damage occurred in an area of Ranches of Sonterro. "We've really got our hands full," Hernandez said. "La Cumbre washed out two or three weeks ago and then washed again on Sunday and so did a 10 foot culvert there at Snail Road near the eight mile crossing along Highway 380," he said. "Water went over the top of the 10 foot culvert and ate away about 400 tons of material."

Hernandez said that the current work being done on 107 to Bonito Lake is to widen the roadway so that Forest Service and City of Alamogordo workers can get back into the area. "We're going to open it up wide enough that it won't be a hazard for traffic," Hernandez said. He also said that he thought that Forest Service and Bonito Lake staff were hoping to have the area open for recreation again by this weekend.

The damage to roads in the county's jurisdiction will likely take two or three months to repair, Hernandez said, and although he was unsure as to whether or not there would be any federal emergency funding available to help with the costs, the county department is maintaining the necessary paperwork to satisfy the federal agencies should funding be awarded.

(MORE ON PAGE 8)

LEGAL NOTICE

STATE OF NEW MEXICO COUNTY OF LINCOLN TWELFTH JUDICIAL DISTRICT COURT No. D-1226-CV-2008-122

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL FUND TRUST 2007-HE7 Plaintiff

MARK WINTER, MARGO PADILLA, CHAMPIONS RUN CONDOMINIUMS HOMEOWNERS ASSOCIATION AND BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS ASSET-BACKED CERTIFICATES SERIES 2006-7 Defendants

NOTICE OF SALE

Notice is hereby given that on September 4, 2008, at the hour of 10:00 am the undersigned Special Master, or his designee, will, at the north entrance of the Lincoln County Courthouse, at 300 Central Carrizozo, NM 88301, sell all of the rights, title and interest of the above-named Defendants in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 709 Champions Run, Ruidoso Downs, New Mexico 88346. (If there is a conflict between the legal description and the street address, the legal description shall control) and is more particularly described as follows:

Unit No. 709 of CHAMPION'S RUN CONDOMINIUMS, formerly known as Triple Crown Condominiums, Ruidoso Downs, Lincoln County, New Mexico, as the same is set forth and established by that certain Declaration recorded May 3, 1985 in Miscellaneous Book 99, pages 539 to 581, both inclusive; Amendment recorded in Miscellaneous Book 100, pages 19 to 21, both inclusive; Articles of Amendment recorded in Book 1990-9, pages 309 and 310; Articles of Amendment recorded in Book 1990-9, pages 811 to 814, both inclusive; Articles of Amendment recorded in Book 1991-4, pages 799 and 800; and by that certain Amended and Restated Declaration recorded in Book 1991-15, pages 537 to 605, both inclusive, all in the office of the County Clerk of Lincoln County, New Mexico; and as shown by the plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico on May 3, 1985 in Cabinet D, Slide No. 362, TOGETHER WITH said Unit's undivided interest in and to the common area and facilities of Champion's Run Condominiums, attributable thereto,

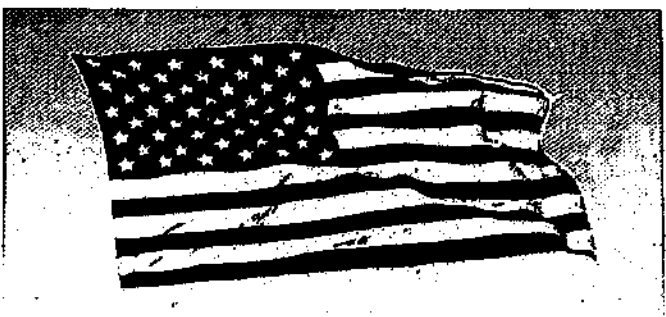
including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants from entry of an order approving sale. The foregoing sale will be made to satisfy a foreclosure judgment rendered by this Court in the above-entitled and numbered cause on July 24, 2008, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$108,656.29, and the same bear interest at the current rate of 9.3000%, which accrues at the rate of \$27.69 per diem, commencing on July 1, 2008, with the Court reserving entry of final judgment against said Defendant Mark Winter for the amount due after foreclosure sale for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master. The Court's decree having duly appointed its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders.

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will, as set forth above, offer for sale to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the judgment described herein and decree of foreclosure together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the judgment due is \$108,656.29, plus interest to and including date of sale of \$1,827.54 for a total judgment plus interest of \$110,483.83. Sale is subject to the entry of an order to the Court approving the terms and conditions of this sale.

EDWARD LITTLE, Special Master 1509 37th St. SE Rio Rancho, NM 87124 Telephone: (305) 891-1918 E-mail: sale@littledranet.com

Published in the Lincoln County News on August 7, 14, 21 and 28, 2008

Editorials / Opinions & Other Stuff



UNTIL THEY COME HOME

THOUGHTS FROM THE EDITOR'S DESK

Identity Theft Can Be Traumatic

By Ruth Hammond

Umpteen people are in the throes of distress after the announcement yesterday that credit card numbers had been stolen. Not just a few but apparently the number is in the millions if not billions. The result could be worse than imaginable. According to reports, the charges to the individual accounts could be in small amounts instead of being in large humongous amounts. What that means is that people must make sure all charges are legitimate.

Perhaps you make certain only legitimate charges are on your account but maybe not. Some people glance at the balance, figure it is close and don't scrutinize the bill. Those who do find discrepancies might be traumatized. A recent local situation has people wondering. Money was removed from a bank account and the situation was reported immediately. However, it could be two weeks or more before the money is repaid to the proper account.

Somehow this is confusing. How can money be taken illegally out of a personal account immediately, but the culprit has use of the money for an untold length of time before it must be repaid? If a person steals an item from a store charges are usually filed quickly. Why is money taken illegally from a bank account different than theft?

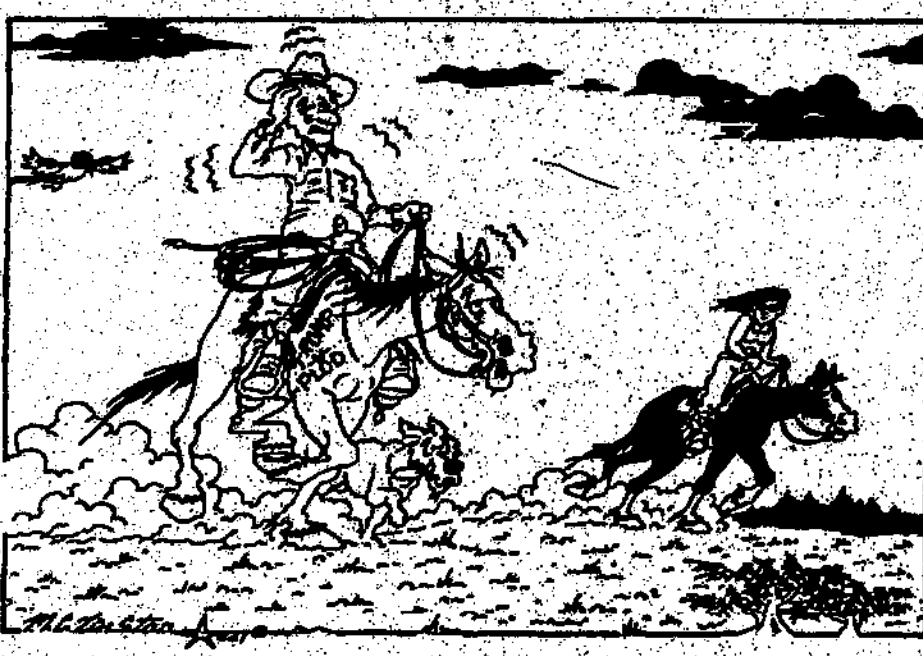
Expecting the law to be equal might not be correct at this time, but meanwhile it is traumatic to know that this situation can and did happen right here at home. If this is identity theft, we all need help. If someone can get money from your account that easily something is very wrong.

The reports are that people should shred everything that has a number on it. Apparently a cross cut shredder is necessary instead of a shredder that shreds straight. If you have a wood burning stove you might burn things but what about the ashes that fly out the chimney? Is there a chance that identity thieves will use those burnt ashes?

The next thing is what to do about your address and phone numbers. Will it be safe to keep them as is? If not, what do you do to protect yourself? An unsolicited phone call started the local theft situation from a bank account. Our question is why this national company had access to a personal bank account number. No answers have been given but bank officials insist it shouldn't have happened.

Instead of doing everything computerized, how about going back to the good old days when it was people, not machines making the decisions? Checks could be cashed without the electronic gizmos on the bottom. Back then if there was a problem with your bank account a person could and would work with you to arrive at an agreement.

Nowadays most calls are answered by machines, and it takes mucho patience to get a real human being and it usually involves a long wait while punching in numbers. Getting calmed down after an upsetting situation can take time, until then the entire fiasco can be traumatic.



EARL

"I'M GOING TO GIVE THIS HORSE TO YOUR MOTHER... HIS FEET HIT THE GROUND SO HARD THAT RIDIN HIM IS LIKE HAVIN A BOWLING ALLEY IN YOUR BRAIN ALL DAY"

Big Dry Syndicate

WEATHER REPORT

by Jeff Hammond

The upper elevations of Lincoln County seem to be getting continued heavy amounts of rainfall as a result of the hurricane conditions moving across the Gulf of Mexico into eastern Texas. The moisture is brought in off the Gulf of Mexico, across northeastern Mexico, dumping large amounts of rainfall in dangerously short periods of time in the higher elevations of the Sacramento and Capitan Mountains.

The forecast for the upcoming week looks to be CONTINUED high chances of rainfall for all of Lincoln County. Expect lower than normal daytime temperatures, high 70s to mid 80s, nighttime temperatures in the 50s at all elevations.

Due to the prior flooding conditions large portions of Lincoln National Forest and almost all of the fishing destinations are currently closed to the public.

Forecast for Carrizozo, the high plains of Lincoln County and the Hondo Valley: Today, Thursday, August 7, the 219th day of 2008.

Expect isolated showers and thunderstorms, partly cloudy, with a high near 85, calm wind becoming east between 5 and 10 mph, with a fair chance of precipitation, night: A very good chance of showers and thunderstorms, mostly cloudy, with a low around 61, east wind between 5 and 10 mph.

Friday, August 8. A very good chance of showers and thunderstorms, mostly cloudy, with a high near 85, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 60.

Saturday, August 9. A fair chance of showers and thunderstorms, mostly cloudy, with a high near 87, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 61.

Sunday, August 10. A fair chance of showers and thunderstorms, mostly cloudy, with a high near 89, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 60.

Monday, August 11. A fair chance of showers and thunderstorms, mostly cloudy, with a high near 90, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 59.

Tuesday, August 12. A fair chance of showers and thunderstorms, mostly cloudy, with a high near 87, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 57.

Forecast for Ruidoso, Capitan and Corona and most of the Hondo Valley: Today, Thursday, August 7, the 219th day of 2008.

Scattered showers and thunderstorms, mainly after noon, partly cloudy, with a high near 77, calm wind becoming east between 5 and 10 mph, good chance of precipitation, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 54, east wind between 5 and 10 mph.

Friday, August 8. A very good chance of showers and thunderstorms, mostly cloudy, with a high near 74, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 52.

Saturday, August 9. A fair chance of showers (MORE ON PAGE 6)

Inside the Capitol

by JAY MILLER

SANTA FE -- August hasn't always just been the dog days of summer. Granted, many Europeans take the month off and travel. Mostly, they're looking for someplace cooler.

But maybe they're also commemorating the travels of one of their own, Christopher Columbus, who set out to sail the ocean blue on August 3, 1492.

We know now that Chris wasn't the only person who figured the world had to be round. The only question was how far he'd have to travel to get to India and go into the tea trading business.

Many Europeans will follow Columbus' basic course this August and end up in America for some trading of their own -- their expensive Euros for our cheap goods. It's a blessing for our economy. Anyone who has been where tourists are the past six months, knows the percentage of foreigners is much higher than usual.

Speaking of foreigners, August also is the month when Congress passed its first bill restricting immigration. Congress squeezed that one in on August 3, 1882 before leaving on its recess to escape the August heat in Washington.

There had been periodic uproars about immigration since the 1820s. Some people worried that the Irish, Italians and Germans would overrun our country, refuse to learn our language, refuse to adopt our customs and take our jobs. And even worse, they were Catholic.

But burgeoning American industries kept them coming. They needed their manual labor. And somehow, we weren't losing our language, customs or jobs.

By the 1880s, however, Eastern Europeans started coming. And the ones who weren't Catholic, were Jews. I grew up in a community that was largely Eastern European.

The Southern Pacific Rail Road created the town of Deming and brought in Eastern European farmers to provide fresh food. Their descendants have remained.

You'll never meet a finer group of people. They have kept their Kielbasa Festival. But they all speak English.

Also in August, New Mexico's own Smokey Bear became our nation's forest fire prevention symbol in 1944. Rescued from a forest fire near Capitan, Smokey quickly became a star back at a time when forest fire prevention was a major worry since most able-bodied men were working in our war effort.

To add to the anxiety, Japan had come up with the idea of attaching little bombs to gas balloons and launching them into winds they hoped would carry them to the United States. A few actually made it across and started forest fires in our coastal mountains.

Smokey caught on as no other national mascot ever has. Remember Woody Owl, the crash test dummies and McGruff, the crime dog in a trench coat? Maybe you don't. They aren't exactly rock stars.

But Smokey captured our imaginations. He has been officially recognized by an act of Congress. He's been put on a postage stamp and been in several movies. He got to retire to the National Zoo in Washington, D.C.

before returning to Capitan to rest in peace.

At a time when bears are being tranquilized and relocated throughout the West for dumpster-diving and pantry raids, Smokey remains the only honorable bear role model. Yes, Yogi Bear has fans but who would you rather take home with you?

Smokey is the strong, silent type, who nevertheless is a great communicator. In fact, he did his job so well our nation began to realize that complete fire suppression had its downside. Smokey took it all in stride, admitting now that forest fires sometimes serve as nature's housekeeper.

So let's give a cheer for our Smokey Bear. He's someone who has always made us proud. No one ever made negative ads about him. He never was called a show off, although he occasionally had bouts of being grumpy in his old age. But that happens to all of us.

Oh, and unlike so many other rock stars, he never had to trundle off to rehab.

So you might want to bake a little birthday cake to honor Smokey this month. But you might skip the 64 candles. He might not approve.

New Mexico Declared Drought Disaster Area

U.S. Senator Jeff Bingaman announced that 31 of New Mexico's 33 counties have been designated a disaster due to losses caused by a drought which began last October. Lincoln County was one of the 31 counties designated a disaster.

Farmers and ranchers are now eligible to be considered for low interest emergency loans from the Farm Service Agency, which is part of the U.S. Department of Agriculture (USDA).

"Extended drought conditions can have devastating effects on the livelihood of our state's farmers and

ranchers. I am pleased the federal government is making low-interest loans available to help New Mexico producers get back on their feet," Bingaman said.

There were no crop losses in Los Alamos County and therefore it was excluded. Cibola County's designation as a primary disaster area is still pending, but is eligible for disaster aid since it is contiguous to counties that were designated.

For information contact your local FSA office or visit the following website: <http://www.fsa.usda.gov/FSA/stateoffapp?mystate=nm&area=home&subject=landning&topic=landning>

Court Calendar

(Continued from Page 2)

- Adjudicatory:
 Ryan Coldiron, CR-07-125
 Robert Martinez, CR-04-103-102
 Charles Franks, CR-03-124
 Andy Gonzalez, CR-07-07
- Sentencing:
 Joey Edwards, CR-07-18
 Billy Durham, CR-07-107
 Wade Wills, CR-07-201
- 1:00 p.m. Plea Meet Center
 Michael Cornelius, CR-08-91
 Justin Slaughter, R08-136
 Darrell Smith, CR-08-126
 Harlan Lester, CR-08-54
 Andrea Hazel, CR-08-123
 Javier Ward, CR-2008-49
 David Lindberg, CR-08-112
 Andy Gonzalez, CR-08-124
 Lucas Cayadito, CR-08-119
 Lorie White, CR-08-114
 Evelyn Pena, CR-08-107
 Carlos Tafuya, CR-08-131
 Ray Barola, CR-08-129
 Tyson Cervantes, CR-08-39
 Timothy Coker, CR-08-118
 Greg Carzoh, CR-08-133
 Lara Williams, CR-08-130
 Adrian Herrera, CR-08-134
 John Kermodie, CR-08-135
 Eduardo Flores, CR-08-120
 Bill J. Whitlock, CR-08-117
- 2:00 p.m. Arturo Carmona, CR-2007-194 (Mtn/Su-press)(Thompson Beauvais)
 3:00 p.m. David Clarke v. Janet Cliff, DM-2005-96(Alimony Issues)(Levy Hartwell Yarbro)(Kraft)
- Thursday, August 7
 Judge Wilson - Small Cr Room
 Judge Parsons - CIP Meeting
 8:30 a.m. Iris M. JR-2008-06 (Bench Trial)(Burson/Mitchell)
 11:00 a.m. Jaylen Chavez, CR-2008-09 (Mtn/Su-press)(Aley-Rose)(Pending Mtn reset)
 1:15 p.m. Isaiah Sanchez, CR-2007-182 (Mtn/Su-press)(Aley-Rose)
 2:30 p.m. Joshua Stocks, CR-2008-81 (Mtn/Su-press)(Aley-Mitchell)(Stipulated Cont forthcoming.)

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Looking Back

THROUGH OLD 'NEWS' FILES

As the LINCOLN COUNTY NEWS goes into its 103rd year of being in existence (1905-2008), we will again be randomly publishing articles from old NEWS files. The following articles appeared in the "Lincoln County News".

Friday, August 9, 1940

If Wendell Wilkie Wins in November He'll Be Sixth Political 'Dark Horse' to be 'Stabled' in the White House

By ELMO SCOTT WATSON

If, as the Republican party hopes and believes, Wendell Wilkie is the winner in the Presidential race next November, he will become the sixth "dark horse" to be "stabled" in the White House. For only five times in our nation's history of 151 years have the people elected to the highest office in the land a man who was either unknown before his nomination or was not seriously considered as a potential candidate.

James Knox Polk was the first of the "dark horse" breed of candidates. He was a Tennessee country lawyer who went to congress for seven terms and became a strong partisan of "Old Hickory" Jackson. Due mainly to Jackson's influence, he became speaker of the house of representatives and later governor of Tennessee. He was defeated for re-election to that office and his political career seemed ended.

At the time for Democratic convention of 1844 approached, the strongest contender for the nomination was Martin Van Buren who had served one term as President but had lost to the Whig candidate, Gen. William Henry Harrison, in 1840. Van Buren had the backing of General Jackson but the Southern Democracy was suspicious of him and his attitude toward slavery.



JAMES K. POLK

During the first seven ballots at the convention in Baltimore Van Buren had a majority of the delegates' votes. But, due to the strength of Lewis Cass of Michigan, he could not get the two-thirds vote required by party rules. After the seventh ballot the southern delegates secured a recess and held a caucus.

They decided to rally behind the defeated Tennessee governor who was "right" on the slavery question and who enjoyed the friendship of Jackson.

Beyond Polk's Hopes.

Polk had no hope of being the Presidential nominee but he had made it known that he would accept the vice presidency. On the eighth ballot the southerners sprang their surprise candidate and the New York delegates withdrew Van Buren's name. On the next roll call they swung to Polk, other states followed and when the ninth ballot ended the first "dark horse" in convention history, a man who hadn't been mentioned for the honor 24 hours previously, had been unanimously nominated.

Of course, the Whigs were delighted to have a "no-body" as an opponent for their candidate, Henry Clay. But their jubilation was premature. For Clay, the Kentuckian, angered the South by pussyfooting on the question of annexing Texas, thereby adding slave territory, and the new

(MORE ON PAGE 6)

Sheriff's Report

The following information was taken from dispatch records in the Lincoln County Sheriff's Office, located in the Lincoln County Courthouse in Carrizozo.

July 22
 2:49 a.m. Medical call at mile marker 280 on Hwy 70 in Hondo, ALS ambulance and deputy dispatched.
 6:14 a.m. Burglary reported at location on Stable Road in Alto, deputy dispatched.
 7:49 a.m. Suspicious activity by person(s) in vehicle reported at intersection of Hwy 380 and Hwy 70 in Hondo, deputy dispatched.
 8:19 a.m. Dog reported running loose near intersection of 20th Street and Adobe in Carrizozo, police dispatched.
 9:03 a.m. Telephone offenses reported at location on High Mesa in Alto, deputy dispatched.
 9:32 a.m. Dog reported running loose near mile marker 282 on Hwy 70 in Hondo, deputy dispatched.
 10:41 a.m. Burglary reported at location on Reynolds in Alto, deputy dispatched.
 11:21 a.m. Welfare check requested at residence on D Avenue in Carrizozo, police dispatched.
 12:46 p.m. Fire reported at location on 14th Street in Carrizozo, fire units, police and deputy dispatched.
 12:49 p.m. Fire reported at Bonito Lake, Bonito fire units dispatched.
 1:38 p.m. Agency assistance requested by Carrizozo police at location on D Avenue in Carrizozo, deputy dispatched.
 1:49 p.m. Medical call at Carrizozo Health Center on E Avenue in Carrizozo, ambulance dispatched.
 6:12 p.m. Shots fired reported on Forest Lane in Capitan, deputy dispatched.
 8:03 p.m. Disturbance reported at location on Via Tres Rios in Hondo, deputy dispatched.
 8:14 p.m. Shots fired reported at location on Silverfox Lane in Alto, deputy dispatched.

patched.
 11:22 p.m. Alarm reported at business location on Hwy 380 in Capitan, deputy dispatched.
 July 23
 7:52 a.m. Accident reported at location on Gavilan Canyon Road in Ruidoso, deputy dispatched.
 10:25 a.m. Dog reported running loose on Hwy 220 in Alto, deputy dispatched.
 11:34 a.m. Welfare check requested for person sitting in car at intersection of Hwy 37 and Hwy 48 in Bonito, deputy dispatched.
 12:52 p.m. Civil dispute reported at location on North Washington in Hondo, deputy dispatched.
 3:07 p.m. Drivers test requested at location in Ruidoso, deputy dispatched.
 6:00 p.m. Medical call at Lincoln County Detention Center (LCDC) on Airport Road in Carrizozo, ambulance dispatched.
 8:52 p.m. Traffic offenses reported at business location on Hwy 380 in Capitan, police dispatched.
 9:37 p.m. Suspicious activity reported at location on Smokey Bear Boulevard in Capitan, police dispatched.
 9:44 p.m. Medical call at mile marker 15 on Hwy 48 in Capitan, ambulance dispatched.
 July 24
 8:24 p.m. Welfare check requested at location on Villa Madonna in Alto, deputy dispatched.
 10:46 a.m. Larceny/theft reported on Rainmakers Drive in Alto, deputy dispatched.
 11:50 a.m. Medical call at business location on Hwy 380 in Capitan, ambulance dispatched.
 12:33 p.m. Dog reported running loose on Screaming Eagle in Alto, deputy dispatched.
 4:30 p.m. Welfare check requested for person sitting in car at intersection of D Avenue and Hwy 380 in Carrizozo, police dispatched.
 4:34 p.m. Disturbance re-

ported at F Avenue in Carrizozo, police dispatched.
 6:17 p.m. Domestic battery reported at location on Hwy 48 near intersection of Hwy 37 in Bonito, deputy dispatched.
 7:56 p.m. Larceny/theft reported at location on Sonterra Drive in Rancho Ruidoso Valley Estates, deputy dispatched.
 8:36 p.m. Medical call at EMS shed in Capitan, ambulance dispatched.
 9:04 p.m. Medical call at mile marker 10 on Hwy 48 in Alto, ALS ambulance and deputy dispatched.
 9:38 p.m. Suspicious activity reported at mile marker 3 on Hwy 37 in Nogal, deputy dispatched.
 9:51 p.m. Disturbance reported at location on White at Road in San Patricio, deputy dispatched.
 10:35 p.m. Warrant service at location on Saltbush in Bonito, deputy dispatched.
 11:22 p.m. Alarm reported at location on Smokey Bear Boulevard in Capitan, police dispatched.
 July 25
 12:04 a.m. Domestic battery reported at location on Hwy 37 in Nogal, ALS ambulance and deputy dispatched.
 1:36 a.m. Medical call at business location on Hwy 54

in Carrizozo, ambulance dispatched.
 2:28 a.m. Disturbance reported at location on White Cat Road in San Patricio, deputy dispatched.
 8:54 a.m. Abandoned vehicle reported on Valley View in Capitan, police dispatched.
 9:09 a.m. Dog reported running loose on Badger Court in Alto, deputy dispatched.
 1:10 p.m. Littering or illegal dumping reported at location on Calle El Corte in San Patricio, deputy dispatched.
 1:30 p.m. Unknown trouble call from location on Hwy 54 in Carrizozo, police dispatched.

(MORE ON PAGE 7)



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Sederwall Loses First Round

(Continued from Page 2)

tures and not apply a different law to a different person that also requires petition signatures. The court's decision was that only one of them was required to get petition signatures," Fuqua said. "This particular statute was amended in 1996. Before 1996, there was really no way you could read the statute as requiring major party candidates to file petition signatures to get on the primary ballot," Fuqua said. "The stated legislative intention of the bill that went through the legislature in the 1996 session was clarifying that candidates for county office do not need to file petition signatures, but the lan-

guage that the legislature chose to use in making that clarification kind of said the opposite," Fuqua said. "Because the stated intent of the legislators was to clarify that those candidates did not need to file petition signatures, nobody thought that there had been a substantive change in the law and everybody, the Secretary of State's office included, was just doing business the way they've always done business," Fuqua said. "Until the Sederwall case, nobody really had the opportunity to sit down and take a hard look at that statute and the language that the legislature employed in 1996 when they made the amend-

ment. For 12 years it hasn't been a problem."

Fuqua also said the candidate's guide issued by the Secretary of State indicates that major party candidates don't need to get petition signatures if they're running for county office. "That had been the Secretary's position before this litigation," Fuqua said.

According to Bryant, the Lincoln County Clerk's office sent an email to one of Sederwall's campaign helpers that clearly stated his need to collect 201 signatures on a nominating petition in order to qualify to be placed on the ballot, and the legal basis for the number of signatures required. "That email was dated December 10," Bryant said.

Lincoln County Clerk Tammy Maddox, a defendant in the case, told *The News* that Judge Hall ruled that, although Sederwall said that he believed he did not need to file a nominating petition, the Plaintiff's belief was not reasonable or justifiable. "The Judge said that although one sentence in the laws is ambiguous, the other statutes that go along with that sentence support the major party candidates' not needing a petition," Maddox said. "He ruled that the defendants did not discriminate

against the Plaintiff in holding him to the applicable signature requirements, and that (the County Clerk's office) did not violate the protection clause of the United States Constitution or violate the First or Fourteenth Amendments," Maddox said.

"We are very pleased with the court's decision," Maddox said in a prepared statement. "I have worked tirelessly as Lincoln County Clerk to create and run an office that is well prepared, well informed and provides a great service to Lincoln County. Judge Hall rendered a very thoughtful and thorough decision. It is clear that he knew the facts and the law, and gave careful consideration to the positions taken by the parties. It is always dangerous to look at one sentence in the law that is carefully and comprehensively written, as is the New Mexico Election Code."

Maddox said that she was confident that she and her staff had correctly interpreted the requirements of the Election Code and that they would ultimately be vindicated by the court. "I am pleased that that has occurred," Maddox added.

Attorney Dan Bryant was chosen by the New Mexico Association of Counties to represent Lincoln County in the litigation. The Association is the county's insurer, and reportedly chose Bryant based on his experience, expertise and understanding of the New Mexico election laws.

The News was unable to reach Judge James Hall for comments regarding the Sederwall case.

Rose reported on Tuesday that he is in the process of appealing last week's decision to the New Mexico Supreme Court. "We hope that it'll be done in about two weeks or so," Rose said.

Weather Report

(Con't. from Page 4)

and thunderstorms, mostly cloudy, with a high near 78, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 53.

Sunday, August 10

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 79, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 53.

Monday, August 11

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 80, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 52.

Tuesday, August 11

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 79, night: A good chance of showers and thunderstorms, mostly cloudy, with a low around 51.

The above information was taken from the National Weather Service Website. For up to date weather, go to www.srh.noaa.gov/abq/ on the internet. This website is updated every four hours.

The New Mexico Highways Department has developed a new toll free number for up to the hour road construction/ conditions information: Just dial 511. You listen to the options. You can get up to the minute in depth construction updates by logging in to www.nmroads.com for any area of the state.



(Continued from Page 5)

Liberty party of Abolitionists, headed by James G. Birney, diverted enough votes from clay to given Polk an easy victory.

Eight years later the Democrats again nominated and elected a "dark horse" candidate, Franklin Pierce, our only President from New Hampshire. Educated at Bowdoin college, he was a successful young lawyer when he was elected to congress at the age of 29 and to the senate when he was only 33. But because Mrs. Pierce was a shy woman who hated public life, Pierce resigned from the senate and went back to his law practice in Concord. At the outbreak of the War with Mexico he entered the service, came out as a brigadier general and announced that he was through with public life forever.



FRANKLIN PIERCE

But the political situation during the next five years changed all that. When the Democratic convention opened in Baltimore on June 1, 1852, the leading candidates were Lewis Cass of Michigan, James Buchanan of Pennsylvania and Stephen A. Douglas of Illinois. For 28 ballots none of these men was able to secure the necessary two-thirds majority. Then the convention decided it had better turn to a new candidate who had taken no part in the slavery dispute and had therefore incurred no bitter enmities, in other words, a "nobody."

Some of the Main delegates suggested the ex-senator from their neighboring state. So Franklin Pierce was trotted out as a "dark horse," received 15 votes on the 29th ballot and gained steadily until the 48th, when he received 55. By that time it was apparent that the band wagon was on its way and the delegates hastily climbed on.

On the 49th ballot Pierce received 282 of the 288 votes.

The Whigs nominated Gen. Winfield Scott, hoping that "Old Fuss and Feathers" could repeat the victory of that other hero of the Mexican war, "Old Rough and Ready" Taylor. But the Democrats' young Mexican war general swept the election field with 254 electoral votes to Scott's 42.

Pierce tried for renomination in 1856 but was defeated and vanished from the political scene.

First Republican 'Dark Horse'

Thus far the Democratic party had been the one which supplied "dark horse" candidates. But beginning in 1876 the Republicans took their turn. In that year James G. Blaine was their logical candidate and in the early balloting of the convention in Cincinnati he was within 30 votes of victory. However, the "Man From Maine" had his enemies who were determined to block his nomination.

Among the "favorite sons" who were trailing along on complimentary votes was Rutherford B. Hayes of Ohio, a lawyer who became a major-general in the Union army, then returned home to serve two terms in congress and three terms as governor of his native state. He was scarcely known outside the borders of Ohio and during the spirited contest between Blaine's partisans and his enemies no one paid much attention to Hayes' 61 votes.

Roscoe Conkling of New York had the support of the New York and Pennsylvania delegates but when it became apparent that Conkling had no chance to beat Blaine the Pennsylvanians began to throw their support to Ohio's favorite son. This started a swing which carried the Buckeye "dark horse" to victory by 384 votes to Blaine's 351.

The democrats nominated Samuel J. Tilden of New York and in the election it seemed that Tilden had won. Then occurred the famous inci-

(MORE ON PAGE 8)

Church Directory



MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY

Royal Presbyterian Church:
E W "Bo" LEWIS, Pastor
Sunday School 10:00 a.m.
Worship 11:00 a.m.

Ancho Community Presbyterian Church:

Worship 9:00 a.m.
Sunday School 10:00 a.m.

Corona United Presbyterian Church:

Sunday School 10:00 a.m.
Worship 11:00 a.m.

First Baptist Church

HAYDEN SMITH, Pastor
314 10th Ave., Carrizozo, NM
648-2868 (Church) or 648-2107
Sunday School 9:45 a.m.
Worship Service 10:55 a.m.
Sun Evening 6:00 p.m.
Wednesday Sept April
AWANAS 8:00 p.m.

Carrizozo Assembly of God

Corner 13th & C Ave
Barbara Bradley, Pastor
Children's Ministry and
Nursery Available
Worship Service 10:00 a.m.
Youth Service 6:00 p.m.

Santa Rita Catholic Community

FR FRANKLIN, Pastor
213 Birch, Carrizozo, NM 648-2853
DAILY MASS - Santa Rita 8:30 a.m.
SATURDAY:
Capitan Sacred Heart 5:00 p.m.
Carrizozo Santa Rita 7:00 p.m.
SUNDAY:
Capitan Sacred Heart 8:30 a.m.
Carrizozo Santa Rita 10:30 a.m.
Corona St. Theresa 1:30 p.m.

Angus Church of the Nazarene

"Serving All of Lincoln County"
RICK HUTCHINSO', Pastor / 338-8032
Southwest Corner of Hwy 48 & 37 Junction
Between Rurdo and Capitan, NM
Sunday
Sunday School for all ages 9:30 a.m.
Morning Worship and
Children's Church 10:30 a.m.
Family Worship 9:00 p.m.
Wednesday
Community dinner 6:00 p.m.
Adult classes, Youth games and study,
Kids Klub 7:30 p.m.

Church of Christ

TOM POINDEXTER, Minister 354-3135
Ave. C at 12th, Carrizozo, NM
Sunday School 10:00 a.m.
Worship Service 11:00 a.m.
Evening Worship 7:15 p.m.
Wednesday Bible Study 7:00 p.m.

White Oaks Community Church

Non-denominational
Sunday Worship Service 11:00 a.m.

St. Matthias Episcopal Church

Rev. d Canon Peter Sanderson,
Priest-in-Charge
Corner of E Ave and Sixth, Carrizozo, NM
Ph 505 257 2356
Holy Eucharist Sunday 8:30 a.m.

Claunch Community Church

TONY SCACCIA, Minister
849 1402
Second Sunday of Each Month 9:00 a.m.

United Methodist Churches

JOHANNA ANDERSON, Pastor
1000 D Ave. 648-2893 / 648-2846
Carrizozo, NM 88301
Sunday School (All Ages) 10:00 a.m.
Worship Service 11:00 a.m.
Choir Practice (Tuesday) 6:30 p.m.
United Methodist Women
Every 3rd Wednesday 2:00 p.m.
Fellowship Dinner on
4th Sunday of Month 12:30 p.m.

CAPITAN:

Adult Sunday School 8:30 a.m.
Worship Service 9:15 a.m.
Children's Sunday School 9:30 a.m.
Fellowship Time 10:15 a.m.
Adult Sunday School 11:00 a.m.
Choir Practice (Tuesday) 7:00 p.m.
Fellowship Dinner Every Third Sunday
Handmaidens (Ecumenical Women's Group)
1st and 3rd Tuesday 8:30 a.m.

Christ Community Fellowship

ED WINSON, Pastor (Inter denominational)
514 Smokey Bear Blvd., Capitan, NM
Sunday School 9:30 a.m.
Sunday Morning Worship 10:30 a.m.

Capitan Church of Christ

LESLIE EARWOOD, Minister
5th & Lincoln / 336-4627
Sunday Bible Study 10:00 a.m.
Worship Service 11:00 a.m.
Evening Worship 6:00 p.m.
Wednesday Bible Study 6:00 p.m.

Trinity Southern Baptist Church

MEL GNATKOWSKI, Pastor / 648-2530
Phone 354-2044
Capitan (South on Hwy. 48)
Sunday School 9:30 a.m.
Worship Service 11:00 a.m.

First Baptist Church of Corona

CAL WES., Pastor / 849-7975
Sunday School 10:00 a.m.
Worship Service 11:00 a.m.
Wednesday Bible Study 7:00 p.m.
Fellowship Dinner 1st Sunday of Month

Sunday:

Sunday School for all ages 9:30 a.m.
Morning Worship 10:30 a.m.
Children's Church 10:45 a.m.
Evening Worship 6:00 p.m.
Wednesday:
Teen dinner and games 6:00 p.m.
Teen Bible Study 7:00 p.m.
Prayer Meeting 8:00 p.m.

Grace Fellowship Church

TERRY AIELLO, Pastor / 849-0105
Ancho
Worship 2:00 p.m.
Sunday School 3:15 p.m.

Jerry & Lanita Rasak

LaGrone Funeral Chapel

In Memory of
BILL WINKLER

Insurance Exchange
Carrizozo Branch



LEGALES

**LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL
DISTRICT COURT
No. D1226CV200800113**

WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER TO WELLS FARGO HOME MORTGAGE, INC.,
Plaintiff,

vs.
JERRY L. HUBER; ARLENE J. HUBER; UNKNOWN MANUFACTURED HOME LIENHOLDERS, IF ANY; UNKNOWN MANUFACTURED HOME OWNERS, IF ANY; OCCUPANTS, WHOSE TRUE NAMES ARE UNKNOWN,
Defendant(s)

AMENDED NOTICE OF SUIT

STATE OF NEW MEXICO to the above-named Defendants, Unknown Manufactured Home Lienholders, if any, and Unknown Manufactured Home Owners, if any.
GREETINGS: You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 4 LaMay Road, Nogal, NM 88341, Lincoln County, New Mexico, said property being more particularly described as:

LOT 4, OF LAMAY RANCH ESTATES, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK & EX-OFFICIO RECORDER OF LINCOLN COUNTY, NEW MEXICO, ON OCTOBER 7, 1976, IN TUBE NO. 578.

And all improvements, including, but not limited to, the manufactured home attached thereto and more particularly described as: 1999, Danville, Double Wide, HUD Tag No. PFS624426 & PFS624427.
Unless you serve a pleading or motion in response to the complaint in said cause on or before September 12, 2008, judgment by default will be entered against you.
Respectfully Submitted,
CASTLE MEINHOLD & STAWIARSKI
By: Sharon Hankla
Sharon Hankla
Karen Howden Weaver
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
Attorney for Plaintiff

WITNESS the Honorable KAREN L. PARSONS, DISTRICT COURT JUDGE, of the Twelfth Judicial District of New Mexico Judicial District Court, Lincoln County, New Mexico, this 8th day of July 2008.
Jan Perry
CLERK OF THE DISTRICT COURT
By: Elizabeth Ysasi
Deputy

07-1800/Huber, Jerry & Arlene, R444170

Published in the Lincoln County News on July 24, 31, and August 7, 2008.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Governing Body of the Village of Capitan, New Mexico will hold a public hearing in conjunction with the regularly scheduled meeting on Tuesday, August 12, 2008, beginning at 6:30 PM at the Village Hall Meeting Room of the Village of Capitan. The public hearing is concerning the following:

1. Ordinance 2008- Flood Damage Prevention Ordinance - an ordinance designed to minimize flood losses.
2. Ordinance 2008- An Ordinance Granting Otero County Electric Cooperative, Inc., its Successors and Assigns, the Right and Franchise to Transmit and Distribute Electrical Energy in the Village of Capitan, NM, and Use the Streets Right-of-Ways,

LEGAL NOTICE

NOTICE is hereby given that on June 18, 2008, Caroline McCoy filed application numbered T-4102-POD3 with the State Engineer for Permit to Change Location of Well within the Tularosa Underground Water Basin in Lincoln County by abandoning use of well T-4102 located in the SW1/4NW1/4, of Section 5, Township 9 South, Range 13 East NMPM, latitude 33d 33m 21.8s & 105d 42m 31.3s and by continuing the diversion of 3 acre feet of ground water or the historical beneficial use whichever is less from a replacement well drilled to a depth of 120 feet and fitted with 6 inch casing and located in the SW1/4NW1/4, of Section 5, Township 9 South, Range 13 East NMPM, latitude 33d 33m 21.8s & 105d 42m 31.3s on 1 acre of land owned by the applicant for the continued domestic and related purposes all of which is located within said Section 5. Proposed change location of well site T-4102-POD3 can be found at 1 Dry Gulch Road, Nogal, NM. The old well will be plugged.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially effected. The written protest must be filed, in triplicate, with the State Engineer, 1680 Hickory Loop Suite J, Las Cruces, NM 88005 within ten (10) days after the date of the last publication of this Notice. Facsimiles (faxes) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to 575-524-6160. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on July 24, 31, and August 7, 2008.

Easements, Alleys, and Other Public Places for such Purposes.

The public is invited to attend the Public Hearing.

Comments or inquiries should be directed to Village Hall, PO Box 246, Capitan, New Mexico 88316; 575-354-2247 between the hours of 7:00 AM and 5:30 PM Monday through Friday.

Village of Capitan
Kay Strickland
Village Clerk

Published in the Lincoln County News on July 31 and August 7, 2008.

LEGAL NOTICE

**STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL
DISTRICT COURT
No. D1226CV200700311**

QUICK LOAN FUNDING, INC.,
Plaintiff,

vs.
THE UNKNOWN HEIRS, DEVISEES, OR LEGATEES OF DONNA JEAN HAMILTON, DECEASED; SCOTT J. MARTIN; CHARLES HAMILTON AKA CHARLES HAMILTON,
Defendant(s)

NOTICE OF SUIT

STATE OF NEW MEXICO to the above-named Defendant The Unknown Heirs, Devisees, or Legatees of Donna Jean Hamilton, deceased.

GREETINGS: You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 565 2nd Street, Ruidoso, NM 88345, Lincoln County, New Mexico, said property being more particularly described as:

LOT 7, OF KINGWOOD ADDITION, UNIT NO. 1, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, NEW MEXICO, ON MARCH 30, 1964.

Unless you serve a pleading or motion in response to the complaint in said cause on or before September 22, 2008, judgment by default will be entered against you.

Respectfully Submitted,
CASTLE MEINHOLD & STAWIARSKI
By: Karen Howden Weaver
Sharon Hankla, Karen Howden Weaver
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
(800) 286-0013; (303) 285-2222
Attorney for Plaintiff

WITNESS the Honorable KAREN L. PARSONS, DISTRICT COURT JUDGE, of the Twelfth Judicial District of New Mexico Judicial District Court, Lincoln County, New Mexico, this 16th day of July 2008.

JAN PERRY

Clerk of the District Court
By: Gloria LaMay, Deputy

06-3021/Martin, Scott & Donna, P452067
Published in the Lincoln County News on August 7, 14 and 21, 2008.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the regularly scheduled Council Meeting has been rescheduled to Monday, August 11, 2008 at 6:00 PM, City Hall Conference Room, Carrizozo, New Mexico due to the Annual Municipal League Conference in Clovis.

Published in the Lincoln County News on Thursday, August 7, 2008.

Sheriff's Report

(Con't. from P. 4)

4:31 p.m. Suspicious activity by person(s) in vehicle reported on Hwy 54 north of Carrizozo, deputy dispatched.
5:05 p.m. Medical call at location on Gavilan Canyon Road in Alto, ALS ambulance and deputy dispatched.
6:00 p.m. Medical call at west lake campground on Bonito Lake, ALS ambulance and deputy dispatched.
6:53 p.m. Traffic offenses reported at intersection of Hull Road and Gavilan Canyon Road in Ruidoso, deputy dispatched.
7:02 p.m. Suspicious activity reported at location on Quail Cove Lane in Carrizozo, police and deputy dispatched.
10:00 p.m. Accident reported near mile marker 144 on Hwy 54, Carrizozo ambulance dispatched.
10:20 p.m. Disturbance reported at location on FR 127A in Alto, deputy dispatched.
11:35 p.m. Welfare check requested at Bonito Lake campground, deputy dispatched.

4:17 a.m. Flooding, act of nature reported at Fox Cave in Glencoe, Glencoe/Palo Verde emergency units and deputy dispatched.
7:47 a.m. Larceny/theft reported at location on Tiger Road in Capitan, police dispatched.
11:28 a.m. Fire reported at Fox Cave in Glencoe, Glencoe/Palo Verde fire units dispatched.
2:03 p.m. Welfare check requested at residence on C Avenue in Carrizozo, police dispatched.
4:16 p.m. Medical call at residence on Comrey Loop in Carrizozo, ambulance dispatched.
5:59 p.m. Larceny/theft reported at residence on Deer Park Drive in Alto, deputy dispatched.
6:38 p.m. Trespassing reported at location on El Valle Loop in San Patricio, deputy dispatched.
7:17 p.m. Harassment reported at residence on Bonyard Court Rancho Ruidoso Valley Estates, deputy dispatched.
8:13 p.m. Medical call at EMS shed in Carrizozo, ambulance dispatched.

10:35 p.m. Dog reported running loose on Hwy 380 in Capitan, police dispatched.
July 28
1:12 a.m. Dog reported running loose on Valley View in Capitan, police dispatched.
7:43 a.m. Larceny/theft reported at location on Tiger Road in Capitan, police dispatched.


Waiting For a Sail
The Modern Merchant
Doesn't wait for SALES
HE ADVERTISES

**LEGAL NOTICE
PROBATE COURT
COUNTY OF LINCOLN
STATE OF NEW MEXICO
No. PB 2278**

IN THE MATTER OF THE ESTATE OF JENNY ELIZABETH KELLY, Deceased.
NOTICE TO CREDITORS

NANCY SUE LYNCH has been appointed Personal Representative of the Estate of JENNY ELIZABETH KELLY, deceased. All persons having claims against this estate are required to present their claims within two months after the date of the first publication of this Notice or the claims will be forever barred. Claims must be presented either to the Personal Representative, c/o Archie A. Witham, Attorney at Law, P.O. Box 83, Nogal, NM 88341, or filed with the Probate Court of Lincoln County, Carrizozo, New Mexico 88301.
Archie A. Witham, Attorney for Nancy Sue Lynch, Personal Representative of the Estate of Jenny Elizabeth Kelly, deceased
P.O. Box 83
Nogal, NM 88341
(575) 354-2698

Published in the Lincoln County News on July 31 and August 7, 2008.

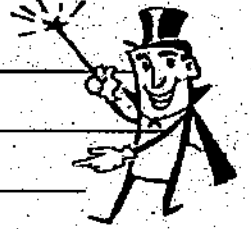
CLASSIFIED AD FORM

Your Name: _____

Address: _____

City/State: _____

Zip: _____



I WOULD LIKE MY AD TO RUN

(Check appropriate box for number of weeks)

1

2

3

4

5

Here's What I Would Like to Say

\$6.00 per Week / for 20 words or less **

1.) _____

(* Add 10 cents per word for each word over 20.)

COST OF AD: _____

MAIL or BRING TO:

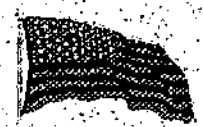
Tax: (.0625) _____

Lincoln County News

TOTAL: _____



P.O. Drawer 459
309 Central Ave.
CARRIZOZO, NM 88301
Ph. or Fax: 575-648-2333

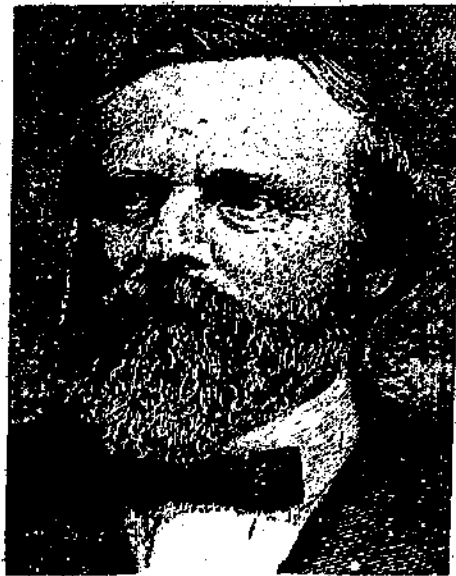


Looking Back

THROUGH OLD NEWS FILES

(Continued from Page 6)

dent of the contested electoral votes of Florida, Louisiana and South Carolina, the appointment by congress of an electoral commission and its 8 to 7 vote in favor of Hayes. So another "dark horse" went to the White House but there are those who still believe that he had lost the election before the electoral commission's vote sent him there.



R. B. HAYES

Although Hayes was not a great President, he was probably the best of the "dark horses." Declaring that "he serves his party best who serves his country best," Hayes gave the country an administration which set a high mark for future "dark horse" presidents to try to equal.

The first of these was another Buckeye, James A. Garfield. Securing an education by his own efforts, he became a teacher and was elected to the Ohio senate which he left in 1861 to become the youngest brigadier-general in the Union army. He came out of the war a major-general and was sent to congress where his principal distinction was his loyalty to Blaine.



JAMES A. GARFIELD

The 1880 Republican convention was again a battle between Conkling and Blaine but this time the New York leader was trying to secure a third term for Ylysses S. Grant. Although Grant led Blaine in the voting from the first ballot, Conkling could not muster up quite enough votes to secure the nomination for the ex President.

Garfield was present at the convention as the leader of the Ohio delegation pledged to John Sherman. He made the speech placing Sherman's name in nomination and, as it turned out, succeeded in nominating himself by doing it. For when it became apparent that neither Grant nor Blaine could win, the convention turned to a compromise candidate.

On the 34th ballot Garfield received 17 votes. He immediately protested that he was there in the interests of Sherman but the chairman ruled him out of order and the balloting proceeded. On the 36th ballot the break came. The Blaine and Sherman forces swung behind Garfield and he was nominated with 399 votes to Grant's 306. Garfield easily defeated the Democratic nominee, Gen. Winfield Scott Hancock but his career as President was cut short by the bullet of a disappointed office-seeker, Charles J. Guiteau, September 19, 1881, a little more than six months after he had entered the White House.

The story of the fifth "dark horse" President is so recent and so familiar to most Americans as to need only brief mention here. The 1920 Republican convention was in Chicago a fight between Gen. Leonard Wood and Gov. Frank O. Lowden of Illinois for the nomination.

Then followed the now-famous night conference in a "smokefilled hotel room" and the next day Senator Warren G. Harding, an Ohio "favorite son," was selected as the nominee.

Two Electric Coops to Benefit from \$38 Million Federal Loan

U.S. Senator Jeff Bingaman announced that two New Mexico electrical cooperatives have been approved for federal government loans from the U.S. Department of Agriculture's Rural Development Program.

The Central New Mexico Electrical Cooperative, Inc. has been approved for a \$27.6 million loan to expand service to 1,558 new consumers. Funding will be used to construct 141 miles of new distribution line, 112 miles of improved distribution lines, construct three miles of new transmission lines and make other system improvements. The co-op serves customers in Bernalillo, Chaves, De Baca, Guadalupe, Lincoln, San Miguel, Santa Fe, Socorro and Torrance Counties.

The Southwestern Electric Cooperative, which serves Harding, Quay and Union counties, has been approved for a \$10.67 million loan. Funding will be used to expand services to 240 new consumers and will be used to construct 75 miles of new distribution line, make improvements to nine miles of distribution line, construct 15 miles of new transmission lines and make other system improvements.

"The loans approved will help expand electrical services to more New Mexicans," Bingaman said.

County Road Crews

(Con't. from P. 3)

"We are being reimbursed by the Forest Service for repairs done to the Bonito Lake road, which is estimated at about \$16,000," he said. "I don't know about materials, but they're going to fund us for the man hours and equipment."

The county road department has plans to replace old culverts on Musketball with larger capacity culverts, but the replacement culverts have not yet been delivered from Albuquerque. That work will begin as soon as possible after the culverts are received.

Hernandez said that some culverts that washed out were those that had been replaced over the last two years and were double the size of the original culverts. "If we get another rain like we got this time, even though we went twice as big, I don't think it'll hold it," Hernandez said. "You never can estimate the power of water."

Some of the problems that lead to the destruction of culverts stems from people disposing of yard waste in the bar ditches along the roadways, Hernandez suggested. "What's happening is that a lot of debris that is in the bar ditches, debris that has been cleaned up by homeowners in the Cedar Creek area and left in the bottom of the creek, is washed into the culverts and plugs them up," Hernandez said. "It's not a good place to dump that debris," he said.

During the most serious hours of the flooding, when the county road crews were working to rebuild the road to rescue stranded campers in the Bonito area, a Bonito fire department crew got a truck stuck in the high flood waters and the road workers used a road grader to save that truck as well, Hernandez said. "We used a grader in four feet of water to hook onto that truck and bring it to safety," Hernandez said. "They would have lost the truck if we hadn't been able to pull it out," he added.



Call 575-648-2333

FAST ACTION

Lincoln County News

CLASSIFIED ADS

CALL: (505) 648-2333



NOW ACCEPTING ENROLLMENT

The Rocking Horse Daycare is accepting enrollment for PreK. We offer transportation to and from PreK. We will also be in a new facility this fall. We are a Nationally Accredited program. For more information call 648-2802.

8/7-14

VACANCY NOTICE

Capitan Municipal Schools

ELEMENTARY SECRETARY

2008-2009 Academic Year

Application Deadline: Until Filled

For information and application please call 575-354-8599 or down load from web page at www.capitan.k12.nm.us

1tc/8/7

VACANCY NOTICE

Capitan Municipal Schools

Employment Vacancy: CUSTODIAN

High School Diploma or GED

Must Pass Background Check

Must Pass Physical Exam

Application Deadline: Until Filled

For detailed information and application please call 575-354-8500 or download from web page at www.capitan.k12.nm.us

1tc/8/7

ELSIE'S FLAME CHARBROILED BURGERS, HOMEMADE ENCHILADAS AND BURRITOS, HOT DOGS, SANDWICHES, FRESH SALADS, ICE CREAM, SHAKES, FLOATS AND SODAS. CARRIZOZO 380@54, VISIT US SOON. LOCAL BUSINESS DELIVERY 648/4200

tfn

HOUSE FOR SALE, 1,200 sq. ft. home on 1.5 acres off B Ave., Carrizozo. Recently remodeled, new roof, siding, electric service and carpet. Three bedroom, two bath, handicap accessible, good well with 3 acre foot water rights and city water and sewer. Horses OK. Great mountain views and good location. Appraised at \$90,000 asking \$82,000. Possible owner finance with 10 percent down. Contact Cathie Eisen at 575-937-6321.

Tfn-June12

NOTICE OF EMPLOYMENT

The Rocking Horse Daycare and PreK is now accepting applications for Full time and Part time workers to work with the infants and toddlers. We are also taking applications for substitute teachers. You must pass a criminal background check to work with children. You can pick up applications at the daycare or for more information call 648-2802.

8/7-14

NOTICE OF EMPLOYMENT

WATER/WASTEWATER TECHNICIAN

The Village of Capitan is accepting applications for the position of Water/Wastewater Technician. Applicant must have a high school diploma or GED and a valid New Mexico Driver's license with no major driving infractions. Prefer that applicants have experience working with water. Responsibilities include operations and maintenance of water system and wastewater treatment plant. Position is open until filled. Salary depends on qualifications. The Village of Capitan is an equal opportunity employer. Applications are available at Village Hall at 114 Lincoln, or by calling 575-354-2247.

2tc/7/31-8/7

NOTICE OF EMPLOYMENT

Full-time Workers and Work Your Own Schedule Per Diem Health Care Workers Wanted

Direct Care Technicians work in a home setting.

Work Your Own Schedule.

Good work ethics, excellent references, and punctuality a must.

All applicants must be 21 years of age or older, must be able to pass drug/alcohol screening, health exam and background check.

New Horizons Developmental Center

648-2379, 810'E Avenue, Carrizozo, New Mexico 88301.

An equal opportunity employer

2tc/7/31-8/7

FOR RENT - One bedroom, furnished casita, in Carrizozo. \$350 monthly includes utilities. Small deposit. Call 648-2598, Tues.-Sat. to see.

4tp/7/31-8/21

Indian Summer FRUIT MARKET

East Hwy. 380 Carrizozo

They are Here! PECOS

Cantelope



-- and --

SWEET REDS & YELLOW MEAT

Watermelons



NICKEL & DIME YARD SALE

Casa Manana Apartments Carrizozo.

9:00 am til you buy all our stuff!

Help us landscape! (Donations are welcome)

2tp/8/7-14

A FINE GIFT FOR SOME ONE



A SUBSCRIPTION To THIS NEWSPAPER