

The Capitan Progress.

A Journal Devoted to the Interests of Lincoln County.

VOLUME 4.

CAPITAN, LINCOLN COUNTY, NEW MEXICO, JUNE 26, 1903.

NUMBER 16.

JUDGE McMILLAN REMOVED

By Order of Roosevelt.

End of Long Fight Inaugurated by Carlsbad Lawyer.

A dispatch from Washington dated June 22, states:

President Roosevelt, after a conference with Attorney General Knox, has signed an order removing Judge Daniel H. McMillan of the supreme court of New Mexico, on charges of general immorality.

Judge McMillan was originally appointed by the president from Buffalo. Judge Clement C. Smith of Hastings, Michigan, has been appointed to succeed him.

It was alleged that Judge McMillan was met by a mistress at a session of court in Lincoln county, after engaging a room at Mexican home for Mrs. McMillan whom he left to stay in El Paso.

He lodged in a hotel, but the woman in the case was visited at her room. The judge admitted that she was not his wife, it is said, and was only a friend. It was also alleged that he procured a pass for the woman on the Santa Fe railway in the name of his wife.

A vigorous fight for the removal of the judge was made by Judge Freeman of Carlsbad, who found it proper to notify the president that he (Freeman) would not accept the position formerly held by him, if McMillan should be removed, although the republican organization of the territory had asked for his appointment. The people of Carlsbad appealed to the department of justice to remove the judge.

The final decision was withheld while the president was in the west, but the removal was long a foregone conclusion, although the judge had a strong pull in his own state.

The bar in New Mexico was not in sympathy with the judge from New York, and hoped for the appointment of a man from the territory to the place.

The judge made several trips to Washington to square himself and at one time apparently had convinced the department of justice that there was no foundation for charges, thus causing delay.

Subscribe for the Progress.

PROGRESS OF IRRIGATION.

Movement Under Way in New Mexico.

The subjoined letter will give the reader a good idea of work that is being done by the territorial irrigation commission. Delegate Rodey and others in the way of carrying into effect the provisions of the national irrigation law.

Mr. Rodey wrote to the president of the commission, making certain inquiries in regard to irrigation matters, and Mr. Richardson of Roswell, in his reply states the following facts, which will be found of interest to the people of the territory:

That the irrigation commission has from time to time recommended the investigation of certain localities in the territory, among them the Rio Grande valley, the San Juan valley, Pecos valley, and the reservoir site near Las Vegas.

As a result of these recommendations, W. M. Reed has been authorized to investigate the San Juan valley, the Pecos valley and the reservoir site near Las Vegas, and to report upon the same.

And the commission is informed, by a letter from the department, that the Rio Grande valley and the Mesilla valley are being investigated, looking towards the storage of water. I am sure it will be of interest to you to know that all of these investigations are being made at this time, as a result of the recommendation of the irrigation committee.

The most advanced piece of work of this character in the territory is probably on the Rio Hondo, about ten miles west of Roswell. Mr. Reed who is in charge of this work under the direction of the chief of the geological survey, has completed the surveys of the Hondo reservoir, and will in a few days forward his estimates of the cost to the department.

A certain school of astronomers has always associated the phenomena of solar spots with floods, tornadoes, volcanic eruptions and earthquakes. This year the sun's face is practically free from spots while the terrestrial atmosphere and seismic disturbances are unusually active, which goes to prove the insecurity of theory.

FORT STANTON SANITARIUM.

Extensive Improvements that Uncle Sam is Having Made at the Fort.

M. M. Sundt, the contractor, who, for the past ten months, has been in charge of extensive work going on in connection with the re-building and improvement of Fort Stanton, the site of the government sanitarium for the U. S. merchant marine, furnishes some interesting figures in connection with the enterprise.

Builders working under the direction of Mr. Sundt have remodeled four of the long, low buildings of the old barracks, equipping them as a main hall and dining room, attendants' dining room, kitchen, hospital and regular wards. The cost of this part of the contract was \$36,000.

Another contract of \$34,000 went to O. W. Warnock of Alamogordo. It calls for postoffice, library, elegant quarters for offices, reading room, storeroom and corrals.

The water supply is piped from the Rio Bonito into storage reservoirs. The Bonito is a pure mountain stream, but the waters are distilled before used for drinking purposes. Eight thousand dollars are to be spent for electric light service. Fisher of Alamogordo gets this contract.

The sanitarium is under the efficient supervision of Dr. P. M. Carrington. Though established only three years ago, the results accomplished have been notable. Many convalescents have been dismissed entirely cured, and many more have been greatly benefited. The buildings used by the soldiers before the abandonment of the post have done duty until now, but the institution has proven such a success that the government has decided to improve it greatly. Very substantial improvements and additions besides those mentioned above are intended.

Fort Stanton is beautifully situated on a wide sloping mesa at an altitude of about 6,500 feet. The government considers the altitude and temperature ideal.

The group of buildings which comprise the sanitarium are the center of a big enclosure of government land. The Bonito furnishes water for irrigation and

much of the land is being brought under cultivation. Fort Stanton is becoming widely known for results as is its companion post, Fort Bayard, the soldiers' and naval sanitarium, and both are bound to take place as among the most important institutions of the territory.

The thriving little city of Capitan is only about four miles from the Fort, and promises to become a health resort as widely for civilians as Fort Stanton is for marines.

Soil Expert Tinsley Working at Carlsbad.

Prof. J. D. Tinsley, soil physicist of the experiment station at the agricultural and mechanical college at Mesilla Park, and one of the foremost authorities of the United States in the line, arrived in Carlsbad last Tuesday and will conduct an exhaustive series of observations in the vicinity of Carlsbad for the next thirty days, says the Argus. Each vacation Prof. Tinsley is detained to different parts of the territory, last year completing the work at Roswell, which covered the matter of drainage, the problem of alkali and such other matters as would naturally come within the sphere of his form of natural science.

Prof. Tinsley is equipped with the finest apparatus known to scientific usage, and he is thoroughly versed in this particular line of work. His services are entirely free, and all farmers and others desiring a determination of soils can have them for a king, though, of course, the applications will be taken in order of their filing.

A conservative estimate is that the wheat crop of 1903 will reach a total of \$740,000,000 bushels, as compared with 670,000,000 in 1902, 748,000,000 in 1901 and 522,000,000 in 1900. This is a very happy condition and will please the country. With such a heavy wheat yield as 740,000,000 bushels the country would be assured of cheap bread, but, of course, a great deal will depend on the corn crop. This is several months too early to figure on the corn yield with any confidence, but the indications in the corn-growing region are favorable.

THE CAPITAN PROGRESS

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Capitan, - New Mexico.

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For the year \$1.00
Six Months 75c

A Suggestion.

No other feature of the Fourth of July program in the north camp will attract as much attention as the roping and tying contest. Some of the most expert rope throwers have signified their intention of entering the contest. We feel tempted to suggest that some of the money proposed to be expended on fireworks was devoted to horse raising it would bring out some of the fleet-footed animals, and would in its more interest to the average citizen than if spent on nerve-shattering fireworks.

The Picnic

The picnic given by the Knights of Pythias at Nogal on Saturday last was a great success. People assembled from all parts of the country, and the number was estimated at 400. Pleasing speeches were made by Prof. Dudley of Nogal, P. C. Mattoon of Tucuman, and John A. Haley of White Oaks, and several very pretty selections were rendered by the Nogal choir. The barbecued meat was exceptionally fine and was provided in great abundance. Jumping, dancing, horse-racing, a ball game, and a merry-go-round furnished amusement to all, and the occasion will be long remembered by those who participated in its many pleasures.

Crossed the Divide.

John Copeland, one of the oldest American residents of Lincoln county, died at Richardson, Monday last, of inflammation of the bowels. Mr. Copeland came to this county with his parents in 1866, and has resided here since. He was at one time sheriff of the county. His brother, Jake Copeland, died alone on Eagle Creek last winter. The deceased leaves one daughter and a brother, Rube Copeland, of Angus, to mourn his loss. The remains were interred in the family burying plot at the McFarland ranch near Arroya Seco.

The Bonito, which was on a tear for several weeks, has again settled down to the even tenor of its way, and in a short time a dry bed will mark the course where that river, "used to was."

LINCOLN, LACONICS.

H. Moeller has opened a general store here.

A cow belonging to Henry Lutz was killed by lightning last week.

San Juan's Day was celebrated Wednesday with the usual festivities.

John Gallagher and mother were in town visiting J. W. Owen and family.

It is rumored that one of our good-looking young men has been captivated by a beautiful young lady from Mexico.

Poultry food, condition powder, gall cure, etc.

WALSH & TITSWORTH'S.

The M. A. Wharton & Co. Testimonial.

Fort Stanton, N.M.,

May 13, 1903.

Editor Capitan Progress,
Dear Sir: Your account of the Wharton fire in a recent issue reminds me that your paper is the proper mode of communication with the public. Will you kindly state in your next issue that a subscription has been started for the relief of the family of John Wharton, and that contributions are invited from a generous people, which may be sent to your paper, in which the names of the subscribers and the amounts will be published each week.

This is a very sad case and a little aid and comfort now will be more valuable than if deferred.

With confidence that this brief statement will suffice, I remain,

Yours truly,

J. V. TULLY.

The following subscriptions have been already received:

Ira Wetmore & Co.	\$10.00
E. J. Cox	5.00
J. V. Tully	25.00
A. J. King	10.00
S. W. M. Company	15.00
W. M. Edson	2.50
Geo. A. Titsworth	5.00
Total	\$72.50

Mrs. Agnes Carr	\$25.00
P. G. Peters	5.00
Nic. Baston	5.00

Notice for Publication.

Land Office at Roswell, N.M. / June 16, 1903.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and that said proof will be made before the Register or Receiver at Roswell, N.M., on August 11, 1903, viz: Nicolas Chaves, homestead application No. 2406, for the w¹/₂ nw¹/₄, Sec. 20, and e¹/₂ ne¹/₄, Sec. 19, Tp. 7 S., R. 16 E.

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

Daniel Vegil, Bernardo Montoya, Eugenio Garcia, Antonio Chaves, all of Richardson, N.M.

HOWARD LELAND, Register.
1st pub June 19 - 6t

Notice for Publication.

Department of the Interior, / Land Office at Roswell N. M. / May 16, 1903.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of her claim, and that said proof will be made before the United States Commissioner at Lincoln, N.M., on July 6th, 1903, viz: George A. Peter, Homestead application No. 3031 for the s¹/₂ of ne¹/₄ and e¹/₂ of se¹/₄, Sec. 38, Tp. 8 S., R. 16 E.

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

Samuel Hurst, Robert Morris, and Leslie Ellis, all of Lincoln, N.M.

HOWARD LELAND, Register.
First pub May 22 - 6t.

Notice for Publication.

Land Office at Roswell, N.M. / May 20, 1903.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Probate Clerk at Lincoln, New Mexico, on July 6, 1903, viz: Clarence I. Moulton, Homestead application No. 2509, for the e¹/₂ sw¹/₄ sec. 19, and e¹/₂ nw¹/₄ sec. 30, Tp. 9 S., R. 13 E.

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

James Moulton, Fred Pfingsten, Robert H. Bourne, Albert H. Phinsten, all of Nogal, N. M.

HOWARD LELAND, Register.
1st pub may-22 6t.

The S. W. M. Co. has just received a new line of Vandyke Granite ware. If you need anything in this line call and see them, prices are right.

There is more Catarrh in this section of the country than all other diseases put together, and until the last few years was supposed to be incurable. For a great many years doctors pro-

nounced it a local disease and prescribed local remedies, and by constantly failing to cure with local treatment, pronounced it incurable. Science has proven catarrh to be a constitutional disease and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, Ohio, is the only constitutional cure on the market. It is taken internally in doses from 10 drops to a tea-spoonful. It acts directly on the blood and mucous surfaces of the system. They offer one hundred dollars for any case it fails to cure. Send for circulars and testimonials.

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JOSEPH HALL, Counsellor at Law.

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ARE ASKING FOR FLOUR." EH?

Local and Personal.

E. W. Peebles of Alto was in town Wednesday.

Frank Hoss, of Wichita, Kan., is a late arrival. He intends to take up a homestead.

A. G. Burlingame has returned from a tour of the county in the interest of the Sunday school society.

Mrs. E. E. Williamson of Texas is visiting Mrs. T. H. Moore at the Moore ranch southwest of town.

Monroe Lindsey and sister, Miss Dona, went to Tucuman Tuesday, called there by the illness of their father.

C. N. Shelby, agent at the north town has been superseded by E. W. Palmer, an old-time "lightning controller."

J. P. Nash made a flying trip to Lincoln Monday on business connected with the railroad company.

Dr. and Mrs. Trask, Lieutenant and Mrs. Pedrick and Dr. Kirk visited Lincoln on San Juan's day, to witness the festivities of the occasion.

Dr. E. W. Eldridge of Kansas City, who has come here for the benefit of his health, is a guest at the Fourth street hotel.

John W. Owen will retire from the office of sheriff the end of this month, and Robert D. Armstrong will take control of the office.

O. D. Warnock has moved his family to Fort Stanton. Mr. Warnock has a government contract at the fort that will last all summer.

Henry Lutz came in Saturday from the Gallinas, where he had been on a wool and sheep purchasing trip, and left for his home in Lincoln.

J. F. Mann, of Mingo, Texas, spent the best part of the week in the mountains looking over some promising mining prospects, and left for home Thursday.

About twenty patients from the Fort attended the fiesta at Lincoln on San Juan's day, and in the evening initiated the natives in the intricacies of the sailor's hornpipe.

Bessie Dolan of Lincoln, who has been spending the past two weeks with the family of Postmaster J. B. Mathews, has returned to her home. Roswell Journal.

FIREWORKS. A large order of fireworks was received this week by the S. W. Mer. Co., including everything in the line from squibs to roman candles and powerful sky-rockets.

Mr. and Mrs. Wamsley and Mr. and Mrs. Reily and children went to the Bonito on Wednesday to spend several days in camp there. We expect to hear marvelous fish stories when they return.

Two patients from Fort Stanton, named Burns and McGrath, passed through here this week en route to their respective homes, being apparently cured, after a six months' sojourn at the sanitarium.

T. C. Hill made a business trip to the Fort Wednesday afternoon and was agreeably surprised at the many changes and improvements that have been made in that institution during the past half year.

The editor of the Carlbad Argus must have been there himself, for he says: "We prefer to live in a small town, where all the people sympathize with you in trouble, and, if you haven't any trouble, will hunt up some for you."

This has been the first week of real summer weather. It was not hot just comfortable, and the sun's rays were tempered by a fresh breeze wafted from the still snow-clad hills on the south west of town.

The surrounding country is a veritable mantle of green; water holes, lakes, reservoirs and creeks are full. Crops are growing fine and everything looks Irish. The merchants are beginning to feel the effects of the loosened purse strings of the farmer, stockman and rancher. One touch of nature makes all the world akin.

The North Capitan comedy company, we understand, will give their initial performance in the town hall Tuesday evening. The program will consist of a farce comedy, followed by specialties. The company is composed of some good talent, embracing several ex-professionals, and they propose giving a series of plays at regular intervals in the future.

The Fourth will be celebrated on the Bonito with a barbecue, and a long program of sports, consisting of foot-racing, jumping, dancing, pony race, merry-go-round, and many other amusements too numerous to mention. Free supper and ball in the evening. The sports will be held at Henley's crossing one mile below Angus.

W. F. Peacock, the original locator of the property now owned by the White Mountain mining company, was in town this week, and reports considerable activity in mining circles in his district. The company own a group of five claims in Kraut gulch, which are steadily improving as develop-

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ment progresses. Assay certificates from two of the claims showed values in gold amounting to \$6 in one and \$101 in the other to the ton. Several members of the company are expected to arrive here next week to look the property over, and arrange for extensive development.

Dr. A. R. Kuykendall and J. B. Blitch, of Thurber, Texas, who are associated with George McIntosh in the Montesuma company, were here this week. They spent several days on Eagle creek where the property is located exploiting the ground. They appeared to be thoroughly satisfied with the indications found, and that the judicious expenditure of a little capital in developing the property will give them a shipping mine. It is among the probabilities that a custom smelter and other processes for the reduction of the ores of the adjacent districts will be erected close to Capitan before very long. Get the ore in sufficient quantity and the reduction works will follow.

About 35 books were discovered missing from the Sunday school library just after a traveling exhibitor of moving pictures had given an entertainment in the chapel. The showman used the room without permission from anyone in authority, and must have raised a window and entered in that way, for it was found afterwards that one window had been left unfastened through an oversight. It is earnestly hoped that the shameful thief will be apprehended and punished as he deserves, although we believe no steps have been taken in that direction.

Astray Notice.

Notice is hereby given by the undersigned that on May 15, 1903, he took up one bald-faced sorrel horse, about ten years old and branded thus: JBA on the right shoulder. The owner can have same by paying expenses of keeping same and paying for this notice and other expenses that may accrue.

PREMITIO BRADY,
Lincoln, N.M., June 16, 1903. 6t

Contest Notice.

Land Office at Roswell, N. M.,
April 10th., 1903.

A sufficient contest affidavit having been filed in this office by Rufus E. Choate, contestant, against Homestead Entry No. 2656, made June 25th, 1902, for the North-east quarter of Section 21, Township 9 S., Range 13 E., by Fred W. Swope, Contestee, in which it is alleged that said Fred W. Swope has made no improvements upon the said described tract; and never established his residence thereon, and has been absent therefrom for more than six months last past, to-wit, since June 25th, A.D., 1902, and that said alleged absence from the said land was not due to his employment in the army, navy, or marine corps of the United States, in time of war; said parties are hereby notified to appear, respond and offer evidence concerning said allegations, at 10 o'clock a.m., on June 15, 1903, before D. J. M. A. Jewett, at Capitan, Lincoln county, New Mexico, and that final hearing will be held at 10 o'clock a.m. on June 25, 1903, before the Register and Receiver at the United States Land Office in Roswell, New Mexico.

The said contestant having, in a proper affidavit, filed May 10, 1903, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.

HOWARD LELAND, Register.
DAVID J. GREYER, Receiver.
first pub may 22 4t

Due Notice is Served.

Due notice is hereby served on the public generally that De Witt's Witch Hazel Salve is the only salve on the market that is made from the pure, unadulterated witch hazel. De Witt's Witch Hazel Salve has cured thousands of cases of piles that would not yield to any other treatment, and this fact has brought out many worthless counterfeits. These persons who get the genuine De Witt's Witch Hazel Salve are never disappointed, because it cures. For sale by Robert Hurt, druggist.

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See Sample Photos at P. O.

CAPITAN, N. M.

TERRITORIAL BREVITIES.

The American Placer company at Jicarilla, is overhauling and improving its plant which has a capacity of sixty tons per hour.

Alamogordo will give a monster celebration on the Fourth. The special features will be a big barbecue and the corn dance of the Mescalero Indians.

Governor Otero, Chief Justice Mills and Secretary Reynolds, were in the city for a few hours Saturday, says the El Paso News. They left over the Rock Island for Pastura, where they are interested in a large sheep ranch. These gentlemen have 100,000 pounds of wool for sale and will meet buyers at Pastura.

Five men were killed by an explosion which completely wrecked Mine No. 3 of the Raton Coal and Coke company at Blossburg, this territory, on June 20. The dead are: Joe Fresnie, Tony Nation, Jack Stolin, Tom Poiser, Alfonso Deme. Jack Bell, fire boss, was badly burned and Harry Mussell had several ribs broken. The explosion is believed to have been caused by a windy shot. The mine was inspected less than two weeks ago.

New Mexico bids fair to set a worthy example to the world as an exponent of law and order. Two of the ring leaders of the mob which stormed the jail at Raton with the avowed intention of taking therefrom the five colored porters, who were mixed up in the row that resulted in the death of Night Marshal Jones, are in jail. It is certain they will be held for the grand jury, and it is more than likely that they will be indicted and sent to the penitentiary.

Sunday morning men who went to the home of Dolores Garcia, in Las Vegas, found him lying in bed dead, his throat cut from ear to ear and his head badly bruised. His young son Felipe, scarcely past his majority, was known to have gone home intoxicated. The young man was not accustomed to liquor, and, it is said, had tasted it that night for

the first time. The youth was missing, but a searching party was sent after him and he was apprehended. He has been lodged in jail, charged with the crime.

The work of constructing the Santa Fe Central westward from Moriarty into the Hagan coal fields is well under way. These coal fields are about twenty miles west of that town, and the main line of the Albuquerque Eastern will run through them. Work on the main line has been delayed owing to various causes. It is expected that all steel will be on hand within the next ten days and that passenger trains will be running from Santa Fe to Torrance early in August.

Dario Castro, is in the county jail at Roswell charged with robbing the dead. It seems that during the last illness of Pedro Sandoval, the accused offered his assistance to nurse him. When the man was dying Castro went through his pockets and appropriated \$17. When arrested he admitted taking the money, but said that he intended to use the money to give his old compadre a decent funeral. As he could not show he spent the money, the court took a different view of the case and remanded the accused to the district court on \$1000 bonds.

The following apportionment of the money on hand in the common school income fund on May 7, has been made by Col. J. Frank Chaves, territorial superintendent of public instruction: Bernalillo, \$2,159; Chaves, \$424; Colfax, \$1,080; Dona Ana, \$1,347; Eddy, \$430; Grant, \$1,045; Lincoln, \$695; Leonard Wood, \$500; Luna, \$272; McKinley, \$242; Mora, \$1,401; Otero, \$731; Quay, \$196; Roosevelt, \$249; Rio Arriba, \$1,266; San Juan, \$471; San Miguel, \$1,961; Santa Fe, \$2,051; Sandoval, \$916; Sierra, \$393; Socorro, \$945; Taos, \$1,305; Union, \$612; Valencia, \$1,171. Total, \$21,874.

The business men of Deming have contributed liberally to the National sanitarium. One is erecting a wind mill, another digging a well, while others are putting up tents.

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