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DO NOT ACQUIRE RESIDENCE

Judge McMillan Held That Patients From Other States, at the Fort Stanton Sanitarium, Do Not Have the Right to Vote in New Mexico.

FULL TEXT OF DECISION IN CONTEST OF ARMSTRONG VS. OWEN

District Court, Fifth Judicial District, County of Lincoln.

Robert D. Armstrong,
vs. No. 1,394.
John W. Owen.

This is a contest under the election law for the office of sheriff of the county of Lincoln.

George W. Prichard,
George B. Barber,
Attorneys for Cont. Armstrong.
Hewitt and Hudspeth,
Attorneys for Respondent Owen.
Daniel H. McMillan, Judge.

The parties to this action respectively the candidates of the republican and democratic parties, in the canvass of 1902, for the office of sheriff of the county of Lincoln.

The whole number of votes cast for these two contestants was 1,429, of which John W. Owen received 715 and Robert D. Armstrong received 714, as certified by the board of county commissioners. A certificate was issued to the respondent, Owen, and upon the first of January he entered upon his duties as sheriff.

Within the time prescribed by law the contestant, Armstrong, filed his notice of contest; the respondent answered, and a reply was filed. A referee was appointed to take proof as to the issues thus framed; this proof is now before the court.

On application of both parties the pleadings have been amended to conform to the proof as made.

The principal ground upon which the contest is founded, is that the persons who lived on the Fort Stanton Military reservation, and who voted at the election in question, were not qualified voters at such election, for the reason that a legal residence could not be acquired on such military reservation for election purposes.

It appears from the testimony that the Fort Stanton Military reservation was first set apart by an executive order in 1859, and embraced 144 square miles; subsequently it was reduced to 16 square miles by an act of congress passed and approved in 1872; in December 1895, it was transferred by executive order to the department of the interior for disposal, but in 1899 by a like order it was transferred to the treasury department for the use of the marine hospital service, and in the same year additional lands adjoining said reservation were reserved for the use of such hospital service.

A hospital has been established and maintained by the general government on the premises reserved, and is known and designated the United States Public Health and Marine Hospital Sanatorium, and is for the treatment of tuberculosis in persons in service of the United States merchant marine, the revenue cutter and lighthouse service, and other branches of the marine service of the sea, lake and river ports of the country.

It also appears that the board of commisioners of Lincoln connty previous to the election in question designated and set apart as precinct 14 in said county the said reservation, the lines of the said reservation and precinct being concurrent, except at the westerly end said precinct embraces about ½ square mile of laud not included in the reservation. No one resided on this half mile square of land.

The whole uumber of votes cast in precinct No. 14 and which were cast by those registered as residing in said precinct and on the said reservaton was 71, of which John W. Owen, the respondent, received 51 votes, and Robert D. Armstrong, the contestant, received 20 votes.

All those who lived on the reservation and who were registered and voted in said precinct No. 14, lived in the hospital buildings, which were all in one place, and about the center of the reservation.

All the persons who voted at the election in question were either attendants, employes or patients at said hospital. All patients are maintained at public expense.

It is admitted that those who voted in precinct No. 14, that 41 were patients, and 30 employes; that 31 patients and 20 employes voted for Owen and that 10 patients and 10 employes voted for Armstrong.

The patients at the hospital were subject to discharge at any time, 68 patients were discharged during 1902.

A broad view of the questions involved might impel the court to the conclusoin that for election purposes the reservation in question is no part of the territory of New Mexico. It has been segregated from the public domain by special act of congress its boundaries have been specifically defined; it has been designated for a particular public use; it is under absolute control of the government of the United States; it is not open for settlement and all persons entering thereon without federal authority are trespassers; it cannot be taxed by the territory, and it is subject to the exclusive jurisdiction of the federal court.

In this view persons residing on this reservation would be as foreign to New Mexico for election purposes or citizenship therein, as though they resided in Texas or Arizona. The reservation would be foreign to, and no part of the territory of New Mexico for purposes of government.

Judge Story in discussing the constitution wherein it authorizes congress to exercise exclusive legislative power over military reservations, says: "The inhabitants of those places cease to be inhabitants of the state and can no longer exercise any civil or political rights under the law of the state." It seems to be the well settled doctrine that all political power and jurisdiction over a military reservation not expressly retained by a state, are surrendered absolutely to the general government by a voluntary transfer of lands for the exclusive use of the army; and consequently a person residing thereon acquires none of the constitutional qualifications of an elector.

(McMahon vs. Polk, 10 S. Dak. 296.)

When territory for the erection of an asylum for disabled volunteer soldiers is purchased by the United States with the consent of the legislature of the state in which the same is located, the general government is invested with exclusive jurisdiction over such property, and inmates of such asylum are within the exclusive jurisdiction of a government other than that of the state, within whose boundaries such asylum or territory may be situated; they are not residents of such state and are not entitled to vote at any election held within or under the laws of such state. (Sinks vs. Reese, 19 Ohio St. 306.)

Since the state of New York has ceded to the United States the territory comprising the West Point reservation, reserving nothing except the right to serve process therein, such territory, has ceased to be subject to state jurisdiction or to be part ofthe state, and persons having no other qualification as residents than a residence on such territory, are not residents of the state and have no right to vote. (In re. town of Highland 22 N. Y. Supp. 137) to the same effect see (Opinion of judges 42 Mass. 580.)

No distinction has been made as to the control and jurisd ction of the general government between the military and Indian reservations in New Mexico. The federal courts have exclusive jurisdictions on the theory that such reservations are under the absolute control of the general government. (United Statets vs. Monta. 3 New Mexico, 173.) And a like jurisdiction would donbtless obtain as to the military and hospital reservations in question.

In the view of the case, citizenship in New Mexico could not be acquired by residence on a reservation exclusively under the jurisdiction of the federal government nor could a person qualify himself as an elector within the territory by residence on such reservation.

The adoption of this view, however, is unnecessary to the disposition of this case. The case may be disposed of by limiting our inquiry to the status of the patients at the hospital, and, as to whet her, or not they become "residents" within the meaning of the statutes, for election purposes, by simply becoming patients, at the hospital; and having no other status in the precinct where they cast their votes than that of patients at the United States hospital, maintained at public expense, on a military reservation exclusively under federal jurisdiction and control.

In some of the states by constitutional provisions "no person shall be deemed to have gained or lost a residence for the purpose of voting, by his presence or absence, while employed in the service of the United States, or on the high seas, or while a student at any seminary of learning, nor while kept at any alms house or other asylum at public expense, nor while confined at any public prison." This provision of the various state constitutions has been held, (Stewart vs. Keyser, 105 Cal. 459) to be declaratory of the common law, which is in full force in this territory.

Inmates of a soldiers' home admitted from other localities are not entitled to vote at the precinct in which the home is located. (Wolcott vs. Holcomb, 97 Mich. 361, People vs. Hanna, 98 Mich 515).

A pauper remaining at a county poor house and sent there from another township, does not acquire a residence in the township where the poor house is located, so as to entitle him to vote in the poor house precinct. (Clark vs. Robertson, 88 111, 496.)

The presence of all of these patients at the marine hospital sanatorium on the Fort Stanton reservation was eleemosynary in its character; as to that institution they were beneficiaries, and their intention as to residence depended upon, and was limited, to the duration of the treatment which each was to receive at the hospital. The intention to remain there depended on the duration of the time each was permitted to be a patient at such institution and partook in no degree permanency. This gave no residence as each was there at sufferance and for a temporary purpose. (Silvery vs. Lidsay, 107 N. Y., 55).

These patients could gain no property rights on the reservation; they were patients at sufferance, subject to dismissal at any time by the officer in charge.

Such a status cannot be held to constitute a legal residence for election purposes.

We are of the opinion that none of the patients at the hospital sanatorium on the Fort Stanton military reservation who voted at the election in question had acquired such a residence in the territory of New Mexico and in the county of Lincoln as qualified them as electors and entitled them to vote at said election, and that the votes of each of said patients for sheriff of the county of Lincoln, as cast and counted should be disallowed.

The various other questions presented by the pleadings herein, it is unnecessary to consider, for the reason that no different result would be obtained by any decision the court might reach upon such questions. The notice of contest is therefore sustained as indicated in this opinion, and judgment ordered in favor of the contestant.

May 28, 1903.

Daniel H. McMillan,
Judge of Fifth Judicial District.

Incorporations.

Article of incorporation have been filed with the territorial secretary by the White Mountain Mining and Development Company. The incorporators are: J. W. Sanson, M. H. Garland, E. V. Estelle, of Chaves county, New Mexico; J. Mack Smith, of Eddy county; W. F. Peacock, of Lincoln county. The board of directors is to have a membership of five stockhoders of the company and the first board is composed of the incorporators. The company is authorized to buy, sell, lease and develop mining claims and to place necessary machinery for the same in Lincoln county, New Mexico. The principal office is to be at Roswell, in Chaves county, and the term of existence is 50 years. The capitalization $250,000, which is divided into 10,000 shares of the par value of $25 each.

GERMANY'S WARLORD

Enjoys the Diversion of Creating Feminine Tin Soldiers.

Military Titles Are Freely Bestowed by the Kaiser Upon Women of the Royal Families at Home and Abroad.

Despite his sometimes queer doings Kaiser William is no faddist and his most trivial moves in affairs of state if followed to their source lead to the fountain head of his policy, the army first, last and always. Since the day of Joan of Arc the sight of a woman on horseback in the full panoply of war has been sufficient to arouse enthusiasm in the most phlegmatic soldiery and to stir the latent loyalty of peaceful citizenhood. So it is not improbable that there is method in his appointment of women to military posts. Whom the kaiser loves he first makes colonel has become the popular parody of an ancient saw and describes aptly enough his policy of dispensing royal favors among women. Time was when a post of honor in the imperial household or a jeweled order was the feminine badge of favor. To-day it is a commission in the German army, with its glittering accompaniment of full uniform, says a London paper.

At the very head of the military women stands the empress herself. No more popular officer is there in all the German army than Augusta Victoria, and familiar as is her appearance at the head of the famous Pasewalk cuirassiers, she never fails to receive an ovation at the hands of the loyal Berliners. When she leads her regiment in review before her war lord, the kaiser, she wears white with red facings, the scarf of the Order of Hohenzollern and a three cornered hat, with large drooping heron's plumes. Until recently Grand Duchess Victoria Milita of Hesse shared military honors and popularity with the empress. Perhaps the most enthusiastic of all the lady colonels, she commanded by title the noted One Hundred and Seventeenth infantry regiment. Nor did she allow the acting colonel to rob her of her duties and privileges. She was seen almost daily on the parade ground when her regiment was at work. Then came her divorce from her husband, when the kaiser signified his disapproval of her conduct by depriving her of her regimentals and her monograms and arms were removed from the regiment's epaulettes. But the withdrawal of royal favor has not taken away her popularity. She is not only a magnificent rider, but an accomplished whip, and her appearance at the Frankfort races on Sunday afternoons invariably causes a demonstration.

Other women of royal blood who have been honored thus by the kaiser are the Empress Alexander, of Russia, who is colonel of Germany's Second regiment of dragoons; the hereditary princess of Saxe Meiningen, who commands the Second grenadiers; the crown princess of Greece, the emperor's sister, who has an infantry regiment, and Princess Louise, duchess of Connaught, who has the dragoon regiment known as "Von Arnim No. 12." The queen of Wurtemburg is colonel of the Uhlan regiment, "Konig Wilhelm I;" the Princess Wera, of Wurtemburg, who was a Russian grand duchess, the Uhlans "Konig Karl;" the Princess Charles, of Prussia, the Twelfth regiment of dragoons; the Princess Albert of Prussia, the Twenty-fourth infantry, the queen regent of the Netherlands, the Fifteenth Westphalian infantry; the grand duchess of Baden, the Fourth regiment of the Grenadier guards, and the Dowager Queen Margerite of Italy, a Hesslan Tager (rifle) regiment. Perhaps of all this list no one is destined to more general popularity among the soldiery than the duchess of Connaught. Educated under the eye of her father, the famous Prince Frederiche Charles, the "Red Prince" of the Franco-German war, she has the military spirit strong within her.

Though there are innumerable lady colonels only two women in the world may wear the three cornered chapeau and the four stars and stripes of an admiral. These are the Dowager Empress Dagmar, of Russia, and Queen Olga, of Greece, who owe their honors to the late czar. The Empress Dagmar is an admiral in the Russian navy, while Queen Olga is attached to the Russian Mediterranean squadron. The latter, who is passionately fond of the sea, uses her yacht as often as other ladies call for their carriages, and she has also passed the necessary examinations to secure a sailing master's certificate. She often commands the royal Greek yacht, the Amphitrite, and she is certainly better equipped for the rank of admiral than many of her sister sovereigns are qualified for their military duties.

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Nations Banded to Protect Birds.

An international agreement for the protection of birds that are useful to agriculture was signed at Paris on March 19 by representatives of Belgium, France, Switzerland, Sweden, Spain, Portugal, Austria-Hungary, Greece and the principalities of Monaco, Lichtenstein and Luxemburg. Germany is expected to join the league. Nature calls attention to the fact that Italy, within whose boundaries many migrating birds are annually killed, does not appear among the nations signing the agreement. The protection afforded in the case of the most useful insectivorous birds is

New Schedule.

The following is the schedule of departures and arrivals of mails, Carrizozo to White Oaks, now in effect

Leaves White Oaks.....at 6 p. m.
Arrive Carrizozo.....at 8.30 p. m.

Leave Carrizozo daily, after receipt of mail from train but not later than 8 o'clock, and arrived at White Oaks in two hours and thirty minutes.

Postmaster Brown informs us that under this new schedule mail for rail road closes at 5:30 p. m.

Saddle for Sale.

New $50 saddle, made in Laramie Wyoming, improved Versalia tree. Cheap for cash. Make inquiry at this office.

OPERATING MARIONETTES.

Remarkable Ingenuity and Skill Displayed by One Man in the Business.

"The ingenuity of some of the handlers of marionettes," said a showman, "is incredible. I know a man who conducts a marionette theater, where in an orchestra of eight pieces plays under marionette leadership, while in the boxes a dozen marionette spectators laugh and applaud, and on the stage a marionette drama briskly enacts itself.

"The conductor of all this stands, exposed to the waist, at the back of the stage, and apparently he is motionless, though really each finger of both hands and the majority of the toes of both feet are working with unexampled rapidity. For each marionette is connected by a string with a toe or a finger of the operator, and this string sometimes has as many as ten or fifteen branches, joined to the manikin's face, body, arms, legs, etc., so that it may dance, smile, wave its arms and do a number of other lifelike things. One of these figures indeed, is connected by 32 strings to the operator.

"It is bewildering to think of the number of strings there must be altogether," concluded the showman, according to the Philadelphia Record, "and really it is impossible to conceive of the dexterity and the thought required in the artistic manipulation of a band of marionettes."

The Eagle's Clubbing Offer.

Eagle subscribers (new and those renewing) may now take advantage of the following clubbing offers:

Eagle and Thrice-a Week World, one year.....$2 00
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Eagle and Cosmopolitan, one year... 2 10

Eagle subscribers will be given cut rates on all publications listed by the News agencies of this country and Europe by subscribing through this office.

E. P. N. E. TIME CARD.

Effective April 5, passenger trains will run as follows No. 1 changed to No. 3 and No 2 changed to No. 4. Nos. 43 and 44 abandoned, but will run as specials semi-weekly

No. 4 NORTH-BOUND.

Leave	El Paso at	8 00 p.m.
Arr	Hereford at	8 30 "
Arr.	Jarilla Junction	9 28 "
Arr.	Alamogordo	10 35
Leave	"	10:50 "
Arr.	Toularosa	11:15 "
Arr.	Oscura	12 20 a.m.
Arr	Carrizozo	1:00 "
Leave	"	1:10 "
Arr.	Ancho	2:14 "
Arr.	Corona	3:33 "
Arr.	Torrance	3:49 "
Arr.	Merino	4:17 "
Arr.	Pastura	5 35 "
Arr.	Santa Rosa	6:25 "

No. 3 SOUTH-BOUND.

Leave	Santa Rosa	10 30 p.m.
"	Pastura	11 34 "
"	Marino	1 20 a.m
	Torrance	1 47 "
"	Corona	2 12 "
"	Ancho	3:11 "
Arr.	Carrizozo	4:00 "
Leave	Carrizozo	4:10 "
"	Oscura	4 44 "
"	Toularosa	5:42 "
Arr.	Alamogordo	6:05 "
Leave	"	6:20 "
"	Jarilla Junction	7 25 "
"	Hereford	8 15 "
Arr.	El Paso	9:00 "

No change of passenger time on A. & S. M., Dawson Railway or Capitan branch.

Subscribe for the Eagle.

Notice of Suit.

In the District Court of the Fifth Judicial District, Territory of New Mexico in and for the County of Lincoln.

To the Defendants: Cornelia A. Johns, Lillian Johns Hitchcock, Virginia Johns, and Cash Johns: You will take notice that a suit has been commenced by the undersigned Administrator of the estate of T. C. Johns deceased, in the Lincoln District Court, by order of the Probate Court of Lincoln County said Territory. The object of said suit is to secure an order for sale of the real estate of said estate to pay creditors, and unless you enter your appearance in said cause on or before the 25th day of June 1903, judgment will be rendered by default.

JOHN E. GRIFFITH, Clerk.
By E. W. HONNER, Deputy.

Thomas H. Walsh, Admr Plaintiff.
White Oaks, New Mexico.
First publication May 28, 1903. 4t

Notice for Publication.

Land Office at Roswell, New Mexico,
April 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 United States Commissioner at Lincoln, New Mexico, on June 15, 1903, viz Arch Parker, Homestead application No. 10172, for the nw¼ ne¼, n½ nw¼ and sw¼ nw¼, Sec. 7, T. 10 S., R. 14 E.

He names the following witnesses to prove his continous residence upon and cultivation of said land, viz: Geo. W. Barrett, George Akers, Reuben Copeland and B. R. Land, all of Angus, N. M.

HOWARD LELAND, Register
First publication May 7, 1903.

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ANT HYPNOTISTS.

A Seance in Medical Science Among Some of the Insects Witnessed by a Student.

That ants doctor their sick by hypnotism and magnetism is proved by observation. An ardent student tells how he witnessed what may be termed a seance in medical science among ants. He saw several of these little creatures emerge from the hills and noticed that there were some among them which were weak and emaciated- invalids, in fact. They were accompanied by healthy members of the community and all made their way toward a distant mound.

On following their movements through a glass the observer saw on this mound a big and sturdy ant which made some motions in the direction of the advancing invalids. The latter went up the mound one by one, and submitted themselves to treatment. This consisted in the physician ant passing his feelers over the head and body of the patient in a manner distinctly suggestive of the hypnotizing of nerves and muscles practiced by human doctors. Every one went through the treatment, then the patients went back, and the doctor marched off in the opposite direction.

King Edward's China.

The proverbial "bull in a china shop" would find a rich field for exercising his proclivities could he gain entrance to King Edward's closets. The value of the china at Buckingham palace and Windsor is said to exceed $2,000,000, reports the St. Louis Star. The Sevres dessert service in the green drawing room at Windsor is valued at $500,000 and the Rose du Barri vases at $250,000. At Buckingham palace there are six Sevres vases which are valued at $25,000 each.

Sweet-Voiced Kansas Squealers.

Following is the unique advertising letter of a Eudora (Kan.) hog farm: "To our friends, the farmers and stockmen everywhere: You are invited to attend our free open-air concerts, given every evening at five p. m., under the direction of Mr. E. W. Melville. We guarantee to you that we have 200 of the sweetest voiced squealers in the country. No such an aggregation of male and female voices was ever got together under one management, and you will be highly entertained and pleased if you will attend one of our concerts. Reserved seats free for everybody. Special programmes will be arranged if you will but notify us come out and hear us squeal. We take special pains to please you. Yours till dead

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Letters should not be less than 300 nor more than 1,000 words in length and will be used for the purpose of advertising the Southwest.

For circular giving details, write John Sebastian, Passenger Traffic Manager, Rock Island System, Chicago, Ill.

Notice of Stockholders Meeting.

Office White Oaks Industrial Company

White Oaks, N. M., May 19th, 1903

Notice is hereby given that a meeting of the stockholders of the White Oaks Industrial Company, of White Oaks, Lincoln county, New Mexico, will be held on Saturday the 20th day of June 1903 at 8 o'clock in the evening of said day, at the Baptist Hall, in White Oaks, N. M., for the purpose of electing a Board of Directors of said company, to consider the question of transferring lot 4 in block 22 in White Oaks N. M., to the trustees of the Baptist Church, and for the transaction of such other buisness as may come before the meeting.

JOHN Y. HEWITT,
Secretary

BUNDLES IN WASHINGTON.

They May Be Taken Into the Treasury Building, But May Not Be Taken Out.

Among all the departments in Washington the most strict is the treasury. Nobody may carry anything that he takes into the treasury building, but when he undertakes to carry anything bulky out of the building he is apt to get into trouble if he does not explain with readiness, says the New York Mail and Express.

A visitor to Washington the other day carried a fairly large package into the building. Nobody said a word to him about it when he was going in, but when he started out with the package he was held up, made to open it, and to explain all about himself and his business.

The good sense of the rule is apparent. At the capitol it is against the rules to carry any sort of a bundle into the building. The fear is that somebody will carry in a bomb. The rule was never enforced rigorously until the senate took up the Sherman repeal bill. At that time the public mind became so influenced against the delay in the senate that violence was feared, and the rule was put into active operation and continued for some years.

Then it dropped out of sight until the Spanish war excitement came on, when it was again enforced, and it is still enforced rather strongly, although during the last session of congress a few cameras were allowed in the building.

INSTINCT OF A MOTHER

Illustrated by the Cow When There Is a Stray Calf in the Western Cattle Herd.

It might seem that where half a dozen herds were mingled together, it would be impossible to select the calves belonging to a particular owner with any degree of accuracy, says E. Mayo, writing on "Beef" in Leslie's Monthly, that in the round up they would become hopelessly mixed. But all this is obviated by a very simple rule, which is that the calf belongs to the cow that gains it, and consequently to the concern whose brand she bears. Long experience has taught the cattlemen that the calf may mistake its mother sometimes, but the cow her offspring never. Of course, in these days of wire fences when the free riders of the range are degenerating to the rank of the eastern "hired man," and each "bunch" is kept to its own territory, there is small occasion for the exercise of this test; but in the old days of the open range it worked perfectly, except in the case of mavericks—those cattle that had grown to be yearlings or over without having passed under the branding iron and come under the impartial law of the time allotted in proportion to the number of each herd participating in the round-up.

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WHITE OAKS EAGLE.

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S. M. Wheeler, Editor
Silas R. Mac[illegible] Business Manager.

Official Paper Lincoln County.

THURSDAYS $1.50

THURSDAY, JUNE 11, 1903.

Illinois Burns a Negro.

Illinois has burned a Negro, goes over the line to every nook and corner of the United States. Is Illinois a southern state? If not what could have induced the quiet inhabitants of Belleville to thus take the life of a human being without granting him the right to a trial by a jury selected from his countrymen. Had a wife or a daughter been raped and murdered? No. An Illinois Superintendent of schools was shot because he refused to renew a Negro schoolteacher's certificate. Now mark you, and see what those papers who for years have heaped their anathemas upon the South because a Negro is killed occasionally for the horror of rape, have to say about this crime in Illinois.

The El Paso Herald from which we clip the following only a short time ago reached an editorial white heat giving it to the state of Texas for mobbing a Negro who was guilty of murdering and raping a child. The Brooklyn Eagle was full of it too, only a few days ago.

There is nothing in the history of the South where such cruelty has ever been practiced against a Negro even for rape as these Illinoisans administered to this one who was only guilty of shooting an Illinois school superintendent.

Following is an account of the Illinois incident

BELLEVILLE, Ill., June 8. County Superintendent Charles Hortel of St. Clair county, was shot and mortally wounded in his office by W. T. Wyatt, a Negro school teacher of East St. Louis, whose certificate Hortel had refused to renew.

Wyatt was immediately arrested and taken to jail. Superintendent Hortel removed to a hospital where physicians probed for the bullet but they stated that there was no chance of his recovery.

Hortel said Wyatt had shot him because of his refusal to renew a certificate for teaching.

A couple of hours passed when suddenly a mob appeared before the jail and forced an entrance to Wyatt's cell despite the protests of the mayor and chief of police.

Securing the prisoner the mob dragged him out and hanged him to a telephone pole in the public square next to the court house.

Even while his body was jerking in the throes of death from strangulation, members of the mob began to build a fire at the foot of the pole. The flames flared up and licked at the feet of the victim; but this did not satisfy the mob and a larger fire was started nearby.

When it had begun to burn briskly the negro, still half alive, was cut down, covered with coal oil and cast into the fire.

Moans of pain were heard from the victim, and these served to further inflame his torturers.

They fell on him with clubs and knives and cut and beat the burning body almost to pieces and not until every sign of life had departed did they desist and permit the flames to devour the body.

As the fire lighted up the scene the members of the mob stood around the funeral pyre hurling more fagots on the flames and denouncing the negro for the shooting.

After the body had been reduced to ashes the mob departed and all became quiet.

A peculiar and to some people embarrassing state of affairs has developed from our occupation of the Philippines. Quite a number of army officers and a large number of enlisted men contracted Filipino marriages with some of the young and pretty native women, never thinking that they would be held valid in the mother country. But the powers that be hold otherwise and the officers and men will be compelled to recognize and support them native spouses, whether they like it or not. The department is right. The matrimonial bond is too sacred to be handled in such a manner by an American soldier or citizen, and especially in our dealings with people to whom we should set an example in morality. These gay Lotharios have made their own beds, now let them lie on them, whether they be of feathers or stones.

A practical woman remarked the other day that the most interesting things in the newspapers to her are the advertising columns. "Long ago," she said, "I quit buying of those who didn't advertise. It always seemed to me that the merchant who advertises invites me to trade with him while the one who does not advertise impresses me with the idea that he doesn't care enough for my trade to ask for it. Then, too, I have found that the merchant who advertises has fresher goods, for the reason, I suppose, he sells more.—Ex.

On the theory that "what is sauce for the goose is sauce for the gander," there can be no objection made by the labor unions to the step taken by the employers of the country in forming like organizations. The country is running union mad and we are fast drifting away from our old time freedom of action and business interests. Some day the storm will break and its results will be fearful to contemplate.

Alto News.

Regular Correspondence

It has been raining for eight days on Eagle Creek.

A great number of campers are arriving from different sections.

The forest rangers are patrolling this section pretty thoroughly.

F. M. Crocket is circulating a petition to have all the country between the White Mountians and the Capitan Mountains put into the Lincoln Forest reservation.

A. J. Gilmore has been very sick of erysipelas, but is improving rapidly under the care of Dr. — of Ft. Stanton. Mat Gilmore and family are visiting home during his father's illness.

Mrs. R. H. Pierce and children and Mrs. Anderson are at Hotel Gilmore. They live at Alamogordo.

School begins on Monday the 8th with Miss Coleman, of Las Cruces, as teacher. She comes well recommended.

Stock of all kinds are looking well and the recent rains will make perfect ranges.

Notice for Publication.

Land Office at Roswell, New Mexico,
June 2nd 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 United States Commissioner at Lincoln, New Mexico, on July 25th, 1903, viz: Edgar H. B. Chew, Sr., Homestead Application No. 4123, for the North East quarter of Section 6, Twp. 7 S., R. 14 East.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: John Crowley, E. H. B. Chew, Jr. and Sam Fambrough, of White Oaks, New Mexico, and M. H. Bellomy, of Lincoln, New Mexico.

HOWARD LELAND, Register.

First publication June 11, 1903.

The EXCHANGE BANK

WHITE OAKS, NEW MEXICO.

Transacts a General Banking Business. Issues Drafts on all principal Cities of the World. Accords to Borrowers every accommodation consistent with safety. Accounts solicited.

JOS. WHITE.

Freighter and Contractor for all kinds of Team work, Hauling etc. Prompt attention given to all orders. Prices Reasonable .....

YOUR TRADE IS SOLICITED.

I Haven't Got My Pile.

[The following interesting poem was written many years ago by an old prospector and will possibly recall the mining days of some of our old citizens who were miners years ago.]

Though I've been a miner many a month
I am a miner still,
I've worked in river creek and gulch
Coyoted many a hill,

The pick and pan and crowbar, too,
I've used in dry and wet,
But here with anguish I confess
My "pile" I haven't yet.

I've rocked the cradle many a day
Beneath a burning sun,
Whilst down my face in copious drops
The sweat has quickly run.

At both tom and sluice, I've wrought,
Misfortunes all I've met,
For notwithstanding all my toil
My pile I haven't yet.

Some hundred feet they've lowered me
By windlass, rope and tub,
With pick and crowbar there I've toiled
For scarce more than my grub.

Whilst others round with little skill
And industry have met
With pile on pile, but I confess
My pile I have not yet.

The windlass, too, I've turned and turned,
Most sanguinely I've pumped,
Some claims I've bought and worked clean out,
Whilst others I've jumped.

Rivers I've dammed and creeks I've turned,
In hopes that I should get
Enough of gold to make my pile
But alas! I've not it yet.

With blistered hands and aching limbs,
At night I've laid me down,
But not on hair or feather bed,
But on the cold hard ground.

On slapjacks, pork and beans I've lived;
Oh, how I do regret
That I should work and fare so hard
When my pile I have not yet.

But hope, the stay of honest hearts,
Yet bids me do not despair,
And tells me I shall make my pile,
Yet does not tell me where.

Hence I will work with energy
Through seasons dry and wet:
I'll work till I make my pile,
For I will make it yet.

Teachers' Institute.

The regular Teachers' institute is to be held at Capitan, beginning on Monday, August 3rd, 1903, and to be in session four weeks. The regular examination of teachers takes place on Friday, August 28th.

As heretofore, teachers are required to attend the County Institute at least two weeks; but as little benefit work can be done in such a limited term, it has been decided that we have two weeks longer session than usual, and it is to be hoped that all teachers will attend the full time.

EDW. J. COX,
County Supt. of Schools.

S. M. WIENER & SON'S

General Merchandise.

Men's, Boys' Ladies' and Children's Shoes.

Our Prices are Right.

An editor of a small Iowa paper recently stated that he had been kissed by one of the most beautiful married women in the town. He promised to tell her name in the first issue of his paper the next month. In two weeks the circulation of his newspaper doubled. But when he gave the name of his wife he had to leave town.

The Santa Fe New Mexican says the acts of the 35th legislature will be printed and ready for circulation by June 15th.

Artesian water has been struck at Algodones. The owners are sure that oil will be found with a little more depth.

J. Q. WELCH,

DENTIST.

Office in Hewitt Block.

All Work Guaranteed.

HEWITT & HUDSPETH,
ATTORNEYS AT LAW
WHITE OAKS, N. M

Advertised Letter List.

Letters remaining uncalled for in the White Oaks postoffice June 1, 1903:

Mr. Bert N. Hicks
Miss Nora Wolf
Mr. J. H. Ethel
Sr. Don Francisco Moya.

Respectfully
JOHN A. BROWN, P. M.

LOCAL and PERSONAL NEWS.

E. H. Fox was in town from the Ji s.

A. B. Whiteman was here from Roswell.

Lum Byfield was in from the goat ranch.

Allen Lane was home from Jicarilla Saturday.

D. J. Carr was in town Sunday from Jicarilla.

Another good rain fell here last Sunday afternoon.

Geo. Gabriel of Roswell, was at Hotel Baxter.

Mrs. Wise and daughter, Jicarilla, were at the Baxter.

G. S. Treat is having a new roof put on his residence.

J. M. Rice came in from Parsons yesterday morning.

The annex to the livery stable is now about finished.

G. H. Shumard, a Kansas City drummer, drummed here.

C. E. Niles of Nogal, passed through en route to Jicarilla.

J. E. Wharton and family were in from their patos ranch.

William Coon and Jno. A. Haley went to Nogal Monday.

P. G. Peters, the Angus Merchant, was in White Oaks last Friday.

E. T. Collier now has 2000 fine Angoras. His mohair brings him 37c.

Jicarilla is making preparations for a Fourth of July Celebration.

Mr. and Mrs. James Lee are the happy father and mother of an 8½ lb baby girl.

Philetus Smith, one of the purchasers of the Hawkeye in Jicarilla, is here from Chicago.

Silas May went to Capitan last Saturday to bring over a fine milk cow his father gave him.

Zeb Brooks and Ira Johnston, Jicarilla, were among the names on the Baxter register.

Miss Ednah Pankey has returned from Dallas, Texas. The family has located at Carrizozo.

John C. Wharton, firm of M. A. Wharton & Co., Hondo, was in White Oaks, enroute home from El Paso.

White Oaks merchants are enjoying a good country trade now. Sheep and cattle men all have money.

A. H. Hudspsth returned from Nogal and Bonito, where he spent several days in the interest of a client.

Dr. Welch will arrive here Monday and may be found during the week in his office in the Hewitt Block.

F. D. White, Congregational minister, and his wife arrived here Tuesday from Hudsonville, Mich.

A few experienced coal diggers wanted at Carthage Coal Mines. Address A. H. Hilton, San Antonio, N. M.

Road Supervisor Langston has begun the annual task of putting the roads around White Oaks in good condition.

Jim Camunes, a friend of Juan L. Reyes, is here from El Paso. He is proprietor of the Filipino saloon.

William Lumbley, the machine agent, passed through the burg, making the regular rounds of his circuit.

Jno. Brown, the driller for the New Mexico Oil and Development Co., spent a day or two in White Oaks.

R. D. Armstrong arrived Saturday from Kansas to take charge of the sheriff's office awarded him by D. H. McMillan.

W. A. McIvers passed through Friday going to Jicarilla. He is making many improvements on his Jack Peak Copper prospects.

Geo. E. Sligh has been east to Chicago and points in Iowa for the past two weeks. He arrived home Monday. He was delayed by washouts in Iowa and Kansas most of last week.

Program For Knight Picnic.

Following is the program for the Knights of Pythias picnic and barbecue at Nogal, N. M., Saturday June [illegible] 1903.

1. Opening Song.
2. Address of Welcome, W. E. Dudley
3. Response, ...H. F. Jones.
4. Song.
5. Songs, Recitations, etc.
6. Barbecue Dinner, free to all.
7. Song.
8. Introduction of Grand Chancellor .....by Jno. A. Haley.
9. Address of the Day, by Grand Chancellor, B. F. Adams, of Albuquerque.
10. Match game af base ball, dancing and other amusements.

Every body invited to attend.

Phonograph Entertainment.

J. G. Foster is going to give an entertainment for the benefit of the Congregational church. It will be the very latest and best that can be rendered here by a Phonograph. There will be other interesting features aside from the machine's effort, and as a whole it will be well worth all it costs.

The general admission is 25c. Children under 12 years of age, 10c.

Doors open at 7:30 o clock.

Knights Elected Officers.

At the meeting of Knights of Pythias Thursday night officers were elected for the ensuing six months.

Robt. L. Taylor was elected Chancellor Commander; Geo. Queen, Vice-Chancellor; Joseph Spencer, Prelate; Jno. A. Haley, K. of R. and S.; Sol. C. Wiener, Master of Finance; Silas R. May, Master of Exchequer; Charles Hamilton, Master at Arms; A. H. Hudspeth, Master of the work; V. P. Green, Inside Guard; James M. Simms Outside Guard.

James Moulton came in from his farm at Nogal Thursday. He reports Clarence Moulton at his house sick. Clarence was working at the Carpenter's trade in El Paso when attacked by Mountain fever and came to his brothers for proper care during his illness.

W. A. Hyde, the Three Rivers sheep man, spent two or three days in White Oaks. He reports his sheep doing well and his lamb crop will average with the best in the territory, he has saved over 90 per cent.

The Otero County Enterprise has changed its name. It is now the Cloudcroft Silver Lining. Hope the clouds that float over his newspapership may always have a silver lining.

W. A. McIvers came in from Jicarilla Monday with samples of copper-iron ore from his Jack Peak property that will assay high in both metals. The ore also contains some gold.

Mrs. N. W. Ellis and her son, Mark Goodin, were in the city from J. X ranch last week, looking after some land litigation in which they are plaintiffs and W. A. Hyde defendant.

The oil well at Raton has reached a depth of 1200 feet and a considerable quantity of oil has been drawn with the bailings. The prospects are extremely bright in that field.

A. H. Norton and Robt. Raynard, employed on the Hawkeye in Jicarilla, came in Saturday evening to spend Sunday at home.

R. H. Pierce, Alamogordo merchant, and T. H. Claypoole, principal Alamogordo Baptist College, spent Sunday in White Oaks.

The stock interests of Lincoln county have been benefitted thousands of dollars by the splendid rains we have had during the past two weeks.

S. C. Wiener and J. A. Gumm went to White Mts. last Saturday to take samples of ore from one or more of their claims for smelter tests.

ZIEGLER BROTHERS

We Lead in these Lines.

LARGE and SMALL BUYERS

of DRY GOODS, GENTS' FURNISINGS and BOOTS, SHOES, CARPETS, etc. etc., also of GROCERIES and GENERAL SUPPLIES.

WILL FIND it to their financial interest to procure figures from us, before placing Orders.

WE have the most complete stock of new and desirable and stylish DRY GOODS, CLOTHING, HATS, SHOES, etc etc this season that we have ever had the pleasure of showing, and we invite the **Investigation of Prospective Buyers.**

ZIEGLER BROTHERS.

We are agents for **Hamilton & Brown's Shoes** None better

The only place in town that you can buy CHASE & SANBORN COFFEE. It is the best.

We sell Schillings Baking Powder, Spices and Extracts. They are O. K.

We Handle the Monarch Brand of Canned Goods

If you want a first class TOMATO try Van Camp's

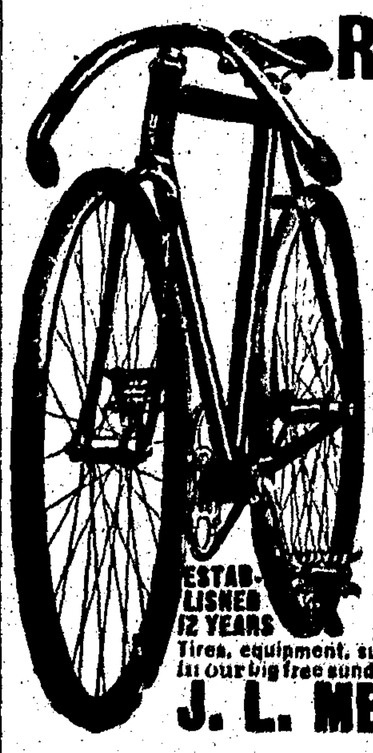
We gaurantee the above lines, your money back if they don t suit.

Taliaferro Mercantile and Trading Company

Carrizozo Livery Stable

Good Rigs---Meet Every Train---Always There.

L. M. N. Mc REYNOLDS, Prop., Carrizozo, N.M.



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in each town to take orders for our new High Grade Guaranteed Bicycles.

New 1903 Models

"Bellise,"	Complete	*$8.75*
"Cossack,"	Guaranteed High Grade	*$10.75*
"Siberian,"	A Beauty	*$12.75*
"Newdorf,"	Road Racer	*$14.75*

no better bicycle at any price.

Any other make or model you want at one-third usual price. Choice of any standard tires and best equipment on all our bicycles. *Strongest guarantee.*

We ***SHIP ON APPROVAL*** C. O. D. to any one *without a cent deposit* and allow **10 DAYS FREE TRIAL** before purchase is binding.

500 Second Hand Wheels taken in trade by our Chicago retail stores, all makes and models, good as new..... **$3 to $8**

DO NOT BUY a bicycle until you have written for our FACTORY PRICES AND FREE TRIAL OFFER.

Tires, equipment, sundries and sporting goods of all kinds, at half regular price, in our big free sundry catalog. Contains a world of useful information. Write for it.

J. L. MEAD CYCLE CO., Chicago, Ill.

SCIENCE AND INDUSTRY.

Germany has 3,200,000 goats and the United States only 1,900,000, whereas our number of sheep is 61,800,000, and Germany's only 9,700,000.

Vanadium, one of the rarer metals, has the property, mixed with copper, of allowing that metal to be drawn into very fine wire. Vanadium costs £420 per pound.

The output of pig iron in Germany has risen 75 per cent. in the past 12 years. During the same period the output of the United States has risen only 50 per cent., and is now nearly 14,000,000 tons.

Peat gas has been employed as fuel at the Motala steel works, Sweden, for the past 30 years, originally for the puddling furnaces, and to a still greater extent subsequently, for the open hearth furnaces.

The aggregate tonnage of launches on the Clyde during the month of May constituted a record which has only been twice before exceeded in the whole history of Clyde shipbuilding. Twenty-three steamers were launched, of a total of 51,000 tons; three large sailing ships, totaling 2,670 tons; two steam yachts, of a total of 195 tons, and six sailing yachts of an aggregate of 135 tons. The shipbuilding industry on the Clyde is remarkably prosperous at the present time, and notwithstanding the above abnormal output of new vessels the berths are filled up with fresh orders amounting to about 50,000 tons.

A perpetual cloud of soot, gradually settling down, is known to overhang every large manufacturing city. To determine the amount of this wasteful dirt deposit in Manchester, Eng., Mr. W. Irwin weighed the solid matter obtained from a sample of snow that had been lying on the ground ten days, and has found an equivalent of 107 pounds per acre or three tons per square mile. As the sample represented the condition over at least 100 square miles, the chimneys of Manchester are convicted of throwing out not less than 300 tons of soot in ten days. Analysis showed 48.0 per cent. of carbon, 6.9 of heavy oil and grease, and 45.5 of ash, from which it appears that each day's 30 tons of soot is given adhesiveness by about two tons of oily matter.

HAD A CHINESE NAME.

Archibald Was Called Archie and the Mongolian Thought It Was "Ah Chee."

In the household of a prominent Bostonian is a Chinese servant who was brought east by the family several years ago from California, where he had ingratiated himself during a winter sojourn at Pasadena.

Recently a young man named Archibald has been visiting the family, and the Chinaman seemed to take a strange fancy to him. He is called Archie for short, and every time the name of Archie was mentioned the Mongolian would grin and beam at the guest with a pride that seemed little less than paternal. That it was at least fraternal was disclosed one day, when he said: "Why for you have name allee samee like Chinaman?" Archibald was rather taken back. "What do you mean?" he asked. "Why, you name," replied the Chinaman, according to the Philadelphia Record. "When they talkee to you they callee you Ah Chee!"

Supreme Court Term.

The Supreme Court meets at Santa Fe the first Wednesday after the first Monday in January.

Terms of District Courts.

First District.

At Santa Fe, United States Court, First Mondays in March and September.

Santa Fe County, First Mondays in March and September, at Santa Fe.

Rio Arriba County, Fourth Mondays in April and October, at Tierra Amarilla.

San Juan County, Second Mondays in April and October, at Aztec.

Taos County, Third Mondays in May and September, at Taos.

Second District.

At Albuquerque, United States Supreme Court, Third Mondays in March and September.

Bernalillo County, Third Mondays in March and September, at Albuquerque.

McKinley County, First Monday in June and third Monday in November, at Gallup.

Sandoval County, To be designated by District Judge.

Valencia County, First Mondays in March and September, at Los Lunas.

Third District.

At Las Cruces, United States Court, First Mondays in April and October.

Dona Ana County, First Mondays in April and October, at Las Cruces.

Grant County, First Mondays in March and September, at Silver City.

Luna County, Second Monday in June and December, at Deming.

Otero County, First Mondays in May and November, at Alamogordo.

Sierra County, Fourth Mondays in May and November, at Hillsboro.

Fourth District.

At Las Vegas, United States Court, Second Mondays in May and November.

San Miguel County, Second Mondays in May and November, at Las Vegas.

Colfax County, Third Mondays in March and September, at Raton.

Mora County, Fourth Mondays in April and October, at Mora.

Quay County, To be designated by District Judge, at Tucumcari.

Union County, First Mondays in March and September, at Clayton.

Wood County, Fourth Mondays in April and October, at Santa Rosa.

Fifth District.

At Socorro, United States Court, Third Monday in May and fourth Monday in November.

Socorro County, Third Monday in May and fourth Monday in November, at Socorro.

Chaves County, Second Monday in April and Third Monday in October, at Roswell.

Eddy County, Fifth Monday in March and first Monday in October, at Carlsbad.

Lincoln County, First Mondays in March and September, at Lincoln.

Roosevelt County, Third Mondays in March and October, at Portales.

Notice for Publication.

Land Office at Roswell, New Mexico,
May 21, 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 United States Commissioner at Lincoln, New Mexico, on July 7th, 1903, viz: George A. Hunt, Homestead application No. 1023, for the e½ ne¼, nw¼ ne¼ and ne¼ se¼ Sec. 28, T. 7 S., R. 15 E.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Thomas Jacobs and Kirk Jacobs, of Capitan, N. M., and Wm. A. Yates and Earnest E. Wright, of Richardson, N. M.

HOWARD LELAND, Register.

First publication May 28th, 1903.

Subscribe for the Eagle.

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Acres of Patented Land
FOR SALE

In the Coal Belt North of the Patos Mountain. Five Miles East of White Oaks.

There's all Kinds of Money in it

Fine timber: Pine, good saw timber; juniper and pinon in abundance.

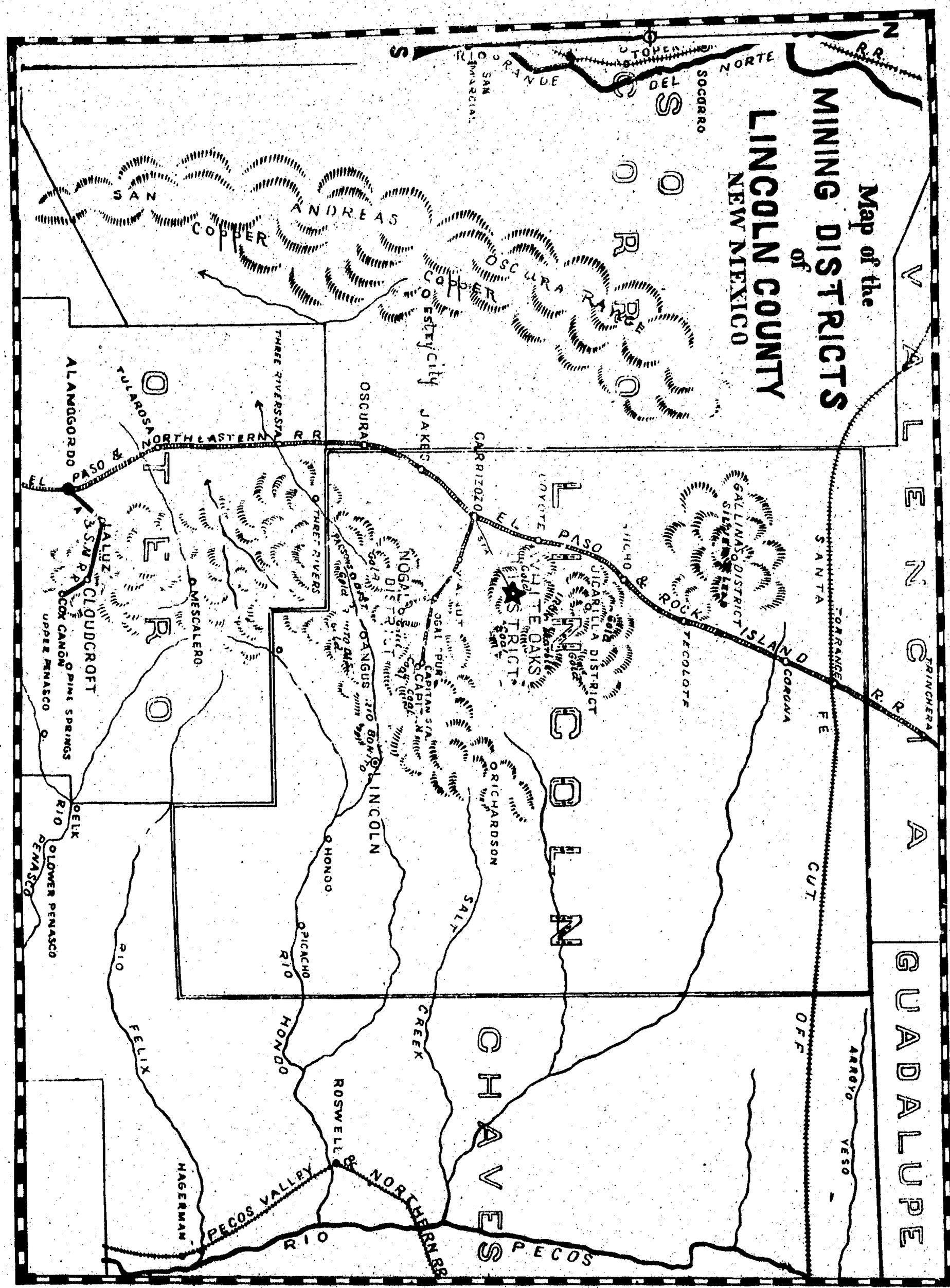
GOOD GRAZING LAND

Twenty Acres Under Fence and in Good State of Cultivation
Good Water, Etc. Etc.

Direct Inquiry to the Eagle

This Mineral Map of Lincoln County

Shows the Heart of New Mexico's Mining Resources. *It was drafted only a short time ago.*



If You would like to help advertise Lincoln County, have your Letterheads and Envelopes printed here and you will get good stock and very lowest prices commensurate with good printing and good material, and the Map, which is the greatest advertisement you can use, will cost you nothing. Have it printed on your Letterheads and Envelopes. The envelope size just fills the back, and is a facsimile of the one printed here.

The EAGLE has a finely-equipped Job Office. ***New material.*** ***Skilled workmen.***