

# The Artesia Advocate.

VOL. 7.

ARTESIA, NEW MEXICO, FEBRUARY 12, 1910

NO 24

## CONSTITUTION

Another Able Article By Judge G.

A. Richardson, Roswell's Mayor:

ANSWERS THE JOURNAL.

For Referendum, and Railroad and Trust Regulation.

Roswell, N. M., Feb. 8th, 1910.

Editor Artesia Advocate:

It seems that Statehood is coming with a somewhat "dull thud," that even Mr. Beveridge is tired of wrong doing, repented of injustice, and has suddenly joined the ranks of Pro-Statehood and is determined that New Mexico shall be admitted to the union at some time within the next few years; but, Mr. Editor, please read carefully the enabling act proposed in the Senate as a substitute for the house bill and be cheerful, because the worst is yet to come.

Why should we not shorten up the process of making a new State? Would it not be just as well to let Messrs. Taft, Aldrich, Cannon and Beveridge write a constitution for New Mexico at Washington and send it out to New Mexico to be submitted to the voters of the new State? Why worry over the matter of forming a constitution by and for the use of the people, when we could just as well have one "ready made" for immediate use, as to have the aforesaid Taft, Aldrich, Cannon and Beveridge direct and advise us in advance that the constitution must be formed upon certain lines in order to be approved by the powers that be, and in order that we may be admitted to the union. The Constitutional Convention is expensive, and while the Territory does not pay the expense, the money comes out of the pockets of the people of the United States. It involves great labor in the formation of the document, and will doubtless involve great labor—considering the limitations proposed by Congress—to secure its adoption. Much bitter personal and political feeling will likely be evolved. All of this would be avoided by having a document suited to the ideas of the Government at Washington, sent to us complete in all respects, and ready to be voted upon by the people of New Mexico.

I do not believe that the government at Washington will favor the plan of an elective judiciary. Adhering to its idea that the government should be owned and controlled by the corporations, they would not look with favor upon a judiciary other than one appointed by or dictated by corporate power. Mr. Editor, I favor an elective judiciary—one selected by the people, and one who recognizes a responsibility to the people. It is not always matters of law that are before the courts, but when it is a question of

law they are supposed to follow it and be governed by the law, but many questions effecting large interests of the people are necessarily in the hands of the judiciary of the State, therefore it should not be in the hands of one man, or a half dozen men, to say who will preside over the courts of a State.

Mr. Editor, there should not be any controversy or difference of opinion with reference to a corporation commission for this Territory, or for the new State of New Mexico. That commission should have jurisdiction of railroad transportation lines and all public utilities. It is my opinion that the government at Washington, as at present constituted, would not look with favor upon this constitutional provision, but is the government at Washington to live under the constitution of New Mexico, when adopted, or is that constitution for the people of the new State? Are the problems of State government in New Mexico and the prosperity of her people to rely upon Washington authority, or are the people of the new State to control her own affairs? If so, if we are yet to be handicapped by Federal authority as we were under the rate provisions of the Hepburn Bill, then the authorities at Washington should furnish the constitution, but if we are to have a republican form of government and be a free people controlling our own affairs, developing our own interests and solving our own problems, then we should have a constitutional provision home-made which provides for a corporation commission to be elected by the people of the State.

In a recent issue of the Albuquerque Morning Journal there was a very brief editorial attacking my position with reference to the constitution of the new State should New Mexico be admitted. The editor failed to read the article and understand the same, or deliberately stated what he knew to be false when he said that I held up to the reading public the Oklahoma constitution as a model. I did not do so. I distinctly stated that there were things in the Oklahoma constitution I would have omitted, but that I would not have omitted Article 5 from that constitution, which bears upon the subject of initiative and referendum, and I repeat that no constitution should be formulated or adopted by the people of New Mexico, which does not contain a like provision. I am still of that opinion, the Journal to the contrary notwithstanding. I expected the Journal to take the exact position that it has taken. I am not surprised, knowing the influences that control it. It is a good paper, and it ought to get upon the right side of all great questions affecting the public interests. I am sorry to say that it usually gets upon the wrong side. It is my opinion that no constitution will be adopted in the next quarter of a century which does not contain the Initiative and Referendum. Even many of the States

today—and some of the original thirteen—have adopted as a part of their new constitutions such a provision. If the editor of the Journal will read carefully he will find that not less than a dozen of the States of the union, independent of Oklahoma, have adopted constitutional provisions similar to Article 5 of the Oklahoma constitution. The very fact that States of the union are formulating new constitutions shows clearly new conditions, and is evidence sufficient that new conditions exist demanding new constitutional powers. It is apparent that the editor of the Morning Journal, and many other people controlled by like influences, still retain in their minds constitutions that were adopted fifty years ago, and which constitutions were adopted to meet conditions that then existed; but New Mexico is being admitted under new conditions,—conditions that have resulted from a hundreds years of constitutional government—conditions that are resulting from growth and development. New questions have arisen, new powers to destroy and attack the interests of the masses are in our midst, and therefore it is our contention that a constitution should be written for New Mexico with provisions meeting new conditions and fresh dangers. It is our judgment, Mr. Editor, that the Albuquerque Morning Journal will not be a safe guide for the people of New Mexico when it comes to the question of formulating and adopting a constitution for the Sunshine State—we must look elsewhere for guidance on constitutional questions.

Yours truly,  
G. A. RICHARDSON.

## WE KEEP

One of the most Up-to-Date Drug Stores in New Mexico. Our Motto is "To Please." We are progressive, we need and want more business. If prices, goods and courteous treatment will get it, we believe we are entitled to yours

## CITY DRUG STORE

Fatherree & Mann, Props.

## Methodist Church.

The revival meeting at the Methodist church has been in progress about a week, Dr. Ramsey is doing some very strong gospel preaching, and the interest grows at each service. The Methodists are planning for an all-day campaign Sunday. Beginning at ten o'clock, Brother Ramsey will deliver a special address to the Sunday School. At the eleven o'clock hour he will deliver a sermon that will be helpful to Christian people. At 3:00 o'clock in the afternoon will be held a special service for MEN ONLY. It is desired to have present all the men of the town over fourteen years of age. The evening service will begin promptly at 7:30. The music is an important feature of the meeting. Services tonight at 7:30. The meetings will continue through next week at 3:00 and 7:30 p. m. A general invitation has been extended to all to attend these meetings.

## \$12,000 DEPOT

Provisions Made For Building of Fine Station This Year.

TO BE MAIN LINE

Between Pacific and Gulf Coast. Examine Switch.

The Santa Fe officials were here Monday and examined the proposed switch extension, decided upon improvements in front of Beckham & Schneider new ice house, informed C. O. Brown the station agent, and Harry W. Hamilton chairman of the railroad committee of the Artesia Commercial Club, that there would be a new \$12,000 depot erected this year and seemed to contemplate

could not be determined then and there the officials spoke favorably of it.

Press dispatches this week say that the extension from San Angelo to Pecos has at last been decided on. This will mean that the traffic on the Santa Fe between Galveston and San Francisco will come down the Pecos Valley and accounts for the determination to build such a commodious station. The old management of the road was not satisfactory to the people of Artesia, but the new managers give promise of better things to the town and to the valley.

O. D. Warneck an architect who comes highly recommended has opened an office up stairs in the State National Bank building.

## Teacher of Expression & Physical Training

## MISS HENRY,

Student from Patton Seminary, University of Michigan, Harvard (Sargent) Gilbert, Passe Emerson School of Oratory.

Temporary Gymnasium and Studio, Grand Avenue and First Street.

Hours, 2 to 6, Mondays, Thursdays, Saturdays.

Phone 214 for terms and arrangements.

other improvements and extensions.

The visiting officials were George Starkweather, superintendent of the Eastern Railway of New Mexico, with J. Brinker, general freight and passenger agent and Willard Keen, roadmaster of said railway. They were on a general tour of the Pecos Valley though the long stop here was principally due to the efforts of the Commercial Club to secure the switch extension. The members of the railroad committee of the club accompanied by Gayle Talbot and E. C. Higgins went over the ground and explained matters as thoroughly as possible. Though the matter of switch extension

## The Jaffa-Prager Opening.

This morning the famous firm Jaffa, Prager & Company, which has been doing business in Roswell for many years opened its branch store permanently in Artesia. It will carry a complete stock and expects to move into a larger room in the near future. This move of this firm indicates that it has roseate information of the prospects of the "Town of Much Water" since it would not branch out if it did not feel the greatest assurance of the success of the venture. Many say that it indicates that they have direct tip in regard to the building of a cross line with shops here but this, of course, cannot be confirmed.

## The State National Bank of Artesia

JOHN W. POE, PRESIDENT.

JOHN B. ENFIELD, CASHIER.

JAS. J. SULLIVAN, ASST. CASH.

Capital and Surplus \$77,500.

Our Customers are Accorded Every Courtesy  
Consistent with Prudent Banking. ....

Interest Paid on Time Deposits.

## FIRST NATIONAL BANK

OF ARTESIA, N. M.



We would appreciate your banking and would try to please you at all times.

LET US SERVE YOUR NEEDS.



C. W. WILLIAMS, President.

W. H. MORGAN, Vice President.

J. E. ROBERTSON, Cashier.

H. G. GRAY, Assistant Cashier.



# **The Public Startled.**

## **The Big Sale Going Full Blast**

The Mighty Sale opened promptly at 9:00 a. m. with a terrible rush, the reports of the wonderful low prices are startling the buying public, dumb founding competition, and causing a terrific selling the like of which was never known before in Artesia. Jaffa, Prager & Co's Big Introductory Sale is the talk of the entire county. Never before, were people so eager to purchase. We broke all records for retail selling in the history of Artesia today. We anticipated a Big day and told the people to come, they came, and each day will see a bigger crowd than the previous one.

## **The Time Has Come,**

When the buying public are quick to realize and grasp a real genuine bargain. We are the most thrifty of nations, a saving is an object to every man and woman; stand by this standard, drop your work, leave the field, lock your doors and come straight to Jaffa, Prager & Co's Big Sale as hundreds of others are doing.

## **PACKED TO THE DOORS**

The minute the doors were opened the store was a mass of surging humanity. The aisles were packed to the utmost. Our sales force worked like bees for 14 long hours, waiting on the eager buyers. Cries of "Wait on Me," "I Want This," "Wrap This Up," filled the air. Everyone was so busy that they did not mind the crowding and pushing. It was a bargain feast that everybody enjoyed. Notwithstanding the the cyclonic selling; our stock is still intact and as lots become broken they are piled upon the big bargain tables, causing Newer, Bigger and Better Bargains every day.

## **ALL NEXT WEEK,**

Will be Shoe and Clothing week. We are carrying several lines of the best makes of Shoes and Men's and Boy's Clothing. After you look them over carefully you will be surprised that we are not selling them for twice the price they are marked. Some Shoes, we are selling as cheap as 40 cents on the dollar. Clothing likewise. "A Word to the Wise."

**Come Early and Come Often to the Big Sale at**

# **Jaffa, Prager & Co.,**

**Artesia,**

**New Mexico.**

**GOOD FOR PASTIME, BUT HOLD THE THROTTLE.**

An article recently appeared in the Trumpet to the effect that "editors and leading public men are beginning to worry about what should go into the constitution of the state of New Mexico," and that "they had better confine their agitation to what will not go into the constitution and that for pastime only; that there will be some 100 delegates from all over the territory who will do that, and who these 100 men will be is an entire enigma; it is a certainty that they will have ideas of their own to burn. So use your energies in advocating the selection of good and wise delegates; that accomplished, you will have written as much as you ever will of the constitution of the new state. And elect your candidate upon the platform of letting the people vote upon the acceptance or rejection of each separate section of that constitution, and not try to force it upon the people as an omnibus affair or none at all, and you will have permitted the whole people of New Mexico to write their own constitution."

All of which caused the Artesia Advocate to get rather sarcastic, laboring under the impression that we were trying to squelch publicity and blindfold the people, so the trusts can rob and plunder to the extent of their greed, which of course is unlimited. The Advocate says:

"The Trumpet does not believe that it is possible to carry on an intelligent discussion of what ought to be in a constitution; but the people who are not competent to discuss these questions are competent to select one hundred men who know just what ought to go into the instrument. Then a people who have not given a moment's thought to the matter of what ought and what ought not to go into a constitution, and who are incompetent to discuss it, will, by some miraculous power, be endowed with ability to discriminate between wise and unwise constitutional provisions, not in bulk but in detail; for the Trumpet wants each constitutional provision submitted separately from all the rest. Was there ever more glaring inconsistency? Now the truth is that it would be an absurd, unwieldy process to submit each constitutional provision separately; while to submit them all together without submitting special provisions separately would often endanger a good constitution or secure the incorporation of unwise provisions which would themselves be defeated, into an otherwise good constitution. To tell us that we must 'buy a pig in a poke,' must refuse to discuss the things which ought to be in the constitution because we are incompetent to suggest anything to the unknown sages seems to us rather laughable. Why should we not have the same right to make a candidate for constitutional delegate pledge himself to support certain things the same as we have a candidate for delegate to congress or to the legislature pledge himself to work for certain measures? If you have any measure of importance in mind talk it, Brother Loomis. We know that your party leaders do not want you to do so, but you are not a coward and we advise you to declare your independence and breathe the free air of American citizenship and see how goods it feels," et cetera, ad infinitum.

Nay, Nay, Pauline, not so fast. Get off your hobby, Whalen, or you'll ride it to death. Don't come back so rough, or it will have a tendency for someone to carry you down. You are supposed to be talking to a brother journalist now, and not a competitor.

We'll take you up briefly on your own arguments. To begin with, no one should suppose that the Trumpet believes anything of the kind. We might enter into a scientific discussion of how the larva passes the pupa stage in the cocoon to an insect of the diurnal lepidopterous suborder of the Rhoplocera or Heterocera, but what's the use? We are publishing newspapers, and such obtuse subjects wouldn't interest the public.

The Trumpet does believe that it is good time wasted to argue over infinitesimal points of the constitution when the time has not yet come for such, and when the fellows who are such sticklers on technicalities will have the least to do with the actual working of it. Don't try to christen the ship of state before it has been launched. When the time comes there

will be plenty of time to "educate" the people on the proposed constitution.

About the separate submission of each clause: What Whalen calls a glaring inconsistency is hair splitting on his part. The fundamental organic principle of state government is one article and undoubtedly will be so fairly written that there will be no need of dissecting it so the people can vote on each separate syllable, article, word, clause, sentence, paragraph (as Whalen pretends to believe we intended to say) or even section, but the separate provisions such as (probably) initiative and referendum, corporation commission, prohibition, among others, should be separate from the constitution. Is it so laughable, after all?

How can you pledge a constitutional delegate to certain provisions until you have some ideas as to who that delegate is and what his platform is? How are you going to know what his platform is until his party, caucus, or convention drafts one for him to run on?

About declaring our independence, etc., Whalen is laboring under a delusion. In every issue of the Advocate he waves the red flag and howls that the wicked trusts are grinding the heel on his neck and unloading down his financial yoke, until this down-trodden country is on a speedy sprint to the demnition bow wows. Is such pessimism what you call independence? No, thanks. We are happy in the knowledge that we live in the grandest nation ever kissed by the morning sun. The trusts over-charge us, but we're going to bust them if we can. They make us pay tribute to the farmers at the rate of \$200 broom corn, \$1.10 wheat, \$8.95 hogs, and such living is too confounded high for us.

All of which is covering a lot of white space, but Whalen's sarcastic criticism irritates. He got excited over the probable passage of the statehood bill, and is reviewing the matter from Alpha to Omega, from Larrazola to Andrews, from Raton to El Paso, and from Gallup to Texico. And because we called on him to stop before he broke his neck he comes back at us by taking up technicalities in the original article. The way he goes at it would promise a constitution which as a freak would put Oklahoma to shame. We know because we were in the Oklahoma fray.

After the bill has passed congress and candidates for election to the constitutional convention been placed in the field and declared themselves, then there will be plenty of time to discuss the different ideas. Any extra space devoted to it now is mere by-play based on ephemeral conclusions.

We want a constitution which will promote its prosperity and insure our posterity the blessings of liberty, and those empowered should bear in mind that they are not writing a code of laws nor a book of statutes, and when they have prepared the bill of rights and defined the powers delegated to the legislative, executive and judicial branches of state government, and imposed the proper limitations upon each, they should rest content with their labors.

The citizens of New Mexico are moral, educated, and intelligent, and do not need "educating" on such a pamphlet as our constitution should be. It is only when you try to put into the constitution a multitudinous of session laws of freak character that the people need "educating."

—Texico Trumpet.

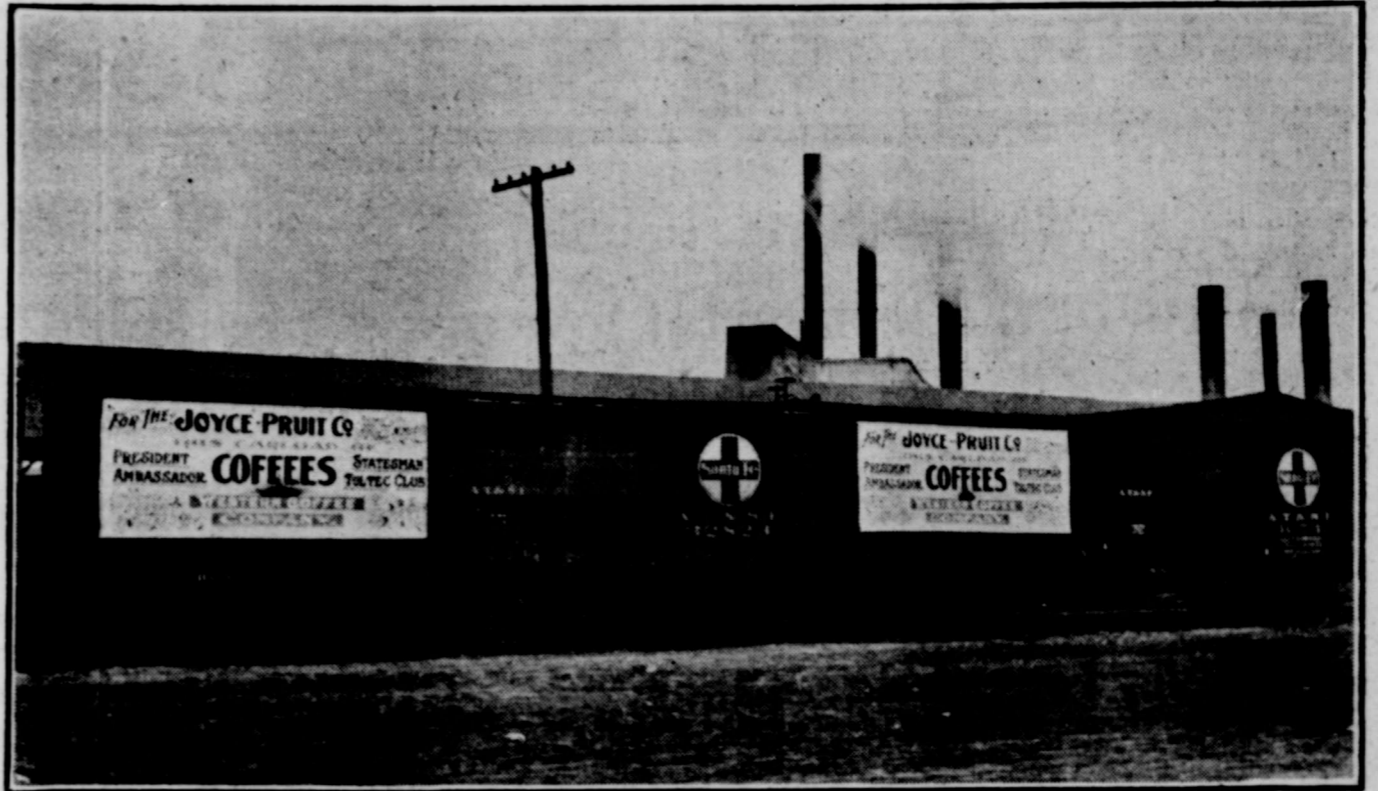
**COMMENT.**

Wirra! Wirra! What a hot-headed impulsive cuss this fellow LeRoy P. Loomis is anyhow! We published the editorial which he quotes in full on January 15 and in less time than a month he gets "riled" and comes back at us just as if we had hurt his feelings. These sudden fits of passion ought to be restrained. Practice self-possession, brother. We always admire folks who are slow to anger. We are inclined to the opinion that our contemporary has been sizzling ever since we took a shot at his position, which was by no means intended for him personally, but that the embargo on talk which the Republican territorial managers put on the Republican press proved strong enough muzzle to keep him still until the Advocate and other Democratic newspapers made it ap-

Continued on page 7.

# The First Two Cars

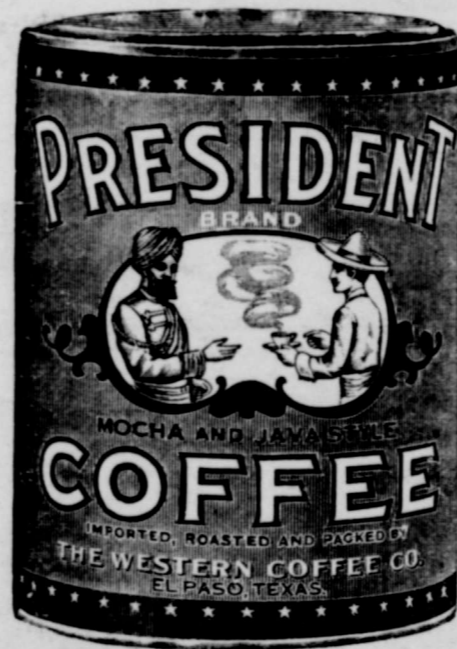
## High Grade Coffee



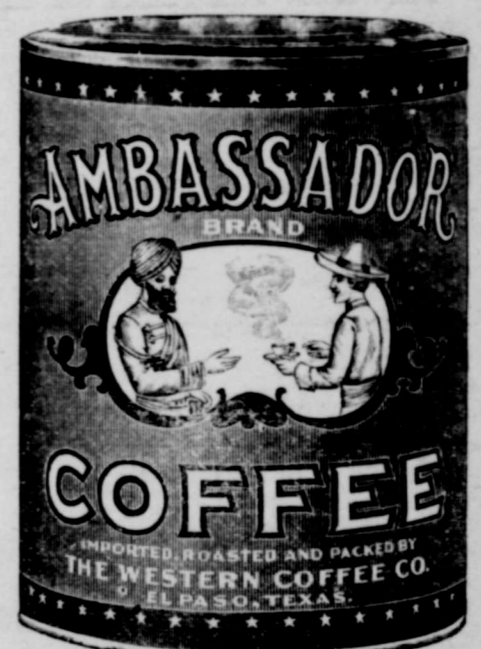
Ever shipped to the Pecos Valley came to us last week; one car for our Roswell house the other for Artesia.

### That's a Lot of Coffee

But shows the large way our purchases are made and one of the greatest reasons for our moderate prices for **High Grade Merchandise.**



Ask our sales-people to show you these Coffees, they are quite different to others in aroma, flavor and strength.



# Joyce-Pruit Co.,

The Big Store.

**North End Notes.**

Mr. Inskeep, Bert Swift and Mr. Nicholson will hold a joint sale next Thursday at Mr. Swift's ranch.

Chancey Allard of Gladbrook Iowa is visiting his uncle W. H. Allard and family.

Ada Priest and a younger brother are very ill with pneumonia. Dr. Baker is in attendance.

About thirty of Bert Swift's young friends surprised him at his home Monday night Bert was taken off his guard and the surprise was complete. After a number of jolly games lunch was served. Each young lady contributing a pie. Bert

to enjoy the occasion immensely, especially the pie part.

The Happy Hour Club will meet with Mrs. Harroll next Wednesday. A full attendance is desired.

**Notice.**

Now is the time to clean up before the wind begins to blow and summer draws nigh. I'm at your service. Phone marshal's office. R. W. Bruce City Scavenger.

Let me show you how you can wear Extra Best Hand Made Shoes on **Easy Time Payments**, Fifty Cents per week, or Cash if you like either way. Bring your feet with you to **George Roklizer** and find out.

**George Roklizer,**

Boot and Shoe Maker,

Artesia, - - - New Mexico.





# Artesia Abstract Company.

INCORPORATED

OFFICE  
STATE NATIONAL BANK BUILDING.

## Good for Pastime, But Hold the Throttle.

Continued from page 4.

parent that further attempts at suppression would prove disastrous. Then LeRoy erupted and the explosion of the pentup wrath was something sublime. The Trumpet is not a fair controversialist. It quoted our entire article but as it could not find any serious fault with it, it added "et cetera, ad infinitum" evidently to give the impression that there was a lot more in our article which it did not have space to publish, so that when it impliedly criticized us for something we did not say, its readers would infer that we had said it in the part which was not quoted.

Before we quit our "Horsettle" friend LeRoy, we want to give him just a word of information on two points upon which he is evidently really in honest error.

As if propounding a poser he asks: "How can you pledge a constitutional delegate to certain provisions until you have some idea as to who that delegate is and what his platform is? How are you to know what his platform is until his party or caucus or convention drafts one for him to run on?"

Friend LeRoy seems to think that the party or caucus or convention ought to be something different from a body representing the people and crystallizing into demands what the majority of the members of the party wants. Yet that is all the party or caucus or convention is, if it is performing its proper functions and if LeRoy has been affiliating with folks who proceeded upon any other theory, and he evidently has, then his improper conception of good citizenship is due to inculpable ignorance produced by bad environment. Suppose that the newspapers take up the question as to whether the things ought to be submitted which he suggests should be submitted separately. The people should have their minds made up and when they go to the primaries they should elect delegates who favor their views. Candidates or those aspiring to be such would then find out what the people want and would either conform to the popular will or cease to try to secure a nomination. If this is done when the convention meets to nominate it will place those things which the members of the party want into the platform in the shape of demands or planks, and then nominate men who will run on that platform. This is the only way in which a platform ought to be written in a republic or in a democracy. The Loomis idea of formulating a platform is right in line with his original idea that the people should not talk constitution or should at most only talk it for pastime, while the 100 wise men of the West were to do the real thinking which the people were incapable of doing. It is the conception of government of the modern stand-pat Republican, but it is not the fundamental Republican idea by a whole lot.

The ideas of Loomis on this matter agree with his conception of what constitutes the process of educating the people. He indulges in a lot of slop about the people not needing to be educated in regard to these vital questions upon which they are about to be called upon to decide. His idea seems to be that educating a man means telling him something and making him believe it. Even in this distorted sense, if the people are so ignorant that they are only capable of discussing constitutional questions for pastime, it would be a blessing for them if somebody would tell them something. But as usual Loomis is wrong. An international authority says "In the widest sense a man is educated either for good or for evil by everything he experiences from the cradle to the grave." It is, of course, in this sense that we the people need educating; that we all need educating. We may discuss the referendum for instance and among our readers there may be many who know much more

about that particular subject than we, but if our comments make them think and especially if thought is followed by action which makes them test their conclusions, we have educated them even though they do not agree with us either at the beginning or end or during the process of their investigations. Loomis is a bigger galoot than we take him to be, if he imagines that a majority of the people of New Mexico have deliberately thought out the advisability of a corporation and railroad commission, or of the initiative and referendum. Many of them, like the editor of the Advocate, have never had the delightful experience which Leroy had (and by which it seems he failed to profit) of going through a campaign in which a constitution was submitted for adoption or rejection. They simply haven't thought about them one way or the other, and yet these people ought to know what they want submitted specially in order that they may instruct their delegates to their conventions in regard to what they want in the platforms, and instruct them in regard to what sort of men should be nominated for delegates to the constitutional convention. If anything that we may say should start these people to thinking it would be a good thing and that regardless of whether one of them accepted our opinions or not. In a republic or a democracy it is not essential that the people should think like the editor of the Advocate, but it is essential that they should THINK SOMETHING ABOUT THE VITAL ISSUES WHICH THEY ARE CALLED UPON TO DECIDE.

As far as discriminating between friend Loomis and a competitor is concerned, we always treat a contemporary as well as it deserves whether it happens to be a competitor or not.

In conclusion we wish to again repeat what we said in all good nature in regard to our friend discussing these things.

He charges us with complaining about trusts continually because they have their heel on our necks. The charge is false though perhaps he doesn't think that it is. We have principally advocated the things set forth in the Artesia resolutions: the referendum as practiced in the great Republican state of Michigan, an advisory vote on United States senators, a railroad and corporation commission elected by the people, a tax commission elected by the people. We also favor the Michigan Republican plan for the regulating of public utilities. All these have been successfully tried in both Republican and Democratic states. It Loomis thinks they ought to be submitted let him say so, in order that if the people think as he does they may send men who will favor such submission. On the other hand, if he is opposed to their submission, ought he not as a good citizen to say so, in order that the people may think about the matter and if they agree with him, send men to the convention who will not submit them?

Loomis is a good fellow and naturally bright notwithstanding his erroneous impressions in regard to the functions of the ordinary editor and the average citizen. It is a pity to see him insisting on acting like a bump on a log, when a contest is being waged around him in which his talents are needed by the people.

Come down, LeRoy, come down.

J. F. Sullivan came in this week from Oklahoma City and will settle on his place just south of town. He will at once begin the erection of a new residence.

## JOHNSON BROTHERS, REAL ESTATE.

Bearing Orchards and Improved Land,  
Land That Will Make YOU RICH.

HOPE, - - - NEW MEXICO.



*G. A. Richardson*

Hon. G. A. Richardson, whose second article on the constitution appears elsewhere in this paper, is recognized as one of the leading constitutional lawyers of the Territory. Born in Ohio fifty years ago and raised in the land of blue grass, he is a graduate of Eminence College and of the law department of the University of Michigan. He has lived in New Mexico since 1886 and in Roswell since 1888. He twice represented the people in the council (territorial senate) of New Mexico, was president of the Territorial Bar Association in 1905 and 1906, was a regent of the Agricultural College for twelve years and was elected

delegate to the constitutional convention which was called to meet four years ago, but which never met on account of the defeat of joint statehood at the polls. Mayor Richardson is a lifelong Democrat and was a delegate to the last national convention of his party and at present is mayor of his beautiful home city of Roswell. He has ever devoted time and labor to the cause of the people and has brought to their aid in every struggle the erudition and native ability with which he is abundantly supplied. The Advocate feels especially favored in receiving contributions from so distinguished a master of constitutional law.

### Like Artesia.

Mr. and Mrs. J. M. Krausa and Mrs. John Canfield and son Roy, have returned from a pleasant trip in the Pecos Valley of New Mexico. They report things as being in a very flourishing condition and that the land is rapidly increasing in value. Mr. Krausa purchased 80 acres while there and has a thirty acre bearing orchard on his farm. It is one of the best improved farms in the Valley and the price paid for it was \$200 per acre.—Ankeny (Iowa) Times.

The Krausa's bought the fine farm referred to through Jackson, Kauffman & Erb. They are going to move down right away and are carrying the following ad in the above named

paper, which indicates that they have property worth having in Ankeny.

FOR SALE—Rosedale farm large house, new gas plant, fine orchard, all kinds of fruit. Nine acres of ground inside corporation. Large barn and chicken houses. Address J. M. Krausa, Ankeny, Iowa, Mutual Phone 55.

### The Library Board.

Receipts from all sources for January:  
Monthly subscriptions 18.75,  
Membership tickets 3.00,  
Book rent 1.20,  
Fines 3.78,  
Entertainment 30.40,  
Total 57.13.

S. P. Denning was in Roswell yesterday.

## RICHARD'S Blacksmith Shop.

General Blacksmithing,  
Horseshoeing a Specialty.  
Also does Woodwork and Repairs Wagons and Farm Implements. Buggies repaired and painted,  
Next Door North Artesia Hotel.

### A Pleasant Wedding.

Monday morning at 8 o'clock Josephine Yteralde was married at the Catholic church in this city to Jose Torez. The ceremony was performed by Rev. Father Ephram during nuptial mass. Many friends of both of the young people were present to wish them well. After the ceremony the wedding party repaired to the home of the brides father, southeast of Artesia where an elegant wedding breakfast was served. Both of the parties are well and favorably known in Artesia and their many friends, including the Advocate, wish them long life, health, wealth and happiness.

### Catholic Notes.

Members of the confirmation class are notified that Rt. Rev. Henry Granjon, bishop of the diocese of Tucson, of which Eddy county is a part, will be in Carlsbad for the purpose of administering confirmation to Sunday February 27. It is possible that he will visit Artesia. It is hoped that further information may be received by tomorrow's prayer service.

The ladies of the Altar Society will meet tomorrow after prayer service and transact regular business.

Those interested in the organization of the Knights of Columbus are requested to be at the prayer service tomorrow at 10 o'clock.

### Cooper Opens Up in Fletcher's Market.

The transfer of the Fletcher Market last week to R. L. Cooper was an instance of where one good man gave place to another. The new proprietor is a brother of E. F. Cooper, and hails from Liberty Texas. He has had fifteen years experience in the business and makes a worthy successor of the ever popular George Fletcher.

Mrs. T. W. Davenport was in Lake Arthur yesterday.

**FROM A REPUBLICAN POINT OF VIEW.**

Editor Advocate:

I have been intensely interested in the discussion of statehood and the constitution that it will be necessary to form before final admission is had. As your readers are aware, it now appears that all of the steps will be completed, and we will be admitted early in the summer of 1911. This is gratifying that the Beveridge bill will be the measure which finally passes the senate. It will, though a determined effort will be made to broaden its terms and enlarge its grants. That the Senator from Indiana has consented to forward this measure is proof sufficient that it will be the Beveridge bill, or some very similar compromise bill, that will pass the senate and receive the signature of the president at this session. To the republican mind, the only fault with the Beveridge bill is that it fails to be just to New Mexico in the matter of grants, but since it has been prepared by an ancient enemy, it could hardly be expected to be wholly fair. Then again, it will likely be considerably softened before it goes to vote. I mention these matters merely in preface, as all of the readers of the Advocate have ere this read of the terms of the bill, and merely to serve as guide lines for a somewhat general discussion, in which you will pardon me, I am sure, for speaking frankly as a republican, and the editor of the largest republican paper east of the mountains.

Some remarkably clear and valuable ideas have been brought out in the symposium conducted by the Advocate. The chief fault I have to find with many of them, and occasionally I have found the same tinge in some of your editorials, has been that it is persistently held that the dominant (republican) party is unalterably opposed to many very excellent features of the proposed constitution. Of course we will concede that the delegates to the convention will be elected on a strictly partisan basis. Any other way would be wholly altruistic, theoretically right but wholly impossible. In the Pecos valley that means that they will be all democrats. On the other side they will be all republicans. The Pecos valley, joining with the doubtful southern tier, can control the convention, if those counties exhibit a democratic majority in the delegate election. You know it is practically certain that the representation will be based upon population at the last count, and it should be. There is no earthly way under this that the democratic Pecos valley can be deprived of a strong lead up to the mountains. Nobody wants to deprive them of the lead. The southern counties of Otero, Dona Ana, Grant and Luna are a battleground to which the victor is entitled. Thus we will see that the parties will be very evenly divided in the convention. It may even be that the democrats will have a small majority. It may also be that no material idea can be embodied in the constitution without the full vote of one and the partial vote of another party. Thus to assume that several of the ideas suggested are purely republican is to say the least ill-advised. Several of your correspondents and more than once yourself have fallen into this error, and I contend that it is most unfortunate, as we need the calm thought of men of all parties in framing the charter.

I challenge the statement, for example, that the regulation of carriers is in any sense the property of any party, or that the republicans of New Mexico will not meet any sane step in this direction with pleasure. Nor is there question of the need of it.

The ablest article in all that you have published so far is from Mr. Wm. H. Woodwell of Carlsbad, whom I don't know personally. Illustrating the point I am making permit me to quote him on one phase of regulation:

"Third: I favor a corporation commission. Railroads and other corporations are necessary to the prosperity of New Mexico. We need them to develop our wonderful resources; the investment of capital and the promotion of legitimate enterprises should be welcomed, fostered and protected. I would like to see the railway mileage in New Mexico doubled, and mines and manufactures increased. When a railroad company attends to its business as a carrier of freight and passengers it is a beneficent institution. But allow a railroad company to con-

spire with others to raise rates; to discriminate against a man, business or section; to disregard laws; to dabble in politics and to dictate the appointment of judges and officers and it becomes a menace to the State."

The plain sense of this paragraph would be apparent to a deaf and dumb nigger. To presume that the republican party will oppose proper regulations of railroads and other corporations is to impugn both their patriotism and their common sense. Yet several times I have seen it said that there was no hope for any regulatory commission if the republicans control. Bosh! You will find that the republicans will be just as anxious as the democrats for a tribunal which has power to lessen our burdens in this direction. If they control they will probably be more conservative in this direction, which will be very natural, as it is a party of conservatism.

Then again there is here a very strong sentiment in favor of the use of what is known as the Oregon code, which is simply a simple arrangement of laws, under which the new state will operate until such a time as its own laws can be codified and arranged as they should be. If any party has a title to any reform the republican party has claim to this, but I find that the democrats are as strongly in favor of it as the republicans. To call it a republican measure would be political pettifogery.

The matter of the popular election of senators, which was boldly appropriated by W. J. Bryan, and at least two of your contributors, as a democratic idea, is anything else. I find in Conklin's "American Government," page 142, this expression:

"There is no doubt but that the process of evolution will in time direct the election of United States senators by the people, either direct or by and through the legislature. It is a change that is inevitable in time. It will come when the country is ready for it. So far (1882) it is not ready for it, to make such a change now would be a dangerous experiment. Ten years from now it may and likely will be the correct thing. Generally it will be done by making it a phase of new state constitutions, and later by the amendment of old ones. It does not matter whether there is national enactment on the subject or not. The power of the states is quite sufficient in the matter."

The great republican leader had a clear vision when he so spoke, and he did not speak as a republican at all. Reading carefully every worth-while paper in the territory, I am led to believe that a majority of the republican papers of the territory are in favor of the popular election of senators. In my own principality, at least a considerable portion of them are. Thus we are advised that the territory will be at least in a receptive mood on this very important item when the convention meets, and that if it is met as a matter of scientific government and not as a party matter it will be before the body on its merits. If a majority favor it it will be in the constitution. This should not be construed as an unqualified endorsement of the plan of electing the senators, or in fact any endorsement at all. I am not ready to so commit myself at this time. I am mentioning it merely to disprove the idea of some very intelligent men that the principle is democratic, and that its adoption will depend upon the ascendancy of that party in the convention.

There will be no general objection to the classification of the bank guaranty as democratic, or the initiative and referendum, though the latter was first adopted in a republican state. Both will be battle points in the convention. Personally I doubt the wisdom of both, though suspending judgment to a degree on the first, until there is more of an object lesson in Oklahoma. At a later time, I will submit to you an article dealing exclusively with the subject of the initiative-referendum-recall, and may be permitted to pass them by here, after having shown that they too will be open subjects at the constitutional convention.

One more criticism of your brain workers, and I have done with the analytical portion of this article. It is by far the greatest of all. It has to do with the matter of taxation. The greatest struggle of the convention is going to be on the subject of taxation. The lines will be closely

drawn. They will not be party lines, either, for they will sharply divide both parties, leaving the tax freebooters on one side and the honest men on the other. Neither party has any call to throw stones in the present situation. George Curry, whose politics are nominally republican, has led the movement for an honest system of readitions. His chief advisors were and are democrats. The new republican governor turned tail and skipped like a coyote, when the show down came. The present system is absolutely monstrous, a breeder of general perjury, the grantor of innumerable special privileges. The tax rolls of democratic Eddy county will show scores of them. Ditto democratic Chaves. Ditto republican Bernalillo. Ditto republican Colfax. There is no party in the brigandage of evasion, which we have seen wholly controls the territorial board of equalization, whose chairman is a democrat, and a majority of whose members are republican. It has been the shameful preying of the protected interests which have retarded the prosperity of New Mexico more than any other one thing. The constitutional convention which fails to meet this situation squarely and fairly, and to place taxation upon an equitable plane, in which every dollar of property in the territory will have the same tax, will be a miserable failure. I am surprised that with your deep knowledge of political economy and scientific government that you have not recognized this important point before, and insisted that it be classed as one of the key points of the convention. Not one of your correspondents have done so. It is far and away the most important matter that will come before the convention. It will need the vote of every honest man in the delegate body, and your round-table has been lame in that it has not been recognized and assimilated.

Pray do not consider that these remarks are written in any except the kindest spirit. Your discussion is the broadest and best I have ever seen upon a similar line. Yours is the only paper in the territory that has had the public spirit to open its columns to all of the people on these lines. I have seen copies of the Advocate thumb-worn to fragments carried by street corner discussants, the real reformers of this country. The articles have in the main been able, and I think you will be willing to admit that I know the gravity when I see it. Yet all of the way through there has been the same old democratic expression that only through the democratic party can the features that ought to be in the constitution be placed there. Such an implication is most unfortunate. It is also untrue. You will find that at the convention there will be an open road to the discussion of all of the ideas which your writers have brought forward and that the partisan shibboleth will not be brought into use to any particular extent. I doubt if the bank guaranty, or the other populist features, will be adopted. If they are not it will be because the people of New Mexico will not be loaded with them. There will be no party in the matter of sane regulations of utilities. There will be no party in the tax plank, except those I have named. There will be an almost even show for both parties to control the convention. The best fellows will win. Whichever wins, it is up to your reading circle and mine, to see that men are selected as delegates whose views are sound, which means first of all that they are honest taxically. I firmly believe that the convention, no matter which party dominates, will form a good constitution and that it will be approved by the administration.

In conclusion let me repeat that there is too much of the partisan in the discussions that have gone before and too little of broad patriotism. Both sides are to a measure guilty of it. There is too much growling at the terms of the Beveridge bill, which while not all that we would like, will be all that we can get. With such broadening as we will be able to make, it is enough. It does not matter that the full organization is delayed until next year. The delay will help prevent a freak constitution, in the fear of which congress is abundantly justified, though it would lay it aside if it knew New Mexico as we do. Keep on with your discussions. When I can get the time, if this batch doesn't get the kibosh, I will discuss several key

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planks, the initiative-referendum-recall, taxation, the code, and so on. In the mean time, why not, as far as possible, lay aside party, and discuss all these subjects on their merit? Mr. Woodwell has set us a splendid exam-

ple in this line, and I thank him and you for his thoughtful letter.

Yours respectfully,

**WILL ROBINSON,**

Editor Roswell Register-Tribune.



**THE ROBINSON ARTICLE.**

The first of the series of Robinson articles setting forth the Republican view of the next constitution appears in this issue. We are inclined to agree with him when he says that party lines will generally be drawn in the selection of delegates. Nor, all things considered, have we much objection to this plan. However, when he assumes that there is even a possibility that the Democratic party will have a representation in the constitutional convention anything like in proportion to its voting strength in the territory he is very much mistaken. He evidently assumes that the delegates will be apportioned among the several counties according to their population, in which case his reasoning would be approximately correct, but such will likely not prove to be the case. Under the statehood bill as it stands at present the delegates are to be apportioned according to the vote cast last year, by a committee consisting of Governor Mills, Chief Justice Pope and Secretary Nathan Jaffa. This is fair enough if it is provided that the committee apportion them among the counties and adhere strictly to county lines. But if this is done it will be a new departure in apportioning delegates. The chances are that before the bill is finally passed it will be put in a shape to permit a gerrymander in which case there is no question that the Republican party will get the best end of it. This is not intended as any personal reflection on the gentlemen who will compose the committee; it is simply assuming that they will play politics as it is usually played. There is every evidence that the Republican managers are anticipating the probability of such a manipulation of the districts as to insure themselves a safe majority. The Santa Fe New Mexican is preparing the ground by insisting that it would be unjust to give the eastern counties representation in proportion to their population, because the people have not lived here long enough to familiarize themselves with our conditions and needs. We do not assume, and we have not assumed, that the average member of the Democratic party in the nation as a whole is more intelligent than the average of the Republican party. We do not assume that the average intelligence of the Democratic party in New Mexico is higher than that of the Republican party east of the range. But the fact remains that the counties in which there is the greatest degree of intelligence and progress and political honesty are the counties which give the largest democratic majorities and which the Republican organ at Santa Fe says ought not to be accorded representation in proportion to population. On the other hand the counties which show the largest Republican majorities are those in which popular intelligence and education is lowest. The trusts and railroads are all on the Republican side. In view of these facts it is not surprising that most of the grafters are found in the ranks of the Republican party in New Mexico. Not all New Mexico Democrats are angels, and some of them are thieves but the grafters generally have floated to where the spoils are to be had and that is with the Republican machine. Therefore, in denouncing the Republican party, the Advocate wants to be understood as assailing the gang which controls the party and not the honest men who remain in the ranks and pray for its ultimate reform. Moreover, we have not assumed that nothing good could come from the Republicans of the "Sunshine Territory." We have suggested to them that the referendum and other measures which we advocated have been incorporated in the constitutions of Republican states and we have urged them to work to have their conventions declare for them here. We have recognized their honesty and their intelligence. But we have little hope that the Republican party will reform itself in the

counties which, it is certain to carry, and we believe that the Democratic party can and will get right in the counties which it is certain to carry. Therefore it was good citizenship as well as good partisanship to line up the Democratic party and press on the side of regulation and reform and trust in their being able to prevent a really bad constitution being drafted and perhaps adopted.

With reference to the plutocratic elements being in control of the Republican party machinery in New Mexico, we can point to the rotten system of taxation which prevails, to the unregulated condition of the railroads, and to the passage of such measures as the Hawkins Liability Law. In the matter of taxation, Governor Curry was the only prominent Republican who stood for the right. We have no disposition to claim him as a Democrat, but he was rather lonesome in his stand among his compatriots.

We are glad that Robinson is taking up the fight for good measures. It will insure good candidates for delegates to the convention from that party in this part of the territory and will start a movement in Republican ranks which will ultimately triumph.

But from the "Kingdom of Valencia" in these "days of Solomon" we have nothing to expect more than we have been getting for years past and other portions of the territory which are controlled by the machine will be no better.

**CONVENTION OF WELL OWNERS.**

The annual convention of Artesian Well Owners, District No. 2, Eddy county, N. M., was held at Geo. Frisk's office in Artesia, N. M., February 7th, 1910.

The meeting was called to order by W. L. Higginbotham, secretary of the Artesian Well board.

President J. Kissinger being absent, J. B. Cecil was chosen president of the meeting and J. O. Gifford secretary.

Moved and duly seconded, that all well owners vote whether his well tax be paid or not. Carried.

The following nominations were received for the office of Artesian Well Supervisor: J. W. Turknott, J. Kissinger, W. H. Morgan. The chair appointed C. R. Brainard and S. W. Gilbert as tellers.

Moved and seconded that the ballot now close and the votes be counted. Carried.

Votes counted and found that the candidates received votes as follows: J. W. Turknott..... 9-8-15 J. Kissinger..... 19-1-6 W. H. Morgan..... 14

J. Kissinger was declared elected for the term of three years.

Adjournment.

J. O. GIFFORD, Secretary.

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**Master's Sale in Partition.**

Notice is hereby given that, by virtue of an order of sale made by the District Court of Eddy County, New Mexico on the 13th day of November, A. D. 1909, in that certain cause there in pending, entitled "Richard M. Bell, et al. Plaintiff, vs Mary L. Lacey et al Defendants," and which said order of sale was modified by order of said court on January, 6, 1910, in which said order of sale the undersigned was, by said court, appointed Special Master for the purpose of making sale of the premises in said order and hereinafter described.

Now, therefore, in obedience to said order of sale as modified, I will, on Saturday, the 5th day of March, 1910, at the south front door of the court house, in the town of Carlsbad, Eddy County, New Mexico between the hours of 9 o'clock in the forenoon and the setting of the sun of that day, sell at public auction, to the highest and best bidder therefor, the following described real estate and water rights, situate, lying and being in the county of Eddy, Territory of New Mexico, to wit:—The south half of the south half of Section 28, township 17 south, of range 23 east of the New Mexico Meridian; also, two six-hour water rights in the "Hope Community Ditch" in Eddy County, New Mexico, upon the following terms and conditions, to wit:—One half cash in hand, and the balance in two equal installments, payable in one and two years respectively, with interest from date at 10 per cent per annum, and secured by first mortgage on the property sold.

An abstract of title to said land and water rights is on file at the law office of Dye & Woodwell, Attorneys, at Carlsbad, N. M. for the inspection of prospective bidders.

C. M. Richards,  
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In The District Court of Eddy County, Territory of New Mexico.

Adelphine Irebarne, Plaintiff, vs Angeline Mackey, Bert E. Mackey and Lucien Lattion, Defendants.  
No. 1143.

Notice of Petition to Partition Real Estate.

The defendants, Angeline Mackey, Bert E. Mackey and Lucien Lattion, in the above entitled cause, are hereby notified that there is a suit pending upon petition of Adelphine Irebarne, plaintiff, in the District Court of the County of Eddy, Territory of New Mexico, asking for an order to partition certain real estate in said petition described, belonging to plaintiff and defendants, to-wit:—The Northeast quarter of the Northwest quarter and the North half of the Northeast quarter of Section 24, in Township 18 South of Range 26 East, N. M. P. M. and the Northwest quarter of the Northwest quarter of Section 19 in Township 18 South of Range 27 East, N. M. P. M., and cost of suit; and you are further notified that unless you answer or otherwise show cause why said petition should not be granted, on 29th, day of March, A. D. 1910, judgment will be rendered against you by default and the partition of said real estate prayed for and all other necessary and proper orders in said matter will be granted by the said Court.

Dated at Carlsbad, New Mexico, January 24th, 1910.

S. I. Roberts  
Clerk of said Court.

G. U. McCrary  
Attorney for plaintiff  
Artesia, New Mexico.

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