

THE ARIZONIAN.

TUBAC, THURSDAY, JUNE 30, 1859.

TO ADVERTISERS.—Persons desiring to advertise in this paper, are requested to send in their favors without delay, addressed to THE ARIZONIAN, Tubac, Arizona.

Subscriptions must in all cases be accompanied with the cash. No subscriber's name will be entered upon our books until advance payment has been made.

Our Position.

In another column will be found the proceedings of a meeting held lately at La Mesilla, for the purpose of nominating a delegate to Congress. We publish the proceedings as requested, but do not agree with the action, in several important particulars.

We take it for granted, that all good citizens are anxious for the establishment of law, and for such civil authority in Arizona as shall best promote the public interests. Such is certainly our sincere desire, and we therefore propose taking a course that will most speedily and certainly bring about a result so desirable and necessary.

It is our candid belief, and the belief of many well-informed citizens of this country, that the scheme of a separate Territorial government for us, at this time, has been sufficiently tried to demonstrate its impossibility. For several years that portion of New Mexico called Arizona, has had a delegate at Washington asking for a Territorial organization, but without success, or even the expression of a decided intention on the part of Congress to organize a government. On the contrary, the expression was such as to render favorable action for some time to come, absolutely hopeless, more especially as the next House of Representatives bids fair to belong to the Opposition. We have every reason to believe, from the tone of the last Congress, from the character of the action there taken, from the opinions of intelligent men at the seat of Government, that there is much opposition to be encountered, a long struggle to be made, before any new Territories are organized, and that at present, there is no real intimation of granting to the southern portion of New Mexico a separate government.

Why, it is absurd to suppose that Congress is not fully and amply informed of the actual condition of the proposed new Territory, notwithstanding the labored efforts to misrepresent it—informed in reference to the capacity of the country for settlement, the number of inhabitants, American and Mexican, the real number of legal voters, the extent of the agricultural and mineral interests. All this is known, and will be laid before the next Congress from official sources. We speak the unvarnished facts, for it is time our people heard something besides the pleasant and delusive fiction of a Territorial government.

We desire it distinctly understood that we would be ardently in favor of a Territorial organization if we believed it feasible. We feel the necessity of law and civil authority, but know such blessings cannot be obtained by fostering the delusion that Congress will soon erect us into a Territory. Under the existing circumstances, our request will be treated as an imposition instead of a right. It is our duty, it is the duty of us all, to bend our exertions in favor of something reasonable, something feasible, something Congress will readily grant. Because we cannot get all the benefits we ask for, is it neither politic nor wise to spurn those we can have. Better a limited amount of legal rights and privileges than none at all.—We can get a U. S. Judicial District, a Branch of the Surveyor General's office, Justices of the Peace, constables, and deputy sheriffs, which would answer all our wants for the present.—We appeal to our citizens to point out the rationality, the sense, of discarding all civil immunities, all authority of law, enduring murder, robbery, crime of every description, while we await the tardy and highly improbable action of Congress in favor of a separate government! It is a policy absolutely suicidal, detrimental to every interest in Arizona, and likely to make a decrease in our limited population.

The strife of parties for the public plunder, for office and patronage, the precarious relations of our government with Mexico, the little emigration to Arizona, the small number of authorized voters at present here, the disposition to economize the expenses of government, besides other reasons we could give, such as the absolute want of something to organize, will effectually bar us from a Territorial organization for several years to come.

Let us look at the matter in a fair and candid manner. If organized, and the Mexican population admitted to citizenship, we should be completely under their control, which, considering the character of a large portion of the Mexican residents, would be far from agreeable. Our little legislature of a dozen members might have, possibly two Americans, (like the present legislature of New Mexico,) our council one. Our county and town offices and the Federal offices would mostly be occupied in the same style. Of our Jurors, one half or three-fourths of them would not understand a word of English. We have not, in this portion of Arizona a Mexican population fit to be citizens, take the whole together, and it is no use to attempt to conceal it. And we have good reasons for believing that Mesilla Valley is not much better off—of course there are some exceptions, but on the whole our anxiety to live under their rule is not pressing. We have an idea, and a pretty strong one, too, that the knowledge of such a condition of things by people in the States, would not urge emigration to Arizona, nor send out capital for investment. If the offices, town, county, territorial and federal, could be divided among the Americans of the Territory, it would not only furnish a large portion with business, but be extremely convenient and gratifying!

In fact, there is something solemnly ridiculous in this idea of a Territorial government, as we are now situated—the "conventions," the "resolutions," &c., and with all due deference to our friends in La Mesilla, it strikes us that they must be nearly tired of enacting the same useless labor over and over again. The twelve enterprising citizens who dwell in Arizona City, have "pronounced" in favor of an independent government, and between that movement and the spirited declarations of the Valley people, we propose a compromise, namely, to throw aside this vain and hopeless plan of a Territorial organization, and petition Congress for a U. S. Judicial District, and a Branch of the Surveyor General's office. These privileges we feel confident Congress will cheerfully grant.—Let us hold meetings for this purpose, agitate the matter, and if deemed proper, send a committee of citizens from various parts of the Territory to urge the case upon Congress. Next week we shall endeavor to show why this idea is proper and feasible, and in the meantime trust we shall have imputed to us no other motives than those of the true interests of our fellow citizens, without regard to the favor or censure of any one.

From Sonora.

Many of the late rumors in reference to the success of the Opata and Yaqui Indians, who revolutionized in favor of Gandara, turn out to be incorrect. Pesquiera is in Guaymas with five hundred men, and a strong force of artillery, and will soon quiet the Indians, who are represented as bands of plunderers more than anything else. Pesquiera having received small arms, cannon, ammunition, &c., from San Francisco, had equipped his force in very good style.

MURDER IN ST. LOUIS.—On the 3d inst., Mr. Joseph Charles, President of the Mechanic's Bank, and one of the most worthy and respected citizens of St. Louis, was shot by a Mr. Thornton, late a defaulter of the bank. There was great excitement, and threats of lynching the prisoner, so much so that the military were called out to guard the jail. Thornton accused Charles of giving false evidence against him, a charge which no one believes.

Mr. Sylvester Mowry is at Tucson.

Convention in Arizona.

On the 19th of June, 1859, pursuant to public notice, a Convention assembled in La Mesilla for the purpose of nominating a delegate to represent the interests of the Territory in the next Congress.

Delegates were present from Mesilla, Las Cruces, San Juan, Brazito, Dona Ana, Santo Tomas, Arvoles, Picacho, Santa Barbara, and Mimbres. The meeting was called to order by J. G. Scully, Esq., and permanently organized by the choice of James A. Lucas, Esq., of Mesilla, as President. The following gentlemen were elected Vice-presidents: Saml. G. Bean, Rafael Buelos, Thos. J. Bull, Rafael Beremander, S. Barrientos, Ernest Angerstein, Jose Alert, Henry Grandjean, Daniel Fritz, J. S. Sledd, J. J. Lopez, Anastacio Barela, Cesario Duran, and Frank DeRyther, of Mesilla; Pedro Aquino, George Frazier, Pablo Melendez, and Jas. Davis, of Dona Ana; Ramon Nevares, Peter Dice, J. C. Ward, and A. Bucher, of Las Cruces; Ramon Sanchez, of Santo Tomas; Augustine Bernadett, J. B. Albillar, and Juan Romero of La Mesa; Geo. Hayward of Brazito; Adolph Lea of Mimbres; Alex. Duval, Amon Barner of Santa Barbara; J. M. Garcia of Arvoles. T. J. Miller and S. W. Cozzens, Esq., were chosen to act as Secretaries.

The object of the meeting was explained by the President, who, on taking the chair, returned thanks for the honor conferred upon him, and in a few appropriate remarks, withdrew his name as a candidate for the office of delegate, and asked the support of his friends for the nominee of the convention.

On motion of Mr. Geo. Hayward, a committee of nine were appointed by the chair to draft a series of resolutions expressive of the sense of the convention. The chair appointed Chas. A. Hoppin, Thos. J. Bull, Ramon Nevares, Pedro Aquino, Alex. Duval, A. Bernadett, Henry Grandjean and Saml. Wood, who retired for that purpose, and after being absent an hour, reported the following resolutions, which were unanimously adopted by the convention:—

1st. Resolved by the people of Arizona, residing on the Rio Grande, in mass meeting assembled, That the preamble and resolutions adopted by the convention which assembled in Mesilla on the 5th day of September, 1858, express the sentiments of this meeting, and the statements therein set forth have gained additional force by the refusal of Congress to provide for the proposed Territory of Arizona the government and protection she so absolutely needs.

2d. Resolved, That the failure of the Federal Judges of New Mexico to hold courts south of "Jornada del Muerta," and within the limits of Arizona, for nearly three years, is ample proof of their want of sympathy with us, and is an emphatic evidence of the neglect we have so long suffered, and the contemptuous disregard of our rights by said New Mexican officials.

3d. Resolved, That we must have a Territorial organization, and courts which will give us the power to clear our jails of persons charged with crimes, who, if innocent of the alleged charges, are unjustly forced against law and justice to linger in confinement for months, awaiting the tardy action of the Judges of New Mexico, or who, if guilty, in not being brought to speedy trial, have an opportunity to escape from the punishment they so truly deserve.

4th. That the people of Arizona will henceforth take no part in the Territorial elections in New Mexico.

5th. Resolved, That the Judge of the Probate Court be hereby requested to issue his proclamation for an election for delegate to Congress from Arizona, to be holden on the 1st day of September, 1859, and that he be requested to issue to the person receiving the greatest number of votes, a certificate of election to the House of Representatives of the United States, which certificate shall be evidence to the Territorial Committees of the Senate and House of the right our delegate to act in our behalf.

6th. Resolved, That the course of our delegate, Hon. Sylvester Mowry, meets with our cordial approbation, and as a renewed proof of our confidence in him, we recommend him to the people of Arizona for re-election as delegate.

7th. Resolved, That a committee from each town be appointed to represent the people of the eastern portion of the Territory in a convention to be holden at Tucson, on the 27th inst., under a call from the citizens of the Territory, to consult together upon the best means to be adopted to remedy the wrongs under which we now labor, by earnest appeals to Congress to give us the relief we have the right to demand, but not for the purpose of an organization of an independent government by the people.

8th. Resolved, That the proceedings of this convention be forwarded to the *Arizona*, the *St. Louis Republican*, the *San Francisco Herald*, the *New York Herald*, and *Evening Day Book*, with a request that the same be published.

Upon motion of S. G. Bean, Esq., Hon. Sylvester Mowry was nominated by acclamation for the office of delegate to Congress from the Territory of Arizona.

Mr. Mowry then addressed the convention in

a brief but pertinent speech, thanking the people for the confidence reposed in him, and pledging himself to renewed exertions in behalf of the Territory. The meeting was then addressed by several gentlemen from La Mesilla and other portions of the Territory.

Upon motion of J. S. Sledd, Esq., the thanks of the convention were returned to Jas. A. Lucas, Esq., for the able and dignified manner with which he had presided over the deliberations. Upon motion the convention adjourned *sine die*.

JAMES A. LUCAS, President.

S. W. COZZENS, Recording Secretary.

Murder of Mr. John Ware.

On the evening of the 25th inst., a party of Mexican peons started from Tomocacori Mission for Tubac. Arriving near the house of Messrs Ware and Caruthers, on the road, shouting and laughing, the dogs ran out and barked. The Mexicans instantly ran at the dogs with drawn knives, when Mr. Ware came out of the house to stop the disturbance. He was instantly seized by a Mexican named Rafael Polanco, and thrown violently to the ground, the other Mexicans closing in upon him with their knives. Mr. Jas. Caruthers then came up and struck one of the Mexicans with a small stick, hoping to drive them away, but finding they would not go, ran for his double-barrelled gun. In the meantime, Polanco held Ware while the other Mexicans stabbed him in five places. Caruthers coming out of the house with his gun, Ware, who was struggling with his assailants, cried out—"Hurry, Jim, they're killing me!" Caruthers then fired and shot a Mexican named Cruz, and rushing up, knocked down Polanco with the gun. Ware then raised himself partially, drew his revolver, and fired several ineffectual shots at the retreating Mexicans. Mr. W. was instantly taken to the house and found to be dangerously wounded, the knife having penetrated his lungs in two places. He was carefully attended by Dr. Hughes, but died on the following night, very suddenly.

Mr. Ware was a native of Fredericksburgh, Va., and came to New Mexico about the year 1842; from thence he proceeded to California, remained some time, and then came to this region. For several years he has worked a farm near Tubac, in company with Mr. Caruthers.—John Ware was known as a brave, generous, honest man, abounding in social qualities, hospitable and kind. He was buried in the old churchyard at Tubac. He has a brother, purser in the navy, and a brother, teller of a bank in Richmond, Va.

Rafael Polanco, the only one of Mr. W.'s assailants who did not run away, was arrested by a party of citizens, on the morning of the 26th inst., and on the afternoon of the 27th brought before a meeting of citizens, at Tubac, for examination.

The meeting was organized by electing Edward E. Cross, Chairman, and Dr. C. B. Hughes Secretary. The facts above detailed in reference to the murder being fully substantiated, and furthermore, that the prisoner was a thief, Mr. S. H. Lathrop offered the following resolutions:

Resolved, That at an examination of Rafael Polanco, a Mexican, and witnesses present at the time John Ware was killed, we are of the opinion that he was one of the parties who caused his death; that the prisoner held Ware while some other Mexicans (one shot by J. Caruthers) stabbed him.

Resolved, That the prisoner be sent to Fort Buchanan, with a request that the commanding officer keep him in confinement until an opportunity offers to send him to the Rio Grande for trial or commitment, or until the civil authorities take him in charge.

Resolved, That as citizens, we request the Judge of the Rio Grande District to make arrangements to hold a court in this section of the Territory.

After some little discussion, the resolutions were carried.

A resolution, as follows, was then moved, and adopted without a dissenting voice:

Resolved, That in the future, until the establishment of law and courts among us, we will organize temporary courts, and administer justice to murderers, horse thieves, and other criminals, ourselves.

The meeting then adjourned, but it being deemed advisable to elect some civil officers,