WEEKLY CITIZEN.

SUNDAY, - - - JUNE 11, 1882

Mr. D. B. Robinson, general manager of the Sonora Railroad, returned to Tucson from Las Vegas, Monday evening.

Mr. W. S. Fritz, who has charge of the diamond drill at the San Xavier mines, is visiting in Tucson.

The expenses of the funeral of the late James Levy were borne by Messrs. Doc. Glassott, Jas. Corroll and John T. Brickwood.

At Calabasas on Saturday last, eight Italians were required to contribute to the rustlers the sum of thirteen hundred dollars.

Mr. E. W. Risley is secretary of the Tucson Republican Club. His name was inadvertently committed from the proceedings of the last club meeting.

Don Carlos I. Velasco writes from Vera Cruz on May 29th that he would be in the city of Mexico the next day and will be in Tucson again by July 1st.

The Tucson Water company have over one hundred thousand pounds of freight already here. All hands are busy and the water works are now an assured fact.

It is reported by a reliable party that a prominent R. R. contractor of the N. M. & A. R. R. is to be married on the 25th inst. to Phœbe Cousins, of St. Louis.

Mr. Wm. McGough has returned to Tucson from a protracted residence in northeastern Arizona. He will probably remain among his old friends in Pima County.

A general court martial of which Colonel Shafter of the First Infantry is president, was announced to convene at Camp Grant on the 5th. Captain Overton of the Sixth Cavalry arrived there on the third with eleven prisoners. Among them was scout number eleven, who is to be tried for participation in the Cibicu massacre.

Judge Stilwell left for Phœnix last evening. After remaining there for a short time he will go to California and thence to Puget Sound, and before returning to Arizona will most probably take a trip eastward. The Judge has worked hard and faithfully for the past year and is well deserving of the recreation he now goes to enjoy.

The Florence Enterprise says: The machinery for the Jessie Benton mine has been delivered at the mill-site, and it will not be long before it shall be placed in position and ready to crush ore. The mine continues to improve in the lower workings and the dump of high-grade ore is increasing constantly. The Jessie will be a good bullion producer.

A China vegetable peddler was distributing his wares to his customers about the dept. Tuesday morning when his horse became tired of being feed and hawed around in the sun for ten cents here and there, started on a distributing tour of his own and for a while things were lively as the greens flew, but the horse was finally quieted down and John started for home.

Wm. Shean heard that the Apaches were on the point of raiding Tucson and to distinguish himself as one of her most gallant defenders he stole a pistol and gun and reported for duty to Judge Meyers who believing him to be deserving of his country, and thinking him a good man to have on hand mustered him in for sixty days and ordered that he be supplied with a mesquite brush to keep the flies away.

The Papago women that were severely wounded by the accidental discharge of a shot gun on Meyer street, about one week ago, and through the kindness of Messrs. Drake and Etcheils were sent to the county hospital, were taken by their people from there that same evening, and have not been heard of since. When on the way to the hospital they said that they preferred to be taken home as the Papago Medicine man fully understood their treatment.

Mr. E. A. Cutler, supervising engineer of the New Mexico and Arizona railroad is visiting in Tucson for the next few days. Mr. Cutler is not only a an accomplished gentleman, but ranks at the head of his profession. He has been with the road named since its inception and to his genius is due the overcoming of many engineering difficulties. Mr. Cutler was formerly connected with the Missouri, Kansas and Texas Railroad, and while there accepted his present position.

Mr. John Strann, general manager and book keeper for Mr. E. N. Fish, proprietor of the well-known Eagle Flouring Mills in this place, left on a business visit to Tombstone, Bisbee and the neighboring towns, looking to the supplying of those towns and the different camps in that section with Eagle Mills flour, which is as good for family use and purposes as can be or is made in Arizona. Nothing but the best wheat being made in its manufacture, as the flour becomes better known it is more universally used and will in all probability, supersede all other brands in this southern section of the country.

The Florence Enterprise says: "The old, abandoned military telegraph line between here and Tucson, should be taken down and coiled up. It drops across the road in a number of places and is very dangerous for teams. Col. Wheat's horse became entangled in it last week and ran away, injuring themselves, breaking up the buggy and bruising Col. Wheat quite severely. Several other teams and persons have been seriously damaged by getting tangled up in the wire. Some of our citizens should remove the wire, and in case the government should call for it, deliver it up upon payment by the latter of a resonable amount for reeling the wire up. However, there is no probability that Uncle Sam would ever call for it.

The Phenix Gazette says: A gentleman named Urfer and his wife, from Prescott, were visiting at Vulture, and on last Thursday morning they started for Phenix in a light riz, with one horse. They took the Smith mill road, and got lost and wandered off on the desert towards the Gila. They had no water with them, and when they discovered their plight, Mr. Urfer took the horse from the wagon and started in search of relief. The horse died the next day but he continued on foot. Luckily towards night he was discovered by a Mexican teamster and brought into Vulture in a nearly famished condition. That night a searching party was immediately made up, and found Mrs. Urfer the next morning. Both parties had a narrow escape from a horrible death on the desert, and have concluded to return to Prescott without visiting Phœnix.

Rumored Reports of Indians.

Information reached Mr. M. G. Samaniego Tuesday morning from the Canyon del Oro, to the effect that the Apaches had stolen two mules, two horses and two mares with colts belonging to him that were pasturing at a ranch in that section. Later on, several vaqueros at work for Placedo Ruelas, on his ranch near the Tortolitas mountains, about fourteen miles north of town, came in and reported that the Indians had driven off between thirty-five and forty head of stock from the ranch named, and that they, the vaqueros, had followed the trail almost to the summit of the mountains but being unarmed dared not go any farther so came to this place for help. It was known for a week past that several Indian families were camped at a place called Batamote in the foothills of the Tortolitas and as they were adjudged peaceful, they were not disturbed. The Indian men are reported to have visited Tucson and made large purchases of arms and ammunition and then returned to their camp unmolested. The vaqueros when following the trail of the lost horses, found several discarded moccosins and further up the hill came to a deserted camp in which the wickups were still standing. Mr. Samaniego is, from all the accounts led to believe that his horses and mules were the ones first used by the Indians in rounding up and driving off the other stock, his stock alone being shod, and shod horses had been used for the purpose named. Mr. Samienago telephoned to Fort Lowell for troops to investigate the affair. Whether there be any truth in it or not will soon be decided.

Agua Caliente Ranch.

Yesterday was an exceedingly pleasant one for driving, and on the strength of it the boys had their girls out in full force, mostly heading for the Agua Caliente Ranch where under the charge of Mrs. Watson one of the best Sunday dinners that can be had in the Territory was partaken of. The orange, fig, apricot and other fruit trees are in full bearing and in a country like this it is a rare treat to be able to gather the fruit fresh from the parent stem. The table at the ranch is regularly supplied with the best that can be bought or grown. As a summer resort the ranch has no equal in this part of the Territory and any one contemplating a short trip to the country can not do better than to give the ranch a call. For many years past it has been famous for the sanitarial qualities of its hot springs. Invalids giving them a trial invariably come away benefited and refreshed. Parties wishing to visit the ranch can do so without inconvenience, by leaving their order at the grocery store of Mr. Sutton on the corner of Church and Congress streets, and the carriage, for the ranch will call at any desired place on Saturdays and Tuesdays which are the regular days or the carriage to come in. The place is well provided with comfortable sleeping apartments. A large dining room and new bath houses have been added. Give the ranch a visit and then recommend it to your friends.

The Ada M. & M. Co.

The silver mill for work on the Ada mine, in the Old Hat district, is already on the way from San Francisco, and will, in less than three months, be pounding away and knocking the gold loose with every drop of the stamps. The Company owning the Ada are also the owners of two additional claims, the whole aggregating some four thousand five hundred feet, on the same ledge. The rock is free gold bearing, and the lowest average assay given is fifty dollars to the ton, and from that up into many thousands. The gold can be seen with the naked eye in much of the rock. Along the course of the ledge the company have four shafts averaging fifty feet in depth and fully a half dozen of ten feet or more. The ledge varies from two and a half feet to six inches in width but is clear and well defined along its entire course with an ever increasing tendency to widen with depth. With their present developments the company claim, by calculation with a liberal allowance for all contingencies, to have fully one hundred thousand dollars worth of ore in sight. That is on the dump and in the ledge between shafts. The mill will have but five stamps to begin with, provided with the necessary settlers and pans with a view of preventing waste, but the number of stamps can be further increased as occasion may demand. Mr. M. G. Elmore and other officers in the Tucson Gas Company are among the fortunate owners.

N. M. & A. R. R.

The New Mexico and Arizona railroad has been completed from Benson to Casa Blanca, a distance of about sixty-nine and a half miles, and tickets at the rate of ten cents per mile are sold over the road, and between the stations named. The cost of the road thus far has averaged on an aggregate twenty-nine thousand dollars per mile. Within the line of Arizona work has generally been suspended pending the rainy season, when that is over the road will be pushed to its completion. At Casa Blanca, the southern terminus, wells are being sunk and tanks put up. The building material for the depot is on the ground. From that station the whole of the Harshaw country will be supplied as will be the entire eastern end of the Santa Rita mountains, the station being but five miles below Hughies' ranch.

Work is still being pushed ahead from the Sonora line and contractors from that section have been drawing on the generosity of the contractors on this side, for the use of their idle teams. Mr. Joe Hampson, who is reported to have the best teams on the road, has loaned one hundred teams for the use of contractors working from Hermosillo up this way.

Pipe Making.

The water pipe makers are hard at work in Tully & Ochoa's corral on Stone Avenue. They have plenty of iron on hand and Mr. Dugan says that there will be no cessation in the pipe manufacture till it is all completed. The iron is sheared in plates, three feet long by two and a half wide, that width making a pipe eleven inches in diameter. The plates are then punched and reveted with thirty-two rivets to the section, the sections are then put together in lengths of twenty-five feet each. The men that accompanied Mr. Dugan from California are all at work, and by Monday next an additional force will arrive and be at once put on. There is no doubt Mr. Dugan says but that the city will be abundantly supplied with water by August first.

Only one Herdic coach has been running during a week past owing to insufficient teams. Yesterday the company purchased a No. 1 coach team, and today both coaches are running regularly on schedule time and will run regularly hereafter. The Board of Directors met yesterday and upon report of the Secretary and Treasurer found that the coaches last month had made a small profit, which will be largely increased this month. The coaches have come to stay and are one of the institutions of the city.

COLD BLOODED MURDER.

A Sanguinary Conflict among the Sporting Fraternity—James Levy Shot and Instantly Killed Arrest of the Murderers—Statements of Police Officers and Eye Witnesses.

"Thou shalt do no murder" is a divine commandment so often unheeded in frontier towns and cities that it leads to a belief that depravity yields to a centrifugal force in society's rapid revolutions and appears in its worse phases at the antipodes of the centers of culture and refinement. In Tucson the epidemic of murder has recently attained unenviable proportions and the quiet hours of Monday night were disturbed by the startling report of the murderous pistol and another victim of human passion was sent unprepared into the presence of his Maker.

MARSHAL BUTTNER

gives the following particulars of the sanguinary encounter: He had come from a lodge meeting in Masonic hall, between nine and ten o'clock, and at the Fashion Saloon he met officers Johnson and Roach, and learned the incipient events of the trouble. It appears that James Levy, who was considerably intoxicated, had been playing faro at John Murphy's game, and lost several bets. He arose angrily from the table and threw the cases together in a contemptuous manner with a remark that it was a thieving game where a man could not pick up a bet. Murphy was not present, but was afterwards informed of what Levy had said and done. He found the latter and wanted him to take it back and defied him to repeat it in his presence, using boisterous and threatening language. Levy denied the accusation and said that the man who told it was a liar. One word brought on another and from a slight misunderstanding the affair assumed the shape of an angry quarrel, in which each defied the other to do his worst. Marshal Buttner and his officers talked to them and somewhat mollified the troubles. Levy was very cool and collected, but seemed to have very few friends in the crowd, a circumstance that he apparently realized. He remarked that he knew the law and was not going to challenge his adversary, but he was going to the Mexican line and would fight across the wagon track. He then borrowed $35 or $50 of Mat Redding, of the El Dorado, and deposited it at the Fashion to pay for a team, which he then ordered by telephone from the Lexington stables, to go to Calabasas early the next morning. He info med Murphy of what he had done and with a couple of friends he then left the saloon. Marshal Buttner accompanied them across the Church plaza and counseled Levy to go home and sleep over the matter, it was all talk and had better be dropped. Levy replied that though it certainly was all talk, yet he would start for Calabasas at six o'clock the next morning. He would go to sleep at once. He said he was broke but would borrow money to get a team. One of his companions named Duncan replied that he would let him have what money he wanted and urged him to go to his room and sleep. Another man then came up, and the party started for Duncan's room at the corner of McCormick street and Stone Avenue. Marshal Buttner then repaired to the telephone office and communicated the facts to Sheriff Paul. He thought the trouble was all over, but it would be wise for the Sheriff to be on hand next morning to intercept the parties should they persist in their intention of fighting a duel.

About ten o'clock as Marshal Buttner was passing down Congress street he heard several shots fired in rapid succession. He hurried to the scene and met Murphy, who said, "there he lies, I have done it; he needs a box." Mr. Buttner immediately took him in custody and locked him up.

MR. W. B. HOPKINS,

Night clerk of the Palace Hotel, was sitting at one of the hotel windows when the firing began. Levy, very much intoxicated, had looked into the hotel to some one and was just leaving the door when he was fired upon from two directions, making a cross-fire from which it was impossible to escape. The assailants were very close to Levy. After the first shot he exclaimed "My God! don't shoot me; I am not heeled!" He then ran across the street and fell. It is stated that after he fell Dave Gibson, who was with Murphy, fired three shots into him.

Dr. Holbrook was shortly upon the ground and upon examination declared that Levy was dead, and his body was removed to the morgue.

It is stated by Murphy's friends that Levy was very abusive and threatened Murphy's life and the act was committed to save himself from being murdered. As no weapons were found upon the body of Levy the execution of such threats was undoubtedly a matter of future consideration.

Levy's wounds consist d of a bullet hole through the left elbow, one in the mouth, one near the left shoulder, one in the back and one through the neck, which probably finished him. The entrance to the Palace Hotel shows the marks of the horrible deed. There are several bullet holes to some of which adheres the blood and particles of the flesh of the murdered man.

Guaymas.

Mr. M. A. Jackson, one of the editors and proprietors of the Weekly International, a live paper published in Sonora and devoted to the interests of that State, visited the CITIZEN sanctum today. Mr. Jackson is quite enthusiastic over Sonora's future greatness as a State which he predicts will ere long be far advanced beyond its present place in the rank of States. The railroad is now completed to a place called Santa Ana, two hundred miles this side of Guaymas, where it will be for the next several weeks detained on acc unt of the exceedingly heavy grading at that point. By July 1st it will be in Magdalena and the begining of October will see it over the line. New towns are springing up and others are improving. Over two thousand Americans are now in the State, a number of whom have taken money there and are engaged in business in the different towns along the line of road. In the city of Guaymas, W. B Hooper & Co. are constructing a sash, door and blind factory which together with a five ton ice machine, will be in readiness for operation not later than the first of the coming July. In the course of several months two lines of steamers in addition to the one now plying between Guaymas and San Francisco, will be put on, one to ply up and down the coast and one to and from Fort Lobos. An immense trade, Mr. Jackson thinks, will also be built up by the exportation of oysters, clams, fish, lobsters, etc., of which there is a great abundance, oysters being sold at the rate of twelve and a half cents per dozen.

The railroad company are building shops for the housing of their rolling stock. The authorities are raising the city plaza two feet higher than it now is. It will then be planted with shade trees, flowers and flowering shrubs. This will be made the favorite promenade for the handsome belles for which Guaymas is already so famous. Fruit is now ripening and the harvesters are busy at work in all the valleys and the whole country wears a general air of permanent prosperity.

THE TESTIMONY.

Proceedings at the Inquest to Inquire into the Cause of the Death of James Levy.

The jury having been duly summoned in the matter of the above inquest, met Tuesday at the house of the undertaker, E. J. Smith, where the body then was.

Having inspected the dead body, the following testimony was taken before the jury of the witnesses, each being duly sworn according to law.

A. G. BUTTNER.

I am Chief of Police of the City of Tucson. I was on Congress street about 9 to 10 p. m., near the Fashion saloon, Monday night. Mr. Johnson, one of the Policemen, said there was likely to be a fuss. Found there was a fuss between Mr. Levy and Murphy on account of a game. Finally Murphy and Levy met and some words passed, Levy denying having said anything against Murphy. Murphy was a little angry and Levy was cool. Finally they got to talking about fighting and Levy said Murphy was a better man without a pistol than with one. Levy said it was only a little way across the line, and he would fight him across the wagon track. Murphy said that he would meet him anywhere. Levy said he would be at the Fashion at 6 o'clock in the morning. He then went into the El Dorado and got some money and deposited it at the Fashion for a team to take them to Calabasas. Levy and Duncan then left and started across the plaza. I hailed them this side of the bell tower and told Levy to go home, Duncan said he would take him home and would wake him to-morrow at 6 a. m. Levy said "I have business in Calabasas and have nothing with me." Duncan said "if you want any money I will give it to you." About that time another man came up and said "are you a spy?" Duncan said "no; he is a friend of mine, let us go." They then crossed the Plaza towards Camp street. I then notified the Sheriff that these parties intended to start for Calabasas next morning. Levy told me while talking on the plaza, that he made no challenge and that he was going on a business trip to Calabasas and knew the law, but that if Murphy would not go back on his word he would surely meet him there. While standing on Congress street talking to Mr. Livingston, I saw Murphy and Gibson on Goldschmidt's corner and they walked up the street past us and then passed down towards the Fashion. In about ten minutes the shooting commenced and I ran down Congress and turned down Meyer and as I turned I heard the last shot. The shooting lasted several seconds. There were about seven shots fired. The first men I met near the Palace Hotel were Murphy and Gibson coming down towards Congress street and I think Moyer and I heard Murphy say, "well, he got it good," and he said, "Buttner, go and pick up that dead man." I told him that he had to go with me, and he said, "I did it, and don't deny it." All three of these men were coming down the street and not very far apart from each other. All three were speaking loud and excitedly. Murphy gave up his pistol, a small-sized Smith and Wesson patent, two chambers empty and he said "I only fired two shots." I went to where the body was and found that a physician had pronounced the body dead. It was taken to the undertaker's and searched. No arms were found. I met Murphy in front of Allison's store as he was returning after the firing.

L. DEXTER LYFORD.

I was requested to examine the body of Levy this morning and found the body at Undertaker Smith's. On examination found five bullet wounds, one had passed above the collar bone, entering on the right side, passing down through the back bone, coming out on the left side, also one entering on the left side above the collar bone, passing through the backbone, coming out through the back on the left side; also another shot passing through the right side, going through the heart, lodging near the left shoulder, which I cut out and handed to coroner; also another shot passing through the upper lips into the brain. There is also a shot through the left arm. I would state that all the shots with the exception of the one in the left arm, were necessarily fatal. I should judge that the shot through the left arm was made with a smaller bullet than the wounds.

W. B. HOPKINS.

I am clerk at the Palane Hotel, I was at the Maison Dore, standing on the side walk when I saw Mr. Murphy and Moyer going past the Palace Hotel, that is south. Levy was sitting on the bootblack's stand at the north end of the Palace Hotel. Murphy had a pistol in his hand this was a short time before the firing. I crossed the street and went into the hotel Levy and his friend went into the office about the same time that I did and inquired for a gentleman. As Levy was talking to me I saw Dave Gibson passing the window of the hotel going north. I told Levy not to go out at that door, meaning the front door, but to go out the back door, and I would have the porter let him out, which he said he would do, but he was quite drunk and evidently did not understand me. I sat down in the front window of the office and was scarcely seated when he went out the office door in the hallway when two shots were fired almost at the same time. Levy exclaimed, "My God!" then two more shots were fired that drowned his voice. I then put my head out of the window and saw him and another man together, saw Levy stagger back; heard the crash of breaking glass. This was at the front door and then Levy started to run with his hands out and nothing in them, across the street. A man was following him about ten feet behind him. The man stopped in the middle of the street but Levy kept on. The man that was following him at this time was the same person who came into the office with him. I saw another man just a little behind him, that is, behind the second man, and a little to the right of him, whom I recognized as Dave Gibson. He had a revolver in his hand and was firing in the direction of Levy. I saw Levy cross over to the sidewalk opposite the hotel and fall. I saw Murphy standing on the sidewalk at the front door of the hotel, about the time of the firing. I can't state that I saw any other person in that party at that time, that is, positively. After Levy fell, Gibson walked to where he lay and shot in the direction where he lay. To the best of my knowledge he fired two shots at him after he fell. He walked off down the street and said, "there lays the s—— of a b——; he is dead." I did not see Murphy shoot at all, I only saw Gibson shoot.

THOS. B. LANGLEY.

I am engaged in mining. Have no fixed residence at present. Last evening about 10:30 I went to the Palace hotel and sat down about two feet south of the main entrance, James Levy passed me and in passing asked me what I was doing there. He had possibly been in the hotel for ten minutes when two men walked very rapidly past me. I am not acquainted with them, but have since been told that they were Dave Gibson and John Murphy. I am able to identify these persons. I think when these men passed they were going north, as they passed me I saw the man whose name I think is Murphy draw a six shooter and said, "Here is our game." The firing immediately commenced, I think that there were three or four shots fired before I saw Levy in the act of running diagonally across the street; I was so bewildered that I did not recognize Levy till he spoke; when I did recognize him he was in the act of falling immediately in front of the barber pole, opposite the Palace Hotel; as he fell he raised both arms and exclaimed "Oh my God, has it come to this!" I think that two shots were fired after this. I know that one of the two parties who passed me fired the last shots; I think that I can identify him; I did not see him shoot nor did I see him have any arms; both of the men that passed me were shooting during this time.

E. A. BARKER.

I live in Tucson; am engaged in the drug business; I saw the deceased about five minutes before he was shot, sitting in front of the barber shop, near the Palace Hotel; shortly after he got up and started towards the hotel; he appeared to be intoxicated; I was standing in front of the Maison Doree when the firing commenced; immediately before the firing I saw Mr. Murphy and another gentleman go past the Palace, then they came back in front of the Palace; I saw no flashes from pistols near where Mr. Murphy and his friend were.

G. TAPIE.

Live in Tucson; am engaged in the saloon business; about 11 o'clock last night was sitting in front of my saloon; there were four or five others with me; a man with a blue shirt without a coat or vest passed along the sidewalked near to us going south; some one remarked it was Gibson; I looked at him again, and think I recognized him about two minutes after the shooting commenced; the shooting began at the door of the Palace hotel; as soon as I heard it I went inside; I afterwards saw two men coming north and passed my place with something in their hands which I took to be pistols or revolvers; one of the two was the one who had passed a short time previously with the blue shirt; I did not count the shots but there were some ten or twelve of them.

S. F. HARTLEY

Was in the Fashion saloon about seven o'clock last night; did not hear the first of the quarrel between Murphy and Levy; I heard Levy say "you will have to fight me or I will make you fight one of the other side," Levy went out of the saloon and as he did so said, "I am no stinker;" Levy was a little intoxicated at this time; I heard no conversation between Levy and Murphy.

S. F. HARTLEY.

I am a saloon keeper; last night about 11 o'clock was standing in front in my saloon south of the Palace hotel on the same side of the street; a man at this time passed and some one else called him back; I stepped to the door, then they went beyond by saloon to the front of Warren's store; they stopped and spoke to each other and then came back; I noticed that one had a pistol in his hip pocket; both were strangers to me, but something in their manner made me watch them; they went as far as the Palace hotel, saw one of them go in, soon after heard some shots; saw a man run out of the Palace and across the street and another one following him and shooting at him; he ran to the opposite side and fell, exclaiming, "Oh, my God;" I saw one of these men step up to him and fire down on him; don't know how many shots were fired; saw no more that happened; both were strangers to me; think that some seven or ten shots were fired. I wish to state also that just as the deceased reached the opposite side of the street, and before he fell, another man fired at him; I saw the flash of the pistol a little south of the place to which he was running.

GEO. DUNCAN.

Was not at the Fashion saloon at the time the trouble began between Levy and Murphy; was present afterwards; they called each other hard names and agreed to go across the line and fight a duel; they were to start at six o'clock this morning; Levy deposited $35 for a team to go to Calabasas; this was after dark; Levy and I went on the sidewalk and talked it over, then went back into the saloon; he said he had to fight as it was a matter of honor; he said he had no friend in the world, but thought he could find one; we started across the Church Plaza and were there joined by Mr. Buttner and Copperkes; told Buttner I would take Levy to my room to sleep; Levy had been drinking but knew what he was doing; Buttner left us thinking that I would put Levy to bed; Levy went to a house on Camp street and had a talk with some one, don't know whom; the conversation did not seem satisfactory as we went to another place, don't know the street; he spoke to a man and then said "no one will be my second in this matter nor can I get a gun;" returned to the El Dorado saloon for a few minutes; then started towards the Palace, Copperkes not being with us at the time; before reaching the Palace some one took him into the Palace and spoke to him; I sat on the boot black stand and waited for him; I heard him say that he had better look out for himself; Levy then asked for my gun which I refused to give him, because I did not want him to get into trouble; he asked where he could find it in case he got into trouble; I replied in my right hip pocket; other parties passed us at us at this time, and we then went into the Palace hotel. He spoke to some one and then joined me and said "I can't get what I want." We came out of the office, and with locked arms were going out of the front door of the hotel. The shooting commenced there, and then. Levy said, "my God, you won't kill a man when he has nothing." I jumped behind the hall door, drew my pistol and then ran into the street. I don't think that more than five shots were fired. Levy ran across the street and fell; can't say where I was standing after I got out of the hotel; I ran up to Levy as soon as he fell; saw but one person standing at the door at the time of the shooting in the middle of the street; saw one man shoot at Levy as he stood in the doorway; think the man who fired at Levy while running fired two shots; the man who stood in the doorway fired at Levy twice in succession; another shot was fired just as Levy fell; three men went away immediately after the firing; don't know who the third party was; the party who fired the first shots I identified as Mr. Murphy; the genteman who fired the other two shots as he ran across the street was the prisoner in Court, (identifying Gibson); saw a third man in their company, would not know who he was; saw him walk away from where Levy fell would not know him if I was to see him; I don't know his name nor who he is but the third man was the party who fired the last shot; this third man went off with the other two whom I have identified; cannot tell which shot hit the deceased.

JAMES MARSHALE,

Porter at the Palace hotel, testified to Levy going to the Palace and inquired for John Campbell; on being informed that he was not in, started to go out by the front door when three shots were fired followed by four or five others.

[The volumne of testimony is too great for the space we can spare to-day. It will be completed to-morrow.—EDS. CITIZENS.]

VERDICT OF THE JURY.

We the jury impannelled as a jury of inquest to inquire into the cause of the death of James Levy, deceased, having duly inspected the body and hearing the testimony render this our verdict:

1st. We find the name of the deceased is James Levy, a native of Ireland, aged about 40 years.

2d. That he died in Tucson, Pima Co., A. T. on the 5th day of June 1882.

3d. That he came to his death from pistol shots fired by pistols in the hands of Wm. Moyer, Dave Gibson and John Murphy, with intent to kill said James Levy.

W. J. WHITE
S. W. IRT
R. JOHNSON,
J WILD,
T. DRISCOLL,
SAM. VAN PELT.

TELEGRAPH.

SAN FRANCISCO, June 5.—Wheat, dull, $1 67½@$1 70.

Barley, quiet, steady, No. 1 feed $1 72½; No. 1 brewing $1 85@1 90; No. 1 Chevalier $1 70.

Oats, No. $1 90; No. 2 $1 85.
Corn, yellow, $1 75.
Hay, $12@$15.
Bran, $17.
Potatoes, new $1 25@$1 75.

FORT THOMAS, June 5.—The rumor of Indian depredations in the vicinity of Apache is not yet confirmed. Everything is quiet at the San Carlos subagency and here. Troops from this post are continually scouting, but fail to find any trails or indications of hostiles. If anything important occurs will let you know.

NEW YORK, June 7,—The Herald's Washington specials say: The Crapo bill, extending the charters of National banks, may fail entirely unless the Senate Committee reports it soon. That committee proposes to add several amendments which will send the bill to the house, and at this stage of the session the delay may cause the failure of the bill. The Senate Committee propose to amend the Crapo bill by adding to it the substance of Mr. Sherman's Refunding bill and a clause authorizing the issue of gold certificates which are to be a part of the bank reserve.

SAN FRANCISCO, June 6.—A Portland dispatch says: The count to noon shows last night's estimates correct. The State ticket is certainly elected. George's friends claim his re-election by 2,000. Returns are in sufficient to make an estimate on the Legislature. There is no perceptible falling off in the Republican votes and as the last Legislature was Republican the probabilities are strongly in favor of this Legislature being Republican. The Democrats claim the Legislature is in doubt and concede George's election and most of the Republican State ticket.

NEW YORK, June 5.—The Tribune's Washington special says: There is no truth whatever in the report that George C. Gorham is to be appointed Assistant Secretary of the Interior, nor that Ex-Senator Paddock is to be made Commissioner of Indian affairs.

NEW YORK, June 5.—The Times' Richmond proposition to remove the body of Jefferson from the old grave yard at Monticello to the cemetery at Washington, meets with widespread indignation in Virginia.

PARIS, June 5.—The grand prix de Paris for three-year-old colts and fillies, mile and seven furlongs, was run yesterday, and won by Bruce, Fenelon second, Alhambra third. Keene's Romeo met with an accident yesterday morning and in consequence did not run. The winner of the race is an English horse and was ridden by Archer.

ROME, June 5.—The Pope on hearing of the death of Garibaldi remained silent a while, then raising his eyes to Heaven he said: "There has gone another figure of Revolution; Oh, God! be merciful to him." The vatican organ, Voce de la Verita, says; "Garibaldi was one of the most determined, but also the frankest of our adversaries. Not from him came the heaviest blows and bitterest troubles. He was no hypocrite. May the prayers of his pious mother have smoothed the last moments of her son's ag tated life."

CAPRERA, June 5.—General Garibaldi's family will obey the injunctions of his will and the ceremony of cremation will be performed by Signor Prandina.

WASHINGTON, D. C., June 5.—Chief Justice Carter and Judges James and Hoger, constituting the court in banc to-day rendered a decision upon the last motion filed by Reed in Guiteau's behalf. The Chief Justice delivered the decision as follows: "In the case of Guiteau, the Judges who listened to the argument in that case, have come to the conclusion they have exhausted their powers upon it; that they have heard it patiently, fully and fairly and that a reargument would bring no other conclusion than that already arrived at and they declined to re-open case for argument.

AUGUSTA, Me., June 6.—A call signed by influential Republicans to the number of several thousand asking Blaine to be a candidate at large for a representative in Congress is published. Blaine replies declining, and pleading twenty-three years of public service and neglected private duties.

NEW YORK, June 6.—General Grant denies the report of his business losses and bankruptcy and says they are put out for stock jobbing purposes.

NEW YORK, June 6.—The Herald's Washington special says: Among the political rumors that are circulated this evening is one that Folger will soon resign and that he is to be succeeded by Don Cameron, who in his turn is to have for his successor in the Senate his father, Ex-Senator Cameron.

WASHINGTON, June 6.—Cameron, of Wisconsin, introduced a bill in the Senate to-day, granting the right of way to the Arizona Southern R. R. on a strip of land 2,000 feet wide through the Papago Indian Reservation in Arizona. Delegate Oury introduced a similar bill in the House.

General James Watson Webb of New York is eighty-one years old and smokes almost incessantly. Thurlow Weed is eighty-four years old and drinks large quantities of Santa Cruz rum. Peter Cooper is ninty-one years old, lives on a diet of oatmeal and uses tobacco in no form and never tastes anything that intoxicates.

DISSOLUTION NOTICE.

The partnership heretofore existing between Toole and Farrell has this day been dissolved by mutual consent.

JAS. H. TOOLE.
JOHN R. FARRELL

Tucson, May 31, 1882.

Application No. 205 for a Patent for the "Buitrose" Mining Claim.

U. S. LAND OFFICE AT TUCSON, ARIZONA, } May 22, 1882.

Notice is hereby given that the Inca Gold and Silver Mining Co., by Robert A. Lewis, its agent, whose postoffice address is Tucson, Arizona, has this day filed its application for a patent for 1,500 lin. feet of the "Buitrose" lode, mine or vein bearing silver and copper, with surface ground 572 feet in width at one end, and 276 feet in width at the other, situated in Old Hat mining district, Pima county, Arizona, and designated by the field notes and official plat on file in this office, as lot No. 38 A., G. and S. R., meridian, said lot No. 38 A. being as follows, to-wit: Variation 12 degrees 5 minutes east.

Beginning at the initial monument at the center of the claim, at oak post 4 inches square, 4 feet long, marked I. M. A., No. 1, in mound of stones, from which U. S. M. mon. No. 1, Old Hat district, bears s 74 degrees 5 minutes e 2737 feet distant. Thence n 15 degrees 45 minutes e 425 ft to easterly end center of claim, to a juniper post 2x4 inches square, 4 feet long in mound of stones, marked A. No. 2. Thence n 12 degrees 10 minutes, w 171 feet to ne corner of claim to a center post 4x4 inches square, 4 feet long in mound of stones, marked A. No. 3. Thence s 32 degrees 45 minutes w 362 feet to an oak post 4 inches square 4 feet long, in mound of stones, marked "A. No. 4." Thence s 34 degrees w 804 feet along northerly boundary of claim to sw cor of claim to oak post 4 inches square in mound of stones, marked A. No. 5. Thence s 12 degrees 10 minutes e 222 ft to oak post 4 inches square in mound of stones at westerly end of claim, marked "A. No. 6," continuing same course at 552 feet, to oak post 4 inches square, 4 feet long in mound of stones, marked "A. No. 7."

Thence s 30 degrees 10 minutes e 606 ft to oak post 4 inches square, 4 feet long in mound of stones, marked "A. No. 8." Thence s 55 degrees 45 minutes e 558 ft to oak post 4 inches square in mound of stones at se cor of claim, marked "A. No. 9." Thence n 12 degrees 10 minutes w 305 ft to post No. 2 at easterly center end, the place of beginning of the extern r boundary of claim, containing 9 35-100 acres, exclusive of 50-100 acres in conflict with the Morning Star mining claim, lot No. 37 A. which is not claimed.

This claim is situated on the eastern slope of the Santa Catalina mountains near Lee and Waldow's trail, and about ¼ of a mile southerly of Marble peak.

The amended notice of location of this mine is recorded in the Recorder's office for Pima Co., A. T., in Book N, of records of mines, pages 27 and 28.

Said Apache millsite claim, designated on the official plat and field notes as lot No. 28 B, situated in the Old Hat mining district, Pima county, A. T., G. and S. R. meridian, is described as follows, variation 12 degrees 25 minutes east:

Commencing on said claim, where notice of location is posted at an oak post 4 inches square, 4 feet long in mound of stones, on the left bank of a creek, marked M S B 1 M. No. 1, from which U. S. M. monument No. 1, Old Hat district bears s 83 degrees 40 minutes e 1600 ft distant. Thence s 11 degrees 15 minutes w 232½ feet, to northerly centre end of claim to oak post 4 inches square, 4½ feet long in mound of stones, marked A M S No. 2. Thence s 78 degrees 45 minutes w s 232½ ft to oak post 4 inches square 4 feet long in mound of stones at sw corner of claim marked A M S No. 3, from which post No. 9, Apache mining claim bears n 12 degrees 32 minutes w 869 feet distant.

Thence n 11 degrees 45 minutes e 468½ feet to oak post 4 inches square 4 feet long in mound of stones at nw corner of claim marked A. M. S. 4.

Thence n 78 degrees 45 minutes e 232½ feet to oak post 4 inches square 4 feet long in mound of stone at ne corner marked A. M. S No. 5.

Thence s 11 degrees 15 minutes w 468½ to oak post 4 inches square 4 feet long in mound of stone, marked A M S No. 6 being a se corner of claim.

Thence s 78 degrees 45 minutes w 232½ to northerly corner end of claim the place of beginning exterior boundary of claim containing 3.3 acres outside of the conflict with the Midas mining claim 25 acres and inside of conflict with the Santa Catalina millsite of .76 acres not claimed said millsite claim, location notice is recorded in the Recorders office of Pima county A. T. in book 1, millsites page 118.

Any person claiming adversely any portion of said Apache mining claim or Apache millsite lot No. 28 A and 28 B or surface ground are required to file therein adverse claim with the Register of the U. S. land office, at Tucson, the 2. Arizona, during the period of publication hereof or they will be barred by virtue of the provisions of the statute.

Jos. Buell, Tucson, A. T. attorney for applicant.

HENRY COUSINS, Register.

It is hereby ordered that the foregoing notice be published for the period of sixty days ten consecutive weeks in the CITIZEN, a weekly newspaper published at Tucson, A. T. which paper is hereby designated by me as published nearest said claims.

HENRY COUSINS, Register.

First publication June 4, 1882.

Notice.

NOTICE IS HEREBY GIVEN THAT THE undersigned have performed as assessment work for the year ending December 31, 1881, 400 feet north of work on the ten. ce mine, located in Bunker Hill mining district, County of Pima, Territory of Arizona, and if T. R. Peters, or his co-owners, being under him, do not come forward and pay his share of said assessment work, namely, one-half or $50 for above named claim, together with cost of publication, within ninety (90) days from the date of this publication, his interest in said claim will, according to the laws of the United States become perfected to the undersigned.

E. McDANIEL,
WM. MILLER.

Tucson, March 26, 1882.

SUMMONS.

IN THE DISTRICT COURT, FIRST JUDICIAL District, in the county of Pima, Territory of Arizona. Annie E. Whitney, plaintiff, against George H. Whitney, defendant. Summons.

Action brought in the District Court of the First Judicial District in and for the county of Pima, in the Territory of Arizona.

The Territory of Arizona sends greeting to George H. Whitney:

You are hereby summoned and required to appear in an action brought against you by the above named plaintiff in the District Court of the First Judicial District in and for the county of Pima, in the Territory of Arizona, and answer the complaint filed with the Clerk of this court at Tucson, in said county, in a civil action, of which the complaint accompanies this summons; within twenty days (exclusive of the day of service) after the service upon you of this summons, if served in this County; but if served out of the County and within the district, then within thirty days; in all other cases forty days.

Said action is brought by said plaintiff to obtain a decree dissolving the bonds of matrimony existing between you, said defendant and the said plaintiff, as more fully appear by reference to the complaint herein.

And you are hereby notified that if you fail to appear and answer the complaint as above required, the plaintiff will take default and apply to the Court for relief and