

NORVIEL CLAIMS COLORADO RIVER AGREEMENT FAIR

PHOENIX, Dec. 3.—W. S. Norviel, Arizona state water commissioner, and the states' representative on the Colorado river commission, tonight issued a statement endorsing the Colorado river compact signed last week at Santa Fe, N. M.

Mr. Norviel in his statement declares the compact "makes for the beginning of the greatest development and on the largest scale the southwest has ever enjoyed, at once removing long delays on account of litigation which has for years held up similar development on a much smaller scale in some of the states."

Mr. Norviel's statement is the first step in what, it is believed, will develop into a campaign on the part of sponsors of the measure to secure its ratification by the Arizona state legislature at its biennial session next January.

The opposition forces, under the leadership of George H. Maxwell, executive director of the National Reclamation association, have already launched an attack to defeat ratification. Mr. Maxwell addressed several meetings in Phoenix this week in the campaign which he declares he will carry to every city and town in the state.

REACH AGREEMENT AS TO PALO VERDE FLOOD PROTECTION

PRESCOTT, Dec. 3.—An agreement as to what work shall be done on the Colorado river for the protection of the Palo Verde valley from the floods of next season was reached yesterday at a conference between a joint commission from California and a commission representing Arizona, it was announced last night by W. S. Norviel, state water commissioner and chairman of the Arizona commission. The conference was held in the office of W. J. Galbraith, attorney general.

Mr. Norviel stated that the agreement reached had not been prepared in writing yet, and therefore could not be made public at this time until it had been signed by all of the commissioners. The agreement, he said, would be written at once and sent to Sacramento, Cal. for the signatures of the California commissioners, who left last night for their homes in Sacramento.

The agreement is so drawn, Mr. Norviel said, that it will necessitate legislative ratification by the legislature of both states before it can be carried into effect. It is to be presented to the legislatures at their next sessions.

SENTENCE TO BE PRONOUNCED ON WINKLERS FRIDAY

TUCSON, Dec. 6.—Edward Winkler and George Winkler, Sr., who were recently found guilty by a jury in superior court of having attempted to hold up the California express on May 16, will receive their sentence Friday afternoon at 4 o'clock. It was announced yesterday by Judge Kirk Moore of the superior court.

The men were to have received their formal sentence on Monday afternoon, but the matter was postponed, and the new date of sentence was announced yesterday.

Both men will receive a sentence of ten years in the state penitentiary, this term having been fixed by the jury in their cases, which has the right in cases involving the possibility of a death sentence, to fix the punishment so that the sentences Friday will be a purely formal matter.

JEROME MINER FOUND GUILTY OF ASSAULT

PRESCOTT, Dec. 6.—Vicente Toribio, a Jerome miner, was found guilty of assaulting Luis Diaz, a fellow employe of the Little Daisy mine at Jerome, by a jury in the superior court here today.

Vicente was alleged to have fired four shots at Diaz on a dark street in Jerome last September. Diaz was hit twice and was confined to a hospital for several weeks.

The shooting was alleged to have followed a quarrel between the two men at the mine.

Vicente will be sentenced Friday by Judge John J. Sweeney.

TRAVELING LIBRARY BEING STARTED

Miss Helen L. Brown, county school superintendent, today announced that the traveling library, the preparation of which has been under way for some time, is now ready to be put into circulation among the schools of Cochise county.

Each school contributed to the fund for this library, inasmuch as there existed no fund for this purpose. Four per cent of the sum allotted each school has been put aside for financing the library, each school contributing about \$45.

The plan of this library is a very commendable one, and this fact is more thoroughly impressed by an examination of the books that go into the make-up of the big boxes, 36 in number, which constitute the library.

Among the volumes will be found books on general fiction, Bible study, science, nature study, art, poetry, travel, folk lore, fairy tales, biography, geography, children's classics and many other enlightening and educating subjects.

Under this plan, schools which heretofore could not afford such an extensive assortment of literature, can be supplied, as each box contains books on different subjects and, after remaining for about two months in one school, is replaced by another, containing an entirely different assortment of literature.

The teachers in the various schools will act as librarians and they will be responsible for the proper care and issuance of these books.

By the end of this week the entire lot of 36 boxes will have been distributed, and Cochise county will have in circulation one of the best traveling libraries in the southwest.

COUNTY HIGHWAY COMMISSION DISCHARGED

The board of Supervisors is in regular session today, disposing of routine matters and other business brought before that body.

This morning the County Highway Commission, which has not been functioning as a body for about a year, turned over their affairs to the board, after it had been ascertained that several damage suits filed against the commission in the local Superior Court had been dismissed. This fact has delayed the dismissal of the highway commission from further service.

All supplies and records of the commission were turned over to the county engineer, and a surplus fund of approximately \$2100 was turned back to the board, which will be placed, according to law, in the general road fund of Cochise county.

The personnel of the highway commission was as follows: I. W. Wallace, chairman; A. Y. Smith, secretary; Wm. Reay, Emil Marks and T. D. Fulghum, members.

The board extended the retiring commission a vote of thanks for their public spirited service, and for the excellent manner in which they handled the affairs of the commission.

Speaking for the commission, Mr. A. Y. Smith thanked the board for the helpful co-operation extended to the commission at all times and to Clerk M. C. Hankins for valuable assistance and co-operation in preparing their affairs for final submission to the supervisors.

Road matters were also considered by the board, a representation from McNeal appearing and asking for the repair of a three-mile stretch of road in the vicinity of McNeal, which was referred to the county engineer for investigation.

A request from citizens in the northwest section of the county for a large sign to be erected on the curve on the Benson-Tucson highway where disastrous automobile accidents have lately occurred, was also received by the board, but inasmuch as this highway was built and is now maintained and in charge of the state highway department, the board could do nothing in regard to this request, except to refer the matter to the state highway department.

Phoenix—Plans for construction of proposed Colorado, Columbus and Mexican railroad practically completed.

MERRITT'S BODY FOUND IN RIVER AFTER TWO WEEKS

PHOENIX, Dec. 4.—With his hands still clutching his shotgun, the body of E. C. Merritt was found in the Salt river yesterday afternoon not fifty feet from the spot where it was believed he drowned Sunday, November 19.

The body was lying in a few feet of water, plainly visible to a party of searchers who came down from Miami yesterday to resume the search that started two weeks ago.

The water had been shut off at the power house Saturday, due to the heavy rains in that section, and the only water in the river was the natural flow caused by the rainfall. The shallow water made it possible for the searchers to see the body in the stream.

Merritt, who was employed as personal chauffeur to F. W. McLennan, manager of the Miami mine, and three other men were hunting ducks along the Salt river two weeks ago yesterday and Merritt, not finding the hunting to his liking, walked down stream. When he failed to return later in the evening, his companions instituted a search and found footprints where he walked into the water near Horseshoe Bend. His companions were unable to find any indication that he came out of the water and concluded that he had been swept downstream.

The Miami and Inspiration Copper companies and the Water Users' association sent searching parties to the spot where he was believed to have been drowned and they covered the stream for several miles, but found no trace of the body. The Water Users did not want to shut off the water at the power house at a great expense, unless Merritt's companions were positive that he had been drowned. The search continued for several days and was finally abandoned until the ninth day, when it was supposed the body would come to the surface. On the ninth day the search was resumed, but without result. The father of Merritt, who had come from the east on being notified of the accident, accompanied the widow and a searching party to the river last week and, finding no trace of the body, refused to abandon the search.

Yesterday morning another searching party was organized at Miami after being notified that the water was shut off at the power house. The searchers separated below the dam and started a thorough search of the river bed. They were surprised to see the body a few feet under water within a stone's throw of the spot where they found Merritt's footsteps leading into the stream two weeks ago.

Merritt's companions believe that he started across the river to shoot ducks, and the cold water caused cramps and the unfortunate man collapsed in midstream. The body floated some fifty feet to a small eddy in the sand, where it remained until found yesterday.

Undertaker Miles of Miami and the coroner were notified and the body was removed to Miami last night.

The deceased is survived by a widow and small daughter and the father who recently came from his home in the east.

BURGE ARRESTED AGAIN; THEFT OF AUTO IS CHARGED

PRESCOTT, Dec. 3.—Another criminal action has been added to the long list of diversified charges and legal processes set in motion by the alleged assault that caused the death last summer of Iver Engle, orchard keeper of Phoenix.

Thomas W. Burge, found not guilty Thursday on a charge of murdering Engle and set at liberty, was rearrested last night at Albuquerque, on a charge of larceny for the theft of Engle's automobile, which disappeared after the alleged crime and was later found abandoned near Maricopa, 30 miles south of Phoenix.

Meanwhile, D. O. Dunn, Burge's uncle, is on trial here on a charge of attempting to bribe a state's witness during Burge's trial, while Frank H. Millred, one of Burge's trial jurors, is out on \$1,500 bond, following his arrest last night for alleged perjured answers to questions about his qualifications to sit in the Dunn case,

where he was, again drawn for the jury panel.

Two charges of murder, one of bribery, one of perjury and one of grand larceny, comprise the total to date in the Engle case. William E. Acker, convicted and sentenced to death for the murder of Engle, is in the county jail here awaiting the outcome of an appeal of his case to the supreme court.

Engle died here last July, a month after he was found unconscious in a ravine south of Prescott. The state alleged that Acker and Burge were responsible for the assault that caused Engle's death.

Taking of testimony in the Dunn case was completed late today. Dunn is charged with offering to buy a railroad ticket for James Todd, state witness, in an effort to get him out of the courts' jurisdiction before Burge's trial for murder.

MAJOR KELLY APPOINTED STATE HISTORIAN

PHOENIX, Dec. 5.—Major George H. Kelly, editor of the Douglas Daily International of Douglas, has been selected for appointment to the office of state historian of Arizona, it was announced today by Governor-elect George W. P. Hunt. The appointment will take effect when the governor-elect takes office in January. In making the announcement, Mr. Hunt stated that he had known Major Kelly for the last quarter of a century and knew of his constructive work for the development of Arizona.

Major Kelly has been a resident of Arizona for 25 years, having arrived in Tucson the day after Thanksgiving, 1887, to take a job as typesetter on the Tucson Star. He worked in Tucson until March, 1890, and Mrs. Kelly taught for a time in the public schools of Tucson.

Major Kelly, dean of Arizona newspaper men, in an interview yesterday morning, briefly outlined some of his ambitions should he accept the appointment as historian, which was confirmed today. He said that in his opinion one of the greatest works that could be accomplished by a historian at this time was the gathering together of all information about mining development in this state from the pioneer days. The old pioneers, who fathered the initial work, are fast passing and within the years to come it will be impossible to get first hand data on those historic days of the trail blazers of the great southwest.

Major Kelly intimated one of the things he hoped to accomplish would be the writing of a history of mining development in Arizona, taking the story from the first prospector to its present gigantic proportions. He also hopes, he said, to gather much information into volume form upon the legends of Arizona, together with much other historical matter he has in mind.

ARIZONA INSURANCE MEN HEAVY PATRONS OF OWN BUSINESS

PHOENIX, Dec. 6.—Between courses at a banquet of the Life Insurance Underwriters association of Arizona at the Hotel Adams last night a "census" was taken of the amount of personal life insurance carried by the agents and managers present. The average among 27 men and women, was \$20,000. The total was \$517,000. The sums ranged from \$2,000 to \$67,500.

All of which, declared W. F. Van Meter, president of the association, proves that Arizona life insurance men can take their own medicine.

MAN AND WIFE INJURED RESULT OF SHOOTING

NOGALES, Dec. 6.—Sergeant William Banks of Camp Stephen D. Little, who was shot by his wife several days ago, is reported as being practically recovered from his wound.

The shooting followed an altercation between the couple, during which Banks slapped the woman on the face and she fired five shots at him, one taking effect in the right side.

In an effort to wrest the gun from the woman a shot was inadvertently fired, striking the woman in the heel. Both are reported as almost recovered.

BUILDING ACTIVITY; A SANITARIUM?

The song of the hammer and saw, and the "chug-chug" of the concrete mixer is heard in all parts of Tombstone today, with more building under way than at any one time in many years.

The building bug has moved to Tombstone, bag and baggage; carpenters are wearing out their hammers and concrete workers are mixing and laying cement with all possible speed.

Tombstone will soon be entitled to avow the possession of more concrete sidewalk footage than any city its size in the Southwest.

The paving of Allen street will soon be completed, adding much to the appearance of the main business thoroughfare, and to the comfort of the citizens of the city.

Coupled with this activity is the construction work on the new Tombstone Union High School building, which preliminary work is fast nearing completion and the walls will soon be mounting skyward.

On every hand improvements on residential as well as business property is being executed. In other words the city is undergoing a widespread revamping.

Residents whose home sites were taken over by the Board of Education of the Tombstone High School District, to make room for the new \$50,000 building, will soon be erecting homes on other locations.

Bradford Brandt has contracted for the erection of a home on the lots south of the Brandt residence on Second street, between Bruce and Fremont, the contractors at present laying the foundations for the new structure.

In all this activity, the erection of new houses or the repairing of old ones, to be rented to families who desire to move to the city in order that their children may take advantage of the educational facilities of the Union High School, has been neglected, for as fast as a house is prepared to accommodate a family, it is immediately grabbed, and the appeals of home-seekers continue to be met with a "quien sabe" shrug of the shoulders.

Who Knows? There has been a consistent rumor during the past few weeks, that Mayo Brothers, world-famed surgeons and healers of human ills, are contemplating the erection of a modern sanitarium in this district. According to the rumor, representatives of this famous institution spent several days in this city some time ago, and their report as to the local situation was favorable.

That Tombstone possesses the climatic conditions suitable for an enterprise of this nature, is a widely known fact, and it is understood that Mayo Brothers have contemplated an investigation for several years past, even before the World War.

Every year thousands of patients flock to Mayo Brothers, suffering from ailments that can be benefited, if not completely cured, by the wonderful climate that is Tombstone's most widely recognized and heretofore somewhat ignored natural resource.

The report of the investigation by representatives of Mayo Brothers may well be taken as a foreword that Tombstone's invigorating and unexcelled all-year-round climate will be made a boon to hundreds if not thousands of ailing people.

INDIANS HELP HIM RELOCATE OLD MINE FLAGSTAFF

Dec. 6.—Aided by friendly Indians, Lester Power has relocated in an almost inaccessible basin near the Colorado river and on the Navajo reservation, a silver ledge that had been lost for more than 40 years. Power found location notices dated in 1872, but the names were illegible.

It is told that two miners were killed by the Indians for persisting in working the mine after having been ordered away. Now mines may be worked on reservations.

Samples of the ore brought in by Power are rich.

Oatman — Reopening of Oatman Gold mine in near future reported.

CATTLE MARKET MOST UNSTEADY OF MANY YEARS

PHOENIX, Dec. 4.—Cattlemen of Arizona are experiencing the most unsettled market condition of cattle markets that have been known for many years back. This uncertainty of markets and market prices for cattle coming from feed lots and ranges of our state seem due to the present invariable condition of the Los Angeles stock yards.

The Union Stock Yards in Los Angeles are the direct cause for the holding back of several cattle buyers who heretofore have worked through this state and as a result not nearly as many cattle have moved from the ranges as in years back. Since the opening of the stock yards November 1 hundreds of head of cattle have moved into Los Angeles from Texas, New Mexico, Colorado, Utah, Wyoming, Idaho and Montana that have formally gone to eastern pens. These cattle are thrown on the open market in the coast city and in many instances have so far a great sacrifice, being unable to move elsewhere. This condition, added to that of holding back buyers from adjacent states to California, has resulted in fewer cattle being sold through out Arizona for several seasons previous.

It is a deplorable condition and cat-clemen not only in California, but over the ranges of Arizona are feeling the heavy effects of the depressed conditions. The stock yards thus far are proving no salvation whatsoever to the cattlemen of this state and it will be interesting to watch the progress of the yards upon the cattle industry of the entire southwest.

From a feeder standpoint which is the bulk of cattle Arizona supplies to California—the stock yards so far prove of no value whatsoever and in the same respect are depressing conditions materially.

LEAD PENCILS ARE DECIDING EVIDENCES IN GRAVE MYSTERY

GLOBE, Dec. 4.—Two ancient lead pencils, found in a grave with a skeleton yesterday by Henry Foster, a rancher on Pinal creek opposite Gila Terrace, seem to be a pair of clinching arguments that the unknown inmate of the solitary grave had been a white man.

There was found the waistband of a pair of overalls clinging to the hip bones. The skull was rounded, the racial characteristic of the Caucasian. Several pieces of earthenware were found in the grave.

Mr. Foster became interested in a mysterious mound on his place and decided to investigate. He unearthed the skeleton.

There were no traces of violence discernible. It was estimated that the man had been dead more than 25 years. His identity is thus far a mystery.

ESPEE SPENDS BIG SUM ON WEST COAST RAILWAY

TUCSON, Dec. 6.—That since the Mexican revolution, 3,700,000 Mexican pesos had been spent in rehabilitating their line along the Mexican west coast by the Southern Pacific de Mexico, was the statement made yesterday by H. B. Titcomb, president of the road, in the last twenty-one months. President Titcomb added 2,000,000 pesos had been spent in new construction and reconstruction of the road between Nogales and Tepic.

In the last ten months alone, President Titcomb continued, 10,609 feet of tressels have been built, to replace those burned during the revolution. This is equivalent to two miles of tressel in the same length of time, 37,612 feet, or seven miles of "shoo-fies" or temporary track has been taken out.

ARIZONA RECEIVES \$195,024 IN CASH FOR FEDERAL AID

PHOENIX, Dec. 6.—During the past week the highway department has been advised by Raymond R. Earhart, state treasurer, of the receipt by his office of federal aid funds for road work in Arizona in the amount of \$195,024.66, which is the largest amount ever received in one week by the department. The funds are for three projects and have been placed to the credit of the department by Mr. Earhart.