

SLEUTH ADMITS VIOLATION OF BOOZE LAW

METHODS EMPLOYED IN ATTEMPTS TO SECURE EVIDENCE BARED IN JUSTICE COURT.

(From Saturday's Daily)

Frankly admitting that they had themselves frequently been guilty of the same charges on which they had caused many to be arrested, testifying as to the many hypocritical methods they had employed in endeavoring to secure evidence of bootlegging against local men and bringing to light the expense the county is being put to in seeking this evidence, Charles G. Cooper and S. G. Bryant, employees of the Thiel Detective Agency, were the principal witnesses yesterday during the preliminary hearings of Sidney Birch, Robert Birch and Stanley Priestley on charges of violating the State prohibition amendment.

The hearing of the charges against Sid Birch and Priestly filed jointly, occupied the greater part of the day in Justice McLane's court and was continued until 10 o'clock this morning. The hearing of Bob Birch was started during the afternoon and was also continued until this morning.

During the searching cross-examinations by Attorney R. E. Morrison, for the defense, Cooper and Bryant were forced to show their hands and divulged many of the intricate plots by which they had sought to gain evidence against the Birch brothers, and employees of the cafe.

Frequent tilts occurred between Morrison and Deputy County Attorney Joseph Morgan, handling the prosecution, and Justice McLane was forced several times to request the two attorneys to cease wrangling.

Cooper was the first witness called by the State. He said that he had been sent here by the Thiel agency to secure evidence against alleged bootleggers and had arrived in Prescott about April 20th last, Bryant following him a day later. Cooper told of having spent practically every day, up to the latter part of May, in Birch Bros' cafe in an effort to secure evidence against Sid and Bob Birch and their employees. He told of having become acquainted with Priestly and of having often purchased ginger ale, or, as he termed it, "gemake." He said that after drinking six or eight glasses of ginger ale he had felt slightly intoxicated.

On cross-examination by Morrison, Cooper admitted that when he came to Prescott he had posed as an ex-cowpuncher and pretended to want to go into the cattle business near here and settle down. Morrison at this point bitterly scored the character of the witness for starting in his investigations by telling an untruth. Cooper explained this by saying that he could not very well have stated his real business and had claimed to be a cattleman as he had been raised on a ranch and had some knowledge of the business.

Cooper several times evaded answers to Morrison's questions and the attorney demanded that he be "less insulting and answer the question put to him." Morgan suggested that Morrison also be "less insulting," and the court ordered them both to cease quarreling and proceed with the case. Cooper again told of the effect that the alleged ginger ale purchased from Priestly had on him, but said that he had never been so intoxicated but what he knew what he was doing. He said he did not know what the ingredients of the ginger ale were, other than that Priestly had poured something from two different bottles into the glass. Sometimes, he said, the drink affected him and other times it did not, but always it tasted like ginger ale. When asked if he knew positively whether Sid Birch was one of the proprietors of the place, Cooper replied in the negative, saying that he had only been told that such was the case. He denied ever having been offered by, or of having purchased, any drink from Sid Birch.

"Have you ever been guilty of giving away liquor while you were in Arizona?" asked Morrison.

Cooper said he had.

"To whom?" asked the attorney.

The investigator told of having given whiskey to Charles Van Tine and A. B. Noxon, whom he later caused to be arrested for the same offense, and to Jimmie Britton, Joe Hobbs, Bryant and "Old Man Cooper." He told of having invited several of the men to his room in a local hotel and of there giving them whiskey, claiming that he did so to get better acquainted in order to secure evidence against Birch Bros. He also told of having purchased liquor from some of the men and of having given it to others.

At this point Morrison arose and demanded that a complaint be filed against Cooper for violating the State prohibition amendment and that he be sent to jail with a warrant before he left town. The court announced that the matter was up to the district attorney's office and Morrison then turned to Morgan and made the same demand. Morgan appeared to consider the subject a huge joke but Morrison was insistent.

"The county attorney's office has never yet refused to issue a complaint when an offense justified it," said Morgan.

"Then I demand that a complaint for this man be issued," said Morrison, "and if the district attorney will not issue one there are other means by which one can be secured."

The hearing then proceeded with testimony by Cooper that his action

in giving the men the booze was known as "bait."

He stated that he did not know the ingredients of the ginger ale until it had been analyzed.

Cooper said that since his arrival in Prescott he had spent about \$400 furnished him by his employers, and had sometimes spent as high as \$19 a day in his effort to obtain evidence at Birch's.

At the afternoon session of the hearing Cooper told of other occasions on which he had given liquor to new "friends." He said that he had given booze to Ben Townsend and on or about May 10th had also given booze to "Old Man Cooper," whose first name he did not know.

He testified of an alleged purchase of whiskey from Bob Birch on May 24th last. This testimony was again given at the hearing of Birch later in the afternoon.

Bryant gave testimony similar to Cooper's regarding the effect of the ginger ale, but he too, could not tell what was in it. He told of having taken his wife into one of the booths of the cafe and of having been served with several glasses of ginger ale by Larry Duff. Bryant said he poured the contents of some of the glasses into a bottle which he later turned over to the district attorney to be analyzed. He also testified that he had never purchased anything from Sid Birch. He said his expenses in the investigation amounted to about \$450. Sheriff Young then took the stand and told of having sealed certain bottles produced as evidence by the two investigators. On cross-examination he was unable to say whether or not Sid Birch was one of the proprietors of the place.

P. J. Carlisle, chemist and member of the High school faculty, took the stand and told of having tested the contents of the bottle which Bryant claimed to have purchased as ginger ale from Larry Duff. Carlisle said the contents of the bottle were 38.48 per cent alcohol. At the request of Morrison, the chemist gave a scientific explanation of his tests and told of the average percentage of alcohol in whiskey.

In an effort to prove that Sid Birch was one of the proprietors of Birch Bros. establishment the prosecution called Deputy County Recorder E. A. McSwiggin, who testified regarding the dates on which certain leases and sales documents were filed in the recorder's office. None of the documents, however, proved to the satisfaction of the court that Sid Birch was one of the owners. County Assessor C. E. Gentry then took the stand and testified that the assessment papers against the place had been returned by Bob Birch. The State then rested.

Attorney Morrison argued for a dismissal of the charges on the grounds that the State had not submitted evidence to prove its case. He contended that the case against Sid Birch was particularly weak, the prosecution not having proven that he was in any way connected with Birch Bros., and both witnesses against him having admitted that they had never purchased anything to drink from him. Morgan argued that he believed the evidence submitted had proven that Sid was a member of the firm of Birch Bros. and that the charge should not be dismissed. The case was then continued until this morning.

After a short recess, the hearing of Bob Birch was started. Cooper and Bryant were again the principal witnesses for the prosecution. Cooper said that on May 23rd he had told Birch that Jimmie Britton was sick and needed some whiskey. The witness said Birch flatly refused to give him any whiskey and had walked out of the place. On the following day, said Cooper, he saw Birch in the place several times but, when the latter spoke to him, answered him shortly and endeavored to give him the impression that he, Cooper, was in no mood to have anything more to do with him.

He testified that he had stood against the bar and had remarked loudly that "Britton could have spent a million dollars around the place and still be for lack of a drink of whiskey." He said he did not know whether Birch heard him say this or not, but that he wanted to get the whiskey in some manner and attempted to secure it from Birch through the plea for Britton.

Later, claimed Cooper, Birch said he "might be able to do something" for him. Cooper said he stepped to the rear of the cafe and had Bryant search him and then walked back into the front part of the building. He testified that a few minutes later Birch stepped into one of the booths of the cafe and motioned to him to follow. Cooper alleged that he went into the booth, took a bottle of whiskey which Birch gave him and handed the latter \$1.50.

Cooper testified that he put the bottle in his pocket and stepped into the alley with Bryant and had the latter search him again. They both examined the bottle found in his possession, said Cooper, and later turned it over to the county authorities.

On cross-examination Cooper was unable to describe the details of the transaction. He remembered the denomination of the money alleged to have been given Birch for the whiskey but could not tell from where the latter had produced the whiskey. He said he did not remember whether Birch carried it in his pocket or in his hand. He also said that there were no witnesses to the alleged transaction.

Cooper testified to having been handed a bottle of whiskey by Birch on the stairway leading to the second story of Birch Bros' building. He said, on being questioned, that he had not asked Birch for the whiskey but had given him \$1.50 for it. When asked if he had any idea as to Birch's reason for giving him the booze, Bryant said that he presumed the latter had done so because he, Bryant, had spent considerable money with Birch. Bryant, too, was unable to produce anyone to corroborate his testimony. This hearing was also continued.

day, one continued from Friday, Justice McLane dismissed charges of violating the State prohibition amendment filed against Sidney Birch.

Birch was named in two complaints, one against Stanley Priestly and himself and the other charging Fred Lane and himself with violation of the amendment. In hearing both cases Justice McLane dismissed the charge on the grounds that neither Cooper nor Bryant, principal witnesses for the prosecution, had testified that they had ever purchased or been given any intoxicating drink by Birch, that the Federal liquor license issued to Birch Bros. was made out in the name of Robert Birch and that the assessment records failed to show that Sid Birch was in any way connected with Birch Bros' establishment.

Lane and Priestly were each bound over for trial on two counts charging them with disposing of an alleged intoxicant in the form of ginger ale and Larry Duff on one similar charge. All three defendants are employees of Birch Bros. Robert Birch was bound over for trial following the testimony of the two "investigators," Cooper and Bryant, that they had secured whiskey from his once during the many weeks they had frequented the place in an endeavor to secure evidence of violation of the booze amendment. Each of the two Thiel agency men testified to having secured whiskey from Bob Birch after many efforts but on none of the occasions on which they claim to have purchased the booze, they admitted, were there any witnesses present. Cooper admitted to having put up a pitiful story to Birch regarding the illness of Jimmie Britton in order to get whiskey for the latter, whom he had claimed to be practically dying for lack of whiskey.

The statement made during the course of the recent hearings that the Thiel agency, having previously failed to secure evidence of bootlegging, had sent him and Bryant to Prescott with orders that they must make good in their investigations, was proven to have had its effect on the men when Bryant's wife, although not employed by the Thiel agency, took the stand yesterday and told of having helped her husband to the extent of becoming intoxicated, to secure evidence against the place.

Mrs. Bryant was called during the hearing of Larry Duff, from whom Bryant claimed to have secured ginger ale, which, when analyzed later, contained 38.48 per cent alcohol. She said that between 10 and 11 o'clock on the night of May 22nd her husband had taken her, through the alley entrance, into one of the booths in Birch Bros' cafe.

The following was taken down while Mrs. Bryant was on the stand for the prosecution, the questions being asked by Deputy County Attorney Joseph Morgan:

Q. Just tell us how you went in there and what happened?

A. Well, we went there for supper and ordered supper. We went in the back way and into the booth; my husband pushed the bell and the man came who he called Larry.

Q. You say a man by the name of Larry came. Is this the man? (Pointing to Duff).

A. Yes, that is the man.

Q. What was furnished there in the way of drinks?

A. Ginger ale is what we ordered.

Q. Did you drink any of this stuff?

A. Yes, sir.

Q. What sort of glass did it come in?

A. It came in a water glass, only they kind of come out on the side.

Q. Small, thin glass?

A. Yes, sir.

Q. Iced?

A. Yes, sir.

Q. About how many glasses of this stuff were brought back there?

A. About seven or eight. I didn't count them.

Q. Did you drink from each of them?

A. I drank some.

Q. Do you remember how much?

A. I couldn't say. I drank from every one.

Q. Did it affect you any?

A. By the time I got about four or five glasses, I was beginning to feel rather dizzy.

Q. Did you see your husband doing anything with this liquor or taking the liquor from the glass.

A. He put it into a bottle.

Mrs. Bryant then identified two bottles offered and said that her husband had poured some of the contents of the larger into the smaller one and later sealed the latter.

Cross-examination was then conducted by Attorney R. E. Morrison for the defendant. The witness gave practically the same testimony during the early part of her examination as when questioned by Morgan. Her concluding testimony follows, with questions by Morrison:

Q. What effect did you say this liquor had upon you?

A. It made me feel a little bit dizzy or sleepy.

Q. Have you been in the habit of drinking to any great extent of intoxicating liquor.

A. Not very often. Sometimes my husband brings home a bottle of beer.

Q. I have reference to whiskey.

A. Not very often.

Q. You don't know much about whiskey?

A. No, sir. I have taken a little of it, but am not in the habit of drinking it.

During Mrs. Bryant's testimony regarding her departure from Birch

Bros' Morrison asked:

Q. Were you able to walk without any trouble?

A. Well, I managed to get home.

Q. What do you mean by that?

A. Well, I could walk.

Q. You mean you were under the influence of liquor?

A. A little.

Q. To such an extent that you couldn't walk?

A. I could walk all right.

Q. You knew what you were going there for?

A. Yes, sir.

Q. For the purpose of trying to make out a case against someone in Birch Bros'?

A. Yes, sir.

Q. You drank this liquid and got under the influence of it to some extent?

A. Yes, sir.

Q. And that was done at the suggestion of this husband of yours?

A. Yes, sir.

The witness was then excused.

THE POCAHONTAS SWINGS INTO ACTIVE CLASS

ATTRACTIVELY RATED MINING PROPERTY NEAR MAYER STARTS UP ON PERMANENT BASIS.

(From Sunday's Daily)

Permanent operations on a large scale have been decided upon by the Pocahontas Copper Queen Mining Co., for its holdings near Mayer, was the important announcement made Tuesday by W. H. Skinner, who was in the city to attend the annual meeting and election of officers and directors.

This movement has been decided upon for the reason that the "belt on which are located their interests was attained prominent rating in recent months as has been determined by exploration of the Binghamton, the Copper Queen and the Blue Bell, all of which are closely located to and surround the Pocahontas. The action decided upon at the Pocahontas meeting to resume, is due primarily to attractive conditions in old and new workings, and the close proximity of the custom works of the Gray Eagle Reduction Co., in affording a market of less than a three-mile haul. Previous operations by the Pocahontas were attended with an excellent showing in ore bodies, and the gold, silver and copper values were satisfactory also.

Mr. Skinner stated yesterday that a new shaft is being sunk, and the original one of over 200 feet in depth will be unwatered and continued to depth. From these two zones a heavy tonnage is assured in the future and with the product on the dump from former operations, the marketing feature is practically solved in providing continuous and heavy shipments for months to come. Auto trucks are to be introduced for handling the output.

Said Mr. Skinner in speaking of the movement decided upon for his company in resuming: "The situation that is now facing the Pocahontas is essentially important at this time. Our holdings have been fully determined as being in a wonderful mineral belt in the heart of that big contact where so many large mines in recent years have been opened up. We will have the benefit of experience in development from the above properties, and furthermore a market for our product is a feature that will prove economical as well as desirable. We are now facing a very bright outlook, all things taken into consideration, and I am very much elated over what I believe awaits the Pocahontas."

The meeting held elected the following board of directors for the ensuing year: P. E. Ubanks, F. L. Martin, Frank Bronberger, Patrick Martin and W. H. Skinner. The officers are: W. H. Skinner, president; Patrick Martin, vice-president; Frank Bronberger, secretary, and Ben A. Brown, treasurer.

COMMERCIAL IS PREPARING FOR BIG WORK

(From Saturday's Daily)

Reports are in circulation that the Commercial Mining Company will begin in a short time a large line of development for their Snoozor and Senator mine holdings in Hassayampin district, than has heretofore been given, this action being in line with a like movement for their interests in Copper Basin.

At intervals for several years the Snoozor has been active, shipping to Douglas several cars of a high grade copper product. The movement contemplates thorough exploration of the Senator mine, it is said, in which the old tunnel over 2,600 feet long, is to be extended and used as an outlet for the output of several mineral systems. In recent years but limited work has been performed on either holding, but the good record made by the Snoozor, it is stated, is supporting this outlay of a large development fund authorized recently at a meeting of the company.

"SILVER PEG" IS VISITOR IN JEROME

(From Saturday's Daily)

Special Correspondence

JEROME, June 9.—Reminiscent of pioneer days and days when "prospects" were money—days of the gold and silver past, "Silver Peg" G. W. Magee arrived in Jerome just the other day to once more look over the mineral deposit vaults in and about Jerome.

Magee when a boy had the misfortune to lose one of his legs from the knee down and throughout life he has worn a peg-leg. It is this same peg-leg that has made him famous.

The last time the "Silver Peg" crossed the divide out of the Verde valley it was the year of the Klondike boom, early Spring, and the snow was five feet deep. With his pack train of burros, the old miner left the land of copper to hunt for the then more precious metals and had not returned to the Verde until this past week.

And this is rather much of a farewell trip for "Mac" is going to the Pioneers' Home at Prescott as soon as the board acts on his application. There the discoverer of the famous Peg-Lee mine in Colorado that has spelled so much in the world of silver, will be able to look out over the hills which his burros have trekked many a time.

For the past 35 years, Magee has been locating mining claims in this State and turning them over to corporations but the day for that has now passed according to the pioneer and companies now want developed properties or little capital is interested in the project.

Prospectors of the old school like Magee are few and far between. He is one of the real pioneers who has clambered over mountain ranges in Winter and Summer and trod the dust of the desert till his burros died from thirst and bleeding feet. When he tells all of this with the quaint smile on his face, one can admire the pioneer who has deprived himself of the finer things of life in order that others might have them.

According to Magee, when he enters the Pioneers' Home, he will be the first life-long prospector in that institution. The reason for this, he attributes, to the lack of vouchers for the prospector whose home is any place from the desert or the mountain; whose bed is of sage or cactus.

One story told by the prospector of the hardships experienced by pioneers was his leaving Jerome during a snow storm to get to the booming Trinidad fields. As he was about to cross the divide two and a half miles out of here, snow became so deep that it was impossible to go farther. Putting in at the old stage stables on the upper trail, he managed to get enough brush to feed his pack train. The shed in which his burros were sheltered became dangerous from its weight of snow and no sooner had he removed his animals to the front room of the house than the shed collapsed.

In this same storm, he succeeded a German who had started from Jerome to Prescott with only a day's provisions. The stormbound men succeeded in getting out in eight days in the tracks of cowboys. This is but one of the many exciting incidents which "Silver Peg" G. W. Magee can tell to thrill his listener. But when he gets with the pioneers, he will have little else to do but retread old trails of days gone by.

NEVADA MINING MEN COME TO YAVAPAI

TAKE OVER GROUP IN WHITE PICACHO AND HAVE OPTIONS ON OTHER HOLDINGS.

(From Friday's Daily)

Roland M. Smith, Jr., and associates will enter the White Picacho section of Southern Yavapai to operate an old group, as well as new locations made recently, was the information imparted yesterday by the above-named mining man, who is here on a business trip.

He also stated that it is quite probable his company will come into the field near Prescott, and his trip here is to investigate conditions at a certain Big Bug property, on which an option is held. The incoming syndicate is from Nevada, and has disposed of its holdings in that State. Mr. Smith stated further:

"We have cleaned up all interests in different coast localities and our engineer has favorably reported on a group of six copper-gold properties near the Trilby in White Picacho district. A cursory examination has been made also of a gold-silver group near the old Providence camp, which from limited development, has a good showing. Also in view is a silver group, near Goodwin on Turkey creek. We are to operate on a close basis, and no stock will be placed on the market. This is my fourth trip into this section and after my company settles down to active doings, Prescott will be the home of myself and family, particularly during the Summer months."

READY TO BUCK WHEN THE BIG SHOW OPENS

(From Saturday's Daily)

With dirt flying, horses snorting, cowboys yelling, the Frontier Days grounds are gradually assuming an air of expectancy, looking to the big celebration. The grounds committee, under the direction of Lester Ruffner has been busy at work, getting everything in good shape.

Although Arena Director Haworth's "silver" may properly be termed an automobile, by the time Frontier Days roll around, it very probably will be in the same class as "Pee Wee" and ready to test the strength and ability of the cowboys in the world's championship broncho contest. Haworth left Saturday in his machine, bound for the rodeo camps of the north, to pick up some broncos for the Frontier Days. Practically every rodeo north of Seligman was visited, including stops at Ash Fork, Pitts' ranch, Pine Springs and all of the Chino valley country as far north as Hackberry, the return trip being made by Walnut creek, Chino valley and the Red-Cashio ranch.

Twenty-five head of the wildest broncos obtainable were secured and will arrive at the Frontier Days grounds within the next few days. The original herd of wild ones, purchased by the management a few years ago including "Red Fox," "Zebo," "Big Sid," "Panther," "Silver King," "Vinegar Roan," "Iowa," "Johnny Cantrell," "Scatfold," and "Pee Wee," is already at the grounds, eagerly waiting the opening of the celebration.

Another herd of broncos which originally was purchased by "Doc" Pardee from Elza Brown is now owned by the Frontier Days management. These were culled from about 200 horses and are the wildest bunch of "snakes" in the country, and it is safe to predict that if their bucking ability comes up to their general run of meanness, there will certainly be a little excitement for the cowboys. These horses include "Blazer," "Black," "Tony," "Cotton Eye" and "Tom King."

Three new horse corral has been added to those at the grounds and this year the horses will be taken care of in smaller bunches to avoid any scratching or bruising. Five men are at work at the grounds, under the foremanship of "Wild Horse" Hill. Frank Thompson has charge of gathering the horses and all outside work. Harry Wells is also assisting. Wells and Hill are both from Blythe, Cal.

Aside from the new lineup of bucking horses, those entering the steer roping and steer riding contests, need not fear that little tame "moole" cows will be on the job this year, for 75 head of long-horned Chihuahuas steers will be shipped from Bill Pitts' ranch, at Ash Fork, on the 17th.

McKAY MINE HAS CONGRESS LODE, IS REPORT

Special Correspondence.

JEROME, June 7.—News of considerable import to Yavapai mining enthusiasts was brought to this place by J. W. Stacey, of Phoenix, who is interested in the McKay Mines Co., which is operating on seven claims near the Congress mine which has long been the steady gold producer of the country. His company is to start active work immediately.

It was the old Congress which Engineer A. R. Balcom advised Marshall Field, D. M. Ferry, Walter Fairbanks and others to invest in back in the '90s. This same engineer has now come forward with a report, which was made last week to the McKay company, that the latter company has the motlier lode of the Congress mine from which over \$25,000,000 has been taken during the past 20 years.

The engineer further agreed to furnish more money than was needed for the financing of the McKay project and the company has become practically a closed corporation.

In his report the engineer advises that the McKay people that they have struck the true fissure vein and that they should sink their shaft on the seam of ore, straight down. From the shaft, stations should be opened every 150 feet and it would then be well to drift on the ore 150 feet on each level, both ways from the station. If the shaft would be continued to the 500-foot level, it would, in the engineer's estimation, be a mine which will pay dividends.

The ore body was encountered at 300 feet. In nine feet, the body opened to a 3 1/2-foot vein. The ore assays \$12 on the face of the body.

Messrs. Stacey and Balcom are to meet in Cincinnati next week where final arrangements for financing the company are to be made. C. H. Knuschman and C. M. Cooper go to Los Angeles this week to purchase a new compressor and engine besides other minor equipment for the property.

The McKay property is just a half-mile from the Congress shaft, the shaft of the McKay mine being on the Russian claim.

BANNIE IS READY TO START OPERATING

(From Wednesday's Daily)

R. M. Garrett, one of the principal owners of the Bannic mines, of Lynx Creek district, visited the camp on Sunday, and reported that after several weeks of getting the old workings in shape to operate, active mining had started in earnest. The old shaft has been retimbered to a depth of 160 feet, the 100-foot level has been retimbered for 440 feet, and the 160-foot level has been placed in shape for development to resume. At this point the intention is to drive the work ahead until the shoot on the upper level is interested, where an ore body of 22 inches was determined, carrying gold, copper and silver values of \$33 per ton. A system of cross-cutting also has been decided upon, that thorough exploration may be vigorously carried out. Garrett is optimistic over conditions in evidence since the old workings have been opened up, and limited development given.

TENT CITY IN SMELTER TOWN IS MODEL

(From Sunday's Daily)

Special Correspondence.

CLARKDALE, June 10.—A model tent town within a model city is a situation which has arisen in Clarkdale during the past few months. As it was impossible to build houses fast enough to care for the rapidly increasing population, it was necessary to build a model tent town near the smelter in the lower townsite.

At present there are 70 tent structures. The tents are well floored and boarded up to a height of four feet. With a board fly on top and screened sides, they are most comfortable in warm weather.

Electric lights, water, and sanitary conveniences are present in the tent town; garbage is collected every day; and the residents seem as well pleased as though they were housed in mansions.

Yet the Clarkdale Improvement Association is trying hard to get away from the situation and is building as many more houses as the actual operating force of the smelter will require.

For quick and artistic job work, the Journal-Miner is the place.

SLEUTH'S WIFE IS WITNESS FOR STATE

(From Sunday's Daily)

At two preliminary hearings yesterday,