

The Tombstone Epitaph.

VOL. II.—NO. 36.

TOMBSTONE, (COCHISE COUNTY, ARIZONA, JANUARY 23, 1882.

FIVE DOLLARS A YEAR.

WEEKLY EPITAPH.

Six-Page Edition.

TOMBSTONE, ARIZONA, JANUARY 23, 1882.

This Page is from the Daily of Saturday, Jan. 21.

PENNSYLVANIA is able to sell four per cent state bonds at 107—one of the effects of a good credit won through untarnished honor.

FROM the compiler, Edward P. Ahern, we acknowledge the receipt of a copy of the Combination Mining Directory, being an alphabetical list of mining, milling, investment and development companies of New York, Philadelphia and Boston, for 1882.

New Mexico and Texas.

Several new mining out fits left the city last evening for mines in Mexico. We notice that quite an amount of El Paso capital is being put in the mines of the interior of Mexico.

Deputy United States Collector Hines, of Socorro, made quite an important arrest on last Saturday. For some time past it has been suspected that everything about Tularosa was not running exactly according to law. There appeared to be more bug juice among the natives than there was revenue to account for it, and Mr. Hines went out to investigate. He discovered a sixty-gallon moonshine distillery which he quietly took in, also the thirty-one gallons of family disturbance. The moonshiners have the reputation of being bad men, but were arrested without trouble.

The small-pox scare has pretty well subsided, and the whole truth now comes out that only three cases were ever under treatment in the city. All were promptly removed to the pest-house below the city and received the best of medical attendance and nursing, despite of which two died. The third is now rapidly recovering and is now able to be about, though he is still kept isolated. None of these cases were residents of the city, but were foreign and brought here for treatment on account of our superior medical talent, consequently the report that small-pox was at any time this year raging in El Paso was false and came only from the envious reports of neighboring journals or travelers who, jealous of our prosperity, sought this disreputable means to lower us to their level.

We hear that the magnates of the Texas and Pacific railroad have their eyes on the Organ and San Andreas ranges and are talking about running a branch road along their eastern base to catch the various mining camps now, and particularly to be, located among these mountains.

We were yesterday shown, by Gen. Harrison, one of the owners of the Merrimac mine, in the Organs, a large and wonderfully rich sample of ore from that mine. It is of steel galena associated with carbonates carrying bromide of silver, copper glance and gray copper. In the process of development this mine is showing richer and richer as the work advances, and the time is not far remote when it will be ranked among the most important mineral properties in the Organs.

TUCSON TOPICS.

The notice posted yesterday was respected by the "top and bottom" gang. A number of them left town this morning, and the balance called on Marshal Buttner and told him that they intended making an honest living, and would pay for what they got. On their promising to behave themselves he gave them permission to remain in town, telling them at the same time that at the first breach of the peace they would be dealt with to the fullest extent of the law.

The Tucson and the California Gulf railway may be considered a fixed fact. The organization will be completed to-day. This action on the part of our citizens shows that Tucson is waking up to her interests. This road will more than double the traffic of Tucson from the day of its completion. It will pay on the investment as soon as twenty-five miles are put under operation. The local traffic will be very large and will increase rapidly. No time must be lost in putting everything to a final termination.

A petition was circulated yesterday asking the appointment of Col. F. A. Tittle as governor of the territory. We know of no more fitting man in the territory for the trust, or one who would meet with a more general endorsement by the people. Mr. Tittle is a Pennsylvanian by birth, by experience a Pacific Coaster. He has a clear head, excellent health, plenty of red blood; is resolute, courageous, and would handle affairs with an iron will. He is well acquainted with the great resources of the territory, and the measures necessary to convert them into tangible wealth. If the president wishes to serve the people by appointing one of our citizens, we know of no better choice than Mr. Tittle.

TELEGRAPHIC.

Guteau to be Allowed to Speak.
WASHINGTON, Jan. 20.—Guteau brought into court with him a roll of manuscript, said to be the elaborate preface to his speech which has already been published. His counsel seem to think this morning that Judge Cox will allow him, under certain conditions and restrictions, to address the jury when Scoville has concluded.

Scoville resumed his argument this morning. When he had finished, Corkill stated, on behalf of the prosecution, that he would withdraw all objections to Guteau's addressing the jury, as he did not desire to give any opportunity for objections upon which to form a demand for a new trial. Judge Cox said he had decided to allow the prisoner to speak. Guteau is not prepared to speak to-day.

The court adjourned till to-morrow. Davidge stated that Judge Porter is in quite feeble health and probably will be unable to speak before Monday. It is probable, therefore, that the court will have a day off to-morrow until Monday.

Outrageous Conduct of the Prisoner.
As Guteau was being taken out of the court-room at the recess to-day, he stopped to speak to Scoville, when Bailiff Tall attempted to move him along. Guteau turned angrily on Tall. "Behave yourself; come, come," said Tall, emphatically, trying to push the prisoner. "Let me alone," shouted Guteau, "mind your own business." Tall having applied some pressure to Guteau, the latter, with his manacled hands, struck the officer in the breast, when he was at once seized by the officers and turned out of the court room.

Waifs from Washington.
WASHINGTON, Jan. 20.—President Arthur and Murat Halstead attended ex-Secretary Blaine's dinner this evening.

During the year 1881, 716,868 immigrants arrived.

The house went into committee of the whole on the private calendar.

Boston Republicans.
BOSTON, Jan. 20.—By a recount, the republicans are to-night given the control of the city council in place of the democrats.

The Spuyten Duyvil Disaster.
NEW YORK, Jan. 20.—Taking testimony in the investigation into the Spuyten Duyvil disaster began this afternoon. Geo. T. Honford, conductor of the train run into, aid it was his impression the stopping of the train was caused by some person not connected with it, who applied the air-brakes. A party on the train was singing, mashing hats, conducting themselves in a disgraceful manner, and passing around bottles of whisky. He had not sufficient help on the train to stop such proceedings. Among the passengers were any number of governors, senators, assemblymen and aldermen, and he could not deprive them of their bottles. This was an everyday occurrence, but more especially so on Friday.

Anna Dickenson's Hamlet.
ROCHESTER, N. Y., Jan.—Anna Dickenson's debut as Hamlet was made before a large and appreciative audience. The people applauded and the local press criticized the performance favorably.

A Murderer Lynched.
CINCINNATI, Jan. 20.—A private dispatch says: Wagner, the murderer of Dr. Briggs, paymaster at the furnace at Irton, was taken from the jail by a mob last night and lynched.

The Archbishop and the Veterans.
SAN FRANCISCO, Jan. 20.—Archbishop Alemany has issued a circular letter, addressed to the Catholic churches of San Francisco, in regard to the effort now being made to establish a Veterans' Home. He says: "I am informed that there is in the state a large number of aged or disabled soldiers who did valuable service on the battlefield and exposed their lives in the defense of our country. I would recommend that on next Sunday, at the close of high mass, two persons in each church be appointed to receive the donations which may be contributed for that noble purpose."

A Swindling Official.
COLUMBUS, Ohio, Jan. 20.—The grand jury to-day completed its investigation into the forgeries of the assistant secretary of the board of public works, F. W. Newberg, amounting to \$20,000. The jury returned 52 indictments against him, and if convicted in each, as is probable, he will be sentenced, by the lowest aggregate penalty, to fifty-two years in the penitentiary, or at the greatest to 570 years.

A Colorado Mill Burned.
MARYSVILLE, Colo., Jan. 20.—The Columbus stamp mill, eight miles west of here, with all its contents, was totally destroyed by fire this morning. Loss estimated at \$75,000, partially covered by insurance. The mill was the property of the New York and Colorado Mining Syndicate Co.

Fatal Railroad Collision.
DENVER, Colo., Jan. 20.—Yesterday a freight train on the Denver & Rio Grande road ran into the caboose of another freight train, smashing three cars and killing Albert Phillips, fireman, and fatally wounding

Conductor Field Easterly and brakeman Timothy Earley. The accident is said to be the result of criminal carelessness on the part of the engineer of the rear train.

Confederate Assets Nil.
NEW YORK, Jan. 20.—Judah P. Benjamin writes from London that he does not believe one penny is to be found anywhere in Europe of the assets of the defunct confederacy.

Pursuing Hostiles Across the Line.
SANTA FE, Jan. 20.—Lieut. McDonald, who was arrested last week in Chihuahua, has been released and has recrossed the line into New Mexico. The cause of the arrest is not definitely known, but is thought to be due to a personal difficulty. Gen. McKeazie has sent officers south to investigate, and should it appear that the crossing was not warranted by the circumstances, McDonald will be court-martialed. The general had given orders to all troops not to cross the line unless upon an Indian trail not older than five hours, the Mexicans being governed by the same orders.

A Burning Hippodrome—Exciting News.
PESTH, Jan. 20.—News is received of the destruction by fire of the Circus Keremster at Bucharest. The flames spread so rapidly that it was with the utmost difficulty that any persons in the establishment could escape, and when the fire was under control the discovery was made that many men and horses had been burned. Intense excitement prevailed during the conflagration, the horrors of which were added to by the fearful struggling and howling of the beasts in the menagerie opposite to the circus enclosure. Many beasts were terribly scorched by the heat, and made desperate efforts to escape from their cages. The loss of property is very large.

FROM a letter written to the New York Mail and Express from the New Mexico, we extract the following:

"I arrived in Ozumatlan on the 19th of November, and carefully examined the mines of this district. I found them all true fissure veins, carrying from 10 to 25 per cent in gold and from 75 to 90 per cent in silver. The veins are all rich in gold and silver and will pay well. The water power for the ore mill and the saw mill is sufficient for all needs, getting a good fall in a very short distance. The timber in this district is splendid, the value of which cannot be over estimated, and consists of pine, cedar and oak. With the cheap labor, timber and water-power, the ores can be worked at a very small cost. I arrived in Sinda on the 30th ult., and went right to work examining all the lodes of the district. Many of them crop out very boldly on top of the mountains. The lodes generally are smaller than those of the Chapatuato and Ozumatlan district, but much richer in gold, carrying from twenty to twenty-five per cent in gold and fifty to eighty per cent in silver. These veins will undoubtedly prove much larger when the new tunnels shall strike them at a lower depth, and will prove very rich. The ores in this district can be crushed very cheap. Wood is plenty all around, which can be had for the simple cost of cutting and hauling, thereby saving one great item of expense, which costs in Nevada from \$12 to \$13 per cord. I am well pleased with all these districts, and with a little energy, intelligence and capital, combined with modern appliances in machinery, you may all expect brilliant pecuniary results, such as only the land of gold can show."

A Connecticut Notion of Wilde.
From the Hartford Courant.

"Only a few have learned the secret of those high hours when thought is not.

This is a brief extract from Oscar Wilde's speech to the Leo Hunters of New York, Monday evening. "It is a pregnant saying. Translated it means: the number of idiots is small; or most people think; or few people know what they are thinking about when they are thinking about nothing; or the secret of a high time is not understood by many. None of these translations has the exquisite refinement of platitudinarian vacuity of his aesthetic little paragraph, and that is why he is all the rage. It is nothing to see a calf, but a very great calf runs as a novelty and is exhibited in rude circus tents, or fashionable drawing rooms, according to the circumstances of the case, and partly depending, perhaps, on whether it is tame or Wilde.

PRIVATE advices indicate that our railroad projects are in first class shape, and the indications are that work will be shortly commenced at both ends of the line. Prescott will soon be acquainted with the snort of the iron horse.—Prescott Democrat.

The schoolboy who put explosives under the teacher's chair has a lively idea of that popular piece of music, "The Torpedo and the Whale."

The man who had drank nothing but water for six months, when detected in taking a glass of liquor the other day, declared that he was pouring oil on the troubled waters.

An Illinois deacon, while visiting in Philadelphia, was asked if he had purchased any Christmas cards, and replied with some surprise, "Why should I? My old pack is good enough."

RESERVATIONS IN MINERAL PATENTS.

Important Decision of the Acting Attorney-General of the United States—Where a Location is Anterior to a Townsite a Clear Patent Should Issue.
Correspondence of the Citizen.

WASHINGTON, D. C., Jan. 13, 1882.

The following opinion of the acting attorney-general was made on December 24, but was not promulgated by the interior department until to-day. It is doubly important now because of an erroneous dispatch that has been scattered broadcast throughout the land. The opinion is addressed to the president because it was to that official counsel had to appeal, the secretary refusing to call for the opinion of the attorney-general:

DEPT. OF JUSTICE, Dec. 24, 1881.

THE PRESIDENT—Sir: I have considered the application of J. H. Mandeville, Esq., made in behalf of a patent to said company for the Vizona mining claim, relative to the patenting of a mining claim to that company which was, on the 9th instant, by your direction, referred to the attorney-general for an opinion thereon.

The applicant states in his communication to you that the date that a patent to said company for the Vizona mining claim has been prepared against his protest with a reservation in favor of the city of Tombstone, Arizona, and now lies on the table of the commissioner of the general land office ready for delivery. He claims that the insertion of such a reservation is contrary to law; and he asks the president to direct that another patent to said company be prepared, without the reservation. In issuing patents for mining claims upon veins or lodes, it is the practice of the general land office, where it appears that the surface ground of any such claim lies wholly or partially within the limits of a previously located, entered or patented townsite, to insert in the patent a clause excepting from the grant all townsite rights in the premises. The insertion of this clause does not rest upon any express statutory requirement, but is founded upon the view that the location, entry or patent of the townsite, while not conferring any right to the underlying veins or lodes (see 2392 R. S.) gives nevertheless to the townsite occupants surface rights, to which that of the subsequent mineral claimant are necessarily subject, and that by giving to the latter a location, entry or patent of the townsite, while not conferring any right to the underlying veins or lodes (see 2392 R. S.) gives nevertheless to the townsite occupants surface rights, to which that of the subsequent mineral claimant are necessarily subject, and that by giving to the latter a location, entry or patent of the townsite, while not conferring any right to the underlying veins or lodes (see 2392 R. 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