

The Miner.

Prescott, Arizona Territory.
SATURDAY MORNING, JANUARY 16, 1893.

San Francisco Agency.—Thomas Jones is the only authorized agent for the MINER in San Francisco. Orders left at his office, No. 1000 Market Street, Merchants Exchange Building, will be promptly attended to.

Opinion of Judge Backus.

At request of many citizens of the Territory, we, today, republish the able opinion delivered in Chambers, at Tucson, recently, by Hon. Henry T. Backus, of the Supreme Court of this Territory. We do not doubt but that Congress and the Supreme Court of the United States will, when the question is presented to them, endorse and reaffirm Judge Backus' Opinion, for the reason that they cannot do otherwise. It establishes the fact that we are without a Territorial Government, and have been for several years past, and proves, conclusively, that this state of affairs was brought about by Governor McCormick's usurpation of power vested in the Legislature, and which he knew he had no right to exercise. His motive for doing so was, we know, a selfish one, and he acknowledged it when he told members of the Legislature that passed the bill granting him power to make the appointment, that he wanted it passed in order to keep the capital at Prescott. The Governor was then preparing for a coup d'état, on the white people of the Gila, and he laid the wires cunningly and recklessly. He did not pretend that the Legislature had the right to give up its power to him, but he thought it was necessary for it to do so in order that he could keep the capital on his ranch at Prescott until he could get a chance to swap it for the Legislature and turn property in Tucson. He has told people that Congress will legislate all his unlawful acts, but Congress will do no such thing. They will start us again in business, and leave it to a new Legislature to adopt or reject the acts of former illegal Legislatures. We will have a new Governor and probably a new Organic Act. The new Governor will cause a census to be taken, apportion members of the legislature to the various counties according to population, call the Legislature at whatever point he sees fit, and then the work of legislation will proceed. In fact, we will have to be reconstructed, and the sooner it is done the better.

THE GOVERNORSHIP.—Various surmises are afloat as to who will be the next Governor of this Territory, but we do not care a straw who he may be. He cannot be meaner than the present incumbent, Richard C. McCormick. We have heard the names of Judge Turner, ex-Governor Basford, (our present Delegate in Congress), Col. Henry A. Bigelow, and various other radicals mentioned in connection with the Governorship.

THINGS AT LA PAZ.—Henry A. Bigelow has received a letter from La Paz, Yuma county, of date January 8th, which states that at the annual settlement with the Board of Supervisors, the County Collector was found to be delinquent. The Board threatened to sue him and he resigned, when Jas. Tana was appointed Sheriff and Collector in his place. The Board also appointed T. J. Bidwell Justice of the Peace for the precinct of La Paz. Another letter states that suit has been commenced against the ex-Collector, and that the amount of his delinquency is \$1,500. Until we become satisfied of the truth of this news, we will not give the name of the alleged defaulter, for he has heretofore borne a good character for honesty.

TROUBLE AT TUCSON.—A private letter received by a citizen of Prescott from a friend at Tucson, states that a citizen of Tucson had refused to pay taxes on his property, to the Collector, the Collector levied upon the property and was about to sell it, when a writ of injunction was served upon him restraining him from doing so, on the ground, we suppose, that as no Territorial Government exists in the Territory, no person has a right to style himself Collector and attempt to force people to pay taxes.

THE PIMAS.—Col. K. S. Woolsey, informed us, while recently, that the Pima Indians have buried the hatchet they so recently flourished at Gen. Alexander. But for the precaution used by Gen. Alexander and command, and the influence of Mr. J. M. Barney, of the firm of Hinton, Hooper & Co., we might now have the Pimas, as well as the Apaches, at our throats. The Pimas, we think, deserved a thrashing and would have received it, had not Gen. Alexander thought prudence and discretion dictated another course. Let us, if possible, keep on good terms with the "friendlies."

DISSENTING OPINION.—Tucson has the honor, if honor it be, of furnishing the first candidate for the Penitentiary, in the person of Elijah Ochoa, who has been sent up for one year. As there is no Territorial prison in the Territory, we presume he will serve out his term in the Pima county jail. Judge Backus a cruel to this sentence one of McCormick's constituents to the Penitentiary, "then there is no penitentiary!"

A Rejoinder.

"Judge" Sydney R. DeLong, Governor McCormick's main ally, and the greatest foe that ever lived, has retired from the Tucson Judiciary. The paper will, hereafter, be published by H. W. Sherry, who says, in a card to the public, "that it will appear regularly every Sunday morning," and that "it will be conducted with the best ability in his power to obtain a 'wholesale' of the 'Miner'." Some outsiders will have to smile at this. Mr. Sherry is, we are told, a printer, and we wish him success.

Before taking leave of the establishment, DeLong and McCormick, the two little piggies and lying wretches who, for some time past, have conducted the vile sheet, put their heads together and gave us a farewell shot, which they, no doubt, thought would finish us and establish their claim to honesty, fairness and great intelligence, but which, faintly, slightly, to accomplish one thing or the other, and is only remarkable for the bitterness, abuse and lying assertions contained in it. As we have been in Tucson in times past they did not send us a copy of the number containing this last tirade, but a friend who received a copy of it loaned it to us, and we are thereby enabled to refute their false assertions. Very truly it is not that the publication time is close at hand, we would quote the article entire, but such being the case, the best thing we can do is to make quotations from it, and comment thereon. We may be ignorant, but those who know know that blackguarding is not our forte. We leave that business to those who hang around places of ill repute and who live in an atmosphere of impurity. As to the charge of having made misstatements about the Governor, we recollect of but one, and that except in through mistake. If we have asserted untruths about McCormick, why has he not refuted them? We have dared, but those who know that he has not dared to attempt it. We have a habit of speaking our mind freely, and when we accused the Governor of selling himself on the capital question, of swindling the Territory, of lying to the General Government, of lying to us, of betraying his party, of lying the Territory by selling wild-cat fees in New York, of being expelled from the Union League of Prescott, of drawing provisions from the commissary at Fort Whipple and selling them again, at a time when the garrison was upon half rations, of taking water and hay belonging to a teamster on the La Paz road, without his permission, of quarreling with the minister of the Presbyterian church, of molesting Indians in the Territory, of fomenting discord among the people of the several counties, of usurpation of power, of running a rat printing office in Prescott, and of meanness in general, we know what we were saying. As to the charge that Pima county paid \$7,000 into the Territorial Treasury while Yavapai was paying one thousand, we would say that we do not believe it. But, if such is the case, what does it prove? Nothing more than that at the time you made the boast, the County Treasurer had not sent the Territory's share of the taxes to Tucson, because he was afraid to send it by mail, and because in a short time thereafter he was expected to be able to forward the entire sum. Again, it is time that your county paid her just share of the taxes, for, if you recollect, in former times she was slow to pay, and you, Governor, used to abuse her in the same manner in which you now abuse your former pet—Yavapai.

Now, for the ignorance part. DeLong and the Governor say we showed our ignorance by stating that we knew nothing of the Act said to have been passed by the fourth Legislature, levying a tax of fifty cents on the one hundred dollars for Territorial purposes. This is in keeping with the balance of their assertions about us; we never said so, and he who says we did, say what is not so. We said our Board of Supervisors were not aware that such an act was in existence when they levied the taxes for the past year. Next we said the charge that our Supervisors exceeded their powers when they extended the time in which to pay taxes in this county, and the piggies lay great stress upon this, their principal point. Little did the smarties suspect that in making this charge they proved themselves greater ignoramuses than we had any reason to believe them to be, as will be seen by reading the following quotation from chap. IX, section 11, Howell Code, which, we feel certain, has not been repealed: "9. To extend and determine by resolution the time in which the sheriff as collector of taxes shall make his return to the county treasurer; but such time shall in no case exceed thirty days from the time fixed by general law; and in all cases interest shall be charged on all taxes so extended for the time of such extension."

Does not this give them the right to extend the time? What say you, wretches? Do you still wish to be "condemned to this Board for a cool neglect of duty or usurpation of power," and do you still stick to it that "we have nothing like it in Arizona." Don't you think, Governor, that for cool usurpation of power your name will stand pre-eminent in the annals of Arizona, or have you forgotten that you have usurped power in making it unlawful to extend the time, and in acting as Territorial Auditor and allowing your own hills against the Territory? If you have, the people have not.

The article winds up by telling us that our country is ruined, to make him, himself, and that the people are disgusted with us, but we cannot see it in that light. If patronage and good will is a test of our popularity, and an indictment of our course, we have the satisfaction of knowing that our course are well thought of. Had we sold ourselves to Governor McCormick and Tucson, when we tried to buy us, we might probably have made more money than we have by Prescott, but we would not have half as many subscribers as we now have, and would, no doubt, have to do as you have done, DeLong, retire from business and wait upon some rich Mexican for a living. Your comparing us to an ass only proves what we have long ago suspected, that a close intimacy with that pre-historic animal has brought you to what you are, a senseless brayer and fit candidate for a lunatic asylum.

To Dealers in Whisky and Tobacco.

The Internal Revenue Law, Act of July 20, 1868, imposes upon all liquor dealers additional duties, and last some of our traders should unknowingly violate the law and get into difficulty with the Government and its "boobies," we give place to the following extracts from the law and comments thereon, for which we are indebted to Henry A. Bigelow, Assistant Internal Revenue for the District of Arizona:

Any person owning, or having in possession, or control, or charge, or custody, or possession, of each return, shall forfeit the same; and all distilled spirits found, after thirty days from the time this act takes effect, in any case or package containing more than five gallons, without having thereon each mark and stamp required by this act, shall be forfeited to the United States.—*Extract from Section 57.*

The person having liquor in his possession over the amount specified, is expected and required to make return of the same to the collector without being notified or called on by that officer or his deputies, and as gaugers have been appointed for Arizona, and are only awaiting the arrival of the necessary tools, to commence operations, it is, of course, advisable for all who have not made return of liquor on hand, to Levi Basford, Collector of Arizona, to do so at once, to avoid liability to seizure.

The same act provides that tobacco dealers shall pay a special tax of five dollars per annum, and that all tobacco shall be packed in packages of a certain size. Also, that "after the first day of January, 1869, all smoking, fine-cut chewing tobacco, or snuff, and after the first day of July, 1869, any other manufactured tobacco not so put up in packages and stamped, shall, on conviction, be fined not less than five hundred dollars nor more than five thousand dollars, and imprisoned not less than six months nor more than two years."

The revenue officers of this district have not yet received the stamps prescribed for use on either liquor or tobacco, but their arrival is daily expected, and when they are received, due notice will be given, and sufficient time allowed for dealers to comply with the law.

The Governor's Message is every where complimented by the press irrespective of party. The Santa Fe Globe, Los Angeles Herald and Los Angeles Star, staunch democratic sheets, join words of praise and approval by having no fear of the Democratic organ at Prescott. Fact is the document is so fair and just as to disarm all criticism.—*Tucson Arizona.*

Fact is you are a fool for testing your own horn in the above story. We happen to know all about this message and mean to tell it right out in meeting. The message sent to these papers was a far different message from that delivered by you to both Houses of the Legislature, and you know it. Why not tell the people what is the fact, that after you had read your message the "Democrats" of Tucson waited upon you and insisted upon having obnoxious portions of the message expunged, and you complied with their request, and told them that the "truly loyal" message was intended only for the latitude of Washington City! You cannot deny this; neither can you deny that though an Abolitionist and Radical at heart, you have, for policy sake, worked with the Democrats ever since you came to the Territory.

LOS ANGELES DAILY NEWS.—Numbers 1 and 2, of volume 1, of the Los Angeles (California) Daily News, came to hand Tuesday evening last, and right glad we were to receive a daily paper from the young, thrifty and vigorous City of the Angels, for it told us, plainer than any thing else, that the people for whom it speaks are prosperous, intelligent and alive to the importance of keeping up with the progress of the age. The Daily News is nearly a year in existence. The numbers before us contain, each, over eight columns of reading matter. The remaining columns are filled with fine Los Angeles advertisements. It is edited and published by Messrs. A. J. King & A. S. Coffey, who will furnish it to subscribers in the Territory for \$12 a year, and as it will bring us later news than can possibly reach us by any other source, our business men should subscribe for it at once. The Weekly News has been a firm advocate of Arizona and the interests of her citizens, and we believe that its offspring, the daily, will be our unwavering friend and ally, therefore, we wish the younger long life and great prosperity.

A WOMAN SENTENCED TO BE HUNG.—Judge Backus has passed the death sentence upon Dolores Moore, and unless she is reprieved by the Governor, she will be hung at Tucson on the last Friday in February. The circumstances of the case appeared in the MINER some months ago, but it may be well enough to state that the crime for which she is under sentence of death is the murder of her husband.

ROAD TO THE COLORADO.—We feel duly grateful for the boon of having two good wagon-roads as the Prescott and La Paz, and the Prescott and Mohave, connecting us with our only navigable river—the Colorado! but that is no reason why our people should rest satisfied and not try to find a shorter and better route than either of the ones mentioned. We learn that Dr. W. W. Jones and W. A. Werninger, two of the best freighters between Prescott and the Colorado river, have spent considerable time and money in shortening and improving the old Prescott and La Paz road. Other freighters have also aided in the good work. It is time that the people of this country should assist in this matter. It is asserted that, by making a nearly direct road from Prescott to the mouth of Williams Fork, teams could make the round trip in six or seven days less time than it now takes them, and then, most assuredly, teamsters would lower their rates, and we of the interior would be enabled to purchase the necessities of life for a good deal less than we now pay for them. The people of Prescott and vicinity can and must make a road across the range to Skull Valley, and the sooner it is made the better will it be for every man, woman and child in this part of Yavapai county. It needs no argument to prove that money spent for such a purpose will be returned to us ten-fold.

MAIL MATTERS.—Mr. Grant's mail carriers arrive at and depart from Prescott, regularly, twice a week, yet, owing to some cause, the people's letters and papers come very irregularly, and some of them don't come at all. Whose fault this is we know not, but presume the fault lies with some postmaster on the route. We do not think it is the fault of Mr. Grant, for we know him to be punctual and energetic. He has carried the mails for months past without a military escort, a feat never before accomplished by a contractor in this part of Arizona, and one for which he deserves considerable praise. It must, then, be in California, and we hope the postal agent there will look into the matter, and right the wrong by which we suffer.

A LETTER FROM CAMP GOODWIN.—Of Dec. 28, 1892, says 1000 Apaches were wintering there, and that Cacahine, the noted Apache chief was expected there.

It is stated that the colored militia have been shooting whites and committing all sorts of depredations in Arizona.

In point of voting population the city of Los Angeles is the third in the State of California.

MAKE ROOM.—Mark Twain tells the following story of one of the small republics of South America:

There was war in one of these little republics—the one I have been describing. The General in Chief, the President, for three hundred men; the President ordered the Minister of War to furnish them the force—just the number wanted—were down on the nearest somewhere. The Minister of War turned the Minister of the Navy to place the navy of the republic at the disposal of the troops, so that they might have transportation to the seat of war. The Minister of the Navy (an official who had seen as little of ships and sea as you or I) sent a courier to the Minister of the Navy to order him to furnish the necessary order for the Lord High Admiral. The Lord High Admiral wrote back—

"Your Excellency: It is impossible. You must be aware that this is a 60-ton schooner. There is not room for three hundred men in her."

The stern old salt in the navy office wrote back—

"Impossible—nonsense. Make room. Heave the tons overhead and bring the soldiers."

Business & Professional Cards.

JOHN M. ROUNTREE,
ATTORNEY AND COUNSELOR-AT-LAW,
Prescott, Arizona.
J. P. HARGRAVE,
ATTORNEY AND COUNSELOR-AT-LAW,
Mojaveville, Arizona.
JOHN HOWARD,
ATTORNEY AND COUNSELOR-AT-LAW,
Prescott, Arizona.
A. E. DAVIS,
ATTORNEY AND COUNSELOR-AT-LAW,
Mohave City, Arizona Territory.

F. P. HOWARD, M. D.,
PHYSICIAN AND SURGEON,
Wickenburg, Arizona.

JAMES P. BULL,
District Clerk, U. S. Commissioner and Recorder,
Herdbyville, Mohave County, Arizona.
Will attend, at all times, to the drawing of lands, mortgages, powers of attorney, etc.
m170

J. GOLDWATER,
WHOLESALE AND RETAIL DEALER IN
Groceries and Provisions,
Clothing, Dry-Goods, Boots, Shoes, Hats, etc.,
At the old stand formerly occupied by B. Cobb, LA PAZ, Arizona.

THE CHEAPEST HOUSE IN ARIZONA TO LET
RENDERSON & CO.
We do not take advantage of every scarcity in the market to raise prices of our goods.
D. RENDERSON & CO.

FOR SALE—A FEW NO. 1 COGS
Apply to
Prescott, June 15, 1893.
IF

Prescott Advertisements.

PIONEER DRUG STORE.

Prescott, Arizona.
On hand and for sale—
Hull's Balacon for the Lungs,
Toward's Sarsaparilla,
Ayer's Cherry Pectoral,
Ayer's Hair Oil,
Osgood's India Chalmers,
Brown's Jamaica Ginger,
Perry Davis's Pain Killer,
Gould's Ointment Remedy,
Brown's Bronchial Troches,
Bryant's Pulmonic Water,
Dr. Doan's Pink Lungs,
Keen's Cough
Jenney's Patent Medicines.
And, in fact, a full assortment of all the Patent Medicines usually found in drug stores.
Faint Scars, Fines Artistic, Physeary,
And a large supply of Dispensing Medicines.
N. B.—Physicians' prescriptions carefully and accurately compounded.
G. D. KENDALL.
Prescott, April 24, 1893.

WORMSER & CO.,

Wholesale and Retail Merchants,
LA PAZ AND PRESCOTT, Arizona.
DEALERS IN—
Groceries, Provisions, Clothing, Boots, Shoes,
Liquors, Crockery, Hardware, Farming
and Mining Implements, etc.
CALL THE ATTENTION OF THEIR OLD
friends and the public generally to their new and splendid assortment of goods, recently purchased, by one of the firms in San Francisco, and now on hand at their store in La Paz and Prescott.
Give us a call and see for yourselves. We are not selling for outrageous prices; our motto is, and has been, "Live and Let Live."
Our stock in La Paz is acknowledged by all who have seen it to be the largest and best.
Assortment of goods ever brought to this place. Merchants, farmers, sailors and others, wishing to purchase goods, would do well to give us a call, before purchasing elsewhere.
WORMSER & CO.
m116 LA Paz and Prescott, Arizona.

ARIZONA BREWERY AND SALOON.



In the Old Capital Building,
North Side of the Plaza
Good Lager Beer, Wines, Liquors and Cigars, always
on hand. Give us a call.
LITTE & CO.
Prescott, October 13, 1892.

Pacific Brewery,

Monterey Street, Prescott, Arizona.
RAIBLE & SCHREIER, Proprietors.
AS WE BREW OUR OWN
Beer, and take great pains to make it O. K. lovers of that healthy and strengthening beverage will do well by calling upon us and taking some of our medicine.
Good LAGER BEER, Liquors and Cigars, always on hand.
JOHN RAIBLE,
PHILIP SCHREIER.
Prescott, October 5, 1892.

PIONEER LIVERY STABLE.

THE UNDERTHROWN WOULD
acknowledge their friends and the public that they have equipped the old, overhauled and comfortable Pioneer Stable.
On Granite Street,
Next door to the Quartz Rock Saloon, and that they are prepared to feed and take care of animals entrusted to their care, in a proper manner.
Good Stable animals always on hand, for hire.
LOUIS WORTMAN,
WILLIAM BRECHT.
Prescott, January 3, 1893.

Artian Lodge No. 177, F. & A. M.

Regular meetings of this Lodge on the last Saturday of each month, at 7 o'clock P. M. Adjourning Brethren are fraternally invited to attend.
E. D. BAKER, W. M.
Wm. Cony, Secretary.

SHINGLES, SHINGLES

GOOD SHINGLES,
CLAPBOARDS, &c.
On hand and for sale, of the Shingle Yard of
C. Y. SHELTON.
Prescott, January 3, 1893.

THINGS AT LA PAZ.—Henry A. Bigelow has received a letter from La Paz, Yuma county, of date January 8th, which states that at the annual settlement with the Board of Supervisors, the County Collector was found to be delinquent. The Board threatened to sue him and he resigned, when Jas. Dana was appointed Sheriff and Collector in his place. The Board also appointed T. J. Bidwell Justice of the Peace for the precinct of La Paz. Another letter states that suit has been commenced against the ex-Collector, and that the amount of his defalcation is \$1,500. Until we become satisfied of the truth of this news, we will not give the name of the alleged defaulter, for he has heretofore borne a good character for honesty.