Graham Guardian.

Dollar of 1873

secretary territory

VOL. VI. NO. 26. | SAFFORD GRAHAM COUNTY, ARIZONA. AUGUST 31, 1900. | OFFICIAL COUNTY PAPER

The Guardian.

PUBLISHED EVERY FRIDAY

Official Directory Graham County

...—Geo. A. Olney.
...—W. W. Pace, E. M. Williams.
...of Supervisors—
...Day, Chairman, Duncan.
...Waddill, Member, Safford
...Member, Pima
...Michelena, Clerk, Solomonville
...A. Clark, Solomonville
Pedro Michelena, Solomonville
...R. Adams, Solomonville
...—Frank Dysart, Solomonville
...Wiley E. Jones, Solomonville
...—W. A. Moody, Thatcher
...Safford, Safford

...& N. RAILROAD,

...No. 24, taking effect June 14, 1900, Mountain Time.

[illegible]

...PACIFIC CO.

SCHEDULE.

...t Oct. 29th, 1899.

[illegible]

W. H. Dresser, Agent.

Bowler and Maeser, Architects. THATCHER, ARIZONA.

PHYSICIANS.

G. L. Wish M. D. Physician and Surgeon. SAFFORD, ARIZONA. Office at residence.

Mrs. E. A. Zenger, OBSTETRICIAN AND PROFESSIONAL NURSE. One Block South of Robinson's Hall, THATCHER, ARIZONA.

DENTISTRY.

Dr. Washington Cool, Dentist. SAFFORD, ARIZONA.

Dr. R. G. Ruff, Dentist. SAFFORD, ARIZONA.

LEGAL.

Barnes & Martin, Law Offices. TUCSON, ARIZONA.

Wiley E. Jones, District Attorney. SOLOMONVILLE, ARIZONA. Practice in all Federal and Territorial Courts.

...J. Egan, Attorney at Law. CLIFTON, ARIZONA. Office in the Arizona Copper Co's Building west side of the river.

...S. Pattison, Attorney-at-Law. SAFFORD, ARIZONA. Practice in all Courts.

I. M. McCollum, Attorney at Law. SAFFORD, ARIZONA. Practice in U. S. and Territorial Courts, and before the United States Land Office.

...S. Dial, Attorney-at-Law. SAFFORD, ARIZ. Practices in all Courts. Special attention given to Criminal practice.

Morrison & Buck, Attorneys-at-Law. Opposite Post Office. SAFFORD, ARIZONA.

LOCAL NEWS OF THE WEEK.

Items of Local Interest Gathered by Reporters on their Rounds.

DOINGS IN AND ABOUT TOWN

Breezy Little Notes of General Interests Picked up Here and There.

Sparks carries a choice line of fancy and mixed candies. tf

E. D. Tuttle returned from a trip to California last Sunday.

Guns, rifles and ammunition at Olney, Ijams Hardware Co. 25 3t

Anna Neese is dangerously ill with typhoid fever.

Peaches for sale at Meyer's in Layton. 28 1m.

J. C. Robinson left for Grant last Thursday on business.

Look out for the bargain counter at Layton, Allred & Co's. 46tf

Miss Maud Kemp and Miss Bertha Grosthouse left for the east this week.

La Preferencia cigar at Spark's Cigar store. If you want a good smoke try it. tf

Miss Lena Wish, who has been very ill for the past month with typhoid fever, is no better.

For harness, saddles, whips, bridles and all kinds of extras go to H. W. Clarkson, Safford. 9-tf

On the 4th page will be found a millinery announcement that will pay you to read.

Smoke Commodore 5ct. cigar, they are good all the way through Sparks keeps them

Henretta, little daughter of Mr. and Mrs. Geo. A. Olney, is quite ill.

A splendid assortment of cupboards, ward robes and bed lounges at Todd & Dunlap's, Safford. 2t

George Hormeyer, Clifton's popular banker, came to Safford last Wednesday.

La Preference Cigar at Spark's Cigar store. If you want good a smoke try it. ft

Mrs Howard, after a long and serious illness, is again in the Candy Store able to attend to her customers.

For that fuzzy feeling go to Spark's and try one of his delicious milk shakes, only 5 cents.

Call at Wakefield's drug store when you want school books. 1t

A grand ball will be given in Todd's hall on Saturday, Sept. 1st. Candidates and delegates have a special invitation.

La Preferencia Cigar at Spark's Cigar store. If you want a good smoke try it. tf

School Books at Wakefield's drug store. 1t

A small boy of Joe Poulsen's was thrown from a horse near Dr. Wish's office last Tuesday and kicked in the mouth. His face was badly cut.

Gang and walking plows both iron and wood beams at Olney, Ijams Hardware Co. 2t

Smoke the Commodore, the best 5ct. cigar in town.

Mrs. A. V. Jones has named Safford's new hotel which will be completed this week, and henceforth it will be known as the Arlington. Size considered, this hotel equals any in the Territory.

Go to H. L. CASTLE'S Bicycle Store and get a White Bicycle. Fully warranted. They are the cheapest and best. tf

John Parks and W. H. Allbritton, the two men whose faith has never been shaken in the coal fields, are in town this week. These two men will some day leave the strip with a rich reward which they deserve.

Wakefield has the best Vapor Bath on the market. 1t

One half car of plows at Olney, Ijams Hardware Co. 2t

There was no primary held at Geronimo. J. C. Robinson, the committeman, went to Geronimo for the purpose of holding one, but he could not find enough people to do so. The ranchers living between Thomas and Geronimo prefer to go to Thomas to vote.

The Commodore is stopping at Sparks' he is a good fellow and wants to see every smoker in Graham County, go in and discuss the point with him; you will go away pleased and call again. The Commodore is pleasant and agreeable, you are sure to like him.

The regular quarterly conference of the St. Joseph Stake of Zion will convene in the Assembly Hall at Thatcher, Saturday and Sunday, September 22nd and 23rd. The public are cordially invited to attend.
ANDREW KIMBALL,
W. D. JOHNSON,
C. M. LAYTON.

THE CONVENTION.

The Winning Ticket Will be Nominated To-morrow.

The Democratic Convention will meet to-morrow morning in Todd's hall, Safford, and nominate the ticket that will be elected in November. The convention is composed of representative men of the county who are interested in making old Graham the foremost and best county in the Territory.

Following is the personnal of the convention:

CLIFTON.

Jas. S. Cromb, Cliff W. Parsons,
Frank Springer, C. E. Bull,
Mit S. Simms, Romolo Chavez,
Wm. Blair, Ira Harper,
Lee J. Hobbs, Elbie S. Smith,
Jeff Dunagan, Manuel Baron,
A. F. Williams, Neil Munro,
J. C. Thomas, Francisco Norte,
Abe Boyles.

PIMA.

Ed Allen, H. J. Anderson,
D. H. Matthews, Geo. Peck,
Jos. Taylor, J. A. McBride, jr.
Tom Lamb, Joe Bull,
Jos. Lines, Henry Lines,
Robt. Ferrin, Wm. Birchfield.

SAFFORD.

Wm. Kirtland, H. J. Dowdle,
J. C. Robinson, D. V. A. Talley,
B. Quinn, Geo. Jacobson,
C. R. Freeman, Wilbur Ijams,
Cris Madsen, John Scarlet,
Alonzo Bingham.

SOLOMONVILLE.

A. M. Elias, Wm. Gillispie,
P. Michelena, Ben Clark,
W. B. Kelly, Alberto Munguia,
Angel Franco.

THATCHER.

R. Layton, John Hoopes, jr,
Andrew Kimball, Geo. H. Birdno,
J. O. Pace, R. W. Bingham,

MORENCI.

Bob Campbell, J. H. Velton,
Dr. Tutthill, Jim Puckett,
A. D. Webb, Henry Waller,
H. B. Rice.

SAN JOSE.

A. H. Bennett, A. Bishop,
H. Sanchez, Jose Garcia.

DUNCAN.

Bart Tipton, A. T. Prather,
I. D. Eldridge.

EDEN.

Wm. Stapley, Heber Higgins,
Coon Colvin.

THOMAS.

W. S. Davis, Jas. Davis,
John Harvey.

CENTRAL.

T. G. Webster, Chile Stowe.

SPENAZUMA.

J. J. Putnam, A. J. Lewis.

METCALF.

Bob Campbell, Albert Rosecrans.

DEER CREEK.

John Parks, W. H. Albriton.

CAMP LEBONEN.

Frank Lynch.

GRANT.

Tom Bell, A. W. Childress,

ARAVAIPA.

Wm. Wooten.

GRAND REEF.

A. E. Jones, Jas. Quinn.

New Fall Dress Goods.

We are pleased to announce that our new Fall goods are now in stock and ready for your inspection. Ladies all wool broadclot , 60 inches wide 75 cents a yd. Wool dress flannels from 30 to 35 cents a yd. Elegant raised flowered dress goods 42 inches at 75 cents yd. The highest grade and finest quality of domestic dress goods in the latest up to date and most beautiful fast colors 16 1-3, 12 1-2 and 10 cents per yd., all big values. A complete and beautiful line of the best prints, percales, shirting, domestic, sheeting, flannels, outings, etc., high in quality and low in price.

Our new shoe department has the right kind of shoes at right prices. Children shoes that will wear well, look well and keep the children well. New goods are arriving now almost every day. Please call and see them. Yours anxious to please,

THE ARKANSAW CYCLONE STORE, Safford, A. T.

To The Delegates.

An invitation is cordially extended to the delegates to the Democratic county convention to call at Sparks' Cigar Store and try some of his imported cigars, delicious milk shakes, cool and refreshing lamonade. Come in and look around, take a smoke and you will surely come again. Sparks' Cigar Store is next door to Olney, Ijams Hardware store. tf

Chancellor and La Preferencia cigars, pure Havana at Sparks' Cigar Store. tf

SHOT AND INSTANTLY KILLED.

A most deplorable tragedy took place about 8 o'clock last Monday morning one mile west of Safford, resulting in the instant death of L. M. Roach, who was shot throu.h the heart by Tump Freeman. Mr. Freeman and Mr. Roach were neighbors, the wagon and rail road running between the two houses, that of Freeman being south of west from the Roach house.

After the killing Mr. Freeman gave himself up to Deputy Sheriff Porter Justice Hunter summoned a coroner's jury composed of the following gentlemen, went to the scene of the shooting and held an inquest:

W. G. Scott, Wm. Telfer, Jas. Smith, Peter Thompson, Henry Dial, A. Wilson, E. F. Pape, O. Bailey, H. L. Castle, Geo Todd.

After the jury had been sworn the first witness to be examined was Dr. Lindley.

DR. LINDLEY'S TESTIMONY.

I have just made an examination of the body of L. M. Roach with a view of ascertaining the cause of his death. I found only one wound on the body. It entered the chest over the heart, passed through the body oblequely, and came out a little to the right of the spinal column and midway between the shoulder blades. This was a gun shot wound made by a small caliber rifle bullet; probably a No. 30.

The next two to testify were O. C. Scarborough and Wm. Kane, who were eye witnesses to the whole affair.

MR. SCARBOROUGH'S TESTIMONY.

About 8 o'clock this morning myself, Mr. Roach and Mr. Kane were fixing a wagon near the fence when Tump and Mack Freeman drove inside and went to the well to wash the buggy. Mr. Roach left his work and went to them. They talked politics Could not hear much they said; think they quarreled. As Roach left them I heard him say: "I have no respect for those doing such a thing." Tump then went outside into the road; after reaching the road more angry words were said; Roach called Freeman a liar; Freeman said so are you; Roach threw a club at Freeman but he dodged it, picked it up and threw it at Roach. Then Roach told Freeman to get his gun, who replied allright. Roach went to the house and got his gun and came out. Myself, Mack Freeman, Mr Kane and Mrs. Roach endeavored to get the gun from him; he would not give it up. Mrs. Freeman also came out and asked Tump to come back; he replied that he had no gun. Freeman came into the road, mounted horse and road toward Safford. Roach then put gun in front part of wagon but would not let any of us touch it. In a short time Freeman came back and when about 50 yards east of where we were I heard him say: I am ready. Roach grabbed gun from wagon and started for Freeman who fired three times and Roach fell at last shot. Roach did not fire but had gun up and pointed toward Freeman but not sighted; he was advancing when he fell. I told Miss Mollie Roach to take gun in house; she did so. In answer to a question Scarborough said that when Tump was going to his house after leaving the well he turned and said to Mr. Roach: I have nothing against you; you have as good a family as I ever saw but you have it in for me.

Ques. "Could Roach have shot Freeman when he came out of the house and mounted horse."

Ans. "No Sir. We were all around him trying to get him to give up his gun. Freeman was not armed and was making no demonstration."

Freeman fired with rifle. After shooting Freeman walked up track. Myself, Mack Freeman, Wm. Kane Housten Roach carried the body into the house.

Wm. Kane then testified to the same as the above except that he said he did not see Freeman throw the club back at Roach and that during the talk when Mr. Freeman was in the street he said: "You think I once put up a job to get you killed but I did not." Roach said you did. Freeman said I did not, when Roach called him a d—n liar when Freeman started for him and Roach started for the house and returned with gun.

MISS ROACH'S TESTIMONY.

Miss Mollie Roach was the next and last witness. She testified that she saw Tump and Mack Freeman come to the well and heard her father talking to them; heard them quarreling; also heard Mack Freeman trying to quiet my father; father went to back of house. Freeman went outside of fence, then I shut the door because I did not want to hear the quarrel. In a short time father ran into the house and got his gun and cart ridges and went outside when those outside tried to get him to have no trouble. I saw Tump come out of his house and go away. Then he returned on horseback. We begged him not to shoot but he got off his horse and fired three shots. I hid the gun; do not know where I found it but think it was in the house. I hid the gun in an out house and covered it with some rags because brother Housten called for it and said he would kill Tump. Afterward I examined the gun in the presence of Messrs. Dial and Smith. It was not loaded. Think farher had gun when shooting began. After shooting Freeman rode toward Safford.

DEPUTY SHERIFF MCKINZIE'S TESTIMONY.

I examined clothing of deceased and found two shot gun cartridges in pants' pocket. They were loaded with No. 6 shot and fit a 12 gauge gun.

A single barrel shot gun was identified as the weapon which Mr. Roach had.

JURY'S VERDICT.

"Safford, Ariz. Aug. 27, 1900.

We the jury find that the deceased, L. M. Roach, came to his death by a gun shot wound and that said shot was fired by Tump Freeman."

After the coroner's inquest Justice Hunter set the hearing at 2 o'clock on Tuesday. Tump was allowed to return to his father's home upon his own recognizance pending the examination.

At the hour set the hearing began with Messrs. McCollum and Dial representing the defendant and District Attorney Jones the Territory.

Mr Scarborough was the first witness for the prosecution. The following was brought out in addition to his testimony before the coroner's inquest: When Mr. Roach left the well I heard him say that is the man who once laid a plot to have me murdered. When Mr. Freeman got into the road he said Mr. Roach I heard your remark but you are mistaken, I had nothing to do with it. Roach came out of house with gun as Freeman was going home; it looked like he was loading it; I thought he was going to shoot and we surrounded him to prevent it. Freeman did not appear to be angry. Don't think Roach could see well.

The other witnesses for the prosecution were Mr. Kane, Mollie, Modena and Mrs. Roach. Nothing was added, however, except that Mollie thought she saw her father loading gun and that when Tump was returning on horseback that Modena saw him and gave the alarm that he was coming and that the ladies present started to meet Tump and the men remained inside the fence where Mr. Roach was, all endeavoring to prevent trouble. Modena stated that when Freeman left on horseback she saw her father unload his gun before placing it in the wagon. When I saw Tump returning he was about 200 yarrs away. I gave the alarm. When we got near Tump he said get out of the way and something else I did not understand then fired three shots. After shooting he got through the fence and started across the fields toward his father's house.

Mrs. L. M. Roach testified that her husband got gun from house. She followed him out. Mack Freeman stopped him near gate. We all persuaded him to put gun up. I asked Mack to remain to prevent trouble. Modena saw Tump coming and said: Oh, here comes Tump with a gun. I threw up my hands and said: Oh, Tump, don't shoot him. Don't think Mr. Roach saw Tump, but think he was trying to. He had gun in left hand and was fumbling in pocket with right. He was 53 years old.

THE DEFENSE.

The eye witnesses for the defense were Mack Freeman, Mrs. Freeman, (Tump's wife) and the statement, under oath, of the defendant.

MACK FREEMAN'S TESTIMONY.

When Tump, myself and little boy were at the well Mr. Roach came to us and started talking politics to me, we talked some time in a joking way, then in referring to the primary he said I did not think you would do such a thing but Tump would do anything, a man who would put up a job to get another killed would do anything, then turning away said I have no use for either of you. Roach went to wagon near fence and Tump led his team outside and stopped opposite to where Roach was and told Mr. Roach that he was mistaken that he had nothing to do with putting up a job to kill him that if he would bring the person who told him he would face him. Roach said you are a liar: Tump said so are you and Roach threw two clubs at him; Tump tried to get club to throw back but his horses became frightened and he did not throw; the horses forced him across track and he left them and went to house. Roach said to Tump, get your gun, I'll kill you. Roach went to his house and got his gun, came out and I stopped him near gate when he said he knew what he was doing, he would kill the d—n rascal. I saw him load gun; he had cartridges in his hand; we all got around him near the gate, the gun was cocked; we were still in that position when Tump came out of house. Before entering the house Tump called to Roach that he did not want any trouble, that he had as nice a family as could be found but that he, Roach, was no good and that he had no use for him. Roach replied that he had no use for Freeman. Tump called to my little boy to bring him a horse; boy road into street and horse followed; Tump mounted and road away; Roach put gun in wagon near him. When Tump came back Modena said here he comes and Roach grabbed gun and started toward Tump. Girls ran toward Tump. Tump said several times, get out of the way, Artie, he is coming, you'll get shot; I have a gun and can protect myself. Think Tump was on south side of track. Both men appeared to be trying to get a shot after Tump dismounted. Think three shots were fired; know Tump fired two and think Roach fired one but am not certain. After shooting Tump went back up track.

Cross examination: When Roach came out of house with gun he was following Tump. After I had stopped him Mrs. Roach said: "I am glad you were here for we could have done nothing with him; he would have followed Tump right into the house." In returning Tump had to pass Roach's place in order to reach home. There was no other route. When Tump came out of house to get the horse Roach had his gun and was watching Tump. We were trying to persuade him not to shoot. After the shooting Housten came from the field and wanted the gun. I persuaded him not to take it as it would result in more trouble; the gun was then lying by the body and was still there when I left.

Mrs. Tump Freeman testified but she did not see all the difficulty but her testimony of what she saw corroborated of Mack's and Tump's testimoney.

TUMP FREEMAN'S TESTIMONY.

Tump Freeman's testimony was the same as Mack's up to where Mr. Roach threw clubs at him. He said they had been on good terms and the reason he stopped to talk after going outside the fence was to convince Mr. Roach that he accused him wrongfully. After he threw clubs and I was trying to get one Roach ran his hand in pocket as if after knife. I told him not to come out there with a knife. My horses forced me across track to fence where I left them. Before I got to my house I saw him enter his house, get gun and come out. I then called to him that I wanted no trouble and he had better drop it; I was not angry; he was trying to get at me with his gun; when I saw how determined and angry he was I was afraid he would kill me and that my wife was not safe. I had no gun; do not own one; I called to a boy to bring me a horse; I mounted and road away to get a gun for the protection of myself and wife for I was afraid of Mr. Roach. I got gun at father's house; no one saw me; I returned on trail on south side of track so as to avoid Roach if possible. I could reach home by no other route. When I was riding home my wife and Modena Roach ran toward me; my wife asked me not to shoot; I told her I would not; I could not see Roach at that time. Just then I saw Roach come from behind wagon with gun in hand and advancing toward me as if ready to shoot; I told the girls to get out of the way for he was coming and they would get shot. I jumped off my horse and waited till the girls got out of the way when I fired; Roach was advancing when I fired. I shot over his head the first time thinking that would stop him but when I found it did not then I shot direct. I considered him dangerous; he showed me scars where he had been shot during rows he had had. I did not want trouble and tried to get home without encountering him by keeping on south side of track. At time of trouble I knew he had threatened several lives. I was afraid of him because I thought he would kill me. He told me he had been in several shooting scrapes. He ran Peter Andarsan off his place with a gun some time ago. I know I fired two shots. When I saw Roach coming I waited till women got out of range before I fired. He was coming toward me with gun up when I fired. After shooting I went back up road and to father's house. I told father what had happened and asked him to notify officers which he did. When I saw him coming he acted as if he was going to prevent me from reaching home and I warned him that I was now armed and I believed he intended to kill me. I could see his gun and knew it to be his shot gun; Housten had told me they had buck shot in the house; I knew if he fired not only my life was in danger but also that of my wife and his little girl. I saw him first coming toward me just after I told my wife I would not shoot. I tried my best to avoid the trouble and did not fire until I was forced to.

C. R. Freeman testified that Tump came home and told him of the shooting and asked him to notify the officers. He notified Deputy Sheriff Hood Porter.

Deputy Sheriff Hood Porter testified that he was notified of the shooting by Mr. Freeman and that he went to his house where he found Tump and placed him under arrest.

At this point court adjourned until Wednesday morning. When court was called Peter Andarsan was the first witness. He testified that he had trouble with Roach over Jas. Lassator. Later one of his horses got into Roach's field. He went after it and Roach would not let him take it away. "Told me to get out or he would fill me full of led. I got out." He stood in door with gun but did not point at me. Don't remember of telling Tump Freeman about it. Have heard of him having rows with other people.

John Blake testified that he had heard Mr. Roach was a dangerous man. Roach told him of taking gun to settle difficulty with Mr. [illegible]iggs. Told me of having difficulty with Col. Hooker.

Harry G[illegible]ray testified: Have seen [illegible] difficulties. He Mr. Roach ha[illegible]hts and rows; boasted of his [illegible] Uncle Jim saw him have row wi[illegible] Roach Morris over some boys. [illegible] drew knife and said he would cut his heart out and roll it in the sand. Morris had small walking cane. Roach afterward told me if we had let him alone he would have cut his heart out and eaten the little end of it. He also had a row with Mr. Nash. It was not young Roach, it was the old gentleman.

J. T. Pearce testified that about a month ago he talked with Mr. Roach about his eyes. He told him he was better every way and could see better than for fourteen years.

REBUTTAL TESTIMONY.

The prosecution then offered testimony in rebuttal. Modena Roach was the first witness called.

Q. What did Tump say when his wife called to him not to shoot?

Ans. Said get out of the way and something I did not understand. He used some cuss words. I do not think father could see distinctly as far as from the wagon to the railroad. Had said his eyes were not so sore. Mrs. Freeman was a few feet nearer Tump than I when he got off horse. I did not hear him speak to his wife.

John Keasley testified that he had known Mr. Roach well for about six years. Have met Mr. Roach repeatedly and he could only recognize me by my voice if I were more than ten feet away on account of bad eyes. He told me that was the only way he could recognize me.

Mollie Roach was called by the defense and asked if she told Mrs. Freeman if Tump had not killed her father her father would have killed Tump.

Ans. "No sir."

Mrs. Tump Freeman was recalled.

Q. "Did you talk with an eye witness to the killing after it occurred?"

Ans. "Yes sir. With Mollie Roach.

Q. "What was the conversation?"

Here the prosecution interposed an objection and the question was argued at some length. The court ordered the question answered.

Ans. "Mollie said that if Tump had not killed her father that her father would have killed Tump. Mrs. Wallace and Will Freeman were present."

The arguments on both sides were submitted by 3 o'clock. Masterly arguments were made by both prosecution and defense. After the arguments the case was taken under advisement and at 6 o'clock the decision was rendered. Mr. Freeman was held to answer to the grand jury in the sum of $6,000.

H. J. Dowdle, Geo. A. Olney, J. C. Robinson and Wilbur Ijams promptly signed the bond.

For lint on the lungs, caused from chewing the rag, try a milk shake at Sparks'.