

# Tombstone Epitaph.

VOL. IX.

TOMBSTONE, ARIZONA, OCTOBER 22, 1887.

NO. 12.

## THE PROPER CAPER.

### TWO TRAIN ROBBERS DONE UP.

A Man Who Parts His Name in the Middle Lettered With Industrious Road Agents and Sends Them to the Sweet By-and-By With Their Boots on.

An El Paso dispatch dated October 15th says: The meager reports sent from here Friday night, owing to the lateness of the hour, regarding the attempted train robbery, gave but a fraction of the news. It was thought a great victory that one robber should be killed, but what was the astonishment of the public, therefore, when the dead body of another robber was brought in this morning. The Galveston, Harrisburg & San Antonio express, which should have started east yesterday at 4.30 p. m., was delayed till about 8.30 p. m., waiting for the Southern Pacific train from the west. Engineer Lohner says that when his train had gone about one mile, two men wearing cloths climbed on the tender with a revolver in each hand. The engineer tried to stop the train, but the two men ordered him to run on to a curve and stop quick when he reached the curve. He supposed they meant five miles from the city. They ordered him and his fireman off the engine and took them back to the express car. The robbers in the meantime were firing off their revolvers and they were shouting and cursing.

Reaching the express car, one of them threw a dynamite bomb against the front door on one side of the car. The explosion knocked a large hole in the door, and broke out the glass in the other door. The robbers called to the express messenger to come out. The messenger in the car was J. Ernest Smith, and with him was J. R. Beardsley, a clerk of the Wells-Fargo office at Fort Worth. When they heard the firing they put out the lights and went to the rear in the car; at the command of the robbers they came out of the car, Smith leaving his revolver just inside of the door. The robbers ordered Smith and Beardsley to hold up their hands, and then searched them. Smith was then commanded to go back into the car and light a lamp. He climbed back in and the foremost robber started to follow. Smith seized his pistol, placed it almost against the robber's breast and fired, sending the bullet through his heart. The robber fell back dead, but fired twice at Smith while falling. Smith and the other robber exchanged shots. The robber then attempted to get his comrade's body on the engine, intending to uncouple it from the train and run on. While he was trying to lift the body upon the engine, Messenger Smith got his double barreled shot gun, leaned out of the car and shot at him. The robber sank down, and then sprang up and ran off out of sight.

The train returned to this city. The express car was repaired and the train went on, Messenger Smith remaining in the city. Deputy United States Marshals Van Ripper and Ross at once started for Yuleta, thirteen miles east of El Paso, and secured three experienced Mexican trackers, and had them at the scene of the hold up before daylight. City Marshal White and other officers were also on the ground by sunrise. The hunt was a short one. Less than fifty yards from where he was shot lay the second robber dead. His body was brought back to the city and placed beside that of his dead comrade in crime. An examination showed that only one buckshot had struck him, entering the front of the left shoulder and cutting the artery just above the heart. The officers are confident, and it is learned that they believe they are on the trail of more robbers.

The theory is that the two men on the train were waiting with horses a little beyond where the train was held up; that the shots fired by the two robbers were signals, and that after getting their plunder, the two robbers intended to run forward with the engine and leave the rest of the train. The two robbers killed were about 25 years of age, and powerfully built men. The first one killed had on his person an express receipt for a trunk. The receipt was dated Terre Haute, Ind., September 28, for a trunk marked J. E. Emerson and received from J. E. Emerson. The second robber is minus the third finger on the right hand. One had about \$20 the other \$15. They are recognized here, but their names are unknown. Both were photographed to-day. Messenger Smith is thirty-four years old, from St. Louis, and is living now at San Antonio. He has been in the employ of the Wells-Fargo company for four years, and runs between El Paso and San Antonio. The citizens of El Paso presented him with a suit of clothes to-day, and have raised over one hundred dollars for a medal. J. W. Nicholls, superintendent of the Wells-Fargo company, for Texas and Louisiana, telegraphed Smith to-day, congratulating him on his victory, and saying that if his example be followed, train robbery will soon be a thing of the past.

**THE VERY LATEST.**  
The latest information in the robbery episode is that the dead robbers have

been identified. Mr. Fink said on lifting the covering from Emerson's face: "That's enough, that's Johnny!" He then positively identified him as "Kid" Smith, the man who shot officer Chipman, and who had at one time worked for him (Fink). "Kid" was reported captured in Kansas a few months ago.

Mrs. Green, who lives on Utah street, north of the railroad track, called at Undertaker Mott's last evening at 5 o'clock and positively identified the bodies as those of "Kid" Smith and Dick Meyer, who used to board with her, and who took supper with her the last time on the evening of the earthquake, last May. She asked Undertaker Mott for any papers on their persons and seemed very much affected. She said Meyer's folks lived in Illinois and were wealthy. She had arrived at Mott's while the latter was absent, and on his return told him if he would open "Kid" Smith's mouth he would find two false teeth on his front upper jaw. With difficulty this was done and proved to be a fact. She brought in several men and substantiated her identification. Among them was George Look and Park P. Oman.

Assistant Marshal Chipman told a reporter this morning that he had always thought "Kid" Smith shot him, and after he got around again he felt certain of it from things thrown out, and especially from some remarks of Mr. Green, who knew the "Kid" very well. He also had no doubt that the dead man was Smith. "Of course," he said, "when I was shot I could not tell whether a white or colored man did it, on account of darkness."

Several detectives arrived in this city this morning. The dead bodies will be kept two or three weeks. The Smith medal subscription has reached within a few dollars of the required amount, \$150.

**MILITARY ORDERS.**  
HEADQUARTERS DEPT. OF ARIZONA }  
LOS ANGELES, CAL., Oct. 13, 1887. }  
Special Orders No. 109.

In conformity to the endorsement of the Lieutenant General, commanding, and direction of the Division Commander, company D, 9th infantry, is relieved from duty at Nogales and will proceed to Fort McDowell, A. T., and take station.

The quartermaster's department will furnish transportation for public property and authorized baggage.

2d Lieut. J. A. Perry, 10th infantry, will proceed without delay to these headquarters, and report to the chief quartermaster of the department.

The journey as directed is necessary for the public service.

A general court martial is appointed to meet at San Carlos, A. T., at 10 o'clock a. m., on Thursday, the 18th day of October, 1887, or as soon thereafter as practicable, for the trial of such prisoners as may be properly brought before it.

The following officers are detailed for the court: Maj. Emil Adam, 6th cavalry; Capt. George B. Russell, 9th infantry; Capt. Alexander S. B. Keves, 10th cavalry; 2d Lieut. James W. Watson, 10th cavalry; 2d Lieut. Robert G. Paxton, 10th cavalry; 2d Lieut. William H. Wasell, 9th infantry; 2d Lieut. William G. Elliot, 9th infantry, judge advocate.

A greater number of officers than those named cannot be assembled without manifest injury to the service.

Maj. Dargerfield Parker, 9th infantry, is relieved as member of the general court martial, convened at Whipple Barracks, A. T.

By command of Brigadier General Miles.  
Official: M. BARBER,  
Assistant Adjutant General.

**CHANCE FOR A "RAD."**  
OBERLIN, O., Oct. 10, 1887.

**EDITOR EPITAPH:**—Murch has been written regarding proper and remunerative employment for women. Silk culture, poultry raising and many other themes have been well ventilated, and the results no doubt have been very successful. But many ladies can not raise silk worms, or follow employment of that kind; to that class I wish to introduce what to me was an entirely new field. Some three months since my uncle from Albany, N. Y., was visiting us. We were speaking of plated ware, in the manufacture of which he is engaged, and to gratify my curiosity he made a plating machine, and re-plated our knives, forks, spoons and castor. The machine cost only \$4 and did the work perfectly. Some of our neighbors saw what we had plated and asked me to do some plating for them. I have since worked twenty-two days and cleared \$95. At almost every house I got from \$2 and \$3 worth of plating to do, and such work is worth all profit. This work is as pleasant for ladies as gents. I am making a large cabinet, and to any of your readers who will send me a small piece of stone or shells, or old coins, I will send them full directions for making and using a plating machine like mine, that will plate gold, silver and nickel. My object is to get as varied a collection of specimens from as many parts of the world as possible.

FRANCIS CASSEY,  
Oberlin, O.

## WOOLSACK ON BASE BALL.

The Sin of Sabbath Playing—Where it Lies.

The Rev. Mr. Woolsack, popularly known as "The Deacon," in his sermon on the creek last Sunday, made a few remarks pertinent to base ball. Pointing out of the window at a game in progress on the adjoining Wilson flats, he said: "See that loafer with a bird cage on his head standing like a straddle bug behind the bat. He is not desecrating the Sabbath day by playing ball, because he isn't playing ball. He can't play. He imagines he can, of course, and goes through all the painful contortions of a real player, but in the devil's store book he is charged ten times over for every error he makes, and a nice record he will have when the season is over and the time of his eternal rest is at hand. It will be a sorry rest for him."

Just then some one made a long hit and a shout went up from the crowd. "Yes, hoops," yelled the Deacon, raising his voice above the din; "hoopla till the cows come home, but unless you raise your voice in hosannas to the Lord, you will never reach the shining home-plate of life. That was a long hit to center, and I give his nibs credit for taking it in; but the devil will take him in just as slick on the last inning of all. You may send in your curved balls, and smash the leather in the nose to the right or to the left field; you may steal from bag to bag and slide in home on your pantaloons, but finally you may get a goose egg in the kingdom to come. Aye, pound on the pealy gates with a base ball bat, if there is a shadow of a Sunday game on it, down to the eternal roast you go. Saint Peter careth not whether you belong to the Snappers or Whang-doodles; if you swing your festive willow, and pound the bags on Sunday, saltpetre will not save you. There goes another long hit to left, and another howl goes up from the assembled multitude of dudes and loafers. Chase the ball; aye, leg it until your ugly heels beat a tattoo on your coat-tails, but my word for it the devil will never get away from your elbow. Old Cloote is a base runner and a ball chaser himself, and he will stay with you until his own dominions freeze over and have to be abandoned for an ice pond."

The Deacon made a few more remarks exhorting his hearers to shun the seductive ball fields and trout pond Sunnys, and announced services next Sabbath morning and evening at the old red school house in Sugarcreek.—Oil City Derrick.

**EXTRACTS FROM THE CODES.**  
The following is what is known as the gamblers' license law of Arizona:

Sec. 540. Every person who deals, PLAYS, or carries on, opens, or causes to be opened, or who conducts, either as owner or employe, whether for hire or not, any game of faro, roulette, lands-quenet, rouge et noir, rondo, or any banking game played with cards, dice, or any other device for checks, credit or any other representative of value is punishable by a fine not less than one hundred nor more than one thousand dollars, and shall be imprisoned in the county jail until such fine and costs are paid, such imprisonment not to exceed six months.

Sec. 541. The preceding section shall not apply to any person, who, before dealing, PLAYING, carrying on, opening or causing to be opened, or conducting any games mentioned in such section, has first obtained a license therefor in the amount provided by law.

Commenting upon the above the Tucson Star says:

"Now it will be observed that the statute does not only declare gambling to be a crime punishable by fine and imprisonment, and then licenses the commission of the very act it has enacted into a crime, but it goes further. Not only the dealer or owner of the various games must pay a license to open and run games, but every player must also take out his license before he plays against any game enumerated above in the foregoing sections, or he is liable to fine and imprisonment. This language is plain, dealer or player. This includes the whole business, both sides of the table and all around the table. It takes in all kinds and sorts of games. This means a big revenue to the county that will help to bring warrants up to par."

The following puts the kibosh upon all officials who play any of the games mentioned in the preceding sections:

Sec. 545. Every officer of this Territory, or of any county, city, town, or district of this Territory, charged by law with the receipt, safe keeping or disbursement of public moneys, who shall be interested in or play at any of the games mentioned in this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, shall remove him from office.

Sec. 547. The phrase "public moneys" as used in the foregoing sections includes all bonds and evidences of indebtedness and all moneys belonging to the Territory, or any city, town or district therein, and all moneys, bonds and evidences of indebtedness, received by the Territory, county, city, district or town officers in their official capacity.

## BASE BALL.

The game of base ball last Sunday between the soldier boys from Fort Huachuca and Tombstone's picked nine resulted as usual in the defeat of the local team, though not so overwhelming as customary. Following is THE SCORE.

TOMBSTONE.	AB.	R.	B.	PO.	A.	E.
Geary, 1b.	2	3	0	0	0	0
R. Hennessy, lf.	1	2	4	1	0	0
Nichols, 2b.	0	1	1	1	2	0
Hawke, 3b.	1	1	2	2	1	0
Barrett, cf.	1	0	0	1	1	1
Kirlew, ss.	1	1	0	2	0	0
M. Hennessy, c.	2	0	0	2	0	0
McFeely, p.	3	2	0	1	1	1

Totals.	38	11	12	14	15	7	5
HUACHUCA.	AB.	R.	B.	PO.	A.	E.	
Chandler, 2b.	4	3	2	1	0	1	
Myers, lf.	4	4	3	0	0	2	
Benley, 3b.	4	2	3	0	0	2	
Patterson, p.	4	2	3	2	5	0	
Johnson, ss.	4	1	0	4	0	1	
Purcell, c.	3	1	0	5	1	1	
Rankin, cf.	3	0	0	0	0	0	
May, 1b.	3	1	3	2	0	1	
Heyde, rf.	3	0	0	0	0	1	

Totals. 32 14 13 13 18 7 7  
Score by Innings: 1 2 3 4 5 6  
Tombstone. 1 3 1 1 2 3—11  
Huachuca. 3 3 1 5 2—14

Earned Runs—Tombstone, 1; Huachuca, 2.  
First Base on Called Balls—Tombstone, 2; Huachuca, 5.  
Left on Bases—Tombstone, 8; Huachuca, 2.

Wild Pitches—McFeely, 1; Nichols, 1.  
Passed Ball—Barrett, 5; Crawford, 1.  
Struck Out—Tombstone, 5.  
Two-base Hits—Crawford, 2.  
Umpire—Geo. J. Myers.  
Time—1 hour varied stock of

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**W. H. STILWELL,**  
ATTORNEY AND COUNSELOR AT LAW, Fourth street, Tombstone, A. T.

**ALLEN R. ENGLISH,**  
ATTORNEY AND COUNSELOR AT LAW, up stairs in County Court House, Tombstone, A. T.

**JOHN C. EASTON,**  
JUSTICE OF THE PEACE, NOTARY Public and Conveyancer. Office in Occidental Hotel, Allen street, Tombstone, A. T.

**HENRY G. HOWE,**  
UNITED STATES DEPUTY MINERAL Surveyor, Tombstone, Arizona. Member of the American Institute of Mining Engineers. Attention given to the care of mines for non-resident owners and corporations. (The best of references given. Correspondence solicited.)

**W. D. SHEARER,**  
JUSTICE OF THE PEACE, OFFICE on Fourth street, opposite Occidental Hotel, Tombstone, A. T.

**CHAS. D. REPPY,**  
NOTARY PUBLIC, EPITAPH OFFICE, Tombstone, A. T.

**DR. WARNEKROS,**  
DENTIST. OFFICE CORNER FIFTH and Fremont streets, Tombstone, Ariz.

**SUMMONS.**

In the Justice's Court of Precinct No. 6, Cochise County, Territory of Arizona.  
Before D. K. Wardwell, a Justice of the Peace.

S. W. Bell, plaintiff, vs. Barbara Recky, alias May, defendant, and non-resident. Action in debt and attachment. Complaint filed in my office, and summons issued this day.

The Territory of Arizona to Barbara Recky, alias May, defendant.  
You are hereby summoned and required to appear and answer the complaint of plaintiff, at my office in the village of Fairbank, Cochise County, Territory of Arizona, within five days, should this summons be served upon you within this precinct; if served upon you without this precinct but within this county, ten days, if served out of this county, within fifteen days, otherwise twenty days, (excluding the day of service), from the day this summons is served upon you. This action is brought to recover judgment against you for the sum of \$30 due plaintiff for two months rent of a house occupied by you at Fairbank and costs of suit; and you are hereby notified that should you fail to appear and answer said complaint within the time stated, the said plaintiff will apply to the court for said judgment against you for said sum and all costs.

Given under my hand at my office at Fairbank, Cochise County, Arizona, this 31 day of October, A. D. 1887.

D. K. WARDWELL,  
Justice of the Peace.

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