



# Friends of the San Pedro River Roundup

Summer 2016

*In This Issue: President's Report... SPH Cottonwoods... Tom Wood... Mercantile Restoration... Volunteering at Fairbank... Student Field Trips... Fairbank Day... Groundwater... Brunckow's Cabin... Presidio... Peel Murder... Southwest Wings... Calendar... Hummer Banding... Members... Contacts*

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**Action Alert: Comments on fate of SPH Cottonwoods EXTENDED to Friday, July 29.**  
See page 3 for details.

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## President's Report

*By Robert Weissler*

If it is June, it is time for the annual Wet-Dry Mapping of the San Pedro River. This effort, which started in 1999, seeks to establish where surface water persists in the river during the driest month of the year, just before the monsoon rains of summer arrive. In other words, the results provide an indication of river health by mapping where there are perennial surface flows in the river. By conducting this survey each year, it is possible to determine trends in the various reaches of the river.

More recently, many of the tributaries in the watershed also have been mapped, including those in Mexico. This effort is led by The Nature Conservancy and the Bureau of Land Management, working with their partners in conservation, including the Friends of the San Pedro River. Volunteers attended a training event just prior to the survey on Saturday, June 18. For volunteers in the Upper San Pedro River Valley, the training event was a BBQ at San Pedro House (see photo below). As soon as the results of the latest mapping effort are available, we will announce it to our members. Reports and a time-lapse animation of results since 1999 are posted at [http://azconservation.org/updates/post/2015\\_san\\_pedro\\_river\\_wet\\_dry\\_maps\\_available](http://azconservation.org/updates/post/2015_san_pedro_river_wet_dry_maps_available).

FSPR was notified by BLM Tucson Field Manager Melissa Warren that BLM would seek a Categorical Exclusion to avoid a full NEPA environmental review process for pruning the cottonwood tree over the San Pedro House and removal (leaving a stump) of the older cottonwood tree to the west that BLM considers a hazard. That project is planned to commence after the avian breeding season (no sooner than October 1, 2016). We know many people will be unhappy to hear about the removal of this aging, iconic tree (see article, update, and letter to the editor, pages 2-4).

In other news, Governor Doug Ducey demonstrated his commitment to the Arizona Water Initiative by vetoing poorly conceived Senate Bills 1268 and 1400. This is a huge win for



*Wet-Dry mapping volunteers.  
Photo by Robert Weissler.*

*(continued on p. 2)*

Arizona's groundwater security, rivers, habitats, and birds—especially the San Pedro River. SB 1400 potentially would have gotten rid of the adequate water supply rule in Cochise and Yuma Counties in mid-2018 unless County Boards of Supervisors voted unanimously to extend it for 5 more years. Such a unanimous vote would be very difficult to achieve and would be required every 5 years in order for a county to remain in the adequate water supply program. Meanwhile, SB 1268 would have allowed cities to opt out of the adequate water supply rules their counties adopt—without requiring them to adopt their own mandatory water adequacy requirements. Both bills were sponsored by Gail Griffin in the State Senate and by David Gowan and David Stevens in the House. These measures would have cleared the way for a proposed development in Sierra Vista that the federal government argues would deplete the aquifer that feeds base flows of the San Pedro. Ultimately, these were special-interest measures that would have consequences far beyond this development or the next election. Sensible water resources planning is a statewide concern and necessity.

In early June, the Benson City Council approved the development agreement for Villages at Vigneto, a 28,000-home, master-planned community proposed by the developer, El Dorado Benson LLC, to be built on about 12,500 acres in Benson over a 20-year period. Meanwhile Earth Justice, Tucson Audubon Society, and several other conservation groups sued the Army Corps of Engineers (ACE) regarding the failure of the Corps to consult with the US Fish and Wildlife Service regarding recently listed threatened and endangered species and their critical habitat. The proposed development is significantly larger than the Whetstone Ranch development for which the ACE issued a 404 permit a decade ago. Moreover, additional at-risk species and their habitat are in close proximity to that development. However, ACE has been reluctant to review the permit, despite the new circumstances of the development. Stay tuned for further updates....

Recently, the BLM Tucson Field Office released the Lands with Wilderness Characteristics Inventory and a Wild & Scenic Rivers Eligibility Report. These publications provide background to help guide BLM management strategies as it drafts the Resource Management Plan (RMP) for the San Pedro Riparian National Conservation Area. The Friends are engaged with BLM in this process, to ensure that the RMP is consistent with the enabling legislation for SPRNCA. The Act of 1988 seeks to conserve, protect, and enhance the riparian and other resources along the San Pedro River. The Friends are also promoting good stewardship of these public lands in recommendations to BLM on appropriate management strategies in the RMP.

Meanwhile, since our current Cooperative Assistance Agreement with BLM expires at the end of September, we are working on a proposal for a new agreement for the next 5 years. That agreement allows the Friends and its volunteers to operate the San Pedro House and Fairbank Schoolhouse bookstores, not to mention to offer docent-guided interpretive walks, bird walks, cultural history walks, townsite tours, and education programs in SPRNCA. The deadline for submitting the proposal to BLM is July 18. We should have no trouble meeting that deadline.

We look forward to the arrival of summer rains, as the desert turns green and the second spring comes to the Sky Islands of southeastern Arizona. Come join us down on the river!

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## **Follow-Up on Fate of San Pedro House Cottonwood Trees**

*By Renell Stewart*

In our last newsletter, we reported on BLM's evaluation of the two large cottonwood trees near San Pedro House. Although we have not yet received an official press release with full details, we have been informed of the agency's decision. Based on safety issues and funding availability, BLM is moving ahead with full removal of the larger cottonwood to the west and pruning of the tree adjacent to the house. BLM is preparing a Categorical Exclusion under the National Environmental Policy Act (NEPA) to cover the project and it will be posted on its [eplanning site](#). The presence of breeding birds will delay the removal and pruning until sometime after October 1.

*(continued on p. 3)*



*The cottonwood known as Plaza. Photo by Ron Stewart.*

The FSPR Board had expressed to BLM that light pruning of the trees and monitoring the situation was our preferred approach. Many of us have very special feelings for these cherished trees. We've watched them grow and change over the years, along with the many birds and animals that have made the trees their homes. We've seen multiple visitors from all over the world stand in amazement at the trees' majesty. Many weddings have taken place under the trees. Bilbo's Birthday has been celebrated there as well. It is very hard for us to imagine what it will be like to lose one of our long-time friends.

BLM has made its decision and we understand the need to put the highest priority on public safety. In its current state, the western tree represents a risk to visitors, even with the fence and warning signs. At some point in the future, the tree will reach a point where removal is unavoidable. The BLM decision accelerates this process.

**UPDATE:** Since this article was submitted, much has happened re: the fate of the cottonwoods.

1) The BLM issued a press release announcing a public comment period on its plans to address the iconic cottonwood trees at San Pedro House. BLM has proposed pruning the healthy tree that overhangs San Pedro House and removing the huge, aging cottonwood just to the west. FSPR prefers an alternative in which both trees are pruned and the larger, western tree is left fenced to protect the public and allowed to die naturally. The scoping document is available on the BLM eplanning website (see link, p. 2). This is your opportunity to provide substantive comments, but the **deadline is July 29**, so time is short! Comments must be emailed to [blm\\_az\\_tfoweb@blm.gov](mailto:blm_az_tfoweb@blm.gov). The scoping document describes the type of questions that would inform substantive comments. According to the announcement: "In order for your comment to be substantive you must include rationale for why the extraordinary circumstance is triggered." Again, read the scoping document for details on how to comment.

2) Tom Wood of the Southeastern Arizona Bird Observatory (and former FSPR president) has created an [on-line petition to save the trees](#). Signing the petition is one way to express your opinion and feelings about the cottonwoods at the San Pedro House.

3) The [Friday Morning Focus Show](#) on KTAN radio featured a discussion about the iconic cottonwood trees at San Pedro House. The show, hosted by Pat Call, invited FSPR president Robert Weissler to discuss BLM's plans to address these large, aging trees and public reaction and concern over the possible removal of the oldest one. Hear the [hour-long radio program](#).

4) A Letter to the Editor from DeForest Lewis was published in the *Sierra Vista Herald*. On the next page appears his entire letter (the newspaper version was shortened).

*(continued on p. 4)*

June 25, 2016

## A tree named Plaza

Great trees are often such due to their size or historic relevance. Many of these trees are given names because of their significance in our lives and the location in which they stand.

There is a tree named Plaza that stands just west of the San Pedro House in the San Pedro Riparian National Conservation Area on Highway 90 at the river. This magnificent Fremont Cottonwood, botanically *Populus fremontii*, was named Plaza by the mother of Betty Foster Escapule sometime before 1956. Its size and form gave the tree distinction over the other cottonwoods in the area. What a great tree it is to behold still today, even as the nature of the species and decades of drought are showing decline of vigor and the want for a good long drink.

My first encounter with the Plaza occurred in the early 1970s when a heavy monsoon forced us to shelter in the then-abandoned ranch house, now the San Pedro House, near the roadway. The San Pedro was roaring, the wind was whipping vegetation about dangerously, and the windshield wipers were too worn to do their job; so, we were glad to find a spot of comfort.

After the rain subsided the sun burst through to the west and there it was, fresh washed in full leaf, silhouetted in the warm sunlight, a great tree, possibly the grandest I had ever seen and certainly the most beautiful. A sight that is with me today.

Two decades later I found myself and fellow certified arborist Daryl Smith measuring the Plaza for status in American Forests National Register of Big Trees. We tallied a total of 487 points toward recognition, far short of the National Champion Fremont Cottonwood located in the flood plain of Sonoita Creek. We did nominate the Plaza as a Great Tree of Arizona and received designation in 2003 for the Plaza in historical, age, and size categories. We estimated the tree to be 100 years old.

Since that time the tree has continued to grow but is not thriving as before, as documented in a risk assessment by consulting arborist Juan Barba dated January 2015. Lack of proper and essential horticultural management, environmental consequences, and species genetics have produced a spiral of decline that is unfortunate.

It is my hope that the management team of BLM and the SPRNRA can declare the relevance of the Plaza as a unique, accessible natural beauty and protect it from us while protecting us from it with fencing to allow our continued enjoyment of its majesty.

This tree is only a hazard if there is a target, be it person or property. Securing the space of Plaza's existence by disallowing a target will allow the Plaza natural mortality as it continues to provide a habitat for many creatures. Unless the Plaza is diseased with a communicable agent, let's fence it and let it be.

May we all enjoy the wonder of this Great Tree of Arizona called Plaza.

It will be a hallmark decision that will attest to the commitment of BLM to act with compassion at this time by allowing the Plaza to stand beautiful.

— DeForest Lewis, Sierra Vista, AZ

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## Tom Wood Leaves FSPR Board

After many years of service on the Board of Directors, including a year as president, Tom Wood has resigned. We extend our great appreciation to Tom for his dedication to the cause of protecting the river, its ecosystem, and wildlife. As Tom continues his work for the Southeastern Arizona Bird Observatory, we know we will still see Tom at San Pedro House, at the river, and elsewhere in the field. Best wishes from all the members of the Friends.





*(Left) Before the work, erosion and loss of the plaster on the west side of the building had accelerated during the last few months. (Center) Plaster repairs before the whitewash. (Right) The finished product! Photos by David Yubeta and Ron Stewart.*

## FSPR Funds Restoration of the Mercantile

*By Ron Stewart*

It's done! David Yubeta and Ramon Estrada have completed their repairs to the west wall of the Mercantile building at Fairbank. These two adobe and historic building experts have helped with the Mercantile in the past. This time, they repaired the stucco, repainted the historic lettering, and applied whitewash to the exterior on that side. It looks fantastic!

Come on out to Fairbank soon. The schoolhouse museum is open Friday, Saturday, and Sunday, 9:30 am to 4:30 pm. The weather is warm, so come early for a stroll to the cemetery or silver mill, then stop by the museum to talk with a volunteer about your experience and view the museum exhibits and the great selection of books in the bookstore. Remember that FSPR members get a 10% discount on purchases. While you are at the townsit, you can check out David and Ramon's great work to preserve this historic structure, built in 1882.

It is your dues and donations to Friends of the San Pedro River that make work like this possible. Consider making a donation to support our efforts along the San Pedro.

FSPR paid for this project using money from a grant provided by Heather and Mike Yost. Heather is the daughter of Joe Patz, an active volunteer in SPRNCA for BLM in the 1980s and 1990s. The grant is from his estate. It is being used to fund restoration projects in SPRNCA. This is the second such project; the first was to stabilize and fence the ruins of Brunckow's Cabin.

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## At the Fairbank Schoolhouse: What's It Like to Volunteer There?

*By Sally Rosén, Fairbank Volunteer Coordinator*

Volunteering at the Schoolhouse continues to be fascinating, rewarding, and a great learning experience. One weekend I met a woman visiting from South Dakota who had taught in a one-room schoolhouse. That brought to mind one of my personal heroines, Laura Ingalls Wilder, who, as a 16-year-old, also taught in a one-room schoolhouse in South Dakota. We chatted for quite a while about Laura and about the woman's experiences in her school.

Another woman asked me about one of our books about a local pioneer, Sarah Agnes Prine, which happens to be one of my favorites. As we talked, she mentioned the title of a book she likes about a pioneer woman in Nebraska. That book has since become another favorite of mine—one I've already read a couple of times.

There are times when some folks who lived in Fairbank or went to school there drop by. We have fascinating conversations. Just last Memorial Day, a man came in as I was closing. It turned out that he

*(continued on p. 6)*

was the nephew of Frances, Norman, and Robert Darnell, whom many of us know, and who went to school here. I heard some new tales about them and their family.

There are visitors from other places who want to get information about SPRNCA and Cochise County and they are very grateful for whatever we can tell them. There are horseback riders who go slowly through the town, giving us an idea of what it might have been like 100 or more years ago.

And there is natural history here, too. We see brightly colored birds, deer, javelina, butterflies, snakes, and lizards. As I write this, I am looking out at a whole “forest” of Mexican bird-of-paradise plants in bloom. I could go on and on.

We have a small group of dedicated volunteers who feel the same way as I do about the Fairbank Schoolhouse. They are willing to go the extra mile—literally. Yes, Fairbank is farther from most of our homes than is San Pedro House. But the experience is truly worth it.

This is the time of year when some of our volunteers travel. Recently, one of them relocated permanently, so we could use a few more volunteers who would like to give a few hours for two or more shifts a month. Training does not take long. You can bring a partner to share a shift. (Quality time with your spouse or friend.) We are air-conditioned now, so volunteering is comfortable in these hot temperatures.

If you would like to try it out, contact us at [schoolhouse@sanpedroriver.org](mailto:schoolhouse@sanpedroriver.org).

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## A Walk on the Wild Side

*By Ginny Bealer*

Among the many activities offered by Friends of the San Pedro River are natural history field trips for students. During the past school year, 400 students from a variety of county schools participated in a total of 18 field trips. We hope that our efforts serve to chip away at the impact of “nature deprivation” that seems to afflict youngsters whose “screen time,” both in and out of school, occupies an increasingly larger percent of their daily life.

Depending on the age of the students, our activities include a guided walk with lots of stops to investigate nature, sampling the river water with strainers to get a closer look at the aquatic fauna and flora, and observation of microorganisms that reside in the river and ponds through stereo- and compound microscopes. Some of the aquatic life students have scooped up and transferred to our tubs include dragonfly and mayfly nymphs, midge and mosquito larvae, back swimmers and water boatmen, diving beetles, aquatic snails, crayfish, fish, tadpoles, a baby softshell turtle, flatworms, and a couple of fish leeches. You may be thinking “eeyew,” but the students are fascinated by everything they find!

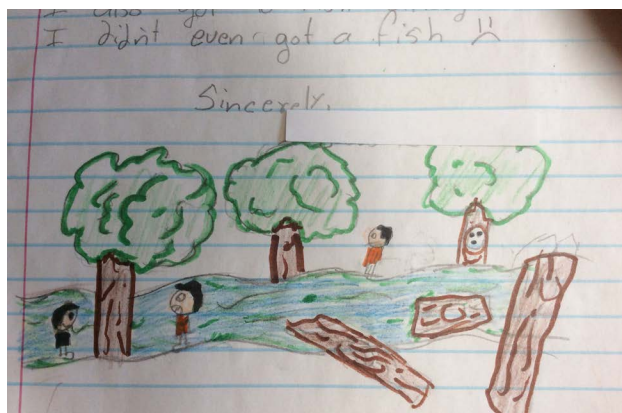
Here are some of the comments we received from a class of 4th graders recently:

- » “...it was a really nice place to take a walk because it’s so quiet and you can hear a lot of different types of birds.”
- » “I...learned how animals adapt their life in the river and trees.”
- » “I would go again because it is so fun.”
- » “I love birds!”
- » “We were a little loud but not for being mean—it’s just that we were excited to come here again.”
- » “The snake (a coachwhip) was really awesome because of its bright colors and how it went really fast to the bush.”
- » “I hope I can go again. I want to take my family over there.”
- » “The most fun part was when me and my friends went running to the San Pedro House to eat lunch.”

*(continued on p. 7)*

We never know what the long-term impact of our time spent observing nature with students will have, but we hope to plant the seeds of an appreciation of nature and human dependence on its processes, as well as the value of the natural world to provide relief from the stresses of modern life. If you would like to accompany us on a future field trip, send an email to [fspr@sanpedroriver.org](mailto:fspr@sanpedroriver.org) and we'll put you in touch with a member of the Education Committee.

*(Right) Drawing by a field trip participant.*



## Out and About

*By Pam & Charlie Corrado*

FSPR participates in local events to help inform the public about the San Pedro River and the opportunities it offers to local residents. On Earth Day, April 21, we staffed a booth at the Sierra Vista Farmer's Market. In addition to the usual vendors, folks were there representing Arizona Trails, the US Forest Service, and WaterWise. It was a great day to be outside!

Between 35 and 40 people stopped by our booth to speak to us and pick up literature. We garnered a few more email names and addresses and even walked away with some small donations! Our presence there was important, as it did pique the curiosity of folks wanting to know more about us and the San Pedro River. We spoke briefly with the Sierra Vista school bus driver that arrived with a load of third graders. He picked up several pieces of information that he will give to his school organizers to set up tours/visits to various sites that would be of interest to their students. Murray Springs and Fairbank were mentioned. It was in all a very positive experience.

On April 30, the Friends held a members-only outing to Carr House. Thirteen FSPR members—and one turkey!—came out for a tour of the site and a lecture on its history, hosted by the Friends of the Huachuca Mountains (FOHM) that operates the site for the US Forest Service. A good time was had by all.

We want to thank the FOHM for being such great hosts. Be sure to check out the website at <http://www.huachucamountains.org/>. The organization has a great summer series of lecture events going every other Sunday afternoon.



*Charlie Corrado at Farmer's Market on Earth Day.*



*FSPR Members-Only outing to Carr House.*

## Fairbank Day Celebrates Ghost Town's History

[Excerpted from an article by Ron Stewart published in the *Sierra Vista Herald*.]

More than 550 people came to Fairbank on March 12 to celebrate the history and natural beauty of the San Pedro River valley. Speakers covered native cultures of Cochise County, the Coronado Expedition, and preserving and restoring archaeological sites. Fort Huachuca's B-Troop brought the cannon team and Ladies Auxiliary. Active demonstrations included roping, atlatl (spear) throwing, and making adobe bricks. Kids enjoyed a treasure hunt and live local reptiles and invertebrates. The Friends provided a display on Clovis Culture, a "bone box" of local animals, tours of the town site, and a hike to the cemetery.

Other participating organizations were the Amerind Foundation, Bureau of Land Management, US Forest Service, Power from the Past, Gray Hawk Nature Center, Friends of Brown Canyon Ranch, Arizona Rangers, Tombstone Territories RV Park, Arizona Sunshine Tours, Friends of Kentucky Camp, Bisbee Mining Museum, Ramsey Canyon Preserve, Friends of the Huachuca Mountains, Buffalo Soldiers Association, and the Sierra Vista Historical Society.

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## Sustainable Use of Groundwater Matters

*By Robert Weissler*

[This article has been submitted for publication in the *Sierra Vista Herald*.]

Is it possible to plan new housing that makes sustainable use of groundwater? Why should we care? One word: California. The members of the Friends of the San Pedro River have concerns that, without our own groundwater use being sustainable, we will follow in California's footsteps.

While California has historically suffered intermittent water shortages, the past five years of drought have resulted in drying rivers and aquifers, as groundwater was pumped to compensate for the shortfall in the snowpack and surface water. Natural aquifer recharge is typically a very slow process. The water underground accumulated over thousands or millions of years. A sustainable water supply might have been achieved by enhancing recharge to balance withdrawals.

Locally, there are two proposed developments near the San Pedro that would increase groundwater pumping without enhanced recharge to balance the withdrawals. One, the Villages at Vigneto in Benson, Arizona, is a roughly 12,000-acre development proposed by El Dorado Benson, LLC on private property south of Interstate 10 and just north of Kartchner Caverns State Park accessed from State Route 90. The development would increase the population of Benson significantly from 5,100 residents to as many as 75,000 residents. Nearly 28,000 new homes would be built along with commercial businesses, infrastructure, roads, utilities and amenities. To support this ultimate population, 12,000 acre-feet (AF) would be pumped annually from deep in the regional aquifer. Eventually, such groundwater pumping could deplete the aquifer west of the St. David Cienega in the San Pedro Riparian National Conservation Area (SPRNCA), not to mention the existing communities of Benson and St. David. Aquifer depletion through groundwater pumping eventually could dry up the river near Benson so it no longer supports its rich gallery forest. For communities, aquifer depletion results in prohibitive costs to drill ever deeper wells and, with greater mineral and salt content, severely degrades the water that is withdrawn to make it unsuitable for potable uses without special treatment.

Does the Vigneto plan look sustainable with regard to groundwater resources? No, or at least not yet. The Stormwater Management Plan addresses only flood control and effluent reuse/recharge; it does not propose any enhanced stormwater recharge. The developer has yet to acknowledge that the underground water resource is not limitless. Nor does the Benson City Council—who already approved a development agreement with El Dorado Benson LLC—seem interested in sustainability. For them, there is plenty of water now, so no need to worry. Dollar signs are obscuring their view of the future. But they have the power to require sustainable groundwater use if they wished.

*(continued on p. 9)*



Meanwhile, Castle & Cooke Arizona, Inc. plans to build nearly 7,000 homes, Tribute, in Sierra Vista. However, a lawsuit was filed by local property owners and later joined by the Bureau of Land Management, the federal land manager of the SPRNCA. That lawsuit contends that the Arizona Department of Water Resources (ADWR) failed to account for groundwater needed by the river when ADWR issued a certificate of 100-year water adequacy for Pueblo del Sol Water Company to serve prospective residents of the Tribute development. Basin groundwater is a dominant component of surface water and alluvial aquifers under rivers, so pumping under Sierra Vista can impact the river. The judge's decision in the lawsuit held that ADWR must include the federal reserve water right for the SPRNCA in a re-analysis of the legal availability of water over the next 100 years before concluding that there is adequate water for Tribute. Any appeal in that case will take time to play out.



*Harvesting rainwater at San Pedro House.*

Current efforts to protect the San Pedro River include the San Pedro Conservation and Recharge Network land acquisitions and the Palominas Recharge Facility (85 AF capacity) operated by Cochise County. In the face of the proposed developments, however, it is insufficient. Developers could and should incorporate recharge into their stormwater management plans.

Insisting on sustainability presents funding challenges. We might seek appropriations and grants to help pay for them. It is difficult for cities, counties, the state or federal government to budget for such projects in the current fiscal environment. The developers could be required to contribute funds for recharge facilities as a condition of approval (as they do for roads and flood control). Taxes are an option, but undoubtedly would be very unpopular, and require that the public understand the importance of securing our water resources for the future.

The question remains, will we take the long view to balance economic prosperity with sustainable groundwater use? Only time will tell.

Finally, to get an idea of the challenges Arizona faces in managing its water resources, see the program Beyond the Mirage: <http://beyondthemirage.org/>. And remember, apathy is ultimately our principal enemy in this battle.

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## **Bloodiest Cabin in Arizona History**

*By Dutch Nagle*

[This article originally appeared in the *Sierra Vista Herald*.]

Brunckow's Cabin has been owned or used, at different times, by Frederick Brunckow, Milton Duffield, Ed Schieffelin, and Frank Stilwell.

It is a historic site southwest of Tombstone in Cochise County, Arizona and is purported to be the "bloodiest cabin in Arizona history." Rumor has it that between 1860 and 1890, at least 17, and possibly as many as 22 people were killed there, many of whom were buried on site. Presently, little of the cabin remains, except for some foundations and small portions of the walls. The site is now part of the San Pedro Riparian National Conservation Area and is protected by the Bureau of Land Management.

*(continued on p. 10)*



*Remains of the Brunckow cabin. Photo by Ron Stewart.*

Frederick Brunckow was born in Germany in 1830. After attending the University of Westphalia to become a mining engineer, Brunckow immigrated to the United States in 1850 and joined the Sonora Exploring and Mining Company, which eventually took him west.

In 1858, Brunckow left the Sonora Company to develop his own San Pedro Silver Mine, which was located approximately eight miles southwest of what would become Tombstone, near the San Pedro River. Joining him were a chemist, John Morse; a German cook, David Brontrager; and two miners, James Williams and his cousin William M. Williams. Brunckow built a store for supplies and a cabin to be used as sleeping quarters. A small and simple structure, the cabin was made of adobe and had a tin roof and a fireplace.

On July 23, 1860, William Williams left the mine and went west to Fort Buchanan to purchase some supplies. When he returned on the night of July 26, Williams found that the store had been ransacked; some of the provisions were missing, and the rest had been knocked off of their shelves onto the floor. Williams also found that his cousin James had been murdered and was lying among the provisions. Williams ran out the door and went back to the fort to tell the soldiers.

When the soldiers arrived on the following morning, they found two more bodies. Morse was lying dead in the dirt outside of camp; he had been “ravaged by animals.” Brunckow was found either near the entrance of the mine shaft or inside of it; he was reportedly killed with a rock-drill. Brontrager and the Mexican laborers were missing, as well as the company’s livestock. Later that same night, Brontrager arrived at a mining camp and told the miners there that he had been taken hostage by the Mexican laborers. Brontrager said that the Mexicans had turned on him and his friends just a few hours after William Williams left for the fort and that they let him go at the international border because they believed him to be a good Catholic.

The soldiers buried Brunckow and the others at the cabin and the killers were never apprehended.

Milton B Duffield is probably best known for being the first United States Marshal appointed to the Arizona Territory. The man “of iron nerve and unimpeached aim” was not well-liked and had a reputation for fearlessness. John Gregory Bourke once described him as wearing “11 firearms and a knife at one time, usually concealed.”

In 1873, Duffield acquired ownership of Brunckow’s Cabin and the mining claim; however, a man named James T. Holmes also claimed to be the owner. On June 5, 1874, Duffield arrived at Brunckow’s Cabin to

*(continued on p. 11)*

evict Holmes. As he approached, Duffield began “waving his arms and shouting like a mad-man.” Assuming that Duffield was “armed to the teeth,” as he usually was, and knowing of his violent reputation, Holmes grabbed his double-barreled shotgun, walked out the front door, and without hesitation shot the old lawman dead. It was at this point Holmes realized that his victim was unarmed.

Duffield was buried at the cabin. Holmes was arrested, tried for murder, and sentenced to three years in prison, but he escaped before serving any of his time.

Ed Schieffelin was a prospector known to history as the “father of Tombstone.” In 1877, just prior to the discovery that led to the founding of Tombstone, Schieffelin established a “permanent camp” at Brunckow’s Cabin to be used as a base for exploring. With his brother Al and a fellow prospector named Richard Gird, Schieffelin searched the area for weeks, but his stay was uneventful. However, the location of the San Pedro Silver Mine persuaded him to search the rocky outcroppings to the northeast, where he found the Tombstone mines.

Frank Stilwell was an outlaw and member of the Clanton faction during the famed Earp-Clanton feud. On March 20, 1882, Wyatt Earp shot and killed Stilwell at the train station in Tucson. The incident was unrelated to Brunckow’s Cabin, except that Stilwell was the owner of the property at the time of his death.

Newspapers from the 1880s and 1890s reported as many as 22 murders occurred at the Brunckow site and haunting spirits were present there. Some people today still believe that ghosts reside there.

**[NOTE: Much of this article was taken from Wikipedia.]**

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## **The Spanish Fort on the San Pedro River**

*By Perrie Barnes*

[NOTE: This article originally appeared in the *Sierra Vista Herald*.]

The Presidio Santa Cruz de Terrenate, a Spanish fort established in 1775 and abandoned by 1780, is one of the most intriguing and evocative sites along the San Pedro River.

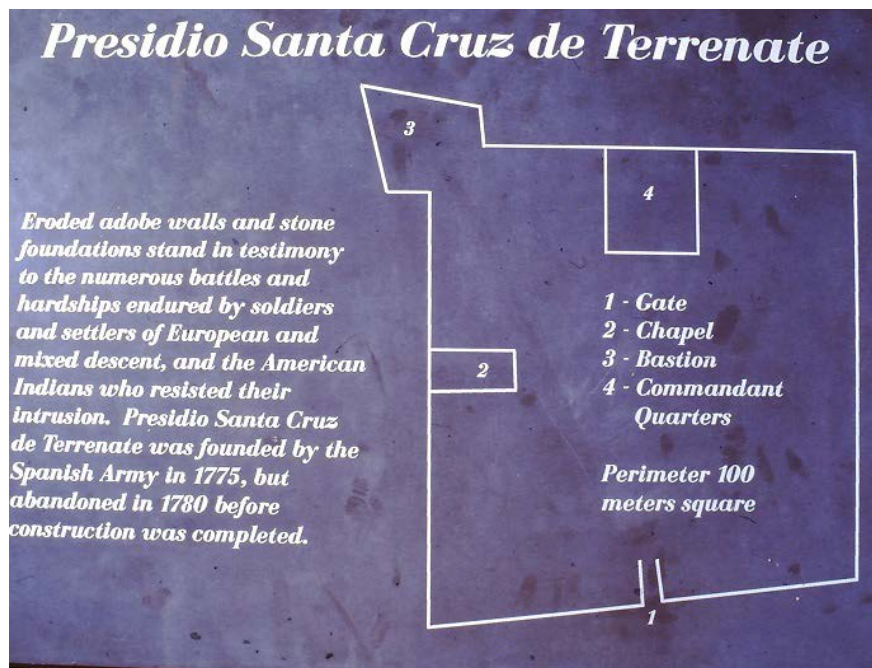
Relatively few prehistoric and historic sites have been investigated along the San Pedro River, given the area’s rich history. Most of what is known about the early historic inhabitants of the San Pedro comes from Spanish military and Church documents, along with the archaeological excavations and publications of Dr. Charles diPeso, who served as director of the Amerind Foundation from 1952 to 1982 and more recently by archaeologist Dr. Deni Seymour, an internationally recognized authority on protohistoric and historic Native American and Spanish colonial archaeology and ethnohistory.

Today, the Presidio consists of melting adobe walls with the rock footings for the outer walls and a few stubby walls remaining around the chapel and the Commandante’s quarters. The remnants of the Presidio stand as a monument to three cultures: Spanish, Apache, and Sobaipuri--each the embodiment of romance and legend.

The Presidio represents Spanish bravery, stubbornness, and futility in protecting and extending the 18<sup>th</sup>-century Sonoran frontier, where Apache resistance checkmated Spanish frontier expansion. It is also a specter of the Sobaipuri village culture as Spanish ally and Apache enemy.

The Spanish regarded the frontier as a leaky sieve, so Spanish military and administrators devised a plan to realign the presidios to protect the ranches, missions, mines, and villages from raids by the Apaches

*(continued on p. 12)*



and other Native Americans. The Presidio would house a company of 57 presidial soldiers, their families, Indian allies, and half of the 45-man flying company (a troop that patrolled the roadways from missions and other presidios to the south and could be ready immediately if an emergency arose).

The Spanish selected the site for several reasons. Foremost among them was location. From the Presidio, the Spanish could stop raids from Apache rancherias in the Chiricahua Mountains and the Gila Wilderness and protect the east-west communication lines linking New Mexico to the California coast

The Sobiapuri were successful farmers in the San Pedro Valley until they felt compelled to move west to the Sonita area and to the Santa Cruz River because they were raided too often by the Apache. As allies of the Spanish for about 80 years, they were willing to come back to the Presidio to reclaim their lands.

The Spanish envisioned the river providing their drinking water as well as irrigating their crops. The area also offered necessary building material, such as large rocks for the wall footings and sand to make adobe. Construction design was adapted from the Middle Eastern caravanserai, a walled square or rectangle with a single entry. The plan was simple so illiterate construction workers and soldiers were able to build it. The Presidio was nearly square, with a double gate facing the San Pedro River and a bastion at the rear to store arms and gunpowder.

The fort offered a 360-degree view of the surrounding countryside, which they hoped would provide extra security. It did not. While the Presidio had a prime location and the earmarks of success, problems plagued the construction. Within a couple of months, the Apaches had stolen a pair of oxen the Spanish brought in to move the heavy rocks for foundation footings. Other problems plagued Terrenate—Apache attacks, inferior weapons and ammunition, and poor logistical support with inadequate and infrequent supply trains.

The area was remote. It was 70 miles from Spanish settlements along the Santa Cruz River and almost as far as the Presidios in San Bernardino [across from Douglas] and Cananea. Corruption plagued its construction and constant attacks by the Apaches forced the soldiers, their families, settlers, and Indian allies to stay within the shelter of the Presidio's incomplete walls. Three hundred people plus their surviving animals lived in an area less than the size of two football fields. Fear was a constant companion.

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For five years, the Presidio managed a presence along the San Pedro River. During this period, more than 80 men plus two of their captains and an unknown number of civilians were killed. When the order came to abandon the Presidio in 1780 and retreat to Nutrias, south of the Huachuca Mountains, it was not a moment too soon for the starving and exhausted soldiers and their families.

The Presidio Santa Cruz de Terrenate is located within the San Pedro Riparian National Conservation Area north of Highway 82 on In Balance Ranch Road, about 1 mile west of the river. A trail leading to the Presidio site is well signed.

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## **The Puzzling Assassination of Martin Peel in Millville & the President Threatens Martial Law**

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In the early 1880s, Tombstone and nearby areas were plagued with violence (Walker, 1969). The Texas Rangers to the east and the growth of orderly communities in California to the west induced criminals to move into Arizona. Cochise County then probably had a population of approximately 9560 people, with more than 85% of them concentrated in Tombstone and the towns of Charleston, Millville, Contention City, and Fairbank. The scattered distribution of people in other areas meant that outlaws could easily move about in many places without being observed. The sudden silver boom centered around Tombstone attracted a variety of undesirable elements. There were many opportunities for making ill-gotten gains. Stagecoaches regularly moved silver bullion from Tombstone to the railroad at Benson. Merchants and bankers of Tombstone had to send out money to settle their accounts. Because horses were the chief means of transportation, they were always in demand, and there was a ready market for stolen horses. There was also substantial demand for beef because of the needs of the army and of the Bureau of Indian Affairs. The county was an excellent place for illegal operations. Law-abiding citizens were so occupied with making money that they often had little time to devote to other affairs. The boundaries of four different jurisdictions came together near the southeastern corner of the county: Arizona, New Mexico, and the Mexican states of Chihuahua and Sonora. Outlaws could easily evade pursuit by riding from one jurisdiction to another. People were heavily armed because of the threat of Apache attacks. The lawless men who rustled livestock or held up stages for a living were commonly called "cowboys." This faction was so strong that ranchers often had to cooperate with them or lose their own stock. Civilian authorities were often corrupt or incompetent or simply lacked adequate resources for enforcing the law.

Many killings received only slight mention in newspapers. However, the assassination of Martin Reuter Peel on March 25, 1882 horrified many people and received considerable press attention in Tombstone and elsewhere. His assassination took place in the office of the building (Fig. 1) that Richard Gird had constructed in Millville to house himself and his wife and the office of the Tombstone Mill & Mining Company (TWE, 1882b). Millville then had the two mills of the company, the building with an office and the living quarters for Gird and his wife, a boardinghouse, stables, and other buildings and was essentially a small village opposite the larger settlement of Charleston where most mill workers lived.

The company had a month or two previously engaged Martin Peel to help rebuild the dam on the San Pedro River that supplied its mills with water and to help with repair of the flume that carried the water. On the evening of his murder, Peel had finished his work and was relaxing together with fellow employees, W.L. Austin, George W. Cheyney, and F.F. Hunt. He was enjoying himself sketching a face while sitting on the outside of a counter that ran through the center of the office. He was thus in position



Fig. 1. Richard Gird home & Tombstone Mill & Mining Office, 1879. From Gird, 1907, p. 46.

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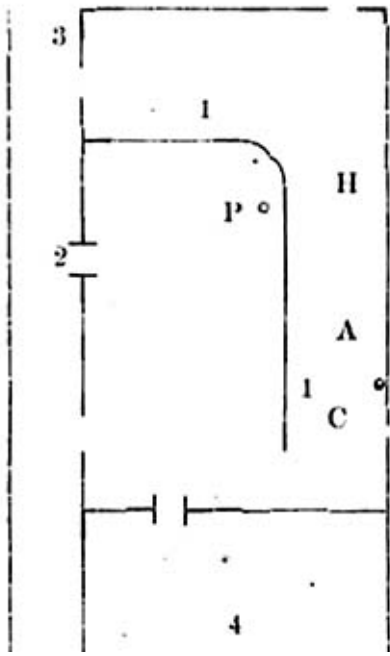


Fig. 2. Cheney's drawing of Gird's office.

"P" close to door number 2 of Fig 2. Hunt, Austin, and Cheney were behind the counter in the positions indicated by "H," "A," and "C," respectively.

At approximately 8:20 pm, the men noticed a fumbling at the door knob of door number 2 and then a heavy rap—probably produced with the butt of a gun. Austin shouted "Come in." Someone then flung the door wide open. A man with a rifle entered and was immediately followed by another who brought his rifle down as he entered. Both assailants fired a single shot almost immediately as they entered. One bullet shot Peel through the heart and, because of the close range, set his clothing on fire. He rose from his chair, then fell down dead. The bullet that killed Peel came from a rifle that was already in firing position when the door opened. The shot fired by the second man was apparently aimed at Austin. However, the second shot was slightly delayed after the first, possibly because the second assailant was the one who flung open the door. All three of the employees behind the counter were able to drop down behind it and the shot that missed buried itself in the wall (shown by the lower small circle of Fig. 2). The bullet that killed Peel made a hole in the counter (indicated by the small upper circle).

Both assailants fled after having each fired a single shot. They were masked with handkerchiefs; the only one who was well seen wore a white hat that he lost on his way to the horses that were held by an accomplice a few hundred yards from the office. Several men reported rockets fired after the assassination.

People were utterly bewildered about the motive for the attack. The assailants did not demand money or bullion. The night was not stormy, and the apparent use of signal rockets was certainly not part of the normal routine of a robbery. Citizens wondered if the use of rockets indicated that the deed was premeditated and that the rockets were used to inform someone that the deed had been accomplished. Cheney reported that he felt that the assailants would have had sufficient time from their departure from the office to reach the area from which it appeared that the rockets were launched.

Peel lacked enemies as far as anyone knew. This young man was the son of Judge Bryan Peel, a highly respected resident of Tombstone, and was also one of the producers of a well-regarded map of the Tombstone Mining District (Bailey and Chaput, 2000b, p. 65; Ingoldsby et al., 1881). Before moving to Tombstone, Martin Peel had lived in Los Angeles and received training there as an engineer. The *Los Angeles Herald* stated on March 28 (LAH, 1882a) that "We had the pleasure of knowing deceased intimately during the earlier years of our residence in Los Angeles and always found him a thorough gentleman, honorable and high-minded in all his impulses, a character which he bore amongst all who knew him. His early death casts a deep gloom over a large circle of attached relatives and friends."

Governor Tritle authorized the *Tombstone Epitaph* to announce that he was offering a reward of \$500 for the arrest of the murderers (TWE, 1882c). The paper duly reported the reward, suggested the County Board of Supervisors supplement it with a similar amount, and stated, "it is more than likely that they will do so at their first meeting in April." The newspaper was indeed correct, and the County Board of Supervisors during its April meeting (TWE, 1882f), authorized Sheriff Behan to offer a reward of \$500 for the capture of the murderer of Peel and also another \$500 reward for the murderer of "old man McMenomy, who was killed on the San Pedro near St. David's about the same time of the murder of Mr. Peel."

Events on March 28 may have led to the capture of the assailants (Breakenridge, 1992, p. 302-311; TWE, 1882d). Around 7 pm on March 28, E.A. Harley, the deputy sheriff in charge of the office in the absence

(continued on p. 15)

of Sheriff Behan, learned that two men for whom the office had warrants—named Billy Grounds, alias “Billy the Kid,” and Zwing Hunt—would be near Tombstone that night or early the next morning. (Zwing Hunt was not related to F.F. Hunt.) The two men had gone to the Chandler milk ranch approximately nine or ten miles east of Tombstone and found that the only person there was a man in charge because the owner was in Tombstone. Two Mexican families lived in a house about 100 yards away from the main ranch house. Hunt and Grounds said that the owner of the ranch owned them \$75 and sent a note to the owner in Tombstone by the man in charge. The note asked the owner to send them the money by bearer because they were getting ready to leave the country. The owner instead informed the sheriff’s office of the outlaws’ location. In the meantime, Bull Lewis, a teamster, came to the ranch and was the only person in the house with the outlaws when the posse arrived. A. Harley ordered Deputy Sheriff Breakenridge to organize a posse and to leave town about 1 or 2 am so as to be in the proper area to arrest the outlaws. The office arranged for two miners, Jack Young and John A. Gillespie, and a jail guard named E.H. Allen to be members of the posse.

The posse arrived at the ranch just before dawn, tied up their horses a distance from the house, and crept toward it. Breakenridge placed Young and Gillespie at the back door behind a woodpile and told them to be quiet until daylight when he expected that the outlaws would come outside to look for their horses. Allen and Breakenridge went to the front of the house where there was both a window and a door. Just as they arrived there, Gillespie knocked on the rear door and, when asked who was there, replied, “It is me, the sheriff.”

The two outlaws opened the door and shot Gillespie dead and also shot Young in the thigh. The front door then opened and Bull Lewis ran out shouting, “Don’t shoot, I am innocent.” A shot from the front door creased Allen across the neck, knocking him senseless. Breakenridge heard someone step toward the door from the inside and grabbed Allen by his collar and dragged him down the bank of a dry creek in front of the house. Breakenridge jumped behind a small tree just as someone shot from the front door and the bullet hit the tree. The person who fired the shot stepped to the door to fire another. Breakenridge fired one barrel of his shotgun, loaded with buckshot, into the opening. The buckshot hit Grounds in the face and he fell to the ground. Meanwhile, Allen had regained consciousness. Hunt came around from the back of the house calling out, “Billy, Billy.”

Both Breakenridge and Allen fired at Hunt, who disappeared, and they thought that he had been shot. Young called out that he had been shot and Breakenridge ran to him and helped him get to another house about 100 yards from the main ranch house. Allen laid behind the creek bank and guarded the front door so that no one could come out and shoot Breakenridge. All of the shots up to that point had been within a period of two minutes.

Breakenridge took Young to a place where he could have attention once a doctor arrived and returned to Allen, told him to guard the house, said that he thought Hunt was wounded, and that he would go up the creek to look for him. By then it was daylight, and the two men could see the feet of Billy Grounds sticking just out of the door.

Breakenridge walked about 100 yards up the creek when he heard the bear grass rustle and aimed his gun at the area and shouted “Throw up your hands.” Zwing Hunt immediately raised his hands, and Breakenridge ordered him to lie down and put his hands in front of him. After Hunt did that, Breakenridge sent Allen to pick up a milk wagon that was at the other house and to get the men there to help take Hunt to that house. The outlaw was shot through the left lung, and every time he breathed, air whistled out the wound in his back where the bullet exited. Breakenridge took off his coat and made a pillow with it for Hunt. Allen and the other men arrived with the milk wagon to take Hunt to the house. Breakenridge sent Bull Lewis to Tombstone with a message asking for an ambulance and the doctor. The posse found Gillespie dead at the back door and Grounds still alive, although he never recovered consciousness. The posse put the outlaws on a mattress, made a fire, put hot water bottles at their feet, and did what they could to make them comfortable.

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The doctor eventually arrived with a crowd that included several friends of Breakenridge because people had gotten the belief that he had been killed. The men returned to Tombstone with Gillespie dead in one wagon, the badly wounded Grounds and Hunt in another, Allen and Young in the ambulance, and Breakenridge—the only posse member not shot—riding on a horse. Young told Breakenridge that Gillespie had wanted to run for sheriff in the next election and decided to make the arrest alone and thereby get credit for it. Hunt said that he thought a posse led by Wyatt Earp was after them and would not have fought had he known otherwise.

People began to suspect that Grounds and Zwing Hunt were the assassins or accessories to the murder (Parsons, 1996, p. 215). The warrants upon which the posse acted were only for charges of rustling, and it seemed improbable that the rustlers would've resisted to the point of death (LAH, 1882b). Moreover, one of the rustlers wore a hat that was much too large for him, and one of the assassins had lost a hat near the scene of the assassination. Shortly after the shooting, Hunt told Deputy Sheriff Breakenridge that he had come to the place with the intention of "downing" Jack Chandler, who he said owed him money (AWC, 1882b). Hunt then asked what the charges were against him and seemed very relieved when the deputy sheriff replied "Grand larceny." His evident relief resulted in the suspicion that he and Grounds were involved in the assassination. At some point, the horses of the two outlaws were put into Dunbar's Corral in Tombstone, and the boots of the men were confiscated as potential evidence. The possible involvement of the two outlaws was examined during the lengthy Coroner's inquest that started on March 27.

The first witness during the inquest was George W. Cheyney, a clerk, who described the details of the assassination as given above and drew the diagram of Fig. 2 (TWE, 1882b). Cheyney added that after the killing, he, Austin, and Hunt armed themselves and went out on the porch, then walked along the road several hundred yards where they met the watchman who was coming down the hill. They sent him to rouse additional men, and within five or six minutes, several men had collected and divided into parties that went around the house to the office door. Cheyney found that Peel was lying on his back with his head and shoulders on the porch and had no pulse. He found that the victim's clothing was on fire and together with other men carried him into a chamber adjoining the office. Cheyney was not looking at Peel at the time the assassins came in and could not say whether or not weapons were pointed at him in particular but reported that the rifles were leveled when the men came in. He knew of no enemies of Peel, had no idea why the deed was done, and speculated that the object might have been robbery. He saw two rockets shortly after the shooting on a line between Charleston and Tombstone and noted that some of the other men reported seeing the rockets themselves.

F.F. Hunt, an assayer, next testified that he agreed with Cheyney's testimony, knew of no personal feeling or cause for the attack, felt robbery was the only reason he could think of, stated that he did not know how much bullion was in the vault in the office, and reported that he did not know of any money in the vault.

Miss Mary Melane then stated that she was the housekeeper in the building and heard everything distinctly in her room that was right over the office. Contrary to what other witnesses said, she reported hearing Peel cry "Oh!" and recognized his voice. She knew of nothing of a personal nature that would have led to the incident.

Wm. H. Dugan, a laborer, testified that at about 8 pm, he was working wheeling in "tailings," about 150 yards from the company office, and heard what sounded like two shots. He saw two or three objects rapidly pass by the farther end of the office and go towards an adjacent woodpile. He saw several flashes before the shots and afterwards saw a rocket in an approximately eastern direction. He never heard anyone speaking of the victim with anything but respect.

George Fraser, an engineer in the Gird mill, was in his house at Charleston around 8 pm when the watchman came to the door and told him to arm himself and go to the office as fast as possible because there had been an attack. He did not see or hear the shooting but did report observing several flashes and found the bullet that had killed Peel in a pigeonhole about three inches from the top of the counter.

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Henry Nelson, a melter for the company, did not see any suspicious circumstances before the shooting but saw flashes afterwards in an easterly direction, then one in a northerly direction. He picked up a hat that was lying in front of the office door and stated that he believed that the hat that was shown to him in court was the same one that he had found. Nelson reported that there was no evidence of a thunderstorm and nothing to indicate lightning.

On the second day of the inquest (TWE, 1882c), E.T. Hardy, a Bisbee merchant, stated that he did not remember selling either the hat or the handkerchief that were shown to him in court. For reasons that are not given in the newspaper article about the inquest, Hardy testified that he knew a man named Henry and last saw him in Bisbee approximately four or five days previously. Hardy met him on the road about 10 days prior and noted that he was armed with a gun and six-shooter and said he was shooting rabbits. (Probably there was speculation that Henry was involved in the murder.)

Henry Raymond testified next and said that he lived in Tombstone but had been living in Bisbee until the night before the murder. He left Lewis Spring about 10 am on the day of the murder (Saturday), passed through Charleston, went about a quarter of a mile from the Boston Mill, and stayed there until 4 pm. He then continued on to Tombstone, stopping about an hour to hunt rabbits. He saw no one on the road, except some men blasting rock below Charleston on the river and three men sitting beside the road. Raymond reported that he never wore a white hat, never saw Judge Peel before outside of Tombstone, did not recognize Austin, saw no lightning, bought his hat and boots from Glover approximately a week before Christmas, and did not buy any handkerchiefs from the merchant when he bought the hat and boots. Raymond then contradicted himself by stating that it was 12 o'clock on Friday when he met the men below Charleston and that he had arrived in town Friday night and was in Tombstone all of the day of the murder.

W.L. Austin, mill manager, corroborated Cheney's testimony and testified that he had a revolver near him and grabbed for it. He thought that Peel made the same move and that that was the cause of the shot. Austin dropped and thus escaped the shot that was fired at him. He subsequently examined the tracks made by the assailants and concluded that one of them had boots that were about medium-size while the other had somewhat peculiar boots. The boot prints of one assailant were 9-½ inches long and 3-½ inches wide and had tread on the side. The other assassin made larger tracks, with a hollow in each heel. One of the horses was large and had been recently shod and must have been a draft animal because of the type of its shoe. The tracks of the assailants headed in the same direction as where he saw the flashes.

There were only two witnesses on the third day of the inquest (TWE, 1882d). J.A. Nolly, a carpenter and miner residing in Charleston, stated that about two minutes after the noon whistle blew on the day of the murder, he saw Henry Raymond. Henry had a gun and pistol and wore a light drab hat that was lighter in color than the hat that Nolly found near the mill office. Isaac Jacobs stated that Henry Raymond began working for him on March 26 and that he bought some rabbits from him the day before. He last saw Raymond at about dusk the night of the murder.

The fourth day of the inquest included testimony from three witnesses (TWE, 1882e). T.J. Harrison, a resident of Charleston, stated that the hat shown in court looked like one that he used to wear. He was not positive if it was the one, but thought it was. He obtained the hat from Fin Clanton approximately last December, and Clanton had said that he obtained it from Mr. Ayres, a saloon keeper in Charleston.

Edward Overton said that he lived about six miles below Charleston, at Lewis Springs. At noon on Sunday, the day after the killing, two young men came by on horseback and asked for food, stating that they had not eaten since the previous morning. He fed them, and they laid down to rest. Company C of soldiers later came by. Overton told the young men that there were soldiers in the area, and they became "very much excited," talked together in low tones in the corner of the house away from him, and afterwards stated that they did not want to be seen by anyone. Overton told the men that the soldiers were not looking for them, but rather for Indians. The men remained with him until about five minutes before sunrise on Monday morning, were afraid while there, and told Overton that they were escaping from justice. Overton subsequently visited the hospital and reported that the men there who had been shot

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were the ones who stayed with him. One of the men recognized him and said he wished they had stayed at his house. One of the men asked two or three times if Overton had heard about anyone being killed at Charleston lately and seemed very relieved when Overton said no because he did not learn about the murder of Peel until later. Overton saw the horses at Dunbar's Corral that were said to have been taken from the men and recognized them as the ones they had ridden away from his house.

Austin testified that he had examined the boots of Grounds and Zwing Hunt and that the tracks he saw at the mill might have been made by them. However, he stated that he could not swear to that, although he was "quite positive in my own mind that they are the ones." He stated that he had examined the horses at the corral taken from Grounds and Hunt and that one of the hooves corresponded very nearly to one of the tracks that had been made at the mill, but that he did not recognize the other horse. He suggested that three other persons—Henry Fishback, McClure, and a carpenter—could better identify the horses and boots than he could. Austin had examined the guns that the sheriff had in his charge but could not identify them.

The inquest concluded on April 3 after five days (TWE, 1882a). Henry Fishback, a resident of Charleston and amalgamator for the Tombstone M. & M. Co., testified that he had examined the tracks of the assassins the morning after the shooting and thought that he could recognize the boots that made them. One was made by a heavy boot and the other looked as though it had been made by a "fine one." The coroner produced the boots from Grounds and Hunt, and the witness stated that one of the pair might be those that made the tracks but that he was not sure. He had examined the horses at the corral and thought that the larger of them might've made one of the sets of tracks that were at the mill but did not think that the other horse could've made the other set of tracks.

Ernst McClure, a Charleston merchant, examined the boots and stated that a pair of them might have produced the tracks at the mill. He also thought that one of the horses at the stable could've made the tracks at the murder site.

J.E. Smith, a carpenter in Charleston, examined the tracks at the mill and concluded that none of the boots made them. He thought that one of the horses in Dunbar's Corral might have made one of the set of tracks but remarked that he was not an expert trailer of either man or stock.

D.H. Holt examined the hat that Cheney had given him the night after the shooting. Another man in Charleston had one just like it and said that he got it at McKean & Knights.

Dr. H.M. Matthews testified about the wound that killed Peel. It was made by a ball that passed through his right side and through the heart, killing him instantly.

The inquest then recessed from 12:30 until 1 pm. The jury convened again at 1:30 pm and, after deliberation, concluded that the victim's name was M.R. Peel, aged about 26, a native of Texas, and that he died on the night of March 25 at the office of Tombstone M. & M. Co. mills from a gunshot wound "inflicted by parties unknown to the jury." The evidence possibly implicating Hunt and Grounds and the often uncertain or conflicting conclusions of witnesses simply did not provide strong enough proof to conclude that the rustlers had been responsible for the assassination.

Any hope of obtaining information from Zwing Hunt or of prosecuting him at least on the rustling charges literally vanished on the night of April 27 between 8 and 9 pm (TWE, 1882g). Authorities had deposited him in the county hospital to recuperate. On Monday, April 24, Supervisor Tasker had spoken with Supervisor Joyce about removing the outlaw to the jail. However, the latter supervisor felt that Hunt was still in such a serious condition that a transfer would endanger his life and that there was no current danger of the man escaping. The doctor treating him, Dr. Goodfellow, said that the man's condition was so critical that he would have opposed such a move as cruel and liable to kill Hunt. He also opposed moving the patient to a place that would be more comfortable than the jail because even that transfer would endanger his life.

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Meanwhile, Hugh Hunt, the brother of Zwing, had arrived in Tombstone on Sunday April 23. The brother and the father of both men were respectable merchants in Texas and reportedly “well off.” After his brother arrived, Zwing Hunt was in very good spirits and seemed to be quickly improving in health. In the last week of April, the *Tombstone Epitaph* had contained a communication warning of the possibility of an attempt being made to rescue the prisoner from the hospital, but a guard was not posted to prevent his escape.

Someone apparently took Zwing Hunt out of the hospital between 8 and 9 pm on April 27 and drove him away in some sort of a conveyance, the patient still apparently being too weak to have left on his own. When Hunt disappeared, there was no one in the front room with him, but there were two patients in an adjoining back room and three or four convalescent patients sitting beneath an awning in the rear of the building. All of them said that they heard nothing and did not know about the disappearance until a few minutes before 9 pm, when the janitor went into the front room and found that Hunt was gone. A messenger was immediately sent to tell Dr. Goodfellow, who promptly informed the sheriff.

Hugh Hunt returned briefly to Tombstone on June 9, 1882 and reported the details of his brother’s death (TWE, 1882h). He also claimed the horse and guns that belonged to Zwing at the time of his arrest (Breakenridge, 1992, p. 312-313). After he and his brother escaped from the hospital, they rode to the Dragoon Mountains on horseback, reaching there at night. Zwing was sick and very weak and vomited several times during the journey, refusing to go any further after they reached the Dragoons. Their original plan had been to continue on to the Chiricahua Mountains that would provide better opportunities for hiding from the law. They rested the next day in the Dragoons and then at night rode towards the Chiricahuas. Zwing recovered rapidly and the brothers spent all of May wandering through the Chiricahuas. On May 30, they camped in Pinery Canyon. The next morning, Zwing baked bread and Hugh made coffee and broiled some meat. The men had just started to eat breakfast when a volley of gunshot was fired toward them. Hugh at first thought that the shots were from the sheriff’s posse, but when he looked quickly around, saw several Indians nearby taking aim with their rifles. Zwing pulled out his gun and cried “Damn it! Go to shooting.” It was the last he ever spoke because the Indians shot him four times, once in the left hip, once in the abdomen, and twice in the head. After his brother died, Hugh ran into the heavy timber and headed for their horses that were hobbled nearby. The Indians, who were on foot, ran after him and kept up a continuous firing. He jumped on a horse bareback without removing the hobbles and rode for about half a mile until he felt it was safe to remove the hobbles. Hugh reported that his brother had several times told him that he thought the posse at the Chandler ranch was the Earps and that was why he fought. A sheriff’s posse subsequently dug up the body and identified it and found that the wound in Hunt’s lung was still not healed (Breakenridge, 1992, p. 312).

On June 9, 1882, a Cochise County grand jury that had been impaneled to in part investigate the operation of the county reported that, at the request of the Court, it had made a “very searching” inquiry into the escape of Zwing Hunt from the County Hospital (AWC, 1882e). The jury concluded that, “his escape was owing to negligence of the Sheriff. We are of the opinion that this officer entirely and inexcusably neglected to take any measures to prevent his escape or abduction.”

The bold killing of a well-respected young man in the office of Richard Gird caused considerable consternation among residents of Tombstone. George Parsons, a well-respected resident, wrote about the incident in his diary on March 26 (Parsons, 1996, p. 214-215). “Another murder and this time of the most startling nature. Poor Peel was shot and instantly killed by two masked men at the T. M. & M. Co’s office, Charleston, last evening between eight and nine o’clock. No reason whatever assigned for the cause. Possibly an attempt at theft and perhaps simply thirst for gore on account of attitude of the company against the outlaw element. Now that it has come to killing of upright, respectable, thoroughly law abiding citizens—all are aroused and the question is now, who is next.”

The assassination of Peel, the gunfight at Chandler’s ranch that resulted in the death of a member of the posse, and the escape of Zwing were but some of the many lawless incidents in and around the San Pedro River Valley and other regions of Cochise County. The fact that Hugh Hunt felt safe returning to Tombstone after helping a prisoner escape suggested that law enforcement was somewhat sporadic.

*(continued on p. 20)*

Governor Tritle arrived in Tombstone on March 27 to investigate the violence (AWC, 1882c; Parsons, 1996, p. 214-215, 218; Wagoner, 1970, p. 194-200). He was greatly concerned by what he found and concluded that the civil authorities were powerless or unwilling to afford proper protection to life and property. He facilitated the formation of a posse to assist Deputy United States Marshall J.H. Jackson in protecting life and property and declared that when the number of the posse reached 30, he would muster them into service as a militia company. Tombstone citizens also met and discussed steps for organizing an additional military company and appointed a committee of citizens to seek donations to defray the expenses and pay the men who would assist the marshal.

The *Los Angeles Herald* pressured Governor Tritle to take strong action (LAH, 1882b).

*There is a good deal of curiosity to know what Governor Tritle has been about all this time. In face of a crisis which has practically assumed the dimensions of an insurrection he does not seem to have thought it necessary to interpose the weight of his official authority... The murder of young Peel, itself following on two border tragedies, and followed in turn by two more—altogether scarcely needing 10 days for their accomplishment—will not only check the growth of Arizona and population but will actually depopulate the territory unless a remedy—a quick and sure remedy—is found for the disorders.*

Tritle did take decisive action. While still in Tombstone, he telegraphed President Chester A. Arthur on March 31, described the turbulent conditions caused by the cowboys, and requested a congressional appropriation of \$150,000. General Sherman came to Tombstone on April 7 and was also dismayed by the violence and lawlessness.

Pressure continued to build for more action. The *Arizona Weekly Citizen* on April 9, 1882 (AWC, 1882c) wrote about a feeling of insecurity by citizens.

*There is a general feeling of insecurity, owing to the evident powerlessness or unwillingness of the civil authorities to afford protection to life and property. The condition of affairs is insurrectionary and processes of law cannot be served without violence. A virtual reign of terror exists, which makes peaceable, law-abiding citizens unwilling to serve as posse and stifles the free expression of opinion upon the tragic occurrences of the past few weeks.*

President Arthur heeded the advice of Governor Tritle and General Sherman and on April 26, 1882 sent a message to Congress stating that the governor of Arizona had reported that “violence and anarchy prevail, particularly in Cochise County and along the Mexican border.” The president stated “Much of this disorder is caused by armed bands of desperados known as ‘Cowboys,’ by whom the depredations are not only committed within the Territory, but it is alleged predatory incursions are made therefrom into Mexico.” He requested that Congress modify an 1878 law to allow military forces to be used as a *posse comitatus* to help civil authorities (Arthur, 1882a). Congress responded by informing the president that he already had sufficient authority. The president responded with a proclamation on May 3, 1882 that bluntly threatened to use military forces if the lawbreakers in Arizona did not disperse (Arthur, 1882b; AWC, 1882d).

*Whereas it is provided in the laws of the United States that—*

*Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce by the ordinary course of judicial proceedings the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed or the execution thereof forcibly obstructed.*

*And whereas it has been made to appear satisfactorily to me, by information received from the governor of the Territory of Arizona and from the General of the Army of the United States and*

*(continued on p. 21)*



*other reliable sources, that in consequence of unlawful combinations of evil-disposed persons who are banded together to oppose and obstruct the execution of the laws it has become impracticable to enforce by the ordinary course of judicial proceedings the laws of the United States within that Territory, and that the laws of the United States have been therein forcibly opposed and the execution thereof forcibly resisted; and*

*Whereas the laws of the United States require that whenever it may be necessary, in the judgment of the President, to use the military forces for the purpose of enforcing the faithful execution of the laws of the United States, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time:*

*Now, therefore, I, Chester A. Arthur, President of the United States, do hereby admonish all good citizens of the United States, and especially of the Territory of Arizona, against aiding, countenancing, abetting, or taking part in any such unlawful proceedings; and I do hereby warn all persons engaged in or connected with said obstruction of the laws to disperse and retire peaceably to their respective abodes on or before noon of the 15th day of May.*

*In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of Washington, this 3d day of May, A. D. 1882, and of the Independence of the United States the one hundred and sixth. CHESTER A. ARTHUR.*

Violence declined substantially after the proclamation (Tritle, 1883, p. 12). It is not clear how much was due to the proclamation, to rustlers having been killed, to ranchers and other citizens having organized for protection, and to cowboys departing for more-promising regions (Walker, 1969). Deputy Sheriff Breakenridge declared (Breakenridge, 1992, p. 299) "A lot of the rustlers had been killed off by the Mexicans in rustling stock and in quarrels among themselves when they were drinking. The stockmen had organized for self-protection, and the rustlers got out of the country as fast as possible."

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## 25<sup>th</sup> Annual Southwest Wings August 3-6

Registration is now open for this birding & nature festival, based at Cochise College in Sierra Vista. The Keynote dinner speaker is birder/biker Dorian Anderson, who in 2014 accomplished a fossil fuel-free birding "Big Year," biking nearly 18K miles around the US while raising \$50K for bird conservation.

Arizona's longest-running nature festival offers both paid guided trips and free presentations for the general public. Topics include birds, flowers, mammals (such as bats, wolves, and bears), insects (e.g., ants, dragonflies), reptiles, Native Americans, geology, climate, optics, photography, and wildlife tracking. Visit [www.swwings.org](http://www.swwings.org).

## Events Calendar, July-September

[SPH = San Pedro House; FSH = Fairbank School House; HAS = Huachuca Audubon Society; SABO = Southeastern Arizona Bird Observatory]

SPH Open as Visitor Center (Daily), 9:30 am-4:30 pm

FSH Open as a Visitor Center (Friday-Sunday), 9:30 am-4:30 pm

### ***Understanding the River Interpretive Walks***

Every Saturday at SPH

- » 8 am—July 2, 9, 16, 23, 30
- » 8 am—August 6, 13, 20, 27
- » 8 am—September 3, 10, 17, 24

### ***FSPR Bird Walks***

2nd Wednesday & 4th Saturday at SPH

- » 7 am—July 13, 23
- » 7 am—August 10, 27
- » 7 am—September 14, 24

### ***FSPR/HAS/SABO Bird Walks***

Every Sunday at Sierra Vista Environmental Operations Park (EOP)

- » 7 am—July 3, 10, 17, 24, 31
- » 7 am—August 7, 14, 21, 28
- » 7 am—September 4, 11, 18, 25

### ***Special Events***

- » August 3-6, Southwest Wings (see p. 22)
- » September 17, 9 am—Fairbank Townsite History Walk

***NOTE: THERE ARE NO HISTORY WALKS OR OTHER SPECIAL EVENTS IN JULY OR AUGUST.***

## Hummingbird Banding at SPH

Come observe banding by SABO between 4 and 6 pm on the following dates:

- » Thursday, July 28, August 18
- » Friday, July 22
- » Saturday, July 2, 9, 16; August 6, 13; September 3, 10, 17, 24; October 1, 8
- » Sunday, August 28

## New & Renewing Members, March-June 2016

Terence Berger; Dave Bly; Lisa Breiterman\*; David Carlstrom\*; Tom Clancy; Evelyn Clark; Steve & Marge Conroy; Christine DelRe & Nicholas Hartmann\*; Kevin & D.G. Duffy\*; Tina Eden; Mason Gerety\*; Jim Greene & Martha Vogt; Elvira Hartrim\*; Dave Heck; Marilyn Henley & Scott Johnson; Peter & Beverly Herstein\*; Sandra Hurlbut; Wes, Garey & Kevin Jernigan\*; Laurie Kagann; Robert Luce; Menary Kitchen; Beth Ann Krueger & Kim Rogalski; Don Leistikow; Maura Mack\*; Rick Marsi; Reuben Merideth, Deb Scharrer & Rachael Robles\*; Alice Moffitt; Jennifer & Jerry Monks\*; Catherine & Todd Newell; Kathleen Ross & John Newton\*; Jennifer & Harry Ratliff\*; Joan & Scott Robinson; Tom & Judy Shepherd; Ruthann & Joe Sitter; Peter Sockness; Laurie Suda\*; Azure Sullivan; Marsha Thompson\*; Allen Vail\*; Rich Watson\*; Robert & Liza Weissler; Maja Young\*

\* = New member

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***Friends of the San Pedro River (FSPR) is a nonprofit, volunteer organization dedicated to the conservation of the River and the health of its ecosystems through advocacy, educational programs, and interpretive events.***