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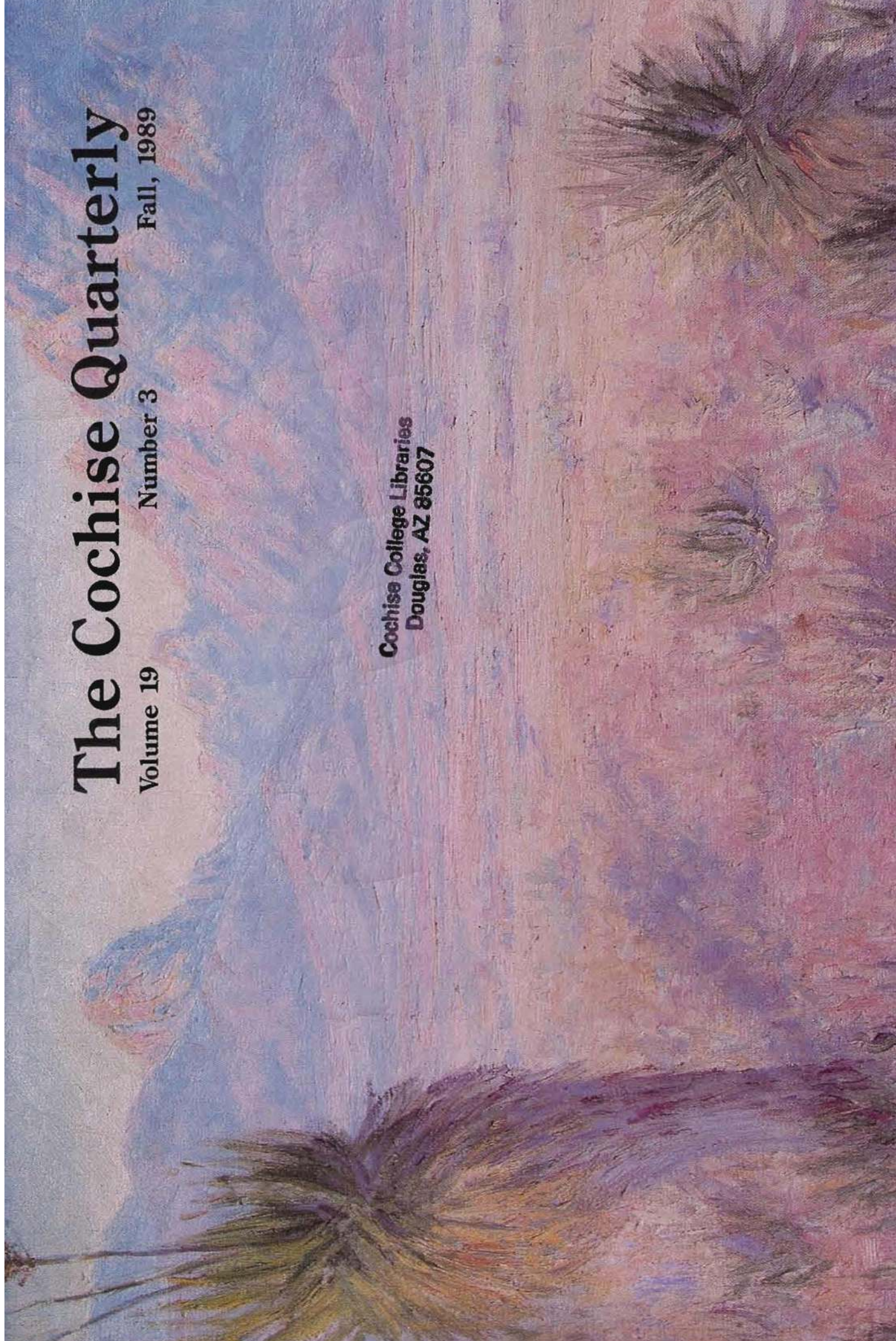


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About the cover: The distinctive colors from Mrs. A. Y. Smith's palette illuminated many areas of Arizona scenery. This painting hangs in the Douglas Public Library.

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ARIZONA'S FORGOTTEN ARTIST

By O. Carroll Arnold

A "fire bell in the night" awakened my family and me one chilly autumn night in 1929. The little village of Pearce, already far advanced into "ghostliness," suddenly came alive not only with the sound of bells but from the blowing of car horns and shouts: "The Smith house is on fire!"

My father and I, along with our neighbors, rushed to help save the A.Y. Smith house. We had nothing but garden hoses to fight the fire and it soon became apparent that we were already too late.

"Get the pictures!" was the cry, half plea, half command. The frame house, with smoke and flame now spewing out of the roof, was full of the paintings of Mrs. A.Y. Smith, an Arizona artist of great prominence in the 1920s, '30s and '40s. All of us, perhaps a dozen men and boys, ran into the burning house, seized paintings off the wall and many unframed canvases stacked in the hallways, and carried them to safety. The house soon collapsed and burned to the ground. But as someone at the scene said, "The pictures are worth more than the house and we saved most of them."

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Before the turn of the century, Pearce had been a bustling, prosperous mining camp. I was told it had been discovered in 1894 by Johnny Pearce, a former miner at Tombstone turned cowboy. One day while looking for strays, he wandered up a little mountain northeast of Tombstone and found a rich outcropping of silver ore. He staked five claims, one for each member of his family, and the town of Pearce was born.

He called his mine the Commonwealth, and people from everywhere, especially from the defunct mines of Tombstone, came surging in for the bonanza. Eventually, Johnny sold the mine to developers for \$250,000, to be paid out of proceeds from the mining operation. Johnny's wife, a prescient woman, included in the contract a provision that she should have the sole right to run a boarding house in the new town, thus securing the family's fortunes when the \$250,000 sifted through her husband's fingers.

The story of the mining operations at Pearce is complex, but finally, after one or two mills had been built and some owners had dropped out, the Commonwealth Mining, Milling and Development Company controlled the whole mountain. Andrew Young Smith, born in Scotland in 1868 and who came to America in 1882,¹ eventually was named president of the Commonwealth Co. Pearce became the boomtown of southern Arizona and from that consolidated claim, oddly called the Ocean Wave, came \$30-\$40 million worth of gold and silver.

My story, however, is only tangentially about "A.Y." or the Commonwealth or Pearce. My story is about Effie Anderson, who moved west from Hope, Ark. with her mother in 1892 for her mother's health. But Effie buried her mother, Adelia, that same year.²

She, at 24, was something of a belle, and in 1894 she met A.Y., who was a considerable "catch" and a dandy. They were married in 1895, when Pearce was at the start of its heyday.

The couple became wealthy, entertaining lavishly in their home and were the leaders of the "social whirl" of the little mining town. I have it on good authority that the Smith's plate at their table was of sterling silver. There were dances at Pearce, (Huddy Hall having been moved from Tombstone,) and no doubt Effie and A.Y. led the quadrille or the schottische or the Paul Jones.

Mrs. Smith wrote of an exciting "Indian adventure" during those early years.

She had organized a female expedition to the Cochise Stronghold for a picnic. ³

It was a long and lonely road for a hack and three or four buggies, but the trip and the picnic went well. On the way back, however, they encountered an Indian who rode his pony around and around their vehicles and at one point actually stuck his face into their hack and yelled at them. They were, to say the least, terrified.

They had noticed another man up on a little mesa near the Stronghold who was bent over some object and engaged in some kind of activity. As it turned out, the pony rider didn't bother them further and they later learned from a sheriff's deputy that the man on the mesa was a famous outlaw engaged in slaughtering and skinning a calf belonging to the Chiricahua Cattle Company. The Indian's job was to divert their attention from the activity on the mesa.

The Smiths had a son named Lewis, and then a daughter named Janet Annadel, but she died at seven months. ⁴ Mrs. Smith had been encouraged by several of her visitors from the East to study art and paint professionally. After the death of her daughter, partly to assuage the grief of that loss, she enrolled in the Los Angeles Institute of Art.

She returned to Pearce, and though her success was not instantly attained, she developed gradually into an artist of great talent and renown. Her paintings of the Grand Canyon hung on the walls of the El Tovar Hotel in the 1920s and '30s. A favorite display place in Tucson was the lobby of the old Santa Rita Hotel. Her paintings hung in the Corcoran Gallery in Washington, D.C. in the 1930s. ⁵

"E.A. Smith," as she signed her early paintings, was an Arizona impressionist. She certainly was a landscapist. She loved and studied the Arizona scenery and had a most entrancing sense of color. She eschewed literalism, horses and cowboys.

While Mrs. Smith's color was certainly subjective and personal, it was not quixotic. She developed it over the years by constant study and observation. Her husband, who was a geologist and mineralist, helped her to understand and express the mineral and chemical content of the rocks and mountains she painted.

As Pearce's mines, like those in Tombstone, flooded and the palmy days of the town passed into history, so indeed vanished the opulence which the Smiths had enjoyed. They moved out of the old territorial adobe mansion built by the Commonwealth Co. for them and constructed a small frame bungalow. Their income from the mine was confined to a percentage of the mining operations of a few leasors who operated in the upper stopes and drifts of the old mine.

The couple still had parties and A.Y. was always nattily dressed in his knickers and tweeds but the glory had departed. The couple's main income was derived from the sale of Effie's paintings, and it was no small or insignificant sum. The large paintings of the Grand Canyon sold for \$1,500. Her smaller paintings brought \$250 to \$500 — much more than pocket change in the 1920s and '30s.

Even so, after the fire, she gave all her neighbors a small painting in appreciation for saving all the others. I prize and cherish the one she gave my father.

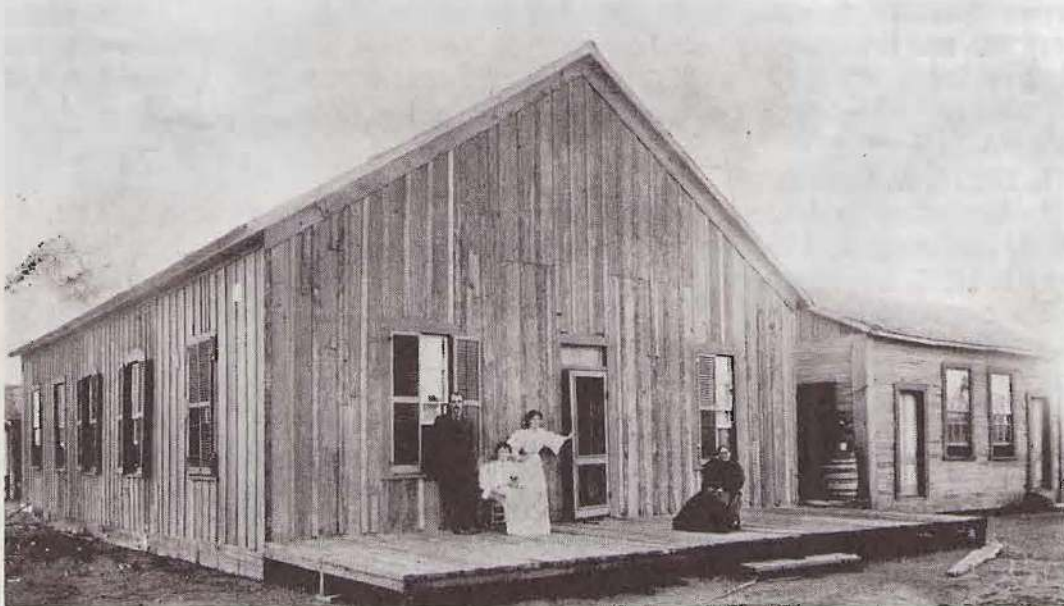
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Mrs. Smith was not only an artist; she was a teacher, a feminist and a conservationist. She devoted a great deal of time to promoting art and was a willing speaker in clubs and public schools throughout southern Arizona. As an impressionist, she loved to show new ways of looking at landscape. She often told her audiences that art and music were closely connected and that the Grand Canyon was a symphony in color and music.

She delighted school children by teaching them to appreciate and see Arizona scenery in new ways. They were instructed to bend over and look at a landscape



View of Pearce 1890s. (Courtesy Arizona Historical Society)



One of the first rooming houses in Pearce. (Courtesy Arizona Historical Society)

through their legs, upside down, thus concentrating their attention upon a certain area. She taught them the technique of squinting for greater color and clarity. She also admonished children to love and cherish and take care of the lovely land they lived in.

She spoke about art at many other functions, especially to women's groups in Tucson and Phoenix. She was an early feminist. One of her theses was that the first "art center" in America was in the desert southwest and the artists were all women. She contended that the blankets, baskets and painted pottery of ancient native American women were as fine and artistic as the work of any modern painter.

She also asserted that no part of the world had so much possibility for art as Arizona. Her opinion was that historically, geographically, geologically and in color variety Arizona is unequalled in the world.

Mrs. Smith would have rejoiced in the flourishing market and the varied art forms in modern Arizona, although she would, no doubt, have been highly critical of some of it. The pity is that Arizona has forgotten this woman who was one of the state's first painters. There is no record of her in any modern dictionary of western or Arizona artists. Her paintings, once so well received in Washington, D.C. and other art centers in the East, do not hang in any Arizona museum of which I am aware, certainly not in Tucson or Phoenix.

About 1940, Effie moved to Douglas and lived and painted in the Gadsden Hotel. I think some of her finest work was done in that period, and most of it was signed as usual, EA Smith, but with the added inscription "Mrs. A.Y." as a tribute to her husband, who died Oct. 12, 1931.

She taught classes in painting at Douglas and even "entertained the troops" at USO gatherings and at the airbase located in Douglas during World War II. Some of her finest paintings are still held and cherished by residents of Douglas and she has a certain continuity in her students who still remember her.

But by and large the artist is forgotten. She was one of many people who came to Arizona in its early days for reasons of health or fortune or to seek new adventures. She rose to great wealth and was once known as one of Arizona's greatest artists. She had the temerity to hang her paintings of the Grand Canyon on its very rim and thus compete, and compete successfully, I think, with the greatest sight on earth. But she was not proud. She was only transmitting what she saw of Arizona and New Mexico through her trained eyes of love.

NOTES

1. 1910 U.S. Census.

2. According to Arizona Cemetery Records, Adelia Anderson, born Oct. 4, 1833, died Aug. 1, 1892 and is buried in Pearce Cemetery. Since Pearce didn't exist in 1892, it seems likely that the body was moved there at a later date.

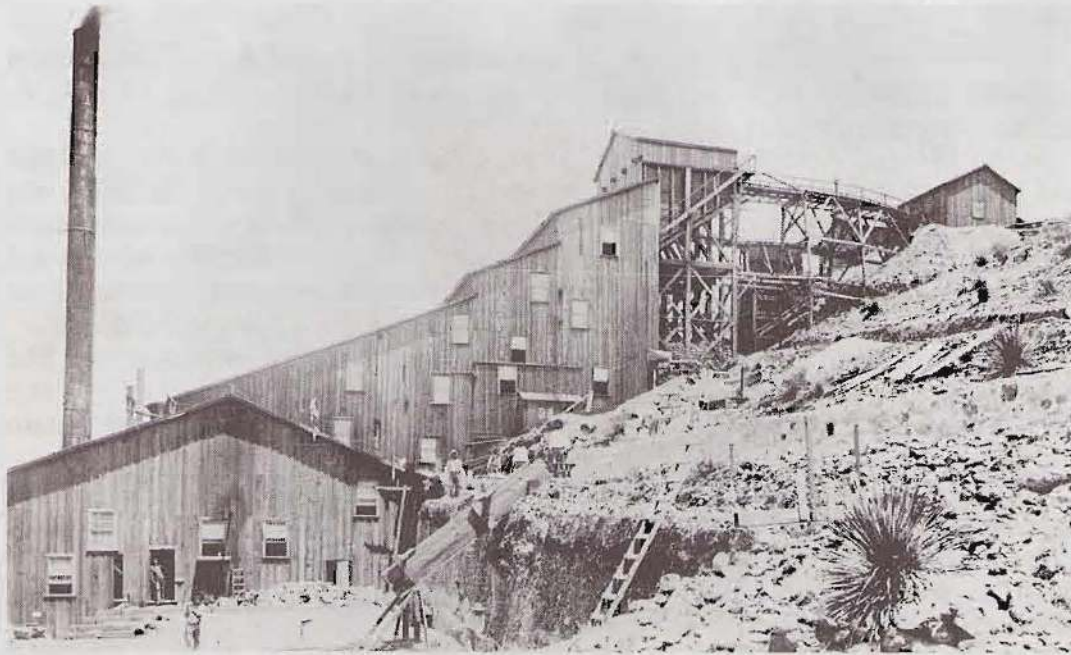
The marriage license of Effie Anderson and A.Y. Smith lists Effie as living in Grant County, N.M., at the time of marriage. There was a well-known tuberculosis sanitarium at Bayard in Grant County, which may explain why the Andersons moved west.

3. The original of this story, in Mrs. Smith's handwriting, is in the files of the Arizona Historical Society, Tucson.

4. According to Arizona Cemetery Records, Janet Annadel was born Sept. 21, 1906 and died April 19, 1907 and is buried in Pearce.

5. Many accounts of her showings are in the clipping file of the Arizona Historical Society in Tucson.

About the author: O. Carroll Arnold grew up in Pearce and Bisbee. A U.S. Navy veteran, he is a retired minister and editor and has written the book "Religious Freedom on Trial."



Commonwealth Company's mill in Pearce. (Courtesy Arizona Historical Society)



Water wagon owned and operated by Jim Harper and Owen Williams of Pearce. They owned a well east of Pearce and sold water to its inhabitants. (Courtesy Arizona Historical Society)

PIONEER PAINTER

By Myriam Toles

Since the early 1920s, many people in southeast Arizona, among them artists and collectors, have been proud to claim ownership of a painting by Mrs. A.Y. Smith, pioneer artist of Arizona.

Born in Hope, Ark., on Sept. 29, 1868, Effie Anderson came west in 1892 and fell in love with the western scene and later began painting. In 1895, she married a young mining engineer, A.Y. Smith, whose work took him to the mining camp of Pearce — a lonely place for a young woman. Effie Smith was not lonely as she found her painting a source of absorbing interest and, later on when her infant daughter Janet Annadel died, a solace and a demanding occupation.

Largely self taught, she was a devotee of the Impressionists' school of art. She rendered not the photographic likeness of nature but created from her rich palette the illusive charm and mystery of its changing colors and shadows on mountain and desert.

When Mrs. Smith studied art in Chicago, the artist who encouraged her career urged her to paint scenery as she had such an unusual color sense. Unlike most western artists, she did not put cowboys, horses or cattle in her scenes but confined her work to the beauty of the Arizona skies and mountains with their rich and ever-changing colors.

Her son, Louis, was born in Pearce and followed in his father's footsteps becoming a mining engineer. After the death of her husband, Mrs. Smith lived with her son in various mining camps, widening the scope of her scenes.

During these years, she had exhibits in several galleries, among them the Corcoran Gallery in Washington, D.C. With the help of Phelps Dodge executive P.G. Beckett, she also had a show in New York City.

In 1940, she came to Douglas to live in the Gadsden Hotel. Here she conducted painting classes, giving an impetus to the founding of the Douglas Art Association and influencing many of its early artists.

A very private person, she had many friends but no intimates. She never wanted to be called anything but Mrs. Smith.

One day in the 1940s, she came to our ranch in Portal, as she was a friend of my sister, Elsie. She sat in our front yard, painting the great white trunks and rich leaves of the sycamore trees with purple and blue shadows.

An old cattleman rode up to see Elsie and me. We introduced him to the artist. He looked long at her canvas but said nothing. As he started to go, I walked with him to the gate.

"Marum, that old lady caint paint," he said in a low but earnest voice. "Its kinder pretty, but she's putting on all them colors, and everybody knows a sycamore aint nothin' but brown and white."

Just then our pet crow squalled from the gate, "Go home, go home."

"I'm a goin'," chuckled the old man, "I'm a goin'," as he rode away.

That afternoon, Elsie, Mrs. Smith and I sat in the shade of the trees, talking about the early days in Bisbee.

"I came to the mining camp [Bisbee] a green girl from the east," said Mrs. Smith. "I came to be married. I did not know a soul but my husband to be and everything seemed so strange and confusing. Fortunately several women who knew him took charge of the wedding. They invited the guests and baked cakes and made ice cream."

"You recall in those days there was no store ice cream. It had to be made at home. Fresh eggs were beaten up with cream, sugar and vanilla and put in a tall, metal container. This was then placed in a big wooden bucket of chopped ice and



Mrs. A.Y. Smith with a painting class. (Courtesy Arizona Pioneers' Home)

rock salt and turned round and round with a crank until the mixture froze. Ice cream was a rare treat as it was so much work to make.

"Well," she continued, "it was a lovely wedding. The ladies had even arranged for a flower girl. She had brown curls and wore a ruffled white dress. I never knew who she was."

"Wait a minute, wait a minute," cried Elsie, with a far-away look on her face. "I was there. I was at your wedding. I was your flower girl."

"It all comes back to me now," she rushed on. "The day before the wedding, the ladies came to our house next door and asked my mother if I could be the flower girl. I refused. I did not know what a flower girl was, but I did not propose to learn."

"They coaxed in vain. Then they bribed me. If I would be the flower girl, they would give me cake and a big bowl of ice cream, all I could eat. That did it. All the next day I thought of the lovely ice cream to come. My mother dressed me and I went to the wedding all curled and starched with my fashionable copper-toed slippers."

I marched up the aisle as directed and when the ceremony was over, a busy woman took me by the shoulders and pushed me out the door. 'Now little girl,' she said, 'You go straight home.'

"My dream of cake and ice cream was over. I ran crying to my mother, 'They promised, they promised.' That was my first disillusionment with adult promises."

"Oh Elsie," said Mrs. Smith, "if I had known you would have had your ice cream."

The two old friends smiled in understanding and affection, remembering those far-off days with all their joys and sorrows.

Mrs. Smith spent her later years in the Pioneer Home at Prescott, continuing her art work until her death April 21, 1955, leaving behind a legacy of paintings, each one capturing forever a moment of the illimitable enchantment of Arizona.

About the author: Myriam Toles was born in 1894 in Bisbee four years after her sister, Elsie. The sisters were notable educators and writers. This article was written shortly before Miss Toles' death in 1983.

DOUGLAS'S COPPER CITY BREWERY
— LARGEST IN THE STATE
By Cindy Hayostek

A short item that appeared in the Feb. 4, 1904 Daily Dispatch heralded the beginning of what was to become a thriving Douglas enterprise and the largest brewery in Arizona before Prohibition — the Copper City Brewing Co.

"The building of the new brewery by the Montana people, which has already begun, means that many thousand dollars will be put into circulation in Douglas and [it] will be one of the best paying business enterprises that has been erected here," the Dispatch said.

The Montana people were 26-year-old William H. Reno and his 37-year-old brother Henry M. The announcement reflected the infant city's fast-growing pride in itself and accurately forecast the brewery's prosperity, which would be halted only by Prohibition in 1914.

That the brewery would prosper was almost a foregone conclusion. In 1904, Douglas, which had been founded only three years before, was the fourth largest city in the territory with a population of more than 6,000 people. The majority of these people were men drawn to Douglas by jobs available with the El Paso and Southwestern Railroad and at the Calumet and Arizona smelter and the Phelps-Dodge owned Copper Queen smelter. To accommodate these men, many of whom were single, were seven barber shops, a cigar factory, a red light district and 39 saloons. ¹

The saloons were served by four local concerns that either bottled beer shipped to them in bulk or sold already bottled beer. One was the Douglas Beer Bottling Works, owned by the Bisbee company Shattuck and Muheim, which supplied Anheuser-Busch and Eastside products. The Douglas Improvement Co. bottled Schlitz beer. Houck and Dieter Co. purveyed Pabst and J.O. Phillips sold Ulmbocher, Bavarian and Bohemian beers and Superior Lager Beer.

The Renos were in Douglas during November, 1903 to purchase land for the brewery. ² They bought land slightly west of the EP&SW freight depot on the south side of West Ninth Street. The site is now occupied by the Canyon State Lumber Yard.

On Sept. 14, 1904, the Reno brothers and Louis Frank ³ filed articles of incorporation for the Copper City Brewing Co. Its stated business purpose was "brewing, manufacturing, bottling and selling Lager Beer."

Construction began early in 1904 and by the end of April the three-story brew house was almost complete. ⁴ The brew house also contained a racking room and beer cooling storage area. Some of the other buildings housed an office, storage areas and the steam-powered bottling works. ⁵ A railroad siding ran along the south side of the brewery, separating it from the Arizona Gypsum Plaster Co. plant.

Copper City was a modern operation with electric lights and a steam power plant that used fuel oil. It apparently was a typical gravity flow brewhouse, with malt handled on the top floor and piped down to the tall copper mash and brew kettles on the ground floor. ⁶ Copper City made lager beer, which referred to the brewing process as well as an aging one.

Water for the beer came from a well on the brewery premises. The malt was imported and shipped to Douglas by rail. The hops grown in Europe arrived in bales wrapped in linen, which the brewmaster's wife made into suits and various items. ⁷

Brewing capacity was about 65 barrels per brew with a lagering and storage capacity of 2,285 barrels. This means Copper City could turn out about 15,000 barrels (472,500 gallons) a year. ⁸

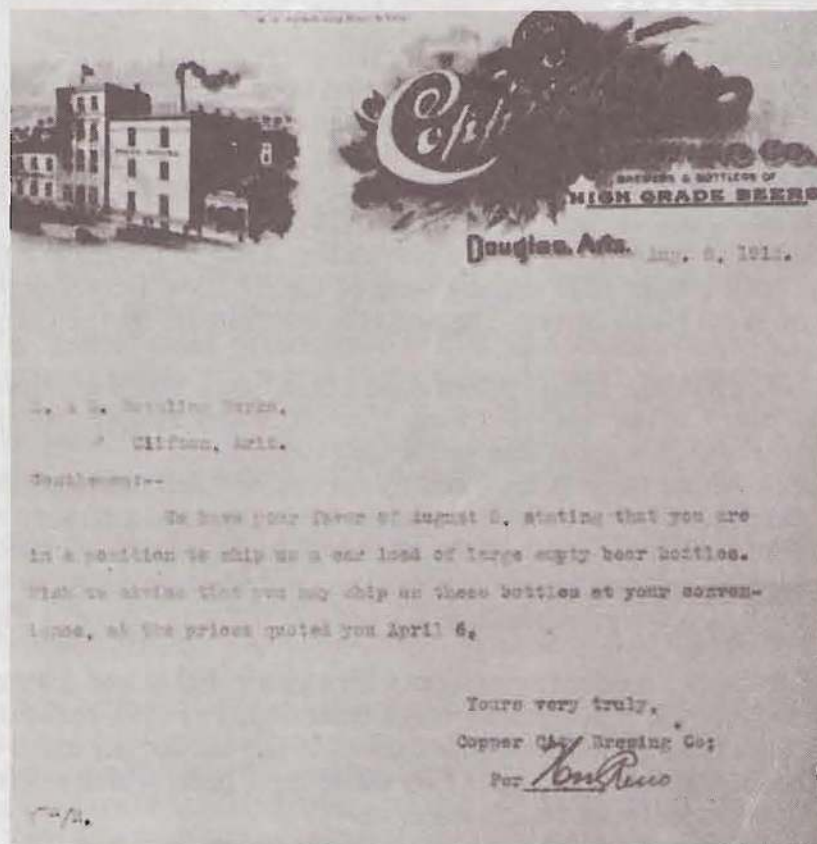
Actual production was probably less than this but even so Copper City was the largest brewery in the state before Prohibition. The Register of United States Breweries 1876-1976 shows no pre-Prohibition brewery in Arizona, including those in Phoenix, with a capacity of more than 500 barrels a year.

After some delays, machinery for the brewery began arriving in June, 1904. John P. Schlle, agent of the Viker Manufacturing Co. of Milwaukee, Wis., arrived in Douglas to supervise its installation in July. By Sept. 7 the brewery had begun production of its Tannhauser beer. 9

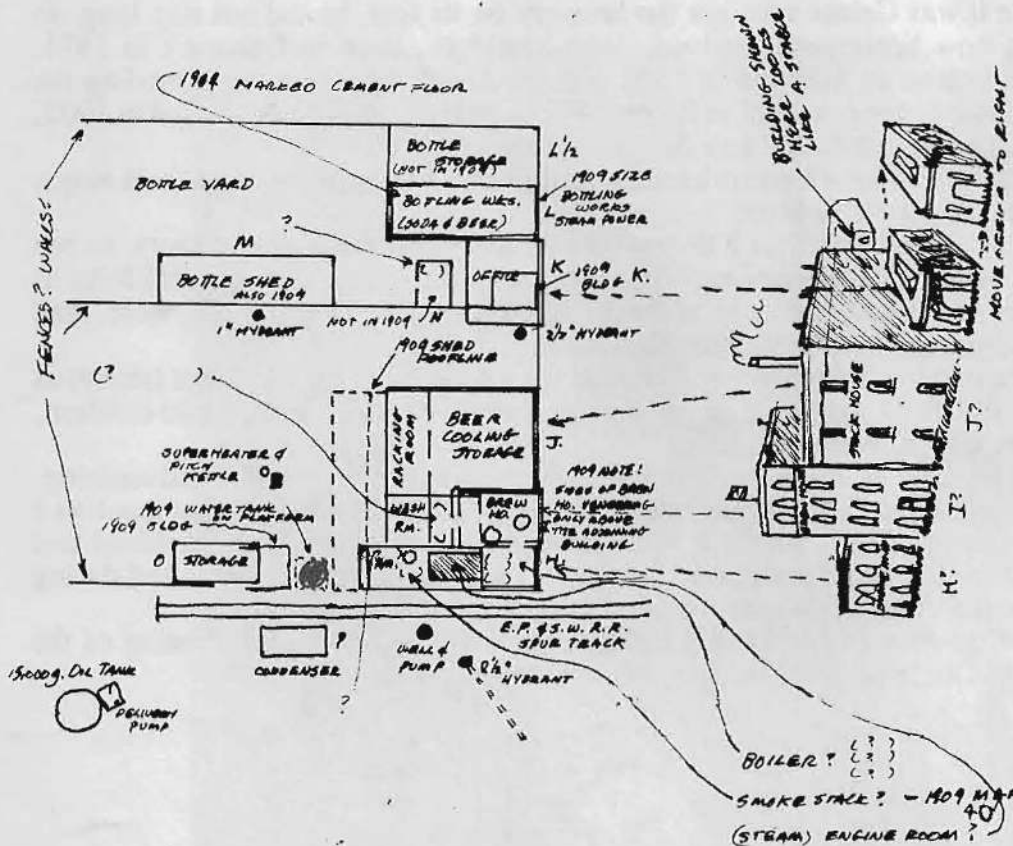
The brewery held an open house Nov. 23, 1904 with townspeople invited to come and sample the first brew. The Dispatch said thousands did just that.

"Every one who has tested the Copper City beer is loud in praising its superior quality," reported the Dispatch the next day. "Many expressed surprise that this brew of only two months should rank with that of the very best beer in the market. The manner in which the beer was received yesterday insures a market success for the new brewery."

Such praise must have been gratifying to the brewmaster, Fritz Griner. Before coming to Douglas, Griner has been assistant brewmaster for the Schlitz Brewery in Milwaukee.10



Copper City Brewery's letterhead stationery. It was originally thought this was an artist's exaggeration of what the brewery looked like but it's been proven to be a fairly accurate representation of the brewery. (Courtesy Leon P. Beebe)



COPPER CITY BREWING CO
 AZ.9 (AMERICAN BREWERIES)
 1905-1914

1914 MAP & 1909

1914 NOTES: COPPER CITY BREWING CO.

CAPACITY: 70 BBL. PER BREW. NIGHT ENGINEER ON PREMISES. - POWER: STEAM - FUEL OIL - LIGHTS: ELEC. - WELL WATER FOR MANUFACT. & CITY WATER FOR FIRE PROTECTION. ALSO A "SNOW" STEAM PUMP 6' x 5 1/2' x 6' - 150' 2 1/2" HOSE IN BREW MO.

1909 NOTES: COPPER CITY BREWING CO.

NIGHT ENGINEER ON PREMISES. POWER: STEAM. - FUEL: OIL. - LIGHTS: ELEC. WELL WATER FOR MANUFACTURE. CITY WATER FOR FIRE PROTECTION. ALSO A SNOW OTH. P. 6' x 5 1/2' x 6'. HOSE CART & 250' HOSE ON PREMISES.

Fil Graff used information from Sanborn fire maps and the letterhead stationery owned by Leon Beebe to come up with this drawing that shows what Copper City Brewing's plant most probably looked like. (Courtesy Fil Graff)

While it was Griner who got the brewery on its feet, he did not stay long. In 1905, a new brewmaster arrived, John Merklein. Born in Germany in 1876, Merklein came to America in 1902 and lived with friends while attending the well-known brewers school in Ripon, Wis. About the time he graduated in 1905, he took a bride, Mathilde, and they moved to Douglas.¹¹

Merklein and his German heritage influenced the brewery in several ways. One was the people he hired.

In 1910 it took less than a dozen people, including the Reno brothers, to run the brewery. While Henry apparently acted as the office manager and John as the sales manager, Merklein probably hired the other workers. Of these, half were German or had German backgrounds.¹²

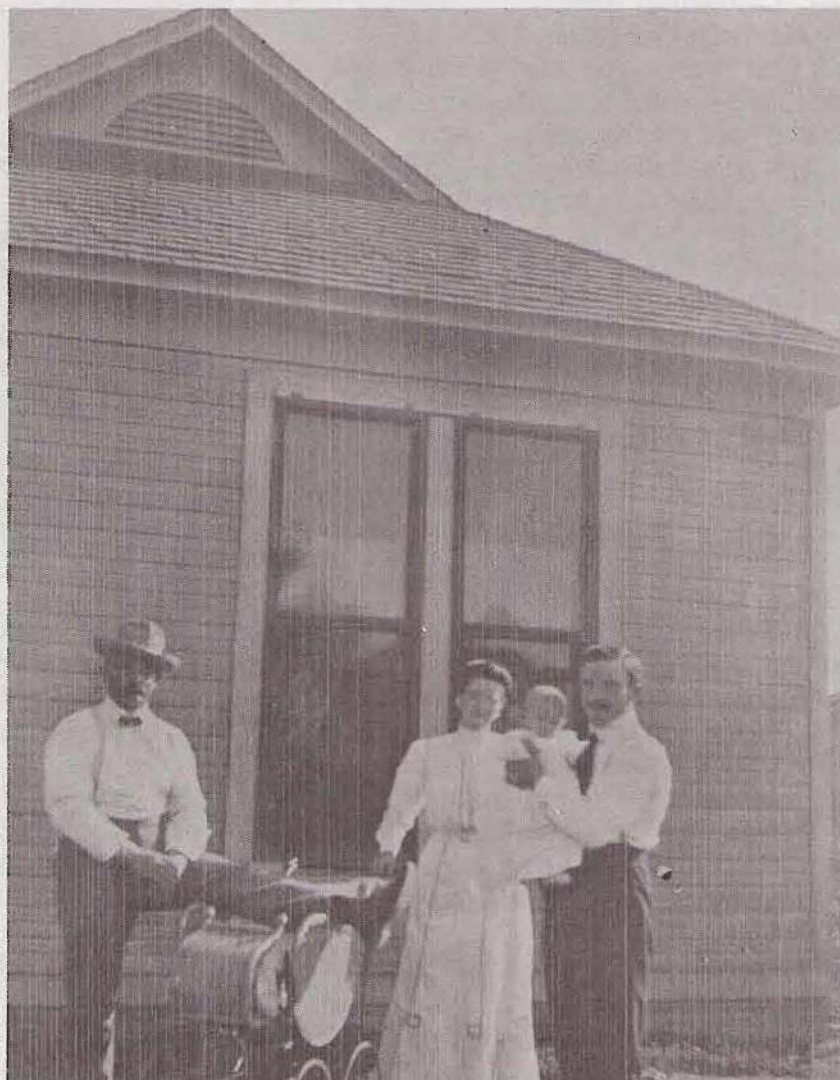
One employee, Otto Santner, boarded for a while with the Merklein family, as did one of Otto's cousins later on. By this time, the Merkleins had two children, daughter Gretchen and son Hans.

Another area of Merklein's influence upon the brewery was in advertising. Very much in the German tradition of thinking about beer as a food as much as a drink, Copper City's products were always advertised as pure, healthful and suitable for home consumption. This aspect was particularly emphasized during the time the Prohibition question was being debated in Arizona.

The third area of Merklein's influence was in the day-to-day running of the brewery. One aspect was the hospitality extended to visitors.



John Merklein in his mid-20s. This photo was taken in Germany. (Courtesy Gretchen Merklein Dilbeck)



John and Mathilde Merklein at their home, 810 E Ave. Otto Santner is holding Gretchen Merklein. (Courtesy Gretchen Merklein Deilbeck)

"Behind the brewery the men maintained a little garden," recalled Gretchen Merklein Dilbeck. "I especially remember the long white radishes. They also kept imported cheeses and deli items on hand. Serving these when visitors came made it a special treat for them.

"The third floor [of the brew house] was smaller and the room where they entertained. It was also where people came to look across to Agua Prieta when Pancho Villa invaded. With binoculars the view was good."¹⁴

There was more to Copper City than properly entertaining visitors. Merklein's knowledge produced an excellent product and helped make him in demand as a consultant. His children remember him going on business trips to San Antonio, Texas; Napa, Calif.; and Cananea and Hermosillo, Sonora.

The brewery in Hermosillo was operated by Dr. A.H. Hoeffler, who had been a company surgeon for Phelps Dodge at Morenci and later in private practice at Solomonville. In 1912 his brewery had been in business for 15 years.¹⁵

The most important result of Merklein's knowledge was the consistent Copper City product. Tannhauser's popularity quickly paid off start-up costs and helped the brewery survive a "beer war."

Douglas's first beer war ensued when Copper City was still under construction. In April, 1904, saloon keepers were in an uproar trying to decide whether to sell a glass of beer for five cents.

The Dispatch editorialized April 28, "Beer is the cheapest thing in Douglas. You can get enough to take a bath for five cents."

The next day an article in the paper noted, "Last night at least six more [owners] opened the five cent beer hall and Douglas has eight or ten saloons selling five cent beers.

"This would seems [sic] that the five cent beer has come to stay and there is a good deal of opportunity to the movement. The old timers who have been used to getting beer for 15 cents and felt that they were getting it cheap at that price are in considerable of a sweat."

The Los Angeles Wholesale Liquor House, where all drinks were five cents, advertised its bottle prices on April 30. A bottle of beer was 20 cents and a dozen bottles \$2.25. A pint of whiskey was 35 cents while most bottles of wine were 15 cents.

A year later, Copper City was directly involved in a beer war. It says something for Copper City's product that Anheuser-Busch by all indications was trying to put the local brewery out of business before it was even six months old.

The war took the form of selling exclusive rights. For example, the German Beer Hall, A. Eicke, proprietor, advertised on April 7, 1905 in the Dispatch that it sold Copper City Beer exclusively.

The same issue noted, "A.W. Johnson, who has been in Douglas for some time past representing the Los Angeles Brewing Co. of California and the Anheuser-Busch beer, left last evening for Globe. He leaves well pleased with his mission in Douglas, as he signed up iron-clad contracts for one year with 26 saloons in Douglas.

"Mr. Johnson has been working quietly with the railroads to get rates, and had made the saloons good prices that he will be able to place the beer in Douglas to compete with the local brewery. He has also signed up 20 saloons for one year in Bisbee."

The Dispatch reported Johnson cut the price \$1 a barrel. "Manager Reno" was asked how he felt about this.

"We shall do nothing except continue the sale of our beer," he said. "The other fellows can do all the cutting they want to. We do not anticipate that it will hurt us. Our business has been growing steadily on merit and we feel that it will continue doing so. If the other fellows want to sell their goods at ruinous prices, all very good. We will not break ourselves by following such policy."

Copper City's policy soon became apparent. Within a week it announced it was increasing its storage capacity. A storage room would be altered to hold 75 barrel chip casks, which were being built in Chicago.¹⁶

The brewery also embarked on an advertising campaign placing articles and ads in Douglas's two newspapers. Members of the Odd Fellows in Douglas for a convention were especially invited to visit the brewery.

"The many friends of home industry are requested to remember that the Copper City beer is made at home and is made to supply the Douglas trade," one of the articles said. "It is time to have beer in your house for it is a cool, pleasant drink for hot weather. There is none so pure as the home product and the beer which has been turned out by this brewery is just what the people here say is the best for them. There is no drug of any kind to mar the taste and the drink is a

light and refreshing one. Everyone handles our beer and it can be had by asking for it at any of the dealers.”¹⁷

Copper City survived this early attempt to stamp out its business, but Anheuser-Busch wasn't finished. In 1910 it filed a suit alleging “Tannhauser” sounded too much like Anheuser and that the Tannhauser label infringed upon the Anheuser-Busch trademarked label.

As part of a Sept. 10 out-of-court settlement, Copper City was allowed to keep using the Tannhauser name. As the Dispatch wryly noted, “There was an unofficial opinion that only an injudicious internal mixture of the rival brews could cause anyone to mistake one name for the other.”¹⁸

In another part of the agreement, Copper City acknowledged there was label infringement and Anheuser-Busch agreed not to ask for damages in exchange for Copper City changing its Tannhauser label. Even here Copper City came out ahead by agreeing to the detailed changes but telling the Dispatch, “An insignificant and immaterial bit of ribbon will be eliminated from the label, but otherwise the label will remain practically unchanged.”¹⁹

The brewery was involved in another interesting court case which began on Sept. 28, 1912. Edward Sette, a stationary engineer, was caught in the boiler-power machinery driving the bottling equipment. Severely injured, he lived less than 24 hours after the accident.

He left a wife and four minor children, but it was his sister, Frances S. Sette, who filed suit against the brewery asking more than \$30,000 in damages. The court held Sette knew of the job's dangers and his death was caused by his own negligence, not the brewery's.

Accidents such as Sette's were fairly common in breweries of the time. With only rudimentary safety rules and no governmental enforcement, brewery employees could and did drink all they wanted to on the job. It's probable Sette



Copper City Brewery labels. Tannhauser was the brewery's mainstay and Barette was a "near beer" produced after Prohibition. (Courtesy Leon P. Beebe)

was trying to snatch up a bottle of beer to cool off with because as engineer in the boiler area he had the hottest job in the entire brewery. ²⁰

The same as any other business, Copper City went through a series of ups and downs. A definite down was the time burglars broke into the office, blew up the safe and left with the money. ²¹

A definite up was the additions and improvements the Renos made to the brewery. Copper City and its proprietors and employees prospered by selling bottled Tannhauser and Copper City beer on draught.

The Renos bought a Stanley Steamer for their own use and a Chevrolet sedan for the plant, which Merklein drove. In the summer, William Reno's wife Maud and son William and his mother Mary, who kept house for the unmarried Henry, would stay in the coolness of the Box (Ramsey) Canyon in the Huachuca Mountains. Mathilde Merklein and her children often joined them.

The Renos in a corporate capacity and Merklein in a personal one evidently felt financially secure enough to loan money to customers and friends. Several cases exist starting in 1905 in which the Renos and Merklein resorted to the courts to get the loans repaid.

The last such loan was made Oct. 3, 1914 by the Copper City Brewing Co. to W.S. Campbell. Perhaps the Renos wouldn't have made the loan if they had known Prohibition was not very far away.

Prohibition was an issue considered at the state's constitutional convention in 1910, but the move then to make Arizona "dry" failed. An effort to add a dry constitutional amendment came about in 1914 and it had dire effects on Copper City Brewery.

A warning salvo was fired in the last "beer war" Copper City would fight on Aug. 12, 1914. On that day W.W. Shenk of the Temperance Federation of Arizona gave a speech in Douglas in which he linked an increase in insanity in the country to an increase in drinking. Although the Douglas International noted, with tongue somewhat in cheek, that projecting Shenk's figures meant "the whole country would be batty by 2150," the favorable reception the speech received should have warned the Renos.

Copper City seemed more preoccupied with telling its customers their supply of beer was assured despite the war in Europe than in outlining the points against Prohibition. In a Sept. 12, 1914 International article, Copper City notified its customers that while most breweries suffered from a hops shortage because of the war, Copper City had received hops bales twice the usual size and was sitting pretty.

"Wet" forces in the state also thought they were sitting pretty. Just two weeks before voting was to take place on the proposed state constitutional amendment, it was reported the Prohibition sentiment was in retreat. ²² But the Prohibitionists were actually quite strong, especially when one considers the temper of the times.

This was a time when front page articles in the International explained how the slits in women's voluminous bathing suits drew notice and the "bare limbs" of a Chicago dance troop "shocked" women. It was a time when U.S. Army Ninth Cavalry band director Wade H. Hammond said it was "beneath the dignity" of his group to "put on a program of ragtime at a public concert" during the band's regular Thursday evening performance in Douglas's Tenth Street Park. ²³

Despite this, the International led the way in supporting the brewery with a front page editorial on Oct. 31. It pointed out that as a border city, Douglas could expect Prohibition to drive people to drink in less regulated resorts in Agua Prieta where "A Douglas boy in an Agua Prieta saloon would be under no restraint, while a Douglas boy in a Douglas saloon would be under the restraint

People Who Know Our Beer



know how refreshing and palatable it is. They know how an occasional bottle tones them and keeps them in fine condition. They know how strengthening it is, how tonic in its properties. Why not have us send you a case. It will cost you just \$2.65 and no other beverages at any price can be better.

COPPER CITY AND TANHAUSER

If Your Grocer Cannot Supply you, Phone 136

*It Is a Home Production
Equals Any Beer in America*

Copper City Brewing Co.

This advertisement appeared in the Oct. 24, 1914 Douglas International.

of feeling that some friend or kinsman might see his progress on the downward road." The editorial also mentioned the financial disadvantages such as decreased public revenue caused by lost taxes.

Such arguments helped convince Cochise County to vote wet. On Nov. 4, 4,373 voters said no to the proposed amendment and 4,042 said yes. In the rest of the state, however, the dries prevailed and the closing of Douglas's 12 saloons and the brewery was set for midnight Dec. 31.

The International pointed out this would mean the city would lose the \$1,000 a year each saloon paid for a license. Another consequence would be the 75 or so men who worked in the brewery or at saloons would be out of a job. ²⁴

Almost immediately after the results of the voting became known, talk of two percent beer began to circulate. Because some courts had held two percent beer was not intoxicating, the Renos hoped its manufacture and sale would be legal. They set about finding out.

Two days before Prohibition was to take effect, four Douglas saloons, the Merchant's Bar, the Pullman, the Waldorf and the TG, announced they'd sell Copper City's two percent beer, Barette. This was risky because state officials had instructed deputy sheriffs to arrest anyone selling such products. ²⁵

While saloons and wholesale houses did big business selling their stock during the last days of December, Cochise County Sheriff Harry C. Wheeler realized he had an insufficient number of deputies to enforce the law. He announced his intention of asking the state legislature for more money to hire additional men for his five-man staff.

In spite of this, he issued a statement Dec. 31 saying, "I intend to arrest any person who after midnight tonight makes or sells a beverage containing alcohol in any per cent. This applies to beverages containing two percent of alcohol as well as those containing 50 percent. The law makes no distinction and neither shall I."

The International ran Wheeler's statement next to one from Copper City Brewing Co. It said in part, "We have advice from our attorneys that it is legal for us to manufacture and sell a beverage containing less than two percent alcohol, construed by the courts to be non-intoxicating, and a soft drink guaranteed by us under the Pure Food and Drug Act. ... Upon this advice the Copper City Brewing company will continue to operate its plant at Douglas and manufacture two percent and other soft drinks such as soda water, ginger ale, etc."

Despite this defiant attitude, the brewery and saloon owners agreed to neither make nor sell two percent beer pending an opinion from Cochise County attorney J.F. Ross. In less than a week, Ross issued his opinion that two percent products, such as Barette, were indeed beer.

In spite of this, Copper City kept making Barette and some saloons sold it. On Jan. 6, L.A. Brown, a saloon owner in Bisbee, was arrested for selling Barette. Then on April 26, Wheeler arrested Merklein for "manufacturing a drink in violation of the state's prohibition law." Merklein was arraigned and released on his own recognizance. ²⁶

The outcome of Merklein's case is not known but what happened to Brown is. The Cochise County Superior Court issued a guilty verdict, which Brown appealed to the state Supreme Court. On Nov. 20, 1915, it found Brown guilty of selling Barette, which tests showed contained 1.75 to 1.86 percent alcohol.

The court said "near beer is made by those who make beer, sold by those who sell beer and that it looks like beer, smells like beer and tastes like beer. The name by which it is called cannot affect its kind or quality. It is the stuff of which it is made and not its name that gives it a place among the prohibited liquors named in the constitutional amendment." ²⁷

An article in the Tombstone Prospector five days earlier listed some changes Prohibition had brought to Cochise County. The article said there were only seven arrests in Tombstone during the first six months of 1915 as compared to 35 the previous year. There were 229 less arrests in Douglas over the same time period, the Prospector stated.

What the article didn't note was costs. One was the demise of Copper City Brewing Co., Inc. which filed a petition in Cochise County Superior Court to dissolve on Dec. 23, 1916. Its stockholders were the Renos and Butte, Mont., resident Andrew J. Davis, who apparently replaced Louis Frank.

The names of the Renos and Davis appear on another document, an articles of incorporation for People's Ice and Manufacturing Co. filed Nov. 29. On Dec. 23, through a warranty deed, People's Ice acquired all the property and buildings of Copper City Brewing.

People's Ice did not prosper as an ice making and cold storage plant nor as a bottler of soft drinks. There were apparently several factors involved.

One was the established competition. The Douglas Traction and Light Co., an arm of the Douglas Investment Co. which developed the town, had been making ice since Douglas' beginnings. At the time People's Ice came into being, there were four other bottlers in town, including a Coca-Cola plant.

Another reason People's Ice had problems was the economic recession which set in after World War I was over. Copper prices plummeted and the town's smelters even closed temporarily in the early 1920s.

Perhaps the killer blow was a fire. Gretchen Merklein Dilbeck said she and her brother "remember a big fire and the train ran over the hoses that had been stretched across the tracks."

By 1920, People's Ice was no longer in business and the Renos and Merkleins had moved away from Douglas. ²⁸ Where the Renos went is not known; perhaps they went back to Montana.

"We moved to Phoenix in 1920 for a year and then to San Diego where he [Merklein] became involved in engineering," recalled Dilbeck of the years after they left Douglas. "In 1924 he moved to Calexico, Calif. (across the border from Mexicali, Mexico) where he became brewmaster for the Azteca Brewery until his death in 1930."

In its struggle to survive, People's Ice had gone into debt, owing money to the Pure Carbonic Co. and Illinois Pacific Glass and most importantly to First National Bank of Douglas. On Feb. 19, 1921 the bank began foreclosure proceedings and in April bought People's Ice at a sheriff's sale for \$129.80. Within a few years the buildings were torn down.

It was a sad ending to what had once been a prosperous business and an object of pride to a growing town. It also must have saddened the Reno brothers and John Merklein, who put so many years of their lives into the business, to see it disappear so quickly.

ACKNOWLEDGEMENTS

I'd like to thank Leon P. Beebe of Tucson for getting me started on this enjoyable two-year project and for being so generous with his time; to Fil Graff of Naperville, Ill., for sharing his extensive knowledge; and to the late Ervin Bond of Douglas whose aid on this project confirmed to me that serendipity does exist.

NOTES

1. 1904 Douglas City Directory.
2. Douglas Dispatch, Nov. 23, 1904.

Drink Copper City Beer.



After a hard, hot day's work refresh yourself at dinner with a bottle of TANNHAUSER—it's the ideal beverage to drink with food during the hot weather.

During the day or at night call for COPPER CITY Beer on draught—first class bars keep it.

We know our business. We know we make a good product—you'll agree with us when you drink it.

*Tannhauser in Bottles
Copper City on Draught*

Quality Drink Made at Home

This advertisement appeared in the Aug. 8, 1914 Douglas International.

3. Just who Louis Frank was is something of a puzzle. Copper City's articles of incorporation don't give a city of residence for Frank, implying that he was from Douglas. Yet the only Louis Frank listed in the 1907 Douglas City Directory is a tapper at the Copper Queen smelter and it seems unlikely he'd have the money to join the Renos as an incorporator.

4. Dispatch, Apr. 30, 1904.

5. Letters from John "Fil" Graff to author, 1987 and 1988.

6. "Arizona Brewery Discovered" by John "Fil" Graff, American Breweriana Journal, November-December, 1988.

7. Letter from Gretchen Merklein Dilbeck to author, March, 1988.

8. Graff, "Arizona Brewery Discovered."

9. Dispatch, June 30, July 28 and Sept. 7, 1904.

10. Dispatch, June 1, 1904.

11. Letter from Dilbeck to author, March, 1988.

12. The 1910 U.S. Census for Cochise County lists 11 men who said they worked at the brewery. The brewery apparently did not employ a cooper or deliveryman. Barrels were bought already made (as noted elsewhere in article) and perhaps the deliveries were handled by local contractors.

The men who worked at the brewery were: Murry Anderson, single, 28, brewery; George Grunwaldt, married, 26, brewer; Henry M. Reno, single, 43, brewery; Carl Leightner, single, 24, brewer; William H. Reno, married, 32, proprietor; Gaston Mendoza, single, 17, laborer; Albert A. Coleman, married, 31, bottler; Juan L. Lugo, single, 18, laborer; George Schubert, single, 34, laborer; Otto Santner, single, 31, brewer; John Merklein, married, 34, brewmaster.

13. Letter from Dilbeck to author, March, 1988.

14. The Merkleins, however, didn't go to the brewery to watch the fighting. Mrs. Dilbeck recalled, "Mother used to make us hide under the bed when the firing started and we found bullets in the back yard (810 E Ave.) afterwards. Most of the families sent their wives and children to Bisbee, but my mother elected to stay."

15. Douglas International, May 21, 1912.

16. Dispatch, Apr. 12, 1905.

17. Dispatch, Apr. 23, 1905.

18. Dispatch, Sept. 30, 1910.

19. Ibid.

20. Letter from Graff to author, June, 1989. Graff notes that breweries across the country began to restrict employee drinking on the job before Prohibition but were often hampered by union effort. The unions fought the brewers' attempts to "deny us our rights" with No Beer, No Work campaigns.

21. International, Jan. 13, 1915.

22. International, Oct. 22, 1914.

23. International, June 12, 1914. Dilbeck remembers the band concerts. "We lived just a block from the park, where we spent many happy hours. There were band concerts by the Army band and we children looked forward to spending a nickel with the popcorn man on the corner. He also introduced us to Cracker-Jack."

24. International, Nov. 4, 1914.

25. International, Dec. 29, 1914.

26. International, Apr. 27, 1915.

27. Tombstone Prospector, Nov. 10, 1915.

28. 1917 Douglas City Directory.

Boost Home-Made Products

If a product made in your home town is just as good as one made elsewhere, and particularly if it is better, if you have the real boosting spirit you will buy the home-made product. In what other section are you as much interested as the one in which you live?

This is one of the reasons why you should

Drink Copper City Beer

Tanhauser in Bottles Copper City Beer on Draught

The glorious Fourth will soon be here. It comes but once a year and naturally everybody celebrates. But every day will be enjoyable for you if you tone up your system, give zest to your appetite and turn hot days into cool ones by drinking Copper City Beer. On sale at first-class bars.

*"Lest you forget
We say it yet,"*

Drink Copper City Beer

This advertisement appeared in the July 2, 1914 Douglas International.

SOURCES

Correspondence

Gretchen Merklein Dilbeck
John "Fil" Graff
Leon P. Beebe

Government Records

1910 U.S. Census for Cochise County
Cochise County Superior Court records
Cochise County recorder's office records

Books, Miscellaneous

Douglas City Directories for 1904, 1907, 1912, 1917, 1918, 1919 and 1920.
Sanborne fire maps of Douglas, 1909, 1914 and 1929.

Magazines and Newspapers

American Breweriana Journal, November-December, 1988.
Douglas Dispatch
Douglas International
Tombstone Prospector

About the author: Cindy Hayostek is the editor of The Cochise Quarterly. A freelance writer and professional researcher, she lives in Douglas.

Mrs. Smith art show set

A show of some paintings by Mrs. A.Y. Smith will be held Sept. 1-27 in the Little Gallery, 12th Street and Pan American Avenue in Douglas.

The show is sponsored by the Cochise County Historical and Archeological Society and the Douglas Art Association. Owners of paintings by Mrs. Smith from Douglas, Bisbee and other Arizona towns as well as California have loaned their art work for the show.

The Little Gallery is open Tuesday through Saturday from 1:30 to 4 p.m.

Unidentified? For shame!

Dear Editor:

This letter is from a fellow who grew up in Douglas early in this century and who only recently was given a copy of the Quarterly by his brother Charles K. Gibson. Both of us are pictured in the Volume 18, Number 2, Summer 1988 issue of your publication. (See page 15 and front cover.)

I am enclosing a letter just written to my brother chiding him about a note he had enclosed with the Quarterly referring to the "unidentified" lad in the lower picture on page 15. He said that this was either William Gibson or Beans Turvey.

Needless to say I knew C.B. Fleming and his sister, Louise, and enjoyed his article, Growing Up In Douglas.

Your publication is fascinating and I would like to become a member of your society and get on your mailing list for the Quarterly.

Bill Gibson
Formerly from 1157 11th St.
Now of Tucson

Dear Chuck:

Thanks for sending the Summer 1988 issue of the Cochise Quarterly. Very interesting! I have only one quarrel with your note and the comment in the pamphlet about the uniden-

tified kid on the slide on page 15. Unidentified? What a slur!

Who do you think scrounged the five gallon oil cans at Barnhart & Carson's for the runners on the cars? Who was the little kid who pilfered the neighborhood for the two by sixes and eights and other boards for the slide? Never was there a more energetic helper on this project than your little brother who being two whole years your junior and clearly a pest in your eyes, the same kid who got the crate ends for his car as a reward for all his hard work!

That is me, Bill Gibson, the bullet headed "unidentified" (for shame) kid on that slide! The same guy next to the big dog in the upper picture on page 15.

Anyway, thanks again for sending the Quarterly.

Bill

Where did the Shepards go?

An article in the Winter, 1988 Cochise Quarterly about the 1929 battle at Naco was written by Celina (Mrs. James A.) Shepard.

A recently found article in the Aug. 13, 1929 Daily Dispatch of Douglas relates what happened to the Shepards after the April battle at Naco. The article told of a party held at the Club Social in Agua Prieta in James Shepard's honor.

"Mr. Shepard, for the last three years, has been assistant manager of the Phelps Dodge Copper Queen mine," said the Dispatch. "Prior to that he was for several years the general manager of the Bisbee-Naco water system when D.D. Irwin was the general superintendent of the Phelps Dodge mine in Bisbee. Irwin became the general manager of the Roan Antelope [copper mine] in Rhodesia in Africa and called Mr. Shepard to the position of assistant manager. With his family, Mr. Shepard will sail for his new location from the port of New York...."