

MAYOR HAS LIVELY TILT IN COUNCIL WITH SEVERAL LOCAL WATER USERS

(Continued From Page One)

minimum rate. After the reading of the communication mayor Sweeney, apparently a bit ill humored, said: "You are calling on me to find out why I have taken the action I have as mayor of the city."

"I am not representing any clique or class of citizens. I am representing all the citizens."

"Your mass meeting was called for the purpose of heaping abuse upon me and the city council."

"You asked to have the water company placed in the hands of a receiver and that is exactly what has been done. Why not permit the federal court to take up the matter and dispose of it?"

Bargman and Mayor Exchange Words. Bargman said: "That is what we are doing, but we wanted to know why you had taken such action without first informing the citizens of it."

Sweeney: "You should propound that question to the attorney for the receiver, he asked for a construction of the franchise, and we agreed to it during the time that the receiver is in charge. You have gone on the outside and brought up speakers to heap abuse on us and you come this morning to demand an explanation of our actions."

Bargman: "You are mistaken to think that. We simply want to know why discrimination was shown toward some and why could not the water rate have been raised so as to affect all equally?"

Sweeney: "My information is that over 900 residents north of the tracks pay the minimum rate, being in the same position as the people south of the track. There is not and never has been any discrimination on the part of the council to work a hardship. You speak of raising the rates, that suggestion was made at one time, and how many of you came up?"

Municipal Development. "There is only one way for the city to determine the best disposition to make of this. Under a receiver you have municipal ownership to all intents and purposes, and at the end of the day you are in a position to see what the difficulties are and how they can be solved."

"We have a franchise which has never been constructed, the matter has been taken before Judge Maxey, who is not doing us any good, for he is a just judge. Pass the matter up to him and let him adjust it. The council has no more authority than you, for the matter is now in the federal court. When it was out of the hands of a receiver we investigated all your complaints and gave them our attention."

Bargman: "Regarding the statement that we called a mass meeting for the purpose of abusing the mayor or city council I must say that you are mistaken."

Sweeney Roasts Critics. Sweeney: "When I accepted the office of mayor I did so with the knowledge of my character was subject to public criticism, and any of my successors will be abused in the same way by characterless men."

"You allowed that individual to assail the character of the mayor and city council and you have a right to do this just so you don't step over the line, for when you do you will have to answer in person."

Dr. Bray said: "We did not call the city council, and if one man made remarks that were out of place."

Alderman Clayton here asked: "That individual represents you, does he not?" "Yes," replied Bray, "but he did not at that time," and mayor Sweeney interjected: "He did not represent you because he does not show any respect that he was entitled to represent you."

"I am not handling this matter; it is in the hands of Judge Maxey. You asked for a receiver and you got him."

Dr. Bray: "Yes, but when you asked for a receiver, we did not ask for the 50-cent rate."

Sweeney: "Quite true; but that is one of the various things to come up."

About Bringing in Money. "You talk every day about bringing new money to El Paso. Is new money coming in when the water company contends that it is losing money and shows that it cannot afford to pump water at the rates charged? Will anyone come in and take hold of the water company? The only way you can bring new money in is to let the receiver go along and see if he can make a statement that enough money is being secured to make extensions."

Dr. Bray: "We went to Mr. Wyatt and he told us that it cost 1.4 cents to pump Mesa water and 1.4 cents to pump river water, and river water will be pumped half the time. He said he lost 33 1/3 per cent in making transfers, so it seems strange that if it costs

50 cents to pump it, why they can't furnish it at 20 cents per thousand."

General Complaint. Sweeney: "Dr. Bray, I would advise you to go to the receiver and ask him to show you the reports of November and December, which he showed me last night."

Bargman: "You speak of the 90-cent rate as not making much difference. How much more do you think the water company will receive?"

Sweeney: "About \$1,200 or \$1,500 per month."

Bargman: "More than \$6,000. We have figured it pretty close at that. If the water rate here is so high and taxes constantly going up, how can we expect to sell real estate?"

Sweeney: "Then it is just a general hard-time complaint with you; the water rate is too high and the tax rate too high."

Bargman: "The water rate more so than the taxes, and especially at this time when we have to pay our taxes."

Bargman's Tentative. Sweeney: "What particular people do you represent?"

Bargman: "Myself as much as anyone else interested down here. I have one house on South El Paso street where there are 90 rooms. They rent for \$4.50 per month for two rooms."

Sweeney: "That is \$225 net."

Bargman: "Yes, if they are all filled, but there are always several empty and you have to collect each week. It is worth 10 per cent for the work of collecting the water company."

Sweeney: "I have made a statement of my case; if you have any questions to ask I shall be glad to hear from you."

Bargman: "There is no ill feeling whatever. I have as much regard for you as I ever had. I think you are a good man; I voted for you twice and will do so again."

Mayor Talks of Repeals. "Personal feelings do not matter. I have gone through two of the dirtiest campaigns and have strived earnestly to adjust this matter."

"There are some reptiles with poisonous hearts who say that we are lined up with the water company. If this council has been influenced by the water company, as you believe, you will find that the federal bench cannot be approached. Judge Maxey is a just judge."

"I will state that I care not what anybody thinks of me. I am going to the bottom of this and protect everybody."

What One Consumer Pays. Mr. McAfee: "I have to pay \$24 more for the water company. I have raised my rents. There is one place where I have to pay at the rate of \$2.40 a thousand gallons."

Phil Bargman: "There is no use going further. The mayor said he did not care."

Mayor Sweeney, growing angry, said: "I did not say that. I said I did not care what you thought about me personally, and I reiterate it."

Bargman: "There was no personal feeling. We just wanted to see what you thought about it."

Service Pipe Judgment. Sweeney: "We got a judgment from the supreme court of the state ordering the water company to put in service pipes, and if you pay it then it is your own fault. The action was not recommended by myself and Judge Oldwell, we simply acquiesced while it was in the hands of a receiver. It is merely to bring the matter before the federal court."

Sewer Work. City sewer commissioner J. W. Hadlock's report for the week showed that 370 feet of sewer had been laid in the alley between California and River streets; 7 Ys were put in; 30 flush tanks and manholes were examined; 12 plugged sewers were cleaned; one manhole was put in on Brown and California streets. The El Paso sewer was pumped once each day.

City's Health. The report of city health officer W. H. Anderson for the week showed a total of 23 deaths, 8 being Americans and 15 Mexicans. The cases of contagious diseases reported existing are: whooping cough, 26; smallpox, 1; typhoid fever, 1; measles, 31. Treatment was given 58 patients at the dispensary and 13 at their homes. Inspections were made of 317 meat markets, 139 dairies, 35 slaughter houses, 26 fruit and vegetable stores, 22 restaurants and 51 premises. Fifteen nuisance notices were served and inspections were made of 402 cattle, 70 hogs, 88 sheep, 26 swine. Thirty-seven pounds of meat and 19 pounds of fruit and vegetables were condemned, while 2 live hogs were destroyed.

Indigent persons to the number of 16 were furnished food at a cost of \$7.50; 6 births were reported, 4 being Mexicans and two Americans. During the week 21 feminations were made.

Quit Claim Deeds. City attorney W. M. Coldwell recommended the granting of a quit claim deed to the T. & P. Railway company.

Mayor Sweeney explained that in 1886 or 1888 this property was sold for taxes and before granting a quit claim deed the railroad must pay taxes to date.

Geo. Look also applied for a quit claim deed to lot 14, block 160, Campbell addition, which was sold by the city assessor in 1889.

Then Eggers also asked for a quit claim deed to lot 14 and part of 15 in block 21, Mills map, and one for the estate of J. Hastin, deceased. The mayor was authorized to sign these deeds upon the payment of delinquent taxes and court costs.

Roulette Business. The city assessor reported \$2 collected during January and the mayor remarked: "The people seem anxious to have a sealer but have not taken advantage of it."

Alderman Robinson read a communication from residents of the second ward asking that a street be opened through South Florence from Eighth street to the river. The council in 1899 gave permission to close the street and allow for 10 years. The petition was referred to city engineer Todd for investigation.

Peter Curdy owner of lots 1 to 5, block 114, Magoffin addition, protested that he had been assessed too much and also on lots 28 and 29, block 59, Franklin Heights addition. Alderman Clayton reported that the property in Magoffin addition had not been re-assessed and moved the assessment stand. In the Franklin Heights addition property he had been assessed on a 5 room house as the dwelling there has only four rooms. This correction was ordered made.

Alderman Hewitt reported he had

STILES SAYS BRING AN HOWL LAD HELD IN JAIL AT LAS CRUCES

Says More Advertising and Cheaper Excursion Rates Are Needed.

Home-seekers' rates and advertising for this section is V. R. Stiles' receipt for a greater El Paso and a greater southwest. Given these two mediums for bringing home-seekers to El Paso and the surrounding section, and with the vast areas of dry farming territory at El Paso's door, the former general passenger agent of the Southwestern route, said El Paso would grow to be the greatest city in the state.

"What we need is the proper kind of advertising and the right kind of rates to bring people here," he said. "The home-seekers rate is \$9 higher from Kansas City to El Paso than it is from Kansas City to Texas points. This ought to be changed and the business men of El Paso should rectify this error, or discrimination in favor of east Texas points as against west Texas."

Comparing the country surrounding El Paso to Colorado and Kansas, Mr. Stiles showed how Colorado made use of every natural resource, utilizing every foot of ground and storing every gallon of surplus water in reservoirs. In Kansas, he said, the country had to be settled three or four times before it was made what it is. But finally the people persisted and made the lands the finest there was out of doors. Right take up very good," the speaker said.

"We have a great body of land that can be farmed profitably by dry farming. The Tularosa valley, the Alamogordo, the San Simon, the Sulphur Springs and the other valleys are successfully irrigated by scientific agriculture or dry farming. If a man had told me a few years ago that dry farming was successful here I would have said he was crazy. I went to the Denver dry farming convention and was convinced of its practicability."

"The trouble is that the settlers do not familiarize themselves with what they are trying to do. I expect to see this country populated two or three times before a success is made but as soon as the people are educated, they will populate thousands of acres and will make El Paso one of the great cities of the United States. If the transportation committee wishes to take up this great problem of colonizing the southwest, I will be glad to give all the assistance I can, for there is no question as to the possibilities of this section."

D. M. Payne, who presided at the luncheon, told of the achievement of J. F. Reeves on his dry farm on the mesa at Newman, N. M.

There were 73 present at the luncheon and the next one is being planned for the next number of commerce, where accommodations can be provided for all the business men who want to attend.

The guests from out of the city at the luncheon were Charles E. Wynne, traveling freight agent, O. B. Preston, live stock agent, all for the Frisco lines, of Fort Worth; C. F. Chitt, of Dallas; N. D. Roberts, Lordeburg, N. M.; Roberto Bannier, building on the plant; W. H. Burrows, of Houston, and Oscar Snow, T. Rouault, Jr., and T. J. Brownrig, of Las Cruces, and Hal Reynolds.

granted Sorenson & Morgan permission to fence the sidewalk and part of the street for the construction of the Roberts-Banner building.

Upon his recommendation R. C. Lightbody was granted permission to erect a prohibition sign on the R. B. Stevens building.

Property owners on North Campbell street presented a petition for paving on that street from Main to Hill street, with Petrolite oil-macadam which was adopted.

Regulate Sale of Milk. An ordinance regulating the sale of milk in order to prevent tuberculosis was placed on its first reading. The ordinance provides that no one may sell milk from a cow which has not been examined and found free from tuberculosis. All dairies are granted five years in which to dispose of tubercular cattle but these must be kept apart from milk cow in use. The penalty is set at from \$5 to \$100 for violations.

Rio Grande Parking. James G. McNary reported collections for 5491 feet on Rio Grande street for parking and he said, "Orders were promised, there being some new residents who had not been seen. He said: "Owners of 535 feet have declined to pay; A. M. Robinson cannot pay; H. Allen declines to pay, complaining she has not been examined. Lane and Conoston, owners of 120 feet, declined, and Mrs. Jones, at the corner of Rio Grande and Oregon, did not have the money."

"Continuing he said: "Henry Pfaff has not paid but I am inclined to believe he will. Mrs. Annie Boone declines. Mrs. Pomeroy says she will pay when actual work begins. It is a real hardship on some people to pay but the fact that so many have paid shows they are deeply interested. I believe we can get nearly every one on the street."

"In the 5051 feet the city's property is included. Owners of 250 or 300 feet have refused to pay."

"I believe within the next 10 days or two weeks we can get most of the others signed up. One thing people object to is the contractor stamping his name on the curb. We want this badly and want to start at once."

Mayor Sweeney said: "If you will come in this afternoon, we will adjust the matter."

Mysterious Disappearance of Ignacio Pena Causes the Arrest.

Las Cruces, N. M., Feb. 10.—David Guaderrama, son of Jose Guaderrama, ar., who keeps a store at the smelter in El Paso, was brought here from Anthony Tuesday night and is now under arrest on suspicion of being implicated in the mysterious disappearance of Ignacio Pena, who disappeared Saturday night. Guaderrama is a barber at Anthony and is a brother of Jose and Avilino Guaderrama, of Anthony.

Nothing has been heard from young Pena since he left the dance at Anthony Saturday night. It was reported at Anthony Tuesday that his body had been found in the river near Anthony, but this was found to be a false report. A search of the country surrounding the Anthony ford has been made and the river dragged but nothing has yet been found by which the body of the young Mexican might be located.

Sheriff Felipe Lucero returned to Las Cruces but before he left, a number of clues were discovered. At the river ford evidences of a struggle were found near the river bank, the marks showing where a fight had evidently taken place, were discovered by the sheriff. It is reported that a pair of shoes upon which mud stains were found had been discovered in a saloon at Anthony and also a saddle and saddle blanket upon which there were marks resembling blood stains, were found in a corral there; also the horse of William S. King which disappeared the night of the dance.

The young man who is thought to have met with foul play, was a witness in a case which was brought against David and Avilino Guaderrama and Liberato Garcia some time ago for alleged theft of alfalfa seed.

VARN ACCUSED IN THE COURTS OF MEXICO

Former El Pasoan Cleared of the Charge of Murder at Durango.

Deputy sheriff W. D. Greet received a telegram from W. W. Varn, formerly of this city, to the effect that he had been acquitted at Durango, Mex., on the charge of murdering E. E. Miller, another American, last April and all the goods of the defendant, which had been held by the Mexican government, were returned to him.

Varn was shot in the hand and his horse shot under him by Miller, who was foreman of their ranch in Durango and interested in the ranch.

Varn is well known in El Paso, having come here from Pensacola, Fla.

WOMAN FAINTS IN COURTROOM

Denunciation of Prosecuting Attorney Takes Her Breath Away.

San Antonio, Tex., Feb. 10.—Mrs. Nat B. Jones, charged with the murder of her husband, a prominent attorney, fell unconscious in the district court room this afternoon when assistant county attorney Chambers, closing for the prosecution, referred to Jones' slayer as a "red-handed assassin, from whose hands the blood of his victim is dripping."

Mrs. Jones was placed upon a cot and physicians were summoned but she was long in gaining consciousness.

TRYING TO ORGANIZE LIFE INSURANCE COMPANY

Texas Men Are in El Paso Trying to Form a Corporation to Operate in United States and Mexico.

B. F. McNulty and J. A. Bordeaux, of San Antonio, Tex., and E. W. Hutchinson and E. E. Ferrell, of Houston, Tex., are at the Grandoff and are organizing the "Two Republics Life Insurance company," the headquarters and general office to be in this city.

The business of the company will be not only interstate but international, covering with its branch offices the southwest and Mexico. The capital will be \$200,000 and the surplus \$200,000. Of this, \$100,000 is to be subscribed in El Paso and the balance in San Antonio, Houston and other cities. Three local trustees are Dr. S. T. Turner, A. Kraemer and W. R. Martin.

AMUSEMENTS.

ELLEN BEACH YAW. This matchless high soprano of the world Ellen Beach Yaw, will be the main attraction at the El Paso theater, Monday, February 14.

Madam Yaw and her concert company will appear under the auspices of the Woman's club of this city, and the lovers of high class music are to be congratulated on having an opportunity of hearing this celebrated artist. The sale of seats is now on at the Crawford box office.

EAT A "GINGERBREAD MAN."

Two thousand real gingerbread men (cakes) will be given away Saturday.

A wagon load of cute little gingerbread men arrived in El Paso today and were at once placed on exhibition in the window of the Popular Dry Goods company. These cute little fellows are not Japs nor are they looking for trouble. What they want to do is to have the good people of El Paso call on them at the store all day Saturday. They will stay there as the guests of the Popular till then, when they will occupy each and every caller to their homes. They are the emissaries of their big brother who will be at the El Paso theater next Tuesday.

"THE GINGERBREAD MAN."

"The Gingerbread Man," one of the most delightful comedy operas of recent years, is still pursuing the even tenor of its way and putting a lot of the more recent effusions to sleep. Each year is threatened to be the last but so many new features have been added that it still continues to please a new coterie of admirers with its delightful music, its sprightly comedy and its clever situations. The cast still contains the names of the old favorites and the production is always up to the standard. It will appear at the El Paso theater matinee and night, Tuesday, February 15. Seats go on sale Saturday at the Crawford.

THE CRAWFORD.

The Bailey Stock company continues to grow in public favor with each night's performance and the big comedy success, "Miss Hobbs," is proving the laughing hit of the season. There will be a matinee Saturday. Next week Adelade Thurston's comedy drama, "Sweet Clover," will be the bill. Seats are now selling.

THE MAJESTIC.

Tonight will see a new bill at the Majestic, which will serve to introduce Miss Winnie Baldwin, manager of the new importation. Miss Baldwin comes direct from Fisher's in Los Angeles, and claims the distinction of being a niece of the late "Lucky" Baldwin. Three shows are given nightly at the Majestic—7:30, 8:30 and 9:30.

DEATH OF FORMER EL PASOAN; ONCE ASSISTANT FIRE CHIEF

A telegram was received by Mrs. W. F. Hempel, announcing the death of her brother, T. M. Cooney at noon yesterday in New Orleans, La. Mr. Cooney had an attack of pleuro-pneumonia last May, from which he never recovered. He was 46 years old.

Thomas M. Cooney and his brother, John A., came to El Paso in April, 1887, and went into the coal, lime and building material business, which they conducted for several years.

In 1889 Mr. Cooney returned to New Orleans and married Miss Emma Storek, and brought her to El Paso.

Mr. Cooney was identified with the early history of this city and was assistant chief of the volunteer fire department. His father, Thomas T. Cooney, was accidentally killed by falling down stairs here about 11 years ago. He leaves a widow, son and daughter, a sister and a brother. The latter is now in the Philippines but will sail for home on the 14th of the present month.

OLIN POOL IDENTIFIED BY AN EL PASOAN

That Olin Pool, arrested recently at Colton, California, on the charge of



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1 cent a word each insertion. 5 cents a word 6 insertions. No charge less than 25 cents.

HERALD WANT ADS BRING RESULTS.

NEW CARD SYSTEM AT POSTOFFICE

Directory Now Being Compiled to Have 40,000 Cards in It.

After working for years with a city directory with blank sheets and interlining, for a forwarding directory, the El Paso postoffice is now putting in a card system directory.

It will require six weeks' time to write the names of every person receiving mail in this city, on a card, and when it is completed, 40,000 cards will be indexed.

On this card will be all notations regarding the disposition of mail to whom it is addressed. By postoffice officials, the directory department is considered the most important, this work needing constant attention to keep the directory with all the forwarding addresses up-to-date.

It is referred to constantly and while it requires considerable work in getting the new card system compiled it will be a time saver when it is in operation.

Artistic Wrap of Silk Net



TKOTO BY JOSE VEDEL.

This artistically draped wrap of black silk fancy net has a two inch border of plain white Irish lace, embroidered with a daisy design in black and white. As most of the fulness is bled into the back and fronts of the sharply pointed hand collar, the garment fits smoothly across the shoulders and in no way conceals the beauty of the embroidered white chiffon and lace gown beneath it.

The black strap picture hat, faced and banded with black velvet, is garnished with two long ostrich plumes, starting from the rear of the crown and falling partially over the brim.

A Delightful Experience

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MRS. HOWARD IS GRANTED DIVORCE

This Is Ended Romance of Wedding in Opposition to Girl's Family.

In the 41st district court this afternoon, there was an end to a romance which attracted considerable attention in this city. It was the granting of a divorce to Mrs. Ruth Albro Howard from James G. Howard, to whom she was married last spring.

The defendant was not in court but now languishes in the county jail, where he is held on a charge of carrying a pistol.

Ames Albro, brother of Mrs. Howard, who tried every means to dissuade her from marrying Howard, was in court with his wife and sister while the suit was being heard before Judge Waithall.

41ST DISTRICT COURT.

Judge A. M. Waithall, Presiding. T. J. Beall, attorney for the executor of the estate of F. B. Cotton files affidavits in reply to the petition of George Paul in his petition for an injunction restraining the city from carrying on the work of erecting the garbage disposal plant. There are nine affidavits made by W. B. Grant, A. F. Coles, Frank Coles, Millard Patterson, John Sorenson, J. A. Smith, B. E. Major, Parker Burnham and Noyes Rand. The petition for the injunction is set for hearing this afternoon.

Ruth Albro Howard vs. James G. Howard, divorce; granted.

Galbraith Foxworth Co. vs. John Brunner and S. R. Emery, suit for recovery of \$1370 on house in Martinez homestead addition. Brunner owns the house and Emery was the contractor who erected it.

48TH DISTRICT COURT.

Judge J. R. Harper, Presiding. Miguel Galindo, charged with burglary, sentenced to serve three years in Juvenile training school.

Charles Williams charged with burglary, sentenced to serve two years in penitentiary.

JACK DAWSON IS FINED ON CHARGE OF ASSAULT

Jack Dawson, of the International water company, was found guilty of an assault upon Ike Wolf when arraigned before a jury in Justice Watson's court Wednesday afternoon and fined \$15 and costs.

He was charged with having struck Ike Wolf with a heavy glass inkstand last Saturday when the latter had an altercation with him in front of the water company's office.

WOMAN HAS BEEN HELPED. The woman in East El Paso who appealed through The Herald for assistance, has been receiving help from the Women's Charity. She has five children and a sick husband.

ADS BY PHONE. Call Bell 115, Auto 1115, tell what you wish to buy, sell or rent and The Herald will do the rest.