

El Paso's Rapid Growth
Official United States Census
Population 1910, 39,279
Population 1900 15,906
Population 1890 15,333

EL PASO HERALD

El Paso, Texas,
Wednesday Evening
January 18, 1911-16 Pages

MINING MEN DRAFT NEW MEASURE

Chamber of Commerce Desires to Hear from Everybody by Saturday.

C. R. TROXTEL'S IDEAS ADVANCED

The mining committee of the chamber of commerce wishes to have written suggestions from the mining and oil men of west Texas for the new mining law which is to be framed at the mining convention Saturday. These suggestions will be considered by the convention and will be used as a basis for the discussion at the morning session of the convention. A committee will then be appointed to draft a bill which will be submitted to the convention at the afternoon session.

Troxtel's Ideas.
C. R. Troxell thinks that the proposed law of senator Hudspeth should be improved upon before taken up by the legislature. Discussing it, he says: "One section provides that if an operator or driller strikes a five barrel well in 24 hours he must stop and buy the land. Now a five barrel well is not worth much and this would work a hardship on the prospector. I think he should be given from 12 to 24 months to develop the oil land and pay \$1 an acre for it, at the end of each year."

"No one operator should be permitted to purchase more than 160 acres and the state should reserve all oil and gas rights on unsold lands and permit all operators to agree to all the rights of the state. It shall be required to pay the state a royalty of 5 percent on the gross production. If the 5 percent royalty shall amount to more than \$1 each year, then the operator should receive credit for any amount paid in excess of the \$1 required to be paid each year."

"It has also been proposed to charge from \$10 to \$25 per acre for oil lands. This would be unfair, I believe, in a fixed price, for under the conditions proposed, some would get land for \$25 which might be worth \$5000, and others might pay \$25 for land that would be worth very little. There are many ways in which the state could be made to pay for the surface rights and the owner of the surface rights all get their share."

The Owner's Rights.
"I believe the state should allow the owner of surface rights half interest in the royalty paid on oil or gas found on his land."

"Under the requirement that an operator must, when he makes a prospect, give the name and address of the owner of surface rights to the state land commissioner, and the fact that the latter is then allowed 60 days in which to file a claim on the land, the prospector may lose out."

"The driller or operator, should be required to make a sworn statement of his log once a year to prevent oil producers from faking. The state will receive enough money to appoint inspectors who can check the operations and protect the public."

BURROWS DEFENDS SENATOR LORIMER

Declares There Is Absolutely No Proof That Senator Bought Seat.

Washington, D. C., Jan. 18.—"There is absolutely no proof, direct or indirect, from which a legitimate inference could be drawn that a single member of the general assembly was corruptly influenced to vote for Mr. Lorimer."

This was the conclusion of senator Julius Caesar Burrows, of Michigan, in a speech in the senate today defending the majority report of the committee on privileges and elections, of which he is chairman, confirming the right of senator Lorimer, of Illinois, to his seat.

After summarizing the testimony of witnesses White, Link, Beckmeyer and Holtzlaw, senator Burrows declared: "It is obvious that there is nothing in the statements of any one of them, or in the statements of all taken together, which would justify the conclusion that their testimony as to bribery is true, or could be relied upon in a matter of even minor importance."

El Paso Herald Leads All Papers In Advertising the Southwest

From Tucson (Ariz.) Citizen.

NO NEWSPAPER in the southwest has done more to advertise this section of the country than the El Paso Herald. It has not boasted; it has advertised. There is an important distinction between the two. The one is based wholly on hopes, the other on facts. The Herald suggests that Arizona, New Mexico and West Texas have much in common, and that some cooperative scheme of systematic advertising would prove beneficial to the whole Southwest.

Arizona needs more systematic advertising. A gathering of representative citizens of the two territories and of West Texas at some central point, for the purpose of arranging for the maintenance in the east of a central southwestern bureau of information, would, we are confident, prove helpful to this entire section of the country.

When El Paso gets a modern hotel, perhaps The Herald will invite the two territories to participate in such a conference in that city.

SHEEHAN WILL COST MANY VOTES

His Election Will Hurt Democratic Party—Lodge Is Elected in Massachusetts.

LIPPITT SUCCEEDS SENATOR ALDRICH

Pierre, S. D., Jan. 18.—The Democratic members of both houses of the legislature and chairman Lyons, of the Democratic state central committee, last night sent a telegram to governor Dix, of New York, declaring New York senatorial situation is national, and that the election of Sheehan will cost the party a million votes in the west, while the election of Shepard or an equally representative man will gain that number for the party.

Sheehan Short of Votes.
Albany, N. Y., Jan. 18.—William F. Sheehan received 90 votes on the first joint ballot for United States senator yesterday, nine less than a majority. Senator Chanler, who yesterday voted for Sheehan, today changed to Shepard.

Lodge Is Re-elected.
Boston, Mass., Jan. 18.—Henry Cabot Lodge was today re-elected United States senator from Massachusetts. Mr. Lodge was re-elected on the first joint ballot of the legislature. Two Democratic senators, Curley and Murray, of Boston, voted for Lodge.

Lippitt Succeeds Aldrich.
Providence, R. I., Jan. 18.—Henry F. Lippitt, Republican, was today elected United States senator to succeed Nelson W. Aldrich.

Many New Senators.
Washington, D. C., Jan. 18.—Following senators were elected yesterday or today.

Utah—George Sutherland (Republican), to succeed himself.

Connecticut—George F. McLean (Republican), succeeds Morgan G. Bulkeley (Republican).

Nebraska—G. M. Hitchcock (Democrat), succeeds E. J. Burkett (Republican).

Minnesota—Moses E. Clapp (Republican), succeeds himself.

Michigan—Charles E. Townsend (Republican), succeeds Julius C. Burrows (Republican).

New Jersey—James A. Reed (Democrat), succeeds William Warner (Republican).

Washington—Miles Polindexter (Republican), succeeds S. H. Piles (Republican).

South Dakota—Porter J. McCumber (Republican), succeeds himself; A. J. Gronna (Progressive Republican), fills unexpired term of W. M. Johnson, deceased.

Pennsylvania—George T. Oliver (Republican), succeeds himself.

Maine—Charles F. Johnson (Democrat), succeeds Eugene Hale (Republican).

Alabama—John H. Bankhead (Democrat), will be elected to succeed himself.

**S. P. IN MEXICO
FACES A STRIKE**

Engineers Tie Up the Lines
In Fight for Higher Wages.

Nogales, Ariz., Jan. 18.—The Brotherhood of Engineers on the S. P. Mexican lines went on a strike at 7 o'clock last evening for higher wages.

The lines affected extend from here south to Guaymas and east along the Mexican Pacific coast almost to Guadalupe; also from Naco to Cananea and from Nogales to Cananea.

The engineers demanded the same wages paid to engineers on the same road in the United States.

The strike of engineers was complicated this morning by the refusal of the Mexican firemen to work with the volunteer engineers. The assistant superintendent and master mechanic of the Cananea division are acting as engineers today. One passenger and one freight were moving this morning. It is expected that negotiations will be begun today for a settlement of the strike.

EXPRESS IS REFUSED.
Wells-Fargo express matter will not be accepted for delivery in Mexico by way of Nogales or Naco. This is because of the strike on the S. P. lines in Mexico, as no trains are running on the Mexican roads in Sonora.

PRELUDES TO CAUCUS

Democratic Party Council to Be Revolutionary Political Move.

COMMITTEE PLACES TO BE DECIDED ON

Washington, D. C., Jan. 18.—"We won in the November elections because we pledged the people to correct the abuses of the Payne-Aldrich tariff act, and to stamp out Cannonism by restoring to the house the right to legislate, which includes taking from the speaker the power to appoint the committee. This has been agreed, and will be ratified at the Democratic caucus to be held in the hall of the house of representatives, January 19, 1911."

This is the answer made by the Democrats when asked what they will do next December.

Representative John N. Garner, of Texas, Democratic whip, is authority for the statement that at a conference of the leaders just after the meeting of congress, December 2, it was decided that the Democrats were to keep faith and carry out their pledges in the next house it would be necessary to perfect the organization at the earliest possible moment and the way to do this was to arrange for a party caucus, such as is held when the house is organized just before the opening of a new congress. Hence the call for the caucus which will be held here tomorrow. It is to be a full party caucus, the 52 members elect who enter upon the discharge of their duties next December, being urgently invited to attend to take part in the selection of the ways and means committee, the selection of the rules committee, and from present indications the majority will be present."

Term Is Revolutionary.
The holding of a party caucus, such as has been called to meet tomorrow, is without precedent; it is by many termed revolutionary, but then, as the standard Republicans say, this has been a revolutionary congress, and precedents have been cut from their moorings and set adrift. And so the Democrats are merely keeping up with the procession.

With few exceptions the Democrats are confident that the caucus will be not only harmonious, but will result in reaching an understanding, the outcome of which will be a solid front for the opposition, and a line up for the campaign of 1912.

While there is much interest in the proposed committee on committees, which is to relieve the speaker from the task of making these appointments, the real work of the caucus, the work that deeply concerns the future of the Democrats, is the selection of the ways and means committee. This committee will be charged with the labor of preparing a bill to amend the Payne-Aldrich tariff act, promised the people by the Democrats during the last campaign. And immediately following the selection of this committee an order will be issued to collect all available data that will assist in framing new cotton and woolen schedules, in line with the criticisms that have been made against the present law. The Democrats say that it would be waste of time to attempt a complete tariff revision, because such a measure would have no chance whatever in a Republican senate, but a bill, or bills, correcting inequalities in the Payne-Aldrich law, as suggested by tariff reformers, might attract the progressive Republicans in the senate, and thus some relief would be given.

With the knowledge that the Democrats are committed to a revision of the tariff by schedules, and this is expected of them by the country, the leaders, from representative Champ Clark, who will succeed speaker Cannon, all down the line, are practically a unit that the ways and means committee should be selected at the January caucus. Already the Democrats have discussed this subject with the result that the make-up of the committee is tentatively agreed upon. It is the consensus of opinion that representative Underwood, of Alabama, who has served with distinction on that committee for some years, and whose tariff record is in harmony with his party, will be chosen chairman. It will be unanimous. It may be stated that, owing to the tentative agreement in the next house, the membership of the ways and means committee will be increased to 20-13 Democrats and seven Republicans.

As tentatively agreed upon the following will compose the majority of the ways and means committee: Representatives Underwood, Alabama; James, of Kentucky; Rainey, of Illinois; Harrison, of New York; Randall, of Texas; Palmer, of Pennsylvania; Poirer, of North Carolina; Denver, of Ohio; Garrett, of Tennessee; Shackelford, of Missouri; Dixon, of Indiana; Martin, of Colorado, and Peters of Massachusetts.

It is not improbable, however, that several changes may be made in the committee membership as here outlined. For instance there is a little friction in the North Carolina delegation, that may result in displacing Poirer for Kitchen. There is also a feeling that McGillivray, of Maine, may take the place of Peters.

Proposed Saving Scheme.
The suggestion has been made by some of the more prominent Democratic members that time might be saved by empowering the ways and means committee to make the committee appointments, but representative Garner, who introduced the resolution proposing a committee on committees, says that while he is satisfied that the ways and means committee could perform this work in a satisfactory manner, still it might hamper them in their tariff deliberations. It might be left to the rules committee, whip Garner said today, as some of the members have suggested, but perhaps, after the matter has been discussed in all its angles, the caucus will decide to name a committee on committees.

Of course there will be no attempt (Continued on Page Five.)

LET SALOONS ALONE SAYS COLQUITT

Leading Figures in Democratic Caucus



PROSECUTION RESTS CASE OF BELL

Evidence Is All Introduced
Against El Pasoan During
the First Day.

INSANITY IS DEFENCE PLEA

Los Angeles, Cal., Jan. 18.—The Frank M. Bell murder trial took a sudden leap late yesterday afternoon and the jury box was filled in a rush.

The taking of testimony was begun but little was brought out until the morning session today.

It was apparent from the outset that Bell's attorneys are framing a defense on the ground of temporary insanity. They devoted their efforts to show that Bell was in an irrational state of mind prior to the shooting.

Every grime that he made while his victim, O. P. Widaman, was prostrate on the ground; his enunciations and his expressions of hatred and revenge were elaborated with the view of showing his state of mind.

There was a surprise when deputy district attorneys Keyes and Graham, who are in charge of the prosecution, announced at noon that the state rested.

The Testimony.
Coroner's surgeon Campbell was the first witness called by the state. He testified concerning the four wounds of the murdered man, and the course pursued by the bullets.

E. Vacher, conductor of the Santa Ana car, upon which Bell was a passenger prior to the shooting, related how Bell left his seat and stood in the aisle when the train was approaching Artesia. He said that Bell jumped from the car while it was in motion and, pulling a gun from his pocket, began firing at Widaman.

The deputy constable who made the arrest and E. S. Noon, who sided, admitted, under the sharp questioning of attorney Appel, Bell's chief counsel, that Bell was nervous and had a wild gleam in his eyes.

Two days were required to secure the jury.

Bell takes his situation philosophically and is confident of acquittal. He frequently whispered a suggestion to his lawyers while they were examining witnesses.

From the tenor of the questions asked, it was evident that the defense would be based on temporary insanity with "the unwritten law" held in reserve.

Case May Last Month.
Bell is represented at the trial by H. H. Appel, John L. Fleming and Tom L. Johnston, of Los Angeles, and by Judge T. A. Falvey and Charles Loomis, of El Paso.

The district attorney appear Asa Keyes and Ralph Graham. Attorneys for the defense estimated today that at least a month would be required to hear the case.

Besides Bell's mother, Mrs. L. M. Bell, of El Paso, his brother-in-law, A. P. Coley, is present at the hearing and his wife will be called as a witness. It was stated today.

**DEATH FOR 24
JAP ANARCHISTS**

Tokio, Japan, Jan. 18.—D. Kotoku, his wife and 22 fellow anarchists were today sentenced to death for having conspired against the life of the emperor and members of the imperial household.

Two others were sent to prison, one for 11 years, the other for eight years. The trial has been secret but the final dramatic scene was witnessed by diplomats and many prominent Japanese. When sentence was pronounced one of the doomed men arose, and shouted, "Banzai." All the prisoners then sprang to their feet and Kotoku, raising his hands above his head, cried: "Long live anarchism."

It is possible that life exile will be substituted for the death penalty. (Continued on Page Seven.)

WILL VETO ALL LAWS AIMED AT SALOON

Also Says State Has Enough
of All Regulatory Laws
and Needs No More.

WOULD SELL THE STATE RAILROAD

Land Laws of Texas Are Retarding
State's Growth,
He Declares.

Austin, Tex., Jan. 18.—Governor O. B. Colquitt in his first message to the legislature today declared that there are no demands for new general legislation; that the public demands a rest which the last state platform approves and that the 22nd legislature should heed the platform.

The message declares that state laws limiting corporations are already efficient. He says it is the duty of the legislature to submit the prohibition amendment and that he will veto all other liquor regulatory measures and that it will be a waste of time and money for the legislature to attempt any.

Colquitt also says the present tax system is unjust and not uniform and should be amended; that the state railroad is a failure and should be sold.

He says the anti-trust laws should be strictly enforced but not for the purpose of collecting fines and fees. He advocates amending the passage of a law to allow newspapers to take passes in lieu of advertising.

Colquitt declares the present land laws retard the state's growth and that the state would have a population of 10,000,000 except for the operation of these laws.

Campbell Leaves for Home.
Governor Campbell visited the various departments today and told everyone goodbye. He and family left this afternoon for Palestine.

Legislature Not Busy.
No business was transacted by the legislature this morning, the house having adjourned until 2 p. m. and the senate until 10 o'clock tomorrow. The members of both branches were late in arriving today, due to the inaugural ball last night.

When the house met this afternoon it took up the report of the committee on rules, which must be adopted before the house can proceed with business.

The report that pro-saloonators will embarrass Colquitt by refusing to confirm the appointment of John L. Wortham as railroad commissioner and appointments to the penitentiary commission, has caused a stir, but it is believed this program will not be carried out.

The antiprohibition members of the legislature in caucus today decided to attempt a filibuster against the pending prohibition bills. The prohibitionists are preparing, it is said, to propose to deliver Colquitt a promise by which he will sign a saloon regulation law providing for closing at 9 p. m. instead of 8 p. m., as formerly proposed.

**MAKES LAND DEAL,
THEN DISAPPEARS**

Chicago, Ill., Jan. 18.—Mayor Rudolph Schering, of Roselle, Illinois, who went to Galveston December 6 to close a land deal by which he cleared \$10,000, has been missing for a month and it is feared he has been killed and robbed.

George Franzen, Schering's partner, has gone to Texas in search of the missing mayor, who left a family in Roselle.

**FLIES FROM LAND
ONTO A WARSHIP**

San Francisco, Cal., Jan. 18.—Eugene Ely, the aviator, today made a successful landing upon the deck of the cruiser Pennsylvania, anchored in San Francisco bay. Ely started from Selfridge pier, 12 miles south of the city.

Ely used a specially prepared Curtiss biplane and landed so lightly that the machine was scarcely shaken.

Later Ely made a fire getaway from the deck of the cruiser on a return flight.

SAHUARIPA IS FIGHT NEAR IN HANDS OF THE REBELS

Mayor of the Place Is Jailed
at Hermosillo for Failing
to Resist.

"THIEVES" BUSY AROUND NACAZARI

Hermosillo, Son., Mex., Jan. 18.—Reports received here of the occupation of Sahuaripa, Son., by revolutionists or bandits, whatever the case might be, have been confirmed by the arrival in Hermosillo of the prefecto of that district, Alfredo Encinas. He has been arrested and is now a prisoner in the state penitentiary.

It seems that Encinas made no resistance whatever to the revolutionists and permitted their taking the city and he made his "escape" immediately afterwards by horseback to Tonichil, where he at once took the train for Hermosillo to report the trouble.

The city of Sahuaripa was occupied by the revolutionists on Friday, Dec. 13, and on account of there being no telegraph station at that place the news of the fall of the city was delayed in reaching here. The prefecto wired the governor upon his reaching Tonichil and then came here to verify his information.

There was no fighting, no resistance, and not a shot was fired in defense of the city, which is naturally interpreted by the government officials to mean that the prefecto was in sympathy with the rebels. This is why, the prefecto was arrested, and he will soon be given an opportunity to show in what way he was justified in surrendering so readily.

The rebels came over the line from Chihuahua, from where they were driven.

However, the officials say the victory will be short lived, as a large number of soldiers have been dispatched to the troubled region, and they are scheduled to reach there by Sunday next, it taking six days to make the distance.

When seen today, Gen. Luis E. Torres stated that he had no fear of the outcome of the affair and is certain that the soldiers will be sufficiently capable of retaking the city.

About three weeks ago it was reported that Encinas had deserted the government side and had gone forth at the head of a body of armed men, but this was not credited at the time, but it is now seen that there was something which can be possibly connected with the recent trouble in Sahuaripa.

At first it was reported here that the revolutionists had also captured a number of other cities and towns in Sonora which had capitulated to the forces of

(Continued on Page Seven.)

Mining Law Is Needed for Texas; West Texas Must Act

TO CONSIDER the needs of west Texas in the way of an adequate mining law to develop the mineral and oil resources of the state, a meeting will be held in El Paso Saturday, Jan. 21. Every west Texas resident is vitally interested and all communities should have representatives at the meeting. The bill proposed by senator Hudspeth will be discussed and such alterations or changes as are necessary will be suggested at this time. Texas needs a mining law. Now is the time to get together.