AMERICAN DIGS GRAVES OF NINE

With Execution Squad of Juarez Garrison; Wheelbarrow for Hearse.

A gravedigger attached to the execution squad of the Juarez garrison, James Ellsworth, was liberated from the Juarez jail Sunday night after having assisted in burying nine Mexicans, including two soldiers, who had been executed in the Juarez cemetery since May 3, he declares.

Ellsworth is the man who was arrested on the night of May 3 in the gambling house in Juarez when an American cattleman claimed he was trying to rob him of his heavy winnings at "craps." The cattleman struck Ellsworth in the face, Ellsworth says, and later he was arrested on complaint of the gambling house detective and he says he was taken to the police station in Juarez where the night man in charge beat him over the shoulders and back with the flat of his sword. Ellsworth exhibits cuts in his coat to show where he was struck by the police officer. He was then locked up over night and at his trial next morning says a charge of being drunk was placed against him, although he declares he had not been drinking for months. He was returned to the Juarez jail, where he was kept as a trusty until his release Sunday night.

Dug Graves for Nine.

"I was detailed to the execution squad soon after being put in jail," said Ellsworth Monday morning. "I had lost my hat when I was arrested and I was taken out many mornings at 4 o'clock and made to dig graves at the cemetery in Juarez, where I worked for hours in the hot sun and where I was burned and blistered on my face and hands. The executions were held against an abandoned adobe house about 700 yards from the cemetery and I used an old wheelbarrow to cart the bodies of the men who were executed to the graves in the cemetery which we had dug for them. An American named Collins, who was picked up on the streets of Juarez assisted me in burying these dead. We had to work almost every day and it was hard work. That old bloody wheelbarrow is still out there if anyone wishes to investigate.

Two Soldiers Shot.

"Seven of the men executed were civilians who had been arested for theft and other minor charges. The two soldiers who were shot with their uniforms on were accused of insulting their officers. They all died gamely, as the officer in charge of the firing squad made them stand up against the wall with his sword and the firing squad shoot before they had a chance to break down.

"In the Juarez jail are three Americans. One is in another part of the jail and I did not get to talk with him. He was supposed to be in for four months on a charge of burglary. Two Hebrews who were known as Mark and Sam were also in on a charge of counterfeiting Villa money.

Mexican Is Killed.

"The last grave digging I did was Saturday morning when we buried a Mexican who was thrown in jail for being drunk. He was shoved through the main door and fell on his head. He broke his neck and we took his body out Saturday morning. I have buried so many men now that I feel qualified to become an undertaker, although I do not want to repeat my experiences in the Juarez jail."

Ellsworth says he was a cook at the Success cafe before going to Juarez on a sightseeing trip. His home is in Portland, Ore.

MAY TALK PEACE IN UNITED STATES

Mexicans Suggest Plan to Fighting Factions; Villa Replies to Wilson.

That each faction in Mexico anpoint representatives to meet in the United States, or some other neutral country, and formulate plans for an early solution of Mexico's troubles, is being seriously discussed here by prominent members of the refugee colony and adherents of both the Villa and Carranza factions along the border. This suggestion will be telegraphed today to the prominent leaders in Mexico.

This idea, thought to have originated at Villa's headquarters, contains the first definite suggestion for the settlement of the Mexican civil war in line with president Wilson's recent note of warning to various factional leaders.

Villa's Reply Conciliating.

General Villa's reply to president Wilson's Mexican message is being drafted by Lic. Miguel Diaz Lombardo, minister of foreign relations in the Villa cabinet, and Gen. Felipe Angeles, secretary of war, and will be telegraphed to Washington Tuesday or Wednesday.

It is believed by those intimately acquainted with the Mexican situation and who are in close touch with high Villa officials that Villa's answer will be cordial in tone and that it will embody, as an introductory, a statement of Villa's acceptance, in friendly spirit, of the American note. It will say that Villa understands thoroughly the humanitarian motives behind the president's suggestions and is willing to cooperate in carrying them out; provided that such cooperation does not entail a relinquishment of the more important ideals of the Villa revolution. Although Villa will express his willingness to participate in negotiations designed to bring about peace, he will point out that the Wilson note fails to offer any comprehensive plan that will give the various Mexican factions an acceptable basis for peace negotiations. This, the note will probably say, is the main difficulty in the way of making a more explicit reply to the American message at this time.

STEAMER SERVICE INAUGURATED TO MEXICAN PACIFIC COAST

The Southern Steamship company announces from Los Angeles that it is now maintaining a regular 76-hour service from San Pedro to Mazatlan, miSalos, Mexico. The S. S. "Prince Albert," which makes this run is a modern, steel vessel of over 1000 tons, carrying freight, passengers, mail and express. From Mazatlan this vessel will go to Topolobampo, returning thence directly to Los Angeles, to repeat this trip about every two weeks until further notice. The next sailing is from San Pedro about June 12.

ATTENDING COURT AT LUBBOCK.

J. G. McGrady and L. M. McCrummer left El Paso Sunday for Lubbock, Texas, to attend a division suit over the estate of Mr. McCrummer's father. Mr. McCrummer is executor of the estate and is asking the court to settle upon the proper division of the property.

JOHN DYER BUYS HOME

JOHN L. Dyer closed a deal Saturday with Lamar Davis for the purchase of two-story brick and stucco residence at 2616 Montana street, paying $12,000 for the place. The house is at present occupied by I. M. Mayer, vice president and manager of Everybody's Department store, who is renting it furnished from Mr. and Mrs. H. B. McClintock, during the absence of Mrs. McClintock in California for the summer. Mr. Dyer will probably not occupy the place until after the first of next year as he wishes to move his roses and flowers to his new home. Mr. Dyer has the reputation of being one of the most successful rose culturists in the city.

335 FOREIGNERS GO TO VERACRUZ

Big Party Leaves Famine Stricken Mexican Capital on Zapatista Train.

Washington, D. C., June 7.—Ninety Americans, 44 English, 144 Spaniards and 57 other foreigners of various nationalities comprise the first refugee party leaving Mexico City today on a special train which the Brazilian minister, acting for the American government, has arranged.

Other refugees from the famine stricken capital, who will leave later to join the party at Veracruz, will bring the number to more than 600.

The British consul has advised American consul Silliman that many women and children are among the number.

The Villa-Zapata authorities in Mexico City will send a train to Tizsayuca, where it will be met by a train from Veracruz in charge of consul-general Shanklin.

Food For Refugees Ordered.

An emergency supply of American food has been ordered to Vercrus for the refugees. The Red Cross today telegraphed Galveston officials to ship 50,000 pounds of corn and 20,000 pounds of beans on a transport which goes for refugees.

The state department has no official advices today to confirm the reported Obregon victory over Villa forces at Leon.

FORMER CHIHUAHUA OFFICIAL DIES IN JUAREZ; HISTORIAN

Jose Maria Ponce de Leon, who was secretary of state of Chihuahua under Gen. Salvador Mercado, died Saturday at his home in Juarez. He was 38 years of age and is survived by his widow and three children. Interment was made Sunday at the cemetery in Juarez.

The deceased was born in Parral. Some years ago he published a history of the state of Chihuahua, the first complete work of its kind ever issued.

AMERICANS INVADE MEXICO, OBTAIN YOUTH'S FREEDOM

(Continued From Page One).

In the meantime another posse, composed of cowboys and miners, had crossed the line and accomplished its purpose.

HIPOLITO VILLA CHARGED WITH TRAFFIC VIOLATION.

Complaints were filed Monday against O. C. Crismore, Held Bros., G. Morrison, A. R. Scott, J. E. Anderson, Dawson Fuel company and J. S. Viescas for parking cars without lights.

Charged with having no tail lights on their cars complaints were filed against E. H. Bruce, J. R. Butler, Jose Saina, Frank Oliver and Hipolito Villa. D. Monago and Lelamon Lepe were charged with violating the traffic ordinance.

NEW ANTI-MARIHUAUA ORDINANCE VERY STRINGENT

The anti-marihuana ordinance is designed to become effective June 14. It is stated by local physicans and druggists that marihuana has legitimate uses. It is put up by the foremost drug manufacturers in the country and is frequently prescribed, as it is a sedative of value.

While the ordinance is designed to avoid the sale of this drug for smoking purposes, no mention is made in the new law that it may be used legitimately. Nearly all of the drug stores in the city have quantities on hand for use in prescriptions, though they say they never sell it to smokers.

The published ordinance will make it a felony for drug stores to have this drug on hand.

All are agreed that marihuana is a dangerous drug and that an effort should be made to have Mexico adopt stringent laws relative to its growth and sale in that country, particularly at border points because the stopping of its sale in El Paso will not absolutely do away with the possibility of users of the weed securing it for their purposes.

TWO SUITS AGAINST AUTO OWNERS TOTAL $10,000

In a suit filed in the 41st district court H. Miller asks $5000 damages from E. Durham for alleged personal injuries received in an automobile accident. The plaintiff alleges that he was injured while coming from Fort Bliss when the steering gear of Durham's machine broke and the car overturned.

James Edwards, through his next friend, has filed suit in the same court against L. M. Crawford for $5000 damages as a result of being struck by Mr. Crawford's machine on the Ysleta road. He represents that the machine was on the left side of the road and that as a result of being struck his skull was fractured.

HOTEL MEN'S CONVENTION IS POSTPONED TO DECEMBER

The Texas Hotel Men's convention, which was to have been held here June 10 and 11, has been indefinitely postponed.

Burt Orndorff has been advised to this effect. It is stated that many of the hotel men announced that they would be unable to get away at this time. It is believed that the convention will be held here in December.

OLDFIELD'S CAR STOLEN.

Barney Oldfield wired the Buquor Motor Car company this morning asking the number of the car and motor sold to him by the local agency during his recent visit here, as it had been stolen from him some time Sunday night at Indianapolis.

JAIL WILL BE A ROOF GARDEN

Commissioners Adopt Dallas Courthouse for El Paso's New Building

El Paso county's new $400,000 courthouse will be designed after the new criminal courts building in Dallas and will represent the latest ideas in county buildings, according to county commissioner George Pendell, who, with other members of the court, returned Sunday night from a trip to Dallas.

"The new criminal courts building in Dallas meets the ideas of the new courthouse committee and our building will in a large measure be modeled after it," said commissioner Pendell Monday. "The arrangement of various rooms, the lighting, cooling and ventilating systems, and the jail features all appealed to us so strongly that in their essential details all will be incorporated in our building. Many of these features are also incorporated in the new county courthouse at Athens, Ga., and it was that building that first gave us the ideas that we have now concluded to adopt. The Athens building is, of course, small, and cost but $125,000, whereas the Dallas building cost nearly $600,000.

Roof Garden Jail.

"One if the features of the Dallas building is the jail, located on the top of the structure. It is modernly equipped and is kept scrupulously clean. An elevator connects the jail with the various court rooms, and a prisoner, upon entering the elevator, may be taken to any floor and transferred to the court room without the slightest possibility of his making his escape. Leaving the elevator, he goes through a passageway that leads directly to the court room and there are no means of escape. Should a prisoner succeed in getting from the jail he would still be unable to get to the lower floors.

"In the court rooms the jury boxes are so arranged that one officer can watch the prisoner and attend to the wants of the jury at the same time. There is no waste space in the building. Everything is utilized and so arranged as to afford the greatest convenience. Every room and office is easily accessible.

Power Plant.

"In the basement is located a power plant where current is manufactured at a cost of less than one cent per kilowat. This plant not only lights the building itself, but supplies current for the lighting of the new viaduct across the Trinity river and for lighting the county's other buildings. The building is equipped with a cooling system by means of which ice water is circulated through pipes in every room. There is also a vacuum cleaning system. In keeping with the building the furnishings are modern."

The inspection party was composed of Judge Adrian Pool, commissioners George Pendell and Seth B. Orndorff, John M. Wyatt and H. C. Trost, of Trost & Trost, architects for the new courthouse. Mr. Orndorff stopped off at Uvalde to inspect a mine of tarvey, a material used extensively in surfacing roads in Dallas county. The other members of the party reached El Paso Sunday night.

13TH CAVALRY IS COMING TO BORDER

The first equadron of the 13th cavalry is due to arrive at Ysleta, en route to relieve the troops of the 15th cavalry on border duty in the Big Bend country. The second squadron and machine gun company of the 15th cavalry, will leave Columbus Tuesday morning, to make the trip overland to Fabens, Tex., where they will relieve the 15th cavalry troops in that direction. The third squadron will remain in Columbus, N. M., until a short time before the 15th cavalry leaves Fort Bliss for the Philippine islands.

Lieut. Col. Tyree Rivers, of the 15th cavalry, is in El Paso arranging for the movements of his regiment. As many of the officers of the 15th cavalry have but recently returned from foreign service, it is expected that a large number of the officers will be transferred to other regiments remaining in the United States. Col. George H. Morgan will be one of the officers to be transferred.

Col. Omar Bundy, commander of the 15th infantry, has become commander of the eight infantry brigade with the departure of Gen. J. J. Pershing, who has gone on a two months leave of absence. Col. Bundy is a classmate of Col. Rivers's.

CITY IS NOW SWEEPING 128 BLOCKS EACH NIGHT

A total of 128 blocks of paved streets are now being swept nightly by the street cleaning force, according to alderman J. W. Fisher, of the street and grades department.

The system of sweeping streets only at night was adopted recently and since that time the territory covered has gradually been enlarged. In the outlying sections some portions of the streets are swept every other night, and new streets are being taken in as fast as it is possible to do so.

Considerable repair work to paved streets have recently been made and these have been rolled, as well as a number of the alleys that have been repaired.

TULAROSA MAN'S BUGGY IS WRECKED NEAR COUNTRY CLUB

Pole Tipton, a Tularosa cattleman, had his buggy wrecked and was himself bruised up considerably Saturday night on Dyer street near the Country club. The buggy was either hit and knocked into a ditch by an automobile or the horse took fright at the auto and dragged the buggy into the ditch. The buggy was badly damaged, but the horse was not injured. Mr. Tipton suffered only bruises, no broken bones

350 LOTS SOLD IN SUMMIT PLACE

Seay-Cranfill Co. Opens New Addition With Big Sale on Sunday.

Yellow arrows pointed the way to Summit Place, El Paso's newest addition west of the country club, Sunday, when crowds of El Pasoans went out on the street cars and in autos to inspect the new addition which has been laid out on the plateau above Fort Bliss by the Seay-Cranfill company, of Dallas.

O. S. Bruck, promotion and advertising manager of the company, reported Monday that a total of 350 lots had been sold in Summit Place over Sunday and that all but 14 of the visitors to the new addition made purchases. Along the fort car line metal signs in the form of arrows painted yellow were placed to show the direction to Summit Place, and along the paved road to the Country club these arrows showed the direction to the addition. At the corner of Fort boulevard and Ord street the street cars were met by automobiles belonging to the company and the passengers taken for a tour of the new addition. Auto starters were also provided for the auto owners who drove out to see the addition and guides were also supplied to point out the different lots.

Another Sale Saturday.

The sale of lots will continue through the week and a special week-end sale will be held Saturday afternoon for the benefit of the clerks and business men who have Saturday afternoon off. Another sale if also being planned for next Sunday. The sale was in charge of Tom E. Cranfill, vice president and general manager of the Seay-Cranfill company, R. B. Seay, general sales manager, was actively in charge of the sales force, while Brit E. Cranfill was in charge of the office and clerical work. A permanent office of the Seay-Cranfill company has been opened in the Two Republics building, and this will be in charge of Brit E. Cranfill. His family will arrive this week from Dallas and he will make this his permanent home.

WHEN GUESTS FAIL TO COME NEIGHBORS ARE INVITED IN

Clint, Texas, June 7.—When the women of the Parents' circle, who made all arrangements to entertain the Congressional committee received a phone message that the distinguished visitors could not come to Clint the people of the entire neighborhood were invited to partake of the good things and enjoy an evening of pleasure. After the refreshments had been disposed of, the large dining room of Hotel Clint was cleared and dancing was indulged in by those present who cared to participate.

Mrs. Ella Pullen, who has been visiting relatives at Bisbee, Arizona, has returned to Clint.

Mrs. R. G. Murphy left Saturday for a few weeks' visit with her parents at Dallas, Texas. Francis Priest accompanied Mrs. Murphy, and will visit relatives at Dallas also.

Misses Vera and Margurite Willis will leave this week for Fort Worth, where they will attend summer normal.

Miss Helen Hargrove has left for Denton, Texas, and will attend normal at that city.

Miss Francis Shay, of Sanderson, Texas, is visiting at the C. M. McKinney home for several weeks.

Jack McKinney, Albert Webb and Dean Stakmann, who have been attending the Roswell Military institute for the past several months, have returned to their homes in the valley to spend the summer vacation.

Mrs. J. H. Steen and family have left for their new home near Faywood Springs, New Mexico.

Little Bobbie Love, who has been in an El Paso hospital for the past week, has sufficiently recovered as to be able to return to his home.

GUADERRAMA BOYS' CASE CALLED AGAIN

The cases of Juan, David and Jesus Guaderrama, charged with the murder of deputy sheriff W. H. Garlick and Scott Russell, was called in the 34th district court Monday morning.

A special venire of 300 men was summoned and, when the case was called, the court room was filled. The work of securing a jury started at 11 a. m. and it was anticipated that a day or more would be consumed in getting a full panel.

The state in the case is represented by district attorney W. W. Bridgers and Hudspeth & Dale, as special counsel, appointed by the governor. The defendants are represented by mayor Tom Lea and J. A. Gillett.

Mayor Lea stated Monday morning that he regretted the necessity of taking the city's time, but that he had participated in the former trial of the Guaderrama case, when the jury disagreed, and he felt he was duty bound to carry out his agreement to defend the men.

SHEERS-LAZENBY CO. FILES CHARTER; CAPITAL $50,000

Austin, Tex., June 7.—The charter of the Sheers-Lazenby company, of El Paso, was filed today in the state department. The capital stock is $50,000 and the incorporators are J. M. Sheers, F. H. Lazenby and J. M. Pollard. The company deals in hardware.

TODAY'S AMUSEMENTS

GREAT SCREEN AT UNIQUE.

With the aid of a new screen that has just been installed at the Unique, you will more than enjoy "The Black Box" and a good Nestor comedy today. This episode of the "Black Box" is an interesting and thrilling number, with such daring feats as a horse and its female rider leaping through a bridge into the river below. The Nestor comedies are always good.

Tomorrow, another one of those Oriental pictures telling the story of the escape of an American girl from a harem, will be on the program.—Adv.

ALHAMBRA ATTRACTIONS.

"The Man On the Case," by Grace Livingston Furniss, and "Bootles' Baby," by John Strange Winter, form a double feature bill at the Alhambra today. "Bootles' Baby," portrayed by Mimi Yvonne, will long live in the memory as one of the most tender and sympathetic stories ever related on the screen. "The Man On the Case," by way of diverting contrast, is of farcical tendency and many humorous situations are unfolded during its telling.

Tomorrow the Alhambra presents the second Vitagraph Blue Ribbon feature, Cyrus Townsend Brady's "Island of Regeneration," with Edith Storey, Antonio Moreno and S. Rankin Drew in the cast. —Advrtisement.

MILLS BUILDING ELEVATORS STALLED WHEN WIRE BREAKS

A cable on the freight elevator of the Mills building broke Saturday afternoon and disconnected an electric wire which furnishes power for the passenger elevators.

The two passenger elevators were stalled between floors for 15 minutes and the passengers forced to remain in them until the wire could be connected again.

LEAD BEARING ORE IN QUESTION

Hearing to Be Held In El Paso By U. S. Board of Appraisers.

S. P. Cooper, of New York, of the federal board of appraisers, will arrive here Wednesday to hear argument in the case of the American Smelting & Refining company vs. the United States. The sessions will be held in the federal building and will probably continue for several days.

The case arises out of the various customs and rulings regarding copper and lead matte. It is contended that in many cases lead, which is dutiable at 2-4 cents per pound, is often found in large quantities in copper matte and that, coming in in this form, it is not subject to duty.

Customs officials, however, contend that lead coming in in any form is subject to the same duty as if it were imported as straight bullion. It is also pointed out by customs officials here that the shippers are charged the import duty by the smelting company, no matter in what form the metal is finally entered.

The case is being watched with great interest by mining men and customs officials.

WATER SOAKED NOTE OF GIRL VICTIM OF LUSITANIA FOUND

Queenstown, Eng., June 7.—Water-soaked and partly illegible, the unfinished and unsigned letter diary of a girl passenger on the Lusitania was picked up a few days ago near the scene of the disaster, and is awaiting a claimant here. There is no clue to the identity of the writer except for the mention of the first names of several relatives. The letter is addressed to "My dear Ruth," and the other names mentioned include "Prue," "Aunt Ruth," "Nellie Casson," "Will Hobson," "Ethel Klass" and "Willie and Bee."

Ordinance.

*AN ORDINANCE DEFINING A MOTOR BUS; PROVIDING THAT IT SHALL BE NECESSARY TO TAKE OUT A SPECIAL LICENSE FOR THE OPERATION OF THE SAME AND THE PROVISIONS UNDER WHICH A SPECIAL LICENSE MAY BE ISSUED; REGULATING THE RUNNING OF MOTOR BUSSES WITHIN THE CITY LIMITS OF THE CITY OF EL PASO; PROVIDING A PENALTY FOR THE UNLAWFUL OPERATION THEREOF AND DECLARING THE UNRESTRICTED OPERATION OF SAID MOTOR BUSSES TO BE A NUISANCE AND UNLAWFUL.

SECTION 1. Unless it appears from the context that a different meaning is intended, the following words shall have the meaning attached to them by this section.

(a) The word street shall mean and include any street, alley, avenue, lane, public place or highway within the city limits of the City of El Paso.

(b) The word motor bus shall mean and include any automobile, motor truck or trackless motor vehicle engaged in the business of carrying passengers for hire within the city limits of the City of El Paso, commonly called "jitney" busses, and included but or announced by signs, writing device or advertisement to operate or run, or which is intended to be operated or run over a particular street or route or to any particular or designated point, or between particular points or to or within any designated territory, district or zone or between any designated permits; provided that automobiles used exclusively for funerals, ambulances, delivery cars, sightseeing busses, hotel busses, taxicabs and touring cars operating upon the public streets from a public stand or from a garage upon telephone call, and which have no specified route of travel, shall not be construed motor busses within the meaning hereof.

(c) The word person shall include both singular and plural and shall mean and embrace any person, firm, corporation, association, partnership or society.

SECTION 2. No person shall run or operate or cause to be run or operated a motor bus within the city limits of the City of El Paso without first obtaining a license therefor, and no license certificate shall be issued until and unless the person so desiring to operate such motor bus shall file with the Permit Clerk of the City of El Paso an application in writing for a license, which said application shall state:

(a) The type of such motor car to be used as such motor bus.

(b) The horse power thereof.

(c) The factory number thereof.

(d) The County license number thereof.

(e) The seating capacity thereof, according to its trade rating.

If the motor car has been adopted for use as a bus, either by converting a freight carrying truck into a passenger carrying vehicle or by reconstruction, modification or adding to the body or seating arrangement of passenger carrying motor car, a statement of its seating capacity shall be added.

(f) The name and age of the person or persons to be in immediate charge thereof as driver.

(g) The terminii between which such motor bus is to be operated and the street or streets over which such motor bus is to be run, both going and returning.

The Permit Clerk of El Paso, after receiving said application, shall refer same to the City Council of the City of El Paso, composed of the Mayor and four Aldermen, together with his recommendation thereon. The Council may grant such application for license as filed or grant the same in modified form, or if any such person designated in sub-division (f) of this section be not qualified as to age, experience or other qualifications hereinafter provided for to be in the opinion of the council an unfit person to operate said motor bus, or if the motor car described in the operation of the particular motor bus or motor busses over the route designated by reason of existing traffic conditions would be dangerous or hazardous to public safety, or if said application be not in compliance with the provisions of this ordinance the Board of Commissioners may refuse same.

Upon the granting of such application as filed or modified, and the payment of the required license fee and the filing with the City Clerk of the bond herein provided for, properly approved by the City Clerk, the said City Clerk shall issue a certificate of license to operate, or cause to be operated the motor bus described between the terminii stated, and between no other terminii, provided that the terminii stated in such certificate thereafter may be altered by order of the Council of the City of El Paso in its discretion, upon the application of the person holding such license, for which change a fee of two and 50-100 Dollars ($2.50) shall be charged and collected.

SECTION 3. The license fees herein provided for is fixed at Fifty Dollars ($50.00) for each motor bus per year, payable in advance.

SECTION 4. The license herein provided for shall be good and in force and effect only for the calendar year in which same is issued. Where license is issued subsequent to the 1st day of January of new year, the applicant therefor shall pay an amount proportioned to the unexpired portion of the calendar year for which the license is issued; provided the owners of the auto busses now being operated shall have fifteen days after the taking effect of this ordinance to procure license and the bond as hereinafter provided, and to comply with the further provisions of this ordinance.

SECTION 5. That no person shall drive or propel a motor bus as hereinbefore defined, upon or along the streets, alleys and public places of the City of El Paso, Texas, without first securing, under the conditions hereinafter prescribed, a chauffeur's certificate.

SECTION 6. That at or before the time this ordinance goes into effect, the Mayor shall appoint a Permit Clerk, whose duty it shall be to receive all applications for license fees for motor busses and applications for examinations for chauffeur's certificate, and shall appoint also a commission composed of two persons, one of whom shall possess skill in the driving and propelling of automobiles, which shall be known as the Automobile Examining Board. One of said members, together with his duties as examiner, shall be known as a Traffic Officer and shall in conjunction with the regular police officers, have control and supervision of all motor busses on the streets of El Paso and shall see that they comply with the terms and provisions of this ordinance and shall at least every two weeks after his appointment examine each motor bus in operation, reporting to the City Council every machine that may be unsafe to operate together with his recommendation.

SECTION 7. Any person as defined in paragraph (f) of Section 1 herein, desiring a chauffeur's certificate, shall make written application to the said board for an examination, which said written application shall be received by the Permit Clerk together with said application, the applicant shall deposit an examination fee of $2.50, and said board shall, within ten days after the filing of such application and the payment of said fee, examine said applicant as to his knowledge of the ordinances of the City of El Paso and the laws of the State of Texas regulating traffic and vehicles, and before receiving such chauffeur's certificate shall be required to show a degree of knowledge of such ordinances and laws sufficient to warrant a grade of seventy-five per cent, and shall also be required to demonstrate his ability to safely drive a motor vehicle through the crowded portions of the streets of that section of the City of El Paso, described in Section 12, of an ordinance regulating traffic within the City of El Paso and approved December 24, 1914, and when such examination shall have been passed by the applicant successfully as herein required, the said Board shall in writing recommend to the Mayor that such applicant be granted a chauffeur's certificate and the Mayor shall thereupon issue him a certificate in words and figures substantially as follows:

"City of El Paso, _____ 19—

This is to certify that _____ has successfully passed the examination provided for chauffeurs within the City of El Paso and is entitled to run and operate motor busses within the City of El Paso, subject to existing ordinances and laws and such ordinances as may be hereinafter passed.

_____ Mayor.

Attest:

_____ City Clerk."

SECTION 8. Before the application provided for in Section 7 herein shall be considered by said Automobile Examining Board, the applicant shall pay to the Permit Clerk a fee of $2.50.

SECTION 9. The license fees for operating motor busses provided in Section 3 herein, together with the fee of $2.50 for chauffeur's license, when collected, shall be placed in a fund to be known as the Traffic Police Fund, which fund shall be used for the purpose of paying the salary of the Permit Clerk and all other officers heretofore provided for and of enforcing the provisions of this ordinance, and all other ordinances regulating the operation of motor busses.

SECTION 10. No license of the kind provided for in this ordinance shall be issued unless and until the applicant therefor shall have filed with the City Clerk a bond to be approved by the said City Clerk with two or more good and sufficient sureties or executed by applicant and a solvent corporation, incorporated under the laws of the state of Texas, or having a Permit to do business in the State of Texas, which bond shall be in the sum of One Thousand Dollars for each vehicle that such applicant shall be licensed to operate up to and including the number of ten vehicles and in the sum of Five Hundred Dollars for each additional vehicle in excess of ten vehicles that such applicant shall be licensed to operate, and which bond shall be payable to the Mayor of the City of El Paso, Texas, and his successors in office, for the use and benefit of any and all persons, as his or their interests may appear, who shall have a cause of action against the principal in such bond, by reason of the negligence or misconduct of said principal or his or its agents, servants or employes, in connection with the operation of any such vehicles, and which said bond shall be conditioned for the prompt and faithful payment of all damages which the principal in such bond shall in any civil suit in a court of competent jurisdiction be condemned to pay on account of injury to the person or property of any person or persons by reason of the negligence or misconduct of such principal or his or its agents, servants or employes in connection with the operation of any such vehicles, and any person having a cause of action on such bond as hereinbefore provided against such principal therein, shall have the right in his suit to join with such principal as defendants the sureties upon such bond. Such bond shall continue as a subsisting obligation until it shall have been fully exhausted, but in no event shall the surety or sureties thereon be liable for more than the amount of such bond. Should such bond be partially or wholly exhausted by recovery or recoveries thereon, it shall thereafter be unlawful for the principal therein to continue to operate any motor bus or motor buses upon the streets, alleys or public places of the City of El Paso until he or it shall have first filed with the City Clerk of the City of El Paso a new bond in the like sum as the original bond, and in like manner authorized and conditioned.

SECTION 11. It shall be unlawful:

(a) To drive or operate or cause to be driven or operated any motor bus upon or along any street unless there is in force and effect a valid license as prescribed in this ordinance for the operation of such motor bus upon said street.

(b) To stop any motor bus or to permit such motor bus to remain standing upon any street for the purpose of loading or unloading passengers, except where he shall bring it near as possible to the right hand curb of said street.

(c) To drive or operate a motor bus without having permanently displayed upon same and permanently attached to same a plain or machine, both in front and on rear of the said motor bus showing the destination and route of same in accordance with the provisions of the license covering the motor bus to operate a motor bus without having displayed on both front and rear in letters not less than four inches high the word "Bus."

(d) To drive or operate any motor bus while any person is standing or sitting upon any running board, door or fender thereof, or while any person is riding upon said motor bus upon the body thereof, or for more than one adult passenger to ride in the front seat.

(e) For any driver of any motor bus to fail or refuse to drive or propel the said motor bus to the seat of his designated route before returning to the starting point designated in his license.

(f) For any driver or operator of any motor bus to refuse to accept a passenger when accompanied by a child of the age of under five years of age, when the capacity of the said motor bus is not filled according to the passenger rating thereof.

(g) For any person, licensed as aforesaid, to fail, refuse or neglect to operate a motor bus between the terminii designated in the license for a period of not less than eight consecutive hours out of every twenty-four hours, except on Sundays, and a reasonable time for going to and from meals, and in case of accidents, break downs or other casualties, or upon the surrender of said license; or to operate or permit to be operated a motor bus off of or away from the route stated and fixed in the license for the operation of such bus.

(h) To race with any other motor bus or drive rapidly to pass another in order to be first to any prospective passenger or to any one waiting for motor bus or other conveyance.

(i) To refuse to carry a passenger to any point demanded by passenger, between terminii, after having received passenger and accepted fare.

(j) For any person engaged in the business of operating a motor bus, within the corporate limits of the City of El Paso, and between specified terminii, to charge a greater fare than five cents within the limits of the City of El Paso.

(k) To reconstruct, materially alter, modify and to change the body or seating arrangement of any motor bus, after the license thereof is issued, without first applying for and receiving the consent of the City Council.

SECTION 12. In the operation and driving of any motor bus, the same shall be stopped for the loading and discharging of passengers only at the near side of the street intersection, the street on which the motor bus is being operated and only on the right hand side of the street on which the motor bus is being operated. Said motor bus shall not be stopped in such position as would interfere with the free use of the cross walks crossing such streets, or as to interfere with or impede to or from other conveyances in such streets.

SECTION 13. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $200.00.

SECTION 14. In case of the conviction of the owner or operator of any motor bus before the Judge of the Corporation Court of the violation of any provision of this ordinance, it shall be the duty of the Judge of the Corporation Court to report such conviction to the Council; and upon conviction, as aforesaid, the Judge of the Corporation Court shall have power to revoke, suspend or continue in force such license or chauffeur's certificate as he may deem proper.

SECTION 15. Any person holding a license to operate a public automobile in the City of El Paso at the time this ordinance takes effect, may surrender the same, and shall thereupon be entitled to credit for the value of the unexpired portion thereof, pro rated according to the time in payment of a license fee hereunder. Any person operating a motor bus, as defined herein prior to the introduction of this ordinance, under a public automobile license, who shall file an affidavit stating that he has elected to retire from such business because of the adoption of this ordinance shall be entitled to a refund of the value of his unexpired license pro rated according to time; provided that said affidavit shall be made within fifteen days after this ordinance goes into effect.

SECTION 16. No chauffeur's certificate to drive or operate any motor bus shall be granted to any person under the age of eighteen (18) years, and unless the said person shall have resided in the City of El Paso for six months preceding the filing of said application.

SECTION 17. The holding or adjudication of any section or sub-division of any section of this ordinance to be invalid, shall not affect the validity of any other section or sub-division of a section, but all other sections and sub-divisions of sections, shall be and remain in full force and effect.

SECTION 18. The operation of any motor bus, otherwise than as provided in this ordinance, is hereby declared a nuisance and menace to public safety and welfare.

SECTION 18a. All of the regulations and provisions herein contained, except those fixing the fare to be charged, shall apply to motor busses operating between a point or points within the City of El Paso and any point or points without the City of El Paso.

SECTION 19. All ordinances and parts of ordinances in conflict with this ordinance shall be, when the same are hereby repealed hereafter, as is in conflict and no further; and an ordinance passed and approved the 1st day of April, A. D., 1915, regulating and defining motor busses is expressly repealed.

SECTION 20. The threatened increase in the running of "Jitneys" and motor busses and the increase of traffic constitutes a great public emergency justifying the suspension of the Charter Rule requiring that all ordinances, before final adoption, shall be read at two regular meetings of the City Council, and said rule is by unanimous vote of the Aldermen present and with the consent of the Mayor, suspended and this ordinance shall take effect from and after its passage, approval and publication.

Passed and approved this 18th day of May, A. D., 1915.

Tom Lea, Mayor.

Attest:

C. W. Pascoe, City Clerk.

Go Where Cool Sea Breezes Blow

Los Angeles and return....$35.00
San Diego and return.....$35.00
San Francisco and return...$45.00
On sale daily. Limit 3 months.

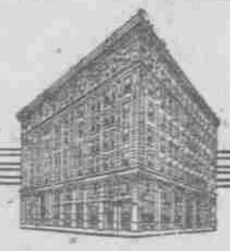
Los Angeles and return....$40.00
San Diego and return.....$40.00
San Francisco and return..$50.00
On sale daily. Limit Dec. 31st.

Three Trains Every Day
6:45 A. M. 6:00 P. M. 10:15 P. M.

DINING CARS, TOURIST AND PULLMAN SLEEPERS, OBSERVATION CAR.

Southern Pacific

City Ticket Office, No. 206 No. Oregon.



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has been made in the Federal Reserve Banking System insuring comfortable conditions for the Demands of trade.

Our Resources and Equipment Afford a reliable depositary for funds.

Checking Accounts are invited.

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EL PASO, TEXAS