

HEEDING ITS THREATS

The City Now Proposes to Enjoin the Water-works Company.

TO APPLY TO JUDGE CALDWELL.

Messrs. Gage, Warner and Rozzelle En Route to Little Rock.

PLANS FOR A NEW COMPANY.

A Citizens' Committee Discusses One More Proposition.

THE COMPANY'S MEN ARRESTED

Sometime this afternoon attorneys representing the city will appear before United States Circuit Judge Caldwell at Little Rock, Ark., and will apply for a temporary injunction restraining the National Water-works company from shutting off the city's supply of water. The motion will be resisted by L. C. Krauthoff, representing the company.

The lawyers representing the city in the existing muddle indulged in a long conference yesterday morning and met again in the afternoon. John C. Gage, L. C. Slavens, R. W. Quarles, William Warner, S. B. Ladd, C. E. Small, Frank Hagerman, O. H. Dean, City Counselor Rozzelle and Mayor Cowherd participated in these consultations. It was decided finally to ask for the injunction and to present the application to Judge Caldwell, who is now holding court in Little Rock, and who is the senior judge of this circuit. John C. Gage, Major Warner and City Counselor Rozzelle were instructed to take the first train for Little Rock, and Karnes, Holmes & Krauthoff, senior counsel for the Water-works company, were served with a written notice of their intent to apply for the injunction.

Messrs. Gage, Warner and Rozzelle caught the 5:40 train, and if railroad connections are made they will arrive in Little Rock at 2 o'clock this afternoon. They will go at once to Judge Caldwell's court and file their application. If the Water-works company makes no appearance the probabilities are, of course, that the judge will grant a restraining order and set a date for a hearing of the application for an injunction. Then, if the company persists in turning off the city's water supply, its officers will be in contempt of court, and the court will then take stringent means of enforcing its orders.

Mr. S. B. Ladd, who is one of the attorneys for the city and the law partner of John C. Gage, was seen at his office in the New York Life building yesterday afternoon by a reporter for THE TIMES.

"We will ask Judge Caldwell for a temporary injunction," he said. "He will probably fix a date for the hearing and in the meantime grant a restraining order. I can't tell, of course, when and where that hearing will be held. It is optional with the judge and he may locate it in St. Louis, Little Rock or this city."

Some surprise was expressed at the decision of the city's attorney to make the application before Judge Caldwell instead of Judge Phillips. It was explained, however, that Judge Caldwell, being the senior and superior judge, and having agreed to sit with Judge Phillips in the final hearing of the Water-works case, it would simplify matters to obtain the original restraining order from him.

It was half past 2 yesterday afternoon when President Taintor of the Water-works company was served with formal notice that a motion would be made today before Judge Caldwell of the Federal court, at Little Rock, Ark., for an injunction restraining the company from shutting off the water. The material upon which the motion is based consists of affidavits setting out the importance of water for purposes of fire protection, the contracts between the city and the company, and the company's alleged shortcomings. Mr. G. E. Taintor and Mr. L. C. Krauthoff, representing the company, went to Little Rock last night with a mass of documents and testimony to resist the motion.

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