

WATER FLOWS TODAY

The Company Restrained From Shutting Off the Supply.

JUDGE CALDWELL SO ORDERS.

Final Argument on the Case to Be Heard December 11.

WHAT THE COMPANY MAY DO.

A New Plan Evolved to Evade the Court's Injunction.

ALL PATROLMEN ON GUARD.

Kansas City will not be without water today. By consent of both parties to the controversy Judge Caldwell, at Little Rock, yesterday granted an order restraining the National Water-works company from shutting off the supply until December 11, when the case will come up for hearing in St. Louis before Judges Caldwell and Phillips.

The application was made late yesterday afternoon by Messrs. Warner, Gage and Rozzelle, representing the city. Mr. Taintor, president of the company, and Mr. L. C. Krauthoff, one of his counsel, were there to resist it.

In obedience to the order the company will undoubtedly abandon its preparations to disable the hydrants and will take no action of any kind until after the hearing of the motion to make the temporary order permanent.

Mr. Rozzelle and Mr. Taintor wired their respective friends last night that the order had been issued. Mr. William Safford of New York, who is Mr. Taintor's confidential legal adviser, and who probably knows more about the company's position and intentions than anyone else, showed THE TIMES Mr. Taintor's brief telegram last night. It read: "Restraining order, triable December 11 before Caldwell and Phillips. Prospects favorable."

Mr. Safford explains that the use of the expression "favorable prospects" means that in Mr. Taintor's opinion the court is inclined to look with favor upon the company's claims and allegations in regard to the city's indebtedness, and that the order will probably not be made permanent.

On the other hand, Mr. Rozzelle, in a private message to Mr. Pratt, one of his assistants, refers to the decision as a great victory for the city, and something that the company will find it very difficult to overcome, either immediately or at any future time. The city's other counsel takes the same view.

Mr. L. C. Krauthoff, in a dispatch to his partner and in another to Major B. F. Jones, says that the company is not seriously prejudiced by the decision, and that it was not unexpected.

The difference of opinion is perhaps no greater than that which always exists among opposing counsel. The effect, however, can not be doubted. Unless the Metropolitan company comes to the front in the way herein suggested the city will continue to get its water until December 11, at least.

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The National company has no intention of attempting to ignore or disobey an order of the Federal court, but the Metropolitan company has not as yet been enjoined to do or restrained from doing anything. It is possible—and as a matter of fact the proposition was carefully considered last night—that the Metropolitan company will go into court with a petition of this kind: "The National company owes us about \$200,000. It will not or can not pay us because the city will not or can not pay it. We want an order under which the National company will be permitted to use our water for the purpose of supplying its private consumers, but restrained from furnishing any to the city, which is unable or unwilling to pay its debts. Such an order is necessary for our protection."

The company is prepared, so it says, to show that its mechanical arrangements will permit it to shut off the city without interfering with private consumers. Details of the scheme have within the past few hours been revised and perfected by competent and experienced engineers. The plan may not be carried out, but it is an indisputable fact that it was thoroughly discussed yesterday and that the general opinion was in favor of attempting to execute it.

THE CITIZENS' COMMITTEE.

Messrs. J. F. Richards, W. B. Clarke, H. C. Kumpf, Thomas Corrigan and George W. Jones met yesterday and discussed Mr. Clarke's plan for securing municipal ownership of an independent water-works plant. The questions most debated were how soon the city ought to buy the plant after it is built, in what way it should be paid for and for how long the company should be asked or permitted to operate it. The committee was in favor of Mr. Clarke's scheme, and expressed the opinion that his proposed company would undoubtedly be organized. Another meeting will be held within a few days, upon the call of the chairman.