

Three Cornered Mayoralty Fight

Lester, Thomas and Martin all "Hop to It."

The fight for the mayoralty has resolved itself into a three cornered one. John W. Martin having signified his intention and willingness to run for the office at the solicitation of his friends expressed in the form of a petition circulated by his friends during his absence in the west. Mayor Thomas is a candidate for re-election, while C. H. Lester has announced himself as a candidate for executive honors. Mr. Thomas' record is so fresh in the public mind that it needs no comment. Mr. Martin has served two terms as mayor of the city, and his record is one of which any man may be proud. His friends feel that in him the interests of the city will be well cared for.

C. H. Lester has done splendid work for the city in the years of service he put in as alderman. He has always been

faithful in his duties, considering the interests of the city as first and foremost in every question. He has spared neither time nor labor in his efforts to serve his fellow citizens, and is entitled to the support of that portion of the voters who believe in good city government. If Mr. Lester says that the law must be enforced, the law will have to be enforced. When Mr. Lester says a thing will be so, it will happen just in that way. Mr. Lester is a man true to his word, and if he says he will do a thing he will do it.

We want a good, live mayor, a man with nerve, judgment and moral backbone, and we think C. H. Lester is well fitted by his past experience of city business and the faithful performance of his duties, to occupy the high office to which he aspires.

CITY ORDINANCE NO. 204

Introduced by Alderman W. G. Ralney.

An ordinance authorizing the Watertown Water, Light and Power Company, of Watertown, South Dakota, its successors or assigns to maintain, renew, enlarge, and operate waterworks to supply the city of Watertown, Codington county, South Dakota, and its inhabitants with water, for all purposes, renewing its franchise and defining its rights, duties, privileges and powers.

The City Council, of the City of Watertown, do ordain as follows, viz:

Section 1. Grant of Franchise:—

There is hereby granted to the Watertown Water, Light and Power Company, of Watertown, South Dakota, its successors, or assigns, the right and privilege to maintain, renew, enlarge and operate its existing waterworks plant and necessary additions and extensions thereto, to be made for the conveyance of water from Lake Kampeska, and the placing, repairing, changing and taking up of mains, hydrants, structures and devices, in, along through, across and under the avenues, streets, alleys, highways, passages, squares, public places, and streams within said city's present or future corporate limits, for the purpose of supplying said city and its inhabitants with water for all purposes for a period of ten (10) years, from and after the 1st day of December, A. D. 1908.

Sec. 2. Service, Supply and Extensions:—The said company shall at all times during the term of this franchise furnish an ample supply of good and clean water for the use herein contemplated, which shall be taken direct from Lake Kampeska; and shall increase and extend its capacity and service as public and private demands require.

The stand-pipe shall be cleaned at least once a year, between May 1st and June 1st of each year; and the mains shall be flushed through the hydrants at least twice a year, namely: in May and October of each year, under the supervision of the city council water committee.

Sec. 3. Right of Eminent Domain:—The said company, its successors or assigns, is hereby authorized to purchase or condemn and appropriate in the manner provided by law, such private property as may be necessary for use in connection with the maintaining, enlarging, renewing or operating of its waterworks plant.

The right of the company to so take and appropriate private property shall be as full and complete as is now, or may hereafter be the right of the city to take such property for waterworks purposes.

The City of Watertown may, in its discretion, at any time upon demand of said waterworks company, its successors or assigns, and upon being sufficiently indemnified for the payment of all damages, costs and expenses, condemn and appropriate in the manner provided by law, such private property as may be necessary for use in connection with the operation or extension of the waterworks plant.

All rights so acquired by said city shall be transferred by said city to the said company on demand and payment of amount expended therefor by said city.

Sec. 4. Use of streets, refilling, damages for injuries:—The said company shall have the unobstructed right, under the supervision of the street commissioner, to use any and all avenues, streets, alleys, highways, passages, squares and other public places of said city for the purpose of laying down, placing, repairing or taking up its pipes, mains, fixtures and fire hydrants; there shall be no unreasonable or unnecessary obstruction of the streets, avenues, alleys, squares, etc., of said city by the said grantee, its successors or assigns, in maintaining, extending, changing or repairing any mains, structures or devices, requisite for the service water. The said Company after using said streets, avenues, alleys, squares, etc., shall restore them within a reasonable time to their former condition as nearly as practicable, to the satisfaction of the street commissioner and street and alley committee, and shall hold the city harmless from any and all damages arising from the negligence or mismanagement of said Company, its successors or assigns, or of its employees in maintaining, extending, repairing or operating said waterworks plant.

Sec. 5. Grade and change of streets, hydrants or mains, cost, freezing:—The mains, pipes and hydrants shall be laid down and placed by the said Company according to size, location and grades established and noticed to said Company, by the engineer of the said city; provided if the city should change the established size, or grade of any main, pipe or hydrant laid down or placed by the said Company, in any street, avenue, alley, highway, passage, square or public place, of said city, and if the said Company shall have to take up, re-lay or replace its mains, pipes or hydrants because of changed size, or grade, enlarging or diminishing of the width of streets, avenues, alleys, highways, passages, squares or public places of said city, then the said city shall reimburse the said Company, its successors or assigns, to the extent and

amount of the actual expenses incurred and paid by said Company on account of such change; provided further that the number of hydrants shall not be diminished if a change of location of mains, pipes or hydrants is made in any manner or for any purposes; provided further that all mains, pipes and hydrants shall be located, maintained or changed to public places of said city, such as its streets, avenues, alleys, highways, passages, squares etc., and under the provisions of this section; and provided further that all mains and pipes shall be laid at such depth as to prevent freezing.

Sec. 6. Qualities of mains, hydrants and record of:—All mains, laid for repairs, extensions or increased use shall be of cast iron and tested at their place of manufacture, under a pressure of three hundred pounds per square inch and coated with a good preparation of coal tar varnish; the fire hydrants shall be of modern and approved design, frost proof, with double nozzles fitted to connect with hose couplings two and one-half inches in diameter and the said Company shall keep on file a record of all water mains, laid and hydrants placed, stating sizes and location, from and after the granting of this franchise and from time to time as changes or extensions are made.

Sec. 7. Extensions, hydrants, distance, limitation of extensions:—The said city, during the first five years of this franchise, from time to time, by giving sixty days notice, at any proper time of the year, may order additional mains laid, if the gross receipts from hydrant rentals and takers, under contract for five years, will pay the Company annually fifteen per cent. (15%) of the costs of laying said mains and placing fire hydrants; and shall order not less than four hundred and forty feet of main on any one street, avenue, alley, highway, passage or public place, and only as a continuation of, or connection with mains already laid, and if extensions are ordered, said city must order additional mains laid at least one for each and every four hundred and forty feet, or fractional part over, of the mains so ordered extended. If the said Company, its successors or assigns does not lay such additional mains, within ninety days from the time of receiving said notice, then the said Company shall pay as damages to said city the sum of five dollars per day for every day after the ninety days and until the day when such mains have been laid,—which damages, after the same are determined, may be deducted from any amount due from said city, to said Company, for hydrant rental or otherwise; the said Company agrees to extend its mains pursuant to the ordinance of the council made, passed and approved on the day of _____ A. D. 1906, during the year of 1908, from _____ to _____, and place the said extension and fire hydrants at distances as required and the said city agrees to pass an ordinance for the extension, during the year 1908 of its mains along such public streets, avenues, alleys and public places, as may be necessary to place all of the mains of the said Company on public streets, avenues, alleys or public places, because of the vacation of Cherry street and part of Box Elder street.

Sec. 8. Supply pipes:—The said Company, or the said city, under the Company's supervision, may lay down in proper season, supply pipes, of sufficient size and material and at a sufficient depth to prevent freezing for consumers, after approval thereof by the city council, in streets, avenues, alleys, highways, etc., where no mains are laid; provided the supply pipe shall in no event be used for fire protection, or extinguishing of fire.

Sec. 9. Hydrants, when in charge of city:—Immediately after November 30th, 1908, all fire hydrants, then in position and ready for use, shall be in charge of the said city; and the said city agrees to furnish a certificate to that effect and the rental of the hydrants shall begin; said rental to be paid as hereinafter provided for. The rental of other hydrants hereinafter provided for shall begin, when said hydrant or hydrants shall be in position and ready for use and the clerk of the said city shall have been duly notified in writing by said Company, its successors or assigns, to said effect.

Sec. 10. Payment of hydrant rental:—In consideration of the benefits that will accrue to the said city by the maintenance, extension and operation of said waterworks and the furnishing of an ample water supply under pressure as herein provided, at all times by said Company for fire protection, and as an inducement to said Company, its successors or assigns, to accept the provisions of this ordinance and to maintain, extend and operate said waterworks plant during the life of this franchise, the said city of Watertown agrees to rent, and does hereby rent for and during the term of ten years from the 1st day of December, A. D. 1908, from the said Company, its successors or assigns, for use hereinafter stated, one hundred and twenty-two hydrants installed, at an annual rental of three thousand and fifty dollars, payable in semi-annual installments of one thousand five hundred and twenty-five dollars, on June 1st and December 1st, of each and every year during said term as provided in this section.

The said city shall have the right to locate and rent and does hereby agree to rent from said Company all located additional hydrants at an annual rental of forty-eight dollars (\$48.00) each, for each year of the unexpired term of this franchise, payable in semi-annual installments of twenty-four dollars (\$24.00) all of which sums for rental, shall be paid at the times hereinafter stated, by said city to said Company, its successors or assigns; that said rental shall begin from the date when each and any of said additional hydrants shall be ready for use and when no-

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Furthermore, upon his Mount Vernon plantation he had a brew house, as was the regular custom of wealthy Virginians.

* In Virginia the other colonies brewed beer from malt imported from England. Nat'l Mag. Hist., vol. 16, page 181. Food's Biography (1900), page 194. Quotations from Samuel Stearn's "Ibid." History of Virginia, by Roger Beverly. Colonial Liquor Laws (Thomas), page 60.

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