

INVESTIGATE

Osborne & Pearson's Retiring Prices on Handsome Art Squares and Rugs.

ELECTRIC CITY SPARKLETS

Items of Interest and Personal Mention Caught Over the Wireless on the Streets of Anderson

Towns Afraid Of Dynamite. Considerable complaint is being heard along the line traversed by the C. S. & A. railway over the north of the P. & N. is hauling dynamite on its trains.

Has Returned From Peach Section. Stephen Fields, a well known young Anderson county citizen, has returned from Fort Valley, Ga., where he has been spending a fortnight.

Many Going On The Excursions. A number of Anderson people will go on the excursions which are to be operated from this city on June 25 over the Southern Railway and affiliated lines.

Band Concert In Pleasant Place. The public seems to be well pleased with the band concerts being furnished on Sunday afternoons in North Anderson.

Prof. Faithful At Summer School. Prof. W. H. Faithful, dean of Anderson college, left yesterday for Richmond, Va., where he will spend two weeks.

Christina Jew Will Speak Today. The city was yesterday placarded from one street to another with advertisements of the lecture which will be delivered this afternoon in the court house at 4:30 o'clock.

Mr. Frickhoefer Has Left The City. C. W. Frickhoefer, who has been erecting the Southern Bell Telephone building, has completed the job and left yesterday for his home in Birmingham, Ala.

Belton Citizen Died Yesterday. Gamewell Kay, 64 years of age and one of Anderson's best known citizens, died at his home yesterday afternoon at 5 o'clock.

izen and his loss will be sorely felt.

Fords Now Going Fast. Business seems to be looking up in the Ford automobile business.

Graduates Assigned Work. Washington, June 19.—The cadets, who last week were graduated from the military academy at West Point, today were assigned to the war department.

Will Meet In Frisco. Minneapolis, Minn., June 19.—All officers of the National Wholesale Grocers Association were elected at closing of their convention here today.

RENDERED DECISION IN THE WATER DISPUTE

JUDGE PRINCE HANDS IMPORTANT ORDER DOWN

NEW SCHOOLS PAY

All Schools in Anderson Erected Before February Will Get Free Water

Following the dispute between the school board of Anderson and the Southern Public Utilities Company, a very important ruling has been handed down by Judge Prince, which says that all schools erected before February 10, 1914 must be furnished with free water.

Anderson Bankers Planning Outing. The Anderson Bankers are preparing now for their trip to the Isle of Palms next week.

Rev. J. Haller Gibboney To Resume Pulpit. Rev. J. Haller Gibboney, rector of Grace Episcopal Church, has returned to the city and will preach today at his church.

Will Sell The Entire Stock. John A. McGill, who is shortly to retire from the retail grocery business in order to engage in the wholesale business, is now preparing to dispose of his entire stock of groceries at a considerable sacrifice.

Baby Boy Passed Away. Noel Floyd, the little seven-month-old son of Mr. and Mrs. J. E. Floyd, died Friday afternoon at 2 o'clock following a short illness.

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ust. 1913, the Anderson Water, Light and Power company sold and conveyed its property to the Southern Public Utilities company as set out in its deed, a copy of which is hereto attached and marked Exhibit B.

8. That by act of the legislature of the state of South Carolina approved January 5, 1895, the Anderson school district was created, its boundaries being co-terminous with the corporate limits of the city of Anderson.

9. That by an act of the general assembly of the state of South Carolina, approved February 19, 1913, the original school district was enlarged so as to include certain territory contiguous to the city of Anderson.

10. Prior to the tenth day of February, 1914, water was furnished to the various public schools within the corporate limits of the city by the water companies, free of charge, as provided by the franchise and contract in force.

11. On the tenth day of February, 1914, the city council of the city of Anderson granted to the Southern Public Utilities Company a franchise, copy of which is hereto attached and marked Exhibit E.

12. From the date of the franchise granted by the city of Anderson to the Southern Public Utilities Company, and of the contract entered into pursuant thereto, the plaintiff has furnished water to the city schools, and has rendered its bills therefor, including the attached bills, aggregating eighty-two and 39-100 dollars (\$82.39).

13. The defendant, Anderson school district, is a body corporate under and for the state of South Carolina, and embracing the territory included within the corporate limits of the city of Anderson and certain other territories lying contiguous thereto.

14. That on or about the eighteenth day of November, 1893, the city council of the city of Anderson passed an ordinance, among other things, authorizing the transfer by the Anderson Water Supply company and the Anderson Electric Light and Power company of their respective contracts with the city council of the city of Anderson, and all the rights, powers, privileges and franchises under said contracts, to a new and consolidated corporation to be known as the Anderson Water, Light and Power company, a copy of which ordinance is hereto attached and marked Exhibit B.

15. That such transfer above referred to was duly made, and on the twenty-second day of November, 1909, the Anderson Water, Light and Power company filed with the said city council its acceptance of said amended ordinance, a copy of which acceptance is hereto attached and marked Exhibit C.

16. That from the date of said franchise and acceptance the said Water Supply company, until said consolidation, and thereafter the Anderson Water, Light and Power company, furnished the water provided for in said contract and franchises as therein specified, until the conveyance of the property of said Anderson, Water, Light and Power company to the Southern Public Utilities Company, that thereafter the said Southern Public Utilities company furnished water as provided in said franchise and contracts until the granting of the new franchise by the city on the tenth day of February, 1914.

17. That on the day of August, 1913, the Anderson Water, Light and Power company sold and conveyed its property to the Southern Public Utilities company as set out in its deed, a copy of which is hereto attached and marked Exhibit B.

18. That by act of the legislature of the state of South Carolina approved January 5, 1895, the Anderson school district was created, its boundaries being co-terminous with the corporate limits of the city of Anderson.

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of the Graded Schools, 65 S. E. Rept. 927.

While the authority cited is not controlling it is very strongly persuasive on this point.

Now should be remembered that at the time this franchise was originally granted to the Anderson Water Supply company there was not in the city of Anderson any system of graded schools and the only public schools then in said city were ordinary common schools of the county and state.

These common schools were entirely independent of the city's control and it was not until the year 1895, that the Anderson graded schools were established. It was then that these graded schools became the only public schools in the said city and as such, were entitled to receive and did receive free water from the Anderson Water supply company and its successor, the Anderson Water Light and Power company, until the latter company transferred all of its property, real, personal and mixed to the plaintiff, corporation. Among the things conveyed to plaintiff by the Anderson Water, Light and Power company was:

"All that certain water system with the pipes, conduits, meters, reservoirs and all and every machinery apparatus or material incident thereto or connected therewith or useful therein, in and around the city of Anderson, state of South Carolina, including all rights of way and all easements incident to the maintenance of said distributing system or connected in any way therewith."

"While it is true that the deed to plaintiff does not on its face purport to assign the franchise, it does so completely transfer all of the property, means and instrumentalities including all rights of way and easements connected with its water system in the city of Anderson, so as to render it wholly unable to comply with the terms of its franchise. It thus granted to plaintiff all the substance of that franchise and retained for itself only the shadow, if it retained any thing.

On the acceptance of this conveyance the grantee who is the plaintiff, so proceeded as though it had assumed to do so to fulfill all the obligations of the grantor, including the supplying of free water to the public schools in said city, and it thereafter continued this service until the granting and acceptance by it of the franchise, of date February 10, 1914.

Having accepted all the rights of way and easements granted in the original franchise, when it accepted the conveyance from the Anderson Water, Light and Power company, plaintiff, must be held to have accepted them with all the burdens and obligations under which they were held, one of which was the duty to supply the public schools with free water, and this duty continued until the expiration of the original franchise until about September 1st, 1915.

The right of free water for the use of the public schools was vested in all public schools in the city of Anderson that were entitled to receive and were receiving free water at the time of the granting and acceptance of the franchise of February 10th, 1914.

Schools that have been opened since that date have not the right to free water. The city of Anderson could not and did not divest the public schools then in existence of their vested right of free water secured to them by the original franchise and this would be true even though it be fully conceded that as between the city and plaintiff the franchise of February 10th 1914 was an abrogation of the original franchise.

As to the second question, I hold that each separate school is a consumer and may be so treated by the plaintiff in rendering bills against the defendant for the use of water supplied such schools. This, of course, now applies to such schools as have been opened since February 10, 1914, and after the expiration of the original franchise it will apply to all the public schools in the city of Anderson.

It is decreed further that either party to this cause may at any time, on proper notice to the other party, apply to the foot of this decree for such further order or judgment as it may apply to the foot of this decree, for may be advised that it is entitled to.

Geo. T. Prince, Presiding Judge.

June 19, 1914.

Gave Life For Baby. Huntington, W. Va., June 19.—Mrs. Martha Medley, 26, was crushed to death by a Chesapeake and Ohio passenger train near Cerado, W. Va., tonight after she had thrown herself in the train's path and pushed her four-year-old daughter to safety. Three other children witnessed their mother's death.

Couldn't Settle Difficultly. Columbus, O., June 19.—Efforts by the sub-committee of the joint conference of Ohio coal operators and miners to settle the strike of 45,000 miners were again unavailing here today. The committee adjourned until Tuesday when a disagreement will probably be reported to a joint conference. Operators and miners tonight said the outlook for a settlement of the wage dispute was not bright.

Rejected Nomination. Washington, June 19.—The nomination of James A. Lawson, as postmaster at Danville, Va., was rejected today by the Senate. The two Virginia senators asked for the selection of the nominee because it was not approved by Congressman Sanders in the district the postoffice is located. W. F. Mitchell was originally recommended by the congressman.

Mrs. Westinghouse Ill. Long Beach, June 19.—Mrs. George Westinghouse, widow of the famous electrical inventor, suffered a paralytic shock at her home tonight. Because of her advanced age, her condition is regarded as critical.

Confirmed Appellate. Washington, June 19.—The senate today confirmed the nomination of Representative William G. Sharp, of Ohio, as ambassador to France to succeed Myron T. Herrick.

Mosier to China. Washington, June 19.—Charles K. Mosier, of Virginia, now consul at Colombo, today was nominated by President Wilson to be consul at Peking, China.

Will Look After It. Washington, June 19.—The senate today unanimously adopted the Overman resolution for an investigation of a charge that senate committee stationery had been used to promote a North Carolina gold mine. The senate privileges and elections committee, will make the inquiry.

The Appeal of Beauty to the Young Bride. Even more important than Community Silver's a beauty is its unusually... SULLIVAN HARDWARE CO. Anderson, S. C. Greenville, S. C. Belton, S. C.

DRINK MORE WATER IF KIDNEYS BOTHER. Eat less meat and take Salts for Backache or Bladder Trouble—Neutralize acids.

DRINK MORE WATER IF KIDNEYS BOTHER. Uric acid in meat excites the kidneys, they become overworked; get sluggish, ache, and feel like lumps of lead. The urine becomes cloudy; the bladder is irritated, and you may be obliged to seek relief two or three times during the night.

Miners Faced Death. Liege, Belgium, June 19.—Two hundred coal miners narrowly escaped death in Vieille Maribaye colliery near here today when fire panned them inside. Four hundred men were in the pit, but two hundred got out. The emboldened men remained in their perilous position for hours with the fire raging inside the mine, but finally escaped with the aid of rescue gangs.

Lewis Has Resigned. Philadelphia, June 19.—William Draper Lewis, Washington party (Progressive) candidate for governor, has resigned as dean of the University of Pennsylvania Law School. William E. Mikel, an instructor and a professor in the institute has been elected dean for the ensuing year. Dr. Lewis was granted a year's leave of absence when he decided to enter the gubernatorial contest but the fact that he had resigned was made public only tonight.

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MOUNTAIN HIGHWAY FROM CAROLINA TOWNS. AGITATING CONSTRUCTION OF A NEW ROAD. F. R. O. M. ANDERSON. Proposed to Build a Road From This Section via Walhalla to Toxaway, N. C.

LADIES! SECRET TO DARKEN GRAY HAIR. Bring back color, gloss and thickness with Grandma's recipe of Sage and Sulphur. Common garden sage brewed into a heavy tea with sulphur and alcohol added, will turn gray, streaked and faded hair beautifully dark and impart that healthy, glossy sheen of dark hair.

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