# THE WILL OF THE PEOPLE.

## The City Council Vote to Give Mr. Woolston the Contract for Helena Water Works by a Handsome Majority.

### Water Rings and Monopolies Sat Down Upon and the Cause of the Suffering People Championed by Our Noble Aldermen.

**The Will of the Common People Obeyed and an Abundant Supply of Pure Water Assured.**

**A Glad Day for the City of Helena.**

The call for the special meeting of the City Council to take definite action upon the water question last night was heartily responded to, and the hour of 7:30 o'clock found the Mayor and every alderman, except disabled Mr. Dewitt, in his chair. A large attendance of prominent citizens also crowded the council chamber. Men of millions and men of cents, heavy tax-payers and non tax-payers, water monopolists and disinterested citizens—all found place in the assemblage drawn thither by a common interest in the great question of providing the city with water. Let us not impute the motives that brought them thither. It was all self interest, but in whose cases that interest coincided with the interests of the community at large the following narration of events at the meeting will make sufficiently apparent. The members of the Council present were Mayor Kleinschmidt and Aldermen Hoback, Lockey, Howey, Duignan, Connor, Gans, Watson, Richter, Lorey, Stedman, Bickett, Muth and Saul. City Clerk Botkin was also at his desk. Minutes of the last meeting were read and approved. Mayor Kleinschmidt opened proceedings by

READING COMMUNICATIONS

on the water question which had found their way to his table. These were in the shape of telegrams and letters from Eastern cities, some urging a postponement of action until they could bid and others bearing upon the nature of the pipes to be used—these from pipe manufacturers. They were three in number, one from the Siegal Hardware Co., of St. Louis, one from the American Water Works & Guarantee Company, of McKeesport, Pa., and one from the Northwestern Water & Gas Supply Co, of Minneapolis, Minnesota. Following the reading of these communications a petition, signed by hundreds of citizens and tax payers, was presented and read. It asked the Council to take immediate action to secure to the city a supply of good, pure and wholesome water.

Lockey then wanted the other petitions, which had been laid on the table, read for information.

Mayor—"Granted. Let us have all light possible on the question."

Howey thought it was unnecessary to delay proceedings by reading names. Lockey thought not. He wanted the people to see what *class* of tax payers were on each petition. The Clerk read the petitions.

Howey moved that the last petition, together with the telegraphic and epistolary communications, be laid on the table. Carried, Lockey alone dissenting.

Howey moved that the Council hear the report of the special committee to whom the water propositions were referred.

Lockey moved to amend by calling for the reading of the proposition by the Helena Water Co., which he understood was in the Clerk's hands. Amendment caried. The Clerk then read an amended proposition from the Helena Water Co. This was dated November 10th and is the third proposal made in as many weeks by this versatile monopoly. Like all the others it was based upon Mr. Woolston's proposition, agreeing to do everything that he proposed to do and making a cut of about $1,500 under his figures.

THE REPORT OF THE SPECIAL COMMITTEE

was then called for and it was found to be in two sections—one from the majority and one from the minority.

Following is

THE MAJORITY REPORT:

To the Honorable Mayor and City Council of the City of Helena, M. T.

We, your committee to whom was referred the propositions of the Helena Water Co. and Geo. F. Woolston, to supply the City of Helena with water, beg leave to report that we have carefully considered the same, and recommend the adoption of the Woolston proposition with the following changes, to wit.: To strike out the clause providing for the sale of the works and system at the expiration of twenty years and to specify more particularly the lengths of each size of mains to be laid to cover the thirteen-mile proposition.

We would recommend the appointment of a special committee with power to employ competent attorneys in connection with the city attorney to draw up a charter covering the proposed contract and that such action be taken at once, and that such contract, when drawn, be referred to the City Council for approval and final action.

(Signed) WM. MUTH.
JOHN R. WATSON.
JOHN STEDMAN.

Mr. Woolston being asked said he would agree to the changes recommended.

The Clerk then read

THE MINORITY REPORT.

HELENA, M. T., Nov. 9, 1886.

*To the Honorable Mayor and City Council of the City of Helena:*

GENTLEMEN—The undersigned, a minority of your special committee to whom was referred the proposition of G. F. Woolston and the Helena Water Company, beg leave to report that we have carefully examined the same and respectfully state that in our opinion neither of said propositions is sufficiently clear or definite to justify this Council in accepting them. We are not sufficiently informed as to whether the sizes of mains mentioned are such as will be suitable or if the number of miles proposed will be sufficient to supply the city. No provision is made for smaller mains on streets where hydrants are not required, or for tapping of mains by parties desiring water, besides many other matters of detail that should be specially stated.

Mr. Woolston proposes to furnish thirteen miles of main, with 150 hydrants, for $15,000, additional hydrants $65 each per annum. The Helena Water Company proposes to furnish twelve miles of mains, with 200 hydrants, for $11,500 per annum. We are of the opinion that the number of hydrants proposed is in excess of the present demands of the city, and would suggest that when a contract is made it shall be for such number as may be found necessary, with a provision for additional hydrants when required; we have now less than 38 hydrants, and with fifty or seventy-five more, with sufficient pressure, that number will afford fair protection to the more thickly settled portions of the city.

We also find that a sixty-pound pressure at the court house will not furnish a needed supply to many of the more elevated residences.

We would therefore respectfully recommend that plans and specifications for the water system within the city limits be prepared by the city engineer, with such skilled assistance as may be necessary; such plans to give the size and length of mains for different streets and the specifications to describe in detail the character, quality and strength of all materials to be used, depth at which pipe shall be laid, number, locations and kind of hydrants. Pressure to be maintained at various points, quality of water, and all necessary information, so that persons desiring to bid may do so intelligently. That such plans and specificati ons be approved by this council, and when so approved, thatadvertisements be inserted in suitable papers for a period of forty days, inviting proposals to furnish the water system and water supply for a number of years, say twenty or thirty years. Each of such bids to cover the laying of mains, placing hydrants, etc., as above described, with the price at which water will be furnished to the city per annum, for fire, sewer, and other purposes, also the price at which water will be furnished to consumers particularly specified; that a bond or certified check, in such sum as may be deemed advisable accompany each bid as an evidence of good faith, and that the party making same will enter into the contract if awarded him, and the franchise granted.

The plans and specifications, as well as the proposals to provide for the increased growth of the city of Helena.

We respectfully recommend the above, believing it to be to the best interests of the taxpayers, consumers and the city of Helena. Respectfully submitted,

R. LOCKEY.
JOS. GANS.
Minority of the committee.

Howey then moved the adoption of the majority report.

Here Massena Bullard, attorney for the Helena Water Company, interjected an interrogatory as to whether or not citizens would be allowed to be heard before the question was put.

On motion the citizens were granted the floor on the question.

[Note by reporter—The sentiment of the Mayor and Council in this matter was unanimous for "square dealing" and giving every side a fair hearing. Even rules of order were neglected and points strained by the Council in their anxiety that the matter be fully considered and discussed.]

By request the last proposition of the Helena Water Company was re-read for information.

The Mayor then announced that the Council would be glad to hear from the citizens. Here

C. P. CONNOLLY

opened the discussion in a speech in favor of Woolston's proposition. Mr. Connolly is a stenographer in Toole's office. To the surprise of many who were unacquainted with his locutory proclivities, the gentleman made a splendid speech, presenting forcible arguments with a grace of language and delivery that evidence the popular and successful public speaker. He was vociferously applauded at his conclusion.

MASSENA BULLARD

next took the floor and made a long winded harangue, replete with sophistical reasoning and—we had well nigh said false statements, advocating a delay. The burden of his song was postponement. In fact the war cry of the opposition has been and was last night, "Procrastination!" Mr. Bullard said that the U. S. law restricting Territorial legislation (which he thought not many Montanians approved of) made it impossible for the city to do the thing proposed by Woolston, as it would incur an indebtedness beyond the power of the city to burden itself with. With this as a premise he reasoned that as the county and city assessment together were so and so much and the law forbade incurring a debt of over four per cent of that amount, the city would be acting illegally to accept Woolston's proposal. Col. Wheeler here ventured to assert that the county and the city were distinct and separate. But Mr. Bullard argued that the city was in the county and hence the county and the city were the same thing! Again he harped on the flimsy argument that: If a delay of a few days had made Mr. Woolston cut his figures $5,000, what would not a delay of a month do? He believed the Council should make haste with discretion and advocated delay and advertising for bids. One moment he was the attorney of the Water Company, and the next a private citizen, and his strained efforts to combine these two opposing interests were ludicrous in the extreme. He finally ended by declaring that neither the Woolston or the Water Company's proposition was well drawn, that each contained a thousand loop holes by which the lucky contractor could get the better of the city, and that "you could drive a six-horse coach through the flaws in each proposition."

Z. T. BURTON

arose in behalf of the suffering people. He said Mr. Bullard was working the biggest bluff on the smallest pair of deuces he ever heard of. Bullard had wilfully placed a wrong construction on the Territorial legislation restrictive law. Helena, the county, Marysville and any other town could each incur the 4 per cent. limit of indebtedness without reference to the whole county and Mr. Bullard knew it. Latter had said people of Montana did not like the law restricting Territorial legislation. If Mr. Bullard thought so he (Burton) and Bullard had not read the election returns through the same spectacles. [Applause.] Furthermore, if that construction were correct the city could let Woolston put up his works and then refuse to pay him a cent. [Laughter.]

Mr. A. R. Gates followed in support of the Woolston measure. The sentiment of the people, he said, was for new water and they would not take the old water at half price.

Mr. T. C. Power stated on behalf of the water company that they were ready to act and act immediately.

MR. E. D. EDGERTON

spoke in favor of immediate action. There was no reason for further delay. People had waited 15 years already and now was the time to act. Only one thing remained to be done and that was to decide which of the two propositions before the Council should be accepted. And that decision should be made at once.

EX-MAYOR SULLIVAN

took the floor in favor of the position that the city should own its water works and not contract with any one for them. He told what he did on the question when he was Mayor.

GEO. B. FOOTE

followed in the role of a poor tax payer. He was not as rich as Gov. Hauser but he wanted good water just as much. It was a strange proceeding for Mr. Bullard to present to the Council and urge the acceptance of a proposition which he admitted he could drive a six-horse coach through.

Mr. Sullivan again bobbed up serenely, blessed with a few after thoughts which he imparted *gratis* to the meeting. Mr. Foote and Mr. Connolly made additional remarks.

GEO. F. WOOLSTON

made a brief statement of his position. He characterized Mr. Bullard's speech as an "acrobatic display of elocutionary evolutions." He would not urge his proposition if the city could get a better one. His proposal meant new material, new water and competition. He would not use a bit of the water brought into Helena today. The telegrams from eastern parties were simply from manufacturers who wanted the contract for pipe. They would not build works or bid on them.

Mr. Sullivan then arose and shed the light of a few more afterthoughts on the question.

DR. C. K. COLE

placed himself on record in favor of immediate action. The sole object of opposition to Woolston was delay, and we have had too much delay already. If we delay further, until Mr. Woolston is driven from the field, the local water companies can fortify themselves by improvements in their plant that will forever forbid the entrance of competitors. We want competition and the only way to get it is to have two companies in the field. As to the communication from Minneapolis he knew that the sender, Mr. Van Cleve, if he came here to bid on the matter would simply form a combination with the present companies. He stated this authoritatively. We don't want only one company and that is what Van Cleve's proposition means. Woolston would get entirely new water and that is what we want. "Outside money makes the camp" and if Woolston were ready to expend a half million of outside capital here he should be encouraged to do it.

GOVERNOR HAUSER

took the floor for delay. It is not often that Hauser talks, but when he gets worked up and does it he says something. He began by apologizing to Mr. Woolston for calling him "a fellow." He then referred to Mr. Foote's statements, and made a rather ungenerous allusion to the latter's financial condition by saying that "he did not figure close enough. If he had figured a little closer he would not be so hard up to-day." He advocated further delay, because the postponement already had effected a reduction in Woolston's first proposition. He wanted competition. But if Woolston's proposition were accepted the ink would not be dry on the contracts before he and Power & Co. had pooled issues. The time for competition was before the bids were acted upon, and he believed in delaying a few months and advertising for bids.

ALDERMAN STEDMAN

wished to correct the Governor in one particular. The Council had absolutely refused Woolston's first proposition. He put in another and it received the consideration it merited. Further delay can hardly effect a further reduction in his bid. You can't reason this way. There must come a point lower than which you can not go, and I believe Woolston's proposition is that point. When you get an assurance that this city will be supplied with as much and as good water for no more cost than any other city of its size and condition, you can not ask any more As to the restrictive law bugbear, it did not apply. The city would contract no debt by accepting Woolston's proposition. They would issue no bonds. Would simply agree to pay so much a quarter or year as they do now to fire department, etc. They would pay cash for water and incur no indebtedness.

JUDGE ENGLISH

said a few words against the bid advertising scheme. Our situation had been sufficiently advertised through the papers, and no one but Mr. Woolston had come forward to make an offer. The people wanted no delay. They had suffered in the past and cried for relief.

Here Mr. Afterthought Sullivan took the floor again. He thought the scheme was being shoved through the Council with undue haste, and such a vital question merited more deliberate consideration.

Marcus Lissner made a brief speech supporting the proposition taken by Governor Hauser.

T. C. Power stated that the last proposition of the Helena Water Co. was fifty or sixty per cent. cheaper than Woolston's, and if the Council wanted to act on a business basis, they should accept it for that reason.

MR. WOOLSTON

again arose and answered several arguments previously brought forward. He said there was a limit to all things, and he would not abate a single dollar on the main features of his proposition.

After a few more remarks by gentlemen who had already participated in the discussion, the Mayor asked if any citizen desired to make further remarks. As the subject had been thoroughly canvassed no one volunteered further comments. Part of the assemblage then departed and the Council took a recess of four minutes during the confusion of the exit.

Session resuming Alderman Howey made a speech favoring the Woolston proposal. He gave his reasons for moving the adoption of the majority report, and was succeeded by

ALDERMAN MUTH.

Mr. Muth said, regarding the matter of contamination of the source of supply, that Mr. Woolston explained to the committee that he merely wished ordinances passed making it a misdemeanor to tamper with the hydrants or pipes or contaminate the water after it was brought into the city. He thought the hydrants as at present placed were entirely too far apart for safety to the city and the supply of water in them is entirely inadequate and does not give what the city pays. He formed one of a party that last summer had visited the Park lake, from which a portion of the present supply comes, and was then coming. It was so foul that he did not believe a thirsty beast would drink from it. This water was afterwards turned into the city pipes for domestic use, and if it had not been for the excellent sanitary advantages of our city there is no telling what diseases and deaths might have resulted therefrom.

PATRIARCH LOCKEY

moved to amend. He and Alderman Gans had made the minority report, and he had heard no good argument why it should not be adopted. Hence he moved to amend Howey's motion for the adoption of the majority report by inserting the word "minority" in place of "majority."

Howey raised a point of order but was overruled. By request the clerk read both majority and minority reports again.

ALDERMAN LOREY

arose and said he had come up to the meeting last night prepared to vote for Woolston's proposition. But as the Helena Water Company had made another and cheaper proposal he thought it should be considered.

It was then past midnight, but Mr. Lockey arose and recorded his obstructionist sentiments against the Woolston measure. He had not had his supper owing to late arrival by rail, but he concluded to forget his appetite and the lateness of the hour rather than let the occasion slip by without making his usual protest against a measure which two-thirds of the Council advocated. He sang the same old tune of "Delay, procrastinate, put off," and exhausted a voluminous set of notes in preferring arguments to secure a postponement of action. He hit the subject on all sides and even so far forgot the lateness of the hour as to launch forth on the court house question, which he said made trouble because the commissioners did not take time to advertise for bids. Luckily some one here uttered an ominous groan that had a chestnut ring to it and the speaker took the hint and dropped the court house phase. After speaking for about half an hour he unwillingly sat down in response to a suggestion that it was approaching breakfast time.

Watson moved the question. Howey thought Brother Lockey was like an old government musket that kicked both ways.

Alderman Muth made a final statement explaining the action of the committee in striking out the clause in Woolston's proposition providing for the purchase of the plant by the city at the end of twenty years. He said it was a useless proviso, as the city had power at any time to condemn and purchase property for public use. Woolston's proposal had been canvassed in every point by the committee and they had come to the conclusion that it was for the best interest of the city to accept it.

Alderman Connor stated that he was in favor of Woolston's proposition.

LOCKEY'S AMENDMENT LOST.

The Mayor then put the question on Lockey's amendment, that the word "minority" should be substituted for "majority" in Howey's motion to adopt the majority report. The amendment was lost by the following vote: Ayes—Lorey, Gans, Bicket, Lockey—4. Nays—Watson, Richter, Connor, Muth, Saul, Stedman, Duignan, Howey, Hoback—9.

Seeing this proposition go to the wall the public spirited(?) Lockey offered further obstruction to the proceedings by moving that the committee reports, together with the latest proposition from the Helena Water Co. be referred for further consideration to a committee of five. Lost by the same vote as on the above amendment.

The original motion to adopt the majority report was then put and

CARRIED BY AN OVERWHELMING VOTE

of ten to three, Gans, Bickett and Lockey voting against it. Following is the state of the vote on this question. We publish it as a matter of the history of Helena, in which it marks an important and auspicious epoch.

On the motion to adopt the majority report—ayes, Lorey, Watson, Connor, Richter, Muth, Saul, Stedman, Duignan, Howey and Hoback—10. Nays—Gans, Bickett and Lockey—3. Thus the Council by over a two-thirds vote declared themselves in favor of the Woolston water works and on the side of the mass of our people.

Howey moved that a committee of 5 besides the Mayor be appointed to draft a charter and contract to be extended to and entered into respectively with Mr. Woolston. Carried, Lockey alone dissenting. The Mayor then appointed as such committee Aldermen Howey, Stedman, Muth, Lockey and Watson.

Lockey objected and asked to be excused from serving. He thought some one should be put on in his place that was in sympathy with the "scheme."

Muth—"I know Mr. Lockey is not in sympathy with the project, but we want him on the committee, and I hope he will not be permitted to withdraw."

Lockey persisted his in refusal, and the Mayor appointed Alderman Bickett in his stead.

Muth here remarked that he supposed Mr. Lockey would at once organize a committee of tax payers to investigate the action of the Council on the water question, [laughter] but for his part he was ready to be investigated now, and hoped the proceeding would not be delayed.

It being then 1 o'clock this morning, the Council on motion adjourned.

Loud was the burst of applause that greeted the decision of the Council and many were the expressions of approval which the noble aldermen received for the upright, manly stand they took in deciding so important a question in the best interests of the city and to the satisfaction of the majority of her residents. The names of Lorey, Watson, Connor, Muth, Richter, Saul, Stedman, Duignan, Howey, and Hoback will forever be held in the dear remembrance of a grateful people. The names of Lockey—perhaps we had better drop it.

## JEFFERSON COUNTY OFFICIAL.

**Returns of Election of November 2, 1886.**

The HERALD is indebted to Mr. Chas. E. Stevens, of Boulder, the Clerk and Recorder of Jefferson, for the official returns of the recent election in that county as set forth below:

Total vote of county, 2,176.

FOR DELEGATE.

| | |
|---|---|
| J. K. Toole, D. | 1,202 |
| W. F. Sanders, R. | 974 |
| Toole's majority | 228 |

COUNCILMAN.

| | |
|---|---|
| E. Cardwell, D. | 1,070 |
| J. E. Sites, R. | 1,026 |
| Cardwell's majority | 44 |

REPRESENTATIVE.

| | |
|---|---|
| Enoch Wilson, D. | 1,112 |
| Geo. Ten Eyck, R. | 981 |
| Wilson's majority | 131 |

JOINT REPRESENTATIVE.

| | |
|---|---|
| J. W. Buskett, D. | 1,330 |
| A. C. Botkin, R. | 779 |
| Buskett's majority | 551 |

ATTORNEY.

| | |
|---|---|
| Thoms Joyes, D. | 1,180 |
| Geo. Cowan, R. | 910 |
| Joyes' majority | 270 |

PROBATE JUDGE.

| | |
|---|---|
| J. C. Kerley, D. | 1,100 |
| W. M. Bullard, R. | 1,006 |
| Kerley's majority | 94 |

TREASURER.

| | |
|---|---|
| F. C. Berendes, D. | 1,342 |
| Geo. Benjamin, R. | 771 |
| Berendes' majority | 571 |

CLERK AND RECORDER.

| | |
|---|---|
| J. T. Holt, D. | 744 |
| C. E. Stevens, R. | 1,363 |
| Stevens' majority | 619 |

SHERIFF.

| | |
|---|---|
| Dod Halford, D. | 844 |
| D. McNeill, R. | 1,272 |
| McNeill's majority | 428 |

ASSESSOR.

| | |
|---|---|
| A. H. Doughty, D. | 930 |
| V. A. Cooke, R. | 1,148 |
| Cooke's majority | 218 |

SCHOOL SUPERINTENDENT.

| | |
|---|---|
| W. E. Dean, D. | 1,097 |
| J. N. Anderson, R. | 910 |
| W. W. Porter | 110 |
| Dean's plurality | 187 |

SURVEYOR.

| | |
|---|---|
| Shriver, R. | 1,023 |

CORONER.

| | |
|---|---|
| J. C. Hunter, R. | 1,019 |

PUBLIC ADMINISTRATOR.

| | |
|---|---|
| A. S. Kellogg, R. | 1,020 |

COMMISSIONERS.

| | |
|---|---|
| Moulton, D. | 1,118 |
| Wade, D. | 933 |
| Lambert, D. | 1,091 |
| Houghton, R. | 1,013 |
| Thompson, R. | 897 |
| Macumber, R. | 1,220 |

CHEAP water and enough of it is the demand of the people.