

Report of Special Water Committee

Accepted by Council May 24/97.

The Honorable Mayor and City Council.

Of the City of Grand Junction, Colorado; -

Your committee,
heretofore appointed by your Honorable Body, ^{and known} as the
Special Water Committee, desire to report:

First, That in pursuance of the vote of the
legal tax payers of the City of Grand Junction upon
Ordinance No. 55, and in pursuance of the
action of your Body taken upon ordinances
Numbers 55 and 58 upon the 24th day of April, A. D.
1897. and in pursuance of a resolution passed
by your Body on the 4th day of May, A. D. 1897,
your committee did, on the 15th day of May, A. D.
1897, at 10 o'clock A. M. of said day, cause a notice of
the said resolution of May 4th, A. D. 1897, together
with the notice thereto attached, to be served upon
the Grand Junction Water Company, at its office in
the City of Grand Junction, Colorado, by leaving with
David Roberts, Manager of the said Grand Junction
Water Company, a true copy of said resolutions and

notice, and also with Charles F. Caswell, Attorney for the said Water Company, a copy of said resolution and notice, and also by registering a copy of said resolution and notice to H. P. Dickinson, President of said Water Company, addressed to said H. P. Dickinson in the City of Chicago, the said letter being deposited in the Post Office at the City of Grand Junction, Colorado.

Second. That in pursuance of said notice, your Committee not being prepared to make the tender of said bonds, on the 15th day of May, A. D. 1897, as stated in said notice, on account of the said bonds not being printed in time, notified the said Grand Junction Water Company, on the 14th day of May, A. D. 1897, that the said Committee was not prepared to make the tender of said bonds in exchange for, and in conveyance of the said water works system and plant to the said City on the 15th day of May, A. D. 1897, but that the said tender would be made on the 18th day of May, A. D. 1897 at 10 o'clock A. M. of said day at the office of said Water Works Company in the City of Grand Junction, Colorado.

Third. That in pursuance of said notice your committee in connection with H. P. Cla, the Mayor of said City, and in connection with Messrs. H. A. Ambury and S. A. Wheeler, attorneys for the said City, went to the office of the said Water Company on the 18th day of May, A. D. 1897, at 10 o'clock A. M. of said day, with the said \$35,000. in water bonds, duly signed for the purpose of tendering and delivering said bonds to said Grand Junction Water Company in exchange for a deed of conveyance from said Water Company to said City of the Grand Junction Water plant and system of said Water Company situated in the City of Grand Junction; that your committee being unable to find either the Manager, or the regular bookkeeper, or any other officer of said Company, at said office at said time, remained at said office for about three quarters of an hour and the said Manager and bookkeeper, and no other officer of the said Company, appearing during that time, your committee left with one C. O. Johnson, an employee of said Water Company in charge of said office at said time, a notice stating that the City through its said Water Committee, would make the tender of said \$35,000. in water bonds to the said Grand Junction Water Company at any place within

the said City of Grand Junction, at any time, up to and including the 19th day of May, A. D. 1897, at 12 o'clock M. of said day, that said Water Company might direct; That the said C. O. Johnson informed your committee at the said time that he was not in any way authorized to accept the tender of the bonds in exchange for and conveyance of the said water works system and plant; That the said notice last above referred to is hereto attached and marked, "Exhibit A."

Fourth. That the said Grand Junction Water Company having failed to notify your committee up to and including the 19th day of May, A. D. 1897, at 12 o'clock M., that they would accept the offer of said \$35,000. in water bonds in exchange for and conveyance of the said Grand Junction Water Company's plant and system from the said Water Company to the said City, your committee did afterwards and on, to wit: the 24th day of May, A. D. 1897, and in connection with H. P. Cla, Mayor, of said City, and in the presence of H. A. Amshury, Attorney for said City, tender to David Roberts, Manager of the said Water Company, at the office of said Water Company, in the City of Grand Junction, Colorado, the said \$35,000. in water bonds in exchange for and conveyance of the said Grand Junction Water Company's plant and system free and clear of all incumbrance to the said city of Grand Junction, which offer and tender was refused by the said Grand Junction Water Company through its said manager at the said time, and has at all times since been refused.

Your committee further reports that in answer to the notice and resolution of tender hereinbefore referred to as having been mailed to H. P. Dickinson, President of said Water Company, the said Dickinson on the 11th day of May, A. D. 1897, acknowledged the receipt of said resolution and notice by a letter addressed to H. P. Cla, Mayor, of said City, which letter is hereto attached and marked "Exhibit B."

Your committee, therefore, recommends that, as the said Grand Junction Water Company has refused to accept the tender of the said \$35,000. in water bonds in exchange for a deed to said city of the Grand Junction Water Company's plant and system, your honorable body now authorize and instruct the issuance of the other \$30,000. in water bonds in conformity to the direction of a majority of the taxpayers of said City, and in compliance with

Ordinances No. 55 and 58 of said City, and that the Mayor be instructed by said Council to forthwith sign said Bonds and have the City Clerk attest the same, and that the same be countersigned by the City Treasurer as by law directed and that said Bonds be forthwith negotiated, sold and disposed of for the purposes of putting in a water system in said City as by said Ordinances, heretofore passed, directed.

Water Committee

By. - - -

Chairman.

"Exhibit A."

Notice.

To the Grand Junction Water Company: -

You are hereby notified that the City of Grand Junction, Colorado, will not be prepared to make the tender of the \$35,000.00 in Water Bonds to you on the 15th day of May, A. D. 1897, as you have heretofore been notified, but that the tender of said Bonds will be made to you for the purposes stated in the former notice at the same place heretofore named, and on Tuesday the 18th day of May, 1897, at 10 o'clock A. M. of said day.

By order of the Water Committee

A. T. Whorton

Chairman.

This is to certify that I have this day served a copy of the original notice from the Water Committee, on Mr. Charles Caswell and on Mr. David Roberts, Managers of the Grand Junction Water Co. on this the 14th day of May 1897 at 10:15 A. M.

H. M. Mann

City Marshal

"Exhibit B."

Chicago, May 11th 1897.

H. P. Ela Mayor

Grand Junction, Colo.

Dear Sir: -

I beg to acknowledge a favor written by yourself, Mr. Whorton and others of the Water Committee, tendering me 35,000. City Bonds of the City of Grand Junction. We hardly believe the tender is made in good faith and if it is, the amount is much below the sum we would accept. We have at all times,

been very willing to take a reasonable price for the Water Company's property and holdings in Grand Junction but we do not believe that the people who have the matter in control there, have in any wise been liberal, or reasonable, and in all probability litigation will continue for a considerable period even though the opposition plant is built.

Our present property is in good condition and whether we are able to maintain our contract with the City or not from now on, there is no doubt in my mind but what the city will eventually be obliged to pay for the water they have used, and that in itself, is nearly the amount they offer us for the entire property.

The Water Company was given a franchise in good faith by the legal voters of Grand Junction; they built the plant in good faith, have supplied the people with good water at reasonable prices and given them good service and will today sell for half the money that can be shown the property cost, aside from the accrued rentals.

If the citizens of Grand Junction were honest and fair, it seems to me that such a proposition should be accepted. The parties who are at present encouraging the building of a new plant, know as well as they know that two and two make four that the material, I mean the raw pipe in use, cannot be bought and laid down in Grand Junction for \$35,000. and besides there is the engines, reservoirs, buildings and labor which will cost in the neighborhood of \$60,000. to duplicate this plant. I am figuring now from a basis of freight in Illinois and labor in Illinois and neither one of these items are as high in this part of the country as they would be in Grand Junction.

Very Respectfully

Grand Junction Water Co.
by W. P. Dickinson, Pres.