

Grand Junction 25th May 1899.

Adourn meeting of city council mayor Etz in Chair upon roll call the following alderman responded Alderman Ramey. Starr. Dickerson. Berry. Bronner McKinney. Whorton and Smith +

upon motion by alderman McKinney council took up the matter of contest of M. M. Shores vs. F. R. Smith contesting the right for alderman of the third ward of the city of Grand Junction 25th May 1899. City Atty Barnahan read the rules in the trial of the above entitled cause +

S. A. Staley took the floor in behalf of M. M. Shores the contest and read the petition of M. M. Shores why Shores should be seated also read F. R. Smith answer to the same

Benny W. Ross took the floor in behalf of F. R. Smith the contest +

Alderman McKinney made motion that part of the allegation wherein the contestor claims the judges in the third ward did also count for said F. R. Smith a large number of other illegal ballots, namely, thirty and upwards be stricken from the allegation

The roll was called and was as follows. Ramey yea Starr yea. Dickerson Nay. Berry. yea. Bronner Nay. McKinney yea. Whorton Nay. Smith yea. Carried +

Alderman Ramey made motion that F. R. Smith be not allowed to vote upon questions pertaining to the contest and also on the final vote deciding who would be entitled to the seat +

The roll was called and was as follows. Alderman Ramey yea. Starr Nay. Dickerson yea. Berry Nay Bronner yea. McKinney Nay. Whorton yea. Smith Nay

The vote being a tie the mayor voted Nay the motion was lost +

Alderman McKinney made motion and seconded by Alderman Starr that F. R. Smith be allowed to vote on all preliminary question in the contest case

The roll was called and was as follows. Ramey Nay Starr yea. Dickerson Nay. Berry yea. Bronner Nay. McKinney yea. Whorton Nay. Smith yea

The vote being a tie the mayor voted yea the motion carried

City clerk sworn P. S. Ramey as a witness

upon motion by alderman Whorton and seconded by alderman Dickerson the testimony of P. S. Ramey was heard + by the following vote Ramey yea. Starr yea. Dickerson yea. Berry yea. Bronner yea. McKinney yea. Whorton yea. Smith yea.

upon motion by alderman McKinney and seconded by alderman Dickerson the city atty J. Barnahan was asked for his opinion on opening the ballot box +

M. M. Shores vs F. R. Smith

Rules read +

S. A. Staley atty for M. M. Shores

Benny W. Ross atty for F. R. Smith

30 votes or more.

Smith Not to Vote.

And taking ballots from Boxes to be used in this contest
 the said same could be done according to the law.
 Upon motion by alderman Whorton the City Clerk was
 instructed by the City Council to bring into Council room
 Ballot Boxes which contained the votes cast in West Third
 Ward on Apr 4th 1899.

Upon motion by alderman McKinney City Clerk Delaplaine
 was sworn by the Mayor and took his seat as a
 witness he was questioned by Atlys Shaly ^{and} Ross.
 in regards to where Ballot Box had been kept since Apr 4-99
 which contained the Ballots cast in West Third Ward.
 Alderman Ranney made motion and seconded by alderman
 Dickerson that City Clerk proceed to unlock and open Ballot
 Box from West Third Ward and that P. S. Ranney look
 through Ballots and take from Ballots one which had
 been marked with lead pencil by the Voter and other one
 which had been marked opposite the words "Vote for one"
 P. S. Ranney took the 2 above Ballots from the other
 Ballots upon motion by alderman Whorton and seconded
 by alderman Ranney.

Upon motion by alderman Whorton the two Ballots were
 offered in evidence one was marked Exhibit A ^{and} the other
 Exhibit B.

W. H. Ketchum was sworn in by Clerk in regard to
 certain marks on top of the ballot Box.

Upon motion by alderman Whorton Council adjourned to
 meet Friday night at 8 P.M.

4/9-99

[Signature]
 Mayor

M. O. Delaplaine
 City Clerk

Bring in
Ballot BoxCity Clerk
and stand.Opening
Ballot BoxTaking 2
Ballots from
Box.

Exhibit A & B.

W. H. Ketchum