

Grand Jct. Colo. June 19<sup>th</sup> 1908.

The City Council of the City of Grand Junction met in regular adjourned session, at the Council Chamber in the City Hall in said city on Friday June 19<sup>th</sup> at the hour of 8 P.M. for the purpose of taking up and considering the passage of the application for a street railway franchise petitioned for by Horace K. Devereux and Eugene A. Sunderlin.

Upon roll call the following were present.  
Mayor J. R. Wentworth.

aldermen W. D. Davies, W. C. Boyer, M. Harty,  
G. F. Hudson and J. C. Plank.

also present City Clerk John M. Curly and  
City atty Joe W. Rozzelle.

absent aldermen A. P. Drew, M. H. Flynn and  
J. B. Mattheus.

An Ordinance Granting to Horace K. Devereux and Eugene A. Sunderlin, their heirs and assigns, the right, privilege and franchise to erect, construct, operate and maintain a street railway on certain streets, avenues, alleys and public places of



and within the City of Grand Junction, and to use the same for such street railway purposes. and etc, said Ordinance was read in full, thereupon ald. Davies moved seconded by ald. Plank that the Ordinance be read section by section and be amended as the Council may deem proper, upon call of motion said motion carried unanimously.

ald. Davies moved seconded by ald. Hudson that section one be changed to read as follows; Paragraph two. tenth line the word "north" be stricken out and the word "South" be substituted, <sup>and that said section can be adopted as amended.</sup> upon roll call the following voted yea. aldermen Davies, Boyer, Hertz, Hudson and Plank motion carried.

ald. Davies moved seconded by ald. Plank that Section 2 Paragraph one be amended <sup>and adopted</sup> as follows, after the word vehicles, on the sixth line there be added: "and shall maintain same." and at the end of Paragraph one after the word laid, it shall be amended to read as follows; "Where streets are paved the Granters shall pave between rails and two feet outside of rails, using same material as used by City for such paving or other material equally as good, same to be approved by the City Council. Upon roll call the following voted yea, Aldermen Davies, Boyer, Hertz, Hudson and Plank. thereupon the presiding officer declared the motion carried.

ald. Hudson moved seconded by ald. Boyer, that section four be amended and adopted as follows; Paragraph one line two, the word "two" be stricken out and the word "three" be substituted. Paragraph one fourth line, after the words "October 15<sup>th</sup> 1909," there be added, "and in the event that said Granters or their assigns shall default in the work as above provided, the City of Grand Junction shall have the right to declare all rights, Privilege and Franchise hereby granted, forfeited and of no effect. In Paragraph one line five the word "half" be stricken out. and at the end of Paragraph one there be added the following to be known as Paragraph two of section IV. "The said Granters or their assigns, shall protect and save harmless the City of Grand Junction, from any and all damage suits arising from or growing out of the work of constructing said railway, during the period of construction." upon call of roll the following voted yea, Alderman Davies, Boyer, Hertz, Hudson and Plank. thereupon the presiding officer declared the motion carried.



alderman Plank moved seconded by alderman Davis that Section five be amended and adopted as follows; Section 5, Paragraph One line three, there be inserted the word "round" between the words "one trip" making it read "one round trip." and in Paragraph One line thirteen after the word equipped there be added the words, "and maintained." and at the end of Paragraph One after the word "railway." there be added "except as hereinafter provided." upon call of roll the following voted yea, Aldermen Davis, Boyer, Hertz, Hudson and Plank. thereupon the presiding officer declared the motion carried.

alderman Davis moved seconded by alderman Hertz that Section six be amended and adopted as follows. at the end of Paragraph One after the word "Grand Junction;" there be added "and that when transfers become necessary the Grantees shall provide same without extra cost to Passengers. Upon call of roll the following voted yea aldermen Davis, Boyer, Hertz, Hudson and Plank thereupon the presiding officer declared the motion carried.

alderman Plank moved seconded by alderman Boyer that the original Section twelve be changed to read Section Thirteen, upon call of roll the following voted yea aldermen Davis, Boyer, Hertz, Hudson and Plank, thereupon the Presiding officer declared the motion carried.

alderman Boyer made a motion seconded by alderman Hudson that Section twelve be adopted as follows; "Said Grantees or their assigns shall after twelve and one half years of the period for which this Franchise is granted, pay yearly into the Treasury of the City of Grand Junction the sum of One Thousand (\$1000.00) Dollars. Upon call of certain roll the following voted yea, Aldermen Davis, Boyer, Hertz, Hudson and Plank. thereupon the presiding officer declared the motion carried.

alderman Plank made a motion that there be added to section four. That said Grantees furnish a Bond or certified check in the sum of \$5000.00 to the City the same to be forfeited in the event that the three miles of track is not completed by July 15<sup>th</sup> 1909. there was no second to the motion.

Said Ordinance was then read in full ~~as amended~~ by the City Clerk as amended.

alderman Davis moved, seconded by



alderman Hudson that the clerk be and he hereby is ordered to cause to be published daily in The Daily Sentinel a daily newspaper of general circulation in the City of Grand Junction, for a period of two weeks, the said ordinance entitled,

"An Ordinance

Granting to Horace K. Devoreux and Eugene A. Sunderlin, their heirs and assigns, the right, privilege and franchise to erect, construct, operate and maintain a street railway on certain streets, avenues, alleys and public places of and within the City of Grand Junction, and to use the same for such street railway purposes."

The clerk called the roll of aldermen upon this motion, and the aldermen each, upon his name being called, voted as follows:- Davies yea, Boyer yea, Hertz yea, Hudson yea, Plank nay. a majority of the aldermen present voting yea, The Presiding officer declared the motion carried and ordered the ordinance published according to law.

Upon motion the Council adjourned.  
John M. Conley  
City Clerk.