

at an adjourned meeting of the common council of the city of Pikeville Ky. held at the regular meeting place, on the 4th day of Dec. 1915. Hon. A. J. Jackson Mayor Presiding. Lauck Williams, W. E. Gost, Linters Trivett Jr., Johnson Jr and Dr. J. M. Moore, councilmen present.

J. S. Cline having tendered his written resignation as Councilman at a former term, same was accepted, and J. S. Cline was released from further duties as a member of the Board of Council.

By reason of the vacancy occurred by the resignation of J. S. Cline, J. R. Johnson Jr. Councilman put in nomination J. D. Maude to fill said vacancy. Said nomination exceeded by Lauck Williams, on hearing the vote J. D. Maude was unanimously elected to fill said vacancy.

On this day came H. S. Damm, Commissioner appointed on the 3rd day of November, 1915, to make sale of telephone franchise pursuant to ordinance introduced on said date by Councilman, Jr. and the said H. S. Damm filed his report of sale which is in words & figures as follows:

Report of sale of Telephone & Telegraph Franchise.

To the Hon. Mayor and Board of Common Council of the City of Pikeville, Kentucky,

The undersigned Commissioner appointed by your honorable body to make sale of a franchise for a telephone and telegraph system with the rights and privileges as set forth in an ordinance introduced in the City Council of the City of Pikeville, Ky. on Nov. 3, 1915, would respectfully report, that he did on Monday Nov. 22nd 1915, at the front door of the Court-house in the City of Pikeville, Ky. at the hour of 1. O'clock P.M. after having advertised the time, place, terms and manner of sale by three written notices posted at 3. public places in the said city at least five before the day of sale, expose for sale at public auction and outcry, to the highest and best bidder the rights, privileges and franchise as contained in said ordinance above mentioned and subject to the conditions & limitations contained therein.

Whereupon the said rights, privileges and franchise was knocked off and sold to N. Starkey, he being the highest, best and only bidder, for the sum of \$10⁰⁰ which sum was paid to H. S. Damm, Commissioner by the said N. Starkey.

All of which is respectfully reported, this 22nd day of Nov. 1915.

H. S. Damm, Commissioner.

It is now ordered that said report be received and it appearing further that N. Starkey became the purchaser of said franchise pursuant to said sale, and Councilman J. R. Johnson Jr. pursuant thereto introduced an ordinance granting the franchise to the said N. Starkey, his successors or assigns as provided by said ordinance directing the sale of same.

It is ordered that said ordinance be and the same is hereby ordered to lay over until the first Monday in January, 1916.

And said Starkey filed written bond with J. J. Moore D. T. Keel and J. E. Gost as surety, conditioned as provided in ordinance directing sale of said franchise which bond is approved by the Mayor.

Whereas, on the 3rd day of Nov. 1915 Councilman J. R. Johnson Jr. introduced an ordinance directing the sale of a Telephone & Telegraph franchise and H. S. Damm was appointed Commissioner to make said sale, and

Whereas, on the 22nd day of Nov. 1915 the said Commissioner made said sale as directed and N. Starkey became the purchaser for the sum of \$10⁰⁰ and on this date the said Commissioner filed his report of sale which was accepted by the Council, and

Whereas the said Starkey executed bond in the sum of \$2000⁰⁰ with J. J. Moore D. T. Keel, and J. E. Gost as surety, conditioned as provided by said ordinance which bond is approved by A. J. Jackson Mayor, and

Whereas the said Starkey filed his written acceptance of said ordinance and franchise:

Thereupon and pursuant to said ordinance Councilman J. R. Johnson Jr. introduced the following ordinance:

An ordinance granting to N. Starkey the right, privilege franchise and authority to erect, operate and maintain a telegraph and telephone system and lines, including an exchange for local and long distance service, together with the necessary poles, fixtures, wires, apparatus and electrical conductors upon, over, along and across the streets, alleys, public roads and public ways of the City of Pikeville, Kentucky, for a period of (20) years, from and after this date.

The Common Council of the City of Pikeville Kentucky, do ordain as follows:

Sec. 1. That the right, privilege, franchise and authority to erect, operate and maintain a telegraph and telephone system and lines, including an exchange for local and long distance service, together with the necessary poles, fixtures, wires, apparatus and electrical conductors

upon along, over and across the streets, alleys, highways public roads and public places of the city of Pikeville, Kentucky, for a period of twenty (20) years, from and after this date is hereby granted to N. Starkey, his heirs, successors and assigns, subject to the provisions and limitations hereinafter imposed.

Sec. II. That all poles erected under authority of this franchise shall be neat and symmetrical, and the work of erecting poles by virtue hereof shall be done under the supervision of the Street Committee of said City, and the said N. Starkey, his successors or assigns, shall replace and properly relay any walls or streets that may be displaced by the reason of the erection of said poles or other fixtures, and upon failure of the said N. Starkey, his successors or assigns, so to do after twenty (20) days notice in writing by the mayor of said city shall have been given to said Starkey, his successors or assigns, the city may repair such wall or street that may have been so displaced or disturbed and collect the cost thereby incurred from said Starkey, his successors or assigns.

Sec. III. In consideration of the rights, privilege, franchise and authority herein and hereby granted, said Starkey, his successors or assigns, shall, upon demand, shall provide one cross arm, on each pole on which the said City may if it so desires, attach either fire alarm or police telegraph wires for the free use of the Police and fire department of this city.

Sec. IV. The said Starkey, his successors or assigns, shall at all times be subject to the City ordinances now in force, or which may be hereafter passed, relating to the use of the streets, highways, alleys and public places of said city by telegraph and telephone companies.

Sec. V. The said Starkey, his successors or assigns, shall indemnify said city against, and assume all liability for any damage which may arise or accrue to said city from any injury to persons or property from the doing of any work authorized hereunder, or from the maintenance or operation of telephone or telegraph lines under authority of this ordinance. The acceptance of the right, privileges, franchise and authority herein and hereby granted, to the said Starkey, his successors or assigns, shall be an agreement, between the said Starkey, his successors or assigns, and the City of Pikeville, Kentucky, to pay the said City any and all sums of money for which the said City may become liable by reason of injury to persons or property.

Sec. VI. The said Starkey, his successors or assigns, shall not, during the life of this franchise and

and operating under the provisions thereof, charge more than \$2.00 per month for telephone service or telephones installed in business houses or offices, and shall not charge more than \$1.00 per month for telephone service or telephones installed in residences within the corporate limits of the city of Pikeville, Kentucky.

Sec. VII. In the event any other person or persons, Corporation or partnership than the said Starkey shall become the owner of said franchise by purchase or otherwise, the same provisions as to the charges herein fixed shall apply to him, them or it, as are herein set out.

Sec. VIII. This ordinance and all rights, privileges and authority herein granted, shall determine and cease and be absolutely null and void at the end of twenty (20) years from and after this date.

Sec. IX. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law, and same is ordered to lay over to first Monday in January 1916.

The above ordinance granting Telephone and telegraph franchise to N. Starkey was ordered to lay over till first meeting in Jan. 1916, and was adopted by the following, yeas and nays vote.

J. R. Johnson	P. Voting	aye.
Clinton Smith	"	aye.
W. E. Gost	"	aye.
Frank Williams	"	aye.
J. D. Meade	"	aye.

Know all men by these presents that we, N. Starkey, Principal and J. F. Moore, D. K. Keel and J. G. Gost, surety of Pike County, Kentucky, are held and firmly bound unto the City of Pikeville, Kentucky in the sum of Five thousand dollars, lawful money of the United States, to be paid to it, to which payment to be well and truly made, we bind ourselves, and each of us jointly and severally and each of our heirs, executors and administrators by these presents.

Whereas, the above named N. Starkey has purchased a telephone franchise from the city of Pikeville, Kentucky, which was offered for sale on the 22nd day of November, 1915, and was required by the ordinance directing the sale of said franchise to execute bond in the sum of Five thousand dollars, conditioned that he would within 30 days from the acceptance of the bid by the Council begin work on the telephone and telegraph system to be installed under the authority of said franchise and have same completed and giving service to at least one hundred bona fide subscribers, together with long distance connection within ninety days from the acceptance of said bid,

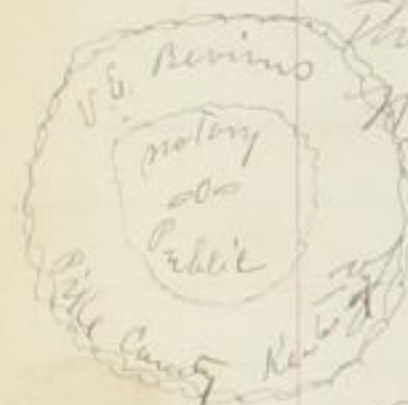
Now therefore, the condition of this obligation is such that if the above named N. Starbly, shall within thirty days from the acceptance of this bid by the Council, begin work on the telephone and telegraph system said by said ordinance and have the same completed and giving service to at least one hundred bona fide subscribers, together with long distance connection, within ninety days from the acceptance of his bid, then this obligation shall be void, otherwise to remain in full force and effect.

Given under our hands this 29th day of November, 1915,

N. Starbly,
J.F. Moore,
D.T. Keel,
J.E. Gost.

State of Kentucky, set,
County of Pike

This day personally appeared before me N. Starbly, J.F. Moore, D.T. Keel + J.E. Gost, known to me to be the parties named in the foregoing bond, and the same was thereupon duly acknowledged before me by the said N. Starbly, and J.F. Moore, D.T. Keel + J.E. Gost, to be their act and deed, Given under my hand and seal of office, on this 29th day November, 1915.



Approved:

A.J. Jackson,

Mayor of City of Pikeville, Ky.

On motion, Council is adjourned until regular meeting Dec. 6th 1916

att. H.S. Dammann
city clerk

A.J. Jackson Mayor

W.C. Bevinis
Notary Public Pike Co. Ky.

At a regular meeting of the common Council of the city of Pikeville Ky, convened and held at its regular meeting place, on Dec. 6th 1915. A.J. Jackson Mayor and presiding with the following councilmen present, O.F. Preston, J.M. Coleman, J.M. Triplett, J.L. Morgan, Virgil Forsythe + J.D. Meade.

It being time set apart by law for the newly elected Councilmen to take charge of their duties as such officers, came O.F. Preston, J.D. Meade, J.M. Triplett, Virgil Forsyth and J.L. Morgan, presented their certificate of election and each accepted said office and took the oath as required by law.

It appearing that in the case of J.A. Dils vs City of Pikeville, Ky, that the ^{to state & binding in the only court} Plaintiff obtained a judgment against the city of Pikeville for \$100.00 in damages + the cost of the action it is therefore ordered that the city atty, be + is hereby authorized + directed to prosecute an appeal of this case to the Court of Appeals + the said City atty is directed to obtain bond and supersede the said judgment.

Ordered That

J.B. Cline be and he is allowed the sum of \$10.00 as premium on bond in appealing case of J.A. Dils vs Pikeville, Ky.

Ordered That,

Otto Bentley be and he is allowed the sum of \$5.00 for making map, to file in case of J.A. Dils vs Pikeville, Ky.

On motion of J.L. Morgan, Councilman, duly seconded, the city clerk is directed, to by letter or otherwise, request T.M. Huffiman manager of the Mountain Water Co, to file with this Council by or at the next regular meeting a written statement setting a time when the water supply for the city will be filtered or purified, and the result of same.

On motion of J.L. Morgan, seconded by O.F. Preston the Mayor is requested to appoint one or more suitable persons to audit the books and make a statement of the financial condition of the city.

Granting said request the Mayor hereby appoints Geo. Binson & Virgil Forsythe + H.S. Dammann, to audit the books, and make a statement of the financial condition of the city and report at next regular meeting.