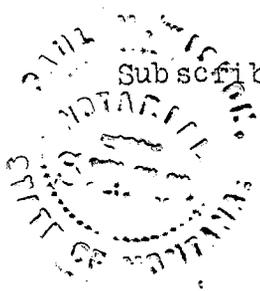


STATE OF MONTANA)
County of Flathead) ss

H. S. Hanson being first duly sworn, upon his oath says I am a citizen of the United States, over the age of twentyone years, and am and was at the time mentioned in this affidavit the City Clerk of the City of Polson, in said County and State; That on the 4th day of August, 1915, in accordance with the order of the City Council of the City of Polson, requiring all ordinances of said city to be published by posting in three of the most public places in said city, I posted a copy of the foregoing Ordinance No. 102 $\frac{1}{2}$ in three of the most public places in said city, to-wit: one of said copies in the office of the Police Judge, one copy at the office of the City Treasurer and one copy at the office of the City Clerk, that each of said copies so posted by me was a true, full and correct copy of the said ordinance, and of the whole thereof.

H. S. Hanson

Subscribed and sworn to before me this 19th day of August, 1915.



Paul M. Worslow

Notary Public for the State of Montana, residing at Polson Montana. My commission expires March 31st, 1916.

ORDINANCE NO. 103.

Introduced by J. W. Clark, 7-26-1915.

AN ORDINANCE granting to Joseph H. Cline, a franchise for and during a period of twenty-five (25) years next succeeding the day on which it shall be passed and approved permitting him, his heirs, personal representatives, and assigns, to erect and maintain poles and conduits in all the streets, alleys, avenues, highways, parks, and other public places of said City (and of each and every addition or extension of said city which may be made hereafter) and string wires thereon and therein; also to lay underground wires and conduits for electrical purposes for supplying said city, and its inhabitants, and others with electrical power, light and heat and for such other uses to which electricity may be put; together with the right, during said period, to operate, replace, maintain, repair and extend the same as an electric lighting, heating, and power plant and system, and permitting the operation of an electric light and power plant and the use of all the streets, avenues, alleys, bridges, parks, and other public places of said city, for constructing thereon, therein, thereover and thereunder, a system of electric current distribution, including all poles, wires, conduits, transformers, apparatus and other appurtenances incident to or necessary for transmitting, transforming, distributing, selling or leasing electricity and electric power to said city, its inhabitants and others; and granting also the right and privilege to purchase, acquire, build, construct, erect, operate, replace, and maintain an electric light plant or plants, stations, substations, buildings, machinery and all appliances in connection with said system.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF POLSON:

Section 1. WHEREAS at a special election holden in the City of Polson, State of Montana, on the 20th day of July, 1915, wherein was submitted to the resident freeholders of said City of Polson, whose names appeared on the County Tax Roll next preceding such election, the appli

cation, including this ordinance, for a franchise to Joseph H. Cline his heirs, personal representatives and assigns, for the purpose of operating, an electric light and power plant and using the streets, avenues, alleys, highways, bridges, parks, and other public places of said city for constructing and maintaining therein, thereover and thereunder, a system of electric current distribution, including all poles, wires, conduits, transformers, apparatus and other appliances and appurtenances incident to or necessary or proper for transforming, transmitting, distributing, and selling or leasing electricity and electric power to the inhabitants thereof, and to the said City and others; and

WHEREAS, the application was regular in form and the said election was regularly called, noticed, published, held, canvassed, and returned in the manner as provided by law, and

WHEREAS, a majority of the resident freeholders of the City of Polson, whose names appeared on the County tax Roll next preceding the election for the voting of said franchise, voted for and the majority of votes at said election was for granting said franchise, which thereby authorized the City Council of the City of Polson to grant the said franchise to Joseph H. Cline.

Section 2. A franchise for and during the period of twenty-five (25) year next succeeding the day on which it shall be granted, is hereby granted to Joseph H. Cline of the City of Polson, Montana, his heirs, personal representatives and assigns, permitting him and them to erect and maintain poles and conduits in all streets, avenues, alleys, highways, parks, and other public places of said city (and of each and every addition or extension of said city which may be made hereafter) and string wires thereon and therein; also to lay underground wires and conduits for electrical purposes for supplying said city, and its inhabitants and others, with electrical power, light and heat, and for such other uses to which electricity may be put; together with the right during said period to operate, replace, maintain, repair and extend the same as an electric lighting, heating and power plant and system, and permitting the operation of an electric light and power plant and the use of all the streets, avenues, alleys, bridges, parks, and other public places, of said City, for constructing thereon, therein, thereover and thereunder, a system of electric current distribution, including all poles, wires, conduits, transformers, apparatus and other appurtenances incident to or necessary for transmitting, transforming, distributing, selling or leasing electricity and electric power to said city, its inhabitants and others; and granting also the right and privilege to purchase, acquire build, construct, erect, operate, replace and maintain an electric light plant or plants, stations, substations, buildings, machinery and all appliances in connection with said system.

Section 3. For and in consideration of the construction of an electric system for the City of Polson, Montana, for furnishing electricity to the said City and inhabitants thereof, for lighting and other purposes, and for maintaining and operating said electric system in said City of Polson, Flathead County, Montana; and the granting of a franchise for a period of twenty-five years therein said grantees during the life of the franchise, furnish and supply electric light, heat and power to the City and the inhabitants thereof at the following maximum rates:

The electric lighting rate shall not exceed 12 cents per kilowatt hour; and when the annual lighting consumption of the said City reaches 200,000 kilowatt hours, the said rate is to be reduced to 10 cents per kilowatt hour; said rates to be subject to five per cent discount; minimum charge of \$1.10^{net} per month.

The electricity for street lighting purposes at the rate of not to exceed 8 cents per kilowatt hour, and should the City maintain and operate its own water system, grantees are to furnish the City with power for pumping at the rate of 1 cent per kilowatt hour

All rates to be subject to regulation by the Public Service Commission of the State of Montana.

Said grantees agree to furnish a twenty-four hour service.

Section 4. The said city of Polson shall not be held liable for damages due to accident to persons or property resulting from negligence or carelessness on the part of the grantees or because of any breaks, faults or defects in said electric system while repairing or maintaining the same.

Section 5. The grantees are to save the City of Polson free and harmless at all times from every and all damage that may be caused by excavation and the falling of poles of such plant.

Section 6. The poles which shall be erected for electrical purposes shall not be less than 25 feet in length, shall, if of wood, be shaved and shall be carefully located, and all poles, wires and other appliances shall be placed so as to interfere as little as may be with public travel; and all excavations shall be made with care, shall be allowed to remain open only the shortest necessary time, shall be guarded to prevent accident, and the surface shall be restored as nearly as possible to its former condition.

Section 7. The grantees shall have the right to make and enforce such reasonable rules and regulations as may be necessary in dealing with their customers and shall at all reasonable times have access to all public and private places to make examinations of the meters, fixtures and wire connected with such electric system.

Section 8. The said City of Polson shall at all times protect the property of said grantees by passing proper ordinances with suitable penalties for violation of them and enforce the same.

Section 9. This ordinance shall take effect and be in full force and binding on both parties herein, from and after its passage and approval, according to law; and all existing ordinances in conflict with or limiting this Ordinance are hereby revoked and repealed.

Section 10. The franchise hereby granted shall become null and void if said Joseph H. Cline does not within ten days next after the approval of this ordinance, file with the Clerk of the City of Polson for himself and his heirs, personal representatives and assigns, an acceptance in writing of the terms and conditions of this Ordinance or if he or they fail to begin work under the said franchise within four months next succeeding the day of the approval of this ordinance.

Passed by the Council of the City of Polson this 2nd day of August 1915.

Approved by the Mayor, this 2nd day of August, 1915.

Attest: J. E. Bauer City Clerk

J. W. Blair Mayor

For the passing of this Ordinance
Ayes. Clerk-Douglas-Stoughton
Noes None.

Polson, Montana,
Aug. 2nd, 1915.

To the Hon. Mayor and Council of the City of Polson:

WHEREAS on June 14, 1915, Joseph H. Cline of Polson, Montana, made application to the Hon. Mayor and Council of the City of Polson, for a franchise for electric light, heating and power purposes and privileges within the City of Polson, and

WHEREAS pursuant to the said application the Hon. Mayor and Council of the City of Polson, on the 14th day of June, 1915, passed Ordinance No. 97 and issued an order upon its minutes calling an election for July 20th, 1915, for the purpose of submitting the qualified freeholder electors within said City, and

WHEREAS at the said election, held in the said City on July 20th, 1915 the vote being as follows: eighty for the granting of the franchise and four against the granting of the franchise, the majority was in favor of the granting of the franchise, and

WHEREAS the Hon. Mayor and Council of the City of Polson, on the 2nd day of August, 1915, regularly passed, approved and adopted a franchise, the same being Ordinance No. 103, granting to Joseph H. Cline the rights prayed for in said application, and

WHEREAS pursuant to Section 10 of said franchise it is necessary that the said Joseph H. Cline, within ten days after the passage and approval thereof, accept in writing the terms and conditions of the same.

NOW THEREFORE, I, Joseph H. Cline, on this the 2nd day of August, 1915, for myself, my heirs, personal representatives and assigns, do hereby accept in writing the terms and conditions of the franchise Ordinance No. 103 passed, approved and adopted by the Hon. Mayor and Council of the City of Polson upon the 2nd day of August, 1915.

(Signed) Joseph H. Cline

Witnesses

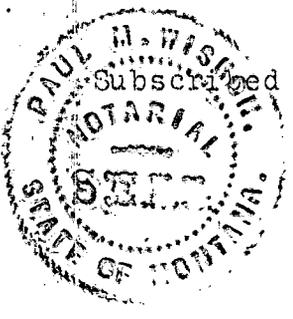
Filed in the Office of the City Clerk of the City of Polson this 2nd day of August, 1915.

H. S. Hanson
City Clerk.

STATE OF MONTANA }
County of Flathead } ss

H. S. Hanson being first duly sworn, upon his oath says, I am a citizen of the United States, over the age of twenty-one years, and am and was at the time mentioned in this affidavit the City Clerk of the City of Polson, in said County and State, that on the 4th day of August, 1915, in accordance with the order of the City Council of the City of Polson, requiring all ordinances of said City to be published by posting in three of the most public places in said city, I posted a copy of the foregoing Ordinance No. 103 and also a copy of the Acceptance of Joseph H. Cline in three of the most public places in said city, to-wit: One of said copies in the office of the Police Judge, one copy at the office of the City Treasurer and one copy at the office of the City Clerk, that each of the copies of the Ordinance No. 103 and the Acceptance so posted by me was a true, full and correct copy of the said ordinance and acceptance and of the whole thereof.

H. S. Hanson



Subscribed and sworn to before me this 19th day of August, 1915.

Paul M. Wishon
Notary Public for the State of Montana, residing at Polson, Montana. My commission expires March 31st, 1916.

ORDINANCE NO. 104

Introduced by E. N. Stoughton; 7-26-1915.

AN ORDINANCE PROVIDING FOR THE ERECTION AND CONSTRUCTION OF TELEGRAPH, TELEPHONE AND ELECTRIC LIGHT POLES WITHIN THE CITY OF POLSON, PROVIDING RULES AND REGULATIONS GOVERNING SAME AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF POLSON:

Section 1. It shall hereafter be unlawful for any person or persons, association, corporations, or company, to make or cause to be made, any excavations in any of the streets, avenues, alleys, or other public places within the City of Polson, for the purpose of erecting or placing any telegraph, telephone, electric light or other like poles or poles used or to be used for any like purpose or erect any poles therein without first making application to the city council for a permit to do the same, or if not practicable to make application to the city council, then to the mayor and city clerk, of said city, and obtaining from said council, or mayor and city clerk, a permit in writing to make such excavation and erect such poles.

Such application shall show the location of such poles when erected, and the location of such poles shall in all cases be done under the supervision of the city engineer acting under the advice and directions of the council of said city.