

Senate Bill No 357 was then taken up and the following resolutions after a long discussion was adopted and two copies ordered sent to the House of Representatives of the 2<sup>nd</sup> General Assembly of the State of Colorado.

Resolution of the Mayor and Board  
of Trustees of the Town of Breckenridge  
Summit County Colorado

Whereas a Bill has been introduced in the 2<sup>nd</sup> General Assembly of the State of Colorado known as Senate Bill No 357 by Senator William E. Renshaw and

Whereas said Bill has passed the Senate of said General Assembly and is now before the House of Representatives of that honorable body and

Whereas said Bill purports to give and grant to any Dredge or Hydraulic Operator within the State of Colorado the right to go upon Dredge, Work, Water, Occupancy, Possess and enjoy the property and premises of another without his consent and purports to give and grant the right of eminent domain such Operator in such cases and

Whereas there is now a Dredge of the kind character and nature contemplated in said Bill at the outskirts of the Town of Breckenridge Summit County Colorado in duty

organized and existing Municipal Corporation under and by  
 order of the laws of the State of Colorado and  
 whereas it is apparent from said Bill and the present situation  
 of said bridge that the Owners thereof desire and intend to work  
 and operate said bridge up the Blue River and almost through the  
 very center of said Town of Breckenridge and  
 whereas the said Town of Breckenridge is the owner of a  
 Splendid Water System constructed at an expense of over  
 50,000 the traces of which said water system cross said  
 Blue River and would be directly in the path of said  
 bridge at numerous places and which said Water System  
 is essentially necessary for public & private purposes  
 within said Town and

whereas there are numerous bridges, streets and alley ways  
 along and across said Blue River within the Town of Breckenridge  
 constructed at great expense and used and enjoyed by the  
 Public and inhabitants of said Town and also a Sewer  
 System which empties into said Blue River and which was  
 constructed at great expense and is necessary for the proper  
 protection of the health and comfort of the inhabitants  
 of said Town and

Regarding  
 Senators Reardon  
 Bill

whereas if said Bill should pass the House of Representatives  
 of the State of Colorado and become a law and the said  
 bridge be allowed and permitted thereby to work up said  
 Blue River and through said Town of Breckenridge irreparable  
 injury and damage would be done to said Water System  
 Bridges, Streets, alley ways, and Sewerage System of the  
 Town of Breckenridge as well as to private property and  
 businesses within said Town, and would be a great  
 annoyance and inconvenience to the Public and the  
 inhabitants of said Town and

whereas because of the nature of said bridge operations  
 they leave irreparable destruction in their path; dig up the  
 ground, tear down and destroy trees and all vegetation;  
 clog up the stream beds, leave payment pools to breed mosquitoes  
 and disease; leave high precipitous and dangerous banks  
 and deep, jagged holes which are a constant menace  
 and danger to the Public; and as a monument to their power of  
 destruction leave a high rough and jagged pile of crumbling  
 rocks and boulders behind and entirely destroy the banks upon  
 of nature by means of which facts the lands upon  
 exposed cannot be replaced and thereby destroy the lands upon  
 whereas if said bill should become a law of man and  
 Constitutional of the same would be a serious question  
 and would universally precipitate the question of the  
 great interests and long drawn out character

which would be a heavy burden upon the Town of Breckenridge  
 now therefore <sup>and the Citizens thereof</sup> deeming this matter of the greatest public  
 importance Be It resolved by the Mayor and Board of  
 Trustees of the Town of Breckenridge, Summit County, Colorado  
 for the reasons as aforesaid that it respectfully petition the House  
 of Representatives of the 24<sup>th</sup> General Assembly of the State of  
 Colorado not to pass said bill in any form whatsoever.

Adopted and approved at a regular meeting of the Mayor  
 and Board of Trustees of the Town of Breckenridge, Summit Co  
 Colorado held at the Town Hall in said Town of Breckenridge  
 this 6<sup>th</sup> day of February A. D. 1923

attest John L. Lusk Clerk  
 Approved

Mayor

RESOLUTION OF THE MAYOR AND BOARD OF  
TRUSTEES OF THE TOWN OF BRECKENRIDGE,  
SUMMIT COUNTY, COLORADO.

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WHEREAS, a Bill has been introduced in the Twenty-fourth General Assembly of the State of Colorado, known as Senate Bill No. 557, by Senator William E. Renshaw, and

WHEREAS, said Bill has passed the Senate of said General Assembly and is now before the House of Representatives of that Honorable Body, and

WHEREAS, said Bill purports to give and grant to any dredge or hydraulic operator within the State of Colorado, the right to go upon, dredge, work, use, occupy, possess, and enjoy the property and premises of another without his consent, and also purports to give and grant the right of eminent domain to such operator in such cases, and

WHEREAS, there is now a dredge of the kind, character and nature contemplated in said Bill at the outskirts of the Town of Breckenridge, Summit County, Colorado, a duly organized and existing Municipal Corporation under and by virtue of the Laws of the State of Colorado, and

WHEREAS, it is apparent from said Bill and the present situation of said dredge that the owners thereof desire and intend to work and operate said dredge up the Blue River and almost through the very center of said Town of Breckenridge, and

WHEREAS, the said Town of Breckenridge is the owner of a splendid water system, constructed at an expense of over \$50,000.00, the mains of which said water system cross said Blue River and would be directly in the path of said dredge at numerous places, and which said water system is essentially necessary for public and private

purposes within said Town, and

WHEREAS, there are numerous bridges, streets and alley-ways along and across said Blue River within the Town of Breckenridge, constructed at great expense, and used and enjoyed by the public and the inhabitants of said Town; and also a sewer system which empties into said Blue River, and which was constructed at great expense and is necessary for the proper protection of the health and comfort of the inhabitants of said Town, and

WHEREAS, if said Bill should pass the House of Representatives of the State of Colorado and become a law, and the said dredge be allowed and permitted thereby to work up said Blue River and through said Town of Breckenridge, irreparable injury and damage would be done to said water system, bridges, streets, alley-ways, and sewerage system of the Town of Breckenridge, as well as to private property and premises within said Town, and would be a great annoyance and inconvenience to the public and the inhabitants of said Town, and

WHEREAS, because of the nature of said dredging operations they leave irreparable destruction in their paths; dig up the ground; tear down and destroy trees and all vegetation; clog up the stream beds, leaving stagnant pools to breed contagion and disease; leave high, precipitous and dangerous banks of loose dirt and large "pot" holes which are a constant menace and danger to the public; and as a monument to their power of destruction leave a high, rough and jagged pile of everlasting rocks and boulders behind, and entirely destroy the landscape of nature, by reason of which facts the damage and destruction caused cannot be replaced or repaired by the hand of man; and

WHEREAS, if said Bill should become a law of this State the constitutionality of the same would be a serious question and would invariably precipitate litigation of the most extensive kind

and long drawn out character, which would be a heavy burden upon the Town of Breckenridge and the citizens thereof.

NOW THEREFORE, deeming this matter of the greatest public importance, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO, for the reasons as aforesaid, that it respectfully petition the House of Representatives of the Twenty-fourth General Assembly of the State of Colorado, not to pass said Bill in any form whatsoever.

Adopted and approved at a regular meeting of the Mayor and Board of Trustees of the Town of Breckenridge, Summit County, Colorado, held at the Town Hall in the said Town of Breckenridge, this 6th day of February, A. D. 1925.

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Mayor

Attest:

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Clerk.