

sengers, freight, baggage, parcels and mail upon and over said railroad line, either in their own cars or in the cars of any railroad company with which they may connect, but if the said parties shall become the common carriers of freight, which shall be hauled in regular railroad freight cars, then said freight cars, empty and loaded, shall be hauled at night over said line between the hours of 11 o'clock P. M. and 5 A. M.

SEC. 4. Whoever obtains the franchise for the construction and operation of said proposed street railway shall maintain and keep in repair that portion of the street between the rails and one foot outside of each rail and if said streets over which said railroad shall pass, shall by order of the Council of said City, be hereafter paved, the parties obtaining said franchise shall, at said parties own expense, and at the same time pave the streets between the rails of said track and on one foot outside of each rail with material of a like grade as that used by said city in paving the other portions of said street or streets.

SEC. 5. Work on said street railroad shall be commenced within four months from the date of granting the franchise for same, and said road shall be completed and ready for operation on or before the first day of July, A. D., 1900, and within 30 days from the date of granting said franchise the corporation, individual or individuals to whom the same may be granted, shall give a good and sufficient bond to be approved by the Council of said City, in the sum of five thousand dollars, conditioned to begin work and to complete said road as provided in this ordinance, and an failure so to do said grant to be null and void and the amount of said bond to be forfeited to said city and paid into the treasury thereof.

SEC. 6. The corporation, individual or individuals to whom this franchise may be given, shall indemnify said city against all loss or damage that may occur by reason of the building and operation of said railroad.

SEC. 7. The franchise to be granted for the construction and operation of said street railway shall be for the period of twenty-five years from the date of the granting of the same.

SEC. 3. Passenger cars on said line will run at intervals of not exceeding 15 minutes between Pomeroy and Middleport, beginning at 6 o'clock, A. M., and ceasing at not earlier than 9

o'clock, P. M., of every day and every half hour thereafter until 11 o'clock, P. M., and from Pomeroy to Racine, cars shall average one every hour from 6 o'clock, A. M., until 7 o'clock, P. M.

SEC. 9. The right is hereby reserved to cross said railroad with the line of the Belt Railway Line at any point desired by the said City of Pomeroy, its lessees, successors or assigns.

SEC. 10. The cars of the said railroad shall not stand unnecessarily in the streets of said city and shall not stop on the line of intersection of two streets which cross each other, but shall stop on one side or the other of said line of intersection, at the crossing for the entrance and exit of passengers.

SEC. 11. A failure to run cars on the said proposed railroad for twenty-four consecutive hours, unless prevented from so doing by unavoidable casualties, strikes or armed resistance, the franchise contemplated and hereafter to be granted shall be void and all rights granted by same shall be forfeited to the said City of Pomeroy, Ohio.

SEC. 12. The expense of the publication of this ordinance shall be paid by the corporation, individual or individuals to whom the franchise for the construction and operation of said railroad may be granted.

SEC. 13. This ordinance shall take effect and be in force from and after its passage and legal publication, May 16, 1899.

A. D. WEED,
President,

Attest:

ABE A. MASSAR,

City Clerk.

AN ORDINANCE granting permission to construct and operate an Electric Street Railway.

WHEREAS, The City Council of the City of Pomeroy, Ohio, did by ordinance, passed on the 16th day of May, A. D., 1899, establish a street railroad route on and over certain streets of said city, known as the Middleport, Pomeroy and Racine Electric Street Railway; and whereas Abe A. Massar, city clerk of said City of Pomeroy, Ohio, in pursuance of the direction, by resolution, passed by said City Council, on the 16th day of May, A. D., 1899, did give public notice by publication in the Democrat,