

Ordinance No 185.

An Ordinance Granting to the Albany Street Railway Company of Albany Oregon, the right to construct and operate a Street Railway over and along the Streets and public Thoroughfares of said City of Albany.

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The People of the City of Albany do ordain as follows.

Section 1 That there be and hereby is granted unto the Albany Street Railway Co of Albany Oregon and its assigns the right and privilege to lay down Construct and maintain a Street Railway, the tracks to be constructed of Iron or Steel laid upon suitable foundations, and to run and operate thereon cars and such vehicles necessary to carry passengers baggage and freight over and along the line of said Railway, upon First Street for the whole length thereof and upon Lyon Street from the center of First Street in the City of Albany Linn County Oregon to the South boundary of the corporate limits of the said City of Albany, and over and along any and all other Streets within the said City of Albany, that the said Company or its assigns may deem necessary or convenient for the successful operation of its railway for the full term of twenty five years from the date of the approval of this ordinance, Provided the right privilege and franchise hereby

granted to the said Albany Street Railway Company and its assigns to lay and construct a Street railway shall be exclusive the Corporate limits of said City of Albany for the full term of twenty five years aforesaid, and provided further the said Company shall have and enjoy the privilege and franchise hereby granted upon all streets that it shall have constructed its railway at the end of said twenty five years so long as the same shall be used as a Street railway, but said franchise shall not be exclusive upon said Streets after the expiration of said twenty five years.

Section 2. That said Street railway shall be laid and constructed in the middle of the Streets except when curves are required, to pass from one Street upon another, and the track curves and turnouts shall be laid in such a manner as to least obstruct the public in the use of said Streets

Section 3. The said Street railway shall be constructed and maintained upon the grade as established by the City of Albany upon said Streets, and the said Company shall at all times keep and maintain the said railway in good condition and repair including the space between the rails, and that the cars run thereon shall be first class and kept in a

cleanly condition. And the said Albany Street Railway Company and its assigns shall ~~have~~ and hereby is granted the privilege of using Steam Electric or horse power as said Company or its assigns may hereafter determine.

Section 4. " That said Railway Company or its assigns in the construction or repair of said Street railway shall not occupy nor obstruct the Street for more than six Hundred continuous feet at any one time nor for a greater length of time thirty days.

Section 5. " That said Street railway Company and its assigns shall plank its track for the whole length thereof upon the outside of the rails for the space of eight inches from said rails outward, which said plank shall be placed as near the height of the said rail so as to least obstruct the travel by the public and at the same time be the least inconvenient to the use of said railway by said Company, and when the track of said railway shall cross any bridge the same shall be planked upon each side of the rails so as to least interfere with the use of the said bridge by the public.

Section 6. " That said railway Company and its assigns may fix the charges to be made for carrying and transporting passengers baggage and freight upon and over its lines, provided the fare charged for each passenger over said road

or any part thereof shall not exceed Five Cents.

Section 7. " Said Company shall within thirty days after the approval of this ordinance file a written acceptance of the same and if it fails to file such acceptance within the said thirty days it shall be deemed to have forfeited all rights and privileges under this franchise

Section 8. " That work shall be commenced upon the construction of said railway within ninety days from the approval of this ordinance, and the same shall be completed upon First Street from Washington Street to the intersection with Lyon Street and upon Lyon Street to the Oregon and California Railroad Company's Depot within one year from such approval.

Section 9. " That said railway Company or its assigns shall upon forfeiture of this franchise put all streets upon which its said lines shall have been located in as good condition and repair as the balance of said streets within said City of Albany within ninety days from the forfeiture thereof.

Section 10. " This ordinance shall take effect and be in force from and after its approval by the Mayor.

Passed the Council February 26th 1889.

Approved February 28th 1889.

Attest: J. L. Gorman
 W. J. Henton, Mayor,
Recorder of the City of Albany.

State of Oregon, } s.s.
 County of Linn }

I, W. J. Henton, Recorder
 of the City of Albany Oregon, do hereby
 certify that the foregoing Ordinance
 No. 185, has been by me carefully com-
 -pared with the original Ordinance bill
 No. 191 on file in my office, and that
 it is a true and correct copy of all and
 the whole of said bill as passed by the
 Council February 26th 1889.

In testimony whereof I have hereunto
 set my hand and affixed the seal
 of the City of Albany this 28th day of
 February A.D. 1889.

W. J. Henton.

Recorder of the City of Albany.

