

ORDINANCE NO.—

An ordinance granting to the Sumpter and Bourne Railway Company, its successors and assigns, a franchise to lay railway tracks in the City of Sumpter, and to operate and run electric cars and electric trains thereon.

THE CITY OF SUMPTER DOES ORDAIN AS FOLLOWS:

Section 1. That a franchise for the period of fifty years from the date of the passage of this ordinance is hereby granted to the Sumpter and Bourne Railway Company, its successors and assigns, to establish, locate, lay down and maintain railway tracks, with switches and sidings, from the northern boundary of the corporate limits of the City of Sumpter, south along Bourne avenue to Granite street, thence south along said Cracker street to the line of the railway of the Sumpter Valley Railway Company, thence southeasterly and parallel with said line of railway of said Sumpter Valley Railway Company to Mill and Auburn streets.

Also from Cracker and Granite streets along said Granite street to Mill street, thence south on Mill street to the southerly terminus thereof.

Also from Austin and Mill streets east along said Austin street to the boundary of the corporate limits of the said City of Sumpter.

Also from Austin and Bonanza streets south on said Bonanza street to the smelter plant erected by the Union Smelter Manufacturing Company, all in said City of Sumpter.

Section 2. That a franchise for the period of fifty years from the date of the passage of this ordinance is hereby granted to the Sumpter and Bourne Railway Company, its successors and assigns to run and operate electric cars and electric trains upon such railway tracks as may be constructed by said Sumpter and Bourne Railway Company, its successors and assigns, under the franchises granted by this ordinance.

Section 3. That a franchise for the period of fifty years from the date of the passage of this ordinance is hereby granted to the Sumpter and Bourne Railway Company, its successors and assigns, to excavate for, erect and maintain poles and wires, and such other devices for the distribution of electric power as it may deem expedient, in the manner which may now or hereafter be provided for by ordinance or ordinances of the City of Sumpter, along the routes of railway for the construction of which franchises are by this ordinance granted.

Section 4. The tracks of said railway shall be laid flush with the grade of streets where the streets are graded, and said Sumpter and Bourne Railway Company, its successors and assigns, shall plank, pave or macadamise, and keep in constant repair, as the municipal authorities of the City of Sumpter shall direct, that portion of the street or streets along and over which said railway or any switch or siding shall be laid at grade, the whole of said railway, switches and sidings between the tracks thereof, and for the width of eighteen inches on the outside of said rails, and for the width of the space between a main line of railway and any switch or siding in connection therewith.

Section 5. The franchises granted by this ordinance are granted only upon the understanding and condition that work upon the construction of a railway by said Sumpter and Bourne Railway Company, its successors or assigns, from the City of Sumpter, in the County of Baker and State of Oregon, to the Town of Bourne, in said County and State, shall be actually commenced by November 1st, 1901, and thereafter continuously prosecuted to the extent the weather permits, and that a line of railway from said City of Sumpter to said Town of Bourne, shall be completed and in actual operation by November 1st, 1902; and the City of Sumpter hereby reserves the right, in the event that actual work shall not be commenced upon said proposed line of railway by said November 1st, 1901, and thereafter continuously prosecuted to the extent the weather may permit, or in the event that said railway from said City of Sumpter to said Town of Bourne shall not be completed and in operation by November 1st, 1902, to declare by ordinance, all the rights, privileges and franchises hereby granted to said Sumpter and Bourne Railway Company, forfeited and determined; and in the event that said line of railway shall not be completed from Sumpter to Bourne, by said 1st day of November, 1902, and the rights, privileges and franchises granted by this ordinance shall be declared by the City of Sumpter, forfeited and determined, all trackage laid and other improvements made by said

Sumpter and Bourne Railway Company, within the City of Sumpter, in connection with said line of railway, shall be and become the property of the City of Sumpter.

Section 6. The franchise granted by this ordinance for a line of railway from Cracker and Granite streets, thence east on said Granite street to Mill street, thence south on Mill street to Auburn street, is hereby declared to be a franchise granted for the purposes of passenger traffic only, and the City of Sumpter hereby reserves the right, in addition to the rights heretofore reserved in this ordinance, to declare, by ordinance, the franchise along said streets last named, forfeited and determined, should said Sumpter and Bourne Railway Company, its successors or assigns not complete and have in operation by November 1st, 1902, a line of railway along said streets for the carrying of passengers; and the said City of Sumpter also hereby reserves the right, should said Sumpter and Bourne Railway Company, its successors or assigns, at any time after November 1st, 1902, fail for any five days in any one month, to operate said passenger line along said streets last named, or should fail to make at least two round trips per day thereover between the City of Sumpter and the Town of Bourne, or should fail to make the number of trips thereover within the limits of the City of Sumpter, which the council of the City of Sumpter may declare to be necessary to accommodate the passenger traffic thereover, to declare, by ordinance, the franchises granted by this ordinance for said line of railway from Cracker and Granite streets west to Mill street, and thence south on said Mill street to Auburn street, forfeited and determined, in which event the trackage of said railway company on said streets shall become the property of the City of Sumpter.

Section 7. The franchise granted by this ordinance for a line of railway from the line of railway of the Sumpter Valley Railway Company's line of railway to Auburn and Mill streets, is granted subject to all present existing rights, privileges and franchises now held, owned or possessed by said Sumpter Valley Railway Company.

Section 8. All the franchises granted by this ordinance are granted upon the condition that said Sumpter and Bourne Railway Company, its successors or assigns, shall, after the completion of its proposed line of railway from Sumpter to Bourne, continuously operate the same, and shall make at least two trips per day, unless prevented by the action of the elements, fire or other unavoidable casualty, between Sumpter and Bourne, and should said Sumpter and Bourne Railway Company, its successors or assigns, after the completion of its railway from Sumpter to Bourne, not operate the same as provided for in this ordinance, all the rights, privileges and franchises granted by this ordinance, may, by ordinance, be declared forfeited and determined, and all trackage and other improvements made by said Sumpter and Bourne Railway Company, within the City of Sumpter, its successors or assigns, shall, in case of such declaration of forfeiture, be and become the property of the City of Sumpter.

Section 9. The railway tracks from Austin and Mill streets along said Austin street to the corporate limits of the City of Sumpter, and from Auburn and Mill streets south on Mill street to the southerly terminus thereof, and from Austin and Bonanza streets south on Bonanza street to the smelter plant erected by the Union Smelter Manufacturing Company, franchises for which are granted by this ordinance, shall be laid and cars and trains operated thereon, or on any part of said streets last above named, within such time as the council of the City of Sumpter shall by ordinance hereafter fix, and if said railway tracks shall not be laid and cars operated thereon within such time as the council may by ordinance fix, the council may declare the franchise for a railway track upon such streets or portion thereof as the council may have ordered a railway track laid, forfeited and determined, provided that said Sumpter and Bourne Railway Company, its successors and assigns, shall not be required to lay tracks or operate cars or trains on any of said streets last named before November 1st, 1902, and provided, further, that said Sumpter and Bourne Railway Company, its successors or assigns, shall not acquire any right to lay a railway track or retain a franchise therefor, on any portion of the streets last above named, unless said railway track or tracks shall be completed to the extent the council of the City of Sumpter may by ordinance order.

Section 10. The said Sumpter and Bourne Railway Company, its successors

and assigns, shall be deemed to have forfeited all rights, privileges and franchises granted by this ordinance, unless it shall, or some one in its behalf, file with the Recorder of the City of Sumpter, within thirty days from the date of the passage of this ordinance, a written acceptance of the provisions of this ordinance.

Passed the council June 17, 1901.
E. L. MANNING,
Recorder of the City of Sumpter.
Approved June 20, 1901.
J. H. ROBBINS, Mayor.

Only the best brands of liquors and cigars at the Club saloon of Dumphy & Gertridge.

Straight porter or half and half on draught at Hauser's Olympia saloon, opposite the post office.

Read page 10 of this paper and see what THE MINER offers its subscribers.

Use Giant powder, fuse and caps.

LINES OF THE Sumpter Transportation Co.

CARRYING U S. MAILS.
SUMPTER-CANYON ROUTE.

12:30 p. m.	Lv. Sumpter. Ar	10:30 a. m.
3:30 p. m.	Ar. Clifford. Lv	8:00 a. m.
7:40 p. m.	Lv. Clifford. Ar	7:30 a. m.
7:30 p. m.	Ar. Austin. Lv	5:00 a. m.

Connecting at Austin with stages for Canyon City and interior points.

1:40 p. m.	Lv. Clifford. Ar	7:30 a. m.
5:00 p. m.	Ar. Bonanza. Lv	6:30 a. m.

Connecting at Bonanza with stages for Pys, Robinsonville, Worley, Virginia, Don Juan and Belcher mines.

SUMPTER-GRANITE ROUTE.

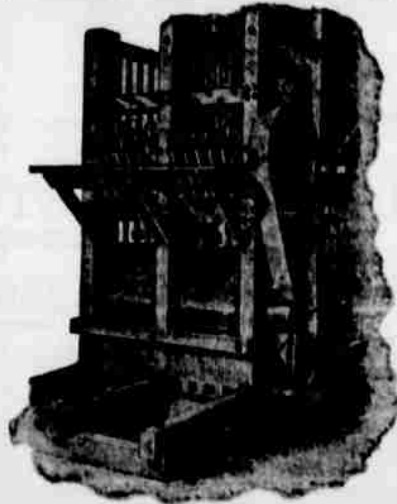
12:30 p. m.	Lv. Sumpter. Ar	10:00 a. m.
4:30 p. m.	Ar. Granite. Lv	9:00 a. m.

Livery at Granite to North Fork, Red Boy, Banquette and adjacent mines.

SUMPTER-BOURNE ROUTE.

Notice on page 10 what THE MINER offers immediate subscribers.

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