

gress and shall be responsible for any loss or accident resulting from carelessness or neglect and the said sewer improvement shall be completed to the satisfaction of the Board of Public Works of the City of Portland.

Section 5: The contract shall contain a provision that for each day required to complete said contract, after the expiration of the time fixed for its completion, the contractor or contractors shall forfeit to the City of Portland for its use and benefit the sum of five dollars.

The contract shall contain a stipulation to the effect that the person, firm or corporation to whom the contract shall be let shall look for payment only to the fund to be assessed upon the property liable to pay for such sewer improvement, and collected and paid into the City Treasury for that purpose, and that they will not require the City of Portland by any legal process or otherwise to pay the same out of any other fund.

The contract shall be subject to the provisions of Ordinance No. 9183, entitled: "An Ordinance to protect material men, laborers and sub-contractors who furnish labor or material to contractors for the improvement of streets or construction of sewers," and shall be expressly referred to and made a part of said contract.

Section 6: The Board of Public Works is hereby authorized and directed to advertise for and receive proposals for the construction of the sewer as in this Ordinance provided and thereafter to enter into contract with the person, firm or corporation to whom the said Board of Public Works may award the contract.

Section 7: The Auditor of the City of Portland is hereby appointed to estimate the proportionate share of the cost of such sewer to be assessed to the property, benefited thereby in accordance with the provisions of Section 168 of the Charter of the City of Portland.

Passed the Common Council, November 6th, 1901,

Thos. C. Devlin, Auditor.

Approved, November 7, 1901,

H. S. Rowe, Mayor.

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Ordinance No. 12426.

An ordinance to provide for the time and manner of constructing a sewer in East Eighteenth Street from the center line of East Stark Street to a connection with the sewer in East Oak Street, at the expense of the property benefited by such sewer, as provided by the Charter of the City of Portland.

The City of portland does ordain as follows:

Section 1: The proposed sewer in East Eighteenth Street from the center line of East Stark Street to a connection with the sewer in East Oak Street, shall be constructed and the construction thereof superintended at the expense of the property benefited by such sewer, as provided by the City Charter, and shall be completed as hereinafter provided, within the time to be fixed by the Board of Public Works, after the signing of the contract by the parties thereto.

Section 2: That portion of the street necessary to be used for digging the trench shall be cleared of all obstacles (except gas and water mains) at the expense of the contractor, who shall, after the pipe is laid and the trench filled, replace the pavement and all portions of the street improvements disturbed, leaving the street in as good order as the same was when the work was begun, except such portions as the Board of Public Works may direct to be omitted for the purpose

of making other improvements.

Section 3: The sewer improvement herein provided for shall consist of putting in a sewer of Terra Cotta pipe of eight inches inside diameter, with catch-basins, man-holes and branches at such points as are provided for by the detailed plans and specifications for said sewer now on file in the office of the City Auditor, which detailed plans and specifications are hereby adopted, and the work to be done and the material furnished shall be strictly in accordance with the plans and specifications.

Section 4: The contractor shall take and have entire charge of the work during its progress and shall be responsible for any loss or accident resulting from carelessness or neglect, and the said sewer improvement shall be completed to the satisfaction of the Board of Public Works of the City of Portland.

Section 5: The contract shall contain a provision that for each day required to complete said contract, after the expiration of the time fixed for its completion, the contractor or contractors shall forfeit to the City of Portland for its use and benefit the sum of five dollars.

The contract shall contain a stipulation to the effect that the person, firm or corporation to whom the contract shall be let shall look for payment only to the fund to be assessed upon the property liable to pay for such sewer improvement and collected and paid into the City Treasury for that purpose, and that they will not require the City of Portland by any legal process or otherwise to pay the same out of any other fund.

The contract shall be subject to the provisions of Ordinance No. 9183, entitled "An Ordinance to protect material men, laborers and sub-contractors, who furnish labor or material to contractors for the improvement of streets or construction of sewers," and shall be expressly referred to and made a part of said contract.

Section 6: The Board of Public Works is hereby authorized and directed to advertise for and receive proposals for the construction of the sewer as in this Ordinance provided, and thereafter, to enter into contract with the person, firm or corporation to whom the said Board of Public Works may award the contract.

Section 7: The Auditor of the City of Portland is hereby appointed to estimate the proportionate share of the cost of such sewer to be assessed to the property benefited thereby in accordance with the provisions of Section 168 of the Charter of the City of Portland.

Passed the Common Council, November 6, 1901,

Thos. C. Devlin, Auditor.

Approved, November 7th, 1901,

H. S. Rowe, Mayor.

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Ordinance No. 12427.

An ordinance to provide for the time and manner of constructing a sewer in Commercial Street, from a point 250 feet north of the north line of Beech Street to a point in Beech Street; thence westerly in Beech Street to a connection with the sewer in Beech Street at the intersection of Kerby Street, at the expense of the property benefited by such sewer, as provided by the Charter of the City of Portland.

The City of Portland does ordain as follows:

Section 1: The proposed sewer in Commercial Street from a point 250 feet north of the north line of Beech Street to a point in Beech Street; thence westerly in Beech Street to a connection with the sewer in Beech Street at the intersection of Kerby Street, shall be constructed and the con-