ORDINANCES

AN ORDINANCE TO AMEND AN ORDINANCE entitled "An ordinance to authorize the Pennsylvania Railroad Company to construct and maintain a new bridge over Main street and Green lane, east of, and in lieu and substitution for, the present bridge over Main street, in the Twenty-first Ward, approved December 24, 1914."

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the first proviso of Section 1 of an ordinance approved December 24, 1914, entitled "An ordinance to authorize the Pennsylvania Railroad Company to construct and maintain a new bridge over Main street and Green lane, east of, and in lieu and substitution for, the present bridge over Main street, in the Twenty-first Ward," which reads as follows: Provided, That the said new bridge shall have a clear headroom of not less than thirty (30) feet above the physical grade of Main street and a clear headroom of not less than thirty (30) feet above the physical grade of Green lane, and that the superstructure of the present bridge over Main street shall be removed when the new bridge is completed and put in service, and that the plans of the new bridge shall be approved by the Director of the Department of Public Works before any work is done under authority of this ordinance, be and the same is hereby amended so as to read as follows: Provided, That the said new bridge shall span Main street and Green lane with concrete arches, affording a clear headroom of not less than sixteen (16) feet above the physical grade of Main street at the curb lines, and a clear headroom of not less than fourteen (14) feet above the physical grade of Green lane at the curb line, and that the superstructure of the present bridge above Main street shall be removed when the new bridge is completed and put in service, and that the plans of the new bridge shall be approved by the Director of the Department of Public Works before any work is done under authority of this ordinance.

Approved this 27th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 970.

AN ORDINANCE TO AUTHORIZE THE opening of Twenty-sixth street, from Thompson to Master street.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Department of Public Works be authorized and directed to notify the owners of property over and through which Twenty-sixth street, from Thompson to Master street, will pass that at the expiration of three months from the date of said notice said street will be required for public use.

Section 2. The Mayor of the City is hereby authorized and directed to enter security, on behalf of the City of Philadelphia, for the payment of any damages which may be assessed for the opening of said street upon the filing of said bond, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said street.

Approved the 10th day of June, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 980.

AN ORDINANCE TO AUTHORIZE THE opening of Church lane, to its full width, from Limekiln pike to Twentieth street.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain: That the Department of Public Works be authorized and directed to notify the owners of property over and through which Church lane, to its full width, from Limekiln pike to Twentieth street, will pass, that at the expiration of three months from the date of said notice said street will be required for public use.

Section 2. The Mayor of the City is hereby authorized and directed to enter security, on behalf of the City of Philadelphia, for the payment of any damages which may be assessed by reason of the opening of said street; upon the filing of said bond, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said street.

Approved the 10th day of June, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 982.

AN ORDINANCE TO AUTHORIZE THE Philadelphia and Reading Railway Company to lay and maintain a railroad siding or track on Noble street, west of Twelfth street, in the Fourteenth Ward.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Philadelphia and Reading Railway Company be, and is hereby authorized to lay and maintain a railroad track or siding from a point of connection with their northernmost track on Noble street, about two hundred and sixty (260) feet west of Twelfth street and running west for a distance of about one hundred and twenty (120) feet in front of, and parallel to, the property of the Rebman Real Estate Company, on the north side of Noble street as shown on plan on file in the Bureau of Surveys Department of Public Works: Provided, That the work herein authorized shall be done under the supervision and direction of the Department of Public Works (Board of Highway Supervisors) and that said siding shall be removed upon the passage of an ordinance to that effect, without any expense to the City of Philadelphia and without any recourse for damages against said City, property owners or adjoiners; and that the sum of fifty (50) dollars shall first be paid into the City Treasury for the publication of this ordinance.

Approved this 10th day of June, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 971.

AN ORDINANCE TO REVISE THE LINES and grades of that portion of the City plan bounded by South street, Delaware river, Oregon avenue and Schuylkill river.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain: That the Department of Public Works (Board of Surveyors) be authorized to resurvey and revise the lines and grades of that portion of the City plan bounded by South street, Delaware river, Oregon avenue and Schuylkill river, and to make new plans thereof.

Approved the 27th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 975.

AN ORDINANCE TO AUTHORIZE CERTAIN transfers in the annual appropriations to the various bureaus in the Departments of Public Safety, Public Works, Wharves, Docks and Ferries, Health and Charities, Supplies, Clerks of Quarter Sessions, City Commissioners, Sheriff, City Treasurer, and Clerks of Councils, for the year 1915.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain: That the City Controller be authorized to make the following transfers in the annual appropriations to the various Departments, for the year 1915:

"Department of Public Health and Charities, Director's Office: From Item 5, for the support of children committed by the Juvenile Court, etc., fifty thousand dollars (50,000) dollars; Bureau of Charities: From Item 30 (e), for care and keep of children on City piers during the heated term—wages and supplies—four hundred (400) dollars. Department of Wharves, Docks and Ferries: From Item 1 (a), salaries, one thousand two hundred and forty (1,240) dollars; from Item 4 (a), salaries, nine hundred (900) dollars; from Item 8 (a), salaries, one thousand and eighty (1,080) dollars. Department of Supplies (Water): From Item 2, salaries, etc., one thousand (1,000) dollars. (Lighting): From Item 11, towel service, etc., one hundred and fifty (150) dollars. Civil Service Commission: From Item 6 (a), cleaning and toilet supplies, twenty-five (25) dollars; from Item 6 (a), furniture, three hundred and fifty (350) dollars. Sheriff: From Item 1 (d), Sheriff's Juries, three hundred (300) dollars; from Item 2 (h), Sheriff's costs, etc., one thousand (1,000) dollars. City Treasurer: From Item 4 (a), interest on new loans, eighty-eight thousand nine hundred and thirty-eight (88,938) dollars and eighty-four (84) cents.

To the following:

DEPARTMENT OF PUBLIC SAFETY.

BUREAU OF POLICE.

Item 8, To pay salaries of officers and patrolmen reinstated by order of Supreme Court, as follows: Hugh Gallagher, one thousand four hundred and thirty-one (1,431) dollars; William T. Robertson, seven hundred and eighteen (718) dollars; Jacob J. Marbet, eight hundred and three (803) dollars and twenty (20) cents; James J. McGovern, four hundred and forty-four (444) dollars and seventy-five (75) cents; Marion A. Fleming, five hundred and sixty-four (564) dollars; Theodore Menke, one thousand six hundred and thirty-two (1,632) dollars; Eugene Butcher, one thousand seven hundred and seven (1,707) dollars; Henry T. Garnett, two thousand two hundred and seventy-four (2,274) dollars; Pierce Ridge, one thousand seven hundred and forty-seven (1,747) dollars and sixty-five (65) cents; Thomas T. Jones, four hundred and seventy (470) dollars; Andrew F. Leib, five hundred and eight (508) dollars and eighty (80) cents; James J. McFarland, two thousand and fifty-two (2,052) dollars; William G. Kunzig, one thousand six hundred and seventy-five (1,675) dollars and forty (40) cents; Albert G. Schleicher, one thousand two hundred and eighty-one (1,281) dollars and fifteen (15) cents; Leonard McGarvey, four thousand nine hundred and ninety-eight (4,998) dollars and thirty-nine (39) cents. Total, twenty-two thousand three hundred and eight dollars and eighty-four cents $22,308.84

Item 25 (b), Purchase of pulmotors and oxygen tanks, nine hundred and twenty-five dollars 925

ELECTRICAL BUREAU.

Item 17 (d), Installing a fire alarm box at Mt. Sinai Hospital, one hundred and twenty-five dollars $125

DEPARTMENT OF PUBLIC WORKS.

BUREAU OF HIGHWAYS.

Item 3 (a), Transportation, meals, communication service and advertising, two thousand dollars $2,000

Item 20 (f), Construction of a temporary curb, to be laid along the edge of the present temporary driveway, on the line of the 40-foot street, between Gray's and Botanic avenues, including the necessary repaving and incidental work, two thousand five hundred dollars 2,500

Item 42, Draining or grading of that section bounded by Cobb's Creek north side of Thomas avenue, the northern and eastern lines of Cobb's Creek Parkway, and the southern side of Baltimore avenue, for the mosquito prevention, one thousand five hundred dollars 1,500

Item 43, Abatement of mosquito breeding conditions on private properties, one thousand dollars 1,000

BUREAU OF SURVEYS.

Item 3 (a), Pamphlets, magazines and miscellaneous, two hundred and fifty dollars $250

Item 4, Repairs to and license for automobile, three hundred dollars 300

Item 5, Recording deeds and dedication of streets, five hundred dollars 500

Item 8 (a), Transportation (District Surveyors), five hundred dollars 500

Item 9 (a), Hire, feeding and care of horses, vehicles and automobiles, two thousand five hundred dollars 2,500

Item 9 (c), Cleaning offices, one hundred dollars 100

Item 9 (d), Repairs of tools and instruments and miscellaneous, one thousand dollars 1,000

Item 11, Transportation and meals (Field Corps), one hundred dollars 100

Item 12, Transportation and miscellaneous expenses (examination of sewers), four hundred dollars 400

Item 18, Repairs to plant and equipment (Pennypack contract), five hundred dollars 500

ORDINANCES

Item 18 (b), Transportation and miscellaneous (sewage disposal), five hundred dollars 500

BUREAU OF CITY PROPERTY.

Item 11 (g), To make alterations and fit up Room No. 440, City Hall, one thousand dollars $1,000

Item 15 (g), Printing for band concerts, one hundred dollars 100

DEPARTMENT OF WHARVES, DOCKS AND FERRIES.

Item 2 (a), Carfare, transportation, freight, expressage, drayage, postage, communication, advertising, printing, stationery, special and miscellaneous services and supplies, seven hundred dollars $700

Item 2 (c), Purchase and maintenance of an automobile: (Provided, The present Detroiter 2-A, now in possession of the Department, be exchanged in part payment of new machine), two thousand dollars 2,000

Item 2 (d), Installing an interconversing system in the Department's offices in the Bourse Building, two hundred and fifty dollars 250

DEPARTMENT OF HEALTH AND CHARITIES. DIRECTOR'S OFFICE.

Item 5, Toward expenses of Annual Meeting of the National Association for the Study and Prevention of Infant Mortality, in November, 1915, two thousand dollars $2,000

BUREAU OF CHARITIES.

Item 30 (e), Care and keep of children during the heated term—wages and supplies, four thousand dollars $4,000

DEPARTMENT OF SUPPLIES.

(TAXES).

Item 8, Furniture, furnishings, etc. $1,000

(CIVIL SERVICE).

Item 3, Towel service $25

Item 3, Office furniture, etc. 350

(LIGHTING).

Item 12, Furniture and office supplies $150

(POLICE).

Item 26½, Purchase of motorcycles, four thousand dollars $4,000

(HIGHWAYS).

Item 10 (h), Purchase of cinders, for use on country roads and crossings, six thousand dollars $6,000

(SURVEYS).

Item 18, Printing, engraving, lithographing, binding and towel service, five hundred dollars $500

Item 14, Stationery, photographic, draughting, scientific, educational, mechanical, engineers' and electricians' supplies, etc., one thousand dollars 1,000

Item 16, Hardware, tools, lumber, etc., one thousand dollars 1,000

Item 18 (a), Miscellaneous, five hundred dollars 500

Item 18 (b), Rubber goods, packing and wearing apparel, two hundred dollars 200

Item 18 (c), Corner stones, five hundred dollars 500

CLERK OF QUARTER SESSIONS.

Item 3 (c), Counsel fees and incidental expenses allowed by Judges of Court of Oyer and Terminer in trial of homicide cases to attorneys appointed by Court under provisions of the act of Assembly approved March 22, 1907, two thousand dollars $2,000

CITY COMMISSIONERS.

Item 1, So as to provide for the employment of six children's agents and investigators, from June 1, 1915, at the rate of one thousand five hundred and (1,500) dollars per annum each, and one supervising investigator, at the rate of $1,800 per annum from June 1, 1915, six thousand three hundred dollars $6,300

Item 16 (c), For extra clerks, six thousand dollars 6,000

Item 32 (e), Support of chilren committed by the Juvenile Court as charged upon the County, sixty thousand dollars 60,000

Provided, That the city Commissioners are hereby authorized to draw, and the City Controller to countersign, warrants for the payment of items for bills contracted since January 1, 1915, and also for bills contracted in 1914, as follows: St. Vincent's Home, two thousand nine hundred and ninety (2,990) dollars and forty-one (41) cents; Catholic Children's Bureau, Philadelphia, two thousand nine hundred and twenty (2,920) dollars and thirty-nine (39) cents; the St. John's Orphan Asylum, two thousand two hundred and fifty-eight (2,258) dollars and sixty-two (62) cents; the Philadelphia Protectory for Boys, one thousand two hundred and eight (1,208) dollars and eighty-one (81) cents; the Catholic Home for Destitute Children, one thousand four hundred and forty-six (1,446) dollars and ninety-four (94) cents; St. Joseph's Protectory, Norristown, three hundred and forty-one (341) dollars and eleven (11) cents; the House of the Good Shepherd, W. P., eighty-nine (89) dollars and eighty-four (84) cents; St. Vincent's Orphan Asylum, Tacony, forty-nine (49) dollars and seventy (70) cents; the House of the Good Shepherd, Germantown, forty-five (45) dollars and forty-three (43) cents; St. Mary Magdalene de Pazzi Home for Italian Girls, eighteen (18) dollars and fifty-seven (57) cents.

SHERIFF.

Item 1 (c), Extra clerks, one thousand three hundred dollars $1,300

CITY TREASURER.

Item 1 (b), Extra wages for extra help, five hundred dollars $500

Item 1 (c), Expenses incident to the sale of loans, one thousand dollars 1,000

CLERKS OF COUNCILS.

Item 5 (a), Printing Fourth of July, six thousand dollars $6,000

Approved the 29th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 978.

AN ORDINANCE AUTHORIZING AND DIRECTING the Director of the Department of Wharves, Docks and Ferries to expend a portion of the two hundred and fifty thousand (250,000) dollars appropriated to said Department by Act of Assembly approved July 25, 1913, for the construction of a wooden bulkhead along the Schuylkill river.

Whereas, By Act of Assembly approved July 25, 1913, the sum of two hundred and fifty thousand (250,000) dollars was specifically appropriated to the Department of Wharves, Docks and Ferries of the City of Philadelphia, for the improvement of Harbor facilities, and it was provided in Section 2 of said Act that "the moneys so appropriated shall only be expended as authorized and directed by the Councils of the City of Philadelphia"; and

And Whereas, The said Department of Wharves, Docks and Ferries has advertised, in accordance with the law, for building a wooden bulkhead along the eastern bank of the Schuylkill river, from Penrose Ferry bridge to about the foot of Hoyt street, and is prepared to award a contract for the same to the lowest responsible bidder, and desire to use a sum not exceeding twenty-five thousand (25,000) dollars out of the said appropriation of two hundred and fifty thousand (250,000) dollars in part payment for the work to be done under said contract.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Director of the Department of Wharves, Docks and Ferries be, and is hereby authorized and directed to use a sum not exceeding twenty-five thousand (25,000) dollars out of the said appropriation of two hundred and fifty thousand (250,000) dollars in part payment for the work to be done under said contract.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Director of the Department of Wharves, Docks and Ferries be, and is hereby authorized and directed to use a sum not exceeding twenty-five thousand (25,000) dollars out of the sum of two hundred and fifty thousand (250,000) dollars as appropriated to said Department by Act of Assembly approved July 25, 1913, said sum to be expended as a part payment for the purpose of building a wooden bulkhead along the eastern bank of the Schuylkill river, from Penrose Ferry bridge to about the foot of Hoyt street.

Approved the 27th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 979.

AN ORDINANCE TO AUTHORIZE A CERtain transfer in the annual appropriation to the Departments of Clerks of Councils and City Treasurer to provide expenses incident to the temporary removal of the "Liberty Bell" to the Panama-Pacific Exposition at San Francisco.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the City Controller be authorized to make the following transfer in annual appropriations, for the year 1915, viz.: From Item 4 (e) interest on new loans, twenty-nine thousand (29,000) dollars; To Clerks of Councils, Item 8, to provide for the expenses of transporting the "Liberty Bell" to the Panama-Pacific Exposition in San Francisco and the cost of maintaining a caretaker at the said Exposition. The said amount to be expended under the supervision and approval of the Joint Special Committee authorized by resolution approved April 16, 1915.

Approved the 24th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 980.

AN ORDINANCE TO AUTHORIZE THE City Commissioners to employ an architect to draw plans for and supervise the work of altering and furnishing the Vaux School building for use of the Municipal Court, and providing for his compensation.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the City Commissioners be authorized to employ an architect to draw plans and specifications for alterations, repairs to, furnishing of and superintending the work incident to fitting up the old Vaux School building, Twelfth and Winter streets, for use of the Municipal Court.

Section 2. The said City Commissioners are hereby authorized to draw and the City Controller to countersign, warrants for the payment of the services of said architect, the regular and established fees authorized by the American Institute of Architects, to be charged to and paid out of Item 5 (a) of the appropriation to the City Commissioners.

Approved the 26th day of May, A. D. 1915.

RUDOLPH BLANKENBURG,
Mayor of Philadelphia.

No. 981.

AN ORDINANCE TO AUTHORIZE THE grading of Addison, Alden, Allman, American, Annsbury, Bailey, Bambrey, Bennset, Bigler, Delancey, Delphine, Elkhart, Etting, Eleventh, Eighteenth, Frazier, Fifteenth, Fifty-fourth, Fifty-ninth, Garnet, Greene, Henry, Hancock, Howard, Irving, Kingsley, Lycoming, Madison, Marston, Marvine, Mayfield, Moore, Mulberry, Newkirk, Opal, Overbridge, Plum, Pratt, Porter, Reed, Regent, Retta, Ringgold, Rodman, Shunk, Smedley, Springhank, Sydenham, Sixteenth, Seventeenth, Tasker, Third, Tenth, Thirteenth, Twenty-seventh, Twenty-sixth, Thirty-first, Thirty-fourth, Wakeling, Wanamaker, Warnock, Westview and Willard streets, Allegheny, Chester, Germantown, Hazel, Kingsessing, Larchwood, Lindley, Medary, Oregon, Paschall, Rising Sun and Windrim avenues, Hunting Park avenue extension, Cobbs Creek Parkway and Limekiln pike.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain, That the Department of Public Works be authorized to grade, pave and provide with curbs and gutters, the following streets in the Twenty-second Ward, upon certain terms and conditions.

Section 1. The Select and Common Councils of the City of Philadelphia do ordain: That the proper officers of the City of Philadelphia be, and they are hereby authorized to execute for and on behalf of the said City and under its corporate seal a contract with the Connecting Railway Company and the Pennsylvania Railroad Company, lessee of said Connecting Railway Company, in the following form:

"THIS AGREEMENT, made this day of in the year of our Lord one thousand nine hundred and between the CITY of PHILADELPHIA, hereinafter called the "City" party of the first part, and THE CONNECTING RAILWAY COMPANY on THE PENNSYLVANIA RAILROAD COMPANY, lessee of said Connecting Railway Company, hereinafter called the "Pennsylvania Companies," parties of the second part.

WHEREAS, The parties hereto desire to abolish the crossings at grade on the railroad of the Connecting Railway Company at Highland, Seminole, Hartwell and Chelten avenues, and to have constructed a bridge to carry said railroad over Hortter street, in the Twenty-second Ward, and have duly negotiated concerning and definitely agreed upon the terms and conditions for said contract and are about to execute the same accordingly.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, That for and in consideration of the premises and the privileges and advantages to each of them thereunto moving and the mutual covenants hereinafter contained and set forth, the said parties hereto have mutually covenanted and agreed for themselves, their successors and assigns, and by these presents do severally covenant and agree to and with each other as follows:

First, The said City covenants, promises and agrees to revise the lines and grades of the following streets: Highland avenue, from a point about 200 feet southwest of Navahoe street to Seminole avenue; Seminole avenue, from a point about 210 feet northwest of Highland avenue to Gravers lane, and Chelten avenue, from Pulaski avenue to Morris street to revise the lines and grades of Hortter street, from McCallum street to Pelham road; Navahoe street, from a point about 175 feet northwest of Highland avenue to Evergreen avenue; and Evergreen avenue, from a point about 175 feet northeast of Navahoe street to Navahoe street; to place upon the City plan and open a new street, not less than sixty (60) feet wide, to be called St. Martins lane, from the intersection of Highland and Seminole avenues to Gravers lane, as shown upon the City plan and vacate such portions of Highland avenue, from Seminole avenue to St. Martins lane; and St. Martins lane, from Highland avenue to Gravers lane, as do not lie within the lines of said new St. Martins lane, and so much of the bed of Woodlawn street as may lie within the widened and revised right-of-way of the said Pennsylvania Companies.

Second, The City hereby covenants, promises and agrees to prepare plans and specifications for, and to carry out, the grading, paving or repaving and setting and resetting of curbs to the lines and grades established under authority of this ordinance, including the construction, alteration or removal of all sewers, water and gas mains, electrical conduits and municipal structures and street improvements and their appurtenances, in so far as they may be altered or made necessary by the work provided for in this contract and ordinance. Upon the approval of said plans and specifications by the Chief Engineer of the Pennsylvania Companies, the Director of the Department of Public Works of the City shall advertise for proposals and enter into contracts, to be approved by the Chief Engineer of the Pennsylvania Companies, for the work covered by the said plans and specifications, and said work shall be carried out by the City under the supervision of the City. The said plans, specifications and contracts shall be identified by the signatures of the said Director, the Chief Engineer of the Bureau of Surveys and the Chief Engineer of the Pennsylvania Companies, and shall be filed and preserved in the Department of Public Works, and copies shall be furnished to said Pennsylvania Companies.

Third, The Pennsylvania Companies hereby covenant, promise and agree to lower the grade of their tracks from a point about 1,100 feet south of to a point about 1,600 feet north of Highland Station as now located, and from a point about 900 feet southeast of to a point about 1,800 feet northwest of Chelten Avenue Station.

Fourth, The Pennsylvania Companies further covenant, promise and agree to prepare plans and specifications for, and to carry out, all the work necessary to construct bridges, with masonry abutments, with steel and concrete superstructures, to carry Highland, Seminole and Chelten avenues over their tracks with an overhead clearance of not less than 17 feet 6 inches, to construct a footbridge with suitable stairways and approaches over and above their tracks on the line of Hartwell avenue, to construct a bridge with masonry abutments and with columns on the curb lines and steel superstructures to carry their tracks over and above Gravers lane with an overhead clearance of not less than 14 feet. Upon the approval of said plans and specifications by the Director of the Department of Public Works, the Pennsylvania Companies shall advertise for proposals and enter into contracts, to be approved by the Director of the Department of Public Works, for the work covered by the said plans and specifications, and said work shall be carried out by and under the supervision of the Pennsylvania Companies. The said plans, specifications and contracts shall be identified by the signatures of the Chief Engineer of the Pennsylvania Companies, the Director and the Chief Engineer of the Bureau of Surveys, and shall be filed and preserved by the Pennsylvania Companies, and copies shall be furnished to the said City.

Fifth, The Pennsylvania Companies further covenant and agree that in the event of the passage of an ordinance of Councils at any time in the future authorizing and directing the opening of Hartwell avenue, between Seminole avenue and St. Martins lane, said companies will raise the grade of the tracks at the crossing of said avenue to an elevation of at least plus 357.4 City datum, will dedicate to the City so much of the property owned by them as will lie within the lines of said avenue as confirmed under authority of this ordinance, will pay the entire cost of raising the grade of said tracks outside the lines of said avenue, and will pay one-half the cost of constructing a bridge to carry said tracks over and above said avenue, and all the work appertaining thereto within the right-of-way of said railroad; in consideration whereof the City agrees that, upon the completion of the work authorized in this contract, the said Pennsylvania Companies may close the crossing of their tracks at grade on the line of said Hartwell avenue against public travel and keep the same closed until Councils shall, by ordinance, authorize the opening of said Hartwell avenue and the construction of a bridge to carry the tracks of the said railroad over and above the same.

Sixth, It is hereby understood and agreed that the City shall pay one-half the cost and the Pennsylvania Companies one-half the cost of all the work incidental to the revision of the lines and grades of Highland, Seminole and Chelten avenues, the change of the lines and grades and the opening and grading of Evergreen avenue, Navahoe street and the new St. Martins lane, to be constructed under the terms of this contract; the changes of the grades of the railroad and the reconstruction of tracks, telegraphs and telephone lines, and station facilities and their appurtenances, on the new grades from a point about 1,100 feet south of to a point about 1,600 feet north of Highland Station as now located; of constructing a bridge to carry Highland and Seminole avenues over and above the tracks of the said Pennsylvania Company, of constructing footbridges, with suitable stairways and approaches over and above said tracks on the line of Hartwell avenue; of readjusting the bridge carrying the tracks of the said companies over and above Gravers lane; of grading Gravers lane and macadamizing a 16-foot wide roadway therein from Seminole avenue to St. Martin's lane; of lowering the grade of the railroad and reconstructing the tracks, telegraph and telephone lines, station facilities and their appurtenances on the main grade authorized under authority of this ordinance from a point about 900 feet southeast of to a point about 1,300 feet northwest of Chelten Avenue Station; of constructing a bridge to carry Chelten avenue over the tracks of the said Pennsylvania Companies; and of all the work incident to and necessary for the opening and paving of Hortter street within the right of way of the said Pennsylvania Companies, the grading of the said Hortter street, between Pelham road and McCallum street, and of constructing a bridge to carry the said railroad over and above said Hortter street, and all the work incident to or necessary for changing the location, grade or construction of the private siding of the Germantown Steam Company beyond the limits of right of way of the said Pennsylvania Companies at or near Hortter street: Provided, That all changes or improvements to existing stations and appurtenances other than those required to adapt the present traffic facilities and appurtenances to the new condition shall be wholly paid for by the said Pennsylvania Companies.

Seventh, The various portions of the work authorized and provided for by this contract and ordinance shall be done under the supervision of the Director of the Department of Public Works, or such engineer as shall be designated by him for that duty, and the Chief Engineer of the Pennsylvania Companies. They shall confer with each other in respect to the plans and specifications for the various parts or portions of the work, and in respect to the performance of the work, at all times during the preparation and progress of the same; and each shall upon notice from the other of any fault or failure of any party, firm or corporation holding contracts for any part of said work promptly proceed, to secure full compliance with the plans and specifications pertaining thereto, in accordance with the provisions of the contract.

The Chief Engineer of the Pennsylvania Companies is authorized to employ such engineers, assistants, draughtsmen, engineer corps and inspectors as may be necessary to prepare or examine plans and specifications and to insure the prompt and efficient execution of the work, and to include all expenses for salaries, transportation, office and incidental expenses of said engineering force, and the costs of tests and inspection not otherwise provided for, in the cost of the work.

The Director of the Department of Public Works is hereby authorized to appoint such engineers, assistants, draughtsmen, engineer corps and inspectors as may be required to enable the Department of Public Works to prepare or examine plans and specifications, to properly inspect the work during progress of construction and to prepare the necessary certificates and other documentary records of the work. All expenses for salaries, transportation, office and incidental expenses of said engineering force, and the expenses of inspection and tests made by the same and not otherwise provided for, shall be included in the cost of the work.

In case of emergency work in maintaining railroad or highway travel, and in other cases where necessary not covered by contract, the Chief Engineer of the Pennsylvania Companies shall have authority to employ laborers, hire machinery and purchase materials to perform such work; a labor force account and an account of all materials used shall be kept, and, after approval by the Chief Engineer and Director of the Department of Public Works of the City, shall be paid by the Pennsylvania Companies and included in the cost of the work.

In cases of emergency work in protecting and maintaining municipal structures in other cases where necessary, and in such classes of work upon the highways as may not be covered by contract, the Director of the Department of Public Works is hereby authorized to employ laborers, hire machinery and purchase materials to perform such work, and a labor force account and an account of the materials so used shall be kept and, after approval by the Chief Engineer of the Pennsylvania Companies, shall be paid by the City and included in the cost of the work.

Eighth, The City covenants and agrees to maintain, at its sole expense, the bridges to be built under the terms of this contract to carry Highland, Seminole and Chelten avenues over and above the tracks of the said railroad.

Ninth, The Pennsylvania Companies covenant and agree, at their sole expense, to maintain the bridges to be constructed under the terms of this contract to carry the said railroad over and above Gravers lane and Hortter street, and the footbridge over and above the tracks of the said railroad on the line of Hartwell avenue.

Tenth, It is mutually covenanted and agreed by and between the parties hereto that the City and the Pennsylvania Companies shall each pay one-half of all costs and damages assessed against the city by reason of the change of the lines and grades of Highland, Seminole and Chelten avenues, by reason of the change of lines and grades and the opening of Evergreen avenue, Navahoe street and the new St. Martin's lane, and the vacation of portions of Highland avenue and St. Martin's lane, within the limits described in this contract, and of the cost of all property, other than that owned by the Pennsylvania Companies, required for the reconstruction of said tracks on the new grade as provided for by this contract at or near Highland Station and Chelten Avenue Station. It is also further covenanted and agreed that the Pennsylvania Companies shall be liable for all damages and costs arising from such accidents as may be due solely to negligence or carelessness in railroad operation.

For the more speedy and economical adjustment of claims arising or to arise hereunder, the City Solicitor, with the advice and consent of the Mayor, and the approval of the Pennsylvania Companies, is hereby authorized to compromise, settle and adjust any or all such claims, and the Director of the Department of Public Works is hereby authorized and directed to direct the drawing of warrants for his approval upon the City Treasurer for such sums as shall be required from time to time for the settlement and payment of such claims, the amounts thereof to be taken from the appropriations herein provided for: Provided, That when any claim shall be presented to or any suit or action shall be brought against either of the said parties, the other shall have the right, on due notice, to appear and defend, on its own behalf, or otherwise it shall not be bound by any judgment or decree in the premises: Provided, That if the compromise of the City Solicitor to arrange with the Pennsylvania Companies and their attorneys for division of the work of preparing cases for trial, the preparation and production of testimony and the conduct of hearings or trials; and all expenses connected with the defense of such claims or suits, except the service of the City Solicitor, or his associates, or of special counsel to be employed on behalf of the City, or the services of the attorneys or counsel of the Pennsylvania Company, shall be included in and settled and paid for as part of the expense of the work in this ordinance provided for out of the appropriations to be made for the purpose of carrying out the provisions of this ordinance.

The Pennsylvania Companies further agree to release the City from all claims for damages to any property, owned or controlled by them, which may be affected by reason of the revision of the lines and grades of Highland, Seminole and Chelten avenues, the revision of the lines and grades and the opening of Evergreen avenue, Navahoe street and St. Martins lane, and the opening of Hortter street.

Eleventh, It is agreed by and between the parties hereto that the Director of the Department of Public Works shall arrange with the proper officials of the Pennsylvania Companies for the keeping of such records by the Pennsylvania Companies of true and itemized accounts concerning the various payments and disbursements made, or to be made, by each upon all obligations, whether assumed by contract or in any manner herein authorized. Settlement between the City and the said companies, based upon said itemized account, duly certified, shall be made monthly as the work herein provided for shall progress, and the said Director shall draw a warrant or warrants for any balance that may be payable to the Pennsylvania Companies; in like manner the Pennsylvania Companies shall promptly pay into the City Treasury all such sums as may be found to be due and payable to the City, and all such sums shall be credited to the appropriation by the City and become immediately available for the work provided for herein. The City and the Pennsylvania Companies shall make prompt payments of their respective proportions of said cost at the times and in the manner set forth.

Twelfth, Upon the completion of the work provided for, all old rails and other materials now in use by the said Pennsylvania Companies which may not be used in the construction of new work shall be disposed of at public sale, and the proceeds thereof shall be credited to the joint appropriation. It is also provided that upon the completion of the work provided for, all old paving materials and street improvements removed from the work, but not actually used for the joint interest, shall be disposed of at public sale, and the proceeds thereof shall be credited to the joint appropriation: Provided, That should the Pennsylvania Companies desire to hold any of the said old rails or other materials so to be disposed of, an appraisement of the value of the same shall be made, and such appraised value credited to the joint appropriation; Provided further, That should the City desire to hold any paving materials or street improvements removed from the work and so to be disposed of, an appraisement of the value of the same shall be made, and such appraised values credited to the joint appropriation.

Thirteenth, The work authorized by this contract shall be started within six months after the approval of said contract by the Public Service Commission of the Commonwealth of Pennsylvania, and shall be completed within two years thereafter.

Fourteenth, It is hereby understood and agreed that neither the purpose nor intent, nor the obligation of the contract, if and when approved by the Public Service Commission of the Commonwealth of Pennsylvania, is such as to impair or in any wise affect the exercise by said Commission of any of the powers vested in it by the Public Service Company Law, approved July 26, 1913.

IN WITNESS WHEREOF, the parties hereunto have caused their respective corporate seals to be hereunto affixed, duly attested, the day and year first hereinbefore written.

Signed, sealed and delivered in the presence of:

CITY OF PHILADELPHIA,

by Mayor.

THE CONNECTING RAILROAD COMPANY,

by President.

ATTEST: Secretary.

THE PENNSYLVANIA RAILROAD COMPANY,

by President.

ATTEST: Secretary."

SECT. 2. The Mayor is hereby authorized and directed to execute under the corporate seal, and deliver the said contract on behalf of the City, and to fill in the blanks left for the date in the above contract, and he is further authorized to do and perform, or cause to be done and performed, each and everything contained in the said contract on the part of the City of Philadelphia to be done and performed.

SECT. 3. The Department of Public Works, Board of Surveyors, is hereby authorized and directed to revise the lines and grades of Highland avenue, from a point about 200 feet southwest of Navahoe street to Seminole avenue; Seminole avenue, from a point about 210 feet northwest of Highland avenue to Graver's lane; Hortter street, from McCallum street to Pelham road; Chelten avenue, from Pulaski avenue to Morris street to revise the lines and grades and to widen to the width of 80 feet Hartwell avenue, from Seminole avenue to St. Martin's lane; to revise the lines and grades of Navahoe street, from a point about 175 feet northwest of Highland avenue to Evergreen avenue; and Evergreen avenue, from a point about 175 feet northeast of Navahoe street to Navahoe street; to place upon the City plan a street to be not less than 60 feet wide to be named St. Martins lane, from the intersection of Highland and Seminole avenues to Gravers lane; and to strike from the City plan and vacate such portions of Highland avenue, between Seminole avenue and St. Martins lane; and of St. Martins lane, between Highland avenue and Gravers lane as do not lie within the lines of the new sixty (60) feet wide St. Martins lane; and to make such other revisions of the lines and grades of streets as may be necessary to carry out the work herein authorized and to complete the City plan.

SECT. 4. Upon the confirmation of the lines and grades of streets authorized to be revised by this ordinance, the Director of the Department of Public Works is hereby authorized and directed to issue the usual three months' notice to all persons whose property may be affected by such revisions and by the opening of Hortter street, from Pelham road to McCallum street; Navahoe street, from a point about 175 feet northwest of Highland avenue to Evergreen avenue, from a point about 175 feet northeast of Navahoe street to Navahoe street; and Evergreen avenue, between Highland avenue and St. Martins lane; and of St. Martins lane, between Highland avenue and Gravers lane, to be laid upon the lines of the new sixty (60) feet wide St. Martins lane; and to make such other revisions of the lines and grades of streets as may be necessary to carry out the work herein authorized and to complete the City plan.

SECT. 5. Upon the confirmation of the lines and grades of streets authorized to be revised by this ordinance, the Director of the Department of Public Works is hereby authorized and directed to issue the usual three months' notice to all persons whose property may be affected by such revisions and by the opening of Hortter street, from Pelham road to McCallum street; Navahoe street, from a point about 175 feet northwest of Highland avenue to Evergreen avenue, from a point about 175 feet northeast of Navahoe street to Navahoe street; and Evergreen avenue, between Highland avenue and St. Martins lane, to be laid upon the lines of the new sixty (60) feet wide St. Martins lane, from the intersection of Highland and Seminole avenues to Gravers lane; and to make such other revisions of the lines and grades of streets as may be necessary to carry out the work herein authorized and to complete the City plan.

SECT. 6. The Director of the Department of Public Works is hereby authorized and directed to enter security on any land damages which may be caused by reason of the opening of the streets herein authorized or that may be caused by carrying into effect any or all of the work herein authorized, except as expressly stipulated above.

The Philadelphia and Reading Railway Company shall pay the entire cost of any and all work within the limits of its property except as expressly stip