

Ordinance No. #14

Regulating Railway Companies, Depots, Platforms, the Speed and
and Operation of Railroad Trains, and Providing Penalty for the
Violation of the Provisions thereof.

Be it ordained by the Mayor and Councilmen of the City of Wathena:

Section 1. That it shall be unlawful for any and all railway companies running locomotives, cars or trains through the corporate limits of the City of Wathena, to run the same at a higher rate of speed than six miles per hour, except as herein provided.

Section 2. That railway companies which may deem it necessary to run their cars at a higher rate of speed than six miles per hour, within the said limits as a precaution against damage to property and danger to life or injury to person, shall maintain a watchman at all street crossings where an approaching locomotive can not be plainly seen at a distance of two thousand feet from any point of observation upon the street, road or usual course of vehicle or foot travel over said crossing by persons who have approached to a distance of two hundred feet from said crossing; and said watchman shall be at such crossing not less than five minutes before the arrival of any such train, and shall carry a red flag, or if after dark, a suitable light or a hand bell, and shall warn and keep off the track, all persons, teams, or stock until said train has passed over. Provided, that said railway companies may maintain a suitable automatic gong, to be kept in good and reliable working order, at said crossings, instead of a watchman, to give such warning.

REPEALED BY ORDINANCE # 153

Section 3. That the railroad crossing between the bridge over Peter's creek on St. Joseph street and the depot on the south side of Peter's creek is hereby declared to an extremely dangerous place, owing to its environs and the great amount of travel thereover; and all person are hereby cautioned to exercise due diligence to avoid accident at this crossing; and said railway companies are hereby warned to enforce at said crossing, a strict observance on the part of their employes of all rules and regulations provided for governing their conduct when passing or about to pass extra hazardous crossings, and to take due notice of the provisions of this ordinance.

Section 4. That any railway company violating the foregoing provisions of this ordinance, or permitting anyone in its employ, or any one operating car upon its tracks, to violate the same shall be deemed guilty of misdemeanor and upon conviction thereof shall be fined for each and every offence in a sum not less than five dollars nor more than one hundred dollars and costs.

Section 5. That cars shall not be allowed to remain upon or obstruct street crossings within the city limits for a longer time than ten minutes; and that when cars are being switched the work shall be done in such manner as to show due regard for the safety and convenience of public travel, keeping the crossings open and free from obstruction as much as possible, and avoiding all unnecessary delay. Any one violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not more than twenty-five dollars.

Section 6. That said railway companies shall keep their crossings in good repair and shall plank them in between the rails for any distance in the street that the street and alley committee may deem necessary for the safety and convenience of the public, and shall maintain the approaches to said crossings, to a corresponding width, in good condition to the line of their right of way; they shall maintain and keep in good repair the side-walks upon their right of way in accordance with the provision of ordinances No. 11 and No. 12 of this city, regulating the building, maintaining and repairing of sidewalks. All sidewalks and platforms about the depot shall be so constructed and maintained that strangers unacquainted with the premises or other persons may not be liable to accident or injury while passing to and from the depot on account of any fault in the construction of said walks or platforms.

Section 7. This ordinance shall take effect and be in force from and after its publication in pamphlet form.

Passed by the Council September 1, 1898.

Approved by the Mayor September 1, 1898.

J. F. Harpster, Mayor

Attest: W. T. Stewart, City Clerk