

## REGULAR MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS,  
November 6, 1899. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 6, 1899, at 8 o'clock, in regular meeting.

Present, Hon. John H. Crall, President of the Common Council, in the chair, and 20 members, viz.: Messrs. Bernauer, Billingsley, Daller, Dickson, Evans, Higgins, Horan, Kaiser, Keller, Kelly, Knight, Megrew, Moriarity, Munro, McGrew, Negley, Perrott, Reilly, Spiegel and Wheeler.

The Clerk proceeded to read the Journal, whereupon Councilman Bernauer moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

## REPORTS FROM CITY OFFICERS.

## Communication from City Comptroller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., November 6, 1899. }

*To the President and Members of the Common Council:*

Gentlemen—I desire to recommend the passage of an ordinance authorizing the issue and sale of \$45,000 3½ per cent. bonds, refunding a like amount of bonds due January 1, 1910, but optional after January 1, 1900, and the appropriation of said amount for the purpose named.

Very respectfully,

E. M. JOHNSON,  
*City Comptroller.*

Which was read and referred to Committee on Finance.

## Communication from City Comptroller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., November 6, 1899. }

*To the President and Members of the Common Council:*

Gentlemen—I send you, hereto attached, a statement of the Department of Public Safety with reference to certain transfers necessary in the maintenance of said Department. I have examined the matters set forth in this statement, and desire to recommend that the transfers be made as asked for.

Very respectfully,

E. M. JOHNSON,  
*City Comptroller.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD,  
INDIANAPOLIS, IND., October 27, 1899. }

*Mr. E. M. Johnson, City Comptroller:*

Dear Sir—The Board of Public Safety at its meeting to-day directed me to respectfully request you to recommend to the Common Council the transfer to the Horse Feed Fund of the Fire Force the following sums that can be spared from other Fire Force accounts:

\$150.00 From the Fire Alarm Telegraph Fund.  
125.00 From the Harness and Repairs Fund.  
250.00 From the Miscellaneous Fund.  
188.75 From the New Apparatus Fund.  
190.00 From the Repairs to Cisterns Fund.

\$903.75

The balance in the Horse Feed Fund at present, with all bills paid to date, is only \$44.49, and it is imperative that means be provided to purchase feed for the remaining two months of the year. The shortage in the fund has been caused by the prices of oats and hay being considerably higher this year than last. In 1898 the cost of horse feed for the Fire Department was \$5,237.79, while during the ten months of 1899 the cost has been \$5,515.51. The average cost per horse in 1898 was 15 1-9 cents, while the average cost this year to date has been 19 cents and over a day. It is estimated that for the rest of the year 1,500 bushels of oats and 45 tons of hay will be required, which will cost close to \$1,000.

Respectfully submitted,

EDW. H. DAVIS,  
*Secretary.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD,  
INDIANAPOLIS, IND., October 31, 1899. }

*Mr. E. M. Johnson, City Comptroller:*

Dear Sir—The following memorandum as to horse feed purchased for the Fire Force in 1898 and 1899 is submitted as supplemental informa-

tion to the request recently made by this Board for a transfer of funds to the Horse Feed account:

## OATS PURCHASED IN 1898.

1,000 bu. No. 2 white oats at 25 $\frac{3}{4}$ c.....	\$257.50
4,999 bu. No. 2 white oats at 26 $\frac{7}{8}$ c.....	1,343.74
2,007 bu. No. 2 white oats at 32 $\frac{1}{2}$ c.....	652.49
1,002 bu. No. 2 white oats at 32c.....	320.04
2,007 bu. No. 2 white oats at 29c.....	582.03
<hr/>	
11,015 bu.	Total.....\$3,155.80

## OATS PURCHASED IN 1899.

8,479 bu. No. 2 white oats at 33 $\frac{1}{2}$ c.....	\$2,839.46
1,910 bu. No. 2 white oats at 31c.....	313.10
<hr/>	
9,489 bu.	Total.....\$3,152.56

## HAY PURCHASED IN 1898.

15 tons, 215 lbs, at \$8.90.....	\$134.45
51 tons, 747 lbs, at \$8.40.....	431.53
26 tons, 900 lbs, at \$9.40.....	248.63
10 tons, 250 lbs, at \$9.20.....	93.15
11 tons, 400 lbs, at \$9.20.....	103.04
15 tons, 660 lbs, at \$8.40.....	132.97
28 tons, 790 lbs, at \$8.25.....	234.25
<hr/>	
158 tons, 962 lbs.	Total.....\$1,378.01

## HAY PURCHASED IN 1899.

26 tons, 527 lbs, at \$10.80.....	\$283.64
26 tons, 425 lbs, at \$10.....	262.13
75 tons, 670 lbs, at \$8.80.....	662.95
24 tons, 1,999 lbs, at \$11.....	274.95
10 tons, 280 lbs, at \$11.....	117.04
<hr/>	
163 tons, 901 lbs.	Total.....\$1,600.71

## STRAW PURCHASED IN 1898.

32 tons, 680 lbs, at \$5.....	\$161.70
25 tons, 305 lbs, at \$4.40.....	110.67
<hr/>	
57 tons, 985 lbs.	Total.....\$272.37

## STRAW PURCHASED IN 1899.

25 tons, 1,820 lbs, at \$5.....	\$129.55
26 tons, 1,430 lbs, at \$4.60.....	122.89
5 tons, 1,370 lbs, at \$6.....	34.11
<hr/>	
58 tons, 620 lbs.	Total.....\$286.55

Bran purchased in small quantities in 1898.....\$187.07  
 Amount purchased in small quantities in 1899.....\$3.98

Respectfully submitted,

EDW. H. DAVIS.

Which was read and referred to Committee on Finance.

## REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Munro, on behalf of the Committee on Public Health, to which was referred:

Resolution No. 16, 1899—

Be it resolved by the Common Council of the City of Indianapolis, That the City Pest House, in the interest of the public health, should be removed to some other location. That this resolution be referred to the Committee on Public Health, with instruction to investigate the matter and report, both on disposition of old Pest House and the location of a new one.

Made the following report:

INDIANAPOLIS, IND., November 6, 1899.

*To the President and Members of the Common Council:*

Gentlemen—Your committee, to whom was referred Resolution No. 16, 1899, has had the same under consideration, and report as follows:

We have viewed the present Pest House, and have found both building and surroundings unfit for their purpose.

For the benefit of persons inflicted with contagious diseases, we recommend the abolishing of the present and the erection of a new and better Pest House at some more suitable location.

We recommend, further, that this committee be continued to confer with the Board of Public Health for further action.

JAMES R. MUNRO.  
J. W. MCGREW.  
WM. KAISER.

Which was read and concurred in.

Mr. Crall, on behalf of the Committee on Rules, presented the following:

*To the Common Council of the City of Indianapolis:*

Your Committee on Rules desire to recommend following amendments to the Rules and Regulations for the government of the Council:

Add to the paragraph "Meetings" the following: "At special meetings of the Common Council only the business for which special meeting is called shall be transacted."

Amend paragraph of "Duties of Clerk" to read:

"It shall be the duty of the City Clerk to keep an accurate journal of the proceedings of the Common Council. He shall have said proceedings printed after each regular or special meeting, one copy of which shall be presented to each member within ten days after the meeting, and at least fifty (50) copies of which shall be kept on file, to be bound at the end of the term, with a proper index thereto, which shall be the official journal of the Common Council of said city, and he shall also keep a proper file of all papers thereof.

"He shall arrange a roll call of the members in alphabetical form. It shall also be his duty to have all necessary papers delivered to the chairman of the committee within two days after adjournment of any meeting of the Council."

Amend Rule 6 by adding:

"4. The Council may order a return to any order of business after the call of the regular order of business."

JOHN H. CRALL,  
J. H. BILLINGSLEY,  
MICHAEL HORAN.

Which was read and adopted.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Megrew:

G. O. No. 52, 1899. An ordinance authorizing the transfer of nine hundred and three dollars and seventy-five cents (\$903.75) from funds of the Department of Public Safety other than those to which it was originally appropriated.

Whereas, In Appropriation Ordinance No. 9, 1898, certain sums were appropriated to the Department of Public Safety of the City of Indianapolis, and designated for the several uses therein referred to; and

Whereas, It appears that the following-named sums of money will not be needed for the purposes to which they were appropriated, to-wit:

One hundred and fifty dollars (\$150) of the fund for Fire Alarm Telegraph of the Fire Force.

One hundred and twenty-five dollars (\$125) of the fund for Harness and Repairs of the Fire Force.

Two hundred and fifty dollars (\$250) of the Miscellaneous Fund of the Fire Force.

One hundred and eighty-eight dollars and seventy-five cents (\$188.75) of the New Apparatus Fund of the Fire Force.

One hundred and ninety dollars (\$190) of the fund for Repairs to Cisterns of the Fire Force; and

Whereas, It appears that the Department of Public Safety requires the sum of nine hundred and three dollars and seventy-five cents (\$903.75) for the Horse Feed Fund of the Fire Force of said Department; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana. That the City Comptroller be and he is hereby authorized and directed to transfer, out of the moneys heretofore appropriated for the use of the Department of Public Safety, as follows:

For the Fire Alarm Telegraph Fund of the Fire Force, one hundred and fifty dollars (\$150).

For the Harness and Repairs Fund of the Fire Force, one hundred and twenty-five dollars (\$125).

For the Miscellaneous Fund of the Fire Force, two hundred and fifty dollars (\$250).

For the New Apparatus Fund of the Fire Force, one hundred and eighty-eight dollars and seventy-five cents (\$188.75).

For the Repairs to Cisterns Fund of the Fire Force, one hundred and ninety dollars (\$190).

Said amounts, aggregating the sum of nine hundred and three dollars



and seventy-five cents (\$903.75), are to be transferred and charged to the fund for Horse Feed of the Fire Force of said Department of Public Safety.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Megrew:

G. O. No. 53, 1899. An ordinance authorizing the issue and sale of forty-five (45) refunding bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, in order to raise money to take up and refund certain bonds bearing date of January 1, 1890, and which will become due January 1, 1910, but which, by their terms, are payable on and after January 1, 1900, aggregating forty-five thousand dollars (\$45,000); prescribing the time and manner of advertising the sale of said refunding bonds and of the receipt of the bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said refunding bonds for the payment of the said outstanding bonds; providing the time and manner of payment of said outstanding bonds, and providing for the refunding of the indebtedness of the said City of Indianapolis represented by said bonds, and matters connected therewith; and fixing the time when the same shall take effect.

Whereas, Certain bonds of the City of Indianapolis, Indiana, bearing date of January 1, 1890, amounting in the aggregate to the sum of forty-five thousand dollars (\$45,000), bearing interest at 4 per cent. per annum, payable semi-annually, issued under and by authority of G. O. No. 54, 1889, approved November 11, 1889, which bonds will become due January 1, 1910, but which are payable on and after January 1, 1900; and

Whereas, It is to the best interest of the City of Indianapolis, on account of the low rate of interest at which money can now be obtained, to pay off the said bonds and refund the indebtedness covered thereby, and there are not now and will not be sufficient funds in the treasury of said city with which to pay said bonds; and it is necessary for the City of Indianapolis to borrow said sum of forty-five thousand dollars (\$45,000) and issue and sell its bonds in that amount, payable from the general revenues and funds of said city, or as may be required by law; and

Whereas, It is necessary to refund said indebtedness; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the head of the Department of Finance of said city be and is hereby authorized and directed to refund certain of the indebtedness of the City of Indianapolis, amounting to the sum of forty-five thousand dollars (\$45,000), which indebtedness is represented by ninety outstanding bonds of said city, bearing date of January 1, 1890, issued under and by authority of G. O. No. 54, 1889, approved November 11, 1889, which bonds will become due January 1, 1910, but which are payable on and after January 1, 1900.

Sec. 2. That the head of the Department of Finance is hereby directed and authorized, for the purpose of refunding the said indebtedness of forty-five thousand dollars (\$45,000), to prepare and sell forty-five new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of one thousand dollars (\$1,000) each, which bonds shall bear date of January 1, 1900; shall be designated "Indianapolis Refunding Bonds of 1900;" shall bear interest at the rate of three and one-half (3½)

per cent. per annum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, and said installments of interest shall be evidenced by interest coupons attached to said bonds. Said bonds and interest coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Co., of the city, county and State of New York. Said bonds shall run for twenty years from the first day of January, 1900, and shall be signed by the Mayor and City Comptroller and attested by the City Clerk, who shall affix the seal of said city to each of said bonds. Said interest coupons shall bear the lithograph fac-simile of the signatures of the Mayor and Comptroller. Said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated.

In said register shall be entered in serial number all the bonds so issued and negotiated, beginning with number 1; and there shall also be given the date of their issuance, their amounts, date of maturity, rate of interest, and the time and place where said interest shall be payable.

Said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled before issuance thereof:

No. ....		\$1,000.
	UNITED STATES OF AMERICA, CITY OF INDIANAPOLIS, STATE OF INDIANA, MARION COUNTY.	
	INDIANAPOLIS REFUNDING BOND OF 1900. 20 YEARS.	

For value received, the City of Indianapolis, Indiana, promises to pay to the bearer one thousand dollars (\$1,000) in lawful money of the United States of America, on the first day of January, one thousand nine hundred and twenty (1920), with interest thereon at the rate of three and one-half (3½) per cent., payable semi-annually on the first days of January and July of each year upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Co., in the City of New York, in the County and State of New York.

This bond is one of a series of forty-five bonds, numbered from 1 to 45, each inclusive, each of the same date, amount, maturity, tenor and effect, which bonds have been issued by said City of Indianapolis in order to raise money to take up valid outstanding bonds of the city, in and pursuant to an ordinance duly and legally passed by the Common Council of said city, in strict conformity with and as authorized by the act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and all acts supplementary thereto and amendatory thereof; and all things and acts required by the laws of the State of Indiana, and by said ordinance, have happened and have been done and performed in and about the authorization, preparation, issue and complete execution of this bond, and this bond and the bonds refunded hereby are certified to be within every limit of indebtedness prescribed by the Constitution and laws of Indiana.

The faith and credit of the said City of Indianapolis is irrevocably pledged to the payment of the principal and interest of this bond, as herein stipulated.

In witness whereof, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller, and the seal of said city to be affixed hereto and attested by the City Clerk, this first day of January, one thousand nine hundred (1900).

Attest: .....Mayor.  
.....City Clerk.

[Seal.] .....City Comptroller.

The interest warrants or coupons attached to said bonds shall be authenticated by the signature of the Mayor and City Comptroller engraved thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof.

Sec. 3. That the head of the Department of Finance shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation printed and published in the State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe such bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of the opening of bids or proposals therefor, the right of the City Comptroller to reject any or all bids, the amount of deposits the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 4. Each and every bid or proposal shall be presented to the City Comptroller sealed, and shall be accompanied by a duly certified check upon some responsible bank, payable to the order of William H. Schmidt, City Treasurer, for a sum of money which shall equal two and one-half per centum of the face or par value of the bonds bid for or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until twelve o'clock noon on the twenty-first day of December, 1899, at which time and place, and between said hour and two o'clock p. m. of said day, he shall open said bids or proposals. The City Comptroller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best bidder therefor; but said City Comptroller shall have the full right to reject any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also, in his judgment and discretion, award a part of said bonds to one bidder and a part to another. These provisions shall apply in case of reoffering and readvertisement of said bonds, as hereinafter provided.

Sec. 5. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

Sec. 6. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the Comptroller, he shall there-



upon return to such unsuccessful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to said city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city of such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the City Comptroller at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 7. Delivery of any bonds sold shall be made at the banking house of Winslow, Lanier & Co., in the City of New York, on the thirtieth day of December, 1899, or upon such other day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or their refusal, neglect or omission so to do shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 8. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon the City of Indianapolis according to their tenor and effect; and the proceeds derived from any sale or sales of bonds, as herein authorized, shall be and hereby are appropriated to the use of the Department of Finance to be used and applied as follows: that is to say, to the payment of the principal of the said ninety outstanding bonds hereinbefore described, and to the expense of issuance, sale and delivery of the bonds herein provided for, and the City Comptroller is hereby authorized to draw all proper and necessary warrants, and to do whatever act may be necessary to carry out the provisions of this ordinance.

Sec. 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to Committee on Finance.

By Mr. Bernauer :

G. O. No. 54, 1899. An ordinance to amend section four (4) of G. O. No. 43, 1899, entitled "An ordinance establishing a South Side Market in the City of Indianapolis, prescribing general regulations for the same, prescribing and defining the general powers, functions and duties of the Market Master and other employes, concerning matters connected therewith, providing penalties for the violation thereof, providing for publication and fixing the time when the same shall take effect," and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana. That section four (4) of G. O. No. 43, 1899, entitled "An ordinance establishing a South Side Market in the City of Indianapolis, prescribing general regulations for the same, prescribing and defining the general powers, functions and duties of the Market Master and other employes, concerning matters connected therewith, providing penalties for the violation thereof, providing for publication and fixing the time when the same shall take effect," be and the same is hereby amended to read as follows:

Sec. 4. The market days for said market shall be Mondays, Wednesdays, Fridays and Saturdays of each and every week. The opening hour on Monday shall be one o'clock p. m. and the closing hour shall be ten o'clock p. m. The opening hour on Wednesdays, Fridays and Saturdays shall be three o'clock a. m., and the closing hours shall be twelve o'clock noon on Wednesdays and Fridays, and on Saturdays the closing hour shall be ten o'clock p. m. from November 1st to April 1st, and eleven o'clock p. m. from April 1st to November 1st.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

With the following petition:

*To the Honorable Board of Public Safety and Common Council:*

Gentlemen—We, the undersigned stand-owners and citizens interested in the South Side Market, petition your honorable Board of Public Safety and City Council to amend Ordinance No. 43, 1899, so as to change market days and hours on Monday from 3 a. m. to 12 m. to from 1 p. m. to 10 p. m.

Nathan Karn, N. B. Groff, Charles Reichert, Frank Mascari, Gus C. Jose, Henry Wich, W. Case, S. Van Horn, John D. Albrecht, Geo. P. Albrecht, B. Herskovitz, A. J. Smith, Charles F. Bohley, Robert Freund, Gus Witt, Mr. Bake, Frank Ross, Joseph Krenzer, Jr., Pauline Meister, Wm. L. Briggs, W. J. McMillan, Jacob Schott, Perry Bunch, Sidney Long, Geo. T. Woodruff, L. Lindsay, A. R. Crawford, Bert J. Willsey, P. J. Mahoney, Henry Holtzhousen, William Croom, Jos. Seiler, J. Marks, Joe Rose, Jacob Tucoma, B. Jelgerhaus, A. Borchert, H. E. Bistline, Mrs. Haynes, M. Habener, A. Michelson, A. Klein, Alex. Trumbull, T. T. Baker, P. Brandlein, Maria Cox, H. Allerman, Jas. Fisher.

Which was read a first time and referred to Committee on Public Property and Improvements.

By Mr. Knight:

G. O. No. 55, 1899. An ordinance revising and refixing the rates and prices to be charged and received in the City of Indianapolis for natural gas fuel, the same being supplemental to an ordinance entitled "An

ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the City of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes." approved June 27, 1887, providing penalties for its violation, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

Whereas, It is provided in section eleven (11) of an ordinance passed by the Common Council and Board of Aldermen of the City of Indianapolis, and approved by the Mayor on the 27th day of June, 1887, entitled "An ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the City of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes," that "The Common Council and Board of Aldermen hereby expressly reserve the right to revise and refix the rates and prices herein designated at any time after the expiration of ten years from the date of the passage of this ordinance"; and

Whereas, More than ten years have elapsed since the date of the passage of said ordinance, and it being deemed advisable to revise and refix the said rates and prices designated in said ordinance; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That all corporations, companies, firms or individuals who have heretofore accepted or may hereafter accept the provisions, restrictions, requirements and regulations of the said ordinance, approved as aforesaid on the 27th day of June, 1887, entitled "An ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the City of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes." shall from and after the taking effect of this ordinance be authorized to charge and receive from consumers in said city for natural gas furnished, the following and no greater prices:

DOMESTIC USE.—THREE-OUNCE PRESSURE.

For natural gas fuel supplied in sufficient volume to make an average pressure of three ounces or more per square inch at the point of consumption, between the hours of 6 o'clock a. m. and 9 o'clock p. m. of each day.

For Cooking—Monthly Charges from October 1 to May 1:

Cooking stoves and ranges, No. 6 and under, each per month.....	\$ 0.75
Cooking stoves and ranges, Nos. 7 and 8, each per month.....	1.25
Cooking stoves and ranges, No. 9 and over, each per month.....	1.50

For Cooking—Monthly Charges from May 1 to October 1:

Cooking stoves and ranges, No. 6 and under, each per month.....	\$ 0.50
Cooking stoves and ranges, Nos. 7 and 8, each per month.....	1.00
Cooking stoves and ranges, No. 9 and over, each per month.....	1.25

For Cooking—Annual Charges:

Cooking stoves and ranges, No. 6 and under, each per annum.....	\$ 6.00
Cooking stoves and ranges, Nos. 7 and 8, each per annum.....	12.00
Cooking stoves and ranges, No. 9 and over, each per annum.....	15.00

## For Cooking:

Gas and gasoline stoves, each per month.....	\$ 0.75
Gas and gasoline stoves, each per annum.....	6.00

## RESIDENCES AND OFFICES.

## For Heating—Monthly Charges from October 1 to May 1:

Base burner stoves having a fire pot 8 inches in diameter and under, each per month.....	\$ 0.75
Base burner stoves having a fire pot 14 inches in diameter and over 8 inches, each per month.....	1.25
Base burner stoves having a fire pot 18 inches in diameter and over 14 inches, each per month.....	1.50
Base burner stoves having a fire pot over 18 inches in diameter, each per month.....	2.00
Upright stoves having a fire pot 8 inches in diameter and under, each per month.....	.75
Upright stoves having a fire pot 14 inches in diameter and over 8 inches, each per month.....	1.25
Upright stoves having a fire pot 18 inches in diameter and over 14 inches, each per month.....	1.50
Upright stoves having a fire pot over 18 inches in diameter, each per month.....	2.00
Grates and open front heating stoves, each per month.....	1.50

## For Heating—Residences and Offices—Monthly Charges, from May 1 to October 1:

Base burner stoves having a fire pot 8 inches in diameter and under, each per month.....	\$ 0.50
Base burner stoves having a fire pot 14 inches in diameter and over 8 inches, each per month.....	.75
Base burner stoves having a fire pot 18 inches in diameter and over 14 inches, each per month.....	1.25
Base burner stoves having a fire pot over 18 inches in diameter, each per month.....	1.50
Upright stoves having a fire pot 8 inches in diameter and under, each per month.....	.50
Upright stoves having a fire pot 14 inches in diameter and over 8 inches, each per month.....	.75
Upright stoves having a fire pot 18 inches in diameter and over 14 inches, each per month.....	1.25
Upright stoves having a fire pot over 18 inches in diameter, each per month.....	1.50
Grates and open front heating stoves, each per month.....	1.00

## For Heating—Residences and Offices—Annual Charges:

Base burner stoves having a fire pot 8 inches in diameter and under, each per annum.....	\$ 5.25
Base burner stoves having a fire pot 14 inches in diameter and over 8 inches, each per annum.....	7.00
Base burner stoves having a fire pot 18 inches in diameter and over 14 inches, each per annum.....	11.00
Base burner stoves having a fire pot over 18 inches in diameter, each per annum.....	13.00
Upright stoves having a fire pot 8 inches in diameter and under, each per annum.....	5.25



Upright stoves having a fire pot 14 inches in diameter and over 8 inches, each per annum.....	\$7.00
Upright stoves having a fire pot 18 inches in diameter and over 14 inches, each per annum.....	11.00
Upright stoves having a fire pot over 18 inches in diameter, each per annum.....	13.00
Grates and open front heating stoves, each per annum.....	10.00

Furnaces—For Heating Residences—Monthly Charges:

With a fire pot having a diameter of 22 inches or under, each per month .....	\$ 3.00
With a fire pot having a diameter of 24 inches and over 22 inches, each per month.....	3.40
With a fire pot having a diameter of 26 inches and over 24 inches, each per month.....	3.50
With a fire pot having a diameter of 28 inches and over 26 inches, each per month.....	3.75
With a fire pot having a diameter of 30 inches and over 28 inches, each per month.....	4.00
With a fire pot having a diameter of 34 inches and over 30 inches, each per month.....	4.50
With a fire pot having a diameter of 36 inches and over 34 inches, each per month.....	5.50
With a fire pot having a diameter of 40 inches and over 36 inches, each per month.....	6.50
With a fire pot having a diameter of over 40 inches, each per month .....	8.00

Furnaces—For Heating Residences—Annual Charges:

With a fire pot having a diameter of 22 inches or under, each per annum .....	\$20.00
With a fire pot having a diameter of 24 inches and over 22 inches, each per annum.....	23.80
With a fire pot having a diameter of 26 inches and over 24 inches, each per annum.....	24.50
With a fire pot having a diameter of 28 inches and over 26 inches, each per annum.....	26.25
With a fire pot having a diameter of 30 inches and over 28 inches, each per annum.....	28.00
With a fire pot having a diameter of 34 inches and over 30 inches, each per annum.....	31.50
With a fire pot having a diameter of 36 inches and over 34 inches, each per annum.....	38.50
With a fire pot having a diameter of 40 inches and over 36 inches, each per annum.....	45.50
With a fire pot having a diameter of over 40 inches, each per annum .....	55.00

For Heating Stores, Halls, Business Houses and Hotels—

Monthly Charges:

Stoves having a fire pot under 16 inches in diameter, each per month .....	\$ 3.00
Stoves having a fire pot 16 inches in diameter and under 20 inches, each per month.....	4.00
Stoves having a fire pot 20 inches in diameter and over, each per month .....	6.00
Grates and open stoves, each per month.....	2.00

## Annual Charges:

Stoves having a fire pot under 16 inches in diameter, each per annum .....	\$20.00
Stoves having a fire pot 16 inches in diameter and under 20 inches, each per annum.....	26.00
Stoves having a fire pot 20 inches in diameter and over, each per annum .....	40.00
Grates and open stoves, each per annum.....	14.00

## For Heating Stores, Halls, Business Houses and Hotels—

## Monthly Charges:

Furnaces having a fire pot 26 inches in diameter and under, each per month.....	\$ 4.60
Furnaces having a fire pot 30 inches in diameter and over 26 inches, each per month.....	5.30
Furnaces having a fire pot 36 inches in diameter and over 30 inches, each per month.....	7.30
Furnaces having a fire pot 40 inches in diameter and over 36 inches, each per month.....	8.65
Furnaces having a fire pot over 40 inches in diameter, each per month .....	10.00

## Annual Charges:

Furnaces having a fire pot 26 inches in diameter and under, each per annum.....	\$30.00
Furnaces having a fire pot 30 inches in diameter and over 26 inches, each per annum.....	35.00
Furnaces having a fire pot 36 inches in diameter and over 30 inches, each per annum.....	45.00
Furnaces having a fire pot 40 inches in diameter and over 36 inches, each per annum.....	55.00
Furnaces having a fire pot over 40 inches in diameter, each per annum .....	65.00

## FOR RESTAURANTS.

Cooking stoves and ranges, each per month.....	\$ 3.00
Cooking stoves and ranges, each per annum.....	30.00

## FOR HOTELS.

Cooking stoves and ranges each per month.....	\$ 5.00
Cooking stoves and ranges, each per annum.....	50.00

## DOMESTIC USE.—TWO-OUNCE PRESSURE.

For natural gas fuel supplied in sufficient volume to make an average pressure of less than three but not less than two ounces per square inch at the point of consumption between the hours of 6 o'clock a. m. and 9 o'clock p. m. of each day, such corporations, firms, companies or individuals who have heretofore accepted or may hereafter accept the provisions of said ordinance, entitled as aforesaid and approved June 27, 1887, shall be authorized to charge and receive seventy-five per cent. of the rates set forth in the foregoing schedule, item by item, and no greater rate or price shall be charged or received for such pressure.

## DOMESTIC USE.—LESS THAN TWO-OUNCE PRESSURE.

For natural gas fuel supplied in sufficient volume to make or cause an average pressure of less than two ounces per square inch at the point of consumption between the hours of 6 o'clock a. m. and 9 o'clock p. m. of each day, such corporations, firms, companies or individuals, who have heretofore accepted or may hereafter accept the provisions of said ordinance entitled as aforesaid and approved June 27, 1887, shall be authorized to charge and receive fifty per cent. of the rates set forth in the foregoing schedule, item by item, and no greater rate or price shall be charged or received for any such pressure.

The above schedule of rates is based upon a continuous supply of natural gas fuel throughout the twenty-four hours of each day during each year. The requirement of an average pressure, hereinbefore provided for, between the hours of 6 a. m. and 9 p. m. shall not be construed as in any wise interfering with the obligation of said corporations, companies, firms and individuals engaged in supplying natural gas in said city to furnish to the consumers on their respective lines such continuous supply.

The "point of consumption" as used and referred to in this ordinance shall be deemed and held to mean that point where the natural gas passes out of the supply pipe of the corporation, company, firm or individual furnishing the same and enters such pipes of the consumer as are known as house connections.

Sec. 2. For the purpose of ascertaining the volume of natural gas furnished to consumers in the various parts of said city, and determining the pressure per square inch at the various points of consumption, hereinbefore referred to, the City Civil Engineer is hereby directed to divide the territory occupied by the pipes and mains of each of the corporations, companies, firms or individuals, who have accepted or who may hereafter accept the terms and provisions of the said ordinance approved June 27, 1887, into as many districts as may be necessary for such purpose, and proceed without delay to procure and erect a sufficient number of Bristol recording gauges of the latest and most approved kind, which will accurately show the amount of pressure at the points of such location. The said gauges shall be located at the point in each of such districts nearest the source of supply and where the volume and pressure of the natural gas is the greatest, and also at the point in each of such districts the most remote from such source of supply and where the volume and pressure of such natural gas is the weakest, and at such intermediate points in each of such districts as may be necessary to arrive as nearly as possible at the average volume and pressure of natural gas within the said district. The average pressure of natural gas in each of such districts shall be taken as the average pressure at the various points of consumption within such district, and the rates charged, as fixed by the foregoing schedule, shall be governed by the average pressure in each of such districts as shown by the said gauges.

The said gauges shall be located at accessible points in each of such districts, and the said corporation, company, firm or individual furnishing natural gas fuel as aforesaid in any such district shall have access to the same at all proper times, in the presence of the City Civil Engineer, for the purpose of examination and inspection, and if it shall be claimed in writing to the Board of Public Works at any time by any such corporation, company, firm or individual so furnishing gas that said gauges or any of them do not correctly register the volume or pressure of such natural gas at any point, or that there is not a sufficient number of such gauges in any such district to correctly show the average volume and pressure of natural gas therein, and there should be a disagreement be-

tween any of such corporations, companies, firms or individuals and the Board of Public Works of said city as to either of such questions, then any such question shall without any delay be submitted to two competent and disinterested persons for arbitration and settlement. One of such arbitrators shall be chosen by said Board of Public Works and the other by the said corporation, company, firm or individual so complaining, and in case such two arbitrators shall fail to agree, they shall choose a third competent and disinterested arbitrator, and the decision of the arbitrators thus chosen shall be final; and if by such decision it is found that any such gauges register inaccurately, the same shall at once be removed by the City Civil Engineer and accurate gauges substituted therefor. If such arbitrators shall decide that there is not a sufficient number of gauges in any of such districts, then such additional number as they may decide is necessary therein shall be supplied by the said City Civil Engineer under the supervision of the said Board of Public Works.

All such gauges shall be erected at the expense of such corporations, companies, firms or individuals engaged in supplying natural gas fuel under the provisions of said ordinance approved June 27, 1887, and in case any such corporation, company, firm or individual engaged in so supplying natural gas fuel in any district so created as aforesaid shall fail on demand of the City Civil Engineer to provide an adequate number of such gauges for the districts in which it is supplying natural gas, the City Civil Engineer shall proceed, under the supervision of the Board of Public Works, to procure such gauges, and the cost thereof shall be charged to and collected from any such corporation, company, firm or individual.

Sec. 3. If, without the fault of any consumer of natural gas in said city, whose property is connected with the line of mains of any corporation, company, firm or individual engaged in supplying natural gas under the provisions of the said ordinance approved June 27, 1887, any such corporation, company, firm or individual shall on any day between the hours of 6 a. m. and 9 p. m. fail for a period of four hours to furnish a sufficient supply of natural gas fuel to any cook stove or range of such consumer for ordinary domestic cooking purposes, or to any grate, heating stove or furnace of any such consumer, a sufficient supply of such gas for ordinary heating purposes so that any such consumer is either deprived of such fuel altogether, or is compelled to procure other fuel for use instead of such natural gas fuel during any such period of four hours in any one day, then any such consumer shall not be required to pay to any such corporation, company, firm or individual any sum for any natural gas furnished during any such day or part thereof, and there shall be deducted from any monthly charge for natural gas against any such consumer one-thirtieth part of the regular rate and charge for each and every day that any such failure of supply occurs during any such month: Provided, That such consumer shall on the failure of such natural gas fuel, as aforesaid, immediately give notice of such failure to the corporation, company, firm or individual engaged in supplying the same.

Sec. 4. No corporation, company, firm or individual engaged in supplying natural gas fuel, under the provisions of the said ordinance approved June 27, 1887, shall, between the first day of November and the first day of the following April in any year or years, collect in advance from any consumer in said city for natural gas fuel to be furnished for a period longer than one month at a time, and in case there shall be a failure on the part of any such corporation, company, firm or individual to supply to any consumer, during any month, the amount of gas for which he has paid in advance, as required by the provisions of this



ordinance, the said overcharge for any such month shall be credited to any such consumer on the amount charged to him on his bill for such fuel for the next ensuing month.

Sec. 5. It shall be the duty of the City Civil Engineer to cause to be made a daily inspection of all the gauges hereinbefore provided for in the several districts aforesaid, between the 15th day of November and the 1st day of April succeeding, and to keep in his office during every day between such dates a correct record of the average natural gas pressure in each of such districts, as shown by such gauges, which record shall be open to the inspection of all corporations, companies, firms and persons engaged in supplying natural gas under the provisions of said ordinance, also to all consumers of natural gas in any and all such districts aforesaid.

Sec. 6. Any corporation, company, firm or individual engaged in the business of supplying natural gas fuel to consumers in said city, which or who shall violate any of the provisions of this ordinance, shall on conviction therefor be fined in any sum not less than fifty nor more than one hundred dollars.

Sec. 7. This ordinance shall not be so construed as to repeal or in any wise interfere with the operation of any part of the ordinance entitled "An ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the City of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes," approved June 27, 1887, except such parts thereof as are inconsistent therewith. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 8. This ordinance shall be in force from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper having a general circulation in said city.

Which was read a first time and referred to Committee on Contracts and Franchises.

On motion of Mr. Higgins, the Common Council, at 8:18 o'clock P. M., adjourned.

*Jno. H. Grace*

President.

ATTEST:

*Jesse H. Gaskin*

City Clerk.