

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
July 15, 1895. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 15, 1895, at 8 o'clock, in regular meeting.

Present, Hon. Wm. H. Cooper, President of the Common Council, in the chair, and 18 members, viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer and Young.

Absent, 2—viz: Messrs. Stein and Stott.

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

Which motion prevailed.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY COMPTROLLER,
July 15, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I inclose a request from the Board of Park Commissioners, for an appropriation of ten thousand dollars for park purposes. At the desire of the Mayor, I recommend that the appropriation be made.

Respectfully,

P. C. TRUSLER,
City Comptroller

DEPARTMENT OF PUBLIC PARKS,
CITY OF INDIANAPOLIS,
July 13, 1895. }

Preston C. Trusler, Esq., Comptroller, City:

SIR—The undersigned Commissioners of the Department of Public Parks, have entered into contracts for the permanent improvement of the public parks of this city, which will require the balance standing to our credit. There are a number of permanent improvements, which, in the opinion of the Board, should be made this fall, which includes the improvement of the Brookside Park, and the fifteen acres on east Washington street, north of the Institute for the Deaf and Dumb, which was turned over to the city by the last Legislature for park purposes. There are several small tracts of land desirable for park purposes, that can be purchased at a much lower rate now than at any other time.

We are of the opinion that we could use the sum of ten thousand dollars, (\$10,000), with great advantage to the city, and request that the Common Council appropriate that amount for park purposes, and that you will recommend said Council to make such appropriation for the purpose stated.

Respectfully,

FRANK A. MAUS,
H. C. ALLEN,
ORAN PERRY.
W. H. LEEDY,

Commissioners Department of Public Parks.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
CITY OF INDIANAPOLIS,
July 13, 1895. }

Hon. W. H. Cooper, President Common Council, City:

DEAR SIR—Will your honorable body authorize and provide for an appropriation of \$1,000 for "Sewer" fund; the sum of \$681.84 for "Sewer Gang Pay Roll" fund; and the sum of \$126.35 for a fund which might be designated as "East Washington Street Sewer Fund."

These appropriations are asked in order that the Board may be reimbursed for money spent in correcting improper sewer connections made to the East Washington street main sewer. We herewith submit to you a statement showing in detail what moneys have been spent and what yet remains to be paid on this account.

Very respectfully,

W. B. HOLTON,
E. L. ATKINSON,
JNO. OSTERMAN,
Board of Public Works.

The following is a statement of expenditures made by the Board of Public Works of the City of Indianapolis in the payment of laborers and purchase of material used in correcting improper house connections made from the East Washington street main sewer to the curb line on property abutting on said sewer:

PAY ROLL OF LABORERS.

May 11, 1895.	Vo. 391.	For the week ending	May 9	\$ 26 64
May 18, 1895.	Vo 395.	“ “	May 16	156 43
May 25, 1895.	Vo. 399.	“ “	May 23	347 12
June 1, 1895.	Vo. 470.	“ “	May 30	273 53
June 8, 1895.	Vo. 490 & 491.	“ “	June 6	345 00
June 15, 1895.	Vo. 496.	“ “	June 13	242 27
June 22, 1895.	Vo. 500.	“ “	June 20	68 12
June 29, 1895.	Vo. 503.	“ “	June 27	87 79
Total of Pay Roll				\$1,546 90

COST OF MATERIAL PURCHASED.

June 1, 1895.

Vo. 469.	Hildebrand Hardware Co.	\$ 80
Vo. 471.	Lilly & Stalnaker.....	18 99
Vo. 472.	H. C. Long	16 11
Vo. 473.	H. C. Long	32 22
	Lilly & Stalnaker	4 82
	Frank M. Dell.....	86 98
Total of Material Purchased		\$159 92

RECAPITULATION.

Total of Pay Roll	\$1,546 90
Total of Material Purchased	159 92
Total	\$1,706 82

To the above should be added the following:

Jan. 14, 1895:	
Expense of F. M. Dell in correcting connections made to property No. 390 East Washington street.....	\$ 34 55
August 22, 1895:	
Labor of Street Department in bouldering sunken ditches on East Washington street and properly filling same.....	59 07
December 10, 1894:	
Labor and material in Street Department correcting improper con- nection at Washington street and Arsenal avenue	7 75
Adding cost of labor and material above itemized	1,706 82
Grand total	\$1,808 19

Which was read and referred to Committee on Finance.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
CITY OF INDIANAPOLIS,
July 13, 1895. }

Hon. William H. Cooper, President Common Council:

DEAR SIR—Will you kindly refer this communication to the proper committee of the Common Council with the request that they at once take up the matter of pre-

paring proper ordinance or ordinances, looking to the protection of the Capitol avenue boulevard? This improvement is now an assured thing. Bids will be received for this work the 25th inst. We hope your honorable body will not delay taking such action as will prevent heavy teaming on this avenue.

Very respectfully,

W. B. HOLTON,
E. L. ATKINSON,
JNO. OSTERMAN,
Board of Public Works.

Which was read and referred to Committee on Ordinances.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Rauh, on behalf of the Committee on Finance, to which was referred:

Appropriation Ordinance No. 5, 1895. An ordinance appropriating three thousand dollars to the Department of Public Works of the city of Indianapolis, to be used in repairing Tomlinson Hall.

Made the following report:

Mr. President:

Your Committee on Finance to whom was referred Appropriation Ordinance No. 5, had the same under consideration and respectfully recommend it to be passed,

HENRY RAUH.
GEO. MERRITT.
GEO. R. COLTER.
J. R. ALLEN.
JAS. H. COSTELLO.

Which was read and concurred in.

Mr. Kaiser, on behalf of the Committee on Elections, to which was referred:

G. O. No. 37, 1895. An ordinance to divide the City of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and Common Council boundaries in such city, and establishing the boundaries of such wards, and fixing the time when such ordinance shall take effect.

And—

G. O. No. 38, 1895. An ordinance fixing the boundaries of the voting precincts in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, IND., July 15, 1895.

Mr. President:

Your Committee on Elections to which was referred General Ordinances Nos. 37 and 38, have had the same under consideration and respectfully recommend the passage of the same.

WM. KAISER.
A. A. YOUNG.

Which was read and concurred in.

Mr. Koehring, on behalf of the Committee on Public Property and Improvements, to which was referred :

G. O. No. 39, 1895 An ordinance to amend Section 1 of an ordinance entitled "An ordinance to amend Section 1 of an ordinance entitled 'An ordinance defining the fire limits in the City of Indianapolis, and the character of buildings which are forbidden to be erected within such limits, and matters connected therewith,' being General Ordinance No. 45, 1894, approved July 25, 1894," being General Ordinance No. 26, 1895.

Made the following report :

To the President and Members of the Common Council :

GENTLEMEN—Your Committee on Public Property and Improvements to whom was referred G. O. No. 39, 1895, has considered the same and recommend that it be passed.

GEO. R. COLTER.
CHAS. KOEHRING.

Which was read and concurred in.

Mr. Young, on behalf of the Committee on Railroads, to which was referred :

General Ordinance No. 36, 1895. An ordinance requiring the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Pennsylvania street and the Louisville Division of said company's tracks in the city of Indianapolis, Indiana.

Made the following report :

INDIANAPOLIS, IND., July 15, 1895.

Mr. President :

Your Committee on Railroads to which was referred G. O. No. 36, 1895, beg to report that they have considered the same and respectfully recommend that it be passed.

A. A. YOUNG.
P. J. RYAN.

Which was read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced :

By Mr. Rauh :

G. O. No. 40, 1895. An ordinance regulating the collecting, keeping, storing, handling and licensing the removal by contract of kitchen garbage, night soil and other refuse matter, whether animal or vegetable, and regulating the cleaning of sidewalks, on all improved streets, alleys or public highways; providing a penalty for the violation thereof, repealing conflicting ordinances and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, as follows: The words "kitchen garbage" where used in this ordinance shall be held to mean any and every accumulation of vegetable and animal matter, liquid or solid, that is received from kitchens, and also decayed or unsound matter, such as vegetables or fruits, but does not include paper, linen or woolen materials or any refuse not consisting of vegetable or animal matter. The words "night soil" to mean the contents of privy vaults, cesspools, dry wells, sinks or other material giving off noxious odors, whether animal or vegetable, liquid or solid, other than that received from kitchens. The word "ashes" to mean the waste products of combustion of any material, sweepings, papers, dirt, or other accumulations not giving off noxious odors.

SEC. 2. It shall be unlawful for any person, firm or corporation to throw, cast or deposit any dead animal, garbage or noxious refuse matter of any kind whatever, upon the banks of or into any stream of water flowing into the City of Indianapolis at any point within ten miles of the corporate limits thereof; or into, or on, any gutter, sewer, manhole, street, alley, public place or vacant lot within said city.

SEC. 3. It shall be the duty of every tenant, lessee, or occupant of every dwelling, tenement house, lodging house, hotel, restaurant or boarding house, or other person or persons, firm or corporation, on whose premises garbage or offal collects, to provide and at all times to keep within such building or on the lot on which such building is erected, suitable and sufficient boxes, barrels, or tubs, with covers thereto, for receiving and holding without leakage, and without being filled to within four inches of the top, all the garbage that may accumulate on the premises between the times of collection as hereinafter specified; and all such boxes, barrels or tubs shall be placed at all times in such places as to be readily accessible for removal and emptying, and where they shall not be a public nuisance, as upon a public street, alley or highway; and no person, unless authorized for that purpose by contract or license, shall interfere with them or the contents thereof.

All ashes or material other than garbage, as defined in Section 1 of this ordinance, shall at all times be placed in a separate covered receptacle, and be readily accessible for emptying or removal, and be placed within the building or within the confines of the lot on which the building is situated.

SEC. 4. All garbage, night soil, or matter giving off noxious odors shall be hauled through the public streets of the city in air tight vessels or wagons. All ashes and refuse matter not giving off noxious odors must be hauled in water-tight wagons or vessels. The top may be open, but when hauling the contents shall be covered with tarpaulin or any suitable cover, and the contents must not in any event be allowed to be scattered by the wind, or be spilled upon any public street, alley or highway within the City of Indianapolis, or upon any public highway before reaching its destination.

Carts, wagons or vessels used in the collection of garbage or noxious matters, when not in use must be kept in some place where no needless offense shall be given to any resident of the city.

SEC. 5. All sweepings from stores or sidewalks located on any improved street, shall be deposited in a closed receptacle and placed so as to be readily accessible for removal. Such sweepings must be deposited in such receptacle before the hour of 8:30 A. M., and after the contents are removed by the contractor the occupants of such store shall remove the receptacle.

SEC. 6. All persons, firms or corporations engaged in collecting and hauling garbage, night soil, ashes and other refuse matter through the streets, alleys and public highways of the City of Indianapolis must provide carts or wagons that will not allow the contents of the wagon or cart to be sifted, spilled or fall upon such street, alley or highway, and must provide wagons or carts with sideboards high enough to prevent the overflow or jolting off of any of the contents of such wagon or cart.

SEC. 7. It shall be unlawful for any person engaged in the business of hauling garbage, night soil, ashes and other refuse matter, as enumerated in Section 1 of this ordinance, to fail to comply with the terms of his contract.

SEC. 8. It shall be the duty of the Department of Public Safety and health officers to see that the provisions of this ordinance are complied with, and it shall be the duty of the health officers under the Board of Health and Charities to see that no garbage is left or permitted to remain in or on the premises of the residents of the city, and to enforce all penalties that may be prescribed in any contract entered into with any person on the part of the city for the proper removal and disposal of all garbage, night soil, ashes and other refuse matter.

SEC. 9. Any person violating any of the provisions of this ordinance shall be fined in any sum not less than one dollar nor more than one hundred dollars. Any person convicted a second time of violating the provisions of this ordinance shall be fined not less than five dollars. Any person convicted a third time of violating the provisions of this ordinance shall be fined not less than ten dollars.

SEC. 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SEC. 11. This ordinance shall be published one day each week for two consecutive weeks in *The Sun*, a daily newspaper printed and published in said city of Indianapolis.

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

MISCELLANEOUS BUSINESS.

Mr. Young offered the following resolution:

Resolution No. 8, 1895.

Resolved, By the Common Council of the City of Indianapolis, Indiana, that O. R. Johnson and the persons associated with him as directors of the Summer Amusement Company, which contemplates furnishing out-door entertainment at Wildwood Park, south of Fall creek and between Meridian street and Illinois street, be and they are hereby granted permission to give such out-door exhibitions during the summer of 1895 without procuring a city license so to do.

Which was passed by the following vote:

AYES, 15—viz: Messrs. Colter, Costello, Drew, Hennessy, Kaiser, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS, 4—viz: Messrs. Allen, Koehring, Krauss and Magel.

ORDINANCES ON SECOND READING.

On motion of Mr. Rauh, the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time:

Appropriation Ordinance No. 5, 1895. An ordinance appropriating three thousand dollars to the Department of Public Works of the city of Indianapolis, to be used in repairing Tomlinson Hall.

And was passed by the following vote :

AYES, 19—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS—None.

On motion of Mr. Shaffer, the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time :

G. O. No. 39, 1895. An ordinance to amend Section I of an ordinance entitled "An ordinance to amend Section I of an ordinance entitled 'An ordinance defining the fire limits in the City of Indianapolis, and the character of buildings which are forbidden to be erected within such limits, and matters connected therewith', being General Ordinance No. 45, 1894, approved July 25, 1894," being General Ordinance No. 26, 1895.

And was passed by the following vote :

AYES, 19—viz: Messrs. Allen, Colter, Costello, Drew Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS—None.

On motion of Mr. Young the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time :

General Ordinance No. 36, 1895. An ordinance requiring the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Pennsylvania street and the Louisville Division of said company's tracks in the city of Indianapolis, Indiana.

And was passed by the following vote :

AYES, 19—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS—None.

On motion of Mr. Kaiser the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time :

G. O. No. 37, 1895. An ordinance to divide the City of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and Common Council boundaries in such city, and establishing the boundaries of such wards, and fixing the time when such ordinance shall take effect.

And passed by the following vote :

AYES, 14—viz: Messrs. Allen, Drew, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Puryear, Rauh, Schmid, Shaffer, Young and President Cooper.

NAYS, 5—Messrs. Colter, Costello, Hennessy, O'Brien and Ryan.

On motion of Mr. Kaiser, the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time :

G. O. No. 38, 1895. An ordinance fixing the boundaries of the voting precincts in the City of Indianapolis, Indiana.

And was passed by the following vote :

AYES, 14—viz: Messrs. Allen, Drew, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Puryear, Rauh, Schmid, Shaffer, Young and President Cooper.

NAYS, 5—viz: Messrs. Colter, Costello, Hennessy, O'Brien and Ryan.

On motion of Mr. Colter, the Common Council, at 9:45 o'clock P. M., adjourned.

ATTEST: *M. H. Cooper* President.
Lee Nixon City Clerk.