

SPECIAL MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
July 29, 1895. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 29, 1895, at 8 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., July 27, 1895.

Lee Nixon, Esq., City Clerk:

Please issue the following call:

To the Members of the Common Council:

GENTLEMEN—You are hereby requested to meet in special meeting in the Council chamber, at eight o'clock P. M., July 29, 1895, to transact such business as may come before said meeting.

W. H. COOPER,
President.

INDIANAPOLIS, IND., July 25, 1895.

Mr. W. H. Cooper, President Common Council:

The undersigned, members of the Common Council of the City of Indianapolis, request you to call a special meeting in the Council chamber, Monday evening, July 29, 1895, at 8 o'clock, for the purpose of transacting such business as may come before it for consideration.

D. W. O'BRIEN.
A. A. YOUNG.
ED. G. STOTT.
CHARLES KRAUSS.
HENRY MAGEL.

I, Lee Nixon, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

LEE NIXON,
City Clerk.

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, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stott and Young.

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

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

Which motion prevailed.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
July 22, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I have approved the following ordinances passed by your honorable body at your last meeting, to-wit :

- App. O. No. 5, 1895. An ordinance appropriating \$3,000 to the Department of Public Works of the City of Indianapolis for repairs to Tomlinson Hall.
- G. O. 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.
- 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 of such wards, and fixing the time when such ordinance shall take effect.
- G. O. No. 38, 1895. An ordinance fixing the boundaries of the voting precincts in the City of Indianapolis, Indiana.

Respectfully submitted,
C. S. DENNY,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
July 20, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I herewith return G. O. No. 39, 1895, passed at your last meeting, with my disapproval endorsed thereon.

This ordinance assumes to amend Section I of the fire limit ordinance of July 25, 1894, as subsequently amended in 1895, by striking out a few words thereof. The section sought to be amended is a very long one, though no part of it is included in the ordinance under consideration, except the few words sought to be eliminated by the amendment. Such an amendment would be clearly unconstitutional as applied to an act of the State Legislature. As there is no provision in the charter requiring that ordinances shall be set out in full as amended, however, it is probable that the ordinance under consideration would be upheld. The pre-

cedent of enacting ordinances in that form, however, would, in my opinion, be a bad one, for much confusion would surely result. I deem it unwise to approve it for that reason. But the wisdom of the change sought to be made by this ordinance is also seriously questioned by me. It greatly weakens the original ordinance on the subject of repairs to frame buildings within the fire limits. My opinion is that the present ordinance should be strengthened in this respect, rather than weakened. I trust a careful consideration of this matter will be had before further action is taken, and that representatives of the Builders' Exchange will be heard at the proper time. They have expressed a desire to appear before your committee should a new ordinance be introduced.

Respectfully submitted,

C. S. DENNY,
Mayor.

Which was read and referred to Committee on Public Safety and Comfort.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Mr. Koehring:

G. O. No. 41, 1895. An ordinance repealing all resolutions and ordinances of the City of Indianapolis, Indiana, permitting the erection and maintenance of telephone poles, wires and appliances in the streets of said city, except ordinances approving contracts made by the Board of Public Works, authorizing such use of said streets, and prohibiting the erection and maintenance of telephone and telegraph poles and appliances in the streets, avenues, alleys and public places of said city, within the limits of a district bounded on the north by New York street, on the east by Alabama street, on the south by Louisiana street, and on the west by Mississippi street, and authorizing the use within said district of said streets, avenues, alleys and public places for the laying and maintenance of underground conduits for conducting such telephone and telegraph wires, and prescribing a penalty for the violation thereof.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That all resolutions and ordinances of said City of Indianapolis, now in force, authorizing and permitting the erection and maintenance of telephone poles, wires and appliances in the streets, avenues, alleys and public places of said city, except only ordinances which approve contracts, made by the Board of Public Works; authorizing the use of said streets, avenues, alleys and public places for the erection and maintenance of such poles, wires and appliances, be and the same are hereby repealed.

SEC. 2. On and after one hundred and fifty days after the taking effect of this ordinance, it shall be unlawful for any person, copartnership, association or corporation, to erect or to permit to be erected any telephone or telegraph poles, aerial wires or structures, or to maintain or permit to be maintained any telephone or telegraph poles, aerial wires or structures, already erected in any of the streets, avenues, alleys or public places of said city within the district or part thereof bounded by the following streets, viz.: on the north by New York street, on the east by Alabama street, on the south by Louisiana street and on the west by Mississippi street, unless such poles, wires or structures shall be so erected or maintained in conformity with the provisions of a duly authorized contract with said City of Indianapolis.

SEC. 3. It shall be unlawful for any person, copartnership, association or corporation, upon permission received from the Board of Public Works of said City of Indianapolis, to use the streets, avenues, alleys and public places of said City of Indianapolis, within the district or part thereof bounded as follows: on the north by New York street, on the east by Alabama street, on the south by Louisiana street and on the west by Mississippi street, for the purpose of laying and maintaining underground conduits for conducting therein telephone and telegraph wires.

SEC. 4. That any person, copartnership, association or corporation who shall violate any provision of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$25.00 nor exceeding \$200.00, and each day that any such person, copartnership, association or corporation shall violate any of said provisions of said ordinance, shall constitute a separate offense.

SEC. 5. This ordinance shall take effect and be in force from and after its passage and publication once each week for two weeks consecutively in The Sun, a daily newspaper of general circulation printed and published in the City of Indianapolis, Marion County, Indiana.

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

By Mr. Koehring:

G. O. No. 42, 1895. An ordinance to repeal G. O. No. 8, 1887, being an "Ordinance to permit David Quaintance to occupy a stand over the east gutter of Meridian street at the southeast corner of Meridian and Washington streets, in the City of Indianapolis."

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that General Ordinance No. 8, 1887, be and is hereby repealed.

SEC. 2. This ordinance shall be in force from its passage.

Which was read a first time and referred to Committee on Public Safety and Comfort.

On motion of Mr. Ryan the Common Council, at 8:10 o'clock P. M., adjourned.

W. H. Cooper

President.

ATTEST:

Lee Nixon

City Clerk.