

REGULAR MEETING.

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

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

Present, Hon. John H. Mahoney, President of the Common Council, in the chair, and 16 members, viz.: Messrs. Allen, Bernauer, Bowser, Colter, Costello, Crall, Harston, Higgins, Little, Madden, Moffett, McGrew, Scanlon, Shaffer, Smith and Von Spreckelsen.

Absent—4, viz.: Messrs. Clark, Knight, Merrick and Rauch.

The Clerk proceeded to read the Journal, whereupon Councilman Madden 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., February 6, 1899. }

To the President and Members of the Common Council:

Gentlemen—I recommend that an appropriation be made to the Department of Finance of three hundred eighty-seven dollars and thirty-six cents (\$387.36), to be applied as follows: One hundred and ninety-three dollars and sixty-eight cents (\$193.68) each to Kate Davy, executrix of

the estate of John Davy, deceased, and Mary Hurley, administratrix of the estate of Timothy Hurley, deceased. This is for the purpose of re-funding part of liquor license, as provided by an act of the Legislature. Herewith is submitted affidavits as to correctness of the claims.

Respectfully submitted,

E. M. JOHNSON,
City Comptroller.

Which was read and referred to Committee on Accounts and Claims.

Communication from City Comptroller:

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

To the President and Members of the Common Council:

Gentlemen—Herewith is submitted the annual report of the City Comptroller for the year ending December 31, 1898. The financial condition of the city is fully set forth therein, showing receipts and expenditures, specifically itemized, and your attention is respectfully directed to the various tables contained in this report.

The permanent bonded debt of the city on January 1, 1898, was \$2,030,500. In this was included \$116,000 assumed by reason of annexation of suburban territory and towns. During the year 1898 \$10,000 of the city debt proper and \$3,100 of the suburban debt was paid, leaving the total debt of the city on January 1, 1899, \$2,017,400. Of this amount, \$110,000 bears 3½ per cent. interest, \$1,794,500 bears 4 per cent. interest, \$12,800 bears 5 per cent. interest, and \$100,100 bears 6 per cent. interest. The bonds bearing a greater rate of interest than 4 per cent. were part of the debt assumed. On December 15, 1898, bonds in the amount of \$110,000, bearing 3½ per cent. interest, due in ten years, were sold at a premium of \$2,530.60. The proceeds of these bonds were applied to the payment of a like amount, issued January 1, 1889, bearing 4 per cent., and optional after ten years.

The city's financial condition is excellent, and its credit is equal to that of any city in the country.

Respectfully submitted,

E. M. JOHNSON,
City Comptroller.

TABLE No. 1.

Synopsis of Receipts and Expenditures, 1898.

Cash available, January 1, 1898.		\$445,603 40
Received from taxes	\$706,017 54	
Received from sundry sources...	254,066 90	
Total ordinary receipts.....		\$960,084 44
Received from—		
Sale of refunding bonds, 1899..	\$110,000 00	
Premium on same	2,530 60	
Total extraordinary receipts.		112,530 60
Total receipts, 1898		1,072,615 04
Total to be accounted for....		\$1,518,218 44
Paid current expenses... ..	\$944,635 66	
Paid permanent improvements..	429,136 67	
Total ordinary expenditures.		\$1,373,772 33
Paid redemption of bonds (extra- ordinary expenditure)....		123,100 00
Total expenditures.....		1,496,872 33
Available cash on hand Jan. 1,'99.		\$21,346 11

TABLE No. 2.
Current Receipts, 1898.

FEES.		
City Civil Engineer.....	\$1,736	53
City Comptroller.....	4,138	25
East Market	3,309	25
Hay Market.....	563	55
Pay patients, City Hospital.....	1,635	36
		\$11,382 94
LICENSE.		
Auction	\$300	00
Brewery.....	12,000	00
Dog	4,430	00
Dray	6	00
Exhibition.....	1,029	16
Express.....	186	25
Hack.....	341	00
Huckster	4,120	00
Liquor	127,490	60
Pawnbroker.....	1,300	00
Peddler.....	589	00
Riding Gallery	15	00
Shooting Gallery	50	00
Vehicle.....	43,476	05
		195,333 06
MISCELLANEOUS.		
Brightwood Waterworks.....	\$1,118	02
City Dispensary, sale of old furniture.....	6	00
Fines and fees, City Court	4,204	75
Fire force.....	585	71
Forfeited checks—Capitol Paving and Con. Co..	100	00
W. H. Abbett	100	00
Franchises—Central Union Telephone Co.....	6,000	00
Indianapolis Light and Power Co..	11,365	51
Haughville hall rent.....	389	50
Market leases	16,831	05
Old judgment for fine collected.....	15	00
Parks—Rebate on bill.....	56	00
Privileges at Garfield.....	175	00
Sale of old material	69	31
Police force	467	13
Rebate Continental Insurance Co.....	18	85
Sellers farm rent.....	1,000	00
Street Commissioner—Sale of old iron.....	250	00
Sale of old hose.....	8	88
Street and alley openings and vacation.....	1,616	08
Taxes	706,017	54
Tomlinson Hall rent.....	2,875	00
Use of road roller, Browder & Shover.....	93	33
Warrants covered back into General Fund.....	5	78
		753,368 44
Total current receipts		\$960,084 44
EXTRAORDINARY RECEIPTS, 1898.		
Sale of refunding bonds of 1899.....		\$112,530 60
Total receipts, 1898		\$1,072,615 04

TABLE No. 3.

Appropriations, Expenditures and Balances, 1898.

FUND.	Appropriation.	Expenditure.	Balance.
FINANCE DEPARTMENT.			
Assessing city property	\$2,500 00	\$2,500 00	.....
Books, stationery and supplies	2,000 00	1,658 06	\$341 94
Haughville school bond No. 7	1,000 00	1,000 00	.....
Improvement bonds of 1896	10,000 00	10,000 00	.....
Interest and exchange city bonded indebtedness	76,656 68	76,656 68	.....
Interest and exchange Brightw'd bonded indebtedness	1,080 00	1,080 00	.....
Interest and exchange Haughville bonded indebtedness	970 00	970 00	.....
Interest and exchange Mt. Jackson bonded indebtedness	42 00	42 00	.....
Interest and exchange Indianapolis bonded indebtedness	4,740 00	4,740 00	.....
Liquor license rebates	428 48	428 48	.....
Miscellaneous expenses city offices	4,000 00	3,484 76	515 24
Mt. Jackson school bonds	100 00	100 00	.....
Payment of Haughville warrants	28 08	28 08	.....
Payment of refunding bonds of 1899 and expenses	112,530 60	110,422 14	2,108 46
Special police judge	150 00	110 00	40 00
Salaries	53,870 00	53,870 00	.....
West Indianapolis school bonds	2,000 00	2,000 00	.....
Totals	\$272,095 84	\$269,090 20	\$3,005 64
DEPARTMENT OF LAW.			
Change of venue cases	\$500 00	\$276 55	\$223 45
Judgments, compromises and costs	8,000 00	2,710 32	5,289 68
Office rent and expenses	240 00	240 00	.....
Special assistant counsel and expenses	2,986 38	40 00	2,946 38
Special assistant counsel and expenses Indianapolis Gas Company litigation	1,000 00	111 75	888 25
Transcripts, printing of briefs and stationery	300 00	289 70	10 30
Totals	\$13,026 38	3,668 32	9,358 06
DEPARTMENT OF PUBLIC WORKS.			
Assessments, erroneous	\$1,000 00	\$724 20	\$275 80
Assessments, payment of	8,359 03	8,333 64	25 39
Assessment roll, clerks' salaries	6,000 00	5,770 68	229 32
Blank books, printing and stat'y	2,500 00	2,464 06	35 94
Bridges	12,000 00	11,931 20	68 80
Bridge gang pay-roll	8,000 00	7,656 30	343 70
Brightwood waterworks	2,500 00	2,345 59	154 41
Cisterns	1,000 00	795 06	204 94
City Civil Engineer, accounts	1,000 00	999 92	08
City Civil Engineer, salaries	27,112 26	27,112 26	.....
City Hall, accounts	4,300 00	4,299 23	77

TABLE No. 3—Continued.

FUND.	Appropriation.	Expenditure.	Balance.
DEPARTMENT OF PUBLIC WORKS			
<i>Continued.</i>			
City Hall, janitors.....	\$1,500 00	\$1,500 00	.....
East Market House, improvement	2,300 00	.....	\$2,300 00
Electric lights	95,000 00	95,000 00	.....
Fountains and wells	800 00	788 29	11 71
Furniture and fixtures.....	500 00	471 61	28 39
Garbage, collection and delivery of	31,800 00	31,617 25	182 75
Garbage and night soil, disposal and Sellers farm.....	10,900 00	10,900 00	.....
Gas lights	3,000 00	3,000 00	.....
Incidental expenses	500 00	482 25	17 75
New Central and sub-stations....	37,327 58	37,086 47	241 11
New engine houses	2,640 00	2,630 00	10 00
Public buildings and repairs....	2,000 00	1,848 65	151 35
Repairs to Pogue's run.....	5,000 00	2,060 00	2,940 00
Sewers	1,000 00	969 97	30 03
Sewer gang pay-roll	10,500 00	10,494 01	5 99
Sweeping and cleaning improved streets.....	55,000 00	52,657 25	2,342 75
Streets, maintenance and repair..	40,000 00	39,252 47	747 53
Street openings and vacations....	500 00	63 10	436 90
Street repair accounts.....	7,550 00	6,732 11	817 89
Streets, repairing permant'ly imp.	15,000 00	14,977 32	22 68
Street signs and house numbering.	500 00	484 16	15 84
Telephones	240 00	240 00	.....
Tomlinson Hall, accounts.....	2,000 00	1,875 36	124 64
Tomlinson Hall, janitors.....	2,500 00	2,500 00	.....
Vapor lights.....	4,000 00	4,000 00	.....
Water.....	76,000 00	76,000 00	.....
Totals.....	\$481,828 87	\$470,062 41	\$11,766 46
<i>Parks.</i>			
Improvement of.....	\$8,105 00	\$8,093 01	\$11 99
Maintenance of	19,290 00	19,157 80	132 20
Salaries, rent and office expenses and supplies.....	5,612 00	5,608 32	3 68
Labor and expense bond issue....	62,917 33	33,561 02	29,356 31
New Park purchase real estate....	300,000 00	286,340 34	13,659 66
Totals.....	\$395,924 33	\$352,760 49	\$43,163 84
Totals.....	\$877,753 20	\$822,822 90	\$54,930 30
DEPARTMENT OF PUBLIC SAFETY.			
<i>Board's Office.</i>			
Equipment new Central and sub- stations	41,826 31	41,826 31	.....
Incidental claims	285 00	285 00	.....
Incidental expenses	125 00	121 80	3 20
Printing and stationery.....	200 00	200 00	.....

TABLE No. 3—Continued.

FUND.	Appropriation.	Expenditure.	Balance.
<i>East Market.</i>			
Cleaning buildings and grounds..	\$600 00	\$600 00	.....
Current expenses.....	160 00	159 91	\$0 09
Gas.....	4,300 00	4,300 00	.....
Printing and stationery.....	30 00	5 25	24 75
Repairs to buildings.....	175 00	174 40	60
Salaries.....	4,200 00	4,198 25	1 75
<i>Fire Force.</i>			
Fire alarm telegraph department.	4,000 00	4,000 00	.....
Fuel gas and coal.....	1,825 00	1,819 88	5 12
Furniture.....	450 00	444 96	5 04
Harness and repairs.....	400 00	378 80	21 20
Horses, purchase of.....	1,525 00	1,525 00	.....
Horse feed.....	5,238 15	5,238 15	.....
Horse shoeing.....	1,600 00	1,598 78	1 22
Hose, purchase of.....	7,472 34	7,471 33	1 01
Illuminating gas.....	850 00	841 15	8 85
Miscellaneous supplies.....	2,865 00	2,847 80	17 20
New apparatus.....	711 85	711 85	.....
Printing and stationery.....	100 00	100 00	.....
Pay-roll fire force.....	132,210 16	132,175 32	34 84
Repairs to apparatus.....	2,350 00	2,325 88	24 12
Repairs to buildings.....	2,500 00	2,499 70	30
Repairs to cisterns.....	400 00	389 00	11 00
Soda and acids.....	400 00	356 03	43 97
Sup's and special medical services	100 00	100 00	.....
Telephone service.....	560 00	560 00	.....
<i>Hay Market.</i>			
Incidental expenses.....	50 00	18 90	31 10
Printing and stationary.....	50 00	18 75	31 25
Rent of grounds.....	360 00	360 00	.....
Weighmaster's salary.....	1,200 00	1,200 00	.....
<i>Station House.</i>			
Building repairs.....	100 00	63 06	36 94
Cow pounds.....	100 00	72 00	28 00
Emergency police service.....	300 00	300 00	.....
Fuel gas.....	250 00	250 00	.....
Gas and electric lights.....	1,200 00	1,106 48	93 52
Horse feed.....	500 00	459 23	40 77
Incidental expenses.....	2,317 10	2,316 15	95
Police force pay-roll.....	131,601 00	131,599 44	1 56
Prisoner's meals.....	1,900 00	1,900 00	.....
Purchase of new horses.....	311 00	311 00	.....
Secret service.....	300 00	269 32	30 68
Telephone service.....	325 00	324 73	27
Wagon repairs and apparatus....	171 90	171 90	.....
Totals.....	\$358,494 81	\$357,995 51	\$499 30

TABLE No. 3—Continued.

FUND.	Appropriation.	Expenditure.	Balance.
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.			
<i>Board's Office.</i>			
Ambulance and driver.....	\$1,200 00	\$1,195 00	\$5 00
Cutting weeds.....	200 00	200 00	.....
Horse board.....	360 00	360 00	.....
Incidentals.....	350 00	350 00	.....
Laboratory.....	500 00	500 00	.....
Prevention of contagious diseases.	500 00	500 00	.....
Printing and stationery.....	300 00	256 43	43 57
Public charity.....	600 00	600 00	.....
Salaries.....	4,927 50	4,902 75	24 75
<i>City Hospital.</i>			
Drugs.....	1,600 00	1,599 94	6
Dry goods.....	1,200 00	1,199 44	56
Electrical supplies.....	100 00	99 20	80
Furniture.....	500 00	499 65	35
Gas—artificial.....	125 00	125 00	.....
Gas—natural.....	1,800 00	1,800 00	.....
Hardware.....	100 00	98 99	1 01
Horse shoeing.....	40 00	40 00	.....
Incidentals.....	500 00	499 73	27
Laundry supplies.....	200 00	199 97	03
Nursing.....	1,960 00	1,959 96	04
Plumbing supplies.....	250 00	247 80	2 20
Printing and stationery.....	200 00	199 90	10
Provisions.....	9,175 00	9,173 04	1 96
Queensware.....	250 00	244 55	5 45
Repairs.....	300 00	299 86	14
Salaries.....	8,693 25	8,660 22	33 03
Stable supplies.....	300 00	298 63	1 37
Surgical supplies.....	1,000 00	999 97	03
Water.....	400 00	400 00	.....
<i>City Dispensary.</i>			
Drugs.....	1,600 00	1,475 05	124 95
Dry goods.....	40 00	37 71	2 29
Equipment of new Dispensary...	800 00	798 32	1 68
Groceries.....	30 00	23 16	6 84
Incidentals.....	160 00	159 58	42
Laundering.....	70 00	47 80	22 20
Printing and stationery.....	80 00	79 45	55
Salaries.....	2,940 00	2,939 80	20
Surgical supplies.....	200 00	195 90	4 10
Transportation.....	30 00	28 60	1 40
Totals.....	\$43,580 75	\$43,295 40	\$285 35

TABLE No. 3—Continued.

TOTALS.

DEPARTMENT.	Appropriation.	Expenditure.	Balance.
Finance	\$272,095 84	\$269,090 20	\$3,005 64
Public Health and Charities	43,580 75	43,295 40	285 35
Law	13,026 38	3,668 32	9,358 06
Public Works	877,753 20	822,822 90	54,930 30
Public Safety	358,494 81	357,995 51	499 30
Totals	\$1,564,950 98	\$1,496,872 33	\$68,078 65

RECAPITULATION.

Amount of warrants outstanding January 1, 1898.....	\$86,158 09
Amount of warrants issued January 1, to December 31, 1898.....	1,496,872 33
Total.....	\$1,583,030 42
Amount of warrants redeemed.....	1,479,343 12
Amount of warrants outstanding December 31, 1898.....	\$103,687 30
Cash on hand December 31, 1898	\$125,033 41
Warrants outstanding.....	103,687 30
Cash available January 1, 1899.....	\$21,346 11

TABLE No. 4.
Statement of Expenditures, 1898.

	Current Expenses, Including Salaries.	Extraordinary Disbursements.	Expenditures in Permanent Improvements.	Totals.
FINANCE DEPARTMENT.				
Redemption of bonds.....		\$123,100 00		
Interest and exchange.....	\$83,488 68			
Assessing.....	2,500 00			
*Salaries.....	31,850 00			
Miscellaneous (see Table No. 3).....	6,131 52			\$247,070 20
DEPARTMENT OF PUBLIC WORKS...	419,464 74		\$58,517 67	
PUBLIC PARKS.				
Improvement old parks.....			8,093 01	
Maintenance old parks.....	19,157 80			
Salaries, office expenses.....	5,608 32			
New parks, purchase.....			286,340 34	
Labor, expense new parks.....			33,561 02	830,742 90
DEPARTMENT OF PUBLIC SAFETY.				
Office.....	5,406 80			
Equipment new Police Station.....			41,826 31	
Fire Force.....	165,383 63			
East Market.....	9,437 81			
Hay Market.....	1,597 65			
Police Force.....	139,143 31			362,795 51
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Board's office.....	11,964 18			
City Hospital.....	28,645 85			
City Dispensary.....	4,987 05		798 32	46,395 40
DEPARTMENT OF LAW.....	9,868 32			9,868 32
Totals.....	\$944,635 66	\$123,100 00	\$429,136 67	\$1,496,872 33

*Including Mayor, Comptroller, Auditor, Treasurer, Police Court and City Council.

TABLE No. 5.
Statement of Expenditures, 1897.

	Current Expenses, Including Salaries.	Extraordinary Disbursements.	Expenditures in Permanent Improvements.	Totals.
FINANCE DEPARTMENT.				
Redemption of bonds.....		\$14,400 00		
Interest and exchange.....	\$71,231 40	4,678 33		
Indeb'tness of annexed City & Town		18,213 83		
*Salary and expense.....	39,480 71			
Expense of election.....	10,876 23			
Virginia avenue viaduct.....		5,000 00		\$163,880 50
DEPARTMENT OF PUBLIC WORKS...	402,647 85	17,999 29	\$124,084 99	544,732 13
DEPARTMENT OF PUBLIC SAFETY.				
Office.....	5,144 25			
Fire Force.....	158,252 75		725 00	
East Market.....	7,482 21			
Hay Market.....	1,506 50			
Police Force.....	125,960 70		324 00	
Equip't of new Central and Sub-Sta.			721 70	300,207 11
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Health Board.....	11,033 70			
City Hospital.....	29,188 29			
City Dispensary.....	4,816 67			45,038 66
DEPARTMENT OF PUBLIC PARKS.				
Current expense.....	28,004 81			
Advertising Fall Creek system.....		1,112 71		
Extra clerks.....		854 48		
Expense bond issue.....		448 87		
Bridges, dam, street improvement.			17,018 63	47,439 50
DEPARTMENT OF LAW.....	11,906 08			11,906 08
Totals.....	\$907,622 15	\$62,707 51	\$142,874 32	\$1,113,203 98

*Including Mayor, Comptroller, Treasurer, Auditor, Police Court, City Council and Assessing.

TABLE No. 6.

Statement of Taxable Property and Taxes Collected.

YEAR.	Assessed Valuation.	Taxes Collected.
1891.....	\$93,595,930	\$541,598 85
1892.....	98,230,242	566,257 61
1893.....	103,317,880	608,796 48
1894.....	104,215,385	648,430 17
1895.....	105,637,860	608,672 12
1896.....	108,285,915	671,959 67
1897.....	117,746,670	706,017 54
1898.....	119,856,680	Payable in 1899

Constitutional limit of indebtedness, 2 per cent. on taxable property,
to-wit: \$119,856,680—\$2,397,133.60.

TABLE No. 7.

Tax Levy on \$100 of Taxable Property.

Year.	State.	County.	School.	City.	Township.	Total.
1891.....	\$0.35	\$0.32	\$0.27	\$0.60	\$0.01	\$1.55
1892.....	.35	.36	.25	.60	.01	1.57
1893.....	.32	.39	.32½	.64½	.01	1.69
1894.....	.32	.39	.34	.60	.01	1.66
1895.....	.30½	.39½	.34	.60	.01	1.65
1896.....	.29½	.40½	.34	.60	.01	1.85
1897.....	.29½	.40½	.42	.60	.01	1.73
1898.....	.29½	.40½	.44	.70	.01	1.85

TABLE No. 8.

Appraisement of City Property, January 1, 1899.

	Real Estate.	Improvements.	Personal Property.	Totals.
Fire Department.....	\$60,600 00	\$107,500 00	\$132,729 00	\$300,829 00
Police Department.....	27,000 00	85,000 00	44,606 77	156,606 77
Parks.....	409,671 62	91,800 00	1,000 00	502,471 62
City Hall (furniture and supplies).....	.....	.....	8,588 22	8,588 22
Tomlinson Hall & Market Houses.....	168,000 00	152,000 00	1,780 61	321,780 61
City Hospital.....	25,000 00	105,000 00	24,391 85	154,391 85
City Dispensary.....	13,000 00	.....	1,450 75	14,450 75
Board of Health.....	.....	.....	2,738 60	2,738 60
Sellers farm.....	27,750 00	.....	.....	27,750 00
Dumping ground.....	550 00	.....	.....	550 00
Pest house ground.....	4,000 00	200 00	.....	4,200 00
Haughville Town Hall.....	750 00	4,000 00	.....	4,750 00
Brightwood Waterworks.....	250 00	2,500 00	18,000 00	20,750 00
Totals.....	\$736,571 62	\$548,000 00	\$235,285 80	\$1,519,857 42

TABLE No. 9.

Tabulated Statement of Bonded Debt, January 1, 1899.

TITLE OF BOND.	Date of Issue.	Maturity.	Par Value of Bond.	No. Issued.	Aggregate Amount.	Rate of Interest.	Interest Payable.
Refunding Bonds, 1899.....	Jan. 1, 1899	Jan. 1, 1909	\$1,000	110	\$110,000	3½	July 1, Jan. 1.
Funding Bonds.....	Jan. 1, 1890	Jan. 1, 1910	500	90	45,000	4	July 1, Jan. 1.
Indianapolis Southern Park Purchase, Refunding, 1894.....	Jan. 26, 1894	Jan. 26, 1924	500	219	109,500	4	July 1, Jan. 1.
Indianapolis Refunding Bond of 1891, thirty years.....	Mar. 1, 1894	Mar. 1, 1924	1,000	600	600,000	4	July 1, Jan. 1.
Indianapolis Refunding Bond of 1894, Series C, thirty years.....	June 30, 1894	June 30, 1924	1,000	300	300,000	4	June 30, Dec. 30.
Refunding Bonds, Series D, 1875, twenty years.....	July 1, 1895	July 1, 1915	1,000	200	200,000	4	July 1, Jan. 1.
Improvement Bonds, 1896.....	Jan. 1, 1896	¼ annually, Jan. 1.....	1,000	50	40,000	4	July 1, Jan. 1.
Park Improvement Bonds, 1897.....	April 1, 1897	Jan. 1, 1927	1,000	350	350,000	4	July 1, Jan. 1.
Public Safety Bonds, 1897.....	June 1, 1897	Jan. 1, 1927	1,000	150	150,000	4	July 1, Jan. 1.
BONDED DEBT ASSUMED BY REASON OF ANNEXATION.							
Brightwood Waterworks.....	Feb. 15, 1895	Feb. 15, 1900	1,000	4	4,000	6	Feb. 15, Aug. 15.
Brightwood Waterworks.....	Feb. 15, 1895	Feb. 15, 1905	1,000	4	4,000	6	Feb. 15, Aug. 15.
Brightwood Waterworks.....	Feb. 15, 1895	Feb. 15, 1910	1,000	5	5,000	6	Feb. 15, Aug. 15.
Brightwood Waterworks.....	Feb. 15, 1895	Feb. 15, 1915	1,000	5	5,000	6	Feb. 15, Aug. 15.
Haughville School House.....	Sept. 4, 1891	Sept. 1, 1899	1,000	1	1,000	6	Sept. 4, Mar. 4.
Haughville School House.....	Sept. 4, 1891	Sept. 1, 1900	1,000	1	1,000	6	Sept. 4, Mar. 4.
Haughville School House.....	Sept. 4, 1891	Sept. 1, 1901	1,000	1	1,000	6	Sept. 4, Mar. 4.
Haughville Reading Room.....	Sept. 19, 1894	Sept. 19, 1899	1,500	1	1,500	6	Sept. 19, Mar. 19.
Haughville School House.....	July 15, 1895	July 15, 1915	300	1	300	5	July 15, Jan. 15.
Haughville School House.....	July 15, 1895	July 15, 1915	500	1	500	5	July 15, Jan. 15.
Haughville School House.....	July 15, 1895	July 15, 1915	1,000	12	12,000	5	July 15, Jan. 15.
Mt. Jackson School House.....	Sept. 24, 1894	\$100 annually.....	100	7	600	6	Sept. 24, Mar. 24.
West Indianapolis School House.....	July 15, 1889	\$2,000 annually.....	1,000	14	12,000	6	July 15, Jan. 15.
West Indianapolis School House.....	Nov. 3, 1890	July 15, 1905	1,000	2	2,000	6	July 15, Jan. 15.
West Indianapolis School House.....	July 1, 1891	July 1, 1906, to 1909.....	1,000	8	8,000	6	July 1, Jan. 1.
West Indianapolis School House.....	July 15, 1892	July 15, 1907, to 1912.....	1,000	12	12,000	6	July 15, Jan. 15.
Funding Bonds.....	Feb. 5, 1894	Feb. 5, 1908	1,000	10	10,000	6	Feb. 5, Aug. 5.
Funding Bonds.....	Feb. 5, 1894	Feb. 5, 1909	1,000	10	10,000	6	Feb. 5, Aug. 5.
Funding Bonds.....	Mar. 15, 1895	Mar. 15, 1902, to 1910.....	1,000	9	9,000	6	Mar. 15, Sept. 15.
Funding Bonds.....	July 6, 1896	July 6, 1912, to 1917.....	1,000	6	6,000	6	July 6, Jan. 6.
Funding Bonds.....	Dec. 21, 1896	Dec. 21, 1916	1,000	8	8,000	6	Dec. 21, June 21.
					\$112,900		
Total city debt, contracted by the city proper.....					\$1,904,500		
Total city debt, contracted by reason of annexation.....					112,900		
Total liabilities.....					\$2,017,400		

February 6, 1899.]

CITY OF INDIANAPOLIS, IND.

State of Indiana, Marion County, ss:

E. M. Johnson, City Comptroller, being sworn, upon his oath says the foregoing report is true and correct to the best of his knowledge and belief.

E. M. JOHNSON,
City Comptroller.

Subscribed and sworn to before me this 31st day of January, 1899.

[SEAL.]

C. H. SPENCER,
Notary Public.

Which was read and referred to Committee on Finance.

Communication from City Attorney:

CITY OF INDIANAPOLIS,
OFFICE OF THE DEPARTMENT OF LAW, }
February 6, 1899. }

Hon. John H. Mahoney, President of the Common Council:

In response to a resolution of the Council calling for my opinion as to the authority of that body, under the city charter, to pass an ordinance providing for the elevation of the railroad tracks within the city limits, I have the honor to submit the following:

Section 23 of the charter provides as follows:

"The Common Council shall have power to enact ordinances for the following purposes: * * * To secure the safety of citizens and others in the running of trains in or through such city; to require persons or corporations owning or operating railroads to fence their respective railroads, to construct cattle-guards, street crossings and viaducts, and public roads, and to keep the same in repair and safe condition for persons on foot, in vehicles or otherwise; to keep flagmen at railroad crossings, and provide protection against injury to persons or property from the operation of said railroads. To authorize and require railroad companies to change the location, grade and crossings of their respective railroads; to compel them to raise or lower their railroad tracks to conform to any grade which may be established by such ordinance; to compel persons or companies owning or operating railroads to construct bridges, viaducts or tunnels, and approaches thereto, across their respective railroads or rights-of-way at street or alley crossings."

It is to be regretted that the power to compel the elevation of railroad tracks is not conferred in the exact and specific terms with which the power to compel the construction of bridges, viaducts, etc., is conferred by the section quoted. It is also a matter of regret that methods are not set forth by and through which such improvement may be compelled.

But the question presented to me by your resolution is a naked question as to the power of the Common Council to compel the elevation of railroad tracks by an ordinance enacted for that purpose, under the provisions of the charter above quoted.

Keeping in mind the well-established rules for the construction of grants of power from the Legislature to municipal corporations, which have been laid down by the various courts of last resort, I have carefully considered the question presented by your resolution, and have come to the conclusion that the Common Council has the power by ordinance to compel the elevation of tracks. Of course, such an ordinance would have to stand the test of reasonableness, which the courts apply to all ordinances of municipal bodies, and for that reason should be carefully

drawn, after a general plan for such improvement shall have been formulated by a committee of your body, assisted by the City Civil Engineer and others who have given the subject intelligent consideration.

You may be certain that not only will your right to proceed in this matter be challenged by the corporations affected, but every step taken will be contested by them. For that reason I suggest that an amendment to the city charter be submitted to the present General Assembly for adoption, in which the power to proceed shall be conferred upon the Common Council in clear and unmistakable terms, and a method of procedure be defined and set forth. This suggestion is in harmony with that of a committee of the Commercial Club, made some years ago, in a report to that body, which report, on account of the ability of the members of the committee, I append hereto and mark Exhibit "A." I also append and mark Exhibit "B" that part of the charter of the city of Chicago under which the Common Council of that city is proceeding to compel track elevation. You will observe that it confers no greater nor more clearly defined powers than are conferred upon your honorable body by the charter of this city.

Respectfully submitted,

JOHN W. KERN,
City Attorney.

EXHIBIT "A."

INDIANAPOLIS, IND., September 18, 1894.

To the Elevated Railroad Commission of the Commercial Club:

Gentlemen—Your committee to whom was referred certain inquiries as to the power of the city to require railroad companies to build viaducts and elevated tracks, have arrived at the following conclusions:

First—That the charter delegates to the city ample power to enforce the building of viaducts.

Second—That it also authorizes the enactment of ordinances to secure the safety of citizens and others in the running of trains in or through said city, and to authorize and require railroad companies to change the location, direction and crossings of their respective railroads; to compel them to raise or lower their respective railroad tracks to conform to any grade which may be established by such ordinances, and to require any person or company owning or operating any railroad to take up and change the location of any railroad track or switch heretofore or hereafter laid within the limits of said city.

The purpose of the provisions of the charter with respect to viaducts and elevation of tracks is to delegate to the city police power, to be exercised reasonably for the public safety, and this power so granted in broad terms could be exercised only in so far as reasonably necessary to secure the public safety, with due regard to charter and contract rights of the railroad companies. Whether this delegated police power to the city is sufficient to authorize the city, if necessary, to compel the general elevation of tracks throughout the city by concurrent action of the railroad companies by adopting a common and uniform system, your committee has not, with unanimity, as yet determined to its own satisfaction. We are, however, in full accord in the opinion that ample power abides in the State to compel the general elevation of the tracks when needed for the public safety, and are of the opinion that, if it becomes necessary that such elevation shall be enforced, that additional legislation is desirable.

If the whole matter can be arranged by agreement with the railroad companies without legislation, we think this plan should be pursued. If agreement cannot be arrived at, and it is deemed necessary for the pub-

lic safety to exercise the police power of the State to enforce track elevation, we would then recommend such additional legislation as may be deemed best practically adapted for the purpose.

We do not understand that we are expected to suggest at this time details for such legislation, nor are we prepared to do so.

Respectfully,

J. E. SCOTT,
A. C. AYRES,
A. L. MASON,
C. S. DENNY,

Committee.

EXHIBIT "B."

"To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their railroad tracks to conform to any grade which may, at any time, be established by such city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad tracks, so that pools of filthy or stagnant water cannot stand on their grounds or right-of-way, and so that the natural drainage of adjacent property shall not be impeded." (See Subdivision 27, Sec. 1, Art. 5 of Chap. 24 of the Revised Statutes of Illinois.)

Which was read.

Mr. Costello moved that the communication be referred to a special committee of five members, to be appointed by the President.

Mr. Colter moved as a substitute for Mr. Costello's motion, that the same be referred to Committee on Judiciary.

Which motion was lost.

The question being on Mr. Costello's motion.

Mr. Little moved to amend Mr. Costello's motion by instructing the committee to consult with City Attorney relative to an amendment to city charter, conferring upon Council the unquestionable authority to compel the elevation of railroad tracks, and submit same to Legislature for adoption.

Mr. Costello accepted the amendment, and the motion, as amended, prevailed.

President Mahoney appointed the following named members to constitute said committee: Messrs. Bernauer, Little, Bowser, Higgins, Moffett.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., February 3, 1899. }

To the President and Members of the Common Council:

Gentlemen—We send you herewith, for your consideration and action thereon, an ordinance ratifying and confirming a certain contract made and entered into on the 13th day of January, 1899, between this Board and The Sun Vapor Street Light Company, for furnishing 200 vapor street lights until the first day of July, 1899.

Very respectfully,

M. A. DOWNING,
W. SCOTT MOORE,
T. J. MONTGOMERY,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD,
INDIANAPOLIS, IND., February 6, 1899. }

To the President and Members of the Common Council:

Gentlemen—We refer to you herewith, for your consideration and action, an ordinance authorizing E. A. Caylor and Harvey Coonse to lay and maintain one switch or side-track over and across the first alley south of Moore avenue.

Very respectfully,

M. A. DOWNING,
W. SCOTT MOORE,
T. J. MONTGOMERY,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

App. O. No. 2, 1899. An ordinance appropriating the sum of two thousand dollars for the use of the Department of Public Health and Charities of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., February 6, 1899.

Mr. President.

Your Committee on Finance, to whom was referred App. O. No. 2, 1899, appropriating the sum of two thousand dollars for the use of the Department of Public Health and Charities, would respectfully recommend the passage of the same.

JAS. H. COSTELLO.
W. F. SMITH.
J. W. MCGREW.
E. D. MOFFETT.
EDWARD E. BERNAUER.
ROBERT M. MADDEN.
J. R. ALLEN.

Which was read and concurred in.

Mr. Higgins, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred:

G. O. No. 58, 1898. An amendment to the second clause of G. O. No. 76 by adding the space on East Market square as a public express wagon stand.

Made the following report:

INDIANAPOLIS, IND., February 6, 1899.

Mr. President:

Your Committee on Sewers, Streets and Alleys, to whom was referred G. O. No. 58, 1898, have had the same under consideration, and recommend that the same do pass.

JOHN M. HIGGINS.
JOHN H. SCANLON.
T. A. BOWSER.
JOHN A. VON SPRECKELSEN.

Which was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Costello:

App. O. No. 3, 1899. An ordinance appropriating the sum of three hundred eighty-seven dollars and thirty-six cents (\$387.36) with which to pay certain claims made by virtue of Section 8 of an act entitled "An act to better regulate and restrict the sale of intoxicating, vinous and malt liquors," etc., approved March 11, 1895, 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 the sum of three hundred eighty-seven dollars and thirty-six cents (\$387.36) be and the same is hereby appropriated to pay the following claims made under and by virtue of Section 8 of an act of the General Assembly of the State of Indiana, entitled "An act to better regulate and restrict the sale of intoxicating liquors," etc., approved March 11, 1895:

Kate Davy, executrix of the estate of John Davy, deceased, the sum of one hundred ninety-three dollars and sixty-eight cents (\$193.68).

Mary Hurley, administratrix of the estate of Timothy Hurley, deceased, the sum of one hundred ninety-three dollars and sixty-eight cents (\$193.68).

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 Accounts and Claims.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Board of Public Works:

G. O. No. 3, 1899. An ordinance concerning vapor lights, and ratifying, confirming and approving a certain agreement made and entered into on the 13th day of January, 1899, between the City of Indianapolis, by and through its Board of Public Works, and The Sun Vapor Street Light Company, and matters connected therewith, and fixing a time when the same shall take effect.

Whereas, Heretofore, to-wit, on January 13, 1899, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with The Sun Vapor Street Light Company, namely:

This agreement, made and entered into this January 13, 1899, by and between The Sun Vapor Street Light Company, incorporated under the general laws of the State of West Virginia, of the City of Canton, County of Starke and State of Ohio, party of the first part, and the City of Indianapolis, County of Marion and State of Indiana, under and by virtue of an 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 United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891:

Witnesseth, That the party of the first part, in consideration of the sum of money hereinafter set forth, hereby covenants and agrees to supply and furnish said City of Indianapolis, in its corporate capacity, with vapor street lights of the number, kind and standard and upon the conditions and subject to the limitations as hereinafter set forth, namely:

The party of the first part is to furnish, locate and maintain two hundred (200) sun vapor street lights during the existence of this contract:

Provided, however, That the number of lights may be increased to a number not exceeding two hundred and fifty (250), provided a sufficient appropriation for such additional increase shall be made by the Common Council during the existence of this contract. It is understood that not less than two hundred lights shall be in use at all times.

The provisions of this contract shall be in force and effect from and after the approval of the same by the Common Council of said city, and until the first day of July, 1899.

The party of the second part hereby expressly reserves the right to order any two lights discontinued at any time, and to order substituted in lieu and in place thereof one Welsbach street lamp, to be of not less than seventy (70) candle-power, for the sum of thirty dollars (\$30) per lamp per year for a moonlight schedule.

All posts used by the first party must be straight and turned and in size to be to the satisfaction of the second party. They must be set plumb and painted black in color.

Burners used by the party of the first part must be of the most approved pattern and furnish a light at all times of fourteen (14) candle-power.

All payments to the first party for lights furnished under this contract shall be made monthly.

The party of the second part shall have the right to change the location or discontinue the use of any or all lamps, subject to the restrictions set out above. All lamps and their appurtenances used by the party of the first part shall be kept in a cleanly condition and in good repair to the satisfaction of the second party.

Said party of the first part further contracts and agrees that it will exercise, in the prosecution of putting up all lights ordered and in maintaining the same, all proper skill and care; that it will properly and fully guard and protect all excavations or dangerous places made by it or its agents or employes, and will use all due and proper precaution to prevent injury to any property, person or persons, what or whomsoever, for and during the entire period of this contract; and that for and during said period said first party shall save the City of Indianapolis harmless from any and all liability whatsoever growing out of any injury or damage to property or persons because of any neglect or fault of it, or growing out of any matter connected with or relating to this contract, and also said first party agrees to protect said city from any and all liability on account of any infringement of patents or otherwise, and from all damage suits that may arise on account thereof, and to pay any judgment, with costs, which may be obtained against said city growing out of any such infringement or infringements, injury or damages, whatsoever, as aforesaid, and to further insure a faithful compliance with all the terms and conditions of this clause, and all the terms and conditions of this contract as an entirety, said first party agrees to furnish a bond in the sum of five thousand dollars (\$5,000), with satisfactory sureties, subject to the approval of said Board of Public Works.

All work done under this contract shall be done under the supervision of the Board of Public Works. And if said party of the first part, its officers, agents or employes, shall violate any of the provisions of this contract, said Board of Public Works shall notify said first party or its authorized agent, and if the same be not remedied within a reasonable time, said Board of Public Works shall have the power to remedy said defect and charge the cost of the same to the said party of the first part.

In the event the party of the first part shall fail or refuse to carry out the provisions of this contract to the satisfaction of said Board of Public Works, the City of Indianapolis, by and through said Board, shall have the right, after ten days' notice to said first party and its sureties on the

bond, to annul this contract, and such annulment shall not in anywise subject the City of Indianapolis to any liability for damages on account of such annulment.

In consideration of the full and faithful performance by said first party of the several conditions and requirements herein stipulated, the said second party hereby agrees and binds itself to pay to said first party the sum of sixteen dollars and twenty-five cents (\$16.25) for each vapor street light per year, furnished under the provisions of this contract on the "moonlight schedule." Said moonlight schedule is calculated on the following basis: Light one-half hour after sunset and one hour before moonset—the same to burn until one hour after moonrise and one hour before sunrise.

To each of the provisions, conditions and stipulations of this contract the undersigned, each for itself, hereby covenants, agrees and binds itself, its successors and assigns.

In testimony whereof, The Sun Vapor Street Light Company, by J. A. Wann, its General Manager and Vice-President, the party of the first part, hereunto sets its name and causes its seal to be affixed; and the City of Indianapolis, party of the second part, by and through M. A. Downing, W. Scott Moore and T. J. Montgomery, the Board of Public Works of said city, hereunto set their hands, all at the City of Indianapolis, County of Marion, State of Indiana, on this January 13, 1899.

THE SUN VAPOR STREET LIGHT CO.,

By J. A. WANN,
Party of the First Part.

CITY OF INDIANAPOLIS,

By M. A. DOWNING,
W. SCOTT MOORE,
T. J. MONTGOMERY,
Board of Public Works.
Party of the Second Part.

BOND.

Know all men by these presents, That we, The Sun Vapor Street Light Company, of the City of Canton, County of Starke, State of Ohio, as principals, and American Surety Company of New York, and State of New York, as surety, are held and firmly bound unto the City of Indianapolis, Indiana, in the sum of five thousand dollars (\$5,000), for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and assigns firmly by these presents.

The conditions of this obligation are such that if the above-named, The Sun Vapor Street Light Company, shall faithfully comply with all of the provisions of the foregoing contract, made and entered into January 13, 1899, with the City of Indianapolis, and shall fulfill all the conditions and stipulations therein contained according to the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law.

Witness our hands and seals this 13th day of January, 1899.

THE SUN VAPOR STREET LIGHT CO., [SEAL.]
By J. A. WANN, [SEAL.]
Gen'l M'gr.

AMERICAN SURETY CO., OF NEW YORK, [SEAL.]
By W. W. CLARK, [SEAL.]
Res. Vice-Pres.

By W. H. SMITH, [SEAL.]
Res. Ass't Sec.

And whereas, Said contract and agreement have been submitted by the Board of Public Works of the City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the foregoing contract, made and entered into on the 13th day of January, 1899, by the City of Indianapolis, Indiana, by and through its Board of Public Works, and The Sun Vapor Street Light Company, be and the same is hereby in all things ratified, confirmed and approved, in accordance with the terms, provisions and conditions thereof.

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

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

By Board of Public Works:

G. O. No. 4, 1899. An ordinance approving a certain contract granting E. A. Caylor and Harvey Coonse the right to lay and maintain a switch or side-track across the first alley south of Moore avenue, in the City of Indianapolis, Indiana.

Whereas, Heretofore, to-wit, on February 6, 1899, the Board of Public Works of the City of Indianapolis made and entered into a certain contract with E. A. Caylor and Harvey Coonse, of the County of Marion, State of Indiana, which contract is as follows:

Whereas, To-wit, on the 6th day of February, 1899, E. A. Caylor and Harvey Coonse filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

INDIANAPOLIS, IND., February 6, 1899.

To the Board of Public Works of the City of Indianapolis:

The undersigned, Harvey Coonse and E. A. Caylor, respectfully petition your honorable body, asking permission to construct and maintain one switch or side-track across the first alley south of Moore avenue, the center line of which is two hundred and eighty-two (282) feet and four (4) inches east of and parallel to the east line of LaSalle street, all as shown by the drawings herewith submitted, attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioners pray that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

E. A. CAYLOR.
HARVEY COONSE.

Now, therefore, This agreement, made and entered into this February 6, 1899, by and between E. A. Caylor and Harvey Coonse, of Marion County, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, of Marion County, State of Indiana, party of the second part:

Witnesseth, That said party of the first part, being desirous of securing a right-of-way for a switch or side-track over and across the first alley south of Moore avenue in the City of Indianapolis, as more specifically described in the petition of said first party, hereto attached and made a part of this contract, hereby covenant and agree, and fully bind themselves, their successors, legal representatives and assigns, that, in com-

sideration of the granting of the privileges and authority herein given, it will lay, construct and maintain said switch or side-track upon the terms and conditions hereinafter set forth, viz.:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall at all times be subject to the orders and control of the Board of Public Works of the City of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said side-track or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered in writing by said Board.

3. The crossing where said side-track or switch intersects the first alley south of Moore avenue shall at all times be kept improved and in repair, and free from defects or obstructions of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, but they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said side-track or switch, and upon its failure so to do upon such notification, in writing, of ten days, to promptly pay the cost of having the same done. And party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal, and said Board, or said city, in removing said side-track or switch, or in causing the same to be done, shall in nowise be or become a trespasser.

5. The party of the first part hereby agrees to properly plank said side-track or switch, from property line to property line of the first alley south of Moore avenue, to the entire satisfaction of the second party, and in case the said side-track or switch shall be or become out of repair or in need of being reconstructed, or becomes in any way defective (of which facts the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or improve the same, and failing in which, after a notification, in writing, of ten days, said Board shall do or cause the same to be done at the expense of said party of the first part, and for which expense and cost said party of the first part shall be liable.

6. The said party of the first part hereby binds itself to hold the said party of the second part, and said city, harmless from any and all claims for damages growing out of the existence, maintenance or use of said side-track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

7. Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or permission, shall operate as an immediate and absolute forfeiture of all the privileges and authority granted or given by this contract, provided, however, the same may be terminated, without cause, at the pleasure of said Board, as hereinbefore set forth in Clause 4.

The said party of the second part, by virtue of the provisions of an 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 in consideration of the things hereinbefore set forth, and upon the terms and conditions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or side-track across the first alley south of Moore avenue, as and for the purpose

prayed in its petition, which is set forth in the preamble hereto, and as shown by the drawings attached and made part hereof and marked "Exhibit A."

In witness whereof, We have hereunto set our hands this February 6, 1899.

E. A. CAYLOR,
HARVEY COONSE,
Party of the First Part.

CITY OF INDIANAPOLIS,
By M. A. DOWNING,
W. SCOTT MOORE,
T. J. MONTGOMERY,
Board of Public Works.
Party of the Second Part.

Whereas, Said contract has been submitted by said Board to the Common Council of the City of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana. That said contract above set forth be and the same is hereby, in all things, confirmed and approved.

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

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

MISCELLANEOUS BUSINESS.

Mr. Costello offered and moved the adoption of the following resolution:

Resolution No. 5, 1899--

Be it resolved by the Common Council of the City of Indianapolis, That the name of the park place owned and controlled by said city, designated and named as Esplanade in Resolution No. 4, 1899, is hereby changed to Spades Place.

Which was read and adopted by the following vote:

AYES 17—viz.: Messrs. Allen, Bernauer, Bowser, Colter, Costello, Crall, Harston, Higgins, Little, Madden, Moffett, McGrew, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS—None.

ORDINANCES ON SECOND READING.

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

App. O. No. 2, 1899. An ordinance appropriating the sum of two thousand dollars for the use of the Department of Public Health and Charities of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

And was passed by the following vote:

AYES 17—viz.: Messrs. Allen, Bernauer, Bowser, Colter, Costello, Crall, Harston, Higgins, Little, Madden, Moffett, McGrew, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS—None.

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

G. O. No. 58, 1898. An amendment to the second clause of G. O. No. 76 by adding the space on East Market square as a public express wagon stand.

And was passed by the following vote:

AYES 16—viz.: Messrs. Allen, Bernauer, Bowser, Colter, Costello, Crall, Harston, Higgins, Little, Madden, McGrew, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS 1—viz.: Mr. Moffett.

Mr. McGrew moved that the following entitled ordinance be recalled from Committee on Public Health:

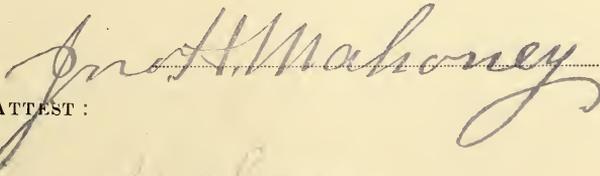
G. O. No. 74, 1898. An ordinance regulating the cleaning of vaults and the removal of night soil and other noxious matter, providing penalties for the violation thereof, and fixing the time when the same shall take effect.

Mr. Shaffer moved as a substitute for Mr. McGrew's motion, that committee be instructed to report on G. O. No. 74, 1898, at next regular meeting of the Council.

Which motion carried.

On motion of Mr. Shaffer, the Common Council, at 8:55 o'clock P. M., adjourned.

ATTEST:



President.

 City Clerk.