

## REGULAR MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS,  
July 3, 1899. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 3, 1899, at 8 o'clock, in regular meeting.

Present, Hon. John H. Mahoney, President of the Common Council, in the chair, and 20 members, viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

Absent—None.

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 OFFICIAL BOARDS.

Communication from Board of Public Health and Charities:

CITY OF INDIANAPOLIS,  
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,  
INDIANAPOLIS, IND., June 23, 1899. }

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

Dear Sir—The continued prevalence of smallpox makes it once more necessary to ask that an additional appropriation of \$2,000 for the contagious disease fund of the Board be recommended. On the 20th of May last we had an unexpended balance of \$148.50. On that day there was appropriated \$2,000, making a total of \$2,148.50 on hand. Since that time there has been expended \$2,118.50, leaving a balance of \$30 unexpended at this time.

We had ten (10) quarantines to maintain, wherein were confined over forty (40) people, making necessary the employment of twenty-one (21)

extra officers for quarantine purposes. It was found absolutely necessary to provide a suitable place for the care of patients, and for this purpose large hospital tents were purchased, with flooring for each.

The following summary will show how the money has been used:

For pay extra officers.....	\$741.00
For provisions .....	162.00
For tents bought and rented.....	188.00
For Dr. Wagner.....	500.00
For miscellaneous .....	527.00
Total .....	\$2,118.00

Very respectfully.

E. D. CLARK,  
*Secretary.*

F. A. MORRISON,  
*President.*

DEPARTMENT OF FINANCE.  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., July 3, 1899. }

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

Gentlemen—I respectfully recommend that the appropriation of \$2,000 asked for the contagious disease fund of the Board of Public Health and Charities be made.

Respectfully submitted,

E. M. JOHNSON,  
*City Comptroller.*

Which was read and referred to Committee on Finance.

#### REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Colter, on behalf of the Committee on Contracts and Franchises, to which was referred:

G. O. No. 29, 1899. An ordinance approving a certain contract granting Henry L. Spiegel the right to lay and maintain a switch or side-track across Oriental street, in the City of Indianapolis, Indiana.

Made the following report:

*Mr. President:*

INDIANAPOLIS, IND., June 30, 1899.

We, your Committee on Contracts and Franchises, have had under consideration G. O. No. 29, 1899, and recommend that the same do pass.

GEO. R. COLTER.  
ALBERT E. RAUCH.  
JOHN A. VON SPRECKELSEN.  
GEO. W. SHAFFER.  
JOHN H. SCANLON.  
ROBERT M. MADDEN.  
JAS. H. COSTELLO.

Which was read and concurred in.

Mr. Colter, on behalf of the Committee on Contracts and Franchises, to which was referred:

G. O. No. 30, 1899. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 28th day of June, 1899, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Gas Company, wherein and whereby certain litigation is compromised, and the rates to be charged by said company for artificial gas for illuminating purposes, for a period of ten years, are stipulated, and fixing the time when the same shall take effect.

And:

G. O. No. 32, 1899. An ordinance repealing an ordinance entitled "An ordinance regulating the distribution and consumption of artificial gas; fixing the price thereof, and matters connected therewith; prescribing a penalty, and fixing a time when the same shall take effect," passed by the Common Council August 2d, 1897, and approved by the Mayor August 9th, 1897, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., June 30, 1899.

*Mr. President:*

We, your Committee on Contracts and Franchises, have had under consideration G. O. No. 30, 1899, and G. O. No. 32, 1899, and do respectfully recommend that they do pass.

GEO. R. COLTER.  
ALBERT E. RAUCH.  
EDWARD W. LITTLE.  
GEO. W. SHAFFER.  
W. W. KNIGHT.  
JOHN A. VON SPRECKELSEN.  
JOHN H. SCANLON.  
ROBERT M. MADDEN.  
JAS. H. COSTELLO.

Which was read and concurred in.

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

G. O. No. 27, 1899. An ordinance authorizing the transfer of the sum of nineteen hundred dollars (\$1,900) from funds of the Department of Public Safety to other than those to which it was originally appropriated.

Made the following report:

INDIANAPOLIS, IND., June 29, 1899.

*Mr. President:*

Your Committee on Finance, to which was referred G. O. No. 27, 1899, after consideration of the same, recommend its passage.

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

Which was read and concurred in.

Mr. Clark, on behalf of the Committee on Public Safety and Comfort, to which was referred :

G. O. No. 23, 1899. An ordinance permitting Thomas X. Logan to erect a frame building within the fire limits of the City of Indianapolis, and fixing the time when the same shall take effect.

Made the following report :

INDIANAPOLIS, IND., July 3, 1899.

*Mr. President:*

We, your Committee on Public Safety and Comfort, have had G. O. No. 23, 1899, under consideration and would recommend its passage.

FRANK S. CLARK.  
W. F. SMITH.  
A. E. RAUCH.  
E. D. MOFFETT.

Which was read and concurred in.

Mr. Clark, on behalf of the Committee on Public Safety and Comfort, to which was referred :

G. O. No. 21, 1899. An ordinance authorizing the erection of a portico or vestibule at and in front of the public entrance to the St. Charles Hotel, on McCrea street, in the City of Indianapolis, upon conditions herein named.

Made the following report :

INDIANAPOLIS, IND., July 3, 1899.

*Mr. President:*

We, your Committee on Public Safety and Comfort, have had G. O. No. 21, 1899, under consideration, and after careful investigation would recommend its passage.

FRANK S. CLARK.  
E. D. MOFFETT.  
A. E. RAUCH.  
W. F. SMITH.

Which was read and concurred in.

Mr. Clark, on behalf of the Committee on Public Safety and Comfort, to which was referred :

G. O. No. 31, 1899. An ordinance amending Section 1 of an ordinance entitled "An ordinance defining the fire limits in the City of Indianapolis and the character of the buildings which are forbidden to be erected within such limits, and matters connected therewith," approved by the Mayor July 25, 1894, and fixing the time when the same shall take effect.

Made the following report :

INDIANAPOLIS, IND., July 3, 1899.

*Mr. President:*

We, your Committee on Public Safety and Comfort, have had G. O. No. 31, 1899, under consideration, and would recommend its passage.

FRANK S. CLARK.  
E. D. MOFFETT.  
A. E. RAUCH.  
W. F. SMITH.

Which was read and concurred in.

## APPROPRIATION ORDINANCES.

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

By Mr. Costello:

App. O. No. 13, 1899. An ordinance appropriating the sum of two thousand dollars (\$2,000) for the use of the Department of Public Health and Charities of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of two thousand dollars (\$2,000).

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in force from and after its passage.

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

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Mahoney:

G. O. No. 35, 1899. An ordinance for the restoration of highways and streets in the City of Indianapolis, whose surface is occupied by railroad tracks, by the removal of such tracks, and for the removal of railroad tracks from the surface of highways and streets in such city, providing penalties for its violation, and fixing a time when the same shall take effect.

Whereas, There are terminals of fourteen lines of railroads within the City of Indianapolis, the main railroad tracks of which radiate from the Union Station in said city and from the tracks of the Union Railway Company, which are situated in or near the main business part of said city; and the tracks of said railroads and of said Union Railway Company crossing the streets and public highways of said city to number of more than one hundred cross such streets and highways at grade; and, whereas, it is estimated that more than forty thousand persons per day, upon the average, cross said railroad tracks upon said streets and highways in vehicles and upon foot; that within the past two years many persons were killed or seriously injured by railroad cars at such crossings in said city; that a large amount of property is destroyed annually at such crossings by the same cause, and that the amount of expense and loss caused by the delays to vehicles and pedestrians traveling upon such highways and streets at such crossings by the use of such crossings at grade by railroad engines and cars amounts to many thousands of dollars per year; that the expense and loss to railroad companies by the delays made necessary in operating their railroads at

grade in said city, and by their liability for damages for injuries to persons and property amounts each year to a large sum of money; and, whereas, because of the great growth of said city in population, the public necessities require and call for more constant use of the railroad tracks of said railroad companies, and better and more uninterrupted use thereof; and, whereas, the great public evils of such grade crossings and the inevitable dangers of injury to persons and property upon such highways and streets at such crossings are increasing; and, whereas, the continued existence and operations of railroads across or upon highways and streets in said city at grade has become and is wholly inconsistent with the safety of the public traveling upon such streets and highways, and necessarily fraught with great danger to persons and property upon such streets and highways; and it is necessary, in order to make such streets and highways at such crossings reasonably safe for persons and property making proper use thereof, and to restore streets and highways occupied by railroad tracks so that they may be safe and convenient for public travel, that the surface of such streets and highways should not be occupied by railroad tracks used for the passage of locomotive engines and railroad cars propelled by steam, and that such railroad tracks should be removed from the surface of such streets and highways with all reasonable speed and dispatch; and, whereas, in view of the great number of such street crossings in said city, and in view of the uniform level topography of the said city, it is impracticable to make such railroad crossings of streets and highways safe by the construction and maintenance of viaducts over said railroads; now, therefore,

Be it ordained by the Common Council of the City of Indianapolis, Indiana,

Section 1. (1) That for the purpose of brevity and clearness, the terms "highways" and "streets" wherever used in this ordinance shall be deemed to mean and include all streets, alleys, avenues, lanes and other highways, including not only such highways, streets, alleys, avenues and lanes as have been established in the manner provided by the Statutes of Indiana, but also those created by user or common law dedication or otherwise.

(2) The words "railroad" or "railroads," "railroad track" or "railroad tracks," as used in this ordinance, shall be deemed and understood to mean railroad or railroads, railroad track or railroad tracks upon which property, or both persons and property, are or may be transported for hire, and do not mean or include railroads or railroad tracks devoted to the transportation of persons by means of any motive power other than steam.

(3) The provisions of this ordinance with respect to the removal of railroad tracks and appurtenances existing upon the surface of the streets and highways within the City of Indianapolis from the surface of such streets and highways, and the making and maintaining the railroad crossings of streets and highways so that at all times they shall be safe as to persons and property, shall apply as well to streets and highways created or opened subsequently to the laying and construction of such railroad tracks and appurtenances as to highways and streets existing at the time of the construction of any such railroad tracks or appurtenances upon or across the same.

(4) All that part of the City of Indianapolis bounded as follows will be hereinafter referred to as the First District, to-wit:

Beginning at the east property line of State avenue at the center line of the right-of-way of the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, thence extending in a northerly direction along the east property line of State avenue to the north property line of Ohio

street, thence in a westerly direction following the north property line of Ohio street to the west property line of West street, thence south along the west property line of West street to the northwest property line of Kentucky avenue, thence in a southwesterly direction along the northwest property line of Kentucky avenue to the south property line of River street, thence south in a direct line to the north property line of Merrill street, thence east along the north property line of Merrill street to the east property line of West street, thence north along the east property line of West street to the south property line of South street, thence east along the south property line of South street to the east property line of Alabama street, thence north along the east property line of Alabama street to the south property line of Louisiana street, thence east along the south property line of Louisiana street to the east property line of Noble street, thence north along the east property line of Noble street to the north property line of Bates street, thence in an easterly direction along the north property line of Bates street to the east property line of State avenue, thence north along the east property line of State avenue to the center of the right-of-way of the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, the place of beginning.

(5) All that part of said city bounded as follows will be hereinafter referred to as the Second District, except so much of the same as is included in the First District, as above described:

Beginning on the east property line of State avenue at the center of the right-of-way of the Pittsburg, Cincinnati, Chicago & St. Louis Railway, thence north along said east property line of State avenue to the center of Michigan street, thence along the center of Michigan street to the west line of Woodruff Place, thence north along the west line of Woodruff Place to the center of Tenth street, thence east along the center of Tenth street to the center of Windsor street, thence north along the center of Windsor street to the center of Twelfth street, thence east along the center of Twelfth street to the center of Windsor street north of Twelfth street, thence north along the center of Windsor street to the center of Commerce avenue, thence in a northwesterly direction along the center of Commerce avenue to the center of Brookside avenue, thence in a northeasterly direction along the center of Brookside avenue to the center of Samoa street, thence in a northwesterly direction along the center of Samoa street to the center of Massachusetts avenue, thence in a southwesterly direction along the center of Massachusetts avenue to the northeast property line of Nevada street, thence in a northwesterly direction along the northeast line of Nevada street to the extension of the north property line of Seventeenth street, thence west along the extension of and along the north property line of Seventeenth street to the center of Talbott avenue, thence north along the center of Talbott avenue to the center of Eighteenth street, thence west along the center of Eighteenth street to the center of the first alley west of Senate avenue, thence south along the center of the first alley west of Senate avenue to the north property line of Holton Place, thence west along the north property line of Holton Place to the west property line of Northwestern avenue, thence south along the west line of Northwestern avenue and along the west property line of West street to the center of New York street, thence west along the center line of New York street to the west property line of Blake street, thence south along the west property line of Blake street to the center of West Washington avenue, thence in an easterly direction along the center of West Washington avenue and along the center of West Washington street to the west property line of West street, thence south along the west line of West street to the northwest line of Kentucky avenue, thence in a

southwesterly direction along the northwest line of Kentucky avenue to the south property line of Merrill street, thence east along the south line of Merrill street to the center of West street, thence south along the center of West street to the center of Morris street, thence east along the center of Morris street to the center of Meridian street, thence south along the center of Meridian street to the south property line of Downey street, thence east along the south line of Downey street to the center of Madison avenue, thence north along the center of Madison avenue to the center of Prospect street, thence east along the center of Prospect street to the east property line of State avenue, thence north along the east property line of State avenue to the south property line of English avenue, thence east along the south property line of English avenue to the northeast line of the right-of-way of the Cleveland, Chicago, Cincinnati & St. Louis Railway, thence in a northwesterly direction along the said right-of-way line to the east property line of State avenue, thence north along the east property line of State avenue to the center of the right-of-way of the Pittsburg, Cincinnati, Chicago & St. Louis Railway, the place of beginning.

Sec. 2. That all railroads and railroad tracks and structures upon the surface of the streets and highways within the First District, as heretofore described, shall be removed therefrom on or before the 1st day of September, 1901, and shall not thereafter be relaid, and that on and after the 1st day of September, 1901, no railroads or railroad tracks shall be permitted to remain or be used or operated upon the surface of any street or highway within said First District. *Amended Sec. 6, 722*

Sec. 3. That all railroads and railroad tracks and structures upon the surface of the streets and highways within the Second District, as heretofore described, shall be removed therefrom on or before the 1st day of September, 1902, and not thereafter relaid, and that on and after the date last aforesaid no railroads or railroad tracks shall be permitted to remain or be used or operated within said Second District.

Sec. 4. Every railroad track existing or being in any public street or highway at grade thereof in said city, contrary to the provisions of this ordinance, is hereby declared to be a nuisance, the same being a menace to life and property therein, and a serious interference with the comfort, safety and convenience of the public, and after the time herein limited for the removal of such track or tracks, the Board of Public Works of said city is authorized and hereby directed to cause the same to be removed and abated, and to prevent the further operation or use thereof.

Sec. 5. That for each and every day or part thereof during which any corporation, copartnership or person shall construct, operate or maintain any railroad or railroad tracks upon the surface of any street or highway within the limits of said city as now existing, or as hereafter extended, contrary to the provisions of this ordinance, such corporation, person or persons shall be subject and liable to a penalty of two hundred dollars, to be collected in any court of competent jurisdiction.

Sec. 6. Subject to the limitations, conditions, reservations, exceptions and restrictions herein contained, the consent of the Common Council of said city is hereby given to all persons and corporations now owning or operating any railroad or railroad tracks upon the surface of any of the streets or highways within the limits of said city heretofore constructed upon or across the same, in pursuance of lawful authority, to construct, maintain and operate elevated railroads in lieu thereof, to wit:

(1) That the roadbeds of such elevated railroads in said streets and highways shall be upheld by cross girders of iron and steel, supported by iron or steel posts or columns.

(2) That the transverse diameter of each of said posts or columns (exclusive of fenders) shall not exceed twenty-four inches at any point

within ten feet of the surface of the street or highway in which the same shall be placed, and suitable fenders shall be placed around the base of each of said iron or steel posts or columns to prevent collision between such posts or columns and vehicles moving along such street or highway.

(3) That the materials for said structures within said highways and streets shall be of iron, steel, stone or brick (except as otherwise above provided), except that the rails shall be of steel; ties and guard-rails may be of a suitable quality of selected timbers; the roadbed may be of asphalt or broken stone supported by buckle plates of iron or steel, and all materials used in the construction of such work shall be of suitable quality for the purpose to which it is to be applied, and all work shall be done in a good, substantial and workmanlike manner.

(4) That no part of the girders of the superstructure shall be less than fourteen feet above the established grade of the highways and streets in which they shall be situated.

(5) That no part of any such elevated railroad shall be constructed lengthwise or longitudinally in any such street or highway, but as nearly as practicable across the same at right angles.

(6) That the width of the elevated railroads in said highways and streets, the construction of which is consented to as aforesaid, shall not exceed that necessary or proper for the placing, maintenance and use thereon of the tracks on the surface owned or operated by the persons or corporations constructing and owning such elevated railroads.

(7) That the location of each elevated railroad, the construction of which is consented to as aforesaid, so far as the same shall be situated in any street or highway, shall be fixed by the City Civil Engineer, under the direction of the Board of Public Works, except as herein otherwise provided.

(8) That the owners or operators of said elevated railroads, their lessees, successors and assigns may use such motive power as they may elect, but such power shall be equipped with all modern devices calculated to render it as nearly noiseless and smokeless as possible, and to prevent the discharge of cinders and sparks; and suitable and practicable devices shall also be placed at all highway and street crossings where such roads are elevated to intercept and carry off storm water and drippings from melting snow and other sources, by means of suitable instrumentalities to connect the same with the sewers of said city.

(9) That the persons or corporations constructing, owning or operating any elevated railroad in pursuance hereof, and their lessees, successors or assigns, shall have the right to construct, maintain and use telegraph, telephone and signal devices, for their own extensive use along and upon said elevated railroad, provided that the City of Indianapolis shall have the right to use any said elevated railroad for the purpose of placing thereon its police, fire alarm, electric light and telephone wires, without the payment of any compensation for such right and use, in such manner, however, as not to interfere with the use and operation of such elevated railroads, or telegraph, telephone and signal devices first mentioned in this subdivision, or the maintenance or repair thereof.

(10) That the work of constructing each of said elevated railroads within the said First District shall be commenced not later than the 1st day of April, 1900, and completed not later than the 1st day of September, 1901.

(11) That the work of constructing each of said elevated railroads in the said Second District shall be commenced not later than the 1st day of September, 1901, and completed not later than the 1st day of September, 1902.

(12) That each person or corporation desiring to construct any elevated railroad shall first submit plans and specifications therefor to the

Board of Public Works for its approval, and that the construction of such elevated railroads shall be upon plans and specifications approved by such Board, and not otherwise, except as herein otherwise provided.

(13) That the consent herein given and granted shall be subject to all ordinances of the City of Indianapolis, governing railroads, now in force or which shall hereafter be passed, so far as the same are or may be applicable to elevated railroads.

(14) That the persons or corporations constructing or owning any elevated railroads in pursuance hereof, as well as their lessees, successors and assigns, shall forever indemnify and save harmless the City of Indianapolis from any and all damages, judgments, decrees, costs and expenses for which it may be made liable, or which may be recovered against it by reason of its having consented to the construction, maintenance or use of such elevated railroad, or of any telegraph, telephone or signal devices placed thereon, or by reason of the construction, maintenance or operation of such elevated railroad, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or from the exercise by any of said persons or corporations of any privilege or authority herein given or granted.

Sec. 7. The said elevated railroads to be constructed within the said First District may be brought to the surface outside of such district at a gradient to be fixed by the persons or corporations constructing the same, and maintained on the surface until the time limited for the removal of the same from such surface as aforesaid. But the persons or corporations constructing or using or operating such railroads shall raise, depress or bridge any roadway or crossing of any highway or street, so as to carry and maintain the same during such period across or under or over such tracks as the Board of Public Works of said city may require, and shall pay, indemnify and save harmless the City of Indianapolis from any and all damages, judgments, decrees, costs and expenses of same, or for or by reason of, or growing out of, or resulting from the same.

Sec. 8. It is not intended by the Common Council of said city, by the provisions of this ordinance, to surrender any of its powers, control or jurisdiction over any of the said highways or streets of said city, nor to limit its authority or that of any Board or Department of said city having any authority, to regulate the use of railroads upon the surface of such streets and highways, nor its power and authority, nor the power and authority of any such Board or Department of said city, to cause the removal of said tracks, or any of them, from said streets and highways, or the discontinuance of the use thereof, or prohibiting the use of steam as a motive power, upon any or all of said tracks upon the surface of said highways or streets, but all its authority and that of all Boards and Departments of said city having authority, shall survive and continue, notwithstanding the provisions of this ordinance, and the exercise of the same shall at all times be free and unrestricted, whether before or after the time or times hereinbefore fixed for the commencement or of completion of said elevated railroads.

Sec. 9. If any bridge, viaduct, approach thereto, or other structure in any of said streets or highways, shall be found to constitute an obstruction to or interference with the work of constructing, maintaining or using any elevated roadbed or structure, the construction of which is herein consented to, the Board of Public Works of said city is hereby authorized and directed to promptly remove the same at the expense of said city.

Sec. 10. Should any of the provisions of this ordinance be judicially determined to be for any reason invalid, or invalid as to any one or more railroads, or as to any one or more crossings, then and in that case the

other provisions of the same, or the provisions of the same as to any other railroad, or as to any other crossing, shall not on that account be deemed invalid; it being the intent of the Council hereby to ordain each and singular the provisions of this ordinance, as to each and singular the respective railroads, and railroad crossings of highways and streets, as to which this ordinance and the provisions thereof, and the provisions thereof under the circumstances, may by the City Council be ordained.

Sec. 11. It shall be unlawful for any railroad company or corporation, or any officer, agent, employe or servant thereof, or any other person, firm or co-partnership to cause any locomotive engine or steam railroad car to cross any street or highway of said city at the grade of such street or highway, or to operate or use any railroad or railroad tracks upon the surface of any highway or street within the boundaries of either of the districts of territory within said city, as hereinbefore bounded and described, subsequent to the time designated by this ordinance for the removal of such tracks from such highway or street. Every such act is declared to be a nuisance, and it shall be and is hereby made the duty of the Department of Public Safety of said city, through its police force, to prevent and prohibit the same. For each and every violation of this section the offender shall, upon conviction, be fined not less than one hundred nor more than two hundred dollars.

Sec. 12. The City Attorney of said city is hereby authorized and required to institute and diligently prosecute all suits, actions and proceedings necessary or proper to secure full compliance with the provisions of this ordinance in all respects.

Sec. 12. 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 newspaper having a general circulation in said city.

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

By Mr. Merrick:

G. O. No. 36, 1899. An ordinance annexing certain territory to the City of Indianapolis, 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 boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, and State of Indiana, to-wit:

Beginning at a point in the intersection of the first road west of White River (known as the Lafayette Road) where the same intersects with the north line of Clark & Mick's Haughville Park addition and Clark's second addition to Haughville, extended east, thence in a northwesterly direction along the center line of the first road west of White River to the center line of the Crawfordsville Road, thence west along the center line of said Crawfordsville Road to the center of Tibbs avenue, being the west line of Section thirty-three (33), Township sixteen (16) north, Range three (3) east, thence south with the center line of Tibbs avenue to the center line of Tenth street, thence east with the center line of Tenth street to the west line of the first alley west of Tremont avenue, thence north along the west line of said alley to the north line of Clark & Mick's Haughville Park addition, thence east along the said north line

and along the north line of Clark's second addition to Haughville to the center line of the first road west of White River (known as the Lafayette Road), the place of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation printed and published in the City of Indianapolis, Indiana.

With the following petition :

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

We, the undersigned residents of the territory located upon the northern boundary of what was formerly Haughville and now part of the City of Indianapolis, and bounded on the west by Tibbs avenue, on the south by Grandview avenue, or Tenth street, on the east by the first alley west of Tremont avenue, and on the north by Wren street extended west to Tibbs avenue, hereby respectfully petition your honorable body for the passage of an ordinance annexing said territory to the City of Indianapolis.

George W. Stout, Henry Ward, John C. Boyren, Samuel L. Thrasher, Carrie Hensel, Christiana Bauerle, W. E. Carman, Lynbell E. Evans, Wade H. Evans, Samuel Schuck, Joseph P. Murray, W. J. Ledbetter, Thos. Powderly.

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

By Mr. Scanlon (by request):

G. O. No. 37, 1899. An ordinance providing for licensing persons who buy, sell, or in any manner deal in, or traffic in, railway tickets, the license fee required, the length of time such license is to run, and providing a penalty for violating said ordinance.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That it shall be unlawful for any person to buy, sell, or in any manner deal in, or traffic in, railway tickets of any nature whatsoever, in any place or office within the City of Indianapolis, without having first procured a license so to do, as hereinafter provided.

Sec. 2. This ordinance shall not apply in any case to any person employed by any railway company to sell or handle its tickets, nor to persons buying tickets to travel upon.

Sec. 3. The license fee for any person, licensing them to buy, sell, deal or traffic in railway tickets, shall be the sum of fifty dollars for a year or any part of a year; but in no instance shall said license run for more than one year at any one time. Upon payment of the fee of fifty dollars, as above provided, the City Comptroller shall issue the same as in other cases.

Sec. 4. Any person violating any provision of this ordinance shall be fined in any sum not exceeding fifty dollars nor less than five dollars, and the buying or selling of any one ticket 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 consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in said City of Indianapolis.

Mr. Harston moved that G. O. No. 37, 1899, be referred to Committee on Sewers, Streets and Alleys.

Mr. Little moved to lay Mr. Harston's motion on the table.

Which motion carried.

Mr. Little moved that G. O. No. 37, 1899, be referred to Committee on Railroads.

Which motion carried.

ORDINANCES ON SECOND READING.

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

G. O. No. 32, 1899. An ordinance repealing an ordinance entitled "An ordinance regulating the distribution and consumption of artificial gas; fixing the price thereof, and matters connected therewith; prescribing a penalty and fixing a time when the same shall take effect," passed by the Common Council August 2, 1897, and approved by the Mayor August 9, 1897, and fixing a time when the same shall take effect.

And was passed by the following vote:

AYES 20—viz.: Messrs. Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS 1—viz.: Mr. Allen.

On motion of Mr. Colter, the following entitled ordinance was taken up and read a second time:

G. O. No. 30, 1899. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 28th day of June, 1899, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Gas Company, wherein and whereby certain litigation is compromised, and the rates to be charged by said company for artificial gas for illuminating purposes, for a period of ten years, are stipulated, and fixing the time when the same shall take effect.

Mr. Allen moved that G. O. No. 30, 1899, be referred back to the Board of Public Works, with the recommendation that a provision be inserted regarding the rate to be charged for artificial fuel gas.

Mr. Colter moved to lay Mr. Allen's motion on the table.

Which motion prevailed.

On motion of Mr. Colter, G. O. No. 30, 1899, was then ordered engrossed, read a third time and passed by the following vote:

AYES 20—viz.: Messrs. Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS 1—viz.: Mr. Alien.

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

G. O. No. 29, 1899. An ordinance approving a certain contract granting Henry L. Spiegel the right to lay and maintain a switch or side-track across Oriental street, in the City of Indianapolis, Indiana.

Mr. Clark submitted the following:

INDIANAPOLIS, IND., June 27, 1899.

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

Gentlemen—The undersigned, owners of real estate abutting on Southeastern avenue and Oriental street, respectfully remonstrate against the passage of the ordinance providing for a side-track across Oriental street at the intersection of Southeastern avenue.

The P., C., C. & St. L. Railway have asked the Board of Public Works to grant to them the privilege of laying a side-track across South Oriental street at the intersection of Southeastern avenue. The crossing at Southeastern avenue and Oriental street is already very dangerous by reason of seven tracks already there, on which the P., C., C. & St. L. and the C., H. & D. switch engines are continuously moving back and forth, and to lay an additional track across Oriental street would increase the danger still more to lives and property and would depreciate the value of property. Oriental street is the only street that we can use to get to Washington street, the street car line, Leota street, Lynn street, Southeastern avenue, Quincy street, South Arsenal avenue and Bates street.

(Signed by forty-nine owners of real estate on Southeastern avenue and Oriental street.)

Which was read.

On motion of Mr. Shaffer, G. O. No. 29, 1899, was then ordered engrossed, read a third time, and passed by the following vote:

AYES 16—viz.: Messrs. Allen, Bernauer, Bowser, Colter, Costello, Crall, Higgins, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

NAYS 5—viz.: Messrs. Clark, Harston, Knight, Little and President Mahoney.

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

G. O. No. 27, 1899. An ordinance authorizing the transfer of the sum of nineteen hundred dollars (\$1,900) from funds of the Department of Public Safety to other than those to which it was originally appropriated.

And was passed by the following vote:

AYES 21—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, 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. 23, 1899. An ordinance permitting Thomas X. Logan to erect a frame building within the fire limits of the City of Indianapolis, and fixing the time when the same shall take effect.

And was passed by the following vote:

AYES 21—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS—None.

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

G. O. No. 21, 1899. An ordinance authorizing the erection of a portico or vestibule at and in front of the public entrance to the St. Charles Hotel, on McCrea street, in the City of Indianapolis, upon conditions herein named.

And was passed by the following vote:

AYES 18—viz.: Messrs. Bernauer, Clark, Colter, Costello, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS 3—viz.: Messrs. Allen, Bowser and Crall.

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

G. O. No. 31, 1899. An ordinance amending Section 1 of an ordinance entitled "An ordinance defining the fire limits in the City of Indianapolis and the character of the buildings which are forbidden to be erected within such limits, and matters connected therewith," approved by the Mayor July 25, 1894, and fixing the time when the same shall take effect.

And was passed by the following vote:

AYES 21—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS—None.

On motion of Mr. Bowser the Common Council, at 9:25 o'clock, P. M., adjourned.

*Geo. H. Mahoney*  
.....  
President

ATTEST,

*Chas. H. Stuckmeyer* City Clerk.