

SPECIAL MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
August 23, 1899. }

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday evening, August 23, 1899, at 8 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., August 23, 1899.

Charles H. Stuckmeyer, Esq., City Clerk:

Dear Sir—Please issue the following call:

To the Members of the Common Council:

Gentlemen—You are hereby requested to meet in special meeting in the Council Chamber at 8 o'clock p. m., Wednesday, August 23, 1899, to transact such business as may come before said meeting.

JOHN H. MAHONEY,
President.

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

CHAS. H. STUCKMEYER,
City Clerk.

Present, Hon. John H. Mahoney, President of the Common Council, in the chair, and 19 members, viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

Absent—1, viz.: Mr. Knight.

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, ETC., FROM STANDING COMMITTEES.

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

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.

Made the following report:

INDIANAPOLIS, IND., August 22, 1899.

Mr. President:

Your Committee on Railroads, to which was referred G. O. No. 35, 1899, have had the same under consideration, and beg leave to submit the following report:

Whereas, The City Civil Engineer has prepared certain plans for the consideration of this committee, showing a general plan of track elevation in the City of Indianapolis, which plans demonstrate conclusively that track elevation is both feasible and practical, without material damage to the private interests of individuals, and which plans have been of great benefit to this committee in the consideration of this ordinance; and

Whereas, By the terms of said ordinance any plan for the elevation of tracks shall first be prepared by the company owning such tracks and then submitted for approval to the Board of Public Works of said city; and

Whereas, We believe, after a very careful consideration of the matter and personal investigation of the system of elevated tracks in other cities, that all objections heretofore urged against track elevation can be overcome by the preparation of the proper plans therefor, and that it is to the best interest of all concerned that some general plan of track elevation should be begun; therefore,

We hereby recommend that said G. O. No. 35, 1899, be amended as follows:

First. Amend Section 2 of said ordinance by adding to the end thereof these words, "except as hereinafter provided."

Second. Amend Section 3 of said ordinance by adding to the end thereof these words, "except as hereinafter provided."

Third. To amend Section 4 by adding to the end thereof the following: "Provided, however, That the Board of Public Works is hereby authorized and empowered to permit such spurs and switches as shall, in their opinion, be practical and necessary in order to serve the present freight houses and the manufacturing, mercantile and shipping interests of said city at their present locations in said districts; and Provided, further, That the said spurs and switches shall be so constructed and protected as not to be a menace to life or a serious interference with the comfort, convenience and safety of the public."

Fourth. By striking out all of Section 9 of said ordinance.

Fifth. By changing the number of Section 10 of said ordinance so as to read Section 9.

Sixth. By changing the number of Section 11 of said ordinance so as to read Section 10.

Seventh. By changing the number of Section 12 of said ordinance so as to read Section 11.

Eighth. By changing the number of Section 13 of said ordinance so as to read Section 12.

And that when said ordinance is so amended, your committee recommends that the same do pass.

EDWARD E. BERNAUER.
E. W. LITTLE.
ALBERT HARSTON.
JOHN M. HIGGINS.
GEO. R. COLTER.

Which was read, and, on motion of Mr. Harston, concurred in.

MISCELLANEOUS BUSINESS.

The following communication from the Deering Harvester Co. was received and read:

CHICAGO, August 21, 1899.

President of the City Council, Indianapolis, Ind.:

Dear Sir—We are informed that an ordinance has been introduced in the City Council of Indianapolis which provides for the elevation of railroad tracks within the city, and we have caused an estimate to be made by Mr. F. Woodbridge, Civil Engineer, of the cost of elevating our side track which is used in connection with our building at No. 340 West Market street.

Mr. Woodbridge estimates the cost of elevating this 282 feet of side track will be \$5,922. In addition to this cost of track elevation, we will be greatly damaged, because our shipping must thereafter be from the second floor of our building, and this will entail upon us large expense in strengthening the walls of the building to the extent necessary to enable us to ship from the second floor of it.

Whether we can obtain compensation for our loss if the track is elevated or not, we desire to enter a protest against its elevation. The question of what damages, if any, are recoverable under such circumstances will no doubt be considered by the city authorities, as it will be by others whose property is damaged by the elevation.

Truly yours,

DEERING HARVESTER Co.,
By C. DEERING, Sec'y.

ORDINANCES ON SECOND READING.

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

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 rail-

road 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.

Mr. Bernauer moved that the amendments to G. O. No. 35, 1899, as recommended by the Committee on Railroads, be adopted.

Which motion prevailed.

On motion of Mr. Bernauer, G. O. No. 35, 1899, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

AYES 16—viz.: Messrs. Bernauer, Clark, Colter, Costello, Harston, Higgins, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Smith, Von Spreckelsen and President Mahoney.

NAYS 4—viz.: Messrs. Allen, Bowser, Crall and Shaffer.

Mr. Bernauer moved for a reconsideration of the vote by which G. O. No. 35, 1899, was passed.

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

Which motion prevailed.

On motion of Mr. Bernauer, the Common Council, at 9:00 o'clock P. M., adjourned.

ATTEST:

James H. Mahoney

 President.

Chas. H. Strickmeyer — City Clerk.