

PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—NOVEMBER 15, 1888.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, Thursday evening, November 15th, A. D. 1888, at 7:30 o'clock, in adjourned session, pursuant to adjournment.

PRESENT—Hon. Granville S. Wright, President of the Board of Aldermen, in the Chair, and Aldermen Connett, Laut, Reinecke, Smith, Taylor, and Tousey—7.

ABSENT, 3—viz: Aldermen Clark, Rail, and Reynolds.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was read and received :

To the President and Members of the Board of Aldermen :

Gentlemen.—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council, at an adjourned session, held November 13th, 1888.

For the Common Council :

JNO. W. BOWLUS, City Clerk.

The report from the Committee on Contracts (see pages 727, 728, 729 and 730, *ante*), was read, and the action of the Common Council thereon was concurred in.

The following contracts and bonds (see page 731, *ante*), were read, and concurrently approved :

Contract and bond of James E. Twiname & Co., for grading and paving with rick, the east sidewalk of West street, from Second street to Fourth street.

Bond, \$500.00; surety, L. A. Fulmer.

Contract and bond of James E. Twiname & Co., for grading and paving with brick, the south sidewalk of Gregg street, from East street to Park avenue.

Bond, \$400 00; surety, L. A. Fulmer.

Contract and bond of J. L. Spaulding, for grading and paving with brick, the east sidewalk of Blackford street, from New York street to North street.

Bond, \$1,500; sureties, H. C. Roney and James W. Hudson.

The report from His Honor, the Mayor, showing the amount of fines and fees collected during the month of October, 1888, (see page 731, *ante*), was read and received.

The report of the City Clerk, showing the amount of warrants drawn on the City Treasury for the month of October, 1888, (see page 731 and 732, *ante*), was read and received.

The following report from the City Clerk (see page 732, *ante*), was read:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—I herewith report the following entitled affidavit, now on file in the office of the City Clerk, for the collection of street improvement assessment by precept, to-wit:

Jos. Bernauer vs. Indianapolis Water Co, for.....\$28 32
Respectfully submitted, Jno. W. BOWLUS, City Clerk.

And the favorable action of the Common Council thereon, was concurred in, and the precept ordered to issue, by the following vote:

AYES, 7—*viz*: Aldermen Connett, Laut, Reinecke, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The report from the City Clerk, stating the filing of the acceptance of G. O. 26, 1888, also the acceptance accompanying the same (see page 732, *ante*), was read and received.

The report of the City Civil Engineer submitting the contract and bond of the Indiana Bridge Company, (see page 733, *ante*), was read, and the action of the Common Council thereon, was concurred in.

The report of the City Civil Engineer, submitting certain contracts and bonds (see page 733, *ante*), was read, and the action of the Common Council thereon, was concurred in.

The report of the City Civil Engineer, accompanied with estimates (see pages 733 and 734, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The following estimate resolution (see page 734, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Joseph Bernauer, for grading and paving with brick, the west sidewalk of Noble street, from Huron street to Virginia avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 8—*viz*: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 734, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick, the sidewalks of Newman street, from Hill avenue to Ninth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted, by the following vote:

AYES, 8—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 735, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Robert Kennington, for grading and graveling Arizona street and sidewalks, from Meridian street to the Canal, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the same set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Clark; Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 735, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Geo. W. Seibert, for grading and paving with brick, the south sidewalk of Lexington avenue, from Linden street so Reid street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

NAYS, 8—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 735, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Geo. W. Seibert, for grading and graveling the west sidewalk of Hillside avenue, from Shetdon street to Ninth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 735, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Geo. W. Seibert & Co., for grading and graveling Highland street and sidewalks, from Miami street to Ohio street, be, and the same is hereby, adopted as the estimate of the Common

Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 736, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Geo. W. Seibert & Co., for grading and graveling the first alley south of Bates street, from Dillon street to Leota street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Taylor, Tousey, and President Wright.

NAYS—None.

The report from the Superintendent of the City Dispensary for October, 1888, was read and received.

The following motions (see pages 739 and 741, *ante*), were read, and concurrently adopted:

That J. L. Spaulding be permitted to pave the sidewalk along Lot 10, Square 3, Blake & Ray's subdivision; also, in front of Lot 7, Square 4, French's subdivision, at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the necessary grade stakes.

That the Street Commissioner be ordered to notify the person obstructing with a fence the street known as Walnut street, being the first street south of St. Clair street, and extending from Noble street to Railroad street, to remove said fence and other obstructions now being erected in said street; and upon failure so to do, within five days from the date of said notice, said Street Commissioner is hereby ordered to remove said obstructions at the expense of said property holder; and said Street Commissioner is hereby ordered to maintain said Walnut street to its present width.

That the Street Commissioner be, and is hereby, directed to fill the chuck-hole at the intersection of Georgia and Dillon streets.

The following resolution (see page 739, *ante*), was read, and referred to the Committee on Streets and Alleys and City Civil Engineer:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That John Faehr be, and is hereby, granted permission to construct a bridge over the north entrance of Illinois street tunnel, for a distance of not more than fifty feet, extending north from the north line of Louisiana street; the said bridge to be for pedestrian use, and to be supported by iron girders, and constructed in such manner as to not interfere with or obstruct travel through the tunnel, and to be protected from teams and vehicles by suitable iron posts placed not more than six feet apart. Also, to pave with asphalt or vulcanite paving all that portion of Illi-

nois street west of the tunnel between Louisiana street and the first alley north of said street. The plan of said bridge to be first submitted to the City Civil Engineer and approved by him; and all of said work to be done upon grades established by him, and under his supervision, direction and approval, but wholly at the expense of the said John Faehr. When said paving shall have been done, it shall be unlawful for any person or corporation to tear up said pavement, or any part thereof, for the purpose of laying or repairing water, gas or drain pipes, or for other purposes, within a period of five years.

The following resolution (see page 742, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, Indiana, That the Mayor and City Clerk of this city, be authorized to permit their respective signatures to be lithographed upon all of the coupons attached to the one hundred and ten thousand dollar coupon bonds of the city to be dated January 1st, 1889, due in twenty years, and authorized by General Ordinance No. 47, 1888 of said city, ordained and established October 24th, 1888.

And it was concurrently adopted by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following motion (see page 742, *ante*), was read, and referred to the Committee on Streets and Alleys:

That the Street Commissioner be directed to notify the Washington street paving contractors to keep the street in such a condition that should they again be stopped by bad weather, the streets can be used.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances (passed by the Common Council) were placed on their final passage, without a suspension of the Rules:

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 63, 1888—An ordinance appropriating money for the payment of the salaries of the officers and members of the Fire and Police Departments; of the Committee Clerk; of the Janitor and Assistant Janitor of the City Hall; of the Janitor and Assistant Janitor of Tomlinson Hall, and of the East and West Market Masters. [Amount appropriated, \$11,968.33.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 64, 1888—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$318 25]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time :

Ap. O. 65, 1888—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$1,614.74.]

And it was passed by the following vote :

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time :

Ap. O. 66, 1888—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$649.64.]

And it was passed by the following vote :

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time :

Ap. O. 67, 1888—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$9,467.65.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time :

Ap. O. 68, 1888—An ordinance appropriating the sum of Fifty-five Thousand Dollars (\$55,000) to pay temporary loans of August and September, 1888.

And it was passed by the following vote :

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time :

Ap. O. 69, 1888—An ordinance appropriating the sum of Ten Thousand Dollars (\$10,000) on account of the Street Repairs Department of the City of Indianapolis.

And it was passed by the following vote :

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Streets and Alleys, through Alderman Tousey, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Streets and Alleys submit the following report:

1st. Is for improving Oriole street, between Nebraska street and the second alley south thereof. Recommend said ordinance pass.

2d. Is a resolution requiring the natural gas companies to fill trenches, repair streets, etc. Recommend said resolution be adopted.

3d. Is a motion relative to securing right-of-way through private grounds to the Cotton Mills. Recommend its adoption.

Upon sundry other matters referred, your Committee reports progress, and asks for further time

Respectfully submitted,

Will. E. Tousey,

J. H. Taylor,

Julius F. Reinecke,

Committee on Streets and Alleys.

The following resolution (see pages 660, 661 and 681, *ante*), was read :

WHEREAS, Many of the streets of the city have been opened by the several Natural Gas Companies, for the purpose of laying gas mains, etc, and have not been restored and replaced in proper manner, as required by the intent of the Natural Gas Ordinance; and

Whereas, The agents and contractors of the Consumers' Gas Trust Company have not only been careless and negligent in the prosecution of their work, but have refused to obey the orders of the City Civil Engineer in regard to the manner of laying and testing pipe and re-filling trenches, and have threatened the Engineer's inspectors with violence on attempting to discharge their duties; and

Whereas, The City Civil Engineer has personally, and through his inspectors, notified said gas companies, their contractors and agents, to prosecute their work in a proper manner, and has in writing notified the Consumers' Gas Trust Company of the carelessness and negligence of its contractors, and also the Common Council and Board of Aldermen; and

Whereas, The Mayor has held, in a recent decision, that for the purpose of compelling said companies to speedily replace and restore the streets, etc., in a proper manner and reasonable time, the penal provisions of the present ordinances are of little avail, if not practically nugatory, and therefore further legislation is necessary; therefore

Resolved, That all natural gas companies are hereby ordered and directed to at once re-fill all trenches, repair and restore all streets, avenues or alleys, where opened by them, in a good, safe and proper condition, and to test all pipe now laid by them and not having been tested, and to replace all bowlders and cross-walks, and re-fill all sunken trenches, and do all work necessary to restore the streets avenues and alleys in as good condition as the same were in before being disturbed by them.

Resolved, further, That the City Civil Engineer is hereby ordered and directed to notify all natural gas companies to at once re-fill all trenches, and repair and replace and restore, all streets, alleys and avenues where opened by them, in a good, safe and proper condition, and to test all pipes now laid by them and not having been tested, and to replace all bowlders and cross-walks, and re-fill all sunken trenches, and do all work necessary to restore the streets, avenues and alleys in as good condition as the same were in before being disturbed by them. And if said gas companies do not immediately comply with said order, said Engineer is hereby authorized, empowered and directed, to stop all further trenching, excavating or pipe-laying, by any and all of said companies failing to comply with said order, until all streets, avenues or alleys are restored to the satisfaction of said Engineer. And in the event of any company's failure to restore any street, avenue or alley, after being so stopped by the Engineer, the Street Commissioner is hereby ordered and directed to do said work, and collect the costs thereof from such company so failing to restore said streets. And the City Civil Engineer is hereby authorized and ordered to call to his aid such assistance as shall be necessary to enforce the provisions of this resolution.

Resolved, further, That the City Attorney is hereby directed to institute the necessary legal proceedings to compel obedience to this resolution; and that the City Clerk is hereby directed to transmit a copy of this resolution to each of the natural gas companies.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

The Committee on Streets and Alleys, through Alderman Tousey, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred a motion directing the C., I., St. L. & C. R. R. Co. to plank the crossing of their track on the first alley south of Bates street, between Dillon and Leota streets, recommend that said motion be concurred in.

Respectfully submitted,

Will. E. Tousey,
Julius F. Reinecke,
Committee on Streets and Alleys.

The Committee on Water, through Alderman Connett, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Gentlemen:—The Committee on Water would recommend that the action of the Council in locating a drinking fountain on the southeast corner of Maryland and Mississippi streets, be concurred in.

Respectfully submitted,

M. F. Connett,
M. M. Reynolds,
Committee on Water.

PENDING ORDINANCES.

The following entitled ordinance was read the second time, and then read the third time :

S. O. 110, 1887—An ordinance to provide for grading and graveling the roadway of Oriole street, widening, paving with brick and curbing with stone the sidewalks thereof, from Nebraska street to the second alley south of Nebraska street.

And it was passed by the following vote :

AYES, 9—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

SPECIAL ORDER.

The following entitled ordinance was read the second time :

G. O. 44, 1888—An ordinance authorizing the construction, and regulating the operation and maintenance of incandescent electric lighting plants, in the City of Indianapolis.

President Wright offered the following amendment :

I move to amend General Ordinance No. 44, 1888, as follows :

In the title of said ordinance, after the word "incandescent," insert the words "and arc;" and after the word "lighting," insert the words "and power."

Amend Section 4, line 2, by inserting after the word "ordinance," the words "within the limits of North, South, East and West streets."

Also, same Section, line 6, after the word "laid," insert the words "in all other territory in said city not included in the above boundaries, wires may be strung on poles, which poles shall be located in alleys, where practicable, under the direction of the City Civil Engineer."

Strike out Sections seven and eight.

After Section 6, insert the following Sections :

SECTION 7. No arc, electric light or power plant shall be constructed, operated or maintained, within the corporate limits of the City of Indianapolis, except in conformity with the provisions hereinafter set out.

SEC. 8. No person or persons, company, corporation or association, intending to construct, operate or maintain, an electric plant for the purpose of supplying electricity for arc lights or power in the City of Indianapolis, shall be entitled to the privilege of occupying the streets, avenues, alleys or public grounds of said city except on the following conditions, to-wit :

That said person, persons, company, corporation or association, desiring to do any such business, shall file with the City Clerk at the time application is made for the use of the streets, avenues, alleys or public grounds, under the provisions of this ordinance, his or its penal bond in the sum of twenty-five thousand dollars (\$25,000,) with two good and sufficient resident securities, to be approved by the Mayor, Common Council and Board of Aldermen, conditioned that he or it will comply with all of the provisions of this ordinance, and all other ordinances which may hereafter be passed, relating to the subject of this ordinance, and will pay into the city treasury the per centage upon its gross receipts as provided in this Section; and such person or persons, company, corporation or association, shall at the time of filing said bond, also file with the City Clerk its or his written acceptance of the privileges granted by this ordinance, and agree therein that he or it will, on the first day of July and January, of each year thereafter, file with the City Clerk a statement of his or its gross receipts, derived from such business for the six months next preceding such statement, which shall be sworn to by such person or persons, or by

the proper officers of such company, corporation or association; and further agree that he or it will, at the time of filing such statement with the City Clerk, pay into the city treasury two and one half (2½) per cent on the amount of such gross receipts after the first day of January, 1889, and five (5) per cent on the amount of such gross receipts, after the first day of January, 1894; which amount shall be in addition to all other taxes imposed by law.

If the Common Council and Board of Aldermen shall not be satisfied with the correctness of any statement made as required by this Section, they shall have the power to require any of the parties making such statement to make to them an exhibit of the books and papers of such party, and they may make an examination thereof; and if it shall appear from such books and papers, or if in any other manner they shall have satisfactory proof thereof, that the gross receipts of such party during the time specified in such statement, were greater than the amount so returned in such statement, then the said party, notwithstanding such statement, shall pay into the city treasury the percentage as provided in this Section, upon such excess.

Sec. 9. Persons, companies, corporations or associations, shall do no injury to any street, avenue, alley or public ground, nor to any shade tree, nor in any manner disturb or interfere with any water or gas pipe, gate, valve or regulator, nor with any public or private sewer, now or hereafter laid or constructed by any authorized person or corporation, and shall fully indemnify and save harmless the City of Indianapolis from any claims or damages for which said city might be made, or become liable to pay by reason of the construction, operation or maintenance of said are light or power plant, or the giving or allowing of the license, rights and privileges hereby granted.

Sec. 10. All wires or other conductors, used for the purpose of carrying or supplying electricity for arc lights or power, under this ordinance within the limits of North, South, East and West streets, shall be laid under ground and at a depth of not less than two (2) feet below the surface of the street, avenue, alley or public ground in or through which said wires or conductors may be laid. In all other territory in said city not included in the above boundaries, wires may be strung on poles, which poles shall be located in alleys where practicable, under the direction of the City Civil Engineer. Whenever any excavation is made in any street, avenue, alley or public ground, for the purpose of laying or replacing any such line, wire or electric conductor, such street, avenue or public ground, shall be replaced by such person, company, corporation or association in as good condition as it was in before such excavation was made, and for a failure or neglect, for a period of five (5) days after the completion or repair of such line wire or other conductor, to so replace such street, avenue, alley or public ground, such person, company, corporation or association, its agents or officers, shall be deemed guilty of an offence and shall, upon conviction, be fined in any sum, not exceeding one hundred (\$100) dollars, and each and every day shall constitute a separate offence.

The work of removal and replacement of pavements in any and all streets, avenues, alleys and public grounds, in or through which the wires or conductors may be laid, under this ordinance, shall be subject to the control and supervision of the City Civil Engineer, excavations in any and all of the unpaved streets, avenues, alleys or public grounds within the corporate limits of said city shall be subject to like control and supervision.

The method of conducting such underground currents of electricity shall also be subject to the approval of the City Civil Engineer when concurred in by the Common Council and Board of Aldermen, and to that end, persons, companies, corporations or associations shall before beginning the laying of any such underground wire, or other conductor, submit to said engineer, a general plan, showing first the territory intended to be supplied with such electricity and the manner of conducting the same, and shall first receive the written approval of said Engineer, and the approval of the Common Council and Board of Aldermen.

Sec. 11. It shall be unlawful for any person, electric light or power company, or any other company, to attach or in any manner connect any electric wire or any other conductor of electricity, or to run any wire or other electric conductor in dangerous proximity to any metal awning, railing, roof, wire or other conductor of electricity, belonging to, appending or appertaining to any house, building,

structure or pole, or to run any overhead line, wire or other conductor of electricity over or along any building or across any street, avenue, alley or public ground, or private ground, within the corporate limits of the City of Indianapolis.

All work under the provisions of this ordinance shall be done under the supervision and control of the City Civil Engineer, and whenever any person, company, corporation or association shall violate any of the provisions of this or any other ordinance which may hereafter be passed upon this subject, said Engineer shall notify said person, company, corporation or association of such violation, and if the same is not remedied at once, the said Engineer shall report the facts to the Common Council and Board of Aldermen, who shall have power to compel the removal of any part or all of said plant.

SEC. 12. All electricity to be supplied under this ordinance shall be generated from dynamos, especially constructed for the use intended, and in no case shall incandescent lights be supplied from arc circuits, nor shall arc lights be supplied from incandescent circuits, nor shall any power be supplied from any, other than arc circuits.

The manner of putting in plant, in all details as well as kind of insulation employed, shall be subject to the approval of the City Civil Engineer. All wiring or other work, shall, in addition to the above, be done according to the rules and regulations of the National Board of Fire Underwriters.

SEC. 13. All ordinances or parts of ordinances heretofore passed, in so far as they relate to the supply of electricity for arc lights or power, are hereby repealed: *Provided, however,* that the provisions of this ordinance, in reference to the payment of the per cent. on the gross receipts, and the placing of wires or other electric conductors under ground, shall not apply to the Indianapolis Brush Electric Light and Power Company, until after the expiration of its contract with said city, to-wit: December 31st, 1891.

SEC. 14. The Common Council and the Board of Aldermen hereby reserve the right to alter, amend or repeal this ordinance at any time.

SEC. 15. 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 Gazette."

Alderman Laut moved that the ordinance and amendment be referred to the Committee on Public Light.

Alderman Smith moved to lay the motion on the table.

Which motion failed of adoption, by the following vote:

AYES, 4—viz: Aldermen Connett, Rail, Smith, and Tousey.

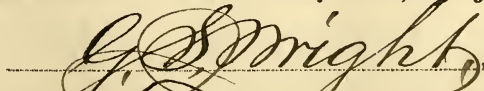
NAYS, 5—viz: Aldermen Clark, Laut, Reinecke, Reynolds, and President Wright.

The question then being on the motion offered by Alderman Laut, to refer to the Committee on Public Light, the ayes and nays were demanded, and the motion prevailed, by the following vote:

AYES, 5—viz: Aldermen Clark, Laut, Reinecke, Reynolds, and President Wright.

NAYS, 4—viz: Aldermen Connett, Rail, Smith, and Tousey.

On motion, the Board of Aldermen then adjourned, at 9:15 o'clock, P. M.


 _____, President.

Attest: 
 _____, Clerk.