

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
February 6, 1893. }

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

Present, Hon. Martin J. Murphy, President 'of the Common Council, in the chair, and 16 members, viz: Messrs. Allen, Colter, Costello, Froschauer, Gasper, Gauss, Halloran, Linn, McGill Pur-year, Rassmann, Ryan, Schmidt, Schrader and Young.

Absent, 5—viz: Messrs. Cooper, Laut, McGuffin, Sherer and White.

The Proceedings of the Common Council for the regular meeting held Monday, January 16, 1893, having been printed and placed upon the desks of the Councilmen, said Journal was approved as published.

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

Which motion prevailed.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication:

MR. PRESIDENT AND GENTLEMEN—Our city charter requires that I annually communicate to your honorable body a statement of the finances and general condition of the city's affairs.

Inasmuch as we are now making precedent, I have thought it best to request each department to make to me a full and detailed statement of the work done by them during the last calendar year, and send that to you also, so that you, and through you the citizens of Indianapolis, could know absolutely and accurately what work has been done in the city and how each dollar of the taxes paid by them has been

expended. This history of the year's work is full of interest, and I take pride in submitting it to you, and to the citizens of Indianapolis, because it shows a realization of responsibility and an earnest desire on the part of each department to discharge faithfully the duties with which it has been entrusted.

DEPARTMENT OF FINANCE.

The success of any administration must depend most largely upon the management of its finances, and I commend to you the report of the Comptroller, showing as it does, with absolute detail, from what source each dollar we have had was received and for what purpose it was expended, and it gives me great pleasure to be able to say that although we have a tax rate lower than that of any like city in the United States, yet, by constantly keeping in view the amount of money we would receive, we close the year 1892 without owing a dollar of a temporary loan, except that of which I spoke to you a year ago, which was money borrowed to rehabilitate a collapsed fire department, inherited by us from our predecessors, and add thereto 7,000 feet of hose, three steam fire engines, one chemical engine, eighteen horses, two hose wagons, one wagon for chief, and other improvements. Inasmuch as the greater part of the city's revenue comes from taxes which are paid in two annual installments it is necessary to borrow money temporarily in anticipation of these payments, but the money so borrowed has been paid out of these taxes when received, and the city has met every obligation incurred by us out of its current revenue. The credit of the city never stood as high as at the present time. The last money borrowed by us in 1892 was \$60,000—borrowed on October 1st and paid with taxes received in November following. From this loan the city paid 3.75 per cent. interest per annum. During the year 1893 many matters of great importance to the city's finances will be submitted to you for consideration. On April 1st next \$21,000 of the permanent bonded debt of the city comes due. We have been paying 8 per cent. interest per annum for this money for twenty years. We will pay this off at maturity. On the first day of July next \$600,000 of our permanent bonded debt matures. On this money we have been paying 7.3 per cent. interest for twenty years. A proposition and contract to refund this and the remaining 7.3 per cent. interest-bearing bonds with bonds bearing 4 per cent. interest per annum was submitted to you some time ago by the Comptroller. It did not, however, meet with your approval. Of course the city will not have the money to pay these bonds next July, and it will be necessary to issue other bonds to raise money to meet this obligation as it matures, but it will be a matter of surprise as well as regret if we are not able to sell a long time 4 per cent. bond at a premium and pay off bonds bearing 7.3 per cent. An ordinance upon that subject will be submitted for your consideration in a short time.

DEPARTMENT OF PUBLIC WORKS.

In no other year has the City of Indianapolis made as great advance in permanent public improvements as in the year just closed. Details of that work is set out in the report of the Board of Public Works. These gentlemen have devoted themselves earnestly and conscientiously to the great duties that belong to their office, and the result of their labor is manifest on every hand. They are laying a foundation suitable for the Indianapolis of the future.

In the early spring the city will be lighted by electric light instead of gas. A contract has been made with the Water Company more advantageous in many respects than any ever had, the amount of mains the company may be required to lay being increased from 6,500 to 20,000 feet per annum, water for fountains in parks free of cost, and, what is of more importance, the company agrees to furnish pure water for the use of citizens, and the city itself has the power to determine whether the water furnished is pure or not. Both the contract for light and water is set out in full in the report submitted to you, in order that all citizens may know precisely their terms.

I trust the overflow of Pogue's Run in the eastern part of the city is a thing of the past. For years the citizens of that locality have suffered from overflow that flooded their cellars and damaged their property. During last year a systematic improvement of Pogue's Run was undertaken, and it is believed that in the future that section of the city will be relieved from that danger.

I suppose no one thing has been more highly appreciated by all citizens than the systematic sprinkling of the streets of the city. The cost has been small—less than the payment by private subscription, as was formerly done. Not only has this systematic sprinkling increased the pleasure and comfort of living, and preserved personal property from damage, but, according to statements made to me by those well informed, it has had a marked effect in decreasing the death rate of the city. During the year 1891, estimating our population at 120,000, the death rate here was 16.23 per 1,000 inhabitants, which was lower than the minimum death rate in cities of the United States. During the year 1892, however, the death rate, estimating our population at 125,000, was only 15.88 per 1,000 inhabitants, and this decrease is attributed to the general sprinkling inaugurated during the year.

The sweeping of our improved streets so as to keep them clean is a matter of great difficulty. In most instances they are crossed every 400 feet or less by what is substantially a dirt road, and in many cases they have actually a dirt road in the center of them occupied by the street car track, and from these sources a constant supply of dirt is furnished after the street is swept at night. As our permanently improved streets increase this difficulty will lessen, and it is hoped that before long we may be relieved from the obstacle presented by the unimproved street car track. In the meantime it is proposed, in addition to sweeping as now done, to clean by hand in the central part of the city, but as the cost of such cleaning would fall directly on the city there has been hesitation in adopting that method. It may not be known to all of you that where a street has not been properly swept or sprinkled by a contractor, and that fact reported, the contractor has received no pay for that street.

No more important work is now being done by the Board of Public Works than the building of sewers. Realizing that they were not building for to-day, but for the future as well, they availed themselves of the best informed experience obtainable. The information they received is submitted to you in the report of Mr. Rudolph Hering, a civil and sanitary engineer of the highest authority. This work is one of years, but when it is finished Indianapolis will have a sewerage system perfect in its every detail. It would be well for every citizen of Indianapolis to read this report of Mr. Hering, and thereby appreciate both the magnitude and necessity of the work that is before them.

The Board is now considering the best method of disposing of garbage and night soil by burning instead of burying as now practiced, and in the near future they will submit to you the result of their investigation.

During the year just past it was determined that the time had come when a beginning should be made toward giving to Indianapolis parks worthy of the name. To do this it was necessary that a gentleman, educated as a landscape gardener as well as a skilled florist, be put in charge of one of our parks, with some supervision, under the direction of the Board of Public Works, over others. The organization of florists of this city was requested to designate certain gentlemen who would be competent, from education and experience to carry on this greatly needed work. From those named by the florists the Board selected Mr. Herman Young and put him in charge of Garfield Park, a beautiful piece of ground, containing eighty-nine acres, and it is the intention of the Board to expend the appropriation made for that park under the skillful supervision of that gentleman. If this policy is pursued for a few years Garfield Park will become one of the most beautiful spots about the city, affording health and pleasure to those of our citizens who of necessity remain at home during the heat of summer.

Of permanently improved streets with asphalt or brick there was made, during 1892, 7.89 miles, an increase over 1891 of 1.80 miles. Of gravel and macadam streets there was made last year 8.03 miles, an increase over 1891 of nearly three (3) miles.

The names of streets have been put on all street crossings, and the houses on thirty-two (32) streets have been re-numbered.

The report of the City Engineer, made to the Board of Public Works and herewith submitted to you, is interesting and instructive in the highest degree, being condensed into thirty-five (35) tables, showing in detail the cost and character of all public improvements made during the year 1892. A study of these tables will give you some idea of the vast amount of work accomplished in the office of the City Engineer during the year just closed, and of the faithful and conscientious manner in which the City Engineer and his corps of assistants have performed the multitude of duties that have devolved upon them.

The full and detailed report of Mr. Harrold, street commissioner, gives some idea of the amount of labor necessary to keep in repair two hundred and sixty-five (265) miles of unimproved streets. Under the direction of that gentleman, 877 squares were cleaned and 25,320 loads of dirt hauled therefrom, and 7,711 loads of gravel and broken stone put into holes and ruts. When you remember the great extent of these streets, and the fact that there is no sewerage under them, and our desire to put as much of our money as possible in more permanent improvements, you will conclude, I think, that their condition has been as good as the circumstances would permit.

DEPARTMENT OF HEALTH AND CHARITIES.

During the past year the Department of Health and Charities has been unremitting in its efforts to bring this city to a proper sanitary condition. You have assisted them in passing such ordinances as they asked for, and their hands have been upheld by all good citizens. During the year 1893 there will be no relaxation on the part of the gentlemen in charge of the department in the work they have undertaken, and in that work they will have the hearty support of the executive department in all its branches. If epidemic should unfortunately reach this city it will find no lodgment here if the city has power to prevent, and in this work I earnestly ask and welcome the assistance of all citizens. Their active co-operation can alone make the work successful. Without their help it must of necessity be more or less incomplete. The danger to health is not from streets and alleys so much as from cellars, back yards and vaults.

The work done by the gentlemen in charge of the health of the city is fully set out in their report, accompanied by the report of Dr. Edenharter, Superintendent of the City Hospital, and Dr. Metcalf, Superintendent of the City Dispensary, made to them and herewith submitted to you.

During the year the department made 10,560 inspections; 5,834 yards, alleys, vaults and cisterns ordered cleaned and disinfected; 767 houses disinfected after having had a case of contagious disease. Daily inspection was made of stock offered for sale as food; all slaughter houses visited daily and markets on all market days, and during the year 106,775 pounds of meat condemned as unfit for food.

In every case where a citizen has not complied with the directions of the Board a warrant has been asked and the law invoked to carry out the requirements of the Board.

CITY DISPENSARY.

During the year there was treated through the City Dispensary 7,313 patients, details of which, with the expense of that charity, are fully set out in the accompanying report from Dr. Metcalf, the physician in charge.

CITY HOSPITAL.

The report of Dr. Edenharter, Superintendent of the City Hospital, is complete in its every detail, showing the number of patients admitted to the hospital, cause for which treated, with result of treatment, the source from which all moneys was derived and to whom and for what paid out. It would be profitable if each member of

the Council and any citizen interested in such work would visit our City Hospital. You get but a faint idea of it by reading the report of the superintendent, complete as it is. Such a visit would increase your respect for that charity and for the gentlemen whose ability maintain its high standard.

DEPARTMENT OF PUBLIC SAFETY.

The citizens of Indianapolis appreciate their police and fire force, and with confidence, born of proof, rely on them for protection. Each of these bodies is small, much too small, and of necessity they must make up in discipline, intelligence and zeal for their lack of numbers. The report of the chairman of the Board, together with the report of the Superintendent of the Police and Fire Force, Clerk of the Board, Building Inspector, Market Master, Superintendent of Telegraph, Surgeon of the Department, Secretary of the Firemen's Fund, Police Matron and Veterinary Surgeon are herewith submitted to you. From these reports an exhaustive detail history of the work done in this department for the year 1892 is presented to you.

FIRE DEPARTMENT.

Our fire department has lately been greatly strengthened and improved and is to-day of greater efficiency than ever before. It consists of seven engines, all in good condition, eleven hose wagons, three large and twenty-seven small chemicals, three trucks, eleven hose wagons, carrying seven hundred feet of hose each, with another now being built, and sixty-six horses; and this machinery, protecting from fire a city covering 9,630 square acres, is operated by one hundred and thirty (130) men. The report of the chief, Mr. Webster, goes carefully into each detail of this department. During the year 1892 the department responded to 435 alarms, traveled 4,731½ miles and laid 211,300 feet of hose. During the year the loss by fire was a fraction over 16 per cent. of the insurance. In 1891 the Firemen's Pension Fund was organized in this city under the laws of Indiana. Its object is to care for the widows and children of those who die in service. The money of this fund is derived from contributions by appreciative citizens, a certain per cent. of the salary of the firemen, the receipts of their annual ball and a small per cent. on net earning paid by the insurance companies as required by law. A suit is now pending, brought by an insurance company, to test the constitutionality of the law. Inasmuch as in many cities the insurance companies assist the fire department by keeping up at their own expense a salvage corps, it is to be hoped that here, where they do nothing in that direction, our law will permit the collection of this small fee for the benefit of the widows and children of dead firemen.

The loss by fire in 1892 was much less than in 1891, and it is also true that the loss by fire in 1892 was far below the average of the loss during the last five years, and yet the insurance companies, for some reason best known to themselves, raise the rate of insurance.

A detailed statement of the amount of the fund, how invested, and from what source received, is sent you, as reported to the department by William Tobin, Secretary of the Board of Trustees.

POLICE FORCE.

The police force of Indianapolis is composed of one hundred and ten (110) drilled and disciplined men, perfect physically, and none below the grade of a common school education. The rules governing them are printed—any citizen can see them—a copy is given to each officer; he is required to study, learn and pass an examination on them, and, what is more important, he is required to obey them. With rare exceptions he does so cheerfully and loyally. Should he fail to obey, as sometimes happens, he is reported at once, without concealment and without subterfuge, and such punishment is awarded as in the opinion of the Commissioners is fitted to the offense. Their work is arduous in the extreme. Their beats extend over 287 miles

of streets, divided into twenty-five (25) police districts, and again divided into six (6) sergeants' districts, and the freedom from crime enjoyed by this city speaks louder than words in compliment of their efficient service. The force is much too small. A number of men should be added as soon as our finances permit. I indorse most heartily the recommendation of the Superintendent made to the Commissioners, and of those gentlemen to me, that as soon as the resources of the city will permit a more adequate compensation than \$2 a day should be given them. The report of Superintendent Thomas F. Colbert is full, accurate and exhaustive of the work of this branch of the department during the year 1892. It gives accurate information of the age, sex and color of those arrested, for what offense, how disposed of, value of property recovered, with all the facts necessary to fully inform you as to the work done.

CLERK OF THE BOARD OF PUBLIC SAFETY.

The report of the clerk of the Board of Public Safety, Mr. John L. F. Steeg, shows from what source each dollar was received and for what expended, and Hon. Edward Hawkins, chairman of the Board, invites you or any citizen interested to examine the books and vouchers on file in that office.

POLICE MATRON.

The report of Mrs. Buchanan, the police matron, only confirms what I said to you a year ago—that a step toward a better civilization was taken when a woman was appointed to take care of women and children at the police station. I have known the character of the present matron's work, both when I acted as police judge and since, and I gladly testify to her remarkable fitness for the delicate duties of her office.

DEPARTMENT SURGEON.

The report of Dr. Earp, police and fire surgeon, gives the result of his examination of applicants for either force, and other details necessary to a full understanding of his labors during the year.

BUILDING INSPECTOR.

During the year there were 2,547 building permits issued, the sworn valuation of the property described therein being \$3,151,016. The report of M. G. Fitchey, building inspector, as to the character of these buildings, with the number of buildings and other structures condemned by him, will furnish you with gratifying evidence of the remarkable growth of our city. The importance of the office of building inspector is increasing continually. The architects and contractors are working in harmony with him, and the good results already noticeable will increase with each year.

MARKET MASTER.

John P. Shiltges, market master, reports to his department that the receipts from the market were larger during 1892 than any year of the past, and his recommendations in regard to Tomlinson Hall are now being considered by the department.

VIADUCT.

Early in the year 1892 the great viaduct over the tracks on Virginia avenue, built under the direction of the city, costing \$176,142.04, not one cent of which was paid by the city, was completed and opened to the public. Your honorable body,

entirely at your own suggestion so far as I know, did me the great honor to call that structure by my name, and I take this occasion to thank you for that great compliment and to assure you I fully appreciate it.

The year 1892 was the most prosperous year the City of Indianapolis ever had. Within all her borders there was no able-bodied man, willing to work, who was idle. Every branch of business flourished, and I believe that part of our municipal life entrusted to the city officers kept pace with the general advance. The history of that advance is told in the various reports I have the honor to submit to you, and I hope you and the people of this city will realize that amid all the care for her present needs there has been in the counsels of those in authority in all departments a thoughtfulness for the city's future and an abiding faith in the Indianapolis that is to be.

Respectfully submitted,

THOMAS L. SULLIVAN,
Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller :

DEPARTMENT OF FINANCE.
OFFICE OF CITY COMPTROLLER,
INDIANAPOLIS, IND., January 25, 1893. }

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

GENTLEMEN—I submit herewith a letter of the Board of Public Health and Charities to me, asking for an additional appropriation of \$667 to pay the Flower Mission for trained nurses at the City Hospital. I have carefully examined this matter and believe the best interests of the city will be promoted by increasing the pay of the trained nurses one thousand a year, in order that their services may be retained at the City Hospital. There are eight months, including January, remaining in the present fiscal year, so the amount needed is \$666.67. I therefore respectfully recommend that you appropriate that amount, in addition to the amount appropriated at the commencement of the present fiscal year, to the Board of Public Health and Charities for the purpose aforesaid.

Very respectfully,
WILLIAM WESLEY WOOLLEN,
City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
OFFICE OF COMMITTEE.
INDIANAPOLIS, January 23, 1893. }

William Wesley Woollen, City Comptroller :

DEAR SIR—The Board of Public Health and Charities request that the sum of six hundred and sixty-seven dollars (\$667) be appropriated extra for the maintenance of the City Hospital for the present fiscal year.

This amount is to be paid to the "Training School for Nurses" in addition to the sum of \$200 per month now paid the "School" for nursing at that institution.

GEORGE J. COOK, *Secretary.*
FRANK A. MORRISON.
ALLISON MAXWELL.

Which was read and referred to the Committee on Finance.

Report of the City Comptroller for the calendar year ending December 31, 1892, was received and referred to the Board of Public Works, with the request that the same be printed.

REPORTS FROM OFFICIAL BOARDS.

Board of Public Works.

Second annual report Department of Public Works of the City of Indianapolis, for the year ending December 31, 1892.

Which was received and referred back to said Board with the request that the same be printed.

Annual report of the City Civil Engineer for the year ending December 31, 1892.

Which was received and referred to the Board of Public Works, with the request that the same be printed.

Board of Public Safety.

Second annual report of the Department of Public Safety, for the year ending December 31, 1892.

Which was received and referred to the Board of Public Works, with the request that the same be printed.

Department of Public Health.

Report of the Department of Public Health and Charities, for the year ending December 31, 1892.

Which was received and referred to the Board of Public Works, with the request that the same be printed.

Report of Indianapolis City Hospital, for the year ending December 31, 1892.

Which was received and referred to the Board of Public Works with the request that the same be printed.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Rassman, on behalf of the Committee on Finance, to whom was referred

App. Ordinance No. 1, 1893. An ordinance appropriating \$400 for the use of the Department of Public Works, in the purchase of a certain lot in the City of Indianapolis from Simeon Dearing.

Made the following report :

Mr. President :

Your Committee on Finance to whom was referred Appropriation Ordinance No. 1, 1893, beg leave to report that we have had the same under consideration, and would respectfully recommend it be passed.

EMIL C. RASSMANN.
J. L. GASPER.
JAS. H. COSTELLO.
P. J. RYAN.

Which was read and concurred in.

Mr. Gauss, on behalf of the Committee on Railroads, to whom was referred

G. O. No. 1, 1893. An ordinance requiring the Indianapolis, Decatur & Springfield Railway Company to station and maintain a flagman at the intersection of said company's tracks with Kentucky avenue and Missouri street in the City of Indianapolis, Indiana.

Made the following report.

Mr. President :

The Railroad Committee recommend the passage of General Ordinance No. 1, 1893, placing a flagman at Kentucky avenue and Missouri street, in the City of Indianapolis. Introduced by P. J. Ryan.

C. A. GAUSS.
GEO. R. COLTER.

Which was read and concurred in.

Mr. Gauss, on behalf of the Committee on Railroads, to whom was referred

G. O. 2, 1893. An ordinance approving a certain contract, granting the Cleveland, Cincinnati, Chicago & St. Louis Railway Company (Indianapolis division) the right to lay and maintain a switch or side-track across North street, in the City of Indianapolis, Indiana.

Made the following report :

Mr. President :

The Committee on Railroads recommend the passage of G. O. No. 2, 1893, in Council January 16th.

February 6, 1893.

C. A. GAUSS.
GEO. R. COLTER.

Which was read and concurred in.

Mr. Gauss, on behalf of the Committee on Railroads, to whom was referred

G. O. No. 53, 1892. An ordinance approving a certain contract, granting S. R. Greer & Co. the right to lay and maintain a switch or side-track to be constructed off the main track of the Cleveland, Cincinnati, Chicago & St. Louis R. R. (Chicago division), across Sixth street, at Lafayette street, in the City of Indianapolis, State of Indiana.

Made the following report:

February 6, 1893.

Mr. President:

Refer G. O. 53, 1892, in relation to a switch for Messrs. S. R. Greer & Co., back to Board of Public Works.

C. A. GAUSS.
GEO. R. COLTER.

DEPARTMENT OF PUBLIC WORKS.

OFFICE OF THE BOARD,

INDIANAPOLIS, January 6, 1893. }

Mr. Charles Gauss, Chairman Railroad Committee, Common Council City of Indianapolis:

DEAR SIR—In the matter of contract for switch, asked for by S. R. Greer & Co.—which contract is now in your hands—will you kindly recommend to the Council that the same do not pass.

Messrs. S. R. Greer & Co. do not now desire to make use of said proposed switch, and if the switch is to be built the contract will be made up between the city and Mr. George A. Dickson, the present owner of the ground on which the switch is to be laid.

Very respectfully,

A. W. CONDUITT,
A. SCHERRER,
M. M. DEFREES,

Board of Public Works.

Which was read and concurred in.

Mr. Costello, on behalf of the Committee on Sewers, Streets and Alleys, to whom was referred

G. O. No. 34, 1892. An ordinance prohibiting traction engines and other engines from being propelled over and along certain streets of Indianapolis, and providing penalties for the violation thereof.

Made the following report:

INDIANAPOLIS, IND., February 6, 1893.

Mr. President:

Your Committee on Sewers, Streets and Alleys, to whom was referred General Ordinance No. 34, 1892, relating to traction and other engines or boilers being propelled over certain streets or alleys of the City of Indianapolis have had the same under consideration, and would respectfully recommend that said ordinance be amended as follows:

Strike out all of said ordinance after the ordaining clause, and insert in lieu thereof the following:

SECTION 1. That it shall be unlawful for any person, firm, company or corporation to propel or cause to be propelled, by steam, over and along any street or alley of the City of Indianapolis, any traction or other engine and boiler: *Provided*, That this ordinance shall not be construed to prevent the use of steam rollers or other apparatus employed, under contract with the City of Indianapolis, for the improvement or repair of any street or alley of said city, and, *provided further*, that this ordinance shall not apply to, or be held to limit, modify or prevent the use of steam fire engines or other apparatus employed by the City of Indianapolis in connection with any department or public service.

SEC. 2. That any person, firm, company or corporation who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten (10) dollars nor exceeding one hundred (100) dollars.

SEC. 3. 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 Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, and State of Indiana.

And your committee further recommends that when said ordinance be so amended that it do pass.

Respectfully submitted,

JAS. H. COSTELLO, *Chairman*.

ANTON SCHMIDT.

A. A. YOUNG.

Which was read and concurred in.

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

G. O. No. 3, 1893. An ordinance prohibiting any person, persons, firm or corporation from cutting or digging into any street, alley or sidewalk paved with asphalt, vulcanite, brick, granite, wooden block or other pavement, without first having obtained permission from the Board of Public Works of the City of Indianapolis so to do, fixing a penalty for the violation thereof, repealing conflicting ordinances and providing for the publication of the same.

Made the following report :

February 6, 1893.

Mr. President :

Your committee to whom was referred General Ordinance No. 3, 1893, report having considered same and recommend that it be passed.

JAS. H. COSTELLO,

ANTON SCHMIDT,

A. A. YOUNG,

Committee on Sewers, Streets and Alleys.

Which was read and concurred in.

MISCELLANEOUS BUSINESS.

Mr. Froschauer offered the following motion :

Mr. President :

Having been informed that the motion recently passed by this Council did not contain sufficient facts to justify the rendering of an opinion by the city attorney in regard to laying and maintaining double tracks on South East street, from South to

McCarty streets, by the Citizens Street Railway Co., therefore I move you that the City Engineer be and is hereby instructed to furnish the City Attorney with such information as regards the width of South East street (the width occupied by the Citizens Street Railway Co.), also the distance from the outside rail to the curb.

Which motion was adopted.

Mr. McGill offered the following resolution :

WHEREAS, In the early part of January, 1891, the Common Council asked for and received the joint written opinion of ex-City Attorney Leon O. Bailey and ex-Judges D. W. Howe and Wm. E. Niblack, touching upon the authority and power of the City of Indianapolis to compel the Citizens Street Railway Company to properly improve and keep in repair certain portions of the street occupied by them ; and,

WHEREAS, Said attorneys filed with this Council their written opinion to the effect that such power could be exercised by said city upon the authority of an act of the General Assembly relating to that subject ; and,

WHEREAS, A carefully prepared bill was introduced at the last General Assembly of this State for the purpose of accomplishing this end, but was defeated through the vigorous efforts of the Citizens Street Railway Company and its agents ; and,

WHEREAS, Said Street Railway Company has thus far escaped all expense of improving those portions of the streets of Indianapolis, occupied by them, upon a decision of the Supreme Court of Indiana, based upon a very fine technical difference between the meaning of the words "repair" and "improve;" and

WHEREAS, There is no legislation touching the interests of the City of Indianapolis of such direct, immediate and far-reaching importance as the passage of the law introduced in the General Assembly in 1891 above referred to ; now therefore, be it

Resolved, That the members of this Council be and they are hereby directed to promptly exercise every honorable means within their power to secure the introduction and passage of the law above referred to, and that each member of the city government and all citizens and tax-payers of the City of Indianapolis are requested to afford such aid in this behalf as may lie within their power ; and, be it further

Resolved, That copies of this resolution be immediately presented by the City Clerk to the newspapers of the city, and they are hereby respectfully requested to publish the same and urge the adoption of the suggestions herein contained, and that, likewise, copies be presented to each member of the General Assembly representing this county and that they be requested to join in the accomplishment of this legislation.

Which was adopted by the following vote :

AYES 16—viz : Councilmen Allen, Colter, Costello, Froschauer, Gasper, Gauss, Halloran, Linn, McGill, Puryear, Rassmann, Ryan, Schmidt, Schrader, Young and President Murphy.

NAYS—None.

ORDINANCES ON SECOND READING.

On motion by Councilman Ryan the following entitled ordinance was taken up, read second time, ordered engrossed and then read the third time :

G. O. No. 1, 1893. An ordinance requiring the Indianapolis, Decatur & Springfield Railway Company to station and maintain a flagman at the intersection of said company's tracks with Kentucky avenue and Missouri street in the City of Indianapolis, Indiana.

Which was passed by the following vote :

AYES 16—viz: Councilmen Allen, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Linn, McGill, Puryear, Rassmann, Ryan, Schmidt, Schrader, Young and President Murphy.

NAYS—None.

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

G. O. 2, 1893. An ordinance approving a certain contract granting the Cleveland, Cincinnati, Chicago & St. Louis Railway Company (Indianapolis division) the right to lay and maintain a switch or side-track across North street, in the City of Indianapolis, Indiana.

And was passed by the following vote :

AYES 16—viz: Councilmen Allen, Colter, Costello, Froschauer, Gasper, Gauss, Halloran, Linn, McGill, Puryear, Rassmann, Ryan, Schmidt, Schrader, Young and President Murphy.

NAYS—None.

On motion by Councilman Costello, the following entitled ordinance was taken up, read second time, ordered engrossed and then read the third time.

G. O. No. 3, 1893. An ordinance prohibiting any person, persons, firm or corporation from cutting or digging into any street, alley or sidewalk paved with asphalt, vulcanite, brick, granite, wooden block or other pavement, without first having obtained permission from the Board of Public Works of the City of Indianapolis so to do, fixing a penalty for the violation thereof, repealing conflicting ordinances and providing for the publication of the same.

Which was passed by the following vote :

AYES 16—viz: Councilmen Allen, Colter, Costello, Froschauer, Gasper, Gauss, Halloran, Linn, McGill, Puryear, Rassmann, Ryan, Schmidt, Schrader, Young and President Murphy.

NAYS—None.

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

G. O. No. 34, 1892. An ordinance prohibiting traction engines and other engines from being propelled over and along certain streets of Indianapolis, and providing penalties for the violation thereof.