

SPECIAL MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
July 19, 1893. }

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday, July 19, 1893, at 2:30 o'clock P. M., in special meeting, pursuant to the following call:

Mr. President:

You are hereby respectfully requested to call a special meeting of the Common Council, to meet in the Council Chamber, Wednesday, July 19, 1893, at 2:30 P. M., to transact such business as may come before said meeting.

EMIL C. RASSMANN.
P. J. RYAN.
E. J. SHERER.
HENRY F. HABENEY.
GEO. R. COLTER.

INDIANAPOLIS, IND., July 17, 1893.

To the Members of the Common Council:

GENTLEMEN—You are hereby requested to meet in special meeting in the Councilmanic Chamber, on Wednesday, July 19, 1893, at 2:30 P. M., for the purpose of transacting such business as may come before the meeting.

M. J. MURPHY,
President.

Present, Hon. Martin J. Murphy, President of the Common Council, in the Chair, and 16 members, viz: Messrs. Allen, Colter, Cooper, Costello, Froschauer, Gasper, Habenev, Laut, Linn, Puryear, Rassmann, Schrader, Sherer, White and Young.

Absent, 5—viz: Messrs. Gauss, Halloran, McGuffin, Ryan and Schmidt.

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

Which motion prevailed.

REPORTS OF OFFICIAL BOARDS.

DEPARTMENT OF PUBLIC WORKS.

OFFICE OF THE BOARD,

INDIANAPOLIS, July 19, 1893. }

Hon. Martin J. Murphy, President Common Council:

DEAR SIR—Herewith find contract made by the Board with the Citizens' Street Railway Company, granting them the right to place their poles for electric lines within the curb lines on certain described streets—submitted to you for your consideration.

Very respectfully,

A. SCHERRER,

M. M. DEFREES,

Board of Public Works.

Which was received and ordered spread on the minutes.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Mr. Rassmann:

G. O. No. 42, 1893. An ordinance approving a certain contract and agreement made and entered into on the 19th day of July, 1893, between the City of Indianapolis, by and through its Board of Public Works, and the Citizens' Street Railroad Company, whereby said company is granted the right to place poles necessary for the operation of its railway on certain streets of the City of Indianapolis, at the outer edges of said streets, between the curb line and the sidewalks, instead of in the center of the streets.

WHEREAS, Heretofore, to-wit: On the 19th day of July, 1893, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement, with the Citizens' Street Railroad Company, viz:

This agreement made and entered into this 19th day of July, 1893, between the City of Indianapolis, by and through its Board of Public Works, party of the first part, and the Citizens' Street Railroad Company, a corporation duly created under and by virtue of the laws of the State of Indiana, party of the second part;

WITNESSETH: That, whereas, the said party of the second part desires to operate by electricity certain lines of street railroad on certain streets in said City of Indianapolis by placing the poles from which the wires and fixtures necessary for the operation of said railway shall be suspended at the outer edge of said streets between the curb line and the sidewalk thereof, such streets being as follows:

On Pennsylvania street, from St. Clair street to Seventh street.

On Seventh street, from Pennsylvania street to Talbott avenue.

On Talbott avenue, from Seventh street to Fourteenth street.

On Noble street, from Ohio street to Michigan street.

On Alabama street, from Seventh street to Tenth street; and,

WHEREAS, The party of the first part has consented to such proposed placing of said poles;

Now, therefore, It is agreed as follows:

First—Said party of the second part agrees to construct its said railway to be operated by electricity on said streets above described, by placing the poles from which the wires and fixtures necessary for the operation of said lines shall be suspended at the outer edges of said streets between the curb line and the sidewalks thereof.

Second—It is also further agreed that in all other respects the construction, operation and maintenance of said lines of street railway, shall be subject to and in accordance with all ordinances and regulations of said city of Indianapolis, now of binding obligation on said party of the second part.

Third—It is also further agreed and understood that neither party to this agreement by anything contained therein, waives, enlarges, extends, abridges, or changes its right to the occupancy, possession, use and control of the streets of said City of Indianapolis, as they existed before this contract was entered into, except in so far only as the right is hereby given to said party of the second part to place its poles at the outer edge of the streets as herein provided, instead of in the center of the streets as heretofore granted by ordinance of said city.

In witness whereof the said parties hereunto set their hands this 19th day of THE CITY OF INDIANAPOLIS,

By A. SCHERRER,
M. M. DEFREES,
Board of Public Works,
Party of First Part
THE CITIZENS' STREET RAILROAD CO.,
By AUGUSTUS L. MASON, *Pres.*,
Party of Second Part.

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

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Marion county, Indiana, That the foregoing contract and agreement made and entered into on the 19th day of July, 1893, between the City of Indianapolis, by and through its Board of Public Works, and the Citizens' Street Railroad Company, be and the same is hereby approved.

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

Which was read the first time.

Mr. Gasper moved that the constitutional rules be suspended for the purpose of placing G. O. No. 42, 1893, on its final passage.

Which motion was adopted by the following vote:

AYES 16—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Habeny, Laut, Linn, Puryear, Rassmann, Schrader, Sherer, White, Young and President Murphy.

NAYS—None.

Thereupon G. O. No. 42, 1893, was read second time, ordered engrossed, read the third time, and passed by the following vote:

AYES 16—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Habeny, Laut, Linn, Puryear, Rassmann, Schrader, Sherer, White, Young and President Murphy.

NAYS—None.

On motion of Mr. Colter, the Common Council, at 3 o'clock p. m., adjourned.

M. J. Murphy
President.

ATTEST:

R. J. Abraham
Clerk.