

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
June 18, 1900. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 18, 1900, at 8 o'clock, in regular meeting.

Present, Hon. John H. Crall, President of the Common Council, in the chair, and 17 members, viz.: Messrs. Bernauer, Daller, Dickson, Evans, Higgins, Horan, Kaiser, Keller, Knight, Moriarity, Munro, McGrew, Negley, Perrott, Reilly, Spiegel and Wheeler.

Absent 3, viz.:—Messrs. Billingsley, Kelly and Megrew.

The Clerk proceeded to read the Journal, whereupon Councilman Keller 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 :

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., June 1, 1900. }

To the President and Members of the Common Council:

Gentlemen—I have this day approved the following ordinances:

G. O. No. 12, 1900. An ordinance regulating the removal of dead animals and animal matter from the city of Indianapolis.

G. O. No. 18, 1900. An ordinance changing the name of Daugherty Street to that of Woodlawn Avenue.

Respectfully submitted,

T. TAGGART,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT, }
CITY OF INDIANAPOLIS, }
INDIANAPOLIS, IND., June 5, 1900. }

To the President and Members of the Common Council:

Gentlemen—I have this day approved the following ordinances:

App. O. No. 5, 1900. An ordinance appropriating \$95.87 to pay certain claims made by virtue of Section 8 of an act approved March 11, 1895. (Rebate on George Stehlin's and Rike Weiss' liquor license.)

App. O. No. 6, 1900. An ordinance appropriating \$2,000 for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund."

Respectfully submitted,

T. TAGGART,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT, }
CITY OF INDIANAPOLIS, }
INDIANAPOLIS, IND., June 9, 1900. }

To the President and Members of the Common Council:

Gentlemen—I have this day approved the following ordinance:

App. O. No. 7, 1900. An ordinance appropriating the sum of \$355 for the use of the Department of Finance. (Payment of stenographer's fee in recent investigation of the Department of Public Safety.)

Respectfully submitted,

T. TAGGART,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT, }
CITY OF INDIANAPOLIS, }
INDIANAPOLIS, IND., June 11, 1900. }

To the President and Members of the Common Council:

Gentlemen—I have this day approved the following resolution:

Resolution No. 7, 1900. Directing City Clerk to make proper entry upon Mortgage Record declaring assessment of \$66 against lot 14 in Fiscus' sub-division for opening Rohampton street null and void.

Respectfully submitted,

T. TAGGART,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., June 12, 1900. }

To the President and Members of the Common Council:

Gentlemen—I herewith return to you G. O. No. 23, 1900, with my signature. While there is some doubt in my mind in regard to this ordinance I have given the bicycle riders who live in the outskirts of the city the benefit of this doubt, but, should the privilege granted in this ordinance prove dangerous or annoying to residents in such parts of the city in which the sidewalks will be used by bicycle riders I shall request your body to repeal the same.

Respectfully submitted,

T. TAGGART,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS,
INDIANAPOLIS, IND., June 12, 1900. }

To the President and Members of the Common Council:

Gentlemen—I herewith return to you G. O. No. 15, 1900, without my signature for the reason that the alley to be named Dewey avenue is not directly continuous with Dewey avenue proper; that there is a great difference in the width of the street and the alley. While there are many other objections raised, I think the above are sufficient.

Respectfully submitted,

T. TAGGART,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY COMPTROLLER,
INDIANAPOLIS, IND., June 18, 1900. }

To the President and Members of the Common Council:

Gentlemen—I recommend that an appropriation be made to the Department of Finance of three hundred eighty-one dollars and twenty-five cents (\$381.25), to be applied as follows: One hundred ninety-three dollars and seventy-five cents (\$193.75) to John J. Blackwell, administrator of the estate of Thomas Powers, deceased; and one hundred eighty-seven dollars and fifty cents (\$187.50) to the estate of Benjamin K. Kauffman, deceased.

This is for the purpose of refunding part of liquor license, as provided by an act of the General Assembly.

Respectfully submitted,

E. M. JOHNSON,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works :

DEPARTMENT OF PUBLIC WORKS, }
OFFICE OF THE BOARD, }
INDIANAPOLIS, IND., June 18, 1900. }

To the President and Members of the Common Council:

Gentlemen—We send you herewith, for your consideration and action thereon, an ordinance ratifying and approving a certain contract this day made with the Indianapolis Water Company granting to said company the right and privilege of erecting and maintaining a switch or side-track across the Crawfordsville road.

Very respectfully,

ALBERT SAHM,
C. MAGUIRE,
JOS. W. SMITH.

Board of Public Works.

Which was read and referred to Committee on Railroads.

APPROPRIATION ORDINANCES.

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

By Mr. Dickson:

App.O.No.9,1900. An ordinance appropriating the sum of three hundred eighty-one dollars and twenty-five cents (\$381.25) to the Department of Finance of the City of Indianapolis, Indiana, with which to pay certain claims made by virtue of Section 8 of an act of the General Assembly entitled "An act to better regulate and restrict the sale of intoxicating, vinous and malt liquors," etc., approved March 11, 1895, 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 sum of three hundred eighty-one dollars and twenty-five cents (381.25) be and the same is hereby appropriated to the Department of Finance of the City of Indianapolis, Indiana, to pay the following claims made under and by virtue of Section 8 of an act of the General Assembly of the State of Indiana, entitled "An act to better regulate and restrict the sale of intoxicating liquors," etc., approved March 11, 1895:

John J. Blackwell, administrator of the estate of Thomas Powers, deceased, the sum of one hundred ninety-three dollars and seventy-five cents (\$193.75).

Estate of Benjamin K. Kauffman, deceased, the sum of one hundred eighty-seven dollars and fifty cents (\$187.50).

Sec. 2. This ordinance shall be in full force and effect 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 ordinance was introduced:

By Board of Public Works:

G. O. No. 26, 1900. An ordinance approving a certain contract, granting the Indianapolis Water Company the right to lay and maintain a switch or side-track across the Crawfordsville road, in the City of Indianapolis, Indiana.

Whereas, heretefore, to-wit: on June 18, 1900, the Board of Public Works of the City of Indianapolis made and entered into a certain contract with the Indianapolis Water Company, of the County of Marion, State of Indiana, which contract is as follows:

Whereas, heretefore, to-wit: on June 18, 1900, the Indianapolis Water Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, IND., June 18, 1900.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Indianapolis Water Company, respectfully petition your honorable body, asking permission to construct and maintain one switch or side-track across the Crawfordsville road, the center line of said switch or side-track being 229 feet southeast from the center of the Union Railway Company's main track, all as shown by the drawings as herewith submitted, attached hereto, filed herewith, and for greater certainty marked "Exhibit B."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

INDIANAPOLIS WATER COMPANY,

By F. A. W. DAVIS,

Vice-President.

Now, therefore, this agreement, made and entered into this, June 18, 1900, by and between the Indianapolis Water Company, of Marion County, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth, that the said party of the first part, being desirous of

securing a right-of-way for a switch or side-track over and across the Crawfordsville road, in the City of Indianapolis, as more specifically described in the petition of said first party, hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or side-track upon the terms and conditions hereinafter set forth, to-wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision, and to its satisfaction and approval. Said side-track or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing by said Board.

(3) The crossing where said side-track or switch intersects the Crawfordsville road shall at all times be kept improved and in repair and free from obstructions and defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, but they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said side-track or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; in removing said side-track or switch or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part hereby agrees to properly plank said side-track or switch, from property line to property line, of the Crawfordsville road to the entire satisfaction of the second party, and in case the said side-track or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which facts the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after a notification, in writing, of ten days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold the said party of the second part and said City harmless from any and all claims for damages growing out of the existence, maintenance or use of said side-track or switch and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it, or at its instance, or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority granted or given by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in Clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one

hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and conditions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or side-track across the Crawfordsville road, in the City of Indianapolis, the center line of such proposed switch or side-track being described as follows: Beginning at a point in the northeast line of the Crawfordsville road, the said point being two hundred and twenty-nine (229) feet southeast of the center of the Union Railway Company's (Belt Railway) main track; thence with a curve line in a southeasterly direction to a point in the southwest line of the Crawfordsville road, the said point being three hundred and twenty-nine (329) feet southeast from the center of the Union Railway Company's (Belt Railway) main track. Said right, privilege and authority are granted for the purpose prayed in the petition hereto attached, made a part hereof and marked "Exhibit B."

In testimony whereof, we have hereunto set our hands this June 18, 1900.

INDIANAPOLIS WATER COMPANY,

By F. A. W. DAVIS,

Vice-President.

Party of First Part.

CITY OF INDIANAPOLIS,

By ALBERT SAHM,

C. MAGUIRE,

JOS. W. SMITH,

Board of Public Works.

Party of Second Part.

And whereas, said contract has been submitted by said Board to the Common Council of the City of Indianapolis for its consideration and action, now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that said contract, above set forth, be and the same is hereby, in all things, confirmed and approved.

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

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

On motion of Mr. Spiegel, the Council took a recess of ten minutes.

The Council re-convened at 8:40 o'clock.

On motion of Mr. Spiegel, the Council returned to the order of

REPORTS, ETC., FROM STANDING COMMITTEES.

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

G. O. No. 25, 1900. An ordinance approving a certain contract granting the Indianapolis Union Railway Company, lessee of the Belt Rail-

road, the right to lay and maintain certain railroad tracks in the City of Indianapolis, under stipulated terms and agreements.

Made the following report:

INDIANAPOLIS, IND., June 18, 1900.

Mr. President:

Your Committee on Railroads to whom was referred G. O. No. 25, 1900, recommend the same do pass.

HENRY L. SPIEGEL.
CONRAD KELLER.
A. DALLER.
W. H. WHEELER.
JOHN M. HIGGINS.

Which was read and concurred in.

MISCELLANEOUS BUSINESS.

The following communication was read :

INDIANAPOLIS, IND., June 18, 1900.

To the President and Members of the Common Council:

Gentlemen—You are cordially invited to attend an informal reception to be given by the new President of The Indianapolis Board of Trade, Mr. D. M. Parry, in rooms of the Board this Monday evening, June 18th inst., at 9 o'clock.

This is an entirely informal affair and is only for the purpose of an evening's sociability.

Trusting this invitation will be accepted and that each member of your honorable body will be present, we are

Yours most respectfully,

D. M. PARRY,

President.

JACOB W. SMITH,
Secretary.

On motion of Mr. Perrott, the invitation was received and accepted.

Mr. Higgins moved for a reconsideration of the vote by which G. O. No. 21, 1900, was passed June 4, 1900.

Mr. McGrew moved to lay Mr. Higgins' motion on the table.

Which motion prevailed by the following vote:

AYES 13—viz.: Messrs. Bernauer, Dickson, Evans, Kaiser, Keller, Munro, McGrew, Negley, Perrott, Reilly, Spiegel, Wheeler and President Crall.

NOES 5—viz.: Messrs. Daller, Higgins, Horan, Knight and Moriarity.

ORDINANCES ON SECOND READING.

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

G. O. No. 25, 1900. An ordinance approving a certain contract granting the Indianapolis Union Railway Company, lessee of the Belt Railroad, the right to lay and maintain certain railroad tracks in the City of Indianapolis, under stipulated terms and agreements.

And was passed by the following vote :

AYES 18—viz.: Messrs. Bernauer, Daller, Dickson, Evans, Higgins, Horan, Kaiser, Keller, Knight, Moriarity, Munro, McGrew, Negley, Perrott, Reilly, Spiegel, Wheeler and President Crall.

NOES—None.

Mr. Daller moved that the constitutional rules be suspended for the purpose of placing the following entitled ordinance on its final passage :

G. O. No. 26, 1900. An ordinance approving a certain contract, granting the Indianapolis Water Company the right to lay and maintain a switch or side-track across the Crawfordsville road, in the City of Indianapolis, Indiana.

Messrs. Perrott, Reilly and Moriarity objected, and the chair did not put the motion (the same requiring unanimous consent for adoption).

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

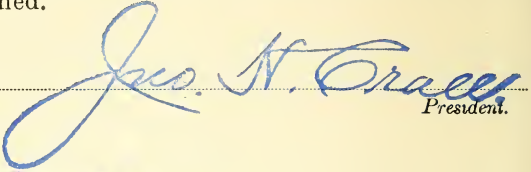
G. O. No. 16, 1900. An ordinance providing for the cleaning of sidewalks and alleys of soil and other substances deposited from abutting property, providing for notice to abutting property owners, defining the method of cleaning sidewalks and alleys by the City of Indianapolis at the expense of abutting property owners and creating a lien for the expense of such cleaning, repealing all ordinances and parts of ordinances in conflict herewith, and fixing a time when this ordinance shall take effect.

And was passed by the following vote :

AYES 14—viz.: Messrs. Daller, Dickson, Evans, Horan, Kaiser, Keller, Knight, Munro, McGrew, Negley, Perrott, Spiegel, Wheeler and President Crall.

NOES 4—viz.: Messrs. Bernauer, Higgins, Moriarity and Reilly.

On motion of Mr. Daller, the Common Council, at 9:05 o'clock P. M., adjourned.


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President.

ATTEST :


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City Clerk.