

## SPECIAL MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS,  
April 20, 1894. }

The Common Council of the City of Indianapolis met in the Council Chamber, Friday, April 20, 1894, at 8 o'clock P. M., in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS,  
April 20, 1894. }

*To the President and Members of the Common Council:*

GENTLEMEN—I deem it expedient that a special meeting of the Common Council should be held prior to the day for the holding of your next regular meeting. I therefore hereby call such a special meeting to be held in the Council Chamber, to be convened on the evening of this date, April 20, 1894, at the hour of 8 o'clock. It will be lawful for your honorable body to transact any and all business at said meeting which may be transacted at any regular meeting thereof.

C. S. DENNY,  
*Mayor.*

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

LEE NIXON,  
*City Clerk.*

Present, Hon. Wm. H. Cooper, President of the Common Council, in the Chair, and 19 members, viz: Messrs. Allen, Colter, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stott and Young.

Absent, 2—viz: Messrs. Costello and Stein.

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

Which motion prevailed.

## COMMUNICATION, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS,  
April 20, 1894. }

*To the President and Members of the Common Council :*

GENTLEMEN—At a joint meeting of the members of the Board of Public Health and Charities of the city, the officers of the State Board of Health, and heads of the City Departments, held last night, it was decided that an emergency has arisen for immediate action by the authorities in the matter of public health. It is feared that a small-pox epidemic is imminent. Temporary accommodations for the care of cases already on hand, and others which it is feared will develop in the next few days, must be provided at once. You are therefore requested to make some reasonable appropriation of money to enable the Board of Public Works to construct a temporary building or buildings on the pest-house grounds, and for the Board of Public Health and Charities to defray the necessary expenses of attendance, medicines, quarantine, etc.

There is some question as to the powers of the City Health Department on the subject of quarantine regulations, compulsory vaccination, detention of persons suspected of being afflicted with contagious diseases, etc. You are therefore asked to consider an ordinance covering these matters, all of which, it would appear, fall within your powers to legislate under the terms of the City Charter. The ordinance presented has been prepared in great haste, but has met with the approval of the Board of Health, and I recommend its passage.

Respectfully submitted,  
C. S. DENNY,  
*Mayor.*

Which was received and ordered spread on the minutes.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller :

DEPARTMENT OF FINANCE.  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., April 20, 1894. }

*To the President and Members of the Common Council :*

GENTLEMEN—At the request of the Board of Public Works, I hereby recommend the transfer of one thousand dollars (\$1,000.00) from the account for "Advertising and Printing," to an account to be known as the "Temporary Pest-House and Structures" account.

Respectfully,  
P. C. TRUSLER,  
*City Comptroller.*

Which were read and referred to the Committee on Finance.

Communication from City Comptroller :

DEPARTMENT OF FINANCE.  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., April 20, 1894. }

*To the President and Members of the Common Council :*

GENTLEMEN—At the request of the Board of Public Health and Charities, I hereby recommend the transfer of three thousand dollars (\$3,000.00) from the City Hospital account, to the account for the "Prevention of Contagious Diseases."

Respectfully,  
P. C. TRUSLER,  
*City Comptroller.*

Which was read and referred to the Committee on Finance.

## REPORTS FROM OFFICIAL BOARDS.

The following communication was received from the Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.  
OFFICE OF THE BOARD,  
INDIANAPOLIS, April 20, 1894. }

*Hon. W. H. Cooper, President of the Common Council, City:*

DEAR SIR—We herewith send to you, for consideration and action thereon, an ordinance authorizing the improvement of the roadway of New Jersey street, with asphalt, from the north curb line of Washington street to the southeast property line of Massachusetts avenue.

Very respectfully,

J. A. WILDMAN,  
ANDREW KRAMER,  
F. J. MEYER,  
*Board of Public Works.*

Which was read and referred to Committee on Sewers, Streets and Alleys.

## REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Koehring, on behalf of the Committee on Public Property and Improvements, to whom was referred:

G. O. No. 29, 1894. An ordinance to protect electric light property.

Made the following report:

*To the President and Members of the Common Council:*

GENTLEMEN—Your committee to whom was referred G. O. No. 29, 1894, for the protection of electric light property, beg leave to report that they have considered the same and recommend that it be passed.

CHAS. KOEHRING.  
ED. G. STOTT.  
GEO. R. COLTER.

Which was read and concurred in.

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

G. O. No. 4, 1894. An ordinance defining a part of the boundary lines of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory contiguous thereto, pursuant to the provisions of Sections 37, 38, 39 and 40 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; providing for the publication thereof, and fixing the time when the same shall take effect.

Made the following report:



INDIANAPOLIS, IND., April 20, 1894.

*Mr. President:*

Your committee to which was referred G. O. No. 4, 1894, begs leave to report on the same, and recommends that said ordinance be amended as follows:

1. By striking out of Section 1 that part from the word "center" in line nine, to the words "Fall Creek" in line ten, inclusive, and inserting in lieu thereof the following:

"South line of section thirty-four in township sixteen north, range three east, where a line projected south through the center of Schurman Avenue intersects said section line."

2. By striking out of said Section 1 that part from the word "to" in line thirty, to the words "Michigan Road" in line thirty-seven, inclusive, and inserting in lieu thereof, the following:

"And on a line projected through the center of Schurman Avenue, south to the south line of section thirty-four in township sixteen north, range three east, thence east on said section line and on the present corporation line to the east bank of Fall Creek; thence, on the present corporation line north and northeast following the meanderings of Fall Creek to the north line of the southwest quarter of section thirty-five, in township sixteen north, range three east; thence east with said line to the center of Michigan road on the east bank of the canal."

And when so amended we recommend that the ordinance be passed.

L. W. DREW,  
GEO. W. SHAFFER,  
*Committee.*

Which was read.

#### APPROPRIATION ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Rauh:

App. O. No. 5, 1894. An ordinance authorizing the transfer of one thousand dollars to a fund therein established and created which is other than that for which it was originally appropriated, and fixing the time when the same shall take effect.

WHEREAS, In General Ordinance No. 13, 1893, a certain sum was appropriated to the Department of Public Works of the City of Indianapolis and designated as follows: "For Printing and Advertising," and

WHEREAS, It appears that at least one thousand dollars of such sum will not be needed for the purpose for which it was appropriated, and

WHEREAS, It appears that the said Department of Public Works requires the sum of one thousand dollars for a "Temporary Pest House and Structures" fund, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the City Comptroller be and he hereby is authorized and directed out of moneys heretofore appropriated for the use of the Department of Public Works for "Printing and Advertising" to transfer and charge the sum of one thousand dollars to the "Temporary Pest House and Structures" fund of said Department, which said fund is hereby established and created, and said sum so to be transferred is hereby appropriated to said Department for the construction and maintenance of a temporary structure or structures to be used in caring for small-pox patients or persons afflicted with any dangerous or contagious disease. Such structure or structures to be erected upon the following described real estate in Marion County, Indiana, belonging to the City of Indianapolis, Indiana, and known as the "Pest House Property," to-wit: Lots numbered ten, eleven and twelve in Brooks' subdivision of a part of the southwest quarter of section thirty-five, township sixteen north, range three east.

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

Which was read first time and referred to Committee on Finance.

By Mr. Rauh:

App. O. No. 6, 1894. An ordinance authorizing the transfer of three thousand dollars to a fund other than that for which it was originally appropriated, and fixing the time when the same shall take effect.

WHEREAS, In G. O. No. 13, 1893, a certain sum was appropriated to the Department of Public Health and Charities of the City of Indianapolis, and designated as follows: "For the City Hospital," and

WHEREAS, It appears that at least three thousand dollars of this sum will not be needed for the purpose for which it was appropriated, and

WHEREAS, It appears that the said Department of Public Health and Charities requires the sum of three thousand dollars for the "Prevention of Contagious Diseases" fund of such department, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the City Comptroller be and he hereby is authorized and directed out of moneys heretofore appropriated for the use of the Department of Public Health and Charities for "The City Hospital," to transfer and charge the sum of three thousand dollars to the "Prevention of Contagious Diseases" fund of said Department.

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

Which was read first time and referred to Committee on Finance.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Drew:

G. O. No. 31, 1894. An ordinance relating to the public health and for the prevention and suppression of infectious and pestilential diseases.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That wherever small-pox or other infectious or pestilential diseases shall exist within the city, or within four miles of the corporate limits thereof, the Commissioners of the Department of Health and Charity may, by order, establish and maintain all needful quarantine stations and limits, including public and private houses and places; in like manner they may remove or cause to be removed, at their discretion, any person afflicted with such disease to such hospital or place as may be provided for such cases, and cause such persons to be there detained and to be there treated for such period as may be deemed necessary.

SEC. 2. During the existence of any such disease within said city or within four miles of the corporate limits thereof, or whenever an epidemic of such disease is, in the judgment of such Commissioners, threatened or there is impending danger thereof, such Commissioners may, at such place or places as may be provided therefor, detain or cause to be detained any and all persons found within the city limits, and having no place of residence or abode therein, who may be suspected of being affected with such disease until such time as it may be fully determined by said Commissioners whether such persons are so affected, and if they are found to be so affected said Commissioners may remove or cause to be removed such persons, as provided in the preceding section.

SEC. 3. Said Commissioners may also during such period of the existence of any such disease within the limits stated in Section 1, or during any period of impending danger thereof, by order, discontinue the use of any building or station or



room used for free housing and accommodation of tramps, vagrants or others at night or at other times; and upon the discontinuance of the use of any such building, station or room upon such order, only such other building, station or room may be used in lieu thereof, for such purpose, as shall be provided by the Board of Public Works with the approval of said Commissioners.

SEC. 4. In case of small-pox epidemic or imminent danger thereof, said commissioners may order all persons in the city, or any part thereof, or within four miles of the corporate limits thereof, requiring vaccination, to be vaccinated within such time as shall be prescribed by such order, and may prescribe such rules and regulations therefor, and for the enforcement of such order, and for such evidence of its having been complied with as said commissioners may deem necessary:

*Provided*, That it shall be the duty of said commissioners to provide by proper directions and orders to the City Dispensary and physicians thereof, for the vaccination of such persons as are unable to pay for the same, without cost to such persons.

SEC. 5. Said Commissioners may cause to be disinfected and fumigated all infected property and premises, and may order and cause to be burned or otherwise destroyed infected clothing or other personal effects whenever deemed necessary for the public health and safety.

SEC. 6. In case of pestilence or epidemic disease, or of danger from anticipated or impending pestilence or epidemic disease, or in case the sanitary condition of the city should be of such character as to warrant it, it shall be the duty of said Commissioners to take such measures and to do and order, and cause to be done, such acts for the preservation of the public health, though not herein or elsewhere, or otherwise authorized, as they may in good faith declare the public safety and health to demand; and said Commissioners, in matters affecting the public health of said city, may co-operate with the State Board of Health whenever they deem it necessary or expedient so to do.

SEC. 7. It shall be the duty of all persons to observe and comply with all rules, regulations and orders of the Commissioners of Public Health and Charities which shall be made pursuant to this ordinance. Any person knowingly and wilfully violating any such rule, regulation or order shall be fined in any sum not exceeding fifty dollars.

SEC. 8. This ordinance shall be in force and effect from and after its passage and publication, or proclamation thereof by the Mayor and posting thereof as provided by law.

Which was read the first time and referred to Committee on Ordinances.

By Mr. Young:

G. O. No. 32, 1894. An ordinance relating to the public health, and for the prevention and suppression of infectious and pestilential diseases.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That whenever small-pox or other infectious or pestilential disease shall exist within the city or within four miles of the corporate limits thereof, the Commissioners of the Department of Health and Charities may by order establish and maintain all needful quarantine stations and limits, including public and private houses and places; in like manner they may remove or cause to be removed, at their discretion, any person afflicted with any such disease, to such hospital or place as may be provided for such cases, and cause such persons to be there detained and to be there treated for such period as may be deemed necessary.

SEC. 2. During the existence of any such disease within said city or within four miles of the corporate limits thereof, or whenever an epidemic of such disease is in the judgment of such commissioners threatened, or there is impending danger thereof, such commissioners may, at such place, or places, as may be provided therefor, detain or cause to be detained, any and all persons found within the city limits, and having no place of residence or abode therein, who may be suspected of being affected with such disease, until such time as it may be fully determined by said

commissioners whether such persons are so affected, and if they are found to be so, said commissioners may remove or cause to be removed, such persons, as provided in the preceding section.

SEC. 3. Said commissioners may also during such period of the existence of any such disease within the limits stated in Section 1, or during any period of impending danger thereof, by order, discontinue the use of any building or station or room used for free housing and accommodation of tramps, vagrants or others, at night or at other times; and upon the discontinuance of the use of any such building, station or room, upon such order, only such other building, station or room may be used in lieu thereof, for such purpose, as shall be provided by the Board of Public Works, with the approval of said commissioners.

SEC. 4. In case of small-pox epidemic or imminent danger thereof, said commissioners may order all persons in the city, or any part thereof, or within four miles of the corporate limits thereof, requiring vaccination, to be vaccinated within such time as shall be prescribed by such order, and may prescribe such rules and regulations therefor, and for the enforcement of such order, and for such evidence of its having been complied with as said commissioners may deem necessary:

*Provided*, That it shall be the duty of said commissioners to provide by proper directions and orders to the City Dispensary and physicians thereof, for the vaccination of such persons as are unable to pay for the same, without cost to such persons.

SEC. 5. Said commissioners may cause to be disinfected or fumigated all infected property and premises, and may order and cause to be burned or otherwise destroyed infected clothing or other personal effects whenever deemed necessary for the public health and safety.

SEC. 6. In case of pestilence or epidemic disease, or of danger from anticipated or impending pestilence or epidemic disease, or in case the sanitary condition of the city should be of such character as to warrant it, it shall be the duty of said commissioners to take such measures, and to do and order, and cause to be done, such acts for the preservation of the public health, though not herein, or elsewhere, or otherwise authorized, as they may, in good faith declare the public safety and health to demand; and said commissioners, in matters affecting the public health of said city, may co-operate with the State Board of Health whenever they deem it necessary or expedient so to do.

SEC. 7. It shall be the duty of all persons to observe and comply with all rules, regulations and orders of the Commissioners of Public Health and Charities which shall be made pursuant to this ordinance. Any person knowingly and wilfully violating any such rule, regulation or order shall be fined in any sum not exceeding fifty dollars, and imprisonment not exceeding thirty days, one or both.

SEC. 8. This ordinance shall be in force and effect from and after its passage and publication, or proclamation thereof by the Mayor and posting thereof as provided by law.

Which was read the first time and referred to the Committee on Ordinances.

#### By Board of Public Works:

G. O. No. 33, 1894. An ordinance authorizing the improvement of the roadway of New Jersey street, in the City of Indianapolis, in Marion County, State of Indiana, from the north curb line of Washington street to the southeast property line of Massachusetts avenue, by grading and paving the roadway to a width of forty (40) feet, excepting the portion already paved at the intersections of Washington street and Ohio street, but including construction of junctions with the pavements, with the best quality of Standard Asphalt Sheet Pavement, made with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad) or asphalt of a quality equal in all respects or superior thereto, by curbing with stone the outer edges of the sidewalks thereof, and paving and curbing the wings of all connecting streets and alleys, between the above-named points, not now properly paved or curved.



WHEREAS, Heretofore, to-wit: On the 16th day of March, 1894, the Board of Public Works, of the City of Indianapolis, Indiana, deeming it necessary to improve the roadway of New Jersey street, in the City of Indianapolis, in Marion County, State of Indiana, from the north curb line of Washington street to the southeast property line of Massachusetts avenue, by grading and paving the roadway to a width of forty (40) feet, excepting the portion already paved at the intersections of Washington street and Ohio street, but including construction of junctions with the pavements, with the best quality of Standard Asphalt Sheet Pavement, made with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad) or asphalt of a quality equal in all respects or superior thereto, by curbing with stone the outer edges of the sidewalks thereof, and paving and curbing the wings of all connecting streets and alleys, between the above-named points, not now properly paved or curbed, adopted a resolution to that effect, known and designated as Improvement Resolution No. 54, 1894, and

WHEREAS, Said Board caused the necessary specifications, profiles and drawings for said street improvement to be prepared and filed in their office, where they now are, and

WHEREAS, Said Board caused notice to be duly given of said resolution, ordering the improvement of said street, by publication thereof in The Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, State of Indiana, once each week for two consecutive weeks, namely: on the 17th day of March, 1894, and the 24th day of March, 1894, and

WHEREAS, In the opinion of said Board, said street improvement is deemed necessary, and the total cost thereof shall be apportioned all as provided for in "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1891, and in accordance with and pursuant to the provisions of all amendatory and supplemental acts thereto passed by the General Assembly of the State of Indiana, and

WHEREAS, Said Board met, according to said published notice, to-wit: in its office, Room No. 5, Basement Marion County Court House, Indianapolis, Indiana, at 10 o'clock A. M., on the 2d day of April, 1894, to receive or hear remonstrances from persons interested in or affected thereby, if any there should be, against the improvement of said street, and

WHEREAS, At such meeting there appeared before said Board to remonstrate all persons interested in or affected by said proposed improvement, and

WHEREAS, Said Board after duly considering such remonstrances, did, on said 2d day of April, 1894, take final action on said Improvement Resolution No. 54, 1894, confirming the same, without modification, as adopted by it on the 16th day of March, 1894, and

WHEREAS, Later, to-wit: On the 12th day of April, 1894, and within ten days after final action was taken by said Board on said Improvement Resolution, two-thirds of all the resident free-holders abutting on said New Jersey street, along the line of said proposed street improvement, filed with said Board their written remonstrance against such improvement, which remonstrance has been made a part of the records in the office of said Board; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana: That the improvement of the roadway of New Jersey street, between the north curb line of Washington street and the southeast property line of Massachusetts avenue, in the City of Indianapolis, as more fully described in the preamble hereto and specifically shown by the profile and drawings now on file in the office of the Board of Public Works, as referred to therein, be and the same is hereby specifically ordered, and Improvement Resolution No. 54, 1894, of said Board, and all its other acts in relation thereto, be and the same are now hereby, in all things, approved, confirmed, adopted and specifically ordered.

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

Which was read the first time and referred to Committee on Sewers, Streets and Alleys.



## ORDINANCES ON SECOND READING.

On motion of Mr. Drew, the following entitled ordinance was called up for second reading:

G. O. No. 4, 1894. An ordinance defining a part of the boundary lines of the City of Indianapolis, Indiana.

Mr. Murphy moved that G. O. No. 4, 1894, be referred to Finance Committee, and that further time be granted for consideration of the same.

Which motion prevailed.

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

G. O. No. 29, 1894. An ordinance to protect electric light property.

And was passed by the following vote:

AYES 19—viz: Messrs. Allen, Colter, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stott, Young and President Cooper.

NAYS—None.

## MISCELLANEOUS BUSINESS.

By unanimous consent, Dr. J. O. Stillson, Secretary of Board of Health, was granted permission to address the Council. He stated that a small-pox epidemic was imminent, and urged the Council to take immediate steps toward the prevention of the spread of the disease.

Mr. Ryan moved that when the Council adjourn, it adjourn to meet at 12:05 A. M.

Which motion prevailed.

On motion of Mr. Young, the Common Council, at 8:30 o'clock P. M., adjourned.

ATTEST:

*H. H. Cooper*  
 \_\_\_\_\_  
 President.

*Lee Nixon*  
 \_\_\_\_\_  
 City Clerk.