

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
August 19, 1895. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 19, 1895, at 8 o'clock, in regular meeting.

Present, Hon. Wm. H. Cooper, President of the Common Council, in the chair, and 20 members, viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stein, Stott and Young.

Absent—None.

The Clerk proceeded to read the Journal, whereupon Councilman Drew 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,
August 7, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I have this day approved Resolution No. 10, of 1895, which directs the Comptroller to pay Lee Nixon, City Clerk, out of existing appropriation for miscellaneous expenses, the sum of \$300 for preparing the index to Council proceedings from January 7, 1892, to October 11, 1893.

Respectfully submitted,
C. S. DENNY,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY COMPTROLLER,
August 19, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I present herewith for approval the bond offered by Wm. H. Schmidt, treasurer-elect, and respectfully ask that you approve the same, and order it filed in the office of the City Comptroller.

Respectfully,
P. C. TRUSLER,
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,
CITY OF INDIANAPOLIS,
August 19, 1895. }

Hon. William H. Cooper, President Common Council, City:

DEAR SIR—The Board of Public Works directs me to send you herewith an ordinance for your consideration, authorizing the improvement of the roadway, gutters and sidewalks of Madison avenue, from Raymond street to the bridge over Pleasant Run, in the City of Indianapolis.

Very respectfully,
BART PARKER,
Clerk Board of Public Works.

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

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
CITY OF INDIANAPOLIS,
August 15, 1895. }

P. C. Trusler, City Comptroller, City:

DEAR SIR—We respectfully make request that you ask the Common Council to make the following appropriations for the use of the Department of Public Works during the remainder of the present fiscal year:

| | |
|--|------------|
| 1st. For Blank Books, Printing and Stationery..... | \$1,500.00 |
| 2nd. For Fountains and Wells..... | 300.00 |
| 3rd. For Garbage Disposal and Sellers Farm | 3,300.00 |
| 4th. For Repairs to Public Buildings | 1,000.00 |
| Total..... | \$6,100.00 |

1st. As to appropriation desired for blank books, printing and stationery fund, the sum of \$500.00 from this fund has been paid on the printing and binding of the laws and ordinances of the City of Indianapolis in excess of what was contemplated when the contract was made. Changes in specifications, and expenditures for other matters have run the printing account up larger than could have been expected at the time the appropriation was asked for.

2nd. It has been found a necessity to put in several new wells and move a number of fountains, which exhausted the "Fountains and Wells" fund sooner than was expected. We think the board should have \$300.00 in addition to what has been appropriated to the fund.

3rd. We thought it best to cancel the garbage collecting contract of Thomas Jameson and John S. Lazarus, which cost the sum of \$3,000.00. We have thought all the time that we could make a new contract which would not make it necessary to come to you for extra money in this fund. We find, however, that to make the necessary payments for the balance of the year to the Indianapolis Desiccating Company, it is necessary to ask for this additional appropriation of \$3,300.00.

4th. We think it advisable to ask for an additional appropriation for repairs to public buildings. Our Building Inspector recommends that we paint and repair the roof of the meat market. This recommendation should be complied with. The Board is quite anxious to light Tomlinson Hall with electricity. We can do so with an expenditure of \$228.00 above what you have allowed us for this purpose. We ask you for an appropriation of \$1,000.00 for this fund. This will enable us to wire the hall for electricity, paint and make necessary repairs to the roof of the meat market and leave \$200.00 or \$300.00 in the fund. We do not feel that it is right to exhaust it.

Very respectfully,

W. B. HOLTON,
E. L. ATKINSON,
JNO. OSTERMAN,
Board of Public Works.

Approved.

P. C. TRUSLER,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from Board of Public Safety :

DEPARTMENT OF PUBLIC SAFETY,
CITY OF INDIANAPOLIS,
July 18, 1895. }

Mr. Preston C. Trusler, Comptroller, City of Indianapolis:

DEAR SIR—The Board of Public Safety requests you to recommend to the City Council the transfer of \$4,000 from the Fire Force Pay Roll Account to the Fire Force Hose Account; also the transfer of \$200 from the Station House Secret Service Account to the Station House Horse Feed Account.

The transfer is asked as to the first item for the purpose of bringing the hose supply up to a full standard complement, including the new companies, and in regard to the second item by reason of increase in number of horses to be fed and rise in price of feed.

Yours truly,

BOARD OF PUBLIC SAFETY,
By N. R. RUCKLE, *Chairman.*

To the President and Members of the Common Council:

GENTLEMEN—I am assured that the transfer of funds as asked is necessary, and therefore recommend that the request of the Board of Safety be granted.

Respectfully,

P. C. TRUSLER,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Krauss, on behalf of the majority of Committee on Finance, to whom was referred :

Appropriation Ordinance No. 6, 1895. An ordinance appropriating ten thousand dollars to the Department of Public Parks for parks.

Made the following report :

Your committee to which was referred Appropriation Ordinance No. 6, have had the same under consideration and respectfully recommend that the same be passed.

GEO. MERRITT.
CHARLES KRAUSS.
GEO. R. COLTER.
JAS. H. COSTELLO.
ED. G. STOTT.

Which was read.

Mr. Rauh, on behalf of the minority of Committee on Finance, to which was referred :

Appropriation Ordinance No. 6, 1895. An ordinance appropriating ten thousand dollars to the Department of Public Parks for parks.

Made the following report :

Mr. President:

Your Committee on Finance to which was referred Appropriation Ordinance No. 6, had the same under consideration and recommend that the ordinance be stricken from the files.

HENRY RAUH.
J. R. ALLEN.

Which was read.

Mr. Young moved to lay minority report on the table.

Which motion prevailed.

Mr. Colter moved the adoption of the majority report.

Which motion prevailed.

Mr. Kaiser, on behalf of the Committee on Elections, to which was referred:

G. O. No. 44, 1895. An ordinance to amend Section 1 of an ordinance entitled "An ordinance fixing the boundaries of the voting precincts in the City of Indianapolis, Indiana," being General Ordinance No. 38, 1895.

Made the following report:

To the Members of the Common Council:

GENTLEMEN—Your Committee on Election, to which was referred G. O. No. 44, have had the same under consideration and respectfully recommend that it be passed.

WM. KAISER.
A. A. YOUNG.
WM. HENNESSY.

Which was read and concurred in.

Mr. Young, on behalf of the special committee appointed March 4, 1895, to investigate the natural gas question, made the following report:

INDIANAPOLIS, August 19, 1895.

Mr. President:

Your Special Committee appointed March 4, 1895, at the request of the Consumers' Gas Trust Company to investigate the natural gas question, and continued by resolution adopted March 18, 1895, beg to make report as follows:

About the time of the appointment of your Special Committee, the Commercial Club and Board of Trade at the request of the Consumers' Gas Trust Co. appointed committees to investigate the same subject. Your committee, by your authority under resolution of March 18, 1895, held joint meetings with said committees.

It had been understood and agreed by and between the three above named committees at the beginning of such investigation that when such investigation was ended the committees and members thereof should confer as to the report to be made as a result of the investigation, and if agreeable to such committees the report should be the same for each committee. But before the investigation was ended and while the committees were waiting for the lists and holdings of stockholders, and for further statements and facts which the Consumers' Gas Trust Co. claimed they desired to make to the committees, and without notice to your committee or any member thereof, the members of the two committees with which we were conducting the investigation, at the instance of the President, Secretary and General Manager and at least one director of the Consumers' Gas Trust Co., signed and made their reports.

Such action, in view of all the facts, was so palpably an act of discourtesy to your committee and to the Common Council, that your committee feels compelled to take notice of it in this report.

Your committee in conjunction with the committees heretofore mentioned held numerous meetings.

The officers and managers of the Consumers' Gas Trust Co. made various and lengthy reports, and much evidence was heard concerning the financial management and general condition of the Consumers' Gas Trust Co., and natural gas in general. Full opportunity was given the officers and members of the Consumers' Gas Trust Co. for evidence and statements concerning the subject of the investigation.

Closely connected with the question of natural gas in this city has been the Consumers' Gas Trust Co. Its organization is familiar to all. It was organized by public spirited citizens for the purpose of securing and furnishing the inhabitants of the city with cheap fuel. It was not organized for profit. Stock was taken by public subscription, and such stock was distributed among about five thousand of our citizens. The city ordinance approved June 27, 1887, was enacted and was accepted by said company and other natural gas companies.

Your committee reports that since the organization of the Consumers' Gas Trust Co. many of the original holders have sold and transferred their stock, some of them for about three-fourths its face value, many for much less, and some for as low as thirty cents on the dollar. Your committee has not been given an opportunity of knowing how many of the original stockholders remain. A list of stockholders was prepared by the officers of the company, but they were reluctant about producing it and finally failed and refused to furnish your committee with it. We are informed, however, and have good reason to believe that the number of stockholders has been reduced from about 5,000 to about 2,000, and that one stockholder now owns about \$80,000 of the capital stock, another about \$56,000 and another about \$50,000.

Your committee reports that the financial showing of the company is first-class. About \$605,000 of the capital stock was originally subscribed, nearly all of which was paid in. Six hundred and two thousand, five hundred dollars was raised by issuing preferred bonds, and a further sum of \$125,000 was raised in the same way for the purchase of the plant of the Broad Ripple Natural Gas Co.

The total amount of money raised on capital stock and preferred bonds was about \$1,332,500, all of which has been paid off except about \$591,000 of the capital stock subscriptions which have not yet been repaid to the stockholders. The company has paid its stockholders eight per cent. interest annually on their stock, making in the aggregate about \$300,000 in interest paid the stockholders, and it has also paid \$14,000 on the capital stock. The company's gross earnings to October 31, 1894, amounted to \$2,484,890.60, and the operating expenses up to that time amounted to \$1,439,914.67.

These figures in the opinion of your committee show that the Consumers' Gas Trust Co. has been a financial success. The company has a plant that costs \$1,332,500, wholly paid for and unincumbered, which belongs to the stockholders, whoever they may be.

The ordinance as it stands gives every consumer the option of taking gas by meter measurement. On written application, the company must furnish a meter without cost to such consumer, and must supply gas at a price not exceeding ten cents per one thousand cubic feet. There are about 25,000 users of gas in the city taking from all companies. The cost of meters to each is estimated by the Trust officials to be \$20.00, making a total for the city of \$500,000.

There would be the additional cost of improved stoves and appliances which cost your committee has no means of estimating. When the increased cost of gas at twenty cents per thousand cubic feet is taken into consideration, even if the gas should last but a year or two longer, it would be cheaper for the consumers to make up by subscription the amount the holders of the Consumers' Gas Trust stock, than to be compelled to purchase meters, to say nothing of the increased price of gas at 20 cents per thousand feet.

The representatives of the gas companies claim that the supply of natural gas is gradually diminishing, and your committee believes that the gas pressure is gradually diminishing, but that the supply may continue for several years.

The basis that they submit to us to show the decreased pressure, by taking the whole number of wells, adding the different pressures together and dividing by the whole number of wells, is not, we think, a fair basis, for the reason that a number of these wells were abused in the early use of gas by overdrawings, and are now

practically worthless, and if opened on the line would supply no gas to the line, but on the contrary would be fed from other wells. We give below the table showing the pressure at various places from April 1, 1889, to April 1, 1893, furnished by the Consumers' Gas Trust Co. The table is somewhat complicated and is perhaps susceptible of different construction, and various conclusions may be drawn from it:

ORIGINAL ROCK PRESSURE 320 LBS.

| TIME | NUMBER OF WELLS. | AREA SQ. MILES. | AVERAGE ROCK PRESSURE. | LOWEST EQUALIZED PRESSURE. | GRANGERS. | WHEELERS. | CITY LIMITS. | CITY OFFICE. | |
|------------------|------------------|-----------------|------------------------|----------------------------|-----------------------|---------------------|--------------|--------------|----------|
| | | | | | | | | HIGH. | TEMP. |
| April 1st, 1889, | 35 | 14 | 280 | Nov. 30, 1889, | 200 | 200 | 20 | 6¾ lbs. | 16 above |
| April 1st, 1890, | 65 | 40 | 280½ | Jan. 22, 1890, | 215 | 215 | 21 | 3 " | 11 above |
| April 1st, 1891, | 86 | 60 | 280 | Nov. 17, 1891, | lapel 250 | 198 | 15 | 10-16 " | 17 above |
| April 1st, 1892, | 95 | 80 | 273 | Jan. 20, 1892, | moss 200 lapel 248 | high 200 low 182 | 15 | 14-16 " | 4 below |
| April 1st, 1893, | 120 | 100 | 261 | Feb. 7, 1893, | lapel 235 | high 175 low 175 | 27 | 5-16 " | 9 below |
| April 1st, 1894, | 160 | 120 | 249 | Jan. 25, 1894, | lapel 223 moss 175 | high 175 low 175 | 28 | 7-16 " | 0 |
| April 1st, 1895, | 150 | 120 | 227 | Feb. 8, 1895, | lapel 198 moss 176 | high 155 low 155 | 24 | 4-16 " | 8 below |

| | |
|------------------------------------|-----|
| Wells in line | 150 |
| Sold to Indianapolis Company | 3 |
| Abandoned | 36 |

April 1, 1895. TOTAL WELLS,..... 189

Your committee is unable to state why, when the pressure was highest at the wells, it was lower at the city limits than when the pressure at the wells was lowest. It is also a mystery to your committee why when the pressure was 15 lbs. per square inch at the city limits when the temperature was 17 degrees above zero, the pressure at the city office was ten ounces to the square inch, and a year later when the pressure at the city limits was 15 lbs. to the square inch and the temperature was four degrees below zero, the pressure at the city office was fourteen ounces to the square inch.

Your committee believes that the first duty of the Consumers' Gas Trust Company, and of other companies as well, is to the patrons. By the terms of the ordinance in force, natural gas is to be furnished to consumers at the rates fixed therein, upon a basis of four ounces to the square inch at the point of consumption, and when there is a failure to furnish the requisite pressure the consumers have a just cause of complaint, and at least a moral right to demand a corresponding reduction in the price.

We believe the statement of the gas company's inability to make extensions in the field is inconsistent with the company's present financial standing. While some of the directors state that the company is not financially able to make extensions in the field, another director states that the assets of the company now on hand, if gas were to give out, would be sufficient to pay off the stock dollar for dollar. We believe the company should be required to indicate what effort will be made by it to supply its patrons during the coming winter, and if the company is not disposed to make an honest effort to furnish an adequate supply of natural gas during the winter, some action should be taken to enforce compliance with its contracts.

Your committee is of the opinion that a resort to meter measurement would result in increasing the price of gas fully one hundred per cent. over present rates. It would then no longer be the poor man's fuel, but would become a luxury which only the rich could afford. One of the main arguments presented by the

Trust Company's officials in their demand for meters is that their use would decrease the consumption of gas, and thereby prolong the supply. According to Superintendent Shackleton, the gas comes from fissures or openings in the Trenton Rock about 1,400 feet below the surface of the ground, and all cities and towns in and surrounding the Indiana gas field including Indianapolis obtain their supply from a common reservoir. This being true, the mere fact that Indianapolis consumers are compelled to practice the strictest economy, perhaps often to a point of suffering, in the use of gas, would in our opinion in no way prolong the supply of gas, but would only serve to give to other portions of the State, and especially to the city of Chicago and other cities supplied by pipe lines, the privilege of using a larger supply at the expense of our economy. Meter measurement will not in our opinion tend to prolong the supply of gas, unless enforced upon every consumer and every company piping from the Indiana gas field, and that is a matter for State legislation.

Your committee is of the opinion that the proposition made by Mr. Frenzel to your committee, viz.: that the Consumers' Gas Trust officials were ready at any time to turn over to the city their plant upon the payment by the city of the par value of the stock, should be accepted and the plant acquired by the City of Indianapolis if the Gas Company can give to the city a clear title.

Your Committee is unanimously of the opinion, from the statements made and the facts learned during the investigation, that the present ordinance under which the Consumers' Gas Trust Company and the other natural gas company are acting and which constitute the respective franchises and contracts between the companies and the people should remain unchanged.

Respectfully submitted,

A. A. YOUNG.
J. R. ALLEN.
P. J. RYAN.

The ayes and nays being called for by Mr. Shaffer, the report was adopted by the following vote :

AYES, 21—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stein, Stott, Young and President Cooper.

NAYS—None.

APPROPRIATION ORDINANCES.

By Mr. Stein:

App. O. No. 7, 1895. An ordinance appropriating to the Department of Public Works the sum of \$1,808.19.

WHEREAS, an emergency exists for a further appropriation to the Department of Public Works as certified to by said department, and the same has been recommended by the City Comptroller, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That out of the unexpended moneys in the treasury of said city there be and hereby is appropriated to the Department of Public Works of said city the sum of one thousand, eight hundred and eight and nineteen hundredths dollars (\$1,808.19) as follows, to-wit:

1. For sewers, the sum of one thousand dollars (\$1,000.00.)
2. For sewer gang pay roll, the sum of six hundred eighty-one and eighty-four hundredths dollars (\$681.84.)

3. For East Washington street sewer, the sum of one hundred and twenty-six and thirty-five hundredths dollars (\$126.35.)

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 ordinances were introduced:

By Mr. Shaffer:

G. O. No. 45, 1895. An ordinance to amend Section I of an ordinance entitled "An ordinance defining the fire limits in the City of Indianapolis, and the character of buildings which are forbidden to be erected within such limits, and matters connected therewith," approved July 25, 1894.

SECTION I. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section I of said ordinance of July 25, 1894, referred to above, be, and the same is hereby amended so as to read as follows:

SECTION I. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the fire limits in said City of Indianapolis shall be all that territory bounded as follows:

Commencing at the intersection of Michigan street and the center line of Missouri street; thence south with the center line of Missouri street to New York street; thence west on New York street to Blackford street; thence south on Blackford street to the center line of Wabash street; thence west on the center line of Wabash street extended west to Blake street; thence south on Blake street to the old National Road; thence west on the old National Road to the east bank of White river; thence south along the east bank of White river following the meanderings of said stream to the Terre Haute & Indianapolis railroad tracks; thence east on the Terre Haute & Indianapolis railroad tracks to West street; thence south on West street to South street; thence east on South street to Mississippi street; thence south on Mississippi street to Merrill street; thence east on Merrill street to Alabama street; thence north on Alabama street to South street; thence east on South street to a point in a line parallel with the southwest property line of Virginia avenue and one hundred and fifty (150) feet southwest from said property line; thence southeast on said line parallel with the southwest property line of Virginia avenue and one hundred and fifty (150) feet from and southwest of said property line to Coburn street; thence east on Coburn street to Dillon street; thence north on Dillon street to the first alley parallel with and northeast of Virginia avenue; thence northwest on the first alley northeast of and parallel with Virginia avenue to Noble street; thence north on Noble street to the tracks of the Pennsylvania Railroad Company; thence east along said tracks to Pine street; thence north on Pine street to Ohio street; thence west on Ohio street to Noble street; thence north on Noble street to Walnut street; thence west on Walnut street to a point in a line parallel with the northwest property line of Massachusetts avenue and one hundred and fifty (150) feet from and northwest of said property line; thence southwest on said line parallel with and one hundred and fifty (150) feet northwest from said property line of Massachusetts avenue to Michigan street; thence west on Michigan street to the place of beginning.

It shall hereinafter be unlawful for any person to erect, assist in erecting or cause to be erected within the fire limits defined above, any building whatsoever unless the outer walls thereof are composed of brick, stone, or part iron and steel, together with such construction as to be fire proof, and unless the roof thereof is fire-proof. Provided, however, that this section shall not apply to privies less than ten feet high.

It shall also be unlawful for any person to alter or repair, or assist in altering or repairing, or cause to be altered or repaired, any frame or wooden building now erected within the fire limits aforesaid, with the same kind of material as that of which it is composed, when the amount required to so alter or repair the same shall exceed ten (10) per cent. of the present value of such building, to be determined by the Building Inspector.

It shall be the duty of the Chief Engineer of the Fire Department, as well as the Building Inspector, whenever any building is in course of erection or has been fully erected, or whenever any building is being altered or repaired, in violation of any provision of this ordinance, to make complaint thereof before the judge of the Police Court of said city, and any citizen of said city may make such complaint; and upon such complaint being made by either of said officers, or by any such citizen, said Police Judge shall issue a warrant for the arrest of such person so offending.

Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding one hundred dollars; and each day that workmen are employed on such building shall constitute a separate offense, and each day any such building, when completed, is allowed to remain standing shall constitute a separate offense. In addition to such penalty the Police Judge may include in his judgment an order that such person, if he be the owner of the building, shall immediately tear down and remove said building, and if such building is not promptly torn down and removed in obedience to such order, the Board of Public Works may tear down and remove such building or cause the same to be torn down and removed; and the expense thereof shall be paid to said city by the owner of such building.

Provided, however, the provisions of this ordinance shall not apply to any building the contract for the erection of which was made prior to the passage and taking effect of this ordinance, a permit granted therefore and work thereon already begun, but shall apply to all other buildings.

SEC. 2. 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 Sun, a daily newspaper of general circulation, printed and published in said City of Indianapolis.

Which was read a first time and referred to Committee on Public Property and Improvements.

By Board of Public Works:

G. O. No. 46, 1895. An ordinance authorizing the improvement of Madison avenue, in the City of Indianapolis, in Marion County, State of Indiana, from the center of Raymond street to the north end of the bridge over Pleasant Run, by grading and graveling the roadway and sidewalks to the full width of fifty-eight (58) feet, bouldering the gutters thereof to a width of two and one-half ($2\frac{1}{2}$) feet, and grading the lawns to a width of three (3) feet.

WHEREAS, heretofore, to-wit: on the 16th day of July, 1895, the Board of Public Works of the City of Indianapolis, Indiana, deeming it necessary to improve Madison Avenue, in the City of Indianapolis, in Marion County, State of Indiana, from the center of Raymond street to the north end of the bridge over Pleasant Run, by grading and graveling the roadway and sidewalks to the full width of

fifty-eight (58) feet, bouldering the gutters thereof to the width of two and one-half ($2\frac{1}{2}$) feet, and grading the lawns to a width of three (3) feet, adopted a resolution to that effect, known and designated as Improvement Resolution No. 166, 1895, and

WHEREAS, said Board caused the necessary specifications, profiles and drawings for said avenue 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 avenue, 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 18th and 25th days of July, 1895, and,

WHEREAS, in the opinion of said Board, said avenue 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 third day of August, 1895, 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 no person or persons appeared before said Board who were interested in or affected by said described improvement to remonstrate against the same, and whereas, said Board, being fully advised in the premises, did, on the third day of August, 1895, take final action on said Improvement Resolution No. 166, 1895, confirming all action taken on the same as adopted on the 16th day of July, 1895, and,

WHEREAS, later, to-wit: On the 6th day of August, 1895, and within ten days after final action was taken by said Board on said Improvement Resolution, one-half of all the resident freeholders abutting on said Madison avenue, along the line of said proposed avenue 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,

SEC. 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the improvement of the roadway, gutters and sidewalks of Madison avenue, between the center of Raymond street and the north end of the bridge over Pleasant Run, in the City of Indianapolis, as more specifically described in the preamble hereto and fully 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. 166, 1895, 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 a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Young:

G. O. No. 47, 1895. An ordinance to disannex and throw out territory forming a part of the corporate limits of the City of Indianapolis, Indiana.

WHEREAS, William F. Rupp and six other persons, being a majority and all of the owners of the real estate in the City of Indianapolis lying between Ohio and Michigan streets and Rural and Watt streets, have petitioned the Common Council to disannex and throw out said territory, therefore

SEC. 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the following described territory forming a part of the corporate limits of the said City of Indianapolis, be and the same is hereby disannexed and thrown out of said City, to-wit:

Commencing at the intersection of the center line of Rural street by the center line of Michigan street; thence east with the center line of Michigan street to the center line of Watt street; thence south with the center line of Watt street to the center line of Ohio street; thence west with the center line of Ohio street to the center line of Rural street; thence north with the center line of Rural street to the place of beginning, which said territory is hereby disannexed and thrown out of said city.

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 Sewers, Streets and Alleys.

By Mr. Cooper:

G. O. No. 48, 1895. An ordinance concerning telephone and telegraph poles, wires and appliances and matters connected therewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the erection and maintenance of telephone or telegraph poles, wires and appliances in the streets, avenues, alleys and public places of said city within the district within said city bounded by North, South, East and West streets, and within said streets to the extent the same bound said district, are hereby declared dangerous to life and property, and the continuance thereof for a longer period than reasonably necessary for their abatement and removal without serious detriment to the public uses which they serve, is hereby declared a nuisance.

SEC. 2. On and after one year from the taking effect of this ordinance, it shall be unlawful for any person, co-partnership, association or corporation to erect, or to permit to be erected, any telephone or telegraph pole, aerial wires, or structures, or to maintain, or permit to be maintained any telephone pole or poles, aerial wires or structures, already erected, in any of the streets, avenues, alleys or public places of said city within the district or parts of streets, designated in the preceding section, unless such poles, wires and structures shall be so erected or maintained in conformity with the provisions of a duly executed contract with said City of Indianapolis by its Board of Public Works and duly approved by ordinance of the Common Council.

SEC. 3. It shall be unlawful for any person, co-partnership, association or corporation to use any of the streets, avenues, alleys and public places within said city for the purpose of laying and maintaining underground conduits for conducting therein telephone or telegraph wires, unless first thereunto authorized and empowered by contract with said city executed by its Board of Public Works and approved by ordinance by the Common Council.

SEC. 4. All resolutions and ordinances of the City of Indianapolis, now in force, authorizing and permitting the erection or maintenance of telephone or telegraph poles, wires and appliances in the streets, avenues, alleys and public places of said city within the district and parts of streets designated in Section 1 of this ordinance, in so far only as they conflict with the provisions hereof, are hereby expressly repealed, but nothing herein shall be deemed to repeal any ordinance approving any contract made by said city by its Board of Public Works authorizing the use of any street, avenue, alley or public place in said city for any lawful purpose.

SEC. 5. That any person, co-partnership, association or corporation who shall violate any provision of this ordinance, upon conviction thereof, shall be fined in any sum not less than one hundred dollars, nor exceeding five hundred dollars, and each day that any such person, co-partnership, association or corporation shall violate any of said provisions, shall constitute a separate offense.

SEC. 6. This ordinance shall take effect and be in force from and after its passage and publication for two weeks consecutively in the Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Marion County, Indiana.

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

By Mr. Stein :

G. O. No. 49, 1895. An ordinance to regulate bicycles and the use of the streets by them, and to prevent the incumbering of sidewalks with bicycles, and matters connected therewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That no person shall ride, drive or propel any bicycle on, along or over any sidewalk in the City of Indianapolis, unless it be in the necessary act of crossing the same.

SEC. 2. No person shall ride, drive or propel any bicycle on, along or over any street in the City of Indianapolis at a rate of speed faster than ten miles an hour.

SEC. 3. No person shall ride, drive or propel any bicycle on, along or over any street in the City of Indianapolis in the night time without having a lighted lamp upon such bicycle.

SEC. 4. No person shall ride, drive or propel any bicycle on, along or over any street in the City of Indianapolis without having a bell upon such bicycle.

SEC. 5. Any person violating any provision of this ordinance shall upon conviction be fined in any sum not exceeding five dollars.

SEC. 6. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in The Sun, a daily newspaper, printed and published in said City of Indianapolis.

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

ORDINANCES ON SECOND READING.

On motion of Mr. Krauss, the following entitled ordinance was taken up and read a second time :

Appropriation Ordinance No. 6, 1895. An ordinance appropriating ten thousand dollars to the Department of Public Parks for parks.

Mr. Rauh moved to strike Appropriation Ordinance No. 6, 1895, from the files.

Mr. Krauss moved to lay Mr. Rauh's motion on the table.

Which motion prevailed.

On motion of Mr. Krauss, Appropriation Ordinance No. 6, 1895, was then ordered engrossed, read a third time, and passed by the following vote :

AYES, 17—viz: Messrs. Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Merritt, Murphy, O'Brien, Puryear, Ryan, Schmid, Shaffer, Stein, Stott and Young.

NAYS, 4—viz: Messrs Allen, Magel, Rauh and President Cooper.

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

G. O. No. 44, 1895. An ordinance to amend Section 1 of an ordinance entitled "An ordinance fixing the boundaries of the voting precincts in the City of Indianapolis, Indiana," being General Ordinance No. 38, 1895.

And was passed by the following vote:

AYES, 21—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stein, Stott, Young and President Cooper.

NAYS—None.

UNFINISHED BUSINESS.

Mr. Ryan moved that the bond of William H. Schmidt, county treasurer-elect be recalled from the Committee on Finance.

Which motion prevailed.

Mr. Ryan moved that the bond be approved.

Which motion prevailed by the following vote:

AYES, 21—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Stein, Stott, Young and President Cooper.

NAYS—None.

On motion of Mr. Shaffer, the Common Council, at 8:50 o'clock P. M., adjourned.

W. H. Cooper

President.

ATTEST:

Lee Nixon

City Clerk.