

# PROCEEDINGS OF COMMON COUNCIL.

SPECIAL SESSION—MARCH 30, 1891.

The Common Council of the City of Indianapolis, met in the Council Chamber, on Monday evening, March 30th, A. D. 1891, at 8:00 o'clock, in special session, pursuant to the following call:

To His Honor, Mayor THOMAS L. SULLIVAN:

You are hereby requested to call a special session of the Common Council to meet in the Council Chamber, Monday evening, March 30th, 1891, at 8:00 o'clock, for the purpose of transacting such business as may come before us.

Emil C. Rassmann,	O. R. Olsen,
M. J. Murphy,	R. J. Nolan,
Ed. A. Austin,	Wm. M. Hicklin.

To the Members of the Common Council:

*Gentlemen:*—Pursuant to the above notice, you are hereby requested to meet in the Council Chamber, Monday evening, March 30th, 1891, at 8:00 o'clock, for the purpose of transacting such business as may come before you.

T. L. SULLIVAN, Mayor.

**PRESENT**—Hon. Manford D. Yontz, President of the Common Council in the Chair, and 18 members, viz: Councilmen Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, and Weber.

**ABSENT**, 6—viz: Councilmen Austin, Myers, Stechhan, Sweetland, Trusler, and Woollen.

The Proceedings of the Common Council for the special session held March 16th, 1891, having been printed and placed upon the desks of the Councilmen, said Journal was approved as published.

## COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following communication; which was read and received:

To the Common Council of the City of Indianapolis, Indiana:

*Gentlemen:*—As required by the Act of the General Assembly, known as the City Charter, it is my duty to announce to your honorable body that I have approved Appropriation Ordinance No. one (1), and also Resolution No. one (1,) empowering the City Clerk to employ a Deputy, as specifically authorized by the City Charter; and also Resolution No two (2,) correcting deed heretofore made to Mr. R. R. Shiel. In accordance with said resolution, I have executed in the name of the city, a quit-claim deed carrying out the provisions of said Resolution No. 2. I have also approved General Ordinance No. one (1,) authorizing the City Attorney to employ assistance in revising the city ordinances; but in regard to the last ordinance, I be-

lieve it my duty to say that I regard the use of the word "directed," in the sentence "he is hereby directed, authorized and empowered to employ assistance," as unfortunate, but construed with the context, I think the word "directed" means only to confer the power upon one of the Departments to employ assistance, if that Department shall deem it necessary, and after the other essential steps required by the City Charter have been taken. The Council can not employ an assistant for any department, and of course can not delegate that power to a department. The Council may, however, authorize a department to employ assistance, but before the department can act upon the authority and make any agreement or contract, express or implied, at the expense of the city, an estimate of the cost must be furnished by the department to the Comptroller. That officer reports thereon to the Mayor, who submits the same with his recommendations to the Council, and that body determines the amount, within the estimate, to be paid, and appropriates the money therefor.

Respectfully submitted,

Indianapolis, March 26, 1891.

THOMAS L. SULLIVAN, Mayor.

#### REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report:

To the President and Members of the Common Council:

*Gentlemen.*—I herewith report the following entitled affidavits now on file in the office of City Clerk for collection of street improvement assessments by precept, to-wit:

Thos. A. Greene vs. Trustees of Jones Tabernacle M. E. Church, for.....\$57 00

E. B. SWIFT, City Clerk.

Which report was read, and the precept failed to issue, by the following vote:

AYES, 14—viz: Councilmen Austin, Cooper, Coy, Davis, Dunn, Gauss, Hicklin, Markey, Murphy, Myers, Olsen, Rassmann, Sherer, and President Yontz.

NAYS, 7—viz: Councilmen Burns, Gasper, Martindale, McGill, Nolan, Pearson, and Weber.

The City Civil Engineer submitted the following report and estimate resolution; which were read:

Indianapolis, March 27, 1891.

To the President and Members of the Common Council:

*Gentlemen.*—I herewith report a first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the east sidewalk of Davidson street, from Washington street to Market street, done under contract made and entered into previous to taking effect of the new City Charter:

351.75 lineal feet, at 35 cents.....\$123 11

Respectfully submitted,

H. A. MANSFIELD, City Civil Engineer.

RESOLUTION No. 3, 1891—*Resolved by the Common Council of the City of Indianapolis,* That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the east sidewalk of Davidson street, from Washington street to Market street, be, and the same is hereby, adopted as the estimate of the Common Council of said city; and that the property-owners are hereby required to pay the sums set opposite their respective names.

Which report was received, and the resolution adopted by the following vote:

AYES, 21—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Weber, and President Yontz.

NAYS—None.

The City Civil Engineer submitted the following report and estimate; which were read:

Indianapolis, March 27, 1891.

To the President and Members of the Common Council:

Gentlemen:—I herewith report an estimate in behalf of Robert Kennington, contractor, for constructing a 24-inch pipe line sewer from a point in Pennsylvania street, west in and along Fifteenth street to Meridian street; thence north to Fall Creek, in accordance with his contract, made and approved by the Common Council and Board of Aldermen, January 5 and 12, 1891. Said contract provides that the whole cost of said sewer shall be paid for by the City of Indianapolis.

ESTIMATE.

1,778 lineal feet of 24-inch pipe, at \$1.25 .....	\$2,222 50
3 catch-basins, at \$50.00 each.....	150 00
1 man-hole, at \$25 00.....	25 00
1 cubic yard of masonry, at \$5.00.....	9 63
200 pounds of castings for sewer traps.....	6 00
<b>Total.....</b>	<b>\$2,413 13</b>
Less amount to be paid by E. B. Martindale, in accordance with special contract.....	200 00

Amount due contractor from the City of Indianapolis.....\$2,213 13

Respectfully submitted,

H. A. MANSFIELD, City Civil Engineer.

And the estimate adopted by the following vote:

AYES, 21—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Weber, and President Yontz.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced:

By President Yontz (for the Board of Public Works.) Read the first time and referred to the Committee on Railroads:

G. O. 3, 1891—An ordinance confirming and approving a certain agreement and contract made and entered into on the 30th day of March, 1891, by and between The City of Indianapolis and The Indianapolis and Broad Ripple Rapid Transit Company, wherein said company is granted a certain right-of-way for the operation and maintainance of an electric street railway into the City of Indianapolis.

By Councilman Rassmann. Read the first time:

G. O. 4, 1891—An ordinance declaring and defining the entire corporate boundaries of the City of Indianapolis, under and by virtue of an Act of the General Assembly of the State of Indiana, approved March 4, 1891.



On motion, further action thereon was deferred until the next regular meeting of the Common Council.

By Councilman Murphy. Read the first time :

G. O. 5, 1891—An ordinance providing for the compensation and salary of the Deputy Comptroller.

On motion by Councilman Murphy, the Rules were suspended for the purpose of placing G. O. 5, 1891, on its final passage ; which was unanimously adopted by the following vote :

AYES, 22—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Trusler, Weber, and President Yontz.

NAYS—None.

G. O. 5, 1891, was read the second time, ordered engrossed, read the third time and passed, by the following vote :

AYES, 22—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Trusler, Weber, and President Yontz.

NAYS—None.

By Councilman Nolan. Read the first time :

G. O. 6, 1891—An ordinance fixing the salary and compensation of the Clerk of the Board of Public Works of the City of Indianapolis.

Councilman Nolan moved to suspend the Rules for the purpose of placing G. O. 6, 1891, on its final passage.

Which motion failed of adoption by the following vote :

AYES, 20—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, Nolan, Olsen, Pearson, Rassmann, Sherer, Trusler, Weber, and President Yontz.

NAYS, 1—viz: Councilman Gauss.

On motion by Councilman Burns, the above entitled ordinance—G. O. 6, 1891—was referred to the Judiciary Committee.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS.

President Yontz submitted the following communication ; which was referred to the Board of Public Works :

*Indianapolis, March 30, 1891.*

To Hon. City Council :

*Gentlemen:*—Your petitioners, representing the Department of Indiana G. A. R., request the free use of Tomlinson Hall for April 9th and 10th, 1891, for the purposes of the Encampment of this Department, in accordance with the previous custom of your honorable body.

Very respectfully,

I. N. WALKER, A. A. Gen.

O. R. WEAVER, A. Q. M. Gen.

IRVIN ROBBINS, C. of A.

Councilman Cooper offered the following motion; which was adopted:

WHEREAS, The Western Paving and Supply Company has been awarded a contract for the paving of Illinois street, between Washington and New York streets, for the full width of said street; therefore

*Moved*, That a committee of three be appointed by the President of this Council, to confer with said Western Paving and Supply Company, to see what terms can be made with said company for the paving of said street only from the curbs to the outer edge of the street railroad tracks; said committee to report at the next meeting of this Council.

President Yontz appointed Councilmen Gasper, Murphy and Markey to act as Special Committee provided for in the above motion.

Councilman Coy offered the following motion; which was adopted:

*Moved*, That the Ladies' Industrial Society be released from any charges for the use of Tomlinson Hall.

Councilman Rassmann offered the following resolution:

RESOLUTION No. 4, 1891—*Resolved by the Common Council of the City of Indianapolis.* That the fiscal year of the City of Indianapolis shall begin on the first day of September, in each and every year, and shall end on the thirty-first day of August next succeeding.

And it was adopted by the following vote:

AYES, 22—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Trusler, Weber, and President Yontz.

NAYS—None.

Councilman Rassmann offered the following motion; which was referred to the Board of Public Works, with power to act:

*Moved*, That Uniform Rank No. 48, K. of P., and the Pythian Sisters, be granted the use of Tomlinson Hall on the night of April 7, 1891, for the sum of thirty dollars (\$30.00.)

Councilman McGill offered the following motion; which was adopted:

*Moved*, That Edw. Ducas be allowed to erect a street clock in front of his place of business, No. 115 west Washington street; said clock to be a good and accurate time keeper.

Councilman Coy moved that when the Common Council adjourns, it adjourn to meet Tuesday evening, March 31st, 1891.

Which was adopted by the following vote:

AYES, 17—viz: Councilmen Austin, Burns, Cooper, Coy, Gauss, Hicklin, Markey, Martindale, Murphy, Nolan, Olsen, Pearson, Rassmann, Sherer, Trusler, Weber, and President Yontz.

NAYS, 5—viz: Councilmen Davis, Dunn, Gasper, Myers, and McGill.

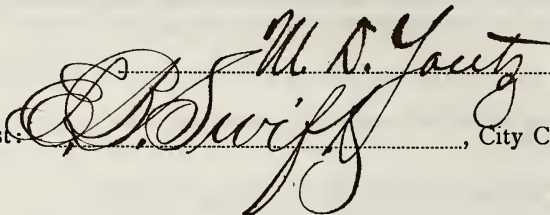
Councilman Pearson moved that the Judiciary Committee report on G. O. 2, 1891, at the adjourned session to be held March 31, 1892.

Which motion was adopted by the following vote :

AYES, 14—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, Pearson, Trusler, Weber, and President Yontz.

NAYS, 7—viz: Councilmen Austin, Gauss, McGill, Nolan, Olsen, Rassmann, and Sherer.

On motion, the Common Council then adjourned.

....., President.

Attest: ....., City Clerk.