

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—APRIL 13, 1891.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 13th, A. D. 1891, at 8:00 o'clock, in adjourned session.

PRESENT—Hon. Manford D. Yontz, President of the Common Council, in the Chair, and 24 members, viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Sweetland, Trusler, and Weber.

ABSENT, 1—viz: Councilman Woollen.

Councilman Rassmann moved to engross G. O. No. 7, 1891, and on that demanded the previous question.

The question being, "*Shall the main question be now put?*" and it was so ordered, by the following vote:

AYES, 15—viz: Councilmen Austin, Burns, Coy, Gauss, Hicklin, Markey, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Sweetland, Weber, and President Yontz.

NAYS, 8—viz: Councilmen Cooper, Dunn, Gasper, Martindale, Myers, Pearson, Stechhan, and Trusler.

The following entitled General Ordinance was then read the third time:

G. O. 7, 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.

And it was passed by the following vote:

AYES, 15—viz: Councilmen Austin, Burns, Coy, Gauss, Hicklin, Markey, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Sweetland, Weber, and President Yontz.

NAYS, 9—viz: Councilmen Cooper, Davis, Dunn, Gasper, Martindale, Myers, Pearson, Stechhan, and Trusler.

REPORTS FROM STANDING COMMITTEES.

The Comitée on Railroads, through Councilman Gasper, submitted the following report and remonstrances:

To the Members of the Common Council :

Your Committee on Railroads, to whom was referred General Ordinance No. 3, 1891, beg leave to report that they have had the matter under consideration, and would respectfully recommend—

1st. That said ordinance be not passed.

2d. That this body respectfully suggest that the Board of Public Works execute a new contract with the Indianapolis & Broad Ripple Rapid Transit Company, embracing all the terms and conditions of the contract entered into by them on March 30th, 1891, and which is set out in the preamble of said General Ordinance No. 8, with the following amendments thereto, as follows:

First.—That all after the words "Delaware street to," in line 4 of page 2, be stricken out down to and including line 6, and that the words "Washington street" be inserted in lieu thereof.

Second.—That there be inserted after the word "turn-out," in line 11 of page 2, the following words: "No switch, side-track or turn-out shall be laid in or upon Bellefontaine street between Eleventh street and Lincoln avenue."

Third.—That there be inserted after the words "between its tracks," in line 3 of page 4, the words "and between the rails of each track."

Fourth.—That there be inserted after the words "rails of each track," occurring in line 9 of page 4, the following words: "And between the rails of each track."

Fifth.—That there be inserted after the words "terminus in Broad Ripple," in line 24 of page 4, the following sentence: "But all cars on said road shall be run between said termini on a time schedule not exceeding ten (10) minutes between the running of each car."

And that when the new contract be so made as herein suggested, that the same be re-submitted by a new ordinance, for the action of the Common Council.

Respectfully submitted,

M. D. Yontz,

J. L. Gasper,

Committee on Railroads.

To the Common Council of the City of Indianapolis :

Gentlemen.—The undersigned, real estate owners on Delaware street, between Washington and Maryland streets, in said city, would respectfully remonstrate and protest against the passage of the ordinance now pending before your honorable body granting the right-of-way to the Broad Ripple Electric Railway Company for a double track along, over and upon said Delaware street, between Washington and Maryland streets, in said city, for the reasons following:

1st. That the buildings on said Delaware street, between the said points named, are largely occupied by dealers in fruit and vegetables on commission, and on their own account; that there are no alley privileges for the use of said dealers on either side of Delaware street.

2d. That all the business transacted by the business men doing business on said street, between said points, is carried on and transacted, and their purchases and sales made, from the front of their respective places of business.

3d. That there is a larger volume, in dollars and cents, of business transacted on said square, than on any other square in the City of Indianapolis.

4th. That said square has, by patient and industrious work on the part of said property holders and said commission men, grown to be almost exclusively a block devoted to the commission business, as above mentioned.

5th. That the business rooms of each side of said street between said points, unless occupied by said commission men, would be vacant, or occupied by junk shops or other undesirable business and tenants.

6th. That if said Broad Ripple Company should place a double-track on said Delaware street between said points, it would be impossible to transact the business of the kind now located thereon.

7th. That especially in the summer months, in the earlier part of the day, said street is filled from curb to curb with teams and wagons delivering, and the wagons

of the retail grocers of the city, going to said commission house to make their daily purchases.

8th. That the said commission business is a business peculiar to itself, and can not be transacted as any other wholesale or retail business can be.

9th. That the retail grocers of the city go to said commission houses with their own wagons and purchase and carry away therein the goods desired, for the reason that their purchases are needed instant, and it would be impossible for the commission men to deliver the goods in time for the morning trade of the retail dealers.

10th. That the teams and vehicles visiting said commission houses every business day of the week, especially during the spring and summer season, at certain hours of the day, render it almost impossible to pass through said street in the roadway thereof between said points.

11th. That if said ordinance is passed and said company avails itself of the provisions thereof and should lay a double track on said Delaware street between said points, it will drive every commission man out of said street between said points, and impair the value of the property of your respective petitioners, and entail a loss in rentals from said property over 50 per cent.

Your petitioners therefore repeat their protest, and earnestly pray your honorable body to so amend said ordinance as to prevent said company from having the right of way on said Delaware street between the points above named, as it would be an irreparable injury to your said petitioners to permit said company to so occupy said street, and more especially when there are routes that can be selected that would attain the same ends for said company. Expressing the hope that said ordinance may be amended in the particular hereinbefore mentioned, or that your honorable body will reject the same, your remonstrants will ever pray.

George Herrman, 20 ft; Mrs. Lissette Symp, Lx., 42 ft;
John Gorsuch, 67½ ft; Geo. Vandersaar, 25 ft; Harriet
Judah's Estate, by O. B. Jameson, Att'y., 256½ ft; Chas.
Dannmeyer, 40 ft; Mrs. M. Wittemberg, 35 10-12 ft;
David Macy, 137 ft.

To the Common Council of the City of Indianapolis:

Gentlemen:—We, whose names are hereto subscribed, would respectfully remonstrate and protest against the passage of the ordinance now pending before your honorable body, granting to the Broad Ripple Electric Railway Company the right to lay its double track along and upon Delaware street, in said city, from Washington street to Maryland street, for the following reasons:

1st. Your petitioners are commission merchants, handling and dealing in fruits, vegetables and other articles used for food.

2d. That they supply the entire amount of foreign fruit, berries and vegetables that are consumed in the City of Indianapolis.

3d. That their customers are the retail green grocers of the city; that they handle largely the domestic vegetables, fruits and berries at first hands that are consumed in said city.

4th. That they have built up a business on said Delaware street, between said points, in volume of dollars and cents, that exceeds, in all probability, the volume of business done on any other square in said city; that none of your remonstrants have any alley access to their premises occupied as commission houses, and are compelled to transact all their business in handling, buying and selling, at the front of their places of business.

5th. That said square has come to be almost exclusively a block of commission houses.

6th. That your remonstrants supply all the green grocers of said city with their fruits, vegetables and berries.

7th. That said commission business is peculiar to itself in this: that the customers are compelled to come with their vehicles to their respective commission houses to take away with them their purchases, and during the spring and summer season said square in and about said commission houses is thronged with customers buying

and selling, with their horses and vehicles, to such an extent that it would be impossible for the electric or other railroad company to pass thereon without great danger to life and limb and serious accident to the teams there congregated.

8th. That if said electric railroad company is permitted to put its said tracks down upon said street between said points, and operate the same, it will inevitably result in ruining the business of your remonstrants, and in driving them off of said square to seek other quarters.

9th. That they have built up a large trade and employ a great number of persons in their service, and pay large rents, and most of your remonstrants are tied up to the landlords whose premises they occupy, in long term leases, and to appropriate said roadway to the purposes contemplated in said ordinance, would entail irreparable injury, loss and damage to your remonstrants.

10th. That their business can not be compressed into smaller space than the roadway of Delaware street between the above named points affords, and one of two things must be done: either the ordinance now pending must not be passed, or your remonstrants must forfeit their leases, be held for the rent, and change their location.

11th. Said Delaware street, between the points named, will not accommodate the throngs who transact business with said commission houses and the Broad Ripple Electric or other cars at the same time.

Believing that your honorable Board will not intentionally inflict so serious an injury upon them, more especially as other routes can be selected to accomplish the end sought by the now pending ordinance, they respectfully ask your honorable body to so change said ordinance as to carry the line of road of said railway company off of south Delaware street, or refuse to pass the ordinance as now pending; and your remonstrants will ever pray.

Henry Syerup heirs, L. H. Adams & Co., Mummenhoff & Co., John Blumberg, Williams & Walton, Geroe, Wiggins & Co., W. B. Geroe, J. C. Biegler, Wm. Kufaber, McCann & Co., Geo. Hitz & Co., J. A. Murphy & Co., R. H. Rees, W. H. Messenger, B. Orut, S. N. Gold & Co., David Macy.

Indianapolis, Ind., April 4, 1890.

Committee of City Council on Railroads:

Gentlemen:—At a well attended meeting of citizens of Bellefontaine street, held at Engine House No. 9, this evening, a report was had from the committee appointed at a former meeting to confer with your committee and other city officials and the officers of the Broad Ripple Rapid Transit Company. This report being approved, and the committee continued. After considerable discussion, in which a large number of citizens took part, the following resolution was almost unanimously adopted:

Resolved, That this meeting request the proper city officials and the officers of the Broad Ripple Rapid Transit Company to confer, and so modify the charter that cars can be run on not more than a ten minutes' schedule, and no switches be put on the narrow part of the street.

Resolved, further, That they be requested to provide that part of the cars be turned at or about Fall Creek, so as to secure quicker service."

The Standing Committee was instructed to take this resolution in charge, and present the subject to the proper parties, then adjourned, subject to the call of the Chair.

The undersigned, in behalf of those whom they represent, wish to impress upon your minds the fact that Bellefontaine street, from Lincoln avenue to Eleventh street, is only twenty-five feet four inches from curb to curb, being much narrower there than elsewhere. Soliciting your careful consideration of the points herein noticed, we remain

Yours truly,

JOHN J. TWINAME,
S. S. GRIFFITH,
HENRY HOCKERSMITH.

Which, together with the following entitled ordinance—

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.

Was referred to the Board of Public Works.

On motion, the Common Council then adjourned.

M. W. Yount President.
Attest: *E. B. Swift*, City Clerk.