

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—DECEMBER 7, 1891

The Common Council of the City of Indianapolis, met in the Council Chamber, on Monday evening, December 7th, A. D. 1891, at 8:00 o'clock, in regular session.

**PRESENT**—Hon. Manford D. Yontz, Prhsident of the Common Council, in the Chair, and 22 members, viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Murphy, Mvers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Weber, and Woollen.

**ABSENT**, 3—viz: Councilmen Martindale, Sherer, and Trusler.

The Proceedings of the Common Council for the regular session held November 16th, 1891, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

## COMMUNICATIONS, ETC., FROM CITY OFFICERS

The Board of Public Works submitted the following communication; which was received:

*Indianapolis*, December 4, 1891.

To the Honorable President and Members of the Common Council:

*Gentlemen*:—The Board of Public Works of the City of Indianapolis respectfully begs leave to report herewith an ordinance specifically ordering the improvement of the east sidewalk of Belmont avenue, from the O., I. & W. R. R. to Michigan street, by grading and paving the same with brick.

Respectfully submitted,

A. W. CONDUITT,  
A. SCHERER,  
M. M. DEFREES,  
Board of Public Works.

The City Comptroller, through Councilman Rassmann, submitted the following communication:

*Indianapolis, Ind.*, December 7, 1891.

To the Common Council of the City of Indianapolis:

*Gentlemen*:—I respectfully recommend that you appropriate to the Department of Finance eight dollars and forty-two cents (\$8.42) to pay the outstanding claims against the city, on account of the late city election.

Also, to the Department of Law four hundred and twenty-one dollars and sixty-one cents (\$421.61) to pay the remainder of the fee of D. C. Burns for appearing for the city in the case of Erwin against her.

Very respectfully,

WILLIAM WESLEY WOOLLEN,  
City Comptroller.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By the Board of Public Works. Read the first time :

- S. O. 5, 1891—An ordinance authorizing the improvement of the east sidewalk of Belmont avenue, from the O., I. & W. Railroad to Michigan street, by grading and paving the same with brick.

Which was referred to the Committee on Streets and Alleys, with instructions to report at the next meeting.

By Councilman Austin. Read the first time :

- G. O. 50, 1891—An ordinance disannexing certain territory therein described, forming a part of the corporate limits of the City of Indianapolis.

Which was referred to the Committee on Streets and Alleys.

By Councilman Cooper. Read the first time :

- G. O. 51, 1891—An ordinance providing for the annexation to the City of Indianapolis of a certain territory adjacent and contiguous to said city, made under and by virtue of an Act of the General Assembly of the State of Indiana, approved March 6th, 1891.

Which was referred to the Committee on Streets and Alleys.

By Councilman Gauss. Read the first time :

- G. O. 52, 1891—An ordinance requiring the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company to place and maintain a flagman at the crossing of the tracks of said company with Phipps street, in the City of Indianapolis, Marion county, Indiana.

By Councilman Murphy. Read the first time :

- G. O. No. 53, 1891—An ordinance to provide for the annexation to the City of Indianapolis of certain territory adjacent and contiguous to said city, made under and by virtue of an Act of the General Assembly of the State of Indiana, approved March 6th, 1891.

Which was referred to the Committee on Streets and Alleys.

By Councilman Stechhan. Read the first time :

- G. O. 54, 1891—An ordinance to require the erection of a viaduct on south New Jersey street by railroad companies owning or operating railroad tracks along or across said street.

Which was referred to the Committee on Railroads, with instructions to report at the next meeting.

By Councilman Weber. Read the first time:

G. O. 55, 1891—An ordinance providing for the changing of the name of Beeler street to Martindale avenue, and to provide for re-numbering said street to city limits.

Which was referred to the Committee on Streets and Alleys.

By Councilman Coy. Read the first time:

G. O. 56, 1891—An ordinance providing for the licensing of free ambulances, and regulating other matters connected therewith.

On motion by Councilman Coy, the Rules were suspended for the purpose of placing G. O. 56, 1891, on its final passage, 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, Stechhan, Sweetland, Weber, and President Yontz.

NAYS—None.

G. O. 56, 1891, was then read a 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, Stechhan, Sweetland, Weber, and President Yontz.

YAYS—None.

#### REPORTS OF STANDING AND SELECT COMMITTEES.

The Committee on Railroads, through Councilman Markey, submitted the following report:

To the Common Council:

*Gentlemen:*—Your Railroad Committee, to whom was referred an ordinance relative to the construction of a viaduct on Alabama street, would respectfully ask that the matter be postponed until the completion of the present viaduct on Virginia avenue.

Respectfully submitted,  
Thomas Markey,  
J. L. Gasper,  
Jno. A. Weber.

Which was received.

The Special Committee selected to confer with the President of the Citizens' Street Railroad Company, submitted the following report:

To the Common Council of the City of Indianapolis:

*Gentlemen.*—Your Special Committee, to whom was referred a resolution asking for a conference with Mr. John P. Frenzel, president of the Citizens Street Railroad Company, with a view of securing cheaper railway fares, would beg leave to report that such a conference was held with Mr. Frenzel. The result of the conference was that Mr. Frenzel positively refused to grant, at this time, a cheaper rate, giving as his reason, first, that there was no demand on the part of the general public for cheaper fares; second, that the company could not afford to carry passengers cheaper than the five-cent rate now in force.

Your committee, however, is of the opinion that Mr. Frenzel is mistaken about the demand for cheaper fares on the part of the people, and we are of the opinion that the company could well afford to sell tickets at the rate of six for twenty-five cents, on account of the very liberal provisions of the franchise or contract now in existence between the city and the company.

Respectfully submitted,

D. A. Myers,  
Chas. A. Gauss,  
O. R. Olsen,  
Committee.

The Committee on Judiciary, together with Select Committee, submitted the following report:

To the Common Council of the City of Indianapolis:

*Gentlemen:*—Your committee, to whom was referred General Ordinance No. 17 in reference to licensing breweries and distilleries, after a careful consideration of the provisions of said ordinance, would respectfully recommend that said ordinance be passed as originally introduced.

Respectfully submitted,

M. D. Yontz,  
Michael J. Burns,  
M. J. Murphy,  
D. A. Myers.

#### MISCELLANEOUS BUSINESS.

Councilman Myers submitted the following petition, accompanied by the following resolution:

To the Common Council of the City of Indianapolis:

*Gentlemen:*—Your petitioner, Michael Neville, would respectfully state that he is the owner of lot ten (10) in Fiscus' subdivision of the east half of block 21, in Johnson's heirs' addition to the city of Indianapolis. That in 1875 the city opened Rohampton street, now known as Bellefontaine street, in front of said lot, and an assessment, for benefits and damages, was placed against said lot in the sum of \$74. That at the time of said assessment the property was owned by Alice Coyner, and was mortgaged, which has since been foreclosed, and through which the petitioner has received the title. That the owner of said lot and the mortgagee, nor any other person, in fact, has ever been served with notice of such assessment, as fully shown by the records of assessments in the office of City Clerk. That there is a question as to the legality of said assessment as heretofore made, and it is uncollectable, but appears as a lien against said lot; and as your honorable body has heretofore relieved other persons by cancelling their assessment upon this property for the opening of said street, when application therefor has been made. Now, therefore, for the purpose of having the above mentioned assessment cancelled as against his said lot, your petitioner offers to pay to the city the sum of ten (10) dollars as a compromise and satisfaction of said claim, and he prays your honorable body will authorize and direct the City Clerk to enter cancellation and satisfaction of said assessment upon the proper records.

MICHAEL NEVILLE.

RESOLUTION No 14, 1891.—*Resolved*, That the City Clerk be and is hereby authorized and directed to cancel and release upon the proper records said assessment for opening of Rohampton street against lot ten (10) in Fiscus' subdivision of east half block 21, in Johnson's heirs' addition, upon the payment of \$10 to the City Treasurer by the said Neville.

Which was referred to the Committee on Judiciary.

Councilman Myers offered the following resolution:

RESOLUTION No. 13, 1891.—*Resolved*, That it is the sense of this body that the city officials should not grant a franchise to the Citizens Street Railroad Company, nor to any other person, persons or corporation, for the purpose of operating a street railway system upon the streets of this city, unless said contract or franchise shall include among other provisions the following.

(1) The transfer system.

(2) The cash fare for a continuous trip shall be five cents, but that said person or persons, company or corporation, shall be compelled to sell six tickets for twenty-five cents, or twenty-five for one dollar, for the first five years of the existence of said franchise, and for the remainder of the term, eight tickets for twenty-five cents, or thirty-three for one dollar, each ticket entitling the holder to a continuous trip.

Which was referred to the Committee on Railroads.

The City Clerk, on behalf of the Mayor, submitted the following communication and request:

To the Members of the Common Council:

*Gentlemen:*—As you are aware the Commercial Club, Board of Trade, political organizations and public press of this city, without regard to party affiliations, are now earnestly inviting the Democratic National Committee to select Indianapolis as the place for the holding of the next Democratic National Convention, and I respectfully recommend to your honorable body that you appoint a committee to represent the city government in its earnest effort to bring here the thousands of representative citizens, who will come from all parts of this country on that occasion.

Respectfully submitted,

T. L. SULLIVAN, Mayor.

Which was read and adopted.

Councilman Rassmann then moved that the Chair appoint a Committee of five.

Which was adopted.

Councilman Coy then moved that the President of the Common Council be made Chairman of said Committee.

Which was adopted.

The Chair then appointed the following Committee: President Yontz, and Councilmen Rassmann, Pearson, Stechhan and Hicklin.

#### PENDING ORDINANCES.

The following entitled ordinance was read the second time, ordered engrossed, and then read the third time:

G. O. No. 17, 1891—An ordinance designating the license fee to be paid the City of Indianapolis by distilleries and breweries, and the depots or agencies in said city of all breweries and distilleries, and all wholesale dealers in malt liquor, as provided for by the Act of the General Assembly of Indiana, approved March 6, 1891.

And it was passed by the following vote:

AYES, 19—viz: Councilman Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper Gauss, Markey, Martindale, Murphy, Myers, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, and President Yontz.

NAYS, 3—viz: Councilmen Hicklin, McGill, and Weber.

On motion of Councilman Rassmann, G. O. 47, 1891, was referred to the Committee on Streets and Alleys.

On motion, G. O. 48, 1891, was referred to the Committee on Streets and Alleys.

Councilman Nolan then called up G. O. 49, 1891.

Which, on motion, was referred to the Committee on Public Health.

On motion, the Common Council then adjourned.

*W. J. Yontz*  
....., President.

*C. P. Swift*  
Attest: ..... City Clerk.