

SPECIAL MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
December 15, 1893. }

The Common Council of the City of Indianapolis met in the Council Chamber, Friday, December 15, 1893, at 8 o'clock P. M., in special session, pursuant to the following call :

INDIANAPOLIS, December 14, 1893.

To the President and Members of the Common Council of the City of Indianapolis :

GENTLEMEN—I deem it expedient that a special meeting of the Common Council should be held prior to the date fixed by the rules for the next regular meeting, and have fixed Friday evening next as the time for such special meeting.

Now, therefore, you, the President and members of said Council, will take notice that I have called, and do hereby call, a special meeting of said body, to be held in the Council Chamber, in said city, on Friday evening, December 15, 1893, at the hour of 8 o'clock.

C. S. DENNY,
Mayor.

I, Lee Nixon, Clerk of the Common Council, do hereby certify that I served above notice upon the President and each member of the Common Council, either in person or by copy of notice left at the last place of residence of such members, prior to time of meeting.

Present, Hon. Wm. H. Cooper, President of the Common Council, in the Chair, and 16 members, viz: Messrs. Allen, Colter, Costello, Drew, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Puryear, Rauh, Schmid, Shaffer, Stein and Young.

Absent, 4—viz: Messrs. Hennessy, O'Brien, Ryan and Stott.

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

Which motion prevailed.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Clerk :

OFFICE OF CITY CLERK,
INDIANAPOLIS, IND., December 15, 1893. }

To the President and Members of the Common Council :

GENTLEMEN—In compliance with General Ordinance No. 71, 1893, entitled "An

ordinance providing for a corporate seal for the City of Indianapolis," I most respectfully report that I have complied with the provisions of said ordinance, and submit herewith an impress of said seal for your inspection.

[SEAL.]

LEE NIXON,
City Clerk.

Communications from City Comptroller :

DEPARTMENT OF FINANCE. }
OFFICE OF CITY COMPTROLLER, }
INDIANAPOLIS, IND., December 15, 1893. }

To the President and Members of the Common Council:

GENTLEMEN—I herewith endorse propositions for the refunding of \$109,500 of the city's bonds, which will become due January 26, 1894. For reasons which appear sufficient to me, and which I am willing to put before you if desired, I would respectfully recommend that the proposition of N. W. Harris & Co. be accepted.

Very respectfully,
P. C. TRUSLER,
City Comptroller.

CHICAGO, December 11, 1893.

Hon. Preston C. Trusler, City Comptroller, Indianapolis, Ind.:

DEAR SIR—As the representative of the owners and holders of certain bonds of the City of Indianapolis, known as the "Southern Park Purchase Bonds," dated January 26, 1874, and maturing January 26, 1894, bearing interest at the rate of seven and three-tenths per centum per annum, and consisting of 219 bonds of \$500 each, for the aggregate amount of \$109,500, we hereby propose to accept in exchange for said bonds, legally issued refunding bonds of the City of Indianapolis in denominations of \$500 each, dated January 26, 1894, and bearing interest at the rate of four per centum per annum, payable semi annually, and due in thirty years from their date, interest and principal of said refunding bonds to be payable at the banking house of Winslow, Lanier & Co., in the city, county and State of New York, we to receive a refunding bond of the new issue for each of the "Southern Park Purchase Bonds" surrendered by us for cancellation. The exchange of said bonds to be effected at the banking house of Winslow, Lanier & Co., in the city and State of New York, as fast as the old bonds are turned over by us.

Yours truly,
N. W. HARRIS & Co.,
By H. W. WHIPPLE.

INDIANAPOLIS, IND., December 14, 1893.

Mr. P. C. Trusler, City Comptroller, Indianapolis, Ind.:

DEAR SIR—We are of the opinion that under Section 31 of the city charter, the City of Indianapolis can not sell a refunding bond without advertising the same and inviting bids. If this opinion is correct, we desire to say that, if the City of Indianapolis should issue \$109,500 of refunding bonds to take up the same amount of outstanding "Southern Park Purchase Bonds," dated January 26, 1874, and maturing January 26, 1894, the bonds to be in denominations of \$500 or \$1,000, dated January 26, 1894, and bearing interest at the rate of 4 per cent. per annum, payable semi-annually and due in thirty years from date; interest and principal to be payable at the banking house of Winslow, Lanier & Co., in the City, County and State of New York, we hereby agree to make a bona-fide offer to take the said bonds and pay par and a premium for the same.

If, however, the city has authority, and is desirous of entering into a contract now for the sale of the said refunding bonds, we hereby agree on notice, to enter into contract to take and pay for the said bonds par and a rate of premium which we will be willing to state on receipt of said notice.

Very respectfully,

THE INDIANA TRUST CO.

By J. P. FRENZEL, *President*.

INDIANAPOLIS, IND., December 15, 1893.

Mr. P. C. Trusler, City Comptroller, Indianapolis, Ind.:

DEAR SIR—Supplementary to my communication to you of December 14, 1893, I beg to enclose an offer for the contemplated issue of refunding bonds of the City of Indianapolis predicated upon the authority of the city to make the exchange without advertising, and ask your kind consideration of the same.

You will notice that the proposition is in the same words exactly as that of N. W. Harris & Co., with the exception that there is an agreement to pay the city \$500 premium.

Yours truly,

THE INDIANA TRUST COMPANY.

By J. P. FRENZEL, *President*.

INDIANAPOLIS, IND., December 15, 1893.

Mr. P. C. Trusler, City Comptroller, Indianapolis, Ind.:

DEAR SIR—As the representative of the owners and holders of certain bonds of the city of Indianapolis, known as the "Southern Park Purchase Bonds," dated January 26, 1874, and maturing January 26, 1894, bearing interest at the rate of $7\frac{3}{10}$ per centum per annum, and consisting of 219 bonds of \$500 each, for the aggregate amount of \$109,500, we hereby propose to accept in exchange for said bonds, legally issued refunding bonds of the City of Indianapolis, in denominations of \$500 each, dated January 26, 1894, and bearing interest at the rate of 4 per centum per annum, payable semi-annually, and due in thirty years from their date; interest and principal of said refunding bonds to be payable at the banking house of Winslow, Lanier & Co., in the City, County and State of New York, we to receive a refunding bond of the new issue for each of the "Southern Park Purchase Bonds" surrendered by us for cancellation, the exchange of said bonds to be effected at the banking house of Winslow, Lanier & Co., in the City and State of New York, as fast as the old bonds are turned over to us, and to pay the city a premium of \$500 upon the date of maturity of the said outstanding bonds, being January 26, 1894.

Yours truly,

THE INDIANA TRUST COMPANY.

By J. P. FRENZEL, *President*.

The various communications were read, and on motion of Mr. Young, were referred to the Committee on Finance.

Mr. Rauh offered the following resolution:

Resolved, by the Common Council of the City of Indianapolis, that the proposition of N. W. Harris & Co. to exchange bonds of the City of Indianapolis, Indiana, amounting to \$109,500.00, bearing interest at the rate of 7.3 per cent. per annum, and which become due January 26, 1894, for refunding bonds bearing interest at the rate of 4 per cent. per annum, and becoming due January 26, 1924, at par. be and the same is hereby accepted, and the Finance Committee is hereby directed to prepare and present an ordinance authorizing the preparation and exchange of said bonds.

Which was read and referred to the Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Mr. Rauh :

G. O. No. 75, 1893. An ordinance providing for the refunding by exchange of certain outstanding bonds of the City of Indianapolis.

WHEREAS, N. W. Harris & Co., of the City of Chicago and State of Illinois have presented and submitted to the head of the department of Finance of the City of Indianapolis, their written proposition, which contemplates refunding of certain outstanding bonds of the City of Indianapolis by exchange for new bonds to be issued by said city, which proposition is herein set out at full length, and is as follows :

CHICAGO, December 11, 1893.

Hon. Preston C. Trusler, City Comptroller, Indianapolis, Ind. :

DEAR SIR: As the representatives of the owners and holders of certain bonds of the City of Indianapolis, known as the "Southern Park Purchase Bonds," dated January 26, 1874, and maturing January 26, 1894, bearing interest at the rate of $7\frac{3}{10}$ per centum per annum, and consisting of 219 bonds of \$500 each, for the aggregate amount of \$109,500, we hereby propose to accept in exchange for said bonds, legally issued refunding bonds of the City of Indianapolis, in denominations of \$500 each, dated January 26, 1894, and bearing interest at the rate of 4 per centum per annum, payable semi-annually, and due in thirty years from their date; interest and principal of said refunding bonds to be payable at the banking house of Winslow, Lanier & Company, in the City, County and State of New York, we to receive a refunding bond of the new issue for each of the "Southern Park Purchase Bonds" surrendered by us for cancellation. The exchange of said bonds to be effected at the banking house of Winslow, Lanier & Company, in the City, County and State of New York as fast as the old bonds are turned over by us.

Yours truly,

N. W. HARRIS & Co.

By H. W. WHIPPLE.

And, WHEREAS, the head of the Department of Finance of said city has examined said proposition and recommends its acceptance as being for the best interests of the City of Indianapolis; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the proposition of N. W. Harris & Co., as set forth in the preamble hereto, be and the same is hereby accepted. And the head of the Department of Finance of the City of Indianapolis is hereby authorized and directed to refund certain outstanding bonds of the City of Indianapolis, by exchanging therefor with the said N. W. Harris & Co., as the representatives of the holders or owners of said bonds, new bonds of said city of the kind and upon the terms and conditions hereinafter stipulated, to-wit: The bonds of said city which the said Comptroller is hereby authorized and directed to refund by exchanging the same, are designated and known as "Southern Park Purchase Bonds," issued January 26, 1874, in the denomination of \$500 each, there being two hundred and nineteen (219) of said bonds in number, bearing interest at the rate of seven and three-tenths ($7\frac{3}{10}$) per centum per annum maturing January 26, 1894, and aggregating the sum of \$109,500.

SEC. 2. That January 26, 1894, shall be used as the date for the refunding of said outstanding bonds and the date which all bonds issued in their stead shall bear. The City Comptroller is hereby authorized and directed to prepare new bonds in the name of the City of Indianapolis, for the purpose of refunding all of the outstanding bonds above named. Each of said new bonds shall be issued for the amount of \$500, bearing interest at the rate of four per centum per annum, and shall have coupons

attached thereto, representing each installment of interest which shall be payable at the office of the banking house of Winslow, Lanier & Company, in the City, County and State of New York, semi-annually on the first days of January and July each year, said coupons to bear the lithographed fac-simile of the signatures of the Mayor and Comptroller. The principal of said bonds shall be payable at the office of the banking house of Winslow, Lanier & Company, in the City, County and State of New York, on the 26th day of January, 1924. Said bonds shall be prepared by the head of the Department of Finance, in due form, irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively, and shall be signed by the Mayor and City Comptroller and attested by the City Clerk thereof, who shall affix the seal of said City to each of said bonds. It shall be the duty of the Head of the Department of Finance at the time of issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated. In said register shall be entered in serial number all the bonds so issued and negotiated, beginning with No. 1; and there shall also be given the date of their issuance, their amounts, date of maturity, rate of interest, and time and place when said interest shall be payable; said bonds shall be known and designated as the "Indianapolis Southern Park Purchase Refunding Bonds of 1894."

SEC. 3. That the City Comptroller is hereby authorized and directed to deliver to the banking house of Winslow, Lanier & Co., in the City, County and State of New York, on or before January 26, 1894, the entire issue of "Indianapolis Southern Park Purchase Refunding Bonds of 1894," as above described for exchange by said N. W. Harris & Co. as the representative of the holders and owners thereof, or by their order at said banking house.

Said City Comptroller or said banking house of Winslow, Lanier & Co., under his supervision and direction, upon the presentation and surrender by N. W. Harris & Co. as such representative, or by their order, of such outstanding bonds of said City, shall deliver to them or to their order the new bonds of said City, which new bonds shall be received at their par value, and thereupon said outstanding bonds, so surrendered, shall be immediately cancelled.

SEC. 4. This ordinance shall take effect and be in force from and after its passage.

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

By Mr. Drew:

G. O. No. 76, 1893. An ordinance to establish stands for express wagons; regulating the use of the same; providing a penalty for the violation thereof; repealing conflicting ordinances; providing for the publication of the same, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That stands for express wagons be established in the following places, to-wit:

1. Along the center line of Missouri street, beginning at a point ten feet north of the sidewalk along the north side of Washington street, extending north to a point within ten feet of the sidewalk along the south side of Market street; also along the center line of Missouri street, beginning at a point ten feet south of the sidewalk along the south side of Washington street, extending south to a point ten feet north of the sidewalk along the north side of Maryland street.

2. On the north side of Maryland street, from a point commencing ten feet east of the sidewalk along the east side of Delaware street, extending east to a point within ten feet of the sidewalk along the west side of Alabama street; on the west side of Alabama street, from a point commencing ten feet north of the north sidewalk along Washington street, extending north to a point within ten feet of the sidewalk along the south side of Market street.

3. In the center of South Pennsylvania street, beginning at a point ten feet south of the sidewalk along the south side of Georgia street, extending south to a point

within ten feet of the sidewalk along the north side of South street, excepting, however the spaces occupied by cross streets and sidewalks and ten feet on either side thereof.

Provided, however, That in the use of the places above mentioned, express wagons, or the teams attached thereto, shall not be allowed to stand closer than within ten feet of each other, nor shall the expressmen, or men who are the owners, or drivers, or in charge of such express wagon, be allowed to congregate in one place, nor shall more than two of such persons be or remain with each wagon.

SEC. 2. It shall be unlawful for any person to stand an express wagon at any other place in said City than at the above described stands, unless such person is standing at such place pursuant to an order already had to deliver or receive goods.

SEC. 3. It shall be unlawful for any person occupying any part of such stands to allow manure or other filth to accumulate at the place or places so occupied by such person, but it shall be the duty of such person to keep such part of any such stand at all times clean and free from offal or filth of every description.

The Board of Health of said City shall have power to order any person using said stands or any part thereof to clean the same, and it shall be the duty of the person so notified to immediately obey said notice. It shall be the further duty of any such person so occupying any part of said stand to remove away from the same whenever requested so to do by any person who shall desire to occupy the same temporarily for the purpose of delivering or receiving any persons or merchandise.

SEC. 4. It shall be unlawful for any person occupying any of the stands designated in Section 1 of this ordinance to congregate in one place or to use loud, profane, boisterous or obscene language, or to obstruct or blockade any sidewalk, or to leave their express wagon for the purpose of soliciting trade a greater distance than ten feet.

SEC. 5. Any person violating any of the provisions of this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding twenty-five dollars, to which may be added imprisonment for a period not exceeding thirty days.

SEC. 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEC. 7. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the *Indianapolis Sun*, a daily newspaper printed and published in said City.

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

By Mr. Young :

G. O. No. 77, 1893. An ordinance to amend Section 2 of an ordinance entitled "An ordinance providing for a license upon vehicles drawn upon the streets of the City of Indianapolis, Indiana; regulating the construction and dimensions of tires to be used on such vehicles, and providing penalties for the enforcement of the same; also for the publication thereof, and the date when the same shall take effect." Being General Ordinance No. 61, 1893, passed by the Common Council of the City of Indianapolis, November 20, 1893; providing for the publication thereof, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 2 of an ordinance entitled, "An ordinance providing for a license upon vehicles drawn upon the streets of the City of Indianapolis, Indiana; regulating the construction and dimensions of tires to be used on such vehicles, and providing penalties for the enforcement of the same; also for the publication thereof, and the date when the same shall take effect," being General Ordinance No. 61, 1893, passed by the Common Council of the City of Indianapolis, Indiana, November 20, 1893, be amended so as to read as follows :

SEC. 2. All vehicles used exclusively for bringing to market any produce or provision of the owner's own raising; all vehicles owned by persons engaged as gardeners, fruit growers or florists; all vehicles belonging to any person or persons liv-

ing without said city engaged in huckstering and marketing produce into or from said city, or belonging to persons engaged in farm gardening or huckstering, or in hauling goods or merchandise to or out of said city; all vehicles belonging to any person or persons without said city engaged in manufacturing within or without said city and used in the hauling of goods or merchandise to or out of said city; and all vehicles belonging to any dairyman or manufacturer of brick, or belonging to any person or persons living without said city engaged in selling or delivering ice. Such owners, or the lessees, of the above mentioned vehicles shall pay an annual license fee upon their vehicles upon the streets of said city as follows:

1. On each one-horse wagon, three dollars.
2. On each two-horse wagon, five dollars.
3. On each four-horse wagon, eight dollars.
4. On each two-horse wagon used for hauling brick or ice, eight dollars; and on each four-horse wagon for either such purposes, twelve dollars.

Provided, That any person residing without said city, and conducting a business in said city, and going to and from his business by any vehicle, shall pay the license fee as stipulated herein.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the *Indianapolis Sun*, a daily newspaper printed and published in said city.

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

MISCELLANEOUS BUSINESS.

Mr. Rauh offered the following communications:

INDIANAPOLIS, IND., December 15, 1893.

P. C. Truster, Comptroller of the City of Indianapolis, and Members of the Common Council of the City of Indianapolis:

GENTLEMEN—We submit the following proposition for the refunding and exchange of certain bonds of the City of Indianapolis, known as the "Southern Park Purchase Bonds," dated January 26, 1874, and maturing January 26, 1894, bearing interest at the rate of $7\frac{3}{10}$ per centum per annum, and consisting of 219 bonds for five hundred dollars (\$500) each, for the aggregate amount of one hundred and nine thousand five hundred dollars (\$109,500):

We will take legally issued refunding bonds of the City of Indianapolis in denominations of five hundred dollars (\$500) each, dated January 26, 1894, and bearing interest at the rate of 4 per cent. per annum, payable semi-annually, and due in thirty years from their date; interest and principal of said refunding bonds to be paid at the banking house of Winslow, Lanier & Co., in the City, County and State of New York, at par. And in addition thereto we will pay a premium of one thousand and ninety dollars (\$1,090). Said bonds to be delivered at the banking house of Winslow, Lanier & Co., in the City of New York, and there exchanged for such of the said Southern Park Bonds, ex interest, bond for bond, as we may tender, the balance of the purchase price and the premium to be paid in cash.

Yours respectfully,

LAMPRECHT BROS. & Co.,
Cleveland, Ohio.

By GEO. M. HAWKINS.

INDIANAPOLIS, IND., December 15, 1893.

P. C. Truster, Comptroller:

SIR—As the representative of the owners and holders of certain bonds of the City of Indianapolis, known as the "Southern Park Purchase Bonds," dated January 26,

1874, and maturing January 26, 1894, bearing interest at the rate of 7 $\frac{1}{2}$ % per centum per annum, and consisting of 219 bonds of \$500 each, for the aggregate amount of \$109,500, we hereby propose to accept in exchange for said bonds, legally issued refunding bonds of the City of Indianapolis, in denominations of \$500 each, dated January 26, 1894, and bearing interest at the rate of 4 per centum per annum payable semi-annually, and due twenty years from their date; interest and principal of said refunding bonds to be payable at the banking house of Winslow, Lanier & Co., in the City, County and State of New York, we to receive a refunding bond of the new issue for each of the "Southern Park Purchase Bonds" surrendered by us for cancellation, the exchange of said bonds to be effected at the banking house of Winslow, Lanier & Co., in the City and State of New York, as fast as the old bonds are turned over to us.

Yours respectfully,

LAMPRECHT BROS. & Co.

By GEO. M. HAWKINS.

Which were read and referred to the Committee on Finance.

By consent, Comptroller Trusler was granted the privilege of making an explanation, and stated to the Council that he had no knowledge of the foregoing communications from Lamprecht Bros. & Co., and that it was not his intention to keep anything from the Council relative to the matter under discussion.

On motion of Mr. Young, the Common Council, at 8:15 o'clock P. M., adjourned.

H. H. Cooper

President.

ATTEST:

Lee Wray