

REGULAR MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS,  
November 19, 1894. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 19, 1894, at 8 o'clock, in regular meeting.

Present, Hon. Wm. H. Cooper, President of the Common Council, in the chair, and 17 members, viz: Messrs. Allen, Colter, Costello, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer and Young.

Absent, 3—viz: Messrs. Drew, Stein and Stott.

The Clerk proceeded to read the Journal, whereupon Councilman Young 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,  
November 10, 1894. }

*To the President and Members of the Common Council:*

GENTLEMEN—I have the honor to report that in compliance with the request of the Special Committee on Parks, recently appointed by the Commercial Club, I have this day named as the city representatives on said committee, the following named members of your honorable body: William H. Cooper, George Merritt and Patrick J. Ryan. The action of the Commercial Club names the City Civil Engineer and myself as members of said committee. I have asked Col. Oran Perry, Geo. G. Tanner and Samuel H. Shearer to act with us as advisory members of said committee.

Respectfully submitted,  
C. S. DENNY,  
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, November 19, 1894.

*To the President and Members of the Common Council :*

GENTLEMEN—On March 19th, I submitted a communication to your honorable body recommending that steps be taken looking to the construction of at least two viaducts at once, and two others in the near future, naming the crossings at Kentucky avenue, Massachusetts avenue, East Washington street, and West Washington street near the Belt Railroad track, as the ones probably deserving your first attention. In the communication I also recommended that you should promptly consider the propriety of hereafter forbidding the stringing of telegraph, telephone and electric light wires overhead in the center of the city, and of requiring all such wires as are now suspended on poles in said section, to be taken down and buried. Said communication was referred to your Committee on Railroads. Shortly thereafter, said committee, the members of the Board of Public Works, the City Civil Engineer, City Attorney, and myself, were invited by the officers of the Commercial Club to co-operate with a committee of said Club in making a thorough investigation into the feasibility and practicability of elevating the railroad tracks, instead of constructing viaducts. Thereupon, I addressed a communication to your honorable body, suggesting that you suspend action on that part of my message referring to the construction of viaducts, until the question of track elevation could be properly considered.

Since then a number of meetings have been held, at two of which an exhaustive report by City Engineer Brown (accompanied by plans, specifications and estimates of the cost of elevated tracks for passenger trains between White river and the first alley east of Pine street), was considered. Representatives of the various railroad companies were present at the last of said meetings.

Without entering into details as to the views expressed by the various members of the committees and railroad officials, I will simply say that the Engineer's report clearly demonstrates the feasibility of track elevation, so far as the handling of passenger trains between the points named is concerned. I mean by this that there are no insurmountable difficulties in the way, from a purely engineering standpoint. The cost, however, would be very great, reaching \$2,000,000 for the part of the work above indicated. But the question of how to handle the local freights received and sent out presents the most serious obstacle. While the Engineer's report shows that it would be possible to elevate the tracks of some of the roads, leading from their surface tracks into the freight yards, and to there handle the freights by a system of lifts, yet this could only be accomplished at an enormous additional outlay and detriment to property. Besides, all surface tracks now laid would necessarily have to remain and be used for serving the various factories, mills, coal yards and business houses located along them.

The railroad companies all oppose the scheme of track elevation. Through their spokesmen, Messrs. McCrea and Dye, they presented many strong arguments from their standpoint, against any attempt to proceed further with the project, and gave the Commercial Club committee to understand that the roads will not further treat with them or the city authorities on the subject.

The provisions of the charter are not sufficiently broad or explicit to enable your honorable body to compel the railroad companies to either elevate their tracks, as suggested by the Commercial Club, or to pay any part of the cost thereof. It is not probable that such legislation can now be procured as would put it within the power of the city to compel the carrying out of the proposed scheme; for, in any event, the city's part of the cost would likely be fixed so high as to render it impracticable, if not impossible, for her to unite with the railroad companies in this work.

Considering all phases of the question, therefore, in the light I now have, I do not believe it will be prudent to further consider the track elevation scheme at this time. If it should ever be successful at all, it will be many years in the future. While there are some objections to viaducts, I think the construction of a few such passage-ways in the near future, as originally suggested by me, is the only practical solution of the difficulties now existing. I therefore renew my recommendations of

March 19th on the subject of viaducts, and trust that rapid progress may now be made along the lines suggested. Ample power is furnished in Section 23 of the charter to require railroad companies to construct, at their own cost, as many viaducts as are needed.

I also respectfully, but urgently request, that your honorable body will proceed at once with the consideration of the other matter submitted by me in said communication of March 19th, viz: the burying of wires in the business district of the city. The recent experience of the fire department at the fire on South Pennsylvania street, makes the matter too serious a one to be longer delayed.

Respectfully submitted,  
C. S. DENNY,  
Mayor.

Which was read and referred to Committee on Railroads.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE.  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., November 19, 1894. }

To the President and Members of the Common Council:

GENTLEMEN—I inclose herewith a communication from the Department of Public Works, asking for transfer of funds, and would recommend that the request be granted.

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

DEPARTMENT OF PUBLIC WORKS,  
CITY OF INDIANAPOLIS,  
November 17, 1894. }

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

DEAR SIR—Will you kindly recommend that the sum of \$800 be transferred from the fund known as "Garfield Park" to the fund known as "Streets and Alleys;" and that the sum of \$3,250 be transferred from the "Water" fund to the "Bridge" fund?

Very respectfully,  
J. A. WILDMAN,  
ANDREW KRAMER,  
F. J. MEYER,  
Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Merritt, on behalf of the Committee on Judiciary, to whom was referred:

G. O. No. 59, 1894. An ordinance authorizing payment for vapor lights and gas lights furnished to the city.

Made the following report:

INDIANAPOLIS, IND., November 19, 1894.

Your committee to whom was referred G. O. No. 59, 1894, have had the same under consideration, and recommend that it be passed.

GEO. MERRITT.  
WM. HENNESSY.

Which was read and concurred in.

#### APPROPRIATION ORDINANCES.

Under this order of business the following ordinances were introduced.

By Mr. Rauh:

App. O. No. 15, 1894. An ordinance authorizing the transfer of \$800 to a fund other than that for which it was originally appropriated, and matters connected therewith.

WHEREAS, In Appropriation Ordinance No. 11, 1894, a certain sum, being the unexpended balance under Appropriation Ordinance No. 13, 1893, was appropriated to the Department of Public Works of the City of Indianapolis, and designated as follows: "For the maintenance and improvement of Garfield Park;" and,

WHEREAS, It appears that at least eight hundred dollars (\$800) of said sum will not be needed for the purpose for which it was appropriated; and,

WHEREAS, It appears that the Department of Public Works requires the sum of eight hundred dollars (\$800) for the "Street and Alley" fund of said Department;

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Comptroller be and he hereby is authorized and directed, out of the moneys heretofore appropriated for the use of the Department of Public Works for "maintenance and improvement of Garfield Park," to transfer and charge the sum of eight hundred dollars (\$800) to the fund for "Streets and Alleys" of said Department of Public Works.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

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

By Mr. Rauh:

App. O. No. 16, 1894. An ordinance authorizing the transfer of three thousand two hundred and fifty dollars to a fund other than that for which it was originally appropriated, and matters connected therewith.

WHEREAS, In Appropriation Ordinance No. 11, 1894, a certain sum was appropriated to the Department of Public Works of the City of Indianapolis, and designated as follows: "For Water;" and,

WHEREAS, It appears that at least three thousand two hundred and fifty dollars (\$3,250) will not be needed for the purpose for which it was appropriated; and,

WHEREAS, It appears that the Department of Public Works requires the sum of three thousand two hundred and fifty dollars (\$3,250) for the "Bridge" fund of said Department;

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Comptroller be and he hereby is authorized and directed, out of the moneys heretofore appropriated for the use of the Department of Public Works for "Water," to transfer and charge the sum of three thousand two hundred and fifty dollars (\$3,250) to the fund for "Bridges" of said Department of Public Works.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read 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. 63, 1894. An ordinance in relation to Ft. Wayne avenue and the changing of the name thereof.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the name of the street extending northeast from Pennsylvania street at North street, and extending to the intersection of St. Mary street and Central avenue in said city, the same being Ft. Wayne avenue, be and the same is hereby changed to Central avenue.

SEC. 2. This ordinance shall be in force and effect from and after its passage.

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

By Mr. Shaffer :

G. O. No. 64, 1894. An ordinance to prohibit the injuring of any improved sidewalk, and matters connected therewith.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person to throw, hurl or cast any hitching weight or block, or any hard or heavy material or object, on or upon the surface of any cement, brick, or other smooth surface improved sidewalk in any street or alley in said city.

SEC. 2. It shall be unlawful for any person to break, cut into, or in any way injure the surface of any cement, brick, or other smooth surface improved sidewalk in any street or alley in said city.

SEC. 3. Any person violating any provision of this ordinance shall, on conviction, be fined in any sum not exceeding fifty dollars.

SEC. 4. 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 of general circulation, printed and published in said city.

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

By Mr. Koehring :

G. O. No. 65, 1894. An ordinance permitting M. C. Staley to erect a frame dwelling house on McCarty street, the same to be partly within the fire limits.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That permission be granted to M. C. Staley to erect a frame dwelling house on lots 35 and 36 of out-lot 41 of Greer & Water subdivision, the same to front on McCarty street and to be partly within the fire limits.

SEC. 2. The ordinance shall be in full force after its passage.

Which was read first time.

Mr. Koehring moved that the constitutional rules be suspended for the purpose of placing G. O. No. 65, 1894, on its final passage.

Which motion was adopted by the following vote :

AYES 18—viz: Messrs. Allen, Colter, Costello, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS—None.

Thereupon G. O. No. 65, 1894, was read second time, ordered engrossed, read third time, and passed by the following vote :

AYES 18—viz: Messrs. Allen, Colter, Costello, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer, Young and President Cooper.

NAYS—None.

#### MISCELLANEOUS BUSINESS.

Mr. Schmid offered the following resolution :

Resolution No. 17, 1894—

WHEREAS, Prospect street, from Reid street to the corporation line is in bad condition, and has never been cleaned or repaired since the surrounding territory was annexed to the city ; and,

WHEREAS, Said street is in constant use as an outlet to travel to and from the city ; and,

WHEREAS, The conditions are not such as to justify the forcing of an expensive pavement upon an unwilling people ;

*Resolved*, That in the opinion of the Common Council the residents on this street, and vehicles using the same, should not be punished or discriminated against, and that the Department of Public Works be and is hereby respectfully requested to take the necessary steps to have this street repaired with gravel, and have foot-bridges and crossings put in as in other cases and other streets.

Mr. Schmid moved its adoption.

Mr. Ryan moved as a substitute that resolution be referred to Committee on Sewers, Streets and Alleys.

Which motion prevailed.

Mr. Rauh submitted the following petition :

INDIANAPOLIS, IND., October 19, 1894.

*To the Honorable, the Common Council of the City of Indianapolis :*

GENTLEMEN—The undersigned, residents and property owners on Coburn street, between East street and Madison avenue, would respectfully represent to your honorable body that in the year 1891 said Coburn street was, by order of the Board of Public Works of the City of Indianapolis, permanently improved with brick ; that said work was done by Robert Kennington, contractor ; and the undersigned citizens, your petitioners, would further respectfully represent that said work upon said street was not first-class work nor the materials used therein was not first-class material, in consequence of which said street is almost in as bad a condition as it was before it was permanently improved. They aver that a large number of brick used in said street were only common brick—that the street is full of chuck-holes ; they further represent that they have complained of the condition of the street, and of the inferior material used in its improvement, to the Board of Public Works which

originally let the contract to said contractor, asking that he be compelled to repair the same, but without success; that said Board of Public Works has since been succeeded by the present Board, to whom they have also applied for redress, but also without success. Your petitioners further represent that they have been assessed and have paid for the improvement of said street a large sum of money and were entitled to first-class work, which they did not receive, and having failed to procure the relief to which they are entitled from said Board of Public Works, they now respectfully present the matter to your honorable body for consideration and action, requesting the appointment of a committee from your body to first inspect the street as it now appears, and then take such steps as will compel the contractor to repair said street, so as to make it passable without danger to the public. In the interest of good government and fair play, we respectfully submit this, our petition, for your favorable consideration.

Respectfully,

[Sixteen signers.]

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

Mr. Allen submitted the following petition:

*To the Common Council of the City of Indianapolis:*

GENTLEMEN—The undersigned, owners of real estate fronting on Bedford avenue and Sutherland avenue, from Central avenue to Twenty-first street, respectfully petition for the passage of a resolution providing for changing the name of the southwestern end of said avenue (which is now called Bedford avenue) to that of Sutherland avenue, said street being the one which commences on the southwest near the Central avenue bridge and Fall Creek and follows around the bend of said creek to Twenty-first street, formerly known as the Fall Creek and Millersville Gravel Road.

J. E. Boswell, about 450 ft.; John S. Fleming, about 700 ft.;  
Mary E. Losey, about 600 ft.; Agnes C. Brown, about 800  
ft.; W. V. Rooker, 215 ft.; J. L. Wright & Co., 164 ft.

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

On motion of Mr. Young, President Cooper appointed the following members as a legislative committee to look after the city's interests in the General Assembly: Messrs. Young, Allen, Costello, Rauh and Merritt.

#### ORDINANCES ON SECOND READING.

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

G. O. No. 59, 1894. An ordinance authorizing payment for vapor lights and gas lights furnished to the city.

And was passed by the following vote:

AYES 17—viz: Messrs. Allen, Colter, Costello, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, O'Brien, Puryear, Rauh, Ryan, Schmid, Shaffer and President Cooper.

NAYS 1—viz: Mr. Young.

On motion of Mr. Rauh, the Common Council, at 8:30 o'clock P. M., adjourned.

ATTEST:

*H. H. Cooper*  
.....  
*Lee Nixon*  
.....

*President.*

*City Clerk.*