

REGULAR MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS,  
June 20, 1898. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 20, 1898, at 8 o'clock, in regular meeting.

Present, Hon. John H. Mahoney, President of the Common Council, in the chair, and 20 members, viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith and Von Spreckelsen.

Absent—None.

The Clerk proceeded to read the Journal, whereupon Councilman Madden 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.  
INDIANAPOLIS, IND., June 9, 1898. }

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

Gentlemen—I have this day approved the following resolution and ordinances:

Resolution No. 9, 1898. A resolution naming the appointment of Inspectors, Judges and Clerks of Election of School Commissioners in Districts Nos. 4, 7 and 8, on Saturday, June 11, 1898.

App. O. No. 6, 1898. An ordinance appropriating the sum of \$28.08 for the use of the Department of Finance, and fixing the time when the same shall take effect.

G. O. No. 26, 1898. An ordinance establishing the grade of Southeastern avenue, and requiring the Pittsburg, Cincinnati, Chicago and St.

Louis Railway Company and Cincinnati, Hamilton & Indianapolis Railway Company each to make its tracks to conform to such grade, and fixing the time when the same shall take effect.

G. O. No. 40, 1898. An ordinance providing for the change of the name of Andrews street to Dewey avenue, and fixing the time when the same shall take effect.

Respectfully submitted,

T. TAGGART,  
*Mayor.*

Which was read and ordered spread on the minutes.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Bernauer, on behalf of the Committee on Accounts and Claims, to which was referred:

G. O. No. 47, 1898. An ordinance to regulate the sale of ice in the City of Indianapolis, to provide for the weighing of the same, prescribing penalties for the violation of its provisions, and providing for its taking effect.

Made the following report:

INDIANAPOLIS, IND., June 20, 1898.

*Hon. John H. Mahoney, President of the Common Council:*

Dear Sir—We, your Committee on Accounts and Claims, have had under consideration G. O. No. 47, 1898, and recommend that the same do pass.

EDWARD E. BERNAUER.  
JOHN H. CRALL.

Which was read and concurred in.

Mr. Colter, on behalf of a majority of the Committee on Contracts and Franchises, to which was referred:

G. O. No. 44, 1898. An ordinance approving a certain contract, granting the Cincinnati, Hamilton & Indianapolis Railway Company and the Indianapolis Manufacturers' and Carpenters' Union the right to lay and maintain three switches or side-tracks across South New Jersey street, in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, IND., June 20, 1898.

*Mr. President:*

We, your Committee on Contracts and Franchises, have had under consideration G. O. No. 44, 1898, and respectfully recommend that the same do pass.

GEO. R. COLTER.  
JOHN H. SCANLON.  
ALBERT E. RAUCH.  
JOHN A. VON SPRECKEISEN.  
JAMES H. COSTELLO.  
GEO. W. SHAFFER.

Which was read.

Mr. Little, on behalf of the minority of the Committee on Contracts and Franchises, to which was referred G. O. No. 44, 1898, made the following report:

INDIANAPOLIS, IND., June 20, 1898.

*Mr. President:*

The minority of your Committee on Contracts and Franchises have had under consideration G. O. No. 44, 1898, and do respectfully beg leave to submit the following report:

The ordinance refers to the laying of surface tracks in and across New Jersey street, in this city. The Democrats adopted, in their last city campaign, the following:

"We are opposed to the laying of any railroad tracks across or upon any streets in this city, unless there should be great public necessity therefor, and in the case of South Delaware street, where an effort has been made to lay additional tracks, there is no such public necessity. We are therefore opposed to the laying of such tracks. We demand that the city government work steadily to give relief from the danger and inconvenience of grade crossings by concentration and elevation of railroad tracks through the city."

The people, relying upon the faith and pledges made to them during the city campaign of 1897, returned the Democrats to power again in this city. And as the South Side has been imposed upon and property depreciated by the numerous tracks that have been allowed to cross their streets, we feel that it is unjust to the citizens and voters of the South Side to permit additional tracks to be laid across New Jersey street at this time. Believing that the people's interests of the South Side should be protected in this, we respectfully recommend that G. O. No. 44, 1898, do not pass.

EDWARD W. LITTLE.  
W. W. KNIGHT.

Which was read.

Mr. Little moved that the minority report be substituted for the majority report.

Which motion was lost by the following vote:

AYES 5—viz.: Messrs. Knight, Little, Madden, Smith and President Mahoney.

NAYS 16—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer and Von Spreckelsen.

Whereupon the majority report was concurred in.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Knight:

G. O. No. 48, 1898. An ordinance requiring the Jeffersonville, Madison & Indianapolis Railroad Company to station and maintain a flagman at

Raymond street, where the tracks of said company cross the same, providing a penalty for the violation 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 the Jeffersonville, Madison & Indianapolis Railroad Company be and the same is hereby directed and required to station and maintain a flagman at Raymond street where the railroad tracks of said company cross said Raymond street, in such manner as to give notice and warning to the general traveling public passing along said street and crossing the said tracks of said company of the approach of all trains, cars and engines run or operated over and upon the said tracks at said crossing. If said company shall fail or refuse to station and maintain the flagman at said crossing, as required in this section, it shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars nor less than ten dollars, and each day's continuance of the failure or refusal of said company to station and maintain the said flagman at said crossing as aforesaid shall constitute a separate offense.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two successive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation printed and published in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Railroads.

By Mr. Harston:

G. O. No. 49, 1898. An ordinance prohibiting the playing upon calliopes in the City of Indianapolis, providing penalties for the violation thereof, and fixing the time of its taking effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person to play upon any calliopo within the corporate limits of said city, or to so handle, manipulate or use any such instrument as to cause any noise to be made thereby or emitted therefrom.

Sec. 2. Any person convicted of having violated the preceding section of this ordinance shall be fined in any sum not less than ten nor more than fifty dollars.

Sec. 3. This ordinance shall be in force from and after its publication once each week for two consecutive weeks in the Indianapolis Sentinel, a newspaper having a general circulation in said city.

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

#### MISCELLANEOUS BUSINESS.

Mr. Little submitted a communication from the Commercial Club Elevated Railroad Commission, and requested that the same be read.

Mr. Shaffer objected to the reading of communication.

Mr. Scanlon moved that the communication be read.

Which motion prevailed.

Whereupon the communication was read:

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

Gentlemen—The Elevated Railroad Commission of the Commercial Club appeals to the Common Council of the City of Indianapolis to grant no rights to railroad companies for the laying of additional tracks at surface grade across streets in this city. We make this appeal in the interest of the public as the least that can be done by the Council at this time toward aiding the solution of the grade crossing problem, which is now generally recognized as one of the most serious confronting American municipalities. In other large cities, where the public demand for relief has been unyielding, railroad companies are either elevating their tracks or are co-operating with the municipalities in abolishing grade crossings. In Indianapolis, aside from the interruption of street traffic and the dangers to which they subject the public, the railroad tracks constitute sectional lines which divide the city and seriously affect all property that must be reached by crossing them. The hardships which they entail fall upon a very large proportion of the population. The present conditions place upon the public all inconveniences. The time is at hand in Indianapolis, as in other large and growing cities, when it is important to take steps toward restoring public rights on streets. It has been the endeavor of this Commission during the last four years to induce the railroad companies to co-operate in bringing about a solution of the problem which would be adequate and at the same time cause the least possible hardship to all concerned, but it is a cause of sincere regret to us that they have shown no willingness to do this—no willingness to do anything that will advance the movement. While it would be more satisfactory and doubtless better for the railroad companies to proceed harmoniously and in co-operation with the public to provide relief from the present conditions, their unwillingness to give this aid makes it important that there should be no additional grants permitting grade crossings.

Public rights should be firmly protected by those who have been entrusted with this duty, and if this is done we believe it will hasten the complete solution of the problem of providing adequate facilities for the railroads in Indianapolis, while at the same time relieving the public from the inconveniences, dangers and great hardships of grade crossings. We appeal to the members of the Council, as the official representatives of the city, to stand as firmly for public rights as the railroad companies are zealous and unyielding in promoting their own interests.

WILLIAM FORTUNE, *Chairman*,  
D. P. ERWIN,  
H. BAMBERGER,  
J. W. HERVEY,  
JOHN H. HOLLIDAY,  
I. N. RICHIE,  
A. M. OGLE,  
THOS. C. DAY,  
A. C. AYRES,  
C. C. FOSTER,

*Commercial Club Elevated Railroad Commission.*

Mr. Crall offered and moved the adoption of the following resolution:

Resolution No. 10, 1898.

Whereas, The State of Indiana has erected in our beautiful city a Soldiers' and Sailors' Monument which in design and construction is surpassed by none in the world, and to which the people of our city can justly point with pride; and

Whereas, The City of Indianapolis is indebted and owes a deep and lasting obligation to the State of Indiana for the erection of said monument in our midst, thereby beautifying our city and making the street that surrounds it one of the most attractive spots on the earth; and

Whereas, It is only just that the people of the City of Indianapolis should express their gratitude to the State for what it has done by making the place still more beautiful; and

Whereas, Our city will be honored in the near future by the National Meetings of the League of American Wheelmen and Knights of Pythias, and it is only an honor to the State and a credit to the city that Monument Place should be made one of the attractive places for our visiting friends; therefore, be it

Resolved, That we request the Board of Public Works to have the city place on each corner intersecting the street known as Monument Place electric lights of beautiful and modern design, making eight in all, and that the owners of the property between each intersecting street be requested to place near the curb two lights of same design, thereby making it one of the most beautifully lighted places in the world. Be it further

Resolved, That the President of this Council appoint a committee of three to give this matter immediate attention and report at the next regular meeting.

Which was read and adopted by the following vote:

AYES 20—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS 1—viz.: Mr. Moffett.

And President Mahoney appointed the following committee in compliance with above resolution: Messrs. Costello, McGrew and Crall.

Mr. Rauch offered and moved the adoption of the following resolution:

Resolution No. 11, 1898.

Whereas, The Hon. Thomas Taggart, Mayor of the City of Indianapolis, has received a communication from Mr. Wm. B. Hord proposing a plan by which the City of Indianapolis may purchase the entire plant of the Indianapolis Water Company, located in said city, and stating that he, said William B. Hord, believes the stockholders of said company will agree to such plan; and

Whereas, We, the members of the Common Council of said city, believe it to be to the best interests of all the citizens thereof that the City of Indianapolis should own and control its own waterworks; therefore, be it

Resolved, by the Common Council of the City of Indianapolis, Indiana, that the Mayor and Board of Public Works be and they are hereby authorized and directed to enter into immediate communication with said William B. Hord and stockholders of said Water Company, for the purpose of procuring from them a definite and specific proposition along the lines and upon the plan indicated in said former communication, by which the City of Indianapolis may purchase the said plant of the Indianapolis Water Company, located in said city, provided the said plan suggested by Mr. Hord can be consummated in a legal manner.

Which was read and adopted by the following vote:

AYES 21—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer, Smith, Von Spreckelsen and President Mahoney.

NAYS—None.

#### ORDINANCES ON SECOND READING.

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

G. O. No. 47, 1898. An ordinance to regulate the sale of ice in the City of Indianapolis, to provide for the weighing of the same, prescribing penalties for the violation of its provisions, and providing for its taking effect.

And was passed by the following vote:

AYES 17—viz.: Messrs. Allen, Bernauer, Bowser, Clark, Colter, Costello, Crall, Harston, Higgins, Knight, Little, Madden, Merrick, Scanlon, Shaffer, Von Spreckelsen and President Mahoney.

NAYS 4—viz.: Messrs. Moffett, McGrew, Rauch and Smith.

On motion of Mr. Colter, the following entitled ordinance was taken up and read a second time:

G. O. No. 44, 1898. An ordinance approving a certain contract, granting the Cincinnati, Hamilton & Indianapolis Railway Company and the Indianapolis Manufacturers' and Carpenters' Union the right to lay and maintain three switches or side-tracks across South New Jersey street, in the City of Indianapolis, Indiana.

Mr. Colter moved that G. O. No. 44, 1898, be ordered engrossed, and read a third time.

Mr. Little moved that further action on G. O. No. 44, 1898, be deferred until next regular meeting of Council.

The ayes and nays being called for by Messrs. Little and Madden, Mr. Little's motion was lost by the following vote:

AYES 6—viz.: Messrs. Bowser, Knight, Little, Madden, Smith and President Mahoney.

NAYS 15—viz.: Messrs. Allen, Bernauer, Clark, Colter, Costello, Crall, Harston, Higgins, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer and Von Spreckelsen.

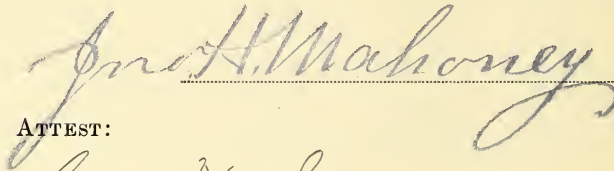
Whereupon Mr Colter's motion prevailed.

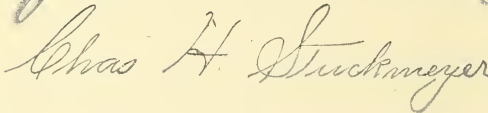
G. O. No. 44, 1898, was then read a third time, and passed by the following vote:

AYES 15—viz.: Messrs. Allen, Bernauer, Clark, Colter, Costello, Crall, Harston, Higgins, Merrick, Moffett, McGrew, Rauch, Scanlon, Shaffer and Von Spreckelsen.

NAYS 6—viz.: Messrs. Bowser, Knight, Little, Madden, Smith and President Mahoney.

On motion of Mr. Shaffer, the Common Council, at 8:55 o'clock P. M., adjourned.

  
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 President.

ATTEST:  
  
 City Clerk.