

REGULAR MEETING.

COUNCIL CHAMBER,  
CITY OF INDIANAPOLIS, }  
June 19, 1899. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 19, 1899, 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 Von Spreckelsen 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 10, 1899. }

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

Gentlemen—I have this day approved the following ordinances:

G. O. No. 20, 1899. An ordinance requiring the Pittsburg, Cincinnati, Chicago & St. Louis Railroad Company, to station a flagman at the crossing of Minnesota street.

G. O. No. 22, 1899. An ordinance authorizing the sale of certain real estate belonging to the City of Indianapolis (part of Riverside Park).

G. O. No. 78, 1898. An ordinance declaring the emission into the open air of dense smoke, containing soot or other deleterious substances, from

the smokestacks, chimneys or flues of any building or structure within the City of Indianapolis, to be a nuisance, and prohibiting the same.

Respectfully submitted,

T. TAGGART,  
*Mayor.*

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., June 19, 1899. }

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

Gentlemen—The Department of Public Works, having asked for the appropriation of the sum of \$150,000 for the purpose of building new bridges, I hereby recommend said appropriation.

As there is not now such a sum unappropriated in the City Treasury, I herewith send you an ordinance authorizing the issue of bonds in said amount. The bonds authorized by this ordinance will fall due at different periods from five to fourteen years and will bear interest at the rate of 3½ per cent. The ordinance also provides for the appropriation of the amount named to the Bridge Fund.

Very respectfully,

E. M. JOHNSON,  
*City Comptroller.*

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,  
OFFICE OF CITY COMPTROLLER,  
INDIANAPOLIS, IND., June 19, 1899. }

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

Gentlemen—I send you herewith, with my approval, a communication from the Department of Public Safety, asking the transfer of \$1,900 from funds of the Department of Public Safety to the Electrical Department Fund.

Very respectfully,

E. M. JOHNSON,  
*City Comptroller.*

DEPARTMENT OF PUBLIC SAFETY,  
OFFICE OF THE BOARD  
INDIANAPOLIS, IND., June 9, 1899. }

*Mr. E. M. Johnson, City Comptroller:*

Dear Sir—The Board of Public Safety respectfully requests that you recommend to the Common Council the transfer of \$1,900 to the Elec-

trical Department Fund of the Station House from the following funds of this Board:

From the Hose Fund of the Fire Force,	\$1,500
From the New Horse Fund of the Station House,	400
	\$1,900

The reason for asking the foregoing transfer is to enable the Board to pay out of the Electrical Department Fund a bill for \$2,500 from the Gamewell Fire-Alarm Telegraph Co., for the storage battery now in use at the Station House. This battery was placed in service last year with the understanding that if after six months trial it proved satisfactory the city was to purchase it. The six months being now more than up, and the battery having given good service, the Board is desirous of paying the agreed price. The amount asked to be transferred, it is thought, can be spared from the two funds mentioned.

Yours very truly,

EDWARD H. DAVIS, *Secretary.*

Which was read and referred to Committee on Finance.

#### REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Bernauer, on behalf of the Committee on Fees and Salaries, to which was referred:

G. O. No. 9, 1899. An ordinance fixing the salary of the Assistant City Attorney and of the second Assistant City Attorney, repealing conflicting ordinances, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., June 19, 1899.

*Mr. President:*

Your Committee on Fees and Salaries, to which was referred G. O. No. 9, 1899, beg leave to report that they have considered the same and hereby recommend that it be amended to read as follows:

"An ordinance fixing the salary of the Assistant City Attorney, repealing conflicting ordinances, and fixing the time when the same shall take effect.

Whereas, The office of Assistant City Attorney was created by an act passed by the General Assembly of the State of Indiana and approved March 4, 1899, and the City Attorney is by said act required to make the appointment to fill said office; and

Whereas, The Common Council is required by the provisions of said act to fix the salary of said office; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Assistant City Attorney shall receive a salary at the rate of twenty-five hundred dollars (\$2,500) per annum.

Sec. 2. All parts of ordinances inconsistent herewith are hereby repealed.

Sec. 3. This ordinance shall be in full force and effect from and after its passage."

And that when so amended, that the same do pass.

EDWARD E. BERNAUER.

ALBERT HARSTON.

E. D. MOFFETT.

Which was read and concurred in.

Mr. Costello, on behalf of the Committee on Finance, to which was referred:

App. O. No. 12, 1899. An ordinance appropriating the sum of fifteen hundred dollars for the use of the Department of Public Works of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., June 19, 1899.

*Mr. President:*

Your Committee on Finance, to which was referred App. O. No. 12, 1899, after considering the same, recommend its passage.

JAS. H. COSTELLO.  
EDWARD E. BERNAUER.  
FRANK S. CLARK.  
ROBERT M. MADDEN.  
J. W. MCGREW.  
RICHARD MERRICK.  
W. F. SMITH.  
J. R. ALLEN.  
E. D. MOFFETT.

Which was read and concurred in.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Mr. Costello:

G. O. No. 26, 1899. An ordinance for a loan of one hundred and fifty thousand dollars (\$150,000) by the City of Indianapolis for the use of the Department of Public Works, for the construction of bridges, and authorizing the issue and sale of bonds for said amount, payable from the general funds of said city; prescribing the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds thereof, and fixing a time when the same shall take effect.

Whereas, Under authority conferred upon the members of the board in control of the Department of Public Works of the City of Indianapolis, Indiana, by an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and all acts amendatory thereof, said Department of Public Works has undertaken to construct bridges in the streets crossing certain streams in said city, and has adopted plans for such bridges, to carry out and effectuate which plans the sum of one hundred and fifty thousand dollars (\$150,000) is necessary; and

Whereas, There are not now and will not be sufficient funds in the treasury of said city with which to pay the said sum of one hundred



and fifty thousand dollars (\$150,000) required by said Department of Public Works for said purpose; and it is necessary for the City of Indianapolis to borrow said sum of one hundred and fifty thousand dollars (\$150,000) and issue and sell its bonds in that amount payable from the general revenues and funds of said city, or as may be required by law; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the City of Indianapolis borrow the sum of one hundred and fifty thousand dollars (\$150,000) for the use of the Department of Public Works for the construction of bridges in streets crossing certain streams in said city; and that the Mayor and Comptroller, under the seal of the city, attested by the Clerk of the city, be and they hereby are authorized and empowered to execute one hundred and fifty (50) negotiable bonds of the City of Indianapolis, which bonds shall be numbered consecutively from 1 to 150 inclusive, shall be dated September 1, 1899, shall be designated "Indianapolis Bridge Bonds of 1899," and shall each be for the principal sum of one thousand dollars (\$1,000), payable at the banking house of Winslow, Lanier & Company, in the City of New York, in the State of New York, as follows:

Bonds numbered	1 to 15	each inclusive,	on	September 1,	1904,
"	"	16 to 30	"	"	"
"	"	31 to 45	"	"	"
"	"	46 to 60	"	"	"
"	"	61 to 75	"	"	"
"	"	76 to 90	"	"	"
"	"	91 to 105	"	"	"
"	"	106 to 120	"	"	"
"	"	121 to 135	"	"	"
"	"	136 to 150	"	"	"

with coupons thereto attached for semi-annual installments of interest at the rate of three and one-half per cent. per annum, payable on January 1st and July 1st of each year, the first coupon on each bond to be for four months' interest only, which bonds shall be substantially in the form and of tenor and effect following, that is to say:

	UNITED STATES OF AMERICA,		
	City of Indianapolis,		
No. ....	State of Indiana, Marion County.		\$1,000.
	Indianapolis Bridge Bond of 1899.		

For full value received, the City of Indianapolis, Indiana, promises to pay to the bearer one thousand dollars in lawful money of the United States of America, on the first day of January, nineteen hundred and—, with interest thereon at the rate of three and one-half per cent. per annum, payable semi-annually on the first days of July and January of each year, upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Company, in the City of New York, in the State of New York.

This bond is one of a series of one hundred and fifty bonds numbered from 1 to 150 inclusive, each of the same date, amount, tenor and effect, except as to date of maturity, said bonds maturing in ten series of fifteen each, at dates running from five to fourteen years, which bonds have been issued by said City of Indianapolis, by, in and pursuant to an ordinance duly and legally passed by the Common Council of said city on June—, 1899, approved by the Mayor of said city on June—, 1899, in strict conformity with and as authorized by an act of the General Assembly of the State of Indiana, entitled "An act con-

cerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and the act supplementary to and amendatory of said act of March 6, 1891; and all things and acts required by the laws of the State of Indiana, and by said ordinance, have happened and have been done and performed in and about the the authorization, preparation, issue and complete execution of this bond.

In Witness Whereof, The Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller and the seal of said city to be affixed thereto and attested by the City Clerk, this first day of September, eighteen hundred and ninety-nine.

.....  
*Mayor.*

ATTEST :

.....  
*City Clerk.*

[SEAL.]

.....  
*City Comptroller.*

The interest warrants, or coupons, attached to said bonds shall be authenticated by the signature of the Comptroller engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for four months' interest only, that is, for interest from September 1, 1899, to January 1, 1900.

Sec. 2. That the head of the Department of Finance shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds, once in each week for two consecutive weeks in The Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation, printed and published in the City and State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening the bids or proposals therefor, the right of the Comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the City Comptroller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of William H. Schmidt, City Treasurer, for a sum of money which shall equal two and one-half per centum of the face or par value of the bonds bid for or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until 12 o'clock M. on the twenty-

second day of August, 1899, at which time and place and between said hour and 2 o'clock P. M., of said day, he shall open said bids or proposals. The City Comptroller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best bidder therefor; but said City Comptroller shall have the full right to reject any and all bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid, excepting only that no bond shall be sold at less than par and accrued interest. He may also, in his judgment and discretion, award a part of said bonds to one bidder and a part to another. These provisions shall apply in case of re-offering and re-advertisement of said bonds as hereinafter provided.

Sec. 4. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall re-advertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such re-advertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to re-advertise said bonds for sale until all said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the Comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to re-advertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to said city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city of such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the City Comptroller at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the banking house of Winslow, Lanier & Company, in the City of New York, on the first day of September, 1899, or upon such other day or days as may be



specified in the advertisement or re-advertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or their refusal, neglect or omission so to do shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon the City of Indianapolis according to their tenor and effect; and the proceeds derived from any sale or sales of bonds as herein authorized shall be and hereby are appropriated to the use of the Department of Public Works to be used by said department for the construction of bridges in streets crossing certain streams in said city and to the payment of expenses incident to the issue and sale of said bonds; and the City Comptroller is hereby authorized, upon the requisition of the Department of Public Works to draw all proper and necessary warrants, and to do whatever acts may be necessary to carry out the provisions thereof; and the City Treasurer is also authorized to pay out the proceeds of the sale of said bonds upon the lawful warrants of the City Comptroller, and to do and perform such other acts as may be necessary that he should do in the premises to aid in the carrying into effect of the provisions thereof.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Mr. Costello:

G. O. No. 27, 1899. An ordinance authorizing the transfer of the sum of nineteen hundred dollars (\$1,900) from funds of the Department of Public Safety to other than those to which it was originally appropriated.

Whereas, By App. O. No. 9, 1898, certain moneys were appropriated for the use of the Department of Public Safety for the purchase of hose for the Fire Force and for the purchase of new horses for the Police Force; and

Whereas, It appears that the sum of fifteen hundred dollars (\$1,500) of said first named fund and the sum of four hundred (\$400) of said second named fund will not be needed for the purposes for which they were appropriated; and

Whereas, The Department of Public Safety requires the sum of nineteen hundred dollars (\$1,900) for the purchase of a storage battery for the Police Station; now therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Controller be and he is hereby authorized and directed, out of moneys heretofore appropriated for the use of the Department of Public Safety, to transfer the sum of fifteen hundred dollars (\$1,500) from the fund for purchase of hose for the Fire Force and four hundred dollars (\$400) from the fund for purchase of new horses for the Police Force to the Electrical Department Fund of the Station House.

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



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

By Mr. Von Spreckelsen:

G. O. No. 28, 1899. An ordinance providing for the change of the name of the street running from North street at the intersection of Fulton street in a northeasterly direction to Massachusetts avenue, parts of which are designated as Peru avenue, Davidson street, Peru avenue and Pine street, to Cornell avenue; 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 street running from North street at the intersection of Fulton street in a northeasterly direction to Massachusetts avenue, and heretofore known and designated by the following names: From the said intersection of North and Fulton streets to Davidson street as Peru avenue; from Davidson street to St. Clair street as Davidson street; from St. Clair street to Pine street as Peru avenue, and from Pine street to Massachusetts avenue as Pine street, shall be hereafter known and designated by the name of Cornell avenue, and the said name of Cornell avenue shall hereafter designate all of said part of said street so as make the same a continuation of Cornell avenue that runs north from Massachusetts avenue.

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

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

#### MISCELLANEOUS BUSINESS.

Mr. Rauch submitted the following petition:

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

We, the undersigned, citizens of West Indianapolis, earnestly petition your Honorable Body to pass ordinance referring to location of new stock yards, believing that the location on land purchased will be detrimental to public health, comfort and to real estate values.

(Signed by 77 citizens of West Indianapolis.)

Which was read and referred to Committee on Judiciary.

Mr. Harston moved that the President appoint a committee of three to draft resolutions expressing the sympathy of the Common Council for Mr. Albert Zearing, Mayor Taggart's private secretary, because of the loss of his beloved mother.

Which motion prevailed, and President Mahoney appointed the following named members to constitute said committee: Messrs Harston, Clark and Crall.

## ORDINANCES ON SECOND READING.

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

G. O. No. 9, 1899. An ordinance fixing the salary of the Assistant City Attorney and of the second Assistant City Attorney, repealing conflicting ordinances, and fixing the time when the same shall take effect.

Mr. Bernauer moved that the amendments to G. O. No. 9, 1899, as recommended by the Committee on Fees and Salaries be adopted.

Which motion prevailed.

On motion of Mr. Bernauer, G. O. No. 9, 1899, was then ordered engrossed, as amended, read a third time, and passed 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.

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

App. O. No. 12, 1899. An ordinance appropriating the sum of fifteen hundred dollars for the use of the Department of Public Works of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

And was passed 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.

On motion of Mr. Madden, the Common Council, at 8:25 o'clock P. M., adjourned.

*Ernest H. Mahoney*  
 .....  
 President.

ATTEST:

*Chas H. Struckmeyer* City Clerk.