

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JANUARY 17, 1887.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, January 17th, A. D. 1887, at 7:30 o'clock, in regular session.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 19 members, viz: Councilmen Benjamin, Burns, Cummings, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT, 6—viz: Councilmen Coy, Deil, Edenharter, Mack, Rooker, and Smither.

The Proceedings of the Common Council for the regular session held January 3d, 1887, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

## OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for the following street improvements were opened, read, and referred to the Committee on Contracts:

(S. O. 177, 1886)—For grading and graveling the first alley north of Sinker street, from the first alley west of New Jersey street to the first alley east of Alabama street.

(S. O. 180, 1886)—For grading and graveling the roadway, and paving with brick, the sidewalks of Hendricks street (being the first street west of East street), from Nebraska street to Lincoln Lane.

## COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following communication; which was approved:

I appoint Councilmen Edenharter, Dunn and Markey as the Committee to aid the project of securing a Street Car Line to Crown Hill Cemetery.

C. S. DENNY, Mayor.

## REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received:

sig. 3.

[ 21 ]

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—The time given to complete the following contracts for street improvements, expired January 1, 1887 :

1st. R. P. Dunning, grading, bowldering and curbing the gutters of English avenue, from Harrison street to Dillon street. Work part done.

2d. Richter & Twiname, curbing and paving the north sidewalk of Georgia street, from Mississippi street to Missouri street. No part of the work done.

3d. J. L. Spaulding, bowldering and curbing the south gutter, and paving with brick the south sidewalk of Morris street, from Madison avenue to the Railroad. Work part done.

4th. J. L. Spaulding, for grading and paving with brick the sidewalks of Delaware street, from Eighth street to the second alley north of Eighth street. No part of the work done.

5th. J. L. Spaulding, for grading and paving with brick the sidewalks of Dunlap street, from Madison avenue to East street. Work part done.

6th. Fulmer & Seibert, for grading and graveling the first alley south of Merrill street, from Ketcham street to the first alley east of Alabama street. No part of the work done.

7th. Fulmer & Seibert, for improving Ketcham street. Work part done.

8th. J. W. Cooper & Co., for improving St. Clair street, from Massachusetts avenue to Railroad. Work part done.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Attorney submitted the following report ; which was concurred in :

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—I report the following matters :

1. Since your last meeting, the suit of John H. Stem & Brother vs. The City, wherein the plaintiffs claim \$8,500.00 damages due to them on their contract as Architects of the City Hall and Market House, as first proposed and provided for, has been disposed of. This will be remembered as the case where claim was made for the amount due said architects upon the building which the city was enjoined from completing, in the suit of Perkins vs. The Members of the City Government. Upon the trial of the cause, the jury, in obedience to the instructions of the court, returned a verdict for the city. A motion for a new trial was made and overruled. In my judgment there will be no appeal, and this ends the case.

2. Some time ago a resolution was passed, ordering the Citizens' Street Railway Company to construct a line on south Meridian street. Prior to the adoption of that resolution, another resolution was passed, ordering said company to construct the north Mississippi line. The company is now hesitating between the two lines, and quotes the Charter, which forbids ordering the construction of two lines at once. I respectfully recommend that your honorable bodies rescind its action as to one or the other of the said resolutions, for the present.

3. I have received to the County Clerk, and deposited with the County Treasurer for the city, the sum of \$8.20, being the city's distributive share on its claim against the Indiana Sentinel Company, and indirectly from the Woollen, Webb & Co.'s estate.

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

By consent, Councilman Pearson offered the following resolution relative to the above report :

*Resolved,* That the action of the Common Council and Board of Aldermen heretofore taken ordering the Citizens' Street Railway Company to construct a line of street railroad on south Meridian street, be, and the same is hereby, in all things rescinded; and the City Clerk shall be, and he is hereby, instructed to notify, in writing, said railway company of this action.

Councilman Stuckmeyer moved to amend the resolution by striking out the words "south Meridian," and inserting in lieu thereof the words "north Mississippi."

Which amendment was adopted, by the following vote :

AYES, 12—viz: Councilmen Burns, Cummings, Haugh, Herig, Howes, Markey, McGroarty, Newland, Reinecke, Smith, Stuckmeyer, and Waterman.

NAYS, 5—viz: Councilmen Dunn, McClelland, Pearson, Reynolds, and Thalman.

And the resolution, as amended, was then adopted, by the following vote:

AYES, 13—viz: Councilmen Burns, Cummings, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Reinecke, Smith, Stuckmeyer, and Waterman,

NAYS, 4—viz: Councilmen Dunn, Pearson, Reynolds, and Thalman.

The City Clerk submitted the following report ; which was received :

*Indianapolis, Ind., Jan. 17th, 1887.*

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—I herewith submit an itemized statement showing the receipts and disbursements by the Treasurer for the City for 1886.

Respectfully, MICHAEL F. SHIELDS, City Clerk.

RECEIPTS.

From coal licenses .....	\$ 236 00
From dog licenses .....	3,042 25
From dray licenses.....	267 55
From express licenses.....	550 15
From hack licenses.....	545 00
From huckster licenses.....	2,963 00
From liquor licenses.....	34,749 66
From peddlers' licenses.....	737 00
From auctioneers' licenses.....	325 00
From exhibition licenses.....	669 00
From Market-Master's fees.....	4,577 15
From tapping sewers.....	40 00
From fines and fees.....	3,782 68
From benefits.....	953 50
From rent of Tomlinson Estate.....	873 28
From street assessments.....	16 59
From pay patients and sale of clinic tickets.....	591 04
From sale of old material, Fire Department.....	900 86
From street repairs.....	13 50
From delivery of election chutes.....	70 50
From rent of Tomlinson Hall.....	1,777 50
From privileges, Tomlinson Hall.....	5 00
From publication of precepts.....	41 00
From street openings.....	45 00
From tax on M. U. Tel. poles.....	144 00
From interest refunded.....	30 00
From sale of old market house.....	30 00
From Police Department.....	2,000 00
From miscellaneous.....	53 49
From December taxes, 1885.....	884 80

\$ 60,914 41



Total brought forward.....	\$	60,914	41
From I. N. Pattison, interest coupons and bonds.....	\$	66,042	00
From I. N. Pattison, cash.....		20,320	03
			<u>86,362 03</u>
From settlement of Pattison's bondsmen.....		40,000	00
From Cas. Byfield, Trustee, Pattison's assets.....		18,143	56
From O. H. Hasselman, account of Pattison settlement....		2,120	64
			<u>60,264 20</u>

## LOANS.

From temporary loan of Jan., Feb., March and April.....	\$123,000	00	
From temporary loan of April 1st.....	100,000	00	
From temporary loan of Dec. 15th.....	70,000	00	
From temporary loan of Dec. 29th.....	30,000	00	
			<u>323,000 00</u>
From interest on Belt Railway bonds.....		30,000	00
From tax collections (current).....		542,852	03
From tax collections (delinquent).....		68,010	40
			<u>68,010 40</u>
Total receipts from all sources.....		\$1,171,403	07

## APPORTIONMENT OF FUNDS.

## GENERAL FUND.

## Receipts.

From I. N. Pattison, ex-City Treasurer, cash.....	\$	20,137	60
From I. N. Pattison, interest coupons.....		56,917	69
From temporary loan, Jan., Feb., March and April.....		96,045	53
From sale of tem. loan warrants by H. W. Miller, Treas..		32,100	00
From sale of tem. loan warrants by Finance Committee...		67,900	00
From W. P. Ijams, interest on Belt Railroad bonds.....		30,000	00
From temporary loans of December, 1886.....		98,795	01
From miscellaneous sources.....		58,998	14
From O. H. Hasselman, on Pattison settlement..		1,959	29
From Cas. Byfield, Trustee, on Pattison settlement.....		885	92
From taxes current, per Auditor's report.....		542,832	03
From taxes delinquent, per Auditor's report.....		66,259	00
			<u>\$1,072,850 21</u>

## Disbursements.

For Additional City Hall Fund, transferred from General Fund.....	\$	17,923	60
For settlement of School Board, first installment.....		75,205	51
For bonds sold by Finance Committee.....		67,900	00
For settlement of School Board, second installment.....		42,788	93
For orders paid.....		746,255	83
For erroneous assessments certified off by Auditor.....		4,898	01
Balance on hand January 1st, 1887.....		117,878	33
			<u>\$1,072,850 21</u>

## ADDITIONAL CITY HALL FUND.

## Receipts.

From tem. loans of Jan., Feb., March and April, 1886.....	\$	24,706	09
From partial settlement of I. N. Pattison's bondsmen.....		29,576	78
From O. H. Hasselman, on Pattison settlement.....		161	35
From Cas. Byfield, Trustee of Pattison's assets.....		16,207	64
From W. U. Tel Co., tax on M. U. Tel. poles.....		144	00
From transferred from General Fund.....		17,923	60
From transferred from Tomlinson Estate Fund.....		8,446	87
From loan of December, 1886.....		1,204	99
			<u>\$ 98,371 32</u>

Total brought forward .....\$ 98,371 32

*Disbursements.*

For Market House and Public Hall.....	\$ 67,202 31	
For new Market House.....	30,786 30	
Balance on hand January 1st, 1887.....	382 71	
		<u>\$ 98,371 32</u>

TOMLINSON ESTATE FUND.

*Receipts.*

From I. N. Pattison, ex-City Treasurer.....	\$ 182 43	
From I. N. Pattison's bondsmen.....	7,473 22	
From rents.....	887 47	
		<u>\$ 8,545 12</u>

*Disbursements.*

For repairs, insurance, &c.....	\$ 96 25	
For transferred to Additional City Hall Fund.....	8,446 87	
		<u>\$ 8,543 12</u>

SEWER FUND.

*Receipts.*

From December taxes, 1885.....	\$ 680 61	
From Pattison's bondsmen.....	4,000 00	
From loan of January, 1886.....	2,248 38	
From taxes for the year.....	1,751 40	
		<u>\$ 8,680 39</u>

*Disbursements.*

For special sewers.....	\$ 4,642 06	
Balance on hand January 1st, 1887.....	4,038 33	
		<u>\$ 8,680 39</u>

SINKING FUND.

*Receipts.*

From December taxes.....	\$ 204 19	
From I. N. Pattison, interest coupon bonds.....	9,124 31	
		<u>\$ 9,328 50</u>

*Disbursements.*

For redemption of nine bonds, and interest thereon.....	\$ 9,328 50	
		<u>\$ 9,328 50</u>

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—I herewith report the following affidavits, now on file in my office, for the collection of street improvement assessments by precepts, to-wit:

Fulmer & Seibert vs. A. S. Thompson, for.....	\$145 22
Fulmer & Seibert vs. R. O. Hawkins, for.....	51 37
Fulmer & Seibert vs. W. K. Lemon, for.....	51 38
Fulmer & Seibert vs. Thresia Hefpenberger, for.....	65 80

Respectfully submitted,

MICHAEL F. SHIELDS, City Clerk.

Which was received, and the precepts ordered to issue, by the following vote:

AYES, 12—viz: Councilmen Dunn, Haugh, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Stuckmeyer and Waterman.

NAYS, 3—viz: Councilmen Burns, Cummings, and Thalman.

The Rental Agent and City Civil Engineer submitted the following report; which was concurred in:

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—In pursuance to your order, we herewith submit a plat of the property (Tomlinson Estate), being part of Lots 4 and 5, Square 34, fronting on Indiana avenue. After making a survey of the property, we are of the opinion that it is impracticable to make a subdivision, as will be readily seen on an examination of the accompanying plat, and recommend the appraisers make an appraisalment of said property as a whole.

Respectfully submitted,

Wm. HADLEY, Rental Agent,

S. H. SHEARER, City Civil Engineer.

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

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report; which was concurred in :

To the Mayor and Common Council :

*Gentlemen:*—Your Committee on Streets and Alleys, to whom was referred the communication of J. R. Gast, Agent of "The Hartman Steel Co." presenting samples of street signs, &c., have examined the same, and believe the street sign to be a good, practicable one, but don't feel that the city is able at this time to purchase any of them.

Respectfully submitted,

Edward Dunn,  
Julius F. Reinecke,  
John H. Herig,

Committee on Streets and Alleys.

#### REPORTS FROM SELECT COMMITTEES.

The Building Committee, through Councilman Pearson, submitted the following report; which was concurred in :

*Indianapolis*, Jan. 17, 1887.

To the Common Council and Board of Aldermen :

*Gentlemen:*—Your Building Committee, to whom was referred the report of the Rental Committee, and the motion fixing the amount of rent to be hereafter charged for Tomlinson Hall, beg leave to report that they have considered the same. We think the rent should be paid directly to the Treasurer or City Clerk, instead of the East Market Master, always in advance. We think the amount of rent fixed in the motion now pending, should be increased as to the last two character of entertainments, so that musical and literary meetings at night shall be \$35.00, and in day time \$25.00; and that an additional clause should be added to the motion on the subject of when and to whom the rent shall be paid. We therefore submit a motion herewith as a substitute for the one now pending, and recommend its adoption.

2. We recommend that sixty butchers' blocks, 28 inch diameters, be purchased for the new market house. The St. Louis make of block, delivered at the depot in this city, can be had for \$4.85 each. Samples have been exhibited to your Committee and the Architect.

3. Owing to the enormous quantity of coal burned during the month of December, in heating the market portion of the Hall, your Committee have directed the Janitor to furnish heat during market hours of the regular market days only, in the future, and ask that our action in the premises may be approved by your honorable bodies.

Respectfully submitted,

C. S. Denny, Mayor,  
Thomas E. Endly,  
Isaac King,  
Joseph H. Howes,  
John R. Pearson,  
Building Committee.



Councilman Pearson, in behalf of the Building Committee, offered the following motion relative to the foregoing report; which was adopted:

That the rental for Tomlinson Hall be, and the same is hereby, fixed as follows:

Political Conventions, State and County.....	\$50 00
Political Conventions, Congressional and City.....	35 00
Balls, drills, &c., requiring removal of chairs (single day).....	60 00
Musical and literary entertainments at night .....	35 00
Musical and literary entertainments in day time.....	25 00

*Provided*, That all other character of entertainments, including all meetings for purely charitable purposes, may be fixed by the Mayor, President of the Board of Aldermen and City Clerk, as heretofore.

*And provided, further*, That the Janitor shall not open said Hall to any one, until an order is presented to him from some member of the Rental Committee so to do, which order shall not be given until the rent is fully paid to the Treasurer, and his receipt therefor filed with the City Clerk.

The Special Committee on Fire Department, through Councilman Cummings, submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen*.—Your Special Fire Committee, to whom the following motion was referred: “That the Chief of the Fire Department be instructed to look after those firemen who cut hair for five cents, and make boots while on duty, and take steps to stop them,” beg leave to report that the request be granted so far as to instruct the firemen to cease all of that kind of work on all persons over the age of fourteen years, for a less price than that charged by the parties in the regular trade.

Respectfully submitted,

M. M. Cummings,  
A. L. Newland,  
John H. Herig,  
Fred. J. Mack,

Special Committee on Fire Department.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced, and severally read the first time:

By Councilman Cummings, which were referred to the Committee on Sewers and Drainage:

S. O. 1, 1887—An ordinance to provide for constructing a brick sewer in and along Mississippi street, from Indiana avenue to and connecting with the sewer in Market street.

S. O. 2, 1887—An ordinance to provide for the construction of a brick sewer in and along Mississippi street, from North street to Indiana avenue.

By Councilman Thalman, which was referred to the Committee on Railroads:

G. O. 1, 1887—An ordinance providing for certain changes of tracks of Citizens' Street Railway Company, and a transfer of certain rights.

## INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Pearson presented a petition signed by many citizens, to require the Citizens' Street Railway Company to run cars upon the Mississippi street line upon the same schedule upon which the cars were run thereon prior to January 1st, 1887, or to require the said company to remove the tracks from said Mississippi street; which was received, and the following resolution relative thereto, was offered by Councilman Pearson:

*WHEREAS*, The Citizens' Street Railway Company of this city has ceased running its cars upon the Mississippi street line after 9:30 o'clock, P. M.; and

*Whereas*, The ordinance governing the said Street Railway Company provides that "The Common Council shall have the power, at all times, to make such regulations as to the rate of speed and time of running such cars or carriages, as the public safety and convenience may require, and to affix penalties for violations of such regulations;" and

*Whereas*, The residents of said Mississippi street and the adjacent neighborhood, feel that they are entitled to the same service on the said Mississippi street line that is given to other neighborhoods on other lines, if the said Citizens' Street Railway Company shall use and occupy Mississippi street; therefore,

*Be it Resolved*, That the said Citizens' Street Railway Company be, and is hereby, required to run its cars upon the said Mississippi street line upon and according to the schedule commonly used on and about the 1st day of January, 1887, and for a long time previous thereto, upon said line, or else, in default thereof, to remove its tracks from said street.

And it was adopted, by the following vote:

**AYES**, 15—viz: Councilmen Burns, Cummings, Haugh, Herig, Howes, Markey, McClelland, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Thalman, and Waterman.

**NAYS**, 2—viz: Councilmen Dunn, and McGroarty.

Councilman Thalman offered the following resolution; which was referred to the Committee on Water:

*Resolved*, That the Indianapolis Water Company be, and is hereby, directed to remove its pipe in Louisiana street, from Illinois street eastward to a point in line of the new street, laid out by the Union Railway Company, and extending north and south between Illinois and Meridian streets; and remove the fire hydrant now located on said line, to a point near the east line of the above described new street; and to remove the fire hydrant now on said line near the northeast corner of Louisiana and Illinois streets, to a point near the proposed new curb line on Illinois street, and about twenty-five feet from the point where the hydrant now stands. Also, to remove the line of pipe from the north side of McNabb street to the south side of said street; the expense of the removals as above, to be borne by the Union Railway Company. Also, that said Water Company be, and is hereby, directed to lay a new water main in the new street extending north from the north line of Louisiana street to the north line of the new street known as Jackson Place, and thence north from the north line of Jackson Place through the alley to Georgia street, between Illinois and Meridian streets; and that said company is hereby directed to place on the line of said water main one fire hydrant; and also that said Water Company be, and is hereby, directed to lay a water main from the main above described, west in the new street laid out by the Union Railway Company,



and known as Jackson Place, to a connection with the water main in Illinois street. Also, to lay a main on the north side of Louisiana street, from Illinois street to a connection with the main in Tennessee street, and that said company place a fire hydrant on said main, near the alley between Illinois and Tennessee streets. Also, that said Water Company be, and is hereby, directed to lay a water main, of suitable dimensions to give ample fire service, in the west side of Meridian street, from South street or from Louisiana street to the south curb line on McNabb street, and place a fire hydrant near the southwest corner of McNabb and Meridian streets; all hydrants to be located under the direction of the Chief Fire Engineer.

Councilman Thalman offered the following motion; which was adopted:

That the Committee on Printing be, and they are hereby, authorized to make a contract for preparing an Index for the Proceedings of the Common Council and Board of Aldermen for the year 1886.

Councilman Newland offered the following motion; which was referred to the Committee on Public Light:

That the City Civil Engineer be, and is hereby, directed to notify the Sun Vapor Light Company to erect one vapor lamp on the south side of Woodlawn avenue, in front of Edwin Ray Church.

Councilman McGroarty presented the following petition; which was referred to the Committee on Streets and Alleys:

Indianapolis, Dec. 29, 1886.

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis:

*Gentlemen:*—The undersigned, owners of real estate fronting on Stevens street and Merrill street, respectfully petition for the passage of an ordinance providing for the vacation of an alley running north and south between Lots numbered ten (10) and eleven (11), and Lots numbered twenty-seven and twenty-eight, in Coffman's subdivision of Out-lot numbered one hundred and one (101); said alley running from Stevens street north to Merrill street. Said alley is bounded on the west by property owned by Daniel Webster and Mrs. Florence Drinkut, and on the east by property owned by Daniel and Mary Webster and Mrs. Florence Drinkut.

Daniel Webster, Mary Webster, Wm. F. Drinkut,  
Mrs. Florence Drinkut.

His Honor, the Mayor, in behalf of a committee of the G. A. R., presented the following petition:

Indianapolis, January 17, 1887.

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis:

*Gentlemen:*—The undersigned were appointed by the Council of Administration Department of Indiana G. A. R., a committee to procure a hall in which to hold the Annual Encampment of said Department, on the 16th and 17th days of February, 1887, including the night of the 16th. We therefore ask the use of Tomlinson Hall for said occasion, free of charge.

C. E. WHITSET,  
THOMAS HANNA,  
BEN D. HOUSE,  
Committee.

Councilman Markey moved that the petition be granted.

Councilman Thalman moved as a substitute, that it be referred to the Building Committee, with power to act.

Which was adopted.

Councilman Haugh presented a revised plat of Ernest H. Koller's subdivision; which was approved.

Councilman Benjamin presented the following petition, accompanied with plat; which were referred to the Committee on Streets and Alleys:

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis:

*Gentlemen.*—We, the undersigned, owners of real estate fronting upon Meridian street, and being in the immediate vicinity of the alley running west from Meridian street to the first alley west of, and parallel to, said Meridian street, and between Georgia and Louisiana streets, in Square No. 87, in the City of Indianapolis, Marion county, and State of Indiana, respectfully petition for the opening of a street on the line of the first described alley, by adding to said alley twenty-seven (27) feet on the south side thereof, so that said street, when opened, shall be a uniform width from said Meridian street to the said first alley west of, and parallel to, said Meridian street, of thirty-nine (39) feet, as is more fully shown by the accompanying plat, which is made a part of this petition.

Respectfully submitted,

N. S. Byram, F. & T. Stout, E. G. Cornelius, George W. Snider, A. B. Conduitt, T. E. Griffith, G. F. Griffith, John C. Wright, J. F. Failey, J. W. Murphy, P. H. Jameson, R. S. McKee.

Councilman Haugh moved that the following motion, which was laid on the table at the last meeting, be taken up and adopted.

“That Peter J. Gall be permitted to build a driveway over the gravel sidewalk at his coal yard entrance on Fifth street, between Illinois street and the first alley west thereof, at his own expense, and under the direction of the City Civil Engineer.”

Councilman Thalman moved as a substitute, that the motion be taken up and referred to the Committee on Streets and Alleys, to report at the next meeting.

Which was adopted.

The Committee on Streets and Alleys was granted further time to report on the petitions for the vacation of Smith & Logan's addition, and the extension of Union street.

On motion, the Common Council then adjourned.

C. S. DENNY, Mayor,

President of the Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.