

# PROCEEDINGS OF COMMON COUNCIL.

SPECIAL SESSION—NOVEMBER 16, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday evening, November 16th, A. D. 1881, at half-past seven o'clock, in special session, in compliance with the following call:

*Indianapolis*, Nov. 14, 1881.

To Mayor Grubbs:

We the undersigned, members of Common Council, request that you call a special meeting of Common Council, to meet on Wednesday evening, Nov. 16th, 1881, at 7½ o'clock, to pass ordinances on second reading, and all other regular business that may be called up.

Jas. A. Pritchard,	Jas. T. Dowling.
John R. Cowie,	E. H. Koller,
B. W. Cole,	Geo. Weaver,
H. B. Stout,	C. T. Bedford,
B. Ward,	Ed. Brundage.

To the Members of the Board of Aldermen and Common Council of the City of Indianapolis:

*Gentlemen*:—In compliance with the request of a number of your members, you are hereby called to meet in special session, on Wednesday evening, November 16th, 1881, at half past seven o'clock, to pass ordinances on second reading, and such other matters as may come before you.

D. W. GRUBBS, Mayor.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 23 members, viz: Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT—Councilmen Bryce and Cowie—2.

The Proceedings of the Common Council for the regular session, held November 7th, 1881, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

COMMISSIONERS COURT, MARION COUNTY,

*Indianapolis*, Nov. 10th, 1881.

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

Under the law regulating elections, passed April, 1861, it is made the duty of

Boards of Commissioners to create election precincts of not exceeding 350 voters, as near as may be.

Seeing that the law makes the same requirements of municipal governments, this Board have thought best to call your attention to the matter, and ask your co-operation through such agency as you may adopt in making such election precincts and defraying the expense thereof to be as nearly mutually satisfactory as possible. Your early attention is desired.

Very respectfully,  
BOARD OF COMMISSIONERS,  
Per R.

Councilman Thalman moved that the above communication be referred to a special committee, said committee to consist of three members of the Common Council.

Which motion was adopted, and the Chair appointed Councilmen Pritchard, Dean and Hartmann, to act as the members of such special committee.

#### REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the estimates (presented therewith) approved:

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

*Gentlemen:*—I herewith report a first and partial estimate in behalf of S. W. Patterson, for paving with wooden blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from St. Clair street to Seventh street.

767 32-100 square yards bowldering wings of street and alley crossings at 55c.....	\$422 02
897 75-100 lineal feet stone crossings at 30c.....	269 32
	<hr/>
	\$691 34

Respectfully submitted,  
S. H. SHEARER, City Civil Engineer.

The following estimate resolution was read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and partial estimate in behalf of S. W. Patterson, for paving with wooden blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from St. Clair Street to Seventh street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 14—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Egger, Harold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Weaver.

NAYS, 4—viz. Councilmen Dean, Dowling, Fultz, and Yoke.

## SPECIAL ORDINANCES ON SECOND READING.

The following entitled ordinances were read the second time and stricken from the files :

S. O. 70, 1881—An Ordinance to provide for grading, paving with brick, and curbing with stone the south sidewalk, and bowldering the south gutter, of Kentucky avenue, from Sharp street to Merrill street.

S. O. 135, 1881—An Ordinance to provide for grading and graveling Sheldon street and sidewalks, from Hill avenue to Ninth street.

S. O. 160, 1881—An Ordinance to provide for the erection of four lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Circle street.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 137, 1881—An Ordinance to provide for grading, bowldering and curbing, the east gutter of Pennsylvania street, from South street to Garder. street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 1—viz. Councilman Morrison.

The following entitled ordinance was read the second time, ordered ordered engrossed, and read the third time :

S. O. 156, 1881—An Ordinance to provide for grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley east of Mississippi street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 1—viz. Councilman Morrison.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 157, 1881—An Ordinance to provide for grading and graveling the first alley south of Third street, from Illinois street to Tennessee street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 1—viz. Councilman Morrison.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 158, 1881—An Ordinance to provide for grading and paving with brick (where not already properly paved), the west sidewalk of Pennsylvania street from Seventh street to Eighth, or Williams street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Downing, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS, 1—viz. Councilman Morrison.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 159, 1881—An Ordinance to provide for grading and paving with brick, the north sidewalk of Washington street, or National Road (where not already paved), from Blackford street to the first alley west of Blackford street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Downing, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS, 1—viz. Councilman Morrison.

Councilman Thalman offered the following motion; which was adopted :

That the matter be referred to the Committee on Sewers and City Attorney, with instructions to report to this Council at as early day practicable, whether the bill passed by the legislature requires the completion of the sewer within one year from the passage of the bill, or, if only the acceptance of the terms of the act, by ordinance, is required.

Also, to report if the act granting cities the power to create sewer districts, does not authorize the city to create six or more districts, to levy a sewer tax in each district *separate and distinct*—or if the levy must be made *equal in all*, without regard to the requirements of each separate district; and if revenue so collected, be not required (in some districts) for sewer purposes, whether the money could be expended by the city in any other way, or for any other purpose.

#### GENERAL ORDINANCES ON SECOND READING.

The following entitled ordinances were read the second time and stricken from the files :

G. G. 20, 1881—An Ordinance to amend an ordinance entitled "An ordinance to amend section two (2) of an ordinance entitled 'An ordinance creating the Police Board, prescribing its powers and duties, and regulating the organization of the Police force of the city of Indianapolis, ordained May 28th, 1887,' ordained May 13th, 1879."

G. O. 23, 1881—An Ordinance to prevent the accumulation of filth, rubbish and other articles, on any lot or parcel of ground in the city of Indianapolis.

- G. O. 25, 1881—An Ordinance to provide for the appointment of an Inspector of Public Works of the city of Indianapolis by the Board of Public Improvements of said city.
- G. O. 29, 1881—An Ordinance to amend Section two (2), of an ordinance entitled "An ordinance to prohibit the exhibition of animals, deformed persons, or monstrocities, within buildings, or on grounds fronting on certain streets; and also to prohibit certain exhibitions in any room or building wherein any intoxicating liquors are sold;" ordained March 14th, 1864.
- G. O. 30, 1881—An Ordinance to amend Section one of an ordinance entitled as follows: "An ordinance prohibiting any person from conducting any theatre or negro minstrel exhibition, or engaging in any such exhibition as actor, door-keeper, usher, manager, or in any other capacity;" ordained January 15, 1877.
- G. O. 33, 1881—An Ordinance to amend section three (3) and four (4) of an ordinance entitled "An Ordinance providing for the compensation of the officers of the City of Indianapolis, and the officers and members of the Police and Fire Departments of said city, for the year ending May 31st, 1882." Ordained May 18th, 1881.
- G. O. 41, 1881—An Ordinance to prevent railroad companies, or the owners of private side-tracks from blockading the streets and alleys of the city, by allowing locomotive engines and cars to stand or remain thereon, and prescribing penalties for the violation thereof.
- G. O. 46, 1881—An Ordinance authorizing the issuance of a weekly license to the Inland Whaling Association, and fixing the amount of license money to be paid by said association.
- G. O. 27, 1880—An Ordinance providing for the construction of a brick'sewer, at the expense of the city, in and along New Jersey street, from the north side of Washington street to Pogue's Run.
- G. O. 41, 1880—An Ordinance to amend section twenty-four (24) of an ordinance entitled "An ordinance declaring that all Vehicles (except Street Railway Cars,) used in the transportation of Persons and Articles within the city of Indianapolis, for hire or pay, shall be deemed 'Public Vehicles;' establishing Rules and Regulations for the government of the Owners, Lessees, and Drivers thereof; and prescribing Fines and Punishments for violations of its provisions;" ordained March 1st, 1880.
- G. O. 50, 1881—An Ordinance to repeal an ordinance granting to M. H. Wright the privilege of erecting and maintaining a slaughtering and grease-rendering establishment on the west side of White River, being General Ordinance No. 4, 1881.

The above entitled ordinance was stricken from the files by the following vote:

AYES, 12—viz. Councilmen Bedford, Brundage, Cole, Dean, Harrold, Koller, Morrison, Pearson, Pritchard, Stout, Thalman, and Ward.

NAYS, 11—viz Councilmen Caylor, Coy, Dowling, Egger, Fultz, Hartmann, Knodel, Mauer, Reichwein, Weaver, and Yoke.

The following entitled ordinance was read the second time:

- G. O. 25, 1881—An Ordinance to provide for the impounding of horses, cattle, hogs and other animals found running at large within the city of Indianapolis, and providing for the manner of disposing of the same.

Councilman Hartmann moved to strike out so much of the above ordinance as relates to the impounding of cows.

Councilman Thalman moved to lay the above motion on the table.

Which motion to lay on the table failed of adoption by the following vote:

AYES, 10—viz. Councilmen Bedford, Brundage, Cole, Dean, Pearson, Pritchard, Stout, Thalman, Ward, and Yoke.

NAYS, 13—viz. Councilmen Caylor, Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Reichwein, and Weaver.

Councilman Morrison moved as a substitute to Councilman Hartmann's motion, that cows have the privilege of running at large during the day time, and to be shut up at night, from 7 o'clock P. M., to 6 o'clock, A. M.

Which motion as a substitute, failed of adoption by the following vote:

AYES, 9—viz. Councilmen Bedford, Egger, Knodel, Mauer, Morrison, Reichwein, Stout, Thalman, and Ward.

NAYS, 14—viz. Councilmen Brundage, Caylor, Cole, Coy, Dean, Dowling, Fultz, Harrold, Hartmann, Koller, Pearson, Pritchard, Weaver, and Yoke.

Councilman Hartmann moved to strike the ordinance (G. O. 25, 1881) from the files.

Which motion to strike from the files failed of adoption.

Councilman Thalman moved that the ordinance (G. O. 25, 1881,) be engrossed.

Councilman Dowling moved to lay the above motion on the table.

Which motion to lay on the table was adopted by the following vote:

AYES, 12—viz. Councilmen Caylor, Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Reichwein, and Weaver.

NAYS, 11—viz. Councilmen Bedford, Brundage, Cole, Dean, Morrison, Pearson, Pritchard, Stout, Thalman, Ward, and Yoke.

Councilman Dowling moved to strike the ordinance (G. O. 25, 1881,) from the files.

Which motion to strike from the files was adopted by the following vote:

AYES, 12—viz. Councilmen Caylor, Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Reichwein, and Weaver.

NAYS, 11—viz. Councilmen Bedford, Brundage, Cole, Dean, Morrison, Pearson, Pritchard, Stout, Thalman, Ward, and Yoke.

The following entitled ordinance was read the second time :

G. O. 38, 1881—An Ordinance to license the sale of intoxicating liquors in the city of Indianapolis, and prescribing penalties for the violation thereof.

Councilman Pearson's motion to strike the above ordinance from the files, failed of adoption by the following vote :

AYES, 12—viz. Councilmen Brundage, Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, and Reichwein.

NAYS, 10—viz. Councilmen Bedford, Caylor, Cole, Dean, Morrison, Pearson, Pritchard, Stout, Thalman, Ward, Weaver, and Yoke.

The following entitled ordinances were read the second time, and referred to the Judiciary Committee :

G. O. 51, 1881—An Ordinance for the protection of travelers, passengers, and baggage, and for the preservation of order in and about the Union Depot, in the city of Indianapolis, Indiana.

G. O. 53, 1881—An Ordinance for the protection of travelers, passengers, and baggage, and for the preservation of order in and about the Union Depot, in the city of Indianapolis, Indiana.

The following entitled ordinance was read the second time :

G. O. 55, 1881—An Ordinance in relation to the erection and maintenance of telegraph and telephone wires and electric conductors in and upon the streets and alleys of the city of Indianapolis.

Councilman Thalman presented the following communication ; which was referred to the Judiciary Committee :

*Indianapolis, Ind., Oct. 17th, 1881.*

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

*Gentlemen:*—In connection with the consideration of the ordinance to place telegraph and telephone wires under ground, the undersigned desires to submit the fact, that in the present state of telephonic science, it would be positively impossible for us to work our wires underground.

If the City of Indianapolis should offer to place our wires underground, free of all cost to us, we could not avail ourselves of such an offer because of the scientific objections in the way.

Very respectfully submitted,

W. W. SMITH, Supt. Western Telephone Co.

On motion by Councilman Pritchard, the above ordinance (G. O. 55, 1881,) was stricken from the files.

Later in the session, Councilman Pearson moved that the action of the Common Council be reconsidered, in striking G. O. 55, 1881, from the files.

Which motion was adopted, the action of the Common Council reconsidered by a unanimous vote, and the ordinance then referred to the Judiciary Committee.

The following entitled ordinance was read the second time, and referred to the Judiciary Committee:

G. O. 56, 1881—An Ordinance in relation to granting the use of streets, alleys, and public grounds of the city to any person or corporation, and fix the compensation to be paid therefor.

The following entitled ordinance, as amended by the Board of Aldermen, was taken up, read, and the amendments approved:

G. O. 42, 1881—An Ordinance investing the Indianapolis Brush Electric Light and Power Company with the privilege of erecting and maintaining towers and masts, or posts, necessary for the purpose of supplying Indianapolis and its inhabitants with electric light and power.

And ordained by the following vote:

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 1—viz. Councilman Morrison.

The following entitled ordinance was read the second time:

G. O. 52, 1881—An Ordinance to provide for the re-organization of the Police Board, Fire Board, Hospital Board, Dispensary Board, and Board of Public Improvements, of the City of Indianapolis.

Councilman Dowling offered the following amendment to the above ordinance:

*Provided, also,* that at least one member of each of the several Boards shall be selected from the members who represent the political party in the minority in the Council.

Councilman Pearson moved that action on the above ordinance be postponed.

Which motion to postpone failed of adoption by the following vote:

AYES, 10—viz. Councilmen Brundage, Dean, Egger, Knodel, Mauer, Morrison, Pearson, Reichwein, Thalman, and Yoke.

NAYS, 13—viz. Councilmen Bedford, Caylor, Cole, Coy, Dowling, Fultz, Harrold, Hartmann, Koller, Pritchard, Stout, Ward, and Weaver.

Councilman Cole offered the following amendment to the above ordinance, (G. O. 52, 1881:)

That the Police Board, Fire Board, Hospital Board, Dispensary Board, Board of Public Improvements, provided for by ordinances of said city, shall consist of five members each; all of whom shall be members of the Common Council of said city; and the members of said Boards, respectively, shall be elected at the time and in the manner prescribed by law, and shall hold their office during their terms as Councilmen and until their successors are elected and qualified. *Provided*, that no member of the Common Council shall be elected to serve on more than one of said Boards at the same time. *Provided, also*, that at least one member of each of said Boards shall be selected from the members in said Common Council who represent the political party in the minority.

And it shall be the duty of the Mayor of said city to call the Common Council and Board of Aldermen to meet in joint convention in the Council chamber on the first Monday evening after the passage of this ordinance, for the election of the five members of each of said Boards, in the manner prescribed by law, and the members so chosen shall serve as members of said Boards during their terms as councilmen, and until their successors are elected and qualified.

Councilman Yoke moved that the ordinance, with the amendments, be printed, and placed on the desks of the Councilmen next Monday night.

Which motion was adopted.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

G. O. 54, 1881—An Ordinance requiring the Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, and Indianapolis, Peru & Chicago Railway Company, to employ and station a flagman at the point where the tracks of said companies cross east Market street.

And it was passed by the following vote :

AYES, 22—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

G. O. 57, 1881—An Ordinance requiring the Indianapolis, Decatur and Springfield Railway Company to employ and station a flagman at the point where the track of said company crosses West street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Caylor, Cole, Dean, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

Councilman Pritchard moved that the action of the Common Council be reconsidered, in the passage of Ap. O. 70, 1881, passed at the last regular meeting.

Which motion to reconsider failed of adoption.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Thalman presented the following petition; which was referred to the Judiciary Committee:

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

*Gentlemen:*—The undersigned petitioners respectfully pray that your honorable bodies take the necessary steps required by law for the disannexation of all that part of the territory now included within the corporate limits of the City of Indianapolis which lies north of White River and west of Fall Creek.

J. H. Vajen, John J. Cooper, J. L. Bieler, Director of the Target Shooting Park; John M. Wood, Moritz Kaufman, Frank Emerly.

Councilman Dowling offered the following motion; which was adopted:

That the City Marshal be directed to notify John F. Ramsey, owner of the property on south Illinois street, east side, between Washington and Maryland streets, to repair and put in good order the brick sidewalk in front of his premises, and he be allowed ten (10) days to do the same. If not done inside of that time, the Marshal notify the Street Commissioner, who will then immediately do the work, under the direction of the City Civil Engineer.

Councilman Hartmann offered the following motion; which was referred to the Board of Public Improvements, with power to act:

WHEREAS, the first alley south of Pearl street, from Benton street to the first alley east, having been within the last two years graded and graveled, and the same paid for by the adjoining property owners, in accordance with the estimate of the City Engineer, and the alley being now obstructed by the caving in of the embankments, so as to entirely obstruct travel and drainage on the same, therefore

*Moved,* That the Street Commissioner be, and is hereby, instructed to remove the dirt and place the said alley in proper condition for drainage and travel.

Councilman Yoke offered the following motion; which was referred to the Board of Public Improvements, with power to act:

That the Committee on Public Property be, and are hereby, directed to fence that portion of Garfield Park lying west of the J. M. & I. Railroad, as a protection to stock running at large in that vicinity.

Councilman Thalman offered the following motions; which were adopted:

That the City Engineer be directed to put new globes on the lamps in White River bridge.

That the Civil Engineer be directed to put in order and re-light the four extinguished gas lamps on the inner side of Circle street.

Councilman Dean offered the following motion; which was adopted :

WHEREAS, J. D. Condit is unnecessarily obstructing Meridian street, between Washington and Pearl streets, which obstruction is causing a delay in the prosecution of the improvement of south Meridian street; Therefore

*Moved*, That the City Marshal be, and is hereby, instructed to notify said J. D. Condit to at once remove said obstruction, and in the event said J. D. Condit does not comply with the terms of said notice within five days from date of service, the City Marshal is directed and ordered to remove said obstruction at the expense of said J. D. Condit.

Councilman Coy introduced the following entitled ordinances, which were read the first time :

S. O. 166, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Wabash street, between Delaware and Pennsylvania streets.

G. O. 59, 1881—An Ordinance to amend section two of an ordinance authorizing the Junction Railroad Company to occupy with their tracks Maryland street, from the east corporation line to Pogue's Run, and to cross other streets, passed October 28th, 1867.

On motion, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor,

President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.