

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
June 17, 1895. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 17, 1895, at 8 o'clock, in regular meeting.

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

Absent, 3—viz: Messrs. Rauh, Schmid and Stein.

The Clerk proceeded to read the Journal, whereupon Councilman Colter 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.
June 7, 1895. }

To the President and Members of the Common Council:

GENTLEMEN—I have approved the following ordinances presented to me since your last meeting, viz:

- G. O. No. 29, 1895. An ordinance authorizing the transfer of \$700 to a fund other than that for which it was originally appropriated.
- G. O. No. 25, 1895. An ordinance in relation to Larch street and the changing of the name thereof.
- G. O. No. 27, 1895. An ordinance changing the name of "Michigan Road" to "Northwestern avenue."
- App. O. No. 3, 1895. An ordinance appropriating \$500 to the Department of Public Health and Charities for the equipment and maintenance of a laboratory.

- G. O. No. 22, 1895. An ordinance authorizing the improvement of the roadway of Massachusetts avenue, from Bellefontaine street to the tracks of the C., C., C. & St. L. R'y Co., by paving with asphalt.
- G. O. No. 32, 1895. An ordinance authorizing the improvement of the roadway of Ft. Wayne avenue, from Alabama street to Central avenue, by grading and paving with asphalt.

Respectfully submitted,

C. S. DENNY,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
CITY OF INDIANAPOLIS,
June 17, 1895. }

Hon. W. H. Cooper, President Common Council, City:

DEAR SIR—I send you herewith, by order of the Board, two ordinances relating to the permanent improvement of the roadway of St. Clair street, from Massachusetts avenue to Mississippi street, by grading and paving with asphalt. These ordinances are submitted to your honorable Body for your consideration and action thereon.

Very respectfully,

BART PARKER,
Clerk, Board of Public Works.

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

REPORTS, ETC., FROM STANDING COMMITTEES.

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

Special Appropriation Ordinance No. 1, 1895. An ordinance appropriating \$5,963.04 to the Department of Public Works for the payment of an assessment against the City of Indianapolis on account of the main intercepting sewer, as provided by compromise settlement contract dated June 1, 1895, between the City of Indianapolis and F. Ballweg and others.

Made the following report:

Mr. President:

Your Committee on Finance to whom was referred Special Appropriation Ordinance No. 1, 1895, have considered the same and recommend that it be passed.

J. R. ALLEN.
CHARLES KRAUSS.
GEO. R. COLTER.
GEO. MERRITT.
JAS. H. COSTELLO.
ED. G. STOTT.

Which was read and concurred in.

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

Special Ordinance No. 1, 1895. An ordinance ratifying, confirming and approving a certain contract and agreement relative to the payment of the assessments for that part of the main intercepting sewer that extends through condemned ground, made and entered into on the first day of June, 1895, between the City of Indianapolis, by and through its Board of Public Works, and F. Ballweg and other property holders, and Wilding and Derheimer.

Made the following report:

Mr. President:

Your Committee on Finance to whom was referred Special Ordinance No. 1, 1895, have considered the same and recommend that it be passed.

J. R. ALLEN.
CHARLES KRAUSS.
GEO. R. COLTER.
GEO. MERRITT.
JAS. H. COSTELLO.
ED. G. STOTT.

Which was read and concurred in.

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

Appropriation Ordinance No. 4, 1895. An ordinance appropriating fifteen hundred dollars for the purpose of defraying the expense of building engine houses.

Made the following report:

Mr. President:

Your Committee on Finance to whom was referred Appropriation Ordinance No. 4, 1895, have considered the same and recommend that it be passed.

J. R. ALLEN.
CHARLES KRAUSS.
GEO. R. COLTER.
GEO. MERRITT.
JAS. H. COSTELLO.
ED. G. STOTT.

Which was read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 34, 1895. An ordinance authorizing the improvement of the roadway of St. Clair street, in the City of Indianapolis, from the northwest property line of Massachusetts avenue to the west property line of Park avenue, north of St. Clair street, by grading and paving the roadway from curb to curb—a width of twenty-seven feet—with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad), or Bermudez Asphalt, or asphalt of a quality equal in all respects or superior thereto, to be laid on a six-inch Portland Cement Concrete Foundation; by putting a marginal finish at street and alley intersections where needed; by curbing with new stone the outer edges of the sidewalks thereof, and paving and curbing the wings of all connecting streets and alleys between the above named points.

WHEREAS, heretofore, to-wit: On the 16th day of May, 1895, the Board of Public Works of the City of Indianapolis, Indiana, deeming it necessary to improve St. Clair street, in the City of Indianapolis, in Marion County, State of Indiana, from the northwest property line of Massachusetts avenue to the west property line of Park avenue, north of St. Clair street, by grading and paving the roadway from curb to curb—a width of twenty-seven feet—with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad), or Bermudez Asphalt, or asphalt of a quality equal in all respects or superior thereto, to be laid on a six-inch Portland Cement Concrete Foundation; by putting a marginal finish at street and alley intersections where needed; by curbing with new stone the outer edges of the sidewalks thereof; and paving and curbing the wings of all connecting streets and alleys between the above named points, adopted a resolution to that effect, known and designated as Improvement Resolution No. 100, 1895; and,

WHEREAS, Said Board caused the necessary specifications, profiles and drawings for said street improvement to be prepared and filed in their office, where they now are; and,

WHEREAS, Said Board caused notice to be duly given of said resolution, ordering the improvement of said street, by publication thereof in The Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, State of Indiana, once each week for two consecutive weeks, namely: on the 20th and 27th days of May, 1895; and,

WHEREAS, In the opinion of said Board, said street improvement is deemed necessary, and the total cost thereof shall be apportioned all as provided for in "An Act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in accordance with and pursuant to the provisions of all amendatory and supplemental acts thereto passed by the General Assembly of the State of Indiana; and,

WHEREAS, Said Board met, according to said published notice, to-wit: In its office, Room No. 5, basement Marion County Court House, Indianapolis, Indiana, at 10 o'clock A. M., on the 4th day of June, 1895, to receive or hear remonstrances from persons interested in or affected thereby, if any there be, against the improvement of said street; and,

WHEREAS, At such meeting certain property owners, in person, interested in or affected by said proposed described improvement, appear and remonstrate against the improvement of said street; and,

WHEREAS, Said Board, after duly considering such remonstrances, did, on the 4th day of June, 1895, take final action on said Improvement Resolution No. 100, 1895, confirming the same, without modification, as adopted on the 16th day of May, 1895; and,

WHEREAS, Later, to-wit: On the 6th day of June, 1895, and within ten days after final action was taken by said Board on said improvement resolution, one-half of all the resident freeholders abutting on said St. Clair street, along the line of said proposed street improvement, filed with said Board their written remonstrance against such improvement, which remonstrance has been made a part of the records in the office of said Board; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the improvement of the roadway of St. Clair street between the northwest property line of Massachusetts avenue and the west property line of Park avenue, north of St. Clair street, in the City of Indianapolis, as more fully described in the preamble hereto, and specifically shown by the profile and drawings now on file in the office of the Board of Public Works, as referred to therein, be and the same is hereby specifically ordered, and Improvement Resolution No. 100, 1895, of said Board, and all its other acts in relation thereto, be and the same are now hereby in all things approved, confirmed, adopted and specifically ordered.

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

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

By Board of Public Works:

G. O. No. 35, 1895. An ordinance authorizing the improvement of the roadway of St. Clair street, in the City of Indianapolis, from the west property line of Park avenue, north of St. Clair street, to the east property line of Mississippi street, excepting the intersections with Capitol avenue, Illinois street, Meridian street, Pennsylvania street, Delaware street, Ft. Wayne avenue, Alabama street and New Jersey street, by grading and paving the roadway from curb to curb, a width of twenty-four feet, with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad), or Bermudez Asphalt, or asphalt of a quality equal in all respects or superior thereto, to be laid on a six-inch Portland Cement Concrete Foundation; by putting a marginal finish at street and alley intersections where needed; by curbing with new stone the outer edges of the sidewalks thereof; and paving and curbing the wings of all connecting streets and alleys between the above named points not already permanently improved with either brick, asphalt or wooden blocks.

WHEREAS, heretofore, to-wit: On the 16th day of May, 1895, the Board of Public Works of the City of Indianapolis, Indiana, deeming it necessary to improve St. Clair street, in the City of Indianapolis, in Marion County, State of Indiana, from the west property line of Park avenue, north of St. Clair street, to the east property line of Mississippi street, excepting the intersections with Capitol avenue, Illinois street, Meridian street, Pennsylvania street, Delaware street, Ft. Wayne avenue, Alabama street and New Jersey street, by grading and paving the roadway from curb to curb, a width of twenty-four feet, with the best quality of Standard Trinidad Asphalt (commonly known as Pitch Lake Asphalt, mined directly from Pitch Lake in the Island of Trinidad), or Bermudez Asphalt, or asphalt of a quality equal in all respects or superior thereto, to be laid on a six-inch Portland Cement Concrete Foundation; by putting a marginal finish at street and alley intersections where needed; by curbing with new stone the outer edges of the sidewalks thereof; and paving and curbing the wings of all connecting streets and alleys between

the above named points not already permanently improved with either brick, asphalt or wooden blocks, adopted a resolution to that effect, known and designated as Improvement Resolution No. 101, 1895; and,

WHEREAS, Said Board caused the necessary specifications, profiles and drawings for said street improvement to be prepared and filed in their office, where they now are; and,

WHEREAS, Said Board caused notice to be duly given of said resolution, ordering the improvement of said street, by publication thereof in The Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, State of Indiana, once each week for two consecutive weeks, namely: on the 20th and 27th days of May, 1895; and,

WHEREAS, In the opinion of said Board, said street improvement is deemed necessary, and the total cost thereof shall be apportioned all as provided for in "An Act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in accordance with and pursuant to the provisions of all amendatory and supplemental Acts thereto passed by the General Assembly of the State of Indiana; and,

WHEREAS, Said Board met, according to said published notice, to-wit, in its office, Room No. 5 Basement Marion County Court House, Indianapolis, Indiana, at 10 o'clock A. M. on the 4th day of June, 1895, to receive or hear remonstrances from persons interested in or affected thereby, if any there be, against the improvement of said street; and,

WHEREAS, At such meeting certain property owners, in person, interested in or affected by said proposed described improvement, appear and remonstrate against the improvement of said street, and whereas, said Board after duly considering such remonstrances did, on the 4th day of June, 1895, take final action on said Improvement Resolution No. 101, 1895, confirming the same, without modification, as adopted on the 16th day of May, 1895; and,

WHEREAS, later, to-wit: On the 6th day of June, 1895, and within ten days after final action was taken by said Board on said Improvement Resolution, one-half of all the resident freeholders abutting on said St. Clair street, along the line of said proposed street improvement, filed with said Board their written remonstrance against such improvement, which remonstrance has been made a part of the records in the office of said Board; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the improvement of the roadway of St. Clair street, between the west property line of Park avenue, north of St. Clair street, to the east property line of Mississippi street, in the City of Indianapolis, as more fully described in the preamble hereto and specifically shown by the profile and drawings now on file in the office of the Board of Public Works, as referred to therein, be and the same is hereby specifically ordered, and Improvement Resolution No. 101, 1895, of said Board, and all its other acts in relation thereto, be and the same are now hereby in all things approved, confirmed, adopted and specifically ordered.

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

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

ORDINANCES ON SECOND READING.

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

Special Appropriation Ordinance No. 1, 1895. An ordinance appropriating \$5,963.04 to the Department of Public Works for the payment of an assessment against the City of Indianapolis on account of the main intercepting sewer, as provided by compromise settlement contract dated June 1, 1895, between the City of Indianapolis and F. Ballweg and others.

And was passed by the following vote :

AYES, 16—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Ryan, Shaffer, Stott, Young and President Cooper.

NAYS—None.

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

Special Ordinance No. 1, 1895. An ordinance ratifying, confirming and approving a certain contract and agreement relative to the payment of the assessments for that part of the main intercepting sewer that extends through condemned ground, made and entered into on the first day of June, 1895, between the City of Indianapolis, by and through its Board of Public Works, and F. Ballweg and other property holders, and Wilding and Derheimer.

And was passed by the following vote :

AYES, 16—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Ryan, Shaffer, Stott, Young and President Cooper.

NAYS—None.

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

Appropriation Ordinance No. 4, 1895. An ordinance appropriating fifteen hundred dollars for the purpose of defraying the expense of building engine houses.

And was passed by the following vote :

AYES, 16—viz: Messrs. Allen, Colter, Costello, Drew, Hennessy, Kaiser, Koehring, Krauss, Magel, Merritt, Murphy, Ryan, Shaffer, Stott, Young and President Cooper.

NAYS—None.

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

G. O. No. 24, 1895. An ordinance requiring the L. E. & W. and L., N. A. & C. Railway Companies to station and maintain a flagman at Tenth street and said Companies' tracks, in the City of Indianapolis, Indiana.

Mr. Young offered the following amendment to G. O. No. 24, 1895 :

1. That the letters, characters and word "L. E. & W. and L. N. A. & C." be struck out of the title thereof and that there be inserted in lieu thereof the following: "Lake Erie and Western and Louisville, New Albany and Chicago."

2. That the letters, characters and word "L. E. & W. and L. N. A. & C." be struck out of line 2 of Section 1 of said ordinance and the following be inserted in lieu thereof: "Lake Erie and Western and Louisville, New Albany and Chicago."

3. That the word "red" be struck out of said Section 1 whenever it occurs.

Which amendment was adopted.

On motion of Mr. Young, G. O. No. 24, 1895, was then ordered engrossed as amended, read a third time, and was passed by the following vote:

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

NAYS—None.

Mr. Merritt was given unanimous consent to make the following report:

JUNE 17, 1895.

Your committee to whom was referred the petition of Robert Kennington for relief in the matter of the paving of Madison avenue in 1890, have considered the same and recommend that the petition be not granted.

GEO. MERRITT.

LUCIUS W. DREW.

WM. HENNESSY.

Judiciary Committee.

Which was read and concurred in, and, on motion of Mr. Young, the petition of Mr. Kennington was indefinitely postponed.

On motion of Mr. Shaffer, the Common Council, at 8:40 o'clock P. M., adjourned.

ATTEST:

M. H. Cooper President.

Lee Nixon

 City Clerk.