

TH 310

ARIZ  
SMALL  
COLL

ARIZONA COLLECTION  
ARIZONA STATE UNIVERSITY

TEMPE CITY GOVERNMENT 1894 TO 1900

MS

Term Project  
Arizona History 401

M.G. Lavelle

TABLE OF CONTENTS

Introduction

Part I

First Appointed City Government

Early Ordinances

Community Improvements

Summary of the First City Government

Part II

First City Election

Election Results

Lack of Leadership

Special Election

Firm Action Begins

Part III

Second City Election

Proposed Ordinance #42

Hoadley Proposal

Second Attempt

Williams Proposal

Hayden Tempe Census

Water Bond Election

Conclusion

Footnotes

Bibliography

ARIZONA STATE UNIVERSITY  
ARIZONA STATE UNIVERSITY

### Introduction

This paper was written in partial fulfillment of the course requirements for History of Arizona #401. However, there are many other reasons or motivating factors which led to the writing of this paper.

I have found Tempe an enjoyable and interesting place to live during the last four years. Knowing something of its early history has given me a greater appreciation and relationship with the present city of Tempe. In doing the basic research I found that very little has been written about the early history of Tempe other than the Hayden family and Tempe Normal School.

The period of time I have selected is from the cities incorporation to the turn of the century. During this period of time there were three city councils which were in office. It is the purpose of this paper to look at these councils and see their early problems while attempting to establish a smooth functioning town government.

I hope, also, that this paper in some way may contribute to the Tempe Centennial. However, anyone who reads this paper should realize it is not written by a professional historian, but only by someone with an interest in early Tempe. To give a more complete picture than what is written here great time would have to be spent. However, the facts are written as clearly as interpreted from the sources researched.

## Part I

### First Appointed City Government

November 26, 1894 the town of Tempe, Arizona was incorporated by an order passed by the Board of Supervisors of Maricopa County.<sup>1</sup> At this time Tempe had between 500 to 800 residents in an area of one and one half square miles.<sup>2</sup>

On December 10, 1894 the first meeting of the town council met. The council at this time was appointed by the Maricopa Board of Supervisors and not elected by the town people. The five councilmen appointed were Benjamin Goldman, C.S. Heineman, F.B. Austin, F.J. Hart, and C.F. Springer. These men were sworn into office by notary public and lawyer W.L. Van Horn. The first order of business was the nomination of town Mayor. C.S. Heineman moved that a ballot be prepared for Mayor and the councils first motion was put to a vote and carried. On balloting F.J. Hart received three out of five votes and was declared elected mayor of Tempe and assumed his chair.<sup>3</sup> F.J. Hart was also a doctor who had a home on Sixth Street and <sup>Forest</sup> Farmer.<sup>4</sup>

After this business was taken care of Heineman again made a motion that a Mayors committee be appointed. The motion was passed and Hart appointed Springer and Goldman to his committee.<sup>5</sup> This concluded the first official Tempe city council meeting.

Next in the organization plan was to appoint the councilmen to various committees to deal with certain areas pertaining to the operation and function of the town.

On December 13th the Mayor appointed the following councilmen to the named committees:

Streets - Goldman, Springer, Austin

Finance - Heineman, Springer, Austin

Ordinances - Goldman, Springer, Austin

Health - Heineman, Hart, Goldman<sup>6</sup>

Other city positions now had to be filled such as town marshall, town attorney, and town clerk. The position for town marshall was applied for by three men. They were George L. Compton, J.L. North, and W.W. Fillows. On January 14th the city council met for elections. The results were Compton - 2, North - 2, and Fillows - 1. On the second ballot Compton received 3 and North 2. George L. Compton became the first marshall of Tempe.<sup>7</sup> Compton was a bachelor from Temple, Texas who in later years had one-third interest in the Curry hardware store on Mill Avenue.<sup>8</sup> Comptons physical frame was about 6'4" and carried 225 pounds. He was a fair man who was quick footed with a gentle temperment, but you would have to carry him out before he would back out.<sup>9</sup> The marshalls duties were also to be the supervisor of streets and the collector of taxes.

The position for town attorney was between W.F. Kingsburry and W.L. Van Horn. However, Kingsburry wrote a letter to the council stating he would not be able to take such a position because of his private business. There upon

W.L. Van Horn took this position for \$10 a month. On January 10, 1895 C.A. Fisk was elected town clerk replacing Springer who was then the acting clerk.<sup>10</sup>

Thus after one month of being an offically incorporated town Tempe had the basic positions filled and began acting as a government body. One of the first jobs of any city government body is to propose and pass laws along with community improvements that will lead to the betterment of the town as a whole.

#### Early Ordinances

On January 10, 1895 the first city ordinance was read and unanimously passed by the council. Its title was "Government" with Sections 1 - 6. Essentially this ordinance described the various city government positions and how they were to be filled and what the duties were. This ordinance was ammended by Ordinance #155 which included the saleries for the city positions. However, this wasn't passed until November 1929.<sup>11</sup> After this first ordinance was passed many followed quickly. By September 21, 1895 Tempe had tweleve ordinances in effect which many of which still exist today. Ordinance #12 was the most lengthy and effected everyone in Tempe because it was the "Penal Code". Such acts as using obsene or vulgar language within hearing distance of another, disorderly conduct, disturbing religious activities, discharging firearms, fighting, selling liquor to minors, and selling obscene literature violated this ordinance. This ordinance also included in its writing that it be unlawful to tie any animal to any growing tree

in town. Ordinance #12 was Tempe's criminal code, so to speak, and many of its sections apply today.<sup>12</sup>

However, the hardest or most troublesome ordinance to enforce was Ordinance #5 titled "Dogs and Dog Licenses". The marshal was supposed to keep a record of all dog licenses issued and the fees paid for the license. If a dog was to run free during rabies season or when the council prescribed that the dog had to be muzzled.<sup>13</sup> Unlicensed dogs and strays had to be kept in a pound to be retrieved by their owner who had to pay a fee. If this didn't occur a three day notice that the dog was for sale was to be posted. If it wasn't sold the marshal was to shoot the dog. The money collected by the issuance of dog licenses and the sold dogs went into the city treasury to supplement the fees collected as stated in the license ordinance for business establishments.<sup>14</sup>

The dog pound was the front yard of the jail. The jail itself was located 150 feet north of the Hayden Mill. It had about five cells in its 75' length.<sup>15</sup> Marshall Compton kept the unlicensed dogs penned up in the front yard while they awaited their fate. However, this became a problem because of the continuous barking and dog fights. One irate citizen complained to the city council and wanted to know what they intended to do about it. Even the Tempe Daily News carried a story about the dogs when it stated that a jail break had taken place - three of the dogs made their escape and were temporarily free in this "sunkissed vale".<sup>16</sup>

Of course, most of the other ordinances passed were of a more serious nature and didn't go uncontested, particularly in the matter of license fees for business enterprises. An example of this would be the case of the City of Tempe versus A.R. McCamly and G.W. Kame. Judge Smith found in the city license case that Kame was not guilty of any violation. However, McCamly was and had to pay a \$50 fine.<sup>17</sup>

### Community Improvements

Besides passing ordinances the city council was concerned from the beginning with community improvements. In the early part of February 1895 the street committee wanted to have the Tempe streets surveyed for drainage. This was just a beginning of constant street improvements in Tempe during this council's term.<sup>18</sup> Nearby the city there was a large deposit of decomposed granite which was brought in to help improve the streets. Tempe Land and Improvement Company offered a team and wagon to help repair the streets provided the council would provide a driver.<sup>19</sup> In later years (1900) Tempe was supposed to have the best streets in the southwest. Also to insure aesthetic beauty no stock could be driven north of Eighth Street on Mill Avenue.<sup>20</sup>

Other projects which this city council did to improve the community were to name the Tempe Daily News the official town paper, make a map of the city, and form a volunteer fire department which was to have two companies of two-wheeled man-drawn pumpers.<sup>21</sup>

In November of 1895 George Compton, the marshall, handed

ARIZONA COLLECTION  
ARIZONA STATE UNIVERSITY



in his resignation effective December 1st, 1895. He was replaced by T.M. Elder whose first assignment was to strictly enforce the Health Ordinances.<sup>22</sup> Elder also had working with him a deputy marshall named Boulton who assisted in such matters as arresting hobos who camped down by the river near the railroad. In one instance they brought in eleven of them. However, Justice Stafford in the interest of the community turned them loose with the provision that they not return to Tempe. There was another camp by the bridge but these hobos were left alone because they were respectable men looking for work.<sup>23</sup> Elder also had a problem with dogs and much of his time was crusading against tagless dogs.<sup>24</sup> The marshalls salary during this time varied from \$30 to \$50 a month depending on his activity.

#### Summary of the First City Government

During this city council term in office they worked generally well together with the towns concern in mind. The office of town clerk changed hands many times. C.A. Fisk resigned on June 20, 1895 and his successor J.A. Dodson resigned September 12, 1895. Other than this the city government was fairly stable. However, the attorney Van Horn remained in his position but he wanted his salary increased from \$10 a month to \$15 a month.<sup>25</sup>

The first city government of Tempe did reasonably well. In comparing Mesas and Tempes city councils during the fifteen month period since the towns incorporation we find the council of Tempe did things prudently and in the best interest of the town. Starting with nothing in the city

treasury they would leave \$77.28. Their expenditures were \$1618.52 for fifteen months compared to Mesas \$1722.36 for twelve months. Tempe's legal service was \$250 while Mesa had no legal costs. \$125 for Tempe's legal service came from penalties in license suits against those fighting incorporation and not from the city's treasury. Mesa ordinances cost \$143.00 to publish and they didn't have to pay rent for a council room meeting chambers. Tempe's ordinances cost \$87.50 to publish and council room renting fees cost \$30. Also Mesas city council and Mayor were paid while Tempe's weren't.<sup>26</sup>

However, not everyone was pleased in Tempe with the new city government. Some openly displayed their feelings. As was the case with Captain R.G. Andre who after a big rain put a sign in a pool of water near his building. The sign read, "No fishing" and on the other side, "All rights reserved for City Council".<sup>27</sup>

Part IIFirst City Election

As time approached for Tempes first general election the citizens were called to an open meeting for the purpose of selecting an election ticket. This meeting opened with S.C. Heineman temporarily chairman. However, Frank Marmalyo was nominated permanent chairman with E.B. Goodwin secretary. The following people were nominated for the town council:<sup>28</sup> F.A. Hough, Frank Fogal, A.G. Austin, E.A. Murphy, Howard Woods, Woølf Sachs. For the position of marshall the following were nominated: J.L. Richards, A.G. Austin, E.A. Murphy, Howard Woods, Woølf Sachs, and George L. Compton.

The newspaper made mention of the fact that the citizens meeting selected an excellent municipal ticket and they heartily believed it was the proper method of making sound non-partisan nominations. As the people they selected were good citizens and property owners.<sup>29</sup>

The election notice was given in the paper and the date set as April 6, 1896. The election was for five councilmen, one clerk, and one marshall. The voting was to take place in the Bury Building in Judge Smiths office. The board of officers for the election were the following: Inspector W.E. Mullen, Judges H.Z. Zuck and J.L. Morse,

Kingsbury?

Ballot clerks C.P. Barrowdale and R.R. Root, Poll clerks Frank Marmalyo and E.L. Drum, Election marshall T.M. Elder. The above named people were to be payed \$2.50 per day for their services.<sup>30</sup>

Election Results

On April 11, 1896 the sealed ballots were opened. It was found that the total number of votes cast was 93, but 22 were rejected by the election board. Tempes first city general election showed the following results:

Councilmen

|                             | <u>Votes</u> |
|-----------------------------|--------------|
| <i>Ernst</i> Ernest Schmidt | 21           |
| C.J. Ulmer                  | 27           |
| F.A. Hough                  | 2            |
| Woolf Sachs                 | 42           |
| A.G. Austin                 | 31           |
| J.L. Richards               | 45           |
| E.A. Murphy                 | 43           |
| W.A. Bolton                 | 1            |
| C.N. Taylor *               | 61           |

Town Clerk

|                   | <u>Votes</u> |
|-------------------|--------------|
| R.G. Spafford     | 15           |
| F. Schureman*     | 44           |
| George L. Compton | 1            |
| C.N. Taylor       | 1            |

Town Marshall

|                     | <u>Votes</u> |
|---------------------|--------------|
| J.M. Culver         | 23           |
| George L. Compton * | 40           |
| John North          | 1            |

| <u>Supervisor of Streets</u> | <u>Votes</u> |
|------------------------------|--------------|
| J.M. Culver                  | 23           |
| George L. Compton*           | 28           |
| John North                   | 1            |

The new elected town government was to have Woolf Sachs, E.A. Murphy, A.G. Austin, J.L. Richards and Charles N. Taylor as councilmen. The office of town clerk was filled by Fletcher Schureman. The marshall and supervisor of streets would again be filled by George Compton.<sup>31</sup>

This new council met for the first time on April 20th to take office and elect a mayor. It took two different ballots before E.A. Murphy was declared mayor and assumed his chair. This was followed by an informal discussion on the duties of the town government.<sup>32</sup>

#### Lack of Leadership

This city council of Tempe apparently had a hard time in establishing its operation. During their first year in office they only met twelve times. These meetings consisted mostly of paying fees and passing unimportant ordinances such as the one that made it a misdemeanor to ride a bicycle on the town sidewalks. This was another equally troublesome ordinance which the marshall had to enforce.<sup>33</sup>

On March 22, 1897 councilmen Taylor resigned. He was replaced by John Knight, who was nominated by the mayor. Following this action the mayor himself resigned.<sup>34</sup> This lead to further complications because Knight was the elected temporary mayor. This left a council seat vacant. R.O. Greeves filled the position. Then on June 28, 1897 John Knight was

elected mayor. All seemed to be in order. Knight even showed signs of leadership by telling the marshall to kill the dogs according to the ordinance.<sup>35</sup>

### Special Election

However, all was not in order because it was discovered that Knight and Greeves had not been elected according to law. So a special election had to be held. On September 4, 1897 notice was given to the towns people and a meeting was held. H.Z. Zuck was chairmen of the meeting with C.W. Miller, editor of the Tempe Daily News, as secretary. Those nominated were Samuel Brown who would later become an Arizona legislator and John Knight. Mr. Brown accepted his nomination with a speech in which he declared he would work for the improvement of the town and vote in favor of the property tax if elected. According to the Tempe Daily News this speech was well accepted because progressive Tempe citizens and property owners wanted to tax themselves for public improvements.<sup>36</sup>

In the election John Knight received 36 votes, Samuel Brown 12, and R.O. Greeves 23, and J.C. Goodwin 1. Thus John Knight and R.O. Greeves legally took their council seats. September 20th Knight was legally elected third mayor of Tempe. Knight reorganized the councils in the Finance, Health, and Ordinance committee appointments. The towns additude was changed with the change and the general feeling was that the new council may bring prosperity to the town.<sup>37</sup>

### Firm Actions Begun

This new council began work immediately. Its first

move was to instruct the town attorney to prepare an ordinance levying property tax. By October 1, 1897 the council passed Ordinance #29, #30, and #31. Ordinance #30 was the street tax and Ordinance #31 was the property assessment tax.<sup>38</sup>

The street tax called for two dollars a year to be collected by the town marshall from any male over twenty-one years of age who lived in the incorporated limits of Tempe. If anyone was unable to pay such a tax he must donate two days labor to work on the streets. The assessment ordinance was for the purpose of taxation of Real and Personal property situated within Tempe. To establish how much certain types of property should be taxed an equalization committee was appointed. After reviewing the committees findings the city council assessed the value of the Real and Personal property and imposed a tax of four mills on the dollar to defry the officers salaries, and ordinary and contigent expenses of the town of Tempe. A tax of two mills on the dollar for the purpose of constructing and repairing streets, sewers and sidewalks or bridges or culverts in streets and sidewalks within the city limits. What this amounted to in the way of tax was a \$1.77 for a lot on Mill Avenue that was 150' X 137'. This was one of the higher taxes payed. Most property tax was between 30 to 60 cents.<sup>39</sup>

Before going out of office due to the regular city election this revised council worked together for eight months. During this time they met sixteen times and passed

ten effective ordinances to improve Tempe. Their work was appreciated by the Towns people. A meeting of the town property owners met on April 2, 1898 at Kingsbury Hall and stated that they were pleased with the recent town improvements and wished progress to continue in that direction. Their feelings would be reflected in the upcoming election.<sup>40</sup>



Part IIISecond City Election

The second regular city election was held on April 4, 1898. The results were as follows:

Councilman

|               | <u>Votes</u> |
|---------------|--------------|
| John Knight   | 59           |
| R.O. Greeves  | 63           |
| R.G. Finch    | 63           |
| Samuel Brown* | 67           |
| F.J. Hart     | 59           |

Marshall

|              | <u>Votes</u> |
|--------------|--------------|
| C.O. Smith   | 59           |
| G. P. Pitken | 6            |

Supervisor of Streets

|             | <u>Votes</u> |
|-------------|--------------|
| C.O. Smith  | 57           |
| G.P. Pitken | 5            |

The new city government took office April 11, with John Knight being elected mayor by vote of four to one. With John Knight and R.O. Greeves being reelected and the return of F.J. Hart the new city council had experience behind them before dealing with the upcoming town issues.<sup>41</sup>

Proposed Ordinance #42

The biggest issue the council had to deal with was the matter of a water works for Tempe. It began when C.W. Miller presented an ordinance asking for a franchise to put in the

water works. This would have been Ordinance #42. The ordinance committee made no recommendation but did amend his proposal in several sections. Petitions were presented by Miller and counteracted by Austin and Goodwin. Whereupon Miller requested that he be permitted to meet any competition that might come up. The water issue was dropped until the regular October meeting of the city council. In the meantime the mayor would solicit correspondence to others interested in the waterworks.<sup>42</sup>

#### Hoadley's Proposal

The next person to enter the picture was a man named Hoadley, who caused much turmoil in the council. On September 2, 1898 he proposed his water works plan and requested a resolution which would pass or reject it. After much debate Hoadley withdrew his proposal. The debate showed the personal interests of the councilmen.

#### The Second Attempt

On September 12th, Hoadley again made an attempt when he introduced a resolution through councilman Finch who had attempted to aide Hoadleys first proposal. This resolution set forth an ordinance to put in water works for Tempe and to furnish to the town twelve hydrants at an annual rental fee of \$600. Again Hoadley wanted the proposition accepted now. Again the mayor ruled the motion out of order. Councilmen Finch then appealed a decision from the chair, but Brown stood with the chair and a vote was taken.<sup>43</sup>

#### Williams Proposal

At the October council meeting the Mayor reported on

the correspondence he had received concerning the water works issue. The mayor said he was in favor of Williams plan. The proposal was to keep up one half of the towns water rights in full and all other assessments, for use of the other half. Councilmen Finch wanted to interview Williams and make a report. Following the interview it was reported that Williams would pay assessment on all the towns water. Councilmen Brown made a motion seconded by Greeves that Williams motion be rejected.<sup>44</sup>

#### Other Matters

While the water issue was taking place the council didn't neglect other areas concerning the town. H.L. Chandler was given an electric wire and light franchise. Neglectful property owners were told to improve the unsafe conditions of their premises or be fined.

A matter of great concern to the council was the activities of Marshall C.O. Smith. It seems he was collecting taxes and not returning the whole amount into the city treasury. An investigation revealed he had \$85.93 to account for. The city council asked him to return the money and also resign. This he did. The council replaced him with reliable George L. Compton. Smith whose nickname was Buzzard went to Phoenix where he served as deputy marshall.<sup>45</sup>

#### Haydens Tempe Census

The water works issue picked up momentum again in June 1899 when a man named Sturdervaut gave an estimated cost of constructing a suitable water plant. Dr. F.J. Hart then made a suggestion that a census be taken of Tempe in

in order to ascertain if the town had the required population according to law to authorize the town to issue bonds for the construction of the water works. Carl Hayden volunteered his services to be census marshall. After taking the census Hayden reported that Tempe had over 1000 residents. Councilmen Brown stated that since the town had population enough that it could bond itself to put up water works. An advertisement in three newspapers stated that the city council would accept waterworks bids until 12 o'clock noon on Sept. 1, 1899.<sup>46</sup>

#### Water Bond Election

However by Sept. 1, no bids had been filed. Mr. Sturdevant, who represented the Phoenix construction company, would present a plan with specifications by Sept. 6th. The proposal of the Phoenix Construction Co. was read on Sept. 6th along with letters from J.R. Shawner, O.F. Foremen representing a company in St. Louis. Another was from Allan & Wilson of Pleasanton, Texas. After these proposals were read and considered councilmen Brown made the motion that the bid from the Phoenix Construction Co. be accepted. The motion was carried. Then Brown motioned that a special election be held for the purpose of voting for or against the towns issuing a \$30,000 bond to construct the water works. The bond would be payable in twenty years. The contract and specifications would be published in the Tempe Daily News for the people to read before the election on October 10. 1899.<sup>47</sup>

Of the 96 votes cast in the election 78 were in favor

with 17 against and one disqualified. The city council met on October 12th and introduced Ordinance #50 "providing for the issuance of the \$30,000 water bond". It was passed on October 28th, 1899. Then Ordinance #51 which dealt with the issuance of the bond was passed on November 9, 1899. On December 14, 1899 Sturdervaut purchased the bond at par value.<sup>48</sup>

Conclusion

Although the water issue would continue until the water works were completed in 1903 Tempe had taken its first major step in becoming a town which could support itself with its concerned citizens. So as the century turned Tempe was well on its way to becoming an established permanent community.

Footnotes

1. Country records (Maricopa) Vol. 5, pages 220 and 221
2. Tempe Historical Sketch
3. Tempe City Council Minutes, Dec. 10, 1899
4. Interview with Thanks Anderson, Oct. 17, 1970
5. Tempe City Council Minutes, Dec. 10, 1894
6. Tempe City Council Minutes, Dec. 13, 1894
7. Tempe City Council Minutes, Jan. 14, 1895
8. Interview with Ed Curry, Oct. 16, 1970
9. Interview with Thanks Anderson, Oct. 17, 1970
10. Tempe City Council Minutes, Jan. 10, 1895
11. Tempe City Ordinance #155
12. Tempe City Ordinance #12
13. Tempe City Ordinance #5
14. Tempe City Ordinance #4
15. A Record of Growth (Greg Clark, 1965)
16. Tempe Daily News May 18, 1895
17. Tempe Daily News, May 4, 1895
18. Tempe City Council Minutes, Jan. 24, 1895
19. Tempe City Council Minutes, Feb. 11, 1895
20. History of Tempe (Ruby Heugler, 1914)
21. History of Tempe
22. Tempe City Council Minutes, Dec. 21, 1896
23. Tempe Daily News, Jan. 21, 1896
24. Tempe Daily News, Feb. 29, 1896

25. Tempe City Council Minutes, Feb. 11, 1896
26. Tempe Daily News, March 21, 1896
27. Tempe Daily News, Feb. 1, 1896
28. Tempe Daily News, March 21, 1896
29. Tempe Daily News, March 21, 1896
30. Tempe City Council Minutes, March 21, 1896
31. Minutes of City Council Meeting, April 11, 1896
32. Tempe City Council Minutes, April 20, 1896
33. Interview with Carl Spain, Sept, 20, 1896
34. Tempe City Council Minutes, May 18, 1897
35. Tempe City Council Minutes, June 28, 1897
36. Tempe Daily News, Sept. 4, 1897
37. Tempe Daily News, Sept. 4, 1897
38. Tempe City Council Minutes, Oct. 1, 1897
39. Tempe City Council Minutes, Jan. 13, 1898
40. Tempe Daily News, April 2, 1898
41. Tempe City Council Minutes, April 11, 1898
42. Tempe City Council Minutes, July 12, 1898
43. Tempe City Council Minutes, Sept. 12, 1898
44. Tempe City Council Minutes, Oct. 11, 1898
45. Interview with Carl Spain and Thanks Anderson
46. Tempe City Council Minutes, July 31, 1899
47. Tempe City Council Minutes, Sept. 6, 1899
48. Tempe City Council Minutes, Dec. 14, 1899



Bibliography

Primary Sources

Maricopa County Records Vol. #5

Minutes of Tempe City Council Meetings 1894 to 1900

Tempe City Ordinances No. 1 to No. 199

Tempe Daily News 1894 to 1900

Interviews

Anderson, Thanks, 1715 S. Cutler Dr., Tempe, Arizona

Curry, Edward, 520 S. Mill Ave., Tempe, Arizona

Spain, Carl, 928 S. Maple Ave, Tempe, Arizona

Unpublished Papers

Clark, Greg, A Record of Growth, 1965

Heugler, Ruby, History of Tempe, 1914

Robinson, Dorothy and Bonham, Lola Brough History of Early Tempe, Date unknown

Tempe Historical Sketch, Date and author unknown