

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—DECEMBER 22, 1890.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, December 22d, A. D. 1890, at 8:00 o'clock, in regular session.

PRESENT—Hon. Isaac Thalman, President of the Board of Aldermen, in the Chair, and Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, and Smither—10.

ABSENT—None.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was read :

To the President and Members of the Board of Aldermen :

Gentlemen:—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council at its regular session held December 15th, 1890.

For the Common Council :

E. B. SWIFT, City Clerk.

The report of the Committee on Contracts (see pages 1029-30, *ante*), awarding contracts for various street improvements, was read, and the action of the Common Council thereon, concurred in.

The report of the City Attorney (see page 1020, *ante*), in relation to the settlement of the compromise with ex Market Master Wells' bondsmen, was read, and the action of the Common Council thereon, concurred in.

The report of the City Clerk (see page 1020, *ante*), in relation to ex-Market Master Wells' January warrant, was read, and the action of the Common Council thereon, concurred in.

The following report of the City Clerk (see page 1020, *ante*), was read, and the bonds concurrently approved :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I submit herewith the bonds of the City Officers elect, showing amount of bonds, with sureties :

Dr. C. N. Metcalf, Superintendent of City Dispensary: Bond, \$3,000; surety, A. Steffen.

John P. Schiltges, East Market Master. Bond, \$3,000; sureties, Fred. C. Grosert, John Fromhold and R. W. Feldkamp.

Thomas J. Kearney, West Market Master. Bond, \$3,000; sureties, P. H. McNelis and F. Stout.

I submit the same for your approval.

E. B. SWIFT, City Clerk.

The following report of the City Clerk (see page 1020, *ante*), was read :

To the Mayor, Common Council and Board of Aldermen :

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

Gansberg & Roney vs. Willis M. Wright, for.....	\$10 05
Gansberg & Roney vs. Amanda M. Morgan, for.....	10 05
Gansberg & Roney vs. Amanda M. Morgan, for.....	20 10

Respectfully submitted, E. B. SWIFT, City Clerk.

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

AYES, 10—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

The report of the City Civil Engineer, accompanied with estimate (see pages 1021–22, *ante*), was read and received.

The following estimate resolutions (see pages 1022 to 1025, *ante*), were read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fulmer, Cooper & Co., for grading and paving with brick the west sidewalk of Bellefontaine avenue, from Ninth to Eleventh streets, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Joseph Bernauer, for grading and paving with brick the north sidewalk of Ninth street, from College avenue to Bellefontaine avenue, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of George W. McCray, for grading and graveling Pratt street and sidewalks, from Fayette street to Missouri 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Michael Flaherty—John Johnson, assignee—for grading and graveling the first alley south of Lincoln avenue, from Park avenue to College avenue, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading, paving with brick and curbing with stone the sidewalks of Hanna street, from Washington street to Market 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading, bowldering and curbing the north gutter of Market street, and paving with brick the sidewalks thereof, from the west line of Lot 6, to the east line of Lot 1, Dickson Place, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading, bowldering and curbing the east gutter of Archer street, and paving with brick the east sidewalk thereof, from the south side of the east intersection to the south side of the west intersection of Michigan 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Freaney Brothers, for erecting nine gas lamps on New Jersey street, between Home avenue and 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying fourth and final estimate in behalf of Gansberg & Roney, for constructing a brick sewer two and one-half feet internal diameter, in and along New Jersey street, from Massachusetts avenue to Fort Wayne avenue, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Frank Shover, for building a stone wall on the west bank of Pogue's Run, between McCarty and McCauley streets, 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fulmer, Cooper & Co., for building a stone wall on the north bank of Pleasant Run, at Willow street bridge, 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 they were concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Blackwell, Breunig, Farre'l, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

The report of the Board of City Commissioners in relation to building the levee on the south bank of Fall Creek, accompanied with the following resolution, (see page 1026, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, Ind., That the first and final estimate of the City Civil Engineer, for grading, widening and repairing the levee on the south bank of Fall Creek, authorized by General Ordinance No. 3, 1890, and exhibit "A," being a list of lands and lots inside the City of Indianapolis, benefited by the strengthening, repairing and main-

taining of the said levee, as provided for by said ordinance; and exhibit "B," being a list of lands and lots outside of the City of Indianapolis, benefited by the strengthening, repairing and maintaining of the said levee, as provided for by said ordinance; and all of the descriptions and amounts of benefits assessed against the lands and lots respectively, on each and every sheet comprising said exhibits "A" and "B," as therein and thereon fully shown, made by the Board of City Commissioners of the City of Indianapolis, Indiana; and the report of said Board, therein and thereon made as therein shown, all pertaining to the grading, widening and repairing of the levee on the south bank of Fall Creek, from a point two hundred (200) feet east of Central avenue to Tennessee street, as authorized by General Ordinance No. 3, 1890, be, and the same are each and all, in all respects, hereby confirmed, ratified and approved; and all of said lists so made by the City Clerk, and all of said assessments thereon made, as fixed by said Board of City Commissioners, are also hereby confirmed, ratified and approved, and the same are hereby declared a lien severally to the extent shown in each of said exhibits, upon the lands and lots therein shown respectively and severally; and the said report of the Board of City Commissioners is hereby in all things ratified and approved.

Resolved, further. That the City Clerk be, and he is hereby, instructed to deliver said assessment rolls, marked respectively exhibits "A" and "B," to the Auditor of Marion county, Indiana, and that said Auditor be, and he is hereby, directed to place all said assessments upon a separate tax duplicate, and to deliver said duplicate to the County Treasurer of Marion county, Indiana, who is hereby ordered and directed to collect the same by law, all in one installment, as other taxes are collected, for the use and benefit of the contractors for said work, and to pay the same, when so collected, to said contractors or their assigns.

Which report was received, and the resolution adopted by the following vote:

AYES, 10—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

The report of the Committee on Streets and Alleys accompanied with a resolution in relation to the opening of a street commencing near the intersection of Kentucky avenue and Merrill street, and extending southwest to White River, (see page 1032, *ante*), was read, and referred to the Committee on Streets and Alleys and Sewers and Drainage.

The Declaratory Resolutions for paving Indiana avenue with brick, from Illinois street to the Canal, and paving Market street with brick, from Mississippi street to Missouri street, (see pages 1033 and 1034, *ante*), were read, and referred to the Committee on Streets and Alleys and Sewers and Drainage.

The motion in relation to building a stone wall on the bank of Pogue's Run, (see page 1034, *ante*), was read, and referred to the Committee on Contracts and Bridges.

The following motions (see pages 1034 and 1035, *ante*), were read, and concurrently adopted:

That W. F. Elliott be granted permission to tap the asphalt pavement in front of his property, known as No. 884 north Pennsylvania street, for the purpose of connecting with the water main in said street, said Elliott agreeing to comply with existing ordinances.

That Mary K. Galvin, Martha Ballard, P. A. Stilwell, Lizzie Button, H. C. Adams and S. B. Adams, be granted permission to lower the grade and pave with brick the sidewalks in front of their property on east Washington street, at their own expense, under the direction of the City Civil Engineer.

That the Committee on Printing be authorized to make a contract for preparing an Index for the Proceedings of the Common Council and Board of Aldermen for the year 1890.

That Roney & Dunning have sixty days further time to complete their contract on Clyde street.

That the Street Commissioner be directed to notify the Indianapolis Water Company to repair east Market street where said company recently laid its mains; and if said work is not done within ten days, said Street Commissioner is to do the work at their expense.

That the Central Union Telephone Company be, and are hereby, ordered to move the telephone pole from where it is now located on Arch street, between Broadway street and Park avenue, to the corner of Arch street and the first alley between Broadway street and Park avenue.

The following resolution (see page 1035, *ante*), was read :

Resolved, That the Citizens' Street Railroad Company be, and is hereby, ordered to extend, within ninety days from the passage of this resolution, the tracks of their Columbia avenue line along Columbia avenue and Ninth street to the corner of Martindale avenue and Ninth street; and the City Clerk shall serve a copy of this resolution on said company.

And it was concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

REPORTS FROM STANDING COMMITTEES.

The Committee on Judiciary and Ordinances, through Alderman Breunig, submitted the following report; which was received :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Judiciary and Ordinances, to whom was referred G. O. 51, 1890, recommend it be stricken from the files.

Respectfully submitted,

Geo. T. Breunig,
H. B. Smith,
J. F. Reinecke,
Committee.

The following entitled ordinance was read the second time and ordered stricken from the files :

G. O. 51, 1890—An ordinance to repeal General Ordinance No. 36, 1890.

The Committee on Public Light and Education, through Alderman Smith, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Public Light, to whom was referred the erection of an electric light between the east and west buildings on the East Market, would respectfully recommend that the action of the Council be concurred in,

Respectfully submitted,

H. B. Smith,
Theo. F. Smither,
John J. Blackwell,
Committee on Public Light.

The Committee on Streets and Alleys and Sewers and Drainage, through Alderman Farrell, submitted the following report; which was concurred in, and the motion concurrently adopted :

“That the Street Commissioner be, and he hereby is, ordered, 1st, to give immediate notice, in writing, for the removal of all obstructions now existing on Alvorð street, between Malott avenue and Home avenue, to all persons maintaining or permitting the same; 2d, in case such persons fail to immediately remove the same, that the Street Commissioner shall forthwith perform said work, and collect the costs thereof from those persons responsible therefor.”

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee to whom the above was referred, recommend the same do pass.

Respectfully submitted,

M. H. Farrell,
John J. Blackwell,
H. B. Smith,
Committee.

The Committee on Streets and Alleys and Sewers and Drainage, through Alderman Blackwell, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition and resolution for annexing the following unplatted lands, to-wit: The northwest quarter of the southeast quarter, and the northeast quarter of the southeast quarter of Section 25, Township 16, north of Range 3 east, recommend that said petition and resolution be not concurred in, and that they be referred back to the Common Council, with the request that said petition and resolution be re-drawn and so amended as to include all that part of said described real estate lying east of the west line of Park avenue, extended north to the north line of said described real estate.

Respectfully submitted,

John J. Blackwell,
H. B. Smith,
Committee on Streets and Alleys.

REPORTS FROM SELECT COMMITTEES.

Alderman Reinecke submitted following report; which was received :

To the President and Members of the Board of Aldermen :

Gentlemen:—The Aldermen of the First District, to whom was referred the following ordinances—S. O.'s No. 131, 132 and 133, 1890—would recommend that said ordinances be passed.

Julius F. Reinecke,
John J. Blackwell.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

On motion by Alderman Smith, the contract and bond of Browder & Shover, for improving Michigan street, from Illinois street to Missouri street, was recalled from the Committee on Streets and Alleys and Sewers and Drainage, and approved, by the following vote :

AYES, 7—viz: Aldermen Breunig, Laut, Reinecke, Reynolds, Smith, Smither and President Thalman.

NAYS, 3—viz: Aldermen Blackwell, Farrell, and Reilly.

PENDING ORDINANCES.

The following entitled ordinance was read the second and third times :

G. O. 58, 1890—An ordinance to provide for the issuance of bonds to Robert Kennington, contractor, for the balance in payment for the improvement of Madison avenue, from Delaware street to Lincoln Lane.

And it was passed by the following vote :

AYES, 10—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

The following entitled ordinance was read the second time :

G. O. 61, 1890—An ordinance establishing stands for certain public vehicles, and providing penalties for the violation thereof.

President Thalman offered the following amendment ; which was not adopted :

Amend General Ordinance No. 61, 1890, by inserting after the words "passenger or passengers," in Section 1, the following proviso :

"Provided, That any person, upon first obtaining the written consent of any occupant of real estate, may stand any of said named vehicles in front of said real estate, the occupant of which shall have so first given his consent thereto: *provided, however,* no such vehicle shall stand nearer than five feet from any crossing or cross-walk."

Alderman Laut offered the following amendment :

Amend by striking out all of clause "E," of Section 1.

Which was adopted by the following vote :

AYES, 9—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, and Smither.

NAYS, 1—viz: President Thalman.

G. O. 61, 1890, was then read the third time and passed as amended, by the following vote :

AYES, 10—viz: Aldermen Blackwell, Breunig, Farrell, Laut, Reilly, Reinecke, Reynolds, Smith, Smither, and President Thalman.

NAYS—None.

On motion by President Thalman, the Board of Aldermen adjourned to meet Friday evening, December 26th, 1890, at 8:30 o'clock.

Isaac Thalman, President.

Attest : *J. P. Perrott*, Clerk.