

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—FEBRUARY 11, 1884.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, February 11th, A. D. 1884, at seven o'clock, in regular session.

PRESENT—HON. Brainard Rorison, President of the Board of Aldermen, in the Chair, and Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, and Tallentire—10.

ABSENT—None.

The Proceedings of the Board of Aldermen for the regular session, held January 28th, 1884, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

The following message from the Common Council was read, and their action concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council at its session of February 4th, 1884, non-concurred in your action of January 28th, 1884, in granting leave of absence to the City Civil Engineer with the proviso "that he furnish a suitable substitute during such absence, at his own expense," by granting the request unconditional.

I submit the above for your consideration.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The following message was read and received:

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 February 4th, 1884.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 84, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a first and final estimate in behalf of S. W. and R. H. Patterson, for grading and graveling Maria street and sidewalks, from Smith street to Locke street.

608 lineal feet, at 28 cents... .. \$170 24

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (see page 84, *ante*), was 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 S. W. & R. H. Patterson, for grading and graveling Maria street and sidewalks, from Smith street to Locke 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 concurrently adopted by the following vote:

AYES, 8—viz. Aldermen Cobb, Cox, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The report of the City Civil Engineer, as to the drainage in the vicinity of Bright street (see page 85, *ante*), was read, and the following motion, accompanying the same, was read and concurrently adopted:

That the City Civil Engineer be, and is hereby, directed to advertise for proposals for the construction of a brick sewer four and one-half feet internal diameter, from White River in and along Washington street to Geisendorff street; thence north on Geisendorff street to New York street; thence east to Bright street, as recommended in his report of this date.

The following report from the City Clerk was read:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith present the following affidavits, now on file in my office, for the collection of street improvement assessments by precepts, viz:

Richter & Twiname vs. Charles E. Tousey, for.....	\$ 2 20
Richter & Twiname vs. Travelers' Insurance Company, for.....	35 20
Hanway & Cooper vs. Dennis Shehan, for.....	17 63
Charles S. Roney vs. Amelia B. Mansur, John B. Mansur and Celia Mansur, for.....	6 24

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

And the favorable action of the Common Council thereon (see page 86, *ante*), was concurred in, and the precepts ordered to issue, by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Cobb, Cox, King, McHugh, Prier, Pritchard, and Tallentire.

NAYS, 1—viz. President Rorison.

The report of the City Attorney, as to taxing Mutual Union Telegraph poles (see page 89, *ante*), was read, and the action of the Common Council thereon, was concurred in.

The first clause of the report of the City Attorney, as to a compromise in the case of Jennie Heston vs. The City, was read, and the favorable action of the Common Council thereon (see page 90, *ante*), was concurred in.

The reports of the Rental Agent, Superintendent of the City Hospital and Branch, City Dispensary, Board of Public Improvements and the Mortality report (see pages 90, 91, 92 and 93, *ante*), were read and received.

The following report from the Judiciary Committee (see page 93, *ante*), was read, and referred to the Judiciary and Ordinance Committee:

To the Mayor and Common Council:

Gentlemen:—Your committee to whom was referred the petition of Albert E. Fletcher, asking for the satisfaction of lien on certain lots, would report that they have investigated the matter, and they recommend that the prayer of the petition be granted.

Respectfully submitted,

Geo. W. Spahr,
F. E. Benjamin,
Geo. F. Edenharter,
Judiciary Committee.

The report of the Judiciary Committee as to the refunding of a part of sewer tax assessed against the Vance Block, accompanied with petition of Mary J. Vance, was read, and the action of the Common Council thereon (see pages 94 and 95, *ante*), was concurred in.

The report of the Committee on Printing, as to printing the annual report of the City Civil Engineer (see page 95, *ante*), was read and referred to the Committee on Printing, and Office Fixtures & Supplies.

The following resolution (see page 102, *ante*), was read:

WHEREAS, Joseph Raible was nominated for the position of Janitor for the Common Council, and has never been elected; therefore be it

Resolved, That he be elected as Janitor for the ensuing term of two years.

And it was concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following resolution (see page 103, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Indianapolis Water Company be directed to lay water mains from the corner of Helen and Maryland streets, west on Maryland street to the corner of Geisendorff and Maryland streets, under the direction and supervision of the City Civil Engineer.

And it was concurrently adopted, by the following vote:

AYES, 9—viz. Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Tallentire, and President Rorison.

NAYS, 1—viz. Alderman Pritchard.

The following motion (see page 103, *ante*), was read, concurrently adopted, and Aldermen Cox and Prier appointed as the Aldermani members of such committee:

That a committee of three of the Council, and two of the Board of Aldermen, together with the City Engineer and Street Commissioner, be appointed to examine the bank of Fall Creek, north of the City Hospital grounds, and report to this Council what steps are necessary to protect said grounds from the rush of said stream.

The following motion (see page 104, *ante*), was read and concurrently adopted:

That Fred. Luedman be granted the right to grade and pave the sidewalk in front of his lot on Shelby street, under the direction of the Engineer, at his own expense.

The following motion (see page 108, *ante*), was read, and referred to the Committee on Contracts and Bridges:

That the Street Commissioner be instructed to repair the abutments and street adjacent to the bridge on Shelby street across Pleasant Run, in a permanent and durable manner.

The following entitled ordinances (passed by the Common Council) were severally read the first time:

G. O. 10, 1884—An ordinance repealing an ordinance entitled "An ordinance prescribing Rules and Regulations for the Government of the City Council, its officers and officers connected with the City Government," ordained January 2d, 1872, and all ordinances amending the same.

G. O. 12, 1884—An ordinance providing for the compensation of the Officers of the City of Indianapolis, and the Officers and Members of the Fire Department of said city, from January 1st, to December 31st, 1884.

On motion, G. O. 10, 1884, was referred to the Committee on Rules, and G. O. 12, 1884, was referred to the Committee on Finance and Accounts & Claims.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances (passed by the Common Council) were placed upon their final passage without a suspension of the rules.

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

Ap. O. 6, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

On motion by Alderman King, the claim of "Pritchard & Smeall, \$20.00," was referred to the Committee on Fire Department.

The ordinance was then read the third time and passed, by the following vote—(amount appropriated, \$1,705.60):

AYES, 10—viz. Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

Ap. O. 7, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated by Council, \$1,578.92.]

Alderman Prier moved to refer all claims in the above ordinance, except the claims for the payment of salaries, to the Committee on Hospital and Dispensary; which was adopted.

The ordinance was then read the third time (amount appropriated, \$426.43), and passed, by the following vote:

AYES, 10—viz. Aldermen Bernhamer, Cox, Cobb, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

Ap. O. 8, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated by Council, \$75,506.52.]

Alderman Prier moved to refer the claims of "C. N. Kellogg, \$107.95," "L. A. Gable, \$87.00," and "L. S. Henthorne, \$50.00," to the Committee on Finance and Accounts & Claims, and "J. N. Stevens, \$62.00," "Alex. Wood, \$62.00," to the Committee on Public Property, and "O. H. Hasselman, \$1,516.82," to the Committee on Printing.

Which was adopted.

The ordinance was then read the third time (amount appropriated, \$73,620.75), and passed, by the following vote:

AYES, 10—viz. Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was referred to the Committee on Streets & Alleys and Sewers & Drainage:

To the President and Members of the Board of Aldermen:

Gentlemen:—Subject to your order of January 28th, 1884, I have written to Engineers of different cities in reference to Steam Road Rollers, and received the following information:

Cleveland, Ohio, has none in use at present, but have had the Averling & Porter machine, which gave satisfaction.

St. Louis, Mo., has the Averling & Porter Roller, 16 ton; highly recommend it.

Chicago, Ill., has the Averling & Porter Roller, 15 ton; gives general satisfaction.

Louisville, Ky., has the Averling & Porter, and Ross Rollers; weight each, 29 ton, and both give satisfaction.

Cincinnati, Ohio, has the Ross Roller, 20 ton; gives satisfaction. This machine is made in Cincinnati.

Detroit, Mich., has the Averling & Porter Roller, 15 ton; recommend it.

New York City has 6 Averling & Porter Rollers, and have ordered 3 more.

Providence, R. I., has one Averling & Porter Roller.

Nashville, Tenn., has recently ordered an Averling & Porter Roller.

I have seen the Averling & Porter Roller, and am satisfied from this, and the testimony of others that have used them, that it is an excellent Roller.

The Ross Roller, made in Cincinnati, is highly recommended in the cities of Louisville and Cincinnati, but I have no personal knowledge of this machine.

The following are the prices of the Averling & Porter Steam Road Roller, free on board New York City:

10 ton Roller.....	\$5,300 00
15 ton Roller.....	6,000 00
20 ton Roller.....	7,000 00

The same, erected in Indianapolis, in working order, the city to furnish enough labor to assist the Machinist in setting up machine:

10 ton Roller.....	\$5,700 00
15 ton Roller.....	6,500 00
20 ton Roller.....	7,600 00

The above prices are as submitted by W. C. Oastler, Esq., 43 Exchange Place, N. Y., agent for the Averling & Porter Steam Road Roller.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The Clerk of the Board, in behalf of the special committee to which the following entitled ordinances were referred at the session of March 26th, 1883, returned them to the files:

G. O. 15, 1883—An ordinance to repeal an ordinance entitled "An ordinance granting the Mutual Union Telegraph Company, of New York, the privilege of using certain streets and alleys of the City of Indianapolis, in constructing lines of telegraph in said city," ordained February 27th, 1882, and declaring all rights thereunder forfeited.

G. O. 16, 1883—An ordinance to repeal an ordinance entitled "An ordinance granting the Mutual Union Telegraph Company, of New York, the privilege of using the streets and alleys of the City of Indianapolis, in constructing lines of telegraph in said city," ordained January 16th, 1882, and declaring all rights thereunder forfeited.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Contracts, through Alderman Tallentire, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen :

Gentlemen:—The Committee on Contracts, to whom was referred the report from the Common Council on proposals for work, and their action on the same, was duly examined, and recommend their action be concurred in—(see pages 53-9, *ante*.)

Respectfully submitted,

Thomas Tallentire,
Thomas E. Endly,
James McHugh,
Committee on Contracts.

The Judiciary Committee, through Alderman Pritchard, submitted the following report; which was received, the first clause concurred in, and the second clause referred back to the committee:

Indianapolis, Feb. 11th, 1884.

To the Board of Aldermen :

Gentlemen:—Your Judiciary Committee, to whom was referred sundry papers, report as follows:

1st. Is petition of Huston Solomon, contractor, assigning his contract for grading and paving sidewalks of Broadway street, from Home avenue to Seventh street, to R. P. Dunning. Recommend the assignment be approved.

2d. Is a resolution directing notice to be served on John V. Martin, to re-lay the sidewalk around the new Plymouth Church building.

Your committee are informed that said church sold all material in sidewalks and in old buildings to said Martin, for \$700.00, and have received payment for same. This being so, it is not Martin's duty to place sidewalk around said church.

We therefore recommend the resolution do not pass.

Respectfully submitted,

Jas. A. Pritchard,
S. H. Cobb,
Will F. A. Bernhamer,
Judiciary Committee.

The Committee on Public Light and Education, through Alderman Prier, 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 G. O. 59, 1883, "An ordinance granting R. H. Hurley a license to conduct a Theater at 79, south Illinois street," have investigated the same, and recommend the action of the Common Council, in the passage of said ordinance, be not concurred in.

Respectfully submitted,

H. J. Prier,
Jas. A. Pritchard,
Isaac King,
Committee on Public Light.

The Committee on Water and Public Health, through Alderman McHugh (accompanied with further report from the Board of Health), submitted the following reports; which were received:

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Public Health, was instructed, on motion by Alderman McHugh, to ascertain if small pox patients are being buried in Greenlawn Cemetery, would state that upon inquiry, we found that small pox patients were being buried there; that we instructed the Secretary of the Board of Health to have all such patients buried at the Poor Farm, and we believe the order has been carried out, as no such bodies have since been buried at Greenlawn.

Respectfully submitted,

H. J. Prier,
James McHugh,
Wm. C. Cox,
Committee on Public Health.

Indianapolis, Feb. 11th, 1884.

To the Honorable Board of Aldermen of the City of Indianapolis, Ind:

Gentlemen:—In accordance with the instructions of your committee, Messrs. Prier, Cox and McHugh, in reference to the burial of small pox patients in Greenlawn Cemetery, we beg leave to state that we have issued an order to W. N. Wishard, M. D., Superintendent of City Hospital, instructing him not to permit the burial of any more small pox patients in said cemetery, but to inter them in future at the County Asylum farm.

Very respectfully,

E. S. ELDER, M. D., Sec'y. of Board of Health.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Beanhamer offered the following amendment to the Rules of the body; which was adopted:

I offer the following amendment to the Rules as the same appears of record on pages 163 to 170, of the Proceedings of 1879 to 1880:

93. It shall be the duty of the Clerk of the Board of Aldermen to refer all appropriation ordinances within forty-eight hours after their passage by the Common Council, to the appropriate committees of the Board.

Alderman Bernhamer offered the following motion; which was adopted:

That the Committee on Rules be instructed (with power to act), to inquire into the feasibility of having the Rules of the Board, as now in force, printed in the same edition with the Rules of the Common Council.

Alderman King offered the following motion; which was referred to the Committee on Public Light and Education:

That the first lamp east of Cedar street, on the south side of Huron street, be dismantled, and the first lamp east of Dillon street, on the north side of Fletcher avenue, be remantled.

Alderman Pritchard offered the following resolutions:

WHEREAS, Thousands of our fellow citizens in cities and towns situated upon the Ohio River, are now suffering for the necessaries of life, and believing that the tax payers of Indianapolis will support the city government in extending aid in relieving this distress; therefore

Resolved, That the sum of five thousand dollars be appropriated out of any monies in the hands of the City Treasurer not otherwise appropriated, to be used in the purchase of food for the relief of our fellow citizens in the cities and towns of Indiana upon the Ohio River.

Resolved, further, That we request the Mayor to call the Council at once in special session, to take action upon this resolution, and this Board meet in special session upon the same evening, to concur in this resolution and appropriation, if passed by the Council.

Resolved, further, That President Rorison appoint a committee, of which he shall be one member, making a committee of three; and that the Mayor be requested to appoint a committee of three of the Council, he being a member of said committee, and that said committees act with the relief committee of the Board of Trade, in purchasing and forwarding food for the relief of the Ohio River sufferers in Indiana cities and towns, and on completion of their work, make full report of their doings to the Council and Board of Aldermen.

Which was amended by striking out \$5,000, and inserting \$2,500, and then adopted, by the following vote:

AYES, 9—viz. Aldermen Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS, 1—viz. Alderman Bernhamer.

PENDING ORDINANCES.

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

S. O. 136, 1883—An ordinance to provide for grading and bowldering the roadway of Market street from Pennsylvania street to Delaware street.

And it was passed by the following vote:

AYES, 10—viz. Aldermen Bernhamer, Cobb, Cox, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following entitled ordinance was referred to the Committee on Judiciary and Ordinances:

G. O. 42, 1883—An ordinance making it unlawful for any one to remove or extinguish any signal light upon the public streets or grounds of the City of Indianapolis.

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

G. O. 59, 1883—An ordinance granting R. H. Hurley a license to conduct a Theater at 79 south Illinois street.

And it failed of passage by the following vote:

AYES, 2—viz. Aldermen Bernhamer, and Pritchard.

NAYS, 8—viz. Aldermen Cobb, Cox, Endly, King, McHugh, Prier, Tallentire, and President Rorison.

On motion, the Board of Aldermen then adjourned.

BRAINARD RORISON, President.

Attest: FRANK W. RIPLEY, Clerk.