

PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—OCTOBER 15, 1885.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Thursday evening, October 15th, 1885, at half-past seven o'clock, pursuant to adjournment.

PRESENT—Hon. Brainard Rorison, President of the Board of Aldermen, in the Chair, and Aldermen Bernhamer, Endly, King, McHugh, Pritchard, and Tal-lentire—7.

ABSENT, 2—viz. Aldermen Cobb, and Prier.

The Proceedings of the Board of Aldermen for the regular session, held September 28th, 1885, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in regular session, met in the Council Chamber, Monday evening, October 5th, 1885, adhered to their former action in awarding the contract for heating the City Hospital with steam, to Kelly, Jones & Co.

I submit the same for your consideration.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

Alderman Pritchard moved that the Board adhere to their former action; that a Conference Committee be appointed, and that a like committee be appointed from the Common Council.

Which motion was adopted, and the Chair appointed Aldermen Pritchard, Prier and McHugh, to act as the Aldermanic members of such committee.

The following special message was read, and the action of the Common Council concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in regular session, held in the Council Chamber, Monday evening, October 5th, 1885, amended your action granting the prayer of the petition of A. G. Fosdyke et al., for paving the east sidewalk of Bellefontaine avenue, between Eighth and Ninth streets, by striking out the part of said petition relating to the price. The petition, as amended, was then granted.

I submit the same 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 October 5th, 1885.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The report from the City Civil Engineer, submitting certain estimates, (see pages 615 and 616, *ante*), was read, and the estimates (presented therewith) approved.

The following estimate resolution (see page 616, *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 Richter & Twiname, for grading, bowldering and curbing the gutters of Pine street, and paving with brick the sidewalks thereof, from Washington street to the C., I., St. L. & C. Railroad tracks, 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, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 617, *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 the first alley north of Washington street, from State street to the first alley east of Arsenal 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.

And it was concurrently adopted by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The report from the City Civil Engineer, submitting certain contracts and bonds (see page 617, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following report from the City Clerk was read (see page 620, *ante*), and action thereon postponed:

To the Mayor and Common Council:

Gentlemen:—I herewith report the following entitled affidavit, now on file in my office, for the collection of street improvement assessments by precept, to-wit:

Richter & Twiname vs. August Leo, for.....\$11 05

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

The following report from the City Attorney was read, and the action of the Common Council thereon (see page 620, *ante*), was concurred in:

To the Common Council and Board of Aldermen:

Gentlemen:—The General Term of the Superior Court has affirmed the judgment of Special Term in the case of Patsey Patterson vs. The City, the result in which case I reported April 20. There was no opinion delivered by the court in the case. I recommend an appeal to the Supreme Court.

Respectfully submitted,

C. S. DENNY, City Attorney.

The report from the Rental Agent (see page 620, *ante*), was read and received.

The report from the Board of Public Improvements and Street Commissioner (see page 621, *ante*), was read and received.

The following petition was read (see page 621, *ante*), and granted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We would most respectfully ask an extension of time, sixty days, for completing our contract for grading and graveling the east sidewalk of Shelby street, for the reason there has been some delay in getting the property holders to set their fences, &c., back off the line of the street.

SAMUEL HANWAY,

For Hanway & Cooper.

Subscribed and sworn to before me this 5th day of September, 1885.

[Seal.]

WM. C. PHIPPS, Notary Public.

Recommend time be extended.

M. M. Reynolds,

Wm. Curry,

Board of Public Improvements.

The report from the Committee on Streets and Alleys, as to the opening, &c., of the first alley west of Shelby street, and the following resolution, accompanying the same (see pages 622 and 623, *ante*), were read:

Resolved, That the petition of August Richter, W. H. Carle and others, praying for the opening and extension of the first alley west of Shelby street, from its present northern terminus through Lot number one, Dougherty's subdivision of Out-lot 99, to Coburn street, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report to the Common Council and Board of Aldermen; the Commissioners to return all petitions and notices. The City Clerk is hereby required to issue the proper notices, and the Superintendent of the Metropolitan Police is hereby directed to serve the notices upon the City Commissioners and property owners.

And the favorable action of the Common Council was concurred in, and the resolution concurrently adopted, by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following report from the Committee on Water was read (see page 623, *ante*), and on motion by Alderman Pritchard, the action of the Common Council on the 2d and 4th clauses, was concurred in, and the 1st, 3d and 5th clauses referred to the Committee on Water and Public Health:

At the meeting of the Common Council of the City of Indianapolis, held September 21st, 1885, the following motions and resolutions were referred to the Committee on Water, and your Committee on Water offer the following report :

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

Gentlemen:—We, the undersigned, hereby pray your honorable bodies to require the Indianapolis Water Company to lay a water main on Delaware street, from Seventh to Eighth street.

Austin F Denny, H. H. Coburn, A. S. Benson, W. H. Kendelberger, John T. Wilson, Jno. B. Gough, W. J. Richards, Chas. Rouser, J. W. Harper."

"*Moved* by the Common Council of the City of Indianapolis, the Board of Aldermen of said city concurring, That the Indianapolis Water Company be, and is hereby, required to lay a water main in Delaware street, from Seventh street to Eighth street."

Recommend the motion be adopted.

"That the Street Commissioner, under the direction of the City Civil Engineer, be directed to remove the water fountain at the corner of East street and Virginia avenue, sixty feet further north on the east side of East street, in order to clear the street crossings of teams that congregate at the fountain for water."

Recommend the motion be adopted.

"That the Indianapolis Water Company be instructed to lay water mains on North street, from Pine street to Norman street."

Recommend the motion be adopted.

"That the Indianapolis Water Company be, and is hereby, directed to lay water mains in Park avenue, from St. Clair street to Cherry street."

Recommend the motion be adopted.

"*Resolved*, That the Water Works Company be, and are hereby, directed to lay water mains on Ash street, from the first alley north of Christian avenue to Home avenue."

Recommend the resolution be adopted.

M. M. Reynolds,
W. C. Newcomb,
Committee on Water.

The following motion was read (see page 627, *ante*), and referred to the Committee on Streets & Alleys and Sewers & Drainage:

That whereas, the property owners of the lot running from Michigan street on the south, to the first alley north, on Alabama street, having failed to fix the sidewalk in front of said property, after having repeatedly by this Council been ordered to do so, that the Street Commissioner be, and is hereby, ordered to proceed within the next ten days to do the work as originally ordered by this Council, and charge the same to the property owners

The following motion was read, and the action of the Common Council (see page 629, *ante*), was non-concurred in:

That the City Clerk be, and is hereby, instructed to sell the wagon and horse now used by the Board of Health.

The following motions were read (see page 628, *ante*), and concurrently adopted:

That the Street Commissioner be instructed to direct the property holders on the southwest side of Virginia avenue to raise the sidewalk in front of their property, from Merrill street to the first alley south of Merrill street.

That W. B. Barry and Charles F. Sales be, and are hereby granted permission to grade and gravel the alley along the side of their property, being the first alley north of Butler street, running from College avenue to the first alley west of College avenue; work to be done at their own expense, and according to grade stakes to be set by the City Civil Engineer, and to his entire satisfaction.

The following entitled ordinances (passed by the Common Council) were severally read the first time, and referred to the Committee on Judiciary and Ordinances:

G. O. 34, 1885—An ordinance prohibiting the peddling of fruit on certain streets in the City of Indianapolis, and repealing all ordinances coming in conflict therewith.

G. O. 36, 1885—An ordinance regulating the use of the streets and other public places by persons who are engaged in the business of blacking boots and selling newspapers, &c.

APPROPRIATION ORDINANCES.

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

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

Ap. O. 48, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,640.81.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

Ap. O. 49, 1885—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, \$1,406.73.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

Ap. O. 50, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$36,088.61.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

Ap. O. 51, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$227 62.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Judiciary and Ordinances, through Alderman Pritchard, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen.—Your Committee on Judiciary, to whom was referred the plat of a proposed addition by the Pennsylvania Company, with the remonstrance of the property holders (see pages 549, 567 and 612 of the proceedings of the Common Council and Board of Aldermen), have had the same under consideration, and find the facts and law to be:

1st. This proposed addition embraces 16 lots lying between Meridian and Union streets; donates 40 feet on the west for Meridian street, 60 feet on the east for Union street, and 40 feet through the center for Charles street.

2d. Hill street on the north, is 30 feet wide, as shown on the plat, but no part of it is given by the company, which has platted its entire ground from north to south, 239 feet, into 16 lots. The ground north to the old Donation Line, is covered by McCarty's south addition. (See Plat Book 3, page 174.) Morris street on the north, is 50 feet wide; 480 feet are occupied (on the west line), by Lots 1 to 14. Hanway street is 40 feet wide, and Lots 15 to 30 occupy 520 feet, and Hill street 30 feet.

3d. N. B. Palmer's addition on the south, P. B. 3-67 and P. B. 6-191, contains Lots 23 to 32, 350 feet, and a 13 foot alley, and then follows Lots 33 to 42, 350 feet, and Palmer street on the south is 40 feet wide.

If the plat is accepted as proposed, there will be 589 feet bounded on the north by a 30 foot street, and a 13 foot alley on the south, while north of this there will be 520 feet between streets. The law under which this addition is sought to be made, is of recent date, having been in force since July 18, 1885, (see Acts of 1885, page 150), and provides the Council "may require that the streets and alleys of such addition shall be made to correspond in width, and to be co-terminus with the streets and alleys of that part of the city which it adjoins."

While we believe at least 10 feet should be given for the widening of Hill street, we doubt the power of this Board to compel this, and so return with the recommendation that the action of the Council be concurred in.

Respectfully submitted,

James A. Pritchard,
Will F. A. Bernhamer,
Committee on Judiciary.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

President Rorison offered the following motion; which was adopted:

That the City Civil Engineer be requested to report at the next meeting of this Board, what steps were taken, under a former motion of this body, toward correcting the number of streets, where improperly numbered; also, to suggest some method of doing the same.

PENDING ORDINANCES.

The following entitled ordinance was ordered stricken from the files:

S. O. 140, 1884—An ordinance to provide for paving with brick, the north sidewalk of Ninth street, from Tennessee street to the first alley east of Tennessee street,

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

S. O. 58, 1885—An ordinance to provide for grading and graveling the first alley north of New York street, from Blake street to Agnes street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 61, 1885—An ordinance to provide for grading and bowldering the first alley east of Tennessee street, from New York street to the first alley north of New York street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 73, 1885—An ordinance to provide for grading, bowldering and curbing the south gutter, and widening the south sidewalk of First street, from Tennessee street, to Mississippi street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 75, 1885—An ordinance to provide for grading and graveling the first alley west of Blake street, from Elizabeth street to the first alley north of Elizabeth street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 77, 1885—An ordinance to provide for grading and graveling the first alley south of New York street, from Blake street to Minerva street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 82, 1885—An ordinance to provide for grading and paving with brick, the west sidewalk of Blackford street, from North street to the first alley north of North street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

S. O. 91, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Delaware street, from the first alley south of Bicking street to Madison avenue.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

O. 92, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Madison avenue, from Delaware street to the first alley north of Coburn street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

O. 11, 1885—An ordinance in relation to tapping Sewers.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Bernhamer, Endly, King, McHugh, Pritchard, Tallentire, and President Rorison.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

BRAINARD RORISON, President.

Attest: FRANK W. RIPLEY, Clerk.