

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—DECEMBER 27, 1886.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, December 27th, A. D. 1886, at 7:30 o'clock, in regular session.

PRESENT—Hon. Thomas E. Endly, President of the Board of Aldermen, in the Chair, and Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, and Wright—10.

ABSENT—None.

The Proceedings of the Board of Aldermen for the regular sessions held December 13th, 1886, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

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 6th, 1886.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report from His Honor, the Mayor, showing fines and fees collected during November, 1886, (see page 976, *ante*), was read and received.

The communication from His Honor, the Mayor, relative to the Tomlinson Estate (see page 976 *ante*), was read and concurred in.

The report from the City Clerk, showing orders drawn on the Treasurer during November, 1886, (see page 982, *ante*), was read and received.

The following report from the City Clerk was read:

To the Mayor, Common Council and Board of Aldermen:

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

SIG. 93.

[1023]

Joseph Bernauer vs. Solon L. Ryan, for.....	\$12 21
Richter & Twiname vs. Sarah Sinker, for.....	17 11
Richter & Twiname vs. Alice K. Griffith, for.....	27 08
Fred. Gansberg vs. W. A. Van Buren, for.....	54 00

Respectfully submitted,

Dec. 6th, 1886.

MICHAEL F. SHIELDS, City Clerk.

And the favorable action of the Common Council thereon (see page 982, *ante*), was concurred in, and the precepts ordered to issue, by the following vote:

AYES 9—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Wright, and President Endly.

NAYS—None.

The report from the Treasurer for the City, showing receipts and disbursements during the month of November, 1886, (see page 983, *ante*), was read and received.

The report from the City Civil Engineer, submitting certain contracts and bonds, (see page 981, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the City Attorney, (see page 984, *ante*), was read and received.

The communication from the Chief Fire Engineer, relative to the purchase of hose, (see page 984, *ante*), was read, and the action of the Common Council thereon, concurred in.

The report from the Rental Agent for the month of November, 1886, was read and received.

The report from the Superintendent of the City Hospital for the month of November, 1886, was read and received.

The report from the Superintendent of the City Dispensary for the month of November, 1886, was read and received.

The report from the Committee on Contracts, (see page 975, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the Board of Public Improvements and Street Commissioner, showing expenses of Street Repair Department for the month of November, 1886, (see pages 984 and 985, *ante*), was read and received.

The Mortality report from the Board of Health for the month of November, 1886, was read and received.

The fifth and final estimate in favor of John A. Buchanan, for building the new Market House, (see page 986, *ante*), was read and concurrently adopted.

The following resolution (see page 988 *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the report of the City Commissioners in the matter of the petition of Joseph V. McKernan et al., praying for the vacation of the alley between Lots 127 and 128, and Lot 129, all in Out-lot 128, in said city, and to appropriate ground to extend said alley straight to Ann street, be, and the same is hereby, in all things accepted, adopted and approved; and that in accordance with said report, the said alley, being about sixty (60) feet in length and ten (10) feet in width, and being in the rear of said Lots 128 and 129, be, and the same is hereby, vacated; and that an equivalent strip of ground ten (10) feet in width and extending from the south line of said Lot 127 north to Ann street, be, and the same is hereby, appropriated.

Resolved, further, That the said petitioners be, and they are hereby, required to pay to the County Treasurer, for the city, within twenty (20) days from the adoption of this resolution, the sum of fifty (50) dollars, the amount of expenses reported by the said Commissioners as taxed in this matter; and that said petitioners be, and they are hereby, required to procure and have recorded in the Recorder's office of Marion county, Indiana, the proper certified copies of proceedings and plat, as required by law, at their own expense; and that until such expenses are paid, and proceedings and plat are recorded as aforesaid, said alley shall not be vacated or said strip of ground appropriated or otherwise used than as now.

And it was concurrently adopted by the following vote:

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following resolution (see page 992, *ante*), was read :

Resolved, That the Citizens' Street Railway Company be requested to extend their lines on south Meridian street from Morris street to Palmer street, or Belt R. R.

And it was concurrently adopted by the following vote:

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endley.

NAYS—None.

The following resolution (see page 994, *ante*), was read :

WHEREAS, The Board of Commissioners of Marion county, and the Trustee of Center Township, said county, agree to bear one-half the expense of improving Indiana avenue, from Fall Creek bridge to White River, if the city will bear the other half of such expense, and since said improvement is much needed; now therefore

Resolved, That there be donated by the city, one-half of such expense, such half not to exceed three hundred dollars (\$300.00), to be expended under the direction of the City Street Commissioner, in making such improvement: *Provided,* That this is given as a donation, and the city hereby affirms that all of said road is outside of the city limits of this city.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Brown, Crosby, King, Laut, Rail, Schmidt, Wright, and President Endly.

NAYS, 2—viz: Aldermen Prier, and Pritchard.

The petition of R. N. Lamb, Receiver of A. & J. C. S. Harrison (see page 995, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The petition of Thomas E. Philips, for a Theatrical license (see page 996, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The communication from Mr. H. D. Pierce, relative to cow pounds (see page 989, *ante*), was read.

Alderman Rail moved to lay the communication on the table.

Alderman Pritchard moved as a substitute, to concur in the action of the Common Council, in accepting the proposition.

Which was adopted, by the following vote :

AYES, 7—viz: Aldermen Brown, Crosby, Prier, Pritchard, Schmidt, Wright, and President Endly.

NAYS, 3—viz: Aldermen King, Laut, and Rail.

The following motion (see page 992, *ante*), was read :

That the City Civil Engineer be instructed to direct the contractor to lay stone crossings on all street and alley crossings, in the contract for paving with brick the north sidewalk of Washington street, from Bloomington street to Belmont avenue.

Alderman Prier moved to refer the motion to the Committee on Streets, Alleys and Sewers & Drainage.

Which, on motion by Alderman King, was laid on the table, by the following vote:

AYES, 6—viz: Aldermen Crosby, King, Laut, Pritchard, Rail and Schmidt.

NAYS, 4—viz: Aldermen Brown, Prier, Wright and President Endly.

On motion of Alderman King the original motion was then concurred in and was accordingly adopted by the following vote :

AYES, 6—viz: Aldermen Crosby, King, Laut, Pritchard, Rail and Schmidt.

NAYS, 4—viz: Aldermen Brown, Prier, Wright and President Endly.

The following motion (see page 994 *ante*), was read:

That the City Civil Engineer be instructed to direct the Street Commissioner to lay single stone crossings across all the alleys between New Jersey and East streets on North street, where brick pavement has just been finished.

Alderman Prier moved to *nonconcur* in the action of the Common Council in adopting the motion; which failed of adoption by the following vote:

AYES, 4—viz: Aldermen Brown, Prier, Wright, and President Endly.

NAYS, 6—viz: Aldermen Crosby, King, Laut, Pritchard, Rail and Schmidt:

Alderman Rail moved to concurrently adopt the motion.

Which failed of adoption by the following vote:

AYES, 5—viz: Aldermen Crosby, King, Laut, Rail, and Schmidt.

NAYS, 5—viz: Aldermen Brown, Prier, Pritchard, Wright, and President Endly.

The following motion (see page 996, *ante*), was read:

That Messrs. M. Huey & Son be allowed to string wires to make telephone connection.

Alderman Schmidt moved to *non concur* in the action of the Common Council in adopting the motion.

Which failed of adoption, by the following vote:

AYES, 4—viz: Aldermen Laut, Prier, Rail, and Schmidt.

NAYS, 6—viz: Aldermen Brown, Crosby, King, Pritchard, Wright, and President Endly.

On motion by Alderman Brown, the original motion was then concurrently adopted, by the following vote:

AYES, 6—viz: Aldermen Brown, Crosby, King, Pritchard, Wright and President Endly.

NAYS, 4—viz: Aldermen Laut, Prier, Rail, and Schmidt.

The following motion (see page 995, *ante*), was read, and referred to the City Attorney:

That the permission given the Central Union Telephone Company of this city, some months ago, be construed to require said company to return such instruments where removed from former patrons, in every case where so requested; and in the event said company has removed wires used by such patrons, when replaced, such wires shall not be construed to be "new wires;" any refusal on said company's part to so return any instruments where formerly used, when requested, shall be construed as a refusal to "work" under the aforesaid permission, and such refusal shall be deemed good and sufficient reason for a withdrawal of such permission to operate a telephone service in this city.

The Clerk of the Board presented the following communication relative to the above motion; which was read and referred to the City Attorney:

CENTRAL UNION TELEPHONE COMPANY,
DISTRICT SUPERINTENDENT'S OFFICE, Indianapolis, Dec. 13, 1886. }

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

Gentlemen:—I am informed that a motion relating to this company, and to the telephone business in this city, which passed the Common Council at its last meet-

ing, will probably come before you for consideration. In case this matter should be presented to you, I would respectfully ask a hearing before a proper committee of your honorable body on the same before action is taken, as it is one affecting to a considerable degree, the business of this company.

Very respectfully,

J. E. HOCKETT, Sup't.

The following motions (see pages 992, 993 and 996, *ante*), were read, and concurrently adopted:

That John Stroble be, and is hereby, granted permission to erect a gas lamp in front of No. 87 south Illinois street; lamp, fixtures and gas, at his own expense.

That the Citizens' Street Railroad Company be notified to fill between the tracks on east Washington street, from Noble to State streets, with broken stone.

That J. L. Spaulding be allowed an extension of time for the improvement of Morris street, between Madison avenue and the J., M. & I. R. R. tracks, sixty days.

That the Mayor and City Clerk be authorized to receive deeds for three full lots in Greenlawn Cemetery, at fifteen dollars each; and if title is found good, that the sums be inserted in the next appropriation ordinance.

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 20th, 1886.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report from the Committee on Contracts (see page 1011, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The communication from the Mayor, relative to the appointment of Legislative Committee (see page 1012, *ante*), was read and concurred in.

Alderman King moved that President Endly be appointed a member of the committee.

Which motion was adopted.

The President then completed the committee by appointing Aldermen Wright, Schmidt and King as members thereof.

The report from the City Civil Engineer, accompanied with estimate (see page 1012, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following estimate resolution (see page 1012, *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 Robert Kennington for grading and graveling the first alley north of Virginia avenue from Cedar street to the first alley west of Cedar street, be, and the same is hereby, adopted as the

mate 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, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The report from the City Civil Engineer, relative to the contract of John Bullock (see pages 1012 and 1013, *ante*), was read, and the action of the Common Council thereon, concurred in.

The report from the City Attorney on the case of Newman vs. The City (see page 1014, *ante*), was read and received.

The report from the Street Commissioner (see page 1014, *ante*), was read and received.

The communication from the Chief Fire Engineer, relative to insurance on Engine Houses Nos. 9 and 10, (see page 1014, *ante*), was read, and the action of the Common Council thereon, concurred in.

The petition of R. P. Dunning for an extension of time on his contract for bowldering and curbing the gutters of English avenue, from Harrison to Dillon streets, (see page 1015, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the Building Committee, on the fixtures for the new Market House (see pages 1014 and 1015, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The contract and bond of J. L. Fisher, for building a stone wall in Logue's Run (see page 1016, *ante*), was read and concurrently approved.

The following resolution (see pages 1015 and 1016, *ante*), was read:

WHEREAS, It has been shown to the satisfaction of the Common Council and Board of Aldermen, that the City of Indianapolis will be in need of the sum of thirty thousand dollars on the first day of January, 1887, over and above all the money on hand or in contemplation from the regular sources of taxation, with which to meet her outstanding obligations and defray her necessary running expenses until the receipt of her first installment of taxer for 1886; and,

Whereas, It has therefore become necessary to make a temporary loan of said amount in anticipation of said current year's revenues; therefore,

Be it resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Finance Committee of the said Common Council and Board of Aldermen be, and they are hereby, authorized and directed to negotiate and borrow for said city said sum of thirty thousand dollars (\$30,000) for a term not longer than one year from January first, 1887, and at a rate of interest not exceeding six per cent. per annum, payable as said committee shall direct.

Resolved, further, That the Mayor and City Clerk be, and they are hereby, directed to execute the necessary obligations for said loan of money, as directed by said committees, on behalf of said city. And for the payment of said money so borrowed the faith of the City of Indianapolis is hereby irrevocably pledged.

And it was concurrently adopted by the following vote:

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following motions (see pages 1029 and 1030, *ante*), were read and concurrently adopted:

Moved by the Common Council and Board of Aldermen concurring, That the City Clerk be instructed to issue to John Gustin a license as Auctioneer, for one year, upon the payment of the legal fee.

That the Street Commissioner be ordered to remove the lower branches on shade tree at the northeast corner of Alabama and Walnut streets.

That Benj. B. Jearl be and is hereby granted permission to lay a stone crossing on Delaware street from his place of business to Tomlinson Hall at his own expense, under the direction of the City Civil Engineer.

That Frank J. Arens & Co. be and is hereby granted permission to lay a stone crossing on Delaware street from their place of business to Tomlinson Hall at their own expense, under the direction of the City Civil Engineer.

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

G. O. 43, 1886—An Ordinance extending the period of time for which The Indianapolis Brush Electric Light and Power Company was invested with certain rights and privileges.

G. O. 55, 1886—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, 1887, to December 31st, 1887.

G. O. 56, 1886—An ordinance to amend Sections 7, 8 and 17, of G. O. No. 27, 1886, being an ordinance entitled "An ordinance requiring auctioneers, peddlers, hucksters, and certain classes of public showmen, to pay a license to the City of Indianapolis; regulating certain matters connected with the business of such persons, and repealing certain ordinances herein specified," ordained and established the 14th day of June, 1886.

S. O. 177, 1886—An ordinance to provide for grading and graveling the first alley north of Sinker street, from the first alley west of New Jersey street to the first alley east of Alabama street.

S. O. 180, 1886—An ordinance to provide for grading and graveling the roadway, and paving with brick the sidewalks of Hendricks street, (being the first street west of East street) from Nebraska street to Lincoln Lane.

S. O. 183, 1886—An ordinance to provide for grading and bowldering Maryland street, from Alabama street to New Jersey street.

On motion by Alderman King, the Rules were suspended for the purpose of placing G. O. 55, 1886, and S. O.'s 177 and 180, of 1886, of the above entitled ordinances, on their final passage, by the following vote:

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

G. O. 55, 1886, was then read the second and third times, and passed, by the following vote :

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

S. O. 177, 1886, was then read the second and third times, and passed, by the following vote :

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

S. O. 180, 1886, was then read the second and third times, and passed, by the following vote:

AYES, 10—viz: Aldermen Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Public Light, through Alderman King, submitted the following report :

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Public Light and Education, to whom was referred the following motions :

“That the City Civil Engineer be, and is hereby, directed to instruct ‘The Sun Vapor Light Company to erect four vapor lamps, and light the same, on Central avenue, between the State Ditch and Eleventh street.

“That four vapor lights be erected on south Arsenal avenue, under the direction of the City Civil Engineer.

“Also, three on Railroad street, between North and St. Clair streets, under the direction of the City Civil Engineer.

“That the ‘Sun Vapor Light Company’ be, and are hereby, directed to erect and light two lamps on Hall Place street, between Seventh and Eighth streets.

“That the City Civil Engineer be instructed to place two vapor lamps on Walnut street, between Mississippi and Fayette streets.

“That the Sun Vapor Light Co. be, and are hereby, instructed to erect three Sun Vapor Lights on Everett street, between Bloomington and Decatur streets.

“To erect vapor lamp posts on south East street, between Morris street and Lincoln Lane—twelve lamps.

“To erect four lamps on Wallace street

“To erect six lamps on the following named streets : Downey street, between Madison avenue and East street ; Dunlap street, between Madison avenue and East street ; Nebraska street, between Madison avenue and East street and Lincoln Lane ; three lamps between Madison avenue and East street.”

Recommend the same be concurrently adopted.

Respectfully submitted,

Isaac King,
Jas. A. Pritchard,
H. W. Laut,
Committee on Public Light.

The report was concurred in, and the motions concurrently adopted, by the following vote:

AYES, 6—viz: Aldermen Crosby, King, Laut, Pritchard, Rail, and Schmidt.

NAYS, 4—viz: Aldermen Brown, Prier, Wright, and President Endly.

The Committee on Streets & Alleys and Sewers & Drainage, through Alderman Schmidt, submitted the following report:

To the President and Board of Aldermen:

Gentlemen.—Your Committee on Streets & Alleys, and Sewers & Drainage, to whom was referred the following motion, which was adopted by the Common Council, viz: "That the Street Commissioner be instructed to lay stone crossings on the west side of East street, from Morris street to Lincoln Lane," have examined the same, and would respectfully report that we recommend that the motion be amended by inserting the word "broken," after the word "lay;" and when so amended, that it be adopted.

Respectfully submitted,

Lorenz Schmidt,
John Rail,

Committee on Streets & Alleys and Sewers & Drainage.

Which was concurred in, the amendment adopted, and the motion, as amended, adopted.

On motion, the Board of Aldermen then adjourned.

THOMAS E. ENDLY, President.

Attest: JOSEPH T. FANNING, Clerk.