

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JANUARY 24, 1887.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, January 24th, A. D. 1887, at 7:30 o'clock, in regular session.

PRESENT—Hon Thomas E. Endly, President of the Board of Aldermen, in the Chair, and Aldermen Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, and Wright—9.

ABSENT, 1—viz: Alderman Brown.

The Proceedings of the Board of Aldermen for the regular session held January 10th, 1887, having been printed and placed on the desks of the 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 January 17th, 1887.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report of the City Attorney, (see page 22, *ante*), was read and concurred in.

The following resolution, adopted by the Common Council (see pages 22 and 23, *ante*), was read:

Resolved, That the action of the Common Council and Board of Aldermen heretofore taken ordering the Citizens' Street Railway Company to construct a line of street railroad on north Mississippi street, be, and the same is hereby, in all things rescinded; and the City Clerk shall be, and he is hereby, instructed to notify, in writing, said railway company of this action.

And it was *non-concurred* in, by the following vote:

AYES, 2—viz: Aldermen Laut, and Schmidt.

NAYS, 7—viz: Aldermen Crosby, King, Prier, Pritchard, Rail, Wright, and President Endly.

Alderman Rail filed notice that he would, at the next meeting of the Board, move to reconsider the foregoing action.

The report of the City Civil Engineer, relative to the expiration of certain contracts for street improvements, (see page 22, *ante*), was read and received.

The report of the City Rental Agent and the City Civil Engineer, regarding plat of Tomlinson Estate (see page 26, *ante*), was read and concurred in.

The annual report of the City Clerk, of receipts and disbursements by the Treasurer for the City, (see pages 23 and 24, *ante*), was read and received.

The following report 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 :

Fulmer & Seibert vs. A. S. Thompson, for.....	\$145 22
Fulmer & Seibert vs. R. O. Hawkins, for.....	51 37
Fulmer & Seibert vs. W. K. Lemon, for.....	51 38
Fulmer & Seibert vs. Thresia Hefpenberger, for.....	65 80

Respectfully submitted,

MICHAEL F. SHIELDS, City Clerk.

And the precepts were ordered to issue, by the following vote :

AYES, 8—viz Aldermen Crosby, King, Laut, Prier, Pritchard, Schmidt, Wright, and President Endly.

NAYS—None.

The report of the Building Committee (see page 26, *ante*), was read and concurred in.

The following motion (see page 27, *ante*), was read and concurrently adopted :

That the rental for Tomlinson Hall be, and the same is hereby, fixed as follows:

Political Conventions, State and County.....	\$50 00
Political Conventions, Congressional and City.....	35 00
Balls, drills, &c, requiring removal of chairs (single day).....	60 00
Musical and literary entertainments at night.....	35 00
Musical and literary entertainments in day time.....	25 00

Provided, That all other character of entertainments, including all meetings for purely charitable purposes, may be fixed by the Mayor, President of the Board of Aldermen and City Clerk, as heretofore.

And provided, further, That the Janitor shall not open said Hall to any one, until an order is presented to him from some member of the Rental Committee so to do, which order shall not be given until the rent is fully paid to the Treasurer, and his receipt therefor filed with the City Clerk.

The following report of the Special Fire Committee (see page 27, *ante*), was read :

To the Mayor and Common Council:

Gentlemen:—Your Special Fire Committee, to whom the following motion was referred: "That the Chief of the Fire Department be instructed to look after those firemen who cut hair for five cents, and make boots while on duty, and take steps to stop them," beg leave to report that the request be granted so far as to instruct the firemen to cease all of that kind of work on all persons over the age of fourteen years, for a less price than that charged by the parties in the regular trade.

Respectfully submitted,

M. M. Cummings,
A. L. Newland,
John H. Herig,
Fred. J. Mack,

Special Committee on Fire Department.

Alderman Laut moved to *non* concur in the action of the Common Council.

Which motion was adopted.

The following resolution, favorably passed upon by the Common Council (see page 28, *ante*), was read, and it was referred to a Special Committee, consisting of Aldermen Pritchard, King and Crosby:

WHEREAS, The Citizens' Street Railway Company of this city has ceased running its cars upon the Mississippi street line after 9:30 o'clock, P. M.; and

WHEREAS, The ordinance governing the said Street Railway Company provides that "The Common Council shall have the power, at all times, to make such regulations as to the rate of speed and time of running such cars or carriages, as the public safety and convenience may require; and to affix penalties for violations of such regulations;" and

WHEREAS, The residents of said Mississippi street and the adjacent neighborhood, feel that they are entitled to the same service on the said Mississippi street line that is given to other neighborhoods on other lines, if the said Citizens' Street Railway Company shall use and occupy Mississippi street; therefore,

Be it Resolved, That the said Citizens' Street Railway Company be, and is hereby, required to run its cars upon the said Mississippi street line upon and according to the schedule commonly used on and about the 1st day of January, 1887, and for a long time previous thereto, upon said line, or else, in default thereof, to remove its tracks from said street.

The following motion (see page 29, *ante*), was read and concurrently adopted:

That the Committee on Printing be, and they are hereby, authorized to make a contract for preparing an Index for the Proceedings of the Common Council and Board of Aldermen for the year 1886.

The petition of the G. A. R., asking the free use of Tomlinson Hall, (see page 29, *ante*), was read, and the action of the Common Council thereon, concurred in.

The revised plat of Ernest H. Koller's subdivision (see page 30, *ante*), was concurrently approved.

REPORTS, ETC., FROM CITY OFFICERS.

The City Attorney submitted the following; which was received:

I, Alexander C. Ayres, Judge of the Nineteenth Judicial Circuit of the State of Indiana, do hereby appoint Thomas A. Spann, Robert F. Catterson and Horace McKay, three disinterested freeholders of the City of Indianapolis, Marion county, Indiana, (neither of whom is a member of the Common Council or Board of Aldermen of said city, or an officer or an employe thereof,) appraisers, to appraise the following described real estate belonging to said city, situate in Marion county, in the State of Indiana, to-wit:

Forty (40) by ninety-seven and one-half ($97\frac{1}{2}$) feet off the northwest corner of Lot eight (8), in Square thirty-five (35), and thirteen and three-quarters ($13\frac{3}{4}$) feet by ninety-seven and one-half ($97\frac{1}{2}$) feet off the southwest corner of Lot nine (9), in Square thirty-five (35), being three tenements on the east side of Illinois street, in said City of Indianapolis.

Also, sixteen (16) feet middle of Lot four (4), in Square thirty-four (34), and the west half of Lot five (5), in Square thirty-four (34), being the brick dwelling house on Indiana avenue, in said city.

The foregoing appointment of appraisers is made on the application and petition of Caleb S. Denny, Mayor of the City of Indianapolis, presented by him on behalf of the Common Council and Board of Aldermen of said city, and himself as Mayor thereof, and in pursuance of, and for the purposes contemplated by Sections 3111, 3112 and 3113, of the Revised Statutes of 1881.

The Clerk of this Court is directed to spread this order of appointment of record, and transmit a certified copy thereof to the City Clerk of the City of Indianapolis.

Done in open Court, on this 24th day of December, 1886.

STATE OF INDIANA, *Marion County, set:*

I, John E. Sullivan, Clerk of the Marion Circuit Court, within and for said County and State, hereby certify the above and foregoing to be a true and complete copy of the order of appointment of appraisers to appraise certain city real estate, made by Hon. Alexander C. Ayres, Judge of said court, on the 24th day of December, A. D. 1886, as fully appears from the records of said court in my custody as such Clerk.

Witness my hand and the seal of said court, at Indianapolis, this 27th day of December, A. D. 1886.

[Seal.]

JOHN E. SULLIVAN, Clerk.

STATE OF INDIANA, *Marion County, ss:*

Before the undersigned personally appeared Thomas H. Spann, Robert F. Catterson and Horace McKay, on this 20th day of January, 1887, and each being now by me duly sworn according to law, upon his oath says that he will, to the best of his knowledge, judgment and belief, make a just and true valuation and appraisal of the two pieces of real estate set out and described in the appointment of appraisers hereto attached, made by the Honorable Alexander C. Ayres, Judge of the Nineteenth Judicial Circuit of the State of Indiana, on the 24th day of December, 1886; so help me God.

THOMAS H. SPANN,
R. F. CATTERSON,
HORACE MCKAY.

Subscribed and sworn to before me, this 20th day of January, 1887, as witness my hand and seal.

[Seal.]

JOSEPH T. FANNING, Notary Public.

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen:—On the 24th day of December, 1886, the Honorable Alexander C. Ayres, Judge of the Nineteenth Judicial Circuit of the State of Indiana, appointed the undersigned, Thomas H. Spann, Robert F. Catterson and Horace McKay, three

disinterested freeholders of the City of Indianapolis, Marion county, Indiana, neither of whom is a member of the Common Council or Board of Aldermen of said city, or an officer or employe thereof, appraisers to appraise the real estate herein-after described, belonging to said city, situated in Marion county, and State of Indiana; and having each been duly sworn by Joseph T. Fanning, Notary Public, to faithfully and honestly appraise said real estate, they did, on the 20th day of January, A. D. 1887, make a careful examination of said real estate, and did, and do hereby, appraise the same as follows, to-wit:

Forty by 97½ feet off the northwest corner of Lot 8, Square 35, and 13¾ by 97½ feet off the southwest corner of Lot 9, Square 35, being three tenements on the east side of Illinois street, north of Ohio street Indianapolis, Ind., at \$8,000.00.

Sixteen feet middle of Lot 4, Square 34, and the west half of Lot 5, Square 34, being about 78 feet front on Indiana avenue, of irregular depth, with old brick covering part of the ground, at \$4,000.00

Respectfully submitted.

THOMAS H. SPANN,
R. F. CATTERSON,
HORACE MCKAY.

William Hadley submitted the following proposition; which was concurred in:

Indianapolis, January 24th, 1887.

To His Honor the Mayor and Members of the Common Council and Board of Aldermen:

Gentlemen:—I herewith submit a proposition of Clarissa T. Sullivan, for the purchase of that part of the Tomlinson Estate described as follows: Forty by 97½ feet off of the northwest corner of Lot 8, Square 35, and 13¾ feet by 97½ feet off of the southwest corner of Lot 9, Square 35, being the three tenements on the east side of Illinois street, and known as Nos 113, 115 and 117, north Illinois street. She proposes to pay eight thousand dollars cash in hand, this being the present appraised value as ordered by your honorable body by appraisers appointed by the Circuit Court.

Respectfully submitted,

WM. HADLEY.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Contracts and Bridges, through Alderman Wright, submitted the following report; which was adopted:

To the President and Board of Aldermen:

Gentlemen:—Your Committee on Contracts and Bridges, to whom was referred the report of the Councilmanic Committee on Bridges, recommend the construction of a wooden bridge over Pogue's Run on Pine street, in place of a combination bridge, and that the work be done by the Street Commissioner.

Respectfully submitted,

G. S. Wright,
H. J. Prier,
Lorenz Schmidt,
Committee on Contracts and Bridges.

PENDING ORDINANCES.

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

S. O. 12, 1886—An ordinance to provide for grading and graveling the first alley east of California street, from North street to Indiana avenue.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 145, 1886—An ordinance to provide for grading and paving with brick, the west sidewalk of Union street, from Hill street to Palmer street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 146, 1886—An ordinance to provide for grading and graveling the roadway of Union street, from Hill street to Palmer street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 147, 1886—An ordinance to provide for grading and paving with brick, the east sidewalk of Union street, from Hill street to Palmer street.

And it was passed by the following vote:

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

NAYS—None.

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

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

And it was passed by the following vote:

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

NAYS—None.

The following entitled ordinance was read the second time, and referred to the Committee on Streets & Alleys and Sewers & Drainage:

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.

The following entitled ordinance was read the second time, and referred to the Committee on Finance, Accounts & Claims :

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.

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

G. O. 58, 1886—An ordinance to amend Section 2 of G. O. No. 36, of 1886, entitled "An ordinance to vacate a portion of Meridian street, for Union Railway purposes," &c.; ordained June 15th, 1886.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman King offered the following resolution, which was referred to the City Attorney :

WHEREAS, A jury in the case of J. J. Morgan vs. Mr. Folsom, of the American Express Company and two of the Metropolitan Police of this city, has rendered a verdict against the defendants, thereby subjecting the officers to pay a part of the court costs, etc.; and

Whereas, In cases like this in question, whereby the officers acted in good faith, and exercising nothing but their duty;

Resolved, That it is the sense of this body that in all such cases where the officers of the Metropolitan Police, under similar circumstances, are held liable for damages, that the Board of Metropolitan Police Commissioners may order the payment of a judgment rendered against such officers and subordinates, to be paid out of the Reward fund.

On motion, the Board of Aldermen then adjourned.

THOMAS E. ENDLY, President.

Attest: JOSEPH T. FANNING, Clerk.