

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—APRIL 25, 1887.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, April 25th, 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 Brown, Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, and Wright—10.

ABSENT—None.

The Proceedings of the Board of Aldermen for the regular session held April 11th, 1887, 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 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 April 18th, 1887.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report from His Honor, the Mayor, showing fines and fees collected during the month of March, 1887, (see page 201, *ante*), was read and received.

The report of the City Civil Engineer, accompanied with estimates, (see page 202, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The following estimate resolution (see page 202, *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 R. P. Dunning, for grading and paving with brick the sidewalks of Yandes street, from Lincoln avenue to 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.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (see page 203, *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 Geo. W. Buchanan, for grading and paving with brick, the south sidewalk of Fifth street, from Pennsylvania street to Delaware 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, 9—viz: Aldermen Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 203, *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 Michael Higgins, for grading and graveling the first alley east of California street, from North street to Indiana 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, 9—viz: Aldermen Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 203, *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, curbing and paving with brick, the north sidewalk of Georgia street, from Mississippi 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.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (see page 204, *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 R. P. Dunning, for grading, bowldering and curbing the gutters of English avenue, from Harrison street to Dillon 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.

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

NAYS--None.

The following estimate resolution (see page 204, *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 D. A. Haywood, for grading and graveling the first alley west of Meridian street, from Eighth street to Eleventh 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, 9—viz: Aldermen Crosby, King, Laut, Prier, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The contracts and bonds submitted by the City Civil Engineer (see page 204, *ante*), were read, and concurrently approved.

The report from the City Civil Engineer, recommending the approval of the plat of "Milligan's Park Lane Addition," (see pages 204 and 205, *ante*), was read, and concurrently approved.

The following report from the City Clerk (see page 205, *ante*), was read :

To the Mayor, Common Council and Board of Aldermen :

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

Richter & Twiname vs. Frank McWhinney, for.....\$42 70
Respectfully submitted, MICHAEL F. SHIELDS, City Clerk.

And the action of the Common Council thereon was concurred in, and the precept ordered to issue, by the following vote :

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

NAYS—None.

The report from the Committee on Water (see page 209, *ante*), was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage.

The report from the Committee on Judiciary and City Attorney, on the claim of C. E. Geisendorff (see pages 207 and 208, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following report from the Building Committee (see page 209, *ante*), was read :

Indianapolis, April 18th, 1887.

To the Common Council and Board of Aldermen:

Gentlemen:—Having invited bids for the fresco painting of the walls of Tomlinson Hall, we received the following proposals, viz:

Frank Fertig.....	\$550 00
H. Ranje.....	400 00
G. R. Pressler.....	385 00

Mr. Pressler submitted a neatly drawn design, which we hand to the Clerk herewith, and submit the matter without recommendation.

2d. We further received bids for wire guards for the protection of the glass of the market under Tomlinson Hall. The bids of the Indianapolis Wire Works and of Hollenbeck & Miller, were both 10½ cents per square foot for No. 12 wire, with 1½ inch mesh. In order to decide whose bid to recommend for acceptance, lots were drawn, resulting in favor of the Indianapolis Wire Works. We therefore recommend that their bid be accepted.

Respectfully submitted,

C. S. Denny, Mayor,
Thomas E. Endly,
Isaac King,
John R. Pearson,
Building Committee.

On motion by Alderman Pritchard, the action of the Common Council awarding the contract on the first clause of the report was *non-concurred* in, by the following vote:

AYES, 7—viz: Aldermen Crosby, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS, 3—viz: Aldermen Brown, King, and Prier.

And the favorable action of the Common Council on the second clause of the report, was then concurred in.

The following resolution (see page 206, *ante*), was read:

WHEREAS, The Indianapolis Union Railway Company, by its Vice President and Manager, V. T. Malott, did, on the 28th day of March, 1887, pay into the treasury of the City of Indianapolis, Indiana, the sum of \$30,000.00 to be used, by said city, in the construction of the proposed Illinois street tunnel, in said city; and

Whereas, The City Civil Engineer of said city, acting under the provisions of General Ordinance No. 34, of 1886, as amended by General Ordinance No. 50, of 1886, has prepared plans and specifications for the improvement of said tunnel, which said plans were approved by the Common Council of said city, on the 7th day of February, 1887, and by the Board of Aldermen on the 14th day of February, 1887; therefore, be it

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That, when the said The Indianapolis Union Railway Company shall have, in writing, duly approved of all said plans and specifications, then the City Civil Engineer shall, and he is hereby, directed to invite proposals for constructing the Illinois street tunnel, according to the plans and specifications now on file in said City Civil Engineer's office, from such parties as, in his judgment, are competent to do said work, and that said Engineer be, and is hereby, authorized to award the contract on behalf of said city, subject to the approval of the Common Council and Board of Aldermen, to the best bidder; and that said Engineer be, and is hereby, directed to report his action in the matter, together with a contract and bond for said work, to said Common Council and Board of Aldermen for approval: *Provided, however,* That no contract shall be entered into, or proposal entertained, that would make the total cost of constructing said tunnel, together with all incidental expenses thereof, in excess of thirty thousand dollars.

Resolved, further, That the City Attorney of said city be, and is hereby, directed to prepare said contract and bond referred to.

And it was concurrently adopted by the following vote:

AYES, 8—viz: Aldermen Crosby, King, Lut, Prier, Pritchard, Rail, Wright, and President Endly.

NAYS, 1—viz: Alderman Schmidt.

The following motion (see page 215, *ante*), was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage:

That the Street Commissioner move the pump on west Washington street, north side, just west of Mississippi street, and the hole filled up, before the new sidewalk be laid.

The following motion (see page 216, *ante*), was read:

That Peter J. Gall be allowed to lay a bowldered driveway on Fifth street, over his sidewalk to his stable; the work to be done under the direction of the City Civil Engineer.

Alderman Pritchard offered the following amendment to the motion; which was adopted:

That said motion be amended by adding thereto the following:

Provided, That this permit is granted upon the express condition that said driveway is to be used *only* for a roadway for the family horse and carriage or buggy of said Peter J. Gall, and to drive his wagon or carts in his yard for storage *only*, but not to haul out coal in the same. If used for any other purpose than herein provided, that permission herein granted is hereby revoked, and said Gall shall be liable to the penalties of existing ordinances, the same as if this motion had not been passed.

And the motion as amended, was then concurrently adopted.

The following motion (see page 220, *ante*), was read, and referred to the Committee on Water, with power to act:

That the Street Commissioner be directed to notify the street sprinkler that gets his supply of water from the main on the Circle, to remove the obstruction, it being so near the crossing as to become a nuisance.

The following motions (see pages 216, 217 and 218, *ante*), were read, and concurrently adopted:

WHEREAS, It is stated by reputable citizens that in certain sections of the city boys and others are employed by pound masters to let out of enclosures, and to drive out of herds properly herded, animals, for the purpose of impounding them; therefore

Moved, That the Board of Metropolitan Police be requested to investigate this matter, and to see that none but responsible and honest men are employed as pound masters, and that the matters herein above complained of shall be at once corrected.

35 That the conductors (or drivers, where there are no conductors), of the Citizens' Street Railway Company shall announce to passengers, in a distinct tone, the names of all streets crossed by said railway, as soon as the cars have approached said cross street, as provided by ordinance; and the Superintendent of the Metropolitan Police Force is hereby instructed to enforce the foregoing provision.

That John Scheir be, and is hereby, granted permission to pave the sidewalk with brick, and curb the gutter on Spring street fronting his property, at his own expense, and under the direction of the City Civil Engineer.

That Frank Magel and Jacob Barr be allowed to pave with brick, at their own expense, the sidewalk opposite their property on the north side of Cherry street, between Ash and Oak streets, under the direction of the City Civil Engineer.

That John Rozier be permitted to lay a brick sidewalk in front of his property, Nos. 208 and 210 north Fayette street, at his own expense, under the direction of the City Civil Engineer.

That Henry Severin be permitted to repair with flag stone, the sidewalk in front of his property on south Pennsylvania street, under the direction of the City Civil Engineer, at his own expense.

That the Citizens' Street Railway Company be instructed to run their cars on English avenue once every half hour, instead of once every hour, and the same to be enforced.

That Elizabeth Talbott be, and is hereby, granted permission to pave with brick, the sidewalk in front of her property, viz: the east side of Talbott avenue, from Seventh street to the first street north, said street being the thirty (30) feet vacated off the north side of Lot 223, in Elizabeth Talbott's addition. Work to be done at her expense, under the direction of the City Civil Engineer, who is hereby directed to set the proper grade stakes.

That Mr. P. Lieber be, and is hereby, granted the privilege to curb and bowlder the gutter in front of his property on Madison avenue, between Downey street and Nebraska street, at his own expense, and the City Civil Engineer be instructed to set the grade stakes.

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

G. O. 8, 1887—An ordinance to permit David Quaintance to occupy a stand over the east gutter of Meridian street, at the southeast corner of Meridian and Washington streets, in the City of Indianapolis, Indiana.

G. O. 9, 1887—An ordinance granting permission to Hervey Bates, Jr., to lay a switch upon and across Iowa street and the Madison Road.

Alderman Laut moved to refer G. O. 8, 1887, of the above entitled ordinances, to the City Attorney and Committee on Judiciary.

Alderman King moved to lay that motion on the table.

Which failed of adoption, by the following vote:

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

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

The motion offered by Alderman Laut, was then adopted, by the following vote:

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

NAYS, 1—viz: Alderman King.

Alderman Prier presented the following remonstrance; which was referred the same as the ordinance:

To the Honorable Board of Aldermen of Indianapolis :

Gentlemen:—We, the undersigned, whose place of business is on the southeast corner of Washington and Meridian streets, do hereby protest against the ordinance passed by the Common Council of Indianapolis, giving one David Quaintance the right to erect a stand over the gutter at the above said corner; and we hereby ask that your honorable body do not concur in said ordinance.

HENRY S. FRASER,
JOHN EGAN.

On motion by Alderman Pritchard, the Rules were suspended for the purpose of placing G. O. 9, 1887, of the foregoing entitled ordinances, on its final passage, by the following vote :

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

NAYS, 1—viz: Alderman Schmidt.

G. O. 9, 1887, was then read the second and third times and passed, by the following vote :

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

NAYS, 2—viz: Aldermea Laut, and Schmidt.

REPORTS, ETC., FROM CITY OFFICERS.

President Endly presented the following Invitation; which was accepted :

Indianapolis, Ind., April 18th, 1887.

To the Board of Aldermen, Indianapolis, Indiana :

Gentlemen:—You are respectfully invited to attend the unveiling of the Colfax Monument, on May 18th, 1887.

Yours, truly,

JOHN A. FURGASON,
WILLIAM HINDLEY,
MISS ANNA TALLENTIRE,
OMER RODEBAUGH,
MISS ALICE McQUIDDY,
Committee on Invitation.

The City Attorney submitted the following report; which was received :

To the President and Members of the Board of Aldermen:

Gentlemen:—The petition of John Coburn, Deloss Root and others, asking that the ordinance providing for the improvement of Hendricks street be repealed, and that the contract be rescinded, has been referred to me for an opinion as to whether or not the city will be liable for one-half of the cost of the improvement of the street, by reason of there being a grass plat thirty feet wide in the center of the street, extending nearly the whole length thereof. In my opinion, this is not a Park or public grounds, such as the Statute contemplates when it provides that the city shall pay for the improvement opposite them. I think this grass plat is nothing more nor less than a part of the street, which the property holders have seen fit to leave there instead of throwing it into the atreet.

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

The Board of Health submitted the following Rules; which were approved :

Indianapolis, April 11th, 1887.

To the Members of the Common Council and Board of Aldermen:

Gentlemen:—The following order was issued to the Sanitary officers of the Indianapolis Board of Health:

Notice to Health Officers of Indianapolis Board of Health:

In view of the recent order of the Indiana State Board of Health, all persons connected with the Indianapolis Board of Health must flag all buildings where small pox, cholera, scarlet fever, diptheria and measles exist, and if there are cases unreported or unattended by a physician, require the householder or some member of the family [or the Sanitary officer himself], to report such cases as are within their knowledge. While it is not intended to make any health order obnoxious or unreasonable to any fair-minded person, yet the severe nature of these diseases at this time, and especially the frequent returns of death from measles or some of its complications, has created a demand from the physicians and people at large, that these rules must be rigidly enforced, and if necessary, resort to the law as a means of compulsion.

S. E. EARP, M. D.,

Secretary of the City Board of Health.

REPORTS, ETC., FROM STANDING COMMITTEES.

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 to whom was referred S. O.'s Nos. 16, 18, 20, 21 and 34, 1887, has had the same under consideration, and is of the opinion that the stone crossings in connection with the improvements of said streets, should be made. We therefore recommend that said original ordinances, as passed by the Common Council, be so adopted and passed by this body.

Respectfully submitted,

Lorenz Schmidt,
John Rail,

Committee on Streets & Alleys and Sewers & Drainage.

Alderman Prier moved to *non-concur* in the report.

Alderman King moved as a substitute for the above motion, that the consideration of the report be postponed until the next regular meeting.

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 motion offered by Alderman Prier, then failed of adoption, by the following vote:

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

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

The question being on the adoption of the report, which failed, 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.

On motion by Alderman Pritchard, the Board adhered to its former action in amending the ordinances, by the following vote :

AYES, 7--viz: Aldermen Brown, Crosby, Laut, Prier, Pritchard, Wright, and President Endly.

NAYS, 3--viz: Aldermen King, Rail, and Schmidt.

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

To the President and Members of the Board of Aldermen :

Gentlemen:—The undersigned, Committee on Streets and Alleys and Sewers and Drainage, with the City Civil Engineer and City Attorney, to whom was referred the following matter, report thereon as follows: Your Committee recommends that the action of the Council, in approving the plat of "Wallace's subdivision of Newman Oak's Park" be concurred in, provided that before such plat is recorded, the same shall be presented to the County Auditor of Marion county, Indiana, who shall assess and apportion the true valuation of each lot or parcel of land described in such plat, as required in Section 6392 R. S. 1881.

Respectfully submitted,
 Wm. L. TAYLOR, City Attorney.
 S. H. SHERER, City Civil Engineer.
 Lorenz Schmidt,
 H. J. Prier,
 John Rail,
 Committee on Streets & Alleys and Sewers & Drainage.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Pritchard presented the following petition, which was granted, with proviso that the work be done under the direction of the City Civil Engineer :

I desire the privilege of making two crossings of the sidewalk on the north side of Second street, between Illinois and Meridian streets, for two alleys I have platted, entering Block 10, St. Clair's addition. Also, one crossing of the sidewalk on the west side of Meridian street, about 120 feet north of Second street. I will make the crossings in part of small bowlders, with the center of smooth flagging stone.

Respectfully submitted,
 April 25, 1887. WM. S. HUBBARD.

Alderman Schmidt presented the following petition; which was granted :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—We, the undersigned, owners of property on Virginia avenue, between McCarty and Bradshaw streets, on the west side of the avenue, respectfully petition your honorable body to permit Peter Olsen to maintain a water plug for sprinkling purposes; the plug to be placed under the direction of the City Civil Engineer.
 Chas. Watson, Henry Rodcwald, Chris. Iske, C. Schrader.

On motion by Alderman Wright, the communication from the City Civil Engineer, relative to the Illinois street tunnel, presented at the last meeting of the Board (see page 191, *ante*), was taken up, and action thereon indefinitely postponed.

On motion, the Board of Aldermen then adjourned.

THOMAS E. ENDLY, President.

Attest: JOSEPH T. FANNING, Clerk.