

# PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—NOVEMBER 9, 1885.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, November 9th, A. D. 1885, at half-past seven o'clock, in regular session.

PRESENT—HON. Brainard Borison, President of the Board of Aldermen, in the Chair, and Aldermen Bernhamer, Endly, King, McHugh, Prier, Pritchard, and Tallentire—8.

ABSENT, 1—viz. Alderman Cobb.

The Proceedings of the Board of Aldermen for the sessions held October 24th, October 26th, October 29th and October 30th, 1885, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

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 sessions, held November 2d, 1885.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The report of the Building Committee of the City Hall, as to the laying of certain sewer pipe, and the agreement accompanying the same (see pages 676 and 677, *ante*), were read, and the favorable action of the Common Council thereon, was concurred in.

The report from the City Civil Engineer (see pages 677, 678 and 679, *ante*), submitting certain estimates, was read, and the estimates (presented therewith) approved.

The following estimate resolution (see page 679, *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 Hanway & Cooper, for grading and graveling the first alley north of Eighth street, from the first alley west of Illinois street to the second alley west of Illinois 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 679, *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 Hanway & Cooper, for grading and graveling the first alley west of West street, from Pratt street to First 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 680, *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 Henry C. Roney, for curbing with stone the outer edges of the sidewalks of North 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, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 680, *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 and paving with brick, the west sidewalk of Douglass street, from New York street to North 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 680, *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 and bowldering the first alley north of New York street, from Tennessee street to the first alley east of Tennessee 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 681, *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 north gutter of New York street (where not already done), from Delaware street to Pennsylvania 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 680, *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 graveling the roadway of Hall Place street, from Seventh street to Eighth 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 681, *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 J. L. Spaulding, for grading and paving with brick, the sidewalks of Eighth street, from Central avenue to the Wabash 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, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following estimate resolution (see page 681, *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 J. L. Spaulding, for grading and bowldering the gutters of Maryland street, and curbing with stone and paving with brick the sidewalks thereof (where not already done), from West street

to Helen 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 Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

**NAYS**—None.

The following report from the City Clerk (see page 684, *ante*), was read, and the favorable action of the Common Council thereon was concurred in:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen*:—I herewith report the official bond of Caleb S. Denny, Mayor-elect, who has otherwise qualified, by filing with me his certificate of election and oath of office. Penalty of bond, \$3,000.00; sureties, James P. Baker, Moses G. McLlain and David V. Burns.

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

The following report from the City Clerk (see page 684, *ante*), was read:

To the Mayor, Common Council and Board of Aldermen:

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

Henry C. Roney vs. C. F. Kirkhoff (christian name unknown) for...	\$50 76
Henry C. Roney vs. John Sullivan, for.....	15 20
Henry C. Roney vs. Levi Bolander, for.....	11 40

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

And the favorable action of the Common Council thereon (see page 684, *ante*), was concurred in, and the precepts ordered to issue, by the following vote:

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

**NAYS**, 1—viz. Alderman Bernhamer.

The following report from the City Treasurer (see page 685, *ante*), was read and received:

To the Honorable, the Mayor, Members of the Common Council and Board of Aldermen:

*Gentlemen*:—I would respectfully report that I have collected the benefits assessed in the matter of opening an alley through the middle part of Out-lot No 160, and have also made tender of the damages assessed to John Leibrick and John Leibrick, Guardian of Louis Leibrick and George Leibrick, heirs of Louis Leibrick.

Respectfully submitted,

I. N. PATTISON, City Treasurer.

The report from the Rental Agent (see page 685, *ante*), was read and received.

The report from the Board of Public Improvements and Street Commissioner (see page 686, *ante*), was read and received.

The following clauses from the report of the Board of Public Improvements (see pages 685 and 686, *ante*), were read, and the favorable action of the Common Council thereon, was concurred in:

6h. To repair the stone crossing on New Jersey street, at the east end of St. Joseph street. Recommend the work be done.

9th. To fill with gravel the low places in the alley east of Olive street, between Orange and Willow streets. Recommend the work be done.

The report from the Committee on Contracts, awarding sundry contracts (see page 687, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The following report from the Committee on Railroads was read, and the favorable action of the Common Council thereon (see page 688, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—The motion referred to the Committee on Railroads:

"That a Flagman be placed on Pennsylvania street where the private switches cross, at the expense of the owners of said tracks."

Your Committee has examined the above, and recommend the motion be adopted.

John R. Pearson,  
Isaac Thalman,  
J. H. Sheppard,  
Committee on Railroads.

The following petition was read, and the action of the Common Council thereon (see page 691, *ante*), was concurred in:

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

*Gentlemen:*—The undersigned would respectfully ask your consent to erect and maintain poles on which to suspend their wires on Virginia avenue, between Washington street and Shelby street, and on the adjacent alleys, when they can be so located to greater advantage to the public interest than if located on said avenue. We have application for a number of lights, which we cannot supply until we obtain your permission above requested.

Respectfully submitted,  
INDIANAPOLIS BRUSH ELECTRIC LIGHT AND POWER Co.,  
Per JOHN CAVEN, President.

The following resolution (see page 677, *ante*), was read:

*Resolved*, That the Board of Commissioners of Marion County be, and they are hereby, requested to receive and admit into the Marion County Work House, the prisoners from the Mayor's Court, committed under the penal ordinances of the City of Indianapolis; and that upon the granting of said request by the Commissioners, said prisoners so committed, shall be confined and kept in said Work House; *Provided*, that the city shall be at no expense for the maintenance of said prisoners, and the county shall pay nothing for the work and labor of said prisoners.

And it was concurrently adopted by the following vote:

AYES, 8—viz. Aldermen Bernbamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following motions (see pages 691 and 693 *ante*), were read, and concurrently adopted:

That the Street Commissioner be directed to open the different streets and alleys in Barth's heirs' subdivision, as shown in P. B. page 7, and Book No. 173, as ordered by the Council and Board of Aldermen August 13th and 25th, 1884. See pages 338, 339, 355, 742 and 772, Proceedings of 1884.

That Henry Lensman be allowed to grade and gravel the sidewalk in front of his property, Lots 38 and 39, Square 9, on the west side of Shelby street, under the direction of the City Civil Engineer, at his own expense.

That the Street Commissioner repair north West street, on the west side, from North street to St. Clair street, and also drain the water from First to Third street.

That the Street Commissioner be, and is hereby, instructed to notify the Water Works Company to level down and put in good condition north Mississippi street, from Second street to Sixth street, where they have laid their mains.

#### 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. 52, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis on account of the Fire Department. [Amount appropriated, \$747.19.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, 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. 53, 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, \$1,249.38.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, 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. 54, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$35,251.04.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, 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. 55, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$394.64.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, 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. 56, 1885—An ordinance appropriating money for the payment of claims against the City of Indianapolis, on account of the General City Election, held October 13th, 1885.

And it was passed by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

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

G. O. 14, 1885—An ordinance making it unlawful for any person over the age of ten years, to run any bicycle, tricycle, velocipede, hand cart or wheelbarrow, on or along any sidewalk in the City of Indianapolis.

G. O. 15, 1885—An ordinance for the relief of members of the Fire Department in certain cases, and defining the duties of the Superintendent of the City Dispensary.

G. O. 35, 1885 - An ordinance requiring the Wabash, St. Louis & Pacific Railway Company; the Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, and the Indiana, Bloomington & Western Railway Company, to station and maintain a Flagman at the crossing of their tracks and St. Clair street.

S. O. 101, 1885—An ordinance to provide for grading and graveling the first alley south of Stevens street, from Water street to Virginia avenue, and establishing the width of the same.

On motion, G. O. 35, 1885, was referred to the Committee on Railroads and Public Charities, and G. O. 15, 1885, was referred to the Committee on Judiciary and Ordinances.

Alderman King offered the following as an amendment to G. O. 14, 1885:

It shall be unlawful for any person over the age of ten years, to ride, &c., any bicycle, tricycle, &c., on or along any sidewalk of the city. To amend this so as to read:

It shall be unlawful for any person over the age of ten years, to ride any bicycle or tricycle on any walk within the following boundaries: West walk of Alabama street, on the east; Union Railway Company's tracks, on the south; east walk of Tennessee street, on the west; south walk of Ohio street, on the north.

Alderman McHugh offered the following:

That the word wheelbarrow be stricken out.

On motion, the above amendments, together with the ordinance, were referred to the Committee on Judiciary and Ordinances.

On motion by Alderman Bernhamer, the rules were suspended for the purpose of placing S. O. 101, 1885, on its final passage, by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

S. O. 101, 1885, was then read the second time, read the third time and passed, by the following vote:

AYES, 8—viz. Aldermen Bernhamer, Endly, King, McHugh, Prier, 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, and the ordinance ordered stricken from the files:

To the President and Board of Aldermen:

*Gentlemen:*—Your Committee to whom was referred G. O. 36, 1885, recommend said ordinance do not pass, for the reason there is no provision in the Charter of the city authorizing a license upon boot-blacks and news-boys. In the absence of such a Statute, the Council and Board have no authority to tax the little lads.

Respectfully submitted,

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

The same Committee submitted the following report; which on motion by Alderman Prier, was referred back to the committee with the ordinance:

To the President and Board of Aldermen:

*Gentlemen:*—Your Judiciary Committee, to whom was referred G. O. 34, of 1885, report that said ordinance do not pass, for the reason, 1st: If valid, it would be a hardship to many worthy citizens of Indianapolis. 2d, It attempts to prohibit the selling of fruits, under penalties, within certain boundaries from wagons. It is like passing an ordinance for one ward, and of no effect in other wards. Such an ordinance is absolutely void. We recommend it be stricken from the files.

Respectfully submitted,

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

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

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report thereon as follows:

1st. Is the proposition of John W. Ray to sell the city a certain piece of ground for the purpose of straightening Massachusetts avenue.

Recommend the action of the Common Council be concurred in.

2d. Is a motion directing the Street Commissioner to fix the sidewalk on the east side of Alabama street, from Michigan street to the first alley north of Michigan street, and collect the cost thereof from the property owner.

Recommend the action of the Common Council be concurred in.

Respectfully submitted,

Thomas E. Endly,  
Isaac King,  
Committee.

REPORTS FROM SELECT COMMITTEES.

Alderman King, in behalf of a certain Special Committee, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Special Committee, appointed to investigate the question of properly numbering the houses on the various streets, respectfully report that they have carefully inquired into the subject, and are of the opinion that an arrangement can be made to properly number all streets now having irregular numbers, without cost to the city, by the City Civil Engineer appointing some practical painter to do said numbering under the supervision and direction of said Engineer. The said painter to receive as compensation, a fee not to exceed 25 cents per number for tin numbers, and for gilt numbers not to exceed 25 cents per figure, from the owner or agent of the building so numbered: *Provided*, That said painter shall number only such streets and avenues as may be directed by the City Civil Engineer. We recommend that the City Civil Engineer be, and is hereby, directed to put into effect the above plan.

Respectfully submitted,

C. S. DENNY, City Attorney  
GEO. T. BREUNIG, City Clerk.  
S. H. SHEARER, City Civil Engineer.

Isaac King,  
Thomas E. Endly,  
Will F. A. Bernhamer,  
Committee.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Bernhamer offered the following motion; which was adopted:

That the City Attorney be, and is hereby, instructed to defend the members of the Board of Aldermen in Cause 34,694, Room 2, Superior Court, at the suit of Frank M. Dell (the same being brought against the members as such.)

Alderman King offered the following motion; which was adopted:

That the Street Commissioner notify the owner of No. 52 Virginia avenue, to immediately repair the sidewalk.

On motion, the Board of Aldermen then adjourned.

BRAINARD RORISON, President.

Attest: FRANK W. RIPLEY, Clerk.