

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, February 5th, 1877—7 o'clock P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members:

Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Absent—Councilmen Byram, Kenzel, McGill, McGinty, and Reasener—5.

The proceedings of the regular session, held January 29th, 1877, were read and approved.

Sealed proposals for furnishing coal for use in City Building were received, opened, and read.

Mr. Darnell moved that the bids be referred to the Committee on Contracts, with instructions to report in favor of awarding the contract to the lowest and best bidder, and not for a greater length of time than will be necessary to supply the city with coal this winter.

Which motion was adopted.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, February 5, 1877.

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

Gentlemen :—I was directed to examine the grade at the east end of Woodlawn avenue, and report to the Council the most practicable and cheapest way of draining off the water standing on said street.

The grade of Woodlawn avenue is lower than Reid street, the latter street along that portion not being improved, but from Woodlawn avenue in and along Reid street to Prospect street there is a deep ditch of sufficient capacity to carry off the water, but it is filled to some extent by the caving in of dirt. I would recommend that the Street Commissioner be directed to clean out the ditch, by which all necessary relief will be afforded.

SECOND.

I would call attention of the Council to the contract for improving the first alley east of East street, running north and south from McCarty street to the first alley north of Buchanan street.

This contract was awarded to Joseph Benauer, and approved by the Council October 12, 1876. The contractor was granted thirty days extension of time December 4, 1876, on condition he should file a new bond. This he neglected to do. I reported the fact to the Council January 15, 1877, when he was granted thirty days more in which to complete his contract, with the condition that a new bond be filed.

A little more than half of the last extension of time has expired, and the contractor has failed to file the bond required. I would recommend that the contract be canceled and the work be readvertised.

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

The City Clerk submitted the following report :

Indianapolis, February 5, 1877.

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

Gentlemen :—The City Clerk respectfully reports the following affidavits now on file in his office for the collection of street assessments, by precept, to-wit :

Henry C. Roney vs. Daniel M. Bradbury for.....	\$4 3
John Flaherty vs. Bernard Herring for.....	9 90
John Flaherty vs. Anna Ferber for.....	3 85
John Flaherty vs. Clinton Taylor for... ..	3 85
J. G. Sickler vs. Wm. I. Wheatley for.....	9 85½
James Mahoney vs. Fount Robinson for.....	8 31
James Mahoney vs. Matthew Arbuckle for.....	8 40
James Mahoney vs. Matthew Arbuckle for.	8 40
James Mahoney vs. Samuel P. Daniels for.....	10 20
James Mahoney vs. Samuel P. Daniels for.....	6 00
James Mahoney vs. Mary Clumley for.....	4 50
Henry Clay vs. Benj. M. Dakin for.....	19 20
Henry Clay vs. Benj. M. Dakin for.	19 20
Henry Clay vs. Wm. E. Prall for.....	19 20
Henry Clay vs. Wm. E. Howland for.....	21 96
Henry Clay vs. Joseph Avery for.....	19 20
John Green vs. J. H. Caffee, christian name unknown, for.....	34 80
Macauley & Stone vs. Water Works Company for.....	90 97

And respectfully recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT,
City Clerk.

Which was concurred in, and the precepts ordered to issue by the following vote:

Affirmative—Councilmen Adams, Buehrig, Case, Craft, Darnell, Izor, Morse, Ransdell, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, and Wright, William G.—15.

Negative—None.

The Street Commissioner submitted the following report :

Indianapolis, February 5, 1877.

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

Gentlemen :—I have the honor to submit the following report of work done in my department for the month of January, 1877 :

Placed 23 new foot bridges on different street crossings.

Repaired 38 bridges and culverts.

Completed the cleaning of all the sewers and thawed out all the pipes that were frozen.

Protected the east abutment of the Morris street bridge with 400 loads of cinders.

Pay-roll for January.....	\$1,027 05
Seibert & Carr, gravel.....	7 50
Wolfrom & Bro.....	1 50
Carnine & Gardner, lumber.....	69 85
James F. McCollum, lumber.....	95 40
Samuel Patterson, gravel.....	66 90
Indianapolis Rolling Mill Co., cinders.....	75 00
Coburn & Jones, lumber.....	69 10
W. H. Hildebrand & Co., lumber.....	32 59
Clemens Vonnegut, hardware.....	11 75
Total.....	<u>\$1,456 64</u>

Respectfully submitted,

LEANDER A. FULMER,

Street Commissioner.

Which was approved.

The City Attorney and Assessor submitted the following report :

Indianapolis, February 5, 1877.

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

Gentlemen :—The reference of the claim of John Greene for the improvement of Wisconsin street, to report who was the owner of certain property at the crossing of the old Canal bed, would respectfully report that the fee simple of the Canal bed is in dispute between the Water Works Co., and I. C. & L. R. R. Co. and the owners of the ground whom the right of way to the Canal was granted to the State. The widening of the Canal at this place makes it a more complicated question than we are able to answer, and which nothing but litigation can determine.

Respectfully submitted,

WILLIAM HADLEY,
City Assessor.

R. O. HAWKINS,
City Attorney.

Which was received, and the subject referred to the Committee on Judiciary.

The City Clerk presented the following communication :

Indianapolis, January 31, 1877.

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

Gentlemen :—We beg leave to call your attention to the DePalos Pressure Moderator and Gas Saver, a machine that has given universal satisfaction, being durable and effective, saving consumers of gas, that have used it, from 20 to 40 per cent. on their gas bills.

We should be pleased to supply the city with a sufficient number of machines for the city's buildings, if, after a practical test, you find it for your advantage to order same.

Trusting this will meet your approval,

We remain, gentlemen,

Yours respectfully,

WEITZEL & MARPLE.

Which was referred to the Committee on Gas Light.

The Superintendent of the City Hospital submitted the following report :

Indianapolis, February 5, 1877.

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

The following report of the City Hospital and Branch for the month ending January 31st, 1877, is respectfully submitted:

NO. OF BEDS IN HOSPITAL—100.	First Week.	Second Week.	Third Week.	Fourth Week.	Frac ^l Week.	Total Adults.	Total Infants.	Total.
Number of Patients at last report—adults.....	47	50	60	59	57	47	....
Number of Patients at last report—infants.....	1	2	6	6	6	....	1	48
Received New Patients - adults.....	15	23	14	8	8	68	....
Births, or Received—infants.....	2	5	2	1	....	....	10	77
Discharged—adults.....	11	11	15	10	10	57	....
Discharged—infants.....	1	....	1	1	....	....	3	60
Died—adults.....	1	2	....	....	....	3	....
Died—infants.....	....	1	1	....	1	....	3	6
Number of Patients remaining—adults.....	50	60	59	57	55	55	....
Number of Patients remaining—infants..	2	6	6	6	6	....	5	60
Number of Patients in Branch—adults.....	....	....	....	....	....	....	....
Number of Patients in Branch—infants.....	....	....	....	....	....	....	....
Aggregate No. of Patients in Hospital—adults...	290	393	430	411	234	1758	....
Aggregate No. of Patients in Hospital—infants.	13	28	42	38	24	....	145	1903

Respectfully submitted,

F. J. VAN VORHIS, M. D.,

Superintendent.

Which was received.

On motion, by Mr. Darnell, Mr. Byram was excused.

APPROPRIATION ORDINANCES.

Mr. Ransdell introduced appropriation ordinance No. 9, 1877, entitled :

An ordinance appropriating money on account of City Hospital and Branch for the month of January, 1877.

Which was read the first time.

Mr. Steinhauer introduced appropriation ordinance No. 10, 1877, entitled :

An ordinance appropriating money on account of Station Houses for the month of January, 1877.

Which was read the first time.

Mr. Reed introduced appropriation ordinance No. 11, 1877, entitled :

An ordinance appropriating money on account of printing, etc., for the month of January, 1877.

Which was read the first time.

Mr. Craft introduced appropriation ordinance No. 12, 1877, entitled :

An ordinance appropriating money on account of the Fire Department.

Which was read the first time.

Mr. Webster introduced appropriation ordinance No. 13, 1877, entitled :

An ordinance appropriating money to pay sundry claims against the city of Indianapolis for the month of January, 1877.

Which was read the first time.

Appropriation ordinance No. 9, 1877.

Was read the second and engrossed, and read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt,

Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Appropriation ordinance No. 10, 1877,

Was read the second time and engrossed, and read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Appropriation ordinance No. 11, 1877,

Was read the second time and engrossed, and read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Appropriation ordinance No. 12, 1877,

Was read the second time and engrossed, and read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt,

Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Appropriation ordinance No. 13, 1877,

Was read the second time.

Mr. Darnell moved to amend by striking out the claim of Edwin May, and refer the same back to the Committee on Accounts and Claims.

Mr. Reed moved to lay Mr. Darnell's motion on the table.

Which motion to lay on the table was adopted by the following vote:

Affirmative—Councilmen Buehrig, Bugbee, Case, Izor, Reed, Steinhauer, Stratford, Thomas, Webster, Wright, Arthur L., and Wright, William G.—11.

Negative—Councilmen Adams, Craft, Darnell, Diffley, Morse, Pouder, Ransdell, Schmidt and Thalman—9.

The ordinance was then ordered engrossed, and read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Diffley, Izor, Morse, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—Councilman Darnell—1.

SPECIAL ORDER.

General ordinance No. 54, 1876, entitled:

An ordinance supplemental to an ordinance entitled, "An ordinance concerning building and improvements, and regulating the granting of building permits in the city of Indianapolis, within the city limits," passed May 31, 1869.

Was taken up and read.

Dr. Stratford moved to strike out all that refers to the filing of a bond with the City Clerk.

Which motion was adopted, and the ordinance so amended.

Mr. Darnell moved to strike the ordinance from the files.

Which motion was adopted, and the ordinance stricken from the files.

By consent, Mr. Craft, Chairman Fire Board, submitted the following report:

Indianapolis, February 5, 1877.

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

Gentlemen:—The Fire Board, to which was referred the motion of Councilman Schmidt, instructing the Chief Fire Engineer, to advertise for bids for 2,000 feet of hose, would report the same back and recommend that it do pass.

They would also report that, under the direction of the Board, the Chief Fire Engineer had the fire-plugs examined on the 31st ult., and the Chief reports, as the result of such examination, forty-six plugs frozen up at that time. A copy of the number and location of the frozen plugs was furnished the Water Works Co., and the following communication from the President of the Water Works was received by the Board in regard to same.

Respectfully submitted,

W. H. CRAFT,

J. C. ADAMS,

J. L. CASE,

Fire Board.

Which was concurred in.

Mr. Craft presented the following communication :

Indianapolis, February 3, 1877.

To the Honorable W. H. Craft, President of the Fire Board :

Dear Sir:—On yesterday, the 2nd inst., I received a list of fire hydrants reported frozen by an examination of the firemen, as I understand, under the direction of the Fire Board. Immediately on receipt of the list I had our men make an examination of all the hydrants included in the list, and they report that some of them are frozen, and some of them are open and in serviceable condition. In the following list, which include all reported frozen, I note, in parenthesis, remarks to which I respectfully call your attention. The examination, as I am informed, was made by your order on the 31st first of January.

1. Southeast corner of Washington and Alabama streets. (Was open on the 2d of February.)
2. Southwest corner of Washington and Alabama streets. (Was open on the 2d of February.)
3. Northwest corner of Washington and Alabama streets. (Was found open.)
4. Northeast corner of Washington and Delaware streets. (Open, but turns hard.)
5. Southeast corner of Washington and Delaware streets. (Open, but turns hard.)
6. Washington street, between Pennsylvania and Delaware. (This is the hydrant in front of the Vance Block; it has been thawed out twice, and was found open on the 2d day of February.)
7. Virginia avenue, between Washington and Maryland streets. (This was thawed out during the winter; was open on the 2d of February.)
8. Georgia street, between Meridian and Illinois.
9. Northeast corner of Illinois and Georgia streets.
10. Southwest corner Illinois and Georgia streets. (Open on the 2d of February.)
11. Corner of Market and Circle streets (Ross Block.)
12. Northeast corner of Ohio and Alabama streets. (Open on the 2d of February; opens hard.)
13. Southwest corner of Michigan and Alabama streets. (Open on the 2d of February.)

Southeast corner of East and Delaware streets. (Could not find — the streets run the same way.)

14. Southwest corner Ohio and Illinois streets. (Was open the morning after the Academy fire.)

15. Michigan street between Meridian and Illinois.

16. Southeast corner of Walnut and Massachusetts avenue. (Open on the 2d of February.)

17. Southeast corner of East street and Massachusetts avenue. (This hydrant was found frozen; it has been opened three times this winter; the grade of the avenue was cut down when the same was improved.)

18. Southeast corner of Noble and North streets. (Open on the 2d of February.)

19. Southwest corner of Noble and Michigan streets. (Open on the 2d of February.)

20. Pratt street, between Pennsylvania and Delaware.

21. Walnut street, between Alabama and Delaware.

22. Ft. Wayne avenue and St. Clair street. (Open on the 2d of February.)

23. Southwest corner of Washington and Liberty streets. (Opened with steam on the 1st of February.)

24. Northeast corner Washington and East streets. (Open on the 2d of February.)

25. Corner South and Delaware streets. (Open on the 2d of February.)

26. Corner of Duncan and Delaware streets. (Open on the 2d of February, but opens hard.)

27. Corner Virginia avenue and Alabama street. (Open on the 2d of February.)

28. Corner Maryland and Alabama streets. (Open on the 2d of February.)

29. Corner of Washington and Alabama streets. (Open on the 2d of February.)

30. Washington street, between Alabama and New Jersey.

31. Washington street, between East and New Jersey. (Open on the 2d of February.)

Louisiana street, between East and New Jersey. (No hydrant here; no pipe on this line.)

32. Corner of Illinois and Garden streets. (Open on the 2d of February.)

33. Corner Meridian and Merrill streets. (Open on the 2d of February.)

34. Meridian street, first alley south of Merrill. (The stem of this hydrant is broken, in trying to open.)

35. Meridian street, third alley south of McCarty.

36. Corner of Tennessee and South streets.

37. Corner of Mississippi and South streets. (Open on the 2d of February.)

38. Southwest corner of Missouri and Market streets. (Open on the 2d of February.)

39. Southwest corner of Tennessee and Ohio streets.

40. South street, south side, between Missouri and Mississippi streets.

41. Washington street, south side, between Missouri and Mississippi streets. (Open on the 2d of February.)

42. Mississippi street, between First and Second streets. (Was open on the 31st of January, and open on the 2d of February.)

43. Corner of East and Stevens streets; bursted. (Open on the 2d of February, and in order.)

44. Corner Virginia avenue and Stevens street. Open on the 2d of February; has been leaking, but is fixed.)

45. Corner of Virginia avenue and Merrill street. (Open on the 2d of February, but opens hard.)

46. Corner of Louisiana and East streets. (Open; had been frozen, but thawed out.)

Of the 46 hydrants reported above as frozen, my men report, after a careful examination, that they only find 13 that were closed on the 2d of February, the time they made the examination, and one that had the stem broken. These hydrants will be opened as fast as it can be done.

This has been an unusually long and severe winter, and during the whole of it the company have had men constantly at work with your donkey steamer, examining the hydrants and opening those closed by frost. During this time we have found about 100 hydrants frozen, all of which were thawed out. Three of these have been thawed out three times; thirteen thawed out twice.

I make this report to show that we have used the utmost diligence to attend to and open the hydrants as soon as they are reported out of condition either by your direction or on the report of the firemen, and this has been our universal custom.

Respectfully submitted,

JOHN R. ELDER,
President Water Works Company.

On motion, the above communication, with the last section of the report was referred to the Committee on Water Works.

By consent, Mr. Schmidt submitted the following report :

Indianapolis, February 5, 1877.

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

Gentlemen :—Your special committee appointed to investigate ex-Chief Fire Engineer Fitchey's accounts with the city, respectfully report the following report of the ex-Chief to your committee. We have compared the same with the book containing an itemized account of receipts and expenditures, and find them to correspond. The regular bills against the city for running the department during his administration are on file with the City Clerk, who has a record of them, and who can furnish a copy should your honorable body desire it :

RECEIPTS.

May 15, 1875, received from City Treasurer.....	\$260 91
May 17, 1876, received from City Treasurer..	575 46
At sundry times, received from sale of 15 horses and old material..	1,774 54
Of Kruger drawback on cistern.....	35 15
Total.....	<u>\$2,646 06</u>

EXPENDITURES.

Paid to City Treasurer, as per receipts..	\$1,478 69
Paid to K. Munter for horse.....	225 00
Paid for furniture for Engine Houses.....	106 00
Paid for sundry items and expenses, as per ledger at Headquarters	836 37
Total.....	<u>\$2,646 06</u>

He also reports in addition to the 15 horses sold and accounted for in the above statement, three were exchanged for material used in the department, and three were put in as part pay in purchasing new horses.

He also reports the following accounts yet due the city which, we recommend be placed in the hands of the City Attorney for collection, if possible.

One horse sold by C. Hickman.....	\$75 00
Helphenstine & Cox.....	49 00
I. M. R. Gilbert.....	18 25

A. C. Cotton.....	15 00
I. B. & W. R. R. Co.....	30 00
Total.....	\$187 25

Respectfully submitted,

F. SCHMIDT,
ISAAC THALMAN,
A. L. WRIGH^t,
Special Committee.

Which, upon motion by Mr. Thomas, was concurred in and adopted.

Mr. Reed submitted the following report:

Indianapolis, February 5, 1877.

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

Gentlemen:—Your committee appointed to examine into the alleged discrepancies in the measurement of wood at the East and West Markets, would beg leave to report:

On last Wednesday we first went to the West Market, and the Civil Engineer measured several loads of wood; in one case the measurement being a few feet less than the measurement of the Wood Measurer at that point.

We next visited the East Market, and the Engineer measured several loads of wood; finding, in each load, less wood than was shown by the figures of the Wood Measurer at this point. We examined the methods of measuring wood at each market, and find that the half-inches were guessed at, rather than figured out; owing, we presume, to the fact that neither measurer is well posted in decimals, yet thereby the purchaser suffers but little, as the odd half-inches is thrown into the count by a rough guess, but certainly not with mathematical precision. The East End officer does seem to give larger measure than the West End officer, but we are not disposed to think he does this intentionally, or to cut off the patronage of the West End Measurer; and as very few persons, who purchase wood in the markets, examine its measurement but purchase rather on its looks, probably no material harm is done by this liberal measurement; yet there is no denying the fact that if the city has wood measurers at all, they should be able to give exact measurement, even to the inch, and not arrive at their conclusions by a system of guess-work.

Your committee would recommend that each wood measurer be instructed

to measure as correctly as possible—a fair measure in all things being almost as desirable as a "fair count."

We would also suggest, at the instance of the Engineer, that it would be well if each wood measurer were to keep a careful record of every load of wood measured, giving the measurement in detail, so that his calculations may be open to inspection, thereby demonstrating the mathematical ability of the officers, with name of owner and date of each load measured, which would be valuable for reference, statistics, etc., and shows the importance of the officer, and give the citizens an idea of the emolument thereof, which is not the "lean streak" some may imagine it to be.

Respectfully submitted,

ENOS R. REED.

WM. G. WRIGHT,

Committee.

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

On motion, the Council adjourned.

A. Loren

Mayor.

Attest :

Benj. Wright

City Clerk.