

# PROCEEDINGS OF BOARD OF ALDERMEN.

## REGULAR SESSION—OCTOBER 8, 1879.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, October 8th, A. D. 1879, at half-past seven o'clock, in regular session.

**PRESENT**—His Honor, the President, J. M. Ridenour, in the Chair, and Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, and Seibert—8.

**ABSENT**—Aldermen Chandler and Coburn—2.

The proceedings of the Board of Aldermen, for the regular session, held on September 17th, 1879, and for the adjourned session, held on September 24th, 1879, having been printed, and placed on the desks of the Aldermen, said proceedings were approved as published.

### MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was received:

To the Board of Aldermen of the City of Indianapolis:

*Gentlemen*:—I herewith transmit to your honorable body certain papers, which were favorably passed upon by the Common Council, at its regular session, held on Monday evening, October 6th, 1879, for your action upon same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the City Civil Engineer was read; and this body concurred with the Common Council in receiving such report, and in approving the accompanying estimates [see pages 519 and 520, *ante*]:

To the Common Council of the City of Indianapolis:

*Gentlemen*:—I herewith report the following estimates:

A first and final estimate in behalf of E. B. Elliott, for grading, and paving with brick (where not already paved), the south sidewalk of St. Mary street, from Alabama street to Delaware street—

331 lineal feet, at 24 cents ..... \$ 79 44

Also, a first and final estimate in behalf of John Schier, for grading, and paving with brick and curbing with stone the south sidewalk of New York street, from Liberty street to Noble street—

387½ lineal feet of paving, at 29½ cents.....	\$ 114 31
470½ lineal feet of curbing, at 30 cents.....	141 15
Total estimate.....	\$ 255 46

Also, a first and final estimate in behalf of William Morrison, for grading and graveling the alley between Hoyt avenue and Huron street, from Dillon street to Linden street—

2,082 lineal feet, at 11 cents .....	\$ 229 00
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Also, a first and final estimate in behalf of John L. Hanna, for building bridge and extending stone abutments for bridge over Pogae's Run on Ohio street—

1,824 feet foundation timber, at \$11.00 per M.....	\$ 20 06
59.4 cubic yards masonry, at \$3.50.....	207 90
61½ cubic yards excavation, at 20 cents .....	12 30
152.9 cubic yards embankment, at 20 cents.....	30 58
48 feet 15-inch earthenware pipe, at 75 cents.....	36 00
12 cubic yards gravel, at 70 cents.....	8 40
Pointing old masonry with mortar.....	30 00
Blacksmithing.....	9 40
Superstructure, as per contract .....	190 00
Total estimate.....	\$ 544 64

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution [which had been adopted by the Common Council—see page 520, *ante*] was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the foregoing first and final estimate in behalf of E. B. Elliott, for grading, and paving with brick (except where already paved), the south sidewalk of St. Mary street, from Alabama street to Delaware street, be, and same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 7—viz. Aldermen Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridénour.

NAYS—None.

The following estimate resolution [which had been adopted by the Common Council—see page 520, *ante*] was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the foregoing first and final estimate in behalf of John Schier, for grading, and paving with brick and curbing with stone the south sidewalk of New York street, from Liberty street to Noble street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 7—viz. Aldermen Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following estimate resolution [which had been adopted by the Common Council—see page 520, *ante*] was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the foregoing first and final estimate in behalf of William Morrison, for grading and graveling the alley between Hoyt avenue and Huron street, from Dillon street to Linden street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 7—viz. Aldermen Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The third clause of the report from the City Attorney, in relation to the City Commissioners, was read; and this body approved the Council action thereon [see page 524, *ante*].

Communication from Lyman W. Mix, Esq., tendering his resignation as a member of the Board of City Commissioners, was read; and this body concurred with the Common Council in accepting such resignation [see page 525, *ante*].

Report from the City Attorney, in relation to cases tried and disposed of, was read; and this body concurred with the Common Council in approving the same [see page 526, *ante*].

Reports from Superintendent of City Hospital and Branch, for the month of September, 1879 [see pages 525, *ante*], were read and received.

The following clauses in the report of the Board of Public Improvements were read; and the favorable action of the Common Council thereon [see pages 526 and 527, *ante*], was approved :

2d. We recommend that Illinois street, from the Union Railroad tracks south to the Tunnel, be repaired by the Street Commissioner.

5th. Is a motion to fill the chuck-holes on Ohio street, from Illinois street to the canal.

The chuck-holes have been filled from the canal to Mississippi street, and we recommend the work be completed.

6th. Is a motion to clean the south gutter of Kentucky avenue, from Missouri to West street, and fill the chuck-holes.

We recommend the work be done.

7th. Is a motion to clean the gutters on Michigan street, between the canal and Blake street.

We recommend the work be done.

8th. Is a motion to fill the chuck-holes at the corner of Maryland and California streets.

We recommend the work be done.

9th. Is a motion that the Street Commissioner be instructed to lay a single stone crossing on Maryland street, from southeast corner of California street to north side of the street. Also, a single stone crossing on California street, from south west corner to southeast corner thereof.

We recommend the work be done with broken stone, instead of flag stone.

10th. Is a motion to have the gutters cleaned and the chuck-holes filled on Indiana avenue, from California street to Fall Creek bridge.

We recommend the work be done.

Report from Board of Public Improvements and Street Commissioner, giving an exhibit of moneys paid on account of the Street-Repairs Department, for the month of September, 1879 [see page 528, *ante*], was read and approved.

Report from the City Dispensary Board, for the month of September, 1879 [see page 528, *ante*], was read and received.

Report from Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, from September 16th to 30th, 1879 [see page 529, *ante*], was read and received.

Report from same official board, stating certain transactions of that Department [see page 529, *ante*], was read and received.

The following report from the Committees on Bridges was read; and this body concurred with the Common Council, in approving the same [see page 530, *ante*]:

To the Mayor and Members of the Common Council and

Board of Aldermen of the City of Indianapolis:

*Gentlemen*:—Your Joint Committees on Bridges, in accordance with instructions given by a certain motion adopted September 15, 1879, report that City Civil Engineer Patterson estimates the cost of said bridge, across the canal at Walnut street, to be \$827.00. Your committee are of the opinion that the estimate is too high, and would recommend that the bridge be built by the Street Commissioner, under the supervision of the City Civil Engineer and Board of Public Improvements.

Geo. King,  
M. H. McKay,  
Henry Bermann,  
Council Committee.

H. E. Drew,  
H. Coburn,  
Aldermanic Committee.

The following report from the Committee on Finance was read [see page 530, *ante*]; and, on motion of Alderman Mussmann, this body concurred with the Common Council in approving such report, except the last clause, which was not concurred in:

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

Your Committees on Finance, to whom sundry papers were referred, would report thereon as follows:

1st. Is a report from Wm. M. Wiles, (late) City Treasurer, of the total receipts and disbursements of the "Tomlinson Estate."

In the judgment of your committees the report is explicit and accurate, and we, therefore, recommend its approval.

2d. Is the City Clerk's statement, by account, of orders drawn upon the city treasury during the month of August, 1879.

3d. Is the report of Wm. M. Wiles, (late) City Treasurer, of receipts and disbursements for the month of August, 1879.

A comparison of above-mentioned financial statements with the books of the City Clerk and City Treasurer having shown said statements to be in form and correct, we recommend that the same be duly approved.

4th. Is a request from the Board of Health, "that a reasonable allowance be made for the keeping of sanitary officer Watson's horse," used in the service of the city.

We recommend that an allowance at the rate of \$8 a month, from August 15th to November 15th, be made in this behalf.

Respectfully submitted,

Leon Kahn,  
Peter F. Bryce,  
M. L. Brown,  
C. F. Wiese,  
H. J. Prier,  
Committees on Finance.

The following report from the Committees on Public Property was read; and this body concurred with the Common Council in approving the same [see page 531, *ante*]:

To the Common Council of the City of Indianapolis:

In answer to a communication, signed by Luther Mehring, the Indianapolis Fertilizer Company, and Birk & Miller, calling your attention to the fact that one John Smith and others are carrying on the business of rendering grease from dead animals and offal, and manufacturing fertilizers within the corporate limits of this city, and asking that said parties be either removed to the Sellers' Farm, or that permission be granted the signers of the mentioned document to come into the city with their establishments, we would recommend that the City Marshal be ordered to notify said "John Smith and othes" to comply, forthwith, with the terms of the following sections of General Ordinance 31, 1878—"An Ordinance regulating the disposition of Dead Animals, and Animal Offal and Blood, in the City of Indianapolis, and within two miles of the corporate limits of said city, and upon what is known as the Sellers' Farm (ordained and established on August 20th, 1878),"—or else to promptly file against the said "John Smith and others," and bring such offenders into the City Court.

We quote the sections referred to:

"SEC. 2. It shall be unlawful for any person to carry on the business of manufacturing of dead animal matter or offal into fertilizing material or into any kind of material or substance, at any place in the City of Indianapolis, or within two miles of the corporate limits of said city, except upon what is known as the Sellers' Farm."

"SEC. 15. Any person violating any of the provisions of this ordinance shall be fined in any sum not exceeding fifty dollars."

Respectfully submitted,

W. H. Tucker,  
W. E. Shilling,  
Council Committee on Public Property.  
• H. Coburn,  
W. F. Piel,  
James T. Layman,  
Aldermanic Committee on Public Property.  
John A. Henry, City Attorney.

The following report from the Committee on Streets and Alleys [con-  
curred in by the Common Council—see page 533, *ante*], was read, and  
referred to the Aldermanic Committee on Streets and Alleys:

To the Common Council of the City of Indianapolis:

Your Committee on Streets and Alleys, to whom was referred the petition of  
Mrs. Catharine Bobbs William Baine, G. S. Pittman, and Fred. Kline, having ex-  
amined into the merits thereof, would report favorably thereon, and do hereby re-  
commend the adoption of the following resolution:

*Resolved*, That the matter of vacating Bobbs street, from Bates street to Meek  
street, in and through Bobbs' Addition to the City of Indianapolis, as prayed for  
by Mrs. Catharine Bobbs, owner of all the abutting property, and of William  
Baine, G. S. Pittman, and Fred. Kline, freeholders, be and the same is hereby re-  
ferred to the City Commissioners for their consideration of the same.

Respectfully submitted,

Leon Kahn,  
W. H. Tucker,  
John R. Pearson,  
Committee on Streets and Alleys.

The following petition [granted by the Common Council—see page  
542, *ante*], was read, and referred to the Aldermanic Committee on Streets  
and Alleys:

*Indianapolis, Ind.*, September 24, 1879.

To the Common Council of the City of Indianapolis:

*Gentlemen*:—Your petitioner, William J. Probst, represents that he is a citizen  
of Indianapolis, and that he is engaged in the grocery business, on the corner of  
Tennessee and Fifth streets, being on the southwest corner of the crossing of said  
streets, in said city.

Your petitioner prays permission of your honorable body to erect and build one  
pair of scales, large size, for the weighing of hay and corn, on the south side of said  
Fifth street, at a point about fifteen feet west of the west side of the sidewalk, on  
the west side of said Tennessee street.

Said scale to be erected far enough out into Fifth street so as not to interfere with  
the gutter and the free passage of the water therein.

Your petitioner would further represent that said Fifth street, at this point, is of  
sufficient width to allow the scales he desires to build to be erected therein without  
interfering with the public travel thereon.

That permission will be granted him to build said scale your petitionier will ever  
pray.

Very respectfully submitted,

WILL. J. PROBST.

The following motion [adopted by the Common Council—see page 542, *ante*] was read, and referred to the Aldermanic Committee on Streets and Alleys :

That John Frick be permitted to put down a hay and cattle scale in front of his place of business on Columbia avenue, to be done in compliance with existing ordinances.

The following motion [adopted by the Common Council—see page 543, *ante*] was read, and was concurrently adopted :

That the time granted William Morrison, in which to complete his contract for improving the alley between Illinois and Meridian streets, from North street to Walnut street, be extended 40 days.

The following entitled ordinances [passed by the Common Council], were then read the first time :

- Ap. O. 61, 1879—An Ordinance appropriating the sum of Four Hundred Dollars, to be paid to the Chief of Police and Street Commissioner, to defray the expense of keeping and maintaining a horse and vehicle by each of said officers.
- Ap. O. 62, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.
- Ap. O. 63, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.
- Ap. O. 64, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.
- Ap. O. 65, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.
- Ap. O. 66, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

This being the regular appropriation night, the several Appropriation Ordinances were taken up for second and third readings, and placed on their passage, without suspension of the rules.

The following entitled ordinance was read the second and third times :

- Ap. O. 61, 1879—An Ordinance appropriating the sum of Four Hundred Dollars, to be paid to the Chief of Police and Street Commissioner, to defray the expense of keeping and maintaining a horse and vehicle by each of said officers.

And it failed to pass by the following vote :

- AYES, 4—viz. Aldermen Grubbs, Layman, Seibert, and President Ridenour.
- NAYS, 4—viz. Aldermen Drew, Mussmann, Newman, and Piel.

The following entitled ordinance was read the second and third times :

Ap. O. 62, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,061.66.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 63, 1879—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, \$722.56.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 64, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$220.69.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. 65, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$25,803.46.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 66, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$551.35.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.



The following message was received:

To the President and Board of Aldermen:

*Gentlemen*:—At a regular session of the Common Council, held on Monday evening, October 6th, said body concurred in the amendment (adopted by your honorable body on September 17th), to G. O. 46, 1879—An Ordinance to provide the Committees of the Common Council and Board of Aldermen of the City of Indianapolis with a Clerk, and prescribing the Duties of such Clerk—and further amended said ordinance as follows:

First—By adding the following provision to section 2, viz :

“It shall be his duty to properly index all By-Laws and Ordinances required to be indexed by any ordinance of this city, and it shall be unlawful for such clerk to charge notarial fees for any duty performed between the city and any citizen thereof.”

Second—By amending section 5, so as to read as follows, viz :

“SEC. 5. For his services in connection with the Committees of the Common Council and Board of Aldermen of this city, said clerk shall receive a compensation of One Thousand Dollars per annum, which shall be paid in monthly installments, by and through the appropriation ordinances, prepared under the direction of the Committees on Accounts and Claims.”

I herewith submit said ordinance and the amendments, for your consideration and action thereon.

For the Common Council:

JOS. T. MAGNER, City Clerk.

Alderman Layman offered the following, as an amendment to the Council amendment to section two :

It shall be his duty to properly index all proceedings of the Common Council and Board of Aldermen, and all By-Laws and Ordinances required to be indexed by any ordinance of this city, or by request of the Council and Board of Aldermen; and it shall be unlawful for such clerk to charge notarial fees, or share any part of same, for any duty performed between the city and any citizen thereof.

Which amendment failed of adoption by the following vote :

AYES, 2—viz. Aldermen Grubbs and Layman.

NAYS, 6—viz. Alderman Drew, Mussmann, Newman, Piel, Seibert, and President Ridenour.

The Council amendments, as shown in foregoing message, were then concurred in by the following vote :

AYES, 7—viz. Aldermen Drew, Grubbs, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS, 1—viz. Alderman Layman.

The following ordinance, as amended, was then taken up on its third reading, viz. :

G. O. 46, 1879—An Ordinance to provide the Committees of the Common Council and Board of Aldermen of the City of Indianapolis with a Clerk, and prescribing the Duties of such Clerk.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Drew, Grubbs, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS, 1—viz. Alderman Layman.

The following motion, embodied in the message received by this body September 24th, 1879 [see page 511, *ante*] was taken up :

“That the Hospital Board be requested to report whether they intend to comply with the order of the Common Council and Board of Aldermen to make a report for the years 1877 and 1878, such reports not yet having been made.”

And this body receded from its action of September 17th [see page 495, *ante*] in refusing to concurrently adopt said motion.

Said motion was then concurrently adopted.

Special Ordinance 12, 1879, with the several amendments [see message, page 511, *ante*] was taken up, and, on motion by Alderman Mussmann, this body receded from its action in adopting the several amendments as shown in said message.

The following ordinance was then read the third time :

S. O. 12, 1879—An Ordinance to provide for grading and graveling Madison avenue, from Nebraska street to the Jeffersonville, Madison & Indianapolis Railroad tracks.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, and Seibert.

NAYS, 1—viz. President Ridenour.

#### NEW BUSINESS.

On Alderman Seibert's motion, it was ordered—

That the Street Commissioner cover the broken stone on Louisiana street, between East and New Jersey streets, to the depth of two inches, and widen the same so as to admit the free passage of wagons.

#### PENDING ORDINANCES.

The following entitled ordinance was read the second time, and referred to the Aldermanic Committee on Ordinances :

G. O. 43, 1879—An Ordinance relative to the Erection and Maintenance of Privies, Water-Closets, Urinals, Cesspools, and other Receptacles of Fluid or Semi-Fluid Filth in the City of Indianapolis; and regulating the Location, Construction, Cleansing, and emptying of the same.

The following entitled ordinance was read the second time, ordered to be engrossed, and read the third time :

G. O. 54, 1879—An Ordinance to prevent Horses, or other Animals or Vehicles, from standing within ten feet of any Drinking Fountain in the City of Indianapolis, except while such horse or animal is engaged in drinking.

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest: GEO. T. BREUNIG, Clerk.