

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JANUARY 7, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, January 7th, A. D. 1880, at seven o'clock, in regular session.

PRESENT—His Honor, the President, J. M. Ridenour, in the Chair, and Aldermen Chandler, Coburn, Layman, Drew, Grubbs, Mussmann, Newman, and Seibert—9.

ABSENT—Alderman Piel—1.

The proceedings of the Board of Aldermen, for the regular session, held on December 17th, 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 President and Members of the Board of Aldermen :

Gentlemen :—At a regular session of the Common Council, held on January 5th, 1880, said body again refused to concurrently adopt the following motion, (adopted by your body, December 3rd, 1879,) viz: "That the Joint Committees on Public Property be, and are hereby, authorized to purchase 250 trees, and to set out the same in Military Park, the cost for trees and setting, not to exceed \$60.00.

For the Common Council :

JOS. T. MAGNER, City Clerk.

Aldermann Layman moved that this body adhere to its former action in adopting said motion, and that a Committee of Conference be appointed.

Which motion was adopted, and the Chair appointed Aldermen Layman, Seibert and Drew as the aldermanic members of such Committee.

The following message was read and received.

To the President and Members of the Board of Aldermen :

Gentlemen :—I herewith transmit to honorable body certain papers, which were

favorably passed upon by the Common Council, at its regular session, held on Monday evening, January 5th, 1880, for your action upon same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

The following clauses in the report from the Committee on Contracts were read; and this body concurred with the Common Council in awarding the several contracts as recommended [see page 764 *ante*]:

Second. For paving with brick and curbing with stone the sidewalks, and bowldering the gutters, of McCarty street, from Delaware street west to the Jeffersonville, Madison & Indianapolis Railroad tracks—

Henry Clay, \$1.22 per lineal foot front on each side.
 Richard Carr, \$1.18 per lineal foot front on each side.
 James Mahoney, \$1.14½ per lineal foot front on each side.
 Dunning and Hudson, \$1.11 per lineal foot front on each side.
 David A. Haywood, \$1.05 per lineal foot front on each side; corner posts 35 cents each.

David A. Haywood, being the lowest and best bidder, we recommend he be awarded the contract.

Third. For improving John street, from Peru avenue to Massachusetts avenue, by grading and graveling the roadway and sidewalks thereof—

Richard Carr, 75 cents per lineal foot front on each side.
 Henry Clay, 69 cents per lineal foot front on each side.
 Dunning & Hudson, 66 cents per lineal foot front on each side.
 James Mahoney, 49½ cents per lineal foot front on each side.

James Mahoney, being the lowest and best bidder, we recommend he be awarded the contract.

Fourth. For grading and bowldering the south gutter of St. Clair street, from Massachusetts avenue to the west line of lot 2, in outlet 42—

D. A. Haywood, 49 cents per lineal foot front.
 Richard Carr, 45 cents per lineal foot front.
 Dunning & Hudson, 41 cents per lineal foot front.
 Henry Clay, 41 cents per lineal foot front.
 James Mahoney, 40 cents per lineal foot front.

James Mahoney, being the lowest and best bidder, we recommend he be awarded the contract.

Fifth. For grading, and paving with brick (where not already paved) the east sidewalk of Park avenue, between Cherry street and Christian avenue—

William Morrison, 33 cents per lineal foot front.
 D. A. Haywood, 32 cents per lineal foot front; corner posts 30 cents each.
 John Schier, 31 cents per lineal foot front.

John Schier, being the lowest and best bidder, we recommend he be awarded the contract.

The following report from the City Civil Engineer was read; and this body concurred in the action of the Common Council [see pages 766 and 767, *ante*] in receiving the report, and in approving the accompanying estimate:

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

Gentlemen:—I herewith report the following estimate:

A first and final estimate in behalf of R. P. Dunning & J. W. Hudson for grading and graveling the roadway of Prospect street, and bowldering the gutters thereof, from Dillon street to Reid street.

| | |
|--|-------------------|
| 5020 lineal feet at 88 cts..... | \$4,417 60 |
| 66.6 cubic yards extra excavating..... | 9 99 |
| <hr/> | |
| Total estimate | <u>\$4,427 59</u> |

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution [which had been adopted by the Common Council—see page 767, *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 R. P. Dunning and J. W. Hudson, for grading and graveling the roadway of Prospect street, and bowldering the gutters thereof, from Dillon street to Reed 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, 6—viz. Aldermen Chandler, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

The following report from the City Clerk, in relation to the opening of 5th street [see page 767, *ante*] was read and received.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I respectfully report that on the 29th day of December, 1879, I transmitted to the City Commissioners the petition of Theo. P. Haughey et al., in the matter of laying out, opening and extending Fifth street, from its present western terminus, at east end of bridge over the canal, to the Michigan Road, and Committee's report, and the resolution of your honorable body concerning the same, and that I issued notice to the said Commissioners according to law.

Respectfully,

JOS. T. MAGNER, City Clerk.

The following report from the City Clerk was read:

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

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

| | |
|--|---------|
| William Morrison vs. John A. Hart for..... | \$ 3 30 |
| William Morrison vs. Chas. F. Warren, for..... | 3 30 |
| William Morrison vs. Erastus M. Briggs, for..... | 3 30 |
| William Morrison vs. Margaret Richter, for..... | 3 30 |
| William Morrison vs. Margaret Richter, for..... | 1 65 |
| William Morrison vs. Gilbert M. Levette, for | 3 30 |
| E. B. Elliot vs. Thos. O. Enders, for..... | 37 70 |
| David A. Haywood vs. Chas. G. Higgins, Trustee, for..... | 12 20 |
| David A. Haywood vs. Chas. G. Higgins, Trustee, for..... | 6 10 |
| David A. Haywood vs. Mary Ann Dumont, for..... | 12 20 |
| David A. Haywood vs. Chas. H. Perkins and Chas. C. Douglass, for..... | \$12 20 |
| John Schier vs. Chas. Mittag, Wm. Mittag, Chris. Mittag, Mrs. Mary Lahr, Mrs. Annie Buchz and Henry Mittag..... | 4 76 |

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And this body concurred with the Common Council, in ordering the precepts to issue [see page 768, *ante*], by the following vote:

AYES, 7—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

Report from the Chief Fire Engineer, in relation to the location of certain fire hydrants [see page 770, *ante*], was read and received.

Report from the Superintendent of City Hospital and Branch, for the month of December, 1879 [see pages 770, *ante*], was read and received.

Report from Board of Public Improvements and Street Commissioner, giving a statement of expenditures on account of the Street-Repairs Department, for the month of December, 1879 [see page 771, *ante*], was read and received.

Report from the Street Commissioner, reporting sale of dirt etc. [see page 771 *ante*], was read and received.

Report from the Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, from December 16th to 31st 1879 [see page 772, *ante*], was read and received.

The following report from the Board of Health was read; and this body approved the action of the Common Council, [see page 772, *ante*] in concurring in such report:

Indianapolis, January 5, 1880.

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

Gentlemen:—In answer to your resolution requesting an opinion from the Board of Health, as to whether the Surgical Institute is a hospital or not, we reply that

it is the unanimous opinion of the Board that the Surgical Institute is a hospital in the common definition of the term.

Prof. Heeban Noys, of Bloomington University, in correspondence with Dr. Parvin of this city, offers to examine the water of all the principal wells of this city; the only expense to the city will be cost of vessels and transportation, amounting to probably ten or fifteen dollars. We recommend that that amount be appropriated for that purpose.

All the force in the office have been busily engaged for the past six weeks in tabulating the records of this office from its commencement (a work that has never been done), for the Census Bureau and for our own use; consequently only such out-door work has been attended to as was absolutely necessary. The city has been so flooded with water that the vault-cleaning is interfered with very materially; as soon as practicable it will be pushed with vigor.

Respectfully,

Henry Jameson, M. D., President.

W. E. Jeffries, M. D., Secretary.

Board of Health.

The following report from the Committee on Public Health, was read; and this body approved the action of the Common Council [see page 777, *ante*], in concurring in such report:

To His Honor, the Mayor, and to the Common Council, City of Indianapolis:

Gentlemen:—Your committee to whom was referred the recommendation of the Board of Health in regard to the examination of the wells of this city, respectfully recommend that the Board of Health be instructed to avail themselves of the offer of Prof. Noys, of Bloomington University. And when the examinations have been made to report the result to the Common Council and Board of Aldermen.

F. J. VanVorhis,

M. L. Brown,

W. H. Tucker,

Committee on Public Health.

The following report from the Committee on Conference was read; and this body approved the action of the Common Council, [see page 778, *ante*] in concurring in such report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee of Conference, consisting of three members of the Common Council, and three members of the Board of Aldermen, appointed to reconcile the difference existing between the two (2) bodies respecting, Ap. O. No. 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," would respectfully report as follows thereon: That Ap. O. No. 61, 1879, be stricken from the files, and in lieu thereof recommend that the Common Council and Board of Aldermen, instruct the Board of Public Improvements to allow the Street Commissioner in their regular appropriation ordinance, such sum, to defray the actual expense of keeping and maintaining a horse and vehicle during the present fiscal year, as in their best judgement, they deem proper. *Provided*, the same shall not exceed one hundred and seventy-five dollars, (\$175.00).

Most respectfully submitted,

Hiram Siebert,

James T. Layman,

W. F. Piel,

Aldermanic Conference Committee.

J. L. Bieler,

F. J. VanVorhis,

Council Conference Committee.

The following report and resolutions from the special Committee were read; and this body concurred with the Common Council in approving the same, [see pages 779, and 780 *ante*]:

To the Common Council of the City of Indianapolis:

Gentlemen :—The Special Committee to whom was referred the communication of the Mayor, on the subject of resolutions of respect to the memory of Gen. Jeff. C. Davis, would report:

That in compliance with your instructions the committee presented a communication to Mrs. Davis requesting that the remains of the General be permitted to lie in state in the corridor of the Court House at such time as might be acceptable to her feelings, which request was complied with, and the body lay in state at such place a large portion of the afternoon of Dec. 2d, 1879, and although no public notice had been given, the distinguished dead was looked upon by many thousands, and a marked peculiarity was the great number of children among the visitors.

Gen. Davis was a native of Indiana, born in Clark county, March 2d, 1827, and died in Chicago, November 30th, 1879, in the 52d year of his age.

While but a boy he served with great credit as a private soldier in the war with Mexico, and was under Gen. Taylor, at the battle of Buena Vista and during the campaign.

On the 17th day of June 1848, he was commissioned as Second Lieutenant in the 1st artillery, regular army of U. S., and was promoted to First Lieutenant on the 29th day of February 1852, and to Captain, May 14th, 1861. Of date Dec. 1st, 1879, General Sherman in General Order No 104 writes of him: "When the great civil war of 1861 burst on this country, he knew the little regular army was entirely inadequate to the occasion, and he turned at once to his friends in Indiana, and was elected Colonel of the 22d Indiana Infantry, Aug. 15, 1861. His was no uncertain action but with all the ardor of his nature he threw his whole soul into the contest and wherever the fighting was hardest, for four years we find him at the very front."

He afterwards rose to the rank of Corps Commander in which capacity he served with great gallantry, and distinction ranking among the great Captains of the war, but to recount his achievements would be a history.

He was not a mere soldier pursuing the profession of arms or actuated by mere ambition, but was a patriot, and it was this intense love of country and determination the Union should be saved, that nerved his arm and fired his heart, and that which went peculiarly to made him the great soldier he was. That he was Indiana's greatest soldier is of course undisputed, and Indiana may well be proud of him and do him honor; therefore,

Resolved, That in Gen. Jefferson C. Davis, we recognize Indiana's foremost soldier in the war for the preservation of the Union, and we honor him for his great soldierly qualities and grand patriotism, and when he died a good man and great soldier fell, and the army and nation has suffered a great and irreparable loss. We had hoped he would live long to enjoy the honors he had won, and lament his death, and tender our deepest sympathy to his widow, relatives and friends.

Resolved, That a copy of these resolutions be transmitted to the widow of the deceased.

J. Caven, W. F. Piel, W. H. Tucker, M. H. McKay,
James T. Dowling, J. M. Ridenour.

And the resolutions were concurrently adopted by a unanimous rising vote.

The following resolution [adopted by the Common Council—see page 787, *ante*] was read, and referred to the City Attorney:

WHEREAS, West street or Michigan Road, from the intersection of First street, running thence north, as it is now maintained and operated by its owners as a gravel road, is a nuisance and ought to be abated by the proper grading of said

street, so as to run off the surface water and stop at First street. From First street north there are various pools where the water stands, breeding malaria almost perpetually, and in many places making the street almost impassable for the children attending Public School No. 17. The condition of said street must greatly endanger the health of the children attendant at said school, as well as that of the surrounding neighborhood; therefore, be it

Resolved, by the Board of School Commissioners, That the present condition of said West street or Michigan Road, as it is now maintained, is a nuisance, greatly endangering the health of the pupils attending School No. 17, and that of the community; and that the Mayor and Common Council and Board of Aldermen of the City of Indianapolis be respectfully requested to take such action as shall be necessary to abate such nuisance; and that a copy of this resolution shall be presented to the Honorable Mayor and Common Council and Board of Aldermen.

The following resolution [adopted by the Common Council—see page 789, *ante*] was read:

Resolved, By the Common Council and Board of Aldermen, that Charles Feller & Co. be and are hereby allowed to place an electric clock in front of No. 222 East Washington street, at their own expense.

And it was concurrently adopted by the following vote:

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

The following petition and resolution, [received and adopted by the Common Council, see page 789, *ante*], were read and referred to the Committee on Streets and Alleys:

Resolved, That the name of "Chatham street" be changed to that of "Park Avenue." A petition representing the ownerships of nearly all of the ground on the first named street is presented herewith.

We, the undersigned property holders on Chatham street, in this city, request your honorable body, the City Council to change the name of that street to Park avenue.

The reasons which make this change desirable are the following, viz:

1st. Chatham street is a very short street situated between Walnut and St. Clair streets, and is therefore little known.

2d. It is the connection of Massachusetts avenue with Park avenue and should be known by that name.

Hoping that our request will be granted we sign our name this 3rd day of January, 1880.

Christoph G. Hohl, 96 feet; Max. G. I. Stern, representing 37 feet; Elizabeth Canby, representing 96 feet; Julius Mannfeld, representing 54 feet; Barbara Bergner, 24 feet; Anna M. Koch 48 $\frac{3}{4}$ feet; W. C. Cooper, 48 $\frac{3}{4}$ feet; J. E. Ludlum, 48 $\frac{3}{4}$ feet; David Springer, 48 $\frac{3}{4}$ feet; Valentin Morgenveck, 74 feet; S. A. Fletcher & Co., 48 $\frac{3}{4}$ feet; Citizens National Bank, 30 feet.

The following motions [adopted by the Common Council], were read, and were concurrently adopted :

That the City Civil Engineer be instructed to set line stakes on alley between Sinker and McCarty streets, from alley west of New Jersey street, to first alley east of Alabama street; and that the City Marshal be instructed to notify property owners along said alley to set their fences back to conform with said lines.

That J. L. Spaulding be granted sixty days extension of time to complete his contract for the improvement of Chesapeake street.

WHEREAS, By the terms of a certain lease entered into by and between the City of Indianapolis and Samuel Ogden and Henry C. Adams, assignee, said city agrees to pay, as the same becomes due, any and all taxes and assessments of every kind that may be levied and charged against lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18, in Metzger & Robinius' subdivision of lots 1, 2 and 3 in square No. 70, (used for market purposes), for the term of five years from August 8th, 1878, including the taxes for 1878.

AND WHEREAS, the taxes for state, county and city purposes have not been paid for 1878 and since; therefore,

Moved, That the City Attorney and City Treasurer be, and are hereby, instructed to interview the Honorable Board of County Commissioners, and endeavor to obtain from said Board an order exempting said lots from taxation during the continuance of such lease.

Moved further, That the City Assessor and Treasurer be, and are hereby, directed to cancel and certify off all taxes and assessments for city purposes against said property, beginning with the year 1878.

That David Stout be granted license as auctioneer for the time of three months; said auction to be held at his place of business, No. 76 East Washington street, in this city.

That Dewey, Twiname & Graham be allowed thirty days further time, to complete the alley improvement under contract to them, between Lincoln avenue and Seventh street and Columbia avenue and Yandes street.

The following motion [adopted by the Common Council]— see page 793, *ante*], was read and referred to the Committee on Streets and Alleys :

That Henry Guetig, proprietor of the Spencer House, be and is hereby allowed to erect in front of his premises, South Illinois street, a business sign nine or ten feet high.

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

Ap. O. 1, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

Ap. O. 2, 1880—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. 3, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

Ap. O. 4, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Ap. O. 5, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, Advertising, and City Statistics.

Ap. O. 6, 1880—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

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

Ap. O. 1, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$650.12.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 2, 1880—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, \$967.77.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 3, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$229.48.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 4, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$11,395.32.]

And it was passed by the following vote :

SIG. 72.

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

Ap. O. 5, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, Advertising, and City Statistics. [Amount appropriated, \$866.60.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 6, 1880—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

And it was passed by the following vote :

AYES, 9—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

REPORTS FROM COMMITTEES.

The Committee on Judiciary, through Alderman Grubbs, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen :

Gentlemen :—Your Committee, to whom was referred the report of the Council Committee on Judiciary, respecting the petition of Alfred and John C. S. Harrison, also petition of E. T. A. Akass, claiming damages against the City would report as follows thereon.

We have examined the report, and papers connected therewith, and respectfully recommend the same be concurred in, the allowance made by the Committee to be in full of the claims presented.

Respectfully submitted,

D. W. Grubbs,
John Newman,
James T. Layman,
Judiciary Committee.

The Committee on Ordinances, through Alderman Grubbs, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen :

Gentlemen :—Your Committee to whom was referred the motion respecting many persons hauling wood into this market, in wagon beds which do not conform to the ordinance, would report, we find on page 292 in the published charter and Ordinances of this city, "An Ordinance concerning vehicles employed in the

hauling and sale of wood," and further find said ordinance to be in all respects right, and would recommend that the City Clerk notify the wood measurer of both markets, that they are expected and required, and are hereby notified to strictly enforce said ordinance.

D. W. Grubbs,
James T. Laymann,
Aldermanic Committee on Ordinances.

MISCELLANEOUS.

Alderman Grubbs offered the following motion ; which was adopted :

That the City Attorney be instructed to ascertain the amount due to witnesses in the suit of the city vs. Fisher, in the Superior Court of Marion County, and certify the claim to the Committees on Accounts and Claims.

Alderman Layman offered the following motion ; which was adopted :

That the Street Commissioner be, and is hereby, directed to build a wooden bridge across the gutter, on the north side of Fort Wayne avenue, at the intersection of New Jersey street.

President Ridenour offered the following motion ; which was adopted :

That the Board of Public Improvements be instructed to report to this board, the amount of expenditures for repairing and cleaning streets made on streets the gutters of which are not improved, and the relation such expenditures bear to the whole sum spent on the streets of the city.

President Ridenour offered the following motion ; which was referred to the Board of Public Improvements :

That the Board of Public Improvements be instructed to examine the sidewalks, alley and street crossings, on both sides Washington street, from Alabama street east to Highland street, and cause legal notices to be served on each property holder to repair such sidewalks and raise the same to proper grade, and that the Street Commissioner be instructed to repair all street and alley crossings within the line designated, where the same is needed.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest : GEO. T. BREUNIG, Clerk.