

# PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JANUARY 21, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, January 21st, A. D. 1880, at seven o'clock, in regular session.

**PRESENT**—His Honor, the President, J. M. Ridenour, in the Chair, and Aldermen Coburn, Layman, Mussmann, Piel, and Seibert—6.

**ABSENT**—Aldermen Chandler, Drew, Grubbs, and Newman—4.

## MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was received :

To the President and Members of the Board of Aldermen :

*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, January 19th, 1880, for your action upon same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

The following clauses in the report of the Committee on Contracts were read ; and this body concurred with the Common Council in awarding the contracts as recommended [see page 807, *ante*]:

*First.* For grading and graveling the second alley west of Noble street, from Lockerbie street to New York street—

Henry Clay, 20 cents per lineal foot front on each side.

H. C. Roney, 15 cents per lineal foot front on each side.

Wm. Morrison, 13 cents per lineal foot front on each side.

Jas. Mahoney, 13 cents per lineal foot front on each side.

We recommend that the contract be awarded to Wm. Morrison.

*Third.* For curbing with stone the sidewalks, and bowldering the gutters, (ex-

cept where already curbed and bowldered, of Alabama street, from Washington street to Wabash street—

Jas. Mahoney, 95 cents per lineal foot front on each side.

Henry Clay, 92 cents per lineal foot front on each side.

Dunning & Hudson, 82 cents per lineal foot front on each side.

Fred. Gansberg, 77 cents per lineal foot front on each side.

Henry C. Roney, 40 cents per lineal foot front on each side for bowldering, and 34 cents per lineal foot front on each side for curbing with stone.

Henry C. Roney being the lowest and best bidder, we recommend he be awarded the contract.

Contract and bond of Henry C. Roney, for curbing with stone the sidewalks, and bowldering the gutters, (except where already curbed and bowldered), of Alabama street, from Washington street to Wabash street, was read; and the favorable action of the Common Council thereon [see page 808 *ante*], was concurred in.

The following report from His Honor, the Mayor, was read and received:

*Indianapolis, Jan. 19, 1880.*

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

*Gentlemen*:—The amount of forfeitures collected by me during the month of December, 1879, due the city Treasury, was \$22.40, and the amount due the Home for Friendless Women for the months of October, November and December, 1879, was \$213.95, which amounts I have paid to the City Treasurer, and filed his receipts therefor with the City Clerk.

Respectfully submitted,

JOHN CAVEN, Mayor.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon [see page 809 *ante*] was concurred in:

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

*Gentlemen*:—I herewith report the following contracts and bonds for your consideration and action thereon:

Contract and bond of David A. Haywood, for grading, and paving with brick and curbing with stone, the sidewalks, and bowldering the gutters, of McCarty street from Delaware street to the Jeffersonville, Madison and Indianapolis Railroad track. Bond, \$600.00; surety, C. S. Roney.

Contract and bond of James Mahoney, for grading and bowldering the south gutter of St. Clair street, from Massachusetts avenue to the west line of lot 2, in out lot No. 42. Bond, \$200.00; surety, John Schier.

Contract and bond of James Mahoney, for grading and graveling the roadway and sidewalks thereof, of John street, from Peru avenue to Massachusetts avenue. Bond, \$200.00; surety, John Schier.

Contract and bond of John Schier, for grading, and paving with brick, (where not already paved,) the east sidewalk of Park avenue, from Cherry street to Christian avenue. Bond, \$200.00; surety, James Mahoney.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

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 :

E. B. Elliott vs. Joseph Martin, for.....	\$11 60
Fred. Gansberg vs. Enoch C. Mayhew, for.....	27 03
Fred. Gansberg vs. James D. McCurdy, for.....	17 49
Fred. Gansberg vs. Isaiah Mansur, for.....	17 49
Fred. Gansberg vs. Isaiah Mansur, for.....	17 49
Fred. Gansberg vs. Young, Cassity, et. al. (christian names unknown).....	16 25

And recommend that 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 809, *ante*] by the following vote :

AYES, 6—viz. Aldermen Coburn, Layman, Mussmann, Piel, Seibert, and President Ridenour.

NAYS—None.

Report from the City Attorney, relative to cases tried [see page 810, *ante*] was read and received.

Report from the City Attorney and City Treasurer was read ; and the action of the Common Council thereon [see page 811, *ante*], was concurred in.

Report from the Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, from January 1st, to 15th 1880 [see page 816, *ante*], was read and received.

The following clauses in the report from the Finance Committee were read :

*First.* Is the report of the City Clerk, showing the amount of orders drawn on the City Treasury during the month of December, 1879 ; also,

Report of City Treasurer showing receipts and disbursements for the month of December, 1879.

On examination we find the above reports true and correct.

*Third.* Is a statement of Rents, collected for the city by John S. Spann & Co.

Would report we find the same correct, and receipt of John S. Spann & Co. for \$147.70, balance of rents collected from Sept. 25th, 1879, to January 1st, 1880, filed with the City Clerk.

And the favorable action of the Common Council thereon [see page 817, *ante*] was concurred in.

Report of the City Commissioners, in the matter of the vacation of Bobbs street [see pages 773 and 774, *ante*] was read and received.

The following resolution (adopted by the Common Council—see page 810, *ante*) was read :

*Resolved*, That the report of the City Commissioners in the matter of the vacation of Bobbs street, from Bates street to Meek street, in and through Bobbs' addition to the city of Indianapolis, together with the proposition of Catharine Bobbs thereto annexed, be, and the same is hereby, accepted and confirmed; and the City Clerk is hereby directed to deliver to the City Treasurer a copy of so much of said report as relates to the assessment of benefits; and said Treasurer is hereby directed to notify the parties against whom benefits are assessed, to pay the same within twenty days from the date of the adoption of this resolution; and said Treasurer is directed to make report of his proceedings at the expiration of said twenty days.

And it was concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Coburn, Layman, Mussmann, Piel, Seibert, and President Ridenour.

NAYS—None.

Petition of Allen, Johnson and Peck, asking for a license to continue the National Surgical Institute (see page 521, *ante*), was read; and the favorable action of the Common Council thereon (see page 816, *ante*), was concurred in.

The following resolution [adopted by the Common Council—see page 826, *ante*] was read:

*Resolved*, That the contract awarded to R. P. Dunning and J. W. Hudson, to improve the first alley east of Shelby street, from the first alley south of Prospect street to Pleasant Run, be, and the same is hereby, rescinded.

And it was concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Coburn, Layman, Mussmann, Piel, Seibert, and President Ridenour.

NAYS—None.

The following resolution [adopted by the Common Council—see page 829, *ante*] was read:

WHEREAS, The Common Council, on two previous occasions, instructed the Board of Public Improvements to pay one dollar and twenty-five cents per day for street labor, and now for the third time—

*Resolved*, That said Board be, and are hereby, directed to pay said laborers one dollar and twenty-five cents per day for each full day they may work for the city.

On motion by Alderman Seibert, the resolution was amended by adding "and that ten hours labor shall constitute a days work."

The resolution as amended was then adopted by the following vote:

AYES, 5—viz. Aldermen Coburn, Mussmann, Piel, Seibert, and President Ridenour.

NAYS, 1—viz. Alderman Layman.

The following resolution [adopted by the Common Council—see page 830, *ante*] was read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the said Council and Board of Aldermen deem it expedient that the Massachusetts and College avenue line of Street Railway be extended along College avenue, from its present terminus at Seventh street, to Ninth street; and that the Citizens' Street Railway Company be, and are hereby, directed to construct the said extension at once.

The City Clerk is hereby directed to serve a copy of this resolution upon the proper officers of said Company, in accordance with the provisions of section 15 of an ordinance entitled "An ordinance authorizing the construction, extension and operation of certain passenger railways in and upon the streets of the city of Indianapolis," ordained January 18th, 1864.

And it was concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Coburn, Layman, Mussmann, Piel, Seibert, and President Ridenour.

NAYS—None.

The following resolution [adopted by the Common Council—see page 831, *ante*] was read:

*Resolved,* That the Police Board be, and they are hereby, authorized to purchase at a cost not to exceed \$200, a good horse, harness, and light spring wagon, the same to be owned and held by the city of Indianapolis, for the use of the Chief of Police in the discharge of his official duties.

We, the Police Board, recommend the passage and adoption of the above resolution, believing it fair and just.

Jan. 8, 1880.

D. W. Grubbs,  
Jno. T. Downey. .

And it failed to be concurrently adopted by the following vote:

AYES—None.

NAYS, 6—viz. Aldermen Coburn, Layman, Mussmann, Piel, Seibert, and President Ridenour.

The following motion was read:

That the Street Commissioner be, and is hereby, directed to place a stone crossing across Merrill street, from the new school house, between East and Alabama streets.

And the action of the Common Council thereon [see page 825, *ante*] was concurred in.

The following motion [adopted by the Common Council—see page 828, *ante*] was read, and was concurrently adopted:

That a Select Committee of (5) five, consisting of (3) three from the Common Council and (2) two from the Board of Aldermen, be appointed, whose duty it shall be to examine the docket of all city and state cases before the Mayor's court, during the months of January, April, July and October, 1879, and report back at the next meeting of this Council the amount of fees received by each member of the Police force during said four months.

The Chair appointed Aldermen Grubbs and Mussmann as the Aldermanic members of such Select Committee.

The following motion [adopted by the Common Council—see page 831, *ante*] was read:

*Moved*, That a Special Committee, consisting of His Honor, the Mayor, City Attorney, and Councilmen McKay and Tucker, and Aldermen Layman, Seibert and Piel, be, and are hereby, appointed, whose duty it shall be to consider the propriety of providing for the consumption of gas by the city, by making a special levy for the payment of the same; and if they deem it expedient to do so, to report to this Council an ordinance upon the subject.

On motion by Alderman Layman, the motion was amended by adding the name of Alderman Chandler.

The motion as amended was then adopted.

The following motions, (adopted by the Common Council), were read, and were concurrently adopted:

That James Mahoney be, and is hereby, granted until the first day of May, 1880, to complete his contract for bowldering the gutter on Reed street, from Prospect street to Pleasant Run.

That Henry C. Roney be, and is hereby, granted until the 1st day of May, 1880, for performing the work, under his contract, of grading and graveling Madison avenue, from Nebraska street to the J., M. and I. railroad tracks.

That the City Marshal is hereby instructed to notify the Indianapolis, Peru and Chicago Railway Co. to forthwith repair between and on each side of their tracks, where said tracks cross Washington and Noble streets and sidewalks.

That the City Marshal be, and is hereby, directed to notify the owners of property as follows: Nos. 176, 220, 222, 224, 304, 306 add 308, east Washington street, to repair the sidewalk in front of their premises. In case of failure on the part of the owners of said property to repair the sidewalk within ten days, the Street Commissioner is directed to make the repairs at the expense of the owners.

That persons owning corner lots be, and they are requested, to designate the names of streets fronting thereon, by painted signs on said corners, on fence or house.

That the City Marshal is hereby instructed to notify the owners of property situated as follows: Nos. 145, 147, 177 and 179, east Washington street, to repair the sidewalk in front of their premises. If the owners of said property fail to repair the sidewalk within ten days, the Street Commissioner is directed to make the repairs at expense of the owners.

That the City Civil Engineer be instructed to set the stakes, and give the proper grade, for the improvement on Wilkins street, between Church and West street.

That the City Civil Engineer be instructed to set line stakes on the first alley north of Maryland street running from Benton street to first alley east; and that the City Marshal be instructed to notify the property holders along said alley to set their fences back to conform with said lines.

That D. A. Haywood be granted sixty days further time to complete contract on Newman street, from Hill avenue to Seventh street.

That E. B. Elliott be granted sixty days further time to complete contract on Harrison street, from Noble to Dillon streets.

*Moved,* That the City Marshal be, and he is hereby, directed to notify the Citizens' Street Railway Company to at once repair and put in good condition the rails, switches, curves and inside track of their roadway on north Illinois street.

That the Police Board be, and are hereby, directed to confer police powers upon the flagmen at the several railroad crossings in the city; said police powers to be restricted to the crossings where such flagmen receiving police powers may be stationed; and that such police powers be only in force during the hours when on duty; that the several railroad companies be required to provide suitable badges, at their expense, for such flagmen to wear while on duty, and not to be worn only at such time; said badge or design to be selected by the Police Board, the police powers so granted and conferred to be restricted to their line of duty only.

That T. V. Cook be, and is hereby, authorized to letter, at his own expense, the gas posts or lanterns on the same, at the corner of Washington and Meridian streets, the names of those respective streets.

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

G. O. 58, 1879—An Ordinance amending section 2, of an ordinance entitled "An ordinance to provide for tapping public sewers and drains, and making connection therewith," ordained October 30, 1871.

On motion by Alderman Layman, the above entitled ordinance was referred to the Committee on Sewers and Drainage, and the City Attorney.

G. O. 1, 1880—An Ordinance respecting the erection of a Market, Hall, and City Offices, on the east market place; appointing Commissioners to advertise for and select plans, defining their duties, and appropriating money to defray the necessary expenses thereof.

G. O. 3, 1880—An Ordinance regulating the obstruction of sidewalks with signs, goods, etc., across any sidewalk in the City of Indianapolis.

S. O. 4, 1880—An Ordinance to provide for grading and graveling the first alley east of Shelby street, from the first alley south of Prospect street to its southern terminus, and repealing S. O. No. 16, 1879.

S. O. 5, 1880—An Ordinance to provide for bowldering the alley between Meridian and Illinois streets, from Maryland street to Georgia street.

S. O. 6, 1880—An Ordinance to provide for grading, and paving with brick the north sidewalk of St. Clair street, from East street to Park avenue.

S. O. 7, 1880—An Ordinance to provide for paving with brick, (where not already paved,) the northwest sidewalk of Massachusetts avenue, from St. Clair street to Cherry street.

S. O. 8, 1880—An Ordinance to provide for grading and graveling Railroad street and sidewalks, from North street to St. Clair street.

## REPORTS FROM CITY OFFICERS.

The City Attorney submitted the following report; which was approved, and the resolution referred as suggested: .

To the Board of Aldermen :

*Gentlemen* :—I have examined the preamble and resolution of the School Board in regard to the condition of West street, just north of First street, and beg leave to report that the only action that should be taken upon the resolution, would be to receive it, and leave the subject matter of the resolution to future legislation.

It might however be proper to suggest that the same matter has been presented to the Council in the shape of a petition from the property holders, and is now pending on reference to the Board of Public Improvements, and it might be proper to make a similar reference of said resolution.

Respectfully,

JOHN A. HENRY, City Attorney.

The City Attorney submitted the following report; which was concurred in :

Indianapolis, January 21, 1880.

To the Board of Aldermen of the City of Indianapolis :

*Gentlemen* :—I have examined General Ordinance No. 56, 1879, heretofore referred to me, and beg leave to submit the following report thereon :

I recommend that the ordinance be amended by striking out sections 4, 5, and 6, of the original ordinance, and substituting in lieu thereof the amendments herewith submitted, and that said ordinance, when so amended and properly engrossed, be put upon its passage.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

G. O. 56, 1879—An Ordinance to provide for the prevention of frauds in the sale of Grain, Hay, and Produce in the City of Indianapolis.

Was taken up on its second reading, and in accordance with recommendation of the City Attorney, the ordinance was amended by striking out sections 4, 5 and 6, and adopting in lieu thereof sections 4, 5 and 6, as submitted by the City Attorney. The ordinance as amended was then ordered to be engrossed.

## MISCELLANEOUS.

Alderman Coburn presented the following petition; which was referred to the Committee on Ordinances :

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

*Gentlemen* :—The undersigned, citizens and tax payers of the city of Indianapolis, respectfully petition your honorable bodies—

To enact no legislation prejudicial to the occupants and proprietors of stands on



the sidewalks, where not occupying by such stands more than the five feet allowed by law to storekeepers, &c.

To pass such ordinances as will protect the owners and occupants of such stands from unjust discrimination or action in legislation, or courts.

Jos. R. Perry, E. F. Claypool, W. H. Allen, W. A. and I. N. Pattison, Adam Bretz, J. C. Maag & Co., Fahnley and McCrea, H. A. Crossland, Edward Mueller, Jas. A. Tarlton, Lemon Bros., Chas. M. Raschig, and 123 others.

Alderman Layman offered the following motion ; which was adopted :

That the Committee on Streets and Alleys from this body (and request the same committee from the Common Council to act in connection), report as to the feasibility of changing the present corporation line, with a view of better protecting the city's interest.

Alderman Piel offered the following motion ; which was referred to the Committees on Water and the Fire Board :

That the Fire Board and Committee on Water be, and are hereby, instructed to consult with the Water Works Company with a view to having water pipes laid on south West street, from Ray street to Morris street ; thence west to Dakota street ; thence south to Wisconsin street, and to put four fire plugs in the same locality, being that there is no protection whatever in the south west part of the city.

Alderman Piel offered the following motion ; which was referred to the Fire Board :

That the Fire Board, and Chief Fire Engineer be, and are hereby, directed to put the fire alarm box No. 517, at the original place where it belongs, and where the petition, dated December 4th, 1876, calls for.

Alderman Seibert presented the following petition ; which was referred to the Board of Public Improvements :

*Indianapolis, January 19, 1880.*

We the undersigned petition your honorable body, the City Council, that you will change the width of the brick sidewalk on Harrison street from five feet to six feet. As we the resident property holders have to pay the expense, we want a respectable width of walk.

A. D. Templeton, C. Richmond, R. Campbell, F. Feltz, Mrs. Koontz, N. Shepherd, Mrs. Weeks, W. Poppe, Mrs. Swartz, J. Kaef, P. Lynch, C. Bulmahn, W. Kattau, Reinhard Laut, P. Behrent, H. Boze, Mr. Coolman, Mr. Teabler, Mrs. Cushman, F. Vehlin.

Alberman Coburn offered the following motion ; which was referred to the Fire Board.

That the Chief Fire Engineer be instructed to remove the telegraph pole in New York street, at the crossing of Massachusetts avenue.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, **President.**

Attest: GEO. T. BREUNIG, **Clerk.**