

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—DECEMBER 22, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, December 22d, A. D. 1880, at seven o'clock, in regular session.

PRESENT—His Honor, the President, Henry Coburn, in the Chair, and Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood—9

ABSENT—Alderman Tucker —1.

The Proceedings of the Board of Aldermen, for the regular session held on December 8th, 1880, having been printed, and placed on the desks of the Aldermen, said Journals were approved as published.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following special message was read:

To the President and members of the Board of Aldermen:

Gentlemen.:—The Common Council, in regular session held in the Council Chamber, Monday evening, December 20th, 1880, adhered to its former action in concurring in the report of the Judiciary Committee recommending that the claim of Dunning and Hudson against the City of Indianapolis be not paid, for the improvement of West street, except as to a certain portion on the north side, which is used as a street.

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

Alderman Seibert moved that the former action of the Board of Aldermen be adhered to, and that a committee of conference, consisting of an equal number in each body, be appointed, to consider the disagreement existing between the two bodies.

Which motion was adopted, and President Coburn appointed Aldermen Seibert, Hamilton and Mussman, to act as the Aldermanic members of said committee.

The following special message was read:

To the President and Members of the Board of Aldermen :

Gentlemen :—The Common Council, in regular session, held in the Council Chamber, Monday evening, December 20th, 1880, refused to concur in your action of December 8th, 1880, in adopting the following motion :

“That the Board of Public Improvements receive proposals for all plumbing work necessary for repairs of public fountains, or in other places, and let the same to the lowest and best bidder.”

I herewith submit the same for your consideration.

For the Common Council :

JOS. T. MAGNER, City Clerk.

On motion by Alderman Hamilton, the action of the Board of Aldermen, in adopting the above motion as set forth in foregoing special message, was adhered to.

The following message was read and 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, December 20th, 1880, for your action upon same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

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

Indianapolis, Ind., Dec. 20, 1880.

To the Common Council and Board of Aldermen :

Gentlemen :—The amount of Mayor's fees collected by me during the month of November, 1880, was \$145.05; of Police witness fees \$135.17; of fines due the City Treasury, \$25.90—total, \$306.12; which amounts I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

The following report from the City Civil Engineer was read; and the action of the Common Council in receiving the report, and in approving the estimate and assessment (see page 763, *ante*) was concurred in :

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

Gentlemen :—I herewith report the following estimate :

A first and final estimate in behalf of Fred. Gansberg, for grading and bowldering the gutters, curbing with stone the outer edges of the sidewalks (except where already properly curbed or bowldered,) of Mississippi street, from Ohio street to First street.

9,029	$\frac{80}{100}$	lineal feet bowldering, at 42 cents.....	\$3,786 11
8,182	$\frac{82}{100}$	lineal feet curbing, at 36 cents.....	2,801 70
438	$\frac{58}{100}$	lineal feet re-setting curb, at 5 cents.....	21 93
917	$\frac{60}{100}$	lineal feet stone crossing, at 30 cents.....	275 28

Total..... \$6,885 02

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 764, *ante*) was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fred. Gansberg, for grading and bowldering the gutters, curbing with stone the outer edges of the sidewalks (except where already properly curbed or bowldered,) of Mississippi street, from Ohio street to First street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 7—viz. Aldermen Hamilton, Layman, Mussmann, Newman, Seibert, Wood, and President Coburn.

NAYS—None.

The following report from the City Civil Engineer was read; and the action of the Common Council in receiving the report, concurring in the several contracts, and approving the bonds (see page 764, *ante*) was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following contracts and bonds:

Contract and bond of Henry Clay, for grading and graveling the first alley north of Prospect street, from Spruce street to Reid street. Bond, \$500.00; surety, Hamilton Bailie.

Contract and bond of Henry Clay, for grading and bowldering the gutters of Columbia avenue, and curbing with stone the outer edges of the sidewalks thereof, from Malott avenue to Home avenue. Bond, \$400.00; surety, Hamilton Bailie.

Contract and bond of Henry C. Roney, for grading, bowldering and curbing the gutters, of the first alley south of Ohio street, from Pennsylvania street to Delaware street. Bond, \$1,200.00; surety, C. S. Roney.

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:—The following affidavits are now on file in my office for the collection of street assessments by precepts, to-wit:

John Stumph and Lorenz Schmidt, his assignee, vs. John O. D. Lilly for.....	\$219 04
John Stumph and Lorenz Schmidt, his assignee, vs. the Trustees Indianapolis Orphan Asylum, for.....	45 14
John Stumph and Lorenz Schmidt, his assignee, vs. the Trustees Indianapolis Orphan Asylum, for.....	45 14
John Stumph and Lorenz Schmidt, his assignee, vs. the Trustees Indianapolis Orphan Asylum, for.....	45 14
John Stumph and Lorenz Schmidt, his assignee, vs. Henrietta E. Jordan, for.....	31 94
Henry C. Roney vs. Henry Busher, for.....	20 25
Henry C. Roney vs. Henry Busher, for.....	10 05

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion by Alderman Seibert, the action of the Board of Aldermen as to the precepts against the three lots owned by The Indianapolis Orphan Asylum, was postponed.

And the action of the Common Council in receiving the balance of the report, and in ordering the precepts to issue (see page 765, *ante*) was concurred in by the following vote :

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

NAYS—None.

The following report from the City Attorney was read and concurred in :

Indianapolis, Dec. 20th, 1880.

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

Gentlemen:—I have examined the temporary agreement of William Henderson, Trustee of the Water Works Company, referred to me, and herewith submit the following report thereon:

The evident intention of the agreement was to provide that the bills rendered by said company in pursuance of said agreement, should be in full of all claims for water furnished during the periods covered by said bills. But the contract contains clauses which might be open to a construction which would authorize the company to claim pay for the extra hydrants. Upon conference with Mr. Henderson, the Trustee, I ascertained that such was not the intention; and in order to obviate any doubt upon the subject, the Trustee has added a clause to the agreement which provides that the bills rendered shall be in full of all claims. With this additional clause, I recommend that the agreement be approved.

I would further suggest that in the future, the vouchers of the company be prepared to show a receipt in full of all demands for water during the period covered by their bills.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

The following agreement was read and approved :

I, WILLIAM HENDERSON, Trustee of the Water Works Company of Indianapolis, hereby agree, as such Trustee, that for the time being there will be no change in the bills of said Company as rendered to the city, and the quarterly payments shall be, until further notice from said Company by me, as Trustee, the same per quarter as for the past year, except where additional hydrants are ordered subsequent to this agreement; and it is understood that I, as such Trustee, waive no legal right under this temporary agreement; and that, in any event, there is to be no extra charge for the hydrants to Sept. 1st, 1880.

6th Sept, 1880.

W. HENDERSON, Trustee
for Water Works Co.

It is understood and agreed that the bills of Water Works Co. rendered in pursuance of the above agreement, shall be in full of all claims or demands for water furnished said city during the periods covered by said bills.

W. HENDERSON, Trustee.

The following motion (adopted by the Common Council—see page 766, *ante*) was read and concurrently adopted:

That the City Clerk be, and is hereby, instructed to insert in the next warrant for water furnished the city by the Water Works Company, the following:

"That this warrant is payment in full for all demands against the city of Indianapolis up to date."

And that the warrant be made payable to the Water Works Company's order, that the city may hold said warrant as payment in full for all water up to date.

The following report from the Board of Public Improvements was read; and the action of the Common Council, in concurring in the several recommendations (see page 766, *ante*) was concurred in :

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

Gentlemen.—The Board of Public Improvements, to whom sundry papers were referred, would report thereon as follows:

1st. Is a motion that the Street Commissioner be directed to place broken stone and gravel around the cistern at the corner of Pennsylvania and Fifth streets.

Recommend the work be done.

2d. Is a motion that the Street Commissioner fill with gravel the chuck-holes on Spring street, from Market street to New York street.

Recommend filling chuck-holes as soon as the weather will permit.

3d. Is a motion that the Street Commissioner be instructed to put bridges at the intersection of Woodlawn avenue and Reid street.

Recommend the work be done.

Respectfully submitted,

Wm. H. Morrison,
H. Seibert,
Edward H. Dean,
Board of Public Improvements.

The following report from the Board of Health was read and received :

Report of Deaths in the City of Indianapolis, from the 30th day of November, to the 15th day of December, 1880—inclusive.

Under 1 year	15
1 to 2 years.....	3
2 to 5 "	4
5 to 10 "	1
10 to 15 "	3
15 to 20 "	0
20 to 25 "	3
25 to 30 "	3
30 to 40 "	4
40 to 50 "	5
50 to 60 "	3
60 to 70 "	5
70 to 80 "	4
80 to 90 "	1
90 to 100 "	0
100 and upwards.....	0
Unknown.....	0
Total	54

Respectfully,

E. S. ELDER, M. D., President.

W. E. JEFFRIES, M. D., Secretary.

The following report from the Finance Committee was read; and the action of the Common Council in concurring in the report (see page 768, *ante*) was concurred in :

Indianapolis, Dec. 20th, 1880.

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

Gentlemen:—The reports of the City Treasurer and City Clerk, referred to your Committee on Finance, had our careful consideration, and we find them in regular form and correct—the Treasurer's report showing a balance on hand, Nov. 30th, of \$109,263.48, out of which amount has to be taken, Jan 1st, \$62,722.75, for interest on bonds, leaving only \$46,540.73 for current expenses.

You will perceive the necessity for the strictest economy in every department of the city government, in order not to encroach too much upon the revenue of our successors in Council.

Your committee has prepared a revised estimate of the expenses for the year, which we hope will prove satisfactory to the respective committees, who are urgently requested to live within these estimates,

Respectfully submitted,

James T. Layman,
F. W. Hamilton,
D. Mussmann,
Aldermanic Committee.

Leon Kahn,
M. H. McKay,
Jas. T. Dowling,
John P. Pearson,
E. H. Koller,
Council Committee.

We also examined the quarterly report of J. G. Pendergast, Chief Fire Engineer, and found no errors in his account.

Respectfully,

Leon Kahn,
Jas. T. Dowling,
M. H. McKay,
John R. Pearson,
E. H. Koller.

The following estimates, referred to in the above report, were read and received:

ESTIMATE EXPENSE FOR THE YEAR ENDING MAY, 1881.

Board of Health.....	\$ 3,000 00
Bridges.....	3,500 00
City Assessor's Department.....	3,200 00
Civil Engineer's Department.....	1,800 00
City Commissioners.....	375 00
City Dispensary.....	3,000 00
City Hall.....	2,000 00
City Hospital and Branch.....	11,500 00
City Treasurer's per centage.....	9,500 00
Cisterns.....	800 00
Coal oil light.....	200 00
Damages and costs.....	12,000 00
Elections.....	700 00
Fire Department.....	86,104 00
Fountains.....	300 00
Gas.....	62,500 00
Incidentals.....	1,000 00
Insurance.....	300 00
Interest on bonds.....	140,469 50
Markets.....	500 00
Market-master's fees.....	1,750 00
Parks.....	800 00
Police.....	50,000 00
Printing.....	5,800 00
Salary.....	19,763 75
Sewers.....	5,000 00
Station Houses.....	3,000 00

Street improvements.....	12,000 00
Street repairs.....	50,000 00
Taxes refunded.....	500 00
Tomlinson annuity.....	7,000 00
Tunnels.....	150 00
Water rent.....	26,500 00
Tomlinson's estate repairs.....	300 00
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Total estimates.....	\$525,312 25
Last years expense.....	465,564 24
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Increase estimate over last years expense.....	\$ 59,748 01

LEON KAHN, Chairman Finance Committee.

The following report from the Committee on Contracts was read; and the action of the Common Council, in approving the several recommendations, and in awarding the several contracts (see page 769, *ante*) was concurred in :

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

Gentlemen:—Your Committee on Contracts, to whom sundry proposals were referred, presented to Council, December 6th, 1880, have examined the same, and find them to be as follows, to-wit:

1st. For the erection of lamp-posts, lamps, and fixtures (complete to burn gas, except the service pipes,) on Ash street, between Ninth and Twelfth streets. Five lamp-posts to be erected on said line.

M. F. Clarke, \$18 00 each, complete.

M. F. Clarke being the only bidder, and believing the same to be low, we recommend he be awarded the contract.

2d. For the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes,) on Eddy street, from South street to Norwood street. Seven lamp-posts to be erected on said line.

M. F. Clarke, \$18.00 each.

M. F. Clarke being the only bidder, and believing the same to be low, we recommend he be awarded the contract.

Respectfully submitted, Isaac Thalman,
E. H. Koller.

Committee.

The following report from the Committee on Public Light, was read; and the action of the Common Council in concurring in the report (see page 770, *ante*) was not concurred in :

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

Gentlemen:—Your Joint Committees on Public Light, and Streets and Alleys, to whom was referred the matter relative to lettering the street corners with the names of the streets, etc.;

After careful examination of all the plans submitted, together with proposals for doing said work, we are of the opinion that the strip of frosted glass, with the name of the streets painted thereon, is the most practicable guide for placing upon the street lamps, and heavy tin for street corners, when to be placed upon buildings.

We would recommend that the City Civil Engineer, be directed, to re-advertise for sealed proposals to be presented to the Common Council, at their next regular

session, for placing the names of streets on street corners on strips of glass and tin, according to plans and specifications on file in the office of the City Civil Engineer.

Respectfully submitted,	H. J. Prier,
Jas. T. Layman,	Peter F. Bryce.
W. H. Tucker,	Jas. T. Dowling,
F. W. Hamilton,	John A. Lang,
Aldermanic Committee.	Council Committee.

The following report from a special committee was read; and the action of the Common Council in concurring in the report (see page 771, *ante*) was concurred in:

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

Gentlemen:—Your Special Committee to whom was referred a motion, that the request of Richard Tudor, for replacing the sidewalk in front of No. 128 west Vermont street, and to examine said sidewalk and report who was responsible for the damage. We have made examination of said sidewalk, and recommend that the Street Commissioner be directed to repair the same in good and workmanlike manner.

Respectfully submitted,

Wm. H. Morrison,
Wm. G. White,
John R. Pearson,
Committee.

The following report from a certain special committee, Fire Board, and Chief Fire Engineer was read; and the action of the Common Council in concurring in the report (see page 771, *ante*) was concurred in:

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

Gentlemen:—Your Special Committee, Fire Board and Chief Fire Engineer, met at Headquarters Fire Department, to consider the matter referred back to us relative to purchasing a Steam Fire Engine.

After careful examination, we recommend the adoption of former report, as made by the Special Committee. (See page 667, *ante*.)

Respectfully submitted,
James T. Layman,
John R. Pearson,
Isaac Thalman,
Fire Board.

H. J. Prier,
Edward H. Dean,
John W. Fultz,
H. Seibert,
Special Committee.

J. G. PENDERGAST, Chief Fire Engineer.

The following motions (adopted by the Common Council—see pages 774 and 775, *ante*) were read, and were concurrently adopted:

That the Assistant Civil Engineer be directed to prepare plans and specifications for a viaduct at the crossing of Virginia avenue and the Union Railway tracks, and report same, with estimate cost; and also cost of a viaduct at the same crossing on Delaware street.

That the Inspectors of Public Halls be, and are hereby, requested to examine all theatres, public halls, hotels, and other public buildings, whether belonging to the city or private individuals, and make an early report to this Council, if any improvements are necessary for proper protection of life, in any buildings belonging to the city; and that they be requested to treat the law as laid down in other cases.

On motion of Alderman Seibert, the action of the Common Council in reconsidering a certain resolution (see page 758, *ante*) was concurred in by the following vote:

A YES, 8—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, Wood, and President Coburn.

NAYS, 1—viz. Alderman Drew.

The following motions (adopted by the Common Council—see page 776, *ante*) were read and concurrently adopted :

That Fred. Gansberg be, and is hereby, granted ninety days further time to complete his contract for improving Virginia avenue, from Washington street to its southern terminus.

That Dunning and Hudson be granted ninety days further time to complete their contract on Kentucky avenue, from Tennessee street to Sharpe street, and on South street, from New Jersey street to Virginia avenue.

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

G. O. 44, 1880—An ordinance to amend section twenty-four (24) of an ordinance entitled "An ordinance declaring that all Vehicles (except Street-Railway Cars), used in the transporting of Persons and Articles within the City of Indianapolis, for hire or pay, shall be deemed "Public Vehicles"; establishing Rules and Regulations for the government of the Owners, Lessees, and Drivers thereof; and prescribing Fines and Punishments for violations of its provisions."

Ap. O. 78, 1880—An ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments.

On motion by Alderman Layman, the rules were suspended, for the purpose of taking up the above entitled ordinance (Ap. O. 78, 1880) and placing it on its final passage, by the following vote :

A YES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, Wood, and President Coburn.

NAYS—None.

The above entitled ordinance (Ap. O. 78, 1880) was then read the second and third times, and passed by the following vote :

A YES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, Wood, and President Coburn.

NAYS—None.

REPORTS FROM CITY OFFICERS.

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

To the President and Board of Aldermen :

Gentlemen.—At a meeting of your honorable body, held on the 8th inst., the following motion was adopted :

SIG. 144.

"That the City Civil Engineer be instructed to report if the Vandalia Railroad Company have permission by ordinance for the crossing of West street of their several tracks."

By examination of the city charter I fail to find any ordinance authorizing the same.

Therefore I recommend that the matter be referred to the City Attorney.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Public Property, through Alderman Newman, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Gentlemen:—Your Committee on Public Property, to whom the following motion, adopted by the Common Council November 15, 1880, was referred: "That the City Treasurer be, and is hereby, instructed to collect the rent due from that part of the Tomlinson Estate known as No. 34 east Washington street, several months being now due," recommend that the action of the Common Council be concurred in; and further recommend that the present tenant, I. N. Frankem, be permitted to occupy the property on the same terms as the last lease, and that the amount to be collected for back rent be at the same rate as in the last lease.

Respectfully submitted,

W. H. Tucker,
John Newman,
D. W. Grubbs,
Aldermanic Committee.

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

To the President and members of the Board of Aldermen:

Gentlemen:—Your Joint Committees on Judiciary and Finance, to whom was referred the report of the Council Judiciary Committee relative to the contract of A Naltner for the removal of garbage, etc., would recommend the action of the Council be concurred in, provided that said contract shall take effect and begin on the 1st day of March, 1881, instead of the 1st day of November, 1880.

Respectfully submitted,

Jas. T. Layman,
Leon Kahn,
E. H. Koller,
D. Mussmann,
F. W. Hamilton,
D. W. Grubbs.

The Committees on Judiciary and Finance, through Alderman Layman, submitted the following report:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Joint Committees on Finance and Judiciary, to whom was referred the report of a special committee, and the joint regular Committees on Public Property, relating to the repairing, improvement, and the appropriation of

\$2,000, as needed for the Southern Paak, would recommend the action of the Common Council be concurred in, and the recommendations as set forth in the said report approved.

Respectfully submitted,	Leon Kahn,
James T. Layman,	M. H. McKay,
F. W. Hamilton,	John R. Pearson,
D. Mussmann,	E. H. Koller,
Aldermanic Finance Committee.	Council Finance Committee.
	W. H. Tucker,
	D. W. Grubbs,
	Judiciary Committee.

On motion, action on the above report was postponed for two weeks.

The Committee on Public Health, through Alderman Wood, submitted the following report:

To the President and Board of Aldermen:

Gentlemen:—Your Committee on Public Health, to whom was referred the lease of the City Dumping Ground to David R. Ratts, have considered the same, and recommend that the action of the Council in approving said lease be concurred in.

Geo. P. Wood,
D. W. Grubbs,
Committee.

On motion by Alderman Mussmann, action on the above report was postponed.

MISCELLANEOUS.

Alderman Hamilton offered the following motions; which were adopted:

That the Chief Fire Engineer be, and he is hereby, directed to report what number of Fire Hydrants now in use can be dispensed with without impairing the utility of the Water Works for fire protection.

That the City Civil Engineer advertise for proposals for Street Signs—samples to be furnished in all cases.

On motion, the Board of Aldermen then adjourned.

H. Coburn, President.

Attest: *Geo. S. Brunig*, Clerk.