

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—FEBRUARY 13, 1882.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, February 13th, A. D. 1882, at seven o'clock, in regular session.

PRESENT—Hon. James T. Layman, President of the Board of Aldermen, in the Chair, and Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker—9.

ABSENT—Alderman Wood—1.

The Proceedings of the Board of Aldermen for the regular session, held January 23d, 1882, and for the special session, held January 27th, 1882, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

The following special message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in regular session, held in the Council Chamber, Monday evening, January 23d, 1882, passed the following entitled ordinance.

I submit the same for your consideration.

For the Common Council.

JOS. T. MAGNER, City Clerk.

The following entitled ordinance was read the first time:

G. O. 5, 1882—An Ordinance requiring flagmen to be stationed at the intersection of the Jeffersonville, Madison & Indianapolis Railroad Company's tracks with Madison avenue north, Ray street, and Morris street.

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, February 6th, 1882, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following message from His Honor, the Mayor, (see page 1131, *ante*) was read and received:

sig. 101.

[1167]

Indianapolis, Ind., Feb. 6th, 1882.

To the Common Council and Board of Aldermen :

Gentlemen:—I report collections for the month of January, 1882, as follows :

Policemens' witness fees.....	\$157 05
Mayor's fees.....	130 60
Fines.....	3 30
Total.....	\$290 95

Which amount I have this day paid to the City Treasurer, and have deposited his receipt therefor with the City Clerk.

D. W. GRUBBS, Mayor

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 1132, 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 Aneshaensel & Strong, for erecting lamp-posts, lamps and fixtures complete to burn gas, except the service pipes, on Morris street, between Meridian street and Dakota street. Bond, \$200.00; surety, Adolph Scherrer.

Contract and bond of Aneshaensel & Strong, for erecting lamp-posts; lamps and fixtures complete to burn gas, except the service pipes, on California street, between Indiana avenue and First street. Bond, \$100.00; surety, Adolph Scherrer.

Respectfully submitted,

S. H. SHEARER, 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 entitled affidavits, now on file in my office, for the collection of street assessments by precept, to-wit :

Francis J. Blume vs. Walter B. Brown, for.....	\$12 00
Francis J. Blume vs. Julia B. Isgrigg, for.....	12 00
Francis J. Blume vs. Charles H. Hayden, for.....	12 00
Francis J. Blume vs. William and Isaac Veigel, for.....	12 00
Francis J. Blume vs. Frederick Donner, for.....	12 00
Francis J. Blume vs. Frederick Donner, for....	12 00
Francis J. Blume vs. Frederick Donner, for.....	12 00
Francis J. Blume vs. William W. Winslow, for.....	12 00
Francis J. Blume vs. William W. Winslow, for....	12 00
Francis J. Blume vs. Benjamin M. Gregory, for.....	12 00
Fred. Gansberg vs. Eliza J. and James E. Hinton, for.....	13 57
Henry C. Roney vs. Mary E. Beckett, for.....	13 50
Henry C. Roney vs. Thomas J. Breedlove, for.....	10 90

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion, the favorable action of the Common Council on the above report, (see pages 1132 and 1133, ante), was concurred in, and the precepts ordered to issue by the following vote :

AYES, 7—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Seibert, Tucker, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

The following report from the City Attorney (see page 1140, *ante*), was read and received:

Indianapolis, February 6, 1882.

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

Gentlemen:—Since the last meeting of the Council, the case of Henry W. Fenneman vs. Mary A. Logan, and others, The City being a nominal defendant, has been disposed of by the Superior Court, the decree entered protecting the rights of the city as far as could be done.

The case was this: Mrs. Logan had given Fenneman a mortgage on a lot in the outskirts of the city. She afterwards platted this and other lots into an addition, taking a few feet off of this lot for a street. This she could not do, of course, to the prejudice of Fenneman; and his mortgage debt remaining unpaid, he foreclosed his mortgage, making the city a party. The city has in no way accepted the dedication of the street attempted to be made by Mrs. Logan, and has expended nothing on it in improvements, and it only exists on paper. The court, however, ordered all of the lot, except these few feet, first sold to pay the plaintiff's claim, which is all the city could ask. I understand the street will be allowed to remain as platted.

The case of John T. Redmond against the city, has also been decided by the General Term of the Superior Court, reversing the judgment of the Special Term, which was in favor of the plaintiff, for \$101.00, and costs.

It will be remembered that this was an action to recover a \$50.00 bounty, with eighteen years interest thereon, under a resolution of the Common Council, passed December 14, 1863, appropriating \$25,000 for the payment of bounties to all volunteers to fill up the city's quota under the President's call of October, 1863. The six years statute of limitations was pleaded against the plaintiff's claim in special term, but the court held it bad, and gave judgment against the city for the full amount of the bounty offered, and eighteen years interest. An appeal was taken by my predecessor, to the General Term, the case briefed, and otherwise put in shape for decision; but at his request the ruling of the court was withheld to await the decision of the Supreme Court in the case of *The County vs. Shipley*, which involved the same question. This case was decided last month by the Supreme Court, reversing the judgment of the Circuit Court, and holding the plea of the six years statute of limitations good; thus settling all these old bounty claims against the county and city in their favor. The General Term reversed the judgment of the Special Term on the authority of this decision.

Respectfully submitted,

C. S. DENNY, City Attorney

The reports of the Superintendent of the City Hospital and Branch, and for the City Dispensary, for the month of January, 1882, (see pages 1140, 1141 and 1142, *ante*), were read and received.

The following report from the Fire Board was read; and the favorable action of the Common Council thereon (see page 1142, *ante*), was concurred in:

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

Gentlemen:—Your Fire Board, to whom was referred several motions in regard to procuring "gongs" for the Hose Reels and Engines, respectfully report, that we can have them attached to all that are not already supplied, at an expense of about \$150 00. We recommend the Chief Engineer be directed to buy the same and

have them attached. A report from committee on insecure buildings was also referred to us, with power to act, recommending prompt action be taken to make secure No. 7 Engine House, we have contracted to have the work done for \$220 00.

Respectfully submitted,

Isaac Thalman,
Phil Reichwein,
N. Yoke,
Fire Board.

The report of the Board of Public Improvements and Street Commissioner, showing expenses in the Street-Repair Department for the month of January, 1882, and the total expenses to February 1st, 1882, (see page 1143, *ante*), was read and received.

The mortality report of the Board of Health (see page 1143, *ante*) was read and received.

The following report from the Board of Health (see page 1144, *ante*), was read; and, on motion by Alderman Tucker, was referred to the Committee on Hospital and Dispensary:

Indianapolis, Ind., Feb. 6th, 1882.

To the Hon. Mayor and Members of the Common Council:

Gentlemen:—I desire to call your attention to some facts and matters relating to the occurrence of cases of small-pox in our city:

1st. There are no parties who are employed to remove small-pox patients to the Pest House, and the Board of Health has experienced a good deal of trouble in securing the removal of that class of patients.

2d. There are no parties employed to remove infected articles from houses where small-pox cases occur, nor to destroy the infected articles, disinfect rooms, and discharge such other measures as are demanded to protect the public against a spread of the disease.

3d. There is no physician designated to attend cases of small-pox occurring throughout the city, and the fact that an attendance upon cases of small-pox deters a physician from other practice renders it difficult to procure medical attendance upon patients affected with the disease.

4th. There is no provision made for the payment of materials used in disinfection, nor for bedding, clothing, and other articles that are infected and should be destroyed.

I would respectfully recommend that some definite plan be ordered by your body which will relieve the Health office of much embarrassment, and I take the liberty to suggest that the Superintendent of the City Hospital be authorized to procure a wagon, and have some one in his employ take charge of the same, and attend to the removal of patients and destruction of infected articles, and the disinfection of houses. Such a method would place it under the control of competent authority.

Enclosed please find bill of expenses incurred by the Board so far, and a list of articles belonging to Henry Edwards, colored, which were destroyed.

Very truly yours,

E. S. ELDER, M. D.,
Secretary Board of Health.

The following report from the Committee on Bridges was read; and the favorable action of the Common Council thereon (see page 1146, *ante*), was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Bridges, to whom was referred the bridge over Williard street, would recommend that a bridge be built over Pogue's Run on said Williard street, as a necessary convenience for both citizens and manufactories in that neighborhood.

Respectfully submitted,

John R. Cowie,
B. W. Cole,
John W. Fultz,
Committee on Bridges.

The following report of the Committee on Finance was read; and the favorable action of the Common Council thereon (see page 1146, *ante*), was concurred in:

Indianapolis, Feb. 6, 1882.

To the Members of the City Council, and Board of Aldermen:

Gentlemen:—The Finance Committee would respectfully report that they have examined the books of the City Clerk and City Treasurer for the month of December, 1881, and find them correct according to their reports presented to this body, and recommend the same be adopted.

John R. Pearson,
Isaac Thalman,
E. H. Koller,
Committee on Finance.

The following report from the Committee on Judiciary was read; and the favorable action of the Common Council thereon (see page 1147, *ante*), was concurred in:

Indianapolis, Feb. 6th, 1882.

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, to whom was referred a communication from City Attorney showing that Mr. Scott, tenant at Garfield Park, claims to have a cause of action against the city growing out of the contract, but proposes, as a settlement of all matters, to surrender immediate possession, release all claims against the city, pay accrued cost in possession case, and turn over to city a certain road-scraper, if city will release a personal judgment against him for rent due, amounting to \$216.00. The City Attorney asks for instruction.

Your committee recommend that the City Attorney be directed to order constable holding execution and writ of possession, to make the judgment and costs on his execution, and put the city in possession of Garfield Park on his writ of possession.

Respectfully submitted,

Jas. A. Pritchard,
John W. Fultz,
N. Yoke,
Judiciary Committee.

The following clauses of the report from the Committee on Judiciary, (see page 1148, *ante*), were read; and on motion by Alderman Hamilton, were referred to the Committee on Finance:

The third is the petition of Catharine Ruschhaupt and Chauncey L. Turner, showing that they are the owners of lot 17, and 20 feet off the north side of lot 18 and lot 20, and 10 feet off the south side of lot 17, in Haugh & Churchman's subdivision of lot 3, St. Clair's addition to city. They further represent that there is what appears to be a street assessment lien for benefits for opening Second street, amounting to \$420.00. They ask that the record of this lien be satisfied.

The city at one time, in cause No. 11,745 Superior Court, instituted suit to collect some of these assessments on opening Second street. It was found that the assessment was void, and the suit was dismissed at city's costs. In the case known as the Yandes case, Judge Byron K. Elliott held that these assessments on Second street were void, for the reason that the petition to open the street was not referred to a committee before it was referred to the City Commissioners. This judgment was affirmed in General Term of Superior Court. Your committee therefore recommend that the prayer of petition be granted.

The fourth is the petition of Henry Emerich, duly sworn to, showing that he is the guardian of one George Dreschel, a minor. That said estate consists wholly of money, and that he returned said money for taxation, along with his own personal list. He further says, that the money of the minor was assessed in name of minor, and against him as guardian, and that this was done without his knowledge. Consequently he has paid taxes *twice* on the money of his ward, and he asks that the sum of \$19 00, the tax on ward's money be refunded.

The original lists show that he returned on his individual list \$2,000.00 personal property, and he says that in this is the personal property of his ward. For same year, Daily & Pickerell, as his attorneys, returned \$1,506.62 as personal property against him as guardian of George Dreschel, and petitioner says, in his sworn petition, that this was done without his knowledge.

The City Assessor informed your committee that from his knowledge of the facts, he would corrected duplicate so as to have agreed with petition. We think he has paid twice on money of his ward, and therefore believe that \$19.00 should be refunded. Your committee recommends that the sum of \$19.00 be refunded to petitioner.

The fifth is the petition of F. A. Mitchell, Trustee, showing that on duplicate No. 13,065, and receipt No. 3,994a he paid \$9.00 more than correct amount of taxes due. The City Treasurer informed your committee that facts stated in petition are true. Your committee therefore recommend that the sum of \$9.00 be refunded to petitioner.

The following report from the Committee on Public Property (see pages 1148 and 1149, *ante*), was read; and on motion by Alderman Seibert, was referred to the Committees on Markets and Public Property, Finance and Accounts and Claims:

To the Mayor, and Common Council:

Gentlemen:—Your Committee on Public Property, to whom was referred the communication of the "Indianapolis Floral Association" with a proposition to furnish bed plants for the Public Parks of the city, would recommend that an expenditure of \$300 be expended on the following parks: \$100 00 on Military Park, \$100.00 on University Park, and \$100.00 on Circle Park.

Respectfully submitted,

John R. Cowie,
Wm. H. Morrison,
John W. Fultz,
Committee on Public Property.

The following report from a special committee was read; and the favorable action of the Common Council thereon (see pages 1155 and 1156, *ante*), was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Insecure Buildings, make the following report for your consideration and action thereon:

On examination of the building known as Gilmore's Zoological Garden, situated on the west side of Mississippi street, near the corner of Washington street, we find

the galleries are supported by 2 by 6 inch joist, resting on a girder made out of one 2 by 6 inch joist edgewise, and one the same size spiked to it, the flat side to the other. Some of them are 12 feet, and some 14 feet spans, which are too weak for any ordinary audience. Beneath these galleries are two stoves which heat the building. The stove pipes from them pass through the gallery floors, and should any accident occur to them, the building—being a frame structure—would soon be in flames; and should any person be disabled, or a panic ensue, the loss of life would be much greater, as those beneath the galleries would be imprisoned, as fire would be the natural result of such a calamity.

We would recommend that this matter be referred to the Chief Fire Engineer, and that he be instructed to make examination of said building.

Respectfully submitted,

George Weaver,
H. B. Stout,
Frederick Hartmann,
Special Committee on Insecure Buildings.

The following report from the same committee was read; and the favorable action of the Common Council thereon (see page 1156, *ante*), was concurred in:

Indianapolis, February 6th, 1882.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Insecure Buildings, beg leave to submit the following report:

We have examined the buildings known as the old^d Oriental Hotel, on south Illinois street, on the north side of the alley running east and west between Georgia and Louisiana streets, and find them in a dangerous condition. The southeast corner, which is four stories high, is supported by a brick pier one foot ten inches long, by thirteen inches thick, which is crumbling beneath its weight. The walls above it are bulged to the south fully four inches, and are six inches at least out of perpendicular. They are badly cracked for the entire height, and are only nine inches thick above the first story. Having to support four floors of joist, we consider it unsafe, and would recommend the Chief Fire Engineer be instructed to notify the owners that the walls herein mentioned are unsafe, and that they be given a reasonable length of time to make it secure, to the entire satisfaction of the City Council and Board of Aldermen.

Your committee also examined the rear walls of the Sherman Hotel, situated on Louisiana street, between Meridian and Illinois streets, and found that the northeast corner had settled in the foundations so as to crack the walls for the entire height of four stories, and fully two inches wide, so as to break the corner, separating it from the main building the entire height, throwing it out of perpendicular fully four inches, so as to make it unsafe.

Therefore, we recommend that the Chief Fire Engineer also be instructed to notify the owners to make the building secure as soon as possible, and to the entire satisfaction of the City Council and Board of Aldermen.

We report that the building on west Washington street has been made secure.

Respectfully submitted,

George Weaver,
H. B. Stout,
Frederick Hartmann,
Special Committee on Insecure Buildings.

The following report from the Committee on Public Health was read and the favorable action of the Common Council thereon (see pages 1156 and 1157, *ante*), was concurred in:

To the Mayor and Common Council :

Gentlemen:—Your Committee on Public Health, to whom was referred the matter of some vacant lots on east Ohio street, east of Arsenal avenue, which are below the level of the surrounding grounds, would report that we have examined the same, and would recommend that the City Marshal notify the owners of said lots to fill them up.

Respectfully submitted,

C. T. Bedford,
Phil. Reichwein,
Sim Coy.

Committee on Public Health.

The following motions (adopted by the Common Council—see pages 1158, 1159, 1162 and 1163, *ante*), were read and concurrently adopted :

That the City Marshal be, and he is hereby, directed to notify the C., C., C. & I. Railway Co. to bowlder that part of the east side of Alabama street immediately north of their freight depot, at Virginia avenue and Alabama street, there being no sidewalk for the distance of about forty feet where drays are in the habit of crossing to reach said freight depot; and that, unless said improvement is at once made, an ordinance will be passed requiring said sidewalk bowldered.

That the City Marshal be, and is hereby, requested and directed to notify the Vandalia Railroad Co., Vincennes Railroad Co., Indianapolis, Bloomington & Western Railroad Co., and Kingan Railway Co. to lay between their different tracks broken stone, in such a condition and in such a manner as shall make a good and first class road-way, at the point where the tracks of the foregoing railroads cross and intersect Kentucky avenue and Missouri street.

That the City Marshal be and is hereby instructed to notify the I. B. & W. Railway Co. to bowlder their part of sidewalk on west side of West street, leading into their freight house from West street.

That the City Civil Engineer be directed to re-advertise for proposals for the erection of two lamp-posts on Merrill street, between Delaware and Pennsylvania streets.

That C. C. Hines be granted the privilege of laying a sewer connection of vitrified stone-ware sewer pipe, from his premises, on the corner of Tennessee street and the first alley north of St. Clair street, in and along said alley to and connecting with the Illinois street sewer, *at his own expense*. Said work to be done under the supervision of the City Civil Engineer.

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

Gentlemen:—Christopher Hilgenberg, your petitioner, is the owner in fee-simple of lot No. 7 in square fifty-seven (57), in the City of Indianapolis; also the owner of the improvements thereon, being street No. 15 north Pennsylvania street in said city. Your petitioner asks for a permit to excavate the sidewalk on said lot for the purpose of constructing a coal vault, said vault to be fifteen (15) feet wide and twenty (20) feet long, and seven (7) feet high; to be built with two 9-inch brick arches, each arch to be eight and one-half feet at the base in the clear. Said arches when completed to be covered with five-inch flag stones, said arches also to have a stone battering against the street, said wall to be 20 inches at the base and tapering up to 12 inches at the top. And also finish the excavation of the cellar and replace with thirteen-inch brick walls where they are needed. Brick and stone laid in good lime mortar will be the materials used in the construction of said work.

C. HILGENBERG.

Moved that prayer of the petitioner be granted, provided that a good, safe plank walk is built around the place while the work is progressing, and that the work be done under the direction of the City Civil Engineer.

That, in order to ascertain the cost of protecting the west bank of White river, in Indianola, the City Civil Engineer be directed to advertise for proposals for

rip-raping the same with stone, or rolling mill cinders, the bids to be so much per lineal foot of the embankment, and for any number of feet that may be required, (should the city entertain the proposition to have the work done.)

The following motions (adopted by the Common Council—see page 1158, *ante*), was read:

That the Union Railway Company and the P., C. & St. L. Railway Company, be, and they are hereby, requested to have a Brush electric light placed at the east end of the freight depot, at the crossing of Virginia avenue and Alabama street, for the safety of persons crossing their tracks at said point in the night time; and that the City Marshal be instructed to serve a copy of the above request on each of said companies immediately.

Alderman Tucker moved that the above motion be referred to the Committee on Public Light and Education.

Which motion to refer failed of adoption by the following vote:

AYES, 4—viz. Aldermen Drew, Hamilton, Rorison, and Tucker.

NAYS, 5—viz. Aldermen DeRuiter, Mussmann, Newman, Seibert, and President Layman.

Alderman Hamilton moved to lay the original motion on the table.

Which motion to lay on the table failed of adoption.

Alderman Tucker offered the following amendment to the motion; which failed of adoption:

Strike out the words "Electric Light jet," and insert for the railroads to put more light at said crossing, if more light is required.

The action of the Common Council in adopting the motion, was then concurred in, by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Mussmann, Newman, Seibert, and President Layman.

NAYS, 4—viz. Aldermen Drew, Hamilton, Rorison, and Tucker.

The following motion (adopted by the Common Council—see page 1164, *ante*), was read:

That the Board of Public Improvements is hereby authorized to re-open the Stone Yard.

Alderman Tucker moved to lay the above motion on the table.

Which failed of adoption.

Alderman Tucker then moved that the motion be referred to the Committee on Streets & Alleys and Sewers & Drainage.

Alderman Seibert moved that the motion be referred to the Committee on Streets & Alleys and Sewers & Drainage, and City Attorney.

Which motion failed of adoption.

Alderman Seibert then moved that the motion be amended by adding the words "for the term of two months."

Which motion, as an amendment, failed of adoption.

The action of the Common Council, in adopting the motion, was then concurred in by the following vote :

AYES, 6—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, and President Layman.

NAYS, 3—viz. Aldermen Hamilton, Seibert, and Tucker.

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

G. O. 12, 1882—An Ordinance making and providing for the execution of a contract between the City of Indianapolis and The Indianapolis Water Co.

G. O. 15, 1882—An Ordinance granting William Pfafflin permission to erect an iron balcony over the sidewalk of Indiana avenue, in front of Lot 12, in Square No. 28, in the city of Indianapolis.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were placed on their final passage without a suspension of the rules.

The following entitled appropriation ordinance was read the first and second times, and read the third time :

Ap. O. 6, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$955.83.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

Ap. O. 7, 1882—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, \$1,264.64.]

And it was passed by the following vote :

AYES, 10—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

Ap. O. 8, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis on account of Station-Houses. [Amount appropriated \$168.84.]

And it was passed by the following vote :

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

Ap. O. 9, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Alderman Hamilton moved that the claims of the "Indianapolis Water Co., \$40.09," and "E. H. Pritchard, \$10.00," be stricken out of the ordinance, and that the said claims be referred to the Committee on Finance and Accounts & Claims.

Which motion was adopted.

The ordinance was then read the third time (amount appropriated \$13,433.04,) and passed by the following vote :

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

Ap. O. 10, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of Printing, Stationery and Advertising. [Amount appropriated, \$1,407.70.]

And it was passed by the following vote :

AYES, 5—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, and Rorison.

NAYS, 4—viz. Aldermen Hamilton, Seibert, Tucker, and President Layman.

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

Ap. O. 11, 1882—An Ordinance appropriating the sum of Five Hundred and Sixty (560) Dollars for the pay of special Policemen of the city of Indianapolis.

And it was passed by the following vote :

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

REPORTS FROM CITY OFFICERS.

His Honor, the President, and City Attorney, submitted the following report :

Indianapolis, February 13, 1882.

To the Members of the Board of Aldermen :

Gentlemen:—The undersigned, your committee to whom was referred the motion in reference to what action the Board of Aldermen should take on the report of the Judiciary Committee of the Council of July 18, 1881, ordering the City Attorney to proceed to codify or revise the ordinances now in force, beg leave to report :

That they are of the opinion the work contemplated ought to be done by some one, and that the work be done under the direction of the Judiciary Committees of the two bodies. The revision of 1875 is incomplete, inaccurate, and badly arranged and indexed. Without an accurate printed copy of the ordinances, many of them remain practically dead letters.

The general act or charter under which the city is now operating, with the recent amendments thereto, and the other laws applying to cities generally, and those applying to Indianapolis specially, should, we think, be included with the ordinances, in the same volume. References to the Supreme Court decisions construing all these statutes, should likewise be properly noted on the margin. As the action of the Council is silent as to this matter, we would recommend that definite instructions be given the person selected to do this work as to this matter, before the work is commenced.

Respectfully submitted,

JAMES T. LAYMAN,
President Board of Aldermen.

C. S. DENNY, City Attorney.

Alderman Rorison moved that the above report be concurred in, and that the action of the Common Council in adopting the report of Judiciary Committee (see page 347, *ante*), be concurred in.

Which motion was adopted.

The Chief of Police submitted the following report; which was received:

Indianapolis, February 13th, 1882.

To the Board of Aldermen of the City of Indianapolis :

Gentlemen:—In compliance with your motion in relation to the same, I have the honor to report that from January, 1st, 1881, to the date hereof, there were thirty-seven arrests for obstructing street crossings by railroad trains, and nine for jumping on cars while in motion.

Respectfully submitted,

R. C. WILLIAMSON, Chief of Police.

Alderman Tucker moved that the rules be suspended for the purpose of placing G. O. 12, 1882, on its final passage.

Which motion was adopted, and the rules suspended by the following vote :

A YES, 7—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, Tucker, and President Layman.

NAYS, 2—viz. Aldermen Hamilton, and Seibert.

Alderman Tucker presented the following communication; which was received:

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

Gentlemen:—At a meeting of the directors of this company, held on the 8th inst., a resolution was adopted, expressing the sentiments of the Water Company against the draft of contract adopted by the Council, wherein it was required of this company to furnish water of a degree of purity equal to the minimum standard of good "potable water," as established by the National Board of Health; and referring all questions as to the purity of the water to be furnished, to a chemist, to be chosen by the city and the Board of Health, this company having no voice in such selection.

We had intended proposing a modification in the same, to the effect that we should be required to comply with the standard of water as now adopted by the National Board of Health; *provided*, water of that degree of purity could be obtained in sufficient quantities, in Centre and Washington townships, and that part of Wayne township lying east of White River; and that the questions of the purity of the water should be referred to two analytical chemists, one to be chosen by the city, and one by the company, and their decision, if they should agree, to be final; in case of a non-agreement, the two chemists thus chosen to select a third chemist, the decision of any two of them to be final.

But since that date, we have received word from the chemist of the National Board of Health, to the effect that said last named board has prescribed no standard, and therefore the action of the Council is of no effect, and our modification to same does not meet the emergency disclosed by the above information from the chemist of the National Board.

In order not to delay further action in the matter, we herewith reiterate our desire to meet the views of the city, and assert our purpose to give to our citizens the best water to be obtained in the locality referred to.

We have entire confidence in our ability to procure water, even better than was contemplated in the draft of contract adopted by the Council; but as no standard can now be prescribed, we suggest the following modification of the contract adopted by the Council, viz:

"That after the 1st of January, 1883, the water to be supplied by the Water Company, to be good, pure, wholesome water, and all questions as to its purity to be referred to two competent analytical chemists, one to be chosen by the city of Indianapolis, and one to be chosen by the Water Company, whose determination, if they agree, shall be final. If they disagree, they two shall choose a third analytical chemist, and the determination of a majority of the three thus chosen, shall be final. The chemists to be thus chosen, may be residents of Indianapolis or elsewhere, as the respective parties choosing them may elect."

Very respectfully submitted,

THOS. A. MORRIS, Pres't.
Indianapolis Water Co.

Indianapolis, Feb. 9th, 1882.

Professor D. MALLETT, University of Virginia,

1½ miles from Charlottesville, (Abemarle Co.) Charlottesville, Va.:

Has the National Board of Health established minimum standard for purity of water? If so, what is it? If possible, please answer immediately.

F. A. W. DAVIS, Treasurer
Indianapolis Water Co.

University of Virginia, Feb. 9th, 1882.

F. A. W. DAVIS, Pres't. Water Co.:

No standard established by National Board of Health.

J. W. MALLETT.

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

G. O. 12, 1882—An Ordinance making, and providing for the execution, of a contract between the city of Indianapolis and The Indianapolis Water Company.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

Alderman Tucker gave notice that he would make a motion to reconsider the above action at the next regular meeting.

Later in the session Alderman Tucker moved to reconsider the action by which the above ordinance (G. O. 12, 1882), was passed.

Alderman DeRuiter moved to lay the above motion to reconsider, on the table.

Which motion to lay on the table was adopted.

The Committee on Judiciary, Ordinances and Rules, through Alderman Rorison, submitted the following report; which was concurred in :

To the President and Board of Aldermen :

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred the petition of C. C. Koerner, for pay for horse and buggy damaged by No. 5 Hose Reel, on 9th of November last, respectfully recommend that the action of Council awarding the said C. C. Koerner \$75.00, be concurred in; *provided*, himself and sister give a receipt in full for any and all causes of action they may claim to have against the city.

Respectfully submitted,

Brainard Rorison,
John Newman,
Committee.

Alderman Tucker moved that so much of a special message as provides for the removal of a lamp-post on the east side of Tennessee street (see page 1113, *ante*), be taken from the table, and that the action of the Common Council, in adopting the motion, be concurred in.

Which motion was adopted.

Alderman Hamilton moved that the location of a lamp-post be changed on north Delaware street, and that he be authorized to designate the lamp-post to the City Civil Engineer.

Which motion was adopted.

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

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Railroads and Public Charities, to whom was referred the report of the Council Committee on Railroads, relative to the proposition of the P., C. & St. L. R'y. Co., proposing to donate thirty feet of their ground for the opening and widening of Cruse street, in lieu of Dillon street, recommend the action of the Common Council, in accepting the proposition of the said railroad company, be concurred in.

Respectfully submitted,

H. E. Drew,
F. W. Hamilton,

Committee on Railroads and Public Charities.

Alderman Drew, in behalf of the same committee, submitted the following report; which was concurred in, and amendments adopted :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Railroads, to whom was referred the ordinance for the protection of travelers at the Union Depot, recommend that the amendment of the Judiciary Committee to same, be adopted, and that the ordinance be further amended as follows:

That Section 7 be changed to Section 8, and the following be inserted as Section 7:

No director or other officer, stockholder, runner, employe or servant of any railroad; no ticket scalper, or any one in his employ, shall, within said Union Depot, or within twenty feet thereof, solicit or otherwise endeavor to induce any traveler or person desiring to take passage on any railroad train, to take passage on any particular train or road, or to select any particular route or routes. Nor shall he endeavor to influence the movements of, or to interfere with or annoy, any such traveler or person.

Section 9. All ordinances or parts of ordinances in conflict with this ordinance, are hereby repealed.

Section 10. This ordinance shall be in force from and after its passage, and shall take effect after its publication once each week for two consecutive weeks in the Indianapolis Daily Journal.

Respectfully submitted,

H. E. Drew,
John Newman,
F. W. Hamilton,

Committee.

The following entitled ordinance was read the second time, amended as per foregoing report, ordered engrossed, and read the third time :

G. O. 53, 1881—An Ordinance for the protection of travelers, passengers, and baggage, and for the preservation of order in and about the Union Depot, in the city of Indianapolis, Indiana.

And it was passed by the following vote :

AYES, 7—viz. Aldermen DeRuitter, Drew, Hamilton, Newman, Rorison, Seibert, and President Layman.

NAYS, 2—viz. Aldermen Mussmann, and Tucker.

The Committee on Streets and Alleys, through Alderman Seibert, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Streets & Alleys and Sewers & Drainage, to whom was referred the report of the Board of Public Improvements (see page 1078) recommend that the action of the Common Council, in adopting said report, be concurred in, except such clauses as herein mentioned:

11th. Is a motion that the Street Commissioner be, and is hereby, directed to take up and re-lay the northeast gutter of Virginia avenue, from Elk street to Prospect street, and that the City Civil Engineer is hereby directed to set the necessary grade stakes.

Recommended by the Board of Public Improvements to be done under contract by the City Civil Engineer.

We recommend the work be done by the Street Commissioner, as contemplated in said motion.

14th. Is a motion that the Street Commissioner fill the chuck-holes on Indiana avenue with good river gravel, from West street to Fall Creek.

Recommended by the Board of Public Improvements to be done.

We recommend the avenue be bowldered, under ordinance.

19th. Is a motion that the Street Commissioner be instructed to put a coat of gravel on Linden street, from Prospect street to Fletcher avenue.

Recommended by the Board of Public Improvements to be done.

We recommend the chuck-holes be filled, only.

20th. Is a motion that the Street Commissioner be instructed to clean the east gutter of Dillon street, between Spann and Fletcher avenues.

Recommended by the Board of Public Improvements to be done.

We recommend the non-concurrence in this matter.

23d. Is a motion that the Street Commissioner be instructed to clean the gutters on Coburn, Dougherty, and Buchanan streets, between Virginia avenue and East street.

Recommended by the Board of Public Improvements to be done.

We recommend that ordinances be introduced to bowlder said gutters.

54th. Is a motion that the Street Commissioner be instructed to clean the gutters and fill the chuck-holes of Pine street, from North street to Peru avenue. Also, clean the gutters of Vine street, from Park avenue to Ash street. Also, clean the gutters on Arch street, from Park avenue to Plum street. Also, clean the gutters and fill chuck-holes on North street, from East street to Noble street.

Recommended by the Board of Public Improvements that the chuck-holes be filled.

We recommend the non-concurrence in this matter.

67th: Is a motion that the Street Commissioner be instructed to place a single stone crossing on Illinois street, at the crossing of St. Jo. street.

Recommended by the Board of Public Improvements to be done.

We recommend the non-concurrence in this matter.

Respectfully submitted,

Hiram Seibert,
D. DeReiter,
H. E. Drew,

Committee on Streets & Alleys and Sewers & Drainage.

REPORTS FROM SELECT COMMITTEES.

Alderman Rorison, in behalf of a certain special committee, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Gentlemen:—Your special committee, to whom was referred the resolution directing an examination of the building being re-erected by F. Stout & Son, would respectfully state, that after careful inquiry, we are satisfied that unusual precautions are being taken to make the building of ample strength and security.

Respectfully submitted,

Brainard Rorison,
F. W. Hamilton,
D. Mussmann,
Committee on Insecure Buildings.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton offered the following motion; which was adopted:

That the Committee on Public Light be authorized to extinguish the light on the east side of north Delaware street, south of the State Ditch, and re-light lamp on west side of said street, in front of the church located there.

Alderman Hamilton offered the following motion; which, on motion by Alderman Drew, was laid on the table:

That the Clerk present to the Mayor, for introduction to Council, the enclosed ordinance, amending ordinance granting privileges to the "Mutual Union Telegraph Company," etc.

Alderman Hamilton offered the following motion; which was adopted:

That a special committee of three from this body, and three from the Common Council, be appointed to consider and report a plan, defining lines, for reduction of the city boundaries.

Alderman Rorison offered the following motion; which, on motion by Alderman Seibert, was referred to the Committee on Markets & Public Property, Finance and Accounts & Claims:

That the City Civil Engineer be directed to report a plan, and also an estimate, of the cost of straightening the main walks in University Square, so they will run diagonally through the Park.

Alderman Rorison offered the following motion; which was adopted:

That the City Marshal be directed to comply with the provisions of the cow ordinance, and proceed immediately to have pounds prepared in accordance therewith, in accordance with Section 6, of said ordinance.

Alderman Tucker offered the following resolution; which was adopted:

WHEREAS, There being innumerable damage suits brought against the city, asking for damages from the city for her criminal negligence in not properly protecting the streets, alleys and public walks from dangerous breaks of foot-walks, bad places in sidewalks, and obstructions placed and left in the way of the general public; and *whereas*, as the police force of the city have neglected their duties in not seeing that the public are protected from such dangers; therefore,

Resolved, That the Chief of Police be, and is hereby, requested to notify each and every Policeman that he must see that the public streets, alleys and walks of the city are kept free from all dangerous obstructions and nuisances; and that wherever obstructions are found, that the proper authorities be at once notified; and in all cases where the parties leaving such obstructions can be found, to notify them to remove the same, and upon their failure to do so, to file against them at once; and that where breaks are found in the sidewalks, or dangerous places of whatever kind, that the owner of the property fronting against such walk, be notified; and upon failure of the property owner to make such necessary repairs at once, that they be filed against in the City Court. *Further*, that any failure upon the part of any Policeman failing to fully carry out such instructions, that he be suspended, and reported to the Police Board; further, that the Chief of Police be, and is hereby requested to report to this body, at our next meeting, whether this request will be recognized by him or not, and also whether he will see that it is *carried out*.

Alderman Tucker offered the following motion; which was adopted:

That the City Attorney report at our next meeting, if the city has a right to work State prisoners on a stone pile.

PENDING ORDINANCES.

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

S. O. 143, 1881—An Ordinance to provide for grading, paving with brick the sidewalks, curbing and bowldering the gutters of English avenue, from Dillon street to Linden street.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

S. O. 150, 1881—An Ordinance to provide for grading and paving with brick, the south sidewalk of New York street, from West street to Mississippi street (where not already properly paved.)

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following entitled ordinance was read the second time; and, on motion by Alderman Seibert, was referred to the Committee on Streets & Alleys and Sewers & Drainage:

G. O. 59, 1881—An Ordinance to amend section two of an ordinance authorizing the Junction Railroad Company to occupy with their tracks Maryland street, from the east corporation line to Pogue's Run, and to cross other streets, passed October 28th, 1867.

Alderman Rorison moved that the City Attorney receive a proposition of compromise from the School Board and the estate of Wm. M. Wiles, deceased, relative to the per cent retained for collection of back taxes for the School Fund, and that he present the same, with his written opinion, to the Common Council at their next regular session; also, that he be authorized to make a compromise in the case of the J., M. & I. Railroad Co. vs. The City of Indianapolis, et al., with the concurrence of the Common Council.

Which motion was adopted.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.