

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—APRIL 10, 1882.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, April 10th, A. D. 1882, at half-past 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 special session, held March 20th, 1882, and for the regular session, held March 27th, 1882, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

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, favorably passed upon by the Common Council, at its adjourned session, held on Wednesday evening, April 5th, 1882, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the Committee on Contracts was read, and the favorable action of the Common Council thereon (see pages 1325 and 1326, *ante*), was concurred in:

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

Gentlemen:—The Committee on Contracts, to whom was referred the proposals presented to Council on Monday evening, March 20th, 1882, have examined the same, and find them to be as follows:

1st. For placing a double row of stone crossings across Alabama street, north and south sides of New York street, according to specifications on file in the office of the City Civil Engineer.

C. S. Roney, \$1.21 per lineal foot.

August Richter, \$1.20 per lineal foot.

James W. Hudson, \$1.20 per lineal foot.

H. C. Roney, \$1.04 per lineal foot.

R. P. Dunning, \$1.03 per lineal foot.
 Robert Skelly, \$1.00 per lineal foot.
 Wm. McClintock, 9 $\frac{3}{4}$ cents per lineal foot run.

Wm. McClintock being the lowest and best bidder, we recommend he be awarded the contract.

2d. For building a wooden bridge, with stone abutments, over Pogue's Run, on Willard street, according to plans and specifications on file in the office of the City Civil Engineer.

H. C. Roney, \$1,085 for superstructure and excavation, and \$8.00 per cubic yard for stone work.

August Richter, \$520 for superstructure, and \$9.05 per cubic yard for stone work, including foundation timber and excavation.

Koss & Fritz, \$500 for superstructure, and \$8.75 per cubic yard, including excavation and timber.

J. H. Forrest, \$537 for superstructure, and \$6.50 per cubic yard for stone work, including excavation.

Aaron Grube, \$325 for superstructure, and \$8.00 per yard for stone work and excavation.

Wm. Petrie, \$245 for superstructure; \$5.89 per cubic yard for stone work, and \$27.00 per 1,000 feet for foundation timber.

Wm. Petrie being the lowest and best bidder, we recommend he be awarded the contract.

3d. For rip raping the west bank of White River, in Indianola, according to specifications on file in the office of the City Civil Engineer.

J. L. Spaulding, \$5.90 per lineal foot.

R. Kennington, \$5.25 per lineal foot.

C. S. Roney, \$4.95 per lineal foot.

John A. Whitsit, \$4.90 per lineal foot.

W. J. Freaney, \$4.23 per lineal foot.

August Richter, \$3.95 per lineal foot.

J. E. Twiname, \$3.85 per lineal foot.

Wm. Petrie, \$3.49 per lineal foot.

J. H. Forrest, \$3.35 per lineal foot.

J. H. Forrest being the lowest and best bidder, we recommend he be awarded the contract for 000 feet at the point designated by the City Civil Engineer.

Respectfully submitted,

Isaac Thalman,
 Edward H. Dean,
 E. H. Koller,
 Committee on Contracts.

The following report from His Honor, the Mayor, (see page 1326, *ante*), was read and received:

Indianapolis, Ind., April 5th, 1882.

To the Common Council and Board of Aldermen:

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

Policemens' witness fees.....	\$148 55
Mayor's fees.....	123 90
Fines in city cases.....	12 80
Total.....	\$285 25

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

Respectfully,

D. W. GRUBBS, Mayor.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see pages 1327 and 1328, *ante*), was concurred in:

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

Gentlemen:—I herewith report the following estimates of work done according to contract:

A first and final estimate in behalf of R. P. Dunning and James W. Hudson, for grading, bowldering and curbing the north gutter of Ohio street, from Meridian street to Illinois street.

416	lineal feet of bowldering, at 65 cents.....	\$270 40
359.45	lineal feet of curbing, at 43 cents.....	154 57
Total.....		\$424 97

A first and final estimate in behalf of R. P. Dunning and James W. Hudson, for grading and bowldering the first alley north of Ohio street, from Meridian street to Bird street.

415	lineal feet of bowldering, at 37 cents..	\$153 55
18.90	lineal feet of curbing, at 43 cents.....	8 12
19.40	lineal feet of walk-stone, at 35 cents.....	6 79
Total.....		\$168 46

A first and final estimate in behalf of J. L. Spaulding, for grading, paving with brick, and curbing with stone, the south sidewalk of New York street, from Bright street to Minerva street.

907.94	lineal feet curbing, at 43 cents.....	\$390 41
787.30	lineal feet paving, at 41 cents.....	322 79
Total.....		\$713 20

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the sidewalks of Madison avenue, from McCarty street to Ray street.

1,438	lineal feet of paving, at 63 cents.....	\$905 94
47 50	lineal feet of bowldering, at 63 cents.....	29 93
8	lineal feet of 18 inch sewer pipe, at \$1.50, less 30 per ct..	8 40
23	lineal feet of 12 inch sewer pipe, at 75 cts., less 30 per ct..	12 08
	Hauling and labor, on sewer pipe.....	3 50
Total.....		\$959 85

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 1328, *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 R. P. Dunning and James W. Hudson, for grading, bowldering and curbing the north gutter of Ohio street, from Meridian street to Illinois 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 concurrently adopted by the following vote

AYES, 6—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 1328, *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 R. P. Dunning and James W. Hudson, for grading and bowldering the first alley north of Ohio street, from Meridian street to Bird 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 concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following estimate resolution (passed by the Common Council—see page 1329, *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 J. L. Spaulding, for grading, paving with brick, and curbing with stone, the south sidewalk of New York street, from Bright street to Minerva 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 concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 1329, *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 Henry C. Roney, for grading and paving with brick, the sidewalks of Madison avenue, from McCarty street to Ray 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 concurrently adopted by the following vote:

AYES, 6—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 1329, *ante*) was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following contract and bond:

Contract and bond of David A. Haywood, for constructing a 1,200-barrel cistern at or near the corner of Church and Morris streets. Bond, \$1,400.00; surety, H. C. Roney.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following communication (see page 1331, *ante*), was read:

Indianapolis, Ind., April 5, 1882.

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

Gentlemen:—I shall be pleased to place at your disposal, for cow pound purposes, several lots in convenient localities north and south, without rent. If you see fit to refer this to an appropriate committee to confer with me, we can arrange, without doubt, a few trifling details, leaving to the committee the selection of lots.

HENRY D. PIERCE.

Alderman Tucker moved that the above communication be laid on the table.

Which motion failed of adoption by the following vote:

AYES, 3—viz. Aldermen Mussmann, Newman, and Tucker.

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

On motion by Alderman Tucker, the communication was then referred to the Committee on Public Light and Education.

The following report from the City Attorney was read, and the action of the Common Council thereon (see page 1333, *ante*), was concurred in:

Indianapolis, April 3, 1882.

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

Gentlemen:—Since the last meeting of the Council, the case of Hannah J. Eaglan vs. The City—being an action for damages for personal injuries received in a fall on west Washington street, on account of the alleged negligence of the city in allowing a large accumulation of ice to remain on the sidewalk—has been tried by a jury, resulting in a verdict for the city. No motion for a new trial was filed during the term, so that the case is now finally disposed of.

The case of James M. Ball vs. The City, for persona' injuries alleged to have been received by falling on west Market street, near the Circle, has been dismissed by the court, for failure of plaintiff to discharge a rule entered against him in the cause, and judgment has been entered against him for costs.

The motion for a new trial in the case of Pamela Tercy vs. The City—being the test case made on the Indianola wash-out matter—has been overruled, and judgment rendered against the plaintiff for costs. I do not believe an appeal will be taken.

I have the honor to report that the compromise which I was directed to make

with the P., C. & St. L. R'y. Co., in reference to the cost of repairing the Virginia avenue crossing, has been consummated, the company having paid the \$215.96 agreed on, and the money has been paid to the treasurer, and his receipt therefor deposited with the City Clerk.

I have likewise the honor to report that the P., C. & St. L. R'y. Co. has delivered to me a deed properly executed to the city, for a strip of ground abutting upon Cruse street, on its east side, extending from Michigan avenue south to the right of way of the C., C. & I. C. R'y. Co., in accordance with the agreements and former action of your honorable bodies, which deed I hand herewith to the City Clerk.

Respectfully submitted,

C. S. DENNY, City Attorney.

The report of the Chief Fire Engineer for the quarter ending March 31st, 1882, (see pages 1333, 1334 and 1335, *ante*), was read and received.

The reports of the Superintendents of the City Hospital and Branch, and the City Dispensary, for the month of March, 1882 (see pages 1335 and 1336, *ante*), were read and received.

The following motions (adopted by the Common Council—see pages 1342, 1343, 1344, 1345, 1346 and 1350, *ante*), were read and concurrently adopted:

That the Street Commissioner be instructed to lower the grade in the center of the first alley on Massachusetts avenue south of Noble street, situated between Mrs. Kittenbach and Christ. Neerman, so that the water can drain off.

That Fred. Miller be, and is hereby, granted permission to pave with brick the sidewalk in front of his property on Bright street, between New York street and first alley north, at his own expense; work to be done under City Civil Engineer.

That the City Marshal be, and is hereby, directed to notify the J., M. & I. R. R. Co. to plank their tracks at the crossing of Madison avenue, under the direction of the City Civil Engineer.

That the City Marshal be, and he is hereby, directed to notify the owner of the Brister Block, on Virginia avenue, to repair the brick walk and lower the cellar doors in front of said block, so as to conform to the grade of the sidewalk.

That A. Caylor be permitted to lay a drive-way across the sidewalk on south Noble street, between Washington street and Pan-Handle Railroad, under the direction of the City Civil Engineer, at his own expense.

That the Street Commissioner be, and is hereby, directed to employ five men and one team, to be used in improving Garfield Park; said men and team to be employed during the months of May, June, July, August, September and October. The men to be employed at the rate of \$1.35 per day, and the team at \$3.00 per day, with stable room furnished on the ground free. Further, that the City Engineer be, and is hereby, directed to furnish all necessary grades and surveys that may be required from time to time, and that the City Clerk is hereby directed to include the pay of the men and team in the regular monthly appropriation ordinances.

That the Chief of Police be instructed to file complaints before the Mayor, against all parties who leave the streets in bad condition after laying sewers, pipe, or making sewer connections.

That the Board of Commissioners of Marion county, Indiana, be, and they are hereby, requested to enter an order directing the Sheriff of Marion county to turn over to the city of Indianapolis, on application of the Street Commissioner, any and all able bodied male prisoners confined in the county jail from time to time—not employed on the county roads and other works—to be worked on the public streets, alleys and public works of said city.

That Beissenherz's Band have the privilege to use University Park for free concerts, during the summer months.

That the Street Commissioner replace the wooden bridge across the State Ditch on Columbia avenue, which was washed away by the late floods, and that the work be done as soon as possible.

The following motion (adopted by the Common Council—see page 1344, *ante*), was read; and on motion by Alderman Hamilton, was laid on the table:

That the Committee on Public Property and the City Hall and Market House Commissioners be authorized to advertise for sealed proposals for the sale of the real estate devised to the city by the late Stephen D. Tomlinson, and report the bids to the Common Council and Board of Aldermen, with their recommendations; the advertisement to reserve the right on the part of the Council and Board to reject any and all bids.

The following motion (adopted by the Common Council—see page 1348, *ante*), was read; and on motion by Alderman Tucker, was laid on the table:

That the Street Commissioner be, and is hereby, directed to double his street force for a period of two weeks, in order that our streets and gutters may be cleaned before warm weather.

The following motion (adopted by the Common Council—see page 1350, *ante*), was read:

That the City Civil Engineer be, and is hereby, authorized to straighten the walks in University Square so they will run diagonally from corner to corner, according to his plans and specifications; the cost of such improvement not to exceed three hundred dollars (\$300.00.)

On motion by Alderman Seibert, the above motion was referred to the Committee on Markets and Public Property, by the following vote:

AYES, 7—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and Presiden Layman.

NAYS, 1—viz. Alderman Drew.

The report of the Board of City Commissioners in the vacation of that part of Columbia street, and that part of a 15 foot alley which are platted through Stanley's subdivision of Lots 2, 3, 4 and 5, of Boatright's subdivision of Out-lot 8, west of White River, (see page 1300, *ante*), was read, and the action of the Common Council concurred in.

The following resolution (adopted by the Common Council—see page 1350, *ante*), was read:

Resolved, That the report of the City Commissioners, in the matter of the proposed vacation of that part of Columbia street, and that part of a fifteen (15) foot alley, which are platted through Stanley's subdivision of Lots two, three, four and five, of Boatright's subdivision of Out-lot 8, west of White River—submitted to

Council March 20th, 1882—be, and the same is hereby, accepted, adopted and approved, and that the street and alley therein mentioned, be, and are hereby, ordered vacated and annulled; *provided*, the parties against whom benefits are assessed by said report, shall, within twenty days, pay into the city treasury the amount of benefits so assessed, being the cost of said vacation, which the parties benefited are required to pay.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following motion (adopted by the Common Council—see page 1351, *ante*), was read:

That the Street Commissioner, in conjunction with the Citizens' Street Railway immediately and without delay improve the condition of the Illinois street tunnel.

Alderman Seibert moved as an amendment, to strike out so much of the above motion as reads "in conjunction with," and insert in lieu thereof the words "be directed to notify."

Which amendment was adopted, and the motion, as amended, was then adopted.

The mortality report of the Board of Health (see page 1351, *ante*), was read and received.

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 ordinance (passed by the Common Council) was read the first and second times, and read the third time:

Ap. O. 20, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$760.78.]

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. Aldermen Hamilton.

The following entitled ordinance (passed by the Common Council), was read the first and second times, and read the third time:

Ap. O. 21, 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, \$1,077.88]

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 (passed by the Common Council), was read the first and second times:

Ap. O. 22, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis on account of Station Houses. [Amount appropriated, \$131 44.]

On motion by Alderman Hamilton, the above ordinance, with the accounts, were referred to the Police Board for their approval.

The following entitled ordinance (passed by the Common Council), was read the first and second times:

Ap. O. 23, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Alderman Seibert moved that the claims of "Henry Edwards, \$35.00," and "Adolph Bauer, \$100.00," be stricken out of the ordinance, and referred to the Committee on Hospital and Dispensary.

On motion by Alderman Mussmann, the above motion was laid on the table.

The ordinance was then read the third time (amount appropriated, \$102.324.76), 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 (passed by the Common Council), was read the first and second times:

Ap. O. 24, 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, \$408.00]

Alderman Hamilton moved that the claim of "O. H. Hasselman, \$34.20," be charged to the City Hospital and Branch account, being supplies for that department.

Which motion was adopted.

The ordinance was then read the third time, 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 (passed by the Common Council), was read the first and second times:

Ap. O. 25, 1882—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street Repairs Department of the city of Indianapolis.

Alderman Hamilton moved to strike out of the above ordinance *five thousand* dollars, and insert in lieu thereof *three thousand* dollars.

Alderman Drew moved to lay the above amendment on the table.

Which motion to lay on the table, failed of adoption by the following vote:

AYES, 2—viz. Aldermen Drew, and Rorison.

NAYS, 7—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Seibert, Tucker, and President Layman.

Alderman Hamilton's motion was then adopted.

The ordinance was then ordered engrossed, as amended, read the third time, and passed by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, and President Layman.

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

The Clerk of the Board of Public Improvements submitted the following report; which, on motion by Alderman Tucker, was laid on the table:

To the President and Members of the Board of Aldermen:

Gentlemen:—In my report of March 27th, 1882, of expenditures of \$5,000 on account of the Street Repairs Department, which was referred back to me for a more minute statement, I beg leave to report that I have no records in my possession to make further detail report from.

Respectfully submitted,

WM. C. PHIPPS,
Clerk Board of Public Improvements.

REPORTS FROM STANDING COMMITTEES.

The Committee on Markets and Public Property, 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 Public Property, to whom was referred the motion to straighten the walks in University Park, respectfully recommend that the motion be adopted.

Respectfully submitted,

H. E. Drew,
D. DeRitter,
Committee.

INTRODUCTION OF MISCELLANEOUS BUSINESS

Alderman Hamilton offered the following motions; which were severally adopted:

That the City Clerk furnish to this Board, by the next meeting, a statement, showing the amounts appropriated, and the amounts expended for the public parks, for each of the years 1875 to this date, inclusive

That the City Attorney prepare and have introduced at the next session of the Common Council, an ordinance providing that by the first day of January, 1884, all telegraph and electric wires (except telephone) of every kind and description, shall be placed in an approved manner, under ground, so as not to interfere with the water and gas mains; providing penalty for violation, etc. Also, an ordinance that no telegraph, telephone or electric light poles shall from this date be placed on any street or alley without the special consent of the Board of Aldermen and Common Council, in each case.

That the City Attorney prepare and have presented to the Common Council, an ordinance providing that no house shall be moved along or upon the alleys or streets of the city, until the route in each case shall be clearly defined, and permission of the Board of Aldermen and Common Council be granted; and before any such permission be granted, the owner of the house proposed to be moved, to give bond in \$500, with approved security, providing for damages done to streets and private property.

That in all cases where delinquent taxes are charged on the city tax duplicates against any person or persons having contracts, the City Clerk and Treasurer are directed to deduct the said taxes so charged from the first appropriation made to such person or persons.

That the City Clerk advertise for ten days from the first day of May, 1882, that sealed proposals will be received by the Board of Aldermen and Common Council, till 12 o'clock, noon, of the fifteenth day of May, 1882, for furnishing the city, for one year from June 1st, 1882, with books and stationery, and to do the necessary printing, advertising and bill posting for the same length of time.

Alderman Tucker offered the following motion; which was adopted:

That the Police Board, the Chief of Police and the four Police Captains, investigate and report to the Council, if it would not add very much to the efficiency of the Police Department, to create four sub-stations, one to be located at the Engine

House on Virginia avenue; one at No. 4, south Illinois street; one at No. 1, Indiana avenue, and one at No. 5, Massachusetts avenue; and that a man be stationed, one at night and one during the day, at each station; and that the Police Department be divided into five districts, the fifth being the Central Station, and that the Patrolmen in each district answer to roll call at their respective district headquarters. Further, that there be purchased and kept at headquarters, a one-horse vehicle, to be used exclusively between the districts and headquarters. Further, that the districts be connected with the general telephone system of the city. Further, that the above committee be requested to report if the above would not make the department much more efficient than an increase of twenty patrolmen, which has been recommended by the Police Board.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.