# PROCEEDINGS OF BOARD OF ALDERMEN.

# SPECIAL SESSION-August 19, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Thursday evening, August 19th, A. D. 1880, at eight o'clock, in compliance with the following call:

## To the Members of the Board of Aldermen:

Gentlemen:—You are hereby requested to meet in special session to-morrow evening, at eight o'clock, for the transaction of such business as may be before the body.

Indianapolis, August 18, 1880.

JAMES T. LAYMAN, President pro tem.

PRESENT-His Honor, James T. Layman, President pro tempore, in the chair, and Aldermen Drew, Grubbs, Hamilton, Mussmann, and Newman-6.

ABSENT-Aldermen Seibert, Tucker, Wood, and President Coburn-4.

The Proceedings of the Board of Aldermen for the regular session held on August 4th, and for the special session held on August 11th, 1880, and of the first and second sessions of the Board of Equalization held on August 2d and 11th, 1880, having been printed, and placed on the desks of the Aldermen, said Proceedings were approved as published.

## MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

## The following message was read :

To the President and members of the Board of Aldermen :

Gentlemen:—The Common Council, at its regular session held on August 16th, 1880, refused to concur in your action of August 4th, in adopting the report from the Aldermanic Committee on Railroads, directing the Citizens' Street Railway Company to put and keep in repair the railing around the south Illinois street tunnel, it being the opinion of the City Attorney that it was the duty of the city to do said work.

The Council determined to adhere to its action of June 21st, when said body adopted the following motion:

WHEREAS, the iron railing around the tunnel on south Illinois street is in a bad and dangerous condition, and demands immediate attention; therefore

## Journal of Board of Aldermen.

Moved, that the Board of Public Improvements be directed to put said railing in good and proper condition, and said Board have full power to act in the matter. For the Common Council:

Jos. T. MAGNER, City Clerk.

On motion this body receded from its action of August 4th, 1880, (see page 364, ante,) and then the action of the Common Council, in adopting such motion, was concurred in.

The following message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:-The Common Council, at its regular session held August 16th, 1880. determined to adhere to its action of August 2d, when said body adopted the following motion:

"That J. H. Greenstreet and J. L. McCormick be given permission to act as a committee for citizens on Tennessee street, between First and Seventh streets, and look after the improvement now being made on said street, and to make suggestions to the contractor, if in their opinion any of the work at any time is being done contrary to the contract and specifications on file."

Thus refusing to concur in your action of August 4th, in not adopting the foregoing motion.

For the Common Council:

Jos. T. MAGNER, City Clerk.

On motion this body determined to adhere to its former action in not adopting such motion.

The following message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:-The Common Council, at its session held on August 16th, 1880. determined to adhere to its action of July 5th, when said body adopted the resolutions providing for filling up or draining the following lots, viz:

Lot No. 66, in Dougherty's subdivision of a part of out-lot No. 99.

Lot No. 160, in Dougherty's subdivision of a part of out-lot No. 99.

Lot No. 34, in Hendricks' subdivision of a part of out-lot No. 99. Lots Nos. 13 and 14, in Bradshaw & Holmes' subdivision of a part of out-lot No. 100.

Thus refusing to concur in the action of your honorable body of July 21st, when you refused to adopt the said resolutions.

For the Common Council:

Jos. T. MAGNER, City Clerk.

On motion, this body determined to adhere to its former action in not adopting such resolutions.

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, August 16th, 1880, for your action upon same.

For the Common Council:

Jos. T. MAGNER, City Clerk.

August 19, 1880.7

419

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

Indianapolis, Ind., August 16th, 1880.

Gentlemen:-The amounts of fines and fees collected by me during the month of July, 1880, are as follows:

Mayor's fees	\$237	05
Policemen's witness fees		
Fines, due city treasury		05

Total...... \$476 01

Which amounts I have paid to the City Treasurer and filed his receipt therefor 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 several estimates and assessments (see page. 384, *ante*) was concurred in:

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

To the Common Council and Board of Aldermen:

Gentlemen:-I herewith report the following estimates:

A first and partial estimate in behalf of A. Bruner, for building a 1,200 barrel cistern at or near the corner of Hill and Union streets.

1,208 barrels, at 48 cents per barrel Less 15 per cent		84 97
Present payment	\$492	87

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution (adopted by the Common Council see page 385, *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 Richard Carr, for grading and graveling Newman street and sidewalks, from Seventh street to Ninth or Bolton street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

Aves, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

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

[Special Session

several contracts and approving the bonds (see page 385, *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 C. T. Langhorne, for grading and graveling Spruce street and sidewalks, from Prospect street to Pleasant Run. Bond, \$1,500; surety, G. Adolph Wurgler, and Michael Faust.

Contract and bond of C. T. Langhorne, for grading and graveling McKernan street and sidewalks, from Buchanan street to the south line of Out-lot No. 99. Bond, \$900.00; surety, G. Adolph Wurgler and Michael Faust.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following report from the City Clerk was read:

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

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

Recommend that you order the precepts to issue.

Respectfully,

Jos. T. MAGNER, City Clerk.

And the action of the Common Council in concurring in the report, and in ordering the precepts to issue (see page 386, *ante*) was concurred in by the following vote:

AYES, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

N'AYS-None.

Report from the City Clerk, in relation to the opening of west Vermont street, (see page 386, *ante*) was read and received.

Indemnifying bond of S. A. Fletcher, jr., et al., (see page 386, ante) was read and referred to the Aldermanic Committee on Streets and Alleys.

Communication from John Stumph, asking the consent of the Common Council and Board of Aldermen to the assignment of his contract for improving north Tennessee street, to Lorenz Schmidt, was read, and the favorable action of the Common Council thereon (see page 387, *ante*) was concurred in.

Report from the City Attorney, in relation to allowance of extra compensation to members of the Common Council and Board of Aldermen, was read, and the favorable action of the Common Council thereon, (see page 387, *ante*) was concurred in. Report from the Fire Board, in relation to the construction of two new engine houses, was read, and the action of the Common Council thereon (see page 388, *anto*) was concurred in.

Report from the Fire Board, in relation to the name of John Huffer being retained on the Fire Department pay-rolls, was read, and the action of the Common Council thereon (see page 389, *ante*) was concurred in.

Report of the Fire Board, in relation to the building of a well near the corner of Ash and Tenth streets, was read, and the favorable action of the Common Council thereon (see page 389, *ante*) was concurred in.

The following clauses in the report from the Board of Public Improvements were read; and the action of the Common Council in concurring in the several recommendations (see page 389, *ante*) was concurred in:

1st Is a motion that the Street Commissioner clean the gutters on St. Clair street, from East street to Massachusetts avenue.

Recommend the work be done.

2d Is a motion that the Street Commissioner clean the gutters on Plum street, from Christian avenue to Massachusetts avenue; also, fill the chuck-holes with gravel, corner of Arch and Plum streets.

Recommend the work be done.

3d Is a motion that the Street Commissioner fill the chuck-holes in Market street, between Alabama and Noble streets.

Recommend work be done at an expense not to exceed ten dollars.

4th Is a motion that the Street Commissioner clean the gutters and fill the street where it has been washed out on Kansas street, from Meridian street to the old canal bed, with good river or creek gravel.

Recommend the street be repaired by opening the gutters and casting the gravel back on the street.

5th Is a motion that the Street Commissioner clean the gutters on Duncan street, from New Jersey street to Delaware street.

Recommend the work be done.

6th Is a motion that the Street Commissioner clean the gutters and fill the chuck-holes in Union street.

Recommend the chuck-holes be filled.

7th Is a motion that the Street Commissioner clean the gutters and fill the chuck-holes in Meridian street, between McCarty and Morris streets.

Recommend the chuck-holes be filled.

9th Is a motion that the Street Commissioner build a culvert over the gutter on the north side of North street, at the intersection of Agnes street.

Recommend it be repaired with cinders or good gravel.

10th Is a motion that the Street Commissioner clean the gutters on Agnes street, from New York street to Elizabeth street.

Recommend the work be done.

12th Is a motion that the Street Commissioner clean the gutters on Vermont street, from Illinois street to the canal.

Recommend the work be done.

15th Is a motion that the Street Commissioner repair the sidewalk on east side of Linden street, at crossing of Spann avenue.

Recommend the work be done.

16th Is a motion that the Street Commissioner clean the gutters on Market street, from Noble street to Cruse street, and clean gutters on Cruse street from Market street to Washington street.

Recommend the cleaning of gutters from first alley north of Washington street to Market street, and that the gutters on Market street be cleaned.

Mortality report from the Board of Health, from August 1st, to 15th, 1880, (see page 392, *ante*) was read and received.

Communication from John F. Haneman et al. and the Board of Health, was read, and the action of the Common Council thereon (see page 393, *ante*) was concurred in.

Report from the Committee on Finance, concerning the monthly statements of the City Clerk and Treasurer for the month of July, (see page 393, *ante*) was read and received.

The following resolution (adopted by the Common Council—see page 393, *ante*) was read:

WHEREAS' The reports as printed in the public press in this city, as to the death rate, has caused some undue alarm, and as the records in the office of the Board of Health are now kept, the general public are likely to give some credence to the reports, and in order that the Council and the citizens may know and have a correct report of the deaths in this city, I offer the following:

*Resolved*, That the Board of Health be, and are hereby, ordered to keep a separate record in the same manner as now required by law, of the following cases: All still births, all certificates of burial or for shipment from the State Insane Hospital and all other like institutions where the patients are not from the city of Indianapolis, and of all persons that die outside of the city, and are brought to this city for burial, that are not residents of the city of Indianapolis, and of all accidental deaths.

And it was concurrently adopted by the following vote:

AYES, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

NAYS-None.

The following resolution (adopted by the Common Council—see page 406, *ante*) was read:

WHEREAS, In the execution of the proper deeds, by the Trustee, on the sale of any of the lands received by the City of Indianapolis, for the benefit of the Common Schools, under the will of T. D. Gregg, deceased, to recite the definite authority of such Trustee to execute such deed; And whereas, the necessary delay to procure formal expression of such authority may become vexatious, and might at some time prevent what would be otherwise an advantageous sale; therefore

Be it Resolved, That George Merritt, Esq., Trustee of said lands situated in Dallas county, Iowa, (including the town lots,) be, and he is hereby, authorized to sell,

August 19, 1880.]

and upon the sale to execute the proper deed of conveyance for the following described real estate situate in said county, to-wit: The southeast quarter of the northeast quarter of Section 19, in Township 79, north of Range 27 west of the 5th principal meridian.

Town Blocks No. 14, 16, 25 and 27, in the town of Adel, Iowa.

Indianapolis, Ind., Aug. 9, 1880.

DR. H. G. CAREY-Dear Sir: The above resolution was unanimously adopted at a regular session of the Board of School Commissioners of the City of Indianapolis, held Aug. 6, 1880. Yours, respectfully,

[SEAL.]

JOHN R. GIBSON, Ass't. Sec'ty.

And it was concurrently adopted by the following vote:

AYES, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

NAYS-None.

The following resolution (adopted by the Common Council—see page 410, *ante*) was read:

*Resolved*, That in view of the fact of the necessity of cleaning the gutters of the streets in this city, in the interest of the health of our people, that the Board of Public Improvements be, and are hereby, directed to employ an extra force of men, sufficient to perform said work.

And this body refused to concurrently adopt the same by the following vote :

Ayes, 1-viz. Alderman Drew.

NAYS, 5-viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, and Newman.

Three resolutions, providing for the filling or draining of lot 6, in Coffin's subdivision of Fletcher's Woodlawn; lot 58, in Fletcher's Woodlawn, and 149 in Spann & Co.'s Woodlawn, (see pages 347 and 348, *ante*) and adopted by the Common Council, (see page 391, *ante*) were read, and they were severally concurrently adopted by the following vote:

Axes, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

NAYS-None.

On motion by Alderman Grubbs, the regular order of business was suspended for the purpose of taking up the north Meridian street block pavement ordinances.

The following entitled ordinances were severally read the second time:

- S. O. 12, 1880—An Ordinance to provide for re-paving with wooden blocks (red cedar) the roadway of Meridian street, from New York street to St. Clair street.
- S. O. 13, 1880—An Ordinance to provide for re-paving with wooden blocks (red cedar) the roadway of Meridian street, from St. Clair street to Seventh street.

[Special Session

By invitation, Messrs. R. B. Duncan, J. S. Spann and W. S. Hubbard, addressed the Board, protesting against the passage of any ordinance providing for the improvement of said street with wooden blocks, and presented two certain petitions—one from the property owners along said street, between New York and St. Clair streets, and the other from the property owners between St. Clair and Seventh streets, — asking the Common Council and Board of Aldermen to pass an ordinance for the improvement of said street, between the points named, with good dragged river or creek gravel, and bowldering the gutters, etc.; and remonstrating against the relaying of any wooden block pavement.

On motion by Alderman Mussmann, the foregoing entitled ordinances, with the petitions, were referred to the Joint Committees on Streets and Alleys, with instructions to report at the next session of this body.

On motion, the foregoing mentioned petitions were ordered not to be published in the proceedings.

## REGULAR ORDER.

Three certain drainage resolutions [adopted by the Common Council see pages 406 and 409, *ante*] were read, and were referred to the Board of Public Improvements.

The following motion was read, and the action of the Common Council thereon (see page 401, *ante*) was not concurred in :

That W. H. Drapier be, and is hereby, permitted to dig a sink under the sidewalk at the southeast corner of Virginia avenue and Bradshaw street, to be used only for the purpose of draining water out of the cellar, the work to be done at his own expense and under the direction of the City Civil Engineer.

The following motion was read, and the action of the Common Council thereon (see page 401, *ante*) was concurred in :

That the City Janitor be instructed to procure a movable lamp, with proper hose connections, for the use of the reporter's table.

The following motions (adopted by the Common Council—see pages 400, 401, 404, 405, 408, and 409, *ante*) were read, and were severally concurrently adopted :

That Samuel M. Patten be authorized to construct a bowldered drive-way across the south side of North street, east of East street, in front of his business place, at his own expense, in conformity to ordinance and under direction of the City Engineer.

That the Joint Committees on Office Fixtures and Supplies be, and are hereby, authorized to have a wood and glass screen constructed on the counter in the City Clerk's office. That the City Marshal notify owner of property to repair sidewalk in front of 143 east South street; and if not done within ten days from the service of the notice, the Street Commissioner is hereby directed to do the same at the expense of the owner.

That the City Marshal notify the owner of property to repair sidewalk and cellar door in front of 107 east Washington street; and if not done in ten days from the date of service of notice, the Street Commissioner is hereby directed to do the same at expense of owner.

That the City Marshal notify owner of property to repair sidewalk (and cellar door, if any) in front of 213 and 219 east Washington street; and if not done within ten days from the service of notice, the Street Commissioner is hereby directed to do the same at the expense of the owner.

That the City Marshal notify owner of property to repair sidewalk (and cellar door, if any) in front of 231 east Washington street; and if not done within ten days from the service of notice, the Street Commissioner is hereby directed to do the same at the expense of the owner.

That the City Marshal notify the Pittsburg, Cincinnati and St. Louis Railway Company to repair the sidewalk in front of their ground on Virginia avenue north of their freight depot; and if not done within ten days from the date of service of notice, the Street Commissioner is hereby directed to do the same at the expense of the company.

That the City Marshal notify the owner to repair or level sidewalk to correspond with grade, in front of 143 east Washington street; and if not done within ten days from the service of notice, the Street Commissioner is hereby directed to do the same at the expense of the owner.

That the City Marshal notify the owner of property to repair sidewalk and cellar door in front of 109 east Washington street; and if the same is not done within ten days from the service of notice, the Street Commissioner is hereby directed to repair the same at the expense of the owner.

That the City Marshal notify the owner of property to repair sidewalk and cellar door in front of 141 east Washington street; and if not done within ten days from the service of notice, the Street Commissioner is hereby directed to repair the same at the expense of the owner.

That the City Marshal be instructed to notify the owners of lots fronting upon Illinois street, between Tenth street and Twelfth street, to clean off the dirt upon the sidewalks in front of their lots; and upon the failure of any lot owner to remove said dirt from said sidewalks within ten days after receiving notice to do so, the Street Commissioner shall, and is hereby, directed to clean said sidewalks at the expense of property owners.

That the Street Commissioner be instructed to cut grass out of gutters, and fill chuck-holes, on Woodlawn avenue, from Dillon street to Spruce street.

That the City Marshal be instructed to notify the owner or owners of the property on south Illinois street, (east side,) from the corner of Maryland street north four business houses, to re-lay with new brick the sidewalk in front thereof; and if not done within ten (10) days, that the Street Commissioner be instructed to do the work at the said owner or owners' expense.

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

- G. O. 33, 1880—An Ordinance regulating the removal of Garbage, Slops and Waste Matter from the corporate limits of the city of Indianapolis, and providing certain Penalties for a violation thereof by owners, agents and occupants of property, and the person or persons who shall receive the contract hereunder.
- S. O. 39, 1880—An Ordinance to provide for grading and bowldering the gutters, and curbing with stone the outer edge of the sidewalks (where not already bowldered and curbed,) of Virginia avenue, from Washington street to its southern terminus.
- S. O. 77, 1880—An Ordinance to provide for grading, and paving with brick, the sidewalks of Louisiana street, from East street to Virginia avenue.
- S. O. 98, 1880—An ordinance to provide for grading and graveling the first alley south of Prospect street, from Olive street to Laurel street.
- S. O. 125, 1880—An Ordinance to provide for the improvement of Tennessee street, from Seventh street to Twelfth street, by grading and graveling the roadway, and bowldering the gutters thereof.
- S. O. 126, 1880—An Ordinance to provide for improving Massachusetts avenue, from New Jersey street to the intersection of Clifford avenue, by removing the bowlders forty (40) feet in the center of the street, and graveling the same with raker river gravel.
- S. O. 127, 1880—An Ordinance to provide for grading and bowldering the north gutter of South street, from Virginia avenue to New Jersey street.
- S. O. 128, 1880—An Ordinance to provide for grading and graveling the first alley east of Virginia avenue, from Grove street to Elk street.
- Ap. 0. 54, 1880—An Ordinance appropriating the sum of Ten Tousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

Alderman Hamilton presented the following remonstrance, which, ether with S. O. 126, 1880, was referred to the Committee on Streets and Alleys :

#### Indianapolis, August 18th, 1880.

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

Gentlemen:—The undersigned, owners of real estate fronting on Massachusetts avenue, between New Jersey street and Clifford avenue, respectfully remonstrate against the passage of an ordinance providing for the removal of the bowlders from the center of Massachusetts avenue, between the above mentioned streets, and replacing them with gravel.

We give the following reasons in brief: 1. The avenue has been recently bowldered at a heavy expense. 2. The avenue is now sound and solid, and does not need the proposed repairs. 3. The bowlders now down afford a street almost free from mud and dust, and constitute the best possible pavement for heavy traffic. 4. In short, we regard the proposed change as useless and wholly uncalled for, and an extortion from us.

And your petitioners will ever pray, etc.

D. E. Brown, H. W. Brown, owners 475 feet; T. A. Hendricks, 176 feet; S. E. Butler, 175 feet; Mary Baker, 40 feet; Sarah E. Fowler, 30 feet; Joseph Kingham, 52 feet; Agnes M. C. Brown, 28<sup>7</sup>/<sub>7</sub> feet; Aug. Schmidt, 75 feet; Henry Bertelsmann, Chas. Bertelsmann, 133 feet; Eliza-

beth Kettenbach, 74 feet; Johanna Kessler, 18 feet; Austin Ballard, 84 feet; Mary A. Heizer, 50 feet; L. V. Hutchison, 45 feet; S. W. Morgan, 67½ feet; Mrs. Z. G. Wallace, 117 feet; D. J. Stiles, 35 feet I think; Jno. R. Marot, 129 feet; John Coburn, 127 feet (by authority of Mrs. Coburn); Fred Schrader, 40 feet.

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### MISCELLANEOUS.

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

7 That the Mayor, Common Council, Board of Aldermen and city officers participate in the meeting of citizens, to be held to-morrow morning at the Grand Hotel, to arrange for a reception to Raper Commandery Knights Templar on their return from Chicago with the prize sword and banner given them as victors in the grand drill over all competitors, and also in the reception when the time and place therefor shall have been arranged.

That the Street Commissioner fill the chuck-holes on North street, between Illinois and Tennessee streets.

Alderman Grubbs offered the following motion; which was adopted;

That the City Marshal notify the owners of the building known as "Thorpe's Block," to guard the basement entrances to said block on Court street, as required by city ordinance.

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

That the Board of Public Improvements report as to the advisability of filling up the Illinois street tunnel, and using the stone and iron for construction of bridges.

That the Board of Public Improvements, with the Street Commissioner, hunt up the old road roller "Romeo," and roll him up and down upon the gravel of north Tennessee street until such gravel is well packed. If on a fair trial they find that said roller will not work, then that they advertise the same for sale to the highest bidder, and report proceedings.

Alderman Hamilton moved to reconsider the vote by which this body, at its session held on August 4th, refused to concurrently adopt the following motion:

"That the Police Board and the Chief of Police be, and are hereby, directed to instruct the police officers to strictly enforce the ordinance providing for the licensing of dogs."

Which motion to reconsider was adopted by the following vote:

AYES, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

NAYS-None.

# Journal of Board of Aldermen.

The above motion was then concurrently adopted.

Alderman Layman offered the following motion; which was adopted :

That the City Attorney be requested to examine the titles of the property known as "University Square," and report to this body the lawful owners of the same.

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

Ap. 0. 54, 1880—An Ordinance appropriating the sum of Ten Thousand Dollars, on account of Street-Repairs Department of the City of Indianapolis.

And it was passed by the following vote :

Aves, 6-viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, and Newman.

NAYS-None.

On motion, the Board of Aldermen then adjourned.

XIII VMAN, President pro tem. T. BREUNIG, Clerk. Attest