

PROCEEDINGS
OF THE
BOARD OF ALDERMEN.

ADJOURNED CALLED SESSION.

CHAMBER OF THE BOARD OF ALDERMEN
OF THE CITY OF INDIANAPOLIS, }
Tuesday, September 25th, 1877—8 o'clock P. M. }

The Board of Aldermen met, pursuant to adjournment.

Present at roll-call—His Honor, the President, H. C. Newcomb, in the chair, and Aldermen Coburn, Foster, Krug, McGill, Stratford, Wallace, and Wiles—8. Appeared subsequently—Alderman Chandler—1. Total present—9.

Absent during entire session—Aldermen Snider—1.

SPECIAL ORDER.

The President stated that the object of this adjourned called session was to receive and consider a report from the Fire Board, etc., in answer to the resolution of inquiry on page 208, *ante*.

Report from Fire Board in answer to the clauses of aforesaid resolution, as published in Council Proceedings, page 444, was read for information, and then, on motion of Alderman Wiles, action on the same was postponed for the present.

The following message from the Common Council was duly received, and the amendatory action of said body, as set forth in such message, was approved :

Indianapolis, September 25, 1877.

To the President and Board of Aldermen :

Gentlemen :—At the adjourned called session of the Common Council, held September 24th, 1877, said body amended your recommendation for the appointment of three Councilmen to serve on joint committee "to confer with the Water-Works Company regarding the further supply of water to the city by said company," by increasing the number of Councilmen to five, making the Council membership of said committee to consist of its Committee on Water-Works and Councilmen Byram and Walker. Your resolution, thus amended, was then concurred in.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

REPORTS FROM COMMITTEES.

The Committee on Printing, Stationery, and Advertising, through Alderman Foster, submitted the following report; and the recommendation given in same, with the action of the Common Council, in awarding said contract, were duly concurred in :

Indianapolis, September 25, 1877.

To the President and Board of Aldermen :

Gentlemen :—Your Committee on Printing, etc., to whom was referred the report of a like committee of the Common Council, through which the contract for preparing "An Indexical Digest of the Proceedings of the Common Council for the year 1876-77," was awarded to Geo. H. Fleming, of the City Clerk's Office, have given this matter due consideration, and do now report as follows :

1. That some kind of an index has been prepared and printed for the bound volumes of the Proceedings of the Common Council, each and every year, for at least the past fifteen years.

2. That an index or digest to the proceedings of legislative bodies are a great convenience and actual necessity.

3. That Mr. Fleming conceived and prepared the first "Index and Digest" to the Council Proceedings for the year 1871 2; that he is peculiarly competent for such work, and is heartily endorsed by the City Attorneys and City Clerks who have used said index.

4. That until Mr. Fleming was awarded this work for the year 1871 2, the prices paid for preparing indexes had ranged from \$2.27 to \$3 85 per page; and that, since said year, as high as \$2.04 and \$2.50 per page had been allowed and paid.

5. That Mr. Fleming's charge per page, for so complete and careful work as we are well assured he will execute, is especially reasonable and cheap.

We, therefore, recommend that the Board of Aldermen concur in the action of the Common Council, in approving the recommendation of its Committee on Printing, etc., and in awarding the aforesaid contract to Geo. H. Fleming.

Respectfully submitted,

R. S. FOSTER.

I. W. STRATFORD,

W. D. WILES,

Committee on Printing, etc.

The Committee on Gas-Light, through Alderman Wallace, submitted the following report; which was concurred in :

To the Board of Aldermen :

The undersigned Committee on Gas-Light, to whom was referred matter of conference with Gas Company, beg leave to report that, with a view to an adjustment of such matters in controversy between the city and said company, the Civil Engineer, under the supervision of the Gas Committees of the Common Council and Board of Aldermen, first determine, by a careful examination and survey, the number of gas-lamps, the lighting of which can be dispensed with by the city without detriment to the public, or to any particular portion of the city, and report the number and location to this body and Council.

WM. WALLACE,

H. COBURN,

Committee on Gas-Light.

MESSAGE FROM THE COMMON COUNCIL.

The following message from the Common Council was received :

Indianapolis, September 25, 1877.

To the President and Board of Aldermen :

Gentlemen:—I herewith transmit certain papers, favorably passed on by Common Council at its called session of September 20th, 1877, and at its adjourned called session of September 24th, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Motion, to authorize the Chief Fire Engineer and City Civil Engineer, in case the Water-Works Company should cut off the supply of water for fire purposes, to put in driven wells at the various engine houses not supplied with water [see Council Proceedings, page 442], was read, and, on motion, action on same was postponed for the present.

Motion, to instruct the City Marshal to notify John Ford not to move or interfere with any property or building situate on the West Market Space [see Council Proceedings, page 443], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Alderman Chandler appeared, and took his seat.

Motion, to instruct the Street Commissioner to clean and repair the east gutter on Mississippi street, from Michigan to North street [see Council Proceedings, page 448], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Alderman Stratford preferred the following charges against Leander A. Fulmer, Street Commissioner :

To the President and Board of Aldermen :

The undersigned herewith presents the following charges and specifications against Leander A. Fulmer, an officer elected by a Joint Convention of the Common Council and Board of Aldermen, as Street Commissioner :

GENERAL CHARGE.

That the said Leander A. Fulmer, has, been guilty of dishonesty and corruption in office, in this, to-wit:

Specification 1st. That on the—day of——, 1877, the said Leander A. Fulmer, as Street Commissioner, did unlawfully certify to a bill of Cary A. McFarland for thirty three dollars and twenty-five cents more than was due him, stating to said McFarland that he had paid that amount out of his own funds to James Childers, and wanted the above amount to reimburse himself (as verified by the accompanying affidavit of Cary A. McFarland), and which was untrue (as verified by the affidavit of James Childers); and that the said Leander A. Fulmer demanded and received of said McFarland the above sum of thirty-three dollars and twenty-five cents (\$33.25), and dishonestly and corruptly appropriate the same to his own use.

Specification 2d. That the said Leander A. Fulmer did, at divers other times, corruptly and dishonestly certify to wrongful and unjust bills of the said Cary McFarland and other persons, for the purpose of abstracting money from the City Treasury for his own use, without the warrant of law.

Specification 3d. That the said Leander A. Fulmer did, on the—day of——, 1877, and at other times, give to James Childers orders to get boulders from the Southern Park, which boulders belonged to the City of Indianapolis (and which orders are or were in the hands of Wm. H. Tucker, Councilman from the 20th ward), for the repairing of streets; that he did, knowingly and dishonestly, buy the same boulders from the said Childers, and pay him the full value of them, to-wit: \$1.50 per load, thereby taking from the City Treasury, dishonestly, for his own benefit or that of some other person, money belonging to the City of Indianapolis.

Specification 4th. That on the—day of——, 1877, the said Leander A. Fulmer, as Street Commissioner, made a report to the Common Council, purporting to show the amount of money received and the amount outstanding for the sale of dirt scraped from the streets; that he did not report the whole amount received, but corruptly and dishonestly withheld moneys collected and rightly belonging to the City of Indianapolis, as will be clearly shown by investigation.

Specification 5th. That, in the month of December, 1876, during the last week before Christmas, the said Leander A. Fulmer had one George Cox employed as carpenter for the city; that said Cox, during that week, by the direction of said Street Commissioner Fulmer, worked two and one-half or three days on Christmas trees and toys, etc., for said Fulmer's family, and that said Fulmer, as Street Commissioner, certified that the said Cox had worked that week six days for the City of Indianapolis, and that Cox drew from the City Treasury for that week's work twelve dollars—two dollars per day.

(Signed)

I. W. STRATFORD,

Alderman 5th District.

State of Indiana, County of Marion, and City of Indianapolis, sct. :

I, Cary A. McFarland, on my oath, say that, on the — day of —, 1877, Leander A. Fulmer did certify to a bill of Cary A. McFarland, for bow -

ders furnished said Fulmer, as Street Commissioner, to the amount of thirty-three dollars and twenty five cents (\$33.25), more than was due me (Cary A. McFarland), the said Leander A. Fulmer stating that he (said Fulmer) had paid James Childers the above amount out of his own funds, and that he wished to reimburse himself thereby, and that I drew the above amount of the City Treasurer. That I, Cary A. McFarland, paid over to said Leander A. Fulmer the above amount (\$33.25), and that I drew, on certified bills, from said Leander A. Fulmer, on two other occasions previous to this, the exact date of which I can not remember. On the first occasion, the amount was \$7 50, and on the second \$9, both of which I paid said Leander A. Fulmer.

CARY A. MCFARLAND. [SEAL.]

Subscribed and sworn to before me, John L. F. Steeg, a Notary Public, this 24th day of September, 1877.

[SEAL.]

JOHN L. F. STEEG, Notary Public.

State of Indiana, County of Marion, City of Indianapolis, sct. :

I, James P. Childers, being duly sworn on oath, say that I reside at No 102 Hosbrook street, in said city, county, and State. That I am personally acquainted with Leander A. Fulmer, Street Commissioner of said city, and also with Cary A. McFarland, an employee of said Fulmer, as said Street Commissioner, and that said Fulmer never paid me any money personally, on any account whatever.

JAMES P. CHILDERS [SEAL]

Subscribed and sworn to before me, this 24th day of September, 1877.

JOHN L. F. STEGG,

[SEAL.]

Notary Public.

The same gentleman offered the following motion; which was adopted:

Moved, That the chair appoint a committee of three, and the Council are requested to appoint a like number, and fix the time and place for holding such investigation.

The President appointed Aldermen Wallace, McGill, and Coburn as the Aldermanic committee to investigate preceding charges.

On motion, the Board of Aldermen then adjourned.

H. C. NEWCOMB, President.

Attest:

GEO. T. BREUNIG,

Clerk of Board of Aldermen.