

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—OCTOBER 7, 1878.

The Common Council of the City of Indianapolis met in its Council Chamber, on Monday evening, October 7th, A. D. 1878, at half-past seven o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and the following members: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright—19.

ABSENT—Councilmen Brown, Layman, O'Brien, Reading, Rodibaugh, and Steeg—6.

Sealed proposals for making the below-described improvements [under the provisions of the special ordinances noted before the several descriptions], were opened and read by the City Clerk, and were then referred to the Committee on Contracts:

- S. O. 37, 1878—Improving Hoyt avenue, from Dillon street to Linden street, by grading, and paving with brick, the sidewalks thereof.
- S. O. 45, 1878—Improving the south sidewalk of Michigan street, from Meridian street to Pennsylvania street, by grading, and paving the same with brick.
- S. O. 46, 1878—Improving the alley between Delaware and Pennsylvania streets, from Home avenue to King street, by grading and graveling.
- S. O. 47, 1878—Improving the first alley south of Elizabeth street, from Blake street to Douglass street, by grading and graveling.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, presented the following petition; which was referred to the Judiciary Committee and the City Attorney:

To the Mayor and Council of Indianapolis:

Mrs. Mary Graney, widow of the late Dennis Graney, is in debt to the City of Indianapolis, for delinquent taxes on lot No. 8, out-lot 90, valued at \$750. The lot is taxed in the name of Michael Toohey. The delinquency is \$55.82. She asks to be relieved from the payment of said taxes, as provided by law.

The attention of the proper officers is respectfully called to the facts in the case,

with a petition that she be relieved from said delinquency. I have been requested by her to call your attention to the facts, as she is unable to pay a lawyer for such services.

October 7, 1878.

T. A. GOODWIN.

Also, introduced the following entitled ordinance; which was read the first time:

G. O. 49, 1878—An Ordinance authorizing the corporation entitled The Indianapolis Street Railway Company to construct and operate its lines in and upon the streets and alleys of the City of Indianapolis.

Councilman Marsee moved to refer foregoing ordinance to the Council and Aldermanic Committees on Railroads, the Judiciary Committees, and the City Attorney; upon which motion, the "ayes and nays" were demanded, and the Council refused to make such reference by the following vote:

AYES, 8—viz.: Councilmen Anderson, Bermann, Cummings, Marsee, Morse, McKay, Off, and Reasner.

NAYS, 10—viz.: Councilmen Bruner, Dill, Maus, Morris, McGinty, Showalter, Sindlinger, Walker, Wiese, and Wright.

Councilman Wright then offered the following motion; which was duly adopted:

That General Ordinance 49, 1878, be referred to a special committee, and that the Mayor select three Councilmen and the Board of Aldermen be requested to select two members of its body, who, with the City Attorney, shall constitute said committee.

And His Honor, the Mayor, appointed Councilmen Wright, Morris, and Wiese as the Council members of aforesaid select committee.

Instructions were given said select committee to report the ordinance back to the Common Council at its next meeting.

APPROPRIATION ORDINANCES.

On Councilman Cummings's motion, the order of business was suspended, for the purpose of introducing and passing the Appropriation Ordinances, by the following vote:

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinances were then introduced, and severally read the first time:

Ap. O. 62, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

Ap. O. 63, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

Ap. O. 64, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

Ap. O. 65, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Ap. O. 66, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Advertising, and Stationery.

This being the regular appropriation night, the foregoing Appropriation Ordinances were now read the second time, and were severally ordered to be engrossed.

The following entitled ordinance was then read the third time :

Ap. O. 62, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,128.34.]

And was passed by the following vote :

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 63, 1878—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, \$953.57.]

And was passed by the following vote :

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 64, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$118.68.]

And was passed by the following vote :

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 65, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$7,846.89.]

And was passed by the following vote :

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 66, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$325.62.]

And was passed by the following vote :

AYES, 18—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Walker, Wiese, and Wright.

NAYS—None.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was duly approved :

To the Mayor and Common Council:

Gentlemen:—I herewith report the following estimate:

A third and final estimate in behalf of Anderson Bruner, for constructing a brick sewer from the east line of the Central Station House, in and along Pearl street, to the first alley east of Delaware street; thence, south, in and along said alley, to Maryland street; thence, west, in and along Maryland street, to connect with the Virginia avenue sewer—

969.75 lineal feet, at \$1.30.....	\$1,260 67
6 manholes, at \$20.....	120 00
12 house-connections, at 50 cents.....	6 00
2 catch-basins, at \$40.....	80 00
Total.....	\$1,466 67
Less former estimate.....	1,366 67
Present estimate.....	\$100 00

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution was then read :

Resolved by the Common Council and Board of Aldermen, That the foregoing third and final estimate, allowed Anderson Bruner for constructing a brick sewer

from the east line of the Central Station House, in and along Pearl street, to the first alley east of Delaware street; thence, south, in and along said alley to Maryland street; thence, west, in and along Maryland street, to connect with the Virginia avenue sewer, 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 was adopted by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The same officer also submitted the following report; which was duly approved :

To the Mayor and Common Council :

Gentlemen :—I herewith report the following estimates :

A first and final estimate in behalf of Fred. Gansberg, for grading and graveling Butler street and sidewalks (where not already improved), from Central avenue to College avenue—

2266 lineal feet of street, at 25 cents.....	\$566 50
1681.25 lineal feet of sidewalk, at 12 cents.....	201 75
Total estimate.....	<u>\$768 25</u>

Also, a first and final estimate in behalf of Thomas Niland, for grading and graveling the first alley south of South street, between Missouri and Mississippi streets—

840 lineal feet, at 13 cents	\$109 20
------------------------------------	----------

Respectfully submitted,
R. M. PATTERSON, City Civil Engineer.

The following estimate resolution was then read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed Fred. Gansberg, for grading and graveling Butler street and sidewalks (where not already improved), from Central avenue to College avenue, 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 was adopted by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed Thomas Niland, for grading and graveling

the first alley south of South street, between Missouri and Mississippi streets, 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 was adopted by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The City Clerk submitted the following report; which was duly received :

To the Mayor and Common Council :

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

James Mahoney vs. Daniel Metzger, for.....	\$8 05
James Mahoney vs. Caroline Morris, for.....	25 30
James Mahoney vs. Christian Karle, Jr., and George J. Rosebrock's heirs, viz.: Maria Thees, and C. H. Thees, her husband, Joachim Henry Rosebrock, Herman H. Rosebrock, J. Frederick Rosebrock, and C. Henry Rosebrock, for.....	8 19
Samuel W. Patterson vs. John S. Hall, for.....	24 50
David A. Haywood vs. August Mueller, for.....	78 70
Fred. Gansberg vs. John C. Brush, for.....	78 65
David A. Haywood vs. Hannah A. Free, for.....	35 19

and recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

And the precepts, therein recommended, were ordered to be issued by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Dill, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Reasner, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The same officer submitted the following reports; which were severally referred to the Committees on Finance of the Common Council and Board of Aldermen, for joint examination :

To the Mayor and Common Council :

Gentlemen :—I herewith submit an itemized statement of the amount of orders issued on the City Treasurer, during the month of September, 1878 :

Board of Health.....	\$ 100 00
City Assessor's Department	278 50
City Civil Engineer's Department.....	150 95
City Hospital and Branch.....	788 15
City Dispensary.....	166 66
Coal Oil Light.....	363 35
Fire Department.....	9,031 65
Fountains	3 00

Gas.....	\$ 5,765 39
Gregg Bequest.....	143 07
Ice.....	12 00
Incidentals.....	48 75
Markets.....	3 50
Market-Masters' Fees.....	144 18
Office fixtures.....	38 23
Parks.....	132 00
Police.....	3,569 57
Posting bills.....	19 80
Printing, Stationery, and Advertising.....	399 68
Salary.....	62 00
Station Houses.....	117 03
Street improvements.....	686 68
Street repairs.....	2,650 54
Taxes refunded.....	33 60
Water rent.....	6,251 50
	<hr/>
	\$30,959 78
School Fund.....	127,187 82
	<hr/>
Total.....	\$158,097 60

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

Report of Wm. M. Wiles, City Treasurer, for the month of September, 1878, 1st to 30th, inclusive:

RECEIPTS.

Balance on hand August 31, 1878, as per report.....	\$202,980 31
From delinquent taxes.....	5,339 85
From benefits.....	20 00
From auction licenses.....	30 00
From dog licenses.....	52 50
From dray licenses.....	17 00
From express licenses.....	60 00
From fines (City Court).....	52 91
From hack licenses.....	66 00
From market fees.....	285 96
From market rents.....	582 35
From peddlers' licenses.....	10 00
From promiscuous.....	218 04
From show licenses.....	85 00
From tapping sewers.....	20 00
	<hr/>
	\$209,819 92

DISBURSEMENTS.

For Fire Department.....	\$ 9,059 48
For Police.....	3,595 82
For street repairs.....	2,406 88
For City Hospital and Branch.....	746 15
For Civil Engineer's Department.....	150 95
For City Assessor's Department.....	278 50
For Board of Health.....	25 00
For City Dispensary.....	166 66

For coal oil light.....	\$ 363 35
For damages	25 00
For elections	10 50
For fountains	3 00
For gas	5,765 39
For Gregg Bequest.....	143 07
For ice	12 00
For incidentals.....	48 75
For markets	3 50
For Market-Masters' fees.....	95 28
For office fixtures	39 23
For parks.....	132 00
For percentage	1,941 36
For posting bills.....	19 80
For printing, stationery, and advertising	399 68
For salary.....	137 00
For school fund.....	127,137 82
For Station House.....	158 71
For street improvements.....	686 68
For taxes refunded	28 00
For water rent.....	6,251 50
Balance on hand	\$49,988 86
	<hr/>
	\$209,819 92

TOMLINSON ESTATE.

Balance on hand, August 31, 1878, as per report.....	\$ 17,490 34
From rents collected.....	179 00
	<hr/>
	\$ 17,669 34
	<hr/>
Balance on hand	17,669 34
	<hr/>
	\$ 17,669 34

Respectfully submitted,

WM. M. WILES, City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

The same officer presented the following communication; which was duly received:

OFFICE OF THE BOARD OF SCHOOL COMMISSIONERS }
OF THE CITY OF INDIANAPOLIS, }
Indianapolis, Ind., Sept. 23, 1878. }

Hon. BENJ. C. WRIGHT, City Clerk.

Dear Sir :—At a meeting of the Board of School Commissioners, held on September 6th, 1878, the following resolution was unanimously adopted:

Resolved, That the tax-levy for 1878 and 1879 be adopted and established as follows:

For tuition purposes.....	8½ cents per \$100
For special fund.....	8 cents per 100
For library fund.....	8½ cents per 100

And that the President and Secretary be directed to certify the action of this Board to the City Clerk, and cause the same to be placed on the tax-duplicate, against all property assessed for city purposes.

W. A. BELL, President.
J. J. BINGHAM, Secretary.

The same officer presented the following communications; which were severally referred to the Council and Aldermanic Committees on Water-Works:

OFFICE OF THE WATER-WORKS COMPANY OF INDIANAPOLIS, }
Indianapolis, September 28, 1878. }

Ben. C. Wright, City Clerk, Indianapolis, Ind.:

Dear Sir:—I am instructed by the Board of Directors of this company, to acknowledge the receipt of your notice of August 14th, 1878, relating to the demand of the city for a re-adjustment of rates to be charged the City of Indianapolis for use of water, and to farther state that the Executive Committee of this company—viz., Mr. T. Edw'd Hambleton, Mr. E. D. Woodruff, and Mr. J. M. Dennison—have been fully empowered and authorized to meet any or all committees of the City Council, and adjust said matters, as per your notice above mentioned.

Very respectfully yours,

SIDNEY M. DYER, Secretary.

OFFICE OF THE WATER-WORKS COMPANY OF INDIANAPOLIS, }
Indianapolis, October 3, 1878. }

Benj. C. Wright, Esq., City Clerk, Indianapolis, Ind.:

Dear Sir:—The Board of Directors of this company, at a meeting held on the 28th day of September, 1878, passed the following resolution:

Resolved, That the Chief Engineer be ordered to place all hydrants in the city in the same condition and appearance as they were before the city ordered the cutting off of 80 hydrants; and that, as soon as the work is completed, the Secretary be instructed to notify the city authorities that all the hydrants in the city were in proper order for use.

In compliance with instructions as above, I hereby notify you that all of the 552 hydrants in the city are in good order and condition for use in extinguishment of fires, and request you to report the same to the Honorables, the City Councilmen and Board of Aldermen.

Very respectfully yours,

SIDNEY M. DYER, Secty. W. Works Co., Indianapolis.

The City Attorney submitted the following report; which was duly received:

Indianapolis, September 23, 1878.

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

Gentlemen:—I was directed to report by what authority the Indianapolis, Peru & Chicago Railway Company had put down their tracks across Christian avenue, and would report that I have examined the matter; that the contract between the company and city, recently entered into, does not prohibit the maintenance of a track across that avenue, and, therefore, that they have the right to maintain it there, subject, however, to the order and direction of the Council in relation to the grade, planking the crossing, etc.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

The same officer submitted the following report; which was duly received:

Indianapolis, September 23, 1878.

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

Gentlemen :—In compliance with the recommendation of the Board of Public Improvements, which was concurred in by your honorable bodies, I herewith report an ordinance in relation to the occupancy of Tennessee, Ohio, and Mississippi streets by the Board of State-House Commissioners, during the building of the new State House.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

The following entitled General Ordinance, transmitted with preceding report, was then read the first time :

G. O. 50, 1878—An Ordinance granting the Board of State-House Commissioners the right and privilege of occupying certain portions of Tennessee, Ohio, and Mississippi streets with building material.

The Superintendent of the City Hospital and Branch submitted the following report; which was duly received :

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

The following report of the City Hospital and Branch, for the month ending September 30th, 1878, is respectfully submitted :

NO. OF BEDS IN HOSPITAL—100.							
	First Week.	Second Week.	Third Week.	Fourth Week.	Two Days.	Total.	
Number of Patients at last report—adults.....	35	37	46	37	34	.....
Number of Patients at last report—infants.....	1	2	3	3	2	.....
Received New Patients adults.....	12	18	14	17	1	62	
Births, or Received—infants.....	1	1	1	...	1	4	
Discharged—adults.....	9	9	21	20	6	65	
Discharged—infants.....	...	...	1	1	...	2
Died—adults.....	1	...	2	...	2	5	
Died—infants.....	...	...	...	...	...	.....
Number of Patients remaining—adults.....	37	46	37	34	27	.....
Number of Patients remaining—infants.....	2	3	3	2	3	.....
Number of Patients in Branch—adults.....	...	...	...	...	...	.....
Number of Patients in Branch—infants.....	...	...	...	...	...	.....
Aggregate No. of days of Patients in Hospital—adults.....	256	301	299	292	68	1196	
Aggregate No. of days of Patients in Hospital—infants.....	10	17	23	17	6	73	
Total expenditures for month.....						\$953	57
Cash collected, and paid to City Treasurer.....						...	14 00
Net expenditures for the month.....						939	57
Aggregate number of days subsistence furnished.....						1769	
Average expense per capita per diem.....						53.9	cents.

W. H. DAVIS, Superintendent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Hospital Board submitted the following report; and the recommendation, therein contained, was duly concurred in:

To the Common Council:

Your Board, to whom was referred a motion to grant Mrs. J. Butsch the right-of-way to lay a switch through certain city property, would recommend that the right she asks, according to the stakes now set, be not granted, as it would be very detrimental to the Pest-House property, through which the right is asked.

But we would recommend that she be granted the right-of-way, thirteen feet in width, for such switch, running on a line just east of two elm trees, one of which is just inside the north line of the Pest-House fence; the other just outside of the east line of the Pest-House fence; *provided* a complete fill shall be made along the line of the Pest-House property, and that she move and re-locate the fence on a line with the two elm trees mentioned above, and that the City Attorney prepare an ordinance in accordance with above.

Respectfully,

T. E. CHANDLER,
I. C. WALKER,
J. B. DILL.

The Board of Health submitted the following report; which was duly received:

Deaths registered during the three weeks ending October 5th, 1878:

Under 1 year	24
1 to 2 years	6
2 to 3 "	2
3 to 4 "	0
4 to 5 "	0
5 to 10 "	4
10 to 20 "	8
20 to 30 "	10
30 to 40 "	7
40 to 50 "	12
50 to 60 "	10
60 to 70 "	3
70 to 80 "	3
80 to 90 "	0
90 to 100 "	0
Above 100 "	0
Unknown	0
Total	89

HENRY JAMESON, M. D., President.
JOSEPH W. MARSEE, M. D.
WILLIAM WANDS, M. D., Secretary.

The Board of Public Improvements, through President McKay, submitted the following report; which was duly approved:

To the Mayor and Common Council:

Gentlemen:—We herewith report the expenses of the Street-Repair Department, for the month of September, 1878, together with the total expenses for the year, to October 1st, 1878:

Vajen, New & Co., hardware.....	\$24 50
Clemens Vonnegut, hardware.....	18 68
Ike King, blacksmithing	32 40
D. B. McDonough, cement pipe.....	11 93
Augustus Bruner, sand.....	56 90
T. B. Smith, lumber.....	223 47
L. E. Morrison, rubber boots.....	8 00
L. C. & L. R. R. Co., freight.....	38 40
Samuel Patterson, gravel.....	30 00
William Earls, sand.....	1 28
Pay-Rolls.....	2,204 98
<hr/>	
Total expenses for September	\$2,650 54
Total expenses last report.....	10,747 09
<hr/>	
Total expenses to October 1st, 1878..	\$13,397 63

Respectfully submitted,

M. H. MCKAY,
JOHN L. MARSEE,
H. COBURN,
Board of Public Improvements.
L. A. FULMER, Street Commissioner.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Benevolence and Hospitals, through Councilman Walker, presented the following report; which was duly received:

Report of the City Dispensary for September, 1878.

Number of visits made in District "North"	145
Number of visits made in District "South"	128
Number of patients prescribed for at Dispensary	498
Number of surgical cases.....	94
Number of prescriptions filled	1066
Number of vaccinations	6
Number of teeth extracted	12
Number of births.....	0
Number of deaths.....	4

Respectfully submitted,

OTTO E. MUELLER, Ph. G.

On Councilman Cummings's motion, the Common Council then adjourned until Monday evening next, October 14th, at the usual hour.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.