

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—DECEMBER 17, 1879.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, December 17th, A. D. 1879, at seven o'clock, in regular session.

PRESENT—His Honor, the President, J. M. Ridenour, in the Chair, and Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, and Seibert—8.

ABSENT—Aldermen Drew and Grubbs—2.

The proceedings of the Board of Aldermen, for the regular session, held on December 3d, 1879, and for the special session, held on December 6th, 1879, 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 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, December 15th, 1879, for your action upon same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the City Civil Engineer was read; and this body concurred in the action of the Common Council [see pages 729 and 730, *ante*] in receiving the report, and in approving the accompanying estimates:

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

Gentlemen:—I herewith report the following estimates:

A first and final estimate in behalf of James Mahoney, for grading and graveling the first alley east of Virginia avenue, from Elk street to Dillon street—

474 lineal feet, at 13½ cents..... \$ 63 99

A first and final estimate in behalf of James Mahoney, for grading and graveling the first alley north of Woodlawn avenue, from Dillon street to Olive street—
880 lineal feet, at 14 cents..... \$ 123 20

A first and final estimate in behalf of E. B. Elliott, for grading, and paving with brick (except where already paved), the west sidewalk of Noble street, from Fletcher avenue to Huron street—
160 lineal feet, at 29 cents. \$ 46 40

A first and final estimate in behalf of Fred. Gansberg, for grading and graveling Shelby street, from the southern terminus of Virginia avenue to Colgrove street—
10,417.16 lineal feet, at 53 cents:..... \$5,521 09
Repairing sidewalks..... 60 00
Rip-rap wall at creek..... 5 00
Total estimate..... \$5,586 09

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution [which had been adopted by the Common Council—see page 730, *ante*] was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the foregoing first and final estimate, in behalf of James Mahoney, for grading and graveling the first alley east of Virginia avenue, from Elk street to Dillon 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 :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following estimate resolution [which had been adopted by the Common Council—see page 730, *ante*] was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the foregoing first and final estimate in behalf of James Mahoney, for grading and graveling the first alley north of Woodlawn avenue, from Dillon street to Olive 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 :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following estimate resolution [which had been adopted by the Common Council—see page 731, *ante*] was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the foregoing first and final estimate in behalf of E. B. Elliott, for grading, and paving with brick (except where already paved), the west sidewalk of Noble street, from Fletcher avenue to Huron 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 :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following estimate resolution [which had been adopted by the Common Council—see page 731, *ante*] was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the foregoing first and final estimate in behalf of Fred. Gansberg, for grading and graveling Shelby street, from the southern terminus of Virginia avenue to Colgrove 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 :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following report from the City Clerk was read :

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

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

| | |
|--|----------|
| David A. Haywood vs. Nava M. Allen, for..... | \$ 12 20 |
| David A. Haywood vs. Nava M. Allen, for..... | 12 20 |

and recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And this body concurred with the Common Council, in ordering the precepts to issue [see page 732, *ante*], by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following report from the City Clerk was received ; and this body concurred with the Common Council [see page 732, *ante*] in confirming such appointment :

Indianapolis, December 10, 1879.

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

Gentlemen:—In accordance with the provisions of General Ordinance No. 68, 1879, I have this day appointed Wm. C. Phipps as a deputy, to perform the duties required by said ordinance, and respectfully recommend that your honorable bodies confirm such appointment.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

Order of the Marion County Circuit Court, appointing City Commissioners [see pages 732 and 733, *ante*], was read and received.

The first clause in the report from the City Attorney [see page 733, *ante*] was read and received.

The following report from His Honor, the Mayor, was read; and this body concurred with the Common Council in approving same [see page 734, *ante*]:

Indianapolis, December 15, 1879.

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

Gentlemen:—The amount of fines collected by me during the month of November, 1879, due the city treasury, was \$42.30; which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

The following report and resolutions from the Fire Board and Water Committees were read; and this body concurred with the Common Council in approving the report [see page 735, *ante*]:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Joint Committees on Water, together with the Fire Board and Chief of Fire Department, at a joint meeting held December 13th, 1879, to examine into the further extension of water mains, would most respectfully recommend the passage of the following resolutions:

Resolved, 1st. That no further extension of water mains be ordered, unless it be understood that the city take but one fire-plug on an average of 1,000 feet to each plug.

2d. That the Water-Works Company be, and are hereby, directed and ordered to lay water mains, with not less than 6 inch pipe, on the following routes (fire-plugs to be put in on an average of 1,000 feet apart):

Route No. 1.—From corner Nebraska street and Madison avenue, thence east to East street, thence north on East to Coburn and East streets, connecting with East street main.

Route No. 2.—From corner of Tennessee and Seventh (7th) streets, thence west on Seventh to Tile Works—one plug only on this route.

The above plugs to be located by Chief of Fire Department.

Most respectfully submitted,

James T. Layman,
W. H. Tucker,
John R. Pearson,
Fire Board.
John G. Pendergast,
Chief Fire Engineer.

T. E. Chandler,
Henry Coburn,
Hiram Seibert,
M. H. McKay,
M. L. Brown,
Committees on Water.

And the resolutions were concurrently adopted by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following clauses in the report of the Board of Public Improvements were read; and the favorable action of the Common Council thereon was approved [see pages 735 and 736, *ante*]:

First. Is a motion that the Street Commissioner fill the chuck-holes on Noble street, between Washington and Market streets.

We recommend the work be done.

Second. Is a motion that the Street Commissioner clean the west gutter of West street, from North to First street.

We recommend the work be done.

Third. Is a motion that the Street Commissioner clean the gutters on Chesapeake alley, between West street and the first alley east.

We recommend the work be done.

Report from the Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, from December 1st to 15th, 1879 [see page 737, *ante*], was read and received.

The following clauses in the report of the Committee on Finance were read:

2d. Are the reports of the City Clerk and Treasurer, setting forth the receipts and expenditures for the month of November.

By comparison with the books of these officials, we find their reports correct.

3d. Is a request from J. T. Magner, M. F. Connett, G. S. Wright, W. G. Wasson, L. A. Fulmer, Dr. W. Wands, W. E. Jeffries, and T. N. Watson, for telephonic connection with their respective offices.

We would recommend that, in view of the many valuable privileges granted by the city to the Telephone Company, they be requested to put the same up free of charge.

The favorable action of the Common Council on the 2d clause [see page 742, *ante*] was approved.

The 3d clause was referred to the Hospital Board, Police Board, and Dispensary Board.

The following report from the Committee on Judiciary [see pages 742 and 743, *ante*] was read; and referred to the Aldermanic Committee on Judiciary and City Attorney:

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

Gentlemen :—Your committee, to whom was referred sundry papers, report thereon as follows:

1st. The petition of Alfred and John C. S. Harrison, wherein they claim four hundred dollars against the city on account of the opening of Peru street.

Recommend the payment of three hundred and fifty dollars to petitioners, when they comply fully with the terms set forth in their petition.

2d. The petition of E. T. A. Akass, for seventy-eight dollars on account of horse and buggy breaking through defective bridge at Virginia avenue and Union tracks crossing.

Recommend that he be allowed the sum of sixty dollars on account thereof.

W. C. Lamb,
C. F. Rooker,
Jas. T. Dowling.
Committee on Judiciary.

The following report and motion from the Committee on Public Health were read; and the favorable action of the Common Council on such report [see page 743, *ante*] was approved, and the motion concurrently adopted:

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

Gentlemen.—Your Committee on Public Health respectfully submit the following motion, and recommend its passage.

F. J. Van Vorhis,
M. L. Brown,
W. H. Tucker,
Committee on Public Health.

Moved, That the Board of Health be, and they are hereby, instructed to see that all vaults that should be emptied be attended to, now, during the winter months.

Petition from John Gustin & Co. was read; and the favorable action of the Common Council [see page 747, *ante*] was approved.

The following motions [adopted by the Common Council] were read, and were concurrently adopted:

That a Committee of Conference, consisting of three members of the Common Council and three members of the Board of Aldermen, be appointed to reconcile the difference existing between the two bodies respecting Appropriation Ordinance No. 61, 1879, and that said committee be instructed to report at the next regular meeting of the Council.

That Robert P. Dunning and Jas. W. Hudson be, and they are hereby, granted sixty days' further time in which to complete their contract for improving Prospect street, from Dillon street to Reid street.

That the City Marshal be directed to notify the owner of the property on the northeast corner of Maryland and Illinois streets, to repair the sidewalk in front the aforesaid premises. Failure on the part of the owner of said premises to repair the sidewalk within ten (10) days, the Street Commissioner be then directed to repair the walk at the expense of the owner.

That the Street Commissioner be directed to notify owner of property No. 321 Indiana avenue to repair the sidewalk in front of his property. If not done within ten days after notice, the Street Commissioner be directed to repair the same, and collect the cost of same from the owner.

That the City Marshal be, and is hereby, instructed to notify the I. C. & L. R.R. Co. to re-plank the crossing of said railroad on North street.

That in view of the fact that fully one-half of the applicants for medical treatment at the City Dispensary are women, and that at present they can not consult, if they desire a woman physician, that the Board of City Dispensary be, and are hereby, instructed to permit Mrs. Dr. Haverfield to practice at the City Dispensary.

That the City Marshal be instructed to have General Ordinance No. 56 printed and posted in conspicuous places about the East and West Markets.

That the Street Commissioner notify the owner of property on southeast corner of Michigan and West streets to repair sidewalk, and place a new cellar-door at once, and if not done within ten days, such Commissioner is directed to do such work, and charge to the owner of such property.

The following motion [adopted by the Common Council—see page 747, *ante*] was read, and action thereon postponed :

That the Board of Public Improvements be, and are hereby, ordered to pay the street laborers the sum of \$1.25 per day.

The following motion [adopted by the Common Council—see page 749, *ante*] was read, and referred to the Committee on Ordinances :

Inasmuch as there are a great many persons hauling wood into this market in wagon-beds which do not conform to the ordinance regulating the sale of wood; Therefore,

Moved, That the City Wood-Measurers and the Police, together with the City Marshal, be, and are hereby, directed to enforce said ordinance.

The following entitled ordinances [passed by the Common Council] were read the first time :

- G. O. 56, 1879—An Ordinance to provide for the prevention of frauds in the sale of Grain, Hay, and Produce in the City of Indianapolis.
- G. O. 57, 1879—An Ordinance granting J. B. & G. A. Dickson a special license on account of "The Park Theatre."
- G. O. 63, 1879—An Ordinance to amend section 8 of an ordinance entitled "An Ordinance to establish a Dispensary in the City of Indianapolis, to be known as the City Dispensary, and to provide for the government and management thereof."
- S. O. 45, 1879—An Ordinance to provide for grading and graveling the second alley west of Noble street, from Lockerbie street to New York street.
- S. O. 57, 1879—An Ordinance to provide for grading and graveling (where not already improved), the sidewalks of Shelby street, from the southern terminus of Virginia avenue to Raymond street.
- Ap. O. 81, 1879—An Ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in favor of J. L. Spaulding.
- Ap. O. 82, 1879—An Ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments.

The following message was received :

To the President and Members of the Board of Aldermen :

Gentlemen :—At a regular session of the Board of Aldermen, held on Wednesday evening, December 15th, 1879, said body refused to concurrently adopt the following motion (adopted by your body December 3d, 1879), viz.:

“That the Joint Committees on Public Property be, and are hereby, authorized to purchase 250 trees. and to set out the same in Military Park, the cost for trees and setting not to exceed \$60.00.”

For the Common Council:

JOS. T. MAGNER, City Clerk.

On motion by Alderman Seibert, this body determined to adhere to its action of December 3d, 1879, in adopting such motion.

On motion by Alderman Layman, the rules were suspended by the following vote, for the purpose of placing the above entitled ordinances on their second and third reading and final passage, viz.:

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second time, and referred to the City Attorney :

G. O. 56, 1879—An ordinance to provide for the prevention of Frauds in the Sale of Flour, Hay, and Produce in the City of Indianapolis:

The following entitled ordinance was read the second time :

G. O. 57, 1879—An Ordinance granting J. B. & G. A. Dickson a special license on account of the “Park Theatre.”

Alderman Layman offered the following amendment; which was adopted :

Resolved, That section 1 be amended so as to read as follows: “For one year the sum of \$100; for six months, the sum of \$55; and for three months, the sum of \$30;” and by adding at the end of section 1 the following: “The City Clerk is hereby directed to date such license back to the commencement of the season, or expiration of old license.

The above entitled ordinance was then read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Seibert, and President Ridenour.

NAYS—None.

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

G. O. 63, 1879—An Ordinance to amend section 8 of an ordinance entitled “An Ordinance to establish a Dispensary in the City of Indianapolis, to be known as the City Dispensary, and to provide for the government and management thereof.

And it was passed by the following vote :

AYES, 6—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, and Seibert.

NAYS, 2—viz. Aldermen Piel and President Ridenour.

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

S. O. 45, 1879—An Ordinance to provide for grading and graveling the second alley west of Noble street, from Lockerbie street to New York street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

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

S. O. 57, 1879—An Ordinance to provide for grading and graveling (where not already improved), the sidewalks of Shelby street, from the southern terminus of Virginia avenue to Raymond street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 81, 1879—An Ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in favor of J. L. Spaulding. [Amount appropriated, \$102.64.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

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

Ap. O. 82, 1879—An Ordinance appropriating money for the payment of the Salaries and compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments. [Amount appropriated, \$27,600.50.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Alderman Coburn, submitted the following report:

To the President and Members of the Board of Aldermen of the City of Indianapolis:

Gentlemen.:—The Board of Public Improvements, to whom you referred sundry papers, make the following report thereon:

First. Is a motion that the "Board of Public Improvements be, and it is hereby, required to report at the next meeting, why the Street Commissioner has not repaired Chestnut street, between Madison avenue and Ray street, in compliance with favorable action taken on the subject last spring."

The "favorable action" above referred to was that the chuck-holes at the intersection of Chestnut and Ray streets be repaired by the Street Commissioner. The work was done long before the motion of Mr. Mussmann was introduced, and we deemed it of too little importance to make a report, as the cost of printing the same would about equal the cost of the repairs.

Second. Is a motion that the Board of Public Improvements be instructed to report upon the resolution referred to such Board November 19th, 1879, in relation to increasing the pay of street laborers to \$1.25 per day, at the next meeting of this body.

After carefully considering the instructions of the resolution, we are of the opinion that to increase the pay of laborers only would be making a discrimination that would be unjust to the other employes of the city, who we think are equally deserving of an increase in wages. Therefore we have advanced the pay of all of the employes of the city, from and after the 28th day of November, as follows, to-wit:—

| | Per day. |
|---------------------------------|----------|
| Foreman of dirt teams..... | \$ 2 00 |
| Foreman of scrapers..... | 2 00 |
| Foreman of chain-gang | 1 75 |
| Foreman of gutter-gang..... | 1 75 |
| Foreman of carpenter-gang | 1 75 |
| Foreman of gravel teams..... | 1 75 |
| Foreman of bowlder-gang..... | 2 10 |
| Foreman of sewer-gang | 2 75 |
| Sewermen..... | 1 75 |
| Bowldermen..... | 1 90 |
| “ | 1 60 |
| Carpenters..... | 1 50 |
| Teams, two-horse..... | 2 70 |
| Teams, one-horse | 2 00 |
| Laborers..... | 1 20 |

Very respectfully submitted,

M. H. McKay,
H. Coburn,
Board of Public Improvements.

Alderman Mussmann moved to refer the report back to said Board.

Alderman Layman moved as a substitute that the report be concurred in.

Which motion to concur was adopted by the following vote:

AYES, 5—viz. Aldermen Chandler, Coburn, Layman, Seibert, and President Ridenour.

NAYS, 3—viz. Aldermen Mussmann, Newman, and Piel.

On motion, this body then refused to concurrently adopt the resolution increasing pay of street laborers to \$1.25 per day [adopted by Council—see page 657, *ante*]; also, the motion on same subject [see page 747, *ante*].

REPORTS, ETC., FROM COMMITTEES.

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

To the Members of the Board of Aldermen of the City of Indianapolis:

Gentlemen:—Your Committee, to whom was referred the report of the Council Committee on Finance [see page 717, *ante*], offer the following report:

We have examined the report and papers relating thereto, and respectfully recommend that the same be concurred in.

Respectfully submitted,

James T. Layman,
T. E. Chandler,
D. Mussmann,
Committee on Finance.

MISCELLANEOUS.

Alderman Chandler offered the following motion; which was adopted:

That Ripley & White be allowed to construct a crossing over the sidewalk in front of their livery stable on West Washington street—said work to be done under the direction of the City Civil Engineer, and under existing ordinance.

PENDING ORDINANCES.

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

S. O. 60, 1879—An Ordinance to provide for curbing with stone the sidewalks, and bowldering the gutters (except where already curbed and bowldered), of Alabama street, from Washington street to Wabash street.

And it was passed by the following vote:

AYES, 8—viz. Aldermen Chandler, Coburn, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second time:

G. O. 30, 1879—An Ordinance to grant R. Frank Kennedy, J. Shellenberger, and J. W. Titus the right and privilege to build and construct a railroad switch on and across Dakota street, in the City of Indianapolis.

SIG. 69.

On motion by Alderman Piel, action upon above entitled ordinance was postponed until the persons named have complied with the order of this Board, of November 19th, 1879, page 675, *ante*.

By consent, President Ridenour offered the following motion; which was adopted:

That the City Marshal be directed to file complaint against any person or corporation who are using railroad tracks over or across any street or streets, sidewalk or sidewalks, alley or alleys of this city, placed there and maintained in violation of the ordinances of the city.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest: GEO. T. BREUNIG, Clerk.