

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—FEBRUARY 18, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, February 18th, A. D. 1880, at seven o'clock, in regular session.

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

ABSENT—Aldermen Chandler, and Grubbs—2.

The proceedings of the Board of Aldermen, for the regular sessions, held on January 21st, and February 4th, 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 and received :

To the President and Members of the Board of Aldermen :

Gentlemen:—The Common Council, at its regular session held on February 16th, 1880, determined to adhere to its action of January 19th, 1880, when said body passed G. O. 1, 1880, "An Ordinance respecting the erection of a Market, Hall, and City Offices on the east Market Place; appointing commissioners to advertise for and select plans, defining their duties, and appropriating money to defray the necessary expenses thereof;" thus disapproving your action of February 4th, when you failed to pass the said ordinance. I herewith return said ordinance for your further consideration and action.

For the Common Council,

Jos. T. MAGNER, City Clerk.

Alderman Piel moved that this body adhere to its action of February 4th, in refusing to pass said ordinance. Which motion was not adopted.

Alderman Coburn moved to refer the ordinance to a Committee of Conference, such committee to consist of three members from this body and three members from the Common Council. Which motion was adopted. Aldermen Coburn, Seibert, and Mussman were appointed, by the chair, as the Aldermanic members of such committee.

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

For the Common Council,

JOS. T. MAGNER, City Clerk.

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

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

Gentlemen:—The amount of forfeitures collected by me during the month of January, 1880, due the city treasury, is \$26.60, which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

February 16th, 1880.

J. CAVEN, Mayor.

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:

Fred. Gansberg vs. David Munson, for.....	\$ 20 14
Fred. Gansberg vs. David Munson, for.....	241 15
Robert P. Dunning and Jas. W. Hudson vs. Alexander Wand, for.....	55 44
Robert P. Dunning and Jas. W. Hudson vs. Alexander Wand, for.....	55 44
J. L. Spaulding vs. Simon S. Wiseman's heirs, viz: Martha J. Faulkner, Geo. W. Wiseman, Ervie J. Jones, Maggie A. Slusher, Simon R. Wiseman, and Walter F. Wiseman, for.....	17 00
J. L. Spaulding vs. Wm. C. Holms, for.....	31 50
J. L. Spaulding vs. Simon S. Wiseman's heirs, viz: Martha J. Faulkner, Geo. W. Wiseman, Ervie J. Jones, Maggie A. Slusher, Simon R. Wiseman, and Walter F. Wiseman, for.....	4 50
J. L. Spaulding vs. Edward Thomas's heirs, viz: Wm. S. Thomas, Jno. M. Thomas, Nelson Thomas, Francis H. Finley and Ida J. Finley, his wife; Edward Thomas; Robt. Thomas, Geo. Haverstick, Harry Haverstick, and Alex. Colvin, guar., John Colvin, Geo. Haverstick, guar. Sarah C. Haverstick, Ida May Haverstick, for.....	21 26

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And this body concurred in the action of the Common Council (see page 889, *ante*), in ordering the precepts to issue, by the following vote :

AYES, 7—viz. Aldermen Coburn, Drew, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following report from the City Attorney was read; and the action of the Common Council thereon (see page 889, *ante*), was concurred in :

Indianapolis, February 16th, 1880.

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

Gentlemen.:—I have to report that since your last meeting, the case of Sarah E. Milburn vs. The City, has been tried in the Superior Court, and resulted in a verdict for \$1,500.00.

This was an action for damages which plaintiff claims to have sustained by falling into an open cistern at the intersection of two streets just south of Greenlawn Cemetery.

I recommend that in the event that the motion for new trial is overruled, the case be appealed.

I also wish to report that in the case of Malittie Fontaine vs. The City, et. al., pending in the Circuit Court, the plaintiff has proposed to compromise so far as the city is concerned, for \$100.00, upon the payment of which she will quit-claim to the city her interest in the property in controversy.

This is an action to redeem from a Sheriff sale through which the city derives title to two lots on east Washington street.

I have examined the case, and am of the opinion that the proposition should be accepted, as the plaintiff will, in all probability, establish an interest of greater value than the sum she proposes to take. I would also add that prompt action should be taken, as the case will be called for trial before the next meeting of your honorable bodies.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

Report from Chief Fire Engineer, in relation to the location of certain fire hydrants (see page 890, *ante*), was read and received.

The following report from the Board of Police was read; and the action of the Common Council thereon (see page 891, *ante*), was concurred in :

Indianapolis, February 16, 1880.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.:—We hereby report that unclaimed stolen property has been sold at the Central Station, to the amount of seventeen and 95-100 dollars (\$17.95), which sum was paid to the City Treasurer on the 16th day of February, 1880, and his receipt filed with the City Clerk.

BOARD OF POLICE,

By J. T. Downey, Sec'y.

The following report from the Board of Public Improvements was read; and the action of the Common Council thereon (see page 892, *ante*), was concurred in :

Indianapolis, Feb. 16th, 1880.

To the Mayor and Common Council :

Gentlemen.:—The undersigned, to whom was referred a motion granting I. P. Evans & Co. permission to erect iron tanks on their property near the Union Railway tracks, on south Delaware street, sufficient to contain fifty barrels of naphtha, to be used for manufacturing purposes, would report that they have had the matter under consideration, and recommend that said motion be adopted.

Respectfully submitted,

M. H. McKay,

H. Coburn,

Board of Public Improvements.

JOHN A. HENRY, City Attorney.

Report from the Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, from February 1st, to 15th, 1880, (see page 892, *ante*), was read and received.

The following communication from the Board of Health was read; the action of the Common Council thereon (see page 893, *ante*) approved, and Aldermen Layman and Piel appointed as the Aldermanic members of such committee:

Indianapolis, February 16th, 1880.

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

Gentlemen:—Numerous rumors and reports are being circulated in this community, accusing some member of this Board with being connected, in some way, with the management or ownership of one of the vault-cleaning machines. Such reports are damaging to our official integrity, and are working against the efficient administration of this department. We therefore respectfully ask that your honorable bodies order a full and complete investigation of said charges, and clearly establish the truth or falsity of the same.

Respectfully,

HENRY JAMESON, President.

W. E. JEFFRIES, M. D., Secretary.

The following clause in the report from the Committee on Finance was read; and the action of the Common Council thereon (see page 893, *ante*), was concurred in:

1st. Is the report of the City Clerk, showing amount of orders drawn on the city treasury during the month of January, 1880; also, report of the City Treasurer, showing receipts and disbursements for the month of January, 1880.

After careful examination of the books of the respective officers, we find the said reports true and correct; the balance in the treasury being in round numbers, \$50,000.00.

Report from the City's Directors of the Union Railroad Transfer and Stock-Yard Co. (see pages 902, *ante*), was read and received.

The following motion (adopted by the Common Council) was read, and referred to the Joint Committees on Public Light:

That the Committee on Public Light be, and are hereby, ordered to have the lamp post on Michigan street, on the south side of said street, between Tennessee and Illinois streets, removed to the alley-crossing between said streets.

The following motions (adopted by the Common Council) were read, and were concurrently adopted:

That James Mahoney be, and is hereby, granted permission to grade and gravel the alley in the rear of his lot, being a part of the first alley north of Buchanan street, from Greer street to East street; such work to be done within 60 days, at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the proper stakes.

That the Police Board be, and they are hereby, directed to issue an order prohibiting members of the police force from serving as delegates to any political convention, or acting as an officer on any election board; and that they be directed to dismiss from said force any man violating said order.

That the City Marshal be requested to notify the Union Railway Company, the Vandalia, I. C. & L., and all other railroad companies, and any corporations owning any switch-track crossing the east side of Tennessee street, corner of Louisiana street, to repair and place in good condition the crossing on the east side of Tennessee street.

The following entitled ordinance (passed by the Common Council) was read the first time :

G. O. 7, 1880—An Ordinance regulating the sale of Goods, Wares and Merchandise in the city of Indianapolis.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Streets and Alleys, 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 Streets and Alleys, to whom sundry papers were referred, would report thereon as follows:

1st. Petition of Wm. J. Probst, praying permission to erect one pair of scales on south side of Fifth street; also, motion that John Frick be permitted to put down hay and cattle scales on Columbia avenue. Would report that we have visited above localities, and found said scales already in position.

2nd. Is a resolution, accompanied with petition, that the name of "Chatham street" be changed to that of "Park avenue." Would recommend to your honorable body that the prayer of said petition be granted, and the resolution be adopted.

Respectfully submitted,

H. E. Drew,
H. Seibert,
W. F. Piel,
Committee.

The resolution referred to in the second clause of the preceding report, and printed on page 801, Aldermanic proceedings of January 7th, 1880, was then taken up and concurrently adopted by the following vote :

AYES, 7—viz. Aldermen Drew, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS, 1—viz. Alderman Coburn.

The Committee on Streets and Alleys, through Alderman Drew, submitted the following report :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the 4th, 5th, and 7th clauses of the report of the Council Committee on Streets and Alleys would respectfully report thereon as follows :

4th clause is a motion to grant Henry B. Sherman, lessee of the Denison House, permission to put in scales on Wabash street.

Would report, your committee has visited said locality, and found said scales al-

ready placed in position, in the alley running north and south, in the rear and immediately adjacent to said premises, as per report of the Council Committee.

5th clause is a motion granting permission to Wm. Conover to place coal scales on south West street, north of Kingan's side-track.

Your committee recommend said clause be concurred in.

7th clause is a petition of the Sewing Machine Cabinet Co. to vacate alley and four lots, fully described in diagram.

Your committee recommend that so much of said report as relates to said alley, be not concurred in, and the prayer of said petition be not granted.

Respectfully submitted,

H. E. Drew,
H. Seibert,
W. F. Piel,
Committee.

On motion by Alderman Coburn, the "4th clause" was referred back to the committee, the recommendations of the committee on the 5th and 7th clauses were concurred in.

PENDING ORDINANCES.

The following entitled ordinance was read the second time:

G. O. 40, 1879—An Ordinance declaring that all Vehieles (except Street-Railway Cars), used in the transporting of Persons and Articles within the City of Indianapolis, for hire or pay, shall be deemed "Public Vehicles"; establishing Rules and Regulations for the government of the Owners, Lessees, and Drivers thereof; and prescribing Fines and Punishments for violations of its provisions.

On motion by Alderman Piel, section 4 was amended by fixing the license-tax to be paid for two-horse Hacks, at "\$1.00 for each month, or \$12.00 per annum," instead of "75 cents for each month, or \$9.00 per annum."

On motion by Alderman Layman, said section 4 was further amended by striking out the clause "For each driver (other than the owner or lessee of the public vehicle), 10 cents for each month, or \$1 per annum," and the words "or driver" in the first line of the next succeeding clause.

On motion by Alderman Drew, section 16 was amended by inserting after the word "minor," the words "under the age of eighteen years."

On motion by Alderman Coburn, section 24 was amended by inserting the word "loud" after the words "or shall use."

Alderman Layman moved to strike out section 23—which motion was not adopted.

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

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

NAYS—None.

Alderman Piel, from the Committee on Ordinances, returned the following entitled ordinance; which was read the second and third times:

G. O. 3, 1880—An Ordinance regulating the obstruction of sidewalks with Signs, Goods, etc., across any sidewalk in the City of Indianapolis.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Coburn, Drew, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS, 1—viz. Alderman Layman.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest: GEO. T. BREUNIG, Clerk.