

# PROCEEDINGS OF BOARD OF ALDERMEN.

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REGULAR SESSION—JUNE 2, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, June 2d, A. D. 1880, at eight o'clock, in regular session.

**PRESENT**—His Honor, the President *pro tempore*, James T. Layman, in the Chair, and Aldermen Grubbs, Hamilton, Mussmann, Newman, Seibert, and Wood—7.

**ABSENT**—Aldermen Drew, Tucker, and President Coburn—3.

The Proceedings of the Board of Aldermen, for the regular session held on May 26th, 1880, having been printed, and placed on the desks of the Aldermen, said Journals 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 May 24th, 1880, reconsidered the vote by which the Contract and Bond of Wm. Morrison, for grading and graveling Wilson street and sidewalks, between Hill avenue and the C. C. C. & I. R. R. Co's. track, was concurred in and approved at the meetings of the Common Council and Board of Aldermen, held May 17th, and 19th, 1880. I report the above action for your consideration.

For the Common Council.

Jos. T. MAGNER, City Clerk.

And the action of the Common Council in reconsidering the vote (see page 60, *ante*) was concurred in by the following vote:

**AYES**, 5—viz. Aldermen Grubbs, Layman, Mussmann, Seibert, and Wood,

**NAYS**, 2—viz. Alderman Hamilton, and Newman.

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, May 31st, 1880, for your action upon same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the Committee on Contracts was read ; and the action of the Common Council in awarding the several contracts, as recommended (see page 81, *ante*) was concurred in :

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen.*—Your Committee on Contracts, to whom was referred sundry proposals presented to Council May 24th, 1880, have examined the same, and find them to be as follows :

1st. For grading and bowldering the east gutter and curbing with stone the outer edge of the east sidewalk (except where already curbed and bowldered), of Alabama street, from Louisiana street to South street.

Richard Carr, 80 cents per lineal foot front.

H. C. Roney, 80 cents per lineal foot front.

R. P. Dunning and J. W. Hudson, 76 cents per lineal foot front.

John Stumph, 75 cents per lineal foot front.

James Mahoney, 39 cents per lineal foot front for grading and bowldering, and 36 cents per lineal foot front for curbing.

There being tie bids, and believing the same to be reasonable, we recommend the contract be awarded to James Mahoney.

2d. For grading and paving with brick (except where already paved) the south sidewalk of Cherry street, from Broadway street to Plum street.

John Schier, 38 cents per lineal foot front.

Henry C. Roney, 35 cents per lineal foot front.

Henry C. Roney being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and graveling the first alley north of Massachusetts avenue, from Oak street to Plum street,

John Flaherty, 20 cents per lineal foot front on each side.

Wm. Morrison & Co., 17 cents per lineal foot front on each side.

J. L. Spaulding, 17 cents per lineal foot front on each side.

James Mahoney, 17 cents per lineal foot front on each side.

There being three bids at the same price, and believing the same to be reasonable, we recommend the contract be awarded to J. L. Spaulding.

4th. For grading and graveling the first alley west of Park avenue, from Walnut street to St. Clair street,

John Flaherty, 20 cents per lineal foot front on each side.

J. J. Palmer, 19 cents per lineal foot front on each side.

J. W. Ross, 19 cents per lineal foot front on each side.

H. C. Roney, 18 cents per lineal foot front on each side.

J. L. Spaulding, 17 cents per lineal foot front on each side.

James Mahoney, 16 cents per lineal foot front on each side.

Wm. Morrison & Co., 15½ cents per lineal foot front on each side.

Wm. Morrison & Co. being the lowest and best bidders, we recommend they be awarded the contract.

5th. For improving Tennessee street from First street to Seventh street, by grading and graveling the roadway, and bowldering the gutters thereof.

James Mahoney, 90 cents per lineal foot front on each side.  
 Dunning & Hudson, 82 cents per lineal foot front on each side.  
 H. C. Roney, 81 cents per lineal foot front on each side.  
 Henry Clay, 81 cents per lineal foot front on each side.  
 Richard Carr, 78 cents per lineal foot front on each side.  
 J. J. Palmer, 75 cents per lineal foot front on each side.  
 John Stumph, 74 cents per lineal foot front on each side.

John Stumph being the lowest and best bidder, we recommend he be awarded the contract.

6th. For grading and bowldering the northwest gutter and curbing with stone the outer edge of the northwest sidewalk of Ft. Wayne avenue, from St. Marys street to St. Joseph street.

Dunning & Hudson, 92 cents per lineal foot front.  
 Richard Carr, 84 cents per lineal foot front.  
 James Mahoney, 84 cents per lineal foot front.  
 J. J. Palmer, 81 cents per lineal foot front.  
 Henry C. Roney, 80 cents per lineal foot front.  
 John Stumph, 75 cents per lineal foot front.

John Stumph being the lowest and best bidder, we recommend he be awarded the contract.

Respectfully submitted,

Isaac Thalman,  
 E. H. Koller,  
 James A. Pritchard,  
 Committee on Contracts.

The following clause in the report from the Committee on Contracts was read; and on motion by Alderman Grubbs, was referred to the Judiciary Committee and City Attorney:

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

*Gentlemen:*—Your Committee on Contracts, to whom was referred a communication from John Greene, stating that he declined filing his bond for grading and graveling East street, from Minnesota street to Raymond street, on account of he having made a mistake in his bid; also a motion that the contract be let to the next lowest bidder, respectfully report as follows:

We recommend that in future, all contractors making bids, and refusing to accept the contracts, when awarded to them, shall be excluded from receiving any further contracts for the term of one year; and any bids they may make during said year, shall not be considered by the Committee on Contracts.

We would further recommend that the City Civil Engineer be directed to re-advertise for proposals for doing said work, and that the award be *not* made to the next lowest bidder, as the motion provides, as such an award would, in our opinion, set a precedence that might be made greatly detrimental to the city's interest, as well as the property owners paying for the improvements, by one contractor selling out to another.

The following report from the City Civil Engineer was read; and the action of the Common Council in receiving the report, concurring in the several contracts and approving the bonds (see page 83, *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 William Murphy, for grading and graveling the alley between Park avenue and Broadway street, from Cherry street to Christian avenue. Bond, \$300; surety, J. L. Spaulding.

Contract and bond of Murphy & Sylvester, for grading, and paving with brick, (except where already paved,) the sidewalks of Michigan street, from Tennessee street to Missouri street. Bond, \$300; surety, S. Loftin.

Contract and bond of Henry C. Roney, for grading, and paving with brick (except where already paved,) the south sidewalk of Cherry street, from Broadway street to Plum street. Bond, \$200; surety, C. S. Roney.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following report from the Fire Board was read; and the favorable action of the Common Council thereon (see page 84, *ante*) was concurred in:

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

*Gentlemen.*—In the portion of the report of the Chief Fire Engineer, submitted to the Common Council April 5th, 1880, recommending that a cistern be built south of Morris street, in the southwestern portion of the city, we offer the following report:

We have given the matter careful consideration, and it is our opinion that the above district should have better fire protection. We therefore recommend to your honorable bodies that a cistern of not less than 1,200 barrels capacity, be built south of Morris street, and the Chief Fire Engineer be directed to locate said cistern, and advertise for proposals, under direction of the City Civil Engineer.

Respectfully submitted,

James T. Layman,

John R. Pearson,

Isaac Thalman,

Fire Board.

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 84, *ante*) was approved:

2d. Is a motion that the Street Commissioner fill sidewalk on south side of Merrill street, between Mississippi and Missouri streets.

Recommend that the gutter be cleaned out, and the sidewalk be repaired where the same is washed out.

4th. Is a motion that the Street Commissioner fill, with gravel, the chuck-holes in Illinois street, from Merrill street to McCarty street.

Recommend that the work be done at an expense not to exceed \$10.

7th. Is a motion that the Street Commissioner fill the chuck-holes, and clean the gutters in Noble street, from Washington street to Louisiana street.

Recommend the work be done.

9th. Is a motion that the Street Commissioner lay a stone crossing across the mouth of the first alley east of Tennessee street, north side of South street.

Recommend that the crossing be repaired with gravel.

10th. Is a motion that the Street Commissioner clean the gutters, and fill the chuck-holes, in St. Marys street, between Alabama and Delaware street.

Recommend that the work be done.

Report from the Board of Public Improvements and Street Commissioner, giving amount of expenditures on account of the Street-Repairs Department, for the month of May, 1880, (see page 85, *ante*) was read and received.

Report from the Committee on Finance, in relation to monthly reports of the City Treasurer and City Clerk, and quarterly statement of John S. Spann & Co., (see page 86, *ante*) was read and approved.

The following report from the Judiciary Committee was read, and referred to the Aldermanic Committee on Judiciary and City Attorney:

Indianapolis, May 31, 1880.

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

*Gentlemen:*—Your Committee on Judiciary and City Attorney to whom was referred the matter of the settlement of the suit vs. George W. Scott & Co. for the possession of the Southern Park, beg leave to submit the following in relation thereto, to-wit:

The said George W. Scott & Co. propose that if the City will dismiss the suit now pending to recover possession of said Park, and allow them to remain in possession of said Park, until the expiration of their lease and under the terms of said lease, they will pay at once the \$100.00 rent which fell due September 1st, 1879, and which payment has been delayed by the pendency of said suit; that they will pay September 1st, 1880, the \$100.00 rent provided for in said lease, and on September 1st, 1881, they will pay the \$100.00 provided for in said lease and in addition, thereto, at said date, will pay the \$200 rent maturing September 1st, 1882, providing the City will abate 8 per cent. interest on said \$200.00, which will make the total payment September 1st, 1881, \$284.00, the same to be in full of rent for said premises during said lease. In addition to this and as a part of the consideration for the dismissal of said action the said Scott & Co. propose to remove the fence on the south side of said Park, from the place where it now stands, to permit the road along the south side of said premises to be opened, and erect and properly construct said fence along the north line of said road, the said Scott & Co. agreeing to furnish at their own expense new oak posts for said fence, and also all other material and labor necessary in removing and re-erecting said fence in a good substantial and workmanlike manner. The said Scott & Co. however to have and retain for their own use all trees and timber on the ground taken from the city in the opening of said road.

We are of the opinion that it will be to the interest of the city, and therefore recommend that said proposition be accepted.

Respectfully submitted,

Wm. C. Lamb,  
James A. Pritchard,  
Jas. T. Dowling,  
Judiciary Committee,

JOHN A. HENRY, City Attorney.

The following report from the Committee on Water was read, and referred to the Aldermanic Committee on Water:

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee, to whom was referred the petition of Peter Dietz and eight others, asking the Council not to open "a proposed alley from west Chesapeake street to the private alley running east and west in square 71," recommend the prayer of the petitioners be granted.

Respectfully submitted,

Wm. C. Lamb,  
James A. Pritchard,  
Jas. T. Dowling,  
Committee.

The following motion was read; and the action of the Common Council thereon (see page 89, *ante*) was concurred in:

That the Street Commissioner be instructed to remove the debris which prevents the free flow of water under the culvert on the north side of Buchanan street at the intersection of Greer street, and raise said culvert, if necessary.

The following motion was read; and the action of the Common Council thereon (see page 91, *ante*) was concurred in:

That permission be, and is hereby, granted to N. N. Morris & Co. ag'ts to dig well at the line of the curb stone in front of number 44 Michigan road.

The following motions (adopted by the Common Council—see pages 90 and 91, *ante*) were read, and were severally concurrently adopted:

That the Street Commissioner be, and is hereby, instructed to proceed at once in building the bridge, ordered by the Council four months ago, over Pogues Run at the Virginia avenue crossing.

That the City Marshal be instructed to notify the C. H. & I. and P. C. & St. L. R. R. Companies to clean out and repair the culvert, under their tracks, on Maryland street, between Pine street and the C. H. & I. turntable.

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

- A. O. 34, 1880—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the city of Indianapolis.
- G. O. 24, 1880—An Ordinance to provide for the removal and re-location of Hose-Reel Company No. 10.
- S. O. 58, 1880—An Ordinance to provide for re-grading and re-bowldering Meridian street, from Washington street to Louisiana street.
- S. O. 59, 1880—An Ordinance to provide for grading, and paving with brick, the east sidewalk of West street, (where not already paved,) from St. Clair street to First street.
- S. O. 60, 1880—An Ordinance to provide for improving Malott avenue, from Alford street to Columbia avenue, by grading and bowldering the gutters, and curbing with stone and paving with brick the sidewalks thereof, (except where already bowldered, curbed or paved.)

#### PENDING ORDINANCES.

The following entitled ordinance was read the second time and referred to the Committee on Streets and Alleys:

- S. O. 68, 1879—An Ordinance to provide for grading, and paving with brick, the south sidewalk of Seventh street, from Meridian street to Illinois street.

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

- S. O. 71, 1879—An Ordinance to provide for grading and graveling Ohio street and sidewalks, from Arsenal avenue to State avenue.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 2, 1880—An Ordinance to provide for grading and graveling McKernan street and sidewalks, from Buchanan street to the south line of Out-lot No. 99.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 3, 1880—An Ordinance to provide for grading and graveling Atwood street and sidewalks, from the south line of Out-lot No. 99 to Sanders street.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 15, 1880—An Ordinance to provide for re-graveling the first alley south of Harrison street, running from Harrison street to Cedar street.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 46, 1880—An Ordinance to provide for grading and bowldering the alley between Pennsylvania and Meridian streets, from Georgia street to the south line of lot 6, square 97.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 51, 1880—An Ordinance to provide for grading and graveling Spruce street and sidewalks, between Prospect street and Pleasant Run.

And it was passed by the following vote :

**AYES**, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

**NAYS**—None.

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

S. O. 52, 1880—An Ordinance to provide for grading, and paving with brick the sidewalks, and curbing the outer edge with stone, and bowldering the gutters, of Pearl street, between Delaware and Alabama streets, (where not already properly paved, curbed or bowldered.)

And it was passed by the following vote :

**AYES**, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

**NAYS**—None.

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

S. O. 53, 1880—An Ordinance to provide for grading and graveling the first alley south of Home avenue, from Ash street to Bellefontaine avenue.

And it was passed by the following vote :

**AYES**, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

**NAYS**—None.

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

S. O. 57, 1880—An Ordinance to provide for grading and graveling the first alley east of Union street, from Morris street to Hanway street.

And it was passed by the following vote :

**AYES**, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

**NAYS**—None.

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

G. O. 8, 1880—An Ordinance providing for the removal and location of the St. Joseph street Hose-Reel Co.

And it was passed by the following vote :

**AYES**, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

**NAYS**—None.



The following entitled ordinance was read the second time and referred to the Committee on Streets and Alleys:

G. O. 14, 1880—An Ordinance granting C. E. Merrifield the right and privilege to build and construct a Railroad Switch across Pratt street, near the tracks of the L. C. & L. Ry. Co.

On motion by Alderman Mussmann, the rules were suspended by the following vote, for the purpose of placing Ap. O. 34, 1880, and G. O. 24, 1880, on their second and third reading, and final passage, viz:

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann Newman, Seibert, and Wood.

NAYS—None.

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

Ap. O. 34, 1880—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

G. O. 24, 1880—An Ordinance to provide for the removal and re-location of Hose-Reel Company No. 10.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

On motion by Alderman Grubbs, the rules were suspended by the following vote, for the purpose of placing S. O. 58, 59, and 60, 1880, on their second and third reading, and final passage, viz:

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 58, 1880—An Ordinance to provide for re-grading and re-bowldering Meridian street, from Washington street to Louisiana street.

And it was passed by the following vote:

SRG. 96.

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 59, 1880.—An Ordinance to provide for grading, and paving with brick, the east sidewalk of West street, (where not already paved,) from St. Clair street to First street.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

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

S. O. 60, 1880.—An Ordinance to provide for improving Malott avenue, from Alford street to Columbia avenue, by grading and bowldering the gutters, and curbing with stone and paving with brick the sidewalks thereof, except where already bowldered, curbed or paved.

And it was passed by the following vote :

AYES, 7—viz. Aldermen Grubbs, Hamilton, Layman, Mussmann, Newman, Seibert, and Wood.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

*James T. Layman*

President *pro. tem.*

Attest: *John Breunig* Clerk