

# PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—FEBRUARY 23, 1881.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, February 23d, A. D. 1881, at seven o'clock, in regular session.

PRESENT—His Honor, James T. Layman, Vice-President, in the Chair, and Aldermen Hamilton, Mussmann, Newman, Seibert and Tucker—6.

ABSENT—Aldermen Drew, Grubbs, Wood and President Coburn—4.

The Proceedings of the Board of Aldermen, for the regular session held on February 9th, 1881, 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 special message was read:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—The Common Council, in regular session held in the Council Chamber Monday evening, February 21st, 1881, adhered to its former action, adopting the resolution providing for the pay of patrolmen known as "extras" the sum of one dollar per day; provided, that the number of said extras shall not exceed five at any one time; and, on motion, the Chair appointed Councilman Downey, Prier and Dowling to act as Council members of a Committee of Conference in relation to the foregoing subject.

For the Common Council:

Jos. T. MAGNER, City Clerk.

On motion, the above message was received; and Aldermen Hamilton, Tucker and Newman were appointed by the Chair to act as the Aldermanic members of said Committee of Conference.

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, favorably passed upon by the Common Council, at its regular session, held on Monday evening, February 21st, 1881, for your action upon the same.

For the Common Council:

Jos. T. MAGNER, City Clerk.

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

Indianapolis, February 21st, 1881.

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

*Gentlemen:*—The amount of Mayor's fees collected by me during the month of January, 1881, was \$92.55; of policemen's witness fees, \$97.28; and of fines due the City Treasury, \$15.25; making a total of \$205.08; which I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,  
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 entitled affidavits, now on file in my office, for the collection of street assessments by precepts, to-wit:

Fred Gansberg vs. Arthur G. Fosdyke, for.....	33 18
Fred Gansberg vs. Arthur G. Fosdyke, for .....	33 18
Fred Gansberg vs. Sylvester Hand, for ....	29 64
Fred Gansberg vs. Albert Dillinham, for.....	3 90
Fred Gansberg vs. Jediah R. McCormick, for.....	20 28
Fred Gansberg vs. Elizabeth McCormick, for.....	20 28
Fred Gansberg vs. Catharine Karney, for..	49 14

And recommend that you order the precepts to issue.

Respectfully submitted,  
JOS. T. MAGNER, City Clerk.

The favorable action of the Common Council thereon (see page 890, *ante*) was approved; and the precepts ordered to issue by the following vote:

AYES, 5—viz. Aldermen Layman, Mussmann, Newman, Seibert and Tucker.

NAYS, 1—viz. Alderman Hamilton.

The following report from the City Civil Engineer was read and received:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—Having been directed by your honorable bodies to report what can best be done to protect the northeast portion of the city from overflow by the State ditch, I would report that the best plan would be to sewer said ditch, from north corporate limits to Fall Creek.

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

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

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

*Gentlemen:*—I make the following report for your consideration and action thereon. In making the measurement of city's portion for a first and final estimate for improving Tennessee street, from Ohio street to First street, in behalf of Fred Gansburg, contractor, the work was done by James W. Brown (who was assisting me in my official duties while I was sick) hurriedly, and with the view of

making a more careful and accurate measurement, which has been delayed on account of the snow and ice upon the street until the present time. The following is a statement of a careful measurement made, and amount due the contractor:

1,369 $\frac{21}{100}$ lineal feet roadway, at 79 cents.....	\$1,082 67
21,748 $\frac{52}{100}$ square feet bowldering, at 4 $\frac{1}{2}$ cents.....	978 68
3,661 $\frac{8}{100}$ lineal feet stone crossings, at 30 cents.....	1,098 32
100 yards extra gravel, at 60 cents.....	60 00
<b>Total .....</b>	<b>\$3,219 67</b>
Amount allowed in former estimate.....	3,162 20
<b>Balance due contractor.....</b>	<b>\$ 57 47</b>

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The Mortality report from the Board of Health (see page 892, *ante*) was read and received.

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

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

*Gentlemen*:—Your Committee on Finance, to whom was referred the financial statements of the City Clerk and Treasurer for the month of January, 1881, have examined the same, and have found them to be in form and correct.

Respectfully submitted,

Leon Kahn,  
 Jas. T. Dowling,  
 M. H. McKay,  
 John R. Pearson,  
 E. H. Koller,  
 Finance Committee.

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

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

*Gentlemen*:—Your Joint Committee on Railroads, to whom sundry papers were referred, would report:

1st. Is a resolution for the extension of East McCarty street line of Street Railway from present terminus to Virginia avenue, thence southeast to the southern terminus of said avenue.

Recommend said resolution be adopted.

2d. Is a resolution for the extension of the South street line of Street Railway from Illinois street to West street, thence north on West street to Washington street.

Recommend said resolution be not adopted.

We would further recommend that the City Marshal be, and is hereby, directed to notify the Citizens' Street railway Company to repair and keep in repair the roadway of all their lines in the city, as contemplated in their charter.

Respectfully submitted,

F. W. Hamilton, N. Yoke,  
 Hiram Seibert, W. G. White,  
 Aldermanic Committee. Council Committee.

The resolution (see page 870, *ante*) referred to in the first clause of the foregoing report was read; and the action of the Common Council in adopting the said resolution (see page 893, *ante*) was concurred in by the following vote:

AYES, 6—viz. Aldermen Hamilton, Layman, Mussmann, Newman, Seibert and Tucker.

NAYS—None.

The following report from the Committee on Streets and Alleys was read; and the favorable action of the Common Council thereon (see page 894, *ante*) was concurred in:

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

*Gentlemen*.—Your Joint Committee on Streets and Alleys, together with the City Attorney, to whom was referred a petition of Chandler & Taylor, asking for the vacation of a certain part of an alley lying between lots 20 and 21 Blake and Ray's subdivision of out-lot 148, would report:

We have made examination of the matter, and are of the opinion that the plat as recorded in 1842 shows the correct line of said alley, and, in view of this fact, there is no vacation to be made.

Respectfully submitted,	John T. Downey,
H. E. Drew,	Wm. H. Morrison,
Aldermanic Committe.	John A. Lang,
	Council Committee.

JOHN A. HENRY, City Attorney.

The following agreement was read; and the action of the Common Council in approving the same (see page 896, *ante*) was concurred in:

We, David F. Ratts, contractor, Jackson H. Wright and Edward Gilbert, his bondsmen, do hereby agree to the change of from fifty cents to thirty cents per load, as by the committee from the Board of Aldermen recommended; and hereby waive any defect that may arise in said contract and bond on account of said change.

David F. Ratts.  
Jackson H. Wright.  
Edward Gilbert.

Indianapolis, February 14th, 1881.

The following report from the Board of Public Improvements was read; and the favorable action of the Common Council thereon (see page 896, *ante*) was concurred in:

To the Mayor and Common Council:

*Gentlemen*.—The matter of the remonstrance against the improvement of Market street, from Missouri street to Blackford street, having been referred to us, we see no reason why the ordinance providing for said improvement should not be passed, as in our opinion it is a public necessity. We therefore recommend the passage of said ordinance.

Respectfully submitted,	Wm. H. Morrison,
	Edward H. Dean,
	Hiram Seibert,
	Board of Public Improvements.

The following motion was read; and was adopted unanimously by a rising vote:

That the sympathies of this Common Council and the Board of Aldermen be extended to our worthy City Marshal, Richard S. Colter, in his severe affliction, caused by the recent death of his estimable wife.

The following motion was read; and the action of the Common Council in referring the said motion with instructions (see page 900, *ante*) was concurred in:

That the Street Commissioner be instructed to immediately attend to the filling up of a man trap, in the shape of an old well or cistern, that is gaping open under the sidewalk on the southwest corner of Delaware and South streets.

The following motions were read; and the operation of a certain resolution, requiring motions for the extension of time to be accompanied with certain recommendations, was suspended unanimously, and the motions (adopted by the Council—see pages 900 and 901, *ante*) were concurrently adopted:

That J. L. Spaulding be granted ninety (90) days additional time to complete his contract for the improvement of King street, from Pennsylvania street to Delaware street.

That contractor Henry Clay be given sixty days more time in which to finish his contract on Columbia avenue.

That contractor Henry Clay be given sixty days more time in which to finish his contract on the first alley north of Prospect street, from Spruce street.

The following motions (adopted by the Common Council—see page 902, *ante*) were concurrently adopted:

That the Street Commissioner be, and is hereby, ordered to furnish for the use of the City Sexton the lumber necessary for the proper protection of the roadways at the entrance to Greenlawn Cemetery.

That the Street Commissioner be, and is hereby, ordered to extend with brick the sidewalks at the crossings in and along the improved portion of Mississippi street, where the sidewalks were improved with brick before the new improvement was made on said street.

The following resolution was read; and referred to the Committee on Streets and Alleys:

*Resolved*, That the name of Wilson street, from Hill avenue to Brookside avenue, be changed to Newman street, and the street east of lots 10 and 17, Albert E. Fletcher's first addition, running from Brookside avenue to Clifford avenue, be named Newman street.

The following motion (adopted by the Common Council—see page 904, *ante*) was read, and concurrently adopted:

WHEREAS, By the terms of a certain lease, dated August 8th, 1878, the City of Indianapolis, agrees to pay all taxes and assessments for the term of five years, including the taxes for 1878, on lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 in Metzger and Robinius' subdivision of lots 1, 2 and 3, in square 70 (the West Market space); and,

WHEREAS, On February 13, 1879, lots 1, 2, 3 and 4 of the foregoing lots were sold for State and county taxes, to Josiah Locke, for the taxes of 1877 and 1878, and were sold for \$161.03; therefore,

*Moved*, That the City Attorney be, and is hereby, instructed to report to this body, at its next regular meeting, on what terms the city can redeem the aforesaid lots.

The following entitled ordinance was read the first time:

S. O. 156, 1880—An Ordinance to provide for grading and paving with brick the west sidewalk of Park avenue, between Cherry street and Gregg street.

The following entitled ordinance was read the first time; and referred to the Committee on Public Light:

S. O. 157, 1880—An Ordinance to provide for the erection of lamp posts, lamps and fixtures (complete to burn gas, except the service pipes) on West street, between Kentucky avenue and Georgia street.

The following entitled ordinance was read the first time:

S. O. 1, 1881—An ordinance to provide for bowldering the gutters and curbing with stone the sidewalks of Market street, from Missouri street to Blackford street.

#### REPORTS, ETC., FROM COMMITTEES.

The Committee on Public Charities, through Alderman Hamilton, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

*Gentlemen*:—Your Committee on Public Charities, to whom was referred the matter relative to the street improvement assessment against the Orphan Asylum property, would report:

On examination, we find that in former assessments made against said property for street improvements, the city has paid the assessment, viz: August 18th, 1873, for block pavement and sidewalk on Tennessee street, \$861.00; also, November 1st, 1875, for grading and graveling Lawrence street, in front of Oak Hill property, \$288.45. Also find that the city has paid assessments against other charitable institutions, viz: Home of Friendless Women, on North Tennessee street, block pavement, September 1st, 1873, \$1,017.41.

In view of the fact that the Orphan Asylum is a charitable institution, supported and maintained by the public, and in all other cases where assessments have been made against the property for street improvements, the city has paid them, we recommend that the action of the Common Council in ordering precepts against said property be not concurred in.

Recommend that the amount due the contractor be paid by the city, and placed in appropriate ordinance.

Respectfully submitted,

F. W. Hamilton,  
W. H. Tucker,  
D. Mussmann,  
Committee on Public Charity.

#### MISCELLANEOUS.

Alderman Hamilton presented the following remonstrance :

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

*Gentlemen* :—We, the undersigned, owners of real estate fronting on Market and Highland streets, most respectfully remonstrate against the adoption of the plan submitted by the Board of Public Improvements, December 6th, 1880, for the improvement of said streets, and the change in the grade thereof; and respectfully ask that your honorable body do not concur in the action of the Common Council in reference thereto.

Mary J. Vance, 308 feet; heirs of Wm. B. Dickson, 222 feet; Thomas M. Dickson, 40 feet; Charles Schering, 165 feet; John B. Stumph, 210 feet; James L. Mitchell, 210 feet; E. A. Norton's heirs, 247 feet; Clemens Vonnegut, 100 feet; Hervey Bates, 300 feet; Henry Sauer, 37 feet; Cabinet Makers' Union, 145 feet; John Herrmann, 137 feet; all on Market street. James L. Mitchell, 247 feet, on Highland street.

By consent, Alderman Seibert presented the following petition :

*Indianapolis*, February 8th, 1881.

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

*Gentlemen* :—The undersigned, owners of real estate fronting on Market and Highland streets, respectfully ask your honorable body to concur in the action of the Common Council, in adopting the plan submitted by the Board of Public Improvements, December 6th, 1880, for improving the above named streets.

Fred Knefler, 317 $\frac{1}{2}$  feet on Market and 333 $\frac{1}{2}$  feet on Highland st.; Chas. Aldag, 133 feet on Market st.; Henry Latham and Chas. Latham, 301 feet on Market and 333 $\frac{1}{2}$  feet on Highland st.; C. Zimmerman, 144 feet on Market st.

On motion, the above remonstrance and petition was referred to the Board of Public Improvements, Joint Judiciary Committee, City Civil Engineer and City Attorney.

Alderman Newman offered the following motion; which was adopted :

That the Board of Public Improvements be instructed to examine Shelby street opposite the Shelby House, as the street is cut by water.

## PENDING ORDINANCES.

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

G. O. 44, 1880—An Ordinance to amend section twenty-four (24) of an Ordinance entitled, "An Ordinance declaring that all vehicles (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."

And it was passed by the following vote :

AYES, 5—viz. Aldermen Layman, Mussman, Newman, Seibert and Tucker.

NAYS, 1—viz. Aldermen Hamilton.

On motion, the Board of Aldermen then adjourned.

Attest: *James T. Layman* President.  
*Geo. T. Brummig*, Clerk.