

# PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—NOVEMBER 17, 1881.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, on Thursday evening, November 17th, A. D. 1881, at half-past seven o'clock, in adjourned session.

PRESENT—His Honor, President Layman, in the Chair, and Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker—9.

ABSENT—Alderman Wood—1.

The Proceedings of the Board of Aldermen for the regular session, held October 24th, 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, November 7th, 1881, non-concurred in your amendments to Appropriation Ordinance No. 64, 1881, and ordered the ordinance stricken from the files.

I submit the same for your consideration.

For the Common Council :

JOS. T. MAGNER, City Clerk.

On motion by Alderman Tucker, the Board of Aldermen adhered to their former action.

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, November 7th, 1881, for your action upon the same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

The following report from His Honor, the Mayor (see page 775, *ante*) was read and received:

Indianapolis, Ind., Nov. 7, 1881.

To the Common Council and Board of Aldermen:

*Gentlemen*:—I report collections for the month of October, as follows:

Policeemen's witness fees.....	\$149 35
Mayor's fees.....	120 50
Fines due the city .....	22 80
Total .....	\$292 65

Which amount I have this day paid to the City Treasurer, and have deposited his receipt therefor with the City Clerk.

Very respectfully,

D. W. GRUBBS, Mayor.

The following report from the City Clerk (see page 780 *ante*) was read; and, on motion of Alderman Hamilton, was referred to the Committee on Contracts and Bridges:

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:

Robert H. Patterson vs. George T. Dunn, for.....	\$113 80
John L. Spaulding vs. A. A. Young and M. B. Draper, for.....	61 45
Charles S. Roney vs. Frank McWhinney, for.....	12 00
Charles S. Roney vs. Lafayette Ousler, for.....	12 00
Charles S. Roney vs. Jane Hussey, for.....	12 00
Charles S. Roney vs. Emma R. Caskey, for.....	12 00
Samuel W. Patterson vs Gustavus H. Voss, for.....	57 22 $\frac{1}{2}$
Samuel W. Patterson vs. Gustavus H. Voss, for.....	57 22 $\frac{1}{2}$
Samuel W. Patterson vs. Gustavus H. Voss, for.....	57 22 $\frac{1}{2}$
John Schier vs. George Walters, for.....	30 10

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The reports from the Superintendents of the City Hospital and Branch, and the City Dispensary, (see pages 782 and 783, *ante*) were read and received.

The following report from the Board of Health was read, and the favorable action of the Common Council thereon, (see page 785, *ante*) was concurred in:

Indianapolis, November 7th, 1881.

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

*Gentlemen*:—Acting upon the suggestion of the Mayor and the Committee of Health, the Board of Health arranged, temporarily, with Messrs. Birk & Miller, for the removal of dead animals from the city. The necessities of the case were urgent and we were compelled to make terms upon the conditions offered, viz: Three dollars per day. The services of the above company began at this rate October 24th, at noon. It is to the interest of the city that this contract terminate as soon as possible.

E. S. ELDER, M. D., President,  
W. E. JEFFRIES, M. D., Secretary,  
Board of Health.

The mortality report of the Board of Health (see page 785, *ante*) was read and received.

The following clause from the report of the Fire Board, (see pages 783 and 784, *ante*) was read; and, on motion by Alderman Tucker, was referred to the Committee on Fire Department:

2d. The recommendation from Board of Aldermen to throw out of service the Skinner Truck and purchase a light Hook and Ladder Truck instead, is, in our opinion, not advisable. The Skinner Truck is in good working order, and ready to do good service when required. The estimate for the expenditures of the Fire Department will not warrant the expense of a new truck, and in our opinion is unnecessary.

The report of the Board of Public Improvements and Street Commissioner, showing the expenses for the month of October, 1881, (see page 784, *ante*) was read and received.

The following report from the Board of Public Improvements (see page 784, *ante*) was read; and, on motion by Alderman Tucker, was laid on the table:

To the Mayor and Common Council:

*Gentlemen:*—Owing to the appropriation ordinance for the Street Repair Department failing to pass the Board of Aldermen at their last session, the Board of Public Improvements have been unable to keep the necessary force upon the streets for the past three weeks, and in the meantime the streets and gutters in some parts of the city have become very filthy and in a deplorable condition, and in our opinion some immediate action should be taken to put the streets and gutters in as good condition as possible before winter sets in. Therefore we herewith submit an appropriation ordinance for the sum of five thousand dollars, and recommend the same be passed, and that the Street Commissioner be authorized to employ a sufficient force at once, and proceed to giving the city a general cleaning up.

Respectfully submitted,

Edward H. Dean,  
Wm. H. Morrison,  
John R. Cowie,  
Board of Public Improvements.

The following report of the Judiciary Committee (see pages 786 and 787, *ante*) was read; and, on motion by Alderman Hamilton, was referred to the Committee on Finance:

Indianapolis, November 7th, 1881.

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee, together with the City Attorney, to whom was referred sundry papers, report thereon as follows:

The first is the petition of F. A. McClung, showing that he is the owner of two lots fronting one hundred feet on Plum street, and running back forty feet. The Engineer, in making estimate for brick sidewalk on Plum street, assessed all against said lots, amounting to \$37.00.

The petitioner asks that the estimate be corrected so as to assess him with four-fifths, and lot back of him to one-fifth of the cost of the improvement.

By the act of 1881 street improvement liens cover fifty feet of ground back from front line of lot on street improved, and the statute directs that the estimate be made out accordingly.

Your committee recommend the prayer of the petitioner be granted.

The second is the petition of William H. Morrison, showing that in February, 1876, the petitioner bought at county tax sale lot 86 in Noble's Sub. of Out-lot 50; subsequently he paid \$36.10 city taxes on same lot; afterwards the sale was set aside as void, and the Board of County Commissioners refunded the money paid.

Petitioner now asks that the \$36.10 paid on city taxes be refunded.

Your committee recommend that \$36.10 be refunded, and the taxes carried against the lot.

The third is the petition of A. Bird, showing that he is the owner of lot 6, block 34 in city, known as "Bird's Point," and as such owner paid a large assessment for the Illinois street sewer, and has made all necessary connections therewith.

Now the sewer on Indiana avenue is built, and his property again assessed for its share in the costs of construction thereof. That the same is of no benefit to his property by reason of his having made all necessary connections with the Illinois street sewer.

The petitioner asks the city to pay the assessment for the Indiana avenue sewer.

Your committee feel that there is an injustice in thus imposing a double sewer assessment on same property, when not needed by owner, but it is one of the laws, and your committee do not feel like recommending the payment of what is the individual debt of Mr. Bird, out of the public money.

We recommend the prayer of petitioner be not granted.

The fourth is a resolution providing that the contract of Aegidius Naltner, garbage contractor, be rescinded, and no further payments be made after November 1st, 1881, on the ground that he has failed, neglected and refused to carry out his part of the contract.

We recommend that the resolution be amended to read, "That no further payments be made after the 30th day of November, 1881," and that it then pass.

Respectfully submitted,

James A. Pritchard,  
Jas. T. Dowling,  
N. Yoke,  
Judiciary Committee.

JOHN A. HENRY, City Attorney.

The following resolution (see page 787, *ante*) was read; and, on motion by Alderman Hamilton, was referred to the Finance Committee:

WHEREAS, Aegidius Naltner, to whom was awarded the contract for the removal of the garbage and other impure matter from the city, has failed, neglected and refused to remove said impure matter, as required by the terms of his contract and the ordinance under which the same was awarded; therefore

*Resolved*, That the said contract of said Aegidius Naltner, for the removal of said refuse matter, be and the same is hereby rescinded; and that no further payments be made to said contractor, after the 30th day of November, 1881; and that the City Clerk prepare, and the City Marshal serve said contractor with, a certified copy of this preamble and resolution.

The following report from the Committee on Public Health was read; and the favorable action of the Common Council thereon (see page 787, *ante*) was concurred in:

To the Mayor and Common Council:

*Gentlemen*.—Your Committee on Public Health, to whom was referred the proposal of Birk & Miller, for the privilege of removing the dead animals from the city to the Sellers farm, for one year, and to pay the city the sum of fifty-one dollars



for said privilege, recommend that the contract be awarded to said Birk & Miller, according to said proposal.

Respectfully submitted,

C. T. Bedford,  
Sim. Coy,  
Phil. Reichwein,  
Committee on Public Health.

The following report from the Committee on Public Light was read; and the favorable action of the Common Council thereon (see page 787, *ante*) was concurred in:

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

*Gentlemen*:—Your Committee on Public Light, to whom was referred the motion "that the City Civil Engineer be instructed to re-advertise for bids for laying gas-mains and erecting posts on Morris street, from Meridian street to Dacotah street, and to continue to advertise until bids are received for doing the work," have considered the matter, and recommend the motion be adopted.

Respectfully submitted,

H. B. Stout,  
James T. Dowling,  
Committee on Public Light.

The following report from a special committee (see pages 788 and 789, *ante*) was read; and, on motion by Alderman Hamilton, was referred to the Committees on Judiciary, Ordinances and Rules, Finance, and Accaunts & Claims, Water, and Public Health:

Indianapolis, Nov. 7th, 1881.

To the Mayor and Common Council

*Gentlemen*:—Your special committee to whom was referred the two reports of the Judiciary Committee and City Attorney, on the subject of cutting off seventy-six hydrants, reports thereon as follows:

We have met the officials of the Indianapolis Water Works Company, and they have expressed to your committee their willingness to take out and store away the seventy-six hydrants, on the following conditions to-wit: That the city will consent, that in laying new mains for the future, to take and pay for one hydrant to every five hundred feet of mains laid, until the seventy-six hydrants are all again located; that is, to put the seventy-six hydrants, now to be taken out, on extended mains, one to every five hundred feet of mains. After the seventy-six hydrants are thus located, then the Council may require hydrants to be located as provided in the charter of the company—one hydrant to every one thousand feet of mains.

The city to further agree, that they will not order the company to lay any mains in the year 1882, on account of the expense incurred in obtaining a new water supply; and the City Council and Board of Alderman will not order, in 1883, mains to be laid to exceed 6,500 feet of mains; and that in years 1884, 1885 and 1886, the company shall not order to be laid to exceed 10,560 feet, or two miles of pipe each year; and all lines of piping now ordered and not laid, to be apportioned through the years 1883, 1884, 1885 and 1886, to the number of feet agreed upon per year, the same as though they were not at present ordered.

The price on all remaining hydrants for the next five years to be the same as at present, namely, fifty dollars each per year.

The Water Works Company agree, if the foregoing arrangement is made, to allow it to take effect as of the date of September 1st, 1881; in other words, will forgive the rent on the seventy-six hydrants taken out, since September 1st, 1881. This will be a saving to the city of \$900; saving on hydrants, per year, \$3,800; total, \$4,700.

Your committee recommend the proposition be accepted, and that the City Attorney be directed to draw contracts in accordance with the terms stated in this

report, it being simply a special arrangement concerning the seventy-six hydrants taken out, and not in any way to disturb or effect any provision of Water Works Company's charter, which fact shall be stated in said contract, together with other provisions protecting the interest of city. And in said contract the company shall receipt in full any and all claims for rent of hydrants, if any claim they have, accrued, during and since year 1877, on account of hydrants then cut off, and since used by the city.

Respectfully submitted,

John R. Pearson,  
Collins T. Bedford,  
James T. Dowling,  
Special Committee.

The following resolution (adopted by the Common Council—see page 794, *ante*) was read:

*Resolved*, That the physicians and surgeons appointed on the consulting and clinical staff of the City Hospital of Indianapolis, July 5th, 1881, by the Hospital Board, are hereby relieved from further duties on said staff; and said Board is hereby instructed to appoint on said consulting and clinical staff six physicians from the allopathic or "regular" school of physicians, two physicians from the homoeopathic school of medicine, two physicians from the physio-medical school of medicine, and two physicians from the eclectic school of medicine.

*Resolved*, That we pledge ourselves to vote for and support the above resolution when brought before the Council and the Board of Aldermen.

Alderman Hamilton offered the following amendment to the above resolution:

Amend by adopting all of said resolution, and by adding thereto the following: "Two physicians from the 'hydropath' school of medicine; two herb physicians; and that one female physician from each school shall, in addition to the above, be placed on such hospital staff."

Alderman DeRuiter moved to lay the above amendment on the table.

Which motion to lay on the table, was adopted by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, Seibert, and President Layman.

NAYS, 2—viz. Alderman Hamilton and Tucker.

On motion by Alderman DeRuiter, the original resolution was then referred to the Committees on Hospital and Dispensary, Water and Public Health.

The following motion (adopted by the Common Council—see pages 795, and 796, *ante*) was read, and not concurrently adopted:

That the City Civil Engineer be, and is hereby, authorized to have printed blank forms of specifications for all kinds of street improvements done under contract.

The petition of the Woodburn Sarven Wheel Works (see page 796, *ante*) was read, and the following motion (adopted by the Common Council—796, *ante*) was read and concurrently adopted:

That the petition of the "Woodburn Sarven Wheel Co.," in regard to laying a small track across Illinois street, in front of their premises, be, and the same is hereby, granted; *Provided*, "The same shall be constructed under the supervision of, and according to the requirements and specifications of the City Civil Engineer."

The following motions (adopted by the Common Council—see pages 797, 798 and 802, *ante*) were read and concurrently adopted:

That Mr. Frederick Noelke be allowed to cut the shade trees down in front of his property on east Georgia street, to be replaced by better trees, as the ones now there are a nuisance.

That the Street Commissioner be, and is hereby, directed to fill the chuck-holes on Russell avenue, between Illinois and Meridian streets.

That the Commissioners of Marion county be permitted to use the Central Police Station for the confinement of prisoners sentenced to the jail; said Commissioners being required to make good any damage done by such prisoners to said Station.

That the Street Commissioner be, and is hereby, directed to put in stone crossings at the intersection of Fletcher avenue and Dillon street; and that the above be and is hereby, referred to the Board of Public Improvements, and the Committee on Streets & Alleys and Sewers & Drainage of the Board of Aldermen, with power to act.

The following motion (adopted by the Common Council—see page 798, *ante*) was read; and, on motion by Alderman Tucker, was referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act:

That the Street Commissioner be, and is hereby, directed by this Council, to make the following improvements of the streets herein mentioned: To place a coat of gravel, thirty feet in width, on Ohio street, between Meridian street and Illinois street; Tennessee street, between Market street and Ohio street, a coat of gravel or stone sprawls, 30 feet in width; and Mississippi street, between Washington and Ohio streets, a coat of gravel or stone sprawls, 30 feet in width, as said streets are in a dangerous condition, and almost impassable.

#### APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were placed on their final passage without suspension of the rules.

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

Ap. O. 65, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$2,034.60.]

And it was passed by the following vote:

**AYES**, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

**NAYS**—None.



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

Ap. O. 66, 1881—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, \$1,265.75.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, Tucker, and President Layman.

NAYS, 2—viz. Aldermen Hamilton, and Seibert.

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

Ap. O. 67, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$370.52.]

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None

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

Ap. O. 68, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$15,433.15.]

Alderman Hamilton moved that all claims that have not been approved by the Aldermanic Committee on Finance and Accounts & Claims, be stricken out of the above ordinance, and referred to the said committee.

Which motion was adopted, and the claims of L. D. Railsback, \$4.50; Shover & Christian, \$4.50; A. Naltner, \$450.00; Bigham, Walk & Mayhew, \$5.00; William Voelding, \$10.90, and C. Vonnegut, \$18.15—total \$493.05, were stricken from the ordinance.

The ordinance was then read the third time (amount appropriated \$14,940.10), and passed by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Rorison, Seibert, Tucker, and President Layman.

NAYS, 2—viz. Aldermen Mussmann, and Newman.

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

Ap. O. 69, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery and Advertising. [Amount appropriated, \$383.97.]



Alderman Hamilton moved to strike out of the above ordinance the claim of O. H. Hasselman, printing, etc., \$276.37, and that said claim be referred to the Committee on Printing and Office Fixtures & Supplies.

Which motion was adopted, the claim stricken out, and referred to the Committee.

The appropriation ordinance was then read the third time (amount appropriated \$107.60), and passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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

Ap. O. 70, 1881—An Ordinance appropriating the sum of Five Thousand Dollars on account of the Street-Repairs Department of the city of Indianapolis.

Alderman Hamilton offered the following amendment to the above ordinance, which was adopted:

Amend by inserting after the words "such work," the following: "And that of said sum of five thousand dollars, hereby appropriated, the sum of one hundred dollars shall be by the Street Commissioner expended in each ward of the city, under the direction of the Councilman of the ward and the Aldermen of the district."

Alderman Tucker offered the following amendment to the above ordinance, which was adopted:

That twenty-five hundred dollars of the amount hereby appropriated shall be expended by the joint action of the Board of Public Improvements and Aldermanic Committee on Streets & Alleys and Sewers & Drainage.

Alderman Hamilton moved the sum of \$5,000, appropriated in the above entitled ordinance, be stricken out, and \$7,000 be inserted instead.

Which motion was adopted, and the ordinance so amended.

The ordinance (Ap. O. 70, 1881), was then ordered engrossed, as amended, read the third time, and passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

Alderman Layman presented the following communication:

Indianapolis, Nov. 14th, 1881.

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Herewith I hand you a proposition from the Fire Board, Police Board, Hospital Board and Board of Public Improvements, that the Board of Aldermen authorize one member of their body to act with each of said boards, and I trust the proposition will be accepted.

The proposition offers to the Board of Aldermen the same representation on the boards that was permitted prior to the passage of the act of March, 1881. There may be a question as to the right of an Alderman to *vote* as a member of any of said boards; yet, through the representation offered, your honorable body will be officially advised of all steps taken by said boards. Vexatious and unnecessary delay in legislation may thus be avoided, while at the same time the interests of the city will be fully protected.

There is no disguising the fact that the feeling now existing between the Common Council and Board of Aldermen, has resulted in much damage to the interests of the city; and unless some amicable adjustment of differences is made at an early day, great loss and useless expense will necessarily result therefrom.

Tax payers are becoming impatient and uneasy under the present situation of affairs, and they certainly have good cause for complaint. They (very unjustly, as I believe,) regard the whole complication as the outgrowth of personal feeling, and they are not disposed to remain quiet and permit the public interests to suffer while private quarrels are tediously prolonged.

I trust that in the proposition herewith submitted, may be found a speedy solution of all troubles between the Council and Board of Aldermen.

Respectfully submitted.

D. W. GRUBBS, Mayor.

Indianapolis, Nov. 11th, 1881.

To the President and Board of Aldermen:

*Gentlemen:*—The act of the Legislature approved March 8th, 1881, provides that no member of the Board of Aldermen shall be elected by the Joint Convention to serve on the various boards to be elected by said convention. Believing that this provision of the act referred to is unwise, and has resulted in impeding necessary legislation, we, the members of the boards created by the last convention, do hereby request that your honorable body direct the chairmen of your committees on Fire Department, Police Department, Hospital, and Streets and Alleys, to meet with the boards having charge of said departments; and we hereby consent and agree that the member so meeting with each of said boards, shall have a voice and vote upon all questions which may come before the respective boards.

We make this proposition as a matter of justice to your honorable body, which, we believe, should have a representation in all departments of the city government; and we hope in this way to avoid that friction and damaging delay in legislation which has prevailed for the past few weeks.

The members of the Board of Public Improvements also request that the member named to act with them, be instructed to accompany said board on their weekly visits over the city, in order that your body may be fully informed as to the necessity of doing any work asked for by motions referred to the Board of Public Improvements.

Isaac Thalman,  
Phil. Reichwein,  
N. Yoke,  
Fire Board.

John R. Pearson,  
Edgar Brundage,  
Police Board.

Edward H. Dean,  
John R. Cowie,  
Wm. H. Morrison,  
Board of Public Improvements.

C. T. Bedford,  
H. J. Mauer,  
Hospital Board.

Alderman Hamilton moved that the above communication be accepted.

Which motion was adopted, and the communication, as presented, was accepted.

On further motion, the communication was referred to the Committee on Judiciary, Ordinances & Rules, and City Attorney.

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 special session, held on Wednesday evening, November 16th, 1881, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 819, ante), was not concurred in:

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

Gentlemen:—I herewith report a first and partial estimate in behalf of S. W. Patterson, for paving with wooden blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from St. Clair street to Seventh street.

767 32-100 square yards bowldering wings of street and alley crossings	
at 55c.....	\$422 02
897 75-100 lineal feet stone crossings at 30c.....	269 32
	<hr/>
	\$691 34

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 819, ante), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and partial estimate in behalf of S. W. Patterson, for paving with wooden blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from St. Clair Street to Seventh street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it failed of adoption by the following vote:

A Y E S, 1—viz. Alderman Seibert.

N A Y S, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Tucker, and President Layman.

The following motions (adopted by the Common Council—see pages 827 and 828, ante), were read and concurrently adopted:

That the City Marshal be directed to notify John F. Ramsey, owner of the property on south Illinois street, east side, between Washington and Maryland streets, to repair and put in good order the brick sidewalk in front of his premises, and he be allowed ten (10) days to do the same. If not done inside of that time, the Marshal notify the Street Commissioner, who will then immediately do the work, under the direction of the City Civil Engineer.

WHEREAS, the first alley south of Pearl street, from Benton street to the first alley east, having been within the last two years graded and graveled, and the same paid for by the adjoining property owners, in accordance with the estimate of the City Engineer, and the alley being now obstructed by the caving in of the embankments, so as to entirely obstruct travel and drainage on the same, therefore

*Moved*, That the Street Commissioner be, and is hereby, instructed to remove the dirt and place the said alley in proper condition for drainage and travel.

That the City Engineer be directed to put new globes on the lamps in White River bridge.

The following motion (adopted by the Common Council—see page 827, *ante*) was read; and, on motion, was referred to the Committee on Markets and Public Property, with power to act:

That the Committee on Public Property be, and are hereby, directed to fence that portion of Garfield Park lying west of the J. M. & I. Railroad, as a protection to stock running at large in that vicinity.

The following motion (adopted by the Common Council—see page 828, was read:

That the Civil Engineer be directed to put in order and re-light the four extinguished gas lamps on the inner side of Circle street.

Alderman Seibert moved that the above motion be referred to the Committee on Public Light and Education, with power to act.

Alderman Rorison's motion to lay the above motion on the table, failed of adoption.

Alderman Seibert's motion was then adopted.

The following motion (adopted by the Common Council—see page 828, *ante*) was read:

WHEREAS, J. D. Condit is unnecessarily obstructing Meridian street, between Washington and Pearl streets, which obstruction is causing a delay in the prosecution of the improvement of south Meridian street; Therefore

*Moved*, That the City Marshal be, and is hereby, instructed to notify said J. D. Condit to at once remove said obstruction, and in the event said J. D. Condit does not comply with the terms of said notice within five days from date of service, the City Marshal is directed and ordered to remove said obstruction at the expense of said J. D. Condit.

A motion to refer the above to the Committee on Streets & Alleys and Sewers & Drainage, failed of adoption.



The motion was then referred to the Committee on Judiciary, Ordinances and Rules, with power to act.

The contract and bond of J. D. Hoss & Co., for improving St. Marys street, from Delaware to Alabama street (see page 744, *ante*) was read and approved.

The following entitled ordinances (passed by the Common Council—were severally read the first time :

- S. O. 137, 1881—An Ordinance to provide for grading, bowldering and curbing, the east gutter of Pennsylvania street, from South street to Garder street.
- S. O. 156, 1881—An Ordinance to provide for grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley east of Mississippi street.
- S. O. 157, 1881—An Ordinance to provide for grading and graveling the first alley south of Third street, from Illinois street to Tennessee street.
- S. O. 158, 1881—An Ordinance to provide for grading and paving with brick (where not already properly paved), the west sidewalk of Pennsylvania street from Seventh street to Eighth, or Williams street.
- S. O. 159, 1881—An Ordinance to provide for grading and paving with brick, the north sidewalk of Washington street, or National Road (where not already paved), from Blackford street to the first alley west of Blackford street.
- G. O. 54, 1881—An Ordinance requiring the Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, and Indianapolis, Peru & Chicago Railway Company, to employ and station a flagman at the point where the tracks of said companies cross east Market street.
- G. O. 57, 1881—An Ordinance requiring the Indianapolis, Decatur and Springfield Railway Company to employ and station a flagman at the point where the track of said company crosses West street.

On motion, S. O. 137, 156, 157 and 159, 1881, were referred to the Committee on Streets & Alleys and Sewers & Drainage, to report next May; and G. O. 54 and 57, 1881, were referred to the Committee on Railroads and Public Charities.

Alderman Drew moved to suspend the rules for the purpose of placing S. O. 158, 1881, on its final passage.

Which motion was adopted, and the rules suspended by the following vote :

**AYES**, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman Rorison, Seibert, Tucker, and President Layman.

**NAYS**—None.

S. O. 158, 1881, was then read the second and third times, and passed by the following vote :

**AYES**, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

**NAYS**—None.

## REPORTS FROM CITY OFFICERS.

The Chief Fire Engineer submitted the following report; which was concurred in:

*Indianapolis, Nov. 14th, 1881.*

To the President and Board of Aldermen:

*Gentlemen:*—I have carefully examined the location for a cistern at the corner of East street and Lincoln Lane, and find there are but few houses there, the most of the ground being vacant, and from the fact that there are quite a number of other localities much more in need of cisterns than this, I would recommend that the cistern be not built.

J. G. PENDERGAST, Chief Fire Engineer.

## REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Finance and Accounts & Claims, through Alderman Hamilton, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Committee on Finance and Accounts and Claims, to whom was referred the petition of John A. Henry, City Attorney, in behalf of the Common Council and Board of Aldermen, asking the County Commissioners to annex to the city certain territory on West street, near Mill street, more fully described in the said petition, have examined the matter, and believing such annexation should be made, recommend the petition be approved, and the resolution accompanying the same be concurrently adopted.

Respectfully submitted,

F. W. Hamilton,  
Hiram Seibert,  
Committee.

The resolution as recommended by the above report, failed of adoption by the following vote:

AYES, 4—viz. Aldermen Hamilton, Mussmann, Seibert, and President Layman.

NAYS, 5—viz. Aldermen DeRaiter, Drew, Newman, Rorison, and Tucker

The same committee, through Alderman Hamilton, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

*Gentlemen:*—Your Committee on Finance, Accounts and Claims, to whom was referred the report of the Council Finance Committee in relation to the petition of S. A. Fletcher & Co, asking that a certain tax-sale of lot 32, Johnson's subdivision, of square No. 20, Johnson's heirs' addition, be set aside and the amount refunded, for the reason that the property was assessed double, have examined the matter, and recommend that the Council's action thereon, granting the request of the petition, be concurred in.

Respectfully submitted,

F. W. Hamilton,  
Hiram Seibert,  
Committee.

Alderman Tucker, in behalf of the Committee on Fire Department, made a verbal report, recommending that the claim of "The Gutta Percha and Rubber Mf'g. Company," \$950.00, be paid.

Which was concurred in.

The Committee on Streets & Alleys and Sewers & Drainage, through Alderman Seibert, submitted the following report, which was concurred in:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Committee on Streets & Alleys and Sewers & Drainage, to whom sundry papers were referred, would report:

1st. Is a motion that the Street Commissioner be directed to place a gravel roadway of ten feet on each side of Tennessee street, between Ohio and Washington streets. Recommend the action of the Common Council be not concurred in.

2d. Is a motion that the Street Commissioner be authorized to offer a reward for information and conviction of any person destroying or stealing any portion of the fence on West Michigan street, built by the city. Recommend the action of the Common Council in the adoption of such motion be concurred in.

3d. Is a motion that the City Civil Engineer be ordered to arrange the culvert at the corner of Indiana avenue and Mississippi street, in such manner that the property in this vicinity may not be damaged by water. Recommend that the action of the Common Council in the adoption of said motion be not concurred in; and that the Citizens Street Railway Company be notified to do the work, and on failure to comply with said notification within ten days after receiving said notice, the City attorney be instructed to take the proper action to compel said company to do the work.

4th. Is S. O. 132, 133 and 134, providing for street improvements. Recommend the action of the Common Council in the passage of said ordinances, be concurred in.

5th. Is the report of Council Committee on Streets and Alleys, adopted by the Common Council, October 24, 1881. Recommend that the action of the Common Council in the adoption of said report and resolution, be concurred in, except the third clause, which your committee ask further time for investigation.

Respectfully submitted,

Hiram Seibert,  
H. E. Drew,  
Committee.

The following resolutions, submitted with the above report (adopted by the Common Council—see page 746, *ante*) were read:

*Resolved,* That the name of Smock street, east to Delaware street, and Williams street, from Pennsylvania street to a point half square west of Mississippi street, and the first street north of Seventh street, from the west line of Allen & Root's addition to Central avenue, the whole line designated to be recorded and known as Eighth street.

*Resolved,* That the matter of vacating so much of that portion of Madison street adjoining lots 28 and 31 inclusive, and so much of the first alley north of Madison street as adjoins lots 1, 2, 3, 28, 29 and 30, all in Hanna heirs' addition to the city of Indianapolis, together with the petition and plat presented in such case, be referred to the City Commissioners for their action thereon, as soon as a sufficient number of the persons who have signed aforesaid petition, shall file in the office of the City Clerk, a bond or agreement to hold the city of Indianapolis free and harmless of the payment of any and all damages that may be appraised on account of said vacations.

And concurrently adopted by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

## INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton offered the following motions; which were adopted:

That the Council be respectfully requested to consider and forward general ordinances numbered 48, 55 and 56, and special ordinances (1881) numbered 151, 152 and 153, now pending in that body.

That the Board of Public Improvements and Street Commissioner report to this board and the Common Council how much money has been expended upon the streets of the city since the first day of June, 1881, stating in detail what for and upon what streets and alleys such money has been expended, and with what benefit to such streets and alleys.

Alderman Rorison offered the following motion; which was adopted:

That His Honor, the Mayor, be requested to reintroduce for the action of the Council the ordinance for the impounding of stock running at large within the city limits.

Alderman Tucker offered the following motions; which were adopted:

That the City Attorney, together with the Council Judiciary Committee, be and are hereby requested to examine the law, and to report to the Council and to this body, if the city would have the right to pass an ordinance compelling the railroad companies, especially the Union Railroad Company, to build viaducts over their tracks for the safe passage of the public, especially on streets where travel is continually being obstructed by the use of said union railroads.

That the Finance Committee of this Board be and are hereby directed to report at our next meeting the total amount of revenues and the expenditures for each year for 1877, 1878, 1879, 1880; also, the anticipated revenues for the present fiscal year, and the expenditures for the same.

That the Chief of the Fire Department and the Foremen of the Skinner Truck be and are hereby directed to report to this Board, at our next meeting, if, in their opinion, the truck is not unfit for use, and liable, if brought into service, to fall at any time, thereby endangering the lives of the men handling the truck, or others that may be near it; and if, in their opinion, the cost of rebuilding, making it safe, would not be more than it is worth.

President Layman offered the following motion; which was adopted:

That the Street Commissioner be and is hereby directed to scrape and clean the gutters on North Alabama street, between Fort Wayne avenue and Home avenue.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.