

The question of accepting the Water Works being taken up, the Committee on Water Works presented the following report, which, after a long discussion, was adopted:

To the Honorable, the Mayor and City Council of the City of Des Moines:

GENTLEMEN:—Your Committee appointed by your Honorable body to test, examine and report upon the sufficiency and condition of the Water Works within the city, which belong to the Des Moines Water Company, and whether said Company have complied with their contract with the city in relation thereto, make the following report, to-wit:

During the progress of the work the company have not unnecessarily obstructed any street, alley or public ground, and with some few exceptions they have put the surface of the land in good condition after having laid their pipes.

As to whether the company have done their work under the supervision of the City Engineer, and whether the works will throw six streams of water at once vertically one hundred feet high through one inch nozzles, we refer you to the report of the City Engineer, hereto attached, marked Exhibit "A," and made a part hereof. The Company throw six streams 100 feet high, as required by the contract, and do so fully and apparently without difficulty, in the lower part of the city; but on Capitol Hill and in the Fourth Ward they hardly come up to the required height, but they throw at once six good streams for the extinguishment of fires.

Since the Engineer's report we drew on the works at the hydrant near Court Avenue and Second street, without any notice to the Company, and found the pressure sufficient to throw a stream on any of the houses on either side of the street at that place.

We find that some of the hydrants are not on grade, and doubt whether they are all in the right place.

We find that the Street Commissioner in changing the course of Bird's Run, has laid the water main bare so that it will freeze.

We find nothing in the contract binding Company to place their engines, boilers and furnace above high water mark, but we do find they are below high water. Nor is there anything in the contract in regard to the size or thickness of the water pipes used, but the Company bind themselves to furnish the city and inhabitants with pure filtered water, "at all times," only in case of accident.

Now in view of the facts, and the law, your committee recommend that the Water Company be required to give a written guarantee, that it shall not be claimed by them to be a casualty, or accident for which they are not to account, when their engines, boilers, furnace or machinery are so submerged with water that they cannot comply with their contract to furnish the city with "pure filtered water."

2d. That it will not by them (the Co.) be called an accident for which they are not to account to the city when any of their water pipes or mains freeze, and thus prevent them from complying with their contract.

3d. And that any hydrants hereafter found not to be in the proper place, shall be put in the right place by the Company.

4th. That the hydrants not now put in shall be put in at such time and place as the city shall direct. At Bird's Run, on 9th street, they shall put the water pipe below the frost, and also at any and every other point in the city where the water mains have not been laid below where frost will reach, they shall put it below at their own expense.

5th. And hereafter if it shall be found that any water mains have not been laid deep enough below grade to insure from freezing, the Company shall relay them at their own expense, and under the supervision of the City Engineer as per contract in Ordinance No. 108 Sec. 2.

Your committee suggest that if the Company shall comply with the above requirements that the Council then appoint a committee or direct the committee on Water Works (with the City Solicitor added) to make settlement with the Company as suggested by the report of the City Solicitor hereto appended.

All of which is respectfully submitted.

H. R. LOVJOY,
JOHN H. GIVEN,
M. H. KING,
THOMAS GEORGE.