

PROCEEDINGS  
OF THE  
BOARD OF ALDERMEN.  
REGULAR SESSION.

CHAMBER OF THE BOARD OF ALDERMEN  
OF THE CITY OF INDIANAPOLIS, }  
*Tuesday, December 4th, 1877—7 o'clock P. M.* }

The Board of Aldermen met in regular session.

President Newcomb being absent at roll-call, Alderman R. S. Foster was called to the chair, as president *pro tempore*.

Present at roll-call—Alderman Foster, as president *pro tempore*, in the chair, and Aldermen Chandler, Coburn, Krug, McGill, Stratford, Wallace, and Wiles—8. Appeared subsequently—President Newcomb and Alderman Snider. Total present—10.

Absent—None.

The proceedings of the regular session, held November 20th, 1877, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

## REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Streets and Alleys, through Alderman Coburn, submitted the following report; which was concurred in :

*Indianapolis, December 4, 1877.*

To the President and Board of Aldermen :

1st. The Committee on Streets and Alleys, to whom was referred the motion to fill the hole on Spruce street, would report that this is the second time this motion has been before the Board.

Spruce street is an ungraded street, and we have always reported against filling low places, and providing for drainage, for unimproved streets. We would recommend that an ordinance to grade it might be passed, costing the property holders but little, and it could be graveled at some future time.

2d. The motion to change the grade of the east gutter of Pennsylvania street, between Court street and Washington street.

We would recommend this work be done, provided the Civil Engineer can get rid of the water at the west end of Court street without changing the grade of it.

3d. The several motions referred to us to have the Street Commissioner clean the gutters on Ohio street, between New Jersey and Liberty streets; Vine street gutters, between Broadway and Plum streets; Railroad street, between St. Clair and North streets—were handed to the Street Commissioner at the time, and the work done.

4th. The motion to build a culvert over the east gutter of Alabama street at the crossing of Eighth street, was reported against, and the report sustained once before this, during the summer.

We have had no new light on the subject to cause us to change our opinion, expressed at that time.

5th. The motion to have the Street Commissioner place a coating of sand over the gravel on Wabash street, north of the East Market House, was voted on in the joint committee of the Council and Aldermen to have an ordinance prepared for the same, but no ordinance was ever presented; nor is one needed now, as the gravel has packed, and is better without the sand than with it.

6th. The motion to have a hole filled in Dillon street was done at once, as the street was in bad condition, and took but a few loads of gravel.

Respectfully submitted,

H. COBURN,  
G. C. KRUG,  
ROBT. C. MCGILL.

Committee on Streets and Alleys

On Alderman Stratford's motion, the Council motion, to grant G. W. McLelland and C. W. Dickson permission to erect a hay and grain scale at the intersection of Virginia avenue and Shelby street, which had been referred to the Aldermanic Committee on Streets and Alleys on 6th *ultimo* [see page 245, *ante*], was re-called from aforesaid committee, and the action of the Common Council, in adopting such motion, was duly concurred in.

The Committee on Gas-Light, through Alderman Wallace, submitted the following report and proposition :

To the Board of Aldermen :

Your Committee on Gas-Light respectfully report the following proposition of the Indianapolis Gas-Light and Coke Company, and we recommend that the proposition be accepted, except that no interest shall be paid on the amount of \$7,079.50; that a proper agreement in writing be prepared by the City Attorney, in conformity with the proposition.

WM. WALLACE,  
H. COBURN,  
W. H. SNIDER,  
Committee on Gas-Light.

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To William Wallace, Esq., Chairman of the Committee :

We herewith submit to you, reduced into writing, the verbal understanding had in regard to the reduction on gas bills to the City of Indianapolis :

The city to pay to the gas company, without any further litigation, the amount of the gas bill for February, 1877, of \$7,079.50, with interest; also to pay the court costs caused by the suit of the gas company for the above amount.

The city to release the gas company from the stipulation of the contract of July 22d, 1876, which provides for the payment, by the gas company, of fifteen cents for each and every night, for each and every post that is not lighted, and kept so lighted, during the time required by the time tables, if the failure to light and keep such posts lighted is caused by frost, over which the gas company has no control; but the company agrees and promises to use the utmost despatch, possible, in thawing out such frozen-up posts.

The city to employ Professor Cox, as an expert, to determine the quality of gas, the expense of such employment to be borne, one-half by the city, the other half by the gas company.

The gas company to allow a discount of ten thousand dollars to be deducted from the bills for March and April, 1878.

Nothing in this agreement to alter, modify, annul, or suspend the provisions of the contract now existing between the the city and the gas company,

as evidenced by the ordinance of the Council of July 22d, 1876, except so far as may be necessary to give effect to this agreement.

Very respectfully,

H. WETZEL, Secretary.

During the reading of above papers, President Newcomb and Aldermen Snider entered the chamber.

Preceding report was then concurred in, and the proposition, as modified by report, was duly approved and accepted, by the following vote:

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

President Newcomb took the chair.

#### MESSAGES FROM THE COMMON COUNCIL.

The following message from the Common Council was received :

*Indianapolis, December 4, 1877.*

To the President and Board of Aldermen :

*Gentlemen* :—I herewith transmit the following motion (duly adopted by the Common Council on November 19th, 1877, and inadvertently omitted from the papers placed before you at your last regular session), for your action upon the same:

WHEREAS, There is need of one or more new bridges in the city; and whereas, in view of our limited means, the strictest economy is necessary in the expenditure of money; therefore,

*Moved*, That a special committee of three members of the Council, with two members from the Aldermanic Board, be appointed, with instructions to report the practicability of taking down the Delaware street viaduct, and utilizing the material for bridge purposes.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

His Honor, the President, appointed Aldermen Wiles and Stratford as the Aldermanic members of aforesaid special committee; which, as fully constituted, is as follows:

Councilmen Tucker, Marsee, and Reading, and Aldermen Wiles and Stratford.

The following message was also duly received :

*Indianapolis, December 4, 1877.*

To the President and Board of Aldermen :

*Gentlemen* :—I herewith transmit to your honorable body certain papers, favorably passed upon by the Common Council, at its last regular session, held December 3d, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Report from Council Committee on Contracts, recommending (1) that the contract for grading, and paving with brick, the east sidewalk of Park avenue, where not already paved, between Cherry and Vine streets, be awarded to John Schier ; (2) that the contract for grading, and paving with brick, the east sidewalk of Pendleton Pike, between Clifford avenue and Orange street, be awarded to D. A. Haywood ; and (3) that the contract for grading and graveling East street and sidewalks, except where the sidewalks have already been properly improved, from Morris street to Minnesota street, be awarded to James Mahoney [see Council Proceedings, page 572], was read, and the action of the Common Council, in awarding the several contracts, was duly concurred in.

Report from City Civil Engineer, recommending that the Street Commissioner be instructed to tighten the bolts and screws of the Delaware street viaduct that have become loosened [see Council Proceedings, page 573], was read, and the action of the Common Council, in concurring in such recommendation, was duly concurred in.

On Alderman Foster's motion, the Board recommended that the Common Council join with this body in ordering the approaches to aforesaid viaduct to be closed as speedily as possible, its further use as a bridge being positively hazardous and unsafe.

Report from City Attorney, transmitting a lease of the basement story of the new court house, duly executed by and between the Commissioners of Marion county and the City of Indianapolis, by John Caven, Mayor, together with aforesaid lease [see Council Proceedings, page 574], were read, and the action of the Common Council, in receiving such report, and in accepting and approving the lease, and in ordering same to be filed for record in the office of the Recorder of Marion county, was duly concurred in.

Report from same officer, stating that the cases of Louisa Jones vs. The City (to enjoin the collection of assessments on account of the construction of the N. Illinois street sewer) and of Valentine Foland vs. The City (on account of the overflowing of Foland's premises by the water from the Merrill street sewer) had been decided in favor of the city [see Council Proceedings, page 575], was read, and such report was duly received.

Report from same officer, recommending the reference of petition and plat for vacating Market and Wabash streets, between Tennessee and Mississippi streets, and Huron street, through square 48, from Market to Ohio street, to the Council Committee on Opening, etc., Streets and Alleys; also, aforesaid petition and plat [see Council Proceedings, page 576]; also, report from such Council Committee, recommending the reference of this case to the City Commissioners [see Council Proceedings, page 586], were read, and then, on motion, the three papers herein mentioned, were referred to the Aldermanic Committee on Opening, etc., Streets and Alleys.

Report from City Clerk, giving the following list of affidavits, filed in his office, for the collection of street assessments by precept, viz.:

John Flaherty vs. Benjamin F. Riley, for.....	\$ 4 22
John Flaherty vs. Benjamin F. Riley, for.....	13 75
Richard Carr vs. Oliver S. Dean, for.....	28 05
Richard Carr vs. Oliver S. Dean, for .....	28 05
David A. Haywood vs. Samuel M. Seibert, for.....	24 85
David A. Haywood vs. Charles Kuetemeier, for.....	24 72
Fred Gansberg vs. Winslow S. Pierce, for .....	40 95

Fred. Gansberg vs. J. H. Pierce et al. (christian name unknown) for..	\$ 30 95
James J. McKnight vs. James E. Foster, for .....	51 00
Samuel J. Smock vs. John M. Todd, for.....	5 00
David A. Haywood vs. George W. Gabbert, for .....	29 13
David A. Haywood vs. John W. Muir, for.....	14 43
David A. Haywood vs. August Jackman, for... ..	9 00
David A. Haywood vs. Catharine Buchanan, for .....	6 85
David A. Haywood vs. John Hauck, for.....	7 1
John Greene vs. Winslow S. Pierce, for .....	30 3

And recommending that precepts be ordered to issue [see Council Proceedings, page 579], was read.

On President Newcomb's motion, the Board of Aldermen refused to concur in ordering the following precepts to be issued:

John Flaherty vs. Benjamin F. Riley, for.....	\$4 22
John Flaherty vs. Benjamin F. Riley, for.....	13 75

And then the balance of before-mentioned report was approved, and the action of the Common Council, in ordering the remainder of the precepts to issue, was concurred in by the following vote:

Affirmative—Alderman Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

Report from the Fire Board, stating they had carefully examined the stairways and halls of the Surgical Institute, and find that a narrow back-stairway is the only provision made for the escape of its inmates in the case of a fire breaking out in said building, and, therefore, recommend that the City Marshal be instructed to notify the proprietors of said building to immediately provide sufficient means of escape for the occupants thereof, in case of fire, and to conform to the law passed by the last Legislature regarding fire-escapes [see Council Proceedings, page 582], was read, and the action of the Common Council, in concurring in such report, was duly approved.

Report from Council Committee on Finance, City Attorney, and City Assessor, on ten certain cases to them referred [see Council Proceedings, pages 583 and 584], was read, and then referred to the Aldermanic Committee on Judiciary.

Report from Council Committee on Gas-Light, recommending the erection of two public gas-lamps on West street, between Georgia and South streets—one on the north side and one on the south side of the railroad tracks crossing said first named street [see Council Proceedings, page 585], was read, and the action of the Common Council, in concurring in such recommendation, was duly approved.

Report from Council Committee on Streets and Alleys, recommending (3) that the Street Commissioner be instructed to take up the drainage-pipe now in the gutter at the southwest corner of Delaware and Maryland streets, and make such gutter an open one, by bowldering same [see Council Proceedings, page 585], was read, and the action of the Common Council, in concurring in the said third clause of such report, was duly approved.

Contract and bond of John Schier, for grading, and paving with brick, the east sidewalk of Park avenue (where not already paved), between Cherry and Vine streets [which had been concurred in and approved by the Common Council—see page 588], was read, and the action of the Common Council, as above set forth, was concurred in.

Motion, to grant the Pattison M. E. Church permission to remove the frame building used by them as a place of worship, from Yandes street to the corner of Bellefontaine avenue and Seventh street [see Council Proceedings, page 594], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant E. B. Elliott ten days further time in which to complete his contract for grading and graveling Herbert street

[see Council Proceedings, page 594], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to direct the Street Commissioner to notify the property owners to put in repair the several cellar-doors on the north side of Washington street, between Meridian and Illinois streets [see Council Proceedings, page 594], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant D. M. Young permission to dig a vault in alley in rear of No. 69 W. Market street [see Council Proceedings, page 594], was read, and referred to the Board of Health.

Motion, to grant — Hagerhorst permission to lay a stone crossing over Washington street, in front of lot 3, in square 63, fronting the Court House, subject to the usual restrictions [see Council Proceedings, page 596], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to direct the Street Commissioner to examine the building containing the road-roller, and see that the same is in a condition to protect said machine [see Council Proceedings, page 596], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the City Marshal and police to order all wood teams to the wood-stands provided for by city ordinance, when found standing around the streets, offering wood for sale [see Council Proceedings, page 597], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant Richard Sellers permission to take up a portion of the brick sidewalk in front of No. 129 Massachusetts avenue (his residence), and bowlder same for a driveway [see Council Proceedings, page 599], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant Shover & Christian permission to put down a double-stone crossing over Massachusetts avenue, opposite the Enterprise Hotel, under the usual restrictions [see Council Proceedings, page 599], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

The following appropriation ordinances [which had been duly passed by the Common Council—see pages 590 and 591] were read the first time :

- Ap. O. 83, 1877—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Fire Department.
- Ap. O. 84, 1877—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of City Hospital and Branch.
- Ap. O. 85, 1877—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.
- Ap. O. 86, 1877—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.
- Ap. O. 87, 1877—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.
- G. O. 42, 1877—An ordinance making and providing for the execution of a Contract between the City of Indianapolis and the Water-Works Company of Indianapolis.

Appropriation ordinance No. 83, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

Appropriation ordinance No. 84, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

Appropriation ordinance No. 85, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

Appropriation ordinance No. 86, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

Appropriation ordinance No. 87, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

#### ORDINANCES ON SECOND READING.

Special ordinance No. 132, 1876, and special ordinances Nos. 26, 32, 35, and 36, 1877, were severally read the second time.

The following special ordinance was read the second time, and then referred, with remonstrance against passage of same, to the Aldermanic Committee on Streets and Alleys :

S. O. 27, 1877—An ordinance to provide for grading and graveling the first alley east of East street, running from Merrill to Valley street.

#### ORDINANCES ON THIRD READING.

The following special ordinance was then read the third time :

S. O. 132, 1876—An ordinance to provide for grading and graveling the alley between Broadway street and College avenue, and running from Butler street to Home avenue;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

The following special ordinance was read the third time :

S. O. 26, 1877—An ordinance to provide for grading and graveling the first alley east of Meridian street, between Phipps and McCarty streets ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

The following special ordinance was read the third time :

S. O. 32, 1877—An ordinance to provide for grading, graveling, and curbing the west sidewalk of Missouri street, from New York to Vermont street ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

The following special ordinance was read the third time :

S. O. 35, 1877—An ordinance to provide for grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris street ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

The following special ordinance was read the third time ;

S. O. 36, 1877—An ordinance to provide for grading and graveling the first alley north of Fletcher avenue, from Cedar street to Dillon street ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Wallace, Wiles, and President Newcomb—9.

Negative—Alderman Stratford—1.

On Alderman Wallace's motion, the rules were suspended for the purpose of taking up general ordinance No. 42, 1877, of reading it the second and third times, and placing same on its passage, by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

The following general ordinance was read the second time :

G. O. 42, 1877—An ordinance making and providing for the execution of a Contract between the City of Indianapolis and the Water-Works Company of Indianapolis.

Alderman Foster offered the following amendments; which were severally and unanimously adopted :

Strike out the word "*ten*," and insert "*six*," in the fifth line of the second paragraph of aforesaid contract, as printed on page 549 of Council Proceedings, so that such provision shall read as follows: "Said pressure and power to be furnished within *six* minutes from the time an alarm of fire is sounded from any fire-alarm box located on the line of or within one square from the lines of water pipe."

Add to end of sixth paragraph of aforesaid contract, on page 550 of Council Proceedings, the following additional language: "*Provided*, That the members of the Fire Department shall be hereby authorized to use water from the fire plugs to sprinkle the streets immediately bordering on the several engine and hose-reel houses, using the ordinary sprinkling nozzle."

Said general ordinance No. 42, 1877, amended as above, was then read the third time, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—10.

Negative—None.

## INTRODUCTION OF MISCELLANEOUS BUSINESS.

The Committee on Judiciary, through Alderman Wallace, submitted the following report; which was concurred in:

To the Board of Aldermen:

Your Committee on Judiciary, to whom was referred the report of the Judiciary Committee of the Common Council, in reference to the compromise of the right of action of James A. Murray, for injuries caused by an obstruction in the street, that had been placed there to prevent persons from driving upon the bridge across Pogue's Run, beg leave to report that they have examined the matter, and recommend a concurrence with the action of the Common Council, compromising claim for \$150.

WM. WALLACE,

R. S. FOSTER.

I. W. STRATFORD,

Committee on Judiciary.

Alderman Chandler offered the following motion; which was adopted:

*Moved*, That the City Civil Engineer be instructed to report what, if any, changes it will be necessary to make in the manner of draining the streets in the vicinity of the State House, after Market street shall be vacated between Tennessee and Mississippi streets, and the probable cost of any such changes.

Alderman Stratford offered the following motions; which were severally adopted:

*Moved*, That the Committee on Streets and Alleys be directed to examine the following named streets; and report, at the next regular meeting, what is necessary to put them in passable condition:

Virginia avenue, from Merrill street to Prospect street.

Coburn street, from East street to Virginia avenue.

Daugherty street, from East street to Virginia avenue.

Buchanan street, from East street to Virginia avenue.

Elm street, from Noble to Dillon street.

Huron street, from Noble to Dillon street.

McCarty street, from Alabama street to Virginia avenue.

New Jersey street, from Washington to Louisiana street.

West street, from South to Maryland streets.

Kentucky avenue, from Missouri to South street.

*Moved*, That the Common Council be requested to instruct the City Civil Engineer to re-advertise for bids for the erection of gas-posts, lamps, and fixtures, complete to burn gas, on Stevens street, from East street to Virginia avenue.

*Moved*, That there be a committee of three appointed by the Chair, with instructions to confer with the State Board of Agriculture, with a view to exchanging the Southern Park for the Exposition Building, and grounds sufficient for work-house purposes.

His Honor, the President, appointed Aldermen Stratford, Wallace, and Wiles, as the special committee created by the motion last above.

On motion, the Board of Aldermen then adjourned.

H. C. NEWCOMB, President.

Attest :

GEO. T. BREUNIG,

Clerk of Board of Aldermen.