

PROCEEDINGS
OF THE
BOARD OF ALDERMEN

REGULAR SESSION.

CHAMBER OF THE BOARD OF ALDERMEN
OF THE CITY OF INDIANAPOLIS, }
Tuesday, February 5th, 1878—7 o'clock P. M. }

The Board of Aldermen met in regular session.

Present at roll-call—Aldermen Chandler, Coburn, Foster, Krug, McGill, Stratford, Wallace, and Wiles—8. Appeared subsequently—Alderman Snider—1. Total present—9.

Absent—President Newcomb—1.

The President being absent, Alderman Foster was called to the chair, as president *pro tempore*.

The proceedings of the regular session, held January 22d, 1878, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

MESSAGES FROM THE COMMON COUNCIL.

The following message was duly received :

Indianapolis, February 5, 1878.

To the President and Members of the Board of Aldermen :

Gentlemen :—At a regular session of the Common Council, held last evening, the following proceedings were had relative to papers transmitted by your honorable body :

1. It refused to concur in the recommendation made by your Committee on Benevolence and Hospitals, to appropriate five hundred dollars on behalf of the Indianapolis Benevolent Society and the Ladies' Relief Society.

2. It also refused to concur in the motion adopted by your honorable body, which contemplated a contribution of thirteen dollars and eighty-nine cents from the Mayor, and each Alderman and Councilman, for the purpose of "equaling the appropriation made by the Board of Aldermen and Common Council on November 2d, 1877," but adopted said motion after it had been amended by "leaving out the words 'Mayor and members of the Common Council,' and making the amount 'fifty dollars for each member of the Board of Aldermen.'"

Respectfully,

BENJ. C. WRIGHT, City Clerk.

During discussion of the subjects involved by the preceding message, Alderman Snider appeared, and took his seat.

The Board of Aldermen refused to concur in the first clause, by the following vote :

Affirmative—Aldermen Chandler, Coburn, and Krug—3.

Negative—Alderman Foster, McGill, Snider, Stratford, Wallace, and Wiles—6.

Also, refused to concur in the second clause of foregoing message, by the following vote :

Affirmative—Aldermen Chandler, McGill, Stratford, and Wallace—4.

Negative—Aldermen Coburn, Foster, Krug, Snider, and Wiles—5.

The following message was also received:

Indianapolis, February 5, 1878.

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 last regular session, held February 4th, 1878, for your action upon same.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

Aldermen Foster was granted leave of absence for the balance of this session.

Alderman Wiles was called to the chair.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Report from the Council Committee on Contracts, recommending that the contract for taking down and storing the South Delaware street viaduct be awarded to Peter Ivory [see Council Proceedings, page 708], was read, and the action of the Common Council, in awarding such contract, was duly concurred in.

The contract and bond of Peter Ivory, for above described work (penalty of bond, \$2,000; bondsmen, James Mahoney and James Renihan), were read, and the action of the Common Council, in concurring in such contract, and in approving the bond [see Council Proceedings, page 708], was duly concurred in.

Report from City Civil Engineer, giving (1) a first and partial estimate to William L. Roney, for grading, and paving with brick, the sidewalks of Fletcher avenue, between Dillon and Linden streets, except in front of lots 130, 131, and 132, in Spann & Co.'s Woodlawn Addition; and (2) a second, corrected, and final estimate to John Greene, for grading and graveling Wisconsin street and sidewalks, from Mississippi to Meridian street [see Council Proceedings, page 709], was read, and the action of the Common Council, in approving such report, was duly concurred in.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 709], was then read :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and partial estimate, allowed William L. Roney, for grading, and paving with brick, the sidewalks of Fletcher avenue, between Dillon and Linden streets, except in front of lots 130, 131, and 132, in Spann & Co.'s Woodlawn Addition, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And was duly adopted by the following vote :

Affirmative—Aldermen Chandler, Coburn, Krug, McGill, Snider, Stratford, Wallace, and Wiles—8.

Negative—None.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 709], was also read :

Resolved, by the Common Council and Board of Aldermen, That the foregoing second, corrected, and final estimate, allowed John Greene, for grading and graveling Wisconsin street and sidewalks, from Mississippi street to Meridian street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And was duly adopted by the following vote :

Affirmative—Alderman Chandler, Coburn, Krug, McGill, Snider, Stratford, Wallace, and Wiles—8.

Negative—None.

Report from City Clerk, stating that he had transmitted to the City Commissioners, on February 4th, 1878, the petition and other papers in the case of the vacation of Market and Wabash streets, between Mississippi and Tennessee streets, and of Huron street, between Ohio and Market streets, together with the required resolution, and had issued the notices to the said Commissioners and property owners, according to law [see Council Proceedings, page 710], was read, and such proceedings were duly approved.

Report from Street Commissioner, of work done in his Department during the month of January, 1878 [see Council Proceedings, page 714], was read, and duly received.

Report from Hospital Board, stating that they had examined the November, 1877, Report of the Superintendent of the City Hospital and Branch, and found same to be correct [see Council Proceedings, page 716], was read, and the action of the Common Council, in approving such report, was duly concurred in.

Reports from Superintendent of City Hospital and Branch, for the month of January, 1878 [see Council Proceedings, page 716], were read, and duly received.

Reports from Superintendent of City Dispensary, for the month of January, 1878 [see Council Proceedings, page 718], were read, and duly received.

Report from Board of Public Improvements, stating said official board was duly organized on January 25th, 1878, by the election of Councilman N. S. Byram as president, and Alderman Henry Coburn as secretary thereof, and are now ready for business [see Council Proceedings, page 717], was read, and the action of the Common Council, in approving such report, was duly concurred in.

Report from same board, recommending (2) that the City Civil Engineer be instructed to advertise for proposals to erect a foot-bridge over the Union Railway tracks on Virginia avenue; and (3) that a double-stone foot-crossing be placed across Market street, from the northeast corner of Pennsylvania and Market streets to the southeast corner of said streets [see Council Proceedings, page 717], was read, and the action of the Common Council, in concurring in such report, was duly approved.

Report from Council Committee on Bridges, recommending that the Street Commissioner extend the bent in the centre of the Win-

ston street bridge over Pogue's Run to the full width of said bridge [see Council Proceedings, page 719], was read, and the action of the Common Council, in concurring in such report, was duly approved.

Report from Council Committee on Public Buildings, recommending that the City Janitor be authorized to employ additional help, at a cost not exceeding six dollars per week [see Council Proceedings, page 720], was read, and the action of the Common Council, in concurring in such report, was duly approved.

Petition from Bledsoe & Coombs, for the issuance of a license to sell at auction, at No. 96 E. Washington street, for and during the term of one year [see Council Proceedings, page 729], was read, and the action of the Common Council, in granting the prayer of such petition, was duly concurred in.

Petition from the Capitol Gas Improvement and Construction Company of Washington, D. C., praying "that an ordinance be passed, granting to your orators, their associates and assigns, permission and authority to lay gas mains and pipes under and along the streets, alleys, sidewalks, and other public grounds in the City of Indianapolis, and to maintain and keep the same in repair, for the term of thirty years from and after the date of said ordinance" [see Council Proceedings, page 730], was read, and the Chair appointed Aldermen Chandler and McGill as the Aldermanic members of the select committee to whom the Council had referred such document.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 727], was then read:

Resolved, by the Common Council and Board of Aldermen, That the petition of M. Criqui, Fred. Richter, et al., praying for the laying out and widening of Shelby street, to a width of sixty feet, from Prospect street to the south corporation line, be referred to the Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purposes of laying out and widening such street, as aforesaid, the Common Council and Board of Aldermen do propose to appropriate such real estate and prop-

erty as may be necessary therefor. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners and property owners.

And was duly adopted by the following vote:

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 731], was also read:

Resolved, by the Common Council and Board of Aldermen of the City of Indianapolis, That the matter of laying out, opening, and extending Dillon street, in a width of sixty (60) feet, from its present northern terminus to the intersection of Washington street and Michigan Road, on a line as adopted by the Common Council at its meeting held January 7th, 1878, and amended by the Board of Aldermen, at its meeting held January 22d, 1878, be referred to the Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purposes of such laying out, opening and extending such street, as aforesaid, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners and property owners.

And was duly adopted by the following vote:

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Motion, to permit J. W. Davis to remove a frame house from the corner of Peru and Seventh streets to the corner of Ninth and Greenwood streets [see Council Proceedings, page 726], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to permit Michael Sells to lay a brick sidewalk in front of his property on Walnut street, between New Jersey and East

streets, subject to the usual restrictions [see Council Proceedings, page 728], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to permit Howard Barnes to erect a lamp-post on the northwest corner of Pearl street and the first alley east of Illinois street, the same to be erected and furnished with gas at his own expense [see Council Proceedings, page 729], 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 724 and 725] were read the first time :

Ap. O. 6, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

Ap. O. 7, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

Ap. O. 8, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

Ap. O. 9, 1878—An ordinance appropriating money on account of the City Dispensary.

Ap. O. 10, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Ap. O. 11, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

Appropriation ordinance No. 6, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Appropriation ordinance No. 7, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Appropriation ordinance No. 8, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Appropriation ordinance No. 9, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Appropriation ordinance No. 10, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Appropriation ordinance No. 11, 1878, was then read the second and third times, and passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Special ordinances No. 41, 1877, and No. 2, 1878, were read the first time ; and then, on motion, the rules were suspended, for the

purpose of now reading them the second and third times, and placing them on their passage, by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

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

S. O. 41, 1877—An ordinance to provide for the construction of a brick sewer, from the east line of the Central Station House, in and along Pearl street, to the first alley east of Delaware street; thence, south, in and along said alley, to Maryland street; thence, west, in and along Maryland street, to and connecting with the Virginia avenue sewer; and assessing the benefits of the same upon the property benefitted thereby;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

The following ordinance was also read the second and third times ;

S. O. 2, 1878—An ordinance to provide for grading and graveling Morris street and sidewalks, from Chesnut street to Madison avenue;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

ORDINANCES ON SECOND AND THIRD READINGS.

The following ordinance was taken up, and read the second and third times :

G. O. 44, 1877—An ordinance regulating the Weighing and Sale of Coal and Coke in the City of Indianapolis;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Wallace, and Wiles—6.

Negative—Alderman Stratford—1.

Alderman Snider moved that the Board of Aldermen do now adjourn ; which motion was lost.

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

S. O. 121, 1876—An ordinance to provide for grading and graveling the first alley east of the lower arm of the canal, from Washington street to its southern terminus ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

The following ordinance was read the second time ; and then, on motion, referred to the Aldermanic Committee on Streets and Alleys :

S. O. 135, 1876—An ordinance to provide for grading and graveling the alley between Olive and Linden streets, running from Orange to Willow street.

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

S. O. 33, 1877—An ordinance to provide for grading and graveling the first alley east of Cook street, from Georgia to Louisiana street ;

And was passed by the following vote :

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

The following ordinance was then read the second and third times, and placed on its passage :

S. O. 38, 1877—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Fletcher avenue, from Dillon street to Linden street.

Those who voted in the affirmative were

Aldermen Chandler, McGill, Snider, Stratford, Wallace, and Wiles—6.

The vote in the negative was

Alderman Coburn—1.

It requiring a two-third majority to pass the ordinance, the Chair declared that the necessary number of votes had not been cast to effect such a result.

The following ordinance was also read the second and third times, and placed on its passage :

S. O. 39, 1877—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Olive street, from Prospect street to Pleasant Run.

Those who voted in the affirmative were

Aldermen Chandler, McGill, Snider, Stratford, Wallace, and Wiles—6.

Alderman Coburn (1) voted in the negative.

It requiring a two-third majority to pass the ordinance, the Chair declared that the necessary number of votes had not been cast to effect such a result.

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

S. O. 42, 1877—An ordinance to provide for grading, and paving with brick, the sidewalks of First street, from Illinois street to Meridian street ;

And was passed by the following vote :

Affirmative—Alderman Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Alderman Stratford moved that the votes by which special ordinances Nos. 38 and 39, 1877, failed to pass, be reconsidered; and such reconsideration was ordered by the following vote:

Affirmative—Aldermen Chandler, Coburn, McGill, Snider, Stratford, Wallace, and Wiles—7.

Negative—None.

Special ordinances Nos. 38 and 39, 1877, are, therefore, again placed on the files of the Board of Aldermen, as on their third reading.

NEW BUSINESS.

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

To the Board of Aldermen of the City of Indianapolis:

Your Judiciary Committee, to whom was referred the opinion of the City Attorney in respect to the adjustment of the claim of Samuel Hanway, on account of the opening of Peru street, beg leave to recommend that the Board of Aldermen concur in the action of the Council in reference to said matter.

WM. WALLACE,
I. W. STRATFORD,
Committee on Judiciary.

Alderman Stratford offered the following motion; which was adopted:

Moved, That the member of the Board of Public Improvements from this body is hereby requested to use his best endeavors, as a member of said Board, to have employed in the Street Department, as far as practicable, persons who owe city taxes (and who are not otherwise able to pay them, without distress and sale of property), sufficient to pay the same.

The same gentleman offered the following resolution:

WHEREAS, The indiscriminate arrest, without process, under the "Suspected Felon Act," of persons out of employment, who see fit to spend their time *loitering* (as the wise framers of the bill saw fit to term it) about the streets, in hopes of finding something to do, is becoming oppressive; Therefore,

Resolved, That, in our opinion, an ordinance supplementary to an ordinance entitled "An ordinance ——— ———," providing that all arrests by the city police force, under said Act, shall be preceded by a warrant, issued by the Mayor, on complaint of some person, should be passed at the earliest possible time.

The City Attorney stated that the arrests spoken of were made under the provisions of a statutory law, and the offenders prosecuted as "state cases"; whereupon, the Chair declared the resolution "out of order."

On motion, the Board of Aldermen then adjourned.

R. S. FOSTER, President *pro tem.*

Attest:

GEO. T. BREUNIG,

Clerk of Board of Aldermen.