

# PROCEEDINGS

OF THE

# BOARD OF ALDERMEN.

## REGULAR SESSION.

CHAMBER OF THE BOARD OF ALDERMEN  
OF THE CITY OF INDIANAPOLIS,  
*Tuesday, March 19th, 1878—7½ o'clock P. M.* }

The Board of Aldermen met in regular session.

Present at roll-call—His Honor, the President, H. C. Newcomb, in the chair, and Aldermen Chandler, Coburn, Krug, McGill, Snider, Stratford, Wallace, and Wiles—9.

Absent—Alderman Foster—1.

The proceedings of the regular session, held March 5th, 1878, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

### MESSAGE FROM THE COMMON COUNCIL.

The following message from the Common Council was received:

*Indianapolis*, March 19, 1878.

To the President and Board of Aldermen :

*Gentlemen* :—At the regular session of the Common Council, held on last evening, said body refused to recede from its action of the 4th instant, through and by which it passed general ordinance No. 5, 1878 ("granting W. F. Bird the privilege to stand his Baggage-Wagons or Omnibuses in front of his office on N. Illinois street"), and I herewith re-transmit that ordinance to your honorable body, for your further consideration.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

Alderman Wiles moved that the vote of March 5th, through which general ordinance No. 5, 1878, failed to pass [see page 347, *ante*], be reconsidered; and such reconsideration was duly ordered by unanimous consent.

Aforesaid ordinance, entitled

G. O. 5, 1878—An ordinance granting W. F. Bird the privilege to stand his Baggage-Wagons or Omnibuses in front of his office on N. Illinois street,

Was again placed on its passage, and was duly passed by the following vote :

Affirmative—Aldermen Coburn, Krug, Wallace, Wiles, and President Newcomb—5.

Negative—Aldermen Chandler, McGill, Snider, and Stratford—4.

The following message was also received :

*Indianapolis*, March 19, 1878.

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 March 18th, 1878, 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 that the contract for grading and graveling the first alley east of

the lower arm of the canal, from Washington street to its southern terminus, be awarded to D. A. Haywood [see Council Proceedings, page 800], was read, and the action of the Common Council, in awarding such contract, was duly concurred in.

Report from Mayor Caven, of the fines collected by him during the month of February, 1878, and paid into the City Treasury [see Council Proceedings, pages 800 and 801], was read, and duly received.

Proposition from the Indiana State Board of Agriculture for an exchange of the State Fair Grounds and Exposition Building for the Southern Park [see Council Proceedings, page 801], was read, and the request of the Common Council to have the Aldermanic Committee on Judiciary assist the Judiciary Committee of that body and the City Attorney, in considering such proposition, was duly acceded to.

Report from City Civil Engineer, giving (1) a second and final estimate to William L. Roney, for grading, and paving with brick, the sidewalks of Fletcher avenue, from Dillon street to Linden street; and (2) a first and final estimate to Thomas Niland, for grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris street [see Council Proceedings, pages 801 and 802], was read, and the action of the Common Council, in approving such report and allowing the estimate, was duly concurred in.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 802], was then read:

*Resolved, by the Common Council and Board of Aldermen, That the foregoing second and final 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, Wiles, and President Newcomb—9.

Negative—None.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 802], was also read :

*Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed Thomas Niland, for grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris 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—Aldermen Chandler, Coburn, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—9.

Negative—None.

Report from same officer, covering contracts and bonds (1) of James H. Hart, for grading, and paving with brick, the sidewalks of First street, from Illinois street to Meridian street; (2) of Anderson Bruner, for constructing a brick sewer in and along Pearl street, first alley east of Delaware street, and Maryland street, to connect with the Virginia avenue sewer; and (3) of the Indianapolis Stove Company, for erecting lamp-posts, lamps, and fixtures, complete to burn gas, on Stevens street, from East street to Virginia avenue [see Council Proceedings, page 803], was read, and the action of the Common Council, in concurring in such contracts, and in approving the several bonds, was duly concurred in.

Report from City Attorney, stating that the Supreme Court had rendered a judgment of \$435 against the city in the case of James Muse vs. The City (contract for deepening, etc., State Ditch), and recommending an appeal of said case [see Council Proceedings, page 805], was read, and the action of the Common Council, in directing the taking of an appeal, as recommended, was duly concurred in.



Report from same officer, stating that the United States Circuit Court had rendered a decision in the case of John S. Kennedy vs. The City (involving the title to Missouri street, from Market street to Merrill street, being the bed of the old Central Canal) favorable to the city ; and (2) that in the case of Charles B. McGaw vs. The City and The Citizens' Gas-Light and Coke Company (for damages sustained by the plaintiff in falling into an excavation made by said gas company), the Superior Court had given a verdict favorable to the city [see Council Proceedings, page 806], was read, and duly received.

Report from same officer, stating that the Superior Court had reduced the benefit-assessment made by the City Commissioners against Ovid Butler, in the matter of opening Rohampton street (now known as Bellefontaine avenue), from \$1,035 to \$100, and then given the city a judgment for the last amount in the case of The City vs. Ovid Butler, which had been paid, and was accounted for in the report [see Council Proceedings, page 806], was read, and duly received.

Report from Board of Public Improvements, as to the work done in, and the materials purchased on account of, the Street-Repair Department, during the month of February, 1878 [see Council Proceedings, pages 807 to 809], was read, and duly received.

Report from same official board, recommending that William N. Ford be granted permission to place a hay-scale in Market street, between Illinois and Tennessee streets, under the supervision of the City Civil Engineer [see Council Proceedings, pages 793 and 809], was read, and the action of the Common Council, in concurring in such report, was duly approved.

Report from Council Committee on Bridges, stating that County Commissioners had executed a quit-claim deed of the county's interest in the Washington street [National Road] wooden bridge over White River to the city, and recommending that fire insurance to the amount of \$4,000 be placed on said bridge, in lieu of \$10,000

heretofore carried [see Council Proceedings, page 811], was read, and the action of the Common Council, in concurring in such recommendation, was duly approved.

Report from Council Committee on Finance, stating (1) that a comparison of the financial reports of the City Clerk and City Treasurer for the months of January and February, 1878, with the books in their respective offices, had proven said reports to be correct; and (2) that said committee had also examined coupons 1 and 2, detached from city bonds issued to the Union Railroad Transfer and Stock-Yard Company, had found them to correspond with the report made by the City Treasurer, and had destroyed such coupons [see Council Proceedings, page 811], was read, and duly received.

Report from Council and Aldermanic Committees on Gas-Light, stating that, under authority given them, they had disposed of the gas-fixtures and stoves used on the third floor of the old City Hall Building to the Indianapolis Maennerchor, for the sum of one hundred dollars, and had paid said amount into the City Treasury [see Council Proceedings, page 812], was read, and duly approved.

Report from Council Committee on Judiciary and City Attorney, detailing the bodily injuries sustained by one John Lander by falling upon a street-crossing, and recommending a compromise of the matter by prompt payment of the sum of eight hundred dollars [see Council Proceedings, pages 812 and 813], was read for information.

Motion, to direct the Street Commissioner to repair the west gutter of Bellefontaine avenue, at the intersection of Ninth street [see Council Proceedings, page 823], was read, and the action of the Common Council, in referring such motion to the Board of Public Improvements, with power to act, was duly concurred in.

Motion, to grant the property owners on Michigan street, between Winston street and the first alley east of Winston street,

permission to grade and gravel said Michigan street and sidewalks, at their own expense, and under the direction of the City Civil Engineer [see Council Proceedings, page 823], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the Street Commissioner to notify the property owners on the south side of Fletcher avenue, between Pine and Dillon streets, to repair their sidewalks within ten days, or, at the end of such time, said officer to make the repairs and charge expense of same to the property holders [see Council Proceedings, page 825], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Resolution, to instruct the City Marshal and Chief of Police to use the utmost diligence in enforcing each and every provision contained in the city ordinances prohibiting the blowing of locomotive whistles within the city limits, regulating the speed of trains through the city, and prohibiting the jumping on or off trains while in motion [see Council Proceedings, page 826], was read, and the action of the Common Council, in adopting such resolution, was duly concurred in by the following vote :

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

Negative—None.

Petition from G. H. Voss for permission to lay a brick sidewalk in front of his lot on Butler street, from the southeast corner of said street and Park avenue, and requesting that the City Civil Engineer set the grade-stakes for the same [see Council Proceedings, page 826], was read, and the action of the Common Council, in granting this prayer, was duly concurred in.

Motion, to direct the City Commissioners to suspend all proceedings looking to the opening or changing of Dillon street until further orders of the Common Council and Board of Aldermen



[see Council Proceedings, page 827], was read, and was then referred to the Aldermanic Committee on Judiciary, with instructions to report on the matter at the next regular session of this body.

The following ordinances [which had been duly passed by the Common Council—see pages 814 to 816], were read the first time :

Ap. O. 16, 1878—An ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in full settlement and satisfaction of damages for bodily injuries received by John Lander.

Ap. O. 17, 1878—An ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis.

Ap. O. 18, 1878—An ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes.

G. O. 7, 1878—An ordinance to provide for the Assessment of Real and Personal Property in the City of Indianapolis, for the purpose of Taxation for the year 1878.

G. O. 8, 1878—An ordinance amendatory of an ordinance entitled "An ordinance ratifying and confirming the Contracts heretofore entered into between The City of Indianapolis and The Cleveland, Columbus, Cincinnati and Indianapolis Railway Company and The Indianapolis, Peru and Chicago Railway Company, and empowering said Companies to carry out the provisions of the same, and for other purposes"; duly passed by the Common Council March 4th, 1878.

G. O. 9, 1878—An ordinance requiring the Pittsburg, Cincinnati and St. Louis Railway Company and the Cincinnati, Hamilton and Indianapolis Railway Company to place a flagman at the crossing of said railways, on Grant street.

On motion, unanimous consent was given for the suspension of the rules in favor of the three appropriation ordinances received, this evening, from the Common Council.

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

Ap. O. 16, 1878—An ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in full settlement and satisfaction of damages for bodily injuries received by John Lander;

And was passed by the following vote :



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

Negative—Alderman Stratford—1.

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

Ap. O. 17, 1878—An ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis;

And was passed by the following vote :

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

Negative—None.

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

Ap. O. 18, 1878—An ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes;

And was passed by the following vote :

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

Negative—None.

On Alderman Wiles's motion, the rules were suspended, for the purpose of now reading general ordinance No. 7, 1878, the second and third times, and placing same on its passage, by the following vote :

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

Negative—None.

Aforesaid ordinance was then read the second time; and, after being amended by inserting the words "and Board of Aldermen" in the ordaining clause of section one, and also by inserting same

words in section two, immediately preceding the words "does order and direct," it was read the third time by title, viz.:

G. O. 7, 1878—An ordinance to provide for the assessment of Real and Personal Property in the City of Indianapolis, for the purpose of Taxation for the year 1878;

And was passed, as amended, by the following vote:

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

Negative—None.

The Committee on Railroads, through Alderman Chandler, submitted the following report; which was duly received:

*Indianapolis*, March 16, 1878.

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

*Gentlemen*:—Your Committee on Railroads, to whom was referred the ordinance and contract between the City and the C., C., C. & I. Railroad Company, and I., P. & C. Railroad Company, beg leave to report that we have examined the matter with some care, and believe there is nothing contained therein conflicting with the agreement entered into by the above railroad companies and the city on June 5th, 1876.

Section 7 of the contract of above date gives to the I., P. & C. Railroad Company the perpetual right of way from a convenient point north of Christian avenue, on and along the west side of Macy street to Massachusetts avenue. The west side of Macy street is interpreted by the railroad company to mean the west half of Macy street; and as the street is only sixty feet in width, the occupancy of one-half of it would leave but thirty feet, including sidewalk on east side. And as Macy street is the principal outlet of Malott avenue, and the main thoroughfare to Massachusetts avenue, any obstruction of Macy street would be very much against the interest and convenience of the citizens of that locality.

We, therefore, recommend that section 6 of the confirmatory ordinance be so amended as to restrict the main track to thirteen feet on the extreme west side of Macy street, and allow no switches or side-tracks on Macy street between the north side of Malott avenue and Massachusetts avenue.

Respectfully submitted,

T. E. CHANDLER,  
G. C. KRUG,  
I. W. STRATFORD,  
Committee on Railroads.

Aforesaid committee also offered the following as a substitute for section six, as printed in Council Proceedings, on page 786; and the same was duly adopted:

SEC. 6. The Indianapolis, Peru & Chicago Railway Company is hereby granted the right to locate, construct, and maintain its tracks and switches from the north side of Seventh street, south, along and upon the west side of the street sometimes called Macy and sometimes called Alvord street, to the north side of Malott avenue; and the right to locate, construct, and maintain its main track on a strip of ground thirteen feet in width, on and along the extreme west side of Macy street, from the north side of Malott avenue, south, and across Massachusetts avenue, at a convenient point to connect with its tracks south of that street.

Alderman Wiles offered the following new section and necessary amendment; which were also adopted:

SEC. 9. The said sum of \$15,000, to be paid to said Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, shall be paid in three annual installments of \$5,000 each, bearing six per cent. interest, and payable in one, two, and three years from the completion of said contract by said railway companies.

Amend section 9, as printed in Council Proceedings, by making it "section 10."

Aforesaid general ordinance was then read the third time by title, viz.:

G. O. 4, 1878—An ordinance ratifying and confirming the Contracts heretofore entered into between The City of Indianapolis and The Cleveland, Columbus, Cincinnati and Indianapolis Railway Company and The Indianapolis, Peru and Chicago Railway Company, and empowering said Companies to carry out the provisions of the same, and for other purposes;

And was passed by the following vote:

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

Negative—None.

On Alderman Wiles's motion, the rules were suspended, for the purpose of reading general ordinance No. 9, 1878, the second and third times, and placing same on its passage, by the following vote:

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

Negative—None.

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

G. O. 9, 1878—An ordinance requiring the Pittsburg, Cincinnati and St. Louis Railway Company and the Cincinnati, Hamilton and Indianapolis Railway Company to place a flagman at the crossing of said railways, on Grant street;

And was passed by the following vote:

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

Negative—None.

On motion, the Board of Aldermen then adjourned.

H. C. NEWCOMB, President.

Attest:

GEO. T. BREUNIG,

Clerk of Board of Aldermen.