

# PROCEEDINGS OF COMMON COUNCIL.

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ADJOURNED SESSION—APRIL 28, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, April 28th, A. D. 1879, at a quarter of eight o'clock, pursuant to adjournment.

**PRESENT**—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and the following members: Councilmen Bermann, Brown, Cummings, Layman, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Tucker, Walker, and Wright—15.

**ABSENT**—Councilmen Anderson, Bruner, Dill, Marsee, Maus, Morris, Reading, Sindlinger, Steeg, and Wiese—10.

The Proceedings of the Common Council, for the regular session, held on April 22d, 1879, having been printed, and placed on the desks of the Councilmen, said proceedings were duly approved as published.

## REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was duly received:

To the Mayor and Common Council:

*Gentlemen*:—I was directed to report what steps were necessary to improve the drainage of the first alley south of Coburn street, from Madison avenue to East street.

I find, on examination, that the alley has been improved, but is obstructed, to some extent, by manure and trash thrown into it. Some settling, at certain points, has also taken place. By removing the obstructions, and filling in at the proper places with gravel, a sufficient drainage could be had, and the whole cost would not exceed twenty-five dollars.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Clerk submitted the following report; which was duly approved:

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

*Gentlemen*:—I respectfully report that on this, the 28th day of April, 1879, I transmitted to the City Commissioners the petition and plat of George B. Yandes

and others, in the matter of the proposed vacation of the alley running east and west, between Howard street and the first alley east of Howard street, and between lots 8, 9, 12, and 13 of Yandes & Smith's Subdivision of lots 10 and 11 of C. St. J. West's Addition to the City of Indianapolis; also the resolutions of your honorable bodies concerning the same; and that I issued notice to the said Commissioners, according to law, and also to owners of property.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

Also, presented the following communication; which was duly received:

*Indianapolis*, April 8, 1879.

To the Honorable the Common Council of the City of Indianapolis, Ind.:

At a meeting of the Board of Directors of the Citizens' Street Railway Company, held at their office, this 8th April, 1879, it was

*Resolved*, That we, at once, proceed to the construction of a line of street railway along and upon Indiana avenue, from the intersection of said avenue with Illinois street, northwest, along said avenue, to West street.

I certify that the above is a copy of a resolution of the Citizens' Street Railway Co., and that it is the design, in good faith, of said company, to proceed immediately to the construction of a line of street railway along and upon Indiana avenue, from the intersection of said avenue with Illinois street, northwest, along said avenue, to West street.

CHARLES F. JOHNSON, President  
Citizens' Street Railway Co.  
A. W. JOHNSON, Director.  
TOM L. JOHNSON, Treasurer.

STATE OF INDIANA, *Marion County*, ss.:

Personally appeared before me, a notary public in and for said county, the above named Tom L. Johnson, Treasurer of the Citizens' Street Railway Company, and acknowledged the foregoing resolution, for the uses and purposes therein set forth.

Witness my hand and notarial seal, this 28th day of April, 1879.

[SEAL.]

FRANCIS A. BLANCHARD, Notary Public.

#### REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through President McKay, submitted the following report; which was considered and duly concurred in by clauses:

To the Mayor and Common Council:

*Gentlemen*:—We would respectfully report, as follows, upon sundry papers referred to us:

1st. Is a motion directing the Street Commissioner to fill the chuck-holes in Michigan street, between Patterson street and the river bridge.

We recommend this work be done.

2d. Is a motion directing the Street Commissioner to fill, with gravel, the chuck-holes in Wyoming street, between Delaware and High streets.

We recommend this work be done,

3d. Is a motion directing the Street Commissioner to clean the gutters of Pine street.

We recommend this work be not done.

4th. Is a motion directing the Street Commissioner to clean the gutters and fill the chuck-holes of Cherry street; also to put gravel on the crossing of Cherry street, at Fort Wayne avenue.

We recommend this work be done.

5th. Is a motion directing the Street Commissioner to clean the gutters of Vine street.

We recommend this work be not done.

6th. Is a motion directing the Street Commissioner to clean the gutters of First street, from West street to Meridian street.

We recommend this work be done.

7th. Is a motion directing the Street Commissioner to clean the gutters of West street, from North street to Third street.

We recommend this work be not done.

8th. Is a motion directing the Street Commissioner to clean the gutters of Ray street, from Illinois street to Pogue's Run.

We recommend the gutters of said street be cleaned, only, between Tennessee and Meridian streets,

9th. Is a motion directing the Street Commissioner to repair the old road-bed of the Peru Railroad, where it crosses Massachusetts avenue, by bowldering the same.

We recommend this work be done.

10th. Is a motion directing the Street Commissioner to fill the chuck-holes in Alabama street, between New York and North streets, with broken stone.

We recommend this work be done.

11th. Is a motion directing the Street Commissioner to fill the chuck-hole at the north-west corner of New Jersey and Michigan streets.

We recommend this work be done.

12th. Is a motion directing the Street Commissioner to fill the chuck-holes in Georgia street, between Illinois street and Kentucky avenue.

We recommend this work be done, at a cost not exceeding \$15 per square.

Respectfully submitted,

M. H. McKAY,

H. COBURN,

Board of Public Improvements.

The Board of City Commissioners submitted the following report; which was duly concurred in:

To the Mayor and Common Council of the City of Indianapolis:

*Gentlemen*:—The undersigned respectfully show to your honorable body:

That we, your City Commissioners, did meet at Room No. 2, City Hall, April 28th, 1879, at 9 o'clock A. M., pursuant to notice from the City Clerk, to examine, appraise, and assess the damages and benefits (if there be any) accruing to the owner or owners of certain property in the vacation of the alley running east and west, between Howard street and the first alley east of Howard street, and between lots 8, 9, 12, and 13 of Yandes & Smith's Subdivision of lots 10 and 11 of C. St.

J. West's Addition to the City of Indianapolis, proposed to be vacated by the said City of Indianapolis, according to a petition of Geo. B. Yandes and others.

And on the representation of Mr. Geo. B. Yandes, who was present, that the object for which the alley was prayed to be vacated was that the School Commissioners, some time since, proposed to purchase his lots adjoining said alley, provided said alley was vacated, for the site of a school house, but, inasmuch as that the School Commissioners have since purchased ground elsewhere, for the purpose of building a school building, the necessity of the vacation of said alley does not exist; therefore, Mr. Yandes objects to the vacation of the said alley. Mr. Yandes being the principal owner of the lots adjoining the said alley, your Commissioners do, therefore, recommend that the alley be not vacated as prayed.

Respectfully,

GEO. W. HILL,  
JOHN L. AVERY,  
J. S. HILDEBRAND,  
WILLIAM MANSUR,  
R. H. PATTERSON,  
City Commissioners.

April 28, 1879.

And then Councilman McKay offered the following motion; which was duly adopted:

That the City Treasurer is hereby ordered to make up an itemized statement of all expenses involved in the preceding case, and to present and collect such account from the petitioners having ownership interest in same, in accordance with the provisions of the last sentence of section 18 of the Act of the General Assembly of the State of Indiana on this subject, approved on March 17th, 1875.

#### MESSAGE FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Common Council of the City of Indianapolis:

*Gentlemen*:—At the regular session of the Board of Aldermen, held on April 22d, 1879, Aldermen Ridenour, Coburn, and Piel were appointed to confer with a like committee of your honorable body, with a view of arranging a compromise, if possible, in the matter of material to be used in the construction of driveways over sidewalks.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

And then His Honor, the President, appointed Councilmen McKay, Tucker, and O'Brien as the Council membership in the aforesaid Committee of Conference.

The following messages were also read; and the Aldermanic proceedings, therein set forth, were duly concurred in:

To the Common Council of the City of Indianapolis:

*Gentlemen*:—At the regular session of the Board of Aldermen, held on April 22d, 1879, that body concurred in your action of previous evening, when you instructed the Street Commissioner to re-build the St. Clair street bridge over the

canal in accordance with the suggestion and estimate of the City Civil Engineer, but amended your aforesaid action, by requiring the cost of such bridge to be paid out of the Bridge Fund, instead of being taken out of the Street-Repairs Fund.

I hereby report the foregoing amendatory proceedings, for your consideration and action.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

To the Common Council of the City of Indianapolis :

*Gentlemen* :—At the regular session of the Board of Aldermen, held on April 15th, 1879, said body concurred in a joint recommendation of the Committees on Gas-Light, by which the City Civil Engineer was directed to have the gas-lamps in the covered bridge over White River cleaned and repaired, and to have a tin protector placed over each lamp.

I hereby report foregoing proceedings, for your consideration and action.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

#### NEW ORDINANCES.

On roll-call had, the following entitled ordinances were introduced, and severally read the first time :

Councilman McKay introduced—

G. O. 15, 1879—An Ordinance fixing the dates of the meetings of the Common Council and Board of Aldermen of the City of Indianapolis.

Councilman Tucker introduced—

G. O. 16, 1879—An Ordinance to provide for the Impounding of Unlicensed Dogs in the City of Indianapolis.

Councilman Brown introduced—

S. O. 16, 1879—An Ordinance to provide for improving the first alley east of Shelby street, from the first alley south of Prospect street to Pleasant Run, by grading and graveling.

#### MISCELLANEOUS BUSINESS.

Councilman Brown offered the following motion ; which was referred to the Board of Public Improvements :

That the Street Commissioner be instructed to clean the gutters of Prospect street, between Dillon and Reed streets.

Councilman Cummings offered the following motions ; which were severally adopted :

That Mr. McChesney be allowed to pave with brick, as per ordinance for the same, the sidewalk along his property on Pratt street, west of Tennessee street, at his own expense, under the direction of the City Civil Engineer.

That the City Marshal be ordered to notify the Michigan Gravel Road or Pike Company to repair their road, commencing at St. Clair street and West street, and going north as far as said company's pike is in this city; and do it at once, or show cause for not doing the same.

Also, presented the following petition; which was referred to the Board of Public Improvements:

*Indianapolis, April 28, 1879.*

To the Common Council of the City of Indianapolis:

*Gentlemen*:—Your petitioners respectfully represent that they have paid for the improvement of Walnut street in the vicinity of the canal, but that that street is comparatively useless to them, as there is no bridge across the canal on said street. That the iron for the bridge is lying there, and has been for more than a year; that the cost of constructing such bridge would be small to the city, but the convenience to us and to the public would be great.

We, therefore, petition your honorable body to proceed at once to the erection of a bridge over the canal, on said Walnut street.

M. C. Hildebrand, James Bogert, Patrick Eagan,  
Robert Williams, John Scott, Wm. Burns, James  
Watson, Chas. Watson, Ephraim Boring, Michael  
Callahan, Jerry F. Callahan, Hannah Kay, C. Girton,  
J. P. Maurice, Central Elevator Company,  
Ch. Striebeck, H. Borchers, Daniel Eagan, Johnes  
R. Tomess, John H. Miller, Michael Griffin, G. A.  
Schubert, Geo. Schubert, Adolph Sommer, James  
Gibson, S. W. Denny, C. F. Geyer, G. C. Strahan,  
G. L. Bushong, James Callahan.

Councilman Morse offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to deposit the scrapings taken from the gutters on streets north of Washington street, south of First street, and west of canal, on the fill, between the mill-race and bridge on Michigan street.

Councilman McGinty offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters of Thomas street, from Dakota street to West street.

Councilman McKay presented the following petition; which was referred to the Council and Aldermanic Committees on Markets:

To the Common Council of the City of Indianapolis:

*Gentlemen*:—Your petitioner respectfully represents to your honorable body that, for many years last past, he has been a tradesman and dealer in goods and notions at East and West Market Places, and thereat occupying stands of the city for hire.

That, long previous to April 5th, 1879, he had occupied a stand at West Market, and during which time one Charles N. Lee was Market-Master thereat. That on and previous to the 5th day of April aforesaid, he was in no manner or form whatsoever indebted for the use of said stands. That afterwards—to-wit, on or about said 5th day of April—said Market-Master Lee reported to the proper authorities that your petitioner was indebted for the use of said West Market Place stall in

the sum of two dollars and fifty cents. That shortly thereafter said Lee resigned his position of said Market-Master, and one Levi H. Rowell has been appointed as such Market-Master. That said Rowell, on the 26th day of the present month, notified your petitioner that he was excluded from selling or vending goods and merchandise, as aforesaid, from either of said market places, until he paid said sum of \$2.50; and which he says he does not owe, but, upon the contrary thereof, he paid to said Lee, as such Market-Master.

Wherefore, he asks this honorable Council that said matters be investigated, at such time as may be convenient to the Council, by such person or persons as they may select to investigate the same; and that, until such matter can be investigated, he asks that the order excluding him as a trader at said markets be annulled or suspended, and that this, his petition for relief against said order of exclusion, as well as all matters herein represented, he here submits to this honorable Council, for its action and decision, confidently believing that the same is a truthful representation of each fact therein represented. And he asks for speedy determination.

JACOB SONNENBERGER,  
No. 286 Columbia street,

Indianapolis, April 28, 1879.

Also, presented the following remonstrance against the passage of Special Ordinance 13, 1879; which was duly received, and was ordered to be placed in the files with said ordinance :

Indianapolis, April 28, 1879.

To the Mayor and Common Council of the City of Indianapolis:

*Gentlemen* :—The undersigned, owners of the real estate fronting on first alley west of Maxwell street, between Elizabeth street and Coe street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said alley, for the reason that it is inexpedient and unnecessary to make said improvement at this time. No water can stand or become stagnant, as the ground is high and the water runs off readily. This property is mostly owned by parties of small means, who are unable to pay for this improvement at this time.

And your petitioners will ever pray, etc.

J. H. Vajen, owner of lots 65, 89, 93, and 94—	252 feet.
Frank Vajen, owner of lot 59.....	—153 feet.
Willis C. Vajen, owner of lots 95, 96, 97, 98—	120 feet.
Fahnley & McCrea, owners of lot 92.....	—153 feet.
Jacob DeVerry, owner of lot 88.....	— 33 feet.

711 feet.

Whole number of feet on both sides of said alley.....912  
of which we represent.....711

Councilman O'Brien offered the following motion; which was duly adopted:

That the City Marshal be requested to turn over to the family of Peter Huffman the money taken from said Huffman at the time of his arrest, and now in possession of the City Marshal.

Also, presented the following petitions; and, on his motion, the prayers of the petitioners were duly granted:

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

*Gentlemen* :—Your petitioners would respectfully represent that we are the owners of all the property on the south side of South street, between Pennsylvania and

Meridian streets. That we desire permission of your honorable bodies to locate a plug or hydrant, for street-sprinkling purposes, on said South street, on the south side, about ninety feet east of Meridian street—said work to be done at our own expense, and under the provisions of an ordinance of the city governing such matters.

Respectfully,

Christian Schoettle; Carrie Christy, per Peter F. Bryce; H. E. Buehrig's Heirs, per Wm. Buehrig; Louis Kolb.

Indianapolis, April 21, 1879.

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

*Gentlemen*:—The undersigned would respectfully ask that they be granted the privilege of improving the sidewalk in front of their property, on north side of Washington street, west of White River, by grading and graveling the same—the stakes to be set by the City Civil Engineer, and the work to be done at their own expense, and to be completed within sixty days.

Very respectfully,

H. H. Langenberg, by H. C. G. Bals; H. C. G. Bals,  
Adm'r of estate of Chas. H. G. Bals; Mrs. E. R. Scott, Mrs. Louisa Frich, John Petrie, Martin L. Eckert, Daniel G. Volmer, Edward King, Blick McDonald Deile.

Councilman Off offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to fill the chuck-holes in Davidson street, between Market and Vermont streets.

Councilman Reasner offered the following motion; which was referred to the Board of Public Improvements, who were given power to act:

That the Street Commissioner be ordered to fill up the chuck-holes in E. Washington street, between Oriental and State streets.

Councilman Tucker offered the following motion; which was duly adopted:

That the Street Commissioner be instructed to examine the gutter on the east side of S. East street, between Rockwood and Louisiana streets, and report to this Council the probable cost of making the gutter so as to carry off the surplus water.

Also, offered the following resolution:

WHEREAS, The property holders on E. South street, from East to Noble, have petitioned for the changing of the name of said street: Therefore,

*Resolved*, That the name of E. South street, from East to Noble, be changed to Fletcher avenue.

Councilman Morse moved that preceding resolution be referred to the Board of Public Improvements.



Councilman Tucker moved that foregoing motion of reference be laid on the table; and demanded a vote by "ayes and nays" on his proposition.

And the Common Council refused to lay the motion to refer on the table (and, consequently, ordered the suggested reference) by the following vote:

AYES, 5—viz.: Councilmen Bermann, Brown, Cunamings, Reasner, and Tucker.

NAYS, 10—viz.: Councilmen Layman, Morse, McGinty, McKay, O'Brien, Off, Rodibaugh, Showalter, Walker, and Wright.

Councilman Walker offered the following motion; which was referred to the Board of Public Improvements:

That H. H Beville be granted a permit to erect a post, 6 x 8 inches, and 20 feet high, on which to place a wind-mill, as a sign for the business of the above mentioned Beville, at No. 76 N. Delaware street.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.