

PROCEEDINGS

OF THE

BOARD OF ALDERMEN.

ADJOURNED SESSION.

CHAMBER OF THE BOARD OF ALDERMEN OF THE CITY OF INDIANAPOLIS, Wednesday, July 18th, 1877—8 o'clock P. M.

The Board of Aldermen met, pursuant to adjournment:

Present—His Honor, the President, H. C. Newcomb, in the chair, and the following members: Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, and Wiles—8.

Absent—Aldermen Coburn and Wallace—2.

The proceedings of the adjourned session, held July 6th, 1877, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

INTRODUCTION OF ORIGINAL BUSINESS.

The City Attorney submitted the following report :

Indianapolis, July 18, 1877.

To the President and Members of the Board of Aldermen of the City of Indianapolis :

Gentlemen:—I was directed by your honorable body to consult with the representatives of the Maus estate, and report upon what terms they would settle their claims against the city for damages.

I would report that I have seen them, and the best proposition that I have been able to obtain is \$1,500. They obtained judgment for \$1,650, and now propose to take \$1,500 and settle all claims against the city on account of the flood of 1875.

Respectfully submitted,

R. O. HAWKINS,
City Attorney.

On motion, the preceding report was received, and the City Attorney was instructed to effect a compromise upon the terms named, namely, fifteen hundred dollars.

The Committee on Tunnels, through Alderman Krug, submitted the following report; and, on motion of Alderman Wiles, the consideration of same was deferred for two weeks from this evening :

Indianapolis, July 11, 1877.

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Tunnels, to whom was referred the motion instructing the City Civil Engineer to advertise for bids for double gates, to be hung at the north and south entrances to the Illinois street tunnel, have examined the same, and recommend that said motion be amended so as to read "two sets of double gates," one set to be hung at the north and south entrances, and one at the north and south ends of the tunnel proper.

We also recommend that the City Civil Engineer be directed to prepare specifications, so that persons submitting proposals may bid intelligently.

Respectfully submitted,

G. C. KRUG,
I. W. STRATFORD,
Committee on Tunnels.

THE THOMAS D. GREGG BEQUEST.

William Sullivan and Charles Fisher, Esqs., who are named as executors of the will of 1850, being in attendance, the courtesies of the Board of Aldermen were extended to them, and, on motion of Alderman Foster, the statement relative to the Gregg bequest, as presented to the Common Council on Monday evening [see Proceedings of Common Council, page 243], and which had been formally transmitted by said body to the Board, was read.

Appropriation ordinance No. 53, 1877, entitled

An ordinance appropriating the sum of two hundred dollars, for the purpose of defraying the expenses incident to the probating of the will of Thomas D. Gregg, deceased,

Was then taken up, and read the first time.

Alderman Foster moved that the rules be suspended, for the purpose of now reading the second and third times, and placing said ordinance on its passage; which motion was adopted by the following vote:

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

Appropriation ordinance No. 53, 1877, was then read the second and third times, and passed by the following vote:

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

MESSAGES FROM THE COMMON COUNCIL.

The following message, from the Common Council was duly received :

Indianapolis, July 11, 1877.

To the President and Members of the Board of Aldermen :

Gentlemen :—At a regular session of the Common Council, held Monday evening, July 9, 1877, said body concurred in your action of 6th instant, as follows :

In striking out the claim of Fulton & Vance from appropriation ordinance No. 50, 1877.

In your non-concurrence, through report of Committee on Tunnels, in Councilman Tucker's motion relative to advertising for bids for lighting Military Park and Illinois street tunnel.

In adopting Alderman Stratford's resolution requiring the Street Commissioner to report to the Common Council all sales of dirt and other refuse material belonging to the city, etc.

Respectfully,

BENJ. C. WRIGHT,
City Clerk.

The following message was also received :

Indianapolis, July 11, 1877.

To the President and Members of the Board of Aldermen :

Gentlemen :—At a regular session of the Common Council, held Monday evening, July 9, 1877, said body amended Alderman Stratford's resolution, recommending the Common Council to order all streets, alleys and gutters to be cleaned, as rapidly as possible, under the direction of the Board of Health, by striking out "Board of Health," and inserting "Committee on Streets and Alleys," and then adopted said resolution as amended.

Respectfully,

BENJ. C. WRIGHT,
City Clerk.

Alderman Foster offered the following amendment to the resolution referred to in the preceding message :

"And that the Council Committee on Streets and Alleys be instructed to employ the necessary number of men and teams to perform the work promptly."

The amendment made by the Common Council was then concurred in, and that offered by Alderman Foster was duly adopted.

Said resolution, as amended by the Common Council and by this body, will now read as follows :

Resolved, In view of the approaching hot season and the danger of epidemics likely to result from the accumulation of filth and decomposition of animal and vegetable matters in the streets, alleys, and gutters, that we recommend the Council to immediately order all streets and gutters to be cleaned as rapidly as possible, under the direction of the Committee on Streets and Alleys, and that the Council Committee on Streets and Alleys be instructed to employ the necessary number of men and teams to perform the work promptly ; also, to instruct the Marshal to notify all persons who allow waste water to run into gutters, to provide proper sinks to receive the water, within a reasonable time, or to discontinue the flow of water into the gutters.

The following messages were also duly received :

Indianapolis, July 11, 1877.

To the President and Members of the Board of Aldermen :

Gentlemen :—I herewith transmit certain papers, favorably passed upon by the Common Council, at its last regular session, held July 9th, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT,
City Clerk.

Indianapolis, July 18, 1877.

To the President and Members of the Board of Aldermen :

Gentlemen :—I herewith transmit certain papers, favorably passed upon by the Common Council, at its last regular session, held July 16th, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT,
City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Report from City Civil Engineer, covering certain contracts and bonds, awarded to John W. Richardson and James Mahoney [see Proceedings of Common Council, page 216], was read, and the action of the Common Council, in concurring in said contracts and in approving the bonds, was concurred in.

Report from same officer, giving a first and final estimate to John W. Richardson, for improving Church street and sidewalks between Morris and Ray streets [see Proceedings of Common Council, page 239], was read, and the action of the Common Council, in approving said report, was concurred in by the following vote :

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

Request of same officer, for three weeks' leave of absence [see Proceedings of Common Council, page 240], was read, and granting of same by the Common Council was duly approved.

Report from City Clerk, relative to certain affidavits filed in his office for the collection of certain street assessments by precept [see Proceedings of Common Council, page 217], was read.

The following communication from contractor John Low was then presented :

Indianapolis, July 18, 1877.

To the Board of Aldermen of the City of Indianapolis :

Gentlemen :—On the 9th day of July, 1877, the Common Council ordered a precept to issue against Frederick Ruschaupt, in my favor, for the amount of \$69.49, for grading and graveling Second street, in front of his property, under a certain contract with said City of Indianapolis. I have been paid the

full amount due me from said Ruschaupt. I now ask that the matter be referred back to the Common Council, with the request that they reconsider the action had in the matter on July 9th, 1877.

Very respectfully,

JOHN LOW,

Contractor.

Alderman Stratford moved to strike out of preceding report the precept ordered to be issued against Fred. Ruschaupt; which motion was adopted by the following vote :

Affirmative—Aldermen Chandler, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—7.

Negative—Councilman Foster—1.

The report, as amended, was then approved, and the action of the Common Council, in ordering precept against Laura Hardesty, was concurred in.

Report from same officer on like subject [see Proceedings of Common Council, page 241], was read, and concurred in by the following vote :

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

Report from City Attorney, returning a corrected lease of the Sellers Farm [see Proceedings of Common Council, page 217], was read, and the action of the Common Council, in concurring in said report, was agreed to by the following vote :

Affirmative—Aldermen Chandler, Foster, Krug, Snider, Stratford, Wiles, and President Newcomb—7.

Negative—Alderman McGill—1.

Communication from His Honor, the Mayor, giving a statement of fines collected by him, and paid into city treasury [see Proceedings of Common Council, page 242], was read, and the action of the Common Council, in approving said communication, was concurred in.

Report from Council Committee on Contracts, awarding certain contracts to John Greene and D. A. Haywood [see Proceedings of Common Council, page 214], was read, and the action of the Common Council, in awarding said contracts, was concurred in.

Report from same committee, awarding a certain contract to Richard Carr [see Proceedings of Common Council, page 238], was read, and the action of the Common Council, in awarding said contract, was concurred in.

Report from Council Committee on Markets, on the final report of Ex-Market Master Show [see Proceedings of Common Council, page 234], was read.

On motion of Alderman Stratford, the above matter was referred to the Aldermanic Committee on Markets, with instructions to secure an itemized statement from Mr. Show.

Report from Council Committee on Streets and Alleys, consisting of four clauses [see Proceedings of Common Council, page 256], was read, and the action of the Common Council was concurred in by the following vote:

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

Report from Council Committee on Accounts and Claims, and

City Attorney, relative to a claim due Thomas Cottrell, for which a city order, payable to W. H. Green, had been issued [see Proceedings of Common Council, page 258], was read.

On motion of Alderman Stratford, the above report was referred back to the Common Council, with the judgment of the Board that a repealing ordinance should be introduced and passed, canceling the Green allowance and making allowance to Cottrell.

Report from same committee, the City Attorney, and the City Civil Engineer, against payment of claim of Dodd & McKinney for paving sidewalk intersections in front of Court House square [see Proceedings of Common Council, page 258], was read, and the action of the Common Council, in concurring in said report, was duly approved.

Report from Council Committee on Finance, referring back Alderman Stratford's resolution relative to expert examination of books of City Treasurer and City Clerk, with the request that resolution should be made to specify the date at which it is desired the examination should begin, and be accompanied by an estimate of cost of doing same [see Proceedings of Common Council, page 259], was read.

Alderman Stratford offered the following motion; which was adopted:

Moved, That the matter be referred to a special committee of three, with instructions to report, at the next meeting, the estimated cost and the date to which such examination should extend back. Also, the number of experts.

Aldermen Stratford, Foster, and Wiles were appointed, by the President, as the special committee required by preceding motion.

Report from same committee and City Assessor, relative to re-

funding of certain taxes paid [see Proceedings of Common Council, page 259], was read, and the action of the Common Council, in concurring in said report, was duly approved.

Report from Council Committee on Gas-Light, recommending that Mr. Weinburger be permitted to change location of his private lamp-post [see Proceedings of Common Council, page 261], was read, and the action of the Common Council, in concurring in said report, was duly approved.

Report from Council Committee on Parks, recommending the leasing of Southern Park to Geo. W. Scott & Co. for use of a trotting association, and the proposition of said Scott & Co. [see Proceedings of Common Council, pp. 261 and 231], was read.

On motion of Alderman Foster, above papers were referred to the Aldermanic Committee on Parks.

Report from same committee, recommending payment of J. Updike's bill for work done about Circle Park [see Proceedings of Common Council, page 261], was read, and the action of the Common Council, in concurring in said report, was duly approved.

Report from Council Committee on Opening and Laying Out Staets and Alleys, recommending concurrence in two vacations petitioned for, and reporting against the opening of a certain alley [see Proceedings of Common Council, page 262], was read, and the action of the Common Council, in concurring in said report, was duly approved.

Report from Council Committee on Printing, Stationery, and Advertising, awarding contracts for city printing and stationery, and publishing of delinquent-tax list to Indianapolis Journal Co.,

and the contract for the ordinary city advertising to the Sentinel Co. [see Proceedings of Common Council, page 262], was read.

On motion of Alderman Foster, the above mentioned report was referred to the Aldermanic Committee on Printing, etc.

Resolution, instructing the City Clerk to make a record of the city orders, issued prior to May 15th, 1875, which remain in his hands and uncalled for, and further instructing said officer to deliver such orders to the City Treasurer, taking a receipt therefor, etc. [see Proceedings of Common Council, page 233], was read, and the action of the Common Council, in adopting such resolution, was duly concurred in.

Resolution, requiring the owners of lot No. 4, in McKernan's subdivision of out-lot No. 100, to fill or drain the same [see Proceedings of Common Council, page 254], was read, and the action of the Common Council, in adopting such resolution, was concurred in by the following vote:

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Stratford, Wiles, and President Newcomb—8.

Negative—None.

Resolution, providing for the discontinuance of one hundred and fifty fire-plugs [see Proceedings of Common Council, page 251], was read, and the said resolution was referred to the Fire Board and Aldermanic Committee on Water-Works.

By consent, Alderman Stratford offered the following motion:

Moved, That the Council is hereby requested to require of the special committee to which was referred the matter of establishing a market place south

of the Union Railway tracks, to report the progress made therein; and that the Council take steps to have such location made at the earliest time possible.

On motion of Alderman Foster, all of above motion after the word "therein" was stricken out; and then the motion, as amended, was adopted.

Also, the following motion; which was adopted:

Moved, That we suggest to the Common Council the propriety of appointing a special committee of three, composed of two Councilmen and one Alderman, with instructions to inquire into, and report, whether or not the present plan of cleaning and repairing of the streets is not much more expensive than necessary for the amount of work; also, whether or not, by proper attention, many leaks might be stopped in said Department.

Alderman Stratford was then granted leave of absence for balance of session.

The following motions, which had been adopted by the Common Council, were read, and duly concurred in:

Ordering Street Railway Company to remove the surplus gravel taken from College avenue in laying track-way, and to deposit same in the low places in said street. [See Council Proceedings, page 228.]

Ordering Street Commissioner to repair drinking-fountain at corner of College avenue and Seventh street, and to attach a waste pipe to same. [See Council Proceedings, page 228.]

Ordering Street Railway Company to fill between their tracks on Virginia avenue, between New Jersey and Dillon streets, within ten days after notice, or Street Commissioner to do this work at expense of said company [see Council Proceedings, page 229], was concurred in by the following vote:

Affirmative—Aldermen Chandler, Foster, Krug, McGill, Snider, Wiles, and President Newcomb—7.

Negative—None.

Granting Gustav Keller permission to remove a small frame house from corner of Court and East streets to corporation line and S. Meridian street. [See Council Proceedings, page 230.]

Permitting A. G. Jackson and the Transfer Stables to grade and bowlder the gutter in front of their stables on Maryland street, under direction of City Civil Engineer. [See Council Proceedings, page 230.]

Allowing Hospital Board to advertise for bids for enclosing City Hospital Grounds with a new fence. [See Council Proceedings, page 230.]

Ordering the Street Commissioner to clean gutters under foot-bridge on St. Clair street, east of Massachusetts avenue. [See Council Proceedings, page 230.]

Granting Chris Gall permission to move a two-room frame house from Michigan street to No. 377 Blake street. [See Council Proceedings, page 232.]

Instructing Street Commissioner to notify the Citizens' Street Railway Co. to repair their Massachusetts avenue track, between Alabama and New Jersey streets, and remove unused switch from same location. [See Council Proceedings, page 232.]

Instructing the City Clerk and Committee on Printing, etc., to have the Annual Report of the Indianapolis City Hospital printed in pamphlet form. [See Council Proceedings, page 234.]

Instructing Street Commissioner to fill chuck-holes on Alabama street, between North and St. Clair streets. [See Proceedings of Common Council, page 252.]

Directing Street Commissioner to notify property owners on east side of Mississippi street, between Vermont and Michigan street, to repair their sidewalk. [See Council Proceedings, page 255.]

Directing Street Commissioner to notify property owners on Indiana avenue, between Vermont and New York streets, to repair their sidewalks. [See Council Proceedings, page 255.]

Permitting property owners on west side of Tennessee street, between Pearl and Maryland streets, to bowlder their gutter and curb their sidewalk, under direction of City Civil Engineer. [See Council Proceedings, page 253.]

Instructing Street Commissioner to notify I., B. & W. R. R. Co. to repair Washington street crossing. [See Council Proceedings, page 253.]

Directing City Clerk to advertise for sealed proposals for repairing the wooden-block pavements on Meridian street, between New York and Seventh streets, on Tennessee street, between Market and Seventh streets; and on Delaware street, between Massachusetts ave. and Seventh street. [See Council Proceedings, page 253.]

The following motions, which had been duly adopted by the Common Council, were read, and, on motion, referred to the Aldermanic Committee on Streets and Alleys:

Instructing Street Commissioner to clean the Ohio street gutters, between Liberty and New Jersey streets. [See Council Proceedings, page 230.]

Ordering Street Commissioner to clean and grade the Vine street gutters, between Broadway and Plum streets. [See Council Proceedings, page 230.]

Ordering Street Commissioner to clean the Railroad street gutters, between North and St. Clair streets. [See Council Proceedings, page 231.]

Ordering Street Commissioner to clean the Broadway street bridge and gutters, between Cherry and St. Clair streets. [See Council Proceedings, page 231.]

Instructing Street Commissioner to place a wooden culvert at intersection of Alabama and Eighth streets. [See Council Proceedings, page 251.]

Instructing Street Commissioner to sand Wabash street, between Delaware and Alabama streets. [See Council Proceedings, page 252.]

Instructing Street Commissioner to fill one chuck-hole on Dillon street, between Harrison street and I., C. & L. R. R. tracks. [See Council Proceedings, page 255.]

The following motion, which had been duly adopted by the Common Council, was referred to the Fire Board:

Directing Street Commissioner to take up the bowlders in front of No. 2 Engine House, and put down a plank walk in lieu of same. [See Council Proceedings, page 253.]

The following motion was referred back to the Common Council, with the recommendation that a draining resolution be adopted as a substitute therefor:

Instructing City Marshal to notify N. McCarty to fill pond or pool of stagnant water lying south of and adjoining Washington street, in Indianola. [See Council Proceedings, page 253.]

The following appropriation ordinance was read the first time :

Ap. O. 52, 1877—An ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in favor of Fulton & Vance.

ROLL CALL.

Alderman Foster offered the following motion; which was adopted :

Moved, That the Police Board be instructed to investigate and report whether the institution called the Home of the Friendless is now, or has been, closed to the friendless.

Alderman Krug offered the following resolution; which was referred to the City Attorney, with instructions to report the legal *status* of the city in regard to Military Park :

WHEREAS, Inasmuch as the State Auditor has appointed and commissioned a Park Custodian, to take charge of Military Park; and,

WHEREAS, Said action on the part of the State Auditor is in violation of an implied agreement between the State and city, by which the city was granted the right to control and manage said park, in consideration of its having spent several thousand dollars in improving and keeping said park in repair; and,

WHEREAS, Said action on the part of the State Auditor is in direct opposition to the concurrent action of the Common Council and Board of Aldermen, which vested the management and control of said Military Park, with others, in the Council Park Committee; therefore, be it

Resolved, That it is the sense of this body that further expenditure on Military Park, by the city, be discontinued, as the State has assumed the management of said park.

Alderman Foster called up from the table Councilman Byram's motion directing the City Clerk to advertise for proposals to attach the several public drinking-fountains to the nearest fire-plugs adjacent to them [see Proceedings, page 179], and the action of the Common Council, in adopting such motion, was then duly concurred in.

On motion, the Board of Aldermen then adjourned until Wednesday, July 25th, 1877, at 8 o'clock P. M.

H. C. NEWCOMB, President.

Attest :

GEO. T. BREUNIG,

Clerk of Board of Aldermen.