

PROCEEDINGS

OF THE

BOARD OF ALDERMEN.

REGULAR SESSION.

CHAMBER OF THE BOARD OF ALDERMEN
OF THE CITY OF INDIANAPOLIS, }
Tuesday, September 18th, 1877—8 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, Foster, Krug, Snider, Stratford, Wallace, and Wiles—9.

Absent during entire session—Alderman McGill—1.

The proceedings of the regular session, held September 4th, 1877, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

REPORT FROM STANDING COMMITTEE.

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

To the Board of Aldermen :

The undersigned committee, to whom was referred the pending resolution concerning a modification of the contract between the city and the Gas Company, beg leave to report :

1. That the officers of the Gas Company decline to make any adjustment or modification of said contract while its validity is denied by the city authorities. They did the same when the question of validity was not suggested.

2. This contract is improvident and oppressive. It provides for too long a schedule and too many posts; thus, at least doubling the sum the city ought to pay. It was made by one plurality of the Council, three members being absent. It contains no discretionary power in either party, as it should have done, to change or modify its terms, as the exigencies of the city might demand, as also of the Gas Company.

Your committee does not now assume to determine any question of law touching this contract. We can not, however, disregard the law of *good faith* that should enter into all contracts; and that, in this case, notwithstanding the difficulties in the way, requires a performance of its conditions on the part of the city.

3. We are not without hope that some adjustment may yet be made with the Gas Company, by which some relief from the burthen of this contract may yet be obtained. We, therefore, ask for further time to make a final report in this matter, suggesting the propriety of an instruction to get from the Gas Company what fair profit, upon each gas post that the city might wish to discontinue, it would accept in lieu of the present price paid, and thus, without loss to it, relieve the city.

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

On completion of the reading of above report, Alderman Foster was requested, by the President, to take the chair, that he might express his views on the controversies with the Gas and Water-Works Companies.

The discussion was continued by other Aldermen, and the debate was closed by Alderman Wiles offering the following motion; which was adopted :

Moved, That the report be concurred in, and that the committee be further instructed to report, as a compromise, the amount that will be accepted by the Gas Company for each post discontinued by the city; or what sum the Gas Company will accept, and light all the lamps by the 2000-hour table, as

formerly done, instead of by the 3200-hour table, as now used ; or any other proposition that might be offered by the said Gas Company.

MESSAGE FROM THE COMMON COUNCIL.

The following message from the Common Council was received :

To the Board of Aldermen :

Gentlemen:—I herewith transmit certain papers, favorably passed upon by the Common Council, at its last regular session, held September 17th, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Report from Mayor Caven, transmitting a duplicate copy of the contract, executed July 18th, 1877, between the City of Indianapolis (by John Caven, Mayor), and The Good Shepherd Society (by Mother Mary St. Anselm Wells, president), for the keeping of the city's female prisoners, together with said contract (see Council Proceedings, page 416], were read, and the action of the Common Council, in receiving such report, and in approving said contract, were duly concurred in.

Report from Mayor Caven, of fines collected by him during the month of August, 1877, and paid into the City Treasury [see Council Proceedings, page 417], was read, and duly received.

Report from City Civil Engineer, giving (1) a second and final estimate to William L. White, for building a fire-cistern, at the corner of Morris and Dacotah streets ; and (2) a first and final estimate to Richard Carr, for improving Clifford avenue, between Massachusetts avenue and the U. S. Arsenal grounds [see Council Proceedings, page 417], was read, and the action of the Common Council, in approving such report, was duly concurred in.

The concurrent resolution, allowing the aforesaid estimate to Richard Carr, was adopted by the following vote :

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

Negative—None.

Report from City Clerk, giving an itemized statement of the amount of orders issued on the City Treasurer, from August 1st, 1877, to and including September 1st, 1877 [see Council Proceedings, page 422], was read, and duly received.

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

John Schier vs. Samuel Love, for	\$9 31
John Schier vs. Samuel Love, for.....	9 31
John Schier vs. Emily Martin, for	4 12
John Schier vs. Henry Martin, for.....	11 61
John Schier vs. Henry Martin, for.....	11 61
John Greene vs. Vincent H. Silsby, for.....	30 26

and recommending that precepts be ordered to issue [see Council Proceedings, page 423], was read, and the action of the Common Council, in concurring in such report, and in ordering the precepts to issue, was duly approved by the following vote:

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

Negative—None.

Report from Council Committee on Finance, recommending (1) the refunding, to Riley & McClelland, the tax assessed on \$1500 of mill machinery, said machinery having been "assessed, also, as improvement on the real estate"; (2 and 3) the refunding of \$7 each (being the taxes of 1876 on \$500), to Mary Franks and Rebecca Fechtner, under the Widow's Exemption Law; (4) adverse to refunding the tax on on \$1400 of personal property to Stough & Hugo, having "examined their assessment list of 1876, which appeared to have been regularly made out and sworn to, and we do not see how such a mistake, as they claim to have made, could

have been readily made" [see Council Proceedings, page 427], was read, and the action of the Common Council, in concurring in the several clauses of such report, was duly approved.

Report from Council Committee on Gas-Light, non-concurring in recommendation of Aldermanic Committee on Gas-Light to make contract with Indianapolis Gas-Light & Coke Company upon the terms offered by said company on page 187 of these Proceedings, and adhering to former Council action, by which the Illinois street tunnel was ordered to be closed, at night, by gates procured for such purpose [see Council Proceedings, page 427], was read, and, on motion, the action of the Common Council, in concurring in said report, was not approved.

Report of Council Committee on Printing, Stationery, and Advertising, awarding the contract for compiling an index and digest to the Proceedings of the Common Council of 1876-77, to Geo. H. Fleming, of the City Clerk's office, at the rate of \$1.50 per page [see Council Proceedings, page 428], was read, and, on motion of Alderman Stratford, was referred to the Aldermanic Committee on Printing, etc.

Report from Council Committee on Streets and Alleys, recommending (1) that permission be granted "the Columbus Paving Company to lay a quantity of their pavement at any place the property owners may see proper to pay for the same," "provided the work is done under the supervision of the City Civil Engineer and the Committee on Streets and Alleys"; (2 and 3) that the Street Commissioner notify property owners to remove obstructions from sidewalk on California street, between Washington and Maryland street; and ordering same officer to clean out and fill (where needed) the south gutter of Washington street, between California street and the canal [see Council Proceedings, page 429], was read, and the action of the Common Council, in concurring in the several clauses of such report, was duly approved.

Report from Select Committee of the Council, recommending the purchase of additional lots for burial of paupers [see Council Proceedings, page 430], was read, and referred to the Aldermanic Committee on Benevolence and Hospitals.

Motion, to instruct the Street Commissioner to fill the pond in Spruce street, near Woodlawn avenue [see Council Proceedings, page 432], was read, and referred to the Aldermanic Committee on Streets and Alleys.

Motion, to instruct the City Civil Engineer to advertise for bids to construct a two-foot brick sewer from the Station House, west, on Pearl street, to connect with the Virginia avenue sewer [see Council Proceedings, page 432], was read, and referred to the Aldermanic Committee on Sewers.

Motion, to instruct the Street Commissioner to fill the chuck-holes in Christian avenue, between Ash and Peru streets [see Council Proceedings, page 432], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the Street Commissioner to immediately repair the wooden bridge at the crossing of Pogue's Run, at Brookside avenue [see Council Proceedings, page 432], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, permitting C. E. Geisendorff & Co. to pave the sidewalk in front of their factory on W. Washington street, with brick and bowlders, subject to the usual restrictions [see Council Proceedings, page 433], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, authorizing the City Clerk to issue an auctioneer's license to Nathaniel H. Bledsoe, at Nos. 94 and 96 E. Washington street [see Council Proceedings, page 433], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the City Civil Engineer to make a survey of Wisconsin street, between Meridian and Mississippi streets, and of as much of the property adjacent thereto, as will determine the proper description of property for the purpose of assessment for street improvements [see Council Proceedings, page 433], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant John Greene thirty days extension of time, in which to complete his contract on Maryland street, from Helen street, west, to White River [see Council Proceedings, page 433], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to direct the Street Commissioner to clean the street and gutters on South street, between Delaware and Pennsylvania streets [see Council Proceedings, page 434], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant Thomas Brouse the privilege of grading, and paving with brick, for the distance of forty feet on Broadway street, north of Vine street, and for the distance of one hundred and twenty-four feet on Vine street, west of Broadway street, subject to the usual restrictions [see Council Proceedings, page 435], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the Street Commissioner to change the grade of the gutter on the east side of Pennsylvania street, between Washington and Market streets, so as to give better drainage [see Council Proceedings, page 435], was read, and referred to the Aldermanic Committee on Streets and Alleys.

Motion, to grant Bowen & Stewart, Yandes & Baldwin, Joseph Becker, and Charles F. Hahn permission to lay a stone-crossing over Washington street, between Meridian and Illinois streets, subject to the usual restrictions [see Council Proceedings, page 435],

was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to instruct the Street Commissioner to clean the gutter on north side of Massachusetts avenue, between Delaware and Alabama streets [see Council Proceedings, page 436], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Resolution, to instruct the City Marshal to notify the property owners on the north side of Huron street, between Pine and Cedar streets, to repair the sidewalk where it has caved in; and if said repairs are not made within ten days, the Street Commissioner to do said work, and collect the cost of the same from said property owners [see Council Proceedings, page 436], was read, and referred to the Aldermanic Committee on Streets and Alleys.

The following ordinances were then read the first time :

- Ap O. 69, 1877—An ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes.
- S. O. 23, 1877—An ordinance to provide for grading and graveling the first alley east of Franklin street, between Yeiser and Nebraska streets.
- S. O. 24, 1877—An ordinance to provide for grading and graveling the first alley west of Franklin street, between Coburn and Nebraska streets.
- S. O. 25, 1877—An ordinance to provide for grading and graveling Franklin street and sidewalks, from Nebraska street to the first alley north of Yeiser street.

On Alderman Wiles's motion, the rules were then suspended, for the purpose of reading the above ordinances the second and third times, and placing them on their passage, by the following vote :

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

Negative—None.

Appropriation ordinance No. 69, 1877, was then read the second and third times, and passed by the following vote :

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

Negative—None.

Special ordinance No. 23, 1877, was then read the second and third times, and passed by the following vote :

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

Negative—None.

Special ordinance No. 24, 1877, was then read the second and third times, and passed by the following vote :

Affirmative—Alderman Chandler, Coburn, Foster, Krug, Snider, Stratford, Wallace, Wiles, and President Newcomb—9.

Negative—None.

Special ordinance No. 25, 1877, was then read the second and third times, and passed by the following vote :

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

Negative—None.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Stratford offered the following motion ; which was referred, at his request, to the Committee on Streets and Alleys :

WHEREAS, About eight weeks since, there was a motion introduced by Alderman Stratford, and passed by this Board, requesting the Council to appropriate a sum of money sufficient to finish the repair of Virginia avenue ; And,

WHEREAS, The Committee on Streets and Alleys reported that the Street Commissioner had assured them that he had money sufficient to finish said repairs ; And,

WHEREAS, Since that time there has been nothing done to said street, which is in a deplorable condition: Therefore,

Moved, That the Street Commissioner be ordered to immediately proceed to make such repairs, or show cause why he disregards the orders of the Council and Board of Aldermen.

On motion, the Board of Aldermen then adjourned.

H. C. NEWCOMB, President.

Attest:

GEO. T. BREUNIG,

Clerk of Board of Aldermen.