

PROCEEDINGS
OF THE
BOARD OF ALDERMEN

REGULAR SESSION.

CHAMBER OF THE BOARD OF ALDERMEN
OF THE CITY OF INDIANAPOLIS,
Tuesday, November 20th, 1877—7 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, Krug, McGill, Snider, Wallace, and Wiles—7. Appeared subsequently—Aldermen Foster and Stratford—2. Total present—9.

Absent during the entire session—Alderman Coburn—1.

The proceedings of the called session, held November 2d, 1877, and of the regular session, held November 6th, 1877, having been printed, and placed on the desks of the Aldermen, the reading of the same was dispensed with.

The special joint committee to investigate the charges preferred by Alderman Stratford against Street Commissioner Fulmer,

through Alderman Wallace, submitted the following report ; action upon which was postponed temporarily :

To the Board of Aldermen :

The undersigned beg leave to report, in the matter of charges against Leander A. Fulmer, Street Commissioner, preferred by Alderman Stratford, as follows :

Alderman Coburn, and Councilmen Morse and Sindlinger were necessarily absent during most of the time of the investigation ; but, by consent of the accused and the prosecution, the matter was submitted to the undersigned.

Careful investigation was made ; every facility afforded for the production of witness and books and papers on both sides, and the result of the investigation is, that we find Leander A. Fulmer not guilty of the charges preferred against him. We do find some irregularities in the manner of paying some small accounts for work on the streets and bowlders, not in anyway affecting the integrity of the Commissioner and the parties to whom moneys were paid. It was shown that orders were issued, which embraced the accounts of several persons for work and labor and materials, the money paid to the Commissioner, who then paid it to the persons entitled thereto. This was done to save a notary fee of fifty cents, and lessen the discount on orders, which was less on large orders than on small ones. In all cases where this was done, it was proven before us that the account was correct, and the party got his money. We allude to this matter, because it is an exceedingly loose way to do business, and dangerous to the city officials as well as to the city. It would be an easy matter for the small claimants to make out their accounts and properly assign them, and thus afford to the city, and all persons, written and legal evidence of the regularity of their transactions ; or, better still, endorse upon the account an order to pay the person or persons whom they wish to collect the money. We recommend that some such rule as this be established by ordinance, if there be none such in force.

WILLIAM WALLACE,
ROBT. C. MCGILL,
A. L. WRIGHT,
Committee.

MESSAGE FROM THE COMMON COUNCIL.

The following message from the Common Council was duly received :

Indianapolis, November 20, 1877.

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 November 19th, 1877, for your action upon same.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Report from Mayor Caven, giving a statement of the fines collected by him during the month of October, 1877, due to and paid into the City Treasury [see Council Proceedings, page 542], was read, and the action of the Common Council, in approving such report, was duly concurred in.

Report from Trustees having custody of the city bonds issued in aid of the Union Railroad Transfer and Stock-Yard Company, and four exhibits accompanying the same [see Council Proceedings, pages 542 to 544], were read, and duly received.

Aldermen Foster and Stratford appeared, and took their seats.

Report from special joint committee set forth on page 254, *ante*, was again read, and, on Alderman Stratford's motion, was duly concurred in.

Report from City Civil Engineer, giving (1) a first and final estimate to Fred. Gansberg, for grading and graveling the first alley east of Franklin street, between Yeiser and Nebraska streets; and (2) a first and final estimate to Fred. Gansberg, for grading and graveling the first alley west of Franklin street, between Coburn and Nebraska streets [see Council Proceedings, page 544], 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 545], was then read:

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed Fred. Gansberg, for grading and graveling the first alley east of Franklin street, between Yeiser and Nebraska streets, 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, Foster, 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 545], was also read :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate allowed Fred. Gansberg, for grading and graveling the first alley west of Franklin street, between Coburn and Nebraska streets, 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, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—9.

Negative—None.

Report from same officer, stating that the time granted E. B. Elliott for completing his contract for improving Herbert street, between Illinois and Meridian streets, had expired, and recommending that thirty days time be granted said contractor [see Council Proceedings, page 546], was read, and the action of the Common Council, in granting the recommended extension of time, provided surety consented to remain on said contractor's bond, was duly concurred in.

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

Elton B. Elliott vs. Morris R. Trimble, for.	391 57
Elton B. Elliott vs. Fred. J. Meikel, for.	23 76
Elton B. Elliott vs. Jacob Bower, for.....	91 57

And recommending that precepts be ordered to issue [see Council Proceedings, page 549], 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, Foster, Krug, McGill, Snider, Stratford, Wallace, Wiles, and President Newcomb—9.

Negative—None.

Communication from John Flaherty, stating that errors had been made in affidavits filed in City Clerk's office for precepting certain réalty belonging to Benjamin F. Riley, and against which precepts had been ordered to issue, by action of the Common Council on 20th August, and by concurrent action of the Board of Aldermen on 21st August, 1877, and requesting that aforesaid proceedings be rescinded and annulled, and that he be allowed to file corrected affidavits against same, together with the resolution by which the Common Council had granted the prayer of said Flaherty [see Council Proceedings, page 547], were read, and the action of the Common Council, in adopting such resolution, was duly concurred in by the following vote :

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

Negative—None.

By consent, the order of business was now suspended, for the purpose of allowing the Aldermanic Committee on Gas-Light to make a report.

Aforesaid committee then submitted the following ; which was concurred in :

To the Board of Aldermen :

The committee to whom was referred the motion instructing the City Civil Engineer to re-advertise for the erection of lamp-posts on Bellefontaine avenue and Peru street, from Home avenue to Seventh street, beg leave to report that they have had the same under consideration, and recommend that the motion be adopted, and that the City Civil Engineer proceed accordingly.

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

The motion referred to in preceding report [see Council Proceedings, page 153, and Aldermanic Proceedings, page 90], was then taken up, and the action of the Common Council, in adopting such motion, was duly concurred in.

Order of business was resumed.

Report from City Attorney, recommending the compromise of a \$750 judgment obtained by Samuel J. Smock against the city for the agreed sum of \$700 [see Council Proceedings, page 548], was read, and the action of the Common Council, in concurring in such recommendation, was duly approved.

Report from Street Commissioner, of work done in his Department during the month of October, 1877 [see Council Proceedings, page 551], was read, and duly received.

Report from Fire Board, recommending the purchase of thirty Logan's Hose-Leak Stoppers, with right of Fire Department to use same for term of seventeen years, at a contract price of two hundred dollars [see Council Proceedings, page 553], was read, and the action of the Common Council, in referring matter back to Fire Board, with instructions to make such purchase, if patentees will guarantee the city against any and all prosecutions for infringements of like patents, was duly concurred in.

Report from Council Committee on Finance, recommending (1) that the sum of \$7, being taxes for 1876 on \$500, be refunded Bridget Gill, under Widows' Exemption Act; (2) stating that Johanna Ryan is not entitled to widows' exemption for year 1875, as prayed for, because her property was then appraised at \$1250; and (3) recommending that D. L. King be refunded \$1.64, taxes paid for 1876, he then being a non resident of the city [see Council Proceedings, pages 553 and 554], 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 Judiciary and City Attorney, recommending that His Honor, Mayor Caven, be directed to execute a deed of lots 2, 10, 11, and 12, square 48, in the City of Indianapolis, to the State of Indiana, and that the City Attorney be directed to institute the necessary proceedings to vacate Market and Wabash streets, from Tennessee to Mississippi street, that the aforesaid lots and streets may be occupied and used in the erection of a new State House [see Council Proceedings, page 554], was read, and the action of the Common Council, in concurring in such recommendations, was duly approved.

Report from same committee and officer, recommending the compromise, for the sum of \$150 (amount claimed \$300), the claim of James A. Murray, for injuries sustained by him, while driving upon Brookside avenue, such injuries being caused by an obstruction in said street, placed there by Street-Repair Department, to prevent persons from driving upon Pogue's Run bridge at a time that bridge was undergoing repairs [see Council Proceedings, page 555], was read, and referred to Aldermanic Committee on Judiciary.

Report from Council Committee on Streets and Alleys, recommending (1) that the Street Commissioner clean the gutters of Meridian street, south of McCarty street, and fill the chuck-holes in said street, also those in McCarty street, from Illinois to Delaware street, at a cost not exceeding fifty dollars; (2) that same officer spread gravel on Ohio street, from Alabama to New Jersey street, at a cost not exceeding twenty-five dollars; and (3) that same officer construct a crosswalk of fine rolling-mill cinders, over New York street, on line with east sidewalk of Indiana avenue [see Council Proceedings, page 556], was read, and the action of the Common Council, in concurring in the aforesaid clauses of such report, was duly approved.

Alderman Wallace was excused for the balance of this session.

Report from joint special committee on securing rooms for city offices, etc., in new Court House, together with rental agreement, as set forth in correspondence between certain members of such committee and the Commissioners of Marion County, and recommending that the City Attorney draw up a lease in accordance with offered terms [see Council Proceedings, page 557], was read, and the action of the Common Council, in concurring in such report, and in accepting said agreement, was duly approved.

On Alderman Stratford's motion, His Honor, the President, appointed Aldermen Stratford, Wallace, and Foster as a committee to act in conjunction with a like committee of the Common Council, in making an assignment of offices, etc.

Petition of Orpheus Everts, Superintendent, on behalf of the Indiana Hospital for the Insane, asking permission to connect said institution with the fire alarm telegraph of the city, the work to be done to the satisfaction of the Chief Fire Engineer and the Superintendent of the Fire-Alarm Telegraph; also, a petition from same gentleman for permission to place a line of telegraph poles and wires, from the west corporation line, along Pearl street, or such other street or streets, except Washington street, as may be necessary for that purpose, to connect the aforesaid institution with one of the telegraph offices in the city [see Council Proceedings pages 561 and 562], were read, and the action of the Common Council, in referring such petitions to the Fire Board, with power to act, was duly approved.

Motion, to grant Joseph Allerdice permission to fill the pond on Spruce street, near Woodlawn avenue, at his own expense, and under the supervision of the City Civil Engineer [see Council Proceedings, page 561], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant R. Perkins permission to lay a plank crossing over sidewalk in front of doorway to his blacksmith shop, on Fort Wayne avenue, under direction of the City Civil Engineer [see

Council Proceedings, page 562], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to direct the Street Commissioner to repair the first alley south of Pogue's Run, between East and New Jersey streets, at a cost not exceeding ten dollars [see Council Proceedings, page 562], 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 out and deepen the gutters of the alley running north and south, between Madison avenue and Pennsylvania street; and that parties dumping ashes and other refuse in same be prosecuted [see Council Proceedings, page 563], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant L. L. Todd permission to put down curbing in front of his residence, No. 464 N. East street, subject to the usual restrictions [see Council Proceedings, page 564], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to reconsider the adoption of the order to close and fasten the gates of Military Park for the winter, together with the motion directing the small gates of said park to be re-opened [see Council Proceedings, page 564], were read, and the action of the Common Council, in adopting such motions, were duly concurred in.

Motion, to grant H. Wall permission to lay a stone crosswalk over N. Illinois street, from his place of business to the Bates House, subject to the usual restrictions [see Council Proceedings, page 564], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant Allen Caylor permission to take up brick pavement in front of his coal yard (No. 177 Indiana avenue), and lay

a temporary plank crossing in lieu of same [see Council Proceedings, page 564], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to grant A. B. Meyer permission to erect and maintain a telephone, extending from his coal yard, on Christian avenue, to his office, on Pennsylvania street [see Council Proceedings, page 566], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

The following special ordinances (which had been duly passed by the Common Council—see pages 568 to 570), were read the first time:

- S. O. 132, 1876—An ordinance to provide for grading and graveling the alley between Broadway street and College avenue, and running from Butler street to Home avenue;
- S. O. 26, 1877—An ordinance to provide for grading and graveling the first alley east of Meridian street, between Phipps and McCarty streets;
- S. O. 27, 1877—An ordinance to provide for grading and graveling the first alley east of East street, running from Merrill to Valley street;
- S. O. 32, 1877—An ordinance to provide for grading, graveling, and curbing the west sidewalk of Missouri street, from New York to Vermont street;
- S. O. 35, 1877—An ordinance to provide for grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris street;
- S. O. 36, 1877—An ordinance to provide for grading and graveling the first alley north of Fletcher avenue, from Cedar street to Dillon street.

The Committee on Streets and Alleys, through Alderman Krug, submitted the following report; upon which action was postponed for the present:

Indianapolis, November 6, 1877.

To the President and Board of Aldermen:

Gentlemen:—Your committee would respectfully report as follows on the report of the Council committee, recommending the discharge of the draughtsman in the City Civil Engineer's office:

We have inquired into the matter, and find that the Engineer's force is

already reduced below the number actually needed ; but, in view of the fact of the aforesaid draughtsman having sought and obtained other employment, we recommend that the report of the Council committee be concurred in, and would suggest that, when necessary, the City Civil Engineer be empowered to employ a draughtsman.

Respectfully submitted,

G. C. KRUG,
ROBT. C. MCGILL.

Committee on Streets and Alleys.

Alderman Stratford offered the following motion ; which was adopted :

Moved, That the Committee on Benevolence and Hospitals be instructed to report, at the next meeting, what amount, if any, will be necessary to appropriate for the relief of the poor of the city during this winter.

On motion, the Board of Aldermen then adjourned.

H. C. NEWCOMB, President.

Attest :

GEO. T. BREUNIG,

Clerk of Board of Aldermen.