

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—MAY 21, 1878.

The Board of Aldermen of the City of Indianapolis convened in first regular session for the year 1878-1879, in the Aldermanic Chamber, on Tuesday evening, May 21st, A. D. 1878, at half-past seven o'clock.

For the current year, the Board of Aldermen will consist of the following members:

HOLDING OVER.

First District—Robert S. Foster.
Second District—William D. Wiles.
Third District—Henry Coburn.
Fourth District—William H. Snider.
Fifth District—Isaac W. Stratford.

NEW MEMBERS.

Jonathan M. Ridenour.
Thomas E. Chandler.
Daniel W. Grubbs.
William F. Piel.
Diedrich Mussmann.

Geo. T. Breunig, Clerk, called the Board to order; and all its members (except Alderman Snider, whose attendance, it was reported, was prevented by sickness) answered to the roll-call.

On Alderman Stratford's motion, Alderman William D. Wiles was called to the Chair, to serve as presiding officer until the Board should be permanently organized.

Chairman Wiles stated that the first business in order would be the election of President and President *pro tempore* for the ensuing year; that nominations for the aforesaid offices should now be made; and appointed Aldermen Grubbs and Stratford as tellers.

For President—Alderman Foster nominated Alderman William D. Wiles; which nomination was seconded by Alderman Stratford.

No other nomination being made, a ballot was had; which resulted as follows (all the members voting except the nominee):

Alderman William D. Wiles received 8 votes; and was, thereupon, declared President of the Board of Aldermen of the City of Indianapolis for the ensuing year.

For President pro tempore—Alderman Coburn nominated Alderman Jonathan M. Ridenour; which nomination was also seconded by Alderman Stratford.

No further nomination being made, a ballot was had; which resulted as follows (all the members voting, except the nominee):

Alderman Jonathan M. Ridenour received 8 votes; and was, thereupon, declared President *pro tempore* of the Board of Aldermen of the City of Indianapolis for the ensuing year.

The Board of Aldermen having been thus fully organized, His Honor, the President, declared said body was prepared for the dispatch of such business as might be brought before it.

The proceedings of the regular session of April 16th, and of the adjourned session of April 23d, 1878, having been printed and placed on the desks of the Aldermen, the reading of the same was dispensed with, and said proceedings were duly approved as published.

NEW BUSINESS.

The Board of Public Improvements, through Alderman Coburn, submitted the following report:

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

Gentlemen:—The Board of Public Improvements, to whom was referred sundry papers and motions by your honorable body, have given them due attention, and beg leave to report as follows:

FIRST. Is special ordinance No. 12 of the Common Council, for the improvement of Railroad street, together with a remonstrance against its passage.

This ordinance was before our Board, pending its passage by the Council. After giving it due consideration and examining the ground, and considering the fact that the city had recently agreed to pay a very large sum of money to get possession of this street, we recommended its passage; and we now see no reason to alter our conclusion in the premises. But we are of the opinion that the improvement should be extended to its terminus on Massachusetts avenue. We would, therefore, recommend that the ordinance be so amended as to read "Massachusetts avenue" instead of "St. Clair street," and, when so amended, that it be passed, the remonstrance to the contrary notwithstanding.

SECOND. Is a motion introduced in the Common Council by Councilman Tucker, and by them passed, "That as the Street Railroad Company have raised their track in the tunnel above the regular floor, thereby endangering the gas-lights, said company be held responsible for any and all damages done to said fixtures by their passing through the tunnel with their cars."

Your Board have examined the track of Railway Company, recently laid through the tunnel, and find that the Councilman was mistaken in reference to their having raised it above the floor, and are of the opinion that the motion

should not pass in the above shape. We would, therefore, recommend that it be amended so as to hold the Railway Company responsible for any and all damage done by them by reason of the passage of their cars through said tunnel.

THIRD. Is a motion passed by the Council permitting Messrs. Hughey & Johnson to place a plank sidewalk in front of their property on Pendleton Pike.

We have examined the location on which the parties desire to place this plank walk, and are of the opinion that the permission should be given. We would, therefore, recommend that the action of the Council in the matter be concurred in.

Respectfully submitted,

N. S. BYRAM,
T. C. READING,
H. COBURN,
Board of Public Improvements.

Alderman Stratford moved that the Board refuse to concur in the amendment proposed in the first clause of preceding report, and demanded a call of the "ayes and nays"; which, being taken, the motion to non-concur failed of adoption by the following vote:

AYES, 1—viz.: Alderman Stratford.

NAYS, 8—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, and President Wiles.

On motion, the recommendation contained in the first clause of report was then concurred in.

And the second and third clauses were also concurred in.

Alderman Coburn offered the following motion; which was adopted:

Moved, That the City Civil Engineer examine Pogue's Run between Washington and Tennessee streets, and report to this body whether obstructions have not been placed in the bed of the same, thereby preventing a free flow of water.

Alderman Stratford offered the following motion; which was adopted:

Moved, That the Fire Board be instructed to examine the cistern in Alabama street, through which was built the sewer connecting the Station House with the Virginia avenue sewer, and report the condition thereof at the next meeting of the Board of Aldermen.

MESSAGE FROM THE COMMON COUNCIL.

The following message from the Common Council was duly received:

To the Board of Aldermen:

Gentlemen:—I herewith transmit to your honorable body a certain motion which was adopted at the Common Council at its called session of April 29, 1878, and also sundry papers which were also favorably passed upon by aforesaid body at its regular session, held last evening (20th instant), for your action upon same.

For the Common Council:

BENJ. C. WRIGHT, City Clerk.

PAPERS FROM THE COMMON COUNCIL—ACTION UPON.

Motion, to authorize the City Clerk to advertise for proposals for putting in gas-pipes and fixtures, for use, at City Hospital [see Council Proceedings of April 29th, 1878, page 938], was read, and then, on Alderman Coburn's motion, was referred to the Hospital Board, with instructions to report as to the expediency of the proposed improvement, together with an estimate of probable cost of the same.

Mayor Caven's report of the amount of fines (\$8.00) by him collected and paid into city treasury during the month of April, 1878 [see page 2, *ante*], was read, and the action of the Common Council, in approving such report, was duly concurred in.

Message from Mayor Caven, transmitting a certified transcript from the records of the Citizens' Street Railway Company, containing the resolution accepting the terms and conditions of General Ordinance 10, 1878 ("To amend section five (5) and six (6) of an ordinance entitled 'An ordinance authorizing the construction, extension, and operation of certain Passenger Railways, in or upon the streets of the City of Indianapolis; ordained and established January 18, 1864'; ordained and established April 2, 1878"), together with aforesaid transcript [see page 3, *ante*], were read, and duly received.

Petition from Committee on Arrangements, Arches, and Decorations of the German Catholic Central Verein, to be allowed to excavate in the streets, for the purpose of erecting triumphal arches for its 23d Annual Convention, to be held in this city on June 9th, 1878 [see page 3, *ante*], was read, and the action of the Common Council, in granting the prayer of petitioners, was duly concurred in.

City Civil Engineer's report of the sum of \$1,088.49, on account of a first and partial estimate in behalf of Anderson Bruner, for constructing a brick sewer from the east line of the Central Station House, in and along Pearl street, to the first alley east of Delaware street; thence, south, in and along said alley to Maryland street; thence, west, in and along Maryland street, to connect with the Virginia avenue sewer [see page 4, *ante*], 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 4, *ante*] was then read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the foregoing first and partial estimate, allowed Anderson Bruner, for constructing a brick sewer from the east line of the Central Station House, in and along Pearl street, to the first alley east of Delaware street; thence, south, in and

along said alley, to Maryland street; thence, west, in and along Maryland street, to connect with the Virginia avenue sewer, be, and the same is hereby, adopted as the estimate of said 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 adopted by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

City Clerk's report that the affidavit of John Greene vs. William G. Randall, for the collection of street assessment (\$38.50) by precept, had been filed in his office, and recommending that the precept be ordered to issue [see pages 4 and 5, *ante*], was read, and the action of the Common Council, in approving such recommendation and in ordering the precept to issue, was concurred in by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

Report from Board of Health, giving tabulated statement, by ages, of deaths registered in the City of Indianapolis, during month ending May 11th, 1878 [see page 10, *ante*], was read, and duly received.

Report from Board of Public Improvements, giving an exhibit of work done by the Street-Repair Department, and moneys paid on account of same, during the month of April, 1878 [see pages 11 to 13, *ante*], was read, and duly received.

Report from Council Committee on Contracts, giving abstracts of proposals, and recommending (1) that Thomas H. S. Peck & Co. be awarded the contract for erecting lamp-posts, lamps, and fixtures (complete to burn gas, except the service-pipe) on Ray street, West Indianapolis, from Washington street to White river; and (2) that J. A. Buchanan be awarded the contract for placing that portion of the Delaware street viaduct set apart for that purpose on the stone abutments already erected on the canal, at the crossing of Fifth street [see page 14, *ante*], was read, and the action of the Common Council, in awarding the several contracts, as recommended, was duly concurred in.

The contract and bond of Thomas H. S. Peck & Co. for the work described in first clause of preceding report, and the bond thereto attached (penalty, \$500; surety, Charles Kemper) was submitted, and the action of the Common Council, in concurring in such contract and in approving the bond [see page 14, *ante*], was duly concurred in.

Motion, to authorize the Police Board to connect the Station House with the recently-constructed Pearl street sewer [see page 16, *ante*], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Motion, to direct the City Civil Engineer to advertise for proposals for placing in position the iron bridge over the canal, at the crossing of Vermont street [see page 17, *ante*], was read, and the action of the Common Council, in adopting such motion, was duly concurred in.

Petition from Isaac M. Levy, for license to sell by auction at No. 96 E. Washington street [see page 17, *ante*], was read, and the action of the Common Council, in granting the prayer of such petition, was duly concurred in.

The following Appropriation Ordinances [which had been duly passed by the Common Council—see page 16, *ante*] were read the first time :

Ap. O. 32, 1878—An Ordinance appropriating the sum of fifteen thousand dollars on account of the Fire, Police, and Street-Repair Departments of the City of Indianapolis.

Ap. O. 33, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis for expenses of trial of Gregg-will case.

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

AYES 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

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

Ap. O. 32, 1878—An Ordinance appropriating the sum of fifteen thousand dollars on account of the Fire, Police, and Street-Repair Departments of the City of Indianapolis ;

And was passed by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

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

Ap. O. 33, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis for expenses of trial of Gregg-will case ;

And was passed by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

On Alderman Stratford's motion, it was ordered that when this Board adjourn, it adjourn to meet next Tuesday evening, at the usual hour.

PENDING ORDINANCES.

The following ordinance was taken up, and read the second and third times :

G. O. 6, 1878—An Ordinance to prohibit the erection or maintenance of Bill-Boards in the City of Indianapolis, unless the consent of adjoining property owners shall be first obtained ;

And was passed by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

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

G. O. 11, 1878—An Ordinance to amend section one (1) of an ordinance entitled "An Ordinance to amend an ordinance entitled 'An Ordinance providing for the re-organization of the Police Force of the City of Indianapolis; passed May 18, 1874'; passed May 15, 1878";

And was passed by the following vote :

AYES, 9—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

NAYS—None.

SELECTING SEATS.

On Alderman Coburn's motion, His Honor, the President, was requested to draw the District-numbers by lot—the Aldermen, thus represented, to make choice of seats in the order drawn.

The drawing was announced in the following order :

Second District, Fourth District, First District, Fifth District, Third District.

As the result of the preceding lot, the sittings were assigned as follows :

First District—Aldermen Foster and Ridenour; rear desks, on east side.

Second District—Aldermen Chandler (Alderman Wiles presiding in the Chair);
single desk, on east side.

Third District—Aldermen Coburn and Grubbs; front desks, on west side.

Fourth District—Aldermen Snider and Piel; front desks, on east side.

Fifth District—Aldermen Stratford and Mussmann; rear desks, on west side.

On motion, the Board of Aldermen then adjourned, to meet next Tuesday evening, May 28th, at the usual hour.

W. D. WILES, President.

Attest: GEO. T. BREUNIG, Clerk.