

PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—JULY 23, 1878.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Tuesday evening, July 23d, A. D. 1878, at eight o'clock, pursuant to adjournment.

PRESENT—His Honor, the President, Wm. D. Wiles, in the Chair, and Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, Snider, and Stratford—9.

ABSENT—Alderman Coburn—1.

The Proceedings of the First Joint Convention, held May 24th, and of the adjourned session of the Board of Aldermen, held May 28th, 1878, having been printed and placed on the desks of the Aldermen, said proceedings were duly approved as published.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message from the Common Council was duly received :

Gentlemen :—I herewith transmit to your honorable body sundry papers, which were favorably passed upon by the Common Council, at its adjourned regular session, held last evening (July 22d, 1878), for your action upon same.

For the Common Council:

BENJ. C. WRIGHT, City Clerk.

Report from William Sullivan and City Attorney Hawkins, setting forth the details of the Gregg-will case, and including the decree and judgment of the Court in the final disposition of the case [see pages 241 to 245, *ante*], was read, and duly received.

In connection with the preceding report, the following resolution [which had been duly adopted by the Common Council—see page 245, *ante*], was read :

Resolved, That William M. Wiles, City Treasurer, is hereby appointed and fully empowered to act as agent of the City of Indianapolis in the matter of receiving from the legal party (Court or executor, as the case may be), all and singular, and to the full extent, such moneys as may belong and be payable to said city from the estate of the late Thomas D Gregg, who deceased in King William County, in the State of Virginia, on December 17th, 1876.

And was adopted by the following vote :

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

NAYS—None.

Report from Aldermanic and Council Committees on Gas-Light, exhibiting the results of their conference with the Indianapolis Gas-Light and Coke Company, etc. [see page 245, *ante*], was read, and duly received.

The following Council motion was then read :

Moved, That the City Clerk be instructed to notify the gas company that, unless they accept \$55,000 for two thousand hours, the gas company to light and extinguish the lamps, so as to give the most light, we will discontinue the use of gas on August 1st, 1878—payment to begin on July 1st 1878, and end June 30th, 1879, under the direction of a schedule furnished by City Civil Engineer.

And was adopted by the following vote :

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

NAYS, 1—viz.: Alderman Stratford.

Report from same committees, recommending the purchase and use of coal-oil lamps for the purpose of lighting University Square and Circle Parks, as well as in the Fire Department houses [see page 248, *ante*], was read, and duly received.

The following Council motion was then duly adopted :

Moved, That the Committee on Gas-Light and City Engineer be authorized to purchase coal-oil lamps, and erect the same in University Park and around the Circle, the cost of the same not to exceed \$9 each.

Report from City Civil Engineer and City Clerk, stating record-facts with regard to petition of Michael A. Toohey [see page 249, *ante*],* and making certain recommendations—which they incorporate in a resolution appended to report [see page 250, *ante*]^o—was read, and duly received.

The following resolution was then read :

WHEREAS, At a regular session of the Common Council, held on the 15th day of December, 1873, a certain precept was ordered to issue against John S. Hall, said precept having been issued upon an affidavit filed by Saml. W. Patterson, for work performed by him in grading and graveling Patterson street and sidewalks, from North street to Elizabeth street; and

WHEREAS, The estimate upon which said precept was ordered to issue is erroneous in this, that the description assessed against said John S. Hall is incorrect and void; Therefore, be it

Resolved, That all action had upon said precept be, and the same is hereby, reconsidered and annulled; that the City Civil Engineer be, and is hereby, directed to prepare a new and corrected estimate, and report the same to the Common Council and Board of Aldermen for approval; and that the said Saml. W. Patterson is hereby authorized to file new affidavit for precept.

And was adopted by the following vote :

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

NAYS—None.

Petition from J. M. W. Langsdale, for permission to lay private drain, and connect same with Court street sewer in Delaware street [see page 251, *ante*], was read, and, on motion of Alderman Grubbs, was referred to the Aldermanic Committee on Sewers.

The following Council motions were read, and duly adopted :

Moved, That the Street Commissioner be instructed to order the Citizens' Gas-Light and Coke Company to immediately put the stone crossings on Indiana avenue, at Mississippi street, in repair.

Moved, That David Anderson be granted permission to lay a crossing over the sidewalk in front of No. 70 Indiana avenue, said work to be done at his own expense, under the direction of the City Engineer, and be completed in thirty days.

Circle Park being daily visited by thousands of people, many of whom, no doubt, enjoy a good cold drink of water, and as Mr. R. R. Rouse is the sole proprietor of the celebrated patent driven well, and that being the only means by which the same can be obtained, and having liberally offered to place in the Circle Park a driven well, at his own expense; Therefore,

Moved, That he be granted the privilege—said well to be located under direction of the Committee on Parks.

The following Council motion, which said body had referred to the Board of Public Improvements, with power to act, was read, and aforesaid reference and power was duly confirmed :

Moved, That the Street Commissioner be directed to fill the space, with gravel, between the bridge over the canal on Vermont street and I., C. & L. R. R. tracks.

The following Council motion was read; and then referred to the Board of Public Improvements :

Moved, That the Street Commissioner be ordered to fill up on each side of the I. C. & L. Railroad tracks, on Leoto street, between Bates and Deloss streets.

NEW BUSINESS.

The Committee on Revision of Ordinances, through Alderman Grubbs, submitted the following report; which was read and considered by clauses, and the proposed amendments were severally concurred in :

To the Board of Aldermen:

Gentlemen:—Your Committee on Revision of Ordinances, to whom General Ordinance 13, 1878 ("An Ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis; restraining the making of Excavations therein or in lands adjacent thereto; prohibiting the placing of unauthorized Obstructions in or upon the same; securing the Public in the free and safe use thereof; revising and re-enacting Ordinance-Provisions now in force; and prescribing Penalties for violations of its Regulations and Requirements"; passed by the Common Council on May 6th, 1878), having discharged our duties under said reference, would now report back the following amendments, and recommend the immediate passage of said ordinance, as amended.

1st. Amend section twenty-one (21), by striking out the words "twenty-four hours," in the sixth line of said section, and inserting the words "three days" in lieu thereof.

2d. Amend clause 3 of section twenty-eight (28), by striking out "one hour," in last line of said clause, and inserting "six hours" in lieu thereof.

3d. Amend section sixty-three (63) by striking out the phrase, "nor shall there be any sprinkling-orifices in the ends of said attachments," and inserting in lieu thereof, "and the orifices in such sprinkling-attachments shall be so arranged as to only give an upward projection to the streams and to not discharge the same outwardly beyond the width of such sprinkler-cart."

4th. Amend section sixty-eight (68), by inserting the title of the "city official newspaper, The Southside," in lieu of "Indianapolis Daily Sentinel."

5th. There are a few typographical errors and omissions in said ordinance, as printed; but they are so apparent that we do not deem it necessary to note them.

Respectfully submitted,

D. W. GRUBBS,
WM. F. PIEL,
R. S. FOSTER.

Further amendments were then made as follows:

By Ald. CHANDLER—To Sec. 17: By striking out "eight inches" in last line, and inserting "four inches" in lieu thereof.

By Ald. CHANDLER—To Sec. 27: By striking out the word "display" in second line, and the words "or otherwise" and "or depositing" in the third line of said section.

By Ald. GRUBBS—To Sec. 28: By striking out clause 7 of said section, and, consequently, changing the number of next following clause from "8" to "7."

By Ald. CHANDLER—To Sec. 55: By striking out the phrase, "or upon any other business thoroughfare, or before any business premises used for mercantile purposes," at end of said section.

By Ald. STRATFORD—To Sec. 56: By adding, after phrase "(except at public markets)," the additional phrase, "for a longer time than two hours."

[Ald. STRATFORD also moved to strike out section 36, but said motion failed of adoption.]

Said ordinance was then ordered to be engrossed as amended, and read the third time by title, viz.:

G. O. 13, 1878—An Ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis; restraining the making of Excavations therein or in lands adjacent thereto; prohibiting the placing of unauthorized Obstructions in or upon the same; securing the Public in the free and safe use thereof; revising and re-enacting Ordinance-Provisions now in force; and prescribing Penalties for violations of its Regulations and Requirements.

And was passed by the following vote :

AYES, 7—viz.: Aldermen Chandler, Foster, Mussmann, Piel, Ridenour, Snider, and President Wiles.

NAYS, 2—viz.: Aldermen Grubbs and Stratford.

The Board of Public Improvements submitted the following report; which was duly concurred in :

To the President and Board of Aldermen :

Gentlemen :—The following motion was adopted by the Common Council, and referred to us by your honorable body :

Moved, That the Street Commissioner give the owner of the hay-scales in Delaware street, south of McCarty street, ten days' notice to remove the same; and in case of his failure to do so, the Street Commissioner is directed to remove the same."

The scales referred to are in the street, above the grade, and, not being in use, constitute a nuisance, and we recommend their removal as contemplated in the motion.

Respectfully submitted,

M. H. MCKAY,
JOHN L. MARSEE,
Board of Public Improvements.

Alderman Piel offered the following motion; which was duly adopted :

Moved, That the Street Commissioner be instructed to notify the property owners on the south side of Washington street, between Noble and East streets, to repair or renew the cellar doors and sidewalk where the same is out of repair; and upon their failure to do so for a period of ten days, that he commence proceedings against such persons in the Mayor's Court.

It being reported that the Common Council had adjourned to meet on Monday evening, 29th instant, on motion, the Board of Aldermen was adjourned to meet on next Tuesday evening, at the usual hour.

W. D. WILES, President.

Attest: GEO. T. BREUNIG, Clerk.