

PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—JULY 30, 1878.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Tuesday evening, July 30th, A. D. 1878, at eight o'clock, pursuant to adjournment.

PRESENT—His Honor, the President, Wm. D. Wiles, in the Chair, and Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, and Piel.—7.

ABSENT—Aldermen Ridenour, Snider, and Stratford—3.

The Proceedings of the Board of Aldermen, for the regular session, held on June 4th, 1878, having been printed, and placed on the desks of the Aldermen, said proceedings were approved as published.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message from the Common Council was duly received :

To the Board of Aldermen :

Gentlemen :—I herewith transmit certain papers, which were favorably passed upon by the Common Council, at its adjourned session, held last evening (July 29th, 1878), for your action upon same.

For the Common Council :

BENJ. C. WRIGHT, City Clerk.

Report from Council Committee on Contracts, giving abstracts of proposals, and recommending (1) that Fred. Gansberg be awarded the contract for grading and graveling Railroad street and sidewalks, from Ohio street to North street, at 43 cents per lineal foot front on each side ; and (2) that Thomas H. S. Peck & Co. be awarded the contract for erecting lamp-posts, lamps, and fixtures (complete to burn gas, except the service-pipes), on West street, between Kentucky avenue and Georgia street, at \$16.45 each [see page 263, *ante*], was read.

The action of the Common Council, in awarding the before mentioned contracts, was duly concurred in ; but the Board of Aldermen, later in the evening [see page 294, *post*], reconsidered the award of the lamp-post contract, holding that the city could not afford to add to any further expenditure on account of public gas-lamps.

The contract and bond of Fred. Gansberg, for doing the work described in the first clause of preceding report, and the bond thereto attached (penalty, \$2000; surety, Richard Carr), were then submitted; and the action of the Common Council, in concurring in such contract and in approving the bond [see page 264, *ante*], was duly concurred in.

Communication from the Indianapolis Gas-Light and Coke Company, in answer to the motion adopted by the Common Council on July 22d, and by the Board of Aldermen on July 23d, 1878 [see page 258, *ante*, for motion, and page 264, *ante*, for communication], was read, and duly received.

The following resolution [which had been duly adopted by the Common Council—see page 265, *ante*], was then read :

WHEREAS, By the Act of the Legislature of 1877, the revenue of the City of Indianapolis was limited to a levy of ninety cents upon the one hundred dollars for general city purposes, and the decline in valuations of property has largely reduced the amount of taxables upon the city tax-duplicate, and thereby greatly reduced the amount of the revenue of the city for the present fiscal year ;

AND WHEREAS, It is impossible to carry on the city government, and keep the expenses of the same within the amount of revenue received, and light the streets and alleys with gas in the manner and in the same way that the same have been lighted during the fiscal year last past ;

AND WHEREAS, It has been impossible to make any arrangement with the Indianapolis Gas-Light and Coke Company, by which the same could be satisfactorially lighted for the present year for the amount of money that the city can spend for that purpose : Therefore, be it

Resolved by the Common Council and Board of Aldermen, That it is for the best interest of the city that the lighting of the streets and alleys with gas be discontinued from and after August 1st, 1878 ; and the Common Council and Board of Aldermen hereby order the lighting of the streets and alleys with gas to be discontinued from and after August 1st, 1878 ; and the Civil Engineer is hereby directed to notify the Indianapolis Gas-Light and Coke Company of the passage of this resolution, and that the city will not pay for any gas consumed in the lighting of the streets and alleys, nor for the lighting, extinguishing, cleaning, or repairing of any street lamps, after the first day of August, 1878 ; and the City Civil Engineer is hereby instructed to take the necessary steps to prevent the lighting of any lamps in any of the streets or alleys of the city after said date ; and he is also instructed to carefully remove the tips or burners on said lamps, and seal the same so that no gas can escape.

Be it further Resolved, That the Committees on Gas-Light of the Common Council and Board of Aldermen be, and are hereby, directed to investigate and report what will be the expense of lighting the streets with oil lamps, or by any other mode than gas.

And was adopted by the following vote :

AYES, 6—viz. : Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS, 1—viz. : Alderman Coburn.

City Civil Engineer's report of the following estimates was read :

Gentlemen:—I herewith report a second and final estimate in behalf of James Parker, for placing in position, on the stone abutments already erected on the canal at the crossing of Vermont street, that portion of the Delaware street viaduct set apart for that purpose—

| | |
|--|-----------|
| Contract price..... | \$ 537 00 |
| Extra iron work, as per Engineer's estimate..... | 20 40 |
| | \$ 557 40 |
| Less former estimate..... | 300 00 |
| | \$ 257 40 |

Also, in compliance with your instructions, I herewith report a corrected first and final estimate in behalf of Sam'l W. Patterson, for grading and graveling Patterson street and sidewalks, from North street to Elizabeth street—

| | |
|-----------------------------------|----------|
| 960 lineal feet, at 70 cents..... | \$672 00 |
| Former estimate | 672 00 |
| | \$672 00 |

This estimate was ordered corrected, because of wrong description on piece of property on line of improvement.

Respectfully submitted,
R. M. PATTERSON, City Civil Engineer.

And the action of the Common Council, in approving such report [see page 266, *ante*], was duly concurred in.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 267, *ante*] was then read :

Resolved, by the Common Council and Board of Aldermen, That the foregoing corrected first and final estimate, allowed Samuel W. Patterson, for grading and graveling Patterson street and sidewalks, from North street to Elizabeth street, 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 adopted by the following vote :

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS—None.

Report from Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, during the two weeks ending July 27th, 1878 [see page 268, *ante*], was read, and duly received.

Report from the Fire Board, giving abstracts of proposals, and recommending that the city purchase 2500 feet of "test hose," manufactured by the New York Belting and Packing Company, at 90 cents per foot, of Mooney, Taylor & Smith [see pages 268 and 269, *ante*], was read; and the action of the Common Council, in ordering such purchase, was duly concurred in.

The following clauses in the report from the Board of Public Improvements were read :

1st. Is a motion directing the Street Commissioner to clean the gutter on the south side of Michigan street, from East street to Railroad street.

We recommend the work be done.

3d. Is a motion directing the Street Commissioner to repair the catch-basin in the alley on the west side of Virginia avenue, being the first alley north of Stevens street.

We find that the trouble at this point exists in the sewer, and recommend the Street Commissioner attend to the same at once.

5th Is a motion directing the Street Commissioner to clean the gutters of Bradshaw street, between Virginia avenue and Sullivan street.

We find said gutters are filled with grass and weeds, and recommend they be cleaned.

9th. Is a motion directing the Street Commissioner to clean the gutters of Eddy street, from Garden street to Merrill street.

We find these gutters in need of attention, and as the distance is but two squares, we recommend the work be done.

10th. Is a motion directing the Street Commissioner to clean the street and gutters, and fill the chuck-holes, of Maryland street, from Illinois street to Tennessee street.

This street is almost worn out, and should be improved ; but to re-gravel it would be an unnecessary and useless expense of money. We would recommend, however, that the gutters be cleaned.

11th. Is a motion directing the Street Commissioner to clean the gutters of West street, from Maryland street to Georgia street.

We would recommend this work be done.

12th. Is a motion directing the Street Commissioner to have the gutter in front of 325 to 337 N. Illinois street fixed, so the water will not stand in the same.

We would recommend this work be done.

13th. Is a motion directing the Street Commissioner to clean the gutters of Broadway and Plum streets, between St. Clair street and Christian avenue.

We recommend this work be done.

15th. Is a motion instructing the Street Commissioner to clean the gutters of Shelby and Olive streets.

Shelby street is not an improved street, and we recommend the work contemplated in the motion be confined to Olive street gutters.

17th. Is a motion directing the Street Commissioner to clean the gutters of Indiana avenue, from California street to Fall Creek.

This work is necessary, and we recommend it be done.

18th. Is a motion directing the Street Commissioner to repair, by filling up the hollows and holes, with broken limestone or screened creek gravel, Washington street, between Noble and State streets

This is one of the best streets in the city, and as the repair will cost but a trifle, we recommend the work be done.

19th. Is a motion directing the Street Commissioner to fill, with gravel, the chuck-holes in W. Washington street, from California street to the crossing of the Belt Railroad.

We have examined this portion of Washington street, and would recommend the repairs contemplated be confined to that part of said street lying between California street and the east entrance of White River bridge.

20th. Is a motion directing the Street Commissioner to clean the gutters of Michigan street, between Illinois street and the canal.

We would recommend this work be done.

22d. Is a motion directing the Street Commissioner to lay a cement pipe in the gutter at the intersection of Kansas and Meridian streets, and haul gravel over the same.

The use of cement pipes, in cases of this kind, has proven a failure, and is likely to in this instance, and, in view of this, we would recommend the repairs desired be made with rolling-mill cinders.

23d. Is a motion instructing the Street Commissioner to repair N. Meridian street, from New York street to North Street, by substituting a sound block for a rotten one, wherever found.

We have made careful examination of this part of Meridian street, but do not feel warranted in recommending its repair for the distance specified in the motion, as it is impossible to even approximate the cost of such work. We would recommend, however, that the street be repaired in the manner indicated, from New York street to Vermont street, and an accurate account kept of the cost, which will enable us to estimate pretty closely the expense of repairs of this character.

And the action of the Common Council, in concurring in the preceding clauses [see pages 270 to 272, *ante*], was duly approved.

Report from Council Committee on Gas-Light, stating that it would require about sixty coal-oil lamps, costing \$2.50 each, to light the fire-engine and station houses, and recommending that the Fire Department Headquarters be first lighted with such lamps, and then, if the result prove satisfactory, that like lamps be introduced into the other houses [see page 273, *ante*], was read; and the action of the Common Council, in concurring in the recommendation, was duly approved.

Report from Council Judiciary Committee and the City Attorney, recommending (1) that John H. Vajen be refunded \$74 10, moneys overpaid as taxes on unimproved lands within the city limits; and (2) that Thomas Brooker be refunded \$30.91, moneys paid by him at an erroneous tax-sale on February 25th, 1875, with interest at six per cent. per annum from date of sale, and that the City Clerk be instructed to charge up such amount and interest to the present holder of lot 7, square 23, Drake's Addition, without penalty for delinquent payment [see page 273, *ante*], was read; and the action of the Common Council, in concurring in said clauses, was duly approved.

Report from Council Committee on Streets and Alleys, in favor of changing the names of Cady, Winston, and Charles streets to "Pine street" [see page 278, *ante*], was read; and the action of the Common Council, in concurring in such recommendation, was duly approved.

Petition from McIntire & Kuhn, for the privilege of laying a railroad-switch track from their coal yard, to connect with J., M. & I. R. R. track on Madison avenue [see page 281, *ante*], was read.

Alderman Chandler offered the following resolution :

Resolved, That the petition of McIntire & Kuhn, for leave to put in and build a railroad switch from the main track of the J., M. & I. Railroad, upon a part of Madison avenue, be granted, *provided* that not more than ten feet in width of the sidewalk or street of said avenue from the south side thereof be occupied by said switch; that the same be built under the supervision of the City Civil Engineer, and to his satisfaction; and that said switch, when built upon said avenue, be properly planked to the satisfaction of the Engineer, and kept in repair by the petitioners; and that the Council and Board of Aldermen reserve the right to revoke the right hereby granted at any time, and remove the said switch, and provided that no cars shall be left standing upon any part of the said switch that is built in said avenue.

On Alderman Grubbs's motion, the action of the Common Council, in granting the prayer of said petitioners, was duly concurred in, and the City Civil Engineer was instructed to set the grade-stakes; and then said petition and Alderman Chandler's resolution were referred to the Judiciary Committee and the City Attorney, with instructions to prepare a formal ordinance, in keeping with existing laws on same subject and with the regulations set forth in preceding resolution.

The following Council motions were read, and severally adopted:

Moved, That the City Civil Engineer be directed to notify the owners of the mill-race crossing Market street, between Blackford and Geisendorff streets, to place the bridge over the same in good repair, within ten days; and that if the same is not done within that time, the city will close the bridge and fill the race at that point.

Moved, That Fred. Gansberg be granted thirty days extension of time in which to complete his contract on Michigan street.

Moved, That David A. Haywood be granted twenty days extension of time in which to complete his contracts on Ohio and Mill streets.

Moved, That the Mayor and City Attorney procure from the Auditor of Marion County, certified copies of the assessment of banks, joint stock companies, railroads, etc., as required by law.

The Board of Aldermen refused to concurrently adopt the following Council motion:

Moved, That the City Clerk be directed to issue, and that the City Marshal be directed to serve, all proper notices for the widening of Dillon street, from Harrison street to Meek street; and opening the same from Meek street to or near the intersection of Washington street and Michigan Road.

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 re-lay the floor of the Indiana avenue bridge over the canal.

Also, concurred in the reference of the following Council motion to the Committees on Markets, with power to act:

Moved, That "Cheap John from Texas" be permitted to re-rent his old stand at the East Market, by paying the amount said stand is held at by the city.

The following entitled ordinances [which had been duly passed by the Common Council — see page 286, *ante*], were then read the first time :

Ap. O. 48, 1878—An Ordinance appropriating the sum of Three Hundred Dollars (\$300) to James Parker, on account of the construction of Vermont street bridge over the canal.

G. O. 35, 1878—An Ordinance regulating the use of the Fire Alarm Telegraph and the boxes connected therewith; and prohibiting the giving of False Alarms of Fire.

On motion, the rules were suspended, for the purpose of now taking up and reading Appropriation Ordinance 48, 1878, the second and third times, and placing same on its passage, by the following vote :

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS—None.

Aforesaid ordinance was read the second time, ordered to be engrossed, and then read the third time, viz. :

Ap. O. 48, 1878—An Ordinance appropriating the sum of Three Hundred Dollars (\$300) to James Parker, on account of the construction of Vermont street bridge over the canal.

And was passed by the following vote :

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS—None.

On Alderman Foster's motion, the rules were also suspended, for the purpose of now taking up and reading General Ordinance 35, 1878, the second and third times, and placing same on its passage, by the following vote :

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS—None.

Aforesaid ordinance was read the second time, ordered to be engrossed, and then read the third time, viz. :

G. O. 35, 1878—An Ordinance regulating the use of the Fire-Alarm Telegraph and the boxes connected therewith, and prohibiting the giving of False Alarms of Fire.

And was passed by the following vote :

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, and President Wiles.

NAYS—None.

NEW BUSINESS.

The Committee on Markets, the Committee on Parks, and the City Attorney, through Alderman Coburn, submitted the following report; which was duly concurred in:

Indianapolis, July 30, 1878.

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

Gentlemen:—Your Committee on Markets and Parks, together with the City Attorney, to whom was referred the ordinance removing the West Market, and locating it upon the streets surrounding Military Park, would report that we have examined the same, together with a protest against the passage of the same, signed by a large number of the property owners in the vicinity of the park.

We are of the opinion that the city has not the right to establish the Market around the park over the protest of the property owners, as the statute expressly prohibits a market being established upon a public street under such circumstances. We would, therefore, recommend that the ordinance be not passed.

Respectfully submitted,

H. COBURN,
D. W. GRUBBS,
W. F. PIEL,
R. S. FOSTER,
Committee on Markets and Parks.
R. O. HAWKINS, City Attorney.

The Committee on Parks, through Alderman Foster, submitted the following report; which was concurred in:

Honorable President and Board of Aldermen:

Gentlemen:—The Committee on Parks to whom was referred the bill of John Greene, for grading and graveling the walks in Circle Park, beg to report that the Committee on Parks from the Council received five or six sealed bids for the work, and John Greene was the lowest bidder. We, therefore, recommend that the account be allowed, and the Clerk instructed to bring the same before the Committee on Accounts and Claims, that it may be inserted in the regular monthly appropriation ordinance.

R. S. FOSTER,
H. COBURN,
Committee on Parks.

On Alderman Coburn's motion, the vote by which the contract for erecting lamp-posts, lamps, and fixtures (complete to burn gas, except the service-pipes), on West street, between Kentucky avenue and Georgia streets, was awarded to Thomas H. S. Peck & Co., was reconsidered by the following vote:

AYES, 7—viz.: Aldermen Chandler, Coburn, Foster, Grubbs, Mussmann, Piel, President Wiles.

NAYS—None.

On Alderman Coburn's motion, the Board of Aldermen then refused to concur in the Council's action in making the aforesaid award.

Alderman Grubbs offered the following motions; which were severally adopted:

Moved, That the Committee on Printing be instructed to ascertain and report the cost of preparing an index to the proceedings of the Common Council and Board of Aldermen for the year ending May 7th, 1878.

Moved, That the Fire Board be instructed to inquire why section 2 of an ordinance "to fix the location of Fire-Hydrants in the City of Indianapolis," ordained August 1st, 1872, which requires that "every fire-hydrant shall have at least two openings," has not been enforced.

Moved, That the Committee on Judiciary and City Attorney, be instructed to inquire and report whether, in case of taxes being refunded by the city, the City Treasurer should not account to the city for the percentage received by him on the taxes so refunded.

On motion, the Board of Aldermen then adjourned.

W. D. WILES, President.

Attest: GEO. T. BREUNIG, Clerk.