

# PROCEEDINGS OF BOARD OF ALDERMEN.

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REGULAR SESSION—AUGUST 20, 1878.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Tuesday evening, August 20th, A. D. 1878, at eight o'clock, in regular session.

**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 Board of Aldermen, for the special session, held on June 25th, 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 regular session, held last evening (August 19th, 1878), for your action upon same.

For the Common Council :

BENJ. C. WRIGHT, City Clerk.

Mayor Caven's report of the amount of fines (\$31.30) by him collected and paid into the city treasury, during the month of July, 1878 [see page 351, *ante*], was read; and the action of the Common Council, in approving such report, was duly concurred in.

Communication from W. K. Sproule, Auditor of Marion County, stating that he had made out and delivered to City Assessor Hadley the assessment lists of joint-stock and railroad companies, as requested by the Common Council and Board of Aldermen [see page 351, *ante*], was duly received.

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

*Gentlemen:*—I herewith report a first and final estimate in behalf of Fred. Gansburg, for grading and graveling Michigan street and sidewalks, from the east line of the C., C., C. & I. Railroad Company's grounds to Archer street—

1557 lineal feet, at 55 cents.....	\$856 35
40 feet cement pipe, and laying same.....	32 75
Total estimate .....	\$889 10

And the action of the Common Council, in approving such report [see page 356, *ante*], was duly concurred in.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 356, *ante*] 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 Michigan street and sidewalks, from the east line of the C., C., C. & I. Railroad Company's grounds to Archer 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**, 8—viz.: Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, Snider, and President Wiles.

**NAYS**—None.

Communication from City Civil Engineer, transmitting the following contracts and bonds, was then read, viz. :

*Gentlemen:*—I herewith report the contract and bond of Thomas Niland, for grading and graveling the first alley south of South street, between Missouri and Mississippi streets. Bond \$250; surety, James Rainey.

Also, contract and bond of Oliver T. Bowen, for painting certain iron bridges belonging to the City of Indianapolis. Bond \$100; surety, S. K. Fletcher.

And the action of the Common Council, in receiving such communication, concurring in the contract, and approving the several bonds [see page 357, *ante*], was duly concurred in.

The action of the Common Council, in awarding contracts for bridge-painting to the next lowest and best bidders for that work [see page 357, *ante*], was then considered, and 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 Dunlop street gutters, between Madison avenue and East street.

We recommend this work be done.

2d. Is a motion directing the same officer to fill the holes, with gravel, in Mississippi street, between North and Pratt streets.

We recommend this work be done, at a cost not to exceed thirty (30) dollars.

5th. Is a motion directing the Street Commissioner to fill the chuck-holes and low places, with gravel, in Fort Wayne avenue, between Delaware street and the east side of Alabama street.

We recommend this work be done.

6th. Is a motion directing the Street Commissioner to fill the chuck-holes and low places, with gravel, in St. Mary street, between Ft. Wayne avenue and Alabama street.

We recommend this work be done.

7th. Is the petition of Charles N. Lee, Market-Master, asking the improvement of West Market Place, together with a motion directing the Street Commissioner to do some necessary grading and graveling in and about the West Market Place.

We have made full investigation of this matter, and earnestly recommend the work be done as contemplated by the motion.

9th. Is a claim of \$64.39 against the city, and in favor of the P., C. & St. L. R. R. Company, for repairing Virginia avenue crossing.

We find the claim is just, and recommend it be allowed.

And the action of the Common Council, in concurring in the preceding clauses [see pages 359 and 360, *ante*], was duly approved.

Report from same official board, the City Attorney, and the City Civil Engineer, recommending that, for the purpose of preventing the overflow of the Indiana avenue sidewalks, between North street and Fall Creek, the gutters of said avenue be thoroughly cleaned, and should such work not serve the purpose indicated, then it would be necessary to improve said thoroughfare as heretofore proposed [see page 360, *ante*], was read; and the action of the Common Council, in concurring in such report, was duly approved.

Report from Council Committee on Finance, stating (1) that an examination of the July reports of the City Clerk and the City Treasurer, and a comparison of said reports with the financial books of said officers, had proven same accurate, with the exception of an error indicated in the City Treasurer's report; and (2) recommending that Sanitary Policeman Watson be allowed \$8 a month for the care and keep of the horse used by him while discharging his official duties [see page 360, *ante*], was read, and then referred to the Aldermanic Committee on Finance.

Report from Council and Aldermanic Committees on Gas-Light, and joint select committee, submitting a new contract with the Indianapolis Gas-Light and Coke Company, containing the compromise-terms agreed to in reference to public gas-lighting, together with said contract [see pages 361 to 363, *ante*], were read.

Alderman Stratford moved that said contract be referred to the Aldermanic Committee on Gas-Light and the City Attorney; which motion failed of adoption.

On Alderman Chandler's motion, the said new contract and the Council approval thereof was concurred in by the following vote :

AYES, 5—viz.: Aldermen Chandler, Mussmann, Piel, Stratford, and President Wiles.

NAYS, 4—viz.: Aldermen Foster, Grubbs, Ridenour, and Snider.

Alderman Stratford was granted leave of absence for the balance of this session.

Report from the Council and Aldermanic Committees on Printing, recommending that Geo. H. Fleming be awarded the contract for preparing "An Indexical Digest of the Proceedings of the Common Council and Board of Aldermen, for the year 1877-1878," at \$150 for the compilation [see page 364 *ante*], was read; and the action of the Common Council, in awarding such contract, as recommended, was duly concurred in.

The following message from the Common Council was then read:

To the Board of Aldermen:

*Gentlemen*:—At the regular session of the Common Council, held last evening (August 19th), said body determined to adhere to its action of the 12th instant, by which it struck out section 63 from General Ordinance 13, 1878 ("An Ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis, \* \* \* \* and prescribing Penalties for violations of its Regulations and Requirements").

I return said ordinance, herewith, for your consideration of said action.

For the Common Council:

BENJ. C. WRIGHT, City Clerk.

On Alderman Grubbs's motion, the Board of Aldermen receded from its action of the 13th instant, and consented to striking out the closing phrases of said section 63, and so amending the remainder of the said section that it shall read as follows:

SEC. 63. It shall be the duty of the owners of sprinkler-carts to have the sprinkling attachments made so that they will discharge such minute streams as only to lay the dust, and not make mud nor deluge the streets with water.

And the foregoing amendment was unanimously adopted.

The following ordinances [which had been duly passed by the Common Council—see pages 367 to 370, *ante*], were read the first time:

- G. O. 31, 1878—An Ordinance regulating the disposition of Dead Animals, and Animal Offal and Blood, in the City of Indianapolis, and within two miles of the corporate limits of said city, and upon what is known as the Sellers' Farm.
- S. O. 14, 1878—An Ordinance to provide for grading and bowldering Georgia street, from Meridian street to Illinois street.
- S. O. 21, 1878—An Ordinance to provide for grading and bowldering South street, and curbing the sidewalks thereof, from Meridian street to Pennsylvania street.
- S. O. 31, 1878—An Ordinance to provide for improving McCarty street, from Delaware to East street, by bowldering the gutters, and paving with brick and curbing with stone the sidewalks thereof.

- S. O. 34, 1878—An Ordinance to provide for improving Lawrence street, from Beech street to Rural street, by grading and graveling the roadway thereof.
- S. O. 35, 1878—An Ordinance to provide for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof.
- S. O. 36, 1878—An Ordinance to provide for improving Beech street, from Valley Drive to Lawrence street, by grading and graveling the roadway thereof.
- S. O. 37, 1878—An Ordinance to provide for improving Hoyt avenue, from Dillon street to Linden street, by grading, and paving with brick, the sidewalks thereof.
- S. O. 43, 1878—An Ordinance to provide for the improvement of the first alley south of Vermont street, from Columbia street to West street, by grading and graveling.

On Alderman Grubbs's motion, the rules were suspended, for the purpose of now reading General Ordinance 31, 1878, the second and third times, and placing same on its passage, by the following vote :

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

NAYS—None.

Aforesaid ordinance was then read the second and third times, viz. :

- G. O. 31, 1878—An Ordinance regulating the disposition of Dead Animals, and Animal Offal and Blood, in the City of Indianapolis, and within two miles of the corporate limits of said City, and upon what is known as the Sellers' Farm.

And was passed by the following vote :

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

NAYS—None.

On Alderman Foster's motion, the rules were suspended, for the purpose of now reading Special Ordinances 34, 35, and 36, 1878, for the second and third times, and placing them on their passage, by the following vote :

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

NAYS—None.

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

- S. O. 34, 1878—An Ordinance to provide for improving Lawrence street, from Beech street to Rural street, by grading and graveling the roadway thereof.

And was passed by the following vote :

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

NAYS—None.

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

S. O. 35, 1878—An Ordinance to provide for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof.

And was passed by the following vote :

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

NAYS—None.

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

S. O. 36, 1878—An Ordinance to provide for improving Beech street, from Valley Drive to Lawrence street, by grading and graveling the roadway thereof.

And was passed by the following vote :

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

NAYS—None.

#### NEW BUSINESS.

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

To the Board of Aldermen :

*Gentlemen:*—The report of the Council Committee on Bridges, in relation to the construction of a foot-bridge over the I., C. & L. R. R tracks at Benton street, was referred to us by your honorable body on August 6th, 1878.

The report fixes the estimate of cost for building the foot-bridge at one hundred dollars, and recommends it be built under the direction of the Street Commissioner and Board of Public Improvements.

We would recommend that the City Civil Engineer be instructed to advertise for proposals to construct said bridge under his specifications and supervision, and, if the bids are regarded reasonable, in the opinion of the Council and Board of Aldermen, then let the work be done.

Respectfully submitted,

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

*Indianapolis, Aug. 20th, 1878.*

The same official board submitted the following report and presented the appended remonstrance; and, on motion of Alderman Grubbs, both papers were referred to the City Attorney, with instructions to prepare and report an ordinance, requiring the line of the enclosing fence to be

placed within the rows of shade-trees on Tennessee, Ohio, and Mississippi streets :

*Indianapolis, August 19, 1878.*

To the Board of Aldermen :

*Gentlemen* :—Your Board of Public Improvements, to whom was referred a communication from State House Commissioners, asking the city to grant said Board the privilege of using thirty feet, including the sidewalks, of Ohio, Tennessee, and Mississippi streets, for deposit of building material, make the following report thereon :

After careful examination of the grounds, and personal conference with the Board of State House Commissioners, we agreed upon the following : To allow thirty feet from the lot line on Tennessee street, twenty-five feet from the lot line on Ohio street, and the sidewalk only on Mississippi street; the grounds to be enclosed with a tight fence, ten feet high, to be placed on the inside of the line of shade-trees on Mississippi street.

We recommend the discontinuance of the street lamps around the State House square, except on Washington street.

Very respectfully submitted,

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

To the Honorable, the Mayor, and Common Council,  
and Board of Aldermen of the City of Indianapolis :

The undersigned, resident property holders fronting upon the State House square on Tennessee, Ohio, and Mississippi streets, respectfully request that, in any grants to the use of said streets you may make to the State House Commissioners during the building of the State House, you will grant no more than the sidewalks next to the State House square. Also, that you make ample and stringent provisions against the commission of any nuisance inside or about the inclosure of the State House Grounds.

H. Knippenberg, lot A of lots 7 and 8, square 33; Charles E. Pottage; George Lyons; Linda M. Coons, 49 feet front on Mississippi street; John M. Meikel; Fred. J. Meikel; John A. Heidlinger, 46 feet on Mississippi street; W. D. McLain, 33 feet on Mississippi street; S. A. Fletcher & Co., 32 $\frac{3}{4}$  feet on Mississippi street; August Nagel, 32 feet; Mary A. Taggart, northwest corner Ohio and Mississippi street; C. H. Talbott, northwest corner Tennessee and Ohio streets; D. A. Lemon, renter; Gorgas & Co., renters, southeast corner Washington and Mississippi streets; Thos. Osterbrink, renter, Nos. 12 and 14 N. Mississippi street; A. Klingensmith, northwest corner Washington and Mississippi streets; C. H. Bush, 152 West Washington street; S. H. Multner, 28 N. Mississippi street; L. A. Holsmer, 24 N. Mississippi street; Mrs. A. H. Chambers, 40 N. Mississippi street; Mrs. and Mr. Geo. Geisendorff, 44 N. Mississippi street; L. Chipman, 46 N. Mississippi street; Mrs. T. R. Porter, 54 N. Mississippi street; Jacob Landgraf, 70 N. Mississippi street; Phebe E. Davison, 80 N. Mississippi street; J. Q. Richardson, 86 N. Mississippi street; J. D. Cox, 94 N. Mississippi street; Hughes White, 90 N. Mississippi street; J. C. Hickey, 136 W. Ohio street; J. L. Webster, 134 W. Ohio street; Mrs. Jos. B. Sulgrove, 132 W. Ohio street; E. H. Sabin, 131 W. Ohio street; W. Johnson, 130 W. Ohio street.

The Judiciary Committee, through Alderman Grubbs, submitted the following report:

To the Board of Aldermen:

*Gentlemen*:—Your Committee on Judiciary, to whom was referred, on July 16th, that part of the report of the Finance Committee of the Common Council recommending the purchase of certain plat-books from City Assessor Hadley, for the sum of \$675, have considered the matter, and report that they have endeavored to get bids from competent parties as to the cost of making such books, but, up to this time, have been unable to procure the figures.

We, therefore, return the Council report without making recommendation, because of inability to secure accurate information upon which to form an opinion.

D. W. GRUBBS.

Excepting that information we had before such reference.

J. M. RIDENOUR.

Alderman Foster moved that the action of the Common Council, favoring the purchase of the plat-books referred to in preceding report, be concurred in; but said motion failed of adoption by the following tie vote:

AYES, 4—viz.: Aldermen Chandler, Foster, Ridenour, and President Wiles.

NAYS, 4—viz.: Aldermen Grubbs, Mussmann, Piel, and Snider.

President Wiles presented the following invitation; which, on Alderman Chandler's motion, was duly accepted:

*Indianapolis*, August 15, 1878.

To the Board of Aldermen of Indianapolis:

Your honorable body are hereby respectfully notified, that the German Protestant Orphan Society will celebrate their eleventh (11) anniversary, to be held at the Orphan Asylum, on the eighth (8) of September, to which your honorable body are hereby cordially invited.

By order of Society:

HENRY RUSSE, Secretary.

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

*Moved*, That Harbison & Abrams be permitted to erect a bill-board along the line of Missouri street, so as to obstruct the view of passing trains at West Market—said work to be done under the direction of the Market-Master, the city reserving the right to remove or order the removal of said bill-board at any time in the future.

*Moved*, That a committee, consisting of the President and one member of this body, be appointed, and that the Common Council be requested to appoint a similar committee—said committee to prepare rules for the government of the transaction of business of the Council and Board of Aldermen.

President Wiles appointed Alderman Grubbs as his associate member in the joint committee to be raised under the motion last above.



Alderman Grubbs presented the following petition; and, at his suggestion, said paper, with General Ordinance 42, 1878 (pending in this body), were referred to the Aldermanic and Council Committees on Markets, for joint consideration:

To the Honorable Council and Board of Aldermen:

*Gentlemen*:—The undersigned, marketers and gardeners of the City of Indianapolis, deem the new market ordinance, as altered and repealed, a good one, with the exception of sections 40, 41, 51, 52, and 53 of the penal ordinance. We deem it right and just that if those that attend markets pay their fees for the privileges of selling, those that sell on the streets from wagons, etc. (termed hucksters), should pay a license for the same. We, therefore, would recommend that you re-place those sections in the ordinance, as the original sections 40 and 41 we deem a protection to the markets and ought to be replaced. With the above correction we think the ordinance a good one, and would recommend its adoption as amended.

T. F. Long, Frank Long, Michael Branham, Thomas S. Wilson, L. Lee, J. W. Allen, John J. Peters, G. W. McLeland, M. Foltz, A. Jacobs, M. T. Moriarty, Robert Morton, J. C. Robinson, D. J. Hodges, F. Houppert, J. D. Hazelwood, John Deschler, R. Berner, L. H. Corey, Hannah Gabb, G. Bott, P. Snider, Ambrose Hodges, E. Lyons, Herman Bergner, Robert L. McCulloch, George Reuter, William Peck, and 86 others.

On motion, the Board of Aldermen then adjourned.

W. D. WILES, President.

Attest: GEO. T. BREUNIG, Clerk.