

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—SEPTEMBER 17, 1878.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Tuesday evening, September 17th, A. D. 1878, at half-past seven o'clock, in regular session.

PRESENT—His Honor, the President, Wm. D. Wiles, in the Chair, and Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, and Stratford—8.

ABSENT—Aldermen Coburn and Snider—2.

The Proceedings of the Board of Aldermen, for the regular session, held on July 16th, and for the adjourned session, held on July 23d, 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 read :

To the Board of Aldermen :

Gentlemen :—The Common Council, at its regular session, held last evening, refused to concur in your amendment to a certain motion adopted on 3d instant, whereby you required W. C. Bell & Bros. to lay a bowlder drive-way over the sidewalk between their mill and lumber yard on E. Michigan street, instead of concurring in the Council's permit to lay a *plank* driveway.

For the Common Council :

BENJ. C. WRIGHT, City Clerk.

On Alderman Foster's motion, the Board of Aldermen determined to adhere to its action of 3d instant, as shown on page 419, *ante*.

The following message from the Common Council was duly received :

To the Board of Aldermen :

Gentlemen :—I herewith transmit to your honorable body certain papers which were favorably passed upon by the Common Council, at its regular session, held last evening (September 16th, 1878), together with "G. O. 45, 1878—An Ordinance making a General Tax-Levy, for the year 1878, upon the Taxable Property within

the limits of the City of Indianapolis" (which was duly passed by the Board of Equalization and at a special session of the Common Council on the 6th instant), 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 that contracts be awarded as below, was read:

- 1st. To John Greene, for improving Lawrence street, from Beech street to Rural street, by grading and graveling the roadway thereof, at 19 cents per lineal foot front on each side.
- 2d. To John Greene, for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof, at 17½ cents per lineal foot front on each side.
- 3d. To John Greene, for improving Beech street, from Valley Drive to Lawrence street, by grading and graveling the roadway thereof, at 16½ cents per lineal foot front on each side.

And the action of the Common Council, in awarding the several contracts, as recommended [see page 432, *ante*], was duly concurred in.

The contracts and bonds of John Greene (three in number), for doing the work described above (aggregate penalties of bonds, \$2,500; surety, Fred. Gansberg), were now submitted; and the action of the Common Council, in approving such contracts and bonds [see page 432, *ante*], was duly concurred in.

Mayor Caven's report of the amount of fines (\$52.91) by him collected and paid into the city treasury, during the month of August, 1878 [see page 432, *ante*], was read; and the action of the Common Council, in approving such report, was duly concurred in.

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

A first and final estimate in behalf of Oliver T. Bowen, for painting the following iron bridges:

Archer street bridge over Pogue's Run.....	\$ 3 00
Clifford avenue bridge over Pogue's Run.....	6 00
First street bridge over Pogue's Run.....	5 00
Third street bridge over Pogue's Run.....	4 00
West street bridge over Pogue's Run.....	5 00

Total estimate.....\$23 00

Also, a first and partial estimate in behalf of Oliver T. Bowen, for painting the following iron bridges:

New York street bridge over Canal.....	\$ 7 00
Indiana avenue bridge over Canal.....	7 00
Michigan street bridge over Mill-race.....	5 00
Noble street bridge over I., C. & L. R. R. track.....	7 00

Total\$26 00

Less amount kept back..... 14 00

Present estimate.....\$12 00

And the action of the Common Council, in approving such estimates [see page 433, *ante*], was duly concurred in.

City Clerk's report that the following affidavits had been filed in his office, for the collection of street assessments by precept:

James Mahoney vs. Trustees Grace Episcopal Church, for.....	\$19 50
James Mahoney vs. Trustees Grace Episcopal Church, for.....	19 50
James Mahoney vs. James O. Woodruff, for.....	19 50
David A. Haywood vs. Mary Seybold, for	31 24

and recommending that the precepts be ordered to issue [see page 434, *ante*], was read; and the action of Common Council, in approving such recommendation and in ordering the precepts to issue, was concurred in by the following vote:

AYES, 7—viz.: Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Stratford, 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 September 14th, 1878 [see page 436, *ante*], was read, and duly received.

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

1st. Is a motion directing the Street Commissioner to fill the hole made by moving the scales from Delaware street, between McCarty and Wyoming streets.
We recommend this work be done.

3d. Is a motion directing the Street Commissioner to deposit spare street-scrapings in the low ground formerly used as a coal yard, on North street.
We recommend this be done.

5th. Is a motion directing the Street Commissioner to clean the gutters of Fort Wayne avenue.
We would recommend this work be done.

6th. Is a motion directing the Street Commissioner to fill the washouts and holes in Michigan street, between the mill-race and White River.
We recommend this work be done.

7th. Is a motion directing the Street Commissioner to clean the north gutters of Catherine street, and cut the weeds in same, from West street to Pogue's Run.
We recommend this work be done.

8th. Is a motion directing the Street Commissioner to clean the gutters of Missouri street, between Merrill and Ray streets, and cut the weeds in same.
We recommend this work be done.

10th. Is a motion directing the Street Commissioner to fill, with gravel, the chuck-holes in West Washington street, from White River bridge to the crossing of the Belt Railroad.
We recommend this work be not done.

14th. Is a motion directing the Street Commissioner to clean the gutters of Dougherty street, between Virginia avenue and East street.

We recommend these gutters be cleaned, but only between Wright and East streets.

16th. Is a motion directing the Street Commissioner to clean the gutters of Ohio street, between Pennsylvania and Delaware streets.

We recommend this work be done.

And the action of the Common Council upon the foregoing clauses [see pages 436 to 438, *ante*], was duly approved.

The following report from the (joint) Committees on Finance [which had been approved by the Common Council—see page 438, *ante*], was read, and duly approved :

To the Mayor and Common Council of the City of Indianapolis :

Gentlemen.:—The reports of the City Clerk and City Treasurer, showing the receipts and expenses of the city for the month of August, 1878, have been examined by the joint Committees on Finance of the City Council and Board of Aldermen, and found, by comparison with the books of their respective offices, to be correct.

A. L. WRIGHT,
S. SHOWALTER,
S. MORRIS,
G. SINDLINGER,

Finance Committee, Common Council.

J. M. RIDENOUR,
T. E. CHANDLER,
D. MUSSMANN,

Finance Committee, Board Aldermen.

Reports from the (joint) Council and Aldermanic Committees on Public Schools and the Board of School Commissioners, recommending the appointment of a trustee or trustees, in which to vest the city's interest to certain Gregg-estate lands situate in Dallas County, Iowa, and making other recommendations in same behalf [see page 439, *ante*], were read.

And then Alderman Grubbs offered the following motion ; which was duly adopted :

Moved, That the Mayor and President of the Board of Aldermen be requested to call a joint session of the Common Council and Board of Aldermen, for the purpose of choosing a Trustee or Trustees, in whom shall be vested the title to the real estate belonging to the city, derived from the Gregg estate.

Petition from Kingan & Co., for permission to grade and gravel Helen street for the distance of 140 feet north from Georgia street [see page 445, *ante*], was read ; and, on Alderman Chandler's motion, the action of the Common Council, in granting the prayer of aforesaid petitioners, was approved, *provided* said improvement be made under the supervision and to the satisfaction of the City Civil Engineer.

Alderman Ridenour appeared, and took his seat.

The following Council motions were read, and were severally adopted :

Moved, That the Police Board be asked to order the patrolmen, on their respective beats, to order, at each house, the persons living there to cut all tree branches out of the way of street lamps, or the committee will have, to cut off the lighting of said lamps, and re-light other lamps that are not encumbered by such trees.

Moved, That T. E. Townsend be granted permission to lay down a brick driveway over the sidewalk on the southwest side of Virginia avenue, between Delaware and Alabama streets, at his own expense; and the City Civil Engineer is hereby instructed to set the proper grade stakes.

Moved, That the City Marshal be directed to notify the I., C. & L. Railroad Company to plank its tracks at the crossing of Market street.

Moved, That the Street Commissioner be directed to take up the wooden culvert on West street, below McCarty street, and fill up the space with dirt and cinders. The plank is rotten and dangerous to the public. Also to clean the gutters of West street, from Shearer to Catherine street, and cut the weeds.

Moved, That Robert George be granted the privilege of paving with brick the walk in front of his place of business, at the corner of Third street and the I., C. & L. Railroad, to be done according to stakes set by the City Civil Engineer—the same to be done at said George's expense.

Moved, That the City Civil Engineer be instructed to designate the proper number to be placed on each dwelling along the line of the extension of Pratt street, formerly known as Eutaw street; and notify the owner of each dwelling to place, or cause said number to be placed, thereon immediately.

Moved, That the Committees on Gas-Light from the Council and Board of Aldermen examine and report if it is possible to re-locate some gas-lamps, and place them at the main railroad crossings, where they are badly needed.

The following Council motions, which said body had referred to the Board of Public Improvements, with power to act, were read, and afore-said reference and power were duly confirmed :

Moved, The Street Commissioner be instructed to clean the gutters of Linden street, from Prospect to Orange street.

Moved, That the Street Commissioner be instructed to repair the brick walks in and around East Market Space; also, fill up chuck-holes with good coarse gravel.

Moved, That the Street Commissioner be directed to fill the approaches to the bridge over the Canal at Fifth street, to be done under the supervision of the City Civil Engineer.

The following entitled ordinances [which had been duly passed by the Common Council—see pages 429 and 441, *ante*], were read the first time :

G. O. 45, 1878—An Ordinance making a General Tax-Levy, for the year 1878, upon the Taxable Property within the limits of the City of Indianapolis.

Ap. O. 61, 1878—An Ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes.

On Alderman Grubbs's motion, the rules were suspended, for the purpose of now reading the above entitled ordinances 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, Stratford, and President Wiles.

NAYS—None.

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

G. O. 45, 1878—An Ordinance making a General Tax-Levy, for the year 1878, upon the Taxable Property within the limits of the City of Indianapolis.

And was passed by the following vote :

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

NAYS—None.

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

Ap. O. 61, 1878—An Ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employees. [Amount appropriated, \$26,198.25.]

And was passed by the following vote :

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

NAYS—None.

NEW BUSINESS.

The Board of Public Improvements submitted the following report :

To the President and Board of Aldermen :

Gentlemen :—We herewith return papers referred to us, with recommendations as follows :

1st. Is Special Ordinance 32, 1878, providing for the improvement of Wilkins street and sidewalk, from Church street to West street.

We have made examination of said street, and recommend the ordinance be not passed.

2d. Is Special Ordinance 37, 1878, providing for the improvement of Hoyt avenue, from Dillon street to Linden street, by grading and paving the sidewalks, thereof.

This ordinance was referred to us, together with a petition for and a remonstrance against its passage. We find that nearly, if not all, of the petitioners reside on said avenue and are anxious for its improvement. We, therefore, recommend the passage of the ordinance.

Respectfully submitted,

M. H. McKAY,
Board of Public Improvements.

Alderman Stratford moved that the Board of Aldermen refuse to concur in the first clause of preceding report; which motion was adopted by the following "aye and nay" vote :

AYES, 6—viz.: Aldermen Foster, Mussmann, Piel, Ridenour, Stratford, and President Wiles.

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

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

Moved, That Special Ordinance 32, 1878, be referred to the Committee on Bridges, with instructions to inquire and report as to the importance of the proposed improvement; also, if the improvement be recommended, whether it will be necessary to build a bridge over Pogue's Run, and the probable cost of such bridge.

The recommendation in the second clause was duly concurred in.

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

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.

And was passed by the following vote:

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

NAYS, 1—viz.: Alderman Stratford.

The Committee on Finance, through Alderman Ridenour, submitted the following report; which was duly concurred in:

The committee of the Board of Aldermen have examined the report of the City Treasurer and City Clerk, for the month of July, 1878, and find the items and footings correct, as compared with the books.

J. M. RIDENOUR,
T. E. CHANDLER,
D. MUSSMANN,
Committee on Finance.

The same committee submitted the following report; which was duly concurred in:

The committee to whom was referred the matter of allowing to sanitary policeman eight dollars per month, as compensation on horse feed, recommend that such allowance be made for the months of July, August, September and October, and not longer without further allowance by the Common Council and Board of Aldermen.

J. M. RIDENOUR,
T. E. CHANDLER,
D. MUSSMANN,
Committee on Finance.

The Committee on Gas-Light, through Alderman Chandler, submitted the following report; which was duly concurred in:

To the Board of Aldermen:

Your Committee on Gas-Light, to whom was referred the motion offered by Councilman Wright, ordering the removal of the first gas-post north of Vermont

street on East street, to the corner of Vermont and East street, have examined into this matter, and find that said gas-post is within about twelve feet of the corner aforesaid, and, being unobstructed by houses or trees, the light is fairly thrown on both streets. We think there is no necessity for changing the location of said post, and recommend that this Board do not concur in the motion passed by the Common Council.

T. E. CHANDLER,
D. W. GRUBBS.

Alderman Chandler offered the following motion; and, at his suggestion, it was referred to the Board of Public Improvements, with power to act:

Moved, That the Street Commissioner be instructed to raise the gutter at the intersection of West and North streets, in such manner as to cause the water to flow west along North street, instead of Indiana avenue, and that the culvert at said point be removed—all of said work to be done under the direction of the City Civil Engineer.

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

Moved, That the Board of Health be required to confer with the Board of Public Improvements, as to the propriety of hauling the street scrapings to the low ground on the west bank of Fall Creek and west of Indiana avenue bridge.

Alderman Mussmann presented the following remonstrance; which, on Alderman Foster's motion, was referred to the (joint) Committees on Markets:

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

The undersigned, butchers and others of said city, respectfully object to and protest against the passage of an ordinance authorizing meats to be cut and sold at stands in the East Market of said city, outside of the market-house, for the reason that the butchers are compelled, during the warm seasons, at great expense for ice, etc., to preserve their meats for the use of their patrons, and they insist they should have the advantage of the sales in cool weather, having paid high prices for their stalls, and not be forced to compete with persons who do not rent stalls, and are at no trouble or expense in preserving and taking care of their meats.

Respectfully,

Ch. Doelker, C. Reiffel, John Walker, Aaron Cohn,
Martin Gahn, Herman Vollrath, M. Rieffle, Peter
Spitzfaden, L. Davis, K. D. Shaw, John J. Peters,
George Miller, John Fromhold, August F. Essigke,
Milton Pouder, Fredrick Berns, J. W. Rush, Lewis
Straub, F. F. Queisser, R. Campbell, L. C. Kuhn,
Henry Newmyer, and 37 others.

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

Moved, That the Street Commissioner be directed to notify the owners of property on Virginia avenue, between Merrill street and the first alley south thereof, to repair the bridges over the gutters thereof, within five days, and on failure to do so, that he immediately remove the same.

The Clerk presented the following reports; which were duly received:

To the Board of Aldermen of the City of Indianapolis:

Gentlemen:—In response to a resolution of your honorable body of September 3d, 1878, requiring, among other things, the Mayor "to report to this Board the amount of fees collected by him during the year from August 1st, 1877, to August, 1878," I would report:

August, September, and October, 1877—State cases.....	\$822 35
August, September, and October, 1877—City cases..	382 55
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	\$1,204 90
November, December, 1877, and January, 1878—State cases.....	564 79
November, December, 1877, and January, 1878—City cases.....	154 63
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	\$719 42
February, March, and April, 1878—State cases.....	381 82
February, March, and April, 1878—City cases.....	157 75
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	\$539 57
May, June, and July, 1878—State cases.....	\$377 71
May, June, and July, 1878—City cases.....	138 10
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	\$515 41
Total State cases	2,146 27
Total City cases	833 03
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Total.....	\$2,979 03

It is, perhaps, only due to state in this connection, that this statement does not represent the real benefits of the office to the Mayor. The demands upon him for donations are constant, frequently for considerable sums; but there is an incessant daily, and I might say almost hourly, demand for smaller contributions; and mainly for good purposes, and made under circumstances which makes refusal almost impossible. These demands are made upon and expected of him as a public officer.

From the time of my nomination as a candidate for this office in 1875, I have maintained that the current expenses of the city must be imperatively brought within our income, and, in doing this, if necessary to revise salaries, I invite you to begin with mine. When the citizens honor me with their confidence by electing me their Mayor, I will cheerfully serve them for such compensation as they may be able to give; and what has been stated in reference to the demands upon the income of the office was not to influence you against any proper reduction; but as these demands are made by the public upon the officer, and confidently expected of him because he is such officer, seem to come with the office, and largely decreasing its apparent emoluments, it seemed only due that these facts should be known.

It has been suggested that it may be doubtful whether the Board and Council can decrease salaries after having fixed them as provided in section 51 of the Charter. It may not be free of doubt; but, so far as I am concerned, it is immaterial, as I waive the question.

September 17th, 1878.

Respectfully submitted,

J. CAVEN, Mayor.

To the Board of Aldermen of the City of Indianapolis:

Gentlemen:—In obedience with your order of the 3d instant, instructing, among others, the City Clerk to report to this Board, at its next regular meeting, the amount of fees collected by him during the year from August 1st, 1877, to August 1st, 1878, I would respectfully state that the gross amount of fees received by me during said period was \$976.05.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The City Attorney made the following report :

Indianapolis, September 17, 1878.

To the President and Members of the Board of Aldermen :

Gentlemen :—In response to the resolution of your honorable body, passed at its last session, requesting me, together with other city officials, to report the amount of fees received from August 1st, 1877, to August 1st, 1878, I would say that, in order to make an accurate report of the fees received from my office, within the time mentioned in the resolution, it will be necessary for me to examine the books and vouchers of the Mayor's office. I have been out of the city, and was unavoidably detained until to-day, and the Mayor being absent from the city, I would respectfully ask to be granted until your next meeting to make my report.

Respectfully,

R. O. HAWKINS, City Attorney.

On Alderman Stratford's motion, the request preferred in above communication was duly granted.

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

Moved, That there be appointed by the Chair a committee of three, and the Council is requested to appoint a like committee, with instructions to inquire into and report the necessity of a change in the salaries of city officers.

President Wiles appointed Aldermen Stratford, Foster, and Chandler as the Aldermanic members of the select committee required by the preceding motion.

It being reported that the Common Council had adjourned to meet on Monday evening, 23d 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.