

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—OCTOBER 22, 1878.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Tuesday evening, October 22d, 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, Snider, and Stratford—9.

ABSENT—Alderman Coburn—1.

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 (October 21st, 1878), determined to adhere to its action of 14th instant, when it duly adopted a certain motion authorizing the Police Board to employ a janitor at the Central Station House, and refused to agree in your non-concurrent action of the 15th instant.

For the Common Council :

BENJ. C. WRIGHT, City Clerk.

On Alderman Stratford's motion, the non-concurrent action of 15th instant was reconsidered by the following vote :

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

NAYS—None.

Alderman Snider appeared, and took his seat.

Alderman Stratford then moved to amend the Council motion, by fixing the compensation of aforesaid janitor at \$15 a month ; which amendment was adopted by the following vote :

AYES, 5—viz. : Aldermen Grubbs, Mussmann, Piel, Snider, and Stratford.

NAYS, 4—viz. : Alderman Chandler, Foster, Ridenour, and President Wiles.

Alderman Stratford also proposed the following additional amendment :

Provided, That the extra policeman, now on special duty at the Central Station House, be dispensed with.

The Chair (Alderman Ridenour, President *pro tempore*) decided the preceding proposition to be out of order, since no such condition was embodied in original Council motion, and was, therefore, not germane to matter under consideration.

Alderman Stratford appealed from the foregoing ruling; and the question, "Shall the decision of the Chair stand as the decision of the Board of Aldermen?" was sustained by the following vote :

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

NAYS, 3—viz. : Aldermen Mussmann, Snider, and Stratford.

The Council motion, as amended by adoption of the \$15 monthly compensation, was duly adopted by the following vote :

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

NAYS, 1—viz. : Alderman Stratford.

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 (October 21st, 1878), for your action upon same.

For the Common Council :

BENJ. C. WRIGHT, City Clerk.

Mayor Caven's report of the amount of fines (\$40.45) by him collected during the months of July, August, and September, 1878, and due the "Home for Friendless Women"; also, the amount due the city treasury (\$18.10), by him collected during the month of September, 1878 [see page 519, *ante*], was read, and was duly approved.

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

A second and final 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. tracks.....	7 00
Tennessee street bridge over Pogue's Run.....	9 00
Olive street bridge over Pleasant Run.....	15 00
Ohio street bridge over Canal.....	9 00

Meridian street bridge over Pogue's Run	7 00
North street bridge over Canal.....	9 00
Shelby street bridge over Pleasant Run.....	7 00
Illinois street bridge over Pogue's Run.....	7 00
Morris street bridge over Pogue's Run.....	7 00
Reid street bridge over Pleasant Run.....	10 00
Washington street bridge over Canal.....	7 00
National Road bridge over Canal.....	5 00

Total estimate.....	\$118 00
Less former estimate.....	12 00

Present estimate.....\$106 00

Also, a first and final estimate in behalf of A. J. Sloan & Co., for grading and graveling the alley between Bellefontaine avenue and Ash street, from Eighth street to Ninth street—

1230.5 lineal feet, at 10 cents.....	\$123 05
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Also, a first and final estimate in behalf of John Greene, for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof—

2029 lineal feet, at 17½ cents.....	\$355 07
Extra ditching	4 00

Total estimate.....\$359 07

Also, a first and final estimate in behalf of R. P. Dunning, for grading and bowldering South street, and curbing with stone the sidewalks thereof, from Meridian street to Pennsylvania street—

840 lineal feet bowldering, at \$1.17	\$982 80
612½ lineal feet curbing, at 33 cents.....	202 12
36.1 yards extra bowldering, at 35½ cents.....	12 81

Total estimate.....\$1197 73

And the action of the Common Council, in approving such estimates [see pages 519 and 520, *ante*], was duly concurred in.

The following estimate resolution [which had been duly adopted by the Common Council—see page 520, *ante*] was then read:

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed R. P. Dunning, for grading and bowldering South street, and curbing with stone the sidewalks thereof, from Meridian street to Pennsylvania 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, 9—viz.: Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, Snider, Stratford, and President Wiles.

NAYS—None.

The following estimate resolution [which had been duly adopted by the Common Council—see page 521, *ante*] was also read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed John Greene, for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof, 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, 9—*viz.*: Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, Snider, Stratford, and President Wiles.

NAYS—None.

The following estimate resolution [which had been duly adopted by the Common Council—see page 521, *ante*] was also read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed A. J. Sloan & Co., for grading and graveling the alley between Bellefontaine avenue and Ash street, from Eighth street to Ninth 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, 9—*viz.*: Aldermen Chandler, Foster, Grubbs, Mussmann, Piel, Ridenour, Snider, Stratford, and President Wiles.

NAYS—None.

Communication from same officer, transmitting the following contracts and bonds, was then read, *viz.* :

Contract and bond of Richard Carr, for grading and graveling the alley between Delaware and Pennsylvania streets, from Home avenue to Kings tree. Bond, \$200; surety, Fred. Gansberg.

Contract and bond of James Mahoney, for improving the first alley south of Elizabeth street, from Blake street to Douglass street, by grading and graveling. Bond, \$100; surety, Fred. Gansberg.

And the action of the Common Council, in receiving such communication, concurring in the contracts and approving the several bonds [see page 521, *ante*], was duly concurred in.

The following report from same officer was read :

To the Common Council and Board of Aldermen :

Gentlemen :—I would respectfully report that, on the 23d and 24th of September, a contract for grading and graveling the first alley south of Vermont street, from Columbia street to West street, was awarded to John Low, who has thus far failed to file his bond for the same.

As it is important to have such work completed before cold weather, it would be well to take some steps by which the contract could be given to another party.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

And then, on Alderman Grubbs's motion, the Aldermanic action of 24th *ultimo*, by and through which the before-mentioned award had been made [see page 468, *ante*], was reconsidered by the following vote :

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

NAYS—None.

Report from Council Committee on Contracts, recommending that aforesaid contract be awarded to James Mahoney, at 12 cents per lineal foot front on each side [see page 522, *ante*], was read; and the action of the Common Council, in awarding such contract, was duly approved.

Report from Board of Health, giving a tabulated statement, by ages, of deaths registered in the City of Indianapolis, during the two weeks ending October 19th, 1878 [see page 523, *ante*], was read, and duly received.

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

1st. Is a motion that the Street Commissioner be instructed to clean the gutters of Pine street, from Washington street to Peru avenue; also, fill up mud-hole at Ohio street.

We recommend that the gutters be cleaned from Washington to New York street, and that the mud-hole be filled in Ohio street.

2d. Is a motion that the Street Commissioner be ordered to clean the gutters of Fayette street, it being only two squares long.

We recommend that the work be done.

3d. Is a motion that the Street Commissioner be instructed to fill the chuck-holes in New York street, between Douglass and Agnes streets.

We recommend that this work be done.

4th. Is a motion that the Street Commissioner be directed to repair the gutter at the intersection of Blake and Elizabeth streets.

We recommend that the work be done.

And the action of the Common Council, in concurring in the preceding clauses [see pages 523 and 524, *ante*], was duly approved.

Report from Council Judiciary Committee, (1) setting forth that, during the past year, about 2,300 trials had been had in the City Court, under the Misdemeanor Acts of the State, which could have been far more economically tried and punished as violations of city ordinances, and recommending "that the city officers be instructed to prosecute all cases in the Mayor's Court, that can be so prosecuted, under the ordi-

nances of the city"; and (2), recommending the passage of the following Council motion, which had been referred to and carefully considered by them—viz. :

That the Common Council and Board of Aldermen, in view of further economy in the city government, recommend that all its officers be paid by salary; and that no fees or per cent. be allowed any officer of said city.

[see pages 524 and 525, *ante*], was read; and then, on Alderman Stratford's motion, said report was referred to the Aldermanic Judiciary Committee.

Report from Council Committee on Markets, giving a schedule of annual rentals appraised on vegetable stands on East Market Space [see page 525, *ante*], was read; and the action of the Common Council, in approving such schedule, was duly concurred in.

Joint report from the Committees on Markets was read; and the action of the Common Council, in concurring in such report [see page 525, *ante*], was duly approved.

Petition from J. L. Mothershead, for permission to construct a sink in the alley in the rear of Nos. 153 to 157 E. Ohio street [see page 528, *ante*], was read; and the action of the Common Council, in granting the prayer of said petitioner, was duly approved.

Petition from Board of School Commissioners, for permission to lay a brick sidewalk on Vermont street, in front of school-house No. 9 [see page 533, *ante*], was read; and the action of the Common Council, in granting the prayer of said petitioners, was duly approved.

The following concurrent resolution [which had been duly adopted by the Common Council—see page 532, *ante*], was read :

Resolved by the Common Council and Board of Aldermen, That the owners of the following described real estate, to-wit: Lot number 60, Dougherty's Sub-division of a part of out-lot 99 (being the northeast corner of Wright and Coburn streets), in the City of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of the Common Council and Board of Aldermen, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance, and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled "An Ordinance providing for the drainage and filling up of Ponds, Excavations, and Holes, and prescribing Penalties for the failure to fill up or drain the same"; and that, in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance, *provided* that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax-duplicate for city purposes.

And was adopted by the following vote :

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

NAYS—None.

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

That Anthony Weigand be granted permission to lay a brick walk in front of his place of business, at the corner of Illinois and Tinker streets—to be done at his own expense, under the direction of the City Civil Engineer, and within sixty days.

That Andrew Miller be granted permission to pave with brick the sidewalk in front of his building, No. 395 N. West street; also, to bridge twelve feet of the gutter—the work to be done within thirty days, and according to the stakes set by the City Civil Engineer.

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

That William McKay be granted permission to put in one pair of scales, for weighing coal, at the intersection of Louisiana and West streets, on the south side.

The following Appropriation Ordinance [which had been duly passed by the Common Council—see page 528, *ante*], was read the first time :

Ap. O. 67, 1878—An Ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis.

On Alderman Foster's motion, the rules were suspended, for the purpose of now reading above entitled ordinance the second and third times, and placing same on its passage, by the following vote :

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

NAYS—None.

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

Ap. O. 67, 1878—An Ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis. [Amount appropriated, \$5,000.]

And was passed by the following vote :

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

NAYS—None.

NEW BUSINESS.

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

That the Police Board instruct the Chief of Police to see that the ordinance regulating the measuring or weighing of coal in carts, be enforced.

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

That the Street Commissioner be directed to fill the chuck-holes in Kentucky avenue, between Missouri and West streets, with the gravel that lays on the south side of the V. & I. R. R. track, in the same square.

On motion, the Board of Aldermen then adjourned.

W. D. WILES, President.

Attest: GEO. T. BREUNIG, Clerk.