

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, December 17th, 1877—7 o'clock P. M. }

The Common Council of the City of Indianapolis met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members: Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—23.

Absent—Councilmen Izor and Reed—2.

On Councilman Layman's motion, the absence of Councilman Izor was excused, on account of sickness.

The proceedings of the regular session, held December 3d, 1877, having been printed, and placed on the desks of the Councilmen, the reading of the same was dispensed with.

Sealed proposals for grading and graveling the first alley north of Fletcher avenue, from Cedar to Dillon streets; also, for grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris street; also, for grading and graveling the first alley east of Meridian street, between Phipps and McCarty streets; also, for grading and graveling the alley between Broadway street and College avenue, and running from Butler street to Home avenue; also, for grading, graveling, and curbing the west sidewalk of Missouri street, from New York to Vermont street—were received, opened, read, and referred to the Committee on Contracts.

REPORTS FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts submitted the following reports; which were concurred in, and the several contracts duly awarded, as recommended:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Contracts, to whom were referred the proposals, presented to Council December 3d, 1877, for paving with brick the sidewalks of Fletcher avenue, between Dillon and Linden streets, except in front of lots 130, 131 and 132 in Spann & Co.'s Woodlawn Addition, have examined the same, and find them to be as follows:

James H. Hart, $4\frac{1}{4}$ cents per square foot.

James Mahoney, 35 cents per lineal foot front on each side.

D. A. Haywood, 33 cents per lineal foot front on each side.

James W. Hudson, 33 cents per lineal foot front on each side.

John Schier, 32 cents per lineal foot front on each side.

Wm. L. Roney, $29\frac{3}{4}$ cents per lineal foot front on each side.

Wm L. Roney being the lowest and best bidder, your committee recommend that he be awarded the contract.

Respectfully submitted,

J. W. BUGBEE,
M. L. BROWN,
Committee on Contracts.

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen :—Your Committee on Contracts, to whom were referred sundry proposals, have examined the same, and find them to be as follows, to-wit:

For the erection of lamp-posts, lamps, and fixtures, complete to burn gas, on Bellefontaine street, between Home avenue and Tinker street; also, on Peru street, between Home avenue and Tinker street—

John Knight, twenty-one dollars and fifty cents for each and every lamp-post, lamp, and fixtures, complete.

Indianapolis Stove Company, seventeen dollars and twenty-five cents for each and every lamp-post, lamp, and fixtures, complete.

The Indianapolis Stove Company being the lowest and best bidder, we recommend they be awarded the contract.

J. W. BUGBEE,
M. L. BROWN,
T. C. READING,
Committee on Contracts.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following report; which was approved:

Indianapolis, December 17, 1877.

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

Gentlemen :—The amount of fines collected by me during the month of November, 1877, due the City Treasury, is \$59.80; which amount I have paid the City Treasurer, as will appear from his duplicate receipt, filed herewith.

Respectfully submitted,

J. CAVEN, Mayor.

His Honor also submitted the following report and exhibits; which were received and accepted:

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

Gentlemen :—The undersigned, Trustees of the city in the matter of certain bonds held in trust for the Union Railroad Transfer and Stock-Yard Company, would respectfully report:

1st. That we have received from said Company a communication, claiming to have completed the contract, on their part, as entitle them to receive the last installment of \$100,000 of said bonds, which communication (marked "Exhibit A") is presented herewith.

2d. We have received a communication from Messrs. B. C. Shaw and J. M. Kitchen, City Directors, which letter (marked "Exhibit B") is filed herewith.

3d. We are also in receipt of a certificate from the City Civil Engineer and the Engineer of said Company (marked "Exhibit C" and "Exhibit D"), filed herewith.

4th. We are also in receipt of a certificate from the City Attorney (marked "Exhibit E").

5th. We have examined the books and vouchers of the Company, for expenses by said Company, to satisfy us that an amount exceeding the sum of six hundred and fifty thousand dollars has been judiciously expended in the construction of the works.

6th. We certify that said Company has completed, according to the tenor and terms of the proposition of said Company and general ordinance No. 51, passed by the Common Council of the City of Indianapolis, October 16, 1876, the full amount of work required in said ordinance.

Respectfully submitted,

JOHN CAVEN,
D. M. RANDELL,
ENOS B. REED,
Trustees.

EXHIBIT A.

Indianapolis, December 13, 1877.

Hon. John Caven, Enos B. Reed, and Daniel M. Banskell, Trustees:

Gentlemen:—This is to certify that the railroad of the Union Railroad Transfer and Stock-Yard Company (by a single track, standard guage, from North Indianapolis, on the Indianapolis, Cincinnati & Lafayette Railroad, to and connecting with the Terre Haute & Indianapolis Railroad and the Indianapolis, Bloomington & Western Railway) has been fully completed, according to the terms required by ordinance No. 51, of the City of Indianapolis.

In the building and construction of said railroad, and the railroad and stock-yards (referred to in my certificate, bearing date of October 13, 1877), our Company has paid a sum exceeding six hundred and fifty thousand dollars—all of which has been expended in the most careful and prudent manner. And we, therefore, ask that an additional one hundred thousand dollars of the bonds of the City of Indianapolis be delivered to us, in exchange for a like amount of the bonds of our Company, in accordance with the terms of said ordinance No. 51, of the City of Indianapolis.

Respectfully,

W. R. McKEEN, Prest.

Attest: E. F. CLAYPOOL, Sec'y.

EXHIBIT B.

Indianapolis, December 13, 1877.

Hon. John Caven, Mayor of the City of Indianapolis:

Dear Sir:—We desire to inform you that, in our opinion, the contract of the Union Railroad Transfer and Stock-Yard Company with the City of Indianapolis, as provided in ordinance No. 51, has been fully complied with. In addition to the work performed by said Company, as stated in our communication to you, dated October 13th, 1877, the Company has completed, in a superior manner, a single track, standard-gauge railroad, from North Indianapolis, on the Indianapolis, Cincinnati & Lafayette Railroad, to and connecting with the Terre Haute & Indianapolis Railroad and the Indianapolis, Bloomington & Western Railway.

Very respectfully,

B. C. SHAW,
J. M. KITCHEN.

EXHIBIT C.

Indianapolis, December 17, 1877.

To the Common Council and Board of Aldermen:

Gentlemen:—I hereby certify that the Union Railroad Transfer and Stock-Yard Company has completed a single-track, standard-gauge railroad, from North Indianapolis, on the Indianapolis, Cincinnati & Lafayette Railroad, to and connecting with the Indianapolis, Bloomington & Western Railroad, crossing White River by a Howe-truss bridge, built of wood, with stone abutments and piers. The piers and north abutments should be protected by cinders or stone.

So far as examined, the work is done in a good and workmanlike manner, though no formal test of bridge-strength has been officially made.

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

EXHIBIT D.

*Indianapolis, December 13, 1877.*To the Honorable Board of Aldermen and the Honorable Common Council
of the City of Indianapolis:

Gentlemen:—I, Robert L. Read, Chief Engineer of the Union Railroad Transfer and Stock-Yard Company, do hereby certify that said Company has fully completed, by a single-track, standard-gauge railroad, from North Indianapolis, on the Indianapolis, Cincinnati & Lafayette Railroad, to and connecting with the Terre Haute & Indianapolis Railroad and the Indianapolis,

Bloomington & Western Railway, according to the terms required by ordinance No. 51, of the City of Indianapolis.

I had a personal supervision of purchasing materials and the prosecution of the work, and further certify that only the best materials were used, and that the work has all been done in the most approved and workmanlike manner.

Very respectfully,

R. L. READ, Chief Engineer.

Attest: E. F. CLAYPOOL, Sec'y.

E X H I B I T E .

Indianapolis, December 17, 1877.

To Hon. John Caven, E. B. Reed, and D. M. Ransdell, Trustees :

Gentlemen :—In my report of October 15th, 1877, I said that " I had examined the mortgage executed by the Union Railroad Transfer & Stock-Yard Company to the city, and was of the opinion that the same was in proper form, and according to the stipulations and terms of the ordinance and contract between said Company and city ; and I had also examined the abstract of the title to the real estate upon which the stock-yards are located, and was of the opinion that the title was perfect in all respects."

I will now further state that the said company has procured sufficient land for right-of-way for her railroad, side-tracks, switches, and connections with all the railroads connecting therewith, by proper deeds of conveyance and legal proceedings of condemnation, thereby securing to said Company proper title to the same.

Very respectfully yours,

ROSCOE O. HAWKINS, City Attorney.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report: which was approved :

Indianapolis, December 17, 1877.

To the Mayor and Common Council :

Gentlemen :—I herewith report a first and final estimate, allowed E. B. Elliott, for grading and graveling Herbert street and sidewalks, between Illinois and Meridian streets—

859 50 lineal feet at 48 cents. \$412 56

Also, a first and final estimate, allowed John Schier, for grading and paving the east sidewalk (where not already paved) of Park avenue, between Cherry and Vine streets—

189 lineal feet at 24½ cents. \$46 30

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

The following estimate resolution was then offered :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed E. B. Elliott, for grading and graveling Herbert street and sidewalks, between Illinois and Meridian streets, 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.

Which was adopted by the following vote :

Affirmative—Councilmen Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Reading, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—18.

Negative—None.

The following estimate resolution was also offered :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed John Schier, for grading and paving the east sidewalk (where not already paved) of Park avenue, between Cherry and Vine streets, 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.

Which was adopted by the following vote :

Affirmative—Councilmen Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Reading, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—18.

Negative—None.

The same officer also submitted the following report ; which was received, the contract concurred in, and the bond duly approved :

Indianapolis, December 17, 1877.

To the Mayor and Common Council :

Gentlemen :—I herewith report contract and bond of David A. Haywood, for grading, and paving with brick, the east sidewalk of Pendleton Pike, between Clifford avenue and Orange street, for your approval.

Bond \$1500; bondsman, Henry C. Roney.

Respectfully submitted,

BERNHARD H. DEITZ, City Civil Engineer.

The same officer also submitted the following report; which was concurred in:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—I was directed to examine the drainage of the gutters at the crossing of Indiana avenue and West street, and report if any improvement can be made.

I have examined the place, and find the foot-bridges and culverts are choked with dirt, and the gutters, also, to some extent. I would recommend that they be thoroughly cleaned out.

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

The same officer also submitted the following report; which was considered and concurred in by clauses:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—1st. A portion of the north sidewalk on Morris street, between White River and Dakota street, has been washed away by the recent rains, and is now in a dangerous condition.

I would recommend that the Street Commissioner repair said sidewalk at once, by filling in with dirt and placing gravel on top of the same.

2d. I would respectfully report that I have prepared a schedule for lighting and extinguishing the public lamps for the year 1878.

I would recommend that two hundred copies be printed. The Indianapolis Gas-Light & Coke Company have agreed to pay one-half of the expense of said printing.

The following is the number of hours' burning allotted to each month, on the basis of 3200 hours in the year:

January.....	377	hours	30	minutes.
February	320	"	—	"
March.....	276	"	20	"
April.....	232	"	50	"
May.....	201	"	30	"
June.....	169	"	40	"
July.....	169	"	10	"
August.....	194	"	50	"
September.....	239	"	—	"
October.....	290	"	30	"
November.....	346	"	40	"
December.....	382	"	—	"

Respectfully submitted,

BERNARD H. DEITZ, City Civil Engineer.

The City Attorney submitted the following report; which was duly received:

Indianapolis, December 17, 1877.

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

Gentlemen:—I would report that, since your last meeting, the case of Maloney & Marshal against the city has been tried in the Circuit Court, and resulted in a judgment in favor of the city.

This was suit to recover \$627, for work and material claimed to have been furnished the city, in the erection of four engine houses, in 1871.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

The City Clerk submitted the following report; which was concurred in:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—I would respectfully report the following affidavits, now on file in my office, for the collection of street assessments by precept, as follows, to-wit:

David A. Haywood vs. Francis M. Beck, for.....	\$ 11 94
Fred. Gansberg vs. Barbara E. Leadley, for	12 10
Fred. Gansberg vs. Christian Rossfeldt, for.....	14 30
Fred. Gansberg vs. William H. Kilvert, for ...	14 95
Fred. Gansberg vs. James T. Wright, for... ..	14 95
Fred. Gansberg vs. J. R. Perkenpine (christian name unknown) for..	12 65

And would recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The precepts were ordered to be issued by the following vote:

Affirmative—Councilmen Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Reading, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—19.

Negative—None.

REPORTS FROM STANDING COMMITTEES.

The Committee on Finance and City Treasurer, through Coun-

cilman A. L. Wright, submitted the following report; which was duly concurred in :

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

Gentlemen :—Your Committee on Finance and City Treasurer, to whom was referred the motion of Councilman Izor, directing us to inquire into the expediency of examining the records of the County Recorder's Office, and obtain such other proof as will lead to the correction of omissions in the returns, for taxation, of mortgages, mortgage-notes, etc., respectfully report that we have conferred upon the matter, and recommend that the City Assessor be ordered to make such examination.

A. L. WRIGHT,
N. S. BYRAM,
J. THOMAS,
J. B. DILL,
MARTIN MCGINTY,
Committee on Finance.
WM. M. WILES, City Treasurer.

The Committee on Judiciary and City Attorney submitted the following reports; which were severally concurred in :

Indianapolis, December 17, 1877.

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

Gentlemen :—Your Committee on Judiciary, together with the City Attorney, to whom was referred the petition of Geo. W. McCurdy for an auctioneer's license, have examined into the matter, and can find no reason why said license should not be issued. They would, therefore, report in favor of same, and recommend that the prayer of the petitioner be granted.

Respectfully submitted,

N. S. BYRAM,
J. W. BUGBEE,
Committee on Judiciary.
R. O. HAWKINS, City Attorney.

Indianapolis, December 17, 1877.

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

Gentlemen :—Your Committee on Judiciary, together with the City Attorney, to whom was referred the petition of E. B. Hutchinson, to have moneys refunded on account of erroneous description of property, purchased by him for delinquent taxes, and taxes paid by him since said purchase, have examined into the matter, and find that the property referred to by the petitioner

was wrongly described, and that the taxes for which the same was sold had been previously paid by the owner thereof, and that the sale made to the petitioner was void.

They would, therefore, recommend that the prayer of the petitioner be granted, and that the Committee on Accounts and Claims be directed to have the amount inserted in the next appropriation ordinance.

They would also recommend that the amount of tax for the year 1876, paid by the petitioner, be placed by the City Clerk, on the duplicate of 1877, against the property as properly described therein.

Respectfully submitted,

N. S. BYRAM,

J. W. BUGBEE,

Committee on Judiciary.

R. O. HAWKINS, City Attorney.

Indianapolis, December 17, 1877.

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

Gentlemen:—Your Committee on Judiciary, together with the City Attorney, to whom was referred the petition of George P. Bissell, trustee, asking that appraisement of the property known as the "New Hotel" be reduced to one hundred thousand dollars for the present year, and also for the year 1878, in consideration that the hotel shall be completed, ready for occupancy, inside of six months, would report that we have examined the matter, and are of the opinion that the Council have no power to make any contract to reduce the appraisement of property, in consideration of improvements that may be made upon it, and that the Council have no power to say what the appraisement upon property shall be for the year 1878.

If the petitioner was of the opinion that the appraisement for the present year was too high, he should have presented his claim to the Board of Equalization, at its annual session. We are of the opinion that the present appraisement of the property is just, and corresponds with the appraisement of other property in the same neighborhood.

We would, therefore, recommend that the prayer of the petitioner be not granted.

Respectfully submitted,

N. S. BYRAM,

J. W. BUGBEE,

Committee on Judiciary.

R. O. HAWKINS, City Attorney.

Indianapolis, December 17, 1877.

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

Gentlemen:—Your Committee on Judiciary, together with the City Attorney, to whom was referred the petition of James C. Davis, to have refunded

\$44.10, erroneous tax, in consequence of an erroneous assessment of personal property, have examined into the matter, and would report that they find that the property was duly returned by the petitioner, under oath, and, from said return, was duly assessed, and placed on the duplicate for taxation, and and that your committee have no power to go behind the returns so made by the petitioner.

They are, therefore, of the opinion, from the face of the papers, that the assessment and collection of the said \$44.10 was just and correct, and would recommend that the prayer of the petitioner be not granted.

Respectfully submitted,

N. S. BYRAM,

J. W. BUGBEE,

Committee on Judiciary.

R. O. HAWKINS, City Attorney.

The Committee on Revision of Ordinances and City Attorney submitted the following report; which was duly received:

Indianapolis, December 17, 1877.

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

Gentlemen:—Your Committee on Revision of Ordinances and City Attorney, to whom was referred the petition of the coal dealers, asking that some steps be taken in relation to the weighing and selling of coal and coke in the city, would report that we have had the matter under consideration, and are of the opinion that a new ordinance should be passed, as those now in force do not seem to cover the points most complained of.

We, therefore, herewith submit an ordinance upon the subject, and recommend that it be passed.

Respectfully submitted,

J. B. DILL,

N. S. BYRAM,

I. C. WALKER,

Committee on Revision of Ordinances.

R. O. HAWKINS, City Attorney.

The following general ordinance was then read the first time, and, on Councilman Thomas's motion, further consideration of the same was postponed, and it was ordered to be printed, *in extenso*, in the minutes:

G. O. 44, 1877—An ordinance regulating the Weighing and Sale of Coal and Coke in the City of Indianapolis.

SECTION 1. *Be it ordained by the Common Council and Board of Aldermen of the City of Indianapolis*, That it shall be unlawful for any person to engage in the

business of selling coal and coke, in less quantities than a car load, in the City of Indianapolis, unless he shall have first obtained a license as a coal and coke dealer, as in this ordinance prescribed.

SEC. 2. The City Clerk shall, upon the application of any person desiring to engage in the business of selling and delivering coal or coke, issue to such person a license, *provided* that, before such license shall issue, the applicant shall pay into the city treasury the sum of twenty-five dollars. Such license shall be issued in accordance with the general ordinances now in force prescribing the mode of issuing licenses, and shall run for the period of one year, unless revoked or annulled as hereinafter provided. All such licenses shall state the name of the person, firm, or corporation to whom it is issued, that it is not transferable or assignable, and the date when the same expires. And the City Clerk shall be entitled to a fee of one dollar for each license so issued, to be paid by the applicant.

SEC. 3. All persons engaged in the sale and delivery of coal or coke shall cause their carts or vehicles, used and employed in such business, to be registered in the City Clerk's office, and shall take from such Clerk a written statement, showing the name of the dealer and the number of each cart or other vehicle used for hauling and delivering coal or coke. The person or persons using or employing such cart or vehicle shall cause his name and the number of the vehicle to be plainly painted thereon; and in cases where such vehicles are used by a firm or corporation, the name of the firm or corporation shall be painted thereon. Any person or corporation engaged in the business of selling coal or coke, using or permitting the use, in their business, of vehicles not registered and numbered, and without their name painted upon the same, as in this ordinance provided, shall, upon conviction, be fined in any sum not exceeding fifty dollars; and each day's use of a vehicle, in violation of the provisions of this section, shall be deemed a distinct offense.

SEC. 4. It shall be unlawful for any person to sell, offer, or expose for sale, any adulterated or mixed coal, unless the same is, at the time, expressly represented to be adulterated or mixed, and the purchaser so informed. Unless expressly otherwise represented and stated, each load of coal offered for sale, or sold, shall be unmixed and unadulterated, and composed of but one kind or variety of coal. Any person violating the provisions of this section shall, upon conviction, be fined in any sum not exceeding fifty dollars.

SEC. 5. Coke shall be sold by measure, and the standard shall be twenty-six hundred and eighty cubic inches to the bushel; and it shall be unlawful to sell, or offer to sell, coke in any other way than by the bushel. Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum not exceeding fifty dollars.

SEC. 6. Any person retailing coal in said city shall send, with each and every load, a certificate showing, separately the weight of the cart or vehicle

and the weight of the coal, which certificate shall be signed by the person selling the coal, and which shall be delivered with the load of coal to the purchaser thereof. Any person or corporation violating any of the provisions of this section shall, upon conviction, be fined in any sum not exceeding fifty dollars.

SEC. 7. Before the unloading or discharging of any load of coal on or near the premises of the proposed purchaser thereof, said purchaser may demand of the owner, or his agent, driver, or any other person in charge of the same, a certificate of weight, as herein provided for; and said owner, agent, driver, or other person shall, thereupon, surrender said certificate to said purchaser, who may, if he shall doubt the correctness of said certificate, require said owner, agent, driver, or other person to re-weigh any such load of coal, at any suitable scales in the city, *provided* the purchaser shall pay the keeper of said scales for weighing the same. If the owner, agent, driver, or other person, as aforesaid, shall fail or refuse to comply with the demands and requirements of this section, he or they shall be fined in any sum not exceeding fifty dollars.

SEC. 8. Any person convicted of having sold, or offered to sell, any load of coal, the certificate of which represented the same to be of a greater weight than it in fact was, shall, upon conviction thereof, be fined in any sum not less than fifty dollars.

SEC. 9. Any person retailing coke in said city shall send, with each and every load, a certificate signed by the person selling the same, stating the number of bushels contained in said load, which shall be delivered with the load of coke to the purchaser thereof. It shall be unlawful for any person to sell, or offer to sell, any load of coke, the certificate or which represents the same to contain a greater number of bushels than it actually contains, nor by any other standard than twenty-six hundred and eighty cubic inches to the bushel. Any person or corporation violating any of the provisions of this section shall, upon conviction, be fined in any sum not exceeding fifty dollars.

SEC. 10. It is hereby made the duty of the City Marshal to see that the provisions of this ordinance are strictly enforced; and, to that end, he is hereby required to appoint a suitable person as his deputy, whose duty it shall be, from the first day of September until the first day of April of each year, to strictly enforce the provisions of this ordinance, and prosecute any violations of its provisions. Said Marshal and his said deputy shall be empowered to require any driver or person in charge of any load of coal or coke to show him the certificate of the weight or number of bushels contained in any such load, and to require such driver or person in charge of any load of coal to drive the same to any of the public scales owned by the city, and there weigh the same, and, after the load shall be delivered, to return and weigh the vehicle, *provided* that the weigh masters of the city shall not be entitled to any fee for weighing any such load of coal or vehicle; and said Marshal and his deputy shall, at all times, have the right to measure any load of coke for the

purpose of ascertaining whether the same contains the number of bushels of coke represented by the certificate of the load. In all prosecutions by the Marshal or his deputy, for violations of this ordinance as to the weight of any load of coal, the scales owned and controlled by the city shall be the standard. Any driver, or person in charge of any load of coke or coal, who shall fail or refuse to exhibit to the Marshal or his deputy the certificate showing weight or number of bushels of any such load, shall be deemed to have offered to sell the same without a certificate of weight or number of bushels, and shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars. Any driver or person in charge of any load of coal, who shall fail or refuse to weigh the same upon the city scales, and to return and weigh the vehicle, when required by the Marshal so to do; or who shall fail or refuse to allow the Marshal or his deputy to measure any load of coke, and compare the same with the certificate, shall be fined in any sum not exceeding fifty dollars.

SEC. 11. The Deputy Marshal provided for in this ordinance shall be paid the sum of fifty dollars per month by the city.

SEC. 12. Any person, upon conviction twice within twelve months, of a violation of any of the provisions of this ordinance, shall forfeit his license herein provided, and a new license shall not issue again to any such person for the term of one year.

SEC. 13. All ordinances or parts of ordinances now in force in relation to the weighing and selling of coal and coke are hereby repealed.

SEC. 14. This ordinance shall take effect and be in force from and after its passage and publication for one day each week, for two consecutive weeks, in the ———.

The Committee on Streets and Alleys, through Councilman Watts, submitted the following report; which was considered and concurred in by clauses:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report on the following:

Ist. Are special ordinance No. 28, 1877 (for re-graveling New York street, where worn out, between Indiana avenue and the canal), and remonstrance against passage of the same.

We accede to the prayer of the remonstrants, and recommend that aforesaid ordinance be stricken from the files; but, at the same time, we also advise that no repairs of the above-described portion of New York street be made at expense of the city, until the same shall have been properly improved under and by virtue of some such ordinance as we now suggest should be set aside.

2d. Are special ordinance No. 34, 1877 (for grading and graveling State avenue, and the sidewalks thereof, from Washington street to Michigan street), and a remonstrance against the passage of the same.

As neither the remonstrants nor the petitioners show the number of feet of their frontages after their signatures, your committee are unable to determine whether to insist upon the passage of the aforesaid ordinance or not. But as it is too late to prosecute the improvement this year, we think best to recommend that special ordinance No. 34, 1877, be stricken from the files.

3d. Is a motion (introduced by Councilman Thomas), requesting us "to investigate, and report to this Common Council, as early as possible, the feasibility of reducing roadways (excepting business streets) to a width of twenty-eight feet, as fast as it may become necessary to grade or re-grade the same."

Having given this important motion our careful consideration, we do now recommend that above-mentioned width of roadbed be established for all thoroughfares, other than business streets, which may be hereafter opened or re-improved, where the full widths of such streets shall be forty-five feet or upwards.

We advise the adoption of the aforesaid width of roadway for the following, among other, reasons: Such roadways would give sufficient accommodations for all practical purposes; would accomplish a liberal saving in the matter of assessments against property owners, or permit the construction of a more substantial and permanent street, for the cost of a cheaper and more indifferent one; and would materially reduce expenditures on account of repairs.

We also believe that, by making the change recommended, the sanitary condition of the city would be improved, from the fact that narrow roadways are more easily repaired and kept clean; that the citizens would feel a commendable interest and emulation in improving and beautifying the outer margins of the sidewalks with shade-trees and lawns, thus materially adding to the attractiveness and beauty of our city; while the losses from conflagrations would be essentially lessened through the "lets and hindrances" these shade-trees and lawns would present to the spread of fires to buildings on opposite sides of the streets improved after this suggested system.

4th. Is a petition from sundry business men, asking that the crosswalk between the Occidental Hotel and the intersection of Washington street and Kentucky avenue be made "convenient and comfortable."

We recommend that the City Civil Engineer be instructed to examine this crossing, and report to this body how, and in what manner, this work can be done, with the probable cost of the improvement or repair.

5th. Is a petition from D. H. Prunk, for paving with brick the north sidewalk of New York street, from first alley east of Bright street to the corner of said last mentioned street; also, asking that the Street Commissioner be requested to bowlder and flag the alley-crossing at east end of proposed side-

walk and pave the city's portion at intersection of the Bright street sidewalk.

We understand the petitioner owns the realty fronting on asked-for pavement; and, therefore, recommend that he be permitted to lay same along the line of his property, at his own expense, within sixty days, and under the direction of the City Civil Engineer; but report adversely to the city doing any work on the alley-crossing, or paving the intersections of the sidewalks.

6th. Is a motion to instruct the Street Commissioner to fill the chuck-holes in Noble street, from Washington street to Virginia avenue.

We recommend that this work be done.

7th. Is a motion to direct the Street Commissioner to fill the chuck-holes in Kentucky avenue, between Missouri street and White River.

We recommend that above work be done; at a cost not exceeding thirty dollars.

8th. Is a motion to instruct the Street Commissioner to put down a stone-crossing over Noble street, at the intersection of and on a line with the south sidewalk of Bates street.

9th. Is a motion to direct the Street Commissioner to lay wooden crosswalks at the intersection of Pennsylvania and Second streets.

We recommend that the Street Commissioner be instructed to make the aforesaid crosswalks of rolling-mill cinders.

Respectfully submitted,

JAS. E. WATTS,

JAMES T. LAYMAN,

GEO. P. WOOD,

Committee on Streets and Alleys.

The Committee on Opening, etc., Streets and Alleys, through Councilman Steinhauer, submitted the following report; which was considered and concurred in by clauses:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Opening and Laying Out Streets and Alleys, to whom sundry papers were referred, would report on following, to-wit:

1. Petition of Earl Reid and others, to open an alley in Henderson's Addition.

Your committee would report against the above.

2. Petition of James Johnson, *et al.*, to open Union street.

Your committee would also report against the same.

3. Petition for widening Omer street.

We would also report against widening this street.

4. Petition of M. Criqui, to open Shelby street, from Prospect street to the south corporation line, to the width of sixty feet.

Your committee would report in favor of the above.

5. Petition for opening Rockwood street, from Noble to East street.

Would report against said opening.

M. STEINHAUER,

W. G. WRIGHT,

A. L. STONER,

Committee on Opening, etc., Streets and Alleys.

REPORTS FROM SELECT COMMITTEES.

The joint special committee, which had been charged with reporting upon "the practicability of taking down the Delaware street viaduct, and utilizing the material for bridge purposes," through Councilman Tucker, submitted the following report; which was concurred in :

Indianapolis, December 17, 1877.

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

Gentlemen:—Your committee, appointed to inquire into the practicability of taking down the S. Delaware street viaduct, would respectfully report that the entire committee, excepting one member, made careful examination of the bridge in question, and found it in a very unsafe condition, liable to fall at any time of its own weight, thereby possibly entailing serious damages upon the city. We further find that a proper repair of the bridge would be very expensive, and its slight use would not warrant the necessary cost of repair.

The material can be utilized in the construction of small bridges, and in building a footway over the Union track on Virginia avenue—an improvement much prayed for, and one that can be made at a small expense. We, therefore, recommend that the bridge be taken down immediately, and that the City Civil Engineer be instructed to advertise for proposals to take down and store said bridge—the work to be done under said Engineer's direction.

Respectfully submitted,

W. H. TUCKER,

T. C. READING;

JOHN L. MARSEE,

Councilmen.

I. W. STRATFORD,

W. D. WILES,

Aldermen.

The Police Board and select committee, which had been charged to investigate certain charges preferred against the turnkey of the Central Station, through Councilman Tucker, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your committee, appointed to act in connection with the Board of Police, to investigate the conduct of Officer Thornton, turnkey at the Central Station, wherein the said officer was charged with conduct toward Councilman Reed as unbecoming an officer and in violation of the police regulations of this city, would respectfully report that his conduct was unofficer-like and in violation of the police regulations. However, as Mr. Thornton has apologized to Councilman Reed, and has also received a severe reprimand from the Board of Police, your committee are of the opinion it is not necessary to prefer charges before the Council.

Respectfully submitted,

W. D. WILES,
M. L. BROWN,
J. W. BUGBEE,
Board of Police.
W. H. TUCKER,
I. C. WALKER,
T. C. READING,
Councilmen.

The select committee appointed "to secure additional grounds for the burial of the dead, when the same is done at the expense of the city," through Councilman Byram, submitted the following report; which was concurred in:

Indianapolis, December 17, 1877.

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

Gentlemen:—The undersigned, a special committee appointed to purchase additional grounds for burial purposes, would report that they have purchased of the Trustees of Center Lodge, No. 18, of the Independent Order of Odd Fellows, four lots in Greenlawn Cemetery, for the sum of seventy-five dollars (a deed for which is herewith filed), and would recommend that the Committee on Accounts and Claims be directed to have the said sum of seventy-five dollars placed in their next appropriation ordinance.

Respectfully submitted,

N. S. BYRAM,
ISAAC C. WALKER,
ROBT. B. BAGBY.
Special Committee.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message from the Board of Aldermen was received, and the Aldermanic action, therein set forth, was duly approved :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held Tuesday evening, December 4th, 1877, the Aldermanic Committee on Streets and Alleys, to whom had been referred the motion, adopted by your honorable body, instructing the Street Commissioner to fill the pond on Spruce street, near Woodlawn avenue, and that the City Civil Engineer be instructed to set the proper grade stakes for said street, submitted a report, recommending that the work be not done, but that an ordinance might be passed providing for the grading of said Spruce street; which report was concurred in.

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

The following message was also received, and the proviso therein suggested was duly acceded to :

To the Mayor and Common Council :

Gentlemen :—At a regular meeting of the Board of Aldermen, held Tuesday evening, December 4th, 1877, the Aldermanic Committee on Streets and Alleys, to whom was referred the motion, adopted by your honorable body, instructing the Street Commissioner to change the grade of the gutter on the east side of Pennsylvania street, between Washington and Market streets, so as to give better drainage, submitted a report recommending that the grade of the east gutter of said Pennsylvania street, between Court street and Washington street, be changed, provided the City Civil Engineer can get rid of the water at the west end of Court street without changing the grade of that street; which report was concurred in.

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

The following message was also received :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held December 4th, 1877, the said Board had concurrent action upon the motion of your honorable body, providing for the appointment of a special committee, consisting of three Councilmen and two Aldermen, with instructions to report

upon the practicability of taking down the Delaware street viaduct, and utilizing the material for bridge purposes, and appointed Aldermen Wiles and Stratford as the Aldermanic members of said committee. The Board of Aldermen, at said date, also, had the following action in regard to said viaduct, viz.: That the Board recommend "that the Common Council join with this body in ordering the approaches to the Delaware street viaduct to be closed as speedily as possible, its further use as a bridge being positively hazardous and unsafe."

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

The following message was also received, and the Aldermanic action, therein set forth, was acceded to :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held Tuesday evening, December 4th, 1877, said Board had concurrent action upon the report of the City Clerk, reporting sundry affidavits for precepts, except the two affidavits of John Flaherty vs. Benjamin F. Riley. The ordering of the precepts upon said two affidavits was not concurred in.

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

The following message was also received, and the motion, therein submitted, was duly adopted :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held Tuesday evening, December 4th, 1877, the following motion was adopted (which I herewith transmit for your action upon the same), viz.:

"*Moved*, That the Common Council be requested to instruct the City Civil Engineer to re-advertise for bids for the erection of gas-posts, lamps, and fixtures, complete to burn gas, on Stevens street, from East street to Virginia avenue."

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

The following message was also received, and the papers therein mentioned [see Aldermanic Proceedings, page 267], were referred to the Council Committee on Gas-Light :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held Tuesday evening, December 4th, 1877, the Aldermanic Committee on Gas-Light submitted the following report and proposition; which report was concurred in, and the proposition, as modified by the recommendation of said committee, was duly accepted.

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen.

To the Board of Aldermen :

Your Committee on Gas-Light respectfully report the following proposition of the Indianapolis Gas-Light and Coke Company, and we recommend that the proposition be accepted, except that no interest shall be paid on the amount of \$7,079.50; that a proper agreement in writing be prepared by the City Attorney, in conformity with the proposition.

WM. WALLACE,
H. COBURN,
W. H. SNIDER,
Committee on Gas-Light.

To William Wallace, Esq., Chairman of the Committee :

We herewith submit to you, reduced into writing, the verbal understanding had in regard to the reduction on gas bills to the City of Indianapolis :

The city to pay to the gas company, without any further litigation, the amount of the gas bill for February, 1877, of \$7,079.50, with interest; also to pay the court costs caused by the suit of the gas company for the above amount.

The city to release the gas company from the stipulation of the contract of July 22d, 1876, which provides for the payment, by the gas company, of fifteen cents for each and every night, for each and every post that is not lighted, and kept so lighted, during the time required by the time tables, if the failure to light and keep such posts lighted is caused by frost, over which the gas company has no control; but the company agrees and promises to use the utmost despatch, possible, in thawing out such frozen-up posts.

The city to employ Professor Cox, as an expert, to determine the quality of gas, the expense of such employment to be borne, one half by the city, the other half by the gas company.

The gas company to allow a discount of ten thousand dollars to be deducted from the bills for March and April, 1878.

Nothing in this agreement to alter, modify, annul, or suspend the provisions of the contract now existing between the city and the gas company, as evi-

denced by the ordinance of the Council of July 22d, 1876, except so far as may be necessary to give effect to this agreement.

Very respectfully,

H. WETZEL, Secretary.

The following message was also received, and the amendments to general ordinance No. 42, 1877, as therein set forth [see, also, Aldermanic Proceedings, page 277], were unanimously concurred in :

To the Mayor and Common Council :

Gentlemen :—At a regular session of the Board of Aldermen, held Tuesday evening, December 4th, 1877, general ordinance No. 42, 1877, entitled "An ordinance making and providing for the execution of a contract between the City of Indianapolis and the Water-Works Company of Indianapolis," was passed, after being amended as follows, viz. :

1st. By striking out the word "ten," and inserting, in lieu thereof, the word "six," in the fifth line of the second paragraph of aforesaid contract, as printed on page 549 of Council Proceedings.

2d. By adding to the end of the sixth paragraph of aforesaid contract, as printed on page 550 of Council Proceedings, this proviso: "*Provided*, That the members of the Fire Department shall be hereby authorized to use water from the fire-plugs to sprinkle the streets immediately bordering on the several engine and hose-reel houses, using the ordinary sprinkling nozzle."

Respectfully,

GEO. T. BREUNIG,
Clerk of Board of Aldermen

INTRODUCTION OF ORDINANCES.

The Committee on Finance, through Councilman A. L. Wright, introduced the following appropriation ordinance; which was read the first time :

Ap O. 88, 1877—An ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes.

The Committee on Streets and Alleys, through Councilman Watts, introduced the following appropriation ordinance; which was read the first time :

Ap. O. 89, 1877—An ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis.

On A. L. Wright's motion, the rules were suspended for the purpose of now reading the before mentioned two ordinances the second and third times, and placing same on their passage, by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—23.

Negative—None.

Appropriation ordinance No. 88, 1877, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Dill, Layman, Marsee, Morse, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—22.

Negative—None.

Appropriation ordinance No. 89, 1877, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Dill, Layman, Marsee, Morse, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—22.

Negative—None.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Brown offered the following motion ; which was referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be instructed to lay a double stone crossing over Shelby street, from the southeast corner of Prospect and Shelby streets to the northwest corner of Coburn street and Virginia avenue.

Councilman Bugbee presented the following petition ; which was referred to the Committee on Finance and City Attorney :

Indianapolis, December 17, 1877.

To His Honor, the Mayor, and Members of the Common Council and Board of Aldermen :

Gentlemen :—Your petitioner would respectfully represent that, on the 11th day of April, 1877, she paid the city taxes for the year 1876, on lot number twenty-three (23), in square number two (2), in Martindale's South Addition to the City of Indianapolis, amounting to thirty-five dollars (\$35.00). A copy of the receipt is herewith submitted.

The above tax was erroneously paid, your petitioner intending to pay on the following described property, namely: Lot number nine (9), in square number twenty-two (22), of Johnson's Heirs' Addition to the City of Indianapolis.

Your petitioner has since paid the city taxes for 1876 on the last described property, and would respectfully ask that the sum of thirty-five dollars (\$35.00)—the amount paid on the first described real estate—be refunded to her, and that the amount be carried to the lot which she erroneously paid.

And as in duty bound, your petitioner will ever pray.

EMILY BIRCHARD, per B.

Councilman Byram offered the following motion ; which was adopted :

Moved, That a committee of three be appointed, to report resolutions in reference to the death of John H. Batty, late a member of this Council.

His Honor, the Mayor, appointed Councilmen Byram, A. L. Wright, and Reading as the special committee mentioned in above motion.

The same gentleman presented the following petition ; which was received :

To the Honorable Board of Aldermen and Council :

The undersigned, owners of the property along the line of the sewer on Illinois street, between Washington and Second streets, would respectfully set forth to your bodies, that a suit, which has occurred in the court, from the information which they have, has been decided against them, in regard to the payment of the assessment of said sewer.

They would say that that sewer was built for the purposes of draining the north part of the city, and that the city has constructed a continuation of said sewer in and along Second street, Pennsylvania street to Home avenue

and also all of the systems of sewerage in the south part of the city, out of the general fund, and that they can not but conclude that it is unjust that they should be called upon to pay, when other parts of the city have been treated differently: and that, while this suit was pending, the city did build Shelby street, Madison avenue, and Sanders street sewers without expense to the property owners along the lines.

And they would pray that you would relieve them* from the payment of said assessment.

M. M. Defrees, Charles Scholl, A. F. Shortridge, M. A. Peck, Geo. Norwood, Emma L. Sherwood, Gerard Blue, R. N. Fry, Isaiah Mansur, George Bauer's heirs, M. L. Johnson, G. H. Voss, Dan'l Stewart, Fred. Goepper, Thomas C. Rout, J. S. Wood, E. McNeely, Esther Walpole, Mrs. Mary A. Callinan, Mrs. Mary A. Potts, Alexander Wood, Sarah J. Haynes, Mrs. S. A. Duvall, A. Bird, J. F. Ramsey, Geo. W. New, Matilda M. Grubbs, Samuel Miller, by D. W. Grubbs, ag't, Mary A. Walker, Lucy N. Leggett, C. C. McCarty, Holtke's heirs, by Alex. Metzger, ag't, Jonathan Frankem, A. Rosenthal by John S. Spann & Co., ag't's, J. C. S. Harrison, D. M. Taylor in trust, S. A. Fletcher, D. E. Snyder, Jr., Warden St. Paul's Cathedral, W. E. Mick, Franklin Insurance Co. per Sec'y, John Osterman, James Kirlin, G. A. Reisner, W. R. Hogshire, Charles Mayer, I. H. Roll, A. M. Mortland, Mrs. F. M. Talbott, H. H. Lee, W. W. Weaver, Wm. H. Jones, Edward Howard, Fahnley & McCrea, J. B. Root, J. W. Copeland, Ben. T. Gorden, R. J. Conner, Jas. Swain, Sam'l E. Frazee, Sam'l E. Frazee, exec. of T. G. Palmer, Allen E. Phelps, Adelia New, Joseph Curzon, C. B. Huston, J. W. Gordon, Alfred Harrison, H. C. Russell, C. C. Campbell, Catharine A. Williams, O. Williams, August Heaf, Wm. Haerle, A. G. Pettibone, Jno. Tarlton, John W. Holland, S. J. Pattison, W. H. Laird, A. M. Hanna, Wm. Sullivan, Wm. Worman, Thos. Cottrell, James M. Tomlinson, Jane Griffith, Jesse Jones ag't, Geo. Norwood, Jesse Jones ag't, Louisa J. Jones, Jesse Jones ag't, James Hasson, trustee Third Pres. Church, M. J. Vorhees, Ben. C. Darrow, Cornelius King, Mrs. Naomi J. Boaz by W. T. Boaz ag't, J. E.

Hedges, Mrs. Elizabeth W. Lee, W. M. Adams, D. B. Hosbrook, Horace Parrott, Edwin L. Hastings, Melissa E. Downie, Alex. Heron, Helen M. Rockwood, Mary J. Kinsler, Mrs. Elizabeth Tout, J. A. Crossland, Caleb S. Denny, David Macy, Nelson Trusler, W. Clinton Thompson, James G. Douglass, Martin Birk, Earl Reid.

At suggestion of Councilman Byram, the courtesy of addressing the Council on the matter referred to in above petition was extended to Dr. W. C. Thompson, as the chosen representative of the owners of property on line of the aforesaid sewer.

By consent, Dr. George W. New also made a few remarks in same behalf.

On Councilman Byram's motion, it was ordered that above petition and its subject-matter be referred to a select committee; and His Honor, the Mayor, appointed Councilmen Byram, Bugbee, and Sindlinger as such select committee.

Councilman Cochran offered the following motion; which was adopted:

Moved, That His Honor, the Mayor, be requested to select, by lot, the members' seats in the new Council Chamber.

Councilman Dill offered the following resolution:

WHEREAS, The city has a small engine, formerly used for filling cisterns, which, I now understand, is in possession of the Water-Works Company, and, I am informed, has been for about one year and a half; and,

WHEREAS, The fire engines have been used, at sundry times, for pumping the water from bursted mains, for said company's benefit; therefore,

Resolved, That the Fire Board be directed to look after the matter, and if said company is, or has been, using the property of the city, that it be required to pay for such use.

Which was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Layman, Marsee, Morse, McGinty, Pouder, Read-

ing, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—23.

Negative—None.

The same gentleman offered the following motion; which was referred to the Committee on Streets and Alleys:

Moved, That the Street Commissioner be ordered to fill the chuck-holes in Mississippi street, from North to Washington street.

Councilman Morse offered the following motion; which was referred to the Committee on Streets and Alleys:

Moved, That the Street Commissioner be directed to fill the chuck-holes in North street, between Indiana avenue and Douglass street.

Councilman McGinty presented the following petition; which was referred to the Committee on Opening, etc., Streets and Alleys:

Indianapolis, December 17, 1877.

To the Mayor and Common Council:

Gentlemen:—The undersigned, property holders, fronting on Kingan street or otherwise interested, respectfully petition your honorable body to cause said Kingan street to be vacated, running from West street to White River. Said street lies on the north side Coffin's pork house, and is always obstructed to passengers by reason of the high bank of the river.

A plat of said Kingan street, with the adjacent property, is herewith presented, and made a part of this petition.

And your petitioners will ever pray, etc.

Jones & Churchman, executors of the estate of
B. Coffin, deceased; Elizabeth Schlosser,
Thomas H. Tobin, Sarah Kinney (her X mark),
John W. Jones, Mary C. Grosby (her X mark),
Cornelius Collins (his X mark), Mick McCarty
(his X mark), Mick Fineral (his X mark),
Christian Waterman, Smith, Ittenbach & Co.

Councilman Steinhauer offered the following motion; which was adopted:

Moved, That John Greene be granted sixty days extension of time, in which to complete his contract on Franklin street, from Nebraska street to the first alley north of Yeiser street.

Councilman Stoner offered the following motion; which was adopted:

Moved, That the attention of the Committee on Streets and Alleys be called to the bad condition of the street, at the intersection of Broadway and Chatham streets, and are respectfully requested to report what repairs are needed, and whether the city or the property owners should pay the cost of the same.

Councilman Thomas presented the following petition; which was referred to the Committee on Railroads:

To the Common Council of the City of Indianapolis:

Gentlemen:—The undersigned respectfully represent that the Jeffersonville, Madison & Indianapolis Railroad track crosses Madison avenue, south of the city, near the Hominy Mill—a street along which a great number of persons daily travel. There is great danger at this point, from the frequent running of cars, to life and limb of the citizens passing. Will your honorable body provide, according to law, for the appointment of a flagman, and thus greatly relieve the crossing of its danger?

A. M. Hannah, Dick Wenning, Jan Sunker, Ben Guenneman, H. H. Steinecker, Henry Landmeier, Theodore Meyer, Bernard Backmann, William Weghorst, August Elbrecht, Henry Elbrecht, H. W. Fenneman, I. Fenneman, Franz Adler, William Fenneman, D. W. Weaver, J. F. Vinson.

Councilman Tucker presented the following petition; which was referred to the Committee on Streets and Alleys:

Indianapolis, November 22, 1877.

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

Gentlemen:—We, the undersigned property owners on that part of South street lying between East and Noble streets, respectfully petition for the passage of a resolution substituting the name "Fletcher avenue" for "South street," on that part of said South street above mentioned.

Benjamin Atkinson, 60 feet; Louis Siersdorfer, 40 feet; David D. Long, 90 feet; A. H. Baker, 65 feet; W. C. Bull, 40 feet; Andrew Wallace, 40 feet; H. G. Hannaman, 60 feet; J. S. Surbey, 40 feet; G. H. Voss, 86 feet; Peter Spitzfaden, 35 feet; Sarah A. Dougherty, 30 feet; I. S. Briggs, 33 feet; T. N. Bryan, 30 feet; Samuel

Marcks, 40 feet; Trustees Fletcher Place Church, J. S. Hetherington, Secretary of Board, 215 feet; Treasurer South Street Baptist Church, T. E. Somerville, 80 feet; Patrick Walsh, 33 feet.

The same gentleman offered the following motions; which were severally adopted:

Moved, That the Street Commissioner be instructed to close the approaches to the S. Delaware street viaduct *at once*.

Moved, That a special committee of three Councilmen, with the Committee on Opening, etc., Streets and Alleys, be instructed to inquire into the practicability of opening Dillon street from present northern terminus to or near the intersection of Washington street and Michigan Road.

The Chair appointed Councilmen Case, Tucker, and Brown as the select committee required by the adoption of the last preceding motion.

Councilman Walker offered the following motion; which was adopted:

Moved, That the Street Commissioner be instructed to make a double stone crossing, from the northwest corner of Pennsylvania and Ohio streets, to the the northeast corner of Ohio street and Massachusetts avenue.

The same gentleman offered the following motions; which were severally referred to the Committee on Streets and Alleys:

Moved, That the Street Commissioner be instructed to make a double stone crossing from the northwest corner of Delaware and New York streets, to the southwest corner of Delaware street and Massachusetts avenue.

Moved, That the Street Commissioner be instructed to fill the chuck-holes in Vermont street, between Pennsylvania and Delaware streets. The cost of the improvement will not exceed five dollars.

UNFINISHED BUSINESS.

Councilman Tucker called up the second clause of the report from the Committee on Streets and Alleys, recommending the con-

struction of a single-line stone crosswalk over Dillon street, on line with north sidewalk of Fletcher avenue, as submitted at last regular session, and printed on page 585, *ante*.

Councilman A. L. Wright moved to recommit this matter to aforesaid committee, with instructions to recommend that a crosswalk of rolling-mill cinders be constructed in the designated locality.

On Councilman Steinhauer's motion, above proposition to recommit was laid on the table by the following vote :

Affirmative—Councilmen Bagby, Brown, Cochran, Layman, Marsee, McGinty, Reading, Sindlinger, Steinhauer, Stoner, Tucker, Walker, Watts, Wood, and W. G. Wright—15.

Negative—Councilmen Bugbee, Byram, Dill, Morse, Pouder, Thomas, and A. L. Wright—7.

Councilman Dill moved to adjourn. Lost.

On Councilman Steinhauer's motion, aforesaid second clause was then concurred in.

SPECIAL ORDER.

Councilman A. L. Wright called up the following general ordinance :

G. O. 43, 1877—An ordinance creating a Board of Public Improvements, prescribing their powers and duties and the manner of their election.

Aforesaid ordinance was read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Cochran, Dill, Layman, Marsee, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—20.

Negative—Councilmen Morse and Thomas—2.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor.

Attest:

BENJ. C. WRIGHT, City Clerk.