

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, April 22d, 1878—7½ o'clock P. M. }

The Common Council of the City of Indianapolis met, pursuant to adjournment.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members: Councilmen Bagby, Brown, Byram, Case, Dill, Izor, Layman, Marsee, Morse, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—19.

Absent—Councilmen Cochran, McGinty, Reading, Sindlinger, and Watts—5.

The resolution naming inspectors and judges to serve as election boards at the coming city election, to be held May 7th, 1878, was taken up, and the following amendments were made in the list, as printed on pages 882 and 883, *ante*:

- 2d Ward—David Y. Byrket was appointed as inspector, in lieu of Augustus Bruner; and Hiram J. Craft as judge, in lieu of Jacob T. Wright.
- 4th Ward—William W. Hoover was appointed as judge, in lieu of Dennis Sullivan.
- 6th Ward—John E. Carter was appointed as judge, in lieu of Charles E. Coffin.
- 8th Ward—Henry C. Buddenbaum was appointed as judge, in lieu of Wm. H. Schmidt.
- 9th Ward—Henry Coburn was appointed as judge, in lieu of George Anderson.
- 12th Ward—William S. Ryan was appointed as judge, in lieu of James B. Ryan.
- 14th Ward—Moses Broyles was appointed as inspector, in lieu of John F. Redmond; and Daniel H. McAbee was appointed as judge, in lieu of Peter W. H. Johnson.
- 21st Ward—Andrew Patterson was appointed as judge, in lieu of John Schley.
- 22d Ward—James H. Perry was appointed as judge, in lieu of Isaac D. Lemon.
- 24th Ward—William Morris was appointed as inspector, in lieu of Peter R. Stroupe.
- 25th Ward—Amer J. Funk was appointed as inspector, in lieu of James Hamilton; and Louis Hoff was appointed as judge, in lieu of Amer J. Funk.

Aforesaid resolution, amended as above, was then adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Byram, Case, Dill, Izor, Layman, Morse, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—18.

Negative—None.

On Councilman Byram's motion, the voting-place for the 25th Ward was changed from the "corner of Tennessee and McCarty streets" to "corner of Wilkins and Maple streets," unanimous consent being given to such change.

QUESTION OF PRIVILEGE.

By consent, Councilman Thomas offered the following motions; which were severally adopted:

Moved, That the Board of Public Improvements be instructed to visit Sims & Smithers, No. 169 W. Maryland street, and examine the pavement they have recently put down in front of their place of business, and ascertain its cost per square yard for sidewalks; also, ascertain its cost, on an eight inch base of broken stone and coarse gravel, for roadway, and the cost of a roadway twenty-one feet wide, twenty-eight feet wide, and forty feet wide; also, ascertain whether it can be easily repaired; and get such other information as they may think of importance in regard to same.

Moved, That Sims & Smithers be allowed to put down their asphalt pavement on the square of some crossing of streets in this city, at their own expense, and under the supervision of the City Civil Engineer.

Moved, That the City Marshal be instructed to notify the Street Railway Company to at once stop hauling the gravel off S. Meridian street, and to return to said street the gravel they have already hauled away, every shovel-full being wanted to fill chuck-holes where the gravel lies.

On Councilman Tucker's motion, the Street Commissioner was directed to assist the Marshal in carrying out the instructions given by last motion.

At the suggestion of His Honor, the Mayor, the regular order of business was now entered upon.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Layman, submitted the following report; which was concurred in, and the contract duly awarded, as recommended:

To the Mayor and Common Council:

Indianapolis, April 22, 1878.

Gentlemen:—Your Committee on Contracts, to whom were referred the proposals presented to Council April 15th, 1878, for building stone abutments on the Central Canal, at the crossing of Vermont street, have examined the same, and find them to be as follows, to-wit:

M. M. Defrees, stone work at \$8.30 per cubic yard, and excavation at \$1.00 per cubic yard.

Michael Gahm, stone work at \$7.00 per cubic yard, and excavation at \$2.00 per cubic yard.

Koss and Kritz, stone work at \$6.75 per cubic yard, and excavation at \$1.50 per cubic yard.

Wm. Petrie, stone work at \$6.75 per cubic yard, and excavation at \$1.40 per cubic yard.

Helm and Holle, stone work at \$6.55 per cubic yard, and excavation at \$1.10 per cubic yard.

August and Frederick Richter, stone work at \$6.50 per cubic yard, and excavation at 60 cents per cubic yard.

Dewey and Twiname, stone work at \$5.60 per cubic yard, and excavation at 75 cents per cubic yard.

Dewey and Twiname being the lowest and best bidders, your committee recommend that they be awarded the contract.

Respectfully submitted,

JAMES T. LAYMAN,

M. L. BROWN,

Committee on Contracts.

Aforesaid committee also submitted the contract and bond of Dewey and Twiname, for doing the work above described (penalty of bond, \$2,500; surety, Jacob Rubush); and, on motion, said contract was concurred in, and the bond duly approved.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, presented the following petition; which was referred to the Committee on Parks and the City Attorney:

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

The undersigned, POWELL HOWLAND, would respectfully submit, to your honorable bodies, that heretofore—to-wit, July 8th, 1873—the undersigned executed and delivered to the City of Indianapolis; as did also other adjoining land owners, a deed to the following described real estate, to-wit: A strip of land, twenty (20) rods in width, off of the south end of the west half of the northwest quarter of section nineteen (19), township sixteen (16), north range four (4) east, to be used and improved by said city as a public park. (Copy of deed herewith filed.)

That said conveyance was so made, executed, and delivered without any consideration; and the city having failed to use and improve the same as a public park, and said public improvement by said city having been abandoned, and the land situated adjacent to the above described land, and between the above described land and the city, heretofore conveyed to the City of Indianapolis by one Mary Fleming for the same purposes, having been re-conveyed

by the city to said Mary Fleming, on her petition; and in view of the foregoing facts, your petitioner prays a re-conveyance by the city to him of said real estate.

Respectfully,

POWELL HOWLAND.

April 17, 1878.

WM. A. LOWE, Att'y for Petitioner.

THIS INDENTURE WITNESSETH, That Powell Howland and Mahala Howland (his wife), of Marion county, in the State of Indiana, convey and warrant to The City of Indianapolis, of Marion county, in the State of Indiana, for the sum of One Dollar, the following real estate, in Marion county, in the State of Indiana, to-wit: A strip of land twenty (20) rods in width off of the south end of the west half of the northwest quarter of section nineteen (19), township sixteen (16), north range four (4) east, to be used and improved by said city as a public park.

In Witness Whereof, The said Powell Howland and Mahala Howland have hereunto set their hands and seals, this eighth day of July, A. D. 1873.

POWELL HOWLAND. [SEAL.]

MAHALA HOWLAND. [SEAL.]

STATE OF INDIANA, *Marion County, ss:*

Before me, M. H. McKay, a Notary Public in and for said county, this 8th day of July, 1873, Powell Howland and Mahala Howland (his wife) acknowledged the execution of the annexed deed.

Witness my hand and notarial seal, this — day of —, 187—.

[SEAL.]

M. H. MCKAY, Notary Public.

REPORTS, ETC., FROM CITY OFFICERS.

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

Indianapolis, April 22, 1878.

To the Mayor and Common Council:

Gentlemen:—I herewith report a first and final estimate in behalf John Knight, for erecting lamp-posts, lamps, and fixtures, complete to burn gas (except service-pipes), on Olive street, from Prospect street to Pleasant Run—

15 lamps, at \$16.00 per lamp..... \$240 00

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 John Knight, for erecting lamp-posts, lamps, and fixtures, complete to burn gas (except the service-pipes), on Olive street, from Prospect street to Pleasant Run, 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 Bagby, Brown, Byram, Dill, Izor, Layman, Morse, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

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

Indianapolis, April 22, 1878.

To the Mayor and Common Council :

Gentlemen:—According to your instructions, and on recommendation of Board of Public Improvements, I have prepared, and herewith present, the following special ordinances, viz :

For grading and bowldering South street, and curbing the sidewalks thereof, from Meridian street to Pennsylvania street.

For grading and bowldering Maryland street, and the north gutter thereof, from Illinois street to Tennessee street.

Respectfully submitted,

BERNHARD H. DEITZ, City Civil Engineer.

The following ordinances were then read the first time :

S. O. 21, 1878—An ordinance to provide for grading and bowldering South street, and curbing the sidewalks thereof, from Meridian street to Pennsylvania street.

S. O. 22, 1878—An ordinance to provide for grading and bowldering Maryland street, and the north gutter thereof, from Illinois street to Tennessee street.

The same officer presented the following communication ; which was approved :

Indianapolis, April 22, 1878.

To the Mayor and Common Council :

Gentlemen :—Having been absent from my duties for the period of one month, I have, as promised, turned back into the treasury the amount of my salary for that time, taking a receipt therefor from the City Treasurer.

Respectfully submitted,

BERNHARD H. DEITZ, City Civil Engineer.

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

Indianapolis, April 22, 1878.

To the Mayor and Common Council :

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

John Greene vs. Indianapolis, Cincinnati and Lafayette Railroad Company, for.....	\$144 00
John Greene vs. Indianapolis, Cincinnati and Lafayette Railroad Company, for.....	118 13

And 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 Bagby, Brown, Byram, Dill, Izor, Layman, Morse, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The City Treasurer submitted the following reports ; which were referred to the Committee on Finance :

Indianapolis, April 22, 1878.

To His Honor, the Mayor, and Common Council, City of Indianapolis :

Gentlemen :—I have the honor to submit herewith a full account of receipts and disbursements for the current year (by my precessor, Henry W. Tutewiler, Esq., from May 16th to September 3d, 1877, inclusive, as shown by his report ; and by myself, from September 3d, 1877, to April 15th, 1878, inclusive), with the condition of the Treasury, as required by Sec. 33, Chap. 9, of

the Act approved March 14th, 1867; showing total receipts \$1,273,943.00; total disbursements, \$660,529.02; and balance cash on hand, \$613,413.98.

Your attention is called to the fact that the items of disbursements are not only for expenses of the present year, but include outstanding warrants of previous years, redeemed during the present year. For example: The report shows total disbursements on account of Fire Department, \$93,156.37; Police, \$61,174.22; Gas, \$129,209.05; while the disbursements for expenses incurred during the present year, on account of Fire Department, were only \$67,983.57; Police, \$44,234.00; Gas, \$78,813.41; the total for the *present* year being \$465,275.14; for *previous* year, \$195,253.88.

I have received, on account of Tomlinson Estate, \$16,485.42, and disbursed \$270.06, and have a balance of \$16,215.36 on hand, as shown by the report.

Very respectfully,

WM. M. WILES, City Treasurer.

Report of Wm. M. Wiles, City Treasurer, from May 15th, 1877, to April 15th, 15th, 1878 (inclusive).

RECEIPTS.	H. W. Tutewiler.	Wm. M. Wiles.	TOTAL AMOUNT.
	May 15 to Sept. 3, 1877, inclusive.	Sept. 3, 1877, to Apr'l 15, 1878, inclusive.	
Balance May 15, 1877.....	\$278,248 30	.....	\$278,248 30
Current Taxes.....	\$456,737 25	456,737 25
Delinquent Taxes.....	64,965 51	89,458 34	154,423 85
Tax Sales.....	72,641 08	72,641 08
All other sources.....	5,489 62	.....	.....
Benefits.....	306 40	.....
Auction Licenses.....	90 00	.....
Interest on Bonds.....	12,000 00	.....
Dog Licenses.....	47 50	.....
Coal Licenses.....	750 00	.....
Dray Licenses.....	90 00	.....
Express Licenses.....	318 00	.....
Fines and Fees.....	880 90	.....
Hack Licenses.....	298 00	.....
Market Rents.....	799 25	.....
Peddlers' Licenses.....	269 00	.....
Printing on Receipts.....	7 50	.....
Promiscuous.....	822 35	.....
Show Licenses.....	125 00	.....
Tapping Sewers.....	140 00	22,623 52
Loans.....	192,068 00	97,201 00	289,269 00
Total Receipts.....	\$1,273,943 00

Report of Wm. M. Wiles, City Treasurer—Continued.

DISBURSEMENTS.	H. W. Tutewiler. May 15 to Sept. 3, 1877, inclusive.	Wm. M. Wiles. Sept. 3, 1877, to Ap'l 15, 1878, inclusive.	TOTAL AMOUNT.
Fire Department.....	\$49,414 79	\$43,741 58	\$93,156 37
Police	32,008 33	29,170 89	61,174 22
Street Repairs.....	24,512 69	19,642 10	44,154 79
City Hospital and Branch.....	8,522 13	7,611 21	16,133 34
Civil Engineer's Department.....	2,577 38	1,901 27	4,478 65
Assisting City Assessor.....	3,150 34	652 50	3,802 84
Assisting City Janitor.....		74 80	74 80
Board of Health.....	253 99	450 00	703 99
Interest on Bonds.....	46,899 75	60,092 25	106,992 00
Bridges	2,363 02	488 00	2,851 02
Cisterns.....	1,986 45	287 09	2,273 54
City Commissioners.....		160 00	160 00
City Dispensary.....	3,477 08	1,000 00	4,477 08
Costs.....	641 69	983 47	1,625 16
Damages.....	10,380 52	12,029 40	22,409 92
Elections.....	778 72	30 04	808 76
Fuel.....	163 33	43 56	206 89
Gas.....	66,126 32	63,082 73	129,209 05
Gas Fixtures and Repairs.....	1,006 19	40 00	1,046 19
Home for Friendless Women.	2,997 50	476 50	773 70
Ice.....	156 37	45 48	201 85
Incidental.....	596 45	2,353 61	2,950 06
Insurance.....	100 00	123 75	223 75
Levee.....	1,736 41	42 00	1,778 41
Markets.....	442 71	39 33	482 04
Nuisances.....	352 18	525 00	877 18
Office Fixtures.....	30 13	1,427 37	1,457 50
Parks.....	785 79	443 09	1,228 88
Percentage.....	3,248 27	936 39	4,184 66
Posting bills.....	93 00	74 50	167 50
Printing, Stationery and Advertising....	4,466 67	3,680 14	8,146 81
Refunding Sewer Assessments.....	1,077 74	97 52	1,175 26
Rent.....	1,231 51	666 66	1,898 17
Salary.....	5,889 09	11,970 88	17,859 97
Sewers.....	15,326 57	144 25	15,470 82
State Militia.....		1,760 49	1,760 49
Station House.....	2,793 89	4,595 97	7,389 86
Street Improvements.....	3,075 83	1,061 37	4,137 20
Taxes Refunded.....	796 53	538 54	1,335 07
Tomlinson Annuity.....	3,500 00	3,500 00	7,000 00
Transfers.....	6 33	414 80	421 13
Tunnels.....	228 63	62 50	291 13
Water Rent.....	23,560 18	19,494 09	43,054 27
Assisting City Marshal.....	32 17		32 17
Bobbs' Dispensary.....	558 75		558 75
Fountains.....	653 10		653 10
Funding City Orders.....	14,673 41		14,673 41
Gravel Roads.....	3,206 97		3,206 97
Lamp Lighting.....	854 09		854 09
New Engine House.....	44 37		44 37
Amount carried forward.....			\$640,027 18

Report of Wm. M. Wiles, City Treasurer—Concluded.

DISBURSEMENTS.	H. W. Tutewiler. May 15 to Sept. 3, 1877, inclusive.	Wm. M. Wiles. Sept. 3, 1877, to Ap ^l 15, 1878, inclusive.	TOTAL AMOUNT.
Amount brought forward.....			\$640,027 18
Public Buildings.....	7,514 61		7,514 61
School Board.....	11,902 61		11,902 61
Tomlinson Estate Repairs.....	36 00		36 00
War Fund.....	1,048 62		1,048 62
Balance on hand.....			613,413 98
Total Disbursements.....			\$1,273,943 00

TOMLINSON ESTATE.

Amount received from H. W. Tutewiler.....	\$ 14,633 42
From Rents....	1,852 00
	<u>\$ 16,485 42</u>
For Repairs, etc.....	\$ 270 06
Balance on hand.....	16,215 36
	<u>\$ 16,485 42</u>
Balance on hand General Fund.....	\$613,413 98
Balance on hand Tomlinson Estate.....	16,215 36
Total Balance.....	<u>\$629,629 34</u>

Respectfully submitted,

WM. M. WILES, City Treasurer.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman Byram, submitted the following legal opinion; which was duly concurred in:

Indianapolis, April 22, 1878.

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

Gentlemen:—The Board of Public Improvements were instructed to investigate and report what number of signatures of the property owners were necessary to successfully remonstrate against the improvement of a street or alley; and we would report that we have investigated the matter, and find that the charter of the city provides that unless the improvement is petitioned for, the same can not be made at the expense of the property, unless

the same shall be ordered by a vote of two-thirds of all the members of the Common Council.

There is no provision of the charter upon the subject of a remonstrance in such cases. We have not been able to find any ordinance upon the subject of remonstrances. Section 30 of the Rules (see Charter and Ordinances, page 166) provides, in substance, the same as the charter, that unless improvement ordinances are accompanied by petition, a vote of two-thirds of all the members elected will be necessary to enforce its passage.

We are, therefore, of the opinion that improvements may be made, and ordinances providing for the same may be passed, upon the concurrence of two-thirds of all the members elected to the Council and the Board of Aldermen, and that any remonstrance that might be presented would not affect the validity of the ordinance.

Respectfully submitted,

N. S. BYRAM,

T. C. READING,

Board of Public Improvements.

The same official board introduced the following general ordinances; which were read the first time:

G. O. 12, 1878—An ordinance regulating the digging of Trenches and the making of other forms of Excavations in the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis, and requiring certain persons to be duly licensed and under bonds before undertaking such work.

G. O. 13, 1878—An ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis; restraining the making of Excavations therein or in lands adjacent thereto; prohibiting the placing of unauthorized obstructions in or upon the same; securing the public in the free and safe use thereof; revising and re-enacting ordinance-provisions now in force; and prescribing penalties for violations of its regulations and requirements.

On Councilman Byram's motion, the City Clerk was ordered to have general ordinance No. 13 (title last above given) printed as promptly as possible, and then to send copies of same to each member of the Council.

REPORTS FROM STANDING COMMITTEES.

The Committee on Finance submitted the following report; which was approved:

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

Gentlemen :—Your Committee on Finance, to whom was referred the reports of the City Treasurer and Clerk, for the month ending March 31st, 1878, respectfully report that we have examined the same, and find them correct.

Respectfully submitted,

A. L. WRIGHT,
N. S. BYRAM,
J. THOMAS,
J. B. DILL,
Committee on Finance.

The same committee, with the City Attorney, submitted the following report ; which was concurred in :

Indianapolis, April 22, 1878.

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

Gentlemen :—Your Committee on Finance and City Attorney to whom was referred the petition of Nicholas R. Ruckle, asking that the assessment upon the Academy of Music property be reduced, would report that we have examined the matter, and are of the opinion that the prayer of the petition should be granted, and that the assessment upon the improvements should be reduced to the value of the same upon the 1st day of April, 1877. We would, therefore, recommend that the prayer of the petition be granted, and that the City Assessor and Clerk be instructed to make the necessary correction upon the duplicate.

Respectfully submitted,

A. L. WRIGHT,
JOHN THOMAS,
N. S. BYRAM,
J. B. DILL,
Committee on Finance.
R. O. HAWKINS, City Attorney.

The Committee on Judiciary and the City Attorney submitted the following report ; which was received :

Indianapolis, April 22, 1878.

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

Gentlemen :—Your Committee on Judiciary and City Attorney, to whom was referred the report of the City Commissioners upon the matter of the vacation of Market and Wabash streets, between Tennessee and Mississippi streets, and of Huron street through square 48, running from Market to Ohio

streets, would report that we have investigated the matter, and the Board of State House Commissioners have agreed to arrange and provide for the drainage of the streets, by building a sewer at their own expense, which will provide drainage for the surface water that has heretofore been carried along over the streets proposed to be vacated. We would, therefore, recommend that the report of the Commissioners be approved and adopted; and we herewith submit a resolution providing for such adoption, and recommend that the same be passed.

Respectfully submitted,

N. S. BYRAM,
I. C. WALKER,
ROB'T B. BAGBY,

Committee on Judiciary.

R. O. HAWKINS, City Attorney.

Also, offered the following resolution :

Resolved, by the Common Council and Board of Aldermen of the City of Indianapolis, That the report of the City Commissioners in the matter of the vacation of that part of Market street running between Tennessee and Mississippi streets, also that part of Wabash street running between Tennessee and Mississippi streets, also that part of Huron street or alley running between Market and Ohio streets, in the City of Indianapolis, be, and the same is hereby, approved and adopted, and the said streets be, and are hereby, declared vacated.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—18.

Negative—None.

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

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

*Gentlemen :—*The undersigned, your Judiciary Committee, together with the City Attorney, to whom was referred sundry papers, have given the same due consideration and attention, and would report as follows :

FIRST. Was a petition from Mary A. Walker, asking the Council to allow and appropriate one hundred and fifteen dollars and twenty cents, as interest

on certain taxes paid by her in 1873, the same having been assessed against her on account of the building of a sewer on Illinois street. The grounds on which she asks that the above sum be allowed her is, that she paid the tax under protest, and that, by act of this Council, other parties who failed or refused to pay taxes assessed against them at that time, on account of the building of said sewer, were permitted to pay the same (some five years after the said petitioner had paid the tax so assessed against her) without penalty or interest.

Your committee fail to see any good reason for the granting of the prayer of the petitioner, for the reason that the taxes, when paid, were paid voluntarily by the petitioner, and without any compulsion on the part of the city. Had the petitioner been so minded, she could have taken the same course as other parties, to whom she refers to in her petition, and retained her money until the matter in question was settled. Your committee would, therefore, recommend that the prayer of the petitioner be not granted.

SECOND. Is a petition from Timothy Foley, for the refunding of certain taxes paid by him by mistake. It seems that there were several parties by the same name on the duplicate, all owning or having property assessed against them, and by some means the petitioner, in paying his taxes, paid on property belonging to another party of the same name.

It is always presumed that parties are acquainted with their own property, and certainly the city is in no wise to blame if they do not; besides, should the taxes on this property be refunded, as requested by the petitioner, it would prove a total loss to the city, as she would not have the right to re-assess it against the property, it having once been paid. We are of the opinion that the petitioner's only recourse is against the owner of the property on which he has paid the taxes. We would, therefore, recommend that the prayer of the petitioner be not granted.

THIRD. Is a petition of Eliza J. Childers, for the refunding of certain taxes illegally paid.

On examination of the facts, your committee are of the opinion that only the taxes for the year 1875 should be refunded, but not with interest, as requested. We would, therefore, recommend that an allowance of eighteen dollars and fifty cents be made to said petitioner, and that the Committee on Accounts and Claims be directed to place the same in the next appropriation ordinance.

Respectfully submitted,

N. S. BYRAM,

I. C. WALKER,

ROBT. B. BAGBY (except first clause),

Committee on Judiciary.

R. O. HAWKINS, City Attorney.

Councilman Reed was granted leave of absence for the balance of this session.

The same committee and officer also submitted the following report; which was likewise considered by clauses, and the same were severally concurred in:

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 sundry papers were referred, have given the same due consideration, and would report as follows:

FIRST. Is a petition from Clara Turner, for the refunding of \$138.78, paid by her on an erroneous tax-sale.

On examination, we find the allegations of the petitioner correct, and that the sale was erroneous, and that the petitioner is entitled to have her money refunded, as the city has received all the money due for taxes on the property sold from other parties, the same having been doubly assessed. We would, therefore, recommend that the petitioner be allowed the sum of one hundred and thirty-eight dollars and seventy eight cents, with six per cent. interest from February 15th, 1877, and that the Committee on Accounts and Claims be directed to place the same in their next appropriation ordinance.

SECOND. Is a petition from Jacob P. Dunn, jr., for the refunding of \$51.60, paid by him on an erroneous tax-sale.

We find, on examination, that the matters set forth in the petition are true, and that the party is clearly entitled to have his money refunded. The sale was made in consequence of an error on the part of the late Treasurer failing to mark "paid" the personal taxes of Fred. W. Fout. We would recommend that the petitioner be allowed the sum of fifty-one dollars and sixty cents, with interest at six per cent. from February 15th, 1877, and that the Treasurer be directed to place the amount of taxes due against the property on the duplicate, and that Henry W. Tutewiler, late Treasurer of this city, be requested to refund to the Treasurer the amount of fees and percentage received by him on account of the above named tax-sale.

THIRD. Are petitions from Maria Louise Tiemann and Elizabeth Doerr, for the refunding of taxes under the Widows' Exemption Law.

We find, on examination of the records of the City Assessor's office, that the properties of the petitioners are assessed at over one thousand dollars; therefore, they are not entitled to any relief under the provisions of said

Widows' Exemption Law. We would, therefore, recommend that the prayers of the petitioners be not granted.

FOURTH. Are petitions from Mrs. Evans, Rosetta Bauer, Theresa Schafer, Mary Cruse, and Bridget Cruse, for the refunding of taxes for several years, under the provisions of the Widows' Exemption Law.

We have examined all of these petitions, and report as follows: The Widows' Exemption Law was not applicable to city taxes until the year 1875; and we find that Bridget Cruse is entitled only to an exemption for the year 1876, her property being assessed at more than one thousand dollars for the years previous to that time; while the other parties named in this clause of this report were entitled to an exemption for the years 1875 and 1876. We would, therefore, recommend that Mrs. Evans be allowed the sum of seven dollars and forty-two cents; that Rosetta Bauer be allowed the sum of fourteen dollars and fifty cents; that Theresa Schafer be allowed the sum of fourteen dollars and fifty cents; that Mary Cruse be allowed the sum of thirteen dollars and ten cents; that Bridget Cruse be allowed the sum of seven dollars; and the several sums thus returnable to the several parties be placed in their next appropriation ordinance by the Committee on Accounts and Claims.

FIFTH. Is a petition from Eleanor D. Mase, for the refunding of taxes under the Widows' Exemption Law.

We find, on examination of the facts in this case, that the petitioner never had her deed recorded, and that the property was assessed against and paid by other parties, to whom she made settlement. While this may be a hard case, it being through her own neglect, we feel that she is not entitled to the relief asked. We, therefore, recommend that the prayer of the petitioner be not granted.

SIXTH. Is general ordinance No. 17, 1877.

As there has recently been an ordinance pertaining to the same subject passed by the Common Council and Board of Aldermen, we recommend that this ordinance be stricken from the files.

SEVENTH. Is a communication, together with a proposition, from the State Board of Agriculture, to exchange its Fair Grounds for the grounds known as the "Southern Park."

We are of opinion that the city, under the present State law, could not legally enter into an obligation which would be necessary to carry out the provisions of said proposition, and further, in our opinion, an exchange of the properties named would not prove beneficial to the interests of the city. We

would, therefore, recommend that said proposition be not accepted nor entertained.

Respectfully submitted,

N. S. BYRAM,
I. C. WALKER,
ROBT. B. BAGBY,
Committee on Judiciary.
R. O. HAWKINS, City Attorney.

The Committee on Sellers' Farm, through Councilman Brown, submitted the following report; which was concurred in:

Indianapolis, April 22, 1878.

To the Mayor and Common Council:

Your Committee on Sellers' Farm, to whom was referred a communication from the Indianapolis Fertilizer Company, asking that a new roof be placed on the barn, situated on the farm which they have leased, beg leave to report as follows:

That, on examination of the lease, we find they obligate themselves to make all necessary repairs. We, therefore, recommend that the request be not granted.

Respectfully submitted,

M. L. BROWN,
MILTON POWDER,
W. G. WRIGHT,
Committee on Sellers' Farm.

MESSAGE FROM THE BOARD OF ALDERMEN.

The following message was received, and the request therein made was duly acceded to:

Indianapolis, April 15, 1878.

To the Mayor and Common Council:

Gentlemen:—At a regular session of the Board of Aldermen, held Tuesday evening, April 16th, 1878, the following motion was adopted, viz.:

"Moved, That the Committee on Markets be, and are hereby, directed to examine the ground on Delaware street, between Merrill and South streets, where Mr. Deitrick proposes to move the 'Southside Market'; and the Council Committee on Markets are requested to act with this Committee, so that they may inform the Council, at its next meeting, in regard to the practicability of said change."

Respectfully submitted,

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

INTRODUCTION OF ORDINANCES.

Councilman Steinhauer introduced the following ordinance; which was read the first time, and then, on his motion, was referred to the (joint) Council and Aldermanic Committees on Markets:

G. O. 14, 1878—An ordinance amending sections one (1) and three (3) of an ordinance entitled "An ordinance establishing a Public Market on S. Pennsylvania street, between South and Merrill streets, and to extend to Madison avenue, if wanted; ordained and established October 16, 1877."

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Brown presented the following petition; and the prayer of the same was granted, after the matter of encroaching upon the street had been placed under the charge of the City Civil Engineer and Street Commissioner:

Indianapolis, April 22, 1878.

To His Honor, the Mayor, and Common Council:

We would most respectfully petition your honorable body to permit the VanAmburg Circus and Menagerie to extend their tent ten feet in the street, on Mississippi street, between Georgia street and Louisiana street, from 7 A. M. to 11 P. M., on the 2d day of May, 1878.

HARBISON & ABRAMS,

On behalf of the Proprietors of the above Circus and Menagerie.

The same gentleman also presented the following petition; which was referred to the Committee on Judiciary:

STATE OF INDIANA, *Marion County, ss:*

Henrietta Martindale, being duly sworn, upon her oath says that she is and has been, for the past eight years, a widow, and that her real and personal property does not exceed in value the sum of one thousand dollars (\$1,000), and that under an Act of the Legislature, approved Dec. 21st, 1872 (sec. 7, chap. 37), she is entitled to an exemption of \$500; that she has paid the full amount of taxes charged against her for the years 1873, 1874, 1875, and 1876, without any rebate, and prays the Council for proper relief, by ordering the issue of a refunding warrant upon the Treasurer for the amount of taxes paid for said years, as follows:

\$500 for the year 1873, @ \$1.10.....	\$ 5 50
\$500 for the year 1874, @ \$1.10.....	5 50
\$500 for the year 1875, @ \$1.50	7 50
\$400 for the year 1876, @ \$1.40.....	5 60
Total,.....	\$24 10

Twenty-four 10-100 dollars (\$24.10).

HENRIETTA MARTINDALE.

Subscribed and sworn to before me, this 16th day of April, 1878.

JOHN A. HENRY, Notary Public.

Councilman Morse offered the following motion; which was adopted:

Moved, That the Street Commissioner be directed to remove the old bridge at the crossing of Vermont street, over the canal.

Councilman Steinhauer presented the following petition; which was referred to the Board of Health:

Indianapolis, April 22, 1878.

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

Gentlemen.:—The undersigned, owners and occupants of the dwelling-houses and other buildings in the vicinity of Chas. G. Morris's fertilizer establishment, located on Pennsylvania street, between South and Merrill streets, do complain of said establishment as a public nuisance, on account of the nauseous stenches arising from operating the same, and would respectfully petition your honorable body to institute immediate measures for abating such nuisance.

And your petitioners will ever pray, etc.

Jacob S. Hildebrand, Wm. Deitrick, Frank J. Geis, Frank Mauppert, George Krug, Christ. Nichols, Patrick Power, B. H. Smith, Heinrich Reitz, Edward Quin, Henry Ranje, Benj. F. Helhermer, Thomas E. Draper, D. G. Justus, J. H. Edmund, E. A. Cooper, Chas. Reitz, Wilhelm Scheurer, Fred. Kirshner, Ch. Heier, Eva Floyd, sr., Eva Floyd, jr., John Krupp, Christ. Weise, John Wachstetter, Martin Lynch, John Quinn, Wilson Teeters, S. Barrett, August Schmidtt, Wm. Buehrig.

Councilman Stoner offered the following motion; which was adopted:

Moved, That Edward Kittenbach be allowed the privilege of erecting a bridge over the gutter in front of his place of business (Nos. 273, 275, and 277 Massachusetts avenue), at his own expense, and within thirty days, and under the supervision of the City Civil Engineer.

Councilman A. L. Wright presented the following petitions; which were severally referred to the Committee on Judiciary:

To the Common Council of the City of Indianapolis:

The undersigned respectfully represents that, on the 18th day of February, 1878, he paid a city license, in the sum of fifty dollars, as a dealer in coal and coke, for the period of one year, in the City of Indianapolis; and that, on the 18th day of March, 1878, he closed out and quit said business, and has not, since said last named date, been engaged therein, and does not intend to re-engage in the same.

And he asks your honorable body to pass an order, refunding to him the sum of forty-five and eighty one-hundredths dollars, the amount due him by reason of said unexpired time of said license.

And he represents that at the time said license-tax was imposed upon him he was engaged in trying to dispose of his small stock of coal and coke, and was not then a dealer in the meaning of the ordinance.

R. L. DEPUY.

To the City Council of the City of Indianapolis:

Gentlemen:—Your petitioner represents that a clerical error occurred in the current assessment of the value of lot 221, Spann & Co's First Wood-lawn. The assessment intended to be placed on the lot was \$400, and, instead thereof, \$1200 was placed on it.

Your petitioner asks that the tax on the excess (\$800) appraisement, amounting to \$8.96, having been paid and reported to your body, be refunded. The assessment was made in the name of Fletcher & Churchman.

JOSIAH LOCKE.

Indianapolis, Ind., April 16th, 1878.

Indianapolis, April 20, 1878.

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

Gentlemen:—Your petitioner would respectfully represent that she is an

unmarried female, the owner of lot 29, in Dorsey's Subdivision of A. E. and Ing. Fletcher's Addition, on which I have paid—

Tax for the year 1875.....	\$3 30
Tax for the year 1876.....	1 54
Tax for the year 1877....	1 12
Total	<u>\$5 96</u>

Which I ask your honorable body to refund.

MARY J. WHITE.

ORDINANCES ON SECOND READING.

The following general ordinances were read the second time, and severally stricken from the files :

- G. O. 1, 1875—An ordinance requiring the C., C., C. and I. Railroad Company to employ and station a Flagman at the crossing of Massachusetts avenue, where the track or tracks of said railroad company crosses said avenue.
- G. O. 46, 1876—An ordinance providing for the office of Market Master for the West Market, and defining his duties.
- G. O. 55, 1876—An ordinance prohibiting any person from soliciting Passengers or Baggage at, or carrying Passengers or Baggage to or from the Union Depot, without a License from the President of the Union Railway Company.
- G. O. 56, 1876—An ordinance for the better protection of Life in case of Fires in Theatres and Public Halls.
- G. O. 71, 1876—An ordinance appropriating One Thousand Dollars for the benefit of the Poor of the City.
- G. O. 1, 1877—An ordinance to protect the Fire-Hydrants of the City of Indianapolis.
- G. O. 3, 1877—An ordinance for the better protection of the Public Water-Hydrants in the City of Indianapolis.
- G. O. 10, 1877—An ordinance dividing the City of Indianapolis into Wards and Aldermanic Districts, and establishing the Boundaries thereof, under and by virtue of an Act of the General Assembly of the State of Indiana.
- G. O. 17, 1877—An ordinance appropriating Fifteen Thousand Dollars, for the purpose of fulfilling the Contract existing between the City and the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company, and other matters connected therewith.
- G. O. 25, 1877—An ordinance providing for the Repairing and Cleaning of

Streets, Alleys, Sidewalks, Gutters, etc., under contract to be made by the Common Council and Board of Aldermen of the City of Indianapolis.

- G. O. 27, 1877—An ordinance requiring a Flagman to be stationed at the intersection of Georgia and Missouri streets.
- G. O. 31, 1877—An ordinance to amend the ordinance entitled “An ordinance to prohibit the exhibition of Animals, Deformed Persons, or Monstrosities, within buildings or on grounds fronting on certain streets, and also to prohibit certain Exhibitions in any room or building wherein Intoxicating Liquors are sold (ordained March 14, 1864).”
- G. O. 32, 1877—An ordinance to amend section two (2) of an ordinance entitled “An ordinance to prohibit the exhibition of Animals, Deformed Persons, or Monstrosities, within buildings or on grounds fronting on certain streets, and also to prohibit certain Exhibitions in any room or building wherein Intoxicating Liquors are sold (ordained March 14, 1864).”
- G. O. 33, 1877—An ordinance to amend section one (1) of “An ordinance prohibiting any person from conducting any Theatrical or Negro Minstrel Exhibition, or engaging in any such Exhibition as Actor, Doorkeeper, Usher, Manager, or in any other capacity (ordained January 15, 1877).”
- G. O. 34, 1877—An ordinance to amend section eleven (11) and twelve (12) of an ordinance entitled “An ordinance prescribing Rules and Regulations for the Government of the City Council, its Officers, and Officers connected with the City Government.”
- G. O. 35, 1877—An ordinance to amend section nine (9) of an ordinance entitled “An ordinance prescribing Rules and Regulations for the Government of the City Council, its Officers, and Officers connected with the City Government.”

[The provisions of the two ordinances last above given were consolidated into G. O. 36, 1877; which was passed.]

On Councilman Byram's motion, the rules were suspended, and general ordinance No. 12, 1878 (which had been introduced and read the first time at this session), was ordered to be taken up for second and third readings, and placed on its passage, by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

General ordinance No. 12, 1878, was then read the second time, and ordered to be engrossed.

The following special ordinances were then read the second time, and severally stricken from the files :

- S. O. 120, 1875—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Linden street, from Prospect street to Orange street.
- S. O. 21, 1876—An ordinance to provide for grading and graveling Vermont street and sidewalks, between Agnes street and Geisendorff's mill-race.
- S. O. 60, 1876—An ordinance to provide for grading and graveling the alley between Kennington and Franklin streets, from Morris to Dunlop street.
- S. O. 70, 1876—An ordinance to provide for grading, graveling, curbing, and bowldering the gutters of Alabama street, between Ohio street and Massachusetts avenue.
- S. O. 86, 1876—An ordinance to provide for grading, graveling, and bowldering the gutters, and grading, paving, and curbing the sidewalks thereof (where not improved), of E. Market street, between Noble street and Arsenal avenue.
- S. O. 91, 1876—An ordinance to provide for grading and graveling Highland street, between Washington and Market streets.
- S. O. 92, 1876—An ordinance to provide for grading and graveling Highland street, between Market and Ohio streets.
- S. O. 112, 1876—An ordinance to provide for grading and graveling the alley between Hoyt and Lexington avenues, from Dillon to Linden street.
- S. O. 124, 1876—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Broadway street, between Seventh and Eighth streets.
- S. O. 138, 1876—An ordinance to provide for the erection of lamp posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Market street, between West and California streets.
- S. O. 21, 1877—An ordinance to provide for spreading pit-sand on Wabash street, between Alabama and Delaware streets.
- S. O. 28, 1877—An ordinance to provide for re-graveling New York street, where worn out, between Indiana avenue and the canal.
- S. O. 34, 1877—An ordinance to provide for grading and graveling State avenue, and the sidewalks thereof, from Washington street to Michigan street.
- S. O. 37, 1877—An ordinance to provide for grading and paving with brick (where not already paved) the south sidewalk of St. Mary street, from Delaware street to Alabama street.

- S. O. 40, 1877—An ordinance to provide for grading and graveling the first alley south of Huron street, running from Virginia avenue to Noble street.
- S. O. 4, 1878—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Walnut street, between New Jersey and East streets.
- S. O. 9, 1878—An ordinance to provide for bowldering West street, and curbing with stone the sidewalks thereof, from Washington street to Kentucky avenue.
- S. O. 10, 1878—An ordinance providing for re-graveling North street, from East street to Liberty street.
- S. O. 13, 1878—An ordinance to provide for re-graveling St. Clair street, from Massachusetts avenue to the Indianapolis, Peru and Chicago Railroad tracks.
- S. O. 15, 1878—An ordinance to provide for grading, paving with brick, and curbing with stone the sidewalks of Winston street, from St. Clair street to the first alley south of St. Clair street.

The City Attorney was instructed to prepare and introduce a new ordinance, providing for only one public gas-lamp on Walnut street, between New Jersey and East streets.

Special ordinances Nos. 1, 6, 7, 8, and 11, 1878, were read the second time, and ordered to be engrossed.

The following entitled ordinance was also read the second time :

- S. O. 12, 1878—An ordinance to provide for grading and graveling Railroad street and sidewalks, from Market street to St. Clair street.

On Councilman Byram's motion, the line of above proposed improvement was changed, by striking out "Market street," and inserting "Ohio street," and said ordinance was then ordered to be engrossed, as amended.

ORDINANCES ON THIRD READING.

The following general ordinances were read the third time, and severally stricken from the files :

- G. O. 19, 1877—An ordinance providing for the Compensation of the Officers and Members of the City of Indianapolis and the Officers and Members of the Fire and Police Departments of said City, for the Fiscal Year ending May 15th, 1878. [Two copies, viz.: Original ordinance as passed by Common Council but amended by Board of Aldermen; Aldermanic amended ordinance, as passed by Board of Aldermen, but not passed by Common Council. A substituted ordinance, of same number, was passed by Common Council May 28th, and by Board of Aldermen May 30th, 1877.]
- G. O. 30, 1877—An ordinance fixing the amount of License to be paid by the owner of the City Garden Theatre.

The following special ordinances were also read the third time, and then severally stricken from the files :

- S. O. 198, 1875—An ordinance to provide for the erection of lamp posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Bellefontaine street, between Home avenue and Seventh street. [S. O. 126, 1876, covering same improvement, was substituted for this ordinance November 13, 1876.]
- S. O. 199, 1875—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on West street, between Georgia and South streets.
- S. O. 213, 1875—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Liberty street, between Washington and Market streets.
- S. O. 225, 1875—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on E. Market street, between Delaware and Alabama streets.
- S. O. 231, 1875—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Michigan street, from New Jersey street to Noble street.*
- S. O. 29, 1876—An ordinance to provide for grading and paving the west sidewalk of Linden street, from Orange street to the south line of lot No. 19.
- S. O. 63, 1876—An ordinance to provide for grading and paving with brick, the southwest sidewalk of Huron street, between Dillon street and Virginia avenue.
- S. O. 110, 1876—An ordinance to provide for grading and graveling the first alley east of Plum street, between Christian avenue and Oak street.

The following ordinance was also read the third time :

S. O. 1, 1878—An ordinance to provide for grading and graveling Mill street and sidewalks, from Sixth street to Seventh street;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The following ordinance was also read the third time :

S. O. 6, 1878—An ordinance to provide for grading and graveling the first alley west of Tennessee street, from McCarty street to the second alley south of McCarty street;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

Unanimous consent was given to inserting the words "Union Railway tracks or" before the words "Louisiana street," for the purpose of more certainly defining the line of the improvement proposed to be made under special ordinance No. 7, 1878, and then said ordinance was read the third time, viz. :

S. O. 7, 1878—An ordinance to provide for grading and paving with brick, the west sidewalk of Pennsylvania street, from Union Railway tracks or Louisiana street to South street;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The following ordinance was also read the third time :

S. O. 8, 1878—An ordinance to provide for re-graveling Ohio street, bowldering the gutters, and curbing with stone the sidewalks thereof, from Alabama street to East street;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The following ordinance was also read the third time :

S. O. 11, 1878—An ordinance to provide for grading and graveling Michigan street and sidewalks, from the east line of the C., C., C. & I. R. R. Company's grounds to Archer street ;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The following ordinance was also read the third time :

S. O. 12, 1878—An ordinance to provide for grading and graveling Railroad street and sidewalks, from Ohio street to St. Clair street ;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Pouder, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

The following ordinance was also read the third time :

G. O. 12, 1878—An ordinance regulating the digging of Trenches and the making of other forms of Excavations in the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis, and requiring certain persons to be duly licensed and under bonds before undertaking such work ;

And was passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Dill, Izor, Layman, Marsee, Morse, Poudet, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, A. L. Wright, and W. G. Wright—17.

Negative—None.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk.