

PROCEEDINGS
OF THE
COMMON COUNCIL.

CALLED SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, April 29th, 1878—7½ o'clock P. M. }

The Common Council of the City of Indianapolis met, as above, pursuant to the following call :

Indianapolis, April 27, 1878.

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

Gentlemen :—You are requested to meet in special session, on Monday evening, April 29th, 1878, at 7½ P. M., to take action upon the resolution appointing officers of the May Election, and such other business as may come before you.

Respectfully,

J. CAVEN, Mayor.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members: Councilmen Bagby, Brown, Byram, Cochran, Dill, Layman, Marsee, McGinty, Reading, Reed, Sindlinger, Steinhauer, Stoner, Tucker, Walker, A. L. Wright, and W. G. Wright—17.

Absent—Councilmen Case, Izor, Morse, Pouder, Thomas, Watts, and Wood—7.

On Councilman Reed's motion, the special object of the session was taken up, and the following message from the Board of Aldermen was read:

Indianapolis, April 29, 1878.

To the Mayor and Common Council:

Gentlemen:—At an adjourned session of the Board of Aldermen, held Tuesday evening, April 23d, 1878, the following action was had, viz:

1st. The resolution adopted by your honorable body April 22d, 1878, appointing inspectors and judges for the city election to be held May 7th, 1878, was amended, by substituting the name of Norman S. Byram, as inspector of the 3rd Ward Election Board, in lieu of the name of Calvin F. Darnell. The resolution, as amended, was then adopted.

2d. G. O. No. 8, 1878, entitled "An ordinance amendatory of an ordinance entitled 'An ordinance ratifying and confirming the Contracts heretofore entered into between The City of Indianapolis and The Cleveland, Columbus, Cincinnati and Indianapolis Railway Company and The Indianapolis, Peru and Chicago Railway Company, and empowering said Companies to carry out the provisions of the same, and for other purposes'; duly passed by the Common Council March 4th, 1878," was taken up, and stricken from the files.

Respectfully submitted,

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

The first clause of preceding message was taken up as the special order, and duly concurred in.

The resolution, as amended and adopted by the Board of Aldermen [see Aldermanic Proceedings of April 23d, 1878], was then adopted by the following vote:

Affirmative—Councilmen Byram, Dill, Layman, McGinty, Reading, Reed, Sindlinger, Stoner, Tucker, Walker, A. L. Wright, and W. G. Wright—14.

Negative—None.

The second clause of foregoing message was then considered, and duly concurred in.

Councilman Dill moved that the Common Council do now adjourn; which motion failed of adoption by the following vote:

Affirmative—Councilmen Bagby, Dill, McGinty, Reading, Reed, Sindlinger, and Stoner—7.

Negative—Councilmen Byram, Cochran, Layman, Marsee, Steinhauer, Tucker, Walker, A. L. Wright and W. G. Wright—9.

On Councilman Walker's motion, the City Clerk was instructed to call the roll of the members present for the introduction of committee reports and miscellaneous business.

Councilman Cochran presented the following remonstrance; which, with special ordinance No. 17, 1878, was referred to the Board of Public Improvements:

Indianapolis, April 29, 1878.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Butler street, between College avenue and Central avenue, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said street.

Eliza A Seaton, per J A S, 167½ feet; J D Morris
208½ feet; Lucretia C Sexton 167½ feet; Eliza
S Hume 167½ feet; S A Lee 208½ feet; E R
Adams, per K T A, 177½ feet; Sarah H Holli-
day 167½ feet.

Councilman Dill presented the following petitions; which were severally referred to the Committee on Judiciary:

STATE OF INDIANA, *County of Marion, ss:*

Mary Crosby, being duly sworn, upon her oath says that she is a single lady (unmarried); that her sister, Catharine Crosby, is a single (unmarried) lady.

That the deponent and her said sister are joint owners of lots No. 5 and 6, out-lot 108, Vajen's Sub. That the said lots have been assessed by the Common Council of the City of Indianapolis for the year 1874 at \$450 each; 1875, at \$450 each; 1876, at \$400 each; 1877, at \$350 each.

That the full assessment of taxes were illegally collected of them for the said years 1874, '5, '6, and '7, the same having been exempt from said taxes by an Act of the Legislature of the State of Indiana, approved December 21st, 1872, they both being unmarried women.

She futher swears that neither herself or her sister own any other property, either personal or real; nor have they ever owned any other property, either personal or real, for the last ten years.

That she believes they are entitled to a rebate of all the taxes paid by her and her sister for the years 1874, 1875, 1876, and 1877, as they did pay the full assessment for those years, but the same being exempt, and now asks the Common Council and Board of Aldermen refund to them this tax so paid, they being entitled to same by law.

Tax receipts, filed herewith, shows that they are entitled to a rebate of \$42.85.

MARY CROSBY.

Subscribed and sworn to, before me, this the 23d day of April, 1878. Witness my hand and notarial seal, the day and year above.

[SEAL.]

HENRY C. DARNELL, Notary Public.

STATE OF INDIANA, *County of Marion, ss:*

Anna Mather, being duly sworn, upon her oath says that her mother, Ann Mather, is now a widow, and has been ever since 1872. That she has two sisters, Mary J. and Catharine C. Mather.

That she and her two sisters are unmarried. That her mother, herself, and her two sisters own, jointly, lot No. 15, square 12, South-East Addition to the City of Indianapolis. That, in 1874, they owned, jointly, twenty-five dollars' worth of personal property; in 1875, one hundred and twenty-five dollars' worth; in 1876, three hundred dollars' worth; in 1877, one hundred and twenty-five dollars' worth. That for the last five years past they have not owned, either jointly or separately, any other real or personal property, nor do they now own any other or have any interest in any other. That each of their individual interests in all of said real and personal property has never amounted in value to the sum of five hundred dollars.

She further swears that they have paid the full amount of taxes assessed against their said property by the Common Council of Indianapolis, for the years 1873, '4, '5, '6, and '7, evidenced by receipts filed herewith. That for the years 1873, '4, '5, '6, and '7, they were, by Act of the Legislature of the State of Indiana, approved December 21st, 1872, exempt from paying any of said tax.

She further swears that they paid the same, not knowing their rights in the premises. That the City Treasurer collected the same from them, when, by law, they did not owe it to the city. That, by reason of this, the city now holds \$77.17, to which they are lawfully entitled.

Now she asks and petitions the Common Council and Board of Aldermen of the City of Indianapolis, Indiana, do direct, in the proper manner, that the City Treasurer refund to them \$77.17, which she believes is lawfully and justly due them.

ANNIE MATHER.

Subscribed and sworn to, before me, this 26th day of April, 1878.

[SEAL.]

HENRY C. DARNELL, Notary Public.

STATE OF INDIANA, *County of Marion, ss :*

Margaret Mulchey, being first duly sworn, upon her oath says that she is now a widow, and has been for last fourteen years, and has been a resident of the City of Indianapolis ever since her husband's decease.

She further says that she is owner of lot No. 45, out-lot 90, Bates' Sub. She says that she has been paying the full assessment of taxes on said property ever since she has owned the same; that she has owned the same for about ten years.

That, as she is a widow, she believes she is entitled to an exemption from such taxation for the years 1873, '4, '5, and '6, for five hundred dollars' worth of her property, she having paid the full assessment for those years, evidenced by her receipts, filed herewith.

That her property (all she owned, either personal or real) for those years did not exceed one thousand dollars, to-wit: For the year 1873, \$850; 1874, \$900; 1875, \$850; 1876, \$750. That she believes she is entitled to a rebate of taxes paid on five hundred dollars' worth of the same, the City Treasurer having illegally collected the same from her. She believes her exemption comes under Act of the Legislature of the State of Indiana, approved Dec. 21st, 1872. That she owns no other property, except what is here set out.

Now, she asks that the Common Council of Indianapolis and Board of Aldermen direct the City Treasurer pay back to her what she is entitled to by law.

MARGARET MULCHEY.

Subscribed and sworn to, before me, this 23d day of April, 1878.

[SEAL.]

HENRY C. DARNELL, Notary Public.

STATE OF INDIANA, *County of Marion, ss :*

Mary A. Shine, being first duly sworn, upon her oath says that she is now a widow, and has been for the last sixteen years.

That she is owner of lot No. 14, in square 12, City of Indianapolis, Indiana. That she has been entitled to an exemption of taxes on property, to the amount of \$500, for the years 1873, '4, '5, and '6, her property not exceeding

in value, during those years, the sum of one thousand dollars—to-wit: in 1873, her property was appraised at \$400; in 1874, at \$450; in 1875, at \$500; in 1876, at \$400. That she was illegally assessed by the City Assessor for these sums; that the City Treasurer illegally collected the full assessment of taxes for 1873, '4, '5, and '6, as is shown by tax receipts filed herewith. That her property has been exempt from taxation by an Act of the Legislature of this State, approved December 21st, 1872. She says that she owns no other property, either personal or real, and that she has been a resident of this city for the last fifteen years.

Now she prays that the Common Council and Aldermen of this city do direct the City Treasurer return to her all the said taxes so assessed against her and collected by the said Treasurer, in the manner proper to return rebate of taxes. And she will ever pray.

MRS. M. A. SHINE.

Subscribed and sworn to, before me, this 23d day of April, 1878.

[SEAL.]

HENRY C. DARNELL, Notary Public.

Councilman McGinty presented the following petition; and the prayer of the same was granted, after stipulating that the proposed improvement should be made at the expense of the petitioner, should be completed within sixty days, and done under the supervision of the City Civil Engineer:

Indianapolis, April 29, 1878.

To the Honorable Body of City Council in the City of Indianapolis:

The petitioner, John Stellwagen, would respectfully request your honorable body to grant me permission to pave my sidewalks with brick, with exception of the corners, which is situated on the corner of Ray and Illinois streets, No. 488.

JOHN STELLWAGON.

Councilman Stoner offered the following motion; which was referred to the Board of Public Improvements:

Moved, That John S. Duncan be permitted to build a cess-pool on Home avenue, in front of his residence.

Councilman Steinhauer, for the Committee on Opening, etc., Streets and Alleys, submitted the following report; which, together with all the other papers in the case, were referred to the City Attorney, with instructions to prepare and introduce the formal resolution of vacation:

To the Mayor and Common Council :

Gentlemen.:—Your committee, to whom was referred sundry papers from Jacob W. Hoagland, in regard to vacating certain streets and alleys, would respectfully report in favor of the said vacation.

M. STEINHAUER,
A. L. STONER,
W. G. WRIGHT,

Committee on Opening, etc., Streets and Alleys.

NOTICE OF VACATION.

To John H. Vajen, J. C. and C. E. Geisendorff, and all others concerned :

NOTICE IS HEREBY GIVEN that I have filed in the office of the Clerk of the City of Indianapolis, Indiana, a petition for the vacation of all the streets and alleys in Metcalf & Cooke's Subdivision of lots 2, 3, 4, 5, and 6, of W. F. H. and Almira D. Brooks' Addition to the City of Indianapolis, Marion county, State of Indiana, and that the same will be presented at their regular meeting, on Monday evening, April 15, 1878, or as soon thereafter as the same can be heard.

JACOB W. HOAGLAND.

Indianapolis, March 6, 1878.

STATE OF INDIANA, *Marion County*, ss :

Personally appeared before the undersigned, W. H. Read, book-keeper of the "Indiana State Sentinel," a public weekly newspaper of general circulation, printed and published in Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was duly published in said paper for four weeks successively, the first of which publications was on the 13th day of March, 1878.

W. H. READ.

Subscribed and sworn to, before me, this 22d day of April, 1878.

[SEAL.]

C. J. WHITRIDGE, N. P.

NOTICE OF VACATION.

To John H. Vajen, J. C. and C. E. Geisendorff, and all other concerned :

NOTICE IS HEREBY GIVEN that I have filed in the office of the Clerk of the City of Indianapolis, Indiana, a petition for the vacation of all the streets and alleys in Metcalf & Cooke's Subdivision of lots 2, 3, 4, 5, and 6 of W. F. H. and Almira D. Brooks' Addition to the City of Indianapolis, Marion County, State of Indiana, and that the same will be presented at their regular meeting, on Monday evening, April 15, 1878, or as soon thereafter as the same can be heard.

JACOB W. HOAGLAND.

Indianapolis, March 6, 1878.

STATE OF INDIANA, *County of Marion, ss :*

George I. Dunn, being duly sworn, on his oath says that he posted up three notices, of which the attached is a copy, in three of the most public places in the township, one of which was on the premises described as Metcalf & Cook's Subdivision of lots 2, 3, 4, 5, and 6 in Brooks' Addition to the City of Indianapolis, containing eighty-five lots, on the 13th day of March, 1878.

GEORGE I. DUNN.

Subscribed and sworn to before me, a notary public in and for said county, on this 22d day of April, 1878.

[SEAL.]

MARTIN IGOE, Notary Public.

The same gentleman offered the following motion; which was adopted:

Moved, That the City Clerk be authorized to advertise for proposals for putting in gas pipes and fixtures, for use at City Hospital.

Councilman Tucker offered the following motion:

Moved, That the resolution changing the name of "E. South street" to "Fletcher avenue," from East street to Noble, be taken from the table, and put upon its passage.

Councilman Marsee moved that preceding motion be laid on the table; which proposition failed of adoption by the following "aye and nay" vote:

Affirmative—Councilmen Bagby, Brown, Marsee, Reading, Reed, Walker, A. L. Wright, and W. G. Wright—8.

Negative—Councilmen Byram, Cochran, Dill, Layman, McGinty, Sindlinger, Steinhauer, Stoner, and Tucker—9.

A call of the "ayes and nays" was then had on the original motion; and said motion was lost by the following vote:

Affirmative—Councilmen Cochran, Layman, McGinty, Sindlinger, Steinhauer, Tucker, and Walker—7.

Negative—Councilmen Bagby, Brown, Byram, Dill, Marsee, Reading, Reed, Stoner, A. L. Wright, and W. G. Wright—10.

Councilman A. L. Wright presented the following petition; which was referred to the Board of Public Improvements:

Indianapolis, April 29, 1878.

To the Mayor and Common Council, City of Indianapolis:

The undersigned hereby respectfully requests permission to have built, at his own expense and in a good and workmanlike manner, a sink or cess-pool in the alley in the rear of No. 61 N. New Jersey street, being in square 41—said alley being the first alley east of New Jersey street, and running north, from Market street, through said square 41.

FRANK L. BIXBY.

The same gentleman presented the following communication; which was referred to the Committee on Gas-Light:

To the Honorable City Council and Board of Aldermen:

Gentlemen :—The undersigned committee, to whom was entrusted, by the city Gas Committee as well as the Honorable Board of County Commissioners, the duty of making a practical test of "Cook's Pressure Regulator and Gas-Saver," have attended to that duty, and beg leave to make the following report, to-wit:

February 1, 1878—State of the meter at this date of the Headquarters of Fire Department, obtained from file of City Clerk's office	32,600 feet
March 1, 1878—Ditto, at this date, from same file... ..	40,700 feet

Number of feet burned in February (28 days), being 289 feet per night	8,100 feet
March 1, 1878—State of meter at this date	40,700 feet
" 16, " —Ditto, at this date, at which time the Regulator was put on.....	46,600 feet
Number of feet burned in 16 days, being 368 feet per night..	5,900 feet

WITH REGULATOR ON.

March 16, 1878—State of meter at this date.....	46,600 feet
April 8, " —Ditto, at this date.....	50,000 feet
Number of feet burned in 23 days, being 148 feet per night..	3,400 feet

Test at the Fire Department Headquarters for two nights, by the Agent from St. Louis, while here, and estimated saving to the Department for twelve months, at same rate.

March 15, 1878—Number of feet consumed this night..	375 feet
March 16, 1878—Ditto, this night, with the Regulator attached...	250 feet
Amount saved in one night—33 per cent	125 feet
For twelve months, at 375 per night.....	136,875 feet
For twelve months, at 250 feet per night.....	91,250 feet
Number of feet saved in twelve months.....	45,625 feet

136,875 feet, at \$2.00 per thousand.....	\$ 273 75
91,250 " " "	182 50
	<hr/>
Amount saved on one engine house.....	\$ 91 25
At same rate, on twelve engine houses	\$1,095 00

The above test was also made under our observation.
 One month's test at the Bates House equally favorable.

The undersigned would also state that there has been all the time a full supply of light, and much more regular and pleasant. And we would also further state that it is our opinion, after making a large allowance for the rapid increase of the shortness of the nights during this period, that there has been a net saving of from 30 per cent. to 50 per cent. in the amount of gas consumed.

All of which is respectfully submitted.

W. O. SHERWOOD, Chief of Fire Dep't.
 SAM L R. LIPPINCOTT, citizen.

Indianapolis, April 15th, 1878.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest:

BENJ. C. WRIGHT, City Clerk.