

REGULAR MEETING.

COUNCIL CHAMBER,  
 CITY OF INDIANAPOLIS, }  
 March 20, 1893. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 20th, at 8 o'clock, in regular meeting.

Present, Hon. Martin J. Murphy, President of the Common Council, in the chair, and 21 members, viz: Messrs. Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White and Young.

Absent—None.

REPORTS, ETC., FROM CITY OFFICERS.

DEPARTMENT OF LAW,  
 OFFICE OF CITY ATTORNEY, }  
 INDIANAPOLIS, March 20, 1893. }

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

GENTLEMEN—Referring to your favor of the 13th inst. making inquiry as to the progress of the committee which had in charge the revision of the ordinances, I have this to say: I have thoroughly investigated the matter and find that the committee has done nothing whatever in the matter.

Yours truly,

A. Q. JONES,  
*City Attorney.*

Which was received and ordered spread on the minutes.

DEPARTMENT OF LAW.  
OFFICE OF CITY ATTORNEY,  
INDIANAPOLIS, March 14, 1893. }

*R. J. Abrams, Esq., City Clerk :*

DEAR SIR—In accordance with the request of the Common Council of the City of Indianapolis, passed at the last meeting, I herewith inclose my opinion respecting the constitutionality of the law under which the proposed appropriation for the encampment of the Grand Army of the Republic is asked. Please submit the opinion to the Council at the next meeting.

Respectfully,

AQUILLA Q. JONES,  
*City Attorney.*

DEPARTMENT OF LAW.  
OFFICE OF CITY ATTORNEY,  
INDIANAPOLIS, March 13, 1893. }

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

GENTLEMEN—I have received your resolution requesting my opinion upon the question of the constitutionality of the law under which the proposed appropriation for the National Encampment of the Grand Army of the Republic is asked, and the question has been fully considered by me.

The appropriation proposed is one authorized by the Legislature of the State, and the amount sought to be appropriated is to be raised by a tax to be levied upon the property of the people.

The right and power of a municipality to levy a tax is derived wholly from the Legislature of the State, and under the power delegated to the Legislature by the Constitution, that body can only authorize taxes to be levied for *public purposes*. What are *public purposes* is a matter about which there has been, and is now, considerable dispute and uncertainty, and it is difficult to define, from the authorities, just what are, and what are not, *public purposes*. It is agreed, however, that to the legislative department, *in the first instance*, belongs the power and authority to determine what are, and what are not, *public purposes*.

“It (the determination) belongs there because the taxing power is a branch of the Legislature, and the Legislature can not lie under the necessity of requiring the opinion or consent of another department of the Government before it will be at liberty to exercise one of its acknowledged powers. The independence of the Legislature is an axiom in government; and to be independent, it must act in its own good time on its own judgment, influenced by its own reasons, restrained only as the people may have seen fit to restrain the grant of legislative power in making it. The Legislature must consequently determine for itself, in every instance, whether a particular purpose is, or is not, one which so far concerns the public as to render taxation admissible.”

“The determination, however, by the Legislature, as to whether the particular purpose is, or is not, one which so far concerns the public as to render taxation admissible, is not absolutely conclusive, but may be set aside by the courts, but the presumption is in favor of the determination as expressed by the Legislature. It is the rule of the courts to support the Legislature in its determination ‘when not clearly satisfied that an error has been committed.’ This is the general rule in constitutional law when the validity of legislation is involved, and it is applicable with peculiar force to the case of a legislative decision upon the purpose for which the tax may be laid.”

It is clearly established by the authorities, a great number of which I have examined, that the determination of the Legislature upon the question of public purposes “will be upheld unless it is clearly apparent that an error has been committed.”

By the passage of the Act under consideration, the Legislature of the State has expressed the determination that the object sought to be benefited and aided is one of public purpose, and properly comes within the power conferred by the Constitution to grant to the city the right to levy the tax in aid of the object.

In order to properly conclude whether the Legislature is right in its determination of the public purpose to be promoted, and whether the courts will sustain the constitutionality of the Act, I submit the following extracts from many cases examined by me:

"Money for particular purposes may be raised by taxation \* \* \* if there be the *least possibility* that it will be promotive in any degree of the public welfare."

"To justify the Court in arresting the proceedings and declaring the tax void, the absence of all possible public interest in the purpose for which the funds are raised must be clear and palpable, so clear and palpable as to be perceptible by every mind at first blush."

"It (the Legislature) can thus recognize claims founded in equity and justice in the largest sense of these terms, or in gratitude or charity. Independently of express constitutional restrictions it can make appropriations of money wherever the public well-being requires or will be promoted by it, and it is the judge of what is for the public good."

"I think the consideration of gratitude alone to the soldier for his services, be he volunteer, substitute, or drafted man, will sustain a tax for bounty money to be paid to him or his family. Certainly no stronger consideration of gratitude can possibly exist than that which arises from the hardships, privations and dangers which attend the citizen in military service; and all nations have ever so regarded it. \* \* \* And that nation will live longest in fact, as well as in history, and be most prosperous, whose people are most sure and prompt in the reasonable and proper acknowledgment of such obligations."

"Not only are certain expenditures absolutely essential to the continued existence of the government and the performance of its essential functions, but as a matter of policy, it may sometimes be proper and wise to assume other burdens which rest entirely upon considerations of honor, gratitude or charity."

"It has never been deemed essential that the entire community, or any considerable portion of it, should directly enjoy or participate in any improvement or enterprise, in order to constitute a public use within the meaning of these words as used in the Constitution."

"If there is the least possibility that making the gift will be promotive of the public welfare, it becomes a question of policy and not of justice, and the determination of the Legislature is conclusive."

The principles enunciated in these cases, and also many others I have examined of a like character, lead me to the conclusion that the courts would not be likely to interfere with the determination expressed by the Legislature.

In the course of my investigation I have learned that the Federal Government made an appropriation from the taxes of the District of Columbia to defray the expenses of the Annual Encampment of the Grand Army of the Republic held in the City of Washington last year. I have also learned that the States of Massachusetts, California, Wisconsin, Colorado, Ohio, Michigan and Maine, through their respective Legislatures, have either made appropriations from their respective State treasuries for the same purpose, or have authorized certain cities or counties within their borders to raise the necessary fund by taxation. This action by the Federal Government and many of the States, giving an expression of their determination that the object sought to be benefited is for the public good, establishes strong precedents in harmony with the action of our Legislature.

In my opinion, therefore, the Act of the Legislature is constitutional.

Respectfully,

AQUILLA Q. JONES,  
City Attorney.

Which was received and ordered spread on the minutes.

## REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Halloran, on behalf of a majority of the Committee on Fees and Salaries, to whom was referred

G. O. No. 10, 1893. An ordinance regulating and fixing the salary of the Clerk of the Board of Public Works of the City of Indianapolis.

Made the following report :

*Mr. President :*

Your Committee on Fees and Salaries, to whom was referred G. O. No. 10, 1893, relating to the pay of the Clerk of the Board of Public Works, have had the same under consideration and recommend that the same be amended by striking out the words "fifteen hundred dollars" and inserting in lieu thereof the words "twelve hundred," and when so amended that the same do pass.

H. F. HALLORAN.  
J. F. WHITE.

Mr. Gasper, on behalf of a minority of the Committee on Fees and Salaries

Made the following report :

*To the President and Members of the Common Council :*

GENTLEMEN—The majority of your Committee on Fees and Salaries, to whom was referred G. O. No. 10, will make a majority report and recommend a reduction in said ordinance from \$1,500 to \$1,200 in the salary of the Clerk of the Board of Public Works. Being convinced that the amount stated in the ordinance (\$1,500) is not an exorbitant salary for such services, I would respectfully submit the following minority report: That the ordinance as originally introduced be passed.

J. L. GASPER.

Mr. Gasper moved to substitute the minority for the majority report.

Mr. Halloran moved to lay Mr. Gasper's motion on the table.

Which motion was lost by the following vote :

AYES 10—viz: Councilmen Allen, Colter, Halloran, Laut, McGuffin, Rassmann, Ryan, Schrader, White and President Murphy.

NAYS, 11—viz: Councilmen Cooper, Costello, Froschauer, Gasper, Gauss, Linn, McGill, Puryear, Schmidt, Sherer and Young.

The question being on the adoption of the minority report

Which was lost by the following vote :

AYES 6—viz: Councilmen Cooper, Costello, Gasper, Linn, Puryear and Young.  
NAYS, 15—viz: Councilmen Allen, Colter, Froschauer, Gauss, Halloran, Laut, McGill, McGuffin, Rassmann, Ryan, Schmidt, Schrader, Sherer, White and President Murphy.

The question being on the adoption of the majority report.

Which was adopted by the following vote:

AYES 17—viz: Councilmen Allen, Colter, Cooper, Colstello, Froschauer, Gauss, Halloran, Laut, McGill, McGuffin, Rassmann, Ryan, Schmidt, Schrader, Sherer, White and President Murphy.

NAYS, 4—viz: Councilmen Gasper, Linn, Puryear and Young.

Mr. Halloran, on behalf of the Committee on Fees and Salaries, to whom was referred

G. O. No. 8, 1893. An ordinance providing for the compensation of the officers and employes connected with the Police Department of the City of Indianapolis, Indiana; repealing all ordinances or parts of ordinances in conflict therewith, and fixing the time when the same shall take effect.

Made the following report :

*Mr. President :*

Your Committee on Fees and Salaries, to whom was referred G. O. No. 8, 1893, providing for the compensation of the officers and employes of the Police Department, have had same under consideration and recommend the following amendments be made thereto, and when so amended that said ordinance be passed :

Amend the paragraph relating to the pay of the captains of police by striking out the words "ninety-three dollars and seventy-five cents" and inserting in lieu thereof the words "ninety dollars."

Amend the paragraph relating to the pay of detectives by striking out the words "twenty-five," and inserting in lieu thereof the word "fifty."

H. F. HALLORAN.

J. F. WHITE.

J. L. GASPER.

Which was read and concurred in.

Mr. Rassmann, on behalf of the Committee on Finance, to whom was referred

Ap. O. No. 3, 1893. An ordinance appropriating seventy-five thousand dollars for the legitimate expenses attending the preparation for the reception and entertainment of such honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion and other wars of the United States as may attend as delegates, or otherwise, the twenty-seventh National Encampment of the Grand Army of the Republic at Indianapolis, Marion county, Indiana; designating the persons to whom it shall be paid, and the manner in which it shall be disbursed and accounted for; providing for the levy of an "encampment tax;" authorizing the City Comptroller to make a temporary loan in anticipation of the revenue of said "encampment tax," and fixing the time when the same shall take effect.

Reported the same back to Council without action by the committee, and moved that the same be taken up and read second time.

Which motion was adopted.

Thereupon Ap. O. No. 3, 1893, was read the second time.

Mr. Colter offered the following amendment:

Amend Section 2 by striking out the entire section and insert in lieu thereof the following:

Section 2. That a committee of seven persons (who shall serve without pay), viz: John W. Murphy, August Kiefer, Hugh H. Hanna, James L. Keach, Albert Sahn, B. C. Shaw and Michael Steinhauer shall have charge of the disbursement of said sum, which committee shall be known as the "Encampment Committee;" and the City Comptroller shall, from time to time, draw his warrant upon the City Treasurer in favor of said committee in such sums as the needs of said committee shall require. In case of a vacancy occurring in said committee by resignation, or other cause, the Mayor shall appoint a successor to fill said vacancy. Said committee shall continue in existence so long as the duties of the same shall require.

Which was adopted by the following vote:

AYES 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

NAYS—None.

Mr. Rassmann moved that Ap. O. No. 3, 1893, be ordered engrossed, read third time and passed.

Which motion was adopted.

Thereupon Ap. O. No. 3, 1893, was ordered engrossed, read the third time and passed by the following vote:

AYES 20—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

NAY, 1—viz: Councilman Halloran.

Mr. Ryan offered the following, which was read:

We are opposed to the ordinance levying a tax for the purpose of defraying a part of the expenses of the National Encampment to be held in this city next September, for the reason that we believe all of the sum necessary for that purpose should be raised by subscriptions made by those directly benefited thereby, but as that ordinance has already sufficient votes to pass it we desire that our votes be recorded with the majority in order that the records of the Council may show no difference of opinion among us on that subject, and we ask that this statement of our position be made a part of the records of this council meeting.

P. J. RYAN.  
J. F. WHITE.  
JAS. H. COSTELLO.  
CHAS. P. FROSCHAUER.  
ANTON SCHMIDT.

The Council took no action thereon.

Mr. Rassman, on behalf of the Committee on Finance, to whom was referred

Ap. O. No. 2, 1893. An ordinance appropriating the sum of \$21,000 for the purpose of paying, at maturity, certain bonds of the City of Indianapolis, known as the "Sellers Farm" bonds; authorizing the City Comptroller to negotiate a temporary loan of \$21,000, and providing when the same shall take effect.

Made the following report.

*Mr. President :*

Your Committee on Finance, to whom was referred Ap. O. No. 2, 1893, beg leave to report that we have considered the same and would respectfully recommend that it be passed.

EMIL C. RASSMANN.  
J. L. GASPER.  
H. W. LAUT.  
JAS. H. COSTELLO.  
W. H. COOPER.  
P. J. RYAN.

Which was read and concurred in.

Mr. Laut, on behalf of the Committee on Health, to whom was referred

G. O. No. 9, 1893. An ordinance to provide for the appointment of an inspector of plumbing and house drainage, prescribing his qualification, powers and duties, and to prescribe the mode and manner of house drainage and plumbing in the City of Indianapolis, prescribing penalties for the violation thereof, providing for the publication of the same, and fixing the time when the same shall take effect.

Made the following report :

*Mr. President :*

The Committee on Health, to whom was referred ordinance No. 9, known as the "plumbing ordinance," respectfully recommend its passage.

H. W. LAUT.  
J. B. MCGUFFIN.  
T. B. LINN.

Which was read and concurred in.

Mr. Laut, on behalf of the Committee on Health, to whom was referred

G. O. No. 5, 1893. An ordinance regulating the collecting, keeping, storing, handling, and licensing the removal by contract of kitchen garbage, night soil and other refuse matter, whether animal or vegetable, and regulating the cleaning of sidewalks on all improved streets, alleys or public highways; providing a penalty for the violation thereof, repealing conflicting ordinances and fixing the time when the same shall take effect.

Made the following report :

*Mr. President :*

The Committee on Health respectfully reports on general ordinance No. 5 as follows: That Section 9 be amended by adding to the same the following words: "Provided, That nothing contained in this ordinance shall be so construed as to prevent any owner or tenant of property from contracting for and securing the re-

moval from his property, by any individual or corporation, of any accumulation of night soil," as the same may be done under existing ordinance, and that when so amended the same be passed.

H. W. LAUT.  
J. B. MCGUFFIN.  
T. B. LINN.

Which was read and concurred in.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced :

By Mr. Colter :

G. O. No. 11, 1893. An ordinance to amend Section one (1) of general ordinance No 48, 1892, the same being "An ordinance providing for the compensation of officers and employes connected with the fire department of the City of Indianapolis, and repealing all ordinances or parts of ordinances in conflict therewith," repealing conflicting ordinances and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 1 of general ordinance No. 48, of 1892, the same being "An ordinance providing for the compensation of officers and employes connected with the fire department of the City of Indianapolis, Indiana, and repealing all ordinances, or parts of ordinances, in conflict therewith," passed by the Common Council on the — day of December, 1892, be amended to read as follows :

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the officers and employes of the City of Indianapolis, Indiana, shall receive as salary and compensation in full for their services as members of said fire department the several sums as hereinafter set forth, namely :

The Chief Fire Engineer shall receive a salary at the rate of eighteen hundred dollars (\$1800) per year.

The First Assistant Chief Fire Engineer shall receive a salary at the rate of fifteen hundred dollars (\$1500) per year.

The Second Assistant Fire Engineer shall receive a salary at the rate of twelve hundred dollars (\$1200) per year.

The Superintendent of Telegraph shall receive a salary at the rate of twelve hundred dollars (\$1200) per year.

The Assistant Superintendent of Telegraph shall receive a salary at the rate of twelve hundred dollars (\$1200) per year.

Each captain and engineer shall be paid salaries at the rate of nine hundred dollars (\$900) per year.

Each stoker, driver, hoseman, truckman, tillerman, towerman and lineman shall be paid salaries at the rate of eight hundred and twenty dollars (\$820) per year.

Each watchman and telephone man shall be paid a salary at the rate of seven hundred and thirty dollars (\$730) per year.

The member of the fire force whose duty it is made to repair hose shall receive, in addition to his regular pay, an additional compensation of ten dollars monthly.

SEC. 2. That the fire force pay-roll of said department shall be kept in the form prescribed by the City Comptroller, and all salaries hereinbefore provided for shall be drawn and paid in such manner as may be designated by that officer.

SEC. 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SEC. 4. This ordinance shall take effect and be in force from and after its passage.

Which was read the first time and referred to the Committee on Fees and Salaries.

By Mr. Laut :

G. O. No. 12, 1893. An ordinance regulating the deposit of or accumulation of manure upon any lot or premises within the City of Indianapolis; providing a penalty for the violation thereof; providing for the publication of the same, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person to place or deposit manure, or to allow the same to accumulate upon any lot or premises within said city at a less distance than twenty (20) feet from any dwelling house, unless the same be within the walls of the stable upon said premises.

SEC. 2. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars (\$50).

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the Indianapolis *Sentinel*, a daily newspaper printed and published in said city.

Which was read the first time.

On motion of Mr. Laut, the constitutional rules were suspended for the purpose of placing G. O. No. 12, 1893, on its final passage.

Thereupon G. O. No. 12, 1893, was read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

NAYS—None.

By Mr. Gasper:

G. O. No. 13, 1893. An ordinance providing for the licensing of pawn-brokers and second-hand and junk stores; regulating their purchasing or receiving goods from minors; providing a penalty for the violation thereof; providing for the publication of the same, and fixing the time the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person to engage in the business of a pawn-broker, or to conduct or carry on a second-hand store or junk store in the City of Indianapolis without having first procured and paid for a license so to do, as provided in the following section.

SEC. 2. The fee for said license shall be \$300 per year.

It shall be the duty of the City Comptroller upon the presentation of the Treasurer's certificate showing the payment of said fee into the city treasury to issue to the person entitled thereto the license applied for. Such license shall be designated "Pawn-broker's License," "Second-hand Store License" and "Junk Store License," and the Treasurer's certificate shall designate the one for which said sum has been paid. Said licenses shall bear date from the first day of July each year, and no reduction shall be made for any part of the year having already elapsed at the time of making the application for said license: *Provided, however,* That all licenses issued for the remainder of the year expiring June 30, 1893, a pro rata reduction for the time elapsed shall be made.

SEC. 3. It shall be unlawful for any person conducting or carrying on a second-hand store or junk store to purchase or receive from a minor any article whatever without first having obtained the written consent of said minor's parent or guardian.

SEC. 4. Any person loaning money on personal property, of any description, now classed as "chattel mortgage broker," shall be known as pawn-brokers.

SEC. 5. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars (\$100), to which may be added imprisonment not to exceed thirty days.

SEC. 6. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the Indianapolis *Sentinel*, a daily newspaper printed and published in the City of Indianapolis.

Which was read first time and referred to Committee on Finance.

By Mr. Allen:

G. O. No. 14, 1893. An ordinance annexing certain platted territory to the City of Indianapolis.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the following described territory be and the same is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion county, Indiana, to-wit:

Commencing at the present city limits at the intersection of Seventeenth and Meridian streets, thence extending east along the center line of Seventeenth street to Central avenue and thence east on the center line of Sutherland street to the Louisville, New Albany & Chicago Railroad tracks, thence north along the Louisville, New Albany & Chicago Railroad track to Twenty-second street, thence west on Twenty-second street to the east bank of Fall Creek, thence in a southwesterly direction along the south bank of Fall Creek to the center of Meridian street, thence south to the place of beginning.

SEC. 2. This ordinance shall take effect and be in force from and after its passage and publication for two consecutive weeks in the Indianapolis *Sentinel*, a daily newspaper of general circulation printed and published in the City of Indianapolis, Marion county, Indiana.

Which was read the first time, and referred to the Committee on Sewers, Streets and Alleys.

#### MISCELLANEOUS BUSINESS.

Mr. Rassmann offered the following resolution:

WHEREAS, heretofore, to-wit: On the 16th day of April, 1849, Lazarus B. Wilson and Mary T. Wilson, his wife, conveyed lot No. four (4) in square No. seventy-two (72) in the City of Indianapolis, to the City Council of Indianapolis and their successors in office and their assigns forever, which conveyance was made for school purposes, though such purpose is not expressed in the deed; and

WHEREAS, The Board of School Commissioners of the City of Indianapolis have decided that the interests of the schools of said city now require that the school heretofore maintained should be removed elsewhere, and have sold said lot to Thomas J. Hamilton; and

WHEREAS, By reason of the fact that the conveyance to said City Council as aforesaid did not show that it was conveyed for such school purpose, some question might be raised as to the sufficiency of the deed of the Board of School Commissioners to Thomas J. Hamilton; now, therefore, to put such question at rest, be it

*Resolved* by the Common Council of the City of Indianapolis, That Thomas L. Sullivan, Mayor of said city, be and he is hereby authorized, empowered and directed to execute the deed of the City of Indianapolis, releasing and conveying to said Thomas J. Hamilton all the apparent interest of said city in said lot.

Which was read and adopted by the following vote :

AYES, 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

NAYS—None.

Mr. Rassmann offered the following resolution :

*Mr. President :*

I present the following resolution and move its adoption :

WHEREAS, Heretofore at the different dates hereinafter mentioned there were conveyed by the different persons hereinafter named to the City Council of Indianapolis, and their successors in office and their assigns forever, the lots, parcels and pieces of real estate hereinafter described, which conveyances and each of them was made for school purposes and have ever since been used for school purposes, though such purpose is not expressed in the deeds of such conveyances ; and

WHEREAS, The legal title ought to be vested in the Board of School Commissioners of the City of Indianapolis; now, therefore, to put the title to said several lots and parcels of real estate at rest in said the Board of School Commissioners of the City of Indianapolis; be it

*Resolved,* By the Common Council of the City of Indianapolis, That Thomas L. Sullivan, Mayor, of said city, be and is hereby authorized empowered and directed to execute the deed of the City of Indianapolis, releasing and conveying to said the Board of School Commissioners of the City of Indianapolis, the following described lots, parcels and pieces of real estate in Marion County, Indiana :

LIST OF DEEDS—PROPERTY FOR SCHOOL PURPOSES TRANSFERRED TO THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, IN MARION COUNTY, INDIANA :

MAY 7, 1872.

*High School No. 1—Corner Pennsylvania and Michigan streets.* Commencing at the southwest corner of square 4, in said city, thence north on the west line of said square, two hundred and fifty-two and one-half feet, thence east one hundred and ninety-five feet to alley, thence south two hundred and fifty-two and one-half feet to Michigan street, thence west one hundred and ninety-five feet to the place of beginning.

MARCH 1, 1875.

*No. 3—Meridian street, between Ohio and New York.* Lots number eight (8) and nine (9) in square number thirty-six (36), in the City of Indianapolis.

SEPTEMBER 19, 1857.

*No. 4—Corner of Blackford and Michigan streets.* Lots numbered seventy-five (75) and seventy-six (76), and also thirty-two feet five and one-half inches (32 ft. 5½ in.) off the east side of lot numbered seventy-seven (77) in said Blackford's subdivision of outlots numbered one hundred and fifty-four in said city, which lots are bounded as follows: Commencing at the southeast of said lot numbered seventy-five (75), running thence west with Michigan street one hundred and fifty-seven feet and four and a half inches (157 ft. 4½ in.) to Blackford street, thence north with Blackford street two hundred and ten feet (210 ft.) to an alley, thence east with said alley one hundred and fifty-seven four and one-half inches (157 ft. 4½ in.) to an alley, thence south with said alley two hundred and ten feet (210 ft.) to the place of beginning.

FEBRUARY 2, 1878.

*No. 19—Shelby street, south of Prospect.* Lot one (1) in square one (1) of Hubbard, Martindale & McCarty's southeast addition to the City of Indianapolis.

MARCH 8, 1875.

No. 20—*Spruce street, between Prospect and Orange.* Lots Nos. twenty-four (24), twenty-five (25) and twenty-six (26) in block (5) in southeast addition to the City of Indianapolis.

APRIL 1, 1876.

No. 22—*Corner of Chestnut and Hill streets.* The undivided  $\frac{5}{8}$  of lots numbered 91, 92, 93, 94, 95, 96 and 97 in McCarty's south addition to the City of Indianapolis.

JUNE 3, 1876.

The undivided  $\frac{1}{8}$  of lots 91, 92, 93, 94, 95, 96 and 97 in same addition.

APRIL 26, 1879.

No. 23—*Corner of Fourth and Howard streets.* Lots numbered 28, 29 and 30 in West heirs' addition to the City of Indianapolis.

MAY 31, 1879.

No. 24—*Corner of North and Minerva streets.* Lots 7 and 8 in square No. 1 in Harris' subdivision of out-lot 157 in the City of Indianapolis.

JULY 31, 1879.

No. 25—*Corner of New Jersey and Merrill streets.* The southeast quarter (s. e.  $\frac{1}{4}$ ) and five (5) feet off of the east side of the southwest quarter (s. w.  $\frac{1}{4}$ ) of out-lot twenty-two (22) in the City of Indianapolis.

MAY 23, 1874.

No. 13—*Corner of Buchanan and Beaty streets.* Lot numbered sixteen (16) in the subdivision made by David Beaty, administrator of the estate of John Greer, of  $3\frac{63}{100}$  acres of land of out-lot numbered one hundred (100) in the City of Indianapolis.

MAY 22, 1873.

Lots numbered seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21) and twenty-two (22) in the subdivision made by David Beaty, administrator of the estate of John Greer, as per plat book No. —, p. —, of the Recorder's office of Marion county, Indiana.

DECEMBER 5, 1848.

No. 15—*Market, between West and California streets.* Lot numbered twenty-one (21) in out-block numbered one hundred and forty-seven (147) in the City of Indianapolis.

OCTOBER 8, 1872.

No. 16—*Corner of Bloomington and Springfield streets.* Lots numbered one (1), two (2) and three (3) in James Blake's and James M. Ray's subdivision of out-lot numbered twelve (12) in Indianola, west of White river.

MAY 23, 1873.

No. 17—*Corner of West Michigan road and Huntington street.* Lot numbered one (1) in Mayhew heirs' addition to the City of Indianapolis.

APRIL 24, 1880.

Fifty feet wide off of the east side of lot numbered two (2) in same subdivision, in the City of Indianapolis.

JULY 9, 1870.

No. 18—*Yandes street, between Home avenue and Lincoln avenue.* Lots forty-three (43), forty-four (44) and forty-five (45) in Elijah Fletcher's subdivision of E. T. & S. K. Fletcher's addition to the City of Indianapolis.

JANUARY 8, 1872.

No. 6—*Corner of Union and Phipps streets.* Lot numbered 24 in out-lot 115 in the City of Indianapolis.

AUGUST 28, 1871.

No. 7—*Corner of Bates and Benton streets.* Lot numbered 29 in Bates' subdivision of out-lot numbered eighty-nine (89) in the City of Indianapolis; also lots Nos. 31, 32 and 30 in same subdivision.

JANUARY 31, 1872.

No. 10—*Corner of Home avenue and Ash street.* Lots numbered one (1), five (5) and six (6) in Alvord & Co.'s subdivision of Butler & Fletcher's addition to College-Corner, Indianapolis.

JANUARY 27, 1872.

Lots two (2), three (3) and four (4) in same subdivision.

APRIL 26, 1872.

No. 11—*Corner of Tennessee and Fourth streets.* Lots numbered eleven (11) and twelve (12) in block marked twelve (12) of Drake's addition to the City of Indianapolis.

JULY 28, 1873.

No. 12—*Corner of West and McCarty streets.* Lots numbered fifteen (15), sixteen (16), seventeen (17), eighteen (18) and nineteen (19) in the south half of out-lot one hundred and twenty-seven (127) according to the subdivision thereof made by James C. Yohn, administrator of estate of William Sheets, in the City of Indianapolis.

MARCH 19, 1880.

No. 26—*Beeler street, between Lincoln avenue and Seventh street.* Lot No. 100 in Ingram Fletcher's second addition, being a subdivision of the southwest quarter of section 31, T. S. 16, north of range 4 E., as per plat book —, p. —

MARCH 17, 1880.

Lot No. 101 in same addition.

Lots Nos. 102 and 103 in same addition.

FEBRUARY 15, 1882.

No. 27—*Corner of Park avenue and Eighth street.* Lot numbered 28 in Caven's subdivision in lots numbered 6 and 7 in Johnson heirs' addition, being the fifth lot from the northwest corner of Park avenue and Eighth street, in the City of Indianapolis.

JANUARY 21, 1882.

Lots numbered 13, 14, 15 and 16 in Oliver's' (guardian) subdivision of Johnson heirs' subdivision of lot 5 and part of lot 6.

FEBRUARY 4, 1882.

No. 28—*Fletcher avenue.* Lot 116 in Fletcher, Stone, Witt, Taylor and Hoyt subdivision of out-lot 94, 95, 96, 97, 98, and the south half of 91.

JANUARY 21.

Lot 117; also lot 118 in same subdivision.

Which was read and referred to the Commiitee on Judiciary.

On motion of Mr. Costello, Mr. Puryear was added to the Committee on Sewers, Streets and Alleys for the purpose of looking up a place for express wagons, drays, etc.

ORDINANCES ON SECOND READING.

On motion of Mr. Rassmann the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read the third time :

G. O. No. 8, 1893. An ordinance providing for the compensation of the officers and employes connected with the Police Department of the City of Indianapolis, Indiana; repealing all ordinances or parts of ordinances in conflict therewith, and fixing the time when the same shall take effect.

And was passed by the following vote :

AYES 21—viz: Messrs. Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

On motion of Mr. Halloran, the following entitled ordinance was taken up, read second time, ordered engrossed, and then read the third time :

G. O. No. 10, 1893. An ordinance regulating and fixing the salary of the Clerk of the Board of Public Works of the City of Indianapolis.

And was passed by the following vote :

AYES 20—viz: Messrs. Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

NAYS 1—viz: Mr. Allen.

On motion of Mr. Rassmann, the following entitled ordinance was taken up, read second time, ordered engrossed, and then read the third time :

G. O. No. 9, 1893. An ordinance to provide for the appointment of an inspector of plumbing and house drainage, prescribing his qualification, powers and duties, and to prescribe the mode and manner of house drainage and plumbing in the City of Indianapolis, prescribing penalties for the violation thereof, providing for the publication of the same, and fixing the time when the same shall take effect.

And was passed by the following vote :

AYES 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

On motion of Mr. Rassman the following entitled ordinance was taken up, read the second time, ordered engrossed and then read the third time:

Ap. O. No. 2, 1893. An ordinance appropriating the sum of \$21,000 for the purpose of paying, at maturity, certain bonds of the City of Indianapolis, known as the "Sellers Farm" bonds; authorizing the City Comptroller to negotiate a temporary loan of \$21,000, and providing when the same shall take effect.

And was passed by the following vote:

AYES 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassman, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

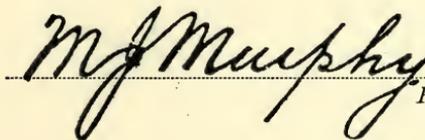
On motion of Mr. Linn, the following entitled ordinance was taken up, read second time, ordered engrossed and then read the third time:

G. O. No. 5, 1893. An ordinance regulating the collecting, keeping, storing, handling, and licensing the removal by contract of kitchen garbage, night soil and other refuse matter, whether animal or vegetable, and regulating the cleaning of sidewalks on all improved streets, alleys or public highways; providing a penalty for the violation thereof, repealing conflicting ordinances and fixing the time when the same shall take effect.

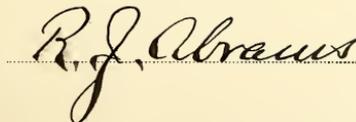
And was passed by the following vote:

AYES 21—viz: Councilmen Allen, Colter, Cooper, Costello, Froschauer, Gasper, Gauss, Halloran, Laut, Linn, McGill, McGuffin, Puryear, Rassman, Ryan, Schmidt, Schrader, Sherer, White, Young and President Murphy.

On motion of Mr. Rassmann, the Common Council, at 9:15 o'clock P. M., adjourned.

  
.....  
President.

ATTEST:

  
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City Clerk.