

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—OCTOBER 21, 1878.

The Common Council of the City of Indianapolis met in its Council Chamber, on Monday evening, October 21st, A. D. 1878, at half-past seven o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and the following members: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright—24.

ABSENT—Councilman Reasner—1.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, October 21, 1878.

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

Gentlemen:—The amount of fines collected by me during the month of July, August, and September, 1878, due the Home for Friendless Women, is \$40.45; and the amount collected for the month of September, 1878, due the city treasury, is \$18.10; which amounts I have paid the City Treasurer, and filed his duplicate receipt with the City Clerk.

Respectfully submitted,

JOHN CAVEN, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor and Common Council:

Gentlemen:—I herewith report the following estimates:

A second and final estimate in behalf of Oliver T. Bowen, for painting the following iron bridges:

New York street bridge over Canal.....	\$ 7 00
Indiana avenue bridge over Canal.....	7 00
Michigan street bridge over Mill-race....	5 00
Noble street bridge over I, C. & L. R. R. tracks.....	7 00
Tennessee street bridge over Pogue's Run.....	9 00
Olive street bridge over Pleasant Run.....	15 00
Ohio street bridge over Canal.....	9 00
Meridian street bridge over Pogue's Run.....	7 00
North street bridge over Canal.....	9 00
Shelby street bridge over Pleasant Run.....	7 00
Illinois street bridge over Pogue's Run.....	7 00
Morris street bridge over Pogue's Run.....	7 00
Reid street bridge over Pleasant Run.....	10 00
Washington street bridge over Canal.....	7 00
National Road bridge over Canal.....	5 00
Total estimate.....	\$118 00
Less former estimate.....	12 00
Present estimate.....	\$106 00

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

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

2029 lineal feet, at 17½ cents.....	\$355 07
Extra ditching	4 00
Total estimate.....	\$359 07

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

840 lineal feet bowldering, at \$1.17.....	\$982 80
612½ lineal feet curbing, at 33 cents.....	202 12
36.1 yards extra bowldering, at 35½ cents.....	12 81
Total estimate.....	\$1197 73

Respectfully submitted,
R. M. PATTERSON, 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 R. P. Dunning, for grading and bowldering South street, and curbing with stone the sidewalks thereof, from Meridian street to Pennsylvania street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And was adopted by the following vote :

AYES, 22—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, and Wiese.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed John Greene, for improving Valley Drive, from Hill avenue to Beech street, by grading and graveling the roadway thereof, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And was adopted by the following vote :

AYES, 22—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, and Wiese.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate, allowed A. J. Sloan & Co., for grading and graveling the alley between Bellefontaine avenue and Ash street, from Eighth street to Ninth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And was adopted by the following vote :

AYES, 22—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, and Wiese.

NAYS—None.

The same officer presented the following communication, accompanying it with the contracts and bonds therein referred to; which communication was received, and the contracts and bonds were duly concurred in and approved :

To the Mayor and Common Council:

Gentlemen :—I herewith report the following contracts and bonds :

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

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

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer

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

To the Common Council and Board of Aldermen:

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

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

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

And then, on Councilman Morse's motion, the Council action of 23d *ultimo*, by and through which the before-mentioned award had been made [see page 459, *ante*], was reconsidered by the following vote:

AYES, 22—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The bids for the above described improvement were then re-referred to the Committee on Contracts; and said committee, later in the evening, submitted the following report; which was duly concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Contracts, to whom was referred the proposals to Council on September 18th, 1878, for improving the first alley south of Vermont street, from Columbia street to West street, have examined the same, and find them to be as follows:

R. P. Dunning, 14 cents per lineal foot front on each side
James Mahoney, 12 cents per lineal foot front on each side.

James Mahoney being the lowest and best bidder, your committee recommend that he be awarded the contract.

Respectfully submitted,

M. L. BROWN,
M. H. MCKAY,
T. C. READING,
Committee on Contracts.

The City Attorney presented the following communication; which was duly received:

Indianapolis, October 21, 1878.

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

Gentlemen:—In compliance with your direction, I have prepared an ordinance granting Cynthia Butsch the right to construct and operate a switch over the city Pest-House grounds; and I herewith submit the same for your consideration.

Respectfully,

R. O. HAWKINS, City Attorney.

And then introduced the following entitled ordinance ; which was read the first time :

G. O. 53, 1878—An Ordinance granting Cynthia Butsch the right to construct a Switch over, along, and upon certain lands of the City of Indianapolis.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the following report; which was duly received :

Deaths registered during the two weeks ending Saturday, October 19th, 1878 :

Under 1 year	17
1 to 2 years	2
2 to 3 "	1
3 to 4 "	0
4 to 5 "	0
5 to 10 "	2
10 to 20 "	3
20 to 30 "	5
30 to 40 "	3
40 to 50 "	4
50 to 60 "	5
60 to 70 "	1
70 to 80 "	0
80 to 90 "	0
90 to 100 "	0
Above 100 "	0
Unknown	1
Total	44

HENRY JAMESON, M. D., President.
 JOSEPH W. MARSEE, M. D.
 WILLIAM WANDS, M. D., Secretary.

The Board of Public Improvements, through President McKay, submitted the following report; and each of the clauses was duly concurred in by a *viva voce* vote :

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

Gentlemen :—Your Board of Public Improvements, to whom was referred sundry motions, make the following report thereon :

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

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

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

We recommend that the work be done.

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

We recommend that this work be done.

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

We recommend that the work be done.

Very respectfully submitted,

M. H. MCKAY,
JOHN L. MARSEE,
Board of Public Improvements.

REPORTS, ETC., FROM COMMITTEES.

The Judiciary Committee, through Councilman McKay, submitted the following report; which was duly considered and concurred in by clauses:

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

Gentlemen:—Your Committee on Judiciary, to whom was referred sundry papers, make thereon the following report:

First. Is a communication, signed by the Board of County Commissioners, asking that all cases that could be tried in the Mayor's Court as violations of the city ordinances be so tried.

We have carefully examined the matter, and find that a large number of the cases that are tried in the Mayor's Court can be tried either as violations of the city ordinances or as violations of the Misdemeanor Acts of the State. That the great majority of these cases have, for the past year, been tried as State cases. That during the past year about 2,300 cases have been so tried as State cases that could have been tried as city cases. That in about one-third of these cases, the parties paid their fines. These fines go into the general school fund of the State; whereas, if they were prosecuted as city cases, the fines would be paid to the city.

In cases where convictions are had, and the parties fail to pay their fines, they are imprisoned. If the cases are prosecuted under the State law, then the parties are imprisoned in the County jail, and the law fixes the compensation of the Sheriff at sixty cents per day for each prisoner so imprisoned, and a fee of fifty cents for each person, for committing and releasing them. This expense is paid by the county.

The cost of keeping prisoners by the city is, as your committee are informed, about twenty cents per day; and as the city pays about seven-ninths of the county taxes, the keeping of these prisoners by the city, would undoubtedly save the citizens and tax-payers of this city a large amount of money.

The law fixes the costs in cases tried under the State law, at about three dollars more than when tried under the city ordinances; and thus it costs that much more for keeping them, or they are required to pay that much more.

Again: The persons tried and imprisoned under the city ordinances can be required to work out their fines on the streets, or in any other way the city may direct, while this can not be done when they are tried by the State law, excepting in cases of vagrancy.

As the city is compelled to keep up the Station-House, the cost of lighting, heating, cleaning, and other work, would be no more for a large number of prisoners than it is at present.

It has been stated to your committee, that the officers of the State might prosecute all cases, notwithstanding the prosecution under the city ordinances, and thus make a double prosecution; but, as the only object any person could have in doing so, would be to make fees and put additional expense upon the tax-payers, your committee are of the opinion that it would not be done, as it has not been in the past.

In view of the foregoing facts, your committee would recommend that the city officers be instructed to prosecute all cases in the Mayor's Court, that can be so pro-

ecuted, under the ordinances of the city, and that the moneys deposited and payments made at the Station House, and those collected by the city officers, be applied to the payment of the fines and costs in such cases.

Second. Is a motion of Councilman McKay,—“That the Common Council and Board of Aldermen, in view of further economy in the city government, recommend that all its officers be paid by salary; and that no fees or per cent. be allowed any officer of said city.”

Your committee, after careful consideration of the motion, recommend its passage.

Very respectfully submitted,

M. H. MCKAY,
JOHN L. MARSEE,
JOHN L. F. STEEG,
Judiciary Committee.

The Committee on Markets, through Councilman Rodibaugh, submitted the following schedule of market rentals; which was duly approved:

To the Honorable Mayor and Common Council:

We, the Committee on Markets, make the following report of appraisements of vegetable stands at East Market, as made by your committee on September 14th, 1878:

Vegetable stands on south side, from 1 to 45 inclusive, appraised at seven dollars each.

East end, from 1 to 12 inclusive, at six dollars each.

North side stands, from 1 to 49 inclusive, at six dollars each.

West end, from 1 to 12 inclusive, at six dollars each.

We, your committee, make this our report for the concurrent action of your honorable body.

OMER RODIBAUGH,
GEORGE ANDERSON,
J. M. BRUNER.

The Council and Aldermanic Committees on Markets, through Councilman Rodibaugh, submitted the following report; which was considered and concurred in by clauses:

To the Common Council of the City of Indianapolis:

Gentlemen:—Your Committee on Markets, to whom the Common Council referred sundry papers, for our joint consideration, would report thereon, as follows:

1st. Is a petition from a large number of market-gardeners, asking that they be permitted to erect a good and substantial structure along the south side of the north walk of the East Market, extending from Alabama to Delaware street, with the privilege of purchasing stalls in such structure at private sale, at the yearly appraisement thereof, for and during the period of five years.

We heartily approve of this project in every particular, except that we do not consider it safe or proper, or within the power of this Common Council and Board of Aldermen, to guarantee an absolute right of use and occupancy of the proposed structure for the term of five years. Before the end of such period, it may be possible and be deemed best for the city to avail itself of the provision of the Tomlinson bequest, make sale of the Tomlinson estate, and invest the proceeds arising therefrom in the erection of a City Hall and a more sightly Market House on the

East Market Space. We, therefore, report in favor of granting the prayer of the petitioners in every item except the five years' "adverse possession" referred to.

2d. Is a motion, offered by Councilman Tucker, directing the preparation of an ordinance, "repealing that part of the General Ordinance on Markets, wherein the West Market-Master is compelled to turn over to the city forty per cent. of the income of said market.

We are compelled to report adversely to the adoption of the foregoing motion, for the following reasons: 1st. Section 36 of General Ordinance 20, 1878, provides that sixty *per centum* of "all moneys by him collected under the provisions of this ordinance" shall be "full compensation for services rendered" by "each City Market-Master"; 2d. When the considerable improvements of the new West Market site were made at the expense of the city, it was proposed, and so ordered, that the Street-Repair fund be reimbursed from the Market fund (see proceedings, page 240); 3d. The gross amount of income to the city from the West Market, as shown by balance on the City Treasurer's books, at this date, is less than \$100; and, 4th. There would be an implied conflict between the proposed amendatory ordinance and section 51 of the City Charter, which provides that salaries, "when so fixed, shall not be increased during that year."

3d. We ask further time in which to consider General Ordinance 52, 1878.

Respectfully submitted,

D. W. GRUBBS,
W. F. PIEL,
OMER RODIBAUGH,
J. M. BRUNER,
GEORGE ANDERSON.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message from the Board of Aldermen was read:

To the Common Council:

Gentlemen:—The Board of Aldermen, at its last session, held on 15th instant, refused to concurrently adopt the motion which your honorable body had favorably acted upon at its session of the previous evening, authorizing the Police Board to employ a Janitor at the Central Station House.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

And then, on motion of Councilman Walker, the Common Council determined to adhere to its favorable action of 14th instant.

The following message was duly received:

To the Common Council:

Gentlemen:—I herewith transmit two motions, which were offered in, and duly adopted by, the Board of Aldermen, at its last session, held on 15th instant, for your action upon the same.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following Aldermanic motions (transmitted with preceding message) were read, and were then, on motion, severally referred to the Board of Public Improvements:

That the Street Commissioner be ordered to lower the stone-crossing on Meridian and McCarty streets.

That the Street Commissioner be directed to clean the gutters of Noble street, between Washington street and the P., C. and St. L. Railroad track.

NEW ORDINANCES, PETITIONS, ETC.

The Board of Public Improvements, through President McKay, introduced—

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

Councilman McKay introduced—

G. O. 54, 1878—An Ordinance establishing a Wood-Market upon certain streets therein named.

Councilman Steeg introduced—

S. O. 52, 1878—An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures (complete to burn gas, except the service-pipes), on Waters street, between Stevens and McCarty streets.

The last preceding ordinance was accompanied by the following petition; which was duly received:

Indianapolis, September 30, 1878.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Waters street, between Stevens street and McCarty street, respectfully petition for the passage of an ordinance providing for the erection of lamp-posts, lamps, and fixtures (complete for the burning of gas, except service-pipes), on Waters street, between Stevens and McCarty streets.

And your petitioners will ever pray, etc.

E. Fred. Schowe, 51 feet; Jacob Schowe, 51 feet; Rudolph Martin, 102 feet; William Rosenbaum, 30 feet; William F. Lentz, 30 feet; Maria Wuensh, 30 feet; Charles Hillmann, 60 feet; William Hillman, 32 feet; Christina Smith, 32 feet; Fred. Hillman, 32 feet; Robert Skelley, 33 feet; Minnie Stolte, 33 feet.

On Councilman McKay's motion, the rules were suspended, for the purpose of now reading Appropriation Ordinance 67, 1878, the second and third times, and placing same on its passage, by the following vote:

AYES, 24—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was then read the second time, ordered to be engrossed, and then read the third time:

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

And was passed by the following vote :

AYES, 23—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Tucker, Walker, Wiese, and Wright.

NAYS—None.

Councilman McKay also moved that the rules be suspended, for the purpose of taking up General Ordinance 54, 1878, and placing same on its passage.

Preceding motion failed for want of the necessary two-thirds vote in favor of same, viz. :

AYES, 15—viz.: Councilmen Anderson, Brown, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McKay, Reading, Rodibaugh, Tucker, Walker, and Wright.

NAYS, 9—viz.: Councilmen Bermann, Bruner, McGinty, O'Brien, Off, Showalter, Sindlinger, Steeg, and Wiese.

MISCELLANEOUS BUSINESS.

Councilman Anderson presented the following petition; and, on his motion, the prayer of the petitioner was duly granted :

Indianapolis, October 21, 1878.

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

Gentlemen:—The undersigned, owner of the real estate fronting on Ohio street, known as Nos. 153, 155, and 157 E. Ohio street, respectfully petitions for permission to build a sink in the alley in the rear of said premises; the dimensions of the sink to be four feet diameter, sixteen feet deep, and to be well and securely bricked up and arched over, and the earth and sand removed.

Respectfully,

J. L. MOTHERSHEAD.

Councilman Bermann offered the following motion :

That the Street Commissioner be directed to put down double-stone crossings at the intersections of New Jersey, Alabama, and High streets with McCarty street. That he also be directed to put down stone crossings at the alley-crossings on McCarty street, between Delaware and East streets.

Councilman Dill moved to lay the foregoing motion on the table; which the Common Council refused to do by the following vote :

AYES, 9—viz.: Councilmen Cummings, Dill, Layman, Morse, McKay, Rodibaugh, Showalter, Walker, and Wright.

NAYS, 15—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Marsee, Maus, Morris, McGinty, O'Brien, Off, Reading, Sindlinger, Steeg, Tucker, and Wiese.

Councilman Walker then moved to refer aforesaid motion to the Board of Public Improvements.

Councilman Dill moved that the entire matter be laid on the table; and an "aye and nay" vote on this proposition resulted as follows:

AYES, 12—viz.: Councilmen Cummings, Dill, Layman, Maus, Morse, McKay, O'Brien, Rodibaugh, Showalter, Tucker, Walker, and Wright.

NAYS, 12—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Marsee, Morris, McGinty, Off, Reading, Sindlinger, Steeg, and Wiese.

The foregoing proving a tie vote, the City Clerk called the name of President Caven.

His Honor voted "aye"; and Councilman Bermann's motion was thereby laid on the table by a vote of 13 to 12.

Councilman Cummings offered the following resolution; which, on motion, was referred to the Judiciary Committee:

WHEREAS, The Citizens' Street Railway Company have been granted the right and privilege to lay tracks upon the streets of the City of Indianapolis, upon certain conditions named in an ordinance passed January 18th, 1864;

AND WHEREAS, The tracks of said company are, and have been for a long time, in such a condition as to endanger travel by ordinary vehicles on the streets where the tracks of said company are laid; and many of the cars of said company are of such a character as to be a disgrace to the city; and the cars are run, upon some of the lines, so irregularly and unfrequently, as to be more of a detriment than a benefit to the inhabitants on said lines; and the said company are daily, and have been for years, operating their roads and occupying said streets in violation of the provisions of the ordinance of January 18th, 1864; and, while said company utterly fail to comply with the requirements of said ordinance, they seem determined to monopolize the street car business by virtue of the said ordinance, the terms of which they have failed to comply with: Therefore,

Be it Resolved by the Common Council and the Board of Aldermen of the City of Indianapolis, That the City Clerk is hereby directed to notify the Citizens' Street Railway Company that they must, at once, proceed to put all of their tracks in proper condition, and make the necessary street improvements along their tracks, as stipulated in the ordinance of January 18th, 1864, and the amendments thereto, authorizing the construction of passenger railways on the streets of Indianapolis; and said company are hereby requested not to lay any additional tracks until the above order is fully complied with.

Also, offered the following motion; which was duly adopted:

That the Committee on Water-Works be requested to report to this Council what is the best arrangement they can make with the Water-Works Company for the current year, at the next meeting of said Council.

Also, offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be ordered to fill the chuck-holes in Mississippi street, from Pratt street to Second street, with gravel, it being only two squares.

Also, presented the following communication; which was referred to the Board of Public Improvements:

Indianapolis, October 21, 1878.

Gentlemen:—The necessity of a Street Indicator is apparent to all of you, as it is a known fact that our streets are not designated by any sign. We, therefore, respectfully offer for your favorable consideration the Indicator now on exhibition at the corner of Delaware and Washington streets. Enclosed we hand you circular, explanatory of its construction and durability. Being made of malleable iron, japanned, it will last as long as any street lamp, or longer.

We will furnish as many Indicators as your honorable body may wish, at two dollars (\$2) per lamp, furnishing four signs on each lamp.

Very respectfully,

BAUGHER & DUNN, Agents.

To the Honorable Mayor, and Members of the City Council.

Councilman Dill offered the following motions; which were severally referred to the Board of Public Improvements:

That the Street Commissioner be instructed to bridge the gutter at the alley crossing Mississippi street, between Vermont and Michigan streets.

That the Street Commissioner be instructed to clean the gutter, and put the drinking-fountain on corner New York street and Indiana avenue in repair.

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

That the Street Commissioner be directed to repair the west approach to the wooden bridge across White River.

Councilman McGinty offered the following motion; which was duly adopted:

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

Also, offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters of Tennessee street, between McCarty and Ray streets.

Councilman Off presented the following petition:

Indianapolis, October 21, 1878.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Noble and Plum streets, between College avenue and Virginia avenue, respectfully petition for the changing of the names of Noble and Plum streets, and to be known as College avenue, from Virginia avenue, north, to Corporation Line.

And your petitioners will ever pray, etc.,

John L. Avery, 152 feet; Fred Kessler, 125 feet; Geo. Sellers, Henry Sellers, 99 feet; S. M. Patton, J. C. Hoss, 66 feet; J. D. Hoss, 40 feet; D. R. Marshall, 20 feet; Henry Geisel, 143 feet; Christian Off &

Bro., 81 feet; Gottlob Off, 41 feet; Joseph Poudet, 40 feet; Wm. Enners, 160 feet; Dr. William G. Moore, 20 feet; Henry Lepper, 40 feet; Philip Lehr, 20 feet; Philip H. Holler, 80 feet; John Grosh, 40 feet; G. W. Adams, 40 feet; Fred Swarts, 40 feet; David Springer, 80 feet; Jo. Getserdiner, 40 feet; Henry Miller, 40 feet; John Keling, 40 feet; John Andersen, 40 feet; Maria Muller, 169 feet; Wm. Ostermier, 40 feet; Spiegel & Thoms, 40 feet; Mr. Shoemaker, 40 feet; Mrs. Shrake, 80 feet; H. M. Schmits, 80 feet; C. Schafer, 80 feet; Mr. G. Broden, 80 feet; Brown heirs, 120 feet; Christ Stelhorn, 40 feet; H. Schwomyer, 40 feet; Chris Simons, 40 feet; Conrad Wesling, 50 feet; Heinrich Sutbruck, 50 feet; J. Spellman, 26 feet; Mrs. E. Kettenbach, 100 feet; Parker Bugbee, 20 feet; Phil. Reichwein, 125 feet; John Fred Will, 114 feet; James Bollinger, 40 feet; Frank Firteg, 20 feet; Chas. J. Many, (Administrator J. B. Many estate), lots 15 and 16, 80 feet; Conrad Gebel, 62 feet; W. More, 20 feet; H. R. Martz, 80 feet; and 60 others.

Councilman Marsee moved that foregoing petition be referred to the Committee on Streets and Alléys; which motion failed of adoption.

On Councilman Layman's motion, aforesaid petition was referred to the Board of Public Improvements.

Councilman O'Brien offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to fill the chuck-holes at the intersection of West street and Kentucky avenue. The location above indicated is generally known as Walter's Lake, and is in a condition demanding the early consideration of the Board of Public Improvements.

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

That the Street Commissioner be directed to repair and clean the gutters of Pennsylvania street, between South and Merrill streets.

Councilman Rodibaugh offered the following motion; which was duly adopted:

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

Also, offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to examine an old well, that is partly open, on the sidewalk on N. Mississippi street, between Seventh and Eighth streets, and that he be directed to put the same in a safe condition.

Also, offered the following motion; which was referred to the Committee on Finance:

That the Market Committee be allowed to expend \$100 in fixing up the East Market House.

Councilman Showalter offered the following motion; which was duly adopted:

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

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

That the Street Commissioner be directed to clean the gutters of Tennessee street, between Kentucky avenue and Pogue's Run.

Councilman Steeg offered the following resolution:

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

Which was adopted by the following vote:

AYES, 22—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Walker, Wiese, and Wright.

NAYS—None.

The same gentleman offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters of Dougherty street, between East street and Virginia avenue.

Councilman Tucker offered the following motion; which was referred to the Judiciary Committee and the City Attorney:

That the Street Commissioner be instructed to erect suitable fences along the banks of Pogue's Run, where regularly laid out streets and alleys run along its banks—especially along the west bank of said Pogue's Run, from the Union Depot to Garden street.

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

That the Street Commissioner be directed to raise the gutter, with rolling-mill einders, at the intersection of Hanway street and the Three-Notch Line Gravel Road.

Also, presented the following petition; and, on his motion, the prayer of the petitioners was duly granted:

OFFICE OF THE BOARD OF SCHOOL COMMISSIONERS }
OF THE CITY OF INDIANAPOLIS, }
Indianapolis, Ind., October 21, 1878. }

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

Gentlemen:—The Board of School Commissioners ask permission to pave with brick, at their own expense, the sidewalk on Vermont street, on the south side of their school building, No. 9.

Yours respectfully,

J. J. BINGHAM, Secretary.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.