

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MARCH 3, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, March 3d, A. D. 1879, at 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, Reasner, Rodibaugh, Showalter, Steeg, Walker, and Wright—21.

ABSENT—Councilmen Reading, Sindlinger, Tucker, and Wiese—4.

The Proceedings of the Common Council, for the regular session, held on February 17th, 1879, having been printed, and placed on the desks of the Councilmen, said proceedings were duly approved as published.

## COMMUNICATIONS, ETC., FROM THE MAYOR.

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

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 February, 1879, is \$18 10; which amount I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

## REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was approved, and the estimate was duly allowed:

To the Mayor and Common Council:

*Gentlemen*:—I herewith report the following estimate:

A second and final estimate in behalf of Henry C. Roney, for building a fire-cistern at the intersection of Huron and Laurel streets—

2443.43 barrels, at 32 cents.....	\$775 50
2 cistern rings and covers, as per bill.....	16 87
Total.....	\$792 37
Less former estimate.....	674 37
Present estimate.....	\$118 00

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Clerk submitted the official bond of Levi H. Rowell, Market-Master for the West Market (penalty of bond, \$3000; sureties, W. W. Scott and J. W. Hervey), and said bond was, on motion, referred to the Judiciary Committee, for examination as to responsibility of sureties.

The same officer presented the following petition ; which was referred to the Judiciary Committee :

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

*Gentlemen:*—Your petitioner would respectfully represent that, on the 14th day of February, 1876, at a public tax-sale, held by the City of Indianapolis on said 14th day of February, 1876, he purchased from the City Treasurer a tax-sale certificate on the following described property, to-wit: Sixty (60) feet south of north end, by sixty-five (65) feet, of lot number ten (10), and the northwest corner of lot number eleven (11), in square number seventy-seven (77), in the City of Indianapolis, Marion County, Indiana The above described property was sold in the name of Anton J. Deer, for the taxes of 1873, 1874, and 1875, and for which tax-certificate your petitioner paid to the City Treasurer the sum of two hundred and sixty-nine dollars and eleven cents (\$269.11).

And your petitioner would represent that he has since paid the taxes of 1876, being in amount \$78.40, and paid December 26th, 1876; and has since paid the taxes of 1877, being in amount \$56, and paid March 30th, 1878; and also for the taxes of 1878, since paid, being in amount \$49.14, and paid December 16th, 1878.

Your petitioner would ask and demand that the above amounts, with interest, be refunded him, on the ground that the above described property is church property, and not liable for the taxes of 1873, '4, '5, '6, '7, and '8.

FRANK McWHINNEY,  
By J. T. LECKLIDER, Att'y-in-fact.

I certify that the facts set forth in the foregoing petition are true; that the property is exempt according to law, and, therefore, the money should be refunded.

WILLIAM HADLEY, City Assessor.

The same officer submitted the following reports; which were severally referred to the Committees on Finance of the Common Council and Board of Aldermen, for joint examination :

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

*Gentlemen:*—I herewith submit an itemized statement of the amount of orders issued on the City Treasury, during the month of February, 1879:

City Assessor's Department.....	\$ 54 00
City Civil Engineer's Department.....	137 10
City Commissioners.....	330 00
City Dispensary.....	166 66
City Hospital and Branch.....	895 35

Coal Oil Light.....	\$ 82 80	
Fire Department.....	5,121 43	
Gas.....	4,699 22	
Ice.....	2 60	
Market-Masters' Fees.....	69 72	
Office fixtures and supplies.....	39 25	
Parks.....	47 50	
Police.....	3,571 07	
Printing, Stationery, and Advertising.....	1,303 18	
Rent.....	750 00	
Salary.....	62 00	
Station Houses.....	242 23	
Street improvements.....	158 63	
Street repairs.....	682 31	
		<hr/>
		\$ 18,415 05
Home for Friendless Women.....	96 85	
School Fund.....	3,344 81	
Tomlinson Estate.....	10 75	
		<hr/>
		\$ 3,452 41
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Total.....		<u>\$ 21,867 46</u>

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

*Report of Wm. M. Wiles, City Treasurer, for the month of February, 1879.*

RECEIPTS.

Balance on hand January 31st, 1879, as per report.....	\$127,476 55
From delinquent taxes.....	23,688 73
From current taxes.....	13,992 07
From benefits.....	54 00
From auction licenses.....	30 00
From dog licenses.....	2 25
From coal licenses.....	56 00
From dray licenses.....	23 00
From express licenses.....	32 00
From fines (City Court).....	106 80
From hack licenses.....	30 00
From hucksters' licenses.....	15 00
From market fees.....	122 05
From peddlers' licenses.....	37 00
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	\$165,665 45

DISBURSEMENTS.

For Fire Department.....	\$ 5,122 52
For Police.....	3,560 07
For street repairs.....	718 96
For City Hospital and Branch.....	901 65
For Civil Engineer's Department.....	146 20
For City Assessor's Department.....	54 00
For City Commissioners.....	207 00
For City Dispensary.....	166 66
For coal oil light.....	82 80
For elections.....	17 00
For gas.....	4,699 22
For Home for Friendless Women.....	96 85

For ice .....	\$	2 60
For Market-Masters' fees.....		69 72
For office fixtures and supplies .....		39 25
For parks.....		47 50
For printing, stationery, and advertising .....		1,268 93
For salary.....		155 75
For School Fund.....		10,902 46
For sewers.....		44 91
For Station House.....		246 61
For street improvements .. .....		158 63

Total..... \$ 28,709 29

Balance on hand, general fund.....\$130,280 34

Balance on hand, school fund .....

6,675 82

\$136,956 16

\$165,665 45

TOMLINSON ESTATE.

Balance on hand January 31st, 1879, as per report..... \$ 18,368 55

From rents collected..... 51 50

\$ 18,420 05

Balance on hand .....

18,420 05

\$ 18,420 05

Respectfully submitted,

WM. M. WILES, City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

The City Attorney submitted the following report; and, on Councilman Layman's motion, the suggested appeal was ordered to be taken :

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

*Gentlemen*.—I would report that, since your last meeting, the case of Boehl v. City has been tried in the Superior Court, and resulted in a verdict and judgment against the city for \$3.

This was a suit by Boehl, to recover the difference between \$1.75 and \$2, as wages as policeman between the 15th and the 28th of May last. The fiscal year expiring May 15th, and the salary ordinance not being passed until the 28th, the plaintiff claimed that he was entitled to receive \$2 per day until the date of the passage of the new ordinance.

This was a case similar to that of McKinney v. The City, tried in Room 1 in the same Court, in which judgment was rendered in favor of the city.

The amount involved is not large enough to take the case to the Supreme Court, but it could be appealed to the General Term. If one of the policemen is allowed and paid at the rate of \$2 per day, of course they all should be treated the same way. There is some doubt as to what the law is in these cases, and I desire to be instructed as to whether I shall appeal this case to the General Term or not.

R. O. HAWKINS, City Attorney.

The Chief Fire Engineer submitted the following report; which was referred to the Council and Aldermanic Committees on Finance, for joint examination :

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

*Gentlemen*:—I herewith present my third Quarterly Report of the running expenses of the Fire Department, from December 1st, 1878, to March 1st, 1879:

I have received, from the different sources, as follows:

December	1.	Balance on hand, as per last report.....	\$ 88 90
"	4.	F. Bremmerman, for old lumber .....	2 00
"	28.	S. Hodkinson, for 12 feet of old hose.....	1 20
January	23.	Wm. Hartman, for 3 feet of old hose.....	30
"	24.	A. Eel, for old hose.....	05
February	24.	W. Stolty, for 10 feet of old hose.....	1 00
Total amount .....			\$ 93 45

Paid out as follows:

September	27.	Freight on box of hose from Akron, O.....	\$ 72
November	16.	Am. Ex. Co., package from Seneca Falls.....	90
December	2.	Chris. Wachstetter, 1 load of kindling (hickory)	5 00
"	4.	For red ink.....	15
"	4.	For small blank book.....	25
"	18.	U. S. Ex., for collars from Dayton, O.....	50
"	19.	U. S. Ex., for hames from Dayton, O.....	30
"	24.	Freight on hose from Akron, O.....	45
"	30.	Paid for toll.....	35
January	6.	U. S. Express, from Dayton.....	35
"	23.	I. & St. L. R. R., for horse from Greencastle....	5 00
"	24.	Postage stamps.....	2 00
February	1.	Expressage on package from Cincinnati.....	25
"	1.	*Paid for coffee at Centennial Block fire.....	5 25
"	5.	U. S. Express, from Dayton, O.....	40
"	15.	Freight on stove bottoms .....	75
"	24.	Adams Express, from Cincinnati, O.....	30
Total amount.....			\$ 22 92
Balance on hand.....			\$ 70 53

We have examined the above vouchers, and find them correct.

R. S. FOSTER,  
JAMES T. LAYMAN.

The following are the running expenses of the Fire Department from June 1st, 1878, to March 1st, 1879:

Harness and repairs.....	\$ 625 65
Repairs on apparatus .....	1,107 23
Repairs on houses .....	506 33
Telegraph Department.....	\$1,106 05
Shorts account (mill feed).....	56 75
Hay account.....	346 43
Corn account.....	280 71
Horse-bedding.....	132 30
Horse-shoeing.....	352 36
Horses .....	1,185 00
Block coal.....	611 56
Pittsburgh coal .....	18 93
Anthracite coal.....	7 00
Crushed coke.....	99 49
Cistern repairs.....	106 84

\*This coffee was ordered by A. L. Wright, and ordered paid for by the Fire Board.

Hose.....	\$ 3,143 93
Hose-couplings.....	216 00
Harness-shop account.....	42 96
House furnishing, etc.....	161 26
Oats.....	595 01
Sponges.....	5 70
Kindlings.....	12 00
Brooms.....	22 25
Lard oil.....	27 59
Cotton waste.....	39 00
Horse buckets.....	5 50
Hose-bands.....	37 85
Oil meal.....	10 91
Small hose.....	11 00
Horse blankets, and repairs on same.....	14 00
Stoves, pipes, and repairs on same.....	56 07
Curry-combs and brushes.....	32 55
Soap (common).....	20 00
Soap (castile).....	14 22
Matches.....	10 20
Freight account.....	29 00
Cleaning privy vault.....	6 00
Total.....	<u>\$11,055 63</u>

Respectfully submitted, J. G. PENDERGAST, Chief Fire Engineer.

The Superintendent of the City Hospital and Branch submitted the following report; which was duly received:

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

The following report of the City Hospital and Branch, for the month ending February 28th, 1879, is respectfully submitted:

NO. OF BEDS IN HOSPITAL—100.					
	First Week.	Second Week.	Third Week.	Fourth Week.	Total.
Number of Patients at last report—adults.....	47	49	41	32	.....
Number of Patients at last report—infants.....	6	4	5	3	.....
Received New Patients—adults.....	14	14	5	7	40
Births, or Received—infants.....	2	1	1	1	4
Discharged—adults.....	12	21	13	3	49
Discharged—infants.....	2	1	3	.....	6
Died—adults.....	.....	1	1	.....	2
Died—infants.....	.....	.....	.....	.....	.....
Number of Patients remaining—adults.....	49	41	32	36	.....
Number of Patients remaining—infants.....	4	5	3	4	.....
Number of Patients in Branch—adults.....	.....	.....	.....	.....	.....
Number of Patients in Branch—infants.....	.....	.....	.....	.....	.....
Aggregate No. of days of Patients in Hospital—adults.....	360	338	262	249	1209
Aggregate No. of days of Patients in Hospital—infants.....	36	33	31	25	124
Total expenditures for month.....					\$ 828 38
Net expenditures for the month.....					828 38
Aggregate number of days subsistence furnished.....					1773
Average expense per capita per diem.....					46.7 cents.

W. H. DAVIS, Superintendent.

## REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Layman, submitted the following report; which was duly received:

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

On a motion, introduced by Councilman Bermann, instructing the Chief Fire Engineer to locate two fire-cisterns south of Douglass street, between Madison avenue and East street, we have examined the district referred to, and believe that at least two large cisterns should be built in this part of the city, but as the estimate submitted by us at the commencement of the year for building and repairing cisterns has almost become exhausted, we can not recommend that the cisterns be built at this time, unless the Council and Board of Aldermen make a special appropriation to do the work.

Respectfully,

R. S. FOSTER,  
JAMES T. LAYMAN,  
Fire Board.

The Board of Public Improvements, through President McKay, submitted the following report; which was considered and duly concurred in by clauses:

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

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

1st. Is a motion that Charles Bates be granted permission to lay a plank crossing over the west sidewalk of New Jersey street, between Walnut street and Fort Wayne avenue; also on south side of Fort Wayne avenue, between Alabama and New Jersey streets.

We have examined the location, and recommend that the motion be concurred in, and that the work be done under direction of the Street Commissioner and City Civil Engineer.

2d. Is a motion that the Street Commissioner be instructed to put down a wooden culvert at the intersection of West and Merrill streets.

After examination, we recommend that the work be not done.

3d. Is a motion that the Board of Public Improvements be instructed to report, at the next regular meeting of the Council, what saving in public expenditures would be made by reducing the streets outside the business portion of the city to a width of fifty feet, by widening the lawns and bowldering the gutters; also to estimate the probable cost, per lineal foot, to property owners for widening lawns and curbing and bowldering the gutters.

To properly answer the question would require a separate calculation for each street, as they differ in width. Of course, the narrower the street the less expense it is to be kept in repair. The cost to the property owners would, in the opinion of your Board, be much greater than they would be willing to pay at present for such improvement. We recommend non-concurrence in the motion.

4th. Is a motion that the Street Commissioner be instructed to repair Coburn street and sidewalks, and improve the drainage of the same, between High and East streets.

As this is a matter requiring a change in grade, we recommend the motion be referred to the City Civil Engineer.

5th. Is a motion that the Street Commissioner be instructed to make single-stone crossings over the alleys between Delaware and Pennsylvania streets, on the south side of Vermont street.

The east one of these alleys is private, and should be repaired at the expense of the property owners. The grade at the other is such that to place a stone crossing would demand a considerable outlay of money, and we, therefore, recommend that the Street Commissioner be instructed to substitute cinders for stone.

6th. Is an offer for compromise of the H. H. Sheets claim against the City of Indianapolis.

We deem it necessary, in a matter involving the amount of money asked for in this case, to state, in this report, fully the action already taken.

On July 1st, 1878, the following communication, with accompanying claim, was presented to the Council, and referred to the Committee on Accounts and Claims:

"The undersigned respectfully represents that the amount of sand taken from lots numbered 10, 11, and 12, in square 44, in the City of Indianapolis, and taken by Augustus Bruner, Street Commissioner, by order of your honorable body, was worth, in the aggregate, the sum of one thousand dollars, as per account herewith. "Your petitioner respectfully requests that you will allow and order said account paid without delay."

(Signed)

H. H. SHEETS.

On November 18th, 1878, the Committee on Accounts and Claims, to whom was referred the claim of H. H. Sheets, reported that, in their opinion, the same should be investigated, and recommended that the case be referred to the Board of Public Improvements, for such investigation; which was concurred in.

Your Board of Public Improvements have carefully examined this case in all its bearings, made diligent search for information in all places of record, and have heard the testimony of several witnesses in regard to the quantity of sand removed. We have, also, tried to effect a compromise of the case; which we have been unable to do until to-day. During the pendency of this investigation, Mr. Sheets has brought suit against the city, on account of sand taken by the city from the above mentioned lots, for the sum of three thousand dollars. To-day, we received the following offer for compromise of this case:

*Indianapolis, March 3, 1879.*

To the President of the Board of Public Improvements:

*Dear Sir:*—As a compromise of my claim against the City of Indianapolis, I hereby propose to accept the sum of two hundred and fifty (250) dollars, in full payment, satisfaction, and discharge of any and all rights, claims, or demands against the City of Indianapolis, for the removal, use, conversion, or appropriation, by the city, of sand, dirt, or gravel excavated from the cellars of the property known as the "New Hotel" property, being lots 10, 11, and 12, square 14, in the City of Indianapolis, and placed in Ohio street, near its intersection with Pennsylvania street, and for the recovery of which suit is now pending in the Superior Court of Marion County, being case No. 23,576.

(Signed)

H. H. SHEETS.

In view of all the facts, as understood by your Board, we recommend that the compromise, as set forth above, be accepted, and that the City Attorney be instructed to see that the case is dismissed, and the city put to no further expense. We recommend this claim be allowed, and that the City Clerk be instructed to include the same in the General Appropriation Ordinance passed at this meeting.

7th. Under instructions of a motion passed by the Common Council and Board of Aldermen on January 6th and 7th, 1879, we herewith submit a lease, for one year from January 8th, 1879, for the sum of one hundred dollars, for the ground occupied by the work-house or stone-yard, situated on lot 12, square 100, in the

City of Indianapolis; also that we have enclosed said lot and erected a suitable building, at a cost of \$185.86; viz., lumber, \$120.31; hardware, \$10.55; labor, \$55; total, \$185.86.

Very respectfully submitted,

M. H. McKAY,  
H. COBURN,  
JOHN L. MARSEE,

Board of Public Improvements.

The lease referred to in the seventh clause of the preceding report was then submitted, and was duly accepted.

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

*Report of Deaths in the City of Indianapolis, from February 15th to February 28th, 1879, inclusive:*

Under 1 year	-----	14
1 to 2 years	-----	3
2 to 5 "	-----	4
5 to 10 "	-----	1
10 to 15 "	-----	1
15 to 20 "	-----	1
20 to 25 "	-----	2
25 to 30 "	-----	3
30 to 40 "	-----	4
40 to 50 "	-----	11
50 to 60 "	-----	2
60 to 70 "	-----	2
70 to 80 "	-----	3
80 to 90 "	-----	0
90 to 100 "	-----	0
100 and upwards	-----	0
Unknown	-----	2
Total	-----	53

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

The Board of Public Improvements and the Street Commissioner submitted the following report; which was duly approved:

To the Mayor and Common Council:

*Gentlemen:*—We herewith report expenses of the Street-Repair Department for the month of February, 1879, together with total expenses from May 16th, 1878, to March 1st, 1879:

James M. Buchanan, blacksmithing.....	\$ 22 35
G. H. Shover, blacksmithing.....	4 00
Ike King, blacksmithing .....	2 75
Clemens Vonnegut, hardware .....	23 21
David Ware, bowlders ... ..	6 00
Anthony Garity, bowlders.....	4 50
Coburn & Jones, lumber.....	44 94
Pay-Rolls .....	601 95
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Total expenses for February, 1879.....	\$ 709 70
Total expenses per last report.....	21,097 72
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Total expenses to March 1st, 1879.....	\$21,807 42

Respectfully submitted,

M. H. MCKAY,  
H. COBURN,  
JOHN L. MARSEE,  
Board of Public Improvements.  
L. A. FULMER, Street Commissioner.

#### REPORTS, ETC., FROM COMMITTEES.

The Committee on Benevolence and Hospitals, through Councilman Walker, presented the following reports; which were duly received:

##### *Report of the City Dispensary for December, 1878.*

Number of visits made in District "North" .....	82
Number of visits made in District "South" .....	79
Number of patients prescribed for at Dispensary .....	241
Number of surgical cases .....	34
Number of prescriptions filled.....	536
Number of prescriptions filled for Station House.....	25
Number of teeth extracted .....	10
Number of births.....	2
Number of deaths .....	1

##### *Report of the City Dispensary for January, 1879.*

Number of visits made in District "North".....	100
Number of visits made in District "South".....	115
Number of visits made to Station House.....	31
Number of patients prescribed for at Dispensary .....	335
Number of patients prescribed for at Station House .....	60
Number of surgical cases .....	95
Number of prescriptions filled at Dispensary... ..	743
Number of prescriptions filled for Station House.....	68
Number of teeth extracted.....	6
Number of births .....	0
Number of deaths.....	2

##### *Report of the City Dispensary for February, 1879.*

Number of visits made in District "North" .....	74
Number of visits made in District "South".....	87

Number of visits made to Station House .....	28
Number of patients prescribed for at Dispensary .....	315
Number of patients prescribed for at Station House.....	54
Number of surgical cases.....	52
Number of prescriptions filled at Dispensary .....	606
Number of prescriptions filled for Station House.....	54
Number of vaccinations .....	1
Number of teeth extracted.....	8
Number of births.....	0
Number of deaths .....	2

Respectfully submitted,

W. B. FLETCHER, Supt.  
H. A. PFAFFLIN, Clerk.

The Committee on Bridges, through Councilman Morse, submitted the following report; which, on Councilman Wright's motion, was referred to the Board of Public Improvements, with instructions to report as to the public necessity of a bridge at St. Clair street :

To the Mayor and Common Council:

*Gentlemen* :—The following motion was referred to us some time ago :

“That the City Civil Engineer be ordered to advertise for proposals to build stone abutments for bridge over canal, on First street.

It appears that a mistake was made in the motion as to the street, St. Clair street being meant; and, with that correction of the motion, we would recommend its adoption.

Respectfully submitted,

THOS. J. MORSE,  
MARTIN MCGINTY,  
HENRY BERMANN,  
Committee on Bridges.

The Council and Aldermanic Committees on Finance, through Councilman Wright, submitted the following report; which was duly approved :

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

*Gentlemen* :—Your Committees on Finance respectfully report that they have examined the reports of the City Clerk of Orders issued during December, 1878, and January, 1879), and the reports of the City Treasurer (of receipts and payments during the same months), and find all of said reports correct.

A. L. WRIGHT,  
S. MORRIS,  
JAMES T. LAYMAN,  
S. SHOWALTER,  
Council Committee.

T. E. CHANDLER,  
D. MUSSMANN,  
Aldermanic Committee.

The Committee on Gas-Light submitted the following reports; which were severally concurred in :

To the Mayor and Common Council:

*Gentlemen*.—We would respectfully report as follows upon the motion granting the Police Board permission to use gas at the Central Station House:

We have investigated the matter, and are of the opinion that the continued use of coal oil at the Station House is attended with danger, and we would recommend the permission sought be granted, provided the Chief of Police and Police Board use proper restrictions to prevent unnecessary expense.

Respectfully submitted,

M. M. CUMMINGS,  
C. H. O'BRIEN,  
Committee on Gas Light.

To the Mayor and Common Council:

*Gentlemen*.—The following motion, adopted by the Board of Aldermen, was referred to us:

"That the Committee on Gas-Light be authorized to employ a competent person to prepare a time-table for the lighting and extinguishing of street lamps, at a cost not exceeding twenty dollars, *provided* the City Civil Engineer can not do the same."

We gave this matter due consideration, and found the Engineer had already completed a revision of the schedule, which has been in operation a month, and which is, in our opinion, perfectly satisfactory. It will be observed that, even under the workings of the present schedule, gas will be burned on some nights while the moon is giving light. This is due simply to the fact that we have more gas than can be consumed on dark nights only; therefore, gratuitous assistance to the moon is unavoidable.

We recommend the motion be not concurred in.

Respectfully submitted,

M. M. CUMMINGS,  
C. H. O'BRIEN,  
Committee on Gas-Light.

To the Mayor and Common Council:

As to a motion, that the Civil Engineer be ordered to re-light two lamps on the south side of Coburn street, between Wright and East streets, and extinguish two lamps on north side of Coburn street, we recommend that the same be done.

M. M. CUMMINGS,  
C. H. O'BRIEN,  
Committee on Gas-Light.

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

To the Mayor and Members of the Common Council and

Board of Aldermen of the City of Indianapolis:

*Gentlemen*.—Your Committee on Judiciary, together with the City Attorney, to whom was referred sundry papers, make the following report thereon:

*First*. Is a resolution, to the effect that "It is necessary, for the further and better protection of the city from fire, that water mains be laid and extended upon Madison avenue, from Morris to Nebraska street; that the Water-Works Company be notified by the City Clerk to proceed to lay such mains, and establish

fire-hydrants, under direction of the Chief Fire Engineer—such hydrants to be established not less than one thousand feet apart, under the provision of the charter of the Water-Works Company.”

Your committee finds the resolution in accordance with the charter provision of the Water-Works Company, but recommend that it be referred, for further consideration, to the Fire Board and Committee on Water-Works.

*Second.* Is a motion, “That the sums of money paid by hucksters, for licenses under the provisions of General Ordinance 21, 1878, be refunded, as said ordinance was not operative, and the license clause has been repealed.”

As the ordinance is operative, and the license clause *has not* been repealed, we recommend non-concurrence in the motion.

*Third.* Is the petition of Geo. B. Loomis, to have money refunded, to the amount of \$72.75, on account of double tax assessment. The petition represents that he sold to J. R. Routh, lots 8 and 10, in Routh's Sub. of lot 21, in Johnson's Heirs' Addition to the City of Indianapolis; that, on lot 8 there were four notes of \$328 each, and two notes of \$293 each; on lot 10, four notes of \$293 each, making in all \$2,414. That he has been obliged to take the lots back, and to pay the taxes on them for the years 1876 and 1877, amounting to \$72.75. He has also returned the amount of the notes in his tax schedule, and paid the taxes thereon.

We recommend that the prayer of the petitioner be not granted.

Very respectfully submitted,

M. H. McKAY,  
JOHN L. F. STEEG,  
JOHN L. MARSEE,  
Committee on Judiciary.

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

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

*Gentlemen:*—Your Committees on Markets, to whom was referred the request of Chas. N. Lee, for the city to purchase thirty stands, at a cost of \$2.50 per stand, which he had erected on the West Market Space, beg leave to report that we have had the subject under consideration, and would recommend that the request be not granted.

Respectfully submitted,

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

The Committee on Railroads submitted the following reports; which which were severally concurred in:

To the Mayor and Common Council:

*Gentlemen:*—Your committee, to whom was referred the motion of Councilman Reasner, that a committee be appointed to request the Panhandle Railroad and the C. H. & I. Railroad to place safety gates at their crossing of Noble street, would report that we have examined into the matter, and would recommend that the motion be not passed.

J. M. BRUNER,  
MARTIN MCGINTY,  
Committee on Railroads.

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

*Gentlemen* :—Your committee, to whom was referred the communication from Mr. M. E. Ingalls, would report that we have examined the same, and also the streets in question.

We would recommend that a committee be appointed, consisting of His Honor, the Mayor, the City Attorney, and three members of the Council; that the Board of Aldermen be requested, to appoint two members of such committee; and that such committee be requested to confer with Mr. Ingalls upon the subject, and report the result to this body, with such recommendations as they may deem right.

J. M. BRUNER,  
MARTIN MCGINTY.

His Honor, the Mayor, appointed Councilmen Tucker, Reasner, and Steeg, as associate members with himself and the City Attorney, on the select committee created by concurrence in the last preceding report.

#### NEW ORDINANCES.

The following entitled ordinances were introduced, and were severally read the first time :

The Fire Board, through Councilman Layman, introduced—

Ap. O. 12, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

The Hospital Board, through Councilman Walker, introduced—

Ap. O. 13, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

The Police Board, through Councilman Brown, introduced—

Ap. O. 14, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

The Committee on Accounts and Claims, through Councilman Layman, introduced—

Ap. O. 15, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

The Committee on Printing, etc., through Councilman Wright, introduced—

Ap. O. 16, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

Councilman McKay introduced—

G. O. 6, 1879—An Ordinance prohibiting the Painting of Sidewalks, or the Painting or Writing of Names, Signs, Figures, or Devices upon the same.

## PENDING ORDINANCES—PROCEEDINGS HAD THEREON.

This being the regular appropriation night, Appropriation Ordinances 12, 13, 14, 15, and 16, 1879, were severally read the second time, and ordered to be engrossed.

The following entitled ordinance was then read the third time :

Ap. O. 12, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$463.45.]

And was passed by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Walker, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 13, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$828.38.]

And was passed by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Walker, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 14, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$279.47.]

And was passed by the following vote :

AYES, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Walker, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 15, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$81,565.04.]

And was passed by the following vote :

**AYES**, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Walker, and Wright.

**NAYS**—None.

The following entitled ordinance was also read the third time :

Ap. O. 16, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$146.94.]

And was passed by the following vote :

**AYES**, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reasner, Rodibaugh, Showalter, Walker, and Wright.

**NAYS**—None.

#### SPECIAL ORDER.

¶ Councilman Showalter called attention to the fact that a certain resolution directing the Citizens' Street Railway Company to construct a railway line from the intersection of Indiana avenue with Illinois street, along and upon said avenue to Blake street, had been duly adopted by the Board of Aldermen [see pages 659 and 660, *ante*], and that action thereon by the Common Council had been postponed until this session [see page 675, *ante*].

Councilman O'Brien moved that above mentioned resolution be laid upon the table; but the Common Council refused so to do by the following vote :

**AYES**, 7—viz.: Councilmen Brown, Bruner, Dill, Marsee, McGinty, O'Brien, and Wright.

**NAYS**, 14—viz.: Councilmen Anderson, Bermann, Cummings, Layman, Maus, Morris, Morse, McKay, Off, Reasner, Rodibaugh, Showalter, Steeg, and Walker.

On Councilman Maus's motion, the foregoing subject was then referred to the Committee on Railroads and the City Attorney.

#### MISCELLANEOUS BUSINESS.

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

That Jacob Fritz be permitted to lay a plank driveway across the sidewalk of Yeiser street, in front of his property, the same to be done under the direction of the City Civil Engineer.

Also, offered the following motion; which, on Councilman Wright's motion, was laid on the table :

That the City Civil Engineer be instructed to advertise for bids to build two fire cisterns south of Yeiser street, and between East street and Madison avenue, at such place as shall be designated by the Chief Fire Engineer—the said cisterns to be built according to specifications to be prepared by City Civil Engineer, and be built and paid for out of the general fund of the city.

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

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

*Gentlemen:*—The undersigned, owners of property on Shelby street, who were assessed benefits on account of the proposed opening and widening of said Shelby street, from Prospect street to Raymond street, respectfully remonstrate against said assessment, and protest against the collection of the same, for the reason that we consider the same unjust and not equitable.

A great many of the undersigned had already given from five to seven and one-half feet for street purposes, and had set back their fences, thus throwing that much ground out for public use. The City Commissioners, in making the assessment of benefits, assessed the largest amount against those who had already donated ground for street purposes, and made no assessment against the majority of the property owners who refused to donate ground.

We respectfully request your honorable bodies to refer this matter to some committee, and give us an opportunity to be heard on the subject.

Respectfully submitted,

F. A. Lehr, N. Gerardy, G. Geckler, Dr. Benj. Atkinson, John W. Scott, J. S. Surbey, lot 2, block 7; Ellen E. Baker et al., undivided one-half of lots 3, 4, 5, and 6; J. S. Surbey, undivided one-half of lots 3, 4, 5, and 6; William Mankedick, Frederick Nackenhorst, John Bernhurst, John Mescall, John L. Potter, Fred. Strangmeier, Peter Dennis, Mrs. Mary Wehn, Henry Mankedick, Patrick Walsh, John F. Bruening; Annie M. Jack, Fannie G. Roll, and Caroline L. Leonard (Barth heirs, representing 2000 feet); Tim. Monaghan, Henry Schaub, George W. Fredericks.

Councilman Cummings offered the following motion; which, on Councilman Dill's motion, was laid on the table:

That the Committee on Gas-Light be instructed to report to this Council the most feasible plan of numbering the public lamps, and the probable cost thereof.

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

Clara A. Browning respectfully asks permission of the City Council to move a frame stable, thirty-two feet long by twenty-four feet wide, from Massachusetts avenue, east of New Jersey street, along Michigan street, west, to Tennessee street; north, on Tennessee street, to St. Clair street; thence, east, on St. Clair street, to first alley; thence, north, in alley, to north part of her lot, No. 80, on W. St. Clair street.

*Indianapolis, March 3, 1879.*

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

That the Police Board instruct patrolmen to notice the iron foot-crossings, and, if any are misplaced, to re-place them, or notify the Street Commissioner.

Also, offered the following motions; which were severally laid on the table:

That the Committee on Gas-Light be directed to take a walk each evening, for the purpose of seeing if the lamps are all lighted, and at the proper time.

That the park policeman be dispensed with.

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

That the Police Board be required to comply with the former order, directing the use of coal oil instead of gas.

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

That the Board of Public Improvements, with the City Civil Engineer and the Street Commissioner, be directed to examine the bridge over Pogue's Run on S. New Jersey street, and report the condition of the same.

Also, presented the following account; which was referred to the Police Board:

THE CITY OF INDIANAPOLIS, Dr.,

To T. A. WAGNER, M. D.

For Medical and Surgical Services:

1877		
Visits and prescriptions during May .....	109	\$ 218 00
Night visits and medicine during May .....	4	20 00
Surgical operation—lacerated scalp.....	1	5 00
Visits and prescriptions during June.....	98	196 00
Night visits and medicine during June .....	1	5 00
Visits and prescriptions during July .....	97	194 00
Night visits and medicine during July.....	1	5 00
Surgical operations during July.....	2	10 00
Visits and prescriptions during August.....	91	182 00
Night visits and medicine during August .....	3	15 00
Surgical operations during August .....	2	10 00
Visits and prescriptions during September.....	53	106 00
Night visits and medicine during September.....	2	10 00
Surgical operations during September.....	2	10 00
Visits and prescriptions during October.....	50	100 00
Morphia poisoning during October .....	1	15 00
Visits and prescriptions during November.....	38	76 00
Night visits and medicine during November.....	3	15 00
Night visit and surgery during November.....	1	10 00
Surgical operation during November.....	1	5 00
Visits and prescriptions during December.....	52	104 00
Night visit and medicine during December .....	1	5 00
Surgical operations during December .....	11	55 00
1878		
Visits and prescriptions during January.....	49	98 00
Night visits and medicine during January.....	2	10 00
Surgical operations during January.....	6	30 00

Night visits and surgery during January .....	6	\$	60 00
Office consultation during January.....	1		1 00
Visits and prescriptions during February.....	56		112 00
Night visits and medicine during February.....	4		20 00
Night visits and surgery during February.....	7		70 00
Surgical operation during February.....	1		5 00
Morphia poisoning during February.....	1		15 00
Visits and prescriptions during March.....	74		148 00
Night visits and medicines during March.....	5		25 00
Night visits and surgery during March.....	8		80 00
Surgical operation during March.....	1		5 00
Visits and prescriptions during April.....	32		64 00
Visits and prescriptions from May 1st to May 15th.....	29		58 00
May 23. Pearl Stewart, strychnia poisoning.....			15 00
" 30. Attending Mary Bell, for attempted abortion, all night,			10 00
June 1. James Lohman, fractured skull and scalp wound, night,			10 00
" 5. Florence Griffy, hemorrhage bowels, two visits .....			4 00
" 5. Annie Riley, threatened abort'n, dragged by police, night			5 00
" 9. Frank Butler, congestive chill, two visits.....			4 00
" 17. Minnie Taylor, one night and one day visit.....			7 00
" 27. Louis Murphy, laceration of the scalp, night.....			10 00
July 2. Ena Patterson, one visit.....			2 00
" 3. Mary Keefe, dislocated ankle.....			5 00
" 8. Irwin Smith, pistol shot wound by officer Wilder.....			5 00
" 10. Mary Bloodwell, exhaustion from heat.....			4 00
" 11 to 12. Irene Cushman, opium poisoning, night.....			15 00
" 19 to 20. Mollie Kinney, exhaustion from heat, night.....			5 00
" 25. Emma Francis, uterine hemorrhage, night.....			5 00
" 28. John Coughlen, fractured skull and scalp, night work...			5 00
Aug. 10 to 11. Ida Johns, night visit and medicine, colic.....			5 00
" 15. Wm. B. Edwards, one visit .....			2 00
" 29 to 30. James Williams, exhaustion and congestive chill, night,			5 00
August 30. Tom Taylor, fractured clavicle, officer Bates. ....			5 00
September 1. Wm. McMahon, congestive chill, night visit .....			5 00
" 2. Tom Mullen, lips cut to the teeth, night visit.....			5 00
" 14. Amanda Jones, scalded neck, breast and back, night....			10 00
" 16. S. T. Eddy, shot in the back by officer Case, night visit,			5 00
" 21. Ida Reagan, one visit.....			2 00
" 21. Nellie Lawrence, one visit .....			2 00
" 21. Gabriel Hopkins, one visit.....			2 00
Sept. 26 to 27. John Conden, cheek cut open, night work.....			5 00
Oct. 3 and 4. ———, girl drugged, attended from 11 P. M. to 3 A. M.			10 00
" 4 and 5. John McKaon, fractured jaw, night work.....			5 00
" 4 and 5. Tom Webb, eyelid and forehead cut by police.....			5 00
" 5 and 8. Drucilla White, debility and insanity, 4 visits.....			8 00
" 7. Chas. Heiling, congestive chill.....			2 00
" 7. Wm. Francis, manu a potu, night work.....			5 00
" 7. John McCurdy, night visit and medicine.....			1 50
" 7. John Edwards, night visit and medicine .....			1 50
" 7. John Quinn, exhaustion.....			2 00
" 8. Tom King, phagadenic chancroid, night visit.....			5 00
" 8. John Lewis, intermittent .....			2 00
" 16. Josephine Blyburne, visit on 16th and 17th.....			4 00
" 16. Mary Leslie, one visit.....			2 00
" 17. ——— Slattery, one visit.....			2 00
1879			
January 5. Chas. Ehrhardt, stabbed in neck, night work.....			10 00
" 27. Lottie Williams, morphia poisoning.....			10 00

\$2,411 00

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

That the Street Commissioner be directed to fill the chuck-holes in Blake street, between Washington street and Indiana avenue.

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

That the City Marshal be instructed to notify the property owners on the south side of Pendleton Pike to at once trim the hedge in front of their property, so that the same will not interfere with the free use of said street and sidewalk. If said work is not done within ten days from date of said notice, then said work shall be done by the Street Commissioner, and the cost of the same be collected from said property owners.

Also, offered the following motions; which were severally referred to the Board of Public Improvements:

That the Street Commissioner be directed to grade and gravel between Peru Railroad track and their switch-track at the Christian avenue crossing.

That the Street Commissioner be directed to place a wooden culvert across Yaades street, at the intersection of Seventh street.

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

That the Street Commissioner be directed to put down two wooden crossings over the gutter at the intersection of Merrill and Missouri streets, on the east side.

Also, offered the following motion; which was referred to the Board of Public Improvements, who were given power to act:

That the Street Commissioner be directed to haul a few loads of cinders to the intersection of McCarty and Tennessee streets; also, to the intersection of Illinois and McCarty streets.

Councilman McKay offered the following motions; which were severally adopted:

That the City Clerk be, and is hereby, directed to notify the City Commissioners to meet on Monday, March 10th, 1879, to further consider the matter of opening John street.

That Capt. J. Reid be, and is hereby, granted permission to exhibit "The Engle Clock" for fifteen days from Monday, March 10th, in the City of Indianapolis, for the sum of thirty (30) dollars, the license not to be issued until the money is paid to the city.

Councilman O'Brien offered the following motion; which was duly adopted:

That the Board of Police be directed to instruct the Police Force to enforce the provisions of the Market Ordinances now in force—especially those having refer-

ence to the licensing of hucksters and peddlers—as it is believed that many are doing business in violation of said ordinances.

Also, offered the following motion; which was referred to the Board of Public Improvements, who were given power to act:

That the Street Commissioner be instructed to attend, at once, to the filling up of the chuck-holes at the crossing of Washington street and the Belt Railroad. This point is a very dangerous one, and the city will, in all probability, have to stand a suit for damages if this matter be longer neglected.

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

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

*Gentlemen*:—The undersigned commission merchant, at present doing business on S. Meridian street, desires a license to sell at auction, and hereby asks for the privilege of taking out such license quarterly or annually, as your petitioner may choose. All licenses to be issued under the ordinance governing such matters.

Respectfully submitted,

GEORGE WEBB.

Councilman Reasner offered the following motion; which was referred to the Board of Public Improvements, who were given power to act:

That the Street Commissioner be directed to place foot-crossings on Washington street, at Arsenal avenue, Oriental street, Highland street, and at intersection of Michigan Road, of such material as he may have at command, without purchasing any new material.

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

That the Market Committees be granted the privilege of purchasing a set of measures and weights, to be used by the Market-Master at the West Market.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.