

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MARCH 17, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, March 17th, 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, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Walker, Wiese, and Wright—23.

ABSENT—Councilmen Reasner and Tucker—2.

The Proceedings of the Common Council, for the regular session, held on March 3d, 1879, having been printed, and placed on the desks of the Councilmen, said proceedings were duly approved as published.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the estimate (presented therewith) was duly approved:

To the Mayor and Common Council:

Gentlemen:—I herewith report the following estimate:

A corrected and final estimate in behalf of R. P. Dunning, for grading and bowldering Georgia street, from Meridian street to Illinois street—

860.8 lineal feet, at \$1.19.....	\$1,024 35
Changing manholes.....	1 50
Total estimate.....	\$1,025 85
Former estimate.....	1,025 85

The foregoing corrected estimate is made to correct assessment on former estimate.

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 corrected and final estimate, allowed R. P. Dunning, for grading and bowldering Georgia street, from Meridian street to Illinois 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.

Which was adopted by the following vote:

AYES, 15—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Maus, Morris, Morse, McGinty, McKay, Off, Redibaugh, Sindlinger, Walker, and Wiese.

NAYS—None.

The City Attorney submitted the following report; which was duly received:

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

Gentlemen:—Since your last meeting, the case of Elizabeth Kollman v. The City of Indianapolis has been tried in the Superior Court.

This was a suit for damages, for injuries received by Mrs. Kollman by being thrown down into the bed of Pogue's Run, while driving along the alley running from McNabb to South street, there being no railing or protection along the bank of the Run, and it being walled up, to the height of twelve feet, to the level of the alley. The trial resulted in a verdict against the city for \$100. The accident was occasioned by her horse backing the wagon over the wall, and it was claimed would not have happened had there been a proper railing along the same.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

REPORTS, ETC., FROM OFFICIAL BOARDS.

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 motions, make the following report thereon:

1st. Is a motion 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 direction of the City Civil Engineer.

We recommend concurrence in the motion.

2d. Is a motion 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 New Jersey street, and report its condition.

After examination of the bridge, we are of the opinion that a new one should be built as soon as possible, and recommend that the City Civil Engineer be instructed to advertise for proposals to build stone arches, suitable for the place.

3d. Is a motion that the Street Commissioner be directed to fill the chuck-holes in Blake street, between Washington street and Indiana avenue.

We recommend that the motion be amended, so as to read from Michigan street to Indiana avenue, and then adopted.

4th. Is a motion that the Street Commissioner be directed to grade and gravel between Peru Railroad track and their switch track on Christian avenue.

This is a much-needed improvement, will not cost to exceed \$10, and we recommend the work be done.

5th. Is a motion that the Street Commissioner be directed to place a wooden culvert across Yandes street, at the intersection of Seventh street.

We recommend that rolling-mill cinders be substituted for a wooden culvert.

6th. Is a motion 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.

We recommend the work be done.

7th. Is a report of the Committee on Bridges. The following motion was referred to said committee: "That the City Civil Engineer be ordered to advertise for proposals to build stone abutments for bridge over the canal on First street." The Committee on Bridges make the following report: "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 recommend its adoption."

After examination of the bridge at the crossing of St. Clair street, we consider the bridge of great importance to that part of the city. The amount of travel demands a more substantial improvement than could be made without stone abutments. We, therefore, recommend the report of the committee be adopted.

8th. Is a motion that the Street Commissioner be directed to put a cinder crossing across Buchanan street, opposite No. 13 School-House.

We recommend the work be done.

Respectfully submitted,

M. H. McKAY,
JOHN L. MARSEE,
H. COBURN,
Board of Public Improvements.

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

Report of Deaths in the City of Indianapolis, from March 1st to 15th, 1879, inclusive:

Under 1 year	8
1 to 2 years	1
2 to 5 "	3
5 to 10 "	3
10 to 15 "	3
15 to 20 "	0
20 to 25 "	1
25 to 30 "	8
30 to 40 "	5
40 to 50 "	4
50 to 60 "	5
60 to 70 "	2
70 to 80 "	0
80 to 90 "	0
90 to 100 "	0
100 and upwards	0
Unknown	11
Total	54

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

The same official board presented the following communication; which was referred to the Committee on Benevolence and Hospitals:

To the Board of Health:

Gentlemen:—Having received the appointment of Health Officer on June 13th, 1878, I entered at once upon the duties as such, with the earnest desire to improve the sanitary condition of our city; and I, herewith, have the honor to submit my report, accompanied with some suggestions (for which I hope you will not consider me impertinent) that experience and close observation, during the past nine months, convince me will be of practical importance to the healthy condition of our city.

I have frequently met with difficulties and opposition in the discharge of my duties in attempting to abate nuisances found in alleys, lots, and yards—more especially in yards—created by throwing garbage and slops other than in sinks and barrels; and as the city provides no means for the removal of this refuse matter, and as the greater accumulations are upon tenant property, I would call your especial attention to the fact that some provision be made in this direction, compelling property owners to prepare suitable vaults or sinks for such accumulations.

The abatement of nuisances on private property is often retarded, and, in many instances, prevented by the impossibility of finding the owner, who is often a non-resident and fails to respond to notice; therefore, the offending parties can not be brought to justice, and the officers are powerless to remedy the evil. When nuisances of a serious character exist on premises where no owner or responsible agent can be found, the health officer should have the power to enter upon the premises, abate the nuisance, and certify the cost of the same to the proper city officials, and collect the same as other assessments for special improvements.

Manure heaps, ash heaps, etc., are excellent places, and are used, to a great extent, for the interment of dead animals, such as dogs, cats, rats, and fowls. As a remedy for this, and to abate the stench arising from garbage, etc., I would recommend that a force of carts or wagons, having tanks so constructed as to prevent leakage or stench, and whose duty it should be to make regular trips, or rounds, through the city, gathering up and hauling away offensive matter.

For the inspection of live animals, for the purpose of protecting our citizens from the use of diseased and unhealthy meat, I would recommend an inspector of animals to be slaughtered, and make it compulsory on the part of any of our butchers to have the Inspector's certificate that the animal to be slaughtered is sound and healthy; and, further, he could see that the places of killing should be kept clean and healthy.

The Health Department is seriously embarrassed by the smallness of the force given them to accomplish the work prescribed and expected of them.

Gentlemen, this table shows the duration of a few of our most important diseases, terminating fatally, with the percentage of deaths, within specified periods, of each disease

Of Scarlet Fever, we find that nearly one-fourth of all the deaths occur on or before the third day; the second next most fatal periods will be found to be the fourth and seventh days; while a large number live beyond fourteen days.

In Diphtheria, the most fatal day is the seventh day—nearly fifteen per cent. dying on this day; the fifth and sixth ranging next in fatality.

In Pneumonia, the most fatal period is the seventh day—more than one in six of all the deaths occurring at this time; nearly one-third of the deaths from this disease occur from the eleventh to the fourteenth day, inclusive.

In Typhoid Fever, a large number die on or before the tenth day; the fourteenth day proves fatal to over one fifth; and the twenty-first to a little over one-fourth of the total number.

In consumption, over one-half die before passing the sixth month of the disease; the next most fatal period is between the ninth and twelfth month; comparatively few of sixty one per cent. live beyond the second year. In the northwest part of the city this disease is more prevalent than in any other portion of the city.

I here present a report of the contagious diseases for the seven months ending December 31st, 1878:

Scarlet Fever	53
Diphtheria.....	3
Whooping Cough.....	1
Small Pox.....	1
Total	58

Deaths from contagious diseases:

Scarlet Fever	4
Diphtheria	21
Whooping Cough.....	14
Small Pox.....	3
Total	42

Evidently only a small number of the contagious diseases have been reported.

Deaths from Consumption in the same period are.....	97
Other diseases.....	649
Total	788
Adult mortality	327
Minors	461
Total	788

Number of legal notices served for the abatement of nuisances:

June	260
July	591
August.....	615
September.....	405
October	365
November.....	15
December	5
Total	2256

Very respectfully,
 Your obedient servant,
 T. N. WATSON, Health Officer.

I would also add a report of the stationery expenses of the Board of Health:

August 30, 1878.	Letter-Heads, blocked.....	\$ 3 00
September 24, 1878.	2000 Death Certificates.....	6 00
	Burial Permits.....	6 00
	Mortality Record.....	8 75
Total		\$23 75

REPORTS, ETC., FROM COMMITTEES.

The Committee on Finance, through Councilman Wright, submitted the following report; which was duly approved:

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

Gentlemen:—Your Committee on Finance, to whom was referred the reports of City Clerk and City Treasurer (submitted March 3d), report that they have examined said reports, and find them correct.

Respectfully submitted,

A. L. WRIGHT,
S. MORRIS,
JAMES T. LAYMAN,
S. SHOWALTER,
G. SINDLINGER,
Committee on Finance.

The Council and Aldermanic Judiciary Committees and the City Attorney, through Councilman McKay, submitted the following report; which was duly concurred in:

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 the petition of Elizabeth Barth, to have money refunded, to the amount of seventeen (17) dollars. The petitioner states that, by an oversight, she paid, on November 18th, 1878, city taxes on lot 3, square 10, Affenstranger's Sub., \$17; that the above lot was attached, on tax-duplicate, to lot 1, in square 10, Affenstranger's Sub., and so, by mistake, paid the tax on both, in place of paying only on lot 1, square 10; and on account of such oversight, she asks to have the \$17 refunded.

After careful investigation of this case, we recommend the prayer of the petitioner be *not* granted.

Second. Is a motion, "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."

We recommend this motion be referred to the Board of Public Improvements, with power to act.

Third. Is the bond of Levi H. Rowell, in the penal sum of \$3000, for the faithful performance of his duties as Market-Master for the West Market for the unexpired term of Chas. N. Lee, resigned. The bond is signed by Levi H. Rowell, W. W. Scott, and J. W. Hervey.

We find, after examination, the bond correctly drawn, properly executed, and the bondsmen responsible; and, therefore, recommend its approval.

Fourth. Is the petition of Frank McWhinney, to have money refunded on account of erroneous tax sale. The petitioner represents that, on the 14th day of February, 1876, at a public tax-sale held by the City of Indianapolis on said day, he purchased from the City Treasurer a tax sale certificate on the following described property: Sixty feet by sixty-five feet off of the north end of lot No. 10, and the northwest corner of lot No. 11, in square 77, in the City of Indianapolis. The property was sold in the name of Anton J. Deer, for the taxes of 1873, 1874, and 1875, and for which tax certificate petitioner paid to the City Treasurer the sum of two hundred and sixty-nine dollars and eleven cents (\$269.11). And petitioner further represents that he has since paid the taxes of 1876, being in amount \$78.40, paid December 26th, 1876; and the taxes of 1877, being in amount

\$56, paid March 30th, 1878; and the taxes of 1878, being in amount \$49.14, paid December 16th, 1878.

Petitioner asks and demands 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 for the years 1873, '4, '5, '6, 7, and '8. Attached to the petition is the certificate of William Hadley, City Assessor, to the effect that the facts, as set forth in the petition, are true; that the property is exempt according to law, and therefore the money should be refunded.

We find, by reference to the records, that the above described real estate was conveyed, by warranty deed, dated June 23d, 1870, and recorded July 2d, 1870, from Louisa Mary Schmitt and husband to Sister Antonia T. Dreer. The property has been, and is, used and held as church property since that date, and is, by statutory provision, exempt from taxation. We, therefore, recommend the prayer of the petitioner be granted.

Fifth. Is the lease of the property known as 34 E. Washington street, from the City of Indianapolis to Isaac L. Frankem, for one year only, from the first day of January, 1879, for the sum of seventeen hundred and fifty (1750) dollars, to be paid quarterly, on the first days of April, July, October, and January, accompanied by receipt of the City Treasurer, in full for rent to January 1st, 1879. The lease is correctly drawn, and is signed by Isaac L. Frankem in duplicate.

We recommend the lease be approved, and signed in duplicate by His Honor, the Mayor; that the City Clerk be directed to keep the original, and deliver the duplicate to Isaac L. Frankem.

We recommend that the Committee on Accounts and Claims be, and are hereby, instructed to include all allowances approved in this report in the next general appropriation ordinance, and that the City Clerk be directed to draw his warrant on the City Treasurer for such amounts, in favor of the parties to whom said allowances are made.

Respectfully submitted,

M. H. MCKAY,
JOHN L. MARSEE,
JOHN L. F. STEEG,
D. W. GRUBBS, except as to
clause in relation to Mrs. Barth,
Committees on Judiciary.

R. O. HAWKINS, City Attorney.

The bond of Levi. H. Rowell (mentioned in the third clause of preceding report), and the lease of No. 34 E. Washington street (mentioned in the fifth clause) were then submitted, and were severally approved.

The Committee on Railroads and the City Attorney submitted the following report; and the amendment therein suggested was duly adopted:

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

Gentlemen:—Your Committee on Railroads and City Attorney, to whom was referred the resolution requiring the Street Railway Company to proceed to build a line upon Indiana avenue, would report that we have examined the matter, and are of the opinion that the same should be amended, by inserting the following: "To West street," instead of the words "to Blake street"; and, when so amended, we recommend that the resolution be passed.

Respectfully submitted,

J. M. BRUNER,
MARTIN MCGINTY,
Committee on Railroads.
R. O. HAWKINS, City Attorney.

The Aldermanic resolution [see pages 659 and 660, *ante*], amended by concurrence in the recommendation set forth in preceding report, was read :

Be it Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Council and Board deem it expedient that a line of street railway be constructed along and upon Indiana avenue, from the intersection of said avenue with Illinois street, northwest, along said avenue, to West street; and that the Citizens' Street Railway Company be, and are hereby, directed to construct the same at once. And the City Clerk is hereby directed to serve a copy of this resolution upon the proper officer of said company, in accordance with the provisions of section 15 of an ordinance entitled, "An Ordinance authorizing the construction, extension, and operation of certain Passenger Railways in and upon the streets of the City of Indianapolis (ordained January 18th, 1864)."

And was adopted by the following vote :

AYES, 21—viz.: Councilmen Anderson, Bermann, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Sindlinger, Steeg, Walker Wiese, and Wright.

NAYS, 1—viz.: Councilman Dill.

The Committee on Opening, etc., Streets and Alleys, through Councilman Layman, submitted the following report; which was duly concurred in :

To the Common Council of the City of Indianapolis :

Gentlemen :—Your Committee on Opening, etc., Streets and Alleys, to whom was referred the remonstrance of F. A. Lehr and others against the assessments made by the City Commissioners in the matter of widening Shelby street, from Prospect street to Raymond street, would report thereon as follows :

That the City Commissioners met, pursuant to the required notice, on the 2d day of September, 1878, at which meeting several of the remonstrants were in attendance.

The City Commissioners' report of assessments of benefits and damages was not submitted to the Common Council until November 4th, which, in our opinion, gives evidence of careful consideration of such benefits and damages. And the aforesaid report was not adopted until November 18th—first by a direct vote of 20 to 2; and then, later on same evening, on a motion to reconsider the adoption of the resolution approving the report, that proposition was voted down by 13 against 11.

On the 19th November, 1878, the before mentioned report, etc., were read before the Board of Aldermen, and by that body referred to its Committee on Opening, etc., Streets and Alleys, by whom they were reported back on November 25th, and the resolution was then duly adopted by a vote of 7 to 1.

It appearing from the papers on file in this case that each and all of the remonstrants had good and sufficient notice of the meeting of the City Commissioners to consider the same; inasmuch as the Commissioners' report shows that some of the remonstrants were present at the meeting of the 2d September, 1878; and said remonstrants having neglected to avail themselves of the right of appeal given them by section 14 of the Act of the General Assembly of Indiana, within thirty days from the 25th November, 1878, your committee are of the opinion that the awards made by the City Commissioners must stand as legal and binding, and that it is not within the power of the Common Council and Board of Aldermen to re-

consider, at this late day, even if so disposed, the votes by which said bodies had approved and adopted the report of the Board of City Commissioners in this case.

Respectfully submitted,

JAMES T. LAYMAN,
JOHN L. F. STEEG,
Committee on Opening, etc., Streets and Alleys.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read :

To the Common Council of the City of Indianapolis :

Gentlemen:—At the last regular session of the Board of Aldermen, held on 4th instant, that body refused to concur in your action of preceding evening, when you ordered the City Attorney to take the case of Boehl vs. The City, by appeal, to the General Term of the Superior Court.

I hereby report this non concurrent action for your further consideration of the matter.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

And then, on motion of Councilman Layman, the Common Council determined to insist on its action of the 3d instant, as set forth on page 802, *ante*.

The following message was duly received :

To the Mayor and Common Council :

Gentlemen:—I herewith submit, for your consideration and action upon same, two motions which were favorably acted upon by the Board of Aldermen, at its regular session held March 4th, 1879.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

The following Aldermanic motion [which the Board of Aldermen had referred to the Board of Public Improvements, with power to act—[see page 829, *ante*], was read ; and the reference and power given were duly confirmed :

That the Street Commissioner be instructed to repair Vermont street, between California and West streets.

The following Aldermanic motion was also read, and was duly adopted :

That the Citizens' Street Railway Company be notified to fill up two feet on each side of its tracks on S. Meridian street, in conformity with the provisions of its charter-ordinance.

NEW ORDINANCES, PETITIONS, ETC.

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

Indianapolis, March 15, 1879.

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

Gentlemen:—The undersigned, Board of Commissioners of Marion County, in view of the more efficient protection of the Court House Square from the injuries to which it is daily liable, would respectfully request of your honorable bodies the passage of the accompanying draft for an ordinance, for the purposes therein named.

Very respectfully,

WM. WORMAN,
A. C. REMY,
JACOB RUBUSH,
Commissioners Marion Co.

Preceding communication was accompanied by the following entitled ordinance; which was read the first time:

G. O. 7, 1879—An Ordinance for the protection of the Court House fence.

The Committee on Finance, through Councilman Layman, introduced—

Ap. O. 17, 1879—An Ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes.

G. O. 8, 1879—An Ordinance to provide for the Assessment of Real and Personal Property in the City of Indianapolis, for the purpose of taxation for the year 1879.

Councilman Brown introduced—

G. O. 9, 1879—An Ordinance regulating Vehicles kept or used, for hire or pay, in transporting Passengers, Freight, or other articles within the City of Indianapolis, and requiring such Vehicles to be registered and licensed.

Councilman Wright introduced—

G. O. 10, 1879—An Ordinance fixing the dates of the beginning and ending of the Fiscal Year for the City of Indianapolis.

Councilman Brown introduced—

S. O. 1, 1879—An Ordinance to provide for improving Linden street, from Prospect street to Pleasant street, by grading and graveling the street and sidewalks thereof.

B. O. 2, 1879—An Ordinance to provide for improving the first alley north of Woodlawn avenue, from Dillon street to Olive street, by grading and graveling.

Councilman Dill introduced—

B. O. 3, 1879—An Ordinance to provide for improving New York street, between Tennessee and Missouri streets, by grading and graveling the street, widening and curbing the sidewalks, and bowldering the gutters thereof.

The above entitled ordinance was accompanied by the following petition; which was duly received:

Indianapolis, March 17, 1879.

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

Gentlemen:—The undersigned, owners of the real estate fronting on New York street, between Tennessee street and Missouri street, respectfully petition for the passage of an ordinance providing for the widening of the sidewalks five feet on each side of said New York street, for the curbing of the outer edge of the sidewalks with stone, for bowldering the gutters on each side of the street to the width of nine feet, and for graveling the street with good raked river or creek gravel, between said Tennessee and Missouri streets.

And your petitioners will ever pray, etc.

James G. Douglass, 100 feet; Ellen B. Douglass, 73 feet; J. A. Weakley, 32 feet; Chas. W. Moody, 128 feet; James L. Fugate, 32½ feet; Henry Habeny's Heirs, 62 feet; Indianapolis Chair Manufacturing Company. Chas. Helwig, Pres't, 118 feet; John S. Spann, 83 feet; David Kregelo, 65 feet; David Kregelo, 60 feet.

Councilman Off introduced—

S O. 4, 1879—An Ordinance to provide for grading, and paving with brick, the west sidewalk of Arsenal avenue, from Washington street to the first alley north of Washington street.

On Councilman Marsee's motion, the rules were suspended, for the purpose of now reading Appropriation Ordinance 17, 1879, and General Ordinance 8, 1879, the second and third times, and placing them on their passage, by the following vote:

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

NAYS—None.

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

Ap. O. 17, 1879—An Ordinance appropriating money for the payment of Salaries and Compensations of City Officers and Employes. [Amount appropriated, \$18,176 38.

And was passed by the following vote:

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

NAYS—None.

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

G. O. 8, 1879—An Ordinance to provide for the Assessment of Real and Personal Property in the City of Indianapolis, for the purpose of taxation for the year 1879.

And was passed by the following vote :

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

NAYS—None.

On Councilman Wright's motion, the rules were suspended, for the purpose of now reading General Ordinance 10, 1879, the second and third times, and placing same on its passage, 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, Steeg, Walker, Wiese, and Wright.

NAYS—None.

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

G. O. 10, 1879—An Ordinance fixing the dates of the beginning and ending of the Fiscal Year for the City of Indianapolis.

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, Steeg, Walker, Wiese, and Wright.

NAYS—None.

MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be directed to clean the gutters of Davis street, south of Bickling street, and fill the alley-crossing on said street.

Also, offered the following motion; which was referred to the Council and Aldermanic Committees on Parks, who were given power to act :

That the Committee on Parks be instructed to lease the part of the South Park lying south of the railroad, to Henry Steinecker, for the coming year, if the same is not now included in the lease of the park.

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

That the hour of meeting of the Common Council be changed from 7 to 7:30 o'clock P. M.

Also, presented the following petitions; which were severally referred to the Committee on Opening, etc., Streets and Alleys:

Indianapolis, February 19, 1879.

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

Your petitioner respectfully represents that he is the owner of all the lots and ground known as McLane and Denny's First Addition to the City of Indianapolis, being a subdivision of ten acres off the w $\frac{1}{2}$ of the s e $\frac{1}{4}$ of sec. 30, tp. 16, r 4, as recorded in Plat Book 4, page 214, of the Recorded Plats of Marion Co., Ind., and bounded and described as follows, to wit: Beginning at the southwest corner of lot seven (7), in said McLane and Denny's Addition; thence, north, along the east line of Bismarck street, to the centre of Harlan street; thence, east, along the centre of Harlan street, to its intersection with Baltimore avenue; thence, north, along the west line of Baltimore avenue, to the southeast corner of lot fifty-three (53), in said Addition; thence, west, along the south line of the lots in said Addition, to the place of beginning; subdivided and numbered as shown in the plat hereto annexed, marked "A."

And he respectfully requests that you will pass an order, vacating the streets and alleys within said boundaries, and authorize the owner to enclose said land with a permanent enclosure, in order that he may put the same under cultivation, and otherwise improve and enjoy it.

Respectfully,

INGRAM FLETCHER.

STATE OF INDIANA, *Marion County*:

Before me, George P. Anderson, a notary public in and for said County, came Ingram Fletcher, and, being duly sworn, says the statement in above petition is true, as he verily believes.

Witness my hand and notarial seal, this 8th day of February, 1879.

[SEAL]

GEO. P. ANDERSON, Notary Public.

[A plat of McLane and Denny's First Addition was here attached to the original papers, and marked "A."]

NOTICE OF VACATION.

Notice is hereby given, that Ingram Fletcher has filed his petition before the Common Council and Board of Aldermen of the City of Indianapolis, for the vacation of the streets and alleys within and adjoining the subdivision known as McLane and Denny's First Addition to the City of Indianapolis, being a subdivision of ten acres off the w $\frac{1}{2}$ of n e $\frac{1}{4}$ of sec. 30, tp. 16, r 4, as recorded in Plat-Book 4, page 214, of the Recorded Plats of Marion Co., Ind., and bounded and described as follows, to-wit: Beginning at the southwest corner of lot seven (7), in McLane and Denny's Addition; thence, north, along the east line of Bismarck street, to the centre of Harlan street; thence, east, along the centre of Harlan street, to its intersection with Baltimore avenue; thence, south, along the west line of Baltimore avenue, to the southeast corner of lot fifty-three (53), in said Addition; thence, west, along the south line of the lots in said Addition, to the place of beginning.

Which petition will be acted on by said City Council and Board of Aldermen of Indianapolis, on Monday, March 3d, 1879, or as soon thereafter as practicable.

INGRAM FLETCHER.

STATE OF INDIANA, *Marion County*, ss:

Geo. P. Anderson, being duly sworn, says that a copy of the above notice was posted up in three (3) places near the Addition proposed to be vacated, twenty (20) days previous to the third day of March, 1879, as required by law.

GEO. P. ANDERSON.

Subscribed and sworn to before me, this twenty-second day of February, 1879.

[SEAL.]

HENRY C. DARNELL, Notary Public.

NOTICE OF VACATION.

Notice is hereby given, that Ingram Fletcher has filed his petition before the Common Council and Board of Aldermen of the City of Indianapolis, for the vacation of the streets and alleys within and adjoining the subdivision known as McLane and Denny's First Addition to the City of Indianapolis, being a subdivision of ten (10) acres off the west half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) of section thirty (30), township sixteen (16), range four (4), as recorded in Plat-Book 4, page 214, of the Recorded Plats of Marion County, Ind., and bounded and described as follows, to-wit: Beginning at the southwest corner of lot seven (7) in said McLane and Denny's Addition; thence, north, along the east line of Bismarck street, to the centre of Harlan street; thence, east, along the centre of Harlan street, to its intersection with Baltimore avenue; thence, south, along the west line of Baltimore avenue, to the southeast corner of lot fifty-three (53) in said Addition; thence, west, along the south line of the lots in said Addition, to the place of beginning.

Which petition will be acted on by said City Council and Board of Aldermen of Indianapolis, on Monday, March 3d, 1879, or as soon thereafter as practicable.

INGRAM FLETCHER.

STATE OF INDIANA, *Marion County, ss:*

Before me, James Greene, a notary public within and for said County, personally appeared Frank T. Holliday, who, being by me first duly sworn, upon his oath says that he is publisher of The Indianapolis News, a public weekly newspaper of general circulation, printed and published in Indianapolis, in the County of Marion, State of Indiana; that the notice, of which the attached is a true copy, was duly published in said paper for three (3) weeks successively, the first issue of which publication was on the 5th day of February, 1879, and the last on the 19th day of February, 1879.

FRANK T. HOLLIDAY.

Subscribed and sworn to before me, this 22d day of February, 1879.

[SEAL.]

JAMES GREENE, Notary Public.

Indianapolis, February 19, 1879.

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

Your petitioners respectfully represent that they are the owners of all the lots and ground known as Fred. L. Russell's Subdivision of 17 6 10 acres off the south end of the w $\frac{1}{2}$ of the s e $\frac{1}{4}$ of sec. 30, tp 16, r 4, as recorded in Plat-Book 4, page 172, of the Recorded Plats of Marion County, Ind., and also the north half of Long Branch street, and bounded and described as follows, to-wit: Beginning at the northeast corner of Bismarck and Anderson streets; thence, north, along the east line of Bismarck street, to the north line of Long Branch street; thence, east, along the north line of Long Branch street, to the west line of Hill avenue; thence, southwesterly, along the west line of Hill avenue, to the north line of Anderson street; thence, west, along the north line of Anderson street, to the place of beginning; subdivided and numbered as shown on the plat hereto annexed, marked "A."

And they respectfully request that you will pass an order vacating the streets and alleys within said boundaries, and authorize the owners to enclose said land with a permanent enclosure, in order to put the same under cultivation and otherwise improve and enjoy it.

Very respectfully,

GEO. B. EDWARDS,
ANDREW FLEMING,
INGRAM FLETCHER.

STATE OF INDIANA, *Marion County, ss :*

Before me, a notary public in and for said County, came Ingram Fletcher, and, being duly sworn, says the statement in the above petition is true, as he verily believes.

Witness my hand and notarial seal, this 8th day of February, 1879.

[SEAL.]

GEO. P. ANDERSON, Notary Public.

STATE OF PENNSYLVANIA, *Allegheny County, ss :*

Before me, a notary public in and for said County, personally appeared George B Edwards, and, being duly sworn, say, and Andrew Fleming, and being duly affirmed, say, that the statement in the above petition is true, as they verily believe.

Witness my hand and notarial seal, this 13th day of February, 1879.

[SEAL.]

W. A. HERRON, Notary Public.

[A plat of Fred. L. Russell's Subdivision was here attached to the original papers, and marked "A."]

NOTICE OF VACATION—"B."

Notice is hereby given, that Geo. B. Edwards, Andrew Fleming, and Ingram Fletcher have filed their petition before the Common Council and Board of Aldermen of the City of Indianapolis, for the vacation of the streets and alleys within and adjoining Fred. L. Russell's Subdivision of 17 6-10 acres off the south end of the w $\frac{1}{2}$ of the s e $\frac{1}{4}$ of sec. 30, tp. 16, r. 4, as recorded in Plat-Book 2, page 172, of the Recorded Plats of Marion County, Ind., and also the north half of Long Branch street, bounded and described as follows, to-wit: Beginning at the northeast corner of Bismarck and Anderson streets; thence, north, along the east side of Bismarck street to the north line of Long Branch street; thence, east, along the north line of Long Branch street, to the west line of Hill avenue; thence, southwesterly, along the west line of Hill avenue, to the north line of Anderson street; thence, west, along the north line of Anderson street, to the place of beginning.

Which petition will be acted on by the said City Council and Board of Aldermen, on Monday, March 2d, 1879, or as soon thereafter as practicable.

GEO. B. EDWARDS,
ANDREW FLEMING,
INGRAM FLETCHER.

STATE OF INDIANA, *Marion County, ss :*

Geo. P. Anderson, being duly sworn, says that a copy of the annexed notice of vacation, marked "B," was posted up in three (3) public places near the Addition proposed to be vacated, twenty (20) days previous to the third day of March, 1879, as required by law.

GEO. P. ANDERSON.

Subscribed and sworn to before me, this twenty-second day of February, 1879.

[SEAL.]

HENRY C. DARNELL, Notary Public.

NOTICE OF VACATION.

Notice is hereby given, that George B. Edwards, Andrew Fleming, and Ingram Fletcher have filed their petition before the Common Council and Board of Aldermen of the City of Indianapolis, for the vacation of the streets and alleys within and adjoining Fred. L. Russell's Subdivision of seventeen and six-tenths (17 $\frac{6}{10}$) acres of the south end of the west half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) of section

thirty (30), township sixteen (16), range four (4), as recorded in Plat-Book 4, page 172, of the Recorded Plats of Marion County, Indiana, and also the north half of Long Branch street, bounded and described as follows, to-wit: Beginning at the northeast corner of Bismarck and Anderson streets; thence, north, along the east line of Bismarck street, to the north line of Long Branch street; thence, east, along the north line of Long Branch street, to the west line of Hill avenue; thence, southwesterly, along the west line of Hill avenue, to the north line of Anderson street; thence, west, along the north line of Anderson street, to the place of beginning.

Which petition will be acted on by the said City Council and Board of Aldermen, on Monday, March 3d, 1879, or as soon thereafter as practicable.

GEORGE B. EDWARDS,
ANDREW FLEMING,
INGRAM FLETCHER.

STATE OF INDIANA, *Marion County, ss:*

Before me, James Green, a notary public in and for said County, personally appeared Frank T. Holliday, who, being by me first duly sworn, upon his oath says that he is publisher of The Indianapolis News, a public weekly newspaper of general circulation, printed and published in Indianapolis, in the County of Marion, State of Indiana; that the notice, of which the attached is a true copy, was duly published in said paper for three (3) weeks successively, the first issue of which publication was on the 5th day of February, 1879, and the last on the 19th day of February, 1879.

FRANK T. HOLLIDAY.

Subscribed and sworn to before me, this 22d day of February, 1879.

[SEAL.]

JAMES GREENE, Notary Public.

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

That David Russell be granted permission to lay a plank driveway over the sidewalk in front of his foundry, on Biddle street—the same to be done at his own expense, and under the directions of the City Civil Engineer.

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

That the Street Commissioner be instructed to fill the chuck-holes in St. Clair street, from Massachusetts avenue to Pine street.

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

That the two Committees on Finance be instructed to examine into the practicability of raising revenue for city purposes from other sources than taxation on real and personal property, and report to this Council at our next regular meeting.

That Thomas Canton be allowed to pave with brick his sidewalk, in front of 102 and 98 on W. Fayette street, at his own expense—the work to be done under the direction of the City Civil Engineer.

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

That the Street Commissioner be directed to notify the Citizens' Street Railway Company to repair St. Joseph street, between Meridian and Pennsylvania streets,

as that railway company; on taking up its track, has left the street in bad condition, and property owners, in that neighborhood, are grumbling. If the Citizens' Street Railway Company fail to repair this street inside of ten days, the Street Commissioner shall make the necessary repairs, and collect the cost from the said railway company.

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

That the Street Commissioner be directed to repair the gutter at the intersection of Michigan and Blake streets; also, the gutter at the intersection of Agnes and North streets.

Also, presented the following petition; which was referred to the Council and Aldermanic Committees on Railroads:

Indianapolis, March 17, 1879.

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

Gentlemen:—The undersigned, owners of real estate along the line of Indiana avenue, between West and Blake streets, would respectfully represent, that the project of the Citizens' Street Railway Company to lay and operate a line of their tracks on Indiana avenue, between the said streets, if carried out, will greatly injure said part of Indiana avenue, and unfit the same for travel over said part of the avenue for heavily-laden wagons, and thereby divert a large part of travel and business which we now have.

That Indiana avenue is only — feet wide between West and Blake streets, and the deep gutters necessary to drain the avenue further reduce the width for the use of vehicles.

That it is wholly inadequate to accommodate the present amount of travel and a street railway, and, therefore, ask that the Citizens' Street Railway Company be directed not to lay their tracks on Indiana avenue between West and Blake streets, and recommend that the track be laid west, on North street, from Indiana avenue.

Your petitioners will ever pray, etc.

Edward Santo, 175 feet; A. Clifford, 177 feet; J. Gahm, 40 feet; W. Gardner, 38 feet; F. Witthœft, 91 feet; John W. Hadly, 33 feet; Conrad Monninger, 65 feet; W. W. Hoover, 49½ feet; Andreas Hornberger, 100 feet; Smith Craft, 126½ feet; Peter Rocker, 110 feet; E. Boring 45½ feet.

Also, presented the following petition; which was referred to the Committee on Opening, etc., Streets and Alleys:

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

Jacob W. Hoagland vs. J. H. Vajen, J. C. & C. E. Geisendorff and others, before their Honors, the Mayor and Common Council and Board of Aldermen of the City of Indianapolis, Indiana:

Petition to vacate all the streets and alleys in Metcalf and Cook's Subdivision of blocks 2, 3, 4, 5, and 6, of William T. H. and Almira D. Brooks' Addition to the City of Indianapolis, into eighty-five lots. Sizes of lots and width of streets and alleys are all shown in feet and decimals of a foot on plat recorded on Plat-Book No. 6, page 133 (a correct draft of which is filed herewith). And to cancel the same, Jacob W. Hoagland, your petitioner, shows your honors that heretofore, to-wit, on the 3d day of October, 1873, William H. Metcalf and George B. Cook placed on file with the Recorder of Marion County, a plat of certain lands in said

county, viz., blocks Nos. 2, 3, 4, 5, and 6, of Wm. T. H. Brooks and Almira D. Brooks' Addition to the City of Indianapolis, laid out as pasture lots, and being part of the northwest quarter of section 35, town 16, north of range 3 east, lying west of the middle of Fall Creek and north of the Lafayette State Road—said blocks containing twelve and one one-hundredth acres. (See Record of Plats, Plat-Book No. 2, page 110, under date of October 10th, 1863.)

Your petitioner shows said lands are farm lands, lying west of the city; and while streets and alleys remain, said lands can not be utilized for any purpose, nor tilled or otherwise made remunerative.

That your petitioner owns said lands described in said plat, no lot or parcel being now owned by any other person; that J. H. Vajen owns the lands on the west side, J. C. & C. E. Geisendorff on the south, and Burr & Miller's Addition being on the north—the east line of the tract being the centre of Fall Creek.

And your petitioner shows your honors that he desires to vacate, and that all the streets and alleys in said Subdivision (as shown by said plat) be vacated; and that said plat be set aside, cancelled, and declared of none effect; and that your petitioner be authorized to take hold and resume possession of the whole of said tract, as it was prior to October 3d, 1873.

And your petitioner shows that there are no parties interested in any way in said matter than himself, J. H. Vajen, J. C. & C. E. Geisendorff, and the Addition known as Burr & Miller's to the City of Indianapolis.

Your petitioner, therefore, prays that said Subdivision be cancelled, and said streets and alleys, etc., as above described, be vacated. And he will ever pray.

JACOB W. HOAGLAND.

March 7, 1879.

We consent to the vacation above prayed for, with the understanding and agreement that said Jacob W. Hoagland will donate thirty feet in width along his west line, which, with thirty feet off the opposite side, will make a sixty feet road.

J. H. VAJEN,

J. C. & C. E. GEISENDORFF.

March 7, 1879.

Councilman Morris presented the following petition; which, on Councilman O'Brien's motion, was referred to the Board of Public Improvements:

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

Gentlemen:—The undersigned petitioners, resident citizens, living on Malott avenue and in its vicinity, would respectfully represent to your honorable body that said Malott avenue, from Alvord street running northeast to the first alley east of Yandes street, is in very bad condition, and in wet weather becomes almost impassable. Your petitioners would, therefore, ask your honorable body to direct the Street Commissioner to improve or repair the said avenue with suitable gravel, between the points aforesaid.

And your petitioners, in duty bound, will ever pray.

D. Reynolds, M. M. Hook, G. W. Windell, J. A. Weber,
J. W. Martin, T. S. Murdock, Ch. G. Weir, David
Greenwood, G. Evans, W. D. Williamson, Jacob
Livingston, John Frick, W. M. Dickerson, A. J.
Gephart, Henry C. Wright, W. G. Taylor, James
F. Carter, George W. Weir, J. M. Truman, W. D.
Griffin, John Dougherty, J. & T. Haneman.

Councilman McGinty 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 fill a chuck-hole at the intersection of Catharine and Missouri streets. Two loads of gravel or cinders will be sufficient.

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

That the Street Commissioner be instructed to repair, with new blocks, the block pavement of Delaware street, from St. Clair street to Seventh street, at a cost not to exceed \$15 per square.

Councilman O'Brien presented the following petition ; and, on his motion, the prayer of the petitioners was duly granted :

Indianapolis, March 17, 1879.

To the Mayor and Common Council :

Gentlemen :—Your petitioners request your honorable body to grant them license to sell at auction—said license to be issued under the provisions of an ordinance of said city governing such matters. They request the privilege of taking a license for one year, to be issued quarterly, by paying the amount required under said ordinance.

Respectfully,

S. T. & J. W. BARTHOLOMEW.

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

That the Citizens' Street Railway Company be ordered to take up and remove their string timbers on Kentucky avenue and Tennessee street, and place these streets in good condition for travel.

That Becker & O'Reilly be granted permission to construct a bowldered wagon-way across sidewalk in front of their blacksmith shop, southwest corner of Washington and California streets—the work to be donè in accordance with ordinance governing such work.

On Councilman O'Brien's motion, the action by which the last preceding motion had been referred, etc., was reconsidered by the following vote :

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

NAYS—None.

Aforesaid motion was then duly adopted.

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

That the Street Commissioner be instructed to fill the chuck-holes of Market street, between Davidson and Pine streets, with gravel.

That the Street Commissioner be instructed to fill the chuck-holes of New York street, between Noble and Railroad streets, with gravel.

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

That William L. Morgan be granted permission to lay a stone crossing from his place of business, 28 Louisiana street, to the Union Depot—said work to be done at his own expense, and under the directions of the City Civil Engineer.

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

That the Market-Master at the West Market be required to move the stands occupied by Joseph Rothschild and Conrad Gemmer (unless they pay up back rents within one week) back from Washington street, and that they be deprived the privilege of selling their wares at any of the public markets in the city.

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

That the Street Commissioner be instructed to fill, with gravel, the chuck-holes on the Crawfordsville Road, from Fall Creek bridge, at the end of Indiana avenue, to the bridge crossing White River.

Councilman Sindlinger presented the following protest; which was referred to the Committees on Railroads and on Judiciary and the City Attorney:

STATE OF INDIANA, *Marion County*, ss:

To the Honorable Members of the Common Council
of the City of Indianapolis, Marion County, Indiana:

This is to certify that I am the owner of the following real estate, in fee simple, to-wit: Forty-five feet and six inches of the north end of lot number seven, in square seventy-two (72), in the City of Indianapolis, beginning at the northwest corner of said lot; running thence, south, forty-five feet and six inches; thence, east, to the east line of said lot; thence, north, forty-five feet and six inches, to the northeast corner of said lot; thence, west, to the place of beginning.

That, at present, the Indianapolis, Cincinnati and Lafayette Railroad track is within eight feet of the front line of said property on Missouri street, Indianapolis, Indiana; that there is only about seventeen feet between the dwelling of the undersigned and the west end of said lot, along which the Indianapolis, Cincinnati & Lafayette Railroad track runs; and the undersigned represents that should your honorable body grant the right to run another track between the property of the undersigned and the present track, it will cause said property to greatly depreciate in value and destroy the enjoyment and occupation of the same as a home and residence for the undersigned, and I, therefore, protest against the granting to any person or persons the right to lay additional tracks between the present track and the property above described.

His
JERRY X HENSHAW.
mark.

Witness: P. W. BARTHOLOMEW.

Indianapolis, March 17, 1879.

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

That W. H. Hammons be allowed to build a bridge across the gutter in front of his place of business, on Daugherty street; also, to put a cinder-crossing across said street, and to pave the sidewalk with brick—all of said work to be done at his own expense.

That John L. S. Arnold be allowed to build a bridge across the gutter in front of his place of business, on Virginia avenue; also a driveway across the sidewalk, at his own expense.

That the Street Commissioner be directed to notify the Indianapolis Gas-Light and Coke Company to repair the sidewalk in front of Virginia avenue.

That Claffey & Seele be allowed to build a bridge across the gutter in front of their place of business, on Virginia avenue.

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

That the Street Commissioner be directed to raise the stone crossing of McCarty street, where the same intersects Virginia avenue, and fill the chuck-holes at same place.

That the Street Commissioner be directed to put a cinder crossing across Coburn street, where Wright street intersects said street.

That the Street Commissioner be directed to fill the chuck-holes in Coburn street, between East street and Virginia avenue.

That the Street Commissioner be directed to put two (2) cinder crossings across Wright and Dougherty streets, where said streets cross each other.

Also, presented the the following petition; which was referred to the Committee on Opening, etc., Streets and Alleys:

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

Gentlemen:—Your petitioners, respectable freholders of said city, pray your honorable body to cause to be vacated so much of the first alley south of Coburn street, in Daugherty's Subdivision of a part of out-lot No. 99, in the City of Indianapolis, as lies south of lots Nos. 11, 12, 13, 14, and 15, the first of which is owned by the petitioner, Isaac Foster, and all the others by the petitioner; and we herewith present, as a part of this petition, a plat of said "so much of the first alley south of Coburn street, in Daugherty's Subdivision of a part of out-lot No. 99, in the City of Indianapolis, as lies south of lots Nos. 11, 12, 13, 14, and 15," to be vacated for the following reasons:

That portion of said alley sought to be vacated has never been, in point of fact, in public use or utility, and that no one is interested therein except the parties owning the adjoining lots and lands, and that all the ground south of the said part of the alley sought to be vacated, viz., the west half ($w \frac{1}{2}$) of lot 1, and the $e \frac{1}{2}$ of lot 2, in David S. Beaty's Administrator's Subdivision in the n w corner of the $e \frac{1}{2}$ of section 13, tp. 15, n of r 4 e, is owned by the petitioner, the Brothers of the Sacred Heart.

ISAAC FOSTER,
BROTHERS OF THE SACRED HEART,
By JOHN FANGIER, President.

[A plat of above described alley and abutting property was here attached to original paper]

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

That the Street Commissioner be directed to lay a stone-crossing on the north side of Morris street, at crossing of Meridian street.

That the Street Commissioner be directed to clean the gutters of Palmer street, between Union and Meridian streets.

That the Street Commissioner be directed to take up the culvert, and clean the gutter, on the east side of Union street, at crossing of Morris street.

PENDING ORDINANCES—PROCEEDINGS HAD THEREON.

The following entitled ordinances were called up, and read the second time :

Special Ordinance 22, 1878, was ordered to be engrossed.

On Councilman Steeg's motion, the following entitled ordinance was ordered to be stricken from the files :

S. O. 29, 1878—An Ordinance to provide for grading and graveling Wright street and sidewalks, from Coburn street to the first alley south of Coburn street.

On Councilman Walker's motion, the following entitled ordinance was ordered to be stricken from the files :

S. O. 41, 1878—An Ordinance to provide for improving Spruce street and sidewalks, from Prospect street to Lexington avenue, by grading and graveling.

On Councilman Wright's motion, the following entitled ordinance was ordered to be stricken from the files :

S. O. 49, 1878—An Ordinance to provide for improving the alley running from Massachusetts avenue to Vermont street, between Alabama and Delaware streets, by grading and bowldering the same.

On Councilman Walker's motion, the following entitled ordinance was ordered to be stricken from the files :

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.

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

AYES, 4—viz.: Councilmen Cummings, Dill, O'Brien, and Reading.

NAYS, 19—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, Off, Rodibaugh, Showalter, Sindlinger, Steeg, Walker, Wiese, and Wright.

The following entitled ordinance was then read the third time :

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

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, Steeg, Walker, Wiese, and Wright.

NAYS—None.

Councilman Maus called up Special Ordinance 50, 1878.

Councilman Layman moved that aforesaid ordinance be referred to the Council and Aldermanic Committees on Gas-Light, with instructions to investigate the possibility of discontinuing an equivalent number of street lamps on other streets before passing the ordinance now under consideration.

On Councilman Maus's motion, the preceding proposition was laid on the table by the following vote :

AYES, 12—viz.: Councilmen Bermann, Bruner, Dill, Maus, Morse, McGinty, O'Brien, Off, Reading, Sindlinger, Steeg, and Wiese.

NAYS, 11—viz.: Councilmen Anderson, Brown, Cummings, Layman, Marsee, Morris, McKay, Rodibaugh, Showalter, Walker, and Wright.

Aforesaid ordinance (entitled as follows) was then read the third time :

S. O. 50, 1878—An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures (complete to burn gas, except the service-pipes), on Agnes street, between New York and North streets.

And was passed by the following vote :

AYES, 12—viz.: Councilmen Bermann, Bruner, Dill, Maus, Morse, McGinty, O'Brien, Off, Reading, Sindlinger, Steeg, and Wiese.

NAYS, 11—viz.: Councilmen Anderson, Brown, Cummings, Layman, Marsee, Morris, McKay, Rodibaugh, Showalter, Walker, and Wright.

The following entitled ordinance was also read the third time :

S. O. 58, 1878—An Ordinance to provide for improving the first alley west of California street, from Pratt street to First street, by grading and graveling.

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, Steeg, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

S. O. 59, 1878—An Ordinance to provide for re-grading and re-paving the east sidewalk of Virginia avenue, from Maryland street to Alabama street.

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, Steeg, Walker, Wiese, and Wright.

NAYS—None.

Councilman Anderson called up the following entitled ordinance :

G. O. 15, 1878—An Ordinance fixing the amount of License to be paid by the owners of the City Garden Theatre.

And the same was, on Councilman Brown's motion, referred to the Judiciary Committee and the City Attorney.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.