

# CITY OF INDIANAPOLIS, INDIANA.

## JOURNAL OF PROCEEDINGS

OF THE

# Common Council and Board of Aldermen,

FOR THE YEAR 1879-1880.

## PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 12, 1879.

The members elect of the Common Council of the City of Indianapolis, for the year 1879-1880, convened in the Council Chamber, on Monday evening, May 12th, A. D. 1879, at half-past seven o'clock.

Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, took the Chair, and directed the City Clerk to call the names of the gentlemen who had been elected and had duly qualified as Councilmen of the City of Indianapolis.

The following Councilmen elect were present at this roll-call, or made their appearance before any important proceedings were had, viz.:

Ward 1—Henry J. Prier.	Ward 13—William E. Shilling.
“ 2—M. Horace McKay.	“ 14—Joseph H. Sheppard.
“ 3—Calvin F. Rooker.	“ 15—George P. Wood.
“ 4—George King.	“ 16—James T. Dowling.
“ 5—John R. Pearson.	“ 17—Peter F. Bryce.
“ 6—Flavius J. Van Vorhis.	“ 18—William C. Lamb.
“ 7—Francis W. Hamilton.	“ 19—John O'Connor.
“ 8—Chris. H. Harmoning.	“ 20—William H. Tucker.
“ 9—John T. Downey.	“ 21—Marcus L. Brown.
“ 10—Leon Kahn.	“ 22—Jacob L. Bieler.
“ 11—Harvey G. Carey.	“ 23—Henry Bermann.
“ 12—Wm. H. Morrison.	“ 24—Christian F. Wiese.
	Ward 25—Martin McGinty.

As the roll-call developed the fact that a quorum was present, the Common Council proceeded to business.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Brown, submitted the following report; which was concurred in, and the contracts were duly awarded, as therein recommended:

To the Mayor and Common Council:

*Gentlemen*:—Your Committee on Contracts, to whom were referred sundry proposals, presented to Council on Monday, May 5th, 1879, have examined the same, and find them to be as follows, to-wit:

First. For grading and graveling Garden street and sidewalks, from Eddy street to Tennessee street—

D. A. Haywood, 41 cents per lineal foot front on each side.  
 Richard Carr, 40 cents per lineal foot front on each side.  
 James Mahoney, 39 cents per lineal foot front on each side.  
 R. P. Dunning, 35 cents per lineal foot front on each side.  
 M. Flaherty, 35 cents per lineal foot front on each side.  
 C. S. Roney, 29 cents per lineal foot front on each side.  
 James W. Hudson, 28 cents per lineal foot front on each side.

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

Second. For grading and graveling Linden street and sidewalks, from Prospect street to Pleasant street—

John Greene, 71 cents per lineal foot front on each side.  
 James Mahoney, 68 cents per lineal foot front on each side.  
 Richard Carr, 63 cents per lineal foot front on each side.  
 C. S. Roney, 59 cents per lineal foot front on each side.  
 D. A. Haywood, 58 cents per lineal foot front on each side.  
 James W. Hudson, 58 cents per lineal foot front on each side.  
 R. P. Dunning, 55 cents per lineal foot front on each side.  
 Henry Clay, 53 cents per lineal foot front on each side.  
 Fred. Gansberg, 53 cents per lineal foot front on each side.

There being a tie bid, and the price being reasonable, your committee recommend that the contract be awarded to Fred. Gansberg.

Third. For grading and graveling New York street, widening and curbing the sidewalks, and bowldering the gutters thereof, between Tennessee and Missouri streets—

John Stumph, \$1.59 per lineal foot front on each side.  
 S. J. Patterson, 1.28 per lineal foot front on each side.  
 James Mahoney, 1.25 per lineal foot front on each side.  
 Fred. Gansberg, 1.20½ per lineal foot front on each side.  
 Richard Carr, 1.18 per lineal foot front on each side.  
 R. P. Dunning, 1.15 per lineal foot front on each side.  
 D. A. Haywood, 1.13 per lineal foot front on each side.  
 Jas. W. Hudson, 1.07 per lineal foot front on each side.  
 C. S. Roney, 1.06 per lineal foot front on each side.

Henry Clay, 26 cents per lineal foot front on each side, for grading and graveling.  
 34 " " " " " " curbing.  
 43 " " " " " " bowldering.

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

Respectfully submitted,

M. L. BROWN,  
M. H. McKAY,  
Committee on Contracts.

REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report; which was duly received, and the official bonds (presented with report) were severally approved:

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

*Gentlemen*:—I herewith report, for your approval, the official bonds of the following city officers elect, who have otherwise qualified by filing with me their certificates of election and oath of office, as is required by the City Charter, viz.:

John Caven, Mayor. Penalty of bond, \$3,000; giving, as security, John C. S. Harrison.

Richard S. Cofter, City Marshal. Penalty of bond, \$2,000; giving, as security, M. Steinhauer and Thos. Cummings.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The above-named officer also submitted the following reports; which were severally approved:

To the Common Council and Board of Aldermen:

*Gentlemen*:—I respectfully report that, on this, the 12th day of May, 1879, I transmitted to the City Commissioners petition of R. L. McOuat and others, in the matter of the vacation of the alley running through R. L. McOuat's Second Addition to the City of Indianapolis, and resolution of your honorable bodies concerning the same; and that I issued notice to said Commissioners, according to law.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

To the Common Council and Board of Aldermen:

*Gentlemen*:—I respectfully report that, on this, the 12th day of May, 1879, I transmitted to the City Commissioners petition of Isaac Foster and others, in the matter of the vacation of a part of the first alley south of Coburn street, in Dougherty's Subdivision of a part of out-lot No. 99, in the City of Indianapolis, and resolution of your honorable bodies concerning the same; and that I issued notice to said Commissioners, according to law.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

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*:—I desire to submit the following report upon the affairs of my office, and the condition of the litigation pending in the Courts at this time, in which the city is interested.

In 1876, when I took charge of the office, there were fifty-one cases pending in the Courts in which the city was a party. At this time, there are twenty such cases upon the dockets, as follows: In the Superior Court, Special Term, nine; in the Superior Court, General Term, four; in the Circuit Court, three; in the Supreme Court of the State, two; in United States Circuit Court, one; in the United States Supreme Court, one.

I have, during my term of office, disposed of one hundred and five civil cases in which the city was interested, of which seventy-five were determined in favor of the city, twelve were decided against the city, seven were compromised, and eleven dismissed. Of said one hundred and five cases, twenty-eight were suits against the city to recover damages on account of injuries to persons and property, twenty-two of which were determined in favor of the city, four resulted in judgments against the city, and two were compromised.

This report does not embrace a large number of cases that were appealed from the Mayor's Court, upon prosecutions for the violations of city ordinances.

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 read and considered by clauses, and the same were severally concurred in:

To the Common Council and Board of Aldermen:

*Gentlemen*:—We would respectfully report, as follows, upon sundry papers referred to us:

1st. Is a motion instructing the Street Commissioner to clean the gutters of Prospect street, between Dillon and Reid streets.

We recommend this work be not done.

2d. Is a motion directing the Street Commissioner to deposit the scrapings taken from the gutters north of Washington street, south of First street and west of the canal, on the fill between the mill-race and the bridge on Michigan street.

We recommend this motion be not concurred in.

3d. Is a motion directing the Street Commissioner to clean the gutters of Thomas street, from Dakota street to West street.

We recommend this work be not done.

4th. Is a motion directing the Street Commissioner to fill the chuck-holes in Davidson street, between Vermont and Market streets.

We recommend this work be done.

5th. Is the following preamble and resolution:

"WHEREAS, The property holders on E. South street, from East to Noble, have petitioned for the changing of the name of said street; Therefore,

*Resolved*, That the name of E. South street, from East to Noble, be changed to Fletcher avenue."

We have considered this matter, but have been presented with no evidence, in the shape of petition or otherwise, that this change is desired by all, or the majority, of the property owners on that part of South street. We would, therefore, recommend the said change be not made.

6th. Is a motion granting permission to H. H. Beville to erect a post, on which to place a wind-mill, at No. 76 N. Delaware street.

We recommend said permission be not granted.

7th. Is a petition of M. C. Hildebrand, James Bogert, Patrick Eagan, and others, asking that a bridge be erected over the canal at the crossing of Walnut street.

We would recommend that inasmuch as the appropriation for this kind of work is about exhausted, and no estimates or appropriations made for the coming year, the prayer of the petitioners be not granted.

8th. Is the matter of the improvement of Highland street.

We have examined this matter, and would recommend the City Civil Engineer be instructed to establish a proper grade on Market street, from Arsenal avenue to Pogue's Run, make the grade of the proposed improvement on Highland street conform to that of Market street, and that the contract for said improvement be awarded to the lowest and best bidder.

9th. Is an ordinance to provide for the grading and graveling of the first alley north of Lockerbie street, from Liberty street to Noble street.

We find that a part of this alley has already been improved, and we would recommend that said ordinance be amended to read "from Liberty street to the first alley west of Noble street," and put upon its passage.

Respectfully submitted,

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

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

The Council and Aldermanic Judiciary Committees and the City Attorney submitted the following joint 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 Committees on Judiciary, together with the City Attorney, to whom were referred sundry petitions and motions, make thereon the following report:

First. Is a petition from James N. Russell & Co., which represents the contemplation of the erection of a morgue, for the benefit of this county and city, accessible to all citizens; and respectfully solicits the city's assistance in such undertaking, by making therefor a small appropriation; and also asks that a committee be appointed by this Council to confer with the County Commissioners upon the subject.

After careful investigation, we recommend that the prayer of the petitioners be not granted.

Second. Is the petition of Sarah J. Little to have an erroneous tax assessment cancelled.

The petitioner represents that, in 1875, she loaned to James Frank the sum of \$2,000, secured by mortgage. She has paid taxes on said notes since that time. In 1876, she released said mortgage, and received a Sheriff's certificate for a lot on the corner of Nebraska and Kennington streets, as security, and that she has paid the taxes on said lot from 1874 to 1878. Further, that she has been paying double taxes—once on the notes and then on the lot; and requests that the City Assessor be instructed to cancel the assessment on said notes, which are of no value, and allow her to pay on the lot only.

We find, upon examination, that some of the representations made are not verified by the record, and, therefore, recommend that the prayer of the petitioner be not granted.

Third. Is the petition of J. H. Satcamp to have tax assessment, on the amount of \$3,500, stricken from the tax-duplicate for the year 1878.

"The petitioner represents that, about the 24th of April, 1878, he, in company with his father, purchased of Henderson George the merchandise and good-will of said Henderson George, giving therefor their promissory notes; and that, by mistake, petitioner was listed for taxation for said stock of merchandise for the year 1878, making out an assessment list on the 27th day of April, 1878, when, in fact, the same nor any part thereof, was owned by the petitioner or his father before the 24th day of April, 1878, and, consequently, was not subject to taxation for that year. And further, that the said Henderson George gave in for taxation, for said year 1878, the notes received for said stock of goods, as aforesaid so sold to your petitioner, for said year 1878, and is so assessed against the said Henderson George on the city tax-duplicate for the year 1878."

"The Honorable Board of County Commissioners have this day allowed my prayer as above."

(Signed)

J. H. SATCAMP.

William Hadley, City Assessor, on the 14th day of April, 1879, certifies that he has examined into the facts in relation to this assessment, and finds them as stated by the petitioner, and that the assessment has been erroneously made, and should be certified off.

In view of the facts as set forth in the petition, and certified as correct by the City Assessor, we recommend that the prayer of the petitioner be granted, and that the City Assessor be directed to strike said erroneous assessment from the tax-duplicate for the year 1878.

Fourth. Is the amended petition of Elizabeth Barth, of Corydon, Indiana, and John W. Barth, of Indianapolis, to have money, to the amount of \$17, refunded, as the said amount was paid by mistake.

The petitioner represents—"That, on the fifteenth day of March, 1877, Elizabeth Barth was the owner of lots one (1) and three (3), in square ten (10), in A-fenstranger's Sub., in the City of Indianapolis, and that, on that day, sold and conveyed one of said lots—to-wit, lot three (3)—to William H. Young, by deed of warranty, a copy of which deed is filed herewith, marked 'A.'

"That afterward—to-wit, on the 18th day of November, 1878—your petitioner, John W. Barth, upon instruction, by letter, from said Elizabeth Barth to pay her taxes, paid to City Treasurer, the sum of \$61.80, the same being the amount of taxes assessed against both lots, 1 and 3, as above described, for 1877, as per City Treasurer's receipt.

"That \$17 of said sum, so paid by said John W. Barth for Mrs. Elizabeth Barth, as aforesaid, was the amount assessed against said lot 3, after it had been conveyed to William H. Young.

"Wherefore, in view of the premises that the taxes for 1877 on said lot 3—to-wit, the sum of \$17—was paid by mistake, as aforesaid, your petitioners pray that said sum of \$17 be ordered refunded by said William M. Wiles, City Treasurer, to your petitioners, and that the same be charged against said lot 3, and to the owners thereof, to the end that justice may be had and done."

The deed referred to in the petition contains a clause to the effect that the grantors agree to pay the taxes for 1876, and has no bearing on the question involved in the petition, as the demand is for the tax of 1877.

After careful consideration of and examination into the facts as set forth in the petition, we recommend that the prayer of the petitioners be not granted.

Fifth. Is a motion that your committee, together with the City Attorney, be directed to confer with Mr. Hensly, in accordance with his request, with a view to compromise with him for injuries he claims to have received, some time since, by falling into an open well on N. Mississippi street.

Mr. Hensly has already instituted suit against the city for \$10,000. We recommend that no further steps be taken in the matter.

Sixth. Is General Ordinance No. 15, 1878, providing for license for "Crone's City Garden."

After careful examination of the ordinance, we recommend that it be stricken from the files.

Seventh. Are General Ordinances Nos. 12 and 13, 1879, both relating to the cleaning of privy vaults, water closets, &c.

After careful examination of said ordinances, your committee recommend; that Ordinance No. 12 be passed and that Ordinance No. 13 be stricken from the files

Eighth: Is the petition of Thomas Wren, requesting the Council to appoint a Civil Engineer to act with an Engineer to be selected by him, to ascertain the amount of work done by said Wren, in the grading and graveling of Tennessee street, in the year 1866.

As this matter has been before the Council at different times since 1866, and after being reported on adversely by the different committees to which it was referred, now appears again, your committee, after examination, recommend that the prayer of the petitioner be not granted.

Ninth. Is the petition of Sarah C. Davis, representing that in the matter of opening Rohampton street she was assessed, as benefits, the sum of \$78 on lot 21, in Fiscus's Sub., in Johnson's Heirs' Addition, being a lot forty feet front on Rohampton street, and the same distance from the point where the street was opened; that she is a widow, and is wholly unable to pay the same. The petitioner was led to believe that the cost would not exceed fifteen or twenty dollars, which amount she is willing to pay. Wherefore, she asks that the City Treasurer be directed to receive that amount in full satisfaction of said assessment.

We recommend that the petitioner be allowed to pay into the city treasury twenty dollars, and that the City Treasurer be directed to receipt in full to the petitioner for all claims against her, on account of opening Rohampton street.

Tenth. We recommend that the Committees on Accounts and Claims be instructed to include in the next general Appropriation Ordinance all allowances adopted in this report, and that the City Clerk be directed to draw his warrant on the City Treasurer for such sums.

Respectfully submitted,

M. H. MCKAY,  
JOHN L. MARSEE,  
J. M. RIDENOUR,  
R. O. HAWKINS, City Attorney.

#### NEW ORDINANCES.

Under this order of business, the following entitled ordinances were introduced, and were severally read the first time:

By Councilman Brown:

G. O. 18, 1879—An Ordinance to amend section two (2) of an ordinance entitled "An Ordinance creating the Police Board, prescribing its powers and duties, and regulating the organization of the Police Force of the City of Indianapolis (ordained May 28th, 1878)."

S. O. 17, 1879—An Ordinance to provide for grading and graveling *Shelby street*, from the southern terminus of Virginia avenue to Raymond street.

The foregoing entitled Special Ordinance was accompanied by the following petitions; which were severally received:

Indianapolis, April 16, 1879.

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

*Gentlemen*:—The undersigned, owners of the real estate fronting on Shelby street, between the southern terminus of Virginia avenue and Raymond street, respectfully petition for the passage of an ordinance providing for the improvement of said Shelby street, between the points named, by grading and graveling.

And your petitioners will ever pray, etc.

M. Criqui, Edward Guth, M. A. Dickey, H. H. Luedemann, Anton Schmidt, Frederick Richter, Wilhelmina Richter, Fred. Strangmeier, August Alisch, George W. Fredericks, H. Carter.

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

*Gentlemen*:—The undersigned, owners of the real estate fronting on Shelby street, between Virginia avenue and bridge over Pleasant Run, respectfully petition for the passage of an ordinance providing for grading and graveling the roadway of said street, between the points named. We want screened gravel on it.

And your petitioners will ever pray, etc.

Nicholas Gerardy, G. Geckler, F. Nackenhorst, J. Bernhardt, John Mescall, August Alisch, George W. Fredericks.

#### MISCELLANEOUS.

Under this order of business, the following papers were presented and disposed of:

Councilman Bermann made the following motions; which were severally adopted:

That the Street Commissioner be directed to notify Wm. Gunn to repair the sidewalk and gutter on the southside of McCarty street, between New Jersey and East streets, where the said sidewalk and gutter were excavated in putting in water-pipe; and if said work be not done in ten days from date of notice, that the Street Commissioner do the work, and collect cost thereof from said Wm. Gunn.

That the owners of the property bordering on the first alley south of Merrill street, from Delaware street to the first alley east of Delaware street, be permitted to grade and gravel the same at their own expense—the work to be done according to stakes set by the City Civil Engineer, and under his supervision.

Councilman Carey made the following motion; which was duly adopted:

That the City Marshal is hereby instructed to notify H. H. Beville to take down the windmill erected on Delaware street, near Market street, forthwith; and failing to do so, the said City Marshal is hereby ordered to do the same.

Councilman McKay made the following motion; which was duly adopted:

That the City Clerk be instructed to notify the Board of Health to make reports on the Sellers' Farm to this Council, as required by ordinance.

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



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

*Gentlemen*:—We the undersigned petitioners, resident citizens, living on and in the vicinity of Alverd street, would respectfully represent to your honorable bodies that the sidewalk along the east side of said street is in very bad repair, fronting the following lots owned by us, to-wit: Peter Franz, owner of lot No. 58; S. K. Fletcher, 59; Mary Murry, 60; Lucy Hilliard, 61 and 63; John Spellman, 62; F. W. Simon, 64; John Kalb, 65; Henry Lepper, 66; J. A. Weber, 67 and 68. We would, therefore, ask your honorable bodies to direct your Engineer to give us the proper grade in front of said lots for a brick sidewalk, and allow us to make said improvement ourselves. Respectfully submitted,

JOHN KALB,  
JOHN SPELLMAN,  
F. W. SIMON,  
J. A. WEBER,  
S. K. FLETCHER,  
LUCIE HILLIARD,  
L. P. FRANZ.

Councilman Tucker made the following motion; which, at Councilman Kahn's suggestion, was ordered to be referred to the Committee on Markets (when appointed) and the City Attorney:

That the City Attorney be instructed to prepare an ordinance, repealing the present Market Ordinance, leaving in force the ordinance that was in force previous to the passage of the present ordinance, and to report the same at the next meeting of this Council.

Councilman Wiese submitted the following motion; which, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be directed to fill the chuck-holes in Chesnut street with gravel.

#### PENDING ORDINANCES—PROCEEDINGS HAD THEREON.

Councilman McKay called up the following entitled ordinances [referred to in the seventh clause of the report from the Council and Aldermanic Judiciary Committees and the City Attorney—see page 7, *ante*], and they were severally read the second time, viz.:

G. O. 12, 1879—An Ordinance amending sections four (4), six (6), and eight (8), of an ordinance entitled "An Ordinance regulating the Cleaning, etc., of Privy Vaults, Water-Closets, and other Receptacles of Human Excrements, and requiring persons who may engage in such business to be duly licensed before undertaking such work (ordained and established December 2, 1878)."

G. O. 13, 1879—An Ordinance regulating the Cleaning, etc., of Privy Vaults, Water-Closets, and other Receptacles of Human Excrements, and requiring persons who may engage in such business to be duly licensed before undertaking such work.

And then, on motion, General Ordinance 13, 1879, was ordered to be stricken from the files by the necessary vote, taken *viva voce*; and, at the suggestion of Councilman Brown, the further consideration of General Ordinance 12, 1879, was postponed until the next regular session of the Common Council.

The following entitled General Ordinance [referred to in the sixth clause of same above-mentioned report—see page 7, *ante*], was also called up by Councilman McKay, and, on his motion, was ordered to be stricken from the files by the necessary vote, taken *viva voce*, viz. :

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

At request of Councilman Brown, General Ordinance 18, 1879, was read through for information.

On Councilman Brown's motion, the rules were suspended, for the purpose of placing aforesaid ordinance on its passage, by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

The reading for information given said ordinance was, on motion, considered as its second reading, and it was duly ordered to be engrossed.

Aforesaid ordinance was then read the third time by title, viz. :

G. O. 18, 1879—An Ordinance to amend section two (2) of an ordinance entitled "An Ordinance creating the Police Board, prescribing its powers and duties, and regulating the organization of the Police Force of the City of Indianapolis (ordained May 28th, 1878)."

And it was duly passed by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

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

S. 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.

And it was duly passed by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

The following entitled ordinance was also called up, read the second time, amended by insertion of the words "the first alley west of" [in

accordance with recommendation made in the ninth clause of report from Board of Public Improvements—see page 5, *ante*], was ordered to be engrossed as amended, and was read the third time, viz.:

S. O. 5, 1879—An Ordinance to provide for improving the first *Alley* north of Lockerbie street, from Liberty street to the first alley west of Noble street, by grading and graveling.

And it was duly passed by the following vote:

AYES, 24—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

#### ELECTION OF PRESIDENT PRO TEMPORE.

On Councilman Tucker's motion, it was decided to now elect a President *pro tempore* of the Common Council for the ensuing year.

Councilman Lamb nominated Hon. Marcus L. Brown.

No further nominations were made.

On Councilman Kahn's motion, the above nominee was chosen by acclamation.

His Honor, President Caven, accordingly declared that Hon. Marcus L. Brown had been duly elected to the position of President *pro tempore* of the Common Council for the ensuing year.

His Honor, President Caven, stated he would delay appointing the Standing Committees for the present; but, for the purpose of having the proposals for city printing, etc., which were to be filed with the City Clerk on 16th instant [see Ex-Councilman Wright's motion on page 1002, Journal of 1878-1879], regularly received, opened, considered, and reported upon, he would appoint a Select Committee on Printing; and accordingly named Councilmen Brown, Hamilton, and McGinty as the Council members of such select committee.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.