

# PROCEEDINGS OF COMMON COUNCIL.

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## REGULAR SESSION—SEPTEMBER 15, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, September 15th, A. D. 1879, at half-past seven o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the chair, and 21 members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Harmening, King, Lamb, Morrison, McGinty, McKay, O'Connor, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

ABSENT, 4—viz. Councilmen Hamilton, Kahn, Pearson, and Prier.

The Proceedings of the Common Council, for the regular session, held on September 1st, 1879, and for the adjourned session, held on September 8th, 1879, having been printed, and placed on the desks of the Councilmen, said journals were approved as published.

Sealed proposals for making the below-described improvements [under the provisions of the special ordinances noted before the same], were opened, read, and referred to the Committee on Contracts, with instructions to report at this session :

S. O. 16, 1879—For improving the first alley east of Shelby street, from the first alley south of Prospect street to Pleasant Run, by grading and graveling.

S. O. 20, 1879—For grading and graveling Prospect street, and bowldering the gutters thereof, from Dillon street to Reid street.

Councilman Brown presented the following communication; which was received :

*Indianapolis, September 15, 1879.*

The Honorable the Common Council of the City of Indianapolis:

*Gentlemen* :—We respectfully request that you withdraw our proposal for making brick sidewalks on N. Meridian street and reconsider your decision awarding contract to us, for the reason that our bid was made under a misunderstanding of the amount and extent of the grading. As the Board of Aldermen has as yet, taken no action upon the matter, we trust that our request will be acceded to.

Respectfully,

Dewey, Twiname & Co.

On Councilman Brown's motion, the action of the Common Council of the 8th instant, in awarding the contract for grading and paving the sidewalks of Meridian street, between Seventh and Twelfth streets, to Dewey, Twiname & Graham, was re-considered by the following vote :

**AYES**, 17—viz. Councilmen Bieler, Brown, Bryce, Carey, Dowling, Downey, King, Lamb, McGinty, McKay, O'Connor, Rooker, Sheppard, Tucker, Van-Vorhis, Wiese, and Wood.

**NAYS**—None.

On same Councilman's motion, the proposals for improvement of said sidewalks were referred to the Committee on Contracts, with instructions to report at this session.

#### COMMUNICATIONS, ETC., FROM THE MAYOR.

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

*Indianapolis*, September 15, 1879.

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

*Gentlemen* :—The amount of fines collected by me during the month of August, 1879, due the city treasury, is \$61.71 ; which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

#### REPORTS, ETC., FROM CITY OFFICERS.

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

To the Common Council of the City of Indianapolis:

*Gentlemen* :—I was directed to report an estimate of the cost of constructing a two foot brick sewer from the intersection of Coburn and East streets, west on Coburn street to Madison avenue.

I herewith submit the following estimate :

1362 lineal feet of sewer, at \$1.50.....	\$ 2,043 00
6 Manholes, at \$25 00 .....	150 00
8 Catchbasins, at \$35.00 .....	280 00
<b>Total cost of sewer.....</b>	<b>\$ 2,473 00</b>

In addition to the above, I have made an estimate of the cost of constructing a brick sewer in the same vicinity, which, in my opinion, constitutes a better route than the one proposed. I would recommend the proposed sewer be laid in and along East street, from Coburn street to Morris street, and be two feet in diameter ; thence along said East street and Yeiser street, from Morris street to Kennington street, with two and one-half feet diameter ; thence along said Yeiser street, from Kennington street to Madison avenue, with three feet diameter. This would give ample drainage for Coburn, East, Morris, Dunlap, Downey, Kennington, and va-

rious cross streets in that locality, a larger scope than could be drained by the other route. The cost would be more, but a more satisfactory drainage would be established by adopting the latter route.

The following is my estimate of the cost:

275 lineal feet 2-foot sewer, at \$1.34.....	\$ 368 50
1300 lineal feet 2½-foot sewer, at \$1.61 .....	2,093 00
387 lineal feet 3-foot sewer, at \$3.25.....	1,257 75
7 manholes, at \$25 00.....	175 00
10 catchbasins, at \$35 00.....	350 00
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Total cost of sewer.....	\$ 4,244 25

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

Also, the following report; which was referred to the City Attorney:

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

*Gentlemen:*—I was directed to make a survey of that portion of the Indianapolis, Cincinnati & Lafayette Railroad tracks, above the level of the street grades, and make a proper drawing thereof, showing thereon the length and number of tracks to be lowered, the points of beginning and termination, and the distance which said track or tracks shall be lowered.

I have made the survey, and have prepared a profile showing the points at which said tracks can be lowered, and herewith submit the same.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following report, from Wm. M. Wiles, late City Treasurer, was referred to the Committees on Finance:

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

RECEIPTS.

Balance on hand July 31st, 1879, as per report.....	\$259,861 10
From delinquent taxes.....	12,604 25
From tax sales.....	10,493 39
From auction licenses.....	10 00
From dog licenses.....	171 75
From coal licenses.....	4 00
From dray licenses.....	12 00
From express licenses.....	62 00
From fines (City Court).....	266 37
From hack licenses.....	16 00
From hucksters' licenses.....	165 00
From market masters' fees.....	300 00
From market rents.....	39 00
From peddlers' licenses.....	48 00
From printing on precepts.....	280 82
From tapping sewers.....	35 00
From promiscuous (City Hospital pay-patients).....	96 24
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	\$284,464 92

## DISBURSEMENTS.

For Fire Department.....	\$ 5,046 50
For Police .....	3,691 80
For Street repairs.....	5,149 49
For City Hospital and Branch.....	848 79
For City Civil Engineer's Department.....	184 11
For City Assessor's Department.....	319 00
For Board of Health .....	24 50
For interest on bonds .....	58,196 75
For bridges.....	96 21
For City Dispensary.....	529 38
For City Hall.....	85 40
For coal-oil light.....	15 00
For damages and costs.....	1,607 65
For elections.....	8 51
For fountains.....	5 78
For gas.....	4,668 36
For incidental.....	14 85
For market-masters' fees.....	171 96
For markets .....	26 00
For parks.....	108 75
For printing, stationery, and advertising.....	520 41
For salary .....	210 50
For School Board (June settlement).....	1,018 89
For station house.....	229 44
For street improvements.....	861 14
Balance transferred to Wm. G. Wasson, City Treasurer .....	200,830 84
	<u>\$284,464 92</u>

## TOMLINSON ESTATE.

Balance on hand July 31st, 1879, as per report .....	\$ 20,020 05
	<u>\$ 20,020 35</u>
For repairs.....	45 20
For commissions.....	297 65
Balance transferred to Wm. G. Wasson, City Treasurer.....	\$ 19,677 20
	<u>\$20,020 05</u>

WM. M. WILES, City Treasurer.

To Jos. T. MAGNER, City Clerk.

The City Treasurer submitted the following reports; which were received :

*Indianapolis, September 15, 1879.*

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

*Gentlemen* :—I would respectfully report to your honorable bodies, that in the matter of laying out, opening, and extending John street, from Peru street to Massachusetts avenue, in the City of Indianapolis, I have, under your direction made lawful tender of the amount of damages awarded by the City Commissioners, to De Marquis C. Brown and Louisa D. McKibben (guardian of Helton N. Brown), the sum of sixteen hundred dollars (\$1,600), damages assessed on 42 feet off of n. e. side of lot 25 Peru & Indianapolis R. R. Co.'s Subdivision of out-lots 43 and 44.

And to Charles H. G. Bals' Heirs the sum of three hundred dollars (\$300), dam-

ages assessed on triangle 48 feet (more or less) on Massachusetts avenue, and 64 feet (more or less) on the alley n. e. corner of 2 $\frac{1}{4}$  acres of n. e. corner of out-lots 43 and 44, in the City of Indianapolis.

WM. G. WASSON, City Treasurer.

Indianapolis, September 15, 1879.

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

*Gentlemen* :—Since making a tender for the damages in the matter of laying out, opening, and extending John street, from Peru street to Massachusetts avenue, I have been notified that different persons claim the damages assessed by the City Commissioners, and in compliance with the requirements of the City Charter, I have certified in writing the fact of different persons claiming the damages to the City Attorney.

Respectfully,

WM. G. WASSON, City Treasurer.

The City Assessor submitted the following report ; which was received, and the appointments confirmed :

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen* :—I have appointed H. N. Hadley and J. E. Dill my deputies, and respectfully request your honorable bodies to confirm such appointments.

Respectfully submitted,

M. F. CONNETT, City Assessor.

Councilman Bryce, in behalf of certain joint committees, submitted the following report :

To the Common Council of the City of Indianapolis :

*Gentlemen* :—In obedience to the order given by your honorable body, a joint meeting of the Hospital Board, Board of Health, the Joint Committees on Public Health, the Joint Judiciary Committees, and the City Attorney has been held, and the matter of the application of Rev. Aug. Bessonies, for a license to maintain, operate, and conduct a hospital, called "St. Joseph's Home for the Sick," on the southeast quarter of that part of out lot 52, which is bounded on the west by East street, on the north by Michigan street, on the East by Liberty street, and on the south by Vermont street, together with a remonstrance against the establishment, maintenance, operation, and conduct of such hospital in the locality described, was fully and fairly considered, by a quorum of thirteen out of the eighteen members of the joint committee of reference.

The petitioner was represented by N. B. Taylor, Esq., his counsel, and the remonstrants appeared by their attorney, Chas. L. Holstein, Esq. After listening to the arguments of aforesaid gentlemen, your committee also debated the question at length, and closed its sitting with the following poll of our membership on the motion—"This committee recommend that the prayer of the petitioner be *not* granted." The vote on foregoing motion stood as follows: Those who voted in favor of the adverse recommendation were Alderman Chandler and Councilman Bryce of the Hospital Board; Aldermen Ridenour and Layman and Councilmen VanVorhis and Brown of the Joint Committees on Public Health; Councilmen Lamb and Rooker of the Joint Judiciary Committees; and City Attorney Henry. Those who voted against making an adverse recommendation were Councilman Morrison of the Hospital Board; Dr. Jeffries of the Board of Health, and Alderman Newman and Councilman Dowling of the Joint Judiciary Committees.

The majority of the aforesaid official boards and joint committees do, therefore and hereby, recommend that your honorable body refuse to grant the hospital license prayed for.

Respectfully submitted,

J. M. RIDENOUR, Chairman.

And it was concurred in by the following vote :

**AYES**, 14—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Harmening, King, Lamb, McKay, Rooker, Shilling, VanVorhis, and Wiese.

**NAYS**, 6—viz. Councilmen Dowling, McGinty, O'Connor, Sheppard, Tucker, and Wood.

#### REPORTS, ETC., FROM OFFICIAL BOARDS.

The Police Board, through Councilman Downey, submitted the following report; which was read :

To the Common Council of the City of Indianapolis:

*Gentlemen:*—In answer to a motion which proposed to authorize us to pay the Janitor at the Central Police Station at the rate of \$30 a month, we would report as follows:

In making up the estimate of salaries and compensations payable to the officers and members of the Police Force during the fiscal year ending on May 31st, 1880, the pay of the Janitor at the Central Police Station was fixed at \$15 a month. This compensation will not seem so small, if it is borne in mind that the Janitor is entitled to take his meals at the Station. We can keep this position filled at the established figures, and, consequently, there is no pressing demand for increasing them, and the items which compose our estimate will not admit of such increase except to the detriment of some other branch of the Police Department. We, therefore, recommend that aforesaid motion be not adopted.

2d. A motion, proposing to direct the City Civil Engineer to advertise for proposals for building cells at the Sixth-street Station House, was also referred to us.

We would submit—

1st. That there is no necessity for cells at this Station, it being only a temporary place of confinement, and the rooms assigned us by the city having been supplied with nearly, if not quite, all the conveniences required for such temporary occupancy.

2d. We can not afford to make the outlay the construction of such cells would necessitate. The estimate for expenditures on account of Station Houses during the present fiscal year is only \$2,700—an average of \$225 a month. Our bills for the months of June and July have aggregated over \$350. This month, we will be compelled to replenish the beds and bedding. During at least half of the year, coal will have to be purchased for heating both Station Houses, thus largely increasing the outlays made during the warm months. It is the practice of the Police Board to keep the average expenditures well under the monthly average during the warm seasons of the year, so as to have margins to use during the cold seasons. Good and efficient management requires this economizing. We are satisfied that the limited estimate in behalf of Station Houses prohibits every needless expenditure, and such, we deem the proposed cells at the Sixth-street Station.

We recommend that no further steps be taken in this matter.

Respectfully submitted,

D. W. Grubbs,  
Geo. P. Wood,  
J. T. Downey,  
Police Board.

The first clause was concurred in; the second clause, on demand for the ayes and nays, was concurred in by the following vote :

**AYES**, 12—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Harmening, Morrison, McKay, Shilling, VanVorhis, and Wood.

**NAYS**, 8—viz. Councilmen Dowling, King, McGinty, O'Connor, Rooker, Shepard, Tucker, and Wiese.

The Board of Public Improvements, through Councilman McKay, submitted the following report; which was read, and the several recommendations concurred in :

To the Common Council of the City of Indianapolis :

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

1st. Is a motion directing the Street Commissioner to fill the chuck-holes in New York street, between the canal and Blake street.

We recommend the work be done.

2d. Is a motion directing the Street Commissioner to clean the gutters and fill the chuck-holes of Blackford street, between North and Washington streets.

We recommend said work be done.

3d. Is a motion directing the Street Commissioner to clean the gutters of Tennessee street, between McCarty and Ray streets; also to clean the gutters of McCarty street, from Illinois street to Pogue's Run.

We recommend said work be done.

4th. Is a motion directing the Street Commissioner to pave with bowlders that portion of the first alley west of Tennessee street, on Kentucky avenue, that crosses the sidewalk.

We recommend said work be done.

5th. Is Special Ordinance 41, 1879, providing for the grading and paving with brick the west sidewalk of Blackford street, from New York street to Michigan street, together with remonstrance against passage thereof.

We recommend the ordinance be amended so as to read "from New York street to Vermont street," and then passed, notwithstanding the remonstrance.

Respectfully submitted,

M. H. McKay,  
J. L. Bieler,  
Board of Public Improvements.

The Board of Health submitted the following report; which was referred to the Finance Committees :

Indianapolis, September 15, 1879.

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen* :—We respectfully recommend that a reasonable allowance be made by your honorable body for the keeping of sanitary officer Watson's horse. Dr. Watson commenced using him on the 15th of last month, and will continue to use him in the service of the city. By so doing he can perform the labor that it would require two men on foot to do.

Respectfully submitted,

H. Jameson, M. D., President.  
W. E. Jeffries, M. D., Secretary.  
Board of Health.

Also, the following report; which was received:

*Report of Deaths in the City of Indianapolis, from September 1st to 15th, 1879, inclusive.*

Under 1 year	23
1 to 2 years	2
2 to 5 "	3
5 to 10 "	3
10 to 15 "	0
15 to 20 "	2
20 to 25 "	1
25 to 30 "	6
30 to 40 "	4
40 to 50 "	6
50 to 60 "	1
60 to 70 "	5
70 to 80 "	6
80 to 90 "	0
90 to 100 "	0
100 and upwards	0
Unknown	2
Total	64

Henry Jameson, M. D., President.

William Wands, M. D.

William E. Jeffries, M. D., Secretary.

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

The Committee on Accounts and Claims, through Councilman VanVorhis, submitted the following report; which was concurred in:

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

Your committee respectfully report, that upon examination they find that since the first day of July, 1877, the Hospital Board have failed to furnish with their reports to this Council itemized bills as vouchers, to be filed with said reports in the office of the City Clerk; which failure is a violation of the ordinances of the city. We therefore submit the following concurrent resolution, and recommend that it be adopted by this body:

*Resolved by the Common Council, the Board of Aldermen concurring,* That the Hospital Board be, and they are hereby, ordered to file with their reports itemized bills of all purchases made by them for the use of the City Hospital, and in all other respects comply with an ordinance ordained July 14th, 1873.

F. J. VanVorhis,

Martin McGinty,

Geo. P. Wood.

Committee on Accounts and Claims.

Councilman Morrison moved to amend the foregoing resolution, by including all the official Boards; which amendment was laid on the table.

The resolution was then adopted by the following vote:

**AYES**, 20—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Downey, Harmening, King, Lamb, Morrison, McGinty, McKay, O'Connor, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

**NAYS**—None.



The Judiciary Committee, through Councilman Lamb, submitted the following reports; which were concurred in:

To the Common Council of the City of Indianapolis:

Your Judiciary Committee and City Attorney would report as follows upon two petitions for widows' exemption from taxes, to them referred:

1st. The petition from Permelia Terey [spelled "Tursey," by the City Assessor and on the tax-duplicate], asking for the refunding of \$7.77, by her paid as taxes on lot 11, square 4, out-lot 12, since year 1872, has been disposed of by the following entry which we find on the Tax-Duplicate of 1878: "Widow—3 years exemption. All exempt. W. HADLEY."

If it had not been for the foregoing entry, and the application for refunding thereby disposed of, we would have been compelled to have reported against the granting of petitioner's prayer, for faulty representations. The tax-receipts attached to the petition were for the realty taxes of 1875 and for the personalty taxes of 1876, and aggregated the sum of \$7.77, and were not, as stated in petition, tax-receipts going back to 1872.

2d. Is a petition from Maria Louisa Tieman, Maria H. Tieman, and Catharine L. Tieman (widow and unmarried females), for the refunding of city taxes for years 1874, 1875, 1876, and 1877, aggregating \$57.62. The petitioners were exempted from payment of the taxes of 1878.

We would refer your honorable body to the report of our predecessors of 1877-1878, on page 917 of Council Journal of that year, which we quote: "We find, on examination, of the records of the Assessor's office, that the properties of foregoing petitioners [viz.: Maria Louise Tieman and daughters and one Elizabeth Doerr] are assessed at over \$1000; therefore, they are not entitled to any relief under the provisions of said Widows' Exemption Law." The property claimed by the signers of the petition under consideration yet appears, on the city's books, undivided, and in the name of "H. F. C. Tieman." No proper or adequate notice has yet been given the city of any partition of property interests, if any has been made at any time since the alleged death of said H. F. C. Tieman. It is not even stated that the lot is owned by "H. F. C. Tieman's heirs." It would seem to us as if such error of omission would be a bar to refunding, until it were clearly proven that H. F. C. Tieman, a man, and therefore having no claim of exemption, was not, at this day, the owner of the estate asked to be relieved from taxation.

Again: We cite from page 966, Council Journal for 1877-1878, and from page 403, Aldermanic Journal for 1877-1878, the following resolution, which was concurrently adopted, and has not since been rescinded: "Resolved, That in the future no more taxes be refunded under what is known as the Widow's Exemption Act; and that all persons claiming such exemption be required to make such claims to the City Assessor, before paying their taxes."

In view of the foregoing facts and proceedings, we feel compelled to recommend that the prayer of petitioners be not granted.

Respectfully submitted,

W. C. Lamb,  
C. F. Rooker,  
Jas. T. Dowling,  
Council Judiciary Committee.

To the Common Council of the City of Indianapolis:

Upon a petition from Samuel Love, asking the city to pay him the sum of \$5,000, for damages alleged to have been done his property by Cox & Co., Smith & Ittenbach, and the Indianapolis, Cincinnati & Lafayette Railroad Company, through their obstruction and occupancy of Louisiana street, in the vicinity of East street, and threatening to institute legal proceedings in our County Courts to recover the same, after giving a reasonable time for an adjustment of said damages by said

City of Indianapolis, in Marion County, and State of Indiana, your Judiciary Committee and the City Attorney would report, that, in their opinion, the petitioner has indicated in his petition the parties and corporation which are injuring him if anybody, and that the City of Indianapolis has done him no wrong nor worked him any damage, and therefore can not be held liable therefor.

Respectfully submitted,

W. C. Lamb,  
C. F. Rooker,  
Jas. T. Dowling.  
Committee on Judiciary.

The Market Committees, through Councilman Harmening, submitted the following report; which was concurred in :

To the Common Council of the City of Indianapolis :

A petition from Henry Gimber, asking for the refunding of the sum of \$10, by him paid for the leasehold of gardeners stand No. 34, East Market, was referred to the Joint Committees on Markets.

We find the following to be the state of facts in this case: A double sale was made of aforesaid stand, and it is now occupied by the other purchaser (W. H. E. Wishmeyer), who holds a lease for the same.

Your committees, therefore, recommend that the sum of \$10 be refunded petitioner Gimber, by and through the next appropriation ordinance introduced by the Committees on Accounts and Claims.

Respectfully submitted,

C. H. Harmening,  
George King,  
Henry Bermann,  
D. W. Grubbs,  
Joint Committees on Markets.

The Committee on Public Light, through Councilman Rooker, submitted the following report; which was concurred in :

To the Common Council of the City of Indianapolis :

On the 18th *ultimo*, the Board of Public Improvements and Joint Committees on Public Light were charged with the consideration of a proposal presented on aforesaid date, by the patentee thereof, to put up "Vieira's Street-Guide" on the lamp-posts of the city (wherever required), for the sum of \$1.50 each.

The aforesaid patentee appeared before us, exhibited his invention, and explained its merits. We give the "Street-Guide" a hearty endorsement, and commend the low price and liberal terms upon which the city is offered the same. Its purchase, however, can not be undertaken at this time—almost one-ninth of the year's estimated expenditures being required in the Department of Public Light—and we, therefore, recommend Mr. Vieira's proposal be not accepted.

Respectfully submitted,

C. F. Rooker,  
M. H. McKay,  
Committee on Public Light.

The Water Committee, through Councilman Wood, submitted the following report; which was concurred in :

Indianapolis, September 15, 1879.

To the Mayor and Common Council :

*Gentlemen*.—Your Committee on Water-Works to whom was referred a motion of Councilman Rooker instructing us to inquire into the fact as to whether or not the Water-Works Company is complying with the terms and conditions of its

charter in furnishing water to the city and consumers &c., beg leave to report as follows: that we have had the matter under consideration and giving the matter a careful investigation are of the opinion that the Water Works Co. are making every effort and are so far as possible complying with the condition and terms of the charter.

Geo. P. Wood,  
M. L. Brown,  
M. H. McKay,  
Council Committee on Water.

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

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

*Gentlemen:*—Your Committee on Contracts to which was referred sundry proposals presented to Council on September 15th, 1879, have examined same and find them to be as follows, to-wit:

1st. For grading and graveling Prospect street, and bowldering the gutters thereof, from Dillon street to Reed street—

J. K. Graham, \$1.16 per lineal foot front on each side.  
James Mahoney, \$1.07 per lineal foot front on each side.  
Thomas Roney, \$1.00 per lineal foot front on each side.  
Fred. Gansberg, 93 cents per lineal foot front on each side.  
D. A. Haywood, 90 cents per lineal foot front on each side.  
R. P. Dunning & J. W. Hudson, 88.cents per lineal foot front on each side.

R. P. Dunning & J. W. Hudson being the lowest and best bidders, we recommend they be awarded the contract.

2nd. For grading and graveling the first alley east of Shelby street from the first alley south of Prospect street to Pleasant Run.

D. A. Haywood, 20 cents per lineal foot front on each side.  
Thos. Roney, 19 cents per lineal foot front on each side.  
James Mahoney, 14 cents per lineal foot front on each side.  
R. P. Dunning & J. W. Hudson, 13 cents per lineal foot front on each side.

R. P. Dunning & J. W. Hudson being the lowest and best bidders, we recommend that they be awarded the contract.

3rd. For grading and paving the sidewalks of Meridian street, from Seventh street to Twelfth street, the award of which contract was reconsidered and referred back to us, we would recommend that said contract be awarded to D. A. Haywood, for 30½ cents per lineal foot front on each side.

Respectfully submitted,

M. L. Brown,  
J. H. Sheppard,  
Committee on Contracts.

Councilman Brown presented the following contracts and bonds; which were severally read, the contracts concurred in, and the bonds approved:

Contract and bond of James Mahoney, for grading and graveling the first alley north of Woodlawn avenue, from Dillon street to Olive street. Penalty of bond, \$200; surety, John Schier.

Contract and bond of James Mahoney, for grading the first alley east of Mississippi street, from Garden street to Pogue's Run. Penalty of bond, \$75; surety, John Schier.

Contract and bond of John Schier, for grading, paving with brick, and curbing with stone the south sidewalk of New York street, from Liberty street to Noble street. Penalty of bond, \$400; surety, Fred. Gansberg.

Contract and bond of John L. Hanna, for grading, and paving with brick, the west sidewalk of State avenue, from Washington street to Market street. Penalty of bond, \$200; surety, James W. Hudson.

Contract and bond of James Mahoney, for grading and graveling Chesapeake alley and sidewalks, from Missouri street to the first alley west of Missouri street. Penalty of bond, \$200; surety, John Schier.

Contract and bond of R. P. Dunning and J. W. Hudson, for grading and graveling the first alley east of Shelby street, from the first alley south of Prospect street to Pleasant Run. Penalty of bond, \$1,000; sureties, Fred. Gansberg and John Schier.

Contract and bond of R. P. Dunning and J. W. Hudson, for grading and graveling Prospect street, and bowldering the gutters thereof, from Dillon street to Reed street. Penalty of bond, \$4,500; sureties, Fred. Gansberg and John Schier.

Contract and bond of David A. Haywood, for grading, and paving with brick, the sidewalks of Meridian street, between Seventh and Twelfth streets. Penalty of bond, \$2,500; surety, Charles S. Roney.

The Committee on Accounts and Claims, through Councilman VanVorhis, submitted the following report; which was concurred in :

To the Mayor and Common Council :

*Gentlemen*.—Your committee, to whom was referred the claim of Dr. Wallace, for the sum of ten (10) dollars for medical services, respectfully recommend that said claim be not allowed.

F. J. VanVorhis,  
Geo. P. Wood,  
Martin McGinty,  
Committee on Accounts and Claims.

#### MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read :

To the Mayor and Common Council :

*Gentlemen*.—At a regular session of the Board of Aldermen, held on September 3d, 1879, the following papers, originating in said Board, were favorably passed upon.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

The following report, concurred in by the Board of Aldermen [see page 445, *ante*], was then read, and concurrently approved :

Indianapolis, August 20, 1879.

To the Board of Aldermen of the City of Indianapolis :

*Gentlemen*.—The Joint Committees on Judiciary, the Mayor and City Attorney, to whom was referred section 6 of the Aldermanic Act to determine the powers of the Board of Aldermen thereunder, beg leave to report that they have had the same under consideration, and herewith submit the following as their opinion of the construction to be given to said section :

1st. That under said section the powers and duties of the Common Council remain the same as they were prior to the passage of said act, except that concurrent action of the Board of Aldermen is required in every case to give validity to its proceedings, except the qualification of its own members and its order of business.

2d. That all ordinances for the appropriation of moneys, the improvement, widening, opening, or closing of streets or alleys, the construction of public buildings, bridges, viaducts and tunnels, the annexation of territory, the increase, decrease and government or regulation of the Police or Fire Departments, and fixing the rate of taxation, shall first originate in and be passed by the Common Council before being presented to the Board of Aldermen.

3d. That all ordinances, orders, or resolutions of general regulation, which do not require an appropriation of moneys, and which do not pertain to the several matters specifically mentioned in the second item of this report, may first originate in and be passed by the Board of Aldermen; but that concurrent action of the Common Council thereon is required to render the same legal and operative.

D. W. Grubbs,  
John Newman,  
James T. Layman,  
W. C. Lamb,  
C. F. Rooker,  
J. Caven, Mayor.  
John A. Henry, City Attorney.

The following resolution, adopted by the Board of Aldermen [see page 447, *ante*], was then read :

*Resolved*, That if any member of the Common Council or Board of Aldermen, or other city officer, shall hereafter purchase any article of merchandise or material for the use of the city from any other city officer, or from any firm of which a Councilman, Alderman, or other city officer is a member, the said officer making said purchase shall be deemed to have made the same on his own account; and he shall be held personally responsible for the payment of the same, unless the Common Council and Board of Aldermen shall, by order or resolution, expressly ratify and confirm said purchase, and order the same paid.

And the Council refused to concurrently adopt the same, by the following vote :

AYES, 3—viz. Councilmen Dowling, McKay, and Wiese.

NAYS, 17—viz. Councilmen Bermann, Bieler, Bryce, Carey, Downey, Harmening, King, Lamb, Morrison, McGinty, O'Connor, Rooker, Sheppard, Shilling, Tucker, VanVorhis, and Wood.

The following message was also read :

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

*Gentlemen* :—At a called session of the Board of Aldermen, held on Thursday evening, September 11th, 1879, said body determined to adhere to its action of the 3rd inst., when it concurred in the action of your honorable body of the 1st inst., when you granted the prayer of the petition of Joseph R. Perry et. al., whereby permission was given to W. N. Lake to use three feet of the side-walk around Circle Park, also, allowing him to place a tent inside the Park gate, in walking one thousand quarter miles in one thousand quarter hours.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

Councilman VanVorhis moved that this Council adhere to its action of the 8th instant, in rescinding the permission given; which motion failed to be adopted by the following vote:

**AYES**, 10—viz. Councilmen Bermann, Brown, Carey, Downey, Lamb, Morrison, McKay, Shilling, Van Vorhis, and Wood.

**NAYS**, 11—viz. Councilmen Bieler, Bryce, Dowling, Harmening, King, McGinty, O'Connor, Rooker, Sheppard, Tucker, and Wiese.

The Council then determined by an aye and nay vote to recede from its action of the 8th instant, viz.:

**AYES**, 12—viz. Councilmen Bermann, Bieler, Bryce, Dowling, Harmening, King, McGinty, O'Connor, Rooker, Sheppard, Tucker, and Wiese.

**NAYS**, 9—viz. Councilmen Brown, Carey, Downey, Lamb, Morrison, McKay, Shilling, VanVorhis, and Wood.

#### NEW ORDINANCES.

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

By Councilman Brown:

S. O. 48, 1879—An Ordinance to provide for grading and graveling Cypress street and the sidewalks thereof, from Olive street to the west line of Draper street.

The foregoing Special Ordinance was accompanied by the following petition; which was received:

*Indianapolis*, September 15, 1879.

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

*Gentlemen*.—The undersigned, owners of the real estate fronting on Cypress street, between Olive street and Reed street, respectfully petition for the passage of an ordinance providing for grading and graveling the roadway and sidewalks of Cypress street, from Olive to Reed street.

And your petitioners will ever pray, etc.

B. F. Adams, 88 feet; John McDonald, 44 feet; W. S. Hubbard, 78 feet; DeEstaing S. Field (by E. S. Field, his attorney); Kate Keenan, 120 feet; Timothy Magenis; George Magenis. About 400 feet.

By Councilman Morrison:

S. O. 49, 1879—An Ordinance to provide for grading and graveling Tennessee street, from Ohio street to Seventh street.

The foregoing Special Ordinance was accompanied by the following petition; which was received:

*Indianapolis*, September 15, 1879.

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

*Gentlemen*.—The undersigned, owners of the real estate fronting on Tennessee street, between Ohio street and Seventh street respectfully petition for the passage

of an ordinance providing for grading and graveling with raked river gravel as set forth in the special ordinance accompanying this petition.

And your petitioners will ever pray, &c.,

S. W. Fletcher, 60 feet; J. W. Greenstreet, 61 feet; Wm. P. Gallup, 98 feet; Thomas R. Walker, 40 feet; R. S. McKee, 120 feet; John Tarlton, 70 feet; H. C. Newcomb, 58 feet; L. Schulmeyer, 61½ feet; John Wymond, 49 feet; David Gibson, (with screened gravel), 67½; A. A. Helfer, 61 feet; E. W. Sloan, 40 feet; B. Hutchinson, 31 feet; J. G. Pendergast, 40 feet; Mrs. Barba. Donnan, 33 feet; William Coughlen, 142 feet.

By same Councilman :

S. O. 50, 1879—An Ordinance to provide for grading and graveling Meridian street, from New York street to Seventh street.

The foregoing Special Ordinance was accompanied by the following petition; which was received :

*Indianapolis*, September 15, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on Meridian street, between New York street and Seventh street, respectfully petition for the passage of an ordinance providing for the improvement of Meridian street, from New York street to Seventh street, with raked river gravel, according to the stakes set by the City Civil Engineer. The improvement to be made at the expense of the property owners.

And your petitioners will ever pray, etc.

Ingram Fletcher, 125 feet; John C. S. Harrison, 91 feet; R. Browning, 180 feet; Geo. W. Sloan, 127½ feet; T. P. Haughey, 90 feet 9 inches; J. C. & Mary S. Brush, 31 feet; Susan R. Herod, 60 feet; Alfred Harrison, 63 feet.

The same Councilman presented the following remonstrances; which were received;

*Indianapolis*, July 5, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on Tennessee street, between Ohio street and New York street, respectfully remonstrate against the passage of an ordinance providing for the improvement of Tennessee street, from Ohio street to Seventh street, at their expense.

And your petitioners will ever pray, etc.

Mrs. H. M. Brown, Mrs. Susan Harlen, Mrs. Clarissa L. Moody, J. F. Holt, Wm. L. Peck, Talbott Heirs, J. E. Bombarger, adm'r, Conrad Bauer, A. Gold's Heirs, Mrs. C. Hedges, P. H. Jameson, Mrs. Ann F. Whelan, J. K. Whelan.

*Indianapolis*, July 5, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on Tennessee street, between New York street and Vermont street, respectfully remonstrate

against the passage of an ordinance providing for the improvement of Tennessee street, from Ohio street to Seventh street, in said city.

And your petitioners will ever pray, etc.

P. H. Jameson (by H. Jameson), C. S. Hildebrand,  
J. W. Smither, exec'r, W. J. Sponable, Francis O.  
Hanlon, Harriet Jordan, Dan. Lemon.

Indianapolis, July 5, 1879.

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

*Gentlemen*:—The undersigned, owners of the real estate fronting on Tennessee street, between Vermont street and North street, respectfully remonstrate against the passage of an ordinance providing for the improvement of Tennessee street, from Ohio street to Seventh street, in said city.

And your petitioners will ever pray, etc.

W. S. Barkley, 42 feet; S. N. Bannister, 37 feet; C. B. Ingraham, 41 feet; Charles N. Todd, 33 feet; Mrs. Howland; Jno. A. Furgason, 44½ feet; J. H. Ross; H. C. & E. P. Newcomb, opposed at present, 58 feet; W. T. Boaz, 44 feet.

On motion of Councilman Morrison, Special Ordinances 49 and 50, with the foregoing petitions and remonstrances, were referred to the Board of Public Improvements:

By Councilman McKay:

S. O. 51, 1879—An Ordinance to provide for grading and graveling Newman street and sidewalks, from Hill avenue to Seventh street.

The foregoing Special Ordinance was accompanied by the following petition; which was received:

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

*Gentlemen*:—The undersigned petitioners, owners of lots on Newman street in said city, ask your honorable body to pass an ordinance for the grading and graveling said Newman street, from Hill avenue to Tinker or Seventh street, with good creek gravel.

And your petitioners in-duty bound will ever pray.

M. M. Hook; Emoline Bridges; Fletcher E. Hines, 80 feet; C. C. Fritshe; Isaiah [his cross] Banks.

#### MISCELLANEOUS.

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

That the Street Commissioner repair the gutters of Alabama street, between Merrill and McCarty streets, with coarse rolling-mill cinders, so as to prevent the further washing out of said gutters.

Councilman Bieler presented the following petition; which was referred to the Board of Public Improvements:



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

*Greeting*.—The undersigned, your petitioners, residents and property owners along and upon the line of Shelby street, between Tilden and Raymond streets, would respectfully show to your honorable body, that heretofore, by ordinance duly enacted and passed, you have ordered the grading and graveling of said portion of Shelby street, but by oversight or neglect failed to include the sidewalks in such improvements.

Now your petitioners respectfully submit that in the preparation of such street for travel, it would be unfair to the taxpayer and resident on such street to leave the same impassable for pedestrians, and we would most respectfully ask that the ordinance be so amended as to include the sidewalks on both sides of said street, or that an ordinance be passed authorizing and directing the grading and graveling of the sidewalks at once, so that both works may progress at the same time.

M. Criqui, E. Gath, Fred. Prange, Henry Stolte, Anton Schmidt, Frederick Luedemann, Henry Schaub, Christian Richter, 76 feet; S. W. Meredith, H. W. Laut.

On Councilman Bieler's motion, it was ordered—

WHEREAS, The "Brothers of the Sacred Heart" refused to pay any portion of the expenses which would have attended the proceedings in the matter of the vacation of the first alley south of Coburn street, in Dougherty's Subdivision of a part of out-lot 99, through a misapprehension, and are now ready and willing to meet such expenses: Therefore,

*Moved*, That the vote by which such proceedings were stopped, be rescinded, and that the case be reinstated.

Councilman Brown offered the following resolution:

*Resolved by the Common Council and Board of Aldermen*, That the owners of the following described real estate—to-wit:

Lot 12, in Mankedick's Subdivision of square 12 of Hubbard, Martindale and McCarty's Southeast Addition to the City of Indianapolis—be, and they are hereby required to fill or drain the same, as, in the opinion of the Common Council and Board of Aldermen, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled "An Ordinance providing for the drainage and filling up of Ponds, Excavations, and Holes, and prescribing penalties for the failure to fill up or drain the same"; and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation, as provided in said ordinance, *provided* that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

And it was adopted by the following vote:

AYES, 20—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Harmening, King, Morrison, McGinty, McKay, O'Connor, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

The same Councilman presented the following petition; which was referred to the Police Board:

SIG. 47.

To the Honorable Mayor and Common Council of the City of Indianapolis,  
in and for said city, in the County of Marion, State of Indiana :

Your petitioners, the undersigned, resident householders and property owners in the Twenty-first (21st) Ward, in said city and State, respectfully represent, that we are taxpayers in the common treasury of said city, and are for all purposes taxed equally the same, and thereby we claim we are entitled to the protection of our person and property in the same manner and to the same extent as other parts and wards more central of said city.

That owing to the fact of said ward being situate in the southeast portion, and partly on the outskirts of said city, night patrol duty in said ward has not, and is not to this day, adequate to the demands to properly guard the person and property in said ward by night, and police patrolmen are not furnished in proportion to the required safety of said person and property.

We, therefore, most respectfully pray your honorable body to order and direct the placing of two policemen as patrolmen to do night duty, for the better protection of life and property in said ward.

JOHN B. ELAM, and 53 others.

On Councilman Bryce's motion, it was ordered—

To instruct the Union Depot Company to repair the crossing at the west end of Union Depot; and if they refuse or fail to do so within ten days from date of notice, that the Street Commissioner be instructed to do so at the company's expense.

That the Union Depot Company, also Wm. Scott & Co., be instructed to repair the crossing of Pennsylvania street and the Union tracks; and on their failure to do so within ten days from date of notice, that the Street Commissioner be instructed to make the repairs, and charge the same to the above named parties.

The same Councilman offered the following motion :

That the proposal of J. W. Wharton to the Finance Committee of July 7th, 1879, be accepted, and that J. W. Wharton is hereby authorized to commence his duties in collecting such delinquent taxes not returned on tax duplicates.

Councilman Dowling moved to refer the motion to the Finance Committee; which motion to refer was laid on the table.

Councilman Bryce's motion was then adopted.

By request, Councilman Harmening was granted leave of absence.

Councilman VanVorhis moved to reconsider the vote by which aforesaid motion was adopted; which motion to reconsider was adopted by the following vote :

**AYES**, 17—viz. Councilmen Bermann, Brown, Bryce, Carey, Dowling, Downey, King, Lamb, Morrison, McGinty, McKay, O'Connor, Rooker, Sheppard, Tucker, VanVorhis, and Wiese.

**NAYS**, 3—viz. Councilmen Bieler, Shilling, and Wood.

Councilman VanVorhis offered the following motion which was adopted :

That the matter of employing a man to hunt up and place on the tax duplicate, property that has not been reported to the assessor, be referred to the Finance Com-

mittee together with the City Attorney, City Assessor and City Clerk, with instructions to report at next regular meeting of this Council.

Councilman Bryce presented the following petition ; which was referred to the Board of Public Improvements :

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

*Gentlemen* :—We the undersigned, property holders of Louisiana street, from Meridian to Illinois street, do pray your honorable bodies to re-bowlder the above named street, as at present the water runs all over the street, and especially so at the west end, and the whole street is in a deplorable condition. The grading was not accomplished in good shape in the first place, and in the second we have no gutters at all. The street is full of holes, endangering the lives of man and beast traveling on this thoroughfare.

We beg your earliest consideration upon this important subject.

Respectfully yours, etc.

Wm. M. Hawkins & Co., Louis Kraft, Chas. Grobe,  
Martin Keppel, John Bach, John Stroble, Henry  
Carett.

Councilman Carey offered the following motion :

That in the event Mr. Lake resumes his walks around the circle he be required to deposit \$200 with the City Treasurer before commencing, and to place his tent between the gates on the south side of the circle and that the Police Board detail a sufficient force to keep people from leaving the graveled walks after entering the circle while Lake continues his walking.

Which, on motion of Councilman McGinty, was laid on the table by the following vote :

**AYES**, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Dowling, Downey, King, Lamb, Morrison, McGinty, McKay, O'Connor, Rooker, Sheppard, Tucker, VanVorhis, Wiese, and Wood

**NAYS**, 2—viz. Councilmen Carey and Shilling.

Councilman Carey presented the following petition ; which was referred to the Poard of Public Improvements :

*Indianapolis*, August 18, 1879.

To the Mayor and Members of the Common Council and

Board of Aldermen of the City of Indianapolis :

*Gentlemen* :—The undersigned, citizens and taxpayers of the northeast portion of the city, would most earnestly petition your honorable bodies to take some steps to either purchase or condemn that part of the Indianapolis & Pendleton Gravel Road located within the corporate limits of the city, for the reason that persons living along and upon the line of this road are required to pay the same taxes as other citizens, and their property has been assessed for improvements made to the side-walks, etc., and still they are liable for toll in passing over and upon this road. And for the further reason that the location of this toll road within the city limits has the effect of diverting travel and trade from the location where it would otherwise naturally come.

Hoping that your honorable bodies will take some steps in the matter at once, your petitioners will ever pray, etc.

Fletcher & Thomas, August Schmidt, Jas. W. Elder,  
Wm. H. Lester, James King, Thomas D. Amos, W.

J. Amos, Wolfe & Parr, Geo. Miller, P. W. Cotten, Carter & Fletcher, Christian Stark, Pyle Brothers, E. E. Kalb, John Sellers, Anthony Prange, J. & T. Haneman, Conrad Hill, Stephen Lucke, Henry Vondergotten, Jesse H. Hubbard, M. S. Huey, Huey & Johnson, Sewing Machine Cabinet Co., T. H. B. Simmons, agent, Thomas Gager, Charles Roesener, John Frick, Henry Heinen, Bungun Springer, Abraham Morgan, Chas. Shoobridge, F. A. Hinset, Jos. Cook, Sr., Joseph Cook, Jr., Matthew John Cook, John M. Birk, J. A. Hughes.

On Councilman Dowling's motion, it was ordered—

That the City Marshal be directed to immediately proceed against the proprietors of the building on the northeast corner of Georgia and Illinois streets, known as the Surgical Institute, in accordance with the provisions of General Ordinance 34, 1879.

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

That the Board of Public Improvements be requested to examine South Illinois street, between Georgia and South streets, and report at the next meeting, if anything can be done to improve said street—the wooden blocks in which are rapidly decaying in places, and the street is full of ruts.

On Councilman King's motion, it was ordered—

That A. H. Wall be granted permission to construct a bridge, thirty-two feet long, over the gutter in front of his carpenter shop, No. 255 Indiana avenue—such work to be done at his own expense, and under direction of the City Civil Engineer.

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

That the Street Commissioner be, and is hereby, ordered to fill with good gravel the chuck-holes on Indiana avenue, and clean the gutters, from California street to Fall Creek bridge.

That the Street Commissioner be instructed to clean the gutter on the west side of West street, from Indiana avenue to First street.

That the Street Commissioner be ordered to lower about one hundred feet of the gutter on the north side of St. Clair street, where it intersects Indiana avenue.

Councilman Morrison offered the following motion ; which was referred to the Committee on Bridges :

That the City Civil Engineer is hereby ordered to furnish the Joint Committee on Bridges with an estimate of the cost of constructing a bridge (out of the portion of the late Delaware street viaduct assigned and delivered for that purpose) at the point where the canal intersects Walnut street ; and said Joint Committee on Bridges are hereby required to report such estimate, together with their recommendation as to the best and most economical way of supplying said bridge, at the next meeting of this body.

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

That the Street Commissioner be instructed to fill up the chuck-holes on Ohio street, from Illinois street to the canal.

The same Councilman offered the following motion :

That the Common Council meet in an adjourned session on Monday evening next (September 22nd), for the special purpose of taking up and disposing of all ordinances now pending on the files.

And it was adopted by the following vote :

AYES, 14—viz. Councilmen Bieler, Bryce, Dowling, King, Lamb, Morrison, McKay, O'Connor, Rooker, Sheppard, Tucker, VanVorhis, Wiese, and Wood.

NAYS, 6—viz. Councilmen Bermann, Brown, Carey, Downey, McGinty, and Shilling.

On same Councilman's motion, it was ordered—

That the business men on Illinois street, in front of St. Charles Hotel and Chapin & Gore, be, and are hereby, authorized to cover the gutter in front of said property with a bridge—said work to be done at their own expense, under the supervision of the City Civil Engineer.

That the City Marshal be, and is hereby, instructed to notify the Street Railway Company to cover the bridge with boards between the rails, to prevent damage to the bridge on Indiana avenue, crossing the canal.

That the Fire Board, Hospital Board, Police Board, Board of Public Improvements, Dispensary Board, and Board of Health, be, and are hereby, ordered to file with all vouchers for allowances made by said Boards, a duplicate copy of all bills with the City Clerk, and to comply with the ordinances in other respects.

Councilman McGinty offered the following motion, which was referred to the Committee on Public Property :

That he be allowed to walk, and build no tents on the Circle.

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

That the Street Commissioner be, and is hereby, directed to clean the south gutter on Kentucky avenue, from Missouri street to West street, and fill the chuck holes.

On same Councilman's motion, it was ordered—

That the City Marshal be directed to notify P. C. Leary to fix his cellar-door as early as possible, below McCarty street on S. West street, for it is in a dangerous condition.

That the City Civil Engineer be, and is hereby, directed to re-advertise for proposals for grading and graveling Wilkens street and sidewalks, between Church and West streets.

Councilman McKay offered the following motion :

That the Joint Committees on Public Property be, and are hereby, instructed to contract for the sprinkling of the principal streets leading north to the Exposition grounds, during the week of the State Fair.

And it was adopted by the following vote :

AYES, 17—viz. Councilmen Bieler, Brown, Bryce, Carey, Dowling, Downey, King, McGinty, McKay, O'Connor, Rooker, Sheppard, Shilling, Tucker, Van-Vorhis, Wiese, and Wood.

NAYS, 3—viz. Councilmen Bermann, Lamb, and Morrison.

On same Councilman's motion, it was ordered—

That when the ordinances for the improvement of Tennessee and Meridian streets be passed, that before the contract is awarded the wooden blocks on said streets be reserved and turned over to the Township Trustee, to be issued as fuel to the deserving poor of the City of Indianapolis during the coming winter.

That the City Attorney be, and is hereby, instructed to file a bill of impleader in a court of general jurisdiction in Marion County, making parties thereto all the claimants in the matter of opening John street, and to see that the law regulating the paying of said claimants be fully complied with.

That the Common Council be called to order during the months of November, December, January and February at 7 P. M., during March, April, September and October at 7½ P. M., during the months of May, June, July and August at 8 P.M.

On Councilman O'Connor's motion, it was ordered—

That Messrs. A. & W. Reasner, be granted permission to repair the second alley west of Oriental street, between Michigan road and Washington street, said work to be done at their own expense, and under directions of the City Civil Engineer.

Councilman Sheppard offered the following motion ; which was laid on the table :

That the City Council, the Board of Alderman concurring, allow a steamer and hose-reel to attend the Fireman's Tournament, to be held in the city of Cincinnati on the 1st, 2nd and 3rd of October, providing freight and transportation cost the city nothing.

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

That the Street Commissioner be, and is hereby, instructed to clean the gutters on Michigan street, between the canal and Blake street.

On same Councilman's motion, it was ordered—

That the City Clerk be instructed to find out if the Street Railway Company intend to place their track on North street, as by order of the Council and Board of Aldermen, and report at next meeting of Council.

On Councilman Tucker's motion, it was ordered—

That the City Attorney be instructed to examine, and report to this Council, if the City Commissioners have been regularly elected, and are all qualified to act as such.

That the Mayor, Common Council and Board of Aldermen, together with all other City Officers, and also the Fire Department, be, and are hereby, requested to turn out and participate in the parade to be given in honor of President Hayes and his Cabinet, on the 2d day of October, 1879.

The same Councilman offered the following motion :

That the Committee on Public Property be authorized to employ sufficient help to cut the grass in University and Circle Parks, and to have the said grounds placed in good condition; also to authorize the employing of a Park Policeman for said grounds until after the Fair week, from the date of the passage of this motion.

On Councilman McKay's motion, it was laid on the table by the following vote :

**AYES, 15**—viz. Councilmen Bermann, Brown, Carey, Dowling, Downey, King, Morrison, McKay, O'Connor, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

**NAYS, 5**—viz. Councilmen Bieler, Bryce, Lamb, McGinty, and Roeker.

The same Councilman offered the following motion :

That the City Marshal be instructed to notify the managers of the City Hospital to comply with the provisions of the ordinance regulating the establishing of hospitals inside of the city limits.

On Councilman VanVorhis' motion, it was laid on the table, by the following vote :

**AYES, 13**—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Lamb, Morrison, McKay, Shilling, VanVorhis, Wiese, and Wood.

**NAYS, 7**—viz. Councilmen Dowling, King, McGinty, O'Connor, Rooker, Sheppard, and Tucker.

The same Councilman presented the following; which was referred to the Judiciary Committee and City Attorney :

Mrs. Abbie Sullivan wants her back taxes refunded, being a widow, and entitled to same.

The same Councilman presented the following petition; which was referred to the Committee on Streets and Alleys :

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

The undersigned petitioner represents that she is the sole owner of all the lots on either side adjacent to and bordering on the line of Bobbs street, from Bates street to Meek street, in and through Bobbs' addition to the City of Indianapolis, Indiana; that said street has never been opened or used as a thoroughfare; that said street, runs east of and parallel to Dillon street, the distance between them being about one hundred and sixty feet. Her reasons for vacating said Bobbs street is because she expects and desires said Dillon street to be widened and improved, and that

ground to be taken for said purpose will be taken from her lots; that by the vacation of Bobbs street she can change her lots and make them front on Dillon street, and in lieu of Bobbs street she will be enabled to have an alley on the east and in the rear of her lots so fronting on Dillon street.

Mrs. Catherine Bobbs.

We, the undersigned, freeholders in said City of Indianapolis, respectfully recommend that said Bobbs street be vacated according to the prayer of the foregoing petition.

William Baine, G. S. Pittman, Fred. Kline.

On Councilman VanVorhis's motion, it was ordered—

That J. D. Eagle be permitted to erect an awning in front of his store on the corner of Illinois and Michigan streets, to be done in compliance with existing ordinances.

That the Committees on Printing be authorized to contract with the publishers, to supply all City Officers with new Directory for 1880.

That the Hospital Board be requested to report whether they intend to comply with the order of the Common Council and Board of Aldermen, to make a report for the years 1877 and 1878—such reports not yet having been made.

Councilman Wiese presented the following communication; which was referred to the Judiciary Committee and City Attorney:

*Indianapolis, September 15, 1879.*

I will agree, as a compromise, to take for damage done by water to my dwelling house, on corner of Ray and Illinois street, the sum of sixty dollars.

LOUIS LEHR.

The same Councilman offered the following motion; which was referred to the Police Board:

That the Police Board be requested to order a strict enforcement of section 36 of the Street and Alley Ordinance, which prohibits the "trundling of any wheelbarrow, truck, or hand-cart on or along any thronged sidewalk of this city."

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

That the Street Commissioner be, and is hereby, directed to fill the chuck-hole on the corner of Maryland and California streets.

That the Street Commissioner be, and is hereby, directed to lay a single stone crossing on Maryland street, from the southeast corner of California street to the north side of the street; also a single stone crossing on California street, from the southwest corner to the southeast corner thereof.

That Edward King and G. H. Voss be directed by Street Commissioner to remove the fences from off the sidewalk in front of their property on W. Washington street.

That the Street Commissioner be, and is hereby, directed to clean the gutter between White River bridge and Ray street, on north side of Washington street.

On Councilman McKay's motion, it was ordered—



That the employment of the Park Policeman for the month of September and first week in October be confirmed.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: JOS. T. MAGNER, City Clerk.