

# PROCEEDINGS OF COMMON COUNCIL.

---

REGULAR SESSION—MAY 17, 1880.

The Common Council of the City of Indianapolis, met in the Council Chamber, on Monday evening, May 17th, A. D. 1880, at eight o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and 25 members, viz: Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Maurer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

ABSENT—None.

The Proceedings of the Common Council, for the regular session held on May 10th, A. D. 1880, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

## COMMUNICATIONS, ETC., FROM THE MAYOR.

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

*Indianapolis, Ind., May 15th, 1880.*

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 April, 1880, due the city treasury, is \$19.10, which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

His Honor, Mayor Caven, presented the following invitation; which was accepted:

HEADQUARTERS GEORGE H. THOMAS POST No. 17, G. A. R., }  
*Indianapolis, Ind., May 15, 1880.* }

*Sir:*—The undersigned, Committee of George H. Thomas Post No. 17, Grand Army of the Republic, has been directed to extend to you, the honorable Common Council and Board of Aldermen of the City of Indianapolis, a most cordial invita-

tion to join George H. Thomas Post No. 17, G. A. R., in the observance of Memorial Day, on Saturday, the 29th day of May, 1880.

Sincerely trusting that you, the honorable Common Council and Board of Aldermen, will be pleased to accept and honor George H. Thomas Post with your presence,

We have the honor to be, very respectfully,

Fred. Knefler,  
C. J. Dobbs,  
Geo. W. Parker, } Committee.

Hon. JOHN CAVEN, Mayor of Indianapolis.

REPORTS, ETC., FROM CITY OFFICERS.

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

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

Gentlemen:—I herewith report the following estimates:

A first and final estimate in behalf of John Schier, for grading, and paving with brick (except where already paved,) the northwest sidewalk of Massachusetts avenue, from St. Clair street to Cherry street.

838 7-12 lineal feet, at 37 cents..... \$310 23

A first and final estimate in behalf of Fred. Gansberg, for grading and graveling Railroad street and sidewalks, from North street to St. Clair street.

1643 6-12 lineal feet, at 47 cents..... \$772 45

A first and final estimate in behalf of Jack Hennessee, for grading and graveling the first alley north of Buchanan street, from Greer street to East street.

600 lineal feet, at 9 cents..... \$54 00

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution was then read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of John Schier, for grading, and paving with brick (except where already paved,) the northwest sidewalk of Massachusetts avenue, from St. Clair street to Cherry street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 23—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Mauer, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

The following estimate resolution was also read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of Fred. Gansberg, for

grading and graveling Railroad street and sidewalks, from North street to St. Clair street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

**AYES**, 23—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Mauer, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

**NAYS**—None.

The following estimate resolution was also read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of Jack Hennessee, for grading and graveling the first alley north of Buchanan street, from Greer street to East street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

**AYES**, 23—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Mauer, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, VanVorhis, White, and Yoke.

**NAYS**—None.

The City Civil Engineer submitted the following report ; which was received, the contracts severally concurred in, and the bonds approved :

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

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

Contract and bond of James W. Ross, for grading and graveling the first alley south of Twelfth street, between Illinois and Tennessee streets. Bond, \$300.00 ; surety, A. Stewart.

Contract and bond of R. P. Dunning and James W. Hudson, for improving College avenue, from Seventh street to Twelfth street, by grading and graveling the roadway, bowldering the gutters, and curbing with stone the outer edge of the sidewalks. Bond, \$1,200.00 ; sureties, A. R. Baker and Fred. Gansberg.

Contract and bond of Wm. Morrison, for grading and graveling Wilson street and sidewalks, between Hill avenue and the C., C., C. & I. R. Co.'s track. Bond, \$400.00 ; surety, Harvy Handy.

Contract and bond of John Schier, for grading, and paving with brick the north sidewalk of St. Clair street, from East street to Park avenue. Bond, \$150.00 ; surety, Richard Carr.

Contract and bond of Richard Carr, for grading and graveling Newman street and sidewalks, from Seventh street to Ninth or Bolton street. Bond, \$1,500.00 ; surety, John Schier.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Attorney submitted the following communication ; which was

referred to the Joint Committees on Streets and Alleys and City Attorney; with instructions to confer with Messrs. McDonald and Butler:

*Indianapolis, Ind., May 17, 1880.*

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

*Gentlemen.*—We have been informed that proceedings have been instituted by the city of Indianapolis looking towards the opening and extension of Dillon street over and across the tracks and yards of the Columbus, Chicago and Indiana Central Railway Co., now operated by the Pittsburgh, Cincinnati and St. Louis Railway Co., and that Commissioners have been appointed to assess the benefits and damages.

On December 26, 1878, an injunction was granted by the United States Circuit Court against the city of Indianapolis, its officers and agents, enjoining it from further proceeding with the opening of said street; and granting to the city time in which to move for a dissolution of the order. The City appeared and moved accordingly, and on January 30, 1879, the motion was overruled and the order continued in full force, and reference made to W. P. Fishback to take evidence upon the matters involved, and to report to the Court. The City declined to enter into further investigation on account of the probable expense incident thereto, and the original order still remains in full force.

The recent proceedings relating to the opening and extension of this street are clearly in violation of this order, and we respectfully ask that such proceedings may be vacated and set aside.

Respectfully submitted,

MCDONALD & BUTLER.

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

The Fire Board, through Councilman Pearson, submitted the following report; which was concurred in:

*Indianapolis, May 3d, 1880.*

To His Honor, the Mayor, Members of the Common Council

and Board of Aldermen of the City of Indianapolis:

*Gentlemen.*—In the matter of an ordinance that was referred to the Fire Board and Chief Fire Engineer, regarding the removal of No. 9 Hose Reel Company to the corner of College avenue and Seventh street, offer the following report:

We have given the matter careful consideration, and it is our judgment that the district embracing the northeastern part of the city should have better fire protection, as from the present location of the companies covering this territory the runs are too long for prompt service. If there is to be no increase in the force of the Fire Department, we therefore recommend that in order to more effectually cover this portion of the city, (the north east district,) and at the same time leave the part of the city north of Washington street fairly protected, that the No. 9 Hose Reel Company be re-located at or near some point that the Chief Fire Engineer and Fire Board may deem best, and in that view, that they, the Chief Fire Engineer and Fire Board be instructed to receive proposals to sell the city a lot for the purpose of erecting suitable buildings thereon.

Also, in the matter of a petition and a motion, that were referred to the Fire Board and Chief Fire Engineer, as to the removal of Hose Reel No. 10, and afford better fire protection for that part of the city on the south side, now so poorly provided for. For reasons already stated in the foregoing report, we can safely apply the same reasons to this district, and therefore recommend that No. 10 Reel be re-located to a point at or near the intersection of Madison avenue and Morris street; and in this view that the Chief Fire Engineer and Fire Board be instructed

to receive proposals to sell the city a lot for the purpose of erecting suitable buildings thereon.

We also recommend to your honorable bodies that a cistern of not less than 1,800 barrels capacity, be built at or near the intersection of College avenue and Tenth street, and that the Chief Fire Engineer be directed to locate said cistern, and advertise for proposals under direction of the City Civil Engineer.

Respectfully submitted,

James T. Layman,  
Wm. H. Tucker,  
John R. Pearson,  
Isaac Thalman,  
Fire Board.

JOHN G. PENDERGAST, Chief Fire Engineer.

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

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

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

1st. Is special ordinance 18, 1880. An ordinance to grade, curb and boulder the west gutter of Delaware street, from Merrill street to Madison avenue.

Accompanying the ordinance is a remonstrance representing about twelve hundred feet, fronting on the street for proposed improvement, we can see no particular demand for the passage of this ordinance, and recommend it be stricken from the files.

2nd. Is special ordinance 71, 1879, providing for the grading and graveling of Ohio street; from Arsenal avenue to State street.

This ordinance is accompanied with both petition for, and remonstrance against, its passage. There are more petitioners than remonstrants, we therefore recommend the passage of the ordinance.

3rd. Is special ordinance 15, 1880, providing for the grading and graveling of the first alley south of Harrison street, running from Harrison street to Cedar street.

There is a petition for this improvement and there being no remonstrance, we recommend the passage of the ordinance.

4th. Is a motion that Henry Reinfels be granted permission to procure six loads of gravel out of the South Park grounds, to fill a water pond on Gresham street, at his own expense.

We recommend that permission be herewith granted.

5th. Is a motion that the Street Commissioner be instructed to replank the foot walk of the bridge across the canal, at New York street.

We recommend the work be done.

6th. Is a petition from a large number of citizens and tax payers of the north-east portion of the city, asking the city to purchase that part of the Indianapolis and Pendleton Gravel Road, located within the city limits.

From the fact that this petition was not presented until a large portion of our estimate for the year had been expended, and believing this matter should have due consideration in making up our estimates for the new year, we recommend the petition be referred to the incoming newly elected Board of Public Improvements.

Respectfully submitted,

M. H. McKay,  
H. Coburn,

Board of Public Improvements.

The following entitled ordinance, through concurrence in the first clause of the foregoing report, was stricken from the files:

S. O. 18, 1880—An Ordinance, to provide for grading, curbing and bowldering (where not already curbed and bowldered) the west gutter of Delaware street, from Merrill street to Madison avenue.

The Board of Public Improvements, through Councilman McKay, submitted the following report:

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

*Gentlemen:*—The Board of Public Improvements, together with the Committees on Streets and Alleys, to whom was referred Special Ordinances No. 12 and 13, 1880, for improving Meridian street, from New York street to Seventh street, with cedar blocks, together with the petitions for, and remonstrances against, such improvement, would report thereon as follows:

After thorough investigation and careful consideration of the matter, and in accordance with a majority of the petitions for said improvements, we recommend the ordinances be passed.

Respectfully submitted,

M. H. McKay,

H. Coburn,

Board of Public Improvements.

John O'Connor,

Jno. T. Downey,

Council Committee on Streets and Alleys.

H. Seibert,

Aldermanic Committee on Streets and Alleys.

Councilman VanVorhis presented the following remonstrance:

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

We, the undersigned, property holders on north Meridian street, in city of Indianapolis, do hereby present to your honorable body our protest against any and all ordinances which may have for their object the laying of any kind of wooden pavement on said street.

Wm. S. Hubbard and Mary M. Hubbard, by W. S. H., 460 feet; John S. Spann, 62½ feet; Mrs. Marietta A. Davis, by John S. Spann, agent, 61 feet; Wm. Sullivan, 130 feet; M. Van Doren, 35 feet; Ingram Fletcher, 125 feet; R. B. Duncan, 122½ feet; Isaiah Mansur, 207½ feet; Fred. Goepfer, 159 feet; Charles Mayer, 200 feet; Willis S. Webb, 125 feet; Geo. Tousey, by Wm. Tousey, 200 feet; E. H. Ferguson, 62½ feet; Sarah Reeves, 31½ feet; Isaac Patterson, 110 feet; C. A. Ferguson, 200 feet; M. B. Carmichael, 62½ feet; W. M. and E. Tout, 120 feet; John H. Ohr, 31½ feet; Mrs. T. H. Bowles, 40 feet; James Hasson, 31½ feet; Lucian Barbour, 204 feet; Jno. C. Shoemaker, agent for F. J. Chapman, 62½ feet; Geo. D. Staats, 37½ feet; J. D. Vinnedge, 101 feet.

Councilman Thalman presented the following remonstrance:

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

*Gentlemen:*—WHEREAS, The wooden block pavement on north Meridian street, between New York and North streets, is smoother and in better condition to drive

over than any other three consecutive squares in the city, and can with small expense be so maintained for two or three years;

Therefore, the undersigned, owners of property on said Meridian street, would respectfully remonstrate against the tearing up of said block pavement for the purpose of putting down a new one; and your petitioners will ever pray.

H. G. Carey, 100 feet; Anna Dunlap, administratrix estate Jno. Dunlap, 67½ feet; Frank Wright, 67½ feet; S. Dukemineer, 33½ feet; Jas. C. Ferguson, 80 feet; T. P. Haughey, 90½ feet; W. C. DePauw, per Jno. W. Ray, 100 feet; J. W. Murphy, 135 feet; E. B. McOuatt, 148½ feet; Caroline L. Mears, 202½ feet; M. G. Bright, per N., 50 feet; Isaiah Mansur, 207½ feet. Frontage of 3 squares, less University square, 2000 feet; petitioners representing 283 feet over one-half the frontage.

On motion by Councilman VanVorhis, the foregoing report and remonstrances, and all petitions, ordinances, &c., on the subject, were referred to the new Board of Public Improvements and Joint Committees on Streets and Alleys.

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

*Report of Deaths in the City of Indianapolis, from the 30th day of April, to the 15th day of May, 1880—inclusive.*

Under 1 year.....	30
1 to 2 years.....	15
2 to 5 ".....	10
5 to 10 ".....	4
10 to 15 ".....	1
15 to 20 ".....	3
20 to 25 ".....	4
25 to 30 ".....	0
30 to 40 ".....	5
40 to 50 ".....	5
50 to 60 ".....	4
60 to 70 ".....	0
70 to 80 ".....	1
80 to 90 ".....	1
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	4
Total.....	87

Respectfully,

HENRY JAMESON, M. D., President,  
W. E. JEFFRIES, M. D., Secretary,

ELECTION OF PRESIDENT PRO TEMPORE.

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

Councilman Kahn nominated Councilman M. H. McKay; and Councilman Bernhamer nominated Councilman James T. Dowling.

His Honor, Mayor Caven, appointed Councilmen Kahn and White as tellers.

A ballot was then had; which resulted as follows:

Councilman M. H. McKay received 17 votes, and Councilman James T. Dowling received 8 votes.

Councilman McKay having received a majority of all the votes cast, he was declared duly elected as President *pro tempore* of the Common Council for the ensuing year.

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

The following message was read and received:

To the Mayor and Common Council:

*Gentlemen.*—I herewith transmit to your honorable body the following motion, which was adopted by the Board of Aldermen, at its session, held on Wednesday evening, May 12th, 1880, for your action on same.

For the Board of Aldermen,  
GEO. T. BREUNIG, Clerk.

“That the Sanitary Police be paid on the pay-roll of the Board of Health, and that said Board be directed to provide for such payment in making up their estimates for the ensuing fiscal year.”

The foregoing motion was concurrently adopted.

#### REPORTS FROM SELECT COMMITTEES.

Councilman VanVorhis, in behalf of a certain Select Committee, was granted leave to submit the following minority report:

*Indianapolis, Ind., May 17, 1880.*

To the Mayor and Members of the Common Council:

*Messrs.*—The undersigned, members of your committee to whom was referred General Ordinance No. 16, 1880, an ordinance to amend General Ordinance No. 40, 1879, known as the Hack Ordinance, believing:

1st. That no ordinance should be passed for the benefit of any individual or class, that effects injuriously any other individual or class;

2d. That unless the public welfare demands it, no ordinance should be passed that effects injuriously any private enterprise, but that it is the duty of this Council and the Board of Aldermen to encourage all private enterprises that are of



public benefit to the extent at least of not obstructing their business by unnecessary restrictions;

3d. That it is not the province of this Council nor of the Board of Aldermen to assist any individual or class of individuals in competing with others, and that unless the welfare of the general public demands, there should be no interference in any way with competition in trade; and believing that section 24 of General Ordinance No. 40, places unnecessary restriction upon the transfer of passengers at the Union Depot, and that said section effects injuriously a private enterprise that has been of great benefit to the city, and which it is the duty of this Council to encourage, rather than discourage; and it appearing that the only object of section 24 (so far as it effects the Union Depot,) is to prevent the traveling public from being annoyed; and believing that this object can be better accomplished under the provisions of the proposed amendment than under the section as it now stands, and *that too*, without operating to the disadvantage of any individual or enterprise; therefore recommend its passage.

Respectfully submitted,

Flavius J. VanVorhis,  
John R. Pearson.

Councilman Yoke, from the same committee, submitted the following majority report:

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

*Gentlemen:*—Your Special Committee to whom was referred G. O. 16, 1880, "An ordinance to amend section 24 of G. O. 40, 1879," known as the Hack Ordinance, after careful investigation, would recommend that said amendatory ordinance does not pass.

Respectfully submitted,

N. Yoke,  
Wm. G. White,  
Jas. T. Dowling,  
Committee.

On motion by Councilman Dowling, the majority report was concurred in by the following vote:

**AYES**, 19—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Prier, Pritchard, Shilling, White, and Yoke.

**NAYS**, 6—viz. Councilmen Morrison, McKay, O'Connor, Pearson, Thalman, and VanVorhis.

#### NEW ORDINANCES.

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

By Councilman Bryce:

S. O. 58, 1880—An Ordinance to provide for re-grading and re-bowldering Meridian street, from Washington street to Louisiana street.

By Councilman Kahn:

SIG. 6.

Ap. O. 33, 1880—An Ordinance appropriating five thousand and six hundred dollars in favor of S. A. Fletcher & Co.

On motion by Councilman Kahn, the rules were suspended, by the following vote, for the purpose of placing the above entitled ordinance on its second and third reading and final passage, viz :

AYES, 25—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

The foregoing entitled ordinance (Ap. O. 33, 1880) was read the second time, ordered to be engrossed, read the third time and passed by the following vote :

AYES, 24—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Pritchard, Shilling, Thalman, Van Vorhis, White, and Yoke.

NAYS—None.

By Councilman Kahn :

G. O. 22, 1880—An Ordinance providing for the Compensation of the Officers of the City of Indianapolis, and the Officers and Members of the Police and Fire Departments of said city, for the fiscal year ending May 31st, 1881.

By Councilman Pearson :

S. O. 59, 1880—An Ordinance to provide for grading, and paving with brick the east sidewalk of West street, (where not already paved,) from St. Clair street to First street.

By Councilman Prier :

S. O. 60, 1880—An Ordinance to provide for improving Malott avenue, from Alford street to Columbia avenue, by grading and bowldering the gutters, and curbing with stone and paving with brick the sidewalks thereof, (except where already bowldered, curbed and paved.)

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

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

*Gentlemen:*—The undersigned, owners of real estate fronting on Malott avenue, from Alford street to Columbia avenue, respectfully petition for the passage of an ordinance providing for grading and bowldering the gutters, curbing with stone the outer edges of the sidewalks, paving with brick, to a width of six feet, the sidewalks of said Malott avenue, between the points named, (except where already paved, curbed and bowldered.) And your petitioners will ever pray, &c.

Shelden Morris, 160 feet; John Frick, 190 feet;  
Christian G. Weiss, 40 feet; John A. Weber,  
49 feet; Edward Conlen.

## MISCELLANEOUS.

Councilman Bernhamer offered the following motion; which was referred to the Fire Board:

That the Fire Board be instructed to enquire into the necessity of locating one or more public fire cisterns on, or near the line of East street, between Morris and Raymond streets, and if found necessary, fix a place or places for such location.

Councilman Bernhamer offered the following motion; which was adopted:

That the Board of Health enquire into the cause of a nuisance now maintained by the occupants or owners of the Bristol Block, situated on Virginia avenue, in the alley in the rear of said block, and take such steps as are necessary for its abatement.

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

That the Street Commissioner be, and is hereby, directed to fill with broken stone, the chuck-holes in East street, between Washington and New York streets.

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

That the Street Commissioner be, and is hereby, instructed to fill the chuck-holes in Noble street, between New York and North streets.

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

That the Street Commissioner be, and is hereby, directed to fill the chuck-holes in Ohio street, between Noble and Pine streets.

Councilman Morrison offered the following motion; which was adopted:

That the Councilmen from the 5th and 12th Wards together with the City Civil Engineer, be authorized to select a resident property owner on the line of Tennessee street, where the same is now being improved, to see that the contractor complies with his contract; such services to be without expense to the city.

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

WHEREAS, On January 5th, 1880, a report was made to the Common Council by the Board of Health, in which they say that Prof. Huben Noys, of the Bloomington University, in correspondence with Dr. Parvin, of this city, offered to examine the water of the principal wells of this city, the only expense to the city being the cost of vessels and transportation, amounting to ten or fifteen dollars, and the Board of Health recommending that the proposition be accepted. This report was, on motion, referred to the Committee of Public Health, and the committee recommended that the Board of Health avail themselves of the offer of Prof. Noys, and that when

the examination was completed, that a full report be made to the Common Council and Board of Aldermen.

*Moved*, That the Board of Aldermen be, and are hereby, instructed to send at an early day a sufficient supply of water from the various wells in different portions of the city to Prof. Noys for examination, and that Prof. Noys's report on said examination, be printed for the information of the Common Council and the general public.

Councilman McKay presented the following petition; which was referred to the Committee on Judiciary and City Attorney:

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

*Gentlemen*:—Your petitioners' would respectfully represent that at the public tax sale held in February, 1879, the City Treasurer Wm. M. Wiles did not offer at public sale the property listed in the name of the Brown Rotary Shuttle Sewing Machine Company under duplicate number 1371 for the year 1878. Your petitioners have since ascertained that the property has been sold to S. A. Fletcher & Co., which is an illegal sale from the fact that it was not offered at public sale, and which fact your petitioners can prove by competent and responsible witnesses noted in writing at the time. In consideration of the above facts making the sale illegal and void as to S. A. Fletcher & Co., your petitioners would ask and demand of your honorable bodies that the purchase money with interest at 6 per cent. be refunded to the purchaser and that the certificates be called in and the sale cancelled, and the proper tax due on the property be carried against said property on the duplicates, and as in duty bound your petitioners will ever pray.

The amounts are \$929.32, \$197.04, \$43.71, \$6.56, 6.56 and \$6.56, total \$1,189.75, which amount we are ready to pay subject to the decision of the Court as to the validity of the tax.

Helen M. Rockwood, C. B. Parkman, Adm'rs  
Estate W. O. Rockwood; W. H. Morrison.

Councilman O'Connor offered the following motions; which were referred to the Board of Public Improvements:

That the Street Commissioner be, and is hereby, directed to repair with gravel the first alley west of Oriental street, between Michigan road and Washington street.

That the Street Commissioner be, and is hereby, directed to repair with gravel the first alley west of Dillon street, between Bates and Georgia streets.

Councilman Prier offered the following motion; which was adopted:

That John Daugherty be granted a permit to grade, and pave with brick, at his own expense, the sidewalk in front of his lot No. 2 Yandes street, according to stakes set by the City Civil Engineer.

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

That the Street Commissioner be directed to repair Mississippi street, from Second street to Sixth street, with gravel, by filling up all chuck-holes in said street.

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

That the Street Commissioner be directed to clean the gutters, and fill the chuch-holes in Blackford street, between North and Washington streets.

That the Street Commissioner be, and is hereby, directed to clean the gutters and fill the chuck-holes in Market street, between the canal and Blackford street.

Councilman VanVorhis offered the following motion; which was adopted:

That a committee of three be appointed who together with the Board of Health be instructed and authorized, subject to the approval of the Common Council and Board of Aldermen, to make such arrangements as may be necessary, to secure a place for dumping the contents of Privy vaults &c., so far removed from the city, as to be the least possible annoyance consistant with reasonable convenience.

The Chair appointed Councilmen VanVorhis, Dowling, and Bedford, as the Special Committee called for by the foregoing motion.

Councilman Yoke presented the following petition; which was received, and the prayer of the petitioners granted:

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

*Gentlemen.*—The undersigned owners of property, on the south side of South street between East and Noble streets, hereby petition your honorable bodies to permit Benjamin South to locate a water plug for street sprinkling puposes at his own expense on the south side of the said street between the points named. Such plug to be located in accordance with section 62 of the street and alley ordinance, and under direction of the City Civil Engineer or Street Commissioner.

Respectfully, &c.

Frank M. Surbey, A. H. Baker, A. B. Denton, Dr. B. Atkinson, C. H. Briggs, Peter Spitzladen, Louis Siersdorfer, S. A. Fletcher, Frank Churchman, David D. Long, Trustee F. Place M. E. Church; David D. Long, 75 feet adjoining church property.

Councilman Yoke offered the following motion; which was referred to the Joint Committees on Water.

That the City Civil Engineer be, and is hereby, directed to advertise for sealed proposals for furnishing and erecting a drinking fountain, at the northwest corner of Dillon street and Fletcher avenue.

On motion, the Common Council then adjourned.

*J. Bowen*  
 \_\_\_\_\_ Mayor,

President of he Common Council.

Attest: *Joe T. Magner* \_\_\_\_\_ |City| Clerk.