

# PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JUNE 23, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, June 23d, A. D. 1880, at eight o'clock, in regular session.

**PRESENT**—His Honor, the President, Henry Coburn, in the Chair, and Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker and Wood—9.

**ABSENT**—Alderman Newman—1.

The Proceedings of the Board of Aldermen, for the regular session held on June 9th, 1880, having been printed, and placed on the desks of the Aldermen, said Journals were approved as published.

## MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was read and received:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—I herewith transmit to your honorable body certain papers, which were favorably passed upon by the Common Council, at its regular session, held on Monday evening, June 21st, 1880, for your action upon same.

For the Common Council:

Jos. T. MAGNER, City Clerk.

The following report from the Committees on Contracts was read; and the action of the Common Council, in awarding the several contracts as recommended (see page 134, *ante*) was concurred in:

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

*Gentlemen:*—Your Committees on Contracts, to whom was referred sundry proposals, presented to Council June 7th, 1880, have examined the same, and find them to be as follows, viz:

1st. For grading and bowldering the gutters, and curbing with stone the outer edges of the sidewalks, (except where already bowldered and curbed) of Alabama street, from Wabash street to New York street.

John Schier, 60 cents per lineal foot front on each side for bowldering, and 36 cents per lineal foot front on each side for curbing.

Richard Carr, 58 cents per lineal foot front on each side for bowldering, and 37 cents per lineal foot front on each side for curbing.

James Mahoney, 60 cents per lineal foot front on each side for bowldering, and 34 cents per lineal foot front on each side for curbing.

R. P. Dunning and Jas. W. Hudson, 57 cents per lineal foot front on each side for bowldering, and 37 cents per lineal foot front on each side for curbing.

Henry C. Roney, 88 cents per lineal foot front on each side for bowldering and curbing.

Dunning & Hudson being the lowest and best bidders, we recommend they be awarded the contract—H. C. Roney's bid being irregular, not specifying the cost of bowldering and curbing separately.

2d. For grading and bowldering West street, and grading the sidewalks to make a width of twenty-five feet, and curbing the outer edge thereof with stone, (except where already curbed,) from Washington street to Kentucky avenue.

Henry C. Roney, \$1.35 per lineal foot front on each side for bowldering; 41 cents per lineal foot front on each side for curbing, and 20 cents per lineal foot front on each side for setting curb.

Richard Carr, \$1.38 per lineal foot front on each side for bowldering; 37 cents per lineal foot front on each side for curbing, and 12½ cents per lineal foot front on each side for re-setting curb.

Fred. Gansberg, \$1.29 per lineal foot front on each side for bowldering; 35 cents per lineal foot front on each side for curbing, and 7 cents per lineal foot front on each side for re-setting curb.

R. P. Dunning and Jas. W. Hudson, \$1.19 per lineal foot front on each side for bowldering; 37 cents per lineal foot front on each side for curbing, and 5 cents per lineal foot front on each side for re-setting curb.

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

3d. For grading and paving with brick (except where already paved,) the sidewalks of North street, from Illinois street to the Indianapolis, Cincinnati and Lafayette Railroad tracks.

Henry C. Roney, 48 cents per lineal foot front on each side.

Smith & Sylvester, 47½ cents per lineal foot front on each side.

Geo. Woodfill & Son, 44½ cents per lineal foot front on each side.

John Schier, 37½ cents per lineal foot front on each side.

John Schier being the lowest and best bidder, we recommend he be awarded the contract.

Respectfully submitted,

Isaac Thalman,  
E. H. Koller,  
James A. Pritchard,  
H. E. Drew,  
Committees on Contracts.

The following report from His Honor, Mayor Caven, was read and received:

Indianapolis, Ind., June 21, 1880.

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

Gentlemen:—The amount of forfeitures collected by me during May, due the city treasury, was \$38.17, which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

The following communication was read; and the action of the Common Council in accepting the resignation (see page 135, ante), was concurred in :

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

I hereby tender to you my resignation of the office of Weighmaster and Wood-measurer at the West Market of said city.  
Respectfully,  
June 14th, 1880. SIMEON GOINS.

The following communication was read and received :

Indianapolis, June 18, 1880.

To the Honorable Common Council and Board of Aldermen :

Gentlemen:—Enclosed please find Complimentary Tickets to Gilmore's Zoological Garden. We hope and trust that you will favor us with a visit, and will ascertain for yourselves, by ocular demonstration, that we are endeavoring to establish in this city a first-class, respectable moral place of light amusement and instruction, and fill what we think an existing want in the amusement line, and are really deserv- ing the patronage and support of Indianapolis' best citizens.

We remain yours, very respectfully, &c.,  
C. T. GILMORE, and  
TURNER & FELTON.

The following report from the City Civil Engineer was read; and the action of the Common Council in receiving the report, and in approving the several estimates and assessments (see page 136, ante) was concurred in :

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

Gentlemen:—I herewith report the following estimates :

A first and final estimate in behalf of Fred. Gansberg, for grading and bowldering the alley between Meridian and Illinois streets, from Maryland street to Georgia street.

838 lineal feet, at 34 cents..... \$284 92

A first and final estimate in behalf of Henry C. Roney, for grading, and paving with brick, the south sidewalk, (except where already paved,) of Cherry street from Broadway street to Plum street.

216, 9-12 lineal feet, at 35 cents..... \$75 87

Respectfully submitted,  
R. M. PATTERSON, City Civil Engineer

The following estimate resolution (adopted by the Common Council— see page 136 ante) was 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 bowldering the alley between Meridian and Illinois streets, from Maryland street to Georgia 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, 9**—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

**NAYS**—None.

The following estimate resolution (adopted by the Common Council—see page 137, *ante*), was 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 Henry C. Roney, for grading and paving with brick, the south sidewalk (except where already paved,) of Cherry street, from Broadway street to Plum 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, 9**—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

**NAYS**—None.

The following report from the City Clerk was read :

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—I herewith report the following entitled affidavits, now on file in my file, for the collection of street assessments by precepts, to-wit :

E. B. Elliott vs. H. Wampner, (christian name unknown,) for.....	\$8 80
James Mahoney vs. Chris. Baumfuror, for.....	36 30
Dunning & Hudson vs. Young, Cassady, et al.....	3 90

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And the action of the Common Council in concurring in the report, and in ordering the precepts to issue (see page 137, *ante*), was concurred in by the following vote :

**AYES, 9**—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

**NAYS**—None.

The following report from the City Attorney was read; and the favorable action of the Common Council thereon (see page 140, *ante*) was concurred in :

Indianapolis, June 21st, 1880.

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

*Gentlemen:*—I beg leave to report that the Board of County Commissioners have this day granted the prayer of your petition, for the annexation to the city of the following lands owned by Fred. Henry Wiley, to-wit :

One acre, more or less, in the north half of the southwest quarter of Section thirty-five (35,) Township sixteen (16,) Range three (3) east, bounded on the west by the Michigan Road, on the south by Fourth street, and on the east by the Central Canal.

2d. I also report that I have collected the sum of \$43  $\frac{87}{100}$ , the same being the amount allowed and paid on the claim of The City vs. the estate of A. W. Davis, and have paid the same to the City Treasurer, and filed his receipt with the City Clerk.

3d. I would also report that in the case of James Muse vs. The City, now pending on appeal in the General Term of the Superior Court, the parties to whom the judgment was assigned, have offered to compromise on the payment of \$450.00 and costs. This case has been tried twice, and on both trials a judgment was rendered against the city. On the last trial the plaintiff recovered judgment for \$501.31, the same being the amount found due on his contract, with interest.

I am inclined to the opinion that the offer of compromise should be accepted.

4th. I also submit herewith a petition of Ira Russell, for such action thereon as you may deem proper.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

Report from the Fire Board and Chief Fire Engineer, in relation to the purchase of ground for Nos. 9 and 10 Hose Reel Companies, was read; and the favorable action of the Common Council thereon (see page 141, *ante*) was concurred in.

Report from the Hospital Board, in relation to the burning of gas in the City Hospital, was read; and the favorable action of the Common Council thereon (see page 141, *ante*) was concurred in.

The following clauses in the report from the Board of Public Improvements were read; and the action of the Common Council in concurring in the several recommendations (see page 142, *ante*) was concurred in:

1st. Is a motion that the Street Commissioner be directed to clean the gutters of, and fill the chuck-holes in, Noble street, from Washington street to New York street.

Recommend that the work be done.

2d. Is a motion that the Street Commissioner be instructed to haul six loads of gravel on the West Market, to be placed where the Market Master may direct; and to clean the gutters on west Washington street, from Missouri street to West street, and on Missouri street, from Washington street to first alley south, and to fill with gravel the chuck-holes on Missouri street, from Washington street to first alley south of Washington street.

Recommend that the work be done.

3d. Is a motion that the Street Commissioner fill up around the cistern on North street, near Pine street, as the same is in a dangerous condition.

Recommend that the work be done with cinders.

4th. Is a motion that the Street Commissioner raise the west sidewalk of Chestnut street, (where it may need it,) to a level with the street.

Recommend that the Street Commissioner put a few loads of gravel on the sidewalk, near Morris street, and clean the gutters.

5th. Is a motion that the Street Commissioner clean gutters, and fill with gravel chuck-holes, in Madison avenue, between Morris street and Jeff. Railroad.

Recommend that the chuck-holes be filled from Merrill street to Madison railroad.

6th. Is a motion that the Street Commissioner repair the block pavement on Market street, from Delaware street to Pennsylvania street, with good blocks that are being taken up on Tennessee street; they can be bought for 50 cents per load.

Recommend that new blocks be procured, and the work be done.

8th. Is a motion that the Street Commissioner clean culvert under the I., P. & C. R. R., at the intersection of Seventh street.

Recommend that the Street Commissioner clean the pipes.

12th. Is a motion that the Street Commissioner clean gutters, and fill the chuck-holes in Olive street.

Recommend that the north end be cleaned, from Lexington avenue to Pleasant street; the balance of the gutters in said street we find in good condition, except where the water stands from the use of a pump; and we recommend that the Street Commissioner notify the owner of said pump to build a sink, to run the waste water into, or remove the pump.

Mortality report from the Board of Health, from June 1st to 15th, 1880, (see page 144, *ante*) was read and received.

Report from the Committee on Finance, in relation to the City Clerk's report (see page 144, *ante*) was read and approved.

The following clauses in the report from the Joint Committees on Judiciary were read; and the favorable action of the Common Council thereon (see page 145, *ante*) was concurred in:

2d. Is a petition of R. S. Dorsey and others, stating that certain church property, of which they are Trustees, is listed for taxes, and that the sum of \$59.52 stands against it, and that the same is advertised for sale on account thereof, and asking relief. We are of the opinion that the property is wrongfully taxed, under the law, and recommend that the prayer of the petitioners be granted, and that the City Treasurer and Assessor be, and are hereby, directed to change their assessment and books so as to accord herewith.

3d. Is a petition of Jos. A. Moore, asking the return of \$11.16 on account of taxes erroneously paid. We recommend that the prayer of the petitioner be granted.

4th. Is a petition by T. A. Goodwin, demanding a return of \$30 on account of taxes paid by him to raise certain tax liens on certain properties in which petitioner had an interest. The petitioner makes this demand with some force; but your committee can hardly conclude that he is entitled to a recovery, under the rule. The money sought to be recovered seems to have been paid to protect private interest, than otherwise, and it can hardly be maintained that money thus paid can be recovered. We recommend the City Attorney to, if he can, agree on certain facts—not open to dispute—with the petitioner, and submit them to the proper court for adjudication, if desired by petitioner. Prayer not granted.

The following report from the Joint Committees on Judiciary and Finance was read; and the favorable action of the Common Council thereon (see page 145, *ante*) was concurred in:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—Your Joint Judiciary and Finance Committees, together with the City Attorney, to whom was referred a communication from the City Attorney, report thereon: The communication shows in brief the following facts:

One Ruscharp owned fifty feet of ground on north Pennsylvania street; Simon Yandes had a mortgage on this ground; when Second street was opened, this ground was taken. In the condemnation proceedings, this property received \$6,344.00 on account of damage to it. This money was afterwards paid to Ruscharp, who yet had the fee-simple of record; Yandes was not made a party to the con-

demnation proceedings. In a suit to foreclose his mortgage, Yandes has twice recovered against the city—the last time for \$5,858.69. He now offers to take \$4,500 as a compromise, and release the city from further liability.

We are of the opinion that if Mr. Yandes recovers at all, he will get a larger sum than he offers to take. The Judges of the Marion County Superior Court have united in holding the city liable in the full amount. We think it not a good business chance to further litigate the matter, and recommend the acceptance of the above proposition. We cannot but add that, in our judgment, had the proper skill and caution been observed by the proper officers at the proper time, this money would not have been lost.

Very respectfully submitted,  
 Leon Kahn,  
 Committee on Finance.

Wm. C. Lamb,  
 James A. Pritchard,  
 James T. Dowling,  
 D. W. Grubbs,  
 James T. Layman,  
 Judiciary Committees.

JOHN A. HENRY, City Attorney.

The following report from the Committee on Public Health was read; and the favorable action of the Common Council thereon (see page 146, *ante*) was concurred in:

To the Mayor and Members of Common Council:

*Gentlemen*.—Your Committee on Public Health, respectfully report, that there is situated on south Meridian street, in front of No. 756, a pond of considerable size; that the water contained in it will, if it is allowed to remain, soon become offensive. This pond can be easily drained, by cutting the gutter, leading north from it, a little deeper.

We therefore recommend that the Street Commissioner be instructed to so deepen the gutter that this pond will be properly drained.

Respectfully submitted,  
 Flavius J. Van Vorhis,  
 C. T. Bedford,  
 John W. Fultz,  
 Committee.

Report from the Joint Committees on Public Light was read; and the favorable action of the Common Council thereon (see page 146, *ante*) was concurred in.

The following clauses in the report from the Joint Committees on Streets and Alleys were read; and the favorable action of the Common Council thereon (see page 147, *ante*) was concurred in:

5th. Is a motion that the C. H. & I. R. R. Co. be requested to build a good substantial fence on the south side of their track on Maryland street, from Benton street to Pine street.

Recommend that they be requested to build a stone wall four feet high along said proposed line.

6th. Is a resolution that the names of the following streets in Indianola be changed, viz: Ray street changed to Bloomington street; Walnut street changed to Beacon street; Drake street changed to Decatur street; Plum street changed to Springfield street; and the first alley south of Walnut street be named Everett alley.

On examination we find other streets in the city of the same names, and therefore recommend that said resolution be adopted.

The following resolution adopted by the Common Council (see page 147, *ante*) was read :

"Resolved, That the name of Kay street, in Indianola, be changed to Blooming-ton street; and the name of Walnut street, in Indianola, be changed to Beacon street; and the name of Drake street, in Indianola, be changed to Decatur street; and the name of Plum street, in Indianola, be changed to Springfield street; and the first alley south of Walnut street, in Indianola, be named Everett alley."

And it was concurrently adopted by the following vote :

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Wood, and President Coburn.

NAYS—None.

The following report was read, and referred to the Aldermanic Committee on Public Health, with power to act :

Indianapolis, Ind., June 21, 1880.

To the Mayor and Members of the Common Council:

*Gentlemen:*—Your Special Committee, to whom was referred the matter of selecting and procuring a suitable location for dumping privy vault cleanings, and other materials of like character, respectfully report, that in conjunction with the Board of Health, and in accordance with your instruction, we have selected a location; and have arranged, subject to your approval, to procure ground that will give the city control of about 600 feet on the river. The situation is such that the city will always have access to the river, at a point where the current is steady, and water deep, even in low water. This ground will cost the city the sum of \$375.00.

There will be some expense attending the making of a road to the bank, and properly preparing the place for use.

We most earnestly recommend that our action in this matter be approved, and that the Committee on Accounts and Claims be instructed to include in the next general appropriation ordinance, the sum of \$500.00, to be used for the purposes herein indicated.

Respectfully submitted,

Approved:

E. S. Elder, M. D.,  
Wm. E. Jeffries, M. D.,  
W. J. Elstun, M. D.,  
Board of Health.

Flavius J. Van Vorhis,  
Jas. T. Dowling,  
C. T. Bedford,  
Special Committee.

The following motion (adopted by the Common Council—see page 156, *ante*) was read and referred to the Aldermanic Committee on Railroads.

WHEREAS, the iron railing around the Tunnel on south Illinois street, is in a bad and dangerous condition, and demands immediate attention; therefore

*Moved*, that the Board of Public Improvements be directed to put said railing in good and proper condition, and said Board have full power to act in the matter.

The following motions (adopted by the Common Council) were read, and were severally concurrently adopted:

That the City Marshal be, and is hereby, directed to notify the owners of property located between No. 212 and Clinton street, on the north side of east Ohio street, to raise the sidewalk in front of their premises to the proper grade; and on



failure to do so, within twenty days, the Street Commissioner is hereby directed to do the work at the expense of said owners.

That the City Marshal notify owner of property to repair sidewalk in front of Elevator on south Alabama street; and if the same is not done within ten days from the date of serving notice, the Street Commissioner be, and is hereby, directed to repair the same at the expense of the owner.

That Fred. Reisner be granted thirty (30) days further time to gravel Wilkens street, extension on account of high water.

That the Committee on Markets be, and they are hereby, authorized to have the old privy vault at the West Market cleaned out and filled up with fresh earth, as per direction of the Board of Health.

That Geo. B. Walton be, and is hereby, granted permission to grade and pave with brick, at his own expense, the sidewalk in front of his property, No. 278 Christian avenue, according to stakes set by the City Civil Engineer.

That Richard Carr be granted forty days further time to complete his contract for improving Newman street.

That D. A. Haywood have until July 10th, 1880, to complete his contract for grading and graveling Newman street and sidewalks, from Hill avenue to Seventh street.

That C. F. Rafert be, and is hereby, permitted to drain the surface water from his cellar, with 4-inch tile, at Nos. 441 and 443 east Ohio street, into Pogue's Run. The whole distance will not exceed seventy-five feet; the work to be done at his own expense, and under the direction of the City Civil Engineer.

That Emil Renard be granted permission to bowlder the gutter in front of his property on Liberty street; said work to be done at his own expense, and under the direction of the City Civil Engineer.

That the Joint Committees on Public Property and City Attorney, are hereby instructed to enquire into the feasibility of an immediate conversion of all, or a portion, of the Tomlinson Estate property into cash; said report to be submitted at the next regular meeting of this Council.

That the Lafayette R. R. Co. be instructed to repair the crossing on Walnut street, by placing new planks between their tracks on said street; said work to be done in the next 20 days.

That the City Attorney be directed to have the court appoint City Commissioners for the ensuing year.

*Resolved*, That, in the opinion of this body, public necessity demands that Dillon street should be opened from its present northern terminus through to the Michigan Road, and that the City Attorney be, and is hereby, instructed to investigate and report to this body, at its next regular meeting, what steps are necessary, if any can be taken by the city, to dissolve the injunction of the U. S. Court against the opening of said street through certain grounds situated in the line above indicated, and belonging to ——— R. R. Co.

That the City Marshal notify the Directors of the Belt R. R. Co. to enlarge the culvert on the east side of Shelby street, so that it will be of sufficient size to carry all water off coming down said railroad.

The following motion (adopted by the Common Council—see page 164, *ante*) was read and was concurrently adopted :

That the communication of ex-Councilman Wm. H. Tucker, presented to this body on May 3d, 1880, in reference to the improvement of the Southern Park, be referred to a Special Committee of three, together with the Street Commissioner, and that the Board of Aldermen be requested to appoint a committee of three to act in conjunction with the committee of this body.

The Chair appointed Aldermen Tucker, Mussmann, and Layman as the Aldermanic members of such special committee.

The following motion was read, and the action of the Common Council thereon (see page 165, *ante*) was concurred in :

That the Street Commissioner be, and is hereby, instructed to fill, as soon as possible, the open cellar on Hosbrook street, between Grove and Elk streets.

The following entitled ordinances (passed by the Common Council) were severally read the first time :

Ap. O. 41, 1880.—An ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments.

G. O. 25, 1880.—An ordinance amending section nine (9) of an ordinance entitled "An ordinance declaring that all Vehicles (except Street-Railway Cars,) used in the transporting of Persons and Articles within the City of Indianapolis, for hire or pay, shall be deemed 'Public Vehicles;' establishing Rules and Regulations for the government of the Owners, Lessees, and Drivers thereof; and prescribing Fines and Punishments for violations of its provisions;" ordained March 1st, 1880.

S. O. 66, 1880.—An ordinance to provide for bowldering the east gutter, and curbing the outer edge of the east sidewalk, of Alabama street (where not already bowldered and curbed), from Pogues run south to the rail road track.

The following message was read :

To the President and Members of the Board of Aldermen :

*Gentlemen:*—The Common Council, at its regular session held on June 21st, 1880, refused to concur in your action of June 9th, in adopting the following motion :

"That the Committees on Printing be, and are hereby, instructed to print Mayor's Proclamations in the official city paper only."

The Common Council at the same evening, refused to concur in your action of June 9th, in referring the following motion to the Committees on Public Light, with power to act :

"That the Committee on Public Light be instructed to light the lamp opposite the building occupied by the Little Sisters of the Poor, and extinguish a lamp that can be spared."

For the Common Council.

JOS. T. MAGNER, City Clerk.

On motion, this body determined to adhere to its action of June 9th, in adopting the first above mentioned motion.

On motion, this body determined to recede from its action of June 9th in referring, with power to act, the last above mentioned motion.

#### REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was referred to the Aldermanic Committee on Streets and Alleys:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—At a meeting of your honorable body held June 9th, 1880, a motion was adopted instructing me to report as to the expediency of constructing the gutters on Alabama street, so as to run the water south on said street, from New York street to Market street, and at what extra cost to the city.

I have made survey of the grounds, and find it inexpedient to run the water on said proposed line, on account of not having sufficient fall. To afford better drainage, a summit at the alley between Ohio and New York streets would drain one-half of the square into New York street, and the other half into the Ohio street sewer, and would very much improve the drainage, which is very poor, on this square. The extra cost to the city would be about one hundred and forty dollars.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

#### REPORTS FROM OFFICIAL BOARDS AND COMMITTEES.

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

To the President and Board of Aldermen:

*Gentlemen:*—The Board of Public Improvements, to whom was referred S. O. 58, 1880, "An ordinance providing for re-grading and re-bowldering Meridian street, from Washington street to Louisiana street," together with a remonstrance against said improvement;

Would report that we have made careful examination of this matter, and believing it to be a much-needed improvement, would recommend the passage of said ordinance.

Respectfully submitted,

Wm. H. Morrison,

Edward H. Dean,

Hiram Seibert,

Board of Public Improvements.

The Committee on Judiciary, through Alderman Grubbs, submitted the following report, which was concurred in:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Judiciary Committee, to whom was referred G. O. 13, 1880, entitled, "An ordinance granting Charles T. Gilmore a special license," &c., report the same back, and recommend that it do pass.

D. W. Grubbs,

James T. Layman,

W. H. Tucker,

Committee.

The Committee on Streets and Alleys, through Alderman Drew, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

*Gentlemen:*—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report thereon as follows:

1st. Is S O. 68, 1880, "An ordinance to provide for grading, and paving with brick, the south sidewalk of Seventh street, from Meridian street to Illinois street," together with a remonstrance against said improvement, would report, that after careful examination and due consideration, we recommend that said ordinance be *not* passed.

2d. Is G. O. 14, 1880, "An ordinance granting C. E. Merrifield the right to build a Railroad Switch across Pratt street, near the I., C. & L. R. R. Co.'s tracks."

Recommend the same be passed.

Respectfully submitted,

H. E. Drew,  
W. H. Tucker,  
Aldermanic Committee

The Committee on Streets and Alleys, through Alderman Drew, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

*Gentlemen:*—Your Committee on Streets and Alleys, to whom was referred the report from Council Judiciary Committee, in the matter of opening and laying out Vermont street, from the first alley east of Douglass street to Blake street, together with the petition and resolution in reference thereto, recommend that the action of the Common Council in concurring in said report be approved, and that the following resolution be concurrently adopted.

Respectfully submitted,

H. E. Drew,  
W. H. Tucker,  
Committee.

The following resolution (adopted by the Common Council—see pages 113 and 114, *ante*) was read:

*Resolved*, That the petition of John W. Adams, and others, praying for the laying out and opening of west Vermont street, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for purposes of such opening of said street, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor.

The said Commissioners are instructed to return as part of their report all petitions and notices.

The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners and property owners,—and that for the benefits assessed in favor of any property owner, each shall give security to the city of Indianapolis, before said street shall be opened, this security to be approved by the Mayor, the Chairman of the Council Finance, and the Chairman of the Aldermanic Finance Committees.

And it was concurrently adopted by the following vote:

**AYES**, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Wood, and President Coburn.

**NAYS**—None.

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

To the President and Board of Aldermen:

*Gentlemen*.—Your Committee on Water, to whom was referred the motion “that the City Civil Engineer be directed to advertise for sealed proposals for furnishing and erecting a drinking fountain at the northwest corner of Dillon street and Fletcher avenue, adopted by the Common Council May 31, 1880, recommend that the action of the Common Council, in this matter, be concurred in.

Respectfully submitted,

Geo. P. Wood,  
H. E. Drew,  
Hiram Seibert,  
Committee.

Alderman Hamilton, in behalf of certain special committee, submitted the following report; which was received:

To the President and Board of Aldermen:

*Gentlemen*.—The Special Committee, consisting of the Hospital Board, Dispensary Board, Board of Health, Joint Judiciary Committees, and the City Attorney, to whom G. O. 10, 1880, was referred, would report thereon as follows:

That we have carefully examined and considered said ordinance, section by section, and would recommend for your adoption the following amendments:

1st. To amend section 14 by striking out the words “or agent,” after the words “he shall serve a written notice upon the owner,” and substituting the words “and if such owner be a non-resident, then upon the legally constituted agent; and if there be no authorized agent for such non-resident, upon the occupant.”

2d. To amend section 16 by striking out the words “the Secretary of.”

3d. To amend section 22 by striking out the words “the Secretary of.”

4th. To amend section 23 by inserting after the words “contents so measured,” the words “and the account for such service shall in each case state the number of cubic feet of contents removed, and shall be sworn to by the person who did the work, and certified to by the Secretary of the Board of Health as correct, and that the work has been thoroughly and properly done.”

After such amendments may have been adopted by your honorable body, the committee, by the following vote, recommend said ordinance be passed:

*Affirmative*—Aldermen Layman and Tucker; Councilmen Bryce and VanVorris, and Drs. Elder and Elstun, and City Attorney Henry—7.

*Negative*—Alderman Hamilton, and Councilman Bedford—2.

Respectfully submitted,

JAMES T. LAYMAN, Ch'n.

WM. C. PHIPPS, Sec'y.

MISCELLANEOUS.

Alderman Hamilton offered the following motion; which was adopted:

That the City Civil Engineer re-advertise for proposals to grade and gravel the alley between Cherry street and Christian avenue, and between Park avenue and Broadway street—the contractor having failed to do the work.

Alderman Tucker offered the following motion; which was adopted:

That the City Marshal be instructed to notify Geo. W. Scott & Co. that if they do not within twenty days repair the fences around the Southern Park, that notice will be given to cancel the lease granted to said Scott & Co.

## PENDING ORDINANCES.

Alderman Layman moved that the report from the special committee, in relation to G. O. 10, 1880, be concurred in, and the amendments severally adopted.

Which motion failed of adoption by the following vote:

AYES, 4—viz. Aldermen Layman, Seibert, Tucker, and President Coburn.

NAYS, 5—viz. Aldermen Drew, Grubbs, Hamilton, Mussmann, and Wood.

The following entitled ordinance was read the second time :

G. O. 10, 1880—An Ordinance relative to the Erection and Maintenance of Privies, Water-Closets, Urinals, Cesspools, and other Recepticals of Fluid or Semi-Fluid Filth in the City of Indianapolis; and regulating the Location, Construction, Cleansing, and Emptying of the same.

Alderman Mussmann moved to strike out section two.

Which motion was adopted by the following vote :

AYES, 5—viz. Aldermen Drew, Grubbs, Hamilton, Mussmann, and Wood.

NAYS, 4—viz. Aldermen Layman, Seibert, Tucker, and President Coburn.

On Alderman Tucker's motion, the ordinance was placed on its passage.

A call of the roll having been taken, the ordinance failed to pass by the following vote :

AYES, 3—viz. Aldermen Layman, Tucker, and President Coburn.

NAYS, 6—viz. Aldermen Drew, Grubbs, Hamilton, Mussmann, Seibert, and Wood.

The following entitled ordinance was read the third time :

G. O. 13, 1880—An Ordinance granting Charles T. Gilmore a license to carry on maintain and exhibit a Museum and Menagerie in the city of Indianapolis.

And it was passed by the following vote :

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Wood, and President Coburn.

NAYS—None.

The following entitled ordinance was read the second and third times :

G. O. 14, 1880—An Ordinance granting C. E. Merrifield the right and privilege to build and construct a railroad switch across Pratt street, near the tracks of the I. C. & L. R'y Co.

And it was passed by the following vote :

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Wood, and President Coburn.

NAYS—None.

The following entitled ordinance was read the third time:

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

And it failed to pass (it requiring a two-thirds vote) by the following vote:

AYES, 6—viz. Aldermen Drew, Layman, Mussmann, Seibert, Tucker, and Wood.

NAYS, 3—viz. Aldermen Grubbs, Hamilton, and President Coburn.

Alderman Layman moved to reconsider the vote just taken. Which motion was adopted by unanimous vote.

A second vote was then had upon the passage of said ordinance (S. O. 58, 1880), which resulted as follows:

AYES, 6—viz. Aldermen Drew, Layman, Mussmann, Seibert, Tucker, and Wood.

NAYS, 3—viz. Aldermen Grubbs, Hamilton, and President Coburn.

So the ordinance was not passed, seven votes being necessary for the legal passage of the same.

The following entitled ordinance was read the second and third times:

S. O. 68, 1880—An ordinance to provide for grading, and paving with brick, the south sidewalk of Seventh street, from Meridian street to Illinois street.

And it failed to pass by the following vote:

AYES—None.

NAYS, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

On motion by Alderman Grubbs, the rules were suspended by the following vote, for the purpose of placing Ap. O. 41, 1880, G. O. 25, 1880, and S. O. 66, 1880, on their second and third reading, and final passage, viz:

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 41, 1880.—An Ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments.

And it was passed by the following vote :

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

NAYS—None.

G. O. 25, 1880, was taken up on its second reading, and referred to the Committee on Streets and Alleys and Police Board.

The following entitled ordinance was read the second and third times :

S. O. 66, 1880—An Ordinance to provide for bowldering the east gutter, and curbing the outer edge of the east sidewalk of Alabama street (where not already bowldered or curbed), from Pogue's Run south to the railway track.

And it was passed by the following vote :

AYES, 9—viz. Aldermen Drew, Grubbs, Hamilton, Layman, Mussmann, Seibert, Tucker, Wood, and President Coburn.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

*Henry Coburn*, President

Attest:

*Geo. T. Breunig*, City Clerk.