

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, May 12, 1873, 7 o'clock, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,
and the following members:

Councilmen Bollman, Gibson, Hardesty, Kahn, Pressly, Reagan,
Rush and Sherwood, 8—of the old Council holding over—and
the following new members elect, who, having filed their certifi-
cates of election and oath of office with the City Clerk, in accord-
ance with the provision of the city charter, appeared and took
their seats, to-wit:

- From the First Ward—Wm. H. Craft.
- From the Second Ward—J. C. Adams.
- “ “ “ Boswell Ward, to fill vacancy.

From the Third Ward—J. H. Woodburn.
 From the Fourth Ward—Isaac Thalman.
 From the Fifth Ward—Jas. McB. Shepherd.
 From the Sixth Ward—Austin H. Brown.
 From the Seventh Ward—Robert Kennington.
 From the Eighth Ward—M. C. Anderson.
 From the Ninth Ward—H. S. Bigham.

The proceedings of the regular session, held May 5th, 1873, were read and approved.

Sealed proposals for improving sundry streets, alleys, etc., were received, opened, read and referred to the Committee on Contracts.

The City Clerk presented the official bonds of the General City Officers elect, who, having otherwise qualified in accordance with the provisions of the city charter by filing their certificates of election and oath of office with the City Clerk, entered upon the duties of their respective offices, after having their bonds approved, as follows, to-wit :

Hon. James L. Mitchell, Mayor, giving as security Horatio C. Newcomb and Wm. A. Ketcham, penalty of bond \$3,000.

Henry W. Tutewiler, City Treasurer, giving as security George Bruce, Arthur L. Wright, Jesse Jones, Wm. Wallace, Jacob P. Dunn, Henry Tutewiler, George W. Parker, Wm. H. Morrison, Frederick Baggs, H. G. Carey, L. VanLaningham, Wm. J. Johnston, Sam'l A. Johnston, John Coburn, James Hasson, Charlton Eden, Thomas G. Alford and Henry Coburn—penalty of bond \$1,200,000.

John R. Clinton, City Clerk, giving as security Geo. W. Parker—penalty of bond \$5,000.

Wm. C. West, City Marshal, giving as security John W. Coons—penalty of bond \$2,000.

Wm. Hadley, City Assessor, giving as security Jacob T. Wright and Alexander Wood—penalty of bond \$5,000.

All of which were severally accepted and approved by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Craft, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—18.

Negative—None.

His Honor, Daniel Macauley, the outgoing Mayor, then introduced the Hon. James L. Mitchell, the Mayor elect, with the following remarks :

GENTLEMEN:—In what manner precisely I should sever our official connection is not clearly defined in my own mind, but I desire to do so with as few words and as little formal ceremony as possible. For six years I have had the honor to preside over the deliberations of this body, and I desire briefly but earnestly to thank you and your predecessors during that time for the confidence, kindness and forbearance with which you have sustained my efforts to serve the city. For all that might have been better I have a natural regret; but I am justified in saying that in all that pertains to integrity of purpose, I have done my best to honor and respect the office and the generous people who so repeatedly gave it to me. For the success or failure of my administration of affairs I submit to the judgment of the citizens, now and later, as time shall prove results. So much for myself.

It is now my pleasant duty to present to you my successor—a gentleman for whom I have the honor to entertain the highest personal regard. Though like myself, a young man, he has been for years a prominent citizen of Indianapolis, better and more favorably known to you perhaps than any introduction of mine could make him. He was a good soldier and an excellent citizen—upright and honorable in all his dealings, of surprising and deserved popularity—young, progressive and hearty, like the city he represents. I am certain he will sustain the duties and the dignities of his office with reputation and honor to himself and his constituents—the people.

Gentlemen—I present you the Honorable James L. Mitchell, Mayor of Indianapolis.

The retiring Mayor's speech was received with hearty and well deserved applause.

His Honor, the Mayor, James L. Mitchell, then addressed the Council as follows :

Gentlemen and Fellow Citizens:—I would do violence to my feelings did I not in this public manner express my gratitude to the people of this great city for the honor they have conferred upon me by electing me their Mayor. And while I accept gratefully the proffered honor, it is with much embarrassment I enter upon the discharge of the duties of the office; and the embarrassment is made doubly great when I think of the able manner in which the position has been filled by my illustrious predecessor—Gen. Macauley. Genial and wholesouled in his greetings, able and faithful in the discharge of his duties; a refined and polished gentleman, with executive ability rarely equaled; the people's favorite, an honest man; he retires from your body to-night bearing the good-will and esteem of the high and low, the rich and poor. And if at the close of my official term it can be truthfully said that I have made as good a Mayor as General Macauley I shall ask no higher compliment. While I shall not have at this time the presumption to point out at length what would seem to me wise policy to be pursued by your honorable body, composed, as it is, of men who are more experienced in the duties they have to perform than I am; yet, you will pardon me if I suggest that the positions you hold are growing more important every year. As the vast resources of our State are being developed, and its mines of wealth are attracting the attention of the nation; this, the capital of the State, sending out its railroads in every direction, is bound to increase in wealth and population in such a ratio as will surprise the most enthusiastic. And whilst this is the case, its interests and progress are mainly in your hands. You are its guardians—let no man betray the trust. Be not too lavish in your expenditures, nor too niggardly in your improvements—practice that economy for your constituents that you would in your own private affairs. Guard the financial honor of the city as you would your own, and, by care and prudence, make its bonds go as readily in the market as the currency of the nation does in trade. See that all needed improvements which will add to the wealth, prosperity and health of the city are made, and that the property of the citizen who lives in your outskirts has the same protection from fire and loss as that of the one who lives in the more populous portion. Manufactories, trade and enterprise must not be crushed, but built up; and the same inducements that are held out to bring capital here, should be extended to draw to us labor, which makes capital.

In the selection of the officers to be chosen by you let not the fact that one has done more for his party—or for this man or that—than another influence your action. Rather let the question be, "Is he honest—is he qualified?" And though he may have exercised the right of a freeman to vote as he pleased, I should not even ask how that vote was cast.

Now, gentlemen, as this is a new field to me, I hope you will bear with my imperfections, sustain me by your counsel and advice, and give me that encouragement which I need. And, in conclusion, let me say, while I bear ill-will to no one, and owe a debt of gratitude to my friends that it will take a lifetime to repay; yet, officially, I shall know neither friend nor foe, Demo-

crat nor Republican—nothing but my duty as I understand it; and that, as the servant of the people, I shall do fearlessly.

But believing the sentiment to be true, that "Deeds are better things than words are—actions mightier than boastings," begging your pardon for having trespassed so long, we will now proceed to business.

The Mayor then announced the following standing committees for the ensuing year:

On Contracts.

Messrs. Kahn, Chairman, Craft and Anderson.

On Streets and Alleys.

Messrs. Bigham, Chairman, Hardesty and Pressly.

On Accounts and Claims.

Messrs. Woodburn, Chairman, Thalman and Bigham.

On Finance.

Messrs. Brown, Chairman, Woodburn, Gibson, Kahn and Bigham.

On Judiciary.

Messrs. Woodburn, Chairman, Brown and Adams.

On Sewers.

Messrs. Sherwood, Chairman, Bigham and Adams.

On Water Works.

Messrs. Craft, Chairman, Sherwood and Reagan.

On Bridges.

Messrs. Thalman, Chairman, Pressly and Kennington.

On Fire Department.

Messrs. Craft, Chairman, Gibson and Kennington.

On Gas Light.

Messrs. Pressly, Chairman, Craft and Bollman.

On Railroads.

Messrs. Gibson, Chairman, Kahn and Kennington.

On Revision of Ordinances.

Messrs. Gibson, Chairman, Kahn and Shepherd.

On Schools.

Messrs. Brown, Chairman, Thalman, Ward, Sherwood and Bollman.

On Markets.

Messrs. Bollman, Chairman, Rush and Anderson.

On Parks.

Messrs. Thalman, Chairman, Brown and Ward.

On Printing and Stationery.

Messrs. Rush, Chairman, Shepherd and Adams.

On Public Buildings.

Messrs. Hardesty, Chairman, Kahn and Anderson.

On Benevolence and Hospitals.

Messrs. Ward, Chairman, Woodburn and Reagan.

On Tunnels.

Messrs. Rush, Chairman, Hardesty and Shepherd.

Dr. Woodburn offered the following motion :

Moved, That the Council now proceed to the election of the following named officers, to-wit:

City Attorney.
 Street Commissioner.
 Civil Engineer.
 Chief Fire Engineer.
 Sealer of Weights and Measures.
 City Measurer.
 Market Master.
 Gas Inspector.
 Wood Measurer, East Market.
 Wood Measurer, West Market.
 City Sexton.
 Chief of Police.
 First Lieutenant of Police.
 Second Lieutenant of Police.

Sergeant of Police.
Station House Keeper.
Board of Health.
Board of Police.
Janitor of City Building.
President *pro tem.* of Council.

Which was adopted.

His Honor appointed Messrs. Thalman and Brown as tellers.

The Council then proceeded to ballot for the above named officers, which resulted in the election of the following named persons, to-wit:

For City Attorney—Hon. B. K. Elliott.
For Street Commissioner—Thomas Wiles.
For City Civil Engineer—James W. Brown.
For Chief Fire Engineer—Charles Richmann.
For Sealer of Weights and Measures—S. B. Morris.
For City Measurer—Joseph S. Boerum.
For Market Master—John Unversaw.
For City Gas Inspector—Prof. R. T. Brown.
For Wood Measurer, East Market—David W. Brouse.
“ “ West Market—John F. Redmond.
For City Sexton—John Ross.
For Chief of Police—Eli Thompson.
For First Lieutenant of Police—Joseph R. Forbes.
For Second “ “ Robert Campbell.
For Sergeant of Police—Al. Travis.
For Station House Keeper—George Al. Taffe.
For Board of Health—Drs. William Wands, S. A. Elbert and Guido Bell.
For Board of Police—Councilmen John T. Pressly, L. Q. Sherwood and J. C. Adams.
For President *pro tem.* of Council—Dr. J. H. Woodburn.
For Janitor City Buildings—William Regenour.

On motion by Mr. Kahn, Mr. Pressly was appointed President of the Board of Police, he having received the largest number of votes cast.

Mr. Sherwood, from the Committee on Contracts, made the following report:

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—Your Committee on Contracts to whom was referred sundry proposals for various street improvements, have examined the same, and find them to be as follows, to-wit:

FIRST.

For grading and graveling Pratt street and sidewalks, from West to Paca street, the following proposals were presented:

John L. Hanna, \$1 52 per lineal foot front on each side of the line improved.

James Mahoney, 99 cents per lineal foot front on each side of the line improved.

Samuel Hanway, 98 cents per lineal foot front on each side of the line improved.

Patterson & Dunning, 98 cents per lineal foot front on each side of the line improved.

Jacob Rubush, 75 cents per lineal foot front on each side of the line improved; Jacob Rubush being the lowest and best bidder, we would recommend that he be awarded the contract.

SECOND.

For grading and graveling Eutaw street and sidewalks, from Paca street to the old corporation line, the following proposals were presented:

John L. Hanna, \$1.52 per lineal foot front on each side of the line improved.

Samuel Hanway, 99 cents per lineal foot front on each side of the line improved.

James Mahoney, 99 cents per lineal foot front on each side of the line improved.

Patterson & Dunning, 98 cents per lineal foot front on each side of the line improved.

Jacob Rubush, 75 cents per lineal foot front on each side of the line improved; Jacob Rubush being the lowest and best bidder, we would recommend that he be awarded the contract.

THIRD.

For grading and paving with brick the east sidewalk on Illinois street, from Washington to South street, the following proposals were presented:

Henry C. Roney, \$1.20 per lineal foot front, and will allow five cents per front foot for the old brick.

Andrew Douglass, \$1.08 per lineal foot front, and will allow ten cents per lineal foot front for the old brick.

John Schier, \$1.06 per front foot for paving, and will allow four cents per front foot for the old brick.

Charles Otto, 99 cents per lineal foot front, and make no allowance for old brick.

Samuel J. Smock, \$1.05 per lineal foot front, and will allow ten cents per lineal foot front for the old brick; Samuel J. Smock being the lowest and best bidder, we would recommend that he be awarded the contract.

FOURTH.

For grading and paving with brick and curbing the outside edges with stone, the sidewalks on Oriental street, from Washington street to the Michigan road, the following proposals were presented:

John Schier, 46 cents per lineal foot front for paving with brick, and curbing 66 cents per lineal foot front.

Henry C. Roney, 45 cents per lineal foot front for paving with brick, and curbing 58 cents per lineal foot front.

Charles Otto, 40 cents per lineal foot front for paving with brick, and curbing 59 cents per lineal foot front.

Samuel LeFevre, 33 cents per lineal foot front for paving with brick, and curbing 60 cents per lineal foot front; Samuel LeFevre being the lowest and best bidder, we would recommend that he be awarded the contract.

FIFTH.

For grading and graveling the first alley northwest of Cedar street, between Fletcher and Forest avenues, the following proposals were presented:

P. B. Stokes, 25 cents per lineal foot front on each side of the line improved.

James Mahoney, 35 cents per lineal foot front on each side of the line improved; P. B. Stokes being the lowest and best bidder, we would recommend that he be awarded the contract.

SIXTH.

For grading and graveling the first alley east of East street, from Georgia to Louisiana street, the following proposals were presented:

Michael Foust, 65 cents per lineal foot front on each side of the line improved.

Hiram Seibert, 55 cents per lineal foot front on each side of the line improved.

James Mahoney, 49 cents per lineal foot front on each side of the line improved; James Mahoney being the lowest and best bidder, we would recommend that he be awarded the contract.

SEVENTH.

For grading and graveling Coburn street and sidewalks, from Wright street to the east side of Short street, the following proposals were presented:

James Mahoney, 99 cents per lineal foot front on each side of the line improved.

John Green, 98 cents per lineal foot front on each side of the line improved.

Richard Carr, 90 cents per lineal foot front on each side of the line improved.

Michael Foust, 88 cents per lineal foot front on each side of the line improved; Michael Foust being the lowest and best bidder, we would recommend that he be awarded the contract.

EIGHTH.

For grading and graveling the first alley east of New Jersey street, from Merrill to McCarty street, the following proposals were presented:

James Mahoney, 50 cents per lineal foot front on each side of the line improved.

John L. Hanna, 45 cents per lineal foot front on each side of the line improved; John L. Hanna being the lowest and best bidder, we would recommend that he be awarded the contract.

NINTH.

For grading and paving with brick the east sidewalk on Alabama street, from Washington to Market street, the following proposals were presented:

Henry C. Roney, 78 cents per lineal foot front; flag-stone crossings 58 cents per lineal foot run; bouldering 76 cents per square yard.

James W. Hudson, 75 cents per lineal foot front for paving with brick; flag-stone crossings 55 cents per lineal foot run; bouldering 70 cents per superficial yard.

Samuel J. Smock, 68 cents per lineal foot front for paving with brick.

Andrew Douglass, 67 cents per lineal foot front for paving with brick; flagging 60 cents per lineal foot run; bouldering 70 cents per square yard; Andrew Douglass being the lowest and best bidder, we would recommend that he be awarded the contract.

TENTH.

For grading and graveling Lockerbie street and sidewalks from Liberty to Noble street, the following proposals were presented:

Richard Carr, \$1.10 per lineal foot front on each side of the line improved.

James Mahoney, 89 cents per lineal foot front on each side of the line improved.

Samuel Hanway, 80 cents per lineal foot front on each side of the line improved.

John Schier, 79 cents per lineal foot front on each side of the line improved; John Schier being the lowest and best bidder, we would recommend that he be awarded the contract.

Respectfully submitted,

L. Q. SHERWOOD,
ISAAC THALMAN,
H. S. BIGHAM,
Committee on Contracts.

Which was concurred in and the contracts awarded.

By consent, Mr. Gibson offered the following resolution :

Whereas the following resolution, to-wit :

Be it Resolved, By the Common Council of the city of Indianapolis, that the creation of new and additional wards by dividing the Second, Third, Fifth and Eighth wards of said city as aforesaid, and in the manner provided, be submitted to the voters of said city at the next general corporation election, to be held on Tuesday, the 6th day of May, 1873, and that said proposition be published in the general notice of such election, and that at such election the voters of said city shall vote upon said question, and for that purpose the ballots of the voters shall have thereon the said question, written or printed in the following words, to-wit: "Shall new and additional wards be created by dividing the Second, Third, Fifth and Eighth wards into two wards each?" and said ballots shall have the word "Yes" and the word "No" following said question, and the several Inspectors shall make statements showing the number of votes given having the word "Yes" and the number given having the word "No" thereon, and embrace the same in the return of their respective polls, and if a majority of the ballots given at such election on said question have the word "Yes" thereon, the said new and additional wards shall be so created; but if a majority of said ballots shall have the word "No" thereon, the said wards shall not be so created," was duly passed by the Common Council: And whereas, at the regular election May 6, 1873, a majority of the ballots cast by the voters of said city were in favor of the creation of the new wards as indicated in the said resolution—therefore,

Resolved, That the Second Ward shall be divided into two wards, and that the new ward shall be known as and called the Tenth Ward, and that such Tenth Ward shall embrace all that part of the Second Ward lying north of the old corporation line and Clifford avenue, and east of Meridian street.

That the Third ward shall be divided into two wards, and that the new ward which shall be known as and called the Eleventh ward, shall embrace all that part of the Third ward lying north of First street and west of Meridian st.

That the Fifth ward shall be divided into two wards, and that the part of the Fifth ward shall constitute the new ward to be known as the Twelfth ward, shall be that part of the Fifth ward lying south of Merrill street.

That the Eighth ward shall be divided into two wards, and that that part of the Eighth ward lying south of Virginia avenue and Huron street shall constitute the new ward to be known as the Thirteenth ward.

Resolved, That there shall be elected in each of said new wards two Councilmen, and that an election for such councilmen shall be held on Friday the 23d day of May, 1873.

That the election for councilmen in the Tenth ward be held at Tarlton's grocery, corner of Ash street and Home avenue.

That the election in the Eleventh ward be held at Jones' grocery, corner of Tinker and Illinois streets.

That the election in the Twelfth ward be held near the corner of Tennessee and McCarty streets, at Maloney's carpenter shop.

That the election in the Thirteenth ward shall be held at Lanigan's grocery, corner of Noble street and Virginia avenue.

Resolved, That the City Marshal be and is hereby directed to give proper notice of said election by publication of notices in the Indianapolis Morning Journal and Sentinel, Indianapolis Evening Journal and News and the Daily Telegraph (German), and by posting up at least three written or printed notices in three public places of each of said new wards.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN :—I hereby report the following work finished according to contract :

D. Root & Co., for erecting lamp posts, lamps and fixtures complete to burn gas, on the National Road from the White river bridge to the Indianapolis, Bloomington and Western Railroad Company's tracks :

6 corner posts at \$33.50 each.....	\$201 00
10 intermediates at \$32 00 each.....	320 00
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Total estimate.. .. .	\$521 00

Also, Samuel LeFevre, for grading and graveling the first alley east of East street, from South street to the first alley north of South street.

Length on east side.....	148 ft. 4 in.
Length on west side.....	148 ft. 4 in.

Total length.....	296 ft. 8 in.
At 25 cents per lineal foot.....	\$74 16

Also, John Volmer, (2d partial) for building stone abutments for an iron bridge over the canal on West street.

190 cubic yards masonry at \$5 75 per yard.....	\$1,092 50
136 cubic yards excavation at 25 cents.....	34 00

Total .. .	\$1,126 50
Deduct former payment .. .	\$807 00

Present payment.....	\$319 50
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Also, Samuel Hanway & Co., for grading and graveling the alley running east and west through squares 17 and 18, from Pennsylvania to Alabama st.

Length on north side ...	810 ft. 0 in.
Length on south side....	810 ft. 0 in.

Total length.....	1620 ft. 00 in.
At 23 cents per lineal foot.....	\$372 60

Also, John L. Hanna, for grading and graveling the first alley north of Christian avenue, from College avenue to the first alley west of College avenue.

Length on north side.....	167 ft. 9 in.
Length on south side.....	167 ft. 9 in.

Total length.....	335 ft. 6 in.
At 38 cents per lineal foot.. .. .	\$127 49

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, May 5, 1873.

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

GENTLEMEN:—The City Clerk would respectfully report the following to-wit:

FIRST.

First and final estimate allowed D. Root & Co. for erecting lamp-posts &c., on the National Road from White River to the I. B. & W. R. R. Company's tracks.

SECOND.

First and final estimate allowed Samuel Lefever for grading and graveling the first alley east of East street, running from South street to the first alley north of South street.

THIRD.

First and final estimate allowed S. Hanway & Co. for grading and graveling the alley running east and west through squares Nos. 17 and 18, from Pennsylvania to Alabama streets.

FOURTH.

First and final estimate allowed John L. Hanra for grading and graveling the first alley north of Christian avenue, from College avenue to the first alley west of College avenue.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of D. Root & Co. for erecting lamp posts, &c., on the National Road, from White River to the I. B. & W. R. R. tracks be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of Samuel Lefever for grading and graveling the first alley east of East street, running from South street to the first alley north of South street be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of Samuel Hanway & Co. for grading and graveling the alley running east and west through squares Nos. 17 and 18, from Pennsylvania to Alabama streets be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of John L. Hanna for grading and graveling the first alley north of Christian avenue. from College avenue to the first alley west of College avenue be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman,

Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan,
Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

The Board of Health submitted the following report :

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—The Board of Health submits the following mortality report for the week ending May 5, 1873 :

Under 1 year.....	5
From 1 to 2 years	0
From 2 and 5 years	3
From 5 to 10 years.....	3
From 10 to 15 years.....	1
From 15 to 20 years.....	1
From 20 to 25 years.....	1
From 25 to 30 years.....	0
From 30 to 40 years.....	2
From 40 to 50 years.....	0
From 50 to 60 years.....	0
From 60 to 70 years.....	1
From 70 to 80 years.....	1
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	0
Total.....	18

Respectfully submitted,

J. A. COMINGOR, M. D., Pres't.

W. WANDS, M. D., Secretary.

Which was received.

The City Solicitor made the following report :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—I have examined the questions presented by the petition of Abner Pope and other trustees of the Society of Friends, asking that taxes

assessed against real estate held by them as trustees, may be remitted, and submit the following opinion:

The city had power to levy taxes upon all property subject to county and State taxation. The Common Council can lawfully exempt from taxation such property as the statute expressly provides shall be exempt. The statute in force at the time the taxes, which the Council are asked to remit, accrued, was as follows:

"Section 6. The following property shall be exempt from taxation * *

* * * * * Fourth. Every building erected for religious worship, and the pews and furniture within the same, and the lands whereon such building is situate, not exceeding ten acres."

The rule is that exemptions from taxation are to be strictly construed, the first principle of free government being that all private property should contribute to the general burden. Judge Dillon thus states the rule, "As the burden of taxation ought to fall equally upon all statutes exempting persons or property are construed with strictness, and the exemption should be denied unless so clearly granted as to be free from any fair doubt." Our own Supreme Court in several cases have declared a similar rule. (See the cases of city of Indianapolis vs. Deputy Grand Masters, 25 Ind., 518. Orr vs. Baker, 4 Ind., 86.)

The real estate described in the petition as lots 15, 16 and 17, of Martindale's Central Addition are vacant lots, and are very plainly subject to taxation. As to these lots there can be no possible doubt but that the Council have no lawful power whatever to remit the taxes assessed thereon.

As to the other parcel the facts are somewhat different. There is a building on it. But we have the following statute:

"Section 7. If any part, parcel, or portion of any tract or lot of land, or of any buildings or personal property enumerated in the preceding section as exempt from taxation, shall be used or occupied for any other purpose or purposes than those recited in said section, by reason whereof they are exempted from taxation such part, parcel or portion shall be subject to taxation so long as the same shall not be set apart or used exclusively for some one of the purposes specified in the said enumeration."

To come within the exempting statute the property must "be set apart and used exclusively for religious purposes." The petition does not claim that the property was set apart and used for religious purposes, but claims that it was bought and held in trust for such purposes. The Council cannot legally exempt from taxation this property without its being made to appear that it was set apart and used exclusively for religious purposes, and this the petition does not show.

I am therefore of opinion that the case made by the petition is not such as will warrant the Council in remitting the tax assessment.

Respectfully,

B. K. ELLIOTT, City Solicitor.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, April 27, 1873.

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

GENTLEMEN:—The question presented in the motion introduced by the Mayor, as to the power of the Common Council to prohibit interments in the "old cemetery," has received careful examination. The provisions of our charter upon this subject is as follows: "To establish cemeteries or burial places within or without such city, and to provide for the sanctity of the dead and to prohibit interments except in cemeteries heretofore established by law." The language of the last clause is imperative, and would prohibit the Common Council from preventing interments in a cemetery established by law. The difficult question is to determine what cemeteries can be held to be established unless such interments would create a public nuisance by law. If it should be held that a cemetery established by individuals in conformity to some law, was one established by law, then the Council could not interfere with interments in the "old cemetery." After careful reflection I am inclined to think that this provision means a cemetery established by individuals acting under and in conformity to some existing statute. A very exhaustive discussion of this entire question was made by an eminent lawyer in the matter of widening Beekman street in New York, and it was there held that the city could not control a cemetery established in accordance with the statute of the State. (See 4 Bradf. Rep., p 503.) A very similar rule is laid down by our Supreme Court in the case of Bogert vs. the city of Indianapolis, 13 Ind., R. It must therefore be held that unless the interment of bodies in the cemetery will cause a public nuisance, the Council have no power to prohibit such interments.

Where, however, the population has become dense, and the burial of the dead in the midst of a thickly populated neighborhood, would endanger the health of the citizens or interfere with the comfortable enjoyment of life, the Common Council may prohibit by ordinance such interments. In such a case the burial of dead bodies would constitute a public nuisance, and the Common Council have full power to prohibit or abate nuisances. It is held in the case of Begein vs. city of Anderson 28 Ind., 81, that while a cemetery is not *per se* a nuisance, yet where the population becomes dense, it may be regarded as a public nuisance and as such "abated or suppressed."

Should the Council deem the interment of more bodies in the "old cemetery" a nuisance, the proper course would be to adopt an ordinance declaring such interments a nuisance, and prohibiting, under proper penalties, the continuance of the use of the grounds for burial purposes.

Respectfully,

B. K. ELLIOTT, City Solicitor.

Which was concurred in.

The City Civil Engineer made the following report:

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—I hereby report the following work finished according to contract:

Michael Foust, for grading and graveling the first alley west of Virginia avenue, running from McCarty street to the first alley north of McCarty st.

Length on east side..... 190 ft.

Length on west side..... 190 ft.

Total length..... 380 ft.

At 35 cents per lineal foot..... \$133 00

Also, James Mahoney, for grading and bowldering the gutter on the east side of Alabama street, between St. Clair street and Fort Wayne avenue:

109 lineal feet at 55 cents per foot..... \$59 95

Also, J. J. Palmer, first and partial estimate, for grading and paving with Ballard wooden block pavement Delaware street, from the south side of St. Clair street to the south side of Tinker street:

2266 4 square yards of pavement at \$2.18..... \$4,940 75

874 5 lineal feet of stone curb at 62½ cents..... 546 56

12.8 square yards of pavement repaired at 30 cents..... 3 84

Total estimate..... \$5,491 15

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk submitted the following report:

OFFICE OF CITY CLERK, }
INDIANAPOLIS, May 12, 1873. }

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

GENTLEMEN:—The City Clerk respectfully reports:

FIRST.

First and final estimate allowed Michael Foust for grading and graveling the first alley west of Virginia avenue, running from McCarty street to the first alley north of McCarty street.

SECOND.

First and final estimate allowed James Mahoney for grading and bowldering the gutter on the east side of Alabama st., between St. Clair st. and Fort Wayne avenue.

THIRD.

First and partial estimate allowed J. J. Palmer for grading and paving with Ballard wooden block pavement Delaware street, and curbing with stone on either side of such pavement, from the south side of St. Clair street to the south side of Tinker street.

Very respectfully,

JOHN R. CLINTON, City Clerk.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of Michael Foust for grading and graveling the first alley west of Virginia avenue, running from McCarty street to the first alley north of McCarty street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and bowldering the gutter on the east side of Alabama street, between St. Clair street and Fort Wayne avenue, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman,

Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate of John J. Palmer for grading and paving with Ballard wooden block pavement Delaware street, and curbing with stone on either side of such pavement, from the south side of St. Clair street to the south side of Tinker street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

The City Treasurer made the following report :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—I have the honor to report that I have appointed as Deputy City Treasurer, Hiram J. Craft, and respectfully request your honorable body to confirm him as such Deputy.

Respectfully submitted,

HENRY W. TUTEWILER, City Treasurer.

Which was received, and the appointment confirmed by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

The City Marshal made the following report:

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—I have appointed Robert C. Losey as my Deputy, and would ask your honorable body to confirm the same.

Respectfully submitted.

WILLIAM C. WEST, City Marshal.

Which was received, and the appointment confirmed by the following vote:

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—17.

Negative—None.

The Board of Health submitted the following report:

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—The Board of Health would respectfully submit the following weekly mortality report for the week ending 12th of May, 1873:

Under 1 year.....	7
From 1 to 2 years.....	2
From 2 to 5 years.....	1
From 5 to 10 years.....	1
From 10 to 15 years.....	0
From 15 to 20 years.....	2
From 20 to 25 years.....	1
From 25 to 30 years.....	2
From 30 to 40 years.....	3
From 40 to 50 years.....	0
From 50 to 60 years.....	1
From 60 to 70 years.....	1
From 70 to 80 years.....	0
From 80 to 90 years.....	0
From 90 to 100 years.....	1
Total	22

Respectfully submitted,

J. A. COMINGOR, M. D., Pres't.

W. WANDS, M. D., Secretary.

Which was received.

The Street Commissioner made the following report :

INDIANAPOLIS, May 1, 1873.

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

GENTLEMEN :—I have the honor to report the following work done in the street repairing department since April 1, 1873 :

FIRST WARD.

Repaired the sidewalks on Davidson, Winston and North streets.....	\$75 00
Cleand Delaware street three squares.....	45 00
Leveled up, with road scraper, all the graded streets in the ward.....	45 00
Repaired the culvert on Noble and North streets.....	18 00
Made foot crossing on Liberty and East streets.....	30 00
Total.....	\$223 00

SECOND WARD.

Made crossing on Hill avenue, over the Bellefontaine railroad track.....	30 00
Put in a culvert on Hill avenue and cut ditch from Hill ave. to the State ditch.....	55 00
Made crossings on Yaudes, Lincoln and Ash streets, and Malott and Massachusetts avenues.....	18 00
Leveled up, with road scraper, Hill, Malott, Massachusetts and Ft. Wayne avenues, and Lincoln, Ash, Vine, Oak, Broadway, St. Clair, Walnut, North, Noble, Chatham and Alabama streets.....	80 00
Cleaned Delaware street three squares.....	40 00
Repaired the gutter crosings on North and East streets, Chatham and Walnut, and Alabama and Walnut. Also on Noble and North, and Massachusetts avenue and Noble.....	35 00
Repaired the culvert on Massachusetts avenue and St. Clair srteet.....	7 00
Filled the holes on Fort Wayne avenue.....	48 00
Total.....	\$313 00

THIRD WARD.

Opened the gutters on Market street two squares, Ohio street three squ'rs, New York street two squares, Vermont street two squares, Mississippi four squares.....	135 00
Repaired the culvert on Ohio and Meridian streets. Also one on Meridian and Circle street.....	7 00
Cleaned Illinois street between Ohio and Tinker street.....	180 00
Total.....	\$332 00

FOURTH WARD.

Opened the gutters on New York, Vermont, Michigan, North, Walnut, California, Blake and Douglass streets, and on Indiana avenue. Also, Fayette street; in all, 33 squares.....	860 00
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Leveled, with road scraper, Blake, Bright, Blackford, Douglass, California, West, Fayette, North, Michigan, Vermont, New York and Indiana avenue	70 00
Made cinder crossings on California and North, and Indiana avenue.....	7 00
Repaired the culvert on New York and Mississippi streets.....	17 00
Repaired the culvert on New York and West, and New York and Blake street.....	10 00
Total.....	\$429 00

FIFTH WARD.

Opened the gutters on West, Mississippi, Tennessee, Illinois, Russel, Wilkins, Ray, McCarty, Garden, Merrill, South, Georgia and Maryland streets, and Kentucky avenue, 53 squares.....	450 00
Repaired the sidewalk on West street between McCarty and Root st.....	20 00
Total.....	\$470 00

SIXTH WARD.

Opened the gutters on Meridian, South, Merrill, McCarty, Ray, Wilkins, Morris and Union streets. Also Pennsylvania street and Madison ave. 24 squares.....	240 00
Cleaned out and renewed the old culvert on Pennsylvania street, north of Pogue's Run.....	17 00
Cleaned Meridian street three squares, and Maryland street three squares..	90 00
Total.....	\$347 00

SEVENTH WARD.

Cleaned Virginia avenue three squares, and Delaware street three sqs....	60 00
Repaired the sidewalk on Sinker street.....	38 00
Leveled up, with road scraper, Merrill, McCarty, New Jersey and Alabama streets.....	25 00
Total.....	\$223 00

EIGHTH WARD.

Opened the gutters on Coburn, Daugherty, Buchanan, McCarty, Water, Merrill, Cedar, Noble, School, Huron, Pine, Lord, Harrison, Meek, Georgia, Benton and Bates streets, and Virginia and Fletcher avenues—48 squares.....	480 00
Repaired Fletcher avenue and South street, over the sewer.....	35 00
Repaired the bowldering on Washington street.....	45 00
Filled up the holes on Washington street between Noble and Highland st.	35 00
Repaired the gutter crossings on Meek, Harrison, Pine, Cedar and McCarty streets, and Virginia avenue.....	38 00
Total.....	\$633 00

NINTH WARD.

Repaired Washington street between Delaware and Highland.....	55 00
Cleaned Pennsylvania street two squares, Delaware street three squares...	50 00
Leveled up, with road scraper, Market, Ohio, New York, Alabama, New Jersey, East, Liberty, Noble, Winston and Davidson streets.....	35 00
Repaired the culvert on Ohio and Pennsylvania streets.....	14 00
Total.....	<u>\$154 00</u>

BRIDGES.

Repaired the bridge over Pogue's Run, on Illinois street.....	25 00
Repaired the bridge over canal, on South and Searies streets.....	30 00
Total.....	<u>\$155 00</u>

SEWERS.

Put in two catch basins on Union and Ray streets.....	200 00
Cleaned the catch basin on Ray street sewer.....	35 00
Cleaned the catch basin on South street sewer.....	45 00
Also on Kentucky avenue and South Illinois street sewer.....	30 00
Total.....	<u>\$310 00</u>

MISCELLANEOUS.

Cleaned up and repaired the Market Squares.....	\$210 00
Put down stone crossings as follows:	
One on Virginia avenue and Coburn street.....	100 00
“ “ “ Daugherty street... ..	100 00
“ “ “ Buchanan street.....	100 00
“ “ “ Cedar street.....	100 00
“ “ “ McCarty street.....	100 00
“ “ “ Noble street....	100 00
“ “ “ Huron street.....	100 00
Two on “ “ South street.....	200 00
One on School and Huron streets.....	90 00
Two on New Jersey and South street.....	200 00
One on New Jersey and Peru streets.....	100 00
One on Pennsylvania and South streets.....	100 00
Two on Pennsylvania and Georgia streets.....	250 00
Two on Meridian and South streets.....	200 00
One on Virginia avenue and Delaware street ..	100 00
One on Merrill and Delaware streets ..	80 00
One on McCarty and Delaware streets.....	90 00
Two on Noble and Washington streets.....	260 00
One on Alabama and Washington streets.....	140 00
One on Alabama and Ohio streets ...	100 00
Two on Vermont and New Jersey streets.....	200 00

Two on Vermont and Illinois streets.....	200 00
“ New York and “	200 00
“ Michigan and “	200 00
“ North and “	200 00
“ Walnut and “	180 00
“ St. Clair and “	140 00
“ Pratt and “	170 00
One on St. Joseph and “	90 00
Two on First and “	160 00
“ Second and “	180 00
“ Vermont and California streets.....	180 00
“ Michigan and “	180 00
Total.....	\$5,100 00

RECAPITULATION BY WARDS,

Showing the amount on hand April 1, 1873; the amount expended since April 1, 1873, and the amount on hand at the present date:

WARDS, ETC.	Balance Apr. 1, 1873.	Deficit Apr. 1, 1873.	Expended since Apr. 1.	Balance.	Deficit.
First Ward.....	\$299 00		223 00	76 00	135 00
Second Ward.....	178 00		313 00		234 00
Third Ward.....	98 00		332 00		246 00
Fourth Ward.....	183 00		459 00		276 00
Fifth Ward.....	194 00		470 00		224 00
Sixth Ward.....	113 00		347 00		
Seventh Ward.....	248 00		223 00	25 00	522 00
Eighth Ward.....	111 00		633 00		343 00
Ninth Ward.....		189 00	154 00		
Bridge Fund.....	213 00		266 00	58 00	58 00
Sewer Fund.....	224 00		310 00		
Miscellaneous F'd.....	3240 00		5100 00		
Total.....	\$5301 00	\$189 00	\$8780 00	\$159 00	\$159 00

Respectfully submitted,

A. BRUNER, Street Commissioner.

Which was received.

ORDINANCES ON FIRST READING.

Mr. Brown introduced general ordinance No. 25, 1873, entitled:

An ordinance prohibiting the erection and maintenance of livery and sale stables in certain localities.

Which was read the first time.

On motion by Dr. Woodburn, the rules were suspended for the purpose of reading the second and third times and passing the above entitled ordinance.

The ordinance was then read the second time and ordered engrossed, read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Brown, Gibson, Hardesty, Kahn, Pressly, Reagan, Rush, Shepherd, Sherwood, Thalman, Ward and Woodburn—16.

Negative—Councilman Kennington—1.

Mr. Brown introduced general ordinance, No. 26, 1873, entitled:

An ordinance supplemental to an ordinance entitled "An ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the city government," ordained July 19, 1869.

Which was read the first time.

Mr. Gibson introduced general ordinance No. 27, 1873, entitled:

An ordinance to provide for the appointment of Standing Committees and to repeal part of section two of an ordinance entitled "An ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the city government."

Which was read the first time.

Mr. Bigham introduced special ordinance No. 132, 1873, entitled:

An ordinance to grade and gravel the alley running north and south from Market street to Wabash street, through the south part of square No. 44.

Which was read the first time.

Mr. Rush introduced special ordinance No. 133, 1873, entitled :

An ordinance to grade and pave with bricks the sidewalks of Ohio st. from Davidson to Harvey streets.

Which was read the first time.

Mr. Adams introduced special ordinance No. 134, 1873, entitled :

An ordinance to light with gas Delaware street, between Morrison and Tinker streets.

Which was read the first time and referred to the Committee on Gas Light.

Also special ordinance No. 135, 1873, entitled :

An ordinance to light with gas Broadway street, from St. Clair to Cherry sts.

Which was read the first time and referred to the Committee on Gas Light.

Mr. Thalman presented the following petition :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—Your petitioners would most respectfully ask your honorable body to grade and gravel Rhode Island street, making sidewalks, if the Committee on Streets and Alleys think best. Said street to be graded from Blake street running west to the line between section two (2) and three (3), or to the west line of lot No. 5 in block No. — of Isaac Harris' subdivision, outlot 157, city of Indianapolis.

E. W. HISEY,
E. WRIGHT.

Which was received.

Mr. Thalman introduced special ordinance No. 136, 1873, entitled :

An ordinance to grade and gravel Rhode Island street and sidewalks from Blake street to its western terminus.

Which was read the first time.

ROLL CALL.

Mr. Adams presented the following petition :

INDIANAPOLIS, Sept. —, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Broadway street, between Christian avenue and Massachusetts avenue, respectfully petition your honorable body to pass an order providing for the opening and extension of Broadway street from its present southern terminus at St. Clair street, to Massachusetts avenue, in a width of 80 feet, as per plat filed in the office of the City Clerk. And your petitioners will ever pray, etc.

George T. Breunig, Henry Nicolai, John M. Phipps, and 5 others.

Which was referred to the Committee on Streets and Alleys.

Also the following remonstrance :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—We, the undersigned owners of the lots situated on North New Jersey street, and lying on either side of the first alley south of Gregg street, running North and South, and having knowledge of the pendency of ordinance to grade and gravel said alley, would respectfully remonstrate against the application of said ordinance to such part of said alley as adjoins our lots, for the reason that we have already graded and graveled said alley, and hold ourselves ready to lower or raise said grade to conform to any grade established by City Civil Engineer, if there should prove to be any irregularity in the present grade as established by us.

Respectfully submitted,

J. W. SMITHER,
J. C. BURTON.

Which was referred to the Committee on Streets and Alleys together with the ordinance.

Also the following petition :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—Your petitioner would respectfully represent to your honorable body that she has been erroneously assessed for a house on lot No. 23, outlot 100, for the years 1872 and 1873, on which there never has been any

improvement. Said lot became delinquent and was sold, and I have under protest paid the redemption, including \$15.05 of tax, by some mistake erroneously assessed, which I would pray your honorable body to refund.

HENRIETTA MARTINDALE.

Which was referred to the Committee on Finance and City Assessor.

Also, the following motion :

Moved, That the City Engineer and Gas Inspector be directed to locate gas lamps on North Delaware street, between Morrison and Tinker street.

Which was adopted.

Mr. Bigham offered the following motion :

Moved, That the City Street Commissioner be and is hereby directed to place a stone crossing across Washington street, from the city building to the opposite side.

Which was referred to the Committee on Streets and Alleys.

Mr. Gibson offered the following motion :

Moved, That the City Clerk be and is hereby directed to advertise one week for proposals for improving and extending the road on the Sellers' Farm, said road to be done under the direction of the City Civil Engineer, and according to plans and specifications in said Engineer's office.

Mr. Hardesty offered the following amendment:

Moved, That the City Civil Engineer report to this Council at its next meeting the estimated cost of the proposed road on and to the Sellers' Farm.

Which was adopted.

The motion as amended was then adopted.

Mr. Gibson offered the following motion :

Moved, That John Carlisle be and is hereby granted permission to move two buildings from Pennsylvania street, between Ohio and Market, along

Market street to points between Market and Washington street. Also, one frame building from a point on New York street, near the First Baptist Church, to a point on Potomac alley, between California and Blackford streets, provided no capstans or iron bars be driven into bowldered streets, and no bridge be crossed.

Which was adopted.

Also the following motion :

Moved, That a special committee of three be appointed by the Mayor, who together with the Mayor and City Attorney, shall present to this Council at its next regular meeting, an ordinance for the suppression of houses of ill fame.

Which was adopted, and the Mayor appointed as such committee Messrs. Gibson, Woodburn and Brown.

Mr. Kennington presented the following petition :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—The undersigned, doing business in the city of Indianapolis, would respectfully petition your honorable body to pass an ordinance to lay a track across Pennsylvania street, said track to commence at Butch and Dixon's coal switch, and run into a lot owned by the undersigned, for the purpose of carrying on the coal business. A plat is herewith submitted, the red lines showing the tracks now already down and the blue lines the tracks proposed to be laid down, and your petitioners will ever pray.

CHARLES GLAZIER & CO.

Which was referred to the Committee on Railroads.

Mr. Pressly offered the following motion :

Moved, That the Committee on Contracts be instructed to contract with some person to move the old Pest House building from its present location, about 60 feet Northwest. Also, to erect suitable foundation for the same.

Which was adopted.

Also the following remonstrance :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the first alley south of Meek street, running east and west from Benton to Cady street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said alley. And your remonstrants will ever pray, etc.

Thomas Wyatt, Daniel A. Kirk, David P. Hamilton, and 10 others.

Which was referred to the Committee on Streets and Alleys with the ordinance.

Mr. Reagan offered the following motion :

Moved, That the City Marshal notify Mr. Coffin to further desist from filling up the street where he is building his new pork house, west of West street, and that the City Marshal be and is hereby authorized to notify Mr. Coffin to have the said dirt removed within ten days of this date, and in case of failure of the said Coffin to comply with the said order, the City Marshal be and is hereby authorized to have the said dirt removed, and collect the damages off of the said Coffin.

Which was referred to the Committee on Streets and Alleys.

Also the following motion :

Moved, That the Street Commissioner be and is hereby ordered to fill up the holes on South Tennessee street, between Maryland and South.

Which was referred to the Councilmen from the 5th Ward.

Mr. Rush presented the following remonstrance :

INDIANAPOLIS, May 7, 1873.

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

GENTLEMEN:—We, the undersigned residents of this city, and living and owning property near the corner of Pennsylvania and Massachusetts avenue, hereby protest against the rebuilding of the feed shanty and stable which was located at the corner of Ohio and Massachusetts avenue, and destroyed by fire on the night of the 6th inst., as said buildings are a nuisance, and be-

sides endangers very seriously all the property in the neighborhood on account of fire.

Wm. J. Gillespie, Wm. Eggert, John M. Wood, and 7 others.

Which was referred to the Committee on Fire Department.

Also the following motion :

Moved, That the Committee on Bridges have the boards on the South Delaware street bridge painted.

Which was adopted.

Also the following motion :

Moved, That Alexander Metzger have permission to pave with stone the sidewalk on the north side of Washington street, between Delaware and Pennsylvania street, and the City Civil Engineer is hereby directed to set the grade stakes, the same to be done in 60 days from the passage of this motion.

Which was adopted.

Also the following petition :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—The undersigned would respectfully ask permission to construct a sink in the alley north of 188 East Washington street. We will make it conform to the grade, and cap it with a 9-inch arch, which will render it safer for all time to come. The said sink to be used to receive the waste water from our bakery.

PARROTT, NICKUM & CO.

Which was received and prayer of petitioner granted.

Mr. Thalman offered the following motion :

Moved, That the City Clerk re-advertise for proposals for grading North California street, as provided for in the ordinance passed some time since.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, May 12, 1873.

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

GENTLEMEN:—We, the undersigned property owners on the first alley west of West street, between West and California, between Indiana avenue and St. Clair, running north and south, remonstrate against any petition in favor of grading and graveling said alley, and will ever pray, etc.

Hamilton Cooper, John F. Boehm, George W. Shaffer, and 6 others.

Which was referred to the Committee on Streets and Alleys.

On motion by Dr. Woodburn, Rob't C. Losey was appointed as an additional member of the Citizens Committee on North Tennessee street from First to Twelfth streets.

Dr. Woodburn moved to reconsider the resolution adopted at the last meeting of the Council directing the City Marshal to notify Wm. S. Hubbard to remove the sand and gravel off of Kentucky avenue.

The question being on the adoption of Dr. Woodburn's motion to reconsider,

Those who voted in the affirmative were Councilmen Adams, Anderson, Pressly, Rush, Sherwood, Thalman, Ward and Woodburn—8.

Those who voted in the negative were Councilmen Bigham, Bollman, Brown, Gibson, Hardesty, Kennington, Reagan and Shepherd—8.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the motion to reconsider was not adopted.

On motion the Council adjourned.

JAMES L. MITCHELL, Mayor.

ATTEST :

JOHN R. CLINTON, City Clerk.