

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, June 4th, 1877—7½ o'clock P. M. }

The Common Council of the City of Indianapolis met in regular session.

PRESENT :

His Honor, the Mayor, John Caven, in the chair, and the following members :

Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Absent—Councilman Watts—1.

The proceedings of the regular session, held May 28, 1877, were read and approved.

REPORTS FROM CITY OFFICERS.

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

Indianapolis, June 4, 1877.

To the Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimates for work done:

A first and final estimate, allowed John Low, for grading and graveling Second street and sidewalks, between Meridian and Illinois streets—

653.8 lineal feet at 34c	\$222.29
205 " " at 26c.....	53.30
7 cubic yards extra gravel at 60c.....	4 20
Total	\$279.79

Also, a first and final estimate, allowed John Flaherty, for grading and graveling Potomac or West Court street and sidewalks, between West and California streets—

815 lineal feet at 25c	\$203 75
2 cubic yards extra gravel at 60c.....	1 20
Total.....	\$204.95

Also, a first and final estimate, allowed John Greene, for grading and graveling the first alley east of East street, running north and south, from McCarty street to the first alley north of Buchanan street—

709 lineal feet at 12½c....	\$ 88.62
588 " " at 15c.....	88.20
Total	\$176.82

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Also, the following estimate resolution:

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate allowed John Low, for grading and graveling Second street and sidewalks, between Meridian and Illinois streets be, and same is hereby adopted as the estimate of the Common Council and Board of Alder-

men, 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 Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

Also, the following estimate resolution :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate allowed John Flaherty, for grading and graveling Potomac or West Court street and sidewalks, between West and California streets, 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.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

[The above vote was afterwards reconsidered, on account of facts set forth in the petition of James Mahoney, for which see page 99.]

Also, the following estimate resolution :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and final estimate allowed John Greene, for grading and graveling the first alley east of East street, running north and south from McCarty street to the first alley north of Buchanan street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the pro-

perty owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Poudier, Reading, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

The City Civil Engineer also submitted the following report ; which was received, and the bond duly approved :

Indianapolis, June 4, 1877.

To the Common Council and Board of Aldermen :

Gentlemen :—I herewith report the contract and bond of John Green, for grading and graveling the first alley east of Alvord street, between Home and Malotte avenues. Bond \$500; bondsman, Fred. Gansberg.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The following recommendation, made by same officer, was duly approved :

Indianapolis, June 4, 1877.

To the Mayor and Common Council :

Gentlemen :—I would recommend that the Street Commissioner be instructed to make weekly reports to the City Civil Engineer of the number and location of all foot-bridges, culverts, street crossings, sewers, and drains constructed by him—the object being to plat and record the same in my office.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The following recommendation, made by same officer, was also concurred in :

Indianapolis, June 4, 1877.

To the Common Council and Board of Aldermen:

Gentlemen:—I was directed by the Council to examine the drainage at the south end of Douglass street, and report the best and cheapest plan for preventing the accumulation of water at that point.

I would recommend the cutting of a small ditch through the unimproved alleys, running east from Douglass street as far as Bright street, carrying the water into the west gutter of Bright street.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The City Attorney submitted the following report; which was received:

Indianapolis, June 4, 1877.

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

Gentlemen:—In March last, a claim of Scott & Matthews, for stone, said to have been furnished in the building of the No. 8 reel house, and upon which they had taken a mechanic's lien, was referred to me, to report if the city was liable for the same.

I would report that I have examined the matter, and am of the opinion that the city is not liable for the account. I have delayed reporting upon the same, for the reason that I desired to compel the contractor who built the house to settle the bill, and save any litigation. I would report that he has done so; and Messrs. Scott & Matthews have accepted his note for the amount, and agreed to release the lien upon the building.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

The same officer submitted the following report; which was received:

Indianapolis, June 4, 1877.

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

Gentlemen: At the last meeting of the Common Council, a motion was passed, directing me to define the duties of the Committee on Parks.

I would report that I have examined the matter, but do not find any ordinance expressly defining the duties of the Committee on Parks. Section 2 of the ordinance prescribing the rules of the Common Council, at page 168 of the Charter and Ordinances, is as follows: "The standing committees of the Council shall consist of three members each, excepting the Finance and School Committees, which shall consist of five members each," etc. "They shall have, under the Council, full supervision of all matters relating to the special subjects and departments for which they were organized, and shall be as follows," etc. The fair construction of this section, in my opinion, would be that these standing committees have, under the Council, full supervision of all matters relating to the special subjects for which the committees were formed.

I am aware that Park Commissioners have been elected from time to time, but I have been unable to find any ordinance or resolution of the Common Council defining their powers or duties. The only provision or mention of the duties of Park Commissioners, that I have been able to find, is in section 5 of an ordinance passed June 7, 1869, providing for the protection of the public grounds of the city, pages 247 and 248 of Charter and Ordinances. That section provides that the Commissioners having in charge Military Park are authorized to employ a man to take charge of the "Governor's Circle" and "University Park," from June 1 to November 1, at a salary not exceeding \$10 per week; and it also provides what shall be the duties of such man so employed.

I am of the opinion that an ordinance should be passed defining the duties of these officers.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

The same officer reported as follows as to certain suits against the city:

Indianapolis, June 4, 1877.

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

Gentlemen:—1st. I would report that the case of J. George Stilz et al. vs. The city, has been affirmed and decided in favor of the city by the Supreme Court.

The question involved in the case was the legality of the proceedings of the Board of County Commissioners in annexing the property of Stilz et al. to the city.

2d. I would further report that the case of John Donahue vs. The City, in the Superior Court, has been tried by jury since the last meeting of Council, and resulted in a verdict in favor of the city,

This was a suit for damages, caused by an alleged defect in the fence around the tunnel on South Illinois street, through which plaintiff's child fell, and which fall resulted in its death.

3d. I would also report that the case of Casper Maus vs. The City, in the Circuit Court has been tried, and resulted in a verdict and judgment against the city for \$1,650.

This was a suit for damages, to recover the value of an ice-house and six hundred tons of ice, which, it was claimed, was washed away by the flood in Fall Creek in June 1875, the ice-house being situated south of the levee built by the city in changing the channel of Fall Creek.

Negligence of the city, in the construction of the levee and changing the said channel, being the basis of the action, I am of the opinion that there is error in the record, and that the case would be reversed in the Supreme Court. But if the case were appealed and reversed, I do not think the judgment could be reduced or changed upon another trial. I would therefore ask to be instructed by your honorable body as to what steps I shall take in the case, and as to whether I shall appeal the same to the Supreme Court.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

On motion of Councilman Byram, the above report was received, and the Attorney was instructed to appeal the case of Casper Maus vs. The City to the Supreme Court.

The same officer submitted the following report:

Indianapolis, June 4, 1877.

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

Gentlemen:—Some time since I was instructed by the Common Council to have abstracts of titles made to all the property owned by the city. I would report that I have done so, and placed the same on file in the Clerk's office. I find them to be all right, or have been able to get the parties from whom the city purchased to make them so, excepting the following:

The Sellers Farm abstract shows the mortgage of the city to Amos Sellers, for part of the purchase money, unsatisfied, when, in fact, it has been paid. I have tried to get Mr. Sellers to satisfy the same, but he has failed to respond to my letters as yet. There are also two old mortgages upon the property that are unsatisfied, dated in 1835 and 1836. I suppose them to be paid, but have been unable to find out anything definite about it.

I did not have an abstract made for the hose reel house on East Washington street, as there is one now on file in the Clerk's office. It shows the title all right; but there is a suit now pending in the Supreme Court, in which the title to this property is involved.

Respectfully submitted,

R. O. HAWKINS,
City Attorney.

On motion of Councilman Byram, the City Attorney was instructed to notify Mr. Sellers that unless the mortgage on the "Sellers Farm" was promptly satisfied, suit would be brought, to compel him so to do.

The City Clerk presented the following financial statements; which were received, and ordered to be published in the Proceedings:

Report of the City Treasurer, showing receipts and disbursements from May 16th to May 31st, 1877, inclusive:

RECEIPTS.

Balance on hand May 15, 1877.....	\$278,248 30
From taxes collected.....	2,795 73
From all other sources.....	323 00
Total.....	<u>\$281,367 03</u>

DISBURSEMENTS.

Fire Department	\$ 2,799 39
Gas repairs.....	10 00
Interest on bonds.....	1,830 00
Police.....	2,235 04
Salary.....	262 50

Street improvements.....	13 44
Station house.....	5 90
Street repairs.....	1,405 06
Balance on hand June 1, 1877.....	272,805 70

Total.....\$281,367 03

HENRY W. TUTEWILER,

City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

Indianapolis, June 2, 1877.

OFFICE OF THE CITY CLERK,
Indianapolis, June 4, 1877. }

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

Gentlemen:—I herewith report the amount of orders issued on the City Treasurer, from May 16th to May 31st, 1877, inclusive—

Fire Department Pay-Roll ...	\$2,771 25
Interest on Bonds	1,830 00
Police.	2,185 75
Street Repairs	1,371 21

Total\$8,158 21

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

The same officer submitted the following report ; which was received, and the official bonds were duly approved :

Indianapolis, June 4, 1877.

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

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

J. B. Hampton, Market Master East Market; giving as security William M. Powell, J. F. Parker, and D. H. Prunk; penalty of bond \$3,000.

William H. Davis, Superintendent of City Hospital and Branch; giving as

security J. S. Wood, John M. Bramwell, and D. H. Oliver; penalty of bond \$2,500.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

The same officer submitted the following report; which was concurred in:

Indianapolis, June 4, 1877.

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

Gentlemen:—I respectfully report the following affidavits, now on file in my office, for the collection of street assessments by precept, to-wit:

Richard Carr vs. John Robinson, for.....	\$6' 00
Richard Carr vs. Adam Smith, for.....	6 00

And would recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The precepts were ordered to be issued, by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouders, Reading, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

The same officer presented the following petition; which, on motion of Councilman Marsee, was referred to the Committee on Finance and the City Assessor:

Indianapolis, June 1, 1877.

To the Hon. Mayor and Members of Common Council and Board of Aldermen:

Gentlemen:—I would respectfully represent that on the 17th day of April last I paid my city taxes for the current year, and that, by some mistake, I was charged with lot 42, Stevens' sub. of out-lot No. 103. I did not observe it on my receipt at the time, or would have refused to pay the taxes thereon,

not having had any interest whatever in said lot for several years. It should have been transferred to other parties.

I would now petition you to refund to me the sum of eighteen dollars and twenty cents (\$18.20), being the amount paid by me, and that the said sum of eighteen dollars and twenty cents be carried to said lot, and collected from the owners of said property.

And as in duty bound, your petitioner will ever pray.

THOS. COTTRELL.

The City Assessor submitted the following communication; which was received, and the extension of time asked for duly granted:

Indianapolis, June 4, 1877.

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

Gentlemen :—The 24th section of the City Charter provides that the City Assessor shall return the assessment list of real and personal property on or before the first Monday in June of each year, unless, as further provided in the same section, “the Common Council shall grant further time.”

Since the change in the assessment law, to commence the assessment on April 1st, instead of January 1st, it is an utter impossibility to complete the work as contemplated by the charter. I, therefore, ask your honorable body to grant further time—say two months.

Respectfully submitted,

WILLIAM HADLEY,

City Assessor.

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

Report of deaths in the City of Indianapolis from 6 o'clock P. M., on the 25th day of May, 1877, to 6 o'clock P. M., on the 2d day of June, 1877:

Under 1 year	3
1 to 2 years.....	4
2 to 3 “	3
3 to 4 “	1
4 to 5 “	0
5 to 10 “	3
10 to 20 “	1

20 to 30	"	.....	2
30 to 40	"	.....	3
40 to 50	"	.....	1
50 to 60	"	.....	3
60 to 70	"	.....	2
70 to 80	"	.....	1
80 to 90	"	.....	0
90 to 100	"	.....	0
Above 100 years		.....	0
Unknown		.....	0
Total.....			27

Respectfully submitted,

H. JAMESON, M. D.,
Secretary and Registrar.

MESSAGE FROM THE BOARD OF ALDERMEN.

The following message from the Board of Aldermen was, on motion, received, and the correction of clerical error made in christian name of Mr. Martindale, one of the judges for the School Commissioner election, was duly noted and consented to:

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

Gentlemen:—At an adjourned session of the Board of Aldermen, held May 30th, 1877, concurrent actoin washad upon the following papers transmitted from the Common Council :

Report from City Clerk, submitting the official bonds of G. W. McCain and Benj. Thornton, turnkeys at Central Station.

Report from City Clerk, reporting sundry affidavits on file in his office, for collection of street assessments by precept.

Report from City Clerk, reporting that he had issued the proper legal notices to the City Commissioners and property owners in the matter of opening West Vermont street.

Report from City Attorney, in the matter of vacating streets and alleys in Fales & French's and Marott's additions, and the resolution ordering said vacation.

Report from Council Committee on Contracts, awarding contract to John Greene for grading and graveling the first alley east of Alvord street, running from Malotte avenue to Home avenue.

Report from Council Committee on Finance, concerning sundry petitions relative to tax assessments.

Motion, instructing the Street Commissioner to notify the property owners on each side of Alabama street, from St. Joseph street to the first alley north, to repair the sidewalks, etc.

Motion, instructing the City Marshal to open, and the City Civil Engineer to set the line stakes for, Court street, from East to Noble street.

Motion, providing for the appointment of a special committee of two Councilmen and one Alderman, who shall determine in what manner the books and accounts of the City Treasurer and City Clerk shall be kept, with power to act. [Alderman Wallace was appointed on said committee.]

General ordinance No. 19, 1877, entitled "An ordinance providing for the compensation of the officers of the City of Indianapolis, and the officers and members of the police and fire departments of said city, for the fiscal year ending May 15, 1878."

Appropriation ordinance No. 35, 1877, entitled "An ordinance appropriating money for the compensation of the officers and members of the Fire Department and Police Force, and the Janitor of City Building.

Resolution, appointing inspectors and judges for the election of School Commissioners, to be held June 9, 1877. [The above resolution was corrected or amended by changing the Christian name of Mr. Martindale, one of the judges, from "J. P." to "William,"]

Respectfully submitted,

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

INTRODUCTION OF ORDINANCES.

The following ordinances were introduced, and read the first time:

Councilman Brown, from the Board of Police, introduced

General ordinance No. 23, 1877, entitled

An ordinance repealing section one (1) of an ordinance entitled, "An ordinance creating a Board of Police, and authorizing such Board to appoint all officers and members of the Police of the city, and empowering such Board to remove from office, for cause, any officer or member of such Police; ordained February 19th, 1866."

Councilman Layman, from the Fire Board, introduced

General ordinance No. 24, 1877, entitled

An ordinance to amend section two (2) of an ordinance entitled, "An ordinance reorganizing the Fire Department; ordained May 15th, 1876."

Councilman Walker, from Committee on Benevolence and Hospitals, introduced

Appropriation ordinance No. 36, 1877, entitled

An ordinance appropriating money on account of the City Dispensary.

Councilman Izor, from Hospital Board, introduced

Appropriation ordinance No. 37, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of City Hospital and Branch, for part month of April and for the month of May, 1877.

Councilman Layman, from the Committee on Accounts and Claims, introduced

Appropriation ordinance No. 38, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of General Election, held May 1st, 1877.

Appropriation ordinance No. 39, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, for the month of May, 1877.

Also, the same gentleman, from the Fire Board, introduced

Appropriation ordinance No. 40, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

Councilman Reed, from the Committee on Printing, Stationery, and Advertising, introduced

Appropriation ordinance No. 41, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, etc.

Councilman Brown, from the Board of Police, introduced

Appropriation ordinance No. 42, 1877, entitled

An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

Councilman Wood, from the Committee on Streets and Alleys, introduced

Appropriation ordinance No. 43, 1877, entitled

An ordinance appropriating money on account of the Street-Repair Department of the City of Indianapolis.

Appropriation ordinances Nos. 36, 37, 38, 39, 40, 41, and 42, 1877, were then read the second time, ordered to be engrossed, and were severally passed by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Appropriation ordinance No. 43, 1877, was read the second time.

On motion of Councilman Byram, said ordinance was amended by striking out "ten thousand dollars (\$10,000)" in section first, and inserting "five thousand dollars (\$5,000)."

It was then ordered to be engrossed, read third time, and was passed by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

ROLL CALL.

His Honor, the Mayor, submitted the following invitation; which, on motion of Councilman Case, was accepted:

Indianapolis, June 4, 1877.

Hon. John Caven, Mayor of the City of Indianapolis:

Dear Sir:—The officers of C., C., C. & I. R. R., some two years ago, decided upon the erection of a large number of shops, round-houses, etc., etc., to be located at Brightwood, and to be used by the road, for the purpose of building their engines, passenger coaches, freight cars, and repairs of the same. And while our enterprise is not yet completed, yet a large number of the shops are now finished and equipped, and I desire to invite you and, through you, the members of the City Council, to take a view and inspection of our works.

Should you be pleased to accept this invitation, would suggest next Friday, leaving Union Depot at 2 o'clock P. M.

Yours truly,

C. C. GALE,
Superintendent.

Councilman Brown presented the following petition; which, on motion of Councilman Byram, was granted:

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

We, the undersigned, would humbly petition your honorable body, for the Southern Park, on Thursday, the 21st day of June, 1877, for the sabbath school of the Second German M. E. Church, to hold a picnic therein, on the said day and date.

GEO. HITZ,
CHRIS. BLUMBERG,
J. J. WENNER,

Committee.

Also, the following motion; which was referred to the Committee on Streets and Alleys:

Moved, That the Street Commissioner be, and is hereby, directed to raise the gutters, and protect the same with cinders, on Olive street, between Orange street and Pleasant Run.

Councilman Byram, by consent, submitted the following report from the joint committee appointed in the Common Council on May 14th [see Proceedings, page 25], and in the Board of Aldermen on May 16th [see Proceedings, page 19]; and said report was, on motion, duly received:

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

Gentlemen.—The undersigned, committee, appointed to confer with the Gas and Water-Works Companies in reference to a possible reduction of amounts now payable to said companies, respectfully beg leave to report: That they have had such conference, and find said companies unwilling to make any modification or change of the amounts of gas and water by said companies supplied to the city; that they adhere to what they claim as existing and binding contracts in reference thereto; and that we regard any further consultation with said companies as useless.

The matters referred to us will, therefore, depend for their solution upon the legal rights of the parties involved.

Respectfully submitted,

N. S. BYRAM,

WM. WALLACE,

A. IZOR,

Committee.

In connection with same subject, Councilman Byram offered the following motions; which were severally adopted:

Moved, That the City City Engineer be requested to furnish an estimate of the cost of connecting the several drinking-fountains in the city with the nearest fire-plugs adjacent to them.

Moved, That the City Attorney be requested to furnish an opinion as to the existence of any contract between the city and Water Works Company, whereby the city is bound to lease any or all of the fire-plugs now erected; and, if any such contract exists, what steps are necessary to annul the same.

The same gentleman offered the following motion; which was adopted:

Moved, That the City Attorney be instructed to take whatever steps are necessary to protect the interests of the city in the estate of Thomas D. Gregg, deceased.

Also, the following motion:

Moved, That the vote by which General Ordinance No. 20, 1877, was passed on last Monday night be reconsidered, and that the City Clerk be requested to place the same on the files of the Council.

Which was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Izor, in connection with the attempted compromise between the city and the gas and water companies, offered the following motion; which was adopted:

Moved, That the city adopt the use of lamps and headlight oil at the different engine and hose-reel houses, in the place of gas. Also, that gates be procured for the entrances of the Illinois street tunnel, and that the use of gas

be discontinued in said tunnel. Also, instruct the City Clerk to advertise for bids for lamps and the necessary fixtures for the different engine and hose-reel houses in the city.

The same gentleman offered the following motion; which was adopted:

Moved, That Charles A. H. Bates have permission to place a private hydrant in the space on the north side of St. Clair street, formed by the intersection of Fort Wayne avenue and St. Clair and Alabama streets; the same to be used for sprinkling said streets, and to be placed and maintained at his own expense.

The following petition was presented by the same gentleman, and duly received:

Indianapolis, June 4, 1877.

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

Gentlemen:—Your petitioner would respectfully represent to your honorable body that he is the bondsman of John Flaherty, on his contract with the city for grading and graveling Potomac or West Court street and sidewalks, between West and California streets, which bond was approved by Common Council, April 16, 1877.

Your petitioner would further represent that said Flaherty has so far failed to pay the men employed by him on this work. He now asks that the City Civil Engineer be instructed to withhold the estimate for the above work from said Flaherty until all the claims for labor or material furnished on this contract have been paid.

And your petitioner will ever pray.

JAMES MAHONEY.

On motion of Councilman Byram, the vote by which an estimate was allowed to John Flaherty [see page 83], was reconsidered by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Marsee offered the following motion ; which was adopted :

Moved, That A. W. McOuat be permitted to relay the flagging in the rear of Schrader's store, on Court street, to be done at his own expense, under the direction of the City Civil Engineer, within thirty days.

Councilman Morse offered the following motion ; which was adopted :

Moved, That the Street Commissioner be and is hereby instructed to cut a ditch from Douglass street to Bright street, in accordance with the report of the City Civil Engineer ; the work to be done under said Engineer's direction.

Councilman McGinty offered the following motion ; which was adopted :

Moved, That the Street Commissioner be, and is hereby, directed to clean the gutters on McCarty street, from West street to Pogue's Run.

Councilman Reading offered the following motion ; which was adopted :

Moved, That the City Clerk be, and he is hereby, authorized to issue an auctioneer's license, for the term of three months, to Isaac Cohen, 115 South Illinois street, provided, he comply with ordinance in force on subject.

Councilman Dill offered the following motion ; which was adopted :

Moved, That the City Civil Engineer be instructed to examine the drainage of Market street, from Mississippi street to railroad, and report at next meeting of Council if any improvement can be made, without building sewer.

Councilman Walker offered the following motion ; which, on motion of Councilman Izor, was referred to the Committee on Streets and Alleys :

Moved, That inasmuch as Charles Mayer was granted permission to curb the sidewalk in front of his property on Illinois street, the Street Commissioner be, and is hereby, instructed to curb the city's portion of said sidewalk at once.

As a question of privilege, Councilman Bagby was allowed to offer the following resolution:

Resolved, That the resolution heretofore passed, appointing inspectors and judges of the election for School Commissioners, be, and the same is hereby, amended as follows:

1st. By striking out the name of Omer Rodibaugh, as inspector for the Eleventh District, and inserting the name of John S. Wright.

2d. By striking out the name of B. Atkinson, as judge for the Seventh District, and inserting the name of John Updike.

Which was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Reed then entered upon the expression of his views on the subject of Joint Boards. [See "Notice" on page 70, *post*.]

At the conclusion of Councilman Reed's remarks, Councilman Marsee offered the following motion:

Moved, That it is the sense of this Council that the members of the Board of Aldermen, now holding positions on Police, Fire, and Hospital Boards, be relieved from the same.

Councilman Layman moved to lay the preceding motion on the table; on which, Councilman Reed demanded the ayes and noes, and the motion "to lay on the table" was defeated by the following vote:

Affirmative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Steinhauer, Tucker, and Wright, A. L.—8.

Negative—Councilmen Bagby, Case, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, Walker, Wood, Wright, W. G.—15.

Councilman Steinhauer moved to amend Councilman Marsee's motion, by striking out "Hospital Board" from same; on which, Councilman Dill demanded the ayes and noes, and the motion "to strike out" was lost by the following vote:

Affirmative—Councilmen Bugbee, Byram, Layman, Steinhauer, Tucker, and Wright, A. L.—6.

Negative—Councilmen Bagby, Brown, Case, Cochran, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, Walker, Wood, and Wright, W. G.—17.

Councilman A. L. Wright then demanded a call of the ayes and noes on the passage of the original motion; and the motion, as offered by Councilman Marsee, was adopted by the following vote:

Affirmative—Councilmen Bagby, Case, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Walker, Wood, and Wright, W. G.—16.

Negative—Brown, Bugbee, Byram, Cochran, Layman, Tucker, and Wright, A. L.—7.

Councilman Steinhauer offered the following motion; which, on motion of Councilman Marsee, was referred to the Committee on Streets and Alleys:

Moved, That the Street Commissioner be, and is hereby, given permission to pay the employes of the city as follows: For two-horse wagons, \$2.50 per day; to carpenters, \$1.75 per day; to bowlderers, \$2 per day; to laborers, \$1.25 per day; to foremen, \$2 per day.

Councilman Stoner presented the following petition ; which, on motion of Councilman A. L. Wright, was referred to the Committee on Opening and Laying Out Streets and Alleys :

Indianapolis, June 4, 1877.

To the Common Council and Board of Aldermen :

Gentlemen :—Your petitioners pray your Honorable Body to cause to be laid out, opened, and extended, the alley running north and south between Plum street and Oak street, from the southern terminus of said alley, south, to the first alley north of Massachusetts avenue, the alley to be opened and extended to a width of ten (10) feet.

A plat of such proposed alley is herewith filed and made part of this petition.

Respectfully, etc.,

JOHN C. HOSS, 66 feet on Plum street.

“ “ 38½ feet on Oak street.

H. C. HENDRICKSON, 28 feet on Plum street.

ELIZA RINGER, 34.9 feet on Oak street.

The same gentleman offered the following motion ; which, on motion of Councilman A. L. Wright, was referred to the City Civil Engineer, with power to act :

Moved, That this Council grant Dr. M. H. Field the right of putting down a brick sidewalk, fronting 128 feet on Broadway and 40 feet on St. Clair street, subject to grade to be given by City Civil Engineer, to be done at his own expense, and within sixty days.

Councilman Tucker offered the following motions ; which were adopted :

Moved, That the South New Jersey street Danish Church be granted the use of the Southern Park, on 24th instant, for the purpose of holding a picnic in same.

Frequent requests are made from schools, churches, and societies for permission to use Southern Park for picnic purposes ; I, therefore,

Move, That the Committee on Parks be authorized to grant such requests, when said grounds are wanted and requests made previous to the regular Council meetings.

Councilman Case offered the following motion; which, on motion of Councilman Marsee, was referred to the Fire Board and the Chief Fire Engineer:

Moved, That the City Civil Engineer be instructed to notify the Water Works Company to remove the fire-plug at the corner of Massachusetts avenue and New York street, in front of the Headquarters of the Fire Department, and place the same thirty feet west of where it now is.

REPORTS FROM COMMITTEES.

Councilman Layman, from the Committee on Streets and Alleys, submitted the following report; which was concurred in by paragraphs:

Indianapolis, June 4, 1877.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred sundry papers, respectfully report on the same as follows:

First. Is a communication from Andrew Wallace, asking that the sidewalk on the north side of the Market space be repaired next to the curbing. We recommend that the Street Commissioner be directed to do the same.

Second. That the Street Commissioner be ordered to take up the cement pipe on Plum street and Vine, and construct a wooden bridge. We would recommend that the work be done.

Third. That the Street Commissioner be directed to put in a large culvert at the crossing of Torbett and Brooks streets. We would also recommend that the above work be done.

Respectfully submitted,

JAMES E. WATTS,
JAMES T. LAYMAN,
GEO. P. WOOD,

Committee on Streets and Alleys.

Also, the following report from the same committee; which was re-committed, with instructions to report the necessary ordinance:

Indianapolis, June 4, 1877.

To the Mayor and Common Council:

Gentlemen:—Your committee, to whom was referred the petition of Andrew Wallace and others, asking that pit sand and gravel be placed on Wabash

street, between Delaware and Alabama streets, would recommend that the prayer of the petitioners be granted, and that the City Civil Engineer be instructed to contract with some responsible party to do the work and enter bill of the city's portion of the same.

Respectfully submitted,

JAMES E. WATTS,

JAMES T. LAYMAN,

GEO. P. WOOD,

Committee on Streets and Alleys.

Councilman Walker, from the Committee on Benevolence and Hospitals, submitted the following reports; which were received:

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

The following report of the City Hospital and Branch, for the month ending May 31, 1877, is respectfully submitted;

NO. OF BEDS IN HOSPITAL—100.	First Week.	Second Week.	Third Week.	Fourth Week.	Fract'l Week.	Total Adults.	Total Infants.	Total.
Number of Patients at last report—adults.....	34	33	33	34	33	34	...	
Number of Patients at last report—infants.....	5	3	2	1	1	...	5	39
Received New Patients—adults.....	9	9	11	7	5	41	...	
Births, or Received—infants.....	1	...	...	...	1	...	...	2 43
Discharged—adults.....	10	9	9	8	7	48	...	
Discharged—infants.....	2	...	1	...	...	...	5	48
Died—adults.....	...	...	1	...	1	...	2	+
Died—infants.....	...	...	...	...	...	...	...	2
Number of Patients remaining—adults.....	33	33	34	33	30	30	...	
Number of Patients remaining—infants.....	3	2	1	1	2	...	2	32
Number of Patients in Branch—adults.....	...	...	...	...	...	...	...
Number of Patients in Branch—infants.....	...	...	...	...	...	...	...
Aggregate No. days of Patients in Hospital, adults.	172	236	266	224	156	1054	...	
Aggregate No. days of Patients in Hospital, infants.	17	19	8	7	6	...	57	1111

F. J. VAN VOHRIS, M. D.,

Superintendent,

Report of Expenditures on account of City Hospital and Branch, for the month ending May 31, 1877:

Voucher	1.—F. J. Van Vorhis, superintendent.....	\$ 83 33
"	2.—E. A. Brown and wife, steward and matron.	40 00
"	3.—John Butterworth, nurse.....	25 00

Voucher	4.—John Davis, janitor.....	12 00
"	5.—Henry Anderson, cook.....	15 00
"	6.—Ida Reed, laundress.....	14 00
"	7.—Sallie Buckingham, nurse.....	12 00
"	8.—Mary Coble, chambermaid.....	12 00
"	9.—M. Lefort, cook, 5 12 month.....	5 00
"	10.—Maggie Turner, cook, 7-12 month.....	7 00
"	11.—Jennie Armstrong, laundress..	12 00
"	12.—Helen O'Brien, laundress.....	12 00
"	13.—Jennie Smith, cook.....	12 00
"	14.—Lucy Blgrave, ironer.....	12 00
"	15.—James Robinson, cook.	10 00
"	16.—Henry Powers, dish washer.....	10 00
"	17.—S. E. Tilford, City Directory.....	4 00
"	18.—Roll & Morris, oil cloths.....	7 75
"	19.—J. K. Ireland, repairing pumps.....	5 00
"	20.—Smith & Groves, coal oil....	9 79
"	21.—Swing & Woollen, flour and feed.....	45 95
"	22.—Robertson & Perry, groceries.....	32 19
"	23.—Vajen, New & Co., hardware.....	1 05
"	24.—W. H. Allen & Co., drugs.....	10 27
"	25.—W. A. & I. N. Patterson, drugs.....	22 90
"	26.—Eli Lilly, drugs.....	18 45
"	27.—R. L. DePuy, coal.....	28 32
"	28.—W. A. Haggard, straw and hay.....	20 00
"	29.—Mrs. H. Anderson, butter.....	9 55
"	30.—Cyrus Osborn, apples.....	19 50
"	31.—William Pfafflin, groceries.....	8 65
"	32.—Albert Gall, carpets.....	51 70
"	33.—D. B. Fatout, milk.....	55 59
"	34.—J. S. Wood, groceries.....	52 02
"	35.—H. H. Lee, groceries.....	21 19
"	36.—James E. Watts, groceries..	225 99
"	37.—P. F. Bryce, bread.....	46 64
"	38.—Charles Kuhn, meat.....	83 87

Total Expenditures for month.....\$1,074 42

Net Expenditures for the month.....1,074 42

Aggregate number of days subsistence furnished, 1,111

..... F. J. VAN VORHIS,
Superintendent.

On motion of Councilman Steinhauer, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest:

BENJ. C. WRIGHT, City Clerk.