

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, January 7th, 1878—7 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, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—25.

Absent—None.

The proceedings of the regular session, held December 17th, 1877, having been printed, and placed on the desks of the Councilmen, the reading of the same was dispensed with.

This being the first session held in the new Council Chamber since the removal of the city government and offices to the Marion

county Court House, His Honor, the Mayor, proceeded to select the members' seats, in compliance with motion adopted at last regular session. (See page 627.)

Two sets of ballots, on one of which was written the members' names, and on the other were entered the seat-numbers, from 1 to 25, were furnished by the City Clerk, and His Honor made the assignment of seats, by drawing a seat-number and a corresponding name-ballot.

The seat-numbers, and consequent assignments, were drawn in the following order: Seats 20, 21, 4, 5, 9, 17, 6, 10, 19, 25, 7, 23, 11, 16, 22, 18, 24, 2, 15, 12, 13, 14, 1, 8, and 3.

In front row of desks, beginning on the left hand of the Mayor the sittings were thus assigned as follows :

Seat 1—Councilman Brown.	Seat 7—Councilman Cochran.
“ 2— “ Case.	“ 8— “ Dill.
“ 3— “ Marsee.	“ 9— “ Watts.
“ 4— “ Pouder.	“ 10— “ Layman.
“ 5— “ Bugbee.	“ 11— “ Steinhauer.
“ 6— “ Walker.	“ 12— “ Reading.

In the back row of desks, beginning on the right hand of the Mayor, the sittings are assigned as follows :

Seat 13—Councilman Reed.	Seat 21—Councilman Bagby.
“ 14— “ McGinty.	“ 22— “ Sindlinger.
“ 15— “ Morse.	“ 23— “ Byram.
“ 16— “ Stoner.	“ 24— “ Wood.
“ 17— “ Tucker.	“ 25— “ W. G. Wright.
“ 18— “ A. L. Wright.	
“ 19— “ Izor.	
“ 20— “ Thomas.	

Sealed proposals for erecting lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Stevens street, from East street to Virginia avenue, were received, opened, read, and referred to the Committee on Contracts.

REPORT FROM COMMITTEE ON CONTRACTS.

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

Indianapolis, January 7, 1878.

To the Mayor and Common Council :

Gentlemen :—Your Committee on Contracts, to whom were referred sundry proposals, presented to Council December 17th, 1877, have examined the same, and find them to be as follows, to-wit :

1st. For grading and graveling the first alley north of Fletcher avenue, from Cedar street to Dillon street—

James Mahoney, $11\frac{3}{4}$ cents per lineal foot front on each side.

McKnight & Co., $11\frac{1}{2}$ cents per lineal foot front on each side.

Richard Carr, $10\frac{1}{2}$ cents per lineal foot front on each side.

Richard Carr being the lowest and best bidder, your committee recommend that he be awarded the contract.

2d. For grading and graveling the first alley west of Illinois street, from Morris street to the first alley south of Morris street—

Richard Carr, 15 cents per lineal foot front on each side.

James W. Hudson, 14 cents per lineal foot front on each side.

McKnight & Co., 12 cents per lineal foot front on each side.

James Mahoney, 12 cents per lineal foot front on each side.

Thomas Niland, 10 cents per lineal foot front on each side.

Thomas Niland being the lowest and best bidder, your committee recommend that he be awarded the contract.

3d. For grading and graveling the first alley east of Meridian street, between Phipps and McCarty streets—

James W. Hudson, 15 cents per lineal foot front on each side.

McKnight & Co., $13\frac{1}{2}$ cents per lineal foot front on each side.

James Mahoney, 13 cents per lineal foot front on each side.

Richard Carr, 11 cents per lineal foot front on each side.

Richard Carr being the lowest and best bidder, your committee recommend that he be awarded the contract.

4th. For grading and graveling the alley between Broadway street and College avenue, running from Butler street to Home avenue—

- R. P. Dunning, 39 cents per lineal foot front on each side.
 D. A. Haywood, 29 cents per lineal foot front on each side.
 Richard Carr, 25 cents per lineal foot front on each side.
 E. B. Elliott, 25 cents per lineal foot front on each side.
 McKnight & Co., 21 cents per lineal foot front on each side.

McKnight & Co. being the lowest and best bidders, your committee recommend that they be awarded the contract.

5th. For grading, graveling, and curbing the west sidewalk of Missouri street, from New York to Vermont street—

- E. B. Elliott, 50 cents per lineal foot front.
 John Schier, 42 cents per lineal foot front.
 R. P. Dunning, 39 cents per lineal foot front.
 James Mahoney, 32½ cents per lineal foot front.
 Richard Carr, 32 cents per lineal foot front.
 D. A. Haywood, 32 cents per lineal foot front.
 James W. Hudson, 32 cents per lineal foot front.

There being three bids at the same price, your committee recommend that the contract be awarded to James W. Hudson.

Respectfully submitted,

J. W. BUGBEE,
 M. L. BROWN,
 T. C. READING,
 Committee on Contracts.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, January 7, 1878.

To the Common Council and Board of Aldermen:

Gentlemen:—The amount of forfeitures collected by me during the month of December, 1877, due the City Treasury, is \$19.15; and the amount received for the months of October, November, and December, 1877, due to the "Home for Friendless Women," is \$49.35; which amounts I have paid to the City Treasurer, and file herewith his duplicate receipts.

Respectfully submitted,

J. CAVEN, Mayor.

The following communications were then read, and referred to the Committee on Water-Works and the City Attorney:

Indianapolis, January 7, 1878.

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

Gentlemen :—I report that on December 22d, 1877, that, on behalf of the city, I have signed, in duplicate, the contract with the Water-Works Company of Indianapolis, as provided in an ordinance ordained December 4th, 1877; and that said company signed said contract in duplicate, retaining one; and the other copy I file herewith.

I also present, herewith, from J. R. Elder, Esq., president of said company, a letter, asking for certain legislation in connection therewith, and also stating that the Company had selected Christopher Heckman as their agent in the management of plugs during fires.

Respectfully submitted,

J. CAVEN, Mayor.

Indianapolis, December 22, 1877.

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

Gentlemen :—In compliance with the terms of an agreement entered into between the city and this company, I hereby inform you that the company has employed Christopher Heckman to look after the use of water from fire-plugs during the time of fires, and trust this will meet your approval.

I respectfully ask that you enact an ordinance fully protecting the man employed by the company in the discharge of his duties, in compliance with the contract this day executed, at your earliest convenience.

All of which is respectfully submitted,

JOHN R. ELDER, Pres't Water-Works Co.

His Honor also submitted the following report and exhibits; which were received, and the resignations tendered duly accepted :

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

Gentlemen :—Your Trustees, charged with the trust of certain bonds issued to the Union Railroad Transfer and Stock-Yard Company, report that, on the 19th day of December, 1877, we delivered to said company the last one hundred of said bonds, for \$1,000 each, numbered, consecutively, from 401 to 500, both inclusive, and \$100,000 in total amount, first denuding them of coupons for interest for July, 1877, and January, 1878, for \$30 each, and \$6,000 in total, and, in exchange for which, we received from said company bonds executed by said company to the city, also numbered from 401 to 500, both inclusive, and \$100,000 in amount, and denuded of coupons for interest due June and December, 1877, for \$30 each, and \$6,000 in total; and, for the said bonds by us delivered to said company, we took their receipt, which, marked "Exhibit A," is filed herewith.

The bonds of said company, so received by us, as also the coupons stripped from said city bonds, we have delivered to Wm. M. Wiles, Esq., City Treasurer, and took from him a receipt therefor, which we file herewith, marked "Exhibit B."

This completes the delivery of the entire amount of bonds contemplated in the ordinance and agreement between the city and said company, and, as we understand, also completes the duties with which we were charged; and, therefore, tender to you our resignation as such trustees.

JOHN CAVEN,
D. M. RANSELL,
ENOS B. REED,
Trustees.

EXHIBIT A.

Indianapolis, December 19, 1877.

Received of Messrs E. B. Reed, J. Caven, and D. M. Ransdell, Trustees, one hundred bonds, numbered from 401 to 500, both inclusive, issued by the City of Indianapolis to the Union Railroad Transfer and Stock-Yard Company, and being in full delivery of all of said issue of bonds, and denuded of coupons due July, 1877, and January, 1878—said bonds bearing date January 1st, 1877.

E. F. CLAYPOOL, Treasurer.

EXHIBIT B.

Indianapolis, December 19, 1877.

Received of Messrs. Enos B. Reed, Dan. M. Ransdell, and John Caven, Trustees, one hundred bonds, for \$1,000 each, made by the Union Railroad Transfer and Stock-Yard Company to the City of Indianapolis, numbered from 401 to 500, both inclusive, in total \$100,000, payable in twenty years after date of December 1st, 1876, bearing six per cent. interest, payable semi-annually—said bonds being denuded of coupons due June and December, 1877, for the first and second semi-annual interest—said bonds having been received by said Trustees in exchange for a like amount of the bonds of the city, in pursuance of the provisions of general ordinance No. 51, ordained by the Common Council, October 16th, 1876.

Also, received of said Trustees, coupons for interest due July, 1877, and January, 1878, for \$30 each—in total two hundred in number and \$6,000 in amount, taken from bonds made by the city to said company, and numbered from 401 to 500, both inclusive, dated January 1st, 1877, and by said Trustees delivered to said railroad company, in exchange for the bonds first above named, in pursuance of the provisions of said ordinance No. 51.

WM. M. WILES, Treasurer City of Indianapolis.

Witness to Signature: FRANCIS A. BLANCHARD.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report: which was approved :

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen :—I herewith report a first and partial estimate, allowed John Greene, for grading and graveling Franklin street and sidewalks, from Nebraska street to the first alley north of Yeiser street—

980 lineal feet, at 35 cents. \$343 00

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

The following estimate resolution was then offered :

Resolved, by the Common Council and Board of Aldermen, That the foregoing first and partial estimate, allowed John Greene, for grading and graveling Franklin street and sidewalks, from Nebraska street to the first alley north of Yeiser street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Reading, Reed, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—24.

Negative—None.

The same officer submitted the following report :

Indianapolis, January 7, 1878.

To the Mayor and Common Council :

Gentlemen :—1st. I was instructed to advertise for proposals to take down and store the S. Delaware street viaduct.

Inasmuch as considerable space is required for storage, and not feeling authorized to select a place, I deferred the advertisement, in order to request the Council to locate a point of storage.

2d. I was directed to examine that part of the Citizens' Street Railway on College avenue, and establish the surface line of the street, and notify the company to make their tracks conform to the grade.

I examined the tracks aforesaid, and found them too low at various points; and immediately notified the Street Railroad Company to make the necessary changes, the proper grade stakes to be given on application at my office. Thus far, the said company has failed to comply with your instructions; and I report the matter for your consideration.

3d. I was instructed to examine the crossing between the Occidental Hotel and the intersection of Washington street and Kentucky avenue, and report how said crossing can be made "convenient and comfortable," with the probable cost of same.

In view of the great amount of travel at said point, there should be a double-stone crossing laid across Illinois street at the point indicated, to and connecting with the stone crossing already laid to the west line of Illinois street; thence, south, along the west line of Illinois street to the Kentucky avenue pavement. The probable cost of said improvement will be about \$114.

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

Clause 1st of preceding report was referred to the Committee on Bridges and City Civil Engineer; clause 2d was laid on the table for the present; and clause 3d was received.

The same officer also submitted the following report; which was received, the contract concurred in, and the bond duly approved:

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen:—I herewith report the contract and bond of James Mahoney, for grading and graveling East street and sidewalks (except where the sidewalks are already properly improved), from Morris street to Minnesota street. Bond, \$2,500. Bondsman, Hiram Seibert.

Respectfully submitted,

BERNARD H. DEITZ, City Civil Engineer.

The City Treasurer submitted the following report; which was approved, and the recommendation, therein contained, was duly concurred in:

Indianapolis, December 19, 1877.

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

Gentlemen:—I have the honor to respectfully report that I have this day received from Messrs. Enos B. Reed, Dan. M. Ransdell, and John Caven, Trustees, one hundred bonds, made by the Union Railroad Transfer and Stock-Yard Company, of the denomination of (\$1,000) one thousand dollars.

each, and numbered from 401 to 500, inclusive—total (\$100,000) one hundred thousand dollars—payable in twenty years after date of December 1st, 1876, bearing six per cent. interest, payable semi-annually, said bonds being denuded of coupons Nos. 1 and 2, for the first twelve months' interest—said bonds having been received by said Trustees in exchange for a like amount of bonds of the city, in pursuance of the provisions of general ordinance No. 51, ordained by the Common Council October 16th, 1876.

I have also received of said Trustees coupons Nos. 1 and 2, for \$30 each, two hundred in number, and (\$6,000) six thousand dollars in amount, taken from said city bonds numbers 401 to 500 inclusive, and by said Trustees delivered to said railroad company in exchange for the bonds first above mentioned, in pursuance of the provisions of said ordinance No. 51.

I respectfully recommend to your honorable body that the Financial Committee be directed to examine the coupons referred to, and, if found as reported, authorize and direct them to destroy the same.

Very respectfully,

WM. M. WILES, Treasurer.

The City Clerk submitted the following report from the City Treasurer; which was referred to the Committee on Finance:

Report of Wm. M. Wiles, City Treasurer, from December 1st to December 31st, 1877, inclusive:

RECEIPTS.

Balance on hand as per last report, November 30th, 1877.....	\$214,486 04
From current taxes.....	1,352 65
From delinquent taxes.....	18,118 32
From benefits.....	81 50
From auction licenses.....	20 00
From interest on bonds (U. R. R. T. & S. Y. Co.....	12,000 00
From dog licenses.....	1 50
From dray licenses.....	12 00
From express licenses.....	32 00
From hack licenses.....	32 00
From peddlers' licenses.....	23 00
From fines and fees (City Court).....	59 80
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	\$246,219 81
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DISBURSEMENTS.

For Fire Department.....	\$ 5,940 97
For Police.....	3,816 50
For street repairs.....	2,650 52
For City Hospital and Branch.....	1,013 54

For Civil Engineer's Department.....	\$ 219 85
For assisting City Assessor.....	65 00
For Board of Health.....	150 00
For interest on bonds.....	1,056 50
For costs.....	11 00
For damages.....	700 00
For fuel.....	30 25
For gas.....	6,949 60
For ice.....	4 00
For incidentals.....	2 95
For parks.....	116 00
For percentage.....	644 22
For posting bills.....	13 00
For printing, stationery, and advertising.....	807 10
For salary.....	191 25
For Station Houses.....	448 83
For street improvements.....	56 56
For taxes refunded.....	7 00
For Tomlinson annuity.....	3,500 00
For transfers.....	83 70
For water rent.....	6,293 17
Balance on hand	211,447 30
	<u>\$246,218 81</u>

TOMLINSON ESTATE.

Balance on hand as per last report, November 30th, 1877.....	\$14,817 71
From rents.....	64 00
	<u>\$14,881 71</u>
For repairs and insurance.....	23 00
Balance on hand	14,858 71
	<u>\$211,447 30</u>
Balance on hand, general fund.....	\$211,447 30
Balance on hand, Tomlinson estate.....	14,858 71
	<u>\$226,306 01</u>

Respectfully submitted,

WM. M. WILES, City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

The same officer submitted the following report; which was also referred to the Committee on Finance:

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen:—I herewith submit an itemized statement of the amount of orders issued on the City Treasurer, during the month of December, 1877:

NATURE OF CLAIM.	AMOUNT.
Board of Health	\$ 150 00
City Assessor's Assistants	65 00
City Civil Engineer's Department	216 90
City Hospital and Branch.....	1,032 72
Costs	11 00
Damages	700 00
Fire Department.....	5,943 70
Fuel	30 25
Gas	6,949 60
Ice.....	4 00
Incidentals.. .. .	2 95
Interest on bonds	1,056 50
Parks.....	116 00
Percentage.	644 22
Police.....	3,806 50
Posting Bills	13 00
Printing, Stationery, and Advertising.....	807 10
Salary	60 00
Station Houses	423 54
Street Improvements	50 04
Street Repairs.....	2,634 37
Taxes refunded....	8 64
Tomlinson Estate	4 50
Tomlinson Annuity.....	3,500 00
Transfers	83 70
Water Rent	6,293 17
Total.....	\$34,607 40

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

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

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

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

Fred. Gansberg vs. Geo. K. Hornaday, for.....	\$14 30
Fred. Gansberg vs. Wm. E. Alcorn, for	14 38
Fred. Gansberg vs. Wm. E. Alcorn, for	13 20

And 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, Pouder, Reading, Reed, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—25.

Negative—None.

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

Indianapolis, January 7, 1878.

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

Gentlemen :—I would report that, since your last meeting, the case of Thos. Moore vs. The City has been tried in the Superior Court, and resulted in a verdict and judgment in favor of the city.

This was a suit for \$3000 damages, caused by the floods of 1875, in washing away portions of certain lots, owned by the plaintiff, in Indianola.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

The same officer, with the City Clerk, submitted the following report; which was referred to the Committee on Bridges and City Attorney, with instructions to confer with the County Commissioners on the subject of the ownership of the bridge and the continued insurance of the same, specifically reporting the information obtained at the next regular session of the Common Council :

Indianapolis, January 7, 1878.

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

Gentlemen :—In January of last year, the City Clerk and City Attorney were instructed to take charge of the fire insurance policies upon the city property, and attend to the renewals of the same.

We would report that the city has been carrying \$10,000 of insurance upon the old bridge across White River, on Washington street, since 1872, at a cost of about \$200 per year. The last policy has expired; and we have not renewed the same, for the reason that we desired the instructions of your honorable bodies, as to whether you wished said insurance kept up. The bridge formerly belonged to the Central Plank Road Company, and was by them sold to the county, in 1871, and, shortly afterwards, the new bridge near to it was built by the city and county jointly. We, therefore, desire to know if

it is the wish of the Council and Board of Aldermen to have the insurance renewed.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

BENJ. C. WRIGHT, City Clerk.

The Street Commissioner submitted the following report ; which was approved :

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

Gentlemen :—I have the honor to submit the following report of work done in my Department, for the month of December, 1877 :

Repaired, with gravel, the following streets : McCarty street, from Illinois street to Delaware street ; and Indiana avenue, from West street to California street.

Repaired the bowldered streets, as follows : Virginia avenue, from Delaware street to Louisiana street ; and Georgia street, from Noble street to East street.

Repaired stone crossing on Fort Wayne avenue, in front of Bushman's Block ; put down stone crossing on St. Mary street, at intersection of Fort Wayne avenue ; repaired stone crossing on Washington and Winston streets ; repaired stone crossing on Indiana avenue and West street.

Paved, with bowlders, the gutter on east side of Pennsylvania street, between Washington and Court streets.

Placed 36 feet of curbing, and paved with bowlders, the gutter on the southwest corner of Delaware and Maryland streets.

Re-floored bridge on W. Washington street, over the Race.

Built five new foot-bridges.

Built nine new culverts.

Repaired 15 bridges.

Cleaned dirt from off bridge on Indiana avenue, over Fall Creek ; cleaned dirt from bridge on W. Michigan street, over Race.

Pay Rolls	\$1,739 01
McDonough & Townsend, coal	1 88
Indianapolis Rolling-Mill Company, cinders	40 00
D. Root & Co., castings	13 37
Clemens Vonnegut, hardware	37 27
Ike King, blacksmithing	15 45
P. E. Everett, repairing fountain	5 25
Hildebrand & King, oak lumber	14 40
Aaron Grube, oak lumber	102 22
Capital City Planing-Mill, lumber	215 61
C. F. Shepard, cement	20 25
Total	\$2,204 71

Respectfully submitted,

LEE A. FULMER, Street Commissioner.

REPORTS FROM BOARDS.

The Hospital Board, through Councilman Izor, submitted the following reports from the Superintendent of the City Hospital and Branch; which were duly received:

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

The following report of the City Hospital and Branch, for the month ending December 31st, 1877, is respectfully submitted:

NO. OF BEDS IN HOSPITAL—100.						
	First Week.	Second Week.	Third Week.	Fourth Week.	Three Days.	Total.
Number of Patients at last report—adults.....	43	37	43	45	45	.....
Number of Patients at last report—infants	4	1	1	4	5	.....
Received New Patients—adults.....	8	14	10	8	1	41
Births, or Received—infants.....	1	1	3	1	.....	6
Discharged—adults.....	14	7	7	8	1	37
Discharged—infants.....	2	1	.....	.....	.....	3
Died—adults.....	.....	1	1	.....	.....	2
Died—infants.....	2	.....	.....	.....	.....	2
Number of Patients remaining—adults.....	37	43	45	45	45	.....
Number of Patients remaining—infants.. ..	1	1	4	5	5	.....
Number of Patients in Branch—adults.....	.....	.....	.....	.....	.....	.....
Number of Patients in Branch—infants.....	.....	.....	.....	.....	.....	.....
Aggregate No. days of Patients in Hospital—adults.....	295	301	315	312	135	1358
Aggregate No. of days Patients in Hospital—infants.....	21	12	17	30	15	95

Total Expenditures for month..... \$994 61
 Expended on account of permanent improvements..... 120 19
 Cash collected and paid to City Treasurer.. .. 31 25
 Net Expenditures for subsistence, etc., during month..... 843 17
 Aggregate number of days subsistence furnished..... 1980
 Average expense per capita per diem of patients and employes... .42.5 cts.

W. H. DAVIS, M. D., Superintendent.

The Fire Board, through Councilman Case, submitted the following report; which was received, and the recommendation, therein contained, was duly concurred in:

Indianapolis, January 7, 1878.

The Fire Board would beg leave to report that the fire engines have not been used in pumping for the Water-Works Company at any time during the time that the present Board have been in the position, nor during the term of the present Council.

The small engine has been in the possession of the Water-Works Company, but it has been for the reason that the Fire Department have no place in which to store it.

We respectfully recommend that the Chief Fire Engineer be authorized to sell the small engine, or "steam-pump," to the Water-Works Company, or whomsoever will purchase it.

Respectfully,

R. S. FOSTER,
J. L. CASE,
JAMES T. LAYMAN,
Fire Board.

The Board of Police, through Councilman Brown, submitted the following report; which was received, and the accompanying official bond was duly approved:

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen:—We herewith report, for your approval, the official bond of Thomas W. Durham, as Turnkey at Central Station House, in the sum of \$1,000, with Fred. Knefler and Geo. F. McGinnis as bondsmen.

Respectfully submitted,

W. D. WILES,
M. L. BROWN,
J. W. BUGBEE,
Board of Police.

REPORTS FROM STANDING COMMITTEES.

The Committee on Gas-Light, through Councilman Izor, submitted the following report; which was duly concurred in:

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

Gentlemen:—Your Committee on Gas-Light, to whom was referred the proposition of the Indianapolis Gas-Light and Coke Company, through the Board of Aldermen, would most respectfully report in favor of concurring in the report of the Aldermanic Committee on Gas-Light, with one exception—that being the selection of a gas expert.

We recommend that the Gas Inspector be selected by the Common Council and Board of Aldermen, when it is deemed expedient to have one.

ALBERT IZOR,
W. H. TUCKER,
T. C. READING,
Committee on Gas-Light.

The Committee on Railroads, through Councilman Case, submitted the following report ; which was duly concurred in :

Indianapolis, January 7, 1878.

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

Gentlemen :—Your Committee on Railroads, to whom was referred the petition of A. W. Hannah and others, asking that the Jeffersonville, Madison & Indianapolis Railroad Company be required to keep a flagman stationed at the crossing of said railroad and Madison avenue, would report that we have had the same under consideration, and would recommend that the prayer of the petition be not granted.

J. L. CASE,
A. L. WRIGHT,
M. STEINHAUER,
Committee on Railroads.

The Committee on Streets and Alleys, through Councilman Watts, submitted the following report ; which was read and considered by clauses, and the first, second, and third clauses were duly concurred in, and the fourth clause was received :

Indianapolis, January 7, 1878.

To the Mayor and Common Council :

Gentlemen :—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report on the following :

1st. Is a remonstrance against the passage of special ordinance No. 37, 1877, for grading, and paving with brick, where not already paved, the south sidewalk of St. Mary street, from Delaware to Alabama street.

Inasmuch as a large majority of the property owners interested in said proposed improvement have remonstrated against the prosecution of same at this time, we recommend that special ordinance No. 37, 1877, be stricken from the files.

2d. Is a motion to instruct the Street Commissioner to fill the chuck-holes in Vermont street, from Pennsylvania to Delaware street.

We recommend this work be done, at an expense not exceeding the estimated cost given by the maker of the motion—viz., five dollars.

3d. Is a motion to instruct the Street Commissioner to lay a double stone crosswalk from the northwest corner of Delaware and New York streets to the southwest corner of Delaware street and Massachusetts avenue.

We recommend that this work be done.

4th. Is a motion to instruct the Street Commissioner to gravel Virginia avenue to the depth of six inches, and otherwise put the street in good con-

dition, from the I., C. & L. R. R. tracks to terminus of said street," was referred to us, with instructions to report the probable expense of said work.

We referred the above matter to the City Civil Engineer, and that officer furnished us with the following estimate: "There will be required about 3,000 yards of gravel, at 40 cents a yard; which will be \$1200, and additional cost of one man to measure the gravel as hauled."

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

Committee on Streets and Alleys.

The Committee on Opening, etc., Streets and Alleys, with the select committee of three Councilmen, to whom the matter had been referred, submitted the following report; which was duly received:

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen:—Your committee, to whom was referred the motion to investigate the practicability of opening Dillon street, from its present northern terminus, to the intersection of Washington street and Michigan Road, would respectfully offer the following report:

We find that the opening of Dillon street would be a very great benefit to the entire east and southeast parts of the city, there being no connection with Washington street for those parts of the city, east of Noble street, and a main thoroughfare in that part is much prayed for.

The street is already open as far north as Meek street. But, from this point, south to Harrison street, it will be necessary to widen the street on the east side; which meets the approval of property owners, who are willing to donate the amount of ground required, on condition that Bobbs street be vacated; which condition we recommend be complied with, as it is not now, nor will it ever be, of benefit, if opened. From Meek street, we are of the opinion, that the most feasible route would be to curve the street a little to the northwest, crossing the Pan Handle and Junction Railroads at the southeast corner of the Allen property, thereby avoiding the railroad-yards; thence north, through an alley, which will have to be widened on the east side from the railroad tracks to Washington street.

There are no buildings or improvements on the proposed route; and your committee believe that the damages will be less than the benefits. Hence,

we recommend that Bobbs street be declared vacated, and that the matter of opening Dillon street be referred to the City Commissioners.

Accompanying report, we submit a diagram of proposed route.

Respectfully submitted,

M. STEINHAUER,

W. G. WRIGHT,

A. L. STONER,

Committee on Opening, etc., Streets and Alleys.

W. H. TUCKER,

M. L. BROWN,

J. L. CASE,

Select Committee.

Above report was concurred in by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Izor, Layman, Marsee, Pouders, Reading, Reed, Sindlinger, Steinhauer, Stoner, Tucker, Watts, and W. G. Wright—18.

Negative—Councilmen Dill, Morse, McGinty, Thomas, Walker, Wood, and A. L. Wright—7.

The Committee on Sellers' Farm submitted the following report and proposition:

Indianapolis, January 7, 1878.

To the Mayor and Common Council:

Gentlemen:—Your committee, to whom was referred a proposition from E. F. Talge & Co., to purchase the cottonwood timber located on the Sellers' Farm, for the sum of one hundred and fifty dollars, beg leave to report as follows:

That we have examined said timber, and recommend that the proposition be not accepted, for the reason that we consider the proposition too low, but would recommend that the accompanying proposition of two hundred dollars be accepted.

W. G. WRIGHT,

M. L. BROWN,

MILTON POUDEUR,

Committee on Sellers' Farm.

Indianapolis, January 7, 1878.

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

Gentlemen:—We propose to give the sum of two hundred dollars for the

bodies of the cottonwood trees located on the Sellers' Farm and owned by the city, said two hundred dollars to be paid before the removal of any of said timber.

E. F. TALGE & CO.

On motion, the above report was concurred in, and the proposition accepted.

REPORT FROM SELECT COMMITTEE.

Councilman Byram, from the select committee appointed at the last regular session, submitted the following report and resolutions :

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

Gentlemen :—Your committee, appointed to report resolutions on the death of John H. Batty, late a member of this Council, would respectfully report the following resolutions :

WHEREAS, John H. Batty, a member of the Common Council during the years 1871, 1872, and 1873, has been removed from our midst by the hand of Death ; Therefore,

Resolved, That we feel that, in his death, the community has lost a good and honest citizen, and one who was ever faithful to the public trusts that were given to his keeping ; who, as a member of this body, labored industriously, not only to advance the interests of those whom he more directly represented, but who always zealously guarded the welfare and interests of the entire city.

That, in his death, his family have lost a kind and affectionate husband and father, and we tender them our warmest sympathy in this their affliction.

Resolved, That these resolutions be spread upon the records of the Council, and the Clerk be directed to prepare and present a copy of the same to the family of the deceased.

N. S. BYRAM,
A. L. WRIGHT,
T. C. READING.

Above report was duly received, and the resolutions were unanimously adopted by a rising vote.

MESSAGE FROM BOARD OF ALDERMEN.

The following message from the Board of Aldermen was received, and the amendment, therein set forth, was unanimously concurred in:

To the Mayor and Common Council:

Gentlemen:—At a regular session of the Board of Aldermen, held Tuesday evening, December 18th, 1877, general ordinance No. 43, 1877, entitled "An ordinance creating a Board of Public Improvements, prescribing their powers and duties, and the manner of their election," was passed, after having been amended; which amendment I herewith submit for your action upon the same, viz.:

Amend section 2, by inserting, after the words "Board of Aldermen," in eighth line, as printed on page 587 of Council Proceedings: "And said Board shall require the Street Commissioner to make monthly itemized statements, verified by affidavits, of the dirt and refuse material sold by him; which shall be by them submitted to the Common Council and Board of Aldermen."

His Honor, Mayor Caven, designated Monday evening, January 21st, 1878, as the date for the assembling of the Common Council and Board of Aldermen in Joint Convention, to elect the first members of the newly-created Board.

APPROPRIATION ORDINANCES.

The Fire Board, through Councilman Case, introduced the following ordinance; which was read the first time:

Ap. O. 1, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

The Hospital Board, through Councilman Izor, introduced the following ordinance; which was read the first time:

Ap. O. 2, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

The Board of Police, through Councilman Brown, introduced the following ordinance; which was read the first time:

Ap. O. 3, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

The Committee on Accounts and Claims, through Councilman Layman, introduced the following ordinance; which was read the first time:

Ap. O. 4, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

The Committee on Printing, Stationery, and Advertising, through Councilman Reed, introduced the following ordinance; which was read the first time:

Ap. O. 5, 1878—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

Councilman Reed was granted leave of absence for the balance of this session.

Appropriation ordinance No. 1, 1878, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote:

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

Negative—None.

Appropriation ordinance No. 2, 1878, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote:

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

Negative—None.

Appropriation ordinance No. 3, 1878; was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

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

Negative—None.

Appropriation ordinance No. 4, 1878, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

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

Negative—None.

Appropriation ordinance No. 5, 1878, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

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

Negative—None.

Councilman Case was granted leave of absence for the balance of the session.

INTRODUCTION OF ORDINANCES.

Councilman Byram presented the following petition ; which was received :

Indianapolis, October 13, 1877.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Mill street, between Sixth and Seventh streets, respectfully petition for the passage of an ordinance providing for the grading and graveling of Mill street and sidewalks, between the points above named.

And your petitioners will ever pray, etc.

JESSE A. HARVEY, 88 feet.

HENRY CLAY, 81 feet.

BERNARD ARCHIBALD, 61 feet.

The same gentleman introduced the following ordinance; which was read the first time :

S. O. 1, 1878—An ordinance to provide for grading and graveling Mill street and sidewalks, from Sixth street to Seventh street.

Councilman Layman introduced the following ordinance; which was read the first time :

G. O. 1, 1878—An ordinance to protect the Fire-Hydrants of the City of Indianapolis.

Councilman Steinhauer introduced the following ordinance; which was read the first time ;

S. O. 2, 1878—An ordinance to provide for grading and graveling Morris street and sidewalks, from Chesnut street to Madison avenue.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bugbee submitted (1) the contract and bond of the Indianapolis Stove Company for erecting lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Bellefontaine street, from Home avenue to Tinker street; and (2) the contract and bond of the Indianapolis Stove Company for erecting lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Peru street, between Home avenue and Tinker street; and, on motion, said contracts were concurred in, and the bonds severally approved.

The same gentleman presented the following petitions; which were received, and referred to the Committee on Finance and City Assessor:

STATE OF INDIANA, *County of Marion.*

To the Common Council of the City of Indianapolis:

Gentlemen.—Your petitioner respectfully represents to your honorable body,

That Garrett Cussin, the husband of your petitioner, died, in the month of June, 1870, intestate.

That, before his death, he deeded the following described real estate to Margaret Cussin, to-wit: Beginning fifty-six feet, one inch, northwestwardly from the point of Michigan street and Indiana avenue, at a point in the line dividing said avenue from the southwest part of square 10, in the City of Indianapolis; thence, northwestwardly, along said line, thirty-two feet; thence, southwestwardly, at right angles with said Indiana avenue, thirty-two feet; thence, south, at right angles with Michigan street, thirty-nine feet, seven inches, to Michigan street; thence, east along Michigan street, twenty-two feet, four inches; thence, north, with Michigan street, seventeen feet, nine inches; and thence, northwestwardly, at right angles with Indiana avenue, thirty-one feet, to Indiana avenue.

That, at the time of his death, he held no real or personal property in his own name; that he left six children—viz., Margaret, Hannah, Mary, Ellen, Eliza, and Anna—and his widow, as his only heirs; that, although said realty is in Margaret's name, your petitioner, and the remainder of said heirs each claim a one-sixth ($\frac{1}{6}$) interest in said realty, which is of the assessed value of \$2,500. The afore described realty, and about \$75 in personal property, is all the property, real or personal, that your petitioner and said heirs have had, at any one time, since the death of Garrett Cussin, or now have any interest in.

That Anna, one of said heirs, died on the — day of March, 1871; that your petitioner and said heirs have remained, since the death of Garrett Cussin, and still are, unmarried females, during which time they have paid the several sums of money named in the receipts on file herewith, aggregating, in amount, the sum of \$106.05, which sum was assessed against, and collected from, your petitioner as taxes said to be due on said realty.

That, by virtue of an Act made to provide for a uniform assessment, etc., approved December 21, 1872 (1 G. & H. p. 73, sec. 7, clause 8), the interest of your petitioner and of said heirs were, under said Act, exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be refunded to her the said sum of \$106.05.

ELIZA CUSSIN.

STATE OF INDIANA, *County of Marion:*

Before the undersigned, a notary public in and for said county, in said State, personally appeared Eliza Cussin, and subscribed her name to the fore-

going instrument, and swore that the matters and things therein contained are true in substance and in fact, as affiant verily believes.

This 26th day of December, 1877.

[SEAL.]

O. A. HAZZARD.

STATE OF INDIANA, *County of Marion* :

To the Honorable Common Council of the City of Indianapolis :

Gentlemen :—The undersigned, your petitioners, respectfully represent to your honorable body—

That, under an Act of the General Assembly of the State of Indiana, entitled "An Act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved December 21st, 1872 (see 1 G. & H., p. 73, Sec. 7), which reads as follows :

"*Property Exempt from Taxation*.—The property, to the amount of \$500, of a widow or unmarried female, or of any female minor whose father is deceased, if her whole estate, real and personal, not otherwise exempt from taxation, does not exceed in value the sum of \$1,000."

Your petitioners represent that, on or about the 14th day of August, 1861, William Hawthorn, the husband of the first of the undersigned petitioners, was killed in the service, leaving said petitioner (his widow) and three children, viz, Melinda, Florence, and Sadie Bell, who were at that time of the respective ages of fourteen, eleven, and two and a half years; that his property, real and personal, did not exceed in value the sum of \$550.

Mary M. Slaughter, the second of your petitioners herein, represents that her husband, John W. Slaughter, died intestate in the year 1870, leaving her, his widow, and four children, viz., James W., Frances, Henry, and O. P. Morton, who were, at that time, of the respective ages of ten, five, three, and one years; that the real and personal property of the said John W. Slaughter did not exceed in value the sum of \$600.

That said widows, your petitioners, by virtue of the law of descent, made and provided in such cases, inherited as follows : The first named, \$300 of the said estate left by her husband, and the second named widow \$500 of the said estate left by her husband. That the said heirs, as children of the deceased, inherited the residue of said estate. Your petitioners represent that, on behalf of themselves and of said heirs, they did, on the 29th day of May, 1872, invest their own and the interests of said heirs in the following described real estate, viz. : All of lots numbered seventeen (17), eighteen (18), and nineteen (19), except one hundred feet off of the east end of said lots, and forty feet off of the south side of lot numbered seventeen (17), in the Peru & Indianapolis Railroad Subdivision, in the City of Indianapolis, of the value of \$900.

That on the _____ day of _____, 1870, Melinda, one of the above named heirs, was married, and has since that time remained a married woman; that

on the 14th day of September, 1861, Saidie Bell, one of the above named heirs, died; that all the other heirs heretofore named are now living and unmarried, and still retain an interest in the realty hereinbefore described. And your petitioners respectfully represent that since the death of their said husbands they have remained and still are unmarried women; that the realty hereinbefore described, together with personal property to the amount of about \$75 each, is all the property, real and personal, that has come into their possession, or which the said heirs have had any interest in since the death of said husbands; that since they have remained widows and parents of said heirs, and since the enactment of the said law hereinbefore set out, they have paid the several sums of money named in the receipts filed herewith, aggregating in amount the sum of \$55.69, which sum was assessed against the said property, and collected from the said widows, at various times, as shown by the receipts on file herewith; that, by virtue of an Act "to provide for a uniform assessment of taxes," etc., approved December 21st, 1872, and hereinbefore named and set out, the interests of said widows, and of said Frances, the female heir of the said John W. Slaughter, deceased, and of the said Florence J., female heir of the said William Hawthorn, deceased, were, under said Act, exempt from taxation.

Therefore, your petitioners pray that your honorable body cause to be refunded to them the amounts so assessed and collected as taxes from the said widows and said heirs Frances Slaughter and Florence J. Hawthorn.

MARY M. SLAUGHTER,
NANCY A. HAWTHORN.

STATE OF INDIANA, *Marion County* :

Before me, the undersigned, a notary public in and for the said county, in the said State, personally appeared Nancy A. Hawthorn and Mary M. Slaughter, who subscribed their names to the foregoing instrument, and swore that the matters and things therein contained are true in substance and in fact.

This 24th day of December, 1877.

[SEAL.]

O. A. HAZZARD, N. P.

STATE OF INDIANA, *County of Marion* :

To the Common Council of the City of Indianapolis :

Gentlemen :—Your petitioner respectfully represents to your honorable body that, on the 1st day of November, 1870, John Coulter, who was then the husband of your petitioner, died intestate, the owner in fee simple of the following described real estate, to-wit: Lot No. 16, in Commissioners' Sub. of lots 16, 17, and 18 of James VanBlaricum's subdivision of out-lot 14, in the City of Indianapolis, of the assessed value of \$1,500.

That, at the time of his death, he left your petitioner (his widow) and two minor heirs—viz., Nancy and Andrew Coulter.

That said widow and heirs, by virtue of the law of descent, made and provided in such cases, each inherited a one-third interest in the realty before described—this being all the real estate your petitioner and said heirs have had any interest in since the death of said John Coulter.

That their personal property has not, at any one time, exceeded in value the sum of \$50.

Your petitioner, further says that, while she was unmarried, and the widow of said John Coulter and parent of said heirs, she has paid the several sums of money named in the receipts filed herewith, aggregating in amount the sum of \$58; which sum was collected as taxes claimed to be due on said real estate at various times, as is shown by receipts on file herewith; that, by virtue of an Act to provide for a uniform assessment of taxes, etc., approved December 21st, 1872 (1st G. & H. p. 73, sec. 7, clause 8), the interest of your petitioner and of said heir, Nancy Coulter, were, under said Act, exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be returned to her two-thirds of said taxes, collected as aforesaid.

Her
ELIZABETH \times HENNESSEY.
mark.

STATE OF INDIANA, *County of Marion* :

Before the undersigned, a notary public in and for said county, in said State, personally appeared Elizabeth Hennessey, and acknowledged her signature to the foregoing instrument, and swore that the matters and things therein contained are true in substance and in fact, this 26th day of December, 1877, as affiant verily believes.

[SEAL.]

O. A. HAZZARD, N. P.

STATE OF INDIANA, *County of Marion* :

To the Common Council of the City of Indianapolis :

Gentlemen:—Your petitioner represents to your honorable body that, on the 20th day of November, 1872, William Johnson, who was then the husband of your petitioner, died intestate and without issue, the owner in fee simple of the following described real estate, to-wit: Lot number 9 of Hill's Sub. of lot No. 1, Block No. 8, out-lot No. 157 of Harris' Addition to the City of Indianapolis, in the State of Indiana, of the assessed value of \$500.

That, at the time of his death, he left your petitioner his widow; that said widow, by virtue of the law of descent, made and provided in such cases, inherited the real estate above described—this being all the property, real and personal, that has come to her possession from the death of said Wm. Johnson, to this — day of December, 1877.

That, since your petitioner has been the widow of said William Johnson, she has paid the several sums of money named in the receipts filed herewith,

since 1872, aggregating in amount the sum of \$16.07; which sum was collected from said widow as taxes claimed to be due on said real estate, at various times, as shown by said receipts.

That, by virtue of an Act to provide "for uniform assessments of taxes," etc., approved December 21st, 1872 (see 1 G. & H., p. 73, Sec. 7, clause 8), the property of said widow, under said Act, was exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be refunded to her the said amount of taxes, so collected as aforesaid.

Her
MARY E. JOHNSON.
mark.

STATE OF INDIANA, *County of Marion* :

Before me, the undersigned, a notary public in and for said county, in said State, personally appeared Mary E. Johnson, and subscribed her name to the foregoing instrument, and swore that the matter and things therein contained are true in substance and in fact, as affiant verily believes.

This 24th day of December, 1877.

[SEAL.]

O. A. HAZZARD, N. P.

STATE OF INDIANA, *County of Marion* :

To the Honorable Common Council of the City of Indianapolis :

Gentlemen :—The undersigned, your petitioner, respectfully represents to your honorable body, that her husband, Joseph Kay, died intestate on the — day of May, 1866, leaving the undersigned (his widow), and five children—viz., Sholta, Sarah, Hanna, and Joseph.

That his property, at the time of his death, real and personal, did not exceed in value the sum of \$550.

That, by virtue of the law of descent, made and provided in such cases, your petitioner inherited \$300 of said estate; that, by virtue of said law, each of said heirs inherited a one-fifth interest in the residue of said estate.

Your petitioner says that she and said heirs have purchased, with their own earnings, and with a part of said estate, the following property, to-wit: Lot No. 82, in Wiley & Martin's subdivision of out-lots 10, 31, and 184, in the City of Indianapolis, of the assessed value of \$1600; that your petitioner and said heirs each retain a one-sixth interest in the realty last named, this being all the property, real or personal, that said widow and female heirs have owned or had any interest in, since the death of said Joseph Kay, with the exception of about \$100 in personal property.

Your petitioner also says that Mary, one of said heirs, was married on the 13th day of March, 1873; that Sarah, another of said heirs, was married on the 30th day of December, 1869—since which time they have remained married; that all of said heirs are now living, and still retain a one-sixth interest, each, in said realty, has remained the widow of said Joseph Kay, and, since

1872, she has paid, in her own behalf and in behalf of said heirs, the several sums of money named in the receipts on file herewith, aggregating in amount the sum of \$40.17; which sum was assessed against said realty as taxes claimed to be due thereon, and so collected from the undersigned.

That, by virtue of an Act "made to provide for a uniform assessment of taxes," approved December 21st, 1872 (see 1st G. & H. p. 73, sec. 7, clause 8), the interest of your petitioner and of said female heirs, Sholta and Hannah, was exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be refunded to her the sum of \$20.08, this being the amount paid in behalf of herself and the said two unmarried females.

HANNAH KAY.

STATE OF INDIANA, *County of Marion* :

Before the undersigned, a notary public in and for said county, in said State, Hannah Kay subscribed her name to the foregoing instrument, and swore that the matter and things therein contained are true in substance and fact, this 26th day of December, 1877, as affiant verily believes.

[SEAL.]

O. A. HAZZARD, N. P.

STATE OF INDIANA, *County of Marion* :

To the Common Council of the City of Indianapolis :

Gentlemen :—Your petitioner respectfully represents to your honorable body, that her husband, James Madison Norris, died on the 10th day of April, 1867, intestate and the owner in fee simple of the following described property, to-wit: Lot No. —, in the town of Hope, in Bartholomew county, in the State of Indiana, of the value of \$1200.

That, at the time of his death, he left your petitioner (his widow) and four children, his heirs, viz., Zenith, Naomi, Ella, and James Norris.

That said widow, by virtue of the law of descent, made and provided, inherited a one-third ($\frac{1}{3}$) interest in said estate; that each of said heirs, by virtue of said law, inherited a one-fourth ($\frac{1}{4}$) interest of the remaining two-thirds ($\frac{2}{3}$) of said estate.

That said widow, in behalf of herself and said heirs, sold said real estate, on the 22d day of June, 1872, and re-invested the proceeds of said sale, for the benefit of herself and said heirs, in the following described real estate in Marion county, in the State of Indiana, to-wit: Lots Nos. 5 and 6, in Geo. O. Kingsbury's Sub. of lot 24, in Jas. R. Pratt's Sub. of out-lot No. 171, in the City of Indianapolis, of the assessed value of \$3,050.

That, on the 5th day of June, 1876, your petitioner, in behalf of herself and said heirs, sold the real estate last described, and, on the 10th day of June, 1873, re-invested the proceeds of said sale, as aforesaid, in the following property, to-wit: Lot 9, in Alvord & Co.'s Sub. of Butler & Fletcher's Addi-

tion to College Corner, in the City of Indianapolis, of the assessed value of \$2,400.

Your petitioner says that she and said heirs have each a one-fifth (1-5) interest in the realty, on which the taxes named in the receipts, on file herewith, was paid; that the interest of your petitioner, and of each of said heirs, in real and personal property, has not, at any one time since the death of James Madison Norris, exceeded in value the sum of \$650 each.

Your petitioner says that, previous to 1872, two of said heirs, viz., Naomi and Zenith, married, since which time they have remained married women.

That, since your petitioner has remained the widow of James Madison Norris, she has paid, in her own behalf and in behalf of said heirs, the sum of \$105.45, as named in the receipts on file herewith; which sum was assessed against and collected from your petitioner, as taxes claimed to be due on said realty.

That, by virtue of an Act, made to provide for a uniform assessment of taxes, approved December 21st, 1872 (see 1 G. & H., p. 73, Sec. 7, clause 8), the interest of your petitioner and of said unmarried female heir, Ella, were exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be refunded to her \$32.18, which is the amount so paid in behalf of herself and said heir Ella.

SALLY A. NORRIS.

STATE OF INDIANA, *County of Marion*:

Before the undersigned, a notary public in and for said county, in said State, personally appeared Sallie A. Norris, and subscribed her name to the foregoing instrument, and swore that the matters and things therein contained are true in substance and in fact, this — day of December, 1877, as affiant verily believes.

[SEAL.]

O. A. HAZZARD, N. F.

Councilman Cochran offered the following resolution:

WHEREAS, An ordinance entitled "An ordinance to amend the charter-ordinance entitled 'An ordinance authorizing the construction, extension, and operation of certain Passenger Railways in or upon the streets of the City of Indianapolis,'" ordained and established the 4th day of November, 1867, has expired by reason of limitation, set forth in section three of said ordinance; and is substituted by the fifth and sixth sections of the original charter-ordinance, to which it was amendatory;

AND, WHEREAS, Said charter-ordinance provides that "the track of any such railway shall be composed of the most approved rail, and shall be laid so as to conform to the established grades of the streets, and in such manner as to be no unnecessary impediment to the ordinary use of the streets, and the passage of wagons, carriages, and other vehicles upon, along, or across

said track, at any point, and in any and all directions; and shall bowlder the space between the rails of the track, and shall pave, bowlder, or otherwise improve (as the street may be) two feet on the outside of each rail, so as, at all times, to correspond with the street outside, and keep the same, together with all the bridges at the crossings of gutters, in good repair";

AND, WHEREAS, The "Citizens' Street Railway Company of Indianapolis" have not complied, and are not complying, with the provisions of the charter-ordinance, above recited, but have virtually abandoned and allowed a portion of its line to fall into disuse, and obstruct some of the streets of the city, to the great detriment and injury of the citizens. And other portions of its, though operated, has fallen into such bad state of repair and unskillful operation, that it does not afford the accomodation and comfort to the passenger-public contemplated by its charter; therefore,

Resolved, That the Common Council do hereby respectfully call the attention of the "Citizens' Street Railway Company of Indianapolis" to the facts above recited, and that it is hereby requested to communicate, in writing, with the Council, at its next regular meeting, and set forth, under oath, what the city may reasonably expect of it in the future.

Resolved, That the City Clerk, immediately after the passage of these resolutions, prepare duplicate copies, and serve one of them upon the proper officer of said company, and endorse his return upon the other, showing upon whom the same was served, and the date thereof, and report the same to the next regular meeting of the Common Council.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Cochran, Dill, Izor, Layman, Marsee, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—21.

Negative—None.

The same gentleman offered the following motions; which were severally adopted:

Moved, That the Committee on Gas-Light be instructed to take the proper steps to have the street-lamps re-arranged, so as to light the alleyways that are dark by reason of improper location of said lamps.

Moved, That the City Marshal be directed to notify the Water-Works Company of the unsafe condition of one of their excavations for pipe at the intersection of College avenue and Seventh street, and direct the company to place it in repair.

The same gentleman offered the following motions ; which were severally referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be ordered to construct cinder foot-crossings at the following places :

- Home avenue, at the intersection of Central avenue, east side.
- Central avenue, at the intersection of Home avenue, north side.
- Seventh street, at the intersection of Central avenue, east side.
- Central avenue, at the intersection of Christian avenue, north side.
- College avenue, at the intersection of Lincoln avenue, south side.
- College avenue, at the intersection of Butler street, north side.

Moved, That the following stone foot-crossings be constructed :

- College avenue, at the intersection of Christian avenue.
- Christian avenue, at the intersection of Central avenue.

Councilman Dill offered the following motion ; which was adopted :

Moved, That Roll & Morris have permission to lay a stone crosswalk in front of their place of business, No. 32 S. Illinois street, under the direction of the City Civil Engineer, at their own expense.

The same gentleman offered the following motion ; which was referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be instructed to lower the gutter under the foot-bridges on Tennessee street, at the crossing of Vermont street.

Councilman Izor presented the following invitation ; which was accepted :

CITY HOSPITAL, Indianapolis, January 7, 1878.

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

Gentlemen :—You are respectfully invited to visit the City Hospital, in body or otherwise, and at a time suitable to your own convenience.

Respectfully,

W. H. DAVIS, Superintendent.

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

Indianapolis, January 7, 1878.

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

Your petitioner, John R. Nickum, respectfully represents that he is the owner of lot 8, in Allen May's Addition to the city; that said lot is assessed for taxation, for 1877, at \$3,800—*i. e.*, \$3,400 for the realty, and \$400 for improvements; that this assessment is nearly double the actual value of the property; that your petitioner recently purchased the same for \$2050; that this was the highest price said property would bring, though offered at public and private sale, by advertisement, and personal solicitation, for four or five months last past; that the improvements are not tenantable.

Wherefore, your petitioner prays that said assessment be reduced to the actual, or market, value of the property—*viz.*, \$2050, or such sum as may seem proper, and that the Assessor, or other proper officer, be directed to list said property for taxation for 1877 at \$2050, or its actual value; or that the Assessor, or other proper officer, be directed to re-appraise or re-assess said property for taxation for 1877, at its real value—which ever may seem best—the present assessment being, as your petitioner believes, unjust and oppressive.

All of which is respectfully submitted.

JOHN R. NICKUM.

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

To the Common Council of the City of Indianapolis:

We, your petitioners, would respectfully ask you to have a flag-stone crossing put down on Washington street, at the east side of alley between New Jersey and East streets, and we will be much accommodated.

December 26th, 1877.

H B McCune, Church & Son, H M Socwell, H H Hall, H H Hutchins, H Frauer, Power & Langdon, James Bollinger, Chas Seller, Langsdale & Son, Andrew Steffen, Frank Lindemann, Jacob Dorbecker, David Munson, E C Brundage, L S Segan, C Girton, F W Arnholter, Anton Schmidt, Hubert Recker, Fred Schildmeier, W Cook & Co, L H Miller.

Councilman Reading offered the following motions; which were severally referred to the Committee on Railroads:

Moved, That Glazier & Morris be instructed to bowlder or plank between their tracks, at the crossing of Pennsylvania street, the same to be done within twenty days.

Moved, That the Committee on Railroads be instructed to notify the Union Railway Company to bowlder or plank between its tracks, at the crossing of Pennsylvania street, the same to be done within twenty days.

Councilman Steinhauer offered the following motion ; which was adopted :

Moved, That the City Marshal be instructed to notify the I., C. & L. Railroad Company to plank between its tracks on Alabama street, the same to be done in thirty days.

Councilman Thomas offered the following motion ; which was referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be instructed to clean the gutter and fill the chuck-holes in Kentucky avenue, between Maryland and Missouri streets.

Councilman Tucker offered the following resolution :

Resolved, That the following described tract of land, belonging to the City of Indianapolis, to wit, the west half of the northeast quarter of section twenty-four (24), town fifteen (15), range three (3) east, in Marion county, Indiana ; and all that part of lots numbered sixteen (16), seventeen (17), and eighteen (18), of William Y. Wiley's Commissioners' Subdivision of the east half of the northwest quarter of section twenty-four (24), town fifteen (15), north of range three (3) east, which lies east of the centre of the main track of Jeffersonville, Madison & Indianapolis Railroad, and known as the "Southern Park," in Marion county, Indiana, be annexed to, and form a part of, the corporation of the City of Indianapolis, and shall be taken to be and form a part of Ward No. 22, of said city.

Councilman Bagby moved to refer above resolution to the Committee on Streets and Alleys.

On Councilman Dill's motion, the preceding motion to refer was laid on the table.

The resolution was then adopted by the following vote :

Affirmative—Councilmen Brown, Bugbee, Byram, Cochran, Dill, Izor, Layman, Marsee, Reading, Sindlinger, Steinhauer, Stoner,

Thomas, Tucker, Walker, Watts, Wood, A. L. Wright, and W. G. Wright—19.

Negative—Councilmen Bagby, Morse, and McGinty—3.

The same gentleman offered the following motion :

Moved, That, inasmuch as the present force is inadequate to keep the present city quarters in a cleanly condition, the City Janitor be authorized to employ additional help, at a cost not to exceed \$7.50 per week.

Councilman Thomas moved to defer action on preceding motion until next regular session.

Councilman Marsee moved, as an amendment, that the motion be referred to the Committee on Public Buildings ; which reference was made.

Councilman Watts offered the following motion ; which was adopted :

Moved, That the City Marshal be instructed to remove a fence, belonging to Robert Chism, on Blackford street, which fence is in the street, contrary to law.

Councilman A. L. Wright presented the following petition ; which was referred to the Committee on Accounts and Claims, with the City Attorney and City Assessor :

Indianapolis, January 7, 1878.

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

Gentlemen :—Your petitioner would respectfully represent that, on the 14th day of February, 1877, at the city tax-sale held on that day, he purchased, at public sale, under certificate No. 15,669, the following described property, to-wit: The middle one third ($m \frac{1}{3}$) of west one-fourth ($w \frac{1}{4}$) (lot thirteen 13) of out-lot No. seventy-two (72), in the City of Indianapolis, Marion county, Indiana, for the sum of one hundred and two dollars and sixty-nine cents (\$102.69).

The above sale was erroneous, for want of proper description. The correct description should read as follows: "Except twenty (20) feet of the south side the middle one-third ($m \frac{1}{3}$) northwest one-fourth ($n w \frac{1}{4}$) of out-lot No. seventy-two (72), in the City of Indianapolis, Marion county, Indiana.

Your petitioner would, therefore, ask and demand that the amount of purchase money—one hundred and two dollars and sixty-nine cents (\$102.69), with interest at the rate of six per cent. per annum from date of sale—be refunded to him, and the amount be carried to the property erroneously sold.

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

FRANK McWHINNEY,

By J. T. LECKLIDER, Att'y in fact.

The same gentleman offered the following resolution :

WHEREAS, On the 26th day of March, 1877, the Common Council allowed a certain estimate, in favor of John Greene, for grading and graveling Wisconsin street and sidewalks, from Mississippi street to Meridian street ;

AND, WHEREAS, In said estimate, the Indianapolis Water-Works Company were assessed, for certain strips of ground, the sums of \$144.00 and \$118.13, respectively, which assessments are erroneous, for the reason that the same should have been made against the Indianapolis, Cincinnati & Lafayette Railroad Company ;

AND, WHEREAS, On the 5th and 6th days of November, 1877, the Common Council and Board of Aldermen ordered its certain precepts to issue against said Water-Works Company ; Therefore, be it

Resolved, by the Common Council and Board of Aldermen, That the action heretofore had, in ordering said certain precepts to issue, be, and the same is hereby, reconsidered and annulled, and all proceedings had upon said precepts are hereby declared null and void ; and the City Civil Engineer is hereby directed to prepare and report a new and correct estimate in favor of said John Greene, and said John Greene is hereby permitted to file new affidavits for precepts.

Which was adopted by the following vote :

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

Negative—None.

Councilman Byram offered the following motion :

Moved, That the City Treasurer be directed to postpone the advertisement of property delinquent for sewer assessment on N. Illinois street, in all cases where the property is not also delinquent for taxes.

Councilman Thomas moved to lay the preceding motion on the table; upon which proposition "a call of the ayes and nays" was demanded, and said motion was laid on the table by the following vote:

Affirmative—Councilmen Brown, Izor, Layman, Marsee, McGinty, Steinhauer, Stoner, Thomas, Tucker, Wood, A. L. Wright, and W. G. Wright—12.

Negative—Councilmen Bagby, Bugbee, Byram, Cochran, Dill, Morse, Reading, Sindlinger, Walker, and Watts—10.

Councilman Marsee moved to adjourn. Lost.

Councilman Watts was granted leave of absence for the balance of this session.

ORDINANCES ON SECOND READING.

Councilman Brown called up the following special ordinances; which were read the second time, viz.:

S. O. 38, 1877—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Fletcher avenue, from Dillon street to Linden street.

S. O. 39, 1877—An ordinance to provide for the erection of lamp-posts, lamps, and fixtures, complete to burn gas, except the service-pipes, on Olive street, from Prospect street to Pleasant Run.

A motion was made to order the engrossment of the preceding two ordinances; which motion, Councilman Thomas moved to lay on the table. Lost.

Special ordinances Nos. 38 and 39, 1877, were then ordered to be engrossed.

Councilman A. L. Wright moved to take up general ordinance No. 44, 1877.

Councilman Thomas moved to postpone all action upon this ordinance until next regular session. Lost.

Aforesaid ordinance was then ordered to be taken up by the following vote :

Affirmative—Councilmen Bagby, Byram, Cochran, Dill, Izor, Layman, Marsee, Morse, Reading, Steinhauer, Stoner, Tucker, and A. L. Wright—13.

Negative—Councilmen Brown, Bugbee, McGinty, Sindlinger, Thomas, Walker, Wood, and W. G. Wright—8.

G. O. 44, 1877—An ordinance regulating the Weighing and Sale of Coal and Coke in the City of Indianapolis,

Was then read the second time.

Councilman Thomas offered this amendment: Section 2, fourth line, as printed on page 613, *ante*—Strike out the words “twenty-five dollars,” and insert “fifty dollars for each yard and yard-office and for one other office, the latter to be located at any other point in the city.”

Councilman Bagby moved to amend the preceding proposed amendment, by making the designated license “ten dollars.”

Councilman Dill moved to amend proposed amendment of the amendment, by changing the charge for license back to “twenty-five dollars.”

Votes were taken on each of the above proposed amendments in their inverse order, and they were severally lost.

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A motion to order the engrossment of aforesaid ordinance, as printed, was lost by a vote of 7 to 10.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk.