

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—AUGUST 5, 1878.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, August 5th, A. D. 1878, at eight o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and the following members: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Oll, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright—25.

ABSENT—None.

The Proceedings of the Common Council, for the regular session, held on June 3d, for the special session, held on June 8th, and of the Joint Meetings on the Gregg Bequest, held on June 8th and 10th, having been printed, and placed on the desks of the Councilmen, said proceedings were approved as published.

Sealed proposals for making the below-described improvements [under the provisions of the special ordinances noted before the several descriptions], were opened and read by the City Clerk, and were then referred to the Committee on Contracts:

- S. O. 16, 1878—For grading and graveling the first alley west of Blake street, from New York street to Michigan street.
- S. O. 17, 1878—For grading and graveling Butler street and the sidewalks thereof (where not already improved), from Central avenue to College avenue.
- S. O. 19, 1878—For grading and graveling the alley between Bellefontaine avenue and Ash street, from Eighth street to Ninth street.
- S. O. 28, 1878—For grading and graveling the first alley south of South street, between Missouri and Mississippi streets.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Brown, submitted

the following report; which was concurred in, and the several contracts were duly awarded, as therein recommended:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Contracts, to which was referred certain proposals presented to Council on July 15th, 1878, for painting sundry bridges, have examined the same, and find that the following named persons are the lowest bidders for painting the bridges named:—

Archer street bridge over Pogues Run, Wm. H. Neff, for.....	\$2 00
Clifford avenue bridge over Pogues Run, Wm. H. Neff, for.....	4 00
First street bridge over Canal, Wm. H. Neff, for.....	4 00
Third street bridge over Canal, Wm. H. Neff, for.....	2 00
West street bridge over Canal, Wm. H. Neff, for.....	4 00
Indiana avenue bridge over Canal, O. T. Bowen, for.....	7 00
Michigan street bridge over Mill Race, O. T. Bowen, for.....	5 00
New York street bridge over Canal, O. T. Bowen, for.....	7 00
Noble street bridge over I., C. & L. R. R. tracks, O. T. Bowen, for.....	7 00
Illinois street bridge over Pogues Run, Wm. M. McPherson, for.....	5 00
Morris street bridge over Pogues Run, Wm. M. McPherson, for.....	4 00
Reid street bridge over Pleasant Run, Wm. M. McPherson, for.....	6 00
Washington street bridge over Canal, Wm. M. McPherson, for.....	5 00
Meridian street bridge over Pogues Run, J. Henry Ballman, for.....	4 50
North street bridge over Canal, J. Henry Ballman, for.....	9 00
Shelby street bridge over Pleasant Run, J. Henry Ballman, for.....	4 00
Olive street bridge over Pleasant Run, Ira C. Webb, for.....	11 00
Ohio street bridge over Canal, Ira C. Webb, for.....	7 00
National Road bridge over Canal, Smith & Costillo, for.....	4 48
Tennessee street bridge over Pogues Run, C. R. Loucks, for.....	8 00

Your committee recommend that the contracts for painting the aforesaid bridges be awarded to the several persons named, and for the amount per bridge designated in the foregoing schedule.

Respectfully submitted,

M. L. BROWN,
T. C. READING,
M. H. McKAY,
Committee on Contracts.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

HEADQUARTERS COMMITTEE OF INVITATION FOR
ENTERTAINMENT SUPREME LODGE K. OF P. OF THE WORLD,
Indianapolis, July 22, 1878.

Hon. JOHN CAVEN, Mayor.

Dear Sir:—The Committee of Invitation for Entertainment of Supreme Lodge K. of P. of the World would respectfully solicit the pleasure of your company, at the Grand Parade and Reception, to be given at Indianapolis, on Tuesday, August 27th, 1878, and would request that you deliver a short address at the Exposition Grounds, as indicated in programme herewith enclosed.

We would also extend, through you, an invitation to the members of the City Council and Board of Aldermen, and would request that you present to them this invitation.

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The procession will move from Grand Hotel, at two o'clock P. M. of said day, where carriages will be in waiting.

Trusting yourself and the two bodies of the city government will be able to accept this invitation (the acceptance or rejection of which please signify to A. M. Preston, Esq'r, No. 10 W. Louisiana street, city), we are,

Very respectfully, yours,
CHAS. O. LEHMAN, Chairman Committee of Invitation.

REPORTS, ETC., FROM CITY OFFICERS.

The Superintendent of the City Hospital and Branch submitted the following report; which was 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 July 31st, 1878, 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.....	47	47	47	51	54	.....
Number of Patients at last report—infants.....	5	4	7	7	2	.....
Received New Patients—adults.....	10	12	16	15	5	58
Births, or Received—infants.....	1	3	3	...	1	8
Discharged—adults.....	9	11	11	12	8	51
Discharged—infants.....	2	3	3	4	1	10
Died—adults.....	1	1	1	...	...	3
Died—infants.....	...	...	...	1	...	1
Number of Patients remaining—adults.....	47	47	51	54	51	.....
Number of Patients remaining—infants.....	4	7	7	2	2	.....
Number of Patients in Branch—adults.....	.....	.....	.....	.....	.....	.....
Number of Patients in Branch—infants.....	.....	.....	.....	.....	.....	.....
Aggregate No. of days of Patients in Hospital—adults.....	342	359	337	378	158	1567
Aggregate No. of days of Patients in Hospital—infants.....	34	46	49	31	5	165

Total expenditures for month.....\$895 14
 Cash collected, and paid to City Treasurer..... 36 00
 Net expenditures for the month..... 859 14
 Aggregate number of days subsistence furnished..... 2259
 Average expense per capita per diem.....38.02 cents.

W. H. DAVIS, Superintendent.

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

To the Mayor and Common Council:

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

Indiana Cement Pipe Company, by John W. Dodd, president, vs. John Carlisle, for.....\$77 81
 John Greene vs. August Halle, for..... 1 75

(And recommend that you order the precepts to issue.)

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

And the precepts therein recommended were ordered to be issued by the following vote:

AYES, 25—viz: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The same officer submitted the following reports; which were severally referred to the Committee on Finance:

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 July, 1878.

Bridges	\$ 502 90
City Assessor's Assistants.....	309 50
City Civil Engineer's Department.....	117 55
City Hospital and Branch	970 73
City Dispensary	333 33
Costs	168 10
Damages.....	250 00
Fire Department.....	5,171 07
Gas.....	6,998 10
Gregg Bequest.....	290 25
Incidentals.....	208 75
Market-Masters' Fees	14 25
Nuisances.....	175 00
Office fixtures	17 65
Parks	285 35
Percentage	5,564 46
Police	3,426 32
Posting bills	12 00
Printing, Stationery, and Advertising.....	685 25
Salary	2,054 52
Sewers.....	198 89
Station Houses.....	268 36
Street improvements.....	17 10
Street repairs.....	2,116 38
Taxes refunded	408 14
Tomlinson Estate.....	41 37
Total.....	\$ 30,600 32

Respectfully submitted, BENJ. C. WRIGHT, City Clerk.

Report of Wm. M. Wiles, City Treasurer, for the month of July, 1878, 1st to 31st, inclusive:

RECEIPTS.

Balance on hand as per report June 30 1878	\$289,887 26
From delinquent taxes.....	7,584 52
From auction license	10 00
From dog licenses.....	1,024 50
From coal licenses.....	25 00
From dray licenses	32 00
From express licenses	48 00
From fines and fees (City Court).....	41 60
From hack licenses.....	24 00

From hucksters' licenses.....	\$	24	00
From market fees.....		291	78
From market rents.....		1461	00
From peddlers' licenses.....		39	00
From promiscuous.....		260	00
From show licenses.....		30	00
From tapping sewers.....		30	00
		\$300,812	66

DISBURSEMENTS.

For Fire Department.....	\$	5,116	66
For Police.....		3,521	07
For street repairs.....		2,145	57
For City Hospital and Branch.....		893	08
For Civil Engineer's Department.....		117	55
For City Assessor's Assistants.....		309	50
For bridges.....		502	90
For City Dispensary.....		333	33
For costs.....		156	00
For damages.....		225	00
For elections.....		19	00
For gas.....		6,998	10
For Gregg Bequest.....		290	25
For incidentals.....		219	25
For Market-Masters' fees.....		14	25
For nuisances.....		175	00
For office fixtures.....		17	65
For parks.....		285	35
For percentage.....		5,564	46
For posting bills.....		12	00
For printing, stationery, and advertising.....		685	25
For salary.....		1,620	15
For sewers.....		198	89
For Station House.....		269	61
For street improvement.....		18	59
For taxes refunded.....		403	14
Balance cash on hand.....		270,701	06
		\$800,812	66

TOMLINSON ESTATE.

Balance on hand, June 30, 1878, as per report.....	\$	16,814	46
From rents collected.....		217	00
		\$ 17,031	46
For repairs.....		41	37
Balance on hand.....		16,990	09
		\$ 17,031	46
Balance on hand, general fund.....	\$	270,701	06
Balance on hand, Tomlinson estate.....		16,990	09
Total balance.....	\$	287,691	15

Respectfully submitted,
WM. M. WILES, City Treasurer.

This report does not include expenditures made on account of School Fund \$125,000, and July interest \$60,322.75, total, \$185,322.75, for the reason that war-

rants have not been issued to enable me to take credit for the same. The actual cash balance in my hands, at this date, on account of general fund, is \$85 378.31.
 WM. M. WILES, City Treasurer.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Benevolence and Hospitals, through Councilman Walker, presented the following report; which was received:

Report of the City Dispensary for July, 1878.

Number of visits made in District "North"	33
Number of visits made in District "South"	80
Number of patients prescribed for at Dispensary	355
Number of surgical cases	66
Number of prescriptions filled	743
Number of vaccinations	3
Number of teeth extracted	10
Number of births	1
Number of deaths	1

Respectfully submitted,

OTTO E. MUELLER, Ph. G.

Indianapolis, Aug. 1, 1878.

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

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

Gentlemen:—Your Committee on Bridges, to whom was referred the motion to examine and report the expense of building a foot-way over the L. C. & L. R. R. tracks on Benton street, also to report for or against said foot-way being built, would make the following report:

We believe the cost will not exceed \$100, inasmuch as the material from the Viaduct can be used. We would, therefore, recommend said bridge be built, under the direction of the Street Commissioner and the Board of Public Improvements.
 Most respectfully submitted,

THOS. J. MORSE,
 MARTIN MCGINTY,
 HENRY BERMAN.

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

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

Gentlemen:—Your committees, to whom was referred Alderman Ridenour's motion to purchase argand (gas) burners for City Clerk and City Treasurer's offices, report that they have purchased two such burners, complete for use, at a total expense of eighteen dollars.

M. M. CUMMINGS,
 WM. H. TUCKER,
 C. H. O'BRIEN,

Council Committee on Gas-Light.

D. W. GRUBBS,
 T. E. CHANDLER,
 Aldermanic Committee on Gas-Light.

The same committee also submitted the following report; which was concurred in, except that gas was ordered to be continued in the prisoners' rooms in the Station Houses:

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

Gentlemen:—Your committees, to whom was referred the matter of lighting the engine and station houses with coal-oil lamps would report, that Headquarters of Fire Department has been supplied and so lighted during the past week, and the light is entirely satisfactory.

We, therefore, ask for instructions to purchase lamps for the other engine houses and station house, and to purchase oil, and oil-tanks, etc., necessary for such lighting.

M. M. CUMMINGS,

W. H. TUCKER,

C. H. O'BRIEN,

Council Committee on Gas-Light.

T. E. CHANDLER,

D. W. GRUBBS,

Aldermanic Committee on Gas-Light.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The message from the Board of Aldermen [which is printed on page 280, *ante*], was taken up, and duly considered.

The Common Council concurred in the following Aldermanic amendments to General Ordinance 13, 1878, viz.: To Secs. 21, 27, 28 (clauses 3 and 7), 55, 56, and 68.

And refused to adopt the amendments made to Secs. 17 and 63—non-concurring in the latter amendment by the following vote:

AYES, 9—viz.: Councilmen Anderson, Brown, Cummings, Layman, Marsee, Morris, McKay, Walker, and Wright.

NAYS, 16—viz.: Councilmen Bermann, Bruner, Dill, Maus, Morse, McGinty, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, and Wiese.

On Councilman Walker's motion, General Ordinance 13, 1878, was then referred to the Committee on Revision of Ordinances and the City Attorney, to be engrossed, as amended.

The following message from the Board of Aldermen was duly received:

To the Mayor and Common Council:

Gentlemen:—I herewith transmit certain papers, originated by the Board of Aldermen, upon which favorable action was had, at the meeting of said Board, held Tuesday evening, July 30th, 1878.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The accompanying Aldermanic motions were severally read, and duly adopted, viz. :

Moved, That the Committee on Printing be instructed to ascertain and report the cost of preparing an index to the proceedings of the Common Council and Board of Aldermen, for the year ending May 7th, 1878.

Moved, That the Fire Board be instructed to inquire why section 2 of an ordinance "to fix the location of Fire-Hydrants in the City of Indianapolis," ordained August 1st, 1872, which requires that "every fire-hydrant shall have at least two openings," has not been enforced.

Moved, That the Committee on Judiciary and City Attorney, be instructed to inquire and report whether, in case of taxes being refunded by the city, the City Treasurer should not account to the city for the percentage received by him on the taxes so refunded.

The following message from the Board of Aldermen was duly received :

To the Mayor and Common Council:

Gentlemen:—I herewith return to your honorable body General Ordinance 34, 1878, entitled "An Ordinance changing the location of the West Market, and establishing the same upon the several streets and sidewalks bounding Military Park," together with the report from the Aldermanic Committees on Markets and Parks and the City Attorney, which said Committees and Attorney, at the meeting of the Board of Aldermen, held Tuesday evening, July 30th, 1878, reported adversely to the passage of the above entitled ordinance.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

Report from Aldermanic Committees on Markets and Parks and the City Attorney, adversely to the right of the city to establish the market around the park over the protest of the property owners, etc., and recommending that General Ordinance 34, 1878, be not passed [see page 294, *ante*], was read, and duly concurred in.

General Ordinance 34, 1878 [the title of which is set forth in preceding message], was then, on Councilman Wright's motion, stricken from the files.

QUESTIONS OF PRIVILEGE.

On explanation given, Councilman Walker, by consent, was permitted to offer the following motion :

Moved, That a select committee, consisting of three members of the Council, be appointed by the Chair, to co-operate with the Committee on Gas-Light in the adjustment of our present difficulty with the gas company, and that we request the Board of Aldermen to add two of their body to the committee; and that said committee report to an adjourned meeting, in one week from to-night.

Councilman Dill moved to refer the preceding motion to the Committee on Gas-Light.

On Councilman McKay's motion, the last preceding proposition was laid on the table by the following vote :

AYES, 21—viz. : Councilmen Anderson, Bermann, Bruner, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, and Wright.

NAYS, 4—viz. : Councilmen Brown, Cummings, Dill, and Wiese.

Preceding motion was then adopted by a *viva voce* vote, and His Honor, the President, appointed Councilmen Walker, Layman, and Reading as the Council members of the select committee to be raised by virtue of said adopted motion.

ORDINANCES AND PETITIONS.

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

The Fire Board, through Councilman Layman, introduced—

Ap. O. 49, 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 Walker, introduced—

Ap. O. 50, 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 Police Board, through Councilman Brown, introduced—

Ap. O. 51, 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—

Ap. O. 52, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

The Committee on Printing, through Councilman Wright, introduced—

Ap. O. 53, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Advertising, and Stationery.

The Committee on Benevolence and Hospitals, through Councilman Walker, introduced—

Ap. O. 54, 1878—An Ordinance appropriating money on account of the City Dispensary, for the month of July, 1878.

The Committee on Markets, through Councilman Rodibaugh, introduced—

G. O. 41, 1878—An Ordinance changing the location of the West Market, and establishing the same upon a part of Square Seventy (70) and the streets adjacent thereto.

Preceding ordinance was accompanied with the following papers; which were duly received, and then referred to the Committees on Markets, with power to act:

We, the undersigned resident property holders and tenants, doing business on W. Washington street, respectfully ask the Honorable Council and Board of Aldermen to locate the West Market on Missouri street, from Pearl to Washington street, and on Washington street to West street, as it will, in our opinion, be the most central point, and give general satisfaction to our people. July 31st, 1878.

William Kerr, 202 West Washington street; Joseph H. Kerr, 161 W. Washington; John Jester, 163 W. Washington; John A. Myers, 155 W. Washington; E. Rosenthal & Co., 162 W. Washington; S. R. Holt, 164 W. Washington; Jane E. Griffith, 166 W. Washington; T. W. Morehead, 166 W. Washington; F. M. Kestner, 168 W. Washington; W. H. Haslet, 168 W. Washington; Watterson & Keefe, 169 & 171 W. Washington; Geo. W. Smith, 177 W. Washington; Roman Oehler, 183 W. Washington; John Kistner, 187 W. Washington; Wm. S. Marsh, 189 W. Washington; J. W. Curtin, 195 W. Washington; P. Connolly, 195 W. Washington; Herbert Neff, 230 W. Washington; I. W. Kolyer, 202 W. Washington; Alex. Buckner, 204 W. Washington; James Smith, 204 W. Washington; Geo. N. Gregory, 202 W. Washington; F. Stein, 220 W. Washington; Julius Adler, 239 W. Washington; Henry Allee, 247 W. Washington; A. F. Gross, 247 W. Washington; Wm. P. Smith, 247 W. Washington; Wm Trussell, 247 W. Washington; L. G. Bright, 247 W. Washington; Walter McKarter, 251 W. Washington; L. Wright, 255 W. Washington; Sanford Pease, 259 W. Washington; W. H. Green, 251 N. West; Zeph. Hollingsworth, 277 & 279 W. Washington; John Matz, 286 W. Washington; Chas. Oliver, 288 W. Washington; Timothy Feeny, 298 W. Washington; Jos. Holderman, 286 W. Washington; Stephen Elters, 276 W. Washington; Isaac J. Taylor, 262 & 264 W. Washington; Henry Slusher, 258 W. Washington; Geo. F. Traub, 252 W. Washington; A. E. Davis, 250 W. Washington; Potter M. Baxter, 250 W. Washington; A. H. Dalty, 248 W. Washington; P. C. Leary, 229 W. Washington; Thomas Kearney, 206 W. Washington; H. Einatz, 200 W. Washington; John Joice, 212 W. Washington; A. Kaufman, 172 W. Washington; C. T. Gilmore, 270, 272 & 274 W. Washington; John Basher, 270, 272 & 274 W. Washington; Steve Violet, 270, 272 & 274 W. Washington; Lou. Harris, 270, 272 & 274 W. Washington; Charles Lambert, 270, 272 & 274 W. Washington; John Drake, 212 W. Washington; S. T. Bartholomew, 211 W. Washington; C. Bartholomew, 211 W. Washington.

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

Gentlemen:—We, the undersigned residents and property holders of the locality described herein, respectfully ask that the West Market be established on Missouri street, from Pearl street, north, to Washington street, and on Washington street, from Missouri street to West street.

And your petitioners will ever pray, etc.

Francis Robinius, 60 feet on Pearl, through to Maryland; Jacob Wachstetter, Chris. Seitz, 195 feet on Missouri, and 21 feet on Washington; August Nagel, 51 feet on Washington, and 195 feet on Missouri; S. E. Perkins, Jr., lot 11, square 51, 67½ feet on Washington; H. Rheinamer, lot 6, square 70, 16 feet; C. Beek, 21 feet, square 51; M. K. Fatout, 100 feet on Washington, by 195 feet on Missouri; J. B. Andrew, 21 feet on Washington square 51; Mary Vanbleregan, 50 7-12 feet on Washington; Furman Stout, 16½ feet on Washington; Thomas Stout; Z. Z. Hauck, 22½ feet on Washington; Samuel Ogden, per John A. Trimble, attorney in fact, 122½ feet W. Washington; Samuel Ogden, per same, 102½ feet on Pearl, through to Maryland; Alexander Metzger's property, 82½ feet front on Washington, by 195 feet on Missouri, will be leased by order of Court.

Indianapolis, August 3, 1878.

To Committees on Markets of the Common Council and Board of Aldermen:

Gentlemen:—We will grant to the City of Indianapolis the privilege and right to use and occupy the following described real estate, owned and controlled by us, to-wit, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18, in Metzger & Robinius's Subdivision of Lots 1, 2 and 3, in square 70, in the City of Indianapolis, as recorded in Plat Book 7, page 76, of the Records of Marion County, the same to be used and occupied for Market purposes; the city to have the right to so occupy the same for such a length of time as she may desire, not exceeding five years, and to have the right to surrender the same at any time she may so desire. The city, in consideration thereof, to pay all tax claims outstanding, as well as taxes now due, upon said property, and to pay all taxes and assessments that may be levied thereon during the occupancy by the city.

ALPHONS VORSTER, Assignee of Alex. Metzger,

By WM. WALLACE, his Attorney.

I consent to and concur in the above, with the understanding that such consent and concurrence shall in nowise suspend or impair my right to enforce my mortgage lien upon said premises, subject to the right of possession given to the City of Indianapolis.

SAMUEL OGDEN,

By JOHN A. TRIMBLE, Attorney.

PENDING ORDINANCES—PROCEEDINGS HAD THEREON.

This being the regular appropriation night, Appropriation Ordinances 49, 50, 51, 52, 53, and 54 were now read second time, and ordered to be engrossed.

The following entitled ordinance was then read the third time :

Ap. O. 49, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$777.13.]

And was passed by the following vote :

NAYS, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 50, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$895.14.]

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 51, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$109.12.]

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 52, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$69,605.95.]

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 53, 1878—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Advertising, and Stationery. [Amount appropriated, \$279.41.]

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was also read the third time :

Ap. O. 54, 1878—An Ordinance appropriating money on account of the City Dispensary, for the month of July, 1878. [Amount appropriated, \$166 66.]

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

On Councilman Rodibaugh's motion, the rules were ordered to be suspended, for the purpose of now reading General Ordinance 41, 1878, the second and third times, and placing same on its passage, by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

The following entitled ordinance was then read the second time, ordered to be engrossed, and read the third time :

G. O. 41, 1878—An Ordinance changing the location of the West Market, and establishing the same upon a portion of Square Seventy (70) and the streets adjacent thereto.

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

Councilman Dill was excused for the balance of this session.

MISCELLANEOUS BUSINESS.

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

Moved, That the Fire Board be instructed to locate three fire cisterns in Woodlawn Addition, east of Dillon street.

Councilman Bruner presented the following petition; which was referred to the Fire Board and the Chief Fire Engineer:

Indianapolis, August 5, 1878.

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

We, the undersigned committee, are instructed to petition your honorable body in behalf of three hundred men occupying hall No. 141 W. Washington street, upper floor, which we consider unsafe, hoping your honorable body will have said hall examined at your earliest convenience.

John Clancy, John Fennessy, Jas. McDonald, J. R. Welch, Michael Crosay, William Flynn.

Councilman Marsee offered the following resolution:

WHEREAS, The present contract between the city and the Water-Works Company of Indianapolis provides that the same shall be in force from and during the term of one year from the 15th day of August, 1877, and thereafter until a new arrangement shall be demanded by either party, which may be done by either party at the expiration of any year; and,

WHEREAS, This year expires on the 15th day of August, 1878, and the city is desirous of making a new arrangement in relation to the water supplied to the city for public purposes in the future, and to terminate the present contract: Therefore, be it

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the city hereby demands a new arrangement with the said Water-Works Company, in relation to the water supplied to the city for fire and other public uses, after the 14th day of August, 1878, and that the present contract with said company be terminated after said day. That the City Clerk be, and is hereby, directed to notify said company on the 14th day of August, 1878, of the passage of this resolution, and of the demand of the city for a new arrangement as to water supplied for public uses in the future and the termination of the present contract.

And was adopted by the following vote:

AYES, 24—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

Also, the following motion; which was adopted:

Moved, That the Judiciary Committees of the Common Council and Board of Aldermen be authorized to procure assistance for the City Attorney in the case of the Indianapolis Gas-Light and Coke Company vs. The City of Indianapolis, now pending.

The same gentleman presented a claim of the Pittsburgh, Cincinnati & St. Louis Railway Company, in the sum of \$64.39, for repairing Virginia avenue crossing; which was referred to the Board of Public Improvements and the City Civil Engineer.

Councilman Maus presented the following petition; which was duly received, and was then ordered to be placed on the files with the ordinance describing the proposed improvement—viz., Special Ordinance 27, 1878:

Indianapolis, June —, 1878.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Agnes street, between New York street and North street, respectfully petition for the passage of an ordinance providing for the erection of lamp-posts, and lighting with gas three squares of Agnes street, lying between New York and North streets, according to the general plan of lighting the streets of the City of Indianapolis.

And your petitioners will ever pray.

Magdalena Maus, 200 feet front; C. Albert Maus, 70 feet; F. L. Weisenheimer, 105 feet; A. F. Burnett, 33 feet; H. H. Rodewald, 36 feet; H. L. Virgil, 33 feet; J. D. Abbett, 33 feet; Augustus Stelting, 33 feet; Thomas Cummings, 64 feet; Wm. J. Ripley, 33 feet; Noah P. Pangborn, 100 feet; Charles Gelenay, 100 feet; Terrence Murphy, 100 feet; Edward More, 33 feet; Hamilton Bailie, 140 feet; John Kinsler, 33 feet; James Beurs, 33 feet; Mess. C. Henson, 33 feet; Henry Cein, 22 feet; William Maloon, 22 feet; Charley Feller, 33 feet; W. M. Smith, 33 feet; Robert Haurt, 33 feet; William Smith, 33 feet; Serry Bredford, 33 feet.

Councilman Morse offered the following motion; which was referred to the Committee on Gas-Light:

Moved, That the City Civil Engineer be directed to have removed the two lamp-posts on West street, between New York and Vermont streets, to the alley crossing West street, between New York and Vermont streets.

Also, the following motion; which was referred to the Committee on Parks:

Moved, That the Committee on Parks enquire into the feasibility of removing the fence from around University Park, and report the same at the next meeting of the City Council.

Councilman McGinty offered the following motions; which were severally referred to the Board of Public Improvements, with "instructions" to act:

Moved, That the Street Commissioner be directed to clean the gutters on Chadwick street, between McCarty and Ray streets. The street is but little over a square in length.

Moved, That the Street Commissioner be instructed to take up the wooden crossing, at the intersection of McCarty and Tennessee streets, and deepen the gutter, to give the water chance to run, and clean the gutter on the west side of Tennessee street.

Councilman McKay offered the following motion; which was duly adopted:

Moved, That the Fire Board and Chief Engineer be instructed to report, at the next meeting of the Council, as to the practicability of having the horses belonging to the city shod, and the harness belonging to the city repaired, by the men employed by the city in the Fire Department.

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

Moved, That the Street Commissioner be directed to dig a gutter on the west side of Missouri street, from South street to Merrill street. The sidewalk on the west side of said street is being rapidly worn away, and some sort of drainage is absolutely necessary.

Moved, That the Street Commissioner be directed to dig gutters on each side of Pearl street, between Missouri and West streets. Said street, although improved, has no gutters for drainage purposes.

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

Moved, That the Street Commissioner be directed to repair the alley between Dougherty and Buchanan streets, between East street and the first alley east of East street.

Also, presented the following remonstrance; which was duly received, and was ordered to be placed on the files with the ordinance describing the proposed improvement—Special Ordinance 41, 1878:

Indianapolis, August 1, 1878.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Spruce street, between Prospect street and Lexington avenue, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said street.

And your petitioners will ever pray, etc.

Julia A. Mount, 187 feet; C. H. Rosebrock, 187 feet;
John Gustin, 187 feet; Henry Hilker, Israel Traub,
Geo. A. Albrecht, Gustave G. Stark, F. J. Rapp,
Trustees 2d German M. E. Church, 187 feet; Hanna
Coleman Pope, 30 feet; Dion Boucicault, by G.
F. McGinnis, agent, 37 feet; William Sirp, 187 feet;
Victoria E. Fifer by J. H. Fifer, 187 feet.

Councilman Tucker offered the following motion:

Moved, That the name of E. South street from East street to Noble street, be changed, and the name Fletcher avenue substituted, and that the City Civil Engineer and the City Assessor be instructed to make said change on the city maps.

Councilman Wright moved that preceding motion be laid on the table; upon which proposition Councilman Tucker demanded the "ayes and nays," and said motion was laid on the table by the following vote:

AYES, 16—viz.: Councilmen Brown, Cummings, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Rodibaugh, Showalter, Walker, and Wright.

NAYS, 8—viz.: Councilmen Anderson, Bermann, Bruner, Reasner, Sindlinger, Steeg, Tucker, and Wiese.

Councilman Wiese presented the following proposal; which was referred to the Committees on Sellers' Farm, with instructions to said committees to receive and report all bids for the timber on aforesaid property:

To the Common Council and Board of Aldermen:

Gentlemen.—I propose to pay for all the sycamore and cottonwood timber on the City (or so called Sellers') Farm, the sum of five hundred dollars.

HENRY BAUMHOEFER.

Councilman Wright offered the following motion; which was duly adopted:

Moved, That the City Clerk give the legal notice that the Common Council and Board of Aldermen will meet as a Board of Equalization, at the regular session of the Common Council, on August 19th, 1878.

Also, presented the following petition; which was referred to the Judiciary Committee and the City Attorney:

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

Your petitioner, James F. Failey, respectfully shows that, as owner of three thousand dollars (\$3,000) of the capital stock of the Merchants' National Bank of the City of Indianapolis, Indiana, he returned the same to the Assessor of the City of Indianapolis for taxation for the year 1877, in the statement of his taxables, signed and sworn to and delivered by him to said Assessor; and that on the 15th day of April, 1878, he paid to W. M. Wiles, Treasurer of the City of Indianapolis, by mistake, as per receipt No. 3030A, hereto attached, the sum of \$33.60, as taxes assessed against said stock alone, and, on the same day, paid to said William M. Wiles, as such Treasurer, by mistake, as per receipt No. 3039A, hereto attached, the sum of \$84.28, as taxes assessed against lot No. 5 in Russell's Subdivision of outlot number 26, and poll, and \$3380.00 of personal property (\$3000 of which was said bank stock), so that your petitioner paid twice for the same year 1877, the taxes levied against said \$3000 of bank stock.

Wherefore, your petitioner prays that the taxes, in the sum of \$33.60, so erroneously paid by him, be refunded to him.

JAMES F. FAILEY,

By U. J. HAMMOND, his Attorney.

On Councilman McKay's motion, the Council, Aldermanic, and Select Committees on Gas-Light were instructed to file their report of the results of their conference with the Indianapolis Gas-Light and Coke Company, in the office of the City Clerk, on or before Friday, 9th instant.

On Councilman Layman's motion, the Common Council then adjourned until Monday evening next, August 12th, at the usual hour.

JOHN CAVEN, Mayor,
President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.