

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 26, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, May 26th, A. D. 1879, at half-past seven o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and 24 members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

ABSENT, 1—viz.: Councilman Harmening.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

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

Gentlemen:—The amount of fines collected by me during the month of April, 1879, due the city treasury, is \$90.84; which amount I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report; which was duly received, and the official bonds (presented with report) were severally approved:

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

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

Of Thaddeus Reed, City Civil Engineer. Penalty of bond, \$2,000; giving, as security, Geo. F. McGinnis and Wm. Wallace.

Of Leroy C. Morris, Market-Master at West Market. Penalty of bond, \$3,000; giving, as security, Charles E. Bailey, Wm. M. Porter, and Edward Carter.

Respectfully,

BENJ. C. WRIGHT, City Clerk.

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

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

Gentlemen:—I herewith submit, for your action upon same, the following contracts and bonds, viz.:

Of Indianapolis Journal Company, for making blank-books, complete for use. Amount of bond, \$1,000; giving, as security, Lewis W. Hasselman and O. H. Watson.

Of Cathcart & Cleland, for furnishing stationery supplies. Amount of bond, \$1,000; giving, as security, Wm. Coughlen and Hervey Bates.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The following contracts and bonds were submitted, and were severally concurred in and approved:

THIS AGREEMENT, made and entered into this 26th day of May, 1879, by and between the Indianapolis Journal Company, through O. H. Hasselman, of the County of Marion, and State of Indiana, of the first part, and the Common Council and Board of Aldermen of the City of Indianapolis, said County and State, of the second part,

Witnesseth, That the said party of the first part does covenant and agree to do that portion of the City Printing designated as "Class B—Blank Books, complete for use," at the prices set forth in their certain bid, hereto attached, and marked "Exhibit A," and which bid is made a part of this contract.

It is understood and agreed that the party of the first part shall be responsible for all damages that may accrue by failure to perform any of said work promptly and in accordance with this contract.

This contract shall continue and be in force from the 25th day of June, 1879, and until the 31st day of May, 1880, and until a new contract shall be awarded for the work described in the attached exhibit.

O. H. HASSELMAN,

INDIANAPOLIS JOURNAL Co.,

THE CITY OF INDIANAPOLIS,

By JOHN CAVEN, Mayor.

EXHIBIT "A."

CLASS B—BLANK BOOKS, COMPLETE FOR USE.

SIZES OF PAPER.	7 qrs. Full Bound, Plain Records.*		5 qrs. Full Bound, Printed Headings.*		5 qrs. Full Bound Printed Forms.		5 qrs. Three-qr. B'd. Printed Headings.*		5 qrs. Three-qr. B'd, Printed Forms.		5 qrs. Half Bound Printed Headings.*		5 qrs. Half Bound Printed Forms.*	
	Each additional quire.*	quire.*	Each additional quire.*	quire.*	Each additional quire.*	quire.*	Each additional quire.*	quire.*	Each additional quire.*	quire.*	Each additional quire.*	quire.*	Each additional quire.*	quire.*
CAP—18 lb, per quire.....	\$ 40	05	\$ 40	05	\$ 70	05	40	05	40	05	\$ 40	05	40	05
CROWN CAP—20 lb, per quire....	40	05	20	05	20	05	10	05	10	05	10	05	10	05
DEMY—28 lb, per quire.....	40	05	1.40	25	25	05	20	05	15	05	15	05	15	05
MEDIUM—40 lb, per quire.....	65	20	1.85	90	2.00	65	20	05	20	05	20	05	20	05
ROYAL—54 lb, per quire.....	70	10	70	10	70	10	40	05	40	05	40	05	40	05
DUPLICATE—60 lb, per quire.....	75	25	1.75	75	20	05	20	05	20	05	20	05	20	05
FOLIO POST—22 lb, per quire....	25	05	25	05	25	05	90	10	90	10	1.00	50	1.75	75
CHECK FOLIO—22 lb, per quire..	25	05	25	05	25	05	90	10	90	10	1.00	50	1.75	75

* Estimates are to be given on "single strike" headings.

Extra charge for each additional "strike," per quire, 25 cents.
 Extra charge for faint-lining "Printed Forms," per quire, 25 cents.
 Extra charge for numbering, per 1000 Nos., \$1.25.
 Extra charge for perforating, per quire, 20 cents.
 Extra charge for canvas covers, 90 cents.
 Extra charge for whip-stitching, nothing.
 Proportionate charges for half-sheet books, $\frac{2}{3}$ of above prices.
 All additional work not enumerated above, to be furnished at fair and reasonable prices.

We agree to furnish the above articles, at prices designated, until a new contract is awarded.

O. H. HASSELMAN,
 INDIANAPOLIS JOURNAL Co.

KNOW ALL MEN BY THESE PRESENTS, That we, Otto H. Hasselman, Lewis W. Hasselman, and Oramel H. Watson, of the County of Marion, and State of Indiana, are held and firmly bound to the Common Council and Board of Aldermen of the City of Indianapolis in the sum of one thousand (1,000) dollars, the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents.

The conditions of this obligation are such that if the above bounden Otto H. Hasselman shall faithfully comply with the foregoing contract, and fulfill all the conditions and stipulations therein contained, according to the true intent and meaning thereof in all respects, then this obligation is void: otherwise to remain in full force and virtue in law.

Witness our hands and seals, this 21st day of May, A. D. 1879.

OTTO H. HASSELMAN, [Seal.]
 L. W. HASSELMAN, [Seal.]
 O. H. WATSON, [Seal.]

THIS AGREEMENT, made and entered into this 26th day of May, 1879, by and between Cathcart & Cleland, of Marion County, State of Indiana, of the first part, and the Common Council and Board of Aldermen of the City of Indianapolis, said County and State, of the second part,

Witnesseth, That the said parties of the first part do covenant and agree to furnish stationery supplies to said City of Indianapolis at the prices fully set forth in their certain bid, hereto attached, and which bid is made a part of this contract.

This contract to continue and be in full force from the 25th day of June, 1879, and until the 31st day of May, 1880.

CATHCART & CLELAND,
 THE CITY OF INDIANAPOLIS,
 BY JOHN CAVEN, Mayor.

Schedule of Stationery, required by the City of Indianapolis, during the year ending May 31st, 1880.

RECORD LEGAL CAP—12 lb, per ream, \$2.00; 14 lb, per ream, \$2.38; 16 lb, per ream, \$3.00; 18 lb, per ream, \$3.95.

FOOLSCAP—10 lb, per ream, \$1.65; 12 lb, per ream, \$1.85; 14 lb, per ream, \$2.30; 16 lb, per ream, \$2.72.

LETTER PAPERS—8 lb, per ream, \$1.00; 10 lb, per ream, \$1.50; 12lb, per ream, \$1.85.

COMMERCIAL NOTE—4 lb, per ream, 65 ets.; 9lb, per ream, \$1.10.

ENVELOPES—No. 10, White, XXX, per 1000, \$3.25; Buff, XX, per 1000, \$2.75; Manilla, per 1000, \$1 50. No. 6, White, XXX, per 1000, \$1.50; Buff, XX, per 1000, \$1.35; Manilla, per 1000, 80 ets.

BOOK PAPER—Cut to order, and blocked, per ream, \$3.50.

BLOTTING PAPER—Cut to order, White, 100 lb, per 25 sheets, 75 ets.; cut to order, colored, 160 lb, per 25 sheets, \$1.20.

STEEL PENS—Gillott's No. 404, per gross, 47 cts; Webster & Morton, per gross, \$1.00; Esterbrook & Co.'s Bank, per gross, 49 cts.; Esterbrook & Co.'s Falcon, per gross, 49 cts.; Esterbrook & Co.'s No. 122, per gross, 54 cts.; Esterbrook & Co.'s No. 161, per gross, 62 cts.

INK—Arnold's Genuine Black, per doz. qts., \$5.95; Arnold's Genuine Crimson, per 3 oz., 12 cts.; Carter's Crimson Fluid, per 8 oz., 60 cts.; Carter's Writing Fluid, per doz. qts., \$5.00; Carter's Raven Black, per doz. qts., \$4.50.

INK STANDS—3 inch flat glass, each, 10 cts.; Paragon, each, 75 cts.

PEN HOLDERS—Good quality, wood, per gross, \$1.75; common quality, wood, per gross, 25 cts.

LEAD PENCILS—Faber's Nos. 2, 3, 4, 5, Hexagon, per gross, \$6.90; Eagle, Nos. 2 and 3, Hexagon, per gross, \$5.50.

STEEL ERASING KNIVES—Cocoa handles, each, 25 cts.

INK AND PENCIL ERASERS—Faber's Mammoth, per doz., \$2.00; do. small, per doz., \$1.25.

RUBBER BANDS—By Nos., per gross:

Faber's No. 14, 7 cts.	No. 16, 9 cts.	No. 18, 11 cts.	No. 19, 12 cts.
30, 20 cts.	31, 24 cts.	32, 27 cts.	33, 30 cts.
11, 16 cts.	50, 14 cts.	0 $\frac{1}{2}$, 33 cts.	0 $\frac{1}{2}$, 80 cts.
0 $\frac{3}{4}$, \$1.00.	00 $\frac{1}{4}$, 40 cts.	00 $\frac{1}{2}$, 90 cts.	00 $\frac{3}{4}$, \$1.23.
000 $\frac{1}{4}$, 50 cts.	000 $\frac{1}{2}$, \$1.00.	000 $\frac{3}{4}$, \$1.43.	0000 $\frac{1}{4}$, 60 cts.
0000 $\frac{1}{2}$, \$1.20.	0000 $\frac{3}{4}$, \$1.60.		

PAPER FASTENERS—McGill's Round Heads, No. 1, per box, 20 cts.; No. 2, per box, 25 cts.; No. 4, per box, 30 cts. Flat Heads, No. 1, per box, 15 cts.; No. 2, per box, 15 cts.; No. 4, per box, 25 cts. Wire Staple, per 500 box, each, 25 cts. Heyl's No. 1, per box, 25 cts.; Heyl's No. 2, per box, 35 cts.

PAPER FASTENER PRESS—McGill's, each, \$1.25; Heyl's, each, \$1.00; Office Pet, 80 cts.

BANKERS' PINS—Elm City, per half lb box, 40 cts.; Pyramid, assorted, per doz. 1.10.

MUCILAGE—Per quart bottle, Carter's, 40 cts.

MUCILAGE CUPS—Each, 18c. to 75 cts.

MOORE'S BLOTTERS—Each, 25 cts.

JAPANNED STEEL PAPER CUTTERS—Each, 20 cts.

RULERS—Artists' Flexible, 12 inch, each, 23 cts.; 18 inch, each, 45 cts.

Hard rubber, 12 inch, each, 20 cts; 18 inch, each, 38 cts.

Wood, 12 inch to 18 inch, each, 2 cts. to 40 cts.

COLORED PENCILS—Faber's Hex., per doz., 75 cts.

Faber's Round, small, per doz., 45 cts.

Faber's Round, large, per doz., 90 cts.

Blue checking, per doz., 25 cts.

ARM RESTS—Peerless, 14 inches, each, \$1.35.

Peerless, 12 inches, each, \$1.13.

BOOK LEVELS—Favorite, No. 1, each, \$2.15.

PASTE—Perfumed, per pot, each, 19 cts.

Perfumed, per quart, each, 60 cts.

Any Stationery articles not enumerated above we will furnish at net wholesale cash prices.

We agree to furnish the above articles, at prices designated, until a new contract be awarded.

CATHCART & CLELAND.

KNOW ALL MEN BY THESE PRESENTS, That we, Cathcart & Cleland and Wm. Coughlen and Hervey Bates, of Marion County, State of Indiana, are held and

firmly bound to the Common Council and Board of Aldermen of the City of Indianapolis, in the sum of one thousand dollars (\$1,000), the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents.

The conditions of this obligation are such that if the above bounden Cathcart & Cleland shall faithfully comply with the foregoing contract, and fulfill all the conditions and stipulations therein contained, according to the true intent and meaning thereof, then this obligation to be void and of no effect: otherwise to remain in full force and virtue in law.

Witness our hands and seals this 26th day of May, 1879.

CATHCART & CLELAND,
WM. COUGHLIN,
HERVEY BATES.

On Councilman Brown's motion, the official bonds of Albert Izor and William N. Wishard [which had been referred to the Committee on Finance—see page 28, *ante*], were re-called from said reference, and were severally considered and duly approved.

The City Clerk presented the following communication; which was duly received:

Indianapolis, Ind., May 22, 1879.

To the Common Council of the City of Indianapolis:

The undersigned, Commissioners of Marion County, would respectfully petition your honorable body to take no further action in the matter of contracting for a brick sidewalk on the east side of the Court House square. Your petitioners desire to have built a suitable stone-walk, both on the east and west sides of said square, and will take immediate steps towards contracting and building the same.

Respectfully, &c.,

WILLIAM WORMAN,
J. RUBUSH,
A. C. REMY,
Commissioners Marion Co., Ind.

[Later in this session, the Common Council, in accordance with the recommendation made by the Board of Public Improvements [see page 55, *post*] determined to not award the contract for improving Alabama street and sidewalks for the present.]

The City Treasurer presented the following communication; which was referred to the Judiciary Committee:

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

Gentlemen:—Your attention is called to the fact that out-lots Nos. eleven (11) and thirteen (13), west of White River, in the City of Indianapolis, have been erroneously assessed against D. H. Oliver and son, on the duplicate of 1876, 1877, and 1878. Only a fraction of the same belonged to them, and the remainder to a number of other parties. The larger portion of said tax now remains delinquent, and what has been paid, was erroneously paid. Parties interested desire to pay, if placed in proper shape.

I respectfully request that the matter be referred to the Judiciary Committee, for report on the same at the next meeting of the Common Council.

Very respectfully,

WM. M. WILES, Treasurer.

The City Attorney submitted the following report; which, on Councilman Tucker's motion, was referred to the Judiciary Committee and the City Attorney, with instructions to report as to the expediency of carrying case to the Supreme Court by appeal:

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

Gentlemen:—I would report that, in compliance with your directions in the matter of the opening of a road through the Southern Park, I filed a complaint in the Circuit Court against Albert Denny, supervisor, and procured a temporary restraining order against him, enjoining him from proceeding to open said road. Since which time the case has been heard upon demurrer, and virtually decided against the city.

Respectfully submitted,
R. O. HAWKINS, City Attorney.

The Street Commissioner made the following report; which was duly concurred in:

To the Mayor and Common Council:

Gentlemen:—I was directed to ascertain what steps were necessary to improve the first alley east of Meridian street, from McCarty street, south, to the first alley south of McCarty street.

The lots on the west side of said alley being low, and the alley never having been improved, I would recommend its improvement by ordinance.

Respectfully submitted,
L. A. FULMER, Street Commissioner.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through President McKay, submitted the following report; which was concurred in, and the contracts duly awarded, as therein recommended:

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom were referred sundry proposals, presented to the Common Council on May 19th, 1879, have examined the same, and find them to be as follows, to-wit:

1st. For grading, and paving with brick, the west sidewalk of Arsenal avenue from Washington street to the first alley north of Washington street—

- R. P. Dunning, 47 cents per lineal foot front.
- C. S. Roney, 45 cents per lineal foot front.
- James Mahoney, 33 cents per lineal foot front.
- D. A. Haywood, 33 cents per lineal foot front.
- John Schier, 32½ cents per lineal foot front.
- Michael Flaherty, 31 cents per lineal foot front.

Michael Flaherty being the lowest and best bidder, we recommend he be awarded the contract.

2d. For grading and graveling the alley between Ash street and College avenue, from the first alley north of Christian avenue to the second alley north of Christian avenue—

- C. S. Roney, 18 cents per lineal foot front on each side.
- R. P. Dunning, 16 cents per lineal foot front on each side.
- Henry Clay, 17 cents per lineal foot front on each side.

Michael Flaherty, 15 cents per lineal foot front on each side.

Richard Carr, 14 cents per lineal foot front on each side.

D. A. Haywood, 12½ cents per lineal foot front on each side.

James Mahoney, 12½ cents per lineal foot front on each side.

D. A. Haywood being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and bowldering Delaware street, from Washington street to the north line of Wabash street—

Dewey & Twiname, \$1.95 per lineal foot front on each side.

C. S. Roney, \$1.55 per lineal foot front on each side.

James Mahoney, \$1.50 per lineal foot front on each side.

James W. Hudson, \$1.48 per lineal foot front on each side.

H. C. Case, \$1.53 per lineal foot front on each side.

R. P. Dunning, \$1.47 per lineal foot front on each side.

J. J. Palmer, \$1.47 per lineal foot front on each side.

D. A. Haywood, \$1.41 per lineal foot front on each side.

Fred Gansberg, \$1.35 per lineal foot front on each side.

Fred Gansberg being the lowest and best bidder, we recommend he be awarded the contract, *provided* he agrees to lay stone crossings ordered at certain points, at the time of improvement, without extra charge—said stone being furnished on the ground by the city.

4th. For curbing with stone and paving with brick the west sidewalk, and bowldering the west gutter of Alabama street, from Washington street to Market street—

Dewey & Twiname, \$1.93 per lineal foot front.

John Schier, \$1.55 per lineal foot front.

James W. Hudson, \$1.55 per lineal foot front.

C. S. Roney, \$1.55 per lineal foot front.

Fred Gansberg, \$1.49 per lineal foot front.

James Mahoney, \$1.47 per lineal foot front.

R. A. Haywood, \$1.39 per lineal foot front.

D. P. Dunning, \$1.43 per lineal foot front.

J. J. Palmer, \$1.38 per lineal foot front.

H. C. Case, \$1.37 per lineal foot front.

Michael Flaherty, \$1.12½ per lineal foot front.

The County Commissioners having expressed their intention of laying a stone walk on the west side of Alabama street, between Washington and Market streets, we recommend no award be made for the above improvement at this time.

Respectfully submitted,

M. H. MCKAY,

H. COBURN,

J. L. BIELER,

Board of Public Improvements.

The following contracts and bonds were then submitted, and were severally concurred in and approved :

Of David A. Haywood, for making the improvement described in the second clause of preceding report. Penalty of bond, \$100; surety, Richard Carr.

Of Fred. Gansberg, for making the improvement described in the third clause of preceding report. Penalty of bond, \$3,000; surety, Richard Carr.

The same official board submitted the following report; which was read and considered by clauses, and the same were severally concurred in :

To the Common Council and Board of Aldermen :

Gentlemen:—The Board of Public Improvements, to whom were referred sundry papers, would respectfully report as follows thereon:

1st. Is a motion directing the Street Commissioner to fill, with gravel, the chuck-holes in Chestnut street.

We recommend such work be confined to the intersection of Chestnut and Ray streets, and that the same be done.

2d. Is a motion directing the Street Commissioner to cover the stone in the centre of Ohio street, between Alabama and East streets, with sand.

We recommend this be not done.

3d. Is a motion directing the Board of Public Improvements to ascertain the location of the road-roller, and whether it is of any practical use to the city; and, if not, to sell said roller, and report proceedings and action in the premises for confirmation by the Council.

The road-roller referred to in the motion is located in the City Yard, between Liberty and Noble streets, and north of Lockerbie street. It is in as good condition as any machine would be that had been out of service so long. Negotiations are now pending for its disposition by sale, which will be reported to the Council in due season.

4th. Is a motion instructing the City Civil Engineer to advertise for proposals to improve Tennessee street, from Ohio street to First street, by removing the blocks to a width of thirty-two feet in the centre, and graveling with raked river gravel—the whole work to be done at the expense of the city.

We recommend this be not done.

5th. Is a motion directing the Street Commissioner to fill the chuck-holes in Michigan street, between Tennessee street and the canal.

We recommend this work be done.

6th. Is a motion directing the Street Commissioner to clean the gutters of Church street, from Ray street to Morris street.

We recommend this work be not done.

7th. Is a motion directing the Street Commissioner to place a double-stone crossing on Morris street across Meridian street.

We recommend a stone crossing be put down at this point, as it is much needed, but would recommend a single in place of a double crossing.

8th. Is a motion directing the Street Commissioner to haul fifty loads of gravel, to fill the chuck-holes in Virginia avenue, between East and Prospect streets.

We recommend this work be done.

9th. Is a remonstrance of real estate owners on Madison avenue, between Nebraska street and the J., M. & I. Railroad tracks, against the passage of Special Ordinance 12, 1879, providing for grading and graveling said avenue and sidewalks, from Nebraska street to the J., M. & I. Railroad tracks.

This improvement should be made, and we would recommend the passage of the ordinance, notwithstanding the remonstrance.

10th. Is a remonstrance against the passage of Special Ordinance 16, 1879, providing for the grading and graveling of the first alley east of Shelby street, from the first alley south of Prospect street to Pleasant Run.

We would recommend the prayer of the remonstrants be granted.

11th. Is Special Ordinance 17, 1879, providing for the improvement of Shelby street, from the southern terminus of Virginia avenue to Raymond street, together with a remonstrance against the passage of said ordinance.

We have considered this matter, examined the street referred to, and would recommend the ordinance be passed, notwithstanding the remonstrance.

12th. Is a motion directing the Street Commissioner to repair Meridian street, from Second street to Seventh street; also Tennessee street, from Second street to Twelfth street.

We recommend said work be not done.

Respectfully submitted,

M. H. MCKAY,
H. COBURN,
J. L. BIELER,

Board of Public Improvements.

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

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

In compliance with an order issued by your honorable body, the slaughter-house of Coffin & Co., has been visited, and the nuisance complained of was found to be caused by the washings of blood being allowed to escape on the ground, instead of into the river, as directed by the ordinances. Coffin & Co., promised to conform their shutes to the ordinances, and thereby abate the nuisance.

For the purpose of counteracting any exaggerated report that may have gone abroad respecting the health of this city a careful comparison of the death rate of the city, for the the past seven years, for the months of April and May has been made. The average rate for April, for the time specified, was 118; and the number of deaths for April this year was 102. The average deaths for May, of same period, is 108; while the number for May (present month), taking the first half as a basis, will be about 80. Taking the report of the week ending on May 17th, 1879, of the Surgeon General of the United States, Indianapolis shows a less death rate than any city of the list—9.60 per thousand being the rate for Indianapolis; the next lowest being St. Louis, with 10.4 per thousand. The average mortality for the principal cities of the United States, as shown by the report referred to, is 17.6 making a fair showing for this city.

The sanitary officers connected with this Department have been industrious and diligent in seeking and reporting nuisances. They have served 750 notices, this spring, to clean vaults, alleys, yards, etc. The citizens, as a rule, have been tardy in obeying notices given by the Board, and the sanitary officers have been compelled, in many instances, to visit the same premises two and three times, in order to have the work done.

It is useless to deny that there is a great amount of filth in this city, consisting of slops from the kitchens and decaying animal and vegetable matter, thrown in out-of-the-way places, secreted in nooks and corners and vaults—anywhere in fact to conceal it from the public gaze if not from the public's nostrils, and thereby avoid the expense of removal. In the opinion of the Board of Health, the only way to more than approximate towards being a cleanly city is by the enforcement of the garbage ordinance enacted in May, 1875, or one of similar scope and purposes. As long as citizens are required to remove all matter detrimental to the public health and welfare, at their private expense, just so long will a very large proportion of them continue to avoid removing it by the means indicated; some are unwilling, and some are unable; and the two classes make a large portion of the whole number of citizens.

Because this city has heretofore escaped all epidemics is not a sufficient reason that it will continue to be exempt. The city is young, and has not had time to suffer from the continued accumulation of substances deleterious to health. In the

opinion of this Board, we can not continue to exhibit our low death rate for many years, unless some more adequate measures are put in force than at present exist for the purifying and cleansing of this city.

Respectfully submitted,

HENRY JAMESON, President.
W. E. JEFFRIES, Secretary.

PRIVILEGED QUESTION.

Councilman McKay called for the reading of an informal report prepared for the Select Committees on Rules, in which report an argument was made in favor of adopting a Manual of Rules by means of a resolution, instead of by passage of an ordinance, and stating that since the present code was ordained and established (June 12th, 1865), no less than twenty-five ordinances amendatory of the same had been introduced, sixteen of which had been passed, seven had been stricken from the files, and two were yet pending.

Councilman Tucker moved as follows :

That the rules governing this body, same as during past year, be adopted.

Also, that same committees be appointed, except as follows: Consolidating Committee on Streets and Alleys with Committee on Laying Out and Opening Streets and Alleys; also, consolidating the following committees,—Sellers' Farm, Tunnels, Sewers, and Tomlinson Estate, to be known as Committee on Public Property.

Councilman McKay moved to lay the preceding motion on the table; which proposition failed of adoption.

Councilman Tucker moved that the Committee on Rules be instructed to report an ordinance in keeping with his motion.

Councilman Lamb moved to incorporate the Committee on Parks with the Committee on Public Property.

Councilman Kahn moved to refer the foregoing propositions to the Select Committee on Rules.

On Councilman VanVorhis's motion, the last preceding proposition was laid on the table.

Councilman Tucker moved to lay Councilman Lamb's proposed amendment to his motion on the table; which proposition failed of adoption.

Councilman Lamb's proposition was then adopted; after which the original motion, as amended, was also adopted.

MESSAGE FROM THE BOARD OF ALDERMEN.

The following message was read, and the Aldermanic action, therein set forth, was, on motion, duly concurred in :

To the Common Council of the City of Indianapolis :

Gentlemen:—At the regular session of the Board of Aldermen, held on 6th instant, the Board of Public Improvements, to whom said body had referred a motion adopted by your honorable body, instructing the City Civil Engineer "to advertise for proposals for building a wooden bridge over Pogue's Run, on New Jersey street," reported that "This work can, in our opinion, be done as well, and at less expense, by the Street Commissioner; and we would recommend said officer be instructed to do such work, aided by the City Civil Engineer."

The foregoing recommendation was duly concurred in by the Board of Aldermen, and I hereby report such proceedings for your consideration and action.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

NEW ORDINANCES.

Under this order of business, the following entitled ordinances were introduced, and were severally read the first time :

By Councilman Brown :

- Ap. O. 29, 1879—An Ordinance appropriating the sum of \$4,036.30, on account of Salaries and Compensations of City Officers and Employes.
- G. O. 20, 1879—An Ordinance regulating the deposit of Garbage, Slops, and other Waste Materials within the City of Indianapolis, and providing for the removal of the same.
- G. O. 21, 1879—An Ordinance to require the Owners, Drivers, or persons having charge of Public Vehicles in the City of Indianapolis to keep Lighted Lamps thereon, with the number of the vehicle painted on such lamps; to stop, or halt, when so directed by the Marshal or any Police Officer; and providing a penalty.

By Councilman Dowling :

- G. O. 22, 1879—An Ordinance requiring the Indianapolis, Cincinnati & Lafayette Railroad Company to station a Flagman at the point where its tracks cross Georgia and Missouri streets.

By Councilman VanVorhis :

- S. O. 18, 1879—An Ordinance to provide for grading and graveling the Alley between Illinois and Meridian streets, and the sidewalks thereof, from North street to Walnut street.

The foregoing entitled Special Ordinance was accompanied with the following petition; which was duly received :

Indianapolis, May 26, 1879.

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

Gentlemen:—The undersigned owners of the real estate fronting on the alley running north and south, from North street to Walnut street, between Illinois street and Meridian street, respectfully petition for the passage of an ordinance providing for the grading and graveling of said alley and sidewalks, between the

points named—the sidewalks to be graveled with river or creek gravel, and the roadway to be graveled with raked gravel.

And your petitioners will ever pray, &c,

JOHN J. COOPER, 187½ feet.

CHAS. FISHER, 187½ feet.

C. BYFIELD, 33 feet.

On Councilman Brown's motion, the rules were suspended, for the purpose of now reading Appropriation Ordinance 29, 1879, the second and third times, and placing same on its passage, by the following vote :

AYES, 24—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

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

Ap. O. 29, 1879—An Ordinance appropriating the sum of \$4,036.30, on account of Salaries and Compensations of City Officers and Employes.

And it was duly passed by the following vote :

AYES, 24—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

Councilman Brown was excused for the balance of this session.

MISCELLANEOUS.

Councilman Bieler moved as follows; and said motion was duly adopted :

That M. Ryan be granted permission to pave with brick the sidewalk in front of his property, lot 119 in out-lot 99, on Dougherty street—the work to be done at his own expense, within sixty days, and under direction of the City Civil Engineer, who is hereby instructed to set the proper stakes.

Councilman Bryce presented the following petition; and, on his motion, the prayer of the petitioners was duly granted :

Indianapolis, May 26, 1879.

To the Common Council and Board of Aldermen :

Gentlemen:—The undersigned petitioners represent to your honorable bodies that they are the owners of two-thirds of the real estate on the south side of South street, between Illinois and Tennessee streets. That we desire permission to locate

a water-plug, for street-sprinkling purposes, on South street, south side, between Illinois and Tennessee streets—said work to be done at water-plug owner's expense and under the direction of the City Civil Engineer.

Very respectfully,

STEPHEN MATTLER,
ATKINS & KNIPPENBERG,
SARAH NOLAN.

Councilman Downey moved as follows, and urged immediate adoption of the motion, notwithstanding the rules required the reference of propositions of its kind to the Board of Public Improvements :

That the Street Commissioner be directed to lay a double-stone crossing, over Alabama street, on the north side of Market street.

The demand for immediate adoption of preceding motion was defeated by the following "aye and nay" vote :

AYES, 11—viz.: Councilmen Bryce, Dowling, Downey, Lamb, Pearson, Prier, Rooker, Sheppard, Shilling, Wiese, and Wood.

NAYS, 12—viz.: Councilmen Bermann, Bieler, Carey, Hamilton, Kahn, King, Morrison, McGinty, McKay, O'Connor, Tucker, and Van Vorhis.

And then the above motion was referred to the Board of Public Improvements.

Councilman Hamilton moved as follows; which motion, under the rules, was referred to the Board of Public Improvements :

That the Street Commissioner be directed to immediately raise the grade of the gutters of Oak street, directly north of Massachusetts avenue, so that they will carry the water off of said street, and that he properly protect the adjacent sidewalks from overflow.

Councilman Kahn presented the following protest; and, after same had been read, made the motion appended to protest :

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

Gentlemen:—I see from the proceedings of your honorable body on the 12th of this month, that the Board of Public Improvements recommend, among other things with reference to the improvement of Highland street, that the City Civil Engineer be directed to establish a proper grade for Market street from Arsenal avenue to Pogue's Run, and that, then, the grade of Highland street be made to conform to said grade of Market street.

Now, against any change in the grade of Market street, the undersigned would most respectfully protest. The grade of that street (and a proper grade, too, I contend) was established by the city authorities years ago; and said street, with its sidewalks, was improved, and paid for by the property holders, according to the grade so established. I paid for the improvement in front of my property, where the street was cut down, graded my yard, built my fence, and planted out shade trees; and if the grade was changed, as proposed, I would not only lose my trees, and the money expended in making the improvements above referred to, but would be put to the expense of having the work all done over again, besides having my property greatly damaged by the proposed change.

Now, as there are no parties petitioning or asking for a change in the grade of Market street, there are no parties from whom the city could collect the damages that might be occasioned by such change to any property holder, and the city her-

self would thus lose all the damages that might be sustained—which said damages would have to be paid or tendered before the grade could be changed, as your honorable body well know. So that it seems to me that the Board of Public Improvements went outside of the record, when they recommend a change to be made that is not asked for, and would, if said recommendation was carried out, make the city alone liable for the damages done. So that I most respectfully, but earnestly, request your honorable body to take no further steps looking to the change in the grade of Market street, which, while it could be of no benefit whatever to the city, would almost ruin the property of the undersigned.

JAMES L. MITCHELL.

Indianapolis, May 26, 1879.

That the order directing the City Civil Engineer to establish a proper grade for Market street, from Arsenal avenue to Pogue's Run, be, and is hereby, rescinded.

At Councilman Tucker's suggestion, Major Mitchell, who was in the Council Chamber, was extended the courtesy of addressing the Council on the matter rehearsed in his protest.

After which Councilman Kahn's motion was duly adopted.

Councilman Morrison moved as follows; which motion was duly adopted:

That the Board of Public Improvement, be instructed to report the best mode of improving Tennessee street, from Ohio street to Twelfth street.

Councilman McGinty moved as follows; which motion, at Councilman Kahn's suggestion, was referred to the Police Board:

That the Police Board be directed to station a watchman at the foot of Kentucky avenue, to prevent the people from depositing filth or nauseous stuff in the river.

Councilman Pearson moved as follows; which motion was duly adopted:

That the Board of Public Improvements be instructed to examine the canal bridge on St. Clair street, as it has been reported, by several parties, to be in a dangerous condition.

Also, presented the following petition; and, on his motion, the prayer of the petitioners was duly granted:

Indianapolis, May 26, 1879.

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

Gentlemen:—The undersigned, owners and occupants of the property on the west side of Mississippi street, between Pratt and First streets, respectfully request your honorable bodies to authorize Henry Love to put in a street-sprinkler hydrant on the east side of aforesaid street, at a point full twenty-five feet south of First street—said work to be done at the personal expense of said Henry Love, to the satisfaction of the Street Commissioner, and in accordance with the provisions of the ordinance regulating such privilege.

And your petitioners will ever pray, &c.

Kevers & Fertig, Thos. Stibbens, Lewis Walter,
Henry Walter, W. C. Bull, Morris Woodard, Edward N. Richards.

Councilman Rooker moved as follows; which motion, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be ordered to repair Meridian street from New York to Seventh street, and Tennessee street, from Ohio to Twelfth street, by removing the blocks, forty feet wide, in the middle of said streets, and filling up the space with raked river gravel.

Also, presented the following petition:

WHEREAS, The Citizens' Street Railway Company have a track from Seventh street, on the extension of Illinois street, to Twelfth street, in this city, upon which they only run their cars during a period of five days in each year;

AND, WHEREAS, Sundry good and worthy citizens reside on Illinois street, between Seventh and Twelfth, who have rights, and whose comfort and convenience should be consulted, as well as the citizens south of Seventh, on Illinois street;

AND, WHEREAS, Said company's track on said street, between Seventh and Twelfth, is not laid with the most approved rail, but with the old "T"-rail: Therefore,

Moved, That the Street Commissioner notify said company to remove said "T"-rail from said track, and re-place the same with the most approved rail, from Seventh to Twelfth street, and thereupon place their cars upon said track, for the comfort and convenience of citizens residing north of Seventh street; and that instead of a turn-table at Seventh street, the same shall be taken up, and one placed at Twelfth street.

And it is further Moved, That should said company not take up said "T"-rail, and re-place the same with approved rail, and take up said turn-table at Seventh street, and put down one at Twelfth street, and have their cars running from the corner of Illinois and Washington streets, to Twelfth street, all within thirty days from the date of service of notice hereof upon them, then the Street Commissioner shall, at the expense of said company, take up and remove the present track or road thereof from Seventh to Twelfth Street.

Councilman Pearson moved that preceding petition be laid on the table; which proposition was defeated by the following "aye and nay" vote:

AYES, 6—viz.: Councilmen Dowling, Hamilton, McKay, O'Connor, Pearson, and Prier.

NAYS, 17—viz.: Councilmen Bermann, Bieler, Bryce, Carey, Downey, Kahn, King, Lamb, Morrison, McGinty, Rooker, Sheppard, Shilling, Tucker, Van-Vorhis, Wiese, and Wood.

The foregoing motion was then referred to the Committee on Railroads.

Councilman Rooker also moved as follows; which motion was referred to the Committee on Railroads:

WHEREAS, The Citizens' Street Railway Company of this city have completed a line of their road on Indiana avenue, and, in completing said line, have assumed the right to, and have laid the rail with the flange outside the track;

AND WHEREAS, Said company have taken possession of the crown, or middle, of said Indiana avenue, and have put down iron rails on their track with the flange on the outside as aforesaid, and thus obstructing the passage of buggies, wagons, and other vehicles along or over said track: Therefore,

Moved, That the Street Commissioner be, and is hereby, ordered to notify said Street Railway Company to immediately reverse the rails on said Indiana avenue track, so as to bring the flange on the inside of the track. And on failure so to do, within fifteen days from such notification, said Street Commissioner shall cause said rails to be reversed, and charge and collect the expenses thereof from said company.

Also, Moved, That said Street Commissioner do at once notify said company to, within a reasonable time, clean up and remove the loose bowlders, and large rocks scattered along the line of their new road on Indiana avenue, said bowlders etc., being placed on said line by said company. And said Street Commissioner is hereby directed to report to this Council any failure or refusal of said company to comply with this order.

Councilman Shilling presented the following petition, and offered the appended resolution; which, on motion, were referred to the Committee on Railroads:

Indianapolis, May 26, 1879.

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

Gentlemen:—The undersigned, owners of property and residents on Indiana avenue and immediate vicinity, respectfully petition your honorable bodies to take the necessary steps to have the street car line extended from its present terminus on Indiana avenue, at West street, along North street, to Blake street. This improvement is greatly needed, and would be a great convenience to the residents of that part of the city, and would be liberally patronized.

And your petitioners will ever pray.

A. G. Patterson, S. W. Patterson, William E. Featherston, J. R. Lambert, Jr., John Patterson, R. H. Patterson, Geo. W. New, J. F. Redmond, Thomas Cummings, Moses Broyles, Robt. Jefferson, R. W. Wells, A. C. Henderson, Frank Vajen, J. H. Vajen; I believe in the above, Wm. S. Hubbard; C. VanCamp, D. DeRuiter, C. N. Lee, R. J. Moulton, Thos. B. Jackson, Ellen McOuat, and 105 others.

Be it Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Common Council and Board of Aldermen deem it expedient that a line of street railway be constructed along and upon North street, from its present terminus, on Indiana avenue, at West street, to Blake street; and that the Citizens' Street Railway Company be, and are hereby, directed to construct the same at once; and the City Clerk is hereby directed to serve a copy of this resolution upon the proper officer of said company, in accordance with the provisions of Section 15 of an ordinance entitled "An Ordinance authorizing the Construction, Extension, and Operation of certain Passenger Railways in and upon the streets of the City of Indianapolis (ordained January 18th, 1864)."

Councilman Tucker moved as follows; which motion was duly adopted:

That the City Marshal be instructed to notify the several packing and slaughtering houses within the city limits, that they must comply with the ordinance which requires the removing of all blood, in close carts, to the Sellers' Farm; and that if the same is not complied with, said officer is ordered to file against all who may violate the same.

Councilman Wiese moved as follows; which motion was duly adopted :

That the Street Commissioner request the Citizens' Street Railway to provide stools upon their cars, on their principal routes, for the use of its drivers when too tired to stand.

Also, moved as follows; which motions were severally referred to the Board of Public Improvements :

That the Street Commissioner be directed to clean the gutters of Meridian street, between Morris and Merrill streets.

That the Street Commissioner be directed to fill, with gravel, the chuck-holes in Russell avenue, and clean the gutters thereof.

That the Street Commissioner be directed to clean the gutters of Union street, between Ray and Merrill streets.

The same Councilman moved as follows; which motion, at Councilman McKay's suggestion, was referred to the Judiciary Committee and the City Attorney :

That the Chair appoint a special committee of three, to confer with Louis Lehr, corner of Ray and Illinois streets, in regard to damage done him by the last rain, by washing down his cellar wall, and thus prevent a damage suit against the city.

Councilman Wood moved as follows; which motion was adopted :

That the Street Commissioner be instructed to notify the Vandalia Railroad Company to at once repair their crossings on S. West street, as the same are now in a dangerous condition.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.