

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JUNE 2, 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 25 members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

ABSENT—None

The Proceedings of the Common Council, for the adjourned session, held on May 5th, 1879, having been printed, and placed on the desks of the Councilmen, said proceedings were duly approved as published.

## COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, as President, submitted the following communication :

To the Common Council of the City of Indianapolis:

*Gentlemen*:—I hereby announce your Standing Committees for 1879-1880.

J. CAVEN, President of Common Council.

<i>Accounts and Claims</i> .....	VanVorhis, Wood, and McGinty.
<i>Bridges</i> .....	King, McKay, and Bermann.
<i>Contracts</i> .....	Brown, Hamilton, and Sheppard.
<i>Public Schools</i> .....	Wiese, Shilling, and Bryce.
<i>Finance</i> .....	Kahn, Brown, Bryce, Prier, and Wiese.
<i>Judiciary</i> .....	Lamb, Rooker, and Dowling.
<i>Markets</i> .....	Harmening, King, and Bermann.
<i>Supplies</i> .....	Pearson, Bieler, and Dowling.
<i>Revision of Ordinances</i> .....	Lamb, Bieler, and Sheppard.
<i>Printing</i> .....	Hamilton, Morrison, and McGinty.
<i>Benevolence and Hospitals</i> .....	Carey, VanVorhis, and O'Connor.
<i>Gas-Light</i> .....	Rooker, Hamilton, and McKay.
<i>Public Property</i> .....	Tucker, Carey, and Shilling.
<i>Railroads</i> .....	Prier, Rooker, and Kahn.
<i>Streets and Alleys, Opening, etc</i> .....	Kahn, Pearson, and Tucker.
<i>Streets and Alleys</i> .....	Downey, Harmening, and O'Connor.
<i>Water-Works</i> .....	Wood, Brown, and McKay.

## REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer and Street Commissioner submitted the following report; which, on motion, was referred to the City Attorney for his legal opinion on the matters reported therein :

To the Mayor and Common Council:

*Gentlemen:*—We were directed to make a fair, just, and careful examination of the Citizens' Street Railway Company's tracks, and report whether or not said company has built her roads and laid her tracks, and has kept the same in repair, according to the terms of her charter; and wherein any failures are found on the part of said company to comply with her charter.

So far as said company's compliance with the terms of her charter is concerned, we would prefer not to express an opinion, inasmuch as it involves a question of lawful construction of said charter; but we would report the result of a careful examination of the said company's road-beds and tracks.

We find what is known as the T-rail used on Alabama street, from Seventh street to Exposition avenue; on Pennsylvania street, from Seventh street to Second street; on Washington street, from State street to Oriental street; and on the English avenue line, from Virginia avenue to the terminus of the line.

On Massachusetts avenue, from the Bee Line Railroad to Noble street; on Washington street, from Oriental street to Noble street; and on Indiana avenue, from Illinois street to the terminus of that line,—the rails are laid reversed, causing considerable complaint, and rendering a satisfactory repairing of the streets doubtful.

At various points along all the lines repairs are more or less needed. The roadway is worn, and needs filling up; the rails, at some points, need leveling;—in fact, a general overhauling of the lines would add much to the comfort of the traveling public and greatly enhance the appearance of the streets.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

L. A. FULMER, Street Commissioner.

Indianapolis, May 31, 1879.

The City Treasurer submitted the following annual report; which, on motion, was referred to the Committee on Finance :

*Report of Wm. M. Wiles, City Treasurer, for the fiscal year, beginning May 16th, 1878, and ending May 31st, 1879.*

## RECEIPTS.

Balance on hand May 15th, 1878, as per report.....	\$309,199 57
From current taxes.....	426,046 02
From delinquent taxes.....	113,708 88
From tax sales.....	87,816 47
From benefits.....	572 51
From auction licenses.....	200 00
From interest on bonds (Be't R. R.).....	45,000 00
From dog licenses.....	2,051 25
From coal licenses.....	343 00
From dray licenses.....	277 00
From express licenses.....	653 00
From fines and fees (City Court).....	689 90
From hack licenses.....	512 00
From hucksters' licenses.....	381 00

From vault-cleaners' licenses .....	\$	50	00
From loans "Time-Warrants of 1878" .....		98,425	00
From market-master's fees.....		2,576	52
From market rents .....		2,474	10
From peddlers' licenses .....		492	00
From promiscuous.....		1,019	95
From show licenses .....		545	00
From tapping sewers.....		295	00

\$1,093,328 17

DISBURSEMENTS.

For Fire Department.....	\$	69,387	38
For Police .....		45,259	77
For street repairs .....		30,671	92
For City Hospital and Branch.....		10,246	29
For City Civil Engineer's Department.....		1,817	99
For City Assessor's Department.....		3,309	95
For Board of Health .....		486	15
For interest on bonds .....		139,259	50
For bridges.....		2,378	70
For cisterns .....		792	37
For City Commissioners.....		378	00
For City Dispensary.....		2,000	00
For coal oil light.....		676	89
For costs .....		2,150	77
For damages .....		575	00
For elections .....		637	00
For fountains.....		63	53
For gas .....		59,331	23
For lighting and extinguishing street lamps.....		2	00
For Gregg bequest .....		438	42
For Home for Friendless Women.....		162	20
For ice.....		95	94
For incidental.....		892	15
For insurance .....		178	37
For levee.....		5	52
For market-masters' fees.....		1,428	08
For markets .....		186	04
For nuisances .....		175	00
For office fixtures and supplies.....		663	77
For parks.....		1,435	20
For percentage .....		16,167	88
For posting bills .....		61	60
For printing, stationery, and advertising.....		4,874	22
For rent.....		3,000	00
For salary.....		17,814	79
For School Board.....		144,716	10
For sewers.....		1,440.	53
For station house.....		2,856	27
For street improvements.....		2,058	39
For taxes refunded.....		1,614	30
For Tomlinson annuity.....		7,000	00
For "Time-Warrants of 1878" .....		100,000	00
For tunnel.....		18	90
For water rent.....		25,006	00
Balance on hand, general fund.....	\$	308,489	78
Balance on hand, due school fund .....		83,124	20

\$1,093,328 17

## TOMLINSON ESTATE.

Balance on hand May 15th, 1878, as per report.....	\$ 16,814 86
From rents.....	3,389 85
	<u>\$ 19,704 21</u>
For repairs.....	285 56
Balance on hand.....	19,418 65
	<u>19,704 21</u>

Respectfully submitted,

WM. M. WILES, City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

The same officer presented the following proposal and communication; which, on motion, was referred to the Committee on Public Property:

Indianapolis, June 2, 1879.

To the City Treasurer:

We will clean vaults out at Nos. 113, 115, and 117 N. Illinois street, and one at 23 W. Ohio street, there being 590 cubic feet in all, for the sum of \$48.00.

CITIZENS' ODORLESS CO.  
Room 6 Baldwin's Block.

The above proposition is referred to the Hon. Mayor and Common Council for instructions.

I have been ordered by the sanitary officers of the city to have the vaults specified emptied and purified.

WM. M. WILES, City Treasurer.

June 2, 1879.

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

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

*Gentlemen:*—I herewith report the following affidavit, now in file in my office for the collection of street assessment by precept, to-wit: John Low vs. Moody Currier, for \$3.33, and recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

And the precept, therein recommended, was ordered to be issued by the following vote:

AYES, 20—viz.: Councilmen Bermann, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Prier, Rooker, Shilling, Tucker, Wiese, and Wood.

NAYS—None.

The same officer submitted the following communication; which, on motion, was referred to the Committee on Opening, etc., Streets and Alleys:

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

*Gentlemen:*—In the matter of the proposed vacation of a part of the first alley south of Coburn street in Dougherty's Subdivision of a part of out-lot No. 99 in the City of Indianapolis, I would report that the petitioners, "Brothers of the Sacred Heart," refuse to pay any part of the expense of the proceedings in such vacation. As the law under which such proceedings are had, says that "all the expenses of such proceedings shall be paid by said petitioners, unless the Common Council shall otherwise direct," I respectfully ask for further instructions from your honorable bodies.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The same officer presented the following petition; which, on motion, was referred to the Judiciary Committee and the City Attorney:

Indianapolis, June 2, 1879.

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

James B. Smith shows unto your honorable bodies—

That heretofore, to-wit, on March 17th, 1873, the Common Council of the City of Indianapolis, passed an ordinance, viz.: Special Ordinance No. 17, 1873—For the improvement of N. Meridian street, between Ohio and Market streets, with wooden block pavement.

Afterwards, to-wit, on April 22d, 1873, he entered into a written contract with the City of Indianapolis, for making the improvement on the street, and completed the work under the terms thereof, and the work was accepted by the city. The city paid its portion, as also did all of the property holders except Robert B. Duncan, Esq., who owned, and still owns, 122 feet front on the west side of said street, off the south side of the northeast  $\frac{1}{4}$  of square 15. On said Duncan refusing to pay, a proper affidavit was filed and a precept issued—whereupon Mr. Duncan took an appeal to the Marion Civil Circuit Court. The matter came on for a hearing last September, and the Court held that the estimate issued by the city to your petitioner was void, and that the claim could not be enforced against the property of Mr. Duncan. The claim is for \$606.98, with interest amounting to \$200 00.

Your petitioner shows that it was no fault of his that the proceedings were irregular and void, as held by the Court; and he says that he is advised that the city was in duty bound to see that the proceedings were regular and lawful, so that, having done his work under his contract with the city, he might enforce payment against the property holders, and that the city having failed so to do, it is in duty bound, both in law and morals, to make good to him the loss he has sustained.

He therefore asks that your honorable bodies will pay him said sums of money.

And he will ever pray.

JAMES B. SMITH, Contractor.

A. C. HARRIS, Solicitor.

Ex City Attorney Hawkins presented the following communication; which was duly received:

Indianapolis, May 31, 1879.

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

*Gentlemen:*—I was instructed to prepare and report an ordinance, requiring the Indianapolis, Peru & Chicago and the Cleveland, Columbus, Cincinnati & Indianapolis Railway Companies to station a flagman at the intersection of their tracks and Michigan street.

I herewith submit such an ordinance for your approval and passage.

Respectfully submitted,

R. O. HAWKINS, City Attorney.

The following entitled ordinance (referred to in foregoing communication) was read the first time; and then, on motion, was referred to the Committee on Railroads:

G. O. 23, 1879—An Ordinance relative to placing a Flagman at the intersection of Michigan street and the tracks of The Indianapolis, Peru & Chicago and The Cleveland, Columbus, Cincinnati & Indianapolis Railway Companies.

The City Attorney presented the following communication and appended petition; which report was duly received, and the accompanying petition was, on motion, referred to the Fire Board and the City Attorney:

To the Mayor, Common Council, and

Board of Aldermen of the City of Indianapolis:

*Gentlemen*:—I have received the annexed communication, which I herewith transmit to you, for such action thereon as you may deem proper.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

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575 N. MISSISSIPPI STREET, May 30, 1879.

*Dear Sir*:—On Tuesday last, at 4:30 P. M., an employe of the city was engaged, at the intersection of Mississippi street and St. Clair street, suspending a fire-alarm telegraph wire across Mississippi street, from a post at the northeast corner, extending west. By his gross carelessness and inexcusable negligence, the wire was left to swing at an elevation so low as to obstruct lawful travel. My wife and child were driving south on Mississippi street, at that hour, and were placed in great and sudden danger by the obstruction, and narrowly escaped with their lives. The top of the buggy was crushed and broken. Its repair has cost me \$5, and the inconvenience and remote damages have not been small. These facts will be easily verified.

I respectfully request that the city reimburse me the actual outlay occasioned by its injury to my property, upon which I pay taxes into the treasury.

Respectfully,

SAMUEL R. DOWNEY.

To the City Attorney, Indianapolis.

The following report from the Superintendent of the City Dispensary was referred to the Committee on Benevolence and Hospitals:

Indianapolis, June 2, 1879.

To the Mayor and Common Council:

*Gentlemen*:—I have the honor to report that the City Dispensary, although carried on without funds for the month of May, has performed charity as follows:

Visits made to families.....	137
Visits made to Station House.....	31
Number prescribed for at Dispensary.....	385
Whole number of prescriptions filled.....	927
Number of surgical cases.....	35

I desire to call your attention to the fact that it will require about two hundred (\$200) dollars to pay for last month's services and the month of June; which should be appropriated at once.

That you may know what the Dispensary has done, I submit the following table:

Table showing the work of the Dispensary, from January, 1875, to date.

YEAR.	Visits to Families.	Patients at Dispensary.	Total Prescriptions filled.	Eye and Ear cases.	Vaccinations.	Births.	Surgical cases.
1875.....	5,563	4,210	10,232	420	770	27	74
1876....	5,785	9,195	11,047	395	90	37	95
1877.....	3,996	5,005	10,794	300	96	54	322
1878.....	2,447	4,516	9,337	200	53	25	714
1879.....	1,083	2,090	4,378	150	5	2	275
Totals.....	18,874	25,016	45,788	1,465	1,014	145	1,480

The above cases include the treatment of almost every kind of disease, and nearly every accident incident to practice of medicine, surgery, and obstetrics.

In the putting up over twenty-five thousand prescriptions, no errors have occurred, and every prescription is now on file and is in the record of the case. That in making so many thousand visits there has some delay occurred at times, in making calls, can not be avoided.

The physicians who have done the Dispensary work have been selected by a board of examiners, composed of the best physicians and surgeons of the city, and the attending physicians have at all times had special aid and advice from Drs. Harvey, Comingor, Chambers, Wright, and Thompson,—the two latter having treated cases in their special line of practice, which has saved the eyes of hundreds of poor persons.

The cost of the Dispensary, from January 1st, 1875, to May 1st, 1879, has been \$14,771.56; and whether the Dispensary has been managed well or ill is for you gentlemen to determine.

Respectfully yours,

W. B. FLETCHER.

#### REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Tucker, submitted the following report; which was duly approved:

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

*Gentlemen:*—The Fire Board would most respectfully report to your honorable bodies that they have ordered twenty-two hundred and fifty (2,250) feet of hose, upon same terms and conditions as last hose were purchased, and wish to return their thanks for your prompt action in granting the request made, asking for your permission to make the above purchase, in view of the advised advance—it having saved the city four hundred and fifty dollars.

Most respectfully submitted,

J. T. LAYMAN,  
W. H. TUCKER,  
JOHN R. PEARSON,  
Fire Board.

The Police Board, through Councilman Downey, submitted the following official bonds :

- Of G. Almont Taffe, as Turnkey at Central Station. Penalty of bond, \$2,000; sureties, Ingram Fletcher and W. Clinton Thompson.
- Of Eugene Sauley, as Turnkey at Central Station. Penalty of bond, \$2,000; sureties, Adam Bretz, Chas. W. Smith, and Henry C. Adams.

The bond of G. Almont Taffe was, on motion, duly approved; and that of Eugene Sauley was, on motion, referred to the Committee on Finance.

On Councilman Carey's motion, the approval of Taffe's bond was re-considered by the following vote :

**AYES**, 15—viz.: Councilmen Bermann, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Morrison, McGinty, McKay, O'Connor, Shilling, Tucker, Van Vorhis, and Wood.

**NAYS**, 8—viz.: Councilmen Downey, Harmening, Lamb, Pearson, Prier, Rooker, Sheppard, and Wiese.

On Dr. Carey's motion, G. Almont Taffe's bond was then, also, referred to the Finance Committee.

The same official board presented the following inventories; which were duly received :

*Indianapolis, May 16, 1879.*

The following property, belonging to the city, was at the Central Station on the above date :

3 Office Desks,	1 large Wardrobe,
2 City Directories,	72 new Fire-Keys,
1 Record of Information,	73 Police Badges,
1 Record of Stolen Property,	2 Stoves,
1 Record of Police Board,	1 Kitchen Range,
1 Record of Warrants,	$\frac{3}{4}$ barrel Salt,
1 Record of Pay-Roll,	$\frac{3}{4}$ sack of Green Coffee,
1 Record of Prisoners,	3 sacks of beans,
1 Record of Bail,	1 Oil Can,
1 Scrap-book,	9 Oil Lamps,
2 Time-Books.	1 pair Scales,
1 Register of Effects of Prisoners,	1 Bread Box,
336 Regulations of Police Force,	7 dozen small Grub Pans,
150 Envelopes,	1 large Grub Pan,
7 Packages Letter-Heads,	1 large copper Coffee-Boiler,
200 Blank Certificates of Appointment,	1 large iron Meat-Boiler,
1 Letter-Box,	1 small Coffee-Boiler,
1 Letter-Rack,	1 small Coffee-Mill,
6 Tables,	1 Coffee Box,
1 Walnut Bracket,	1 Pepper Box,
1 box Chalk,	2 Frying Pans,
4 Ink Stands,	1 Bread Pan,
5 Pen Holders,	10 Tin Cups,
$\frac{1}{2}$ gross Steel Pens,	1 Dish Pan,
1 quart bottle of Ink,	2 large Iron Pots,
1 Mucilage Stand,	1 large Copper Heater,
2 Watson's Maps,	1 Coal Bucket,

6 Photograph Frames for Rogue's Gallery,	2 small Fire Shovels,
1 Brussels Spring-Lounge,	2 small Fire Pokers,
2 Spittoons,	1 Tin Water-Bucket,
2 China Pitchers,	1 Tin Wash-Pan,
1 Waste Basket,	4 Forks,
1 Clock,	1 Meat Fork,
1 Looking-Glass,	4 Knives,
2 Fire-Alarm Cards, with frames,	4 Cups and Saucers,
3 Carpets,	1 large Iron Safe,
9 Window Curtains,	1 Fire Gong,
54 Dining-Room Chairs,	14 new double Blankets,
2 Office Chairs,	19 old Blankets,
4 Pictures and Frames,	1 Spanner,
1 Sledge Hammer,	7 Mattresses,
	2 small Baskets.

The following is the amount of property at the Sixth street Station House:

1 Safe,	5 Planks, ten feet long and twelve inches wide,
1 Office Writing-Table,	1 Fire Shovel,
4 Chairs, 2 good for nothing,	1 Poker,
1 Station-House Register,	1 Coal Shovel,
2 Paupers' Registers,	1 Wall Brush,
1 Slate,	1 Tin Lamp,
1 copy Charter and Ordinances,	1 Hatchet,
1 copy Penal Ordinances,	2 Grub-Hole Locks,
1 Clock,	1 Brass Self-Locker,
1 pair of Hand-Cuffs,	1 Iron Screw Lock,
5 Window Curtains and Fixtures,	1 Water Bucket,
3 Stoves,	1 Iron Bedstead and Mattress,
1 pair Blankets,	1 Coal Oil Can,
2 Brooms,	2 Lamps,
2 Cotton Mops,	2 Stacy Gas-Burners.
2 Mop Handles,	
20 bushels of Coal,	

The Board of Public Improvements and the Street Commissioner submitted the following report; which was duly approved :

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

Gentlemen:—We herewith report the expenses of the Street-Repairs Department for the month of May, 1879, together with total expenditures for the year ending May 31st, 1879 :

Hardware.....	\$	85 60
Bowlders.....		72 00
Blacksmithing.....		41 05
Cement.....		6 00
Stone spawls.....		9 60
Freight on stone.....		56 00
Freight on lumber.....		39 51
Rent of shop and yard for Street Commissioner (6 months).....		30 00
Gravel.....		113 70
Cinders.....		19 00
Sand.....		55 10
Cement-pipe and lime.....		3 90
Use of horse and wagon, and repairs for year.....		104 00
Toll for gravel teams.....		4 08

Lumber .....	\$ 106 27
Pay-rolls .....	3,188 03
Total expenditures for May .....	\$ 3,933 84
Total expenditures last report.....	26,865 82
Total expenses to June 1st, 1879 .....	\$ 30,799 66

Respectfully submitted,

M. H. MCKAY,  
J. L. BIELER,  
Board of Public Improvements.  
L. A. FULMER, Street Commissioner.

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

*Report of Deaths in the City of Indianapolis, from May 16th to 31st, 1879, inclusive.*

Under 1 year .....	17
1 to 2 years.....	2
2 to 5 " .....	1
5 to 10 " .....	1
10 to 15 " .....	0
15 to 20 " .....	4
20 to 25 " .....	6
25 to 30 " .....	2
30 to 40 " .....	3
40 to 50 " .....	4
50 to 60 " .....	3
60 to 70 " .....	4
70 to 80 " .....	5
80 to 90 " .....	0
90 to 100 " .....	0
100 and upwards .....	0
Unknown .....	1
Total .....	53

HENRY JAMESON, M. D., President.

WILLIAM WANDS, M. D.

WILLIAM E. JEFFRIES, M. D., Secretary.

The same official board also submitted the following report; which, on Councilman McKay's motion, was referred to the Committee on Public Property:

To the Mayor and Common Council:

*Gentlemen:*—In compliance with an order issued by your honorable body on the 12th day of May last, the Board of Health visited the Sellers' Farm, and found the sanitary condition of the buildings and lots surrounding bad. The tankage was found spread all over the adjacent lots, in the open air, which is in direct violation of the ordinance relating to the same.

No blood from the slaughter-houses of the city has been received at the Farm since February last, showing that said slaughter-houses have been making other disposal of their blood than is directed by ordinance.

The number of notices served for the month of May, 1879, by the day patrolmen, for the abatement of nuisances, is 196. The number served by the sanitary policemen is 256.

We have to report an increased interest by citizens in cleaning up their premises, so much so that the scavengers are at present the busiest class in the city.

All of which is respectfully submitted.

HENRY JAMESON, President.

W. E. JEFFRIES, Secretary.

#### QUESTION OF PRIVILEGE.

By consent, Councilman Rooker was permitted to bring up the matter of repairing the block pavements of Meridian and Tennessee streets, and stated that a committee, appointed at a late meeting of the property owners on said streets, was in attendance.

On Councilman Lamb's motion, aforesaid committee was furnished with seats within the bar, and extended the courtesy of personally addressing the Common Council in behalf of its constituents.

Hon. A. W. Hendricks, as representative of the property owners on Meridian street, first addressed the Common Council, and then presented the following memorial :

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

A public meeting of property holders, residing on N. Meridian and N. Tennessee streets, was held at the St. Joseph street Reel-House on the evening of 31st ult., to consult about the condition of those streets, and what action should be taken for their repair.

The meeting was largely attended and the subject earnestly discussed. The undersigned were appointed a committee to lay before your honorable body the views of the meeting.

Pursuant to this appointment, we have the honor to submit the following as the opinion of those we represent :

It is not necessary to urge the fact that the portions of those streets that were paved with wooden blocks a few years ago are wretchedly out of repair. This fact is notorious. That their immediate repair is a matter of urgent necessity seems to be conceded on all hands. It is thought by many that the decaying wood in these pavements must be prejudicial to health, and that for that reason, also, they should be removed.

The only question that is made is: By whom should the burden of restoring these streets to a condition fit for public use, be borne?

It has been the long settled policy of the city to open its streets, in the first instance, at the expense of the abutting property holders, or those peculiarly benefited, and to maintain them in repair at the public expense afterwards.

When these block pavements were laid down under authority of a former Council at our expense, we had a right to expect, and did expect, that the city would maintain them. There was a clear and strongly implied obligation to that effect. No one residing upon the lines of these streets would have thought for a moment of building that kind of street if he had supposed that, while it would be subjected excessive wear and tear by disproportionate public use, no care whatever would be given to its preservation.

During all the years that these streets, thus re-built at our private cost, have been left uncared for, and abandoned to premature destruction, we have borne our proportion of the expense of maintaining the other streets of the city.

Even if it were just that we should repair these streets at private cost, it would be impracticable to do so, as we are advised that no existing law could compel it, while unanimous consent of abutting owners could not be hoped for.

But, to require of us to keep up repairs of the streets upon which we live, at our private expense, and, at the same time, tax us for the repair of all other streets, would be manifestly unjust and oppressive.

So far as could be gathered, from the sentiments expressed at the meeting referred to, and so far as can be learned from other sources, it is the unanimous judgment of those we represent, that these streets should be repaired at the expense of the city; and the justice of this view is, we think, pretty generally recognized by citizens, other than those immediately interested.

If the finances of the city were in a more comfortable condition, we might insist, as a matter of justice and implied agreement, that these streets should be restored and maintained as block pavements. But, in view of the fact that the city is supposed to labor under some embarrassment, by reason of its restricted power of taxation, we do not urge an improvement involving so great expense as a new block pavement would involve.

We respectfully suggest the following plan of improvement, which would be greatly less expensive, viz.:

That the wooden blocks be removed from the drive-way, or central portion of the streets, and re-placed by screened river gravel, laid on the present foundations, so as to give a sufficient roadway, leaving the gutters as they are now, except as it may be found expedient to re-place defective blocks with blocks taken from the middle of the street.

Very respectfully,

H. C. Newcomb, R. S. McKee, L. W. Fletcher, Committee for Tennessee street.

A. W. Hendricks, E. F. Claypool, R. L. McOuat, Committee for Meridian street.

Hon. H. C. Newcomb also addressed the Common Council on behalf of the property owners on Tennessee street.

At the close of Judge Newcomb's remarks, on Councilman Kahn's motion, the foregoing memorial was referred to the Board of Public Improvements and the City Attorney, who were charged with the further consideration of this subject, and instructed to make a report of their conclusions to the Common Council at an early day.

#### MESSAGE AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Common Council of the City of Indianapolis:

*Gentlemen*:—At the last regular session of the Board of Aldermen, held on 27th *ultimo*, that body refused to concurrently adopt your motion requesting the Citizens' Street Railway Company to furnish the drivers on its principal routes with stools.

At the same session, the two motions which accompany this message were duly adopted, and I herewith transmit such motions for your consideration and action.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

And then, on Councilman Tucker's motion, the Common Council determined to insist on its action of 26th *ultimo*, mentioned in the first paragraph of preceding message.

The following motions, which had been duly adopted by the Board of Aldermen, were read, and were concurrently adopted by this body :

That the Board of Health, and the Sanitary Policemen be requested to provide a place for a public dumping ground, and report the same to the Council and Board of Aldermen.

That the Judiciary Committee and City Attorney be instructed to examine all the bonds filed with the City Clerk, given by officers of trust connected with the City Government, and that report of the results of their investigations be made to the Common Council and Board of Aldermen.

#### NEW ORDINANCES.

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

By the Fire Board, through Councilman Tucker :

Ap. O. 30, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

By the Hospital Board, through Councilman Morrison :

Ap. O. 31, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

By the Police Board, through Councilman Downey :

Ap. O. 32, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses.

By the Board of Public Improvements, through President McKay :

Ap. O. 33, 1879—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

Ap. O. 34, 1879—An Ordinance appropriating the sum of Twelve Hundred and Sixty-Six Dollars at expense of Bridge Fund.

By the Committee on Accounts and Claims, through Councilman Van-Vorhis :

Ap. O. 35, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of General City Election, held May 6th, 1879.

Ap. O. 36, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

By the Committee on Printing, etc., through Councilman Hamilton :

Ap. O. 37, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

By Councilman Tucker :

- G. O. 24, 1879—An Ordinance to amend section six (6) of an ordinance entitled "An Ordinance preventing Frauds in the Sale of Wood, and providing for Wood-Measurers (ordained November 23d, 1873)."

By Councilman Bermann :

- S. O. 19, 1879—An Ordinance to provide for grading and graveling the Alley between McCarty and Sinker streets, from the first alley west of New Jersey street to the first alley east of Alabama street.

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

*Indianapolis*, May 8, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on the alley described below, respectfully petition for the passage of an ordinance providing for grading and graveling of the alley between McCarty and Sinker streets, from the first alley west of New Jersey street to the first alley east of Alabama street.

And your petitioners will ever pray, etc.

Thomas Darmody, Miss Omara, Michael O'Kief,  
Michael Donley.

By Councilman Brown :

- S. O. 20, 1879—An Ordinance to provide for grading and graveling Prospect street, curbing with stone the sidewalks, and bowldering the gutters thereof, from Dillon street to Reid street.

By Councilman O'Connor :

- S. O. 21, 1879—An Ordinance to provide for grading and graveling the first Alley north of Maryland street, from Benton street to the first alley east of Benton street.

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

*Indianapolis*, June 2, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on the first alley north of Maryland street, running east from Benton street to the first alley east of Benton street, respectfully petition for the passage of an ordinance providing for grading and graveling the above described alley.

And your petitioners will ever pray, etc.

Warren Tate, Helen J. Tate.

By Councilman VanVorhis :

- S. O. 22, 1879—An Ordinance to provide for grading, and paving with brick (except where already paved) the south sidewalk of St. Mary street, from Alabama street to Delaware street.

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

Indianapolis, May 30, 1879.

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on St. Mary street, between Delaware street and Alabama street, respectfully petition for the passage of an ordinance providing for grading and constructing of a good brick sidewalk on the south side of St. Mary street, between Delaware and Alabama streets, deducting and allowing to such property owners along said line full credit for brick sidewalks by them heretofore constructed in front of their said real estate. And your petitioners will ever pray, etc.

L. D. Moody, J. H. Paine, J. H. Vajen, S. B. Secor.  
T. E. Johnson, Henry Raferty.

This being the regular appropriation night, the foregoing entitled Appropriation Ordinances were placed on their passage without suspension of the rules.

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

Ap. O. 30, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$832.06.]

And it was duly passed by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

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

Ap. O. 31, 1879—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, \$658.76.]

And it was duly passed by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

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

Ap. O. 32, 1879—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$140.61.]

And it was duly passed by the following vote :

**AYES**, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS**—None.

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

**Ap. O. 33, 1879**—An Ordinance appropriating the sum of Five Thousand Dollars on account of the Street-Repairs Department of the City of Indianapolis.

And it was duly passed by the following vote :

**AYES**, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS**—None.

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

**Ap. O. 34, 1879**—An Ordinance appropriating the sum of Twelve Hundred and Sixty-Six Dollars at expense of Bridge Fund.

And it was duly passed by the following vote :

**AYES**, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS**—None.

The following entitled ordinance was also read the second time, amended by addition of five omitted claims, aggregating \$25, ordered to be engrossed as amended, and then read the third time :

**Ap. O. 35, 1879**—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Expenses of General City Election, held May 6th, 1879. [Total amount appropriated, \$707.50.]

And it was duly passed by the following vote :

**AYES**, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS**—None.

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

**Ap. O. 36, 1879**—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$100,278.05.]

And it was duly passed by the following vote :

**AYES, 25—viz.:** Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS—None.**

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

**Ap. O. 37, 1879—**An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$151.71.]

And it was duly passed by the following vote :

**AYES, 25—viz.:** Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS—None.**

MISCELLANEOUS.

Under this order of business, sundry papers were presented and disposed of as follows :

On Councilman Bermann's motion, it was ordered—

That the newly-appointed Council Committee on Water-Works and the Aldermanic Committee on Water are hereby instructed to take up the matter of the extension of water-mains on Madison avenue, from Morris street to Nebraska street, and complete the duty assigned their predecessors of 1878-1879, reporting their conclusions at next regular session of the Common Council, to be held on 16th instant.

The following motions, made by same Councilman, were, under the rules, referred to the Board of Public Improvements :

That the Street Commissioner be ordered to fill the chuck-holes in Delaware street, from Madison avenue to Merrill street.

That the Street Commissioner be ordered to grade and fill the crosswalks and roadways at intersection of New Jersey and Bicking streets, and of High and Bicking streets.

On Councilman Bryce's motion, it was ordered—

That Wm. K. Sproule be, and he is hereby, granted permission to take up and re-lay the pavement in front of his property, Nos. 139 and 141 S. Illinois street—such work to be done at said Sproule's own expense, within sixty days, and under supervision of the City Civil Engineer, who is hereby directed to set the proper stakes.

On Councilman Carey's motion, it was ordered—

That the matter of sewerage in connection with the State Female Reformatory be referred to the Committee on Public Property.

The same Councilman presented the following petition; which, at the suggestion of Councilman Bryce, was referred to the Board of Public Improvements and the City Attorney, with instructions to report on same at next session of this body:

*Indianapolis, Indiana, June 2, 1879.*

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

*Gentlemen*.—Your petitioner, H. H. Beville, respectfully represents to your honorable bodies, that he is engaged in the sale of wind-mills; that he is located at No. 76 N. Delaware street, in this city; that it will be of great advantage to him, if allowed to put up a mill as a sign.

Wherefore, he asks your honorable bodies to allow him to erect a mill against the side of the building, on a spire 30 feet high.

H. H. BEVILLE.

We, the undersigned citizens of the City of Indianapolis, doing business and residing near No. 76 N. Delaware street, respectfully ask your honorable bodies to grant the petition of H. H. Beville, and say that said wind-mill sign, erected against the side of the building, at the height of 30 feet, is not, and can not, in any way be objectionable to us or to the public.

W. H. Ballard; John H. Williams; Lawrence Donaghue;  
L. D. Railsback; Wm. H. Farlow; B. K. Smith; John  
U. Freitzsche; J. J. Garver; J. H. Herrington; Crain  
& Miller; David Kregelo; W. P. Ballard; W. Pray;  
A. Ballard; G. J. Clark; G. B. Burns; G. R. Root.

On Councilman Dowling's motion, it was ordered—

That the Street Commissioner be directed to grade, clean the gutters, and otherwise repair Pearl street, between Missouri and Mississippi streets; also, to fill chuck-holes on corner Mississippi and Pearl streets.

Also, that in the matter of repairing said Pearl street immediately, the Board of Public Improvements have full power to act.

Councilman Hamilton made the following motion; which, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be instructed to cut down Massachusetts avenue, at the crossing of the old Peru railroad, and re-bowlder the same at a grade to conform with the rest of the street.

On Councilman Harmening's motion, it was ordered—

That the Chief Fire Engineer notify Mr. Wishmeyer to tear down the old saw mill, situated between Davidson and Railroad streets; and, if not down within a week's time, said officer is instructed to tear it down.

That the Street Commissioner be ordered to furnish dippers for the fountain on the corner of Washington street and Arsenal avenue.

The following motion, made by the same Councilman, was, under the rules, referred to the Board of Public Improvements:

That the Street Commissioner be ordered to fill, with broken stone, the chuck-holes in Davidson street, from Washington street to North street; and, also, fill a chuck-hole on the corner of New York and Noble street, east side of Noble street

On Councilman Kahn's motion, it was ordered—

That Franklin Vonegut have permission to pave with brick, the sidewalks in front of his property on Michigan street, between Liberty and Noble streets—the same to be done at his own expense, and under the direction of the City Civil Engineer.

The following motions, made by the same Councilman, were, under the rules, referred to the Board of Public Improvements :

That the Street Commissioner be instructed to fill up the chuck-holes in California street, between Indiana avenue and St. Clair street.

That the Street Commissioner be instructed to fill up the chuck-holes in Indiana avenue, between North and California streets.

Councilman McGinty made the following motion ; which, under the rules, was referred to the Board of Public Improvements :

That the Street Commissioner be directed to clean the gutters of West street, from Shearer street to Morris street.

The same Councilman offered the following resolution :

*Resolved by the Common Council and Board of Aldermen,* That the owners of the following described real estate—to-wit, Lot 40 in McKernan & Pierce's Subdivision, out-lot 128, in the City of Indianapolis—be, and they are hereby, required to fill or drain the same, as, in the opinion of the Common Council and Board of Aldermen, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled "An Ordinance providing for the drainage and filling up of Ponds, Excavations, and Holes, and prescribing penalties for the failure to fill up or drain the same;" and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance, *provided* that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was duly adopted by the following vote :

**AYES, 25—viz.:** Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

**NAYS—None.**

On Councilman O'Connor's motion, it was ordered—

That the Committee on Printing be instructed to ascertain the cost of revising and printing two hundred copies of the city charter and ordinances, so as to furnish a copy of the same to each member of the Common Council.

On Councilman Pearson's motion, it was ordered—

That E. W. Sloane be, and he is hereby, permitted to grade, and pave with brick, his sidewalk at the corner of Pratt and Tennessee streets—said work to be done at his own expense, under the supervision of the City Civil Engineer, and to be completed within twenty days.

The same Councilman presented the following petition; which was referred to the Board of Public Improvements and the City Attorney:

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

The petition of the undersigned property holders, residing on Meridian street, north of New York street, respectfully represents to your honorable bodies that, in the year 1874, the persons owning property on said street, paved the same with blocks, at an expense of about \$4 per foot. That said street became the general thoroughfare of nearly the entire city, while it was used comparatively but little for driving on by citizens who resided on the same. That, in consequence of its being the frequent drive for the city at large, the same has become worn out, destructive to vehicles, and dangerous to horses, so that citizens residing on said street have virtually abandoned it as a thoroughfare.

We, therefore, respectfully ask your honorable bodies to take immediate steps to repair said street in a good and substantial manner, at the general expense of the city.

George W. Parker; T. A. Lewis, 97 feet; J. O. Radcliffe, 37½ feet; Alfred J. Harrison; Geo. H. Chapman, 120 feet; Alexander Freeman, by J. H. Holliday, 40 feet; Geo. F. McGinnis; John C. S. Harrison, 91 feet; Wm. S. Hubbard, 460 feet; R. Browning, 180 feet; J. D. Condit; D. A. Richardson, 93 feet; George T. Evans, 50 feet; A. Kiefer, 82 feet; M. J. Osgood, 61½ feet; L. S. Ayres, 95 feet; R. L. McOuat, 95 feet; Isaiah Mansur, 200 feet; Lucian Barbour, 200 feet; Theo. P. Haughey, 90¾ feet; James Greene, 45 feet; Jno. W. Murphy, 120 feet; Fred Goepper, 157 feet; J. C. Ferguson, 80 feet; W. W. Johnston, 128 feet; J. M. Maxwell, 65 feet; W. S. Webb, 125 feet; E. F. Claypool, 100 feet; Wm. B. Burford, 62½ feet; Geo. W. Sloan, 127½ feet; G. A. Wells, 42 feet; W. Henderson, 97 feet; C. A. Ferguson, 200 feet; R. F. Kennedy, 51 feet; Mary J. Vance, 50 feet; Martha E. Jordan, 61 feet; A. S. Ames, agent, 32½ feet; O. J. R. Hanna, 30 feet; R. B. Duncan, 122½ feet (owner of property, but do not reside on the street); Ingram Fletcher, 125 feet; Wm. Sullivan, 130 feet front; John C. Brush, 31 feet; L. W. Hasselman, 101 feet; E. G. Cornelius, 66 feet; Susan R. Herod, 60 feet; John H. Ohr, 31½ feet; Sam'l H. Dunlap, 67½ feet; Martin Burton, 56 feet; A. W. Hendricks, 54 feet; Oscar B. Hord, 100 feet (but does not reside on Meridian street); M. B. Copeland, 59½ feet; Geo. Crozier, 22½ feet; H. R. Allen, 57 feet; J. D. Carmichael, 187½ feet; John W. Holland, 62½ feet; G. M. Ballard, 54 feet; A. C. Harris, 102 feet.

On Councilman Prier's motion, it was ordered—

That sixty days' extension of time be granted John Greene, in which to complete his contract on Lawrence street. If the contract be not completed at the end of sixty days, it is hereby ordered that the contract be re-let.

Councilman Rooker made following motion; which, at his suggestion, was referred to the Committee on Railroads:

*Moved*, That the following be substituted for the motion offered and referred at the last meeting of this Council, in relation to the Citizens' Street Railway track, on Illinois street, between Seventh and Twelfth, to-wit:

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 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: Therefore,

*Moved*, That the Street Commissioner notify said company to place their cars upon said track, for the comfort and convenience of citizens residing north of Seventh street, and, instead of a turn-table at Seventh street, the same shall be taken up and placed at Twelfth street.

*And it is further Moved*, Should said company not take up said turn-table at Seventh street, and put one down 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 Shilling made the following motion ; which, at Councilman McKay's suggestion, was referred to the Committee on Gas-Light :

That the street lamp on the west side of California street, between Michigan and Vermont streets, be extinguished, and the lamp at alley in same square be re-lighted.

On Councilman Tucker's motion, it was ordered—

That the Committee on City Property be known as Committee on Public Property and Parks.

That the City Clerk be instructed to notify the contractors for the city printing that they must have the minutes of each regular meeting printed, and ready at each succeeding regular meeting, for the members of the Council and Board of Aldermen.

The same Councilman offered the following resolution :

WHEREAS, George W. Scott & Co, lessees of the Southern Park, have violated the provisions of their lease with the city, by demanding and extorting money from persons having the consent of the city to use a portion of said premises for picnic purposes ; And

WHEREAS, Said George W. Scott & Co. have persisted in making such charges and demands of money, over the protest and objection of the persons holding picnics at said park and the Council Committee on Parks: Therefore, be it

*Resolved*, That said lease of said park to George W. Scott & Co. be and is hereby, declared null and void, and that the City Marshal is hereby instructed to notify said George W. Scott & Co., to vacate said premises within ten days ; and upon failure to do so, the City Marshal and City Attorney are directed to take the necessary legal steps to compel the vacation of said premises.

Which was duly adopted by the following vote :

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

NAYS, 1—viz.: Councilman Morrison.

Councilman Wiese made the following motion ; which, under the rules, was referred to the Board of Public Improvements :

That the Street Commissioner be directed to place a catch-basin, with a trap, in Union street, about one hundred feet north from the Ray street sewer.

The same Councilman presented the following petition :

*Indianapolis, Ind., June 2, 1879.*

To the Honorable Members of the City Council of Indianapolis :

We, as a committee of the Workingmen's Society, ask this honorable body for a permit to hold a picnic at Southern Park, on the first vacant Sunday before the 4th of July. If this is impossible, we would be thankful to have the 4th of July.

Wilhelm Kraas, John Gimbel, George Oberle, John King.

Councilman Lamb moved that the prayer of the foregoing petition be granted.

Councilman Carey moved to lay the above motion on the table ; which proposition to lay on the table failed of adoption.

On Councilman VanVorhis's motion, the foregoing petition was referred to the Committee on Public Property and Parks.

On Councilman Wood's motion, it was ordered—

That the 5th Presbyterian church be permitted to occupy Military Park on Friday evening, for a lawn fete.

The following motion, made by same Councilman, was, under the rules, referred to the Board of Public Improvements :

That the Street Commissioner be instructed to raise the stone crossing (where needed) on the south side of Washington street, at West street.

The same Councilman also offered the following resolution :

*Resolved by the Common Council and Board of Aldermen, That the owners of the following described real estate—to-wit, west half of out-lot 6, west of White River and south of Washington street, in the City of Indianapolis—be, and they are hereby required to fill or drain the same, as, in the opinion of the Common Council and Board of Aldermen, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled "An Ordinance providing for the drainage and filling up of Ponds, Excavations, and Holes, and prescribing penalties for the failure to fill up or drain the same"; and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation, as provided in said ordinance, provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.*

Which was duly adopted by the following vote :

AYES, 25—viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS--None.

PENDING ORDINANCES.

Councilman Dowling called up the following entitled ordinance; and the same was, on Councilman McKay's motion, referred to the Committee on Railroads:

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.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.