

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JUNE 16, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, June 16th, 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, Shepard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

ABSENT—None.

The Proceedings of the Common Council, for the regular session, held on May 12th, 1879, and of the First Joint Convention, held on May 16th, 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, submitted the following report; which was duly approved:

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

Gentlemen:—The amount of forfeitures collected by me during the month of May, 1879, due the city treasury, was \$31.16; which amount I have paid the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; and the recommendation, therein contained, was duly concurred in:

To the Common Council and Board of Aldermen:

Gentlemen:—At meetings of the Common Council and Board of Aldermen, held, respectively, on May 26th and 27th, 1879, a contract was awarded to Michael Flaherty, for grading, and paving with brick, the west sidewalk of Arsenal ave-

nue, from Washington street to the first alley north of Washington street, at 31 cents per lineal foot front. The contractor has failed to file his bond, and, I am informed, he has no intention of doing so.

The next lowest bid on this work is 32½ cents per lineal foot front, made by John Schier; and inasmuch as the bid is reasonable, and to avoid the expense of re-advertising, I would recommend that the action of the Common Council and Board of Aldermen, awarding said contract to said Michael Flaherty, be reconsidered, and the contract for said work be awarded to John Schier, at 32½ cents per lineal foot front.

Respectfully submitted,

T. REED, City Civil Engineer.

President Caven then stated that the vote by which the contract referred to in preceding report had been awarded to Michael Flaherty would have to be formally reconsidered; which was done by the following vote:

AYES, 17—viz. Councilmen Bermann, Carey, Dowling, Downey, Hamilton, Har-
mening, Lamb, Morrison, McKay, O'Connor, Prier, Rooker, Shilling, Tucker,
VanVorhis, Wiese, and Wood.

NAYS—None.

Aforesaid contract was then awarded to John Schier, as recommended.

The same officer submitted the following report; and the suggested orders were duly given:

To the Mayor and Common Council:

Gentlemen:—On the 22d of May, 1879, the City Civil Engineer, in compliance with instructions, re-advertised for sealed proposals, to be received by the Common Council on Monday evening, June 2d, 1879, for grading and bowldering Maryland street, and the north gutter thereof, from Illinois street to Tennessee street.

Too late to make correction, it was discovered "The Southside" had made a mistake in the advertisement, giving a wrong date on which proposals were to be received. To avoid any trouble that might arise, contractors were notified that no bids would be received. And I would now ask that you give me the necessary order to re-advertise for proposals for above work.

Respectfully submitted,

T. REED, City Civil Engineer.

The same officer submitted the following report; which was received, and the estimates (presented therewith) were severally approved:

To the Common Council and Board of Aldermen:

Gentlemen:—I herewith present the following estimates:

A first and final estimate in behalf of Hiram Seibert, for re-grading and re-paving the east sidewalk of Virginia avenue, from Maryland street to Alabama street—

492.5 lineal feet, at 45 cents..... \$221 62

A first and final estimate in behalf of William Morrison, for improving the first alley west of California street, from Pratt street to First street, by grading and graveling—

884.16 lineal feet, at 10 cents..... \$88 42

Respectfully submitted,

T. REED, City Civil Engineer.

The following estimate resolution was then offered :

Resolved by the Common Council and Board of Aldermen, That the accompanying first and final estimate in behalf of Hiram Seibert, for re-grading and re-paving the east sidewalk of Virginia avenue, from Maryland street to Alabama street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was duly adopted by the following vote :

AYES, 16—viz. Councilmen Bermann, Carey, Dowling, Downey, Hamilton, Harmening, Lamb, McKay, O'Connor, Prier, Rooker, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen, That the accompanying first and final estimate in behalf of William Morrison, for improving the first alley west of California street, from Pratt street to First street, by grading and graveling, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was duly adopted by the following vote :

AYES, 16—viz. Councilmen Bermann, Carey, Dowling, Downey, Hamilton, Harmening, Lamb, McKay, O'Connor, Prier, Rooker, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

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 on file in my office, for the collection of street assessment by precept, to-wit :

John Low vs. Lizzie E. and A. R. Miller, for \$3.04, 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, 18—viz. Councilmen Bermann, Bieler, Brown, Carey, Dowling, Downey, Hamilton, Harmening, Lamb, Morrison, McKay, O'Connor, Prier, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

The same officer submitted the following report and appended tabulated statements; which were duly referred to the Committees on Finance :

Indianapolis, June 16, 1879.

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

Gentlemen:—I herewith submit my report of orders drawn on the City Treasurer, during the fiscal year ending May 31st, 1879 (twelve and one-half months); also, a tabular statement of the bonded indebtedness of the City of Indianapolis, and an interest-coupon statement, showing the amount of interest payable each year.

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

Orders issued on the City Treasurer, during the fiscal year commencing with May 16, 1878, and ending with May 31, 1879 (twelve and one-half months).

Board of Health.....	\$	482	00
Bridges.....		2,378	74
City Assessor's Department.....		3,275	95
City Civil Engineer's Department.....		1,790	16
City Hospital and Branch.....		10,117	18
City Commissioners.....		330	00
City Dispensary.....		2,000	00
City Treasurer's percentage.....		24,554	32
Cisterns.....		792	37
Coal-oil Light.....		676	89
Costs.....		2,168	72
Damages.....		575	00
Elections.....		645	50
Fire Department.....		69,127	32
Fountains.....		63	57
Gas.....		59,331	23
Gregg Bequest.....		638	42
Ice.....		95	94
Incidentals.....		679	70
Insurance.....		178	37
Interest on Bonds.....		139,259	50
Markets.....		208	04
Market-Masters' Fees.....		1,428	08
Nuisances.....		175	00
Office Fixtures and Supplies.....		659	07
Parks.....		1,435	20
Police.....		45,521	37
Posting Bills.....		61	60
Printing, Stationery, and Advertising.....		4,871	22
Rent.....		3,000	00
Salary.....		17,331	30
Sewers.....		1,440	53
Station Houses.....		2,872	07
Street Improvements.....		2,053	59
Street Repairs.....		30,799	66
Taxes refunded.....		1,599	80
Time-Warrants of 1878.....		100,000	00
Tomlinson Annuity.....		7,000	00
Tunnels.....		18	90
Water Rent.....		25,006	00
			<hr/>
Home for Friendless Women.....		162	20
School Fund.....		144,716	10
Tomlinson Estate (Repairs, etc).....		285	56
			<hr/>
Grand Total.....			\$709,806 17
Of the above orders, there remained in the custody of the City Clerk, uncalled for, on May 31st, 1879, the aggregate sum of.....			\$1,666 56
And of orders drawn in previous years, the aggregate sum of.....			2,281 68
			<hr/>
Total.....			<u>\$8,948 24</u>

Tabular Statement of the Bonded Indebtedness of the City of Indianapolis, on May 31st, 1879.

KIND OF BONDS.	Date of Issue.	Date of Ma-turity.	Face of Bonds.	No. of Bonds.	Rate of Interest.		When Payable.	AGGREGATE AMOUNTS.
Indpl's & Vincen's R. R. Co	Jan. 1, 1869.	Jan. 1, 1889.	\$ 500	120	6		April 1st.	\$ 60,000 00
Junction R. R. Co.....	Jan. 1, 1869.	Jan. 1, 1889.	500	100	6		April 1st.	50,000 00
L. C. & D. R. R. Co.....	Jan. 1, 1870.	Jan. 1, 1890.	500	90	6		Jan. 1st.	45,000 00
Sellers' Farm Purchase.....	April 1, 1873.	April 1, 1893.	1000	21	8		Oct. & April 1st.	21,000 00
Series "A".....	July 1, 1873.	July 1, 1893.	1000	300	7.3		Jan. & July 1st.	300,000 00
Series "B".....	July 1, 1873.	July 1, 1893.	1000	300	7.3		Jan. & July 1st.	300,000 00
Southern Park Purchase.....	Jan. 26, 1874.	Jan. 26, 1894.	500	219	7.3		July & Jan. 1st.	109,500 00
Series "C".....	July 1, 1874.	July 1, 1894.	1000	300	7.3		Jan. & July 1st.	300,000 00
Series "D".....	July 1, 1875.	July 1, 1895.	1000	200	7.3		Jan. & July 1st.	200,000 00
Fire Department.....	July 1, 1875.	July 1, 1895.	500	14	7.3		Jan. & July 1st.	7,000 00
Fire Department.....	Jan. 1, 1876.	Jan. 1, 1886.	1000	9	7.3		July & Jan. 1st.	9,000 00
Series "E".....	Jan. 1, 1876.	Jan. 1, 1896.	1000	8	7.3		July & Jan. 1st.	8,000 00
Patterson Levee.....	July 1, 1876.	July 1, 1896.	10.0	5	6		July 1st.	5,000 00
U. R. R. T. and S. Y. Co*	Jan. 1, 1877.	Jan. 1, 1897.	1000	50*	6		July & Jan. 1st.	500,000 00
Grand Total.....								\$1,914,500 00

Interest-Coupon Statement.

KIND OF BONDS.	WHERE PAYABLE.	When Payable.	No. of Coupons.	Amount Payable.		TOTALS.
				Coupon Value.	Amount Payable.	
I. C. & D. R. R. Co.....	City Treasury, Indianapolis	January 1st.	50	\$30 00	\$ 2,700 00	
Series "A".....	Winslow, Lanier & Co. N. Y.	" " "	300	36 50	10,950 00	
Series "B".....	" " "	" " "	300	36 50	10,950 00	
S'tern Park Purchase	" " "	" " "	219	18 25	3,996 75	
Series "C".....	" " "	" " "	300	36 50	10,950 00	
Series "D".....	" " "	" " "	200	36 50	7,300 00	
Fire Department.....	" " "	" " "	14	18 25	255 50	
Fire Department.....	" " "	" " "	9	36 50	328 50	
Series "E".....	" " "	" " "	8	36 50	292 00	
U. R. R. T. & S. Y. Co*	" " "	" " "	500	30 00	15,000 00	\$ 62,722 75
Ind'pls & Vin. R. R. Co	City Treasury, Indianapolis	April 1st.	120	30 00	3,600 00	
Junction R. R. Co.....	" " "	" " "	100	30 00	3,000 00	
Sellers' Farm Purchase	Winslow, Lanier & Co. N. Y.	" " "	21	40 00	840 00	7,440 00
Series "A".....	Winslow, Lanier & Co. N. Y.	July 1st.	300	36 50	10,950 00	
Series "B".....	" " "	" " "	300	36 50	10,900 00	
S'tern Park Purchase	" " "	" " "	219	18 25	3,996 75	
Series "C".....	" " "	" " "	300	36 50	10,950 00	
Series "D".....	" " "	" " "	200	36 50	7,300 00	
Fire Department.....	" " "	" " "	14	18 25	255 50	
Fire Department.....	" " "	" " "	9	36 50	328 50	
Series "E".....	" " "	" " "	8	36 50	292 00	
U. R. R. T. & S. Y. Co*	" " "	" " "	500	30 00	15,000 00	
Patterson Levee.....	" " "	" " "	5	60 00	300 00	60,322 75
Sellers' Farm Purchase	Winslow, Lanier & Co. N. Y.	October 1st.	21	40 00	840 00	840 00
Grand Total.....						\$131,325 50

* These bonds were issued in aid of the "Union Railroad-Transfer and Stock-Yards Company," and were exchanged for an equal amount of the bonds of said company.

The principal of the said company's bonds, and the interest-coupons attached thereto, mature and become payable one month prior to the principal and coupons of the city bonds.

The same officer also presented the contract and bond of John Edwards (penalty, \$500; sureties, E. J. Hardesty and Austin H. Brown); which was also referred to the Committees on Finance.

The City Attorney submitted the following legal opinion; which was referred to the Board of Public Improvements and the Committee on Railroads, with instructions to inquire as to whether the Citizens' Street Railway Company is complying with all the terms of its charter, and if not to take measures to compel it to do so:

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

Gentlemen:—I have examined the questions presented in the report of the Street Commissioner and City Civil Engineer, as to the condition of the tracks of the Citizens' Street Railway Company, heretofore referred to me for an opinion as to the matters embraced therein; and I herewith submit the following as the result of my investigation:

First. Section 2 of an ordinance amendatory of sections 5 and 6 of the original charter of said company provides that "all tracks of any such railway shall be of uniform gauge, not exceeding five feet in width, and shall be composed of the most approved rail." (See ordinance passed April 2d, 1878.) If the T-rail now in use by said company is not the most approved rail, then the laying and using of said rail, in constructing her tracks is a direct violation of the charter.

Second. Section 1 of the above ordinance provides that the tracks of any such railway shall be laid so as to conform to the established grades of the streets of said city, and in such a manner as to be no unnecessary impediment to the ordinary use of the streets and the passage of wagons, carriages, and other vehicles upon, along, or across said tracks, at any point and in any and all directions. If the laying of the rail with flange out does, in fact, constitute an unnecessary impediment to the ordinary use of the street, for the purpose and in the manner just stated, then the laying of the rail in the manner indicated would be a violation of the charter of said company.

Third. Section 7 of the above ordinance also provides that "that said company shall keep the space between their tracks, and two feet on the outside of each rail, together with all bridges at the crossing of gutters, at all times in good repair, to the satisfaction of the Common Council and Board of Aldermen, and shall also cause the space between the tracks, and two feet on the outside of each rail, to conform to the grade of the street upon which the same is laid." The language of the above ordinance needs no interpretation; and it would seem almost unnecessary to state that the failure of said company to keep her tracks, and the space between the rails and two feet on the outside of each rail, in good repair, and the failure to make the same conform to the grade of the street upon which the same is laid, is a direct violation of the express terms of said charter, and for such violation the Council and Board of Aldermen have power to prevent the use of said tracks, by causing the rails to be removed.

Respectfully submitted, JOHN A. HENRY, City Attorney.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Secretary Downey, submitted the following report; which was duly approved:

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

We hereby report that stolen property has been sold, to the amount of four dollars and fifty cents (\$4.50); which sum was paid to the City Treasurer on the 5th day of June, 1879, and his receipt filed with the City Clerk

Very respectfully,

D. W. GRUBBS,
JNO. T. DOWNEY,
GEO. P. WOOD,
Police Board.

The Board of Public Improvements, through President McKay, submitted the following report; which was read and considered by clauses, and said clauses were severally concurred in:

To the Common Council and Board of Aldermen:

We would report as follows, upon sundry papers referred to us:

1st. Is a motion directing the Street Commissioner to lay a double-stone crossing over Alabama street, on the north side of Market street.

We recommend this work be done.

2d. Is a motion directing the Street Commissioner to clean the gutters of Meridian street, between Morris and Merrill streets.

We recommend this work be not done.

3d. Is a motion directing the Street Commissioner to fill the chuck-holes in Russell avenue, and clean the same.

We recommend this work be not done.

4th. Is a motion directing the Street Commissioner to clean the gutters of Union street, between Merrill and Ray streets.

We recommend that this work be not done.

5th. Is a motion directing the Street Commissioner to, at once, protect the gutters of Yeiser street, from Madison avenue to East street, so as to prevent the washing away of the banks of said gutters.

We recommend this work be done.

6th. Is a motion directing the Street Commissioner to clean the gutters of Dunlop and Nebraska streets, from Madison avenue to East street.

We recommend this work be not done.

7th. Is a motion directing the Street Commissioner to clean the gutters, and fill the low places in the sidewalks, of Downey street, from Madison avenue to East street.

We recommend this work be not done.

8th. Is a motion directing the Street Commissioner to clean the gutters of Spring street, north of North street.

We recommend this work be done.

9th. Is a motion directing the Street Commissioner to clean the west gutter of S. New Jersey street, from South street to Louisiana street.

We recommend the same be done.

10th. Is a motion directing the Street Commissioner to make the approaches to the Fifth street bridge over the canal—said work to be done at the expense of the Bridge Fund.

We recommend this work be not done.

11th. Is a motion directing the Street Commissioner 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 streets, east side of Noble street.

We recommend this work be done, *provided* gravel is substituted for broken stone, named in the motion.

12th. Is a motion directing the Street Commissioner to fill the chuck-holes in California street, between Indiana avenue and St. Clair street.

We recommend this work be done.

13th. Is a motion directing the Street Commissioner to fill the chuck-holes in Indiana avenue, between North and California streets.

We recommend this work be done.

14th. Is a motion directing the Street Commissioner to clean the gutters of West street, from Shearer street to Morris street.

We recommend this work be not done.

15th. Is a motion directing the Street Commissioner to place a catch-basin, with a trap, in Union street, about one hundred feet north from the Ray street sewer.

We recommend this work be done.

16th. Is a motion directing the Street Commissioner to raise the stone crossing (where needed) on the south side of Washington street, at West street.

We recommend this work be done.

17th. Is a motion directing the Street Commissioner to raise the grade of the gutters on Oak street, directly north of Massachusetts avenue, so that they will carry the water off of said street, and to properly protect the adjacent sidewalks from overflow.

We recommend this work be done.

18th. Is a motion directing the Street Commissioner to repair Meridian street, between New York and Seventh streets, and Tennessee street, between Ohio and Twelfth streets, by removing the blocks from the middle of said streets, and graveling with raked river gravel.

We recommend this work be not done.

19th. Is the petition of H. H. Beville, asking permission to erect a sign of a windmill at No. 76 N. Delaware street, in front of his place of business, together with petition of others, asking that Mr. Beville's request be granted.

We would recommend that such permission be not granted.

20th. Is a remonstrance against the passage of S. O. 20, 1879, providing for the improvement of Prospect street, from Dillon street to Reid street. There is a strong remonstrance against passage of said ordinance, but the improvement is much needed, and should be made.

We would recommend the ordinance be amended, by striking out that part providing for curbing the sidewalks, and that said ordinance be passed, notwithstanding the remonstrance.

Respectfully submitted,

M. H. MCKAY,

H. COBURN,

J. L. BIELER,

Board of Public Improvements.

The same official board and the City Attorney submitted the following report:

To the Common Council of the City of Indianapolis:

A memorial from the property owners on N. Tennessee and N. Meridian streets, with a request for certain described improvement of said streets, to be paid out of the city treasury, was referred to us. The kind of improvement asked for is, "that the wooden blocks be removed from the driveway, or central portion of the streets, and re-placed by screened river gravel, laid on the present foundations, so as to give 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 streets."

[Signed by]

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

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

After carefully considering the request of the property owners on Tennessee and Meridian streets, as set forth above, we do not feel warranted in making a recommendation for such a change in our present system of street improvement as would be necessary to comply with the request. We believe that the property owners along the proposed line of improvement, who are among the largest taxpayers in the city, will readily see and be fully convinced of the justice of this decision of your board, when they consider the precedent that the granting of their request would establish. It would throw wide open our treasury door to demands for many useless improvements that would have to be made in order to secure the building of deserving streets; for, under our present system of representative government, there would not be a less expensive street improvement on the little-used and remote street than on our popular streets and avenues.

Again: The tax-payers on Tennessee, Meridian, and Delaware streets would not only pay a large proportion of their own improvement, but would be subjected, ever after, to their proportion of the payment for others, and, in the end, to grant the request, it would subject them to an enormous outlay, rather than shield them from expense.

Again: Our entire expenses for street repairs, last year, was about eight thousand dollars; this year we hope to be able to spend thirteen thousand dollars. It will be seen that, if we comply with the request, it will, according to the best calculation we are able to make, take the entire revenue set aside for street repairs this year to pay for these two streets, and leave nothing for any other part of the city.

In view of the foregoing facts, we recommend that the request be not granted.

Very respectfully submitted,

M. H. McKAY,

H. COBURN,

J. L. BIELER,

Board of Public Improvements.

JOHN A. HENRY, City Attorney.

After the foregoing report had been read, Councilman Pearson, as a question of privilege, was permitted to present the following petition and appended ordinance; which were also read:

Indianapolis, May —, 1879.

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

The undersigned, owners of real estate fronting on Tennessee street, between Ohio street and Seventh street, respectfully petition for the passage of an ordinance providing for the improvement of Tennessee street, from Ohio street to Seventh street, in accordance with the recommendations of the City Civil Engineer and Street Commissioner, dated December 16th, 1878.

L. W. Fletcher, 60 feet; W. P. Gallup, 98 feet; J. H. Greenstreet, 61 feet; Wm. Coughlen, 142 feet; R. S. McKee, 120 feet; Thomas R. Walker, 40 feet; John Tarlton, 70 feet; John Wymond, 50 feet, A. A. Helfer, 60 feet; B. Hutchinson, 31 feet; D. Monninger, 122 feet; W. Haueisen, 102 feet; J. N. Berger, 50 feet; Lucy F. Hines, 40 feet; J. G. Pendergast, 40 feet; W. C. Smith, 40 feet; H. C. Newcomb, 58 feet; E. W. Sloane, 40 feet; John Love, 84 feet; Fred Fahnley, 237 feet.

S. O. 23, 1879—An Ordinance to provide for improving Tennessee street, from Ohio street to Seventh street, by bowldering the gutters and graveling the roadway thereof.

And then, on motion, the argument and recommendation made in the report were duly concurred in.

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

Report of Deaths in the City of Indianapolis, from June 1st to 15th, 1879, inclusive.

Under 1 year	7
1 to 2 years	1
2 to 5 "	1
5 to 10 "	1
10 to 15 "	0
15 to 20 "	3
20 to 25 "	2
25 to 30 "	4
30 to 40 "	2
40 to 50 "	1
50 to 60 "	2
60 to 70 "	2
70 to 80 "	2
80 to 90 "	0
90 to 100 "	0
100 and upwards	0
Unknown	3
Total	31

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 was, on motion, referred to the Judiciary Committee:

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

Gentlemen:—In compliance with a request from your honorable bodies to provide a place for a public dumping ground, we would recommend, as a suitable place—

Lots 31 and 26, belonging to J. C. Yohn.

Lots 10, 11, 21, and 22, belonging to Yohn, Hubbard, and Marsee.

Lots 29 and 30, belonging to Hiram Seibert.

Lot 44, belonging to the city.

Lots 23, 24, and 25, belonging to Goepper & Co.,—all situated in I, P. & C. R. R. Co.'s Addition.

This is the most eligible point we can find for the deposit of garbage, ashes, and filth, except human excrements.

It will necessary for your honorable body to obtain the consent of the parties owning the land.

Respectfully submitted,

HENRY JAMESON, President.

W. E. JEFFRIES, Secretary.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Finance, through Councilman Kahn, submitted the following report; which was considered and duly concurred in by clauses:

To the Common Council of the City of Indianapolis:

Your Committee on Finance would report on certain papers which have come into its hands since appointment (June 2d, 1879), as follows:

1st. We find the representations set forth in the petition of A. A. Bramwell [see page 38, *ante*] to be accurate and just, and do, therefore, recommend the sum of \$2.47 be appropriated and paid said Bramwell through the next miscellaneous appropriation ordinance.

2d. We have compared the report from the City Treasurer for the fiscal year beginning on May 16th, 1878, and ending May 31st, 1879 [see pages 74 to 76, *ante*], with the books of said officer, and have found the same correct.

3d. We recommend that the petition of S. A. Fletcher & Co. [see page 106, *ante*], asking for the appropriation and payment, without delay, of the sum of \$5,000, as the first annual installment on the gross sum of \$15,000, contracted to be paid by the city to the Cleveland, Columbus, Cincinnati & Indianapolis Railway Company by the concurrent action of your honorable body, had on March 27th, 1878. "in one, two, and three years from the completion of said contract by said railway companies" [see Council Journal for 1877-1878, page 837], be referred to the City Civil Engineer and City Attorney, with instructions to report whether said company and the Indianapolis, Peru & Chicago Railway Company (also a party to said contract) have fully complied with the terms and conditions of said contract, especially as to the matter of opening a forty feet street, as a continuance of Maryland street, through square 79, as required by the 14th clause of the contract of June 5th, 1876 [see Council Journal for 1877-1878, page 774], and also in compliance with section 4 of the ordinance established on March 27th, 1878 [see Council Journal for 1877-1878, page 786].

Respectfully submitted,

LEON KAHN,
M. L. BROWN,
H. J. PRIER,
C. F. WIESE,
PETER F. BRYCE,
Committee on Finance.

Councilman Morrison moved to re-call the official bonds of G. Almont Taffe and Eugene Saulcy [referred at previous session—see page 80, *ante*] from hands of Committee on Finance, so that the Common Council might take immediate direct action thereon.

Councilman VanVorhis moved to lay the foregoing motion on the table; but the proposition to lay on the table failed to be sustained by the following vote:

AYES, 6—viz. Councilmen Bermann, Brown, Bryce, Carey, McKay, and VanVorhis.

NAYS, 19—viz. Councilmen Bieler, Dowling, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, O'Connor, Pearson, Prier, Rooker, Sheppard, Shilling, Tucker, Wiese, and Wood.

Councilman Morrison's motion to re-call, etc., was then duly adopted, the aforesaid bonds were sent up to the City Clerk, were submitted, and were severally approved.

The Judiciary Committees and the City Attorney, through Councilman Lamb, submitted the following report; which was considered and duly concurred in by clauses:

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

Your Judiciary Committee and the City Attorney would report as follows upon certain matters to them referred:

1st. On the 5th and 6th days of May, a motion was adopted by your honorable bodies, instructing "the Judiciary Committees and the City Attorney to prepare and report to the Council, at the next regular meeting, an ordinance regulating the deposit and removal of slops and garbage."

Inasmuch as Councilman Brown introduced an ordinance on this subject on 26th ultimo, your committees and officer ask to be discharged from the duty imposed by preceding motion.

2d. We have carefully examined "all the bonds filed with the City Clerk, given by officers of trust connected with the city government," and we would now report favorably upon each and all of said bonds.

Respectfully submitted,

WM. C. LAMB,

C. F. ROOKER, Committee.

JOHN A. HENRY, City Attorney.

The Council Judiciary Committee and the City Attorney, through Councilman Lamb, submitted the following report; which was considered and concurred in by clauses:

To the Common Council of the City of Indianapolis:

Your Judiciary Committee and City Attorney would report as follows on sundry papers to it referred:

1st. In the matter of the proposed Roman Catholic Hospital, on E. Vermont street (which was referred to our predecessors of 1878-1879, on April 7th—see pages 867 to 869 of last year's Journal), we ask leave to introduce the General Ordinance which accompanies this report, and recommend its immediate passage.

2d. Are the petitions of Hervey Bates and George F. McGinnis, for the refunding of assessments paid on account of benefits adjudged in the matter of opening Second street, from Meridian street to Pennsylvania street (which was referred to our predecessors—see page 953, Journal for 1878-1879).

We would ask for further time; as the case of Simon Yandes vs. The City et al., which involves the regularity of the proceedings in this case, is now pending, on petition for rehearing, in General Term of Superior Court.

3d. On the petition of Alfred and J. C. S. Harrison, for re-purchase of portions of two lots condemned and appropriated on the 25th day of October, 1875, in the matter of opening Peru street, from Lincoln avenue to Seventh street, or the surrender of possession of such portions of lots to the petitioners [see pages 39 and 40, *ante*], we would recommend that the liability of the city, to grant either of aforesaid propositions, be adjudicated by the Courts.

4th. We recommend that the communication from the City Treasurer, as to enabling certain parties to discharge their undivided portions of unpaid delinquent taxes on out-lots 11 and 13, west of White River [see page 53, *ante*], be referred back to said officer, with instructions to make his statement of facts more explicit.

5th. On the communication from R. O. Hawkins, late City Attorney, as to the *status* of the suit brought against the city to effect the opening of a road through the Southern Park [see page 54, *ante*], we find, upon examination of the records in the said case, that judgment has not yet been rendered on demurrer, and, consequently, the case is yet pending. The City Attorney will take charge of this case at the August term.

6th. Upon the motion made by Councilman Wiese, looking to our conference with one Louis Lehr, with a view to compromising damages done by a late rain, in washing down the cellar wall of his building at corner of Ray and Illinois streets [see page 65, *ante*], we recommend that the matter be referred to the City Attorney, with instructions to procure the facts in the premises, and give a written opinion thereon to the Common Council.

7th. We recommend that the prayer of J. B. Smith, for payment, out of the city treasury, of the assessment made against R. B. Duncan, on account of the improvement of N. Meridian street, with wooden block pavement, in the year 1873, the Courts having held that the estimate allowed said petitioner was void, and that his claim could not be enforced against the property of Mr. Duncan [see page 77, *ante*], be not granted.

8th. Having carefully examined into the statement made by Wm. H. Lyons, in his petition [on page 106, *ante*], we recommend that the prayer of said petitioner be granted, and that the sum of \$11.50, with interest, be appropriated and paid him through the next miscellaneous appropriation ordinance.

9th. We recommend that the petition of Francis M. Churchman, for refunding of moneys paid in an erroneous tax-sale [see page 107, *ante*], be referred back to said petitioner for such amendment as will show what the actual moneys paid amounted to, and for a statement of wherein such tax-sale was "illegal, improper, and void."

Respectfully submitted,

WM. C. LAMB,
C. F. ROOKER, Committee.
JOHN A. HENRY, City Attorney.

The following entitled General Ordinance [referred to in the first clause of preceding report] was then introduced, and it was read the first time, viz. :

G. O. 27, 1879—An Ordinance to prohibit the erection or establishment of Hospitals within the limits of the City of Indianapolis.

Councilman Lamb moved to suspend the rules, for the purpose of placing the aforesaid entitled ordinance on its immediate passage.

Councilman Bieler moved to lay foregoing motion to suspend the rules on the table; which proposition to lay on the table failed to be sustained by the following vote :

AYES, 9—viz. Councilmen Bermann, Bieler, Bryce, Dowling, McGinty, McKay, O'Connor, Tucker, and Wood.

NAYS, 15—viz. Councilmen Carey, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, Pearson, Prier, Rooker, Sheppard, Shilling, VanVorhis, and Wiese.

The motion to suspend the rules being again before the Common Council, that proposition failed to receive the necessary two-thirds vote, as here shown :

AYES, 12—viz. Councilmen Carey, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, Rooker, Sheppard, Shilling, and VanVorhis.

NAYS, 12—viz. Councilmen Bermann, Bieler, Bryce, Dowling, McGinty, McKay, O'Connor, Pearson, Prier, Tucker, Wiese, and Wood.

The Council and Aldermanic Committees on Markets, through Councilman Harmening, submitted the following report; and the rental schedule, therein contained, was duly approved :

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

Your Committee, on Markets would most respectfully report the following schedule of prices placed upon the stalls, stands, and benches, in and connected with the East Market of the City of Indianapolis :

Butcher Stalls, 22 at \$20 each ; 38 at \$15 each.

Gardener Stands (inside of the sidewalk), 93 at \$10 each.

Refreshment Stands (on north side, under roof), at \$7 a space.

Spaces (on south side, under roof), \$5 each.

Fish Stands (west end), \$7 each.

The sale of the stalls, benches, and stands will be on the 24th inst. (Tuesday), commencing at 10 o'clock A. M.

C. H. HARMENING,
HENRY BERMAN, N,
GEORGE KING,
Council Committee.

H. COBURN,
D. W. GRUBBS,
JOHN NEWMAN,
Aldermanic Committee.

The same committees also made the following recommendations; which were duly concurred in :

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

The Committees on Markets met, and concluded that certain improvements should be made.

We recommend that the openings of the East Market be closed. The cost would be about \$150.

We also recommend to put in a water-plug in the centre of the Market-House, at a cost of \$50. The cost of furnishing water for the same would be \$50 a year. Hose used for said Market House, and nozzle, would cost \$70.

Also, to repair sidewalk of north side of said Market House, which would cost about \$16. Also, to make other repairs, costing about \$10. Total cost, about \$346.

We would also recommend that necessary improvements be made at the West Market House.

The committee recommend that the aforesaid improvements be made at once.

C. H. HARMENING,
HENRY BERMAN, N,
GEORGE KING,
Council Committee.

H. COBURN,
D. W. GRUBBS,
JOHN NEWMAN,
Aldermanic Committee.

The Council and Aldermanic Committees on Printing, through Councilman Hamilton, submitted the following joint report; and the same was duly concurred in, thereby awarding the contract as recommended in the first clause, and duly adopting the motion set forth in the second clause thereof :

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

Your Committee on Printing would report as follows upon matters placed in their charge:

1st. William B. Burford having declined to accept the contract for "Class A—Book-Work and Printed Blanks," which your honorable bodies awarded him on the 19th and 20th *ultimo*, we recommend that such contract be awarded to the Indianapolis Journal Company, as the next lowest and best bidder.

2d. We recommend the adoption of the following motion:

Moved, That the City Clerk be directed to advertise for proposals for doing the city advertising and for publishing the delinquent tax-list.

Respectfully submitted,

F. W. HAMILTON,
WM. H. MORRISON,
MARTIN MCGINTY,
Council Committee.

D. W. GRUBBS,
T. E. CHANDLER,
H. COBURN,
Aldermanic Committee.

The Council and Aldermanic Committees on Railroads, through Councilman Prier, submitted the following report:

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

We would respectfully report as follows, upon certain papers referred to us:

1st. Is a motion instructing the Citizens' Street Railway Company to extend its track from Seventh street, on Illinois street, to Twelfth street.

Also, a petition requesting your honorable body to take the necessary measures to have the Citizens' Street Railway Company extend their line from its present terminus, on Indiana avenue, at West street, along North street, to Blake street.

Also, a motion ordering the Street Commissioner to notify the Street Railway Company to reverse the rails on the Indiana avenue track.

All of the foregoing have been considered by us, and will receive further consideration at a special meeting, called for Wednesday, 18th instant, at 8 P. M.

2d. Is an ordinance in relation 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.

We recommend that said ordinance be not passed, and that it be stricken from the files.

3d. Is an ordinance requiring the Indianapolis, Cincinnati & Lafayette Railroad Company to place a flagman at the point where its tracks cross Georgia and Missouri streets.

We would recommend that said ordinance be not passed, and that it be stricken from the files.

Respectfully submitted,

H. J. PRIER,
LEON KAHN,
C. F. ROOKER,
Council Committee.

JAS. T. LAYMAN,
HARRY E. DREW,
HIRAM SEIBERT,
Aldermanic Committee.

On Councilman Morrison's motion, further time was granted aforesaid committees in which to consider and to prepare a report on the street railway matters set forth in the first clause of preceding report.

The recommendation made in the second clause was favorably considered.

Councilman Wood moved that the matter mentioned in the third clause of said report be re-committed for further consideration.

But, on Councilman Tucker's motion, the proposition to re-commit was laid on the table.

The recommendation made by the committees in said third clause was then favorably considered.

NEW ORDINANCES.

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

By the Finance Committee, through Councilman Kahn :

Ap. O. 39, 1879—An Ordinance appropriating the sum of Sixteen Hundred and Ninety-Three Dollars and Forty-Eight Cents, on account of Salaries.

By Councilman Bieler :

G. O. 28, 1879—An Ordinance regulating the making of Contracts for the improvement of Streets, Alleys, Sidewalks, and Public Places, the erection of Bridges, and for like public work in the City of Indianapolis.

On Councilman Kahn's motion, the rules were suspended, for the purpose of placing Appropriation Ordinance 39, 1879, on its immediate passage, by the following vote :

AYES, 24—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, 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 then read the second time, was ordered to be engrossed, and was read the third time :

Ap. O. 39, 1879—An Ordinance appropriating the sum of Sixteen Hundred and Ninety-Three Dollars and Forty-Eight Cents, on account of Salaries.

And it was duly passed by the following vote :

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

NAYS—None.

MISCELLANEOUS.

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

Councilman Bermann made the following motion ; which was referred to the Committee on Water-Works :

That the Water-Works Company be directed to lay a water-main, south, on Madison avenue, from Morris street to Nebraska street, and that the Fire Board and Chief of the Fire Department locate, on said line, four fire plugs.

Councilman Dowling, at his request, was granted leave of absence for the balance of this session.

On Councilman Bieler's motion, it was ordered—

That all General Ordinances, now pending on the files, be referred to the Committee on Ordinances, with instructions to report for or against their passage at the next session of this body ; and the final disposition of such pending ordinances is hereby made the special order for aforesaid session.

The same Councilman made the following motions ; which, at Councilman Tucker's suggestion, were severally laid on the table :

That, hereafter, when the representative of any Ward or Aldermanic District is of the opinion that repairs of any kind or description should be made upon any street, alley, sidewalk, etc., of his Ward or District, he shall file such proposition in the office of the Board of Public Improvements, instead of making such motion in open Council and Aldermanic Board ; and said Board of Public Improvements is hereby ordered to make prompt report on such proposition, the same as though it had been formally referred thereto.

That, when the Council adjourns, it shall stand adjourned until next Monday evening, June 23d, 1879.

Councilman Brown presented the following proposition ; which was referred to the Judiciary Committee and the City Attorney :

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

Gentlemen.—Your petitioner would respectfully represent that, for the year 1877, I paid tax, amounting to \$51.52, which was on an appraisement of \$4,600, on five and one-twelfth acres of ground, which tax would be at full city rates, namely, at \$1.12 per hundred.

By an Act of the Legislature, entitled "An Act exempting certain lands therein described from taxation, for general city or town purposes (approved March 13th, 1877)," and, in accordance with this Act, I should have paid but 55 cents on the hundred dollars, which would have amounted to only \$25.30.

I, therefore, ask your honorable bodies to refund to me the sum of \$26.22, the amount overpaid.

For which I will ever pray.

E. H. L. KUHLMANN.

I hereby certify that Mrs. E. H. L. Kuhlmann paid \$51.52 on the property as above described, on March 6th, 1878.

June 16, 1879.

WM. M. WILES, City Treasurer.

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

That the Street Commissioner be instructed to place a cinder crossing on Dillon street, at the intersection of Hoyt avenue and Dillon street.

That the Street Commissioner be instructed to clean the gutters of Olive and Linden streets, south of Prospect street, where needed.

On Councilman Hamilton's motion, it was ordered—

That the Common Council shall be called to order, hereafter, at the hours here-named, to-wit :

During the months of May, June, July, and August, at eight (8) o'clock P. M.

During the months of March, April, September, and October, at half-past seven (7½) o'clock P. M.

During the months of November, December, January, and February, at seven (7) o'clock P. M.

The following motion, made by same Councilman, was, at Councilman Kahn's suggestion, referred to the Committee on Printing, with instructions to report back thereon :

That the Joint Committees on Printing be authorized to immediately arrange for indexing the Proceedings of the Board of Aldermen, Common Council, and of the Joint Conventions of said bodies, for the past year—said work to be done in the style and upon the plan of the indexes of 1876-1877 and 1877-1878.

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 raise and re-bowlder the gutter on the southeast side of Massachusetts avenue, between Liberty and St. Clair streets, so as to give free passage to the water.

That the Street Commissioner be directed to make a stone crossing for sidewalk on the east side of Fort Wayne avenue, at the west end of Cherry street.

The same Councilman also presented the following petition ; which, on Councilman Kahn's motion, was referred to the Judiciary Committee :

Indianapolis, May 30, 1879.

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

Gentlemen:—The undersigned owner of the real estate fronting on Pine street, between Michigan street and St. Clair street, and surrounding streets respectfully petition for the opening of North street, between Pine street, and the alley east, running from North, south, to New York street—said alley being twenty feet wide, and crossing North street in the rear of what is now known as lot 40 in out-lot 45, in Bradshaw's Subdivision to the City of Indianapolis, Marion County, Indiana—the said lot now belonging to one Fidele Schuler, and is 35 feet front on Pine street and 120 feet deep to said alley in the rear, and the said property is the obstruction of said North street. All of said North street is surveyed and graveled east and west of said property ; and if said property were removed, and said lot opened, the said street would be complete from east to west. We refer you to the Proceedings of the Common Council on Monday, March 4th, 1878, at their regular session, pages 775 to 787, and 788.

And your petitioner will ever pray, etc.

E. J. BEERBOWER.

STATE OF INDIANA, *Marion County*, ss.:

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

Gentlemen.—The undersigned, Fidele Schuler, being the owner of the real estate described in petition, marked Exhibit "A," herewith filed, would respectfully represent to your honorable body, that his property has been injured, the cause of which is the opening of North street east of his building, and leaving the same as it now is, in the middle of said North street, as plat herewith will show. That his said house was built for a business house and dwelling, and has heretofore been used for that purpose; but that, since the opening of said North street, he has been greatly damaged, in this, to-wit: That the value of his said property has diminished to a great extent; that he can not rent it to any person, for any length of time, and, consequently, can not get the rent, or his real value therefor, because nobody wants to live or do business there, because nobody knows how soon the Council may condemn the same, for the purpose of opening said street, altogether. That his house needs repairs, and to be otherwise attended to, which would cause and bring him a great deal of expense and outlay, whereby he would greatly be put to inconvenience and damages.

Therefore, he prays this honorable body, that if it is their intention to remove said building, and take said lot for the opening of said street, to do the same at once, and let the matter be settled by arbitration according to law: otherwise, to assure him, for a number of years, that the city will or shall not interfere with the removal thereof, so that he can guarantee the renting thereof, and not suffer the consequences of loss, or suit with the city. All of which he prays to your consideration and determination at once.

Respectfully yours,

FIDELE SCHULER.

Councilman Harmening made the following motions; which, at Councilman Kahn's suggestion, were severally referred to the Committee on Bridges:

That the City Civil Engineer be instructed to advertise for bids to build the necessary stone abutments and to re-build the bridge over Pogue's Run, on Ohio street, the full width of the street and sidewalks; and that the iron taken from Delaware street viaduct be used in the construction of said bridge, so far as it can be used to advantage.

That the Street Commissioner be instructed to repair the New York street bridge over Pogue's Run. If not worth repairing, said officer is ordered to close it up, as the bridge is dangerous.

That the Street Commissioner be instructed to repair the bridge over a ditch on Randolph street, between Washington and Ohio streets.

Councilman Kahn presented the following petition; which, on Councilman Lamb's motion, was referred to the Committee on Public Property and Parks, with power to act:

To the Common Council of Indianapolis:

Gentlemen.—I have the honor of addressing you, in behalf of Anchor Lodge, Independent Order of Good Templars, requesting the permission of your honorable body to hold a lawn social in the University Park, in this city, the date not being fixed yet. Should permission be granted, we assure you that the best care and cleanliness will be practiced.

You will please direct your action on the above to the Avenue Hat Store, No. 196 Massachusetts avenue.

Very respectfully, your obedient servant,

GEO. FELLER.

The same Councilman offered the following resolution :

Inasmuch as the tax levy is limited by law to a sum inadequate to meet the necessary demands of the city without the closest economy in all branches of expenditures and a prompt and thorough collection of taxes: It is therefore,

Resolved, That it is important that the various committees, in estimates for expenditures for the current year, should use every effort possible, consistent with absolute and necessary demands, to make their estimates at the lowest possible figures, and the City Treasurer should, and is hereby, directed to use the utmost diligence in the collection of delinquent taxes.

Which was duly adopted by the following vote :

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

NAYS—None.

Councilman King presented the following petition; which, on Councilman Lamb's motion, was referred to the Committee on Railroads :

Indianapolis, June 11, 1879.

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

Gentlemen:—The undersigned, property-owners, citizens, and tax-payers, would respectfully petition and ask your honorable bodies to require the Citizens' Street Railway Company to extend the line of their tracks, from the northwestern terminus of the Indiana avenue line, north, on West street, to the intersection of First street.

A. Clifford, John Gahm, Leo, Clements, Henry Fellmann, C. H. Parker, Mrs. Ridgway, J. I. Tibbetts, H. O. Modlin, Wm. Treitschke, Elisha Beiner, Johnie Jacobs, John Clifford, C. D. Browder, John Constantine, John F. Boehm, C. W. Martz, Wm. B. Price, John Charles, John Urban, and 84 others.

The same Councilman preferred the following request; which was duly granted :

To the Mayor and Common Council:

Gentlemen:—I ask leave of absence for thirty days.

GEO. KING.

On Councilman Lamb's motion, it was ordered—

That L. Newell be granted permission to dig a well, at curb-stone on west side of Virginia avenue, in front of 142½, at his own expense, he to leave the street and sidewalk in good repair.

On Councilman Morrison's motion, it was ordered—

That the City Civil Engineer is hereby ordered to make a professional examination of the tracks of the Citizens' Street Railway Company; and should said officer find such tracks, or any portion thereof, to be either above or below any established street grade, he is hereby instructed to officially notify said company to immediately adjust such track or tracks. Should said company neglect or fail to make the indicated changes within ten days after notice given by the City Civil

Engineer, said officer is instructed, and hereby authorized, to order the Street Commissioner to do such work; and said Street Commissioner shall collect the cost of such work from said Citizens' Street Railway Company.

That the Hospital Board be directed to prepare, and report to this Council, an estimate of the cost of introducing water into the City Hospital; also, the best and cheapest means of doing so.

That William Pfafflin be permitted to bowlder the gutter in front of his property, on Indiana avenue—the work to be done at his own expense, and according to stakes set by the City Civil Engineer.

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

WHEREAS, Henry Clay, street contractor, agrees to lay a crossing over alley between Tennessee and Mississippi streets, on New York street, without expense, provided the city pays for the stone: Therefore,

Moved, That the city pay for sufficient stone to lay said crossing.

The following motion, made by same Councilman, was, at Councilman Rooker's suggestion, laid on the table:

That the name of Meridian street, north of Ohio to Tinker street, be changed, and that the same hereafter be styled *Amsterdam* street.

Councilman McGinty presented the following petition; which was referred to the Committee on Railroads and the City Attorney, with instructions to report the necessary ordinance at the next session of this body:

Indianapolis, Indiana, June 16, 1879.

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

The undersigned respectfully petition that we may be permitted to lay a railroad track, or switch, crossing Dakota street, as follows:

Starting south of Morris street, one block north of the Union Starch Works immediately crossing Dakota street, and running parallel with Dakota street, on lot thirty-four (34), Peru and Indianapolis R. R. Addition to the City of Indianapolis, not to go beyond said lot.

The aforesaid lot, on which is desired a switch-track, is leased by the undersigned for five years, for manufacturing purposes. Desiring to lay and make use of switch at the earliest moment possible, we ask that the petition be referred to the Committee on Railroads, with power to act.

R. Frank Kennedy, J. Shellenberger, J. W. Titus.

On Councilman McKay's motion, it was ordered—

That James B. Bullock be granted permission to pave, with brick, the sidewalk in front of lots 114 and 115 in Morrison's Second Addition to the City of Indianapolis, under the direction of the City Civil Engineer, and at his own expense.

On Councilman Pearson's motion, it was ordered—

That Jas. M. Tomlinson and Jacob McChesney be permitted to grade, and pave with brick, their sidewalks on Pratt street, between Illinois and Mississippi streets, under the direction of the City Civil Engineer, and at their own expense.

On Councilman Rooker's motion, it was ordered—

That the Street Commissioner be ordered to *respectfully and politely request* the Street Car Company not to put any more cinders on its track on N. Illinois street, between Second and Seventh streets.

That the Street Commissioner be ordered to remove from the sidewalk and west half of N. Illinois street, between Seventh and Twelfth streets, a large pile of building stone—the same being in front of the south $\frac{1}{2}$ of lot 25, in Henderson's Addition to this city, belonging to Martha C. Farman, Mrs. Sheets and family being the occupants of the residence on said lot.

That the Joint Committees on Gas-Light are hereby instructed to report the amendatory ordinance required by the adoption of the Aldermanic motion, to be found on pages 864 and 865, Journal of 1878-1879, at next session of the Common Council.

That the committee recommended by the Hospital Board, at the regular session of this Council on May 5th, 1879 [see Printed Proceedings, page 992], be now appointed, with authority to act, and report to the next regular meeting of this Council.

President Caven appointed Councilmen Rooker, Carey, and VanVorhis as the select committee required by the adoption of last preceding motion.

The same Councilman presented the following proposal; which, at Councilman Shilling's suggestion, was referred to the Committee on Finance:

Indianapolis, June 16, 1879.

To the Honorable Mayor and Common Council:

Gentlemen:—I propose to faithfully and dilligently search for, and report to the City Treasurer, hidden and secreted property that has not been returned by the City Assessor for city taxes for the year 1879 and previous years, for the sum of ten *per centum* when such taxes have been actually paid unto the City Treasurer from said discoveries so found and reported by lawful investigation.

B. F. RILEY.

Moved, That the above proposition be accepted.

Councilman Shilling made the following motion; which was referred to the Committee on Gas-Light:

That the City Civil Engineer be instructed to direct the removal of the lamp post on the north side of W. New York street, between West and California streets, to the corner of the alley, east of its present position.

On Councilman Tucker's motion, it was ordered—

That the Chief of the Fire Department be directed to notify the proper authorities at the United States Arsenal that, unless they pay for the use of fire-alarm connection the same amount per annum as is paid by the several State institutions, he will, after ten days, cut it out of the fire-alarm circuit.

That the Chief of the Fire Department be directed to notify all parties who have private fire-alarm boxes that, unless they place them where the general public will at all times have free access to the same, they must pay to the city the expense of keeping up said private fire-alarm boxes. Unless they comply with this notice within ten days, the Chief shall cut them out from the fire-alarm circuit.

WHEREAS, It is a violation of an ordinance ordained August 1st, 1872, for any person or persons or corporations to throw, drain, or otherwise place any filth or impure matter in Pogue's Run or Central Canal, within the city limits: Therefore,

Moved, That the City Marshal be directed to notify all parties violating said ordinance, that they must comply with said ordinance, and that the Chief of Police be directed to see that said notice is complied with, and instruct the Police Force to file against all parties who may violate the ordinance after said notice shall be given by the Marshal.

Further, That the City Clerk is directed to cause to be printed and posted up, along said Central Canal and Pogue's Run, two hundred and fifty copies of the ordinance ordained August 1st, 1872, in conspicuous places, and the Street Commissioner is directed to supply suitable boards, to be stuck up where suitable posting-places can not be found.

That the Council and Aldermanic Committees on Public Property, in connection with the City Treasurer and City Attorney, be directed to employ some responsible rental agency to take charge of the rental of the buildings belonging to the Tomlinson Estate, except No. 34 E. Washington street, and to rent said buildings to the best advantage, under the directions of the Joint Committee on Public Property, and that said agency be required to file suitable bonds, to protect the city's interest, with the City Treasurer.

Further, That the joint committee be directed to employ a competent builder to examine each of the several buildings belonging to said estate, who shall report an estimate of the cost of placing each building in suitable repairs, to the committee.

That the Committee on Public Property and Parks be authorized to employ a man at University and Circle Parks, at a salary of \$1.50 a day, until September 1st, 1879, to take charge of said parks, under the direction of the committee.

The same Councilman offered the following resolution :

Resolved, That the Fire Board and Chief of the Fire Department be authorized to employ two additional regular men for the Skinner Truck, instead of minute men, as now employed.

Which was duly adopted by the following vote :

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Downey, Har-
mening, Kahn, King, Lamb, Morrison, McGinty, O'Connor, Pearson, Prier,
Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS, 3—viz. Councilmen Carey, Hamilton, and McKay.

On Councilman VanVorhis's motion, it was ordered—

That the Hospital Board be instructed to require the Superintendent of City Hospital to make a report to this Council for the year ending June 30th, 1878, and also for the year ending June 30th, 1879, in proper shape for printing (if it should be found desirable to print); and that said reports be made after the manner and form of the printed report for the year ending June 30th, 1877, with tables, etc., to show explicitly the workings of the Institution for each year.

That a committee of three be appointed, to be known as Committee on Public Health and Hygiene.

President Caven appointed Councilmen VanVorhis, Tucker, and Brown as the standing committee required by the adoption of last preceding motion.

On Councilman Wood's motion, it was ordered—

That the Street Commissioner be instructed to fill, with broken stone, the holes around the fountain on Kentucky avenue and West street.

That W. and I. Mansur and J. C. Ferguson be granted permission to improve the sidewalk in front of part of lots 1 and 14, out-lot 4, west of White River, by grading and graveling—the work to be done at their own expense, and under the direction of the City Civil Engineer.

That the Board of Public Improvements be instructed to investigate the condition of West street, between Washington street and Kentucky avenue—especially that portion south of the Vandalia Railroad tracks—and report the cheapest and best way of making it passable.

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 fill the chuck-holes on the corner of South street and Kentucky avenue.

It now being nearly eleven o'clock, Councilman Tucker moved the suspension of the following provision of the "Rules and Regulations for the government of the City Council," viz. :

SEC. 5. This Council shall not, without a suspension of the rules by a two-thirds vote, sit later on any evening than eleven o'clock.

Which was done by the following vote :

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, Kahn, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, Van Vorhis, and Wood.

NAYS, 2—viz. Councilmen Rooker and Wiese.

Councilmen Rooker and Wiese, at their request, were then granted leave of absence for the balance of this session.

PENDING ORDINANCES.

Special Ordinances 11, 14, 15, and 18, 1879, were severally called up, and were each read the second time.

The following entitled ordinance was, on Councilman McKay's motion, ordered to be stricken from the files :

S. O. 15, 1879—An Ordinance to provide for grading and graveling the Alley between College avenue and Broadway street, from Ninth street to the State Ditch.

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

S. O. 11, 1879—An Ordinance to provide for improving the Alley between Hoyt avenue and Huron street, from Dillon street to Linden street, by grading and graveling.

And it was duly passed by the following vote :

AYES, 20—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, VanVorhis, and Wood.

NAYS—None.

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

S. O. 14, 1879—An Ordinance to provide for grading and graveling the first Alley north of Elizabeth street, between Maxwell and Wilson streets.

And it was duly passed by the following vote :

AYES, 20—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, VanVorhis, and Wood.

NAYS—None.

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

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.

And it was duly passed by the following vote :

AYES, 20—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, King, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, VanVorhis, and Wood.

NAYS—None.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: BENJ. C. WRIGHT, City Clerk.