

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MARCH 15, 1880.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, March 15th, A. D. 1880, 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 19 members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

ABSENT, 6—viz. Councilmen Downey, Harmening, King, Rooker, Tucker, and Wood.

The Proceedings of the Common Council, for the regular session, held on March 1st, 1880, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, presented schedule "D," from Geo. E. Waring, Jr., Special Agent Census Department; which was referred to the Committee on Printing.

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

Indianapolis, March 15, 1880.

To the Common Council and Board of Aldermen:

Gentlemen:—The amount of forfeitures collected by me during the month of February, 1880, due the city treasury, is \$54.60, which amount I have paid the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

His Honor, Mayor Caven, presented the following communication; which was referred to the Committee on Public Health:

Indianapolis, March 8th, 1880.

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

Gentlemen:—I see that there is a project in view by the city Council and Board of Health, of making a wharf or dumping place into White river, south of the city, for the filth taken from the numerous privy vaults of the city. I most earnestly protest against the project, for this reason: The filth dumped there, one-third will not be carried away by the stream, but will be beat back against the shore, and lodge along the banks and low marshes of the river, and remain there during the warm and sultry portion of the season; and evaporations will arise, and bring up the odor with the various gasses that accumulate from discharges of the bowels of persons that probably have died from various contagious diseases, such as typhoid fever, scarlet fever, etc. This arises in the air, and is carried over the city by southwest winds, and contaminates the air, and is brought down to the roofs of our dwellings by a warm drizzling rain, and is both inhaled into the lungs and is taken into the stomach in drinking cistern water. Now considering the amount of filth dumped near the river southwest, and the Starch factory, the Soap factory, the Sellers farm, and various things of the same kind, which all goes, or has a very strong tendency to contaminate and poison the air; and if the matter was fairly investigated would be found the cause of so many new diseases, and the cause of so many sudden deaths that have baffled the skill of the best physicians of our city.

I trust this will be given some consideration by those who have the care of the health of the people of our city under their control.

Yours, most respectfully,

SAMUEL LOVE.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the estimates (presented therewith) severally approved:

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

Gentlemen:—I herewith report the following estimates:

A first and final estimate in behalf of James Mahoney, for grading and bowldering the south gutter of St. Clair street, from Massachusetts avenue to the west line of lot 2, out lot No. 42.

190 lineal feet, at 40 cents..... \$76 00

Total estimate..... \$76 00

A first and final estimate in behalf of Henry C. Roney, for curbing with stone and bowldering the gutters (except where already curbed and bowldered,) of Alabama street, from Washington street to Wabash street.

560 65-100 lineal feet curb, at 34 cents..... \$190 62

24 35-100 lineal feet re-setting curb, at 15 cents..... 3 65

585 lineal feet bowldering, at 40 cents..... 234 00

113 52-100 sqr. yards bowldering crossings, at 40 cents..... 45 40

64 4-10 lineal feet extra curbing, at 34 cents..... 21 89

Hauling stone for crossings 1 00

Total estimate..... \$496 56

A first and final estimate in behalf of Dewey, Twiname and Graham, for grading and graveling the alley between Columbia avenue and Yandes street, from Lincoln avenue to Seventh street.

1218 9-12 lineal feet, at 17 cents \$207 18

Total estimate..... \$207 18

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution was then read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of James Mahoney, for grading and bowldering the south gutter of St. Clair street, from Massachusetts avenue to the west line of lot 2, out-lot No. 42, 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 adopted by the following vote :

AYES, 15—viz. Councilmen Bermann, Bryce, Dowling, Hamilton, Kahn, Lamb, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for curbing with stone and bowldering the gutters (except where already curbed and bowldered,) of Alabama street, from Washington street to Wabash 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 adopted by the following vote :

AYES, 15—viz. Councilmen Bermann, Bryce, Dowling, Hamilton, Kahn, Lamb, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

The following estimate resolution was also read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Dewey, Twiname and Graham, for grading and graveling the alley between Columbia avenue and Yandes street, from Lincoln avenue to Seventh 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 adopted by the following vote :

AYES, 15—viz. Councilmen Bermann, Bryce, Dowling, Hamilton, Kahn, Lamb, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, and the contracts severally concurred in, and the bonds approved :

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

Gentlemen:—I herewith report the following contracts and bonds:

- Contract and bond of Wm. Murphy, for grading and graveling the second alley south of South street, from School street to Noble street. Bond, \$200.00; surety, John Welsh.
- Contract and bond of Wm. Murphy, for grading and graveling the alley between Brookside avenue and Pendleton road, from the first alley northeast of the intersection of Clifford avenue and Pendleton road, to the second alley north-east of said intersection. Bond, \$300.00; surety, John Welsh.
- Contract and bond of Fred. Gansberg, for grading and graveling Railroad street and sidewalks, from North street to St. Clair street. Bond, \$1,500.00; surety, James W. Hudson.
- Contract and bond of John Schier, for paving with brick (where not already paved) the northwest sidewalk of Massachusetts avenue, from St. Clair street to Cherry street. Bond, \$500.00; surety, Fred. Gansberg.
- Contract and bond of Jack Hennese, for grading and graveling the first alley north of Buchanan street, from Greer street to East street. Bond, \$200.00; surety, Fred. Gansberg.
- Contract and bond of R. P. Dunning and James W. Hudson, for grading and graveling the first alley east of Shelby street, from the first alley south of Prospect street to its southern terminus. Bond, \$1000.00; surety, Fred. Gansberg.
- Contract and bond of Fred. Gansberg, for bowldering the alley between Meridian street and Illinois street, from Maryland street to Georgia street. Bond, \$500.00; surety, James W. Hudson.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Civil Engineer submitted the following report; which was referred to the Board of Public Improvements:

To the Common Council of the City of Indianapolis:

Gentlemen:—At a meeting of the Common Council held February, 16th, 1880, the following motion was adopted:

“That the City Civil Engineer be directed to report to the Council the probable cost of extending a pipe sewer, from the north side of Wyoming street, along the east side of Delaware street, to the north side of McCarty street, thence across Delaware street to west gutter.”

I herewith report an estimate of the cost of same:

272 feet of 20-inch pipe, at \$1.10.....	\$299 20
85 feet of 18-inch pipe, at 90 cents.....	76 50
4 feet of branches, at \$1 80.....	7 20
Total number of feet, 361.	
Hauling and laying same at 20 cents lineal foot.....	72 20

Total estimated cost..... \$455 10

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Supreme Court of the State, in the case of The State ex. rel. Tieman vs. The City, has affirmed the judgment of the Superior Court; thus hold-

ing the law providing for an exemption from taxation of a certain amount of property held by widows and unmarried females, unconstitutional.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

The Chief Fire Engineer submitted the following report; which was received:

Indianapolis, February 25, 1880.

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

Gentlemen:—I have been notified by the Water Works Company, that the following hydrants have been placed in position, viz:

- No. 576, northeast corner Cedar and Fletcher avenue.
- No. 577, northwest corner Dillon and Fletcher avenue.
- No. 578, northwest corner Olive and Fletcher avenue.
- No. 579, northwest corner Linden and Fletcher avenue.
- No. 580, southwest corner Linden and Hoyt avenue.
- No. 581, southwest corner Linden and Pleasant avenue.
- No. 582, southwest corner Linden and Woodlawn avenue; and
- No. 583, northeast corner Linden and Prospect street.

These hydrants were ordered by your honorable bodies, and were located by the Fire Board and Chief Fire Engineer. They have been properly tested, and are now in good order, and the Water Works Company have charged the city at the rate of \$50.00 per year from the date of notification, which was February 26, 1880.

And also on March 1st, 1880, that the following hydrants have been placed in position:

- No. 584, Madison avenue, opposite Nebraska street.
- No. 585, Madison avenue, opposite Dunlap street.
- No. 586, Madison avenue, opposite Downey street; and
- No. 587, Madison avenue, opposite Yeiser street.

These were also ordered by your honorable bodies. They have been located by the proper authorities; have been tested, and the Water Works Company have charged for them at the rate of \$50.00 per year from the above date.

Respectfully submitted,

J. G. PENDERGAST, Chief Fire Engineer.

The Chief Fire Engineer submitted the following report; which was referred to the Fire Board and City Attorney:

Indianapolis, March 15, 1880.

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

Gentlemen:—I would most respectfully call your attention to the condition of the first alley north of Washington street, between Illinois and Pennsylvania streets. Pieces of timber have been put in from one building to the other across the alley, and the alley completely covered with wires about six inches apart, so that in case of fire in any of those large buildings, it would be utterly impossible to raise a ladder, or get a stream of water through them without it being cut to pieces so that it would be useless. The alley is also blocked with ashes and boxes, so that it is almost impassable for the Fire Department.

I would most respectfully ask your honorable body to take some steps to remove the obstructions, so that in case of fire the department could have free use of the alley.

Respectfully submitted,

J. G. PENDERGAST, Chief Fire Engineer.

The City Assessor submitted the following report; which was received, and the several appointments confirmed:

Indianapolis, March 15, 1880.

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

Gentlemen.—I respectfully request that your honorable bodies confirm my appointment of the following named persons as deputy city assessors.

Respectfully,

M. F. CONNETT, City Assessor.

Henry Miller,	Jno. G. Waters,
Austin B. Prather,	O. S. Dale,
James L. Bishop,	W. J. Jackson,
Geo. Rosier,	Wm. T. Ellis,
Gustave Bohn,	Fred. Rassfeld,
Hugo Pautzer,	Calvin Pritchard,
Jos. Morrow,	Chas. S. Wright,
Harry H. M. Patton,	Robt. D. Townsend,
C. B. Higgins,	L. J. Bradley,
John Hicks,	James Bagby,
Edwin Seaman,	J. H. Perry.

Please confirm the following appointments made by the Township Assessor, D. W. BROUSE.

J. H. Satcamp,	C. B. Fiebleman,
D. S. Jordan,	Chas. F. Jenkins,
Jos. Kline,	Chas. Nabe,
J. H. Lehr,	J. C. Carter,
J. C. Maxwell,	Wm. Munson,
A. F. Shortridge,	O. G. Pfaff,
Sam. Spencer,	Thos. H. S. Peck,
Henry Stearns,	Edwin Carpenter,
Chas. Baden,	R. D. Bacon,
John Furnace,	M. D. Losey,
B. W. Sullivan,	Thos. D. Thorpe,
F. S. Redmond,	Nelson Hoss.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman KcKay, submitted the following report; which was received, and the several recommendations concurred in :

To the Mayor, Members of the Common Council and

Board of Aldermen, of the City of Indianapolis:

Gentlemen.—Your Board of Public Improvements, to whom was referred sundry papers, make the following report thereon:

1st. Is a motion that the Street Commissioner construct a double stone crossing on the west side of Illinois street, at the corner of Georgia street.

We recommend the work be done.

2d. Is a motion that the Street Commissioner repair the gutters and improve the drainage of Broadway street, from Cherry street to St. Clair street.

We recommend the work be done.

3d. Is a motion that the Street Commissioner fix the brick walk at the corners of Rose and West streets, and McCarty and West streets.

We recommend the city's portion only be repaired by the Street Commissioner.

4th. Is a motion that the Street Commissioner repair New York street, between Missouri and Douglass streets.

We recommend the *chuck holes* be filled with gravel.

5th. Is a motion that the Street Commissioner repair Michigan street, from Indiana avenue to Blackford street.

We recommend that only the chuck holes be filled.

6th. Is a motion that the Street Commissioner fill the chuck holes on West street, from Washington street to Indiana avenue.

We recommend the work be done.

Respectfully submitted,

M. H. McKay,
H. Coburn,
J. L. Bieler,

Board of Public Improvements.

The Fire Board, through Councilman Pearson, submitted the following report; which was concurred in:

Indianapolis, March 15th, 1880.

To the Mayor and Common Council:

Gentlemen.—The Fire Board and City Attorney, to whom was referred the claim of Geo. W. Morris, for damages to his buggy by a collision with the Hook and Ladder truck on the evening of December 19th, 1879, beg leave to report that they have had the same under consideration, and are of the opinion that said accident was unavoidable, at least so far as the members of the Fire Department are concerned. We are of the further opinion that whatever the facts might be with reference to the accident referred to, there is no liability upon the city for damages of this character. *Dillon on Municipal Corp.*, Vol. 2, Sec. 774. And we therefore recommend that said claim be not allowed.

JOHN A. HENRY, City Att'y.

John R. Pearson,
Fire Board.

By request, the Fire Board was granted further time to report upon General Ordinance No. 8, 1880.

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

Report of Deaths in the City of Indianapolis, from the 1st day of March, to the 15th day of March, 1880—inclusive.

Under 1 year.....	13
1 to 2 years.....	3
2 to 5 ".....	9
5 to 10 ".....	7
10 to 15 ".....	1
15 to 20 ".....	2
20 to 25 ".....	5
25 to 30 ".....	1
30 to 40 ".....	7
40 to 50 ".....	2
50 to 60 ".....	1
60 to 70 ".....	3
70 to 80 ".....	2
80 to 90 ".....	1
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	1

Total..... 59

Respectfully,

Henry Jameson, M. D., President,
W. E. Jeffries, M. D., Secretary,
Board of Health.

REPORTS, ETC., FROM COMMITTEES.

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

To the Mayor, and Members of the Common Council, and

Board of Aldermen of the City of Indianapolis:

Gentlemen:—Your "Committees on Bridges," to whom was referred the motion directing the City Civil Engineer to advertise for proposals for building a bridge over "Pogue's Run" on Wilkins street, such bridge to be built with stone abutments, and the superstructure to be made of the portion of the old Delaware street viaduct now lying close to said proposed bridge, would report thereon as follows:

After careful consideration of the motion, and from the fact that the street is not now improved, and also that there seems to be no demand for such bridge, we recommend nonconcurrence in the motion.

Respectfully submitted,

H. Coburn,
Aldermanic Committee

M. H. McKay,
Henry Bermann,
Council Committee.

The Committee on Finance, through Councilman Kahn, submitted the following report:

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

Gentlemen:—Your Committee on Finance, to whom sundry papers were referred, would report thereon as follows:

1st. Is G. O. 4, 1880, "An ordinance granting Charles T. Gilmore a license to carry on, maintain and exhibit a Museum and Menagerie in the city of Indianapolis," by the payment into the city treasury the sum of \$25.00 per annum, and amended by the Board of Aldermen, so as to make said payment for said license \$100.00 per annum.

We would recommend that the action of the Board of Aldermen be concurred in, and further recommend that so much of said ordinance as reads "As an annual license therefor," be stricken out.

2d. Is an itemized statement of Jos. T. Magner, City Clerk, showing the amount of orders drawn on the city treasury during the month of February, 1880; also, a report of W. G. Wasson, City Treasurer, for the month of February, 1880.

We have examined both accounts, and find the same correct.

Respectfully submitted,

Leon Kahn,
H. J. Prier,
Peter F. Bryce,
James T. Layman,
Committees.

Councilman Shilling moved to refer the 1st clause back to the committee.

Councilman Dowling moved to amend by referring back, with instructions to report in favor of an annual license of \$25.

Councilman VanVorhis moved to lay the amendment on the table.

Which motion, to lay on the table, failed of adoption by the following vote:

AYES, 7—viz. Councilmen Bryce, Carey, Kahn, Morrison, McKay, Prier, and Van Vorhis.

NAYS, 12—viz. Councilmen Bermann, Bieler, Brown, Dowling, Hamilton, Lamb, McGinty, O'Connor, Pearson, Sheppard, Shilling, and Wiese.

Councilman Lamb moved to amend the amendment, by fixing the license tax at \$50.

Which amendment was accepted by Councilman Dowling, and his amendment adopted.

The original motion as amended was then adopted.

The second clause of the foregoing report was approved.

The Judiciary Committee, through Councilman Lamb, submitted the following report; which was received, and the several recommendations concurred in:

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

Gentlemen:—The following papers referred to your Committee on Judiciary and City Attorney, would respectfully report thereon as follows:

1st. Is a petition of Louisa M. Soule, asking for relief.

Would recommend that the prayer of the petitioner be not granted, satisfactory arrangements having otherwise been made.

2d. Is a resolution requiring the Board of Public Improvements to fix the pay of employes in City Civil Engineer's office.

The year is now so near at an end, we think no change ought to be made, and therefore recommend the resolution be not adopted.

3d. Is a petition of W. H. Corbaley, wherein he claims \$11.32 on account of taxes erroneously paid.

We recommend the prayer of petitioner be granted, and that he be paid said sum.

4th. Is a petition of Alfred and J. C. S. Harrison, asking the sum of \$800.00 as damage done to certain property belonging to petitioners, by reason of the opening of Peru street through the same, and offering to make to the city a deed for same.

We recommend the payment of six hundred dollars, when the petitioners shall have made and delivered a good and sufficient deed to the city of Indianapolis for the property described in their petition.

JOHN A. HENRY, City Att'y.

Wm. C. Lamb,
Jas. T. Dowling,
Committee.

The Judiciary Committee, through Councilman Lamb, submitted the following report; which was referred to the Committees on Public Property and Judiciary:

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

Gentlemen:—The following paper was referred to the Judiciary Committee:

Report of the City Attorney in the case of The City of Indianapolis vs. Albert W. Denny, Road Supervisor, wherein the Circuit Court has refused to sustain an

injunction in relation to opening a road through the Southern Park, and asking further instructions.

Your committee recommend that the city appeal the case to the Supreme Court.

Wm. C. Lamb,
Jas. T. Dowling,
Committee.

The Committee on Railroads, through Councilman Prier, submitted the following report:

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

Gentlemen:—Your Committee on Railroads, to whom sundry papers were referred, would report thereon as follows:

1st. Is G. O. 11, 1880, "An ordinance to amend section 15 of an ordinance entitled 'An ordinance authorizing the construction, extension and operation of certain passenger railways, in and upon the streets of the city of Indianapolis,'" ordained January 18th, 1864, be so amended as to read forty-five (45) years, where the same now reads thirty (30) years.

After careful consideration, we recommend to your honorable body that the word forty-five be stricken out of the above ordinance, and the word thirty-seven be inserted in lieu thereof, and such ordinance with such amendment be passed.

2d. Is a motion that the Committee on Railroads be requested to confer with the Citizens' Street Railway Co. in relation to an extension of the Washington street line from the corner of Washington street, along Blackford street to New York street; thence west on New York street, to Blake street; thence north on Blake street, to Indiana avenue.

After consultation with the officers of the Street Railway Co., and finding it the desire of many property holders along the proposed line, we recommend that a resolution, according to existing ordinances, be passed, requiring said line to be built at the earliest possible time.

Respectfully submitted,

H. J. Prier,
Leon Kahn,
Committee.

The first clause was concurred in.

Councilman Shilling presented the following remonstrance:

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

Gentlemen:—The undersigned, owners of real estate fronting on Blackford and New York streets, between Washington on Blackford, and New York to Blake street, respectfully remonstrate against the passage of a resolution providing for, or permitting the Citizens', or any other Street Railway Company from laying any street railway track on or along said streets, from Washington to New York on Blackford street, and from Blackford to Blake street on New York. And your petitioners will ever pray, etc.

G. H. Voss, 232 feet; Thos. C. Day, 170 feet;
H. A. Prunk, 123 feet; Furman Stout, 130 feet;
J. L. Deitch, 40 feet; John Scott, 34 feet;
S. B. Gardner, 33½ feet; Thomas Rowland, 37 feet;
W. G. Hamilton, 40 feet; Ellen Branan, 50 feet;
E. B. Douglass, 50 feet; John Douglass's heirs, 60 feet;
G. Coble, 35 feet; Walter McAndrews, 40 feet; Gibson & Co., 150 feet;
Kake Gorman, 40 feet; Allen Hisey, 31 feet. Blackford street, between Washington street and New York street, is only forty-five feet wide, and we think would be entirely ruined for any other vehicles if used for street cars—Merritt & Coughlen, 320 feet.

Councilman VanVorhis moved to refer the second clause of the foregoing report, with the remonstrance, to the Committee on Streets and Alleys.

Which motion was laid on the table.

The foregoing remonstrance was then received, and the second clause of the report concurred in.

On motion by Councilman Prier, the first clause of the report of the Committee on Railroads, in relation to the construction of street car line, beginning at the corner of Illinois and South streets, which report was submitted to Council March 1st, 1880, page 931, was taken up and concurred in.

The Committee on Sewers and Drainage, through Councilman Kahn, submitted the following report:

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

Gentlemen:—Your Committees on Sewers and Drainage, to whom was referred S. O. 22, 1880, providing for constructing a sewer in and along the first alley north of Washington street, from Tennessee street to and connect with the Illinois street sewer, and a petition of D. Ricketts and eight others for same, would report thereon as follows:

Said petition of D. Ricketts and others, represent 299.6 lineal feet front, and we have a remonstrance presented to us by J. D. Condit, Harvey Bates and E. S. Alvord, representing 497½ feet front on said line. After due consideration, and in view of the fact that said remonstrance represents a majority of feet front on said line, yet we believe said sewer would be of great benefit to the property owners along said line, and a majority of said property owners having petitioned for the same, therefore we would recommend the passage of said ordinance.

Respectfully submitted,

H. Seibert,

W. F. Piel,

Aldermanic Committee.

Leon Kahn,

Council Committee.

Councilman Kahn presented the following remonstrance:

Indianapolis, March 10, 1880.

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

Gentlemen:—The undersigned, owners of real estate fronting on the alley between Washington and Market streets, from Tennessee street to Illinois, respectfully remonstrate against the passage of an ordinance providing for the construction of a sewer in and along the first alley north of Washington street, from Tennessee street to and connecting with the Illinois street sewer, and providing for the assessment and collection of the cost thereof. And your petitioners will ever pray, etc.

J. D. Condit, frontage on said alley...202½ feet;

Hervey Bates, frontage on said alley...165 feet;

E. S. Alvord, frontage on said alley...130 feet.

497½ feet.

On motion, the foregoing remonstrance was received, and the report concurred in.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read and received:

To the Mayor and Common Council:

Gentlemen:—At a regular session of the Board of Aldermen, held on March 3d 1880, the following motion was offered, and referred to the Board of Public Improvements, with power to act, viz:

“That the Street Commissioner be, and is hereby, instructed to put down five stone walks across east Washington street, as follows: One at Pine street; one at intersection of Michigan road and Cruse street; one at Highland street; one at Oriental street, and one at Arsenal avenue.”

For the Board of Aldermen,

GEO. T. BREUNIG, Clerk.

The foregoing motion was referred to the Board of Public Improvements, without power to act.

On motion by Councilman Prier, “The Sewing Machine Cabinet Co.” were granted permission to withdraw a certain petition, filed by them, asking for the vacation of a certain alley, &c.

NEW ORDINANCES.

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

By Councilman Kahn:

Ap. O. 17, 1880—An Ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments.

By Councilman VanVorhis:

Ap. O. 18, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

By Councilman McKay:

G. O. 12, 1880—An Ordinance providing for the Assessment of Real and Personal Property in the city of Indianapolis, for the purpose of taxation for the year 1880.

On motion by Councilman Kahn, the rules were suspended, by the following vote, for the purpose of placing the foregoing entitled ordinances on their second and third reading, and final passage, viz:

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, and VanVorhis.

NAYS—None.

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

Ap. O. 17, 1880—An Ordinance appropriating money for the payment of the Salaries and Compensations of City Officers, City Janitor, and officers and members of the Fire and Police Departments. [Amount appropriated, \$28,102.25.]

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

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

Ap. O. 18, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$100.00.]

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

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

G. O. 12, 1880—An Ordinance providing for the Assessment of Real and Personal Property in the city of Indianapolis, for the purpose of taxation for the year 1880.

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

By Councilman Lamb :

S. O. 27, 1880—An Ordinance to provide for grading, paving with brick the south sidewalk, and bowldering the south gutter, of Louisiana street, from New Jersey street to the first alley west of New Jersey street.

By Councilman Morrison :

S. O. 28, 1880—An Ordinance to provide for paving with brick (where not already paved) the sidewalks of west Michigan street, from Tennessee street to Missouri street.

MISCELLANEOUS.

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

That the Fire Board and Chief Fire Engineer be, and they are hereby, directed to report an ordinance providing for the removal of the No. 10 Hose Reel Company from its present location to some point in the 23d Ward.

Councilman Bieler offered the following motions; which were severally adopted:

That Andrew Schmidt be, and is hereby, granted permission to grade and pave with brick, the sidewalk in front of his property, lots 21 and 22, square 9, corner Beecher and Shelby streets, at his own expense, and under direction of the City Civil Engineer, who is hereby directed to set the proper stakes.

That Michael Criqui be, and is hereby, granted permission to grade and gravel the sidewalk in front of his property, lots No. 1, 2 and 3, Criqui's sub. southeast add., at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the proper stakes.

That George Wagner be, and is hereby, granted permission to grade and gravel the sidewalk in front of his property, lot No. 12, Munson's subdivision Burkemeyer's addition, at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the proper stakes.

Councilman Brown offered the following motion; which was adopted:

That the City Marshal be, and is hereby, directed to notify the owners of "72½ feet off west end of lots 5 and 6, square No. 75," to protect the foundation of the building on aforesaid ground, by underpinning same, the said foundation being about two feet above the proper grade of the alley along said property.

Councilman Bryce offered the following motions; which were referred to the Board of Public Improvements:

That the Street Commissioner be directed to fill the chuck holes in Coburn street, between East street and Madison avenue.

That the Street Commissioner be directed to fill the chuck holes on Wyoming street, between High and Delaware streets.

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

That the Street Commissioner be, and is hereby, directed to make the gutters, grade and gravel Chesapeake alley, from Missouri street east to the first alley.

Councilman Lamb, in behalf of Councilman Downey, offered the following motion; which was adopted:

That the City Marshal is hereby instructed to notify the Street Railroad Company to forthwith repair their tracks from Washington street, north on East street to Ohio street, and east on Ohio street to Noble street.

Councilman Hamilton offered the following motion; which was adopted:

That the Joint Committees on Public Property be instructed to visit the Board of County Commissioners, and use all proper effort to procure a new lease, on modified terms, for the quarters now occupied by the city in the County Court House.

Councilman Hamilton offered the following resolution; which was referred to the Committee on Water:

Resolved, That the Water Works Company of Indianapolis be, and is hereby, directed to lay a six-inch main in, and along, Cherry street, from Broadway street to the east end of St. Mary street, placing one plug under the direction of the Fire Board and Chief Fire Engineer.

Councilman Lamb offered the following motions; which were referred to the Board of Public Improvements:

That the Board of Public Improvements be, and are hereby, instructed to lay stone crossings on Alabama street, at the intersection of South street, the full width of South street.

That the Street Commissioner clean the gutter, and fill the chuck holes therein opposite numbers 175 and 177, east Louisiana street.

That the Street Commissioner clean the gutter, and fill the chuck holes therein with cinders, on east Merrill street, at Peter Zimmer's grocery.

That the Street Commissioner be, and is hereby, directed to raise the stone crossing on the west side of Virginia avenue, at the intersection of South street, to correspond with the grade of said streets.

Councilman Morrison presented the following petition; which was received:

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

Gentlemen:—We, the undersigned, citizens, tax-payers and owners of real estate on Tennessee street, from Ohio street to North street, would most respectfully petition your honorable body to reconsider the ordinance for the improvement of Tennessee street, from Ohio street to First street.

If not reconsidered, we believe some provisions should be made in said ordinance, or a general ordinance to cover the following provisions:

That when the street or streets of said city of Indianapolis are accepted by the Common Council and Board of Aldermen as a permanent improvement, that from

and after such acceptance by said bodies, it shall be made the duty of said city to properly maintain said streets at the expense of the city.

Jno. A. Furgason, 44 feet; E. M. Ingraham, 41 feet; W. S. Barkley, 42 feet; M. L. Bannister, 37½ feet; M. B. Hussey, 44 feet; J. E. Bombarger, for Bombarger heirs, 87 11-12 feet; S. N. Gold, and others, 17 feet; Jas. B. Ryan, 112 feet; Mrs. H. M. Brown, 38 feet; Susan Harlin, 33½ feet; C. A. Hedges, 33½ feet; Conrad Bauer, 16.10 feet; Clarissa Q. Moody, 33½ feet; J. F. Holt, 33½ feet; John M. Talbot's heirs, 137 feet; D. Turpie, 34 feet; G. H. Voss, 155 feet; Wm. L. Peck, north east cor. Ohio and Tennessee streets, 108 feet; Mrs. John Smither; D. A. Lemon, 31½ feet; R. R. Miles, 35 feet; Harriet Jordan, 30 feet; Mrs. M. J. Sponable, 33½ feet; Mrs. J. K. Wheian, 36 feet; Callenan Whelan & M., 9½ feet; Francis O. Hanlon, per J. M. Mielke, agent, 33½ feet.

Councilman Morrison moved that the Board of Aldermen be requested to return to the files of this body Special Ordinance, No. 52, 1879.

Which motion was laid on the table.

Councilman Morrison offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, instructed to examine the gutters at the intersection of Mississippi street and the north side of Indiana avenue, and the intersection of Vermont street and north side of Indiana avenue; and report to the Board of Public Improvements the best manner of improving said gutters, whether by culvert or otherwise; and that said Board are hereby ordered to improve said gutters, under the supervision of the City Civil Engineer.

Councilman Morrison presented the following petition; which was referred to the Joint Judiciary Committee and City Attorney, with instructions to report at the next regular session of this body:

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

On the evening of the 4th day of January, 1880, about half past seven o'clock, my carriage was being driven up Illinois street, near Vermont, and the horses fell into an excavation or hole in the street, near the middle thereof, and the carriage fell into the same, was upset, and badly broken and damaged. The horses were unable to get up from the hole until the harness was cut and taken from them. The damage done to the harness and the cost of the repair thereof was \$17.55, as shown by the bill herewith, and the damage done to the carriage and the cost of the repair thereof, was \$140.00, as shown by the bill thereof herewith. The defect in the street was occasioned by work done by the city upon the sewer, as I understand, and had existed for one or more days without repairs or any attention, and without any light or guard to prevent injury. The hole was full of water, and it was dark upon the street, and the injury sustained wholly from the negligent manner in which the city officers allowed the street to remain in the said condition, and without any fault on the part of the driver.

I therefore ask that you will order the payment of said repairs, after you shall have satisfied yourselves of the correctness of this statement.

Very respectfully submitted,

March 15th, 1880.

THOMAS A. HENDRICKS.

Councilman Pearson presented the following petition; which was referred to the Railroad Committee :

March 15, 1880.

To the Honorable, the Common Council and the

Board of Aldermen of the City of Indianapolis, Ind :

Gentlemen:—Your petitioner prays that you will grant to him the privilege of laying a railroad switch across Pratt street, on the east side of, and adjacent to, the tracks of the I. C. & L. R. R., in this city.

I have the honor to be your obedient servant,

C. E. MERRIFIELD.

Councilman Pearson offered the following motion; which was adopted :

That the Lafayette Railroad Co. and property holders be permitted to grade and gravel the street west of the Lafayette Railroad tracks, between North and Walnut streets, at their own expense, under the direction of the City Civil Engineer.

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

Indianapolis, March 15th, 1880.

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

Gentlemen:—Your petitioner would respectfully represent that he is the owner of 48 feet the north side of lot 4, in square 40, in the city of Indianapolis, and that he has, through mistake in description, been paying on 50 feet, the north side of said lot, an over assessment, as shown in the following petition :

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

Gentlemen:—Your petitioner would respectfully represent that he has, for a number of years, been paying taxes on two feet of ground in excess of what I own; and the assessment per foot, and the tax levy per \$100, is as shown below, viz :

For 1863, Appraisalment \$50 per foot—\$100 levy, at \$0.80.....	\$0 80
1864, “ 55 “ — 110 “ 1.25.....	1 37½
1865, “ 60 “ — 120 “ 1.50.....	1 80
1866, “ 60 “ — 120 “ 1.50.....	1 80
1867, “ 60 “ — 120 “ 1.15.....	1 38
1868, “ 55 “ — 110 “ 1.25.....	1 37½
1869, “ 50 “ — 100 “ 1.01.....	1 01
1870, “ 50 “ — 100 “ 1.10.....	1 10
1871, “ 55 “ — 110 “ 1.33.....	1 46
1872, “ 55 “ — 110 “ 1.50.....	1 65
1873, “ 80 “ — 160 “ 1.10.....	1 76
1874, “ 75 “ — 150 “ 1.10.....	1 65
1875, “ 70 “ — 140 “ 1.50.....	2 10
1876, “ 65 “ — 130 “ 1.40.....	1 80
1877, “ 60 “ — 120 “ 1.12.....	1 32

Making a total of taxes overpaid..... \$22 37

Which I ask your honorable body to refund.

For which I will ever pray.

JOHN KEELEY.”

The petition above was presented to the Council November 4th, 1878, and reported on unfavorably by the Committee, on account of the ground not being properly described. The above is a proper description of the ground, with the valuation and tax levy during the term of the overcharge, which amounts to \$22.37, which is justly due me, and which I ask your honorable body to refund. For which I would ever pray.

JOHN S. KEELEY.

Councilman Prier offered the following motion; which was adopted:

That David A. Haywood be granted 60 days further time from March 1st, 1880, to complete his contract for grading and graveling Newman street and sidewalks, from Hill avenue to Seventh street.

Councilman Prier offered the following resolution:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Council and Board deem it expedient that a line of street railway be constructed, to commence and connect with the Washington street line at the corner of Blackford street, north on said Blackford street to New York street; thence west on New York street to Blake street; thence north on Blake street to Indiana avenue. The City Clerk is hereby directed to serve a copy of this resolution upon the proper officers of said company, in accordance with the provisions of section 15, of an ordinance entitled "An Ordinance authorizing the construction, extension, and operation of certain Passenger Railways in and upon the streets of the city of Indianapolis," ordained January 18th, 1864.

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

Councilman Shilling offered the following motion:

That Ludwig Woerner be granted permission to erect a hay and grain scale in the street, at the intersection of Michigan street and Indiana avenue; that the City Civil Engineer be instructed to set the grade stakes for the same, and that the Council have the power, at any time, to order the removal of the same.

Which, on motion of Councilman McKay, was referred to the Joint Committees on Streets and Alleys and City Attorney, with instructions to report as to the liability of the city in case of accident from such obstruction.

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

That the Street Commissioner be instructed to fill the chuck holes in St. Joseph street, between Pennsylvania and Alabama streets, with broken stone.

Councilman VanVorhis offered the following motion; which was adopted:

That the Board of Public Improvements be instructed to examine the first alley east of New Jersey street, between St. Clair street and first alley south of Gregg street, and report whether, in their judgment, said alley should be improved.

Councilman Wiese offered the following motion; which was adopted:

That the Chief Fire Engineer be, and is hereby, directed to examine Meridian, Union and Chestnut streets, south of Merrill street, and report to this Council at its next regular meeting, whether, in his opinion, it is safe for the fire steamers to be driven with any speed on said streets in case of fire.

PENDING ORDINANCES.

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

S. O. 21, 1880—An Ordinance to provide for grading and graveling the alley between Park avenue and Broadway street, from Cherry street to Christian avenue.

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McKay, O'Connor, Pearson, Prier, Shepard, Shilling, Van Vorhis, and Wiese.

NAYS—None.

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

S. O. 24, 1880—An Ordinance to provide for grading and graveling Wilson street and sidewalks, between Hill avenue and the C., C., C. & I. R. Co.'s track.

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McKay, O'Connor, Pearson, Prier, Shepard, Shilling, Van Vorhis, and Wiese.

NAYS—None.

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

S. O. 26, 1880—An Ordinance to provide for bowldering and curbing the east gutter of Pennsylvania street, from St. Clair street to Pratt street.

And it was passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McKay, O'Connor, Pearson, Prier, Shepard, Shilling, Van Vorhis and Wiese.

NAYS—None.

The following entitled ordinance was read the second time :

G. O. 11, 1880—An Ordinance to amend section 15 of an ordinance entitled "An ordinance authorizing the construction, extension, and operation of certain Passenger Railways in and upon the streets of the City of Indianapolis," ordained January 18, 1864.

On motion by Councilman Prier, the ordinance was amended by substituting the word "thirty-seven" for "forty-five."

The ordinance as amended was ordered to be engrossed, read the third time, and passed by the following vote :

AYES, 17—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McKay, O'Connor, Pearson, Prier, Sheppard, Shilling, and Wiese.

NAYS, 1—viz. Councilman VanVorhis.

Councilman Bieler called up the following resolution, offered by him on February 2d, 1880, viz :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Council and Board deem it expedient that a line of street railway be constructed, to commence and connect with the Illinois street line at the corner of South street; east on said South street to Delaware street; south on Delaware street to McCarty street; thence east on McCarty street to New Jersey street; thence south on New Jersey street to Coburn street; and that the Citizens' Street Railway Company be, and is hereby, directed to construct the said line at once.

The City Clerk is hereby directed to serve a copy of this resolution upon the proper officers of said company, in accordance with the provisions of section 15 of an ordinance entitled, "An ordinance authorizing the construction, extension and operation of certain Passenger Railways in, and upon, the streets of the city of Indianapolis," ordained January 18th, 1864.

And it was adopted by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Kahn, Lamb, Morrison, McKay, O'Conner, Pearson, Prier, Sheppard, Shilling, VanVorhis, and Wiese.

NAYS—None.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: **JOS. T. MAGNER**, City Clerk.