

# PROCEEDINGS OF COMMON COUNCIL.

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## REGULAR SESSION—MAY 3, 1880.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, May 3d, A. D. 1880, at eight o'clock, in regular session.

**PRESENT**—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the chair, and 21 members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, Van-Vorhis, and Wiese.

**ABSENT**, 4—viz. Councilmen King, O'Connor, Sheppard, and Wood.

The Proceedings of the Common Council, for the adjourned session, held on April 12th, and for the regular session, held on April 19th, 1880, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

Sealed proposals for making the below described improvements were opened, read, and referred to the Committees on Contracts:

(S. O. 25, 1880)—For grading and graveling the first alley south of Twelfth street, between Illinois street and Tennessee street.

(S. O. 32, 1880)—For grading and graveling East street and sidewalks, from Minnesota street to Raymond street.

(S. O. 41, 1880)—For grading and graveling Newman street and sidewalks, from Seventh street to Ninth or Bolton street.

(S. O. 42, 1880)—For grading and graveling the first alley north of St. Marys street, from Delaware street to Pennsylvania street.

Councilman Kahn moved to suspend the regular order of business, for the purpose of receiving and passing appropriation ordinances.

Which motion was adopted by the following vote :

AYES, 19—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Prier, Rooker, Shilling, VanVorhis, and Wiese.

NAYS—None.

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

By the Fire Board, through Councilman Tucker :

Ap. O. 26, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

By the Hospital Board, through Councilman Morrison :

Ap. O. 27, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.

By the Police Board, through Councilman Downey :

Ap. O. 28, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses.

By the Committees on Accounts and Claims, through Councilman VanVorhis :

Ap. O. 29, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

By the Committees on Printing, through Councilman Hamilton :

Ap. O. 30, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

By Councilman Tucker :

Ap. O. 31, 1880—An Ordinance appropriating the sum of Two Thousand Dollars, on account of the Street-Repairs Department of the city of Indianapolis.

Appropriation Ordinances Nos. 26, 27, 28, 29, 30, and 31, 1880, were severally read the second time, and ordered to be engrossed.

Ap. O. 26, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.  
[Amount appropriated, \$237.22.]

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

Ap. O. 27, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$763.25.]

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

Ap. O. 28, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses. [Amount appropriated, \$112.09.]

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

Ap. O. 29, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$15,804.95.]

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

Ap. O. 30, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$485.62.]

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

Ap. O. 31, 1880—An Ordinance appropriating the sum of Two Thousand Dollars, on account of the Street-Repairs Department of the city of Indianapolis.

Was read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

## REPORT FROM THE COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Brown, submitted the following report; which was concurred in, and the several contracts awarded as recommended:

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

*Gentlemen*:—Your Committees on Contracts, to whom was referred sundry proposals, presented to Council, April 19th, 1880, have examined the same, and find them to be as follows, to-wit:

1st. For grading and graveling the alley between Park avenue and Broadway street, from Cherry street to Christian avenue

John L. Hanna, 20 cents per lineal foot front on each side.  
 Richard Carr, 20 cents per lineal foot front on each side.  
 John Greene, 19 cents per lineal foot front on each side.  
 H. C. Roney, 19 cents per lineal foot front on each side.  
 J. L. Spaulding, 18 cents per lineal foot front on each side.  
 Murphy & Sylvester, 17 cents per lineal foot front on each side.  
 Wm. Murphy, 16 cents per lineal foot front on each side.  
 Wm. Morrison, 16 cents per lineal foot front on each side.  
 James Mahoney, 16 cents per lineal foot front on each side.

There being three bids at the same rate, and believing the bids low ones, we recommend that the contract be awarded to Wm. Murphy.

2d. For grading and graveling Wilson street and sidewalks, between Hill avenue and the C., C., C. & I. R. R. Co.'s track.

Henry Clay, 77 cents per lineal foot front on each side.  
 James Mahoney, 72 cents per lineal foot front on each side.  
 John L. Hanna, 70 cents per lineal foot front on each side.  
 Richard Carr, 70 cents per lineal foot front on each side.  
 John Greene, 69 cents per lineal foot front on each side.  
 H. C. Roney, 65 cents per lineal foot front on each side.  
 J. L. Spaulding, 62 cents per lineal foot front on each side.  
 Wm. Morrison, 56 cents per lineal foot front on each side.

Wm. Morrison being the lowest and best bidder, we recommend he be awarded the contract.

3d. For paving with brick (where not already paved), the sidewalks of Michigan street, from Tennessee street to Missouri street.

John Schier, 50 cents per lineal foot front on each side.  
 John L. Hanna, 55 cents per lineal foot front on each side.  
 Henry C. Roney, 49 cents per lineal foot front on each side.  
 J. T. Murphy & Sylvester, 45 cents per lineal foot front on each side.

J. T. Murphy & Sylvester being the lowest and best bidders, we recommend they be awarded the contract.

4th. For grading and paving with brick the north sidewalk of St. Clair street, from East street to Park avenue.

Murphy & Sylvester, 38 cents per lineal foot front.  
 John L. Hanna, 37 cents per lineal foot front.  
 Henry C. Roney, 36 cents per lineal foot front.  
 John Schier, 34 cents per lineal foot front.  
 Jacob Bly, 34 cents per lineal foot front.

There being a tie bid, and believing the same to be low, we recommend the contract be awarded to John Schier.

5th. For improving College avenue, from Seventh street to Twelfth street, by grading and graveling the roadway, bowldering the gutters, and curbing with stone the outer edge of the sidewalks thereof.

Henry Clay, \$1.27 per lineal foot front on each side.

John L. Hanna, \$1.24½ per lineal foot front on each side.

Richard Carr, \$1.16 per lineal foot front on each side.

Henry C. Roney, \$1 13 per lineal foot front on each side.

R. P. Dunning & Jas. W. Hudson, as follows:

For curbing, 37 cents per lineal foot front on each side.

For gutter stones, 29 cents per lineal foot front on each side.

For graveling, 31 cents per lineal foot front on each side.

For bowldering gutters, 15 cents per lineal foot front on each side.

R. P. Dunning & Jas. W. Hudson being the lowest and best bidders, your committee recommend they be awarded the contract.

M. L. Brown,  
F. W. Hamilton,  
Committee on Contracts.

REPORTS, ETC., FROM CITY OFFICERS.

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

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

Gentlemen:—I herewith report the following estimate :

A first and final estimate in behalf 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 first alley northeast of said intersection.

480 lineal feet, at 10½ cents..... \$50 40  
Total estimate..... \$50 40

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 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 first alley northeast of said intersection, 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, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contracts 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 William Murphy, for grading and graveling First street, from Pennsylvania to Meridian streets. Bond, \$300.00; surety, Frederick B. Richter.

Contract and bond of Fred. Gansberg, for improving Tennessee street, from Ohio to First streets, by grading and graveling the roadway, bowldering the gutters, and putting in a gutterstone. Bond, \$12,000.00; sureties, James W. Hudson, John Schier, Geo. W. Seibert and John Rothert.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Clerk submitted the following report:

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

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

Fred. Gansberg vs. Young, Cassity, et al., for.....	\$16 25
Fred. Gansberg vs. Wm. A. Meyers, for.....	19 87
Fred. Gansberg vs. Anton Schmidt, for.....	19 88
Fred. Gansberg vs. David S. Beaty's heirs, John C. New, Ex'r., for	19 88
Fred. Gansberg vs. David S. Beaty's heirs, John C. New, Ex'r., for	19 87
Fred. Gansberg vs. David S. Beaty's heirs, John C. New, Ex'r., for	19 87

And recommend that you order the precepts to issue.

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

Which was concurred in, and the precepts ordered to issue, by the following vote:

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

The City Clerk submitted the following report; which was referred to the Committees on Finance:

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

*Gentlemen:*—I herewith submit an itemized statement, showing the amount of orders drawn on the city treasury during the month of April, 1880:

Board of Health.....	\$	54 25
City Assessor's Department.....		81 00
City Civil Engineer's Department.....		118 65
City Dispensary.....		164 00
City Hall.....		147 69
City Hospital and Branch.....		887 79
City Treasurer's percentage.....		2,834 13
Damages and Costs.....		896 80
Fire Department.....		5,963 90
Gas.....		5,136 43
Incidentals.....		32 00
Insurance.....		37 50
Market-Masters' Fees.....		124 95
Markets.....		25 00

Parks.....	70 50	
Police .....	3,624 58	
Printing .....	247 61	
Salary .....	4,062 16	
Station Houses.....	217 53	
Street Improvements.....	143 64	
Street Repairs.....	3,509 45	
Taxes refunded.....	18 54	
		\$28,398 10
School Fund.....		22,415 20
Total.....		<u>\$ 50,813 30</u>

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The City Treasurer submitted the following report; which was referred to the Committees on Finance :

*Report of Wm. G. Wasson, City Treasurer, for the month of April, 1880.*

RECEIPTS.

Balance on hand March 31st, 1880, as per report ...	\$ 162,078 83
From current taxes..	281,991 97
From delinquent taxes.....	1,412 04
From tax sales.....	7,741 03
From benefits.....	75 00
From coal licenses.....	6 00
From dog licenses.....	1 50
From dray licenses.....	7 20
From express licenses.....	25 65
From fines (City Court).....	230 70
From hack licenses.....	6 00
From hucksters' licenses.....	12 00
From market-masters' fees.....	172 90
From peddlers' licenses.....	38 00
From show licenses.....	60 00
From tapping sewers.....	1 00
	<u>\$ 454,759 82</u>

DISBURSEMENTS.

For Board of Health .....	\$ 54 25
For City Assessor's Department.....	81 00
For City Civil Engineer's Department.....	140 15
For City Dispensary .....	164 00
For City Hall.....	897 69
For City Hospital and Branch.....	868 84
For City Treasurer's percentage... ..	2,834 13
For damages and costs.....	1,159 75
For Fire Department.....	5,968 51
For gas.....	5,136 43
For incidental.....	118 43
For insurance.....	37 50
For market-masters' fees.....	124 95
For parks .....	70 50
For police .....	3,654 20

For printing .....	247 61
For salary .....	4,499 66
For school fund.....	22,415 20
For station houses .....	188 76
For street improvements.....	143 64
For street repairs .....	3,502 41
For taxes refunded.....	18 54
Balance on hand.....	402,438 67
	<hr/>
	\$ 454,759 82
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## TOMLINSON ESTATE.

Balance on hand March 31st, 1880, as per report .....	\$ 20,699 90
From Jno. S. Spann & Co., for rents.....	429 81
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Balance on hand .....	\$ 21,129 71
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Respectfully submitted, W. G. WASSON, City Treasurer.

The City Attorney submitted the following report; which was concurred in:

Indianapolis, May 3d, 1880.

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

*Gentlemen:*—I beg leave to report that since your last meeting, decisions have been rendered in the following cases:

In the case of the Board of School Commissioners, &c., vs Wm. M. Wiles, Treasurer, and The City. The Superior Court in General Term have reversed the judgment of the court at Special Term, and in effect deciding against the plaintiff upon the whole case. There is, however, a diversity of opinion among the judges, and it will be necessary to take the opinion of the Supreme Court upon the questions in issue. The School Commissioners have prepared an appeal to the Supreme Court, and will doubtless perfect the same at an early day.

In the case of Mary Hatfield vs. The City, a jury was impaneled, and after the trial had progressed during one day and part of the next, the plaintiff dismissed, and judgment was entered in favor of the city for costs. This was an action for personal injuries.

The case of Henry H. Sheets vs. The City, being an action for \$150,000 damages on account of the burning of the Sheets Hotel, has, on motion of the city, been dismissed at plaintiff's cost.

In the case of Jane Scott vs. The City, a verdict and judgment has been entered against the city for \$1,200.00.

This was an action for damages on account of alleged personal injury to the plaintiff caused, as was claimed, by a defective gutter crossing at the southeast corner of Liberty and Michigan streets. The case, upon the evidence, presents no substantial merits. I have prepared the case for an appeal and am of the opinion that the same can be reversed, and possibly ultimately defeated. I therefore recommend that the cause be appealed.

Respectfully submitted,  
JOHN A. HEERY, City Attorney.

The Superintendent of the City Hospital and Branch submitted the following report; which was received:



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

*Gentlemen:*—The following reports of the City Hospital and Branch, for the month of April, 1880, are respectfully submitted :

	First Week.	Second Week.	Third Week.	Fourth Week.	Two Days.	Monthly Total.
Number of paid Officers and Employes in Hospital .....	11					
Number of paid Officers and Employes in Branch.....	1					
Number of beds in Hospital .....	100					
Number of beds in Branch.....	10					
No. of adult patients in Hospital at beginning of week.....	42	41	41	38	43	42
No. of infant patients in Hospital at beginning of week.....	5	2	5	4	3	5
No. of adult patients received during week .....	5	10	7	15	2	39
No. of infant patients received or born during week.....	2	4	3	.....	1	10
No. of adult patients discharged during week .....	5	9	8	9	6	37
No. of infant patients discharged during week.....	5	1	3	1	1	11
No. of adult patients who died during week.....	1	1	2	1	.....	5
No. of infant patients who died during week.....	.....	.....	1	.....	1	2
No. of patients in Branch at beginning of week.....	.....	.....	.....	.....	.....	.....
No. of patients in Branch at end of week.....	.....	.....	.....	.....	.....	.....
No. of adult patients in Hospital and Branch at end of week	41	41	38	43	39	39
No. of inf't patients in Hospital and Branch at end of week	2	5	4	3	2	2
No. of pay-patients at beginning of week.....	.....	.....	.....	.....	.....	.....
No. of pay-patients at end of week .....	.....	.....	.....	.....	.....	.....
Aggregate number of days of patients in Hospital.....	341	302	318	328	94	1383
Aggregate number of days of patients in Branch .....	.....	.....	.....	.....	.....	391
Aggregate number days of employes in Hospital.....	.....	.....	.....	.....	.....	1774
Number of prescriptions filled during the month .....	757					
Total expenditures for month .....						\$763 25
Cash collected from pay-patients and other sources, and paid to City						
Treasurer .....	\$15 00					
Aggregate number of days subsistence furnished .....						1774
Average daily cost of each patient .....						.55-3 cts.
Average daily cost for patients, officers, and employes.....						.43-2 cts.

WILLIAM N. WISHARD, M. D., Superintendent.

REPORTS FROM OFFICIAL BOARDS.

The Board of Public Improvements and Street Commissioner, through Councilman McKay, submitted the following report; which was received:

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

*Gentlemen:*—We herewith report expenditures of the Street-Repairs Department for the month of April, 1880, together with total amount of expenditures to May 1st, 1880:

Pay-rolls .....	\$ 3,705 24
Gravel .....	143 30
Stone spawls.....	13 40
Blacksmithing.....	53 25
Freight on stone.....	8 00
Stone crossings.....	55 00
Cement.....	4 00
Boulders .....	67 37
Lumber.....	97 21

Sand .....	21 20
Hardware.....	60 84
Brick.....	20 22
Serving official notices to repair sidewalks, etc.....	22 50
Repairs on street fountains .....	14 81
Rubber boots for sewer men.....	14 25
Rent of stone yard 4th quarter.....	25 00
Coal for stone yard.....	8 50
Total expenditures for April, 1880.....	\$ 4,329 09
Total expenditures per last report .....	29,920 22
Total expenditures to May 1st, 1880.....	\$ 34,249 31

Respectfully submitted,

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

Board of Public Improvements.

L. A. FULMER, Street Commissioner.

The Dispensary Board, through Councilman Carey, submitted the following report; which was received:

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

*Gentlemen* :—The following reports of the City Dispensary for the month of April, 1880, are respectfully submitted:

Number of Patients treated at Dispensary.....	145
Number of Medical cases at Dispensary .....	109
Number of Surgical cases at Dispensary .....	24
Number of Disease of Nervous System.....	8
Number of Disease of Eye and Ear.....	4
Number of Out-door Patients treated .....	83
Number at Station House .....	2
Number at News Boys' Home .....	0
Total number of Patients treated during month.....	230
Total number of Visits made during month.....	227
Total number of Prescriptions filled during month.....	708
Number of Births during month.....	1
Number of Deaths during month.....	0

## EXPENDITURES FOR MONTH.

C. A. Ritter, Superintendent.....	\$ 37 50
T. R. Rubush, Resident Physician.....	37 50
F. M. Ferree, Prescription Clerk.....	30 00
W. A. & I. N. Pattison, drugs .....	32 48
Eli Lilly, drugs.....	10 80
Watson Coal & Mining Co.....	8 50
Indianapolis Gas Light & Coke Co.....	2 60
Total expenditures for month.....	\$154 40

C. A. RITTER, M. D., Superintendent.

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

Report of Deaths in the City of Indianapolis, from the 15th day of April, to the 30th day of April, 1880—inclusive.

Under 1 year.....	23
1 to 2 years.....	9
2 to 5 ".....	8
5 to 10 ".....	6
10 to 15 ".....	1
15 to 20 ".....	6
20 to 25 ".....	5
25 to 30 ".....	5
30 to 40 ".....	2
40 to 50 ".....	2
50 to 60 ".....	4
60 to 70 ".....	3
70 to 80 ".....	5
80 to 90 ".....	5
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0

Total..... 84

Respectfully, HENRY JAMESON, M. D., President,  
W. E. JEFFRIES, M. D., Secretary,

REPORTS FROM COMMITTEES.

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

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

*Gentlemen*.—Your Committee on Finance, to whom was referred the reports of the City Clerk and City Treasurer, for the month of March, 1880, report that we have examined said reports and find them correct.

Respectfully submitted,

Leon Kahn,  
Peter F. Bryce,  
C. F. Wiese,  
H. J. Prier,  
M. L. Brown,  
Committee on Finance.

The Committee on Judiciary, through Councilman Lamb, submitted the following reports; which were severally concurred in:

To the Common Council of the City of Indianapolis:

*Gentlemen*.—Your Judiciary Committee, together with the City Assessor, to whom a petition of Louisa Koss was referred, asking for a reduction of the assessment on the improvements on her property—lot No. 205, Noble's sub. Out-lot 45—would report, that after careful examination of this matter, recommend that the prayer of the petitioner be *not* granted.

Respectfully submitted,

M. F. CONNETT, City Assessor.

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

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

*Gentlemen:*—Your Committee on Judiciary, together with the City Attorney, to whom sundry papers were referred, would report thereon as follows:

1st. Is a petition of John Keeley, represents that he has been paying city taxes for a number of years on an excess of two feet of ground in lot No. 4, square 40, amounting to \$22.37, which he asks your honorable body to refund.

Recommend that the prayer of the petitioner be *not* granted.

2d. Is Stoughton A. Fletcher and Francis M. Churchman notifies the city of a suit against them, said suit being No. 25,160, Superior Court, in which they claim that the city has certain rights and interests which should be defended, and that the city is liable, under certain contingencies, to them.

Recommend that the City Attorney be, and is hereby, directed to defend the city's interests during the pendency of said cause.

Respectfully submitted,

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

The Joint Committees on Public Property, through Councilman Tucker, submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen:*—Your Committees on Public Property, to whom was referred the motion made by Councilman Hamilton as regards the sale of the Tomlinson estate, would most respectfully report that, in our opinion, it would not be to the city's interest at the present time to make any effort to sell said Tomlinson estate.

Most respectfully submitted,

W. H. Tucker,  
H. G. Carey,  
W. F. Piel,  
H. Coburn,  
James T. Layman,  
Joint Committees.

The Joint Committees on Streets and Alleys, through Councilman Downey, submitted the following report; which was concurred in:

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

*Gentlemen:*—Your Joint Committees on Streets and Alleys, to whom a petition of the Brothers of the Sacred Heart, and others, was referred, praying for the vacation of so much of the first alley south of Coburn street running east and west, as lies south of lots No. 11 to 17, inclusive, in Daugherty's sub. of Out-lot No. 99;

Recommend that so much of said alley be vacated as lies south of lots No. 11 to 15, inclusive, *Provided*, That the Brothers of the Sacred Heart open a 15 foot alley from Coburn street south, immediately east of lot No. 16, to connect with said alley

Respectfully submitted,

H. E. Drew,  
H. Seibert,  
Aldermanic Committee

J. T. Downey,  
C. H. Harmening,  
Council Committee.

Councilman Bieler, in behalf of a certain Special Committee, submitted the following report:

To the Mayor and Common Council:

*Gentlemen:*—Your Special Committee, to whom was referred the petition of

Horace Scott, Pris't. Union R'y. Co., would respectfully recommend the passage of the accompanying General Ordinance amending G. O. 40, 1879.

Respectfully submitted,

J. L. Bieler,  
Jas. T. Dowling,  
F. J. VanVorhis,  
Committee.

The following entitled ordinance, submitted by the foregoing committee, was read the first time:

G. O. 16, 1880—An Ordinance to amend section 24 of an ordinance entitled "An Ordinance declaring that all Vehicles (except Street Railway Cars), used in the transporting of Persons and Articles within the city of Indianapolis, for hire or pay, shall be deemed "Public Vehicles;" establishing Rules and Regulations for the government of the Owners, Lessees, and Drivers thereof; and prescribing Fines and Punishments for violations of its provisions;" ordained 1st day of March, 1880.

Councilman VanVorhis moved to suspend the rules for the purpose of placing the above entitled ordinance on its second and third reading and final passage.

Which motion failed of adoption by the following vote:

AYES, 7—viz. Councilmen Bieler, Hamilton, Morrison, Pearson, Rooker, Tucker, and VanVorhis.

NAYS, 14—viz. Councilmen Bermann, Brown, Bryce, Carey, Dowling, Downey, Harmening, Kahn, Lamb, McGinty, McKay, Prier, Shilling, and Wiese.

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

The following message was read:

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen, at a regular session, held on April 21st, 1880, amended Appropriation Ordinance No. 25, 1880, (passed by your honorable body April 19, 1880,) by substituting the sum of \$7,124.41 for the sum of \$8,281.21 amount appropriated to H. G. Carey, Treasurer School Board, being amount paid into city treasury on account of the "Gregg Bequest Fund," the difference between the two sums \$1,156.80, being amount expended by the city on account of said bequest. I herewith return said ordinance for your further consideration and action thereon.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The action of the Board of Aldermen, in amending the ordinance, as shown above, was concurred in, and the ordinance ordained and established, by the following vote:

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

The following message was read:

To the Mayor and Common Council:

*Gentlemen.*—At a regular session of the Board of Aldermen, held on April 21st, 1880, said body amended the motion adopted by your honorable body (April 5th,) “that the City Assessor be, and is hereby, directed to pay the Deputy City Assessors two dollars per day, for each and every day actually employed,” by fixing the pay at one dollar and seventy-five cents per day, and instructing the City Attorney to prepare an ordinance amending the present Salary Ordinance in accordance with such action.

For the Board of Aldermen,  
GEO. T. BREUNIG, Clerk.

A division of the question being called for, the question was first put on the amendment, fixing the compensation at \$1.75 per day.

Which amendment was concurred in by the following vote:

AYES, 14—viz. Councilmen Bermann, Bieler, Carey, Dowling, Hamilton, Harmening, Kahn, McGinty, Pearson, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS, 7—viz. Councilmen Brown, Bryce, Downey, Lamb, Morrison, McKay, and Prier.

The instruction to the City Attorney was then concurred in.

The following message was read:

To the Mayor and Common Council:

*Gentlemen.*—The Board of Aldermen, at its regular session, held on April 21st, on recommendation of its Committee on Water, ordered the return to your honorable body of the following report and resolution.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

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

*Gentlemen.*—Your Committee on Water, to whom a resolution was referred, directing the Water-Works Company to lay a 6-inch main on Cherry street, from Broadway street to the east end of St. Mary street, would report thereon as follows:

After careful consideration of the matter, and in view of the fact that this being a thickly settled part of the city, and also that said proposed main would connect two dead ends of mains, we recommend that said resolution be adopted.

Geo. P. Wood,  
M. H. McKay,  
M. L. Brown,  
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.”

On motion by Councilman Hamilton, the foregoing subject was laid on the table for the present.

The following message was read:

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen, at an adjourned session, held on this evening, May 3d, 1880, granted the prayer of the petition of R. B. Emmerson, who asks permission to construct coal vaults underneath the sidewalk on north West street, in front of his property at the corner of Potomac street; such work to be performed in accordance with existing ordinances.

For the Board of Aldermen,

GEO. T. BREUNIG, Clerk.

The action of the Board of Aldermen, in granting the prayer of the said petitioner, was concurred in.

#### NEW ORDINANCES.

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

By Councilman Hamilton :

G. O. 17, 1880—An Ordinance to amend section 14 of an ordinance entitled "An Ordinance relative to the licensing and regulating of certain extraordinary trades and establishments," ordained May 4th, 1859.

By Councilman Lamb:

S. O. 52, 1880—An Ordinance to provide for grading, and paving with brick the sidewalks, and curbing the outer edge with stone, and bowldering the gutters, of Pearl street, between Delaware and Alabama streets, (where not already properly paved, curbed and bowldered.)

By Councilman McKay:

S. O. 53, 1880—An Ordinance to provide for grading and graveling the first alley south of Home avenue, from Ash street to Bellefontaine avenue.

S. O. 54, 1880—An Ordinance providing for the construction of a brick sewer in, and along, the alley between Market and Ohio streets, from the west line of lot No. 12, square No. 46, to, and connecting with, the Illinois street sewer; and providing for the assessment and collection of benefits.

The foregoing entitled ordinance was accompanied by the following petition; which was received:

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

Board of Aldermen of the City of Indianapolis:

*Gentlemen:*—I am constructing a Public Hall and Opera House, fronting on Circle street and the two alleys dividing square 46, and wish to have the same completed by the first of September. It is important to have sewer connection with Illinois street as soon as possible, and I therefore respectfully request that an ordinance be passed for the construction of a sewer extending from Illinois street east along the alley in the direction of Meridian street, to the west line of lot 12 in said square 46, which is 277½ feet from Illinois street. My property would front 145 feet on the line of this sewer, and the city's Tomlinson estate property 87 feet 10½ inches.

April 26, 1880.

Very respectfully,

WM. H. ENGLISH.

By Councilman Downey:

G. O. 18, 1880—An Ordinance providing for the construction of a brick sewer from Pennsylvania street east on Washington street, to Pogue's Run; said sewer to be constructed at the public expense.

By Councilman Tucker:

G. O. 19, 1880—An Ordinance providing for the improvement of Pogue's Run, to dig out the same to a depth sufficient for the passage of boats, or skiffs, and appropriating \$100,000.00 for the purpose of carrying on said work.

On motion by Councilman VanVorhis, the following entitled ordinance was stricken from the files:

S. O. 50, 1880—An Ordinance to provide for grading and graveling the first alley east of New Jersey street, from St. Clair street to the first alley south of Gregg street.

Councilman Bermann presented the following remonstrance; which was received:

*Indianapolis, April 26th, 1880.*

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

*Gentlemen:*—The undersigned, owners of real estate fronting on East street, between McCarty street and Bicking street, respectfully remonstrate against the passage of S. O. 29, 1880, an ordinance providing for grading and graveling the first alley west of East street, from McCarty to Bicking street. And your petitioners will ever pray, etc.

Middlesex Banking Co., by M. E. Vinton, V.  
Pres't., 270 feet; F. J. Meyer, 59 feet; B.  
Mattle, 60 feet; G. Holle, 30 feet; Louis G.  
Ruth, 30 feet; C. F. Schmidt, per J., 240 feet;  
John Schnable, 27 feet.

Councilman VanVorhis presented the following remonstrance:

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

and Committee on Contracts, City of Indianapolis, Ind:

We, the undersigned, property owners fronting on east side of Pennsylvania street, between Pratt and St. Clair streets, respectfully represent that whereas, your honorable bodies did, on the 17th day of March, 1880, pass an ordinance for curbing, placing gutter stones and re-bowldering the east gutter of Pennsylvania street, between the points named, and on the 5th day of April, 1880, received bids for the same, Jno. L. Hanna being the lowest bidder, at the rate of 70 cents per lineal foot front; and whereas, in circulating said petition only five of the nine property owners were apprised of the circulation of said petition; and whereas, those of the undersigned who signed said petition were led to believe that said improvement would cost but thirty cents per lineal foot front when applying to have the Street Commissioner make such change in the bowldering as would accelerate the discharge of the water on Pennsylvania street, and relieve it from St. Clair street water; and whereas, the bowldering of the street and gutter is in good condition, and the change asked for is of inconsiderable amount and expense; therefore your petitioners would remonstrate against the letting of said contract, and ask that the action of your honorable bodies in the matter be rescinded, and the contract for



said work be not entered into. We also ask that the Street Commissioner be again instructed to make the proposed change of running the water from St. Clair street south, instead of north, as at present.

Respectfully submitted,

D. L. Wood, 35 feet; E. G. Palmer, 39 feet; Eng. Lut. Church, by John H. Orr, Sec'y. of Trustees, 35 feet; Amelia E. Sterret, by H. B. Palmer, agent, 35 feet; A. M. Cathcart, per S. W. E., 35 feet; Elizabeth Conner, 35 feet; H. N. Lodge, 35 feet; J. A. Wildman, 38 feet; (I understood cost would be from 35 to 40 cents per foot.) All property owners except one—Mr. Walker, who owns 35 feet—have signed this petition.

Councilman VanVorhis moved to reconsider the vote by which the contract was awarded to John L. Hanna, for bowldering and curbing the east gutter of Pennsylvania street, from St. Clair street to Pratt street [see page 1042, *ante*].

Which motion was adopted by the following vote:

AYES, 14—viz. Councilmen Bermann, Bryce, Carey, Dowling, Hamilton, Kahn, Morrison, McGinty, Pearson, Prier, Rooker, Tucker, Van Vorhis, and Wiese.

NAYS, 5—viz. Councilmen Bieler, Downey, Harmening, McKay, and Shilling.

#### MISCELLANEOUS.

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

That John Hennesee be granted 30 days further time to complete his contract for grading and graveling the first alley north of Buchanan street, from Greer street to East street.

That Fred. Richter be granted permission to grade and gravel the sidewalk, at his own expense, in front of his property, lots 44 and 45, Richter's sub. on Shelby street, according to stakes set by the City Civil Engineer.

That the City Clerk be, and is hereby, directed to notify the Water-Works Company to lay water mains from the corner of Nebraska street and Madison avenue, thence east to East street, thence north on East to Coburn and East streets, connecting with East street mains, according to a resolution passed by the Common Council and Board of Aldermen September 15th and 17th, 1879.

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

That Henry Reinfels be granted permission to procure six loads of gravel out of the South Park grounds, to fill a water pond on Gresham street, at his own expense.

Councilman Carey submitted the following certified resolution; which was read, and the action of the School Board thereon concurred in:

SIG. 106.

Indianapolis, Ind., April 23, 1880.

At a meeting of the Board of School Commissioners of the City of Indianapolis, held this date, the following resolution was adopted:

*Resolved*, That the proposition of T. R. North, for the s. e. qr. of the n. e. qr. of sec. 30, township 79, range 27, Dallas county, State of Iowa, for six hundred dollars cash and six hundred dollars on or before five years thereafter, at 8 per cent. interest, payable semi-annually, be accepted, and that George Merritt, Trustee, be authorized to accept the proposition, and that he be and is hereby authorized to execute the deed in conformity therewith.

[SEAL.]

A true copy.

JNO. B. GIBSON, Clerk.

Councilman Hamilton offered the following motion; which was adopted:

That the Board of Public Improvements inform this Council forthwith the present location and condition of the old road roller "Romeo"—whether the Board has made any effort to sell said Romeo, and whether he is worth anything, or not.

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

That the Street Commissioner be directed to clean the gutters on Tennessee street, between McCarty and Ray streets; also, to clean the gutters on Maple street, between McCarty and Ray streets.

Councilman McKay presented the following petition; which was referred to the Board of Public Improvements and the Joint Committees on Streets and Alleys:

"To the Board of Public Improvements, Committee on Streets and Alleys,

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

We, the undersigned, owning property fronting on Meridian street, north of New York street and south of St. Clair street, respectfully ask that Special Ordinance No. 12, now pending—for the paving of Meridian street between the streets above named, with red cedar blocks—be recommended and passed, but with the following amendments, to-wit:

1st. "That the driveway be reduced to 36 feet, to make the same of uniform width as north of St. Clair street, and that the curb be re-set to correspond therewith;" and

2d. *Provided* "The said improvement can be made at a cost not to exceed \$1.50 per square yard, including re-setting of said curb (or \$3.00 per lineal foot front on each side of the street.)"

John C. S. Harrison, (full) 91 feet; Alfred Harrison, (full) 63 feet; E. F. Claypool, (40 ft.) 100 feet; Geo. W. Sloan, (full) 127½ feet; W. J. Holliday, (full) 60 feet; E. G. Cornelius, (full) 66½ feet; Mary B. Greene, per J. G., (full) 44 feet; George Crozier, (full) 22½ feet; G. M. Ballard, (full) 53½ feet; R. Frank Kennedy, (37 feet roadway) 51 feet; Mary J. Vance, by Rorison, (30 feet cedar driveway,) 50 feet; H. R. Allen, full 57 feet; A. W. Hendricks, (40 feet) 54 feet.

Councilman McKay presented the following petition; which was referred to the Committee on Judiciary;

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

and Board of Aldermen—Greeting:

Your petitioner avers that she is the owner of the following described property, in the city of Indianapolis, Indiana, to-wit: Lot 10 and south half of lots 9, in Outlot 172, as is shown by the plat attached hereto. On the west and rear ends of such lots a building is situate which was erected and is used for religious worship. Its entrances are from the east and south. Such building is yet unfinished, and it is the design to occupy the whole of lot 10 with such building and its appurtenances, when permitted to complete the construction of it. A parsonage is situate on the east and front end of said part of lot 9, together with five feet off of north side lot 10, as is shown by the dotted red lines on the plat; that she has paid all taxes assessed against the parsonage and the realty on which it is situate, to-wit: 100 feet by 45 feet in the northeast corner; that through inadvertence the remaining portion of said tract, not occupied by the parsonage, is wrongfully assessed and listed for taxation by the city; that there is assessed against it the sum of \$59 52-100, and accruing costs, including principal, interest, penalty and costs; that the said property is advertised for sale, and is less than ten (10) acres, including all of lot ten (10) and south half of lot 9. Wherefore your petitioner prays that your honorable bodies may order a rebate of said taxes so wrongfully assessed; that the City Treasurer and Assessor act accordingly, and that said property be declared exempt from taxation; that said lot 10, not occupied by the parsonage, is now used for and in the interest of the church building, and for its convenience, and as a part of its appurtenances; and thus your petitioner will ever pray.

R. S. Dorsey, James T. Layman, Chas. E.  
Kregelo, Robt. W. Cathcart, W. C. Grubb,  
Trustees,

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

That the Street Commissioner be instructed to lower the grade and bowlder the second alley northeast of the intersection of Clifford avenue and Pendleton road, between Clifford avenue and Pendleton road.

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

WHEREAS, complaints are made that within the last few days the stench from the 3d Ward Glue Factory is so greatly offensive as to run people within doors; therefore,

*Moved*, that the Committee on Hygiene, &c., visit said factory, and see if they can discover the cause of the stink, and report to this Council.

*Moved*, that the Water Committee ascertain and report to this Council at the earliest day, why and wherefore the Water Works Company do not put down mains from Seventh street north on Illinois, east on Ninth to Meridian, south on Meridian to Second street, as long since ordered by this Council.

This motion made at the instance of sundry good and worthy citizens residing on the routes above named.

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

That the Street Commissioner be instructed to replank the foot-walk of the bridge across the canal at New York street.

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

That any person or persons who may wish to place in Military Park, at their own expense, any tree or shrub, are hereby granted permission to do so, under the direction of the Committees on Public Property.

That the Street Commissioner, together with the City Engineer, examine the embankments along the C., H. & D., and the P., C. & St. Louis R. R. tracks, from Noble street to Pine street, and to report to this Council if, in their opinion, said embankments should be protected by some kind of a stone fence, in order to protect the property from being damaged by wash-outs; and also to report whether it is the city's duty, or the Railroad Cos', to place said embankments in proper shape to protect the adjoining property.

Councilman Tucker presented the following quarterly statement; which was referred to the Committees on Finance:

Indianapolis, April 8th, 1880.

*The City of Indianapolis in account with John S. Spann & Co., Agents.*

1880.		CR.	
Jan.	2.	By rent of Paul Sherman.....	\$ 5 00
	2.	By rent of A. C. Harvey.....	8 00
	3.	By rent of L. Waterman.....	15 00
	3.	By rent of W. H. Mahan.....	10 00
	9.	By rent of A. C. Harvey.....	16 00
	10.	By rent of Paul Sherman.....	15 00
	10.	By rent of W. I. Bartholomew.....	25 00
	10, 24	By rent of W. H. Mahan.....	25 00
	24.	By rent of E. K. Farnam.....	25 00
	27, 31	By rent of W. H. Mahan.....	10 00
Feb.	2, 10.	By rent of W. H. Mahan.....	15 00
	12.	By rent of A. C. Harvey.....	19 00
	14, 18.	By rent of W. H. Mahan.....	10 00
	18.	By rent of L. S. Campbell.....	12 50
	20.	By rent of W. I. Bartholomew.....	25 00
	21, 24.	By rent of W. H. Mahan.....	10 00
	23.	By rent of Paul Sherman.....	15 00
	28.	By rent of A. C. Harvey.....	20 00
	1, 9, 16, 23, 29.	By rent of W. H. Mahan.....	50 00
Mar.	1, 13.	By rent of E. K. Farnum.....	50 00
	3, 9.	By rent of W. I. Bartholomew.....	25 00
	15, 27.	By rent of A. C. Harvey.....	25 00
	20.	By rent of Paul Sherman.....	7 00
	30.	By rent of Dr. L. Waterman.....	15 00
			\$462 50

1880.		DR.	
Jan.	15.	To roof, west Ohio street.....	\$ 5 00
	17.	To locks, 115 north Illinois street.....	25
	19.	To cleaning basin, 115 north Illinois street.....	4 00
	24.	To repairing wells and drain, 115 and 117 Illinois st..	5 00
Feb.	11.	To repairing gas leak at 115 north Illinois.....	25

Mar. 23.	To repairing sink, 23 west Ohio street.....	50	
27.	To repairing fence, 23 west Ohio street.....	1	50
31.	To 3½ per cent. commission \$462.50 .....	16	19
	To balance to credit of account.....	429	81
			\$462 50
April 1.	By balance.....	\$429	81
9.	To check Fletcher & Sharpe..... No. 5312	429	81

Councilman Tucker submitted the following communication; which was received:

Public places of resort having proved beyond question to be not only desirable but of great profit wherever established in all cities throughout the world, they having been encouraged by Government, State and municipal bodies, and each priding themselves above all else on their public places of resort, it is to be, however, regretted that our city has not long since taken some definite action, and made some special effort to give to the public a place for public recreation and enjoyment; such a place as would reflect credit not only upon the city, but upon the entire State. Fortunately, the city owns within very easy access, grounds naturally well and suitably adapted for being made one of the most beautiful and attractive places of public resort in the country, and without much expense. Under the circumstances, however, of our limited income, those grounds are suffered to lay idle, and of no benefit to the public whatever; and unless some feasible plan can be found to improve said grounds, there seems to be no possible way of providing a place so much desired. After careful examination of the condition and resources of our city, I desire to submit the following, believing that if referred to a committee of our incoming Council and Board of Aldermen, and the same is carefully investigated, and that they report at as early a day as practicable, the same will meet with public favor.

Our city has on an average, from ten to twenty prisoners being confined on commitments, from 20 to 30 and 60 days each, and fed at great expense to the taxpayers of our city. This class of prisoners are a burden and expense. Thus far there appears to have been no feasible plan devised whereby they can be worked to any advantage or profit. The stone yard project—only started as an experiment—is surely not flatteringly a success, neither is it a moral benefit to the prisoners, which is the one great aim in view in the working of prisoners, which should never be lost sight of. The prisoners being daily paraded to and from the jail through our public streets to the stone yard, is disgraceful, degrading, demoralizing and expensive. To effect any moral influence upon this class of prisoners, they must be removed from a direct meeting with the public.

If the city will build, on its South Park grounds, a building suitably adapted for the safe keeping of the prisoners when not working, with the same number of guards now employed, or at no greater expense, they can be worked to a great and good advantage improving the grounds. This class of labor is suitably adapted for such work, each one being able to make a full hand upon his arrival, inasmuch as the work could be so divided that all classes could be worked to advantage, at very little expense. Tools could be procured, such as plows, drags, spades, hoes, shovels, &c., &c., and with the horses which could be used from the Fire Department, when they become broken down for that service, teams could be cheaply provided. The grounds could be improved into drives, walks and gardens, from some suitable plan which might be adopted; and it is safe to predict that within five years our city would be able to invite strangers who come among us, to one of the finest places of public resort in the country, and to the general masses of our people it would be a place of great pleasure and profit. The two beautiful streams continually flowing through the grounds, would afford ample means for small lakes and ponds. The gravel, of which there is an abundance, from the creek is the very best for making the drives; the pit-sand and gravel from the banks for foot-walks

upon the grounds. There is everything well and suitably adapted for beautifying and ornamenting the Park.

The cost would be but a trifle, and the benefit derived far beyond calculation. The committee should report the probable cost of fitting out suitable tools, teams, &c., &c.; also, to report what the expense would be to erect suitable quarters for the safe keeping of the prisoners when not working. There are many things for the committee to take into consideration in their investigation, and in making their report to be careful that all sides of the question receive their careful consideration. It is believed by many that funds could be raised from public donations sufficient to erect suitable buildings, and for the necessary tools, &c. The county authorities would, no doubt, join in with the city, help and assist us, for the county would be largely benefited.

Respectfully,

WM. H. TUCKER.

Councilman Wiese offered the following motion; which was unanimously adopted:

That a vote of thanks be tendered Mayor Caven for the kind and impartial manner in which he has discharged the duties of presiding officer of this body during the past year.

Councilman Pearson moved to suspend the rules for the purpose of placing on its passage G. O. 17, 1880.

Which motion was adopted by the following vote:

AYES, 17—viz. Councilmen Bermann, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Kahn, Morrison, McGinty, McKay, Pearson, Prier, Shilling, Tucker, VanVorhis, and Wiese.

NAYS, 4—viz. Councilmen Bieler, Harmening, Lamb, and Rooker.

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

G. O. 17, 1880—An Ordinance to amend section 14 of an ordinance entitled "An ordinance relative to the licensing and regulating of certain extraordinary trades and establishments," ordained May 4th, 1859.

And it was passed by the following vote:

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, Pearson, Prier, Rooker, Shilling, Tucker, VanVorhis, and Wiese.

NAYS—None.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: Jos. T. MAGNER, City Clerk.

# PROCEEDINGS OF BOARD OF ALDERMEN.

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ADJOURNED SESSION—MAY 3, 1880.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Monday evening, May 3d, A. D. 1880, at eight o'clock, pursuant to adjournment.

PRESENT—His Honor, the President, J. M. Ridenour, in the Chair, and Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, and Seibert—10.

ABSENT—None.

## MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was read and received :

To the President and Members of the Board of Aldermen :

*Gentlemen:*—I herewith transmit to your honorable body certain papers, which were favorably passed upon by the Common Council, at its session, held this evening, May 3d, 1880, for your action upon same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

The following report from the City Attorney was read; and the action of the Common Council thereon (see page 1082, *ante*) was concurred in :

Indianapolis, May 3d, 1880.

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

*Gentlemen:*—I beg leave to report that since your last meeting, decisions have been rendered in the following cases :

In the case of the Board of School Commissioners, &c., vs. Wm. M. Wiles, Treasurer, and The City. The Superior Court in General Term have reversed the judgment of the court at Special Term, and in effect deciding against the plaintiff upon the whole case. There is, however, a diversity of opinion among the judges, and it will be necessary to take the opinion of the Supreme Court upon the questions in issue. The School Commissioners have prepared an appeal to the Supreme Court, and will doubtless perfect the same at an early day.

In the case of Mary Hatfield vs. The City, a jury was impaneled, and after the

trial had progressed during one day and part of the next, the plaintiff dismissed, and judgment was entered in favor of the city for costs. This was an action for personal injuries.

The case of Henry H. Sheets vs. The City, being an action for \$150,000 damages on account of the burning of the Sheets Hotel, has, on motion of the city, been dismissed at plaintiff's cost.

In the case of Jane Scott vs. The City, a verdict and judgment has been entered against the city for \$1,200.00.

This was an action for damages on account of alleged personal injury to the plaintiff caused, as was claimed, by a defective gutter crossing at the southeast corner of Liberty and Michigan streets. The case, upon the evidence, presents no substantial merits. I have prepared the case for an appeal, and am of the opinion that the same can be reversed, and possibly ultimately defeated. I therefore recommend that the cause be appealed.

Respectfully submitted,  
JOHN A. HENRY, City Attorney.

The following entitled ordinances (passed by the Common Council,) were severally read the first time :

- Ap. O. 26, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.
- Ap. O. 27, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch.
- Ap. O. 28, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses.
- Ap. O. 29, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.
- Ap. O. 30, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.
- Ap. O. 31, 1880—An Ordinance appropriating the sum of Two Thousand Dollars, on account of the Street-Repairs Department of the city of Indianapolis.

On motion, 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, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

- Ap. O. 26, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.  
[Amount appropriated, \$237.22.]

And it was passed by the following vote :



AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 27, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$763.25.]

And it was passed by the following vote :

AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 28, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses. [Amount appropriated, \$112.09.]

And it was passed by the following vote :

AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 29, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$15,804.95.]

And it was passed by the following vote :

AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 30, 1880—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising. [Amount appropriated, \$485.62.]

And it was passed by the following vote :

AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

The following entitled ordinance was read the second and third times :

Ap. O. 31, 1880—An Ordinance appropriating the sum of Two Thousand Dollars, on account of the Street-Repairs Department of the city of Indianapolis.

And it was passed by the following vote:

AYES, 10—viz. Aldermen Chandler, Coburn, Drew, Grubbs, Layman, Mussmann, Newman, Piel, Seibert, and President Ridenour.

NAYS—None.

#### REPORTS FROM CITY OFFICERS.

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

*Indianapolis, May 3, 1880.*

To the honorable Board of Aldermen:

*Gentlemen*:—Your order with reference to fire alarm box 5-1-7, I would report as follows: That the Starch Works Company, in building their new railroad switch, removed one of the poles that carried the wire to said box where it was formerly located and let down the wire so low that it caught on a passing locomotive and was torn down, and the remaining poles are too low to carry the wire above the cars; and to place the box where it was formerly located, will require five or six new poles, which we have not got and can not purchase in less number than a car load.

Respectfully submitted,

J. G. PENDERGAST, Chief Fire Engineer.

#### REPORTS, ETC., FROM COMMITTEES.

The Committee on Public Light, through Councilman Grubbs, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Your Committee on Public Light, to whom was referred a motion concerning the removal of a gas post on Michigan street, between Illinois and Tennessee streets, have examined the situation of said post and find that there is no good reason for such removal, and therefore recommend that the motion do not pass.

D. W. Grubbs,  
T. E. Chandler,  
John Newman,  
Committee on Public Light.

#### MISCELLANEOUS.

Alderman Chandler presented the following petition; which was received, and the prayer of the petitioner granted:

*Indianapolis, May 3, 1880.*

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

*Gentlemen*:—Your petitioner respectfully represents that he desires to construe

May 3, 1880.]

*City of Indianapolis, Ind.*

1101

a vault for the storage of coal, underneath the sidewalk, in front of his property on North West street, at the corner of Potomac street. The dimensions of said vault will be about ten by twelve feet, and about eight feet deep. Your petitioner prays that he may be permitted to construct said vault, and agrees to comply with the ordinances in force regulating the construction of vaults, etc.

Respectfully submitted,

R. B. EMMERSON.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest: GEO. T. BREUNIG, Clerk.

public light. These, with the interest on the public debt, must be provided for in no parsimonious measure. What may be left can be used in cleaning the streets, temporary repairs, hospital, dispensary, and other general expenses. The burden of taxation has heretofore been largely borne by real estate, in many cases to almost confiscation of unproductive property. This I deem neither wise nor just. The amount of money to be paid by the whole people would be exceedingly light if equitably distributed. The street-repair fund needs enlargement to meet the demands of that department. The health and comfort of the people demand the proper sewerage, and other disposition of refuse matter, and should have serious consideration. Now is not the time, nor this the place for me to enter into details in discussing the needs of the city, and means to meet them.

One thing is perfectly understood: we must live within our income; that income the coming year will not allow of any expansion of expenditure, but rather a curtailment. With the most rigid and searching economy the past year we have barely gone through; with the return of commercial and manufacturing prosperity will come demands on the city not required to be met in the immediate past, and it behooves every citizen, whether in or out of official position, to inquire how the necessary revenue can be raised, and through what agencies the same shall be expended so as not to be oppressive on the one hand, and secure fair living compensation to all those called to serve the city in any capacity. The solution to my mind is an easy one. I am of the opinion the official machinery of the city may be greatly simplified and strengthened, whereby the enforcement and observance of municipal law may be the better secured, public health protected, and a marked economy the result.

Whilst scores and hundreds of our most active, enterprising citizens have been carried down by the financial cyclone that has swept over us within the past decade—many of them never to regain their former business standing—our city as a whole has continued to maintain her relative position as one of the great business centres of the Central West. And to-day her future growth and prosperity is assured if we handle wisely the natural and artificial advantages we enjoy. The municipal government is one of the agencies through which the citizen may be recognized, encouraged and protected in all his interests. I hope and believe the incoming Board of Aldermen and Common Council will be the equal if not superior of those preceding in this regard.

On motion by Alderman Drew, the foregoing message was received, and ordered spread upon the Journals of this body.

Alderman Layman moved that a vote of thanks be tendered by this body, to President Ridenour, for the kind and impartial manner in which he has discharged the duties of presiding officer of this body during the past year.

Which motion was unanimously adopted.

On motion by Alderman Seibert, a vote of thanks was tendered Alderman Piel for the interest shown by him in the affairs of the city, and his regular attendance at the meetings of this body.

On motion, the Board of Aldermen then adjourned.

J. M. RIDENOUR, President.

Attest: GEO. T. BREUNIG, Clerk.