

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 7, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, February 7th, A. D. 1881, at seven o'clock, in regular session.

PRESENT—HON. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the chair, and 23 members, viz.: Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Maur, Morrison, McKay, O'Connor, Pearson, Prier, Shilling, Thalman, Van Vorhis, White and Yoke.

ABSENT—Councilmen Dowling and Pritchard—2.

The Proceedings of the Common Council, for the regular session held on January 17th, 1881, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

Sealed proposals for lettering the street corners with the names of streets, were opened, read, and referred to the Committee on Contracts and Streets and Alleys.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, in behalf of the Evangelical Alliance of Indianapolis, presented the following communication:

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

Gentlemen:—We, your petitioners, residents of Indianapolis and citizens of the State of Indiana, and members of the Evangelical Alliance of the City of Indianapolis, desire most respectfully to address the following petition to your honorable body, the custodians of the peace and good order of the city:

Having had our attention called to many things in themselves highly offensive, objectionable, and violations of both State laws and City ordinances, which naturally and legally come under your purview, we have been at some pains to inform ourselves specifically regarding the facts, and are impressed that there are some wrongs that could be and ought to be righted.

We furthermore believe that in the execution of law and the maintenance of order you have not had the full and absolute moral support of all good and law-abiding citizens. As pastors of churches, possibly we have not given that support to you.

and your officers in the discharge of duty which we ought. We have not preached to our people, and exhorted them concerning their obligations as citizens; or prayed for Divine aid to be given to you and your officers as much as we ought. We have resolved to make amends on our part,

We now, in the most respectful manner, desire to call your attention to a few things that have come before us, and which we think ought to be remedied:

1st. You have on your Statute Book, entitled "Rules and Regulations for the Government of the Police Department, and Penal Ordinances of the City of Indianapolis," on page 46, an ordinance ordained March 14th, 1864, entitled "Exhibitions and Concert Saloons," which reads: "Sec. 2. It shall be unlawful for any person to exhibit any concert, or dancing, or theatrical performance, in any room or building where intoxicating liquors are sold."

This act, we are assured, has not been, and is not now being, enforced; for there is not a theater or opera house in the city but what there is in the same building a saloon for the sale of intoxicating liquors, as we are informed.

2d. You have an ordinance (page 44), ordained April 21st, 1873, entitled "Indecent Pictures," forbidding any person from suffering or permitting "indecent, disgusting, revolting or loathsome prints, pictures or engravings to be exhibited or exposed to view, in any open space," etc. During the weeks past, in our judgment, this ordinance has been repeatedly and grossly violated, by the posting of bills for theatrical performances and shows on bulletin boards, and in and on other prominent places on public streets of the city, in which were prints of women to a greater or less extent in a nude state, and in indecent attitudes. These prints—as to-wit: the "Majestic Consolidation," and others—displayed on Massachusetts avenue and other prominent streets, disgusting to taste, loathsome to sight, and corrupting to morals, have been allowed to remain flaunted in public gaze by your officers for days together.

3d. The ordinance of June 30, 1869, (page 36), Sec. 3, against obscene prints, pictures or representations, has been, and now continues to be, disregarded or violated, by exposing in the windows of many saloons, offices, stores, etc., on the principal as well as obscure streets of the city, pictures of large size representing women in nearly a nude state; and furthermore, these have been left hanging thus exposed to public gaze for days at a time, and your police have passed, time and again without even so much as taking official notice of the violation of said ordinance, so far as we can obtain information.

4th. The ordinance of January 12, 1861, (page 42), entitled "Minors and Gaming"—which makes it unlawful for persons owning, controlling, attending to, in or about any place where liquor, wine or beer is sold, or kept for sale, to suffer, or permit, or allow any game of any kind whatsoever to be played by minors, etc.—is, by common report, constantly violated.

5th. We would also call attention to sec. 16 of ordinance of June 30, 1869, (page 39), the violation of which, at certain seasons of the year, becomes a nuisance greatly to the annoyance of religious services in some churches, and of civilly disposed persons.

6th. Your attention is somewhat specifically directed to the State laws under which your police are to act, viz: prohibiting the keeping open of saloons where intoxicating liquors are sold on the Sabbath day.

Gentlemen, there are other matters, such as the laws prohibiting houses of prostitution: laws designed to prevent this growing evil, productive of so much immorality, disease and death; the laws against gambling and gambling houses, and against profane swearing, etc., which we believe ought to receive the most careful attention and rigid execution of the law, and that at once.

The fact that any of the ordinances against sins of a flagrant character are not executed, you yourselves can not but admit, gives the best ground for suspicion that other and equally important laws are also violated, without adequate attempt to detect and bring to justice.

We do not presume to dictate to you, but as citizens of this commonwealth with responsibilities of our own; as men who have families depending upon us for support and protection; as parents having sons to be trained and disciplined in the school of virtue, and daughters to be shielded from harm, evil influences and evil

suggestions; as pastors of churches numbering thousands of members, who look to us to raise the voice of warning when we see or apprehend danger, we do pray you to take such active measures at once for the enforcement of law and the preservation of peace as shall abate the things especially pointed out.

In acknowledgment of your high position, and having great respect for your honors, we still remember that back of all is the voice of a great and suffering people, which sooner or later must be heard in condemnation of violation of law, without attempt at adequate punishment.

With wishes and prayers for the building up of our city in material wealth and moral honesty, and for long life to yourselves, we present this prayer.

Most respectfully,

Your Fellow-Citizens.

Signed for and in behalf of the Evangelical Alliance of Indianapolis, Indiana, January 17th, 1881.

W. A. BARTLETT, President.
RUFUS D. BLACK, Secretary.

I hereby certify that the above is a true copy of the paper adopted by the Evangelical Alliance of Indianapolis, at their meeting January 17, 1881.

GEO. L. CURTISS, Secretary *pro tem*.

Although not a member of the Evangelical Alliance, after reading carefully this petition, and taking proper advices on the subject, I cheerfully sign it.

AUG. BESSONIES, V. G., Rector of St. John's Cathedral.

By an affirmative vote of a majority of all the members present, Rev. Geo. L. Curtiss was granted the privilege of addressing the Council on the alleged facts as set forth in the foregoing communication.

Rev. Henry C. Mabie also addressed the Council on the same subject.

On motion by Councilman Pearson, the above communication was referred to the Police Board, Judiciary Committee, His Honor, the Mayor, and City Attorney.

REPORTS, ETC., FROM CITY OFFICERS.

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

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

Gentlemen:—I herewith report the following estimate:

A second, final and complete estimate in behalf of August Richter, for improving Tennessee street, from Seventh street to Twelfth street, by grading and graveling the roadway and bowldering the gutters thereof:

4,979.09 lineal feet, at 90 cents.....\$4,481 18

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying second, final and complete estimate in behalf of August Richter, for improving Tennessee street, from Seventh street to Twelfth street, by grading and graveling the roadway, and bowldering the gutters thereof, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; 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 Bedford, Bernhamer, Bryce, Caylor, Dean, Downey, Harrold, Kahn, Koller, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, Thalman, VanVorhis White and Yoke.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, and the contract concurred in, and bond approved:

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

Gentlemen:—I herewith report the following contract and bond: Contract and bond of Anderson Bruner for constructing a brick sewer in and along Washington street, from the east line of New Jersey street to and connecting with the Washington street sewer at the intersection of Pennsylvania street.

Bond, \$35,000. Surety, James Loucks, Stephen K. Fletcher and John M. Judah.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Civil Engineer submitted the following report:

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

Gentlemen:—Having been directed to prepare plans and estimates of a sewerage outlet for the Indiana Female Reformatory, in connection with the city system of sewerage, I beg leave to submit the following report:

After making the necessary surveys, I find the most practicable plan would be to continue the Washington street sewer (which is seven and one-half feet in interval diameter) from the end of the proposed sewer, now under contract, to Pine street; then a six-foot sewer by the following route: North on Pine street to Market, east on Market to Arsenal avenue, north on Arsenal avenue to Ohio, east on Ohio to State street; then a two-and-one-half-foot-sewer on State street to Sturm street, thence east on Sturm to center of Randolph street, making a total length of one and six-tenth miles.

The sewer should be built in divisions, the first division to extend from east line of New Jersey street to Pine street; distance 2,322 feet. Second division to extend from intersection of Washington and Pine streets to intersection of Ohio and State streets; distance 4,063 feet. Third division to extend from intersection of Ohio and State streets to intersection of Sturm and Randolph streets; distance 2,075 feet.

The estimate of the cost of constructing the same, at present prices, will be as follows:

Seven-and-one-half-foot sewer, 2,322 feet, at \$13 per lineal foot.....	\$30,186 00
Six-foot sewer, 4,063 feet, at \$10 per foot	40,630 00
Two-and-one half-foot sewer, 2,075 feet, at \$2.50 per foot.....	5,187 50
Number of manholes, 15, at \$50 each	750 00
Number of catch-basins, 30, at \$80 each	2,400 00

Total \$79,153 50

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

Councilman Dean moved to refer the foregoing report to a special committee, said committee to consist of three members of the Council and two members of the Board of Aldermen, and that such special committee consult with the proper committee from the General Assembly relative to the building of said sewer.

Councilman Thalman moved as a substitute to the above motion, that the foregoing report be referred to the Joint Committees on Sewers and Drainage.

Which motion was adopted.

Councilman Dean, later in the session, moved to reconsider the vote by which the above substitute was adopted.

Councilman Thalman then withdrew his motion as substitute.

The original motion, as offered by Councilman Dean, was then adopted, and Councilmen Dean, Thalman and Lang were appointed as the Council members of said special committee; and, on motion, His Honor, Mayor Caven, and the City Civil Engineer were added as members of said committee.

The City Clerk submitted the following report; which was received, and the claim referred back to Committee on Accounts and Claims:

To the Mayor and Common Council:

Gentlemen:—The City Clerk was directed by your honorable body (see page 799 *ante*) to transmit to the I. & V. R. R. Co. a transcript of the proceedings of the Common Council and Board of Aldermen in regard to a certain claim of A. A. Zion (see page 345, *ante*), for damages sustained to his horse and buggy.

The transcript was properly attested and served on said railroad company, who disclaimed any connection with the accident, and said that said accident happened on the Vandalia.

An examination of the petition as filed states that said accident occurred on the Vandalia, and the petitioner has since stated that said accident occurred on the said railroad.

I submit the above for your consideration.

Jos. T. MAGNER, City Clerk.

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

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

Gentlemen:—I respectfully report to your honorable bodies that, in compliance with your directions of January 17th and 19th, 1881, I have prepared and filed with the County Recorder a transcript of the assessment of benefits and damages, as made by the City Commissioners, in the matter of opening and extending Wilson street, from its present southern terminus to the Pendleton Gravel Road, and from said gravel road to Brookside avenue; and that I also delivered to the City Treasurer a certified copy of the assessment of benefits and damages as shown in the said report.

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

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

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

Gentlemen:—I herewith report the following entitled affidavit, now on file in my office, for the collection of lamp-post assessments by precepts, to-wit:

John Knight vs. Henry C. Moore, for \$35.95, and recommend you order the precept to issue.

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

And the precept ordered to issue by the following vote:

AYES, 21—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, O'Conner, Pearson, Prier, Shilling, VanVorhis, White and Yoke.

NAYS, 1—viz: Councilman Thalman.

The City Clerk submitted the following report; which was referred to the Joint 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 January, 1881:

Board of Health.....	\$186 00	
Bridges.....	12 15	
City Assessor's Department.....	92 25	
City Civil Engineer's Department.....	181 50	
City Commissioners.....	135 00	
City Dispensary.....	247 99	
City Hall.....	474 95	
City Hospital and Branch.....	1,053 98	
City Treasurer's percentage.....	282 87	
Coal oil light.....	21 37	
Damages and Costs.....	15 00	
Fire Department.....	7,188 46	
Gas.....	5,170 51	
Incidentals.....	5 00	
Insurance.....	137 50	
Interest on bonds.....	2,730 00	
Market-Masters' Fees.....	116 67	
Parks.....	108 50	
Police.....	4,211 00	
Printing.....	554 62	
Salary.....	4,702 16	
Station Houses.....	305 75	
Street Improvements.....	1,996 80	
Street Repairs.....	1,285 06	
		\$31,215 09
School Fund.....		1,206 29
Total.....		<u>\$32,421 38</u>

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

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

Report of Wm. G. Wasson, City Treasurer, for the month of January, 1881.

RECEIPTS.

Balance on hand December 31, 1880.....	\$ 90,588 84
From current taxes.....	14,377 91
From delinquent taxes.....	6,633 64
From benefits.....	20 00
From dray licences.....	4 20
From coal licenses.....	3 00
From express licenses.....	2 10
From fines and fees.....	537 50
From hack licenses.....	12 00

From hucksters' licenses.....	18 00
From market-masters' fees.....	220 30
From peddlers' licenses.....	15 00
From promiscuous.....	26 34
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	\$112,463 83

DISBURSEMENTS.

For Board of Health.....	\$188 00
For bridges.....	12 15
For City Assessor's Department.....	92 25
For City Civil Engineer's Department.....	181 50
For City Commissioners.....	120 00
For City Dispensary.....	247 99
For City Hall.....	24 95
For City Hospital and Branch.....	1,075 82
For City Treasurer's percentage.....	282 87
For coal oil light.....	21 37
For Fire Department.....	7,220 33
For gas.....	5,170 51
For insurance.....	187 50
For interest on bonds.....	2,730 00
For market-masters' fees.....	116 67
For parks.....	108 50
For Police.....	4,211 00
For printing.....	554 62
For salary.....	4,570 91
For station houses.....	304 67
For street improvements.....	1,996 80
For street repairs.....	1,190 28
Balance on hand.....	81,905 14
	<hr/>
	\$ 112,463 83

TOMLINSON ESTATE.

Balance on hand December 31, 1880.....	\$ 22,372 84
Received from rents.....	300 00
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Balance on hand January 31, 1881.....	\$ 22,672 84

Respectfully submitted, W. G. WASSON, City Treasurer.

To JOSEPH T. MAGNER, City Clerk.

The actual balance on hand is, in round numbers, \$22,000.00. The coupons for the January interest, payable in New York, not being returned in time to be included in this report.

W. G. WASSON, City Treasurer.

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

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

Gentlemen:—I have collected the sum of \$26,34, the same being the amount of judgment and interest against Taylor O'Brien for violation of city ordinance, and have paid the same to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully,

John A. Henry, City Attorney.

The City Clerk presented the following contract and bond of the Indianapolis Fertilizing Company; which was approved:

This agreement, made and entered into this — day of —, 1881, by and between The City of Indianapolis, party of the first part, and The Indianapolis Fertilizer Company, party of the second part, witnesseth, that the said party of the first part, for and in consideration of one hundred and ten dollars, and the covenants and agreements herein contained, to be kept and performed by the party of the second part, does hereby give and grant to the said party of the second part the exclusive right and privilege, for and during the term of one year, from the first day of July, 1880, to remove from the streets, alleys, lots, yards and public places of said city of Indianapolis all dead animals of every description, the said party of the second part to have the right and privilege to have and appropriate all such dead animals so removed to her own use, it being understood that the above rights and privileges are granted by said city of Indianapolis only to the extent of her right and power to grant them, and that she shall be in no way liable to the party of the second part on account of any failure of said party of the second part to enforce her rights under this contract to dead animals, or the right to remove the same as against other persons than the city of Indianapolis.

In consideration whereof, the said party of the second part covenants and agrees to pay the said city of Indianapolis, on demand, the sum of one hundred and ten dollars, and undertakes and agrees that she will, during the term of this contract, remove all the dead animals from the streets, alleys, lots, yards and public places of said city; that she will promptly and faithfully do said work, and so remove said dead animals, and that she will faithfully comply with all the ordinances, rules or regulations of said city now in force or that may hereafter be enacted by the proper authorities of said city concerning or regulating the matter of the removal and disposition of dead animals.

And the said party of the second part further agrees to remove all such dead animals to what is known as the "Sellers Farm," and, in disposing of the same, shall use the most approved machinery and appliances for destroying the offensive odors and smells, and to use every proper precaution and care to prevent any nuisance arising therefrom, or any other thing done by said party of the second part.

The said party of the second part further agrees to provide all the necessary apparatus, wagons and tools, to enable her to promptly remove and to dispose of all such dead animals in a proper manner, and to execute to the said city a bond in the penal sum of fifteen hundred dollars, with sureties to the satisfaction of the Common Council and Board of Aldermen, conditioned for the faithful performance of this contract on part of the party of the second part.

This contract shall not be assignable or transferable by the party of the second part, without the consent of the Common Council and Board of Aldermen of said city first obtained.

In case the Common Council and Board of Aldermen of said city shall at any time during the continuance of this contract deem the party of the second part to have failed to perform any of the stipulations of this contract, or violated any of the ordinances or regulations of the city upon the subject of dead animals, they shall have the power and right to wholly terminate and put an end to this contract by giving the said party of the second part ten days' notice, and after the expiration of said ten days, this contract shall be wholly terminated and ended, and no right of action, of any kind whatever, shall enure to the said party of the second part by reason of the termination of the contract as aforesaid.

In witness whereof, the parties hereto have, by their proper officers, signed their names and caused their official seals to be affixed.

[SEAL]

Indianapolis Fertilizer Company.

F. G. Wiseloge, Sec'y and Treas.

For the Common Council and Board of Aldermen of the city of Indianapolis.

BOND.

Know all men by these presents, that we, the Indianapolis Fertilizer Company and John Moore, are held and firmly bound to the city of Indianapolis in the

penal sum of fifteen hundred dollars, the payment whereof well and truly to be made we bind ourselves, our heirs, executors and administrators firmly by these presents.

The conditions of this obligation are such that if the said Indianapolis Fertilizer Company shall faithfully comply with the foregoing contract, made and entered into this first day of July, 1880, with the city of Indianapolis, and fulfill all the conditions and stipulations therein contained, according to the true intent and meaning thereof, in all respects, then this obligation to be void; otherwise to be and remain in full force and virtue in law.

Witness our hands and seals.

[SEAL.]

Indianapolis Fertilizer Company.
F. G. Wiselogel, Sec'y.

[SEAL.]

John Moore.

Councilman Pearson, later in the session, moved to reconsider the vote by which the above contract and bond was approved.

Which motion was adopted by the following vote :

AYES, 18—viz. Councilmen Bernhamer, Caylor, Dean, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Pritchard, Shilling, Thalman, White and Yoke.

NAYS 3—viz: Councilmen Bryce, Prier and VanVorhis.

On motion, the contract and bond was then referred to the Finance Committee and City Attorney.

The Superintendent of the City Dispensary, submitted the following report; which was received:

To the Common Council and Board of Aldermen:

Gentlemen:—The following reports of the City Dispensary for the month of January, 1881, are respectfully submitted:

Number of Patients treated at Dispensary.....	173
Number of Medical cases at Dispensary	122
Number of Surgical cases at Dispensary	38
Number of Disease of Nervous System.....	10
Number of Disease of Eye and Ear.....	3
Number of Diseases of the Throat.....	0
Number of Out-door Patients treated	202
Number at Station House.....	6
Number at News Boys' Home	2
Total number of Patients treated during month.....	383
Total number of Visits made during month.....	567
Total number of Prescriptions filled during month.....	1104
Number of Births during month.....	1
Number of Deaths during month.....	5

EXPENDITURES FOR MONTH.

C. A. Ritter, Superintendent.....	\$ 61 66
F. A. Morrison, 1st Assistant.....	45 83
C. I. Fletcher, 2d Assistant.....	37 50
F. M. Ferree, Prescription Clerk.....	30 00
W. A. & I. N. Pattison, drugs.....	51 70
Drew & Co., coal.....	15 50
Cathcarth & Cleland, National Dispensatory	6 75
Indianapolis Gas Light & Coke Co.....	5 60

Total expenditures for month..... \$254 54

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

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 January, 1881, are respectfully submitted:

	First Week.	Second Week.	Third Week.	Fourth Week.	Three Days.	Monthly Totals
Number of paid Officers and Employes in Hospital						
Number of paid Officers and Employes in Branch.....						
Number of beds in Hospital						
Number of beds in Branch.....						
No. of adult patients in Hospital at beginning of week.....	52	53	48	44	49	52
No. of infant patients in Hospital at beginning of week.....	2	3	1	..	1	2
No. of adult patients received during week	11	9	10	12	2	44
No. of infant patients received or born during week.....	1	1	1	1	1	5
No. of adult patients discharged during week ..:.....	9	12	13	6	2	42
No. of infant patients discharged during week.....		3	2	5
No. of adult patients who died during week.....	1	2	1	1	1	6
No. of infant patients who died during week.....						
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	53	48	44	49	48	48
No. of inf't patients in Hospital and Branch at end of week	3	1	1	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	369	372	355	342	158	1606
Aggregate number of days of employes in Hospital						
Number of prescriptions filled.....	837					
Total.....						

Total expenditures for month	\$ 847 29
Aggregate number of days subsistence furnished	2015
Average daily cost of each patient52-7 cts.
Average daily cost for patients, officers, and employes.....	.42 cts.

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

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman Morrison, submitted the following report; which was received:

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

Gentlemen:—We herewith report expenditures of the Street Repairs Department for the month of January, 1881, together with the total amount of expenditures to February 1st, 1881:

Pay-rolls	\$411 11
Bowlders	8 00
Blacksmithing.....	22 60
Freight on stone.....	32 00
Freight on lumber.....	60 00
Stone crossing and curb.....	55 28
Sewer pipe.....	11 95

Cement.....	44 00
Lumber.....	544 52
Hardware.....	13 73
Brick.....	13 50
Coal.....	3 75
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Total expenditures for January, 1881.....	\$1,220 44
Total expenditures, per last report.....	25,405 59
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Total expenditures to February 1st, 1881.....	\$26,626 03

Respectfully submitted, Wm. H. Morrison,
Edward H. Dean,
Board of Public Improvements.
L. A. FULMER, Street Commissioner.

The following report from the Board of Health was read and received :

Report of Deaths in the City of Indianapolis, from the 15th day of January to the 31st day of January, 1881—inclusive.

Under 1 year.....	14
1 to 2 years.....	5
2 to 5 ".....	5
5 to 10 ".....	3
10 to 15 ".....	3
15 to 20 ".....	4
20 to 25 ".....	5
25 to 30 ".....	5
30 to 40 ".....	4
40 to 50 ".....	7
50 to 60 ".....	8
60 to 70 ".....	1
70 to 80 ".....	5
80 to 90 ".....	0
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	3
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Total.....	72

Respectfully, E. S. ELDER, M. D., President.
W. E. JEFFRIES, M. D., Secretary.

Councilman VanVorhis, in behalf of the Board of Health, submitted the following report; which was received:

Indianapolis, February 2d, 1881.

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

Gentlemen:—We have the honor to herewith present you Prof. VanNuy's report of the analysis of the specimens of water sent him by the Board of Health of this city, in accordance with the order of your honorable body. Permit us to add that all the specimens of water sent him were carefully collected by the Board of Health and other parties, who united in testifying to cleanliness of the bottles, and the condition of the water in the various hydrants, well at Water Works, and the river. The specimens were all collected when the water was in its apparently best condition, and under the most favorable circumstances regarding its purity. As you will readily discover, the result of the analysis fully confirms the statement heretofore made to you by the Board of Health in regard to the contamination of the water, and by all sanitary standards of the purity of potable (drinkable) water.

The specimens from the Water Works supply are unhesitatingly condemned. The problem of hereafter supplying our city with unpolluted water is an exceedingly grave one, and should only be determined after the most deliberate and exhaustive investigation.

We have the honor to be your obedient servants,

E. S. Elder, M. D.,
W. E. Jeffries, M. D.,
W. J. Elstun, M. D.,
Board of Health.

Councilman Morrison moved that five hundred copies of the report of Prof. T. C. VanNuys, showing an analysis of the water as supplied the City of Indianapolis by the Water Works Company, also the water of White River, taken from different places, together with analysis of water taken from other sources, be printed in pamphlet form.

Councilman Prier moved that the report of Prof. T. C. VanNuys be not printed in the Council Proceedings, and that the said report be only printed in the next annual report of the Board of Health.

Which motion of Councilman Prier's was adopted.

Councilman VanVorhis, in behalf of the Board of Health, presented the following communication; which was referred to the Committee on Water:

OFFICE OF THE BOARD OF HEALTH, }
Indianapolis, February 7th, 1881. }

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

Gentlemen:—The Board of Health, having information that it is the purpose of the City Water Works Company to reconstruct their works, in order to secure an abundant and permanent supply of good water from a reliable source—to-wit: Broad Ripple dam on White River, nine (9) miles north of the city—do hereby respectfully memorialize the Mayor, Board of Aldermen and Common Council, and recommend that the City Government ask the Legislature of the State to pass at its present session such law or laws as may be necessary to protect White River from pollution by foul drainage, dead animals, garbage, or any other filthy or unwholesome matter, for a distance of at least ten (10) miles of said river above the said Broad Ripple dam; prescribing officers to whom complaints may be made of violations of the provisions of said law, and providing for removal and prevention of such pollution; and providing penalties for violations, and for neglect of duty by those whose duty it shall be made to execute the provisions of said law.

As there is an urgent demand that the city be supplied with water of better quality than at present furnished by the Water Works, and as the company propose and promise to reconstruct the works during the coming summer, it is important that all aid possible be given them by the city; therefore an emergency seems to exist for such action as is herein recommended during the present session of the Legislature.

Respectfully submitted,

E. S. Elder, M. D.,
W. E. Jeffries, M. D.,
W. J. Elstun, M. D.,
Board of Health.

REPORTS, ETC., FROM COMMITTEES.

Councilman McKay, for Councilman Lamb, submitted the following report of the Committee on Judiciary; which was concurred in:

To the Mayor and Common Council:

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

1st. Is the petition of Sarah E. Milburn, asking for a settlement of a certain judgment in her favor against the city. The case is now pending on appeal in the Superior Court, and we do not think sufficient inducement is offered to justify the city in settling the judgment, and therefore recommend that the prayer of the petitioner be not granted.

2d. Is the petition of Joseph A. Moore, by Stanton J. Peelle, attorney, in behalf of the Hartford Orphan Asylum, of Hartford, Connecticut, asking for the payment of five hundred dollars, assessed to Webb & McGee, as the owners of certain real estate condemned in the widening of Shelby street. We find that in the proceedings of condemnation that $7\frac{1}{2}$ feet was condemned off of the west end of lot No. 21, Richter's subdivision of Cress's addition. At the time of the proceedings the Hartford Orphan Asylum held a mortgage on the property, and was not notified of the proceedings. Since that time the mortgage has been foreclosed, and the petitioner now holds the legal title. The street as widened has not been opened and no part of the damages assessed tendered or paid. The proceedings, so far as the petitioner is concerned, are probably void, and in view of the fact that the petitioner is unwilling to waive the irregularities, and accept the damages assessed, and permit the opening of the street according to the report of the City Commissioners, we recommend that the prayer of the petitioner be not granted.

3d. Is the petition of J. W. Hadley, asking that the City Treasurer be directed to refund the sum of twenty-one dollars and forty-one cents, by him paid on an erroneous tax sale certificate on part of lot No. 6, square 17, Drake's addition. On examination we find the facts as set forth in the petition (see page 775) to be correct; therefore recommend that the prayer of the petitioner be granted.

Respectfully submitted,
 William C. Lamb,
 James A. Pritchard,
 Judiciary Committee.

JOHN A. HENRY, City Attorney.

Councilman Bedford was excused for the remainder of this session.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Wednesday evening, January 5th, 1881, adopted the following motions:

1st. That the Police Board enforce the ordinance which provides for not blockading the streets by moving trains, any longer than the ordinance allows them, and all other city ordinances.

2d. That the Committee on Printing be directed to ascertain the cost of revising and printing two hundred (200) copies of the City Charter, Ordinances and Resolutions in force, including all acts and amendments of the General Assembly of the State of Indiana for 1881, which may apply to the city, and with index complete.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion, the action of the Board of Aldermen, in adopting the motions as set forth in foregoing message, was concurred in.

The following message was read and received:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Wednesday evening, January 5th, 1881, the following remonstrance was presented, and ordered received:

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

Gentlemen:—Understanding that there is a petition before your honorable bodies asking to have the grade of Market street changed, from Arsenal avenue to Pogue's Run, we, the undersigned property owners on Market street, most respectfully remonstrate against any change in the grade, or re-improvement of said street in front of our property.

John R. Stumph; Mary J. Vance, 210 feet; J. L. Mitchell, 210 feet; Henry Bauer; Cabinet Makers' Union, per G. Stark, Sec'y; John Herrmann; E. A. Norton, 240 feet; H. R. Payson, 248 feet, 10 inches.

I submit the same for your information.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, on Wednesday evening, January 5th, 1881, adopted the following motion:

That, with a view to a reduction of the bonded indebtedness of the City of Indianapolis, by the amount of \$500,000, the Committee on Finance and City Attorney is hereby directed to inquire into the possibility of exchanging the bonds issued by the Union Railroad Transfer and Stock Yard Company, known as the "Belt Railroad," for the city's bonds issued in aid of said corporation.

Said committee is ordered to report fully on this matter at the next regular meeting of the Board.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion, the action of the Board of Aldermen on the above motion, as set forth in the foregoing message, was concurrently adopted.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Wednesday evening, January 5th, 1881, refused to concur in your action of January 3d, 1881, in concurring in the report of the Police Board, and in adopting the following resolution:

Resolved, That the Police Board be, and is hereby, directed to pay patrolmen known as "extras" the sum of (\$1 00) one dollar per day, providing that the number of such extras shall not exceed five at any one time.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion by Councilman Shilling, the Common Council adhered to its former action in adopting the resolution as set forth in above message.

The following message was read :

To the Mayor and Members of the Common Council :

Gentlemen.—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, on Wednesday evening, January 19th, 1881, non-concurred in your action of January 17th, 1881, in adopting certain motion as introduced by Councilman Thalman, relative to borrowing an amount not to exceed \$125,000 on bonds of the city, and levying a special tax to pay the same, to be used in the erection of a Market House and Hall; and adopted the following motion :

That the City Attorney and Judiciary Committee be directed to draft a bill and have the same presented to the Legislature and urge its passage, authorizing the city to levy a special tax, the amount not to exceed \$125,000, for the purpose of building a City Hall and Market House, to be used in connection with the Tomlinson Estate, after the same shall be approved by a majority of the voters of the city at the election to be held in May next for City Officers, provided that the same is approved by a majority of the electors voting at the May election, 1881; and provided further, that the special levy for this purpose not to exceed five cents on one hundred dollars for any one year for the term of four years.

I submit the same for your consideration.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

On motion, the Common Council recessed from its former action; and the action of the Board of Aldermen, in adopting the motion as forth in the foregoing message, was concurred in.

The following message was read :

To the Mayor and Common Council :

Gentlemen.—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Wednesday evening, January 19th, 1881, non-concurred in the minority report of the Conference Committee relative to the claim for the improvement of West street adjacent to Greenlawn Cemetery, recommending that it be not paid, and non-concurred in your action ordering the City Civil Engineer to make a corrected estimate, but concurred in the majority report of the Conference Committee, recommending that said claim be paid.

I submit the same for your consideration.

For the Board of Aldermen.

GEO. T. BREUNIG, Clerk.

On motion, the action of the Board of Aldermen, in adopting the majority report of the Conference Committee, recommending that the claim be paid for the improvement of West street, contiguous to Greenlawn Cemetery, was concurred in by the following vote :

AYES, 15—viz. Councilmen Bryce, Caylor, Downey, Kahn, Koller, Lang, Mauer, Morrison, McKay, Pearson, Prier, Shilling, Thalman, White and Yoke.

NAYS, 6—viz. Councilmen Bernhamer, Dean, Fultz, Harrold, O'Conner and Van-Vorhis.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were introduced and read the first time, and were then placed on their second and third reading, and final passage, without suspension of the rules:

By the Fire Board, through Councilman Pearson:

Ap. O. 6, 1881—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 Bryce:

Ap. O. 7, 1881—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. 8, 1881—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. 9, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

By the Committees on Printing, through Councilman Yoke:

Ap. O. 10, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

Appropriation ordinances Nos. 6, 7, 8, 9 and 10, were severally read the second time, and ordered engrossed.

The following entitled ordinance was read the third time:

Ap. O. 6, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis on account of the Fire Department. [Amount appropriated \$639.72]

And it was passed by the following vote:

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn Koller, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time:

Ap. O. 7, 1881—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, \$847.29.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, McKay, O'Connor, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time :

Ap. O. 8, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$248.41.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time :

Ap. O. 9, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$66,802.53.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time :

Ap. O. 10, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery and Advertising. [Amount appropriated, \$1,013.82.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

NEW ORDINANCES.

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

By Councilman Harrold :

S. O. 4, 1881—An Ordinance to provide for grading, bowldering and curbing the west gutter of West street, from Kentucky avenue to a point one hundred feet south of Kentucky avenue.

sig. 151.

By Councilman McKay:

S. O. 5, 1881—An Ordinance to provide for grading and graveling the first alley west of Alabama street, from Seventh street to the State ditch.

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

Indianapolis, February 4th, 1881.

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

Gentlemen.—The undersigned, owners of the real estate fronting on alley running from Seventh street to Eighth street, between Alabama street and Delaware street, respectfully petition for the passage of an ordinance providing for grading and graveling said alley from Seventh street north to the State Ditch.

And your petitioners will ever pray, etc.

Albert Baker, H. C. Allen, Wm. Frank, M. A. Douglass (provided the expense does not exceed eight dollars per lot), Austin F. Denny, Jacob J. Traub, J. H. Hull.

By consent, Councilman Bernhamer presented the following report from the Committee on Accounts and Claims; which was concurred in:

To the Mayor and Common Council:

Gentlemen.—Your Committee on Accounts and Claims, to whom was *re-referred* the claim of A. A. Zion (as per pages 345 and 799), resubmit their report of January 2d, 1881, with the amendment that the word "Vincennes," in line 3, page 800, be struck out, and "Terre Haute" inserted.

F. J. Van Vorhis,
Edward H. Dean,
Will F. A. Bernhamer,
Committee on Accounts and Claims.

MISCELLANEOUS.

Councilman Bernhamer offered the following motion; which was referred to the Committee on Railroads:

That the Committee on Railroads be instructed to inquire into the feasibility of compelling the railroad companies whose tracks cross Virginia avenue to erect and maintain safety-gates at said crossing (pending the construction of the proposed viaduct).

Councilman Bryce offered the following motion; which was adopted:

That the City Attorney be, and is hereby, instructed to report at the next meeting of the Council the provisions of the ordinance in regard to the storage and sale of coal oil.

Councilman Dean offered the following motion; which was adopted:

That the matter of opening of Hanway street be continued according to law, and that the City Clerk be directed to issue notices in the opening of said street.

Councilman Downey offered the following motion; which was laid on the table:

That the Joint Committees on Public Property and Finance be directed to take steps looking to the sale of the property known as the "Tomlinson Estate," and, if they deem proper, to advertise for proposals from parties desiring to purchase the same, and report all bids received to the Common Council and Board of Aldermen for their action thereon.

Councilman Downey presented the following petition; which was referred to the Committee on Streets and Alleys:

Indianapolis, January 26th, 1881.

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

The petition of John Coburn, Caroline Bense, Mary A. Coburn, and Mary Augusta Coburn, to change and alter the location of an alley ten feet in width, in the southwest quarter of square number (38) thirty-eight, in the City of Indianapolis, and to vacate a portion thereof.

Your petitioners, John Coburn, Caroline Bense, Mary A. Coburn, and Mary Augusta Coburn, of the City of Indianapolis, and freeholders therein, would respectfully represent that on the 13th day of December, in the year 1866, a plat of the subdivision of the southwest quarter of square thirty-eight (38) in said city, was duly filed and recorded in the Recorder's office of Marion county, in the State of Indiana, upon page 62, in Record Book number (3) three of Plats. That an alley ten feet in width was laid out and platted therein, running west therein, the south line thereof being ($155\frac{6}{12}$) one hundred and fifty-five feet and six inches north of Ohio street, and said south line being twenty-five feet in length. That said alley thence ran in a southwestern direction to a point fifty feet west of Hudson alley, and ran thence south to Ohio street (127) one hundred and twenty-seven feet, the east line of said alley being fifty feet west of Hudson alley. That your petitioner, John Coburn, was at that time the owner of lots number (1) one and (5) five in said subdivision. Which alley, so laid out and platted, was never opened or used.

That afterwards, in the year 1875, the said alley was opened in part and altered and changed in its location in part, upon that part of said subdivision which was the property of your petitioner, John Coburn, as follows, to-wit: Said alley was opened and laid out north of and upon a line running east and west north of Ohio street one hundred and forty-two feet and six inches. The south line of said alley running from Hudson alley due west ($36\frac{6}{12}$) thirty-six feet and six inches, to the line of the alley as originally located, which runs in a northeastern direction. That by this change so much of said ten foot alley as ran east and west is situated north of and upon a line one hundred and forty-two feet and six inches north of Ohio street and parallel thereto, instead of one hundred and fifty-five feet and six inches north of Ohio street as at first laid out. That the remainder of said alley south of said line has been left unchanged and unaltered. That the alley so laid out, opened and changed in the year 1865, has been ever since that time open and used by the public, and is now open and so used. That the whole of the land upon which this change was made was at the time, has ever since been and now is the property in fee of your petitioner, John Coburn, and no one else.

That upon the second day of September, A. D. 1879, your petitioner, John Coburn, sold and conveyed to Isaiah Mansur a lot of ground in said southwest quarter of square (38) thirty-eight, described as follows, viz: Beginning at the southeast corner of the southwest quarter of square thirty-eight, running thence north along Hudson alley one hundred and forty-two feet six inches ($142\frac{6}{12}$) feet to a point, thence west thirty-six feet and six inches ($36\frac{6}{12}$) feet to a point, thence south westerly twenty feet six inches ($20\frac{6}{12}$) to a point, thence south one hundred and twenty seven feet (127) to Ohio street, thence east fifty (50) feet to the place of beginning—bounded on the north, northwest and west by a ten foot alley.

That this alley is the alley opened, laid out and used in the year 1875 and since that time up to this day, and is wholly upon the land of this petitioner in that part in which the same has been changed from the original location.

Your petitioner, John Coburn, represents that he changed the location of the alley in order to make the lot which he owns on Delaware street of a uniform width from Delaware street to Hudson alley of fifty feet, and because he considered the depth of one hundred and forty-two feet and six inches sufficient for the lot on Ohio street, which he owned and upon which he erected a brick house in the year 1875. He says he is under obligation to furnish to the owner of the last named lot a ten foot alley in the rear, and that there is no necessity for two ten foot alleys within three feet of each other, running parallel from Hudson street west and debouching into the same ten foot alley running south into Ohio street. And that if they are maintained they will decrease the value of the property of the petitioner and not add anything to the value of the other property holders in said square. A plat of the said square number 38 is filed herewith and made part hereof, and more particularly shows the location of said alley.

Wherefore they pray that leave be granted him, said John Coburn, to change the location of said alley in that portion where it runs east and west and remove the same southward, so that it shall be located one hundred and forty-two feet and six inches north of Ohio street and parallel therewith, and so that it may be conformed to the alley as at present used, opened and established, and to the deed made to Isaiah Mansur. And that said alley so changed and altered shall be held to be the true alley instead of the one laid out and platted in the year 1866; and that so much of said alley as is situated north of a line parallel to and one hundred and fifty-two feet and six inches north of Ohio street be vacated.

John Coburn, petitioner.

I am a freeholder, being an owner in fee of lot number (3) three in the southwest quarter of square number thirty-eight, and join in this petition

Caroline Bence.

We are freeholders, being part owners in fee of lot number (4) four in the southwest quarter of square number (38) thirty-eight, and we join in this petition.

Mary A. Coburn.

Mary Augusta Coburn.

Councilman Fultz presented the following petition; which was referred to the Joint Committees on Streets and Alleys, and City Attorney:

To the Common Council and Board of Aldermen:

Gentlemen:—The undersigned petitioners respectfully show to your honorable body the following facts, to-wit:

First. That the Indianapolis Rolling Mill Company is the owner in fee simple of all that portion of out-lot 125 in the city of Indianapolis, Marion county, State of Indiana, which is bounded by the streets as follows, to-wit: On the north by Merrill street, on the south by Catharine street, on the east by Tennessee street, and on the west by Mississippi street—all of which will more fully appear by a reference to the plat hereto attached and made a part of this petition. That on said premises the Indianapolis Rolling Mill is now situated.

Second. That Susan McKernan, David S. McKernan, Louis H. McKernan, Jos. V. McKernan, William E. McKernan, Leo A. McKernan, Henry McKernan and Mary McKernan are the heirs at law and devisees of James H. McKernan, and are the owners in fee simple of that portion of out-lots Nos. 125 and 126, in said city of Indianapolis, described as follows, to-wit: Lots Nos. 1, 2, 3, 4, 5, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34, in McKernan & Pierce's subdivision of out-lot 125, and that unplatted part of the west half of the south quarter of said out-lot 125 lying and adjoining lots 27 to 39 in said subdivision, and described as follows, to-wit: Commencing at the northwest corner of said lot No. 27, running thence south 390 feet, thence west 117½ feet, thence north 390 feet, thence east to the place of beginning. Also, lots Nos. 21, 22, 23, 24, 25, 26, 27,

32, 33, 34 and 35, and lots Nos. 28, 29, 30 and 31, excepting 196 feet and 8 inches on McCarty street by 100 feet deep off of the south ends of said lots 28, 29, 30 and 31. in McKernan & Pierce's subdivision of out-lot 126. Also, that part of out-lot 126 lying north and east of said subdivision, excepting a certain part thereof at the northwest corner of said out-lot, fronting 135 feet on Merrill street by 100 feet deep on Missouri street. That a description of said premises will more clearly appear by a reference to the plat hereto attached, said premises being all that portion of said out-lots 125 and 126 as appears enclosed within the red lines marked out on said plat.

Third. That Samuel C. Hanna, administrator of the estate of James H. McKernan, deceased, also joins in the petition as such administrator.

Fourth. That Aquilla Q. Jones, trustee for McKernan & Pierce, in cause No. 17,906, in the Superior Court of Marion county, Indiana, and who has an interest as such trustee in a portion of the lands above described, also joins in this petition.

Fifth. Bridget Riley Keeffe and Arthur Keeffe, her husband, who are the owners of lot No. 6 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Sixth. John and Margaret Clune, who are the joint owners of lot No. 7 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Seventh. John Riley and Esther Beckman, who are the joint owners of lot No. 8 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Eighth. F.W. Arnholter, who is the owner of lot No. 9 in McKernan & Pierce's subdivision of out-lot 125, also joins in this petition.

Ninth. Charles Brown and Ann Brown, his wife, who are the owners of lot No. 10 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Tenth. Laura Decker, who owns lot No. 11 in McKernan & Pierce's subdivision of out-lot 125, also joins in this petition.

Eleventh. James Coniff, who owns 25 feet off of north side of lot 12 in McKernan & Pierce's subdivision of out-lot 125, also joins in this petition.

Twelfth. James Rainey, who owns lot 13 and 5 feet off of south side of lot 12 in McKernan & Pierce's subdivision of out-lot 125, also joins in this petition.

Thirteenth. Mary Monehan and John Monehan, her husband, who own lot 14 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Fourteenth. Peter Lieber & Co., who own lots Nos. 38 and 39 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Fifteenth. Jacob Shatz, who owns lot No. 37 in McKernan & Pierce's subdivision of out lot 125, also joins in this petition.

Sixteenth. Andrew Kane and Catharine Kane, his wife, who own lots Nos. 35 and 36 in McKernan & Pierce's subdivision of out-lot 125, also join in this petition.

Seventeenth. Bridget O'Neil, *nee* Shea, and — O'Neil, her husband, and Mary Shea, who own 30x90 feet east of 10 feet southwest corner of lot 31 in McKernan & Pierce's subdivision of out-lot 126, also join in this petition.

Eighteenth. Patrick Ward, who owns $6\frac{8}{12}$ feet by 90 feet, southeast corner of lot 31, and $23\frac{4}{12}$ feet by 90 feet southwest corner of lot 30 in McKernan & Pierce's subdivision of out-lot 126, also joins in this petition.

Nineteenth. Timothy Falvey, who owns $6\frac{5}{12}$ feet by 90 feet southeast corner of lot number 30, and $23\frac{7}{12}$ feet by 90 feet southwest corner of lot 29 in McKernan & Pierce's subdivision of out-lot 126, also joins in this petition.

Twentieth. Margaret and Thomas Tobin, her husband, who owns 10 feet by 90 feet southeast corner of lot 29; and 90 feet off of south end of lot number 28 in McKernan & Pierce's subdivision of out-lot 126, also join in this petition.

Your petitioners respectfully ask for the vacation of the following streets and alleys, or portions thereof, in and about said premises, as follows, to-wit:

1st. Catharine street, from Mississippi street east to Tennessee street, in out-lot 125.

2d. Catherine street, from the first alley east of Missouri street to the eastern terminus in out-lot 126.

3d. Mississippi street, from Merrill street to McCarty street.

4th. Ann street, from Catherine street to McCarty street.

5th. The first alley lying north of McCarty street, from the first alley east of Missouri street to its eastern terminus in out-lot 126.

6th. The alley lying northeast of lots 22 and 28 in McKernan and Pierce's subdivision of out-lot 126, from its beginning at the northeast corner of said lot 22 to its intersection with Mississippi street on the east side of said lot 28.

7th. The first alley west of Tennessee street, from Catharine street south to a point even with a line drawn twenty feet north of the south line of lots Nos. 5 and 22 in McKernan & Pierce's subdivision of out-lot 125.

All of which will more clearly appear by reference to the plat hereto attached.

Your petitioners respectfully ask for a vacation of said streets and alleys in order that a Steel-Rail Mill may be erected on the premises hereinbefore described, which can not be done unless said streets and alleys are vacated.

Indianapolis Rolling Mill Co., by Aquilla Jones, Pres.; Jacob Schatz, P. Lieber & Co. (P. Lieber, H. Lieber, Chas. F. Meyer, Bernhard A. Meyer); Andrew J. Kane, Kate Kane, John (his + mark) Monehan, Mary (her + mark) Monehan (witness, James B. Black), S. C. Hanna, admr.; James (his + mark) Rainey, Margaret (her + mark) Tobin (witness, J. V. McKernan).

The undersigned do hereby sign the foregoing petition after action of the Common Council of February 7th, 1881, and its reference to the Joint Committees on Streets and Alleys.

Joseph V. McKernan, admr. of the estate of Edmonia G. McKernan, deceased; Joseph V. McKernan, guardian for Mary and Henry McKernan, Louis H. McKernan, by J. V. McKernan; Leo A. McKernan, by J. V. McKernan; Susan McKernan; David S. McKernan; Francis Silas Chatard, trustee of William E. McKernan; Arthur F. Keefte; Bridget (her + mark) Riley Keefte; Aquilla Q. Jones, trustee for McKernan & Pierce; A. Brown; Timothy Falvey; Patrick Ward; Bridget O'Neil, by Patrick O'Neil; Margaret Shea, by Patrick O'Neil; Patrick O'Neil; Esther (her + mark) Beckman (witness, Jno. F. Orndorf); James Riley; F. W. Arnholter; Thomas (his + mark) Tobin (witness, J. V. McKernan); Mary Clune; Maggie Clune; John Clune; Mary Clune, guardian for John Clune; Laura Decker.

Councilman Fultz moved that when this Council adjourns, it adjourn to meet on the next Wednesday evening.

Which motion was adopted.

Councilman Harrold presented the following petition:

Indianapolis, Ind., February 7th, 1881.

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

Genilemen:—The undersigned property owners and citizens, residing or doing business in the southwestern portion of the city, respectfully protest against the further use the grounds commonly called "Greenlawn Cemetery," fronting on Kentucky avenue and South West street, for burial purposes. The grounds are in a delapidated condition, fences down, etc, and are of the opinion that it is detrimental to the health and comfort of your petitioners for such grounds to be used

for the purposes mentioned; and we further believe it is a damage to our property in a financial view. We therefore respectfully request your honorable bodies to take immediate steps in the matter, and prevent any further interments in said grounds.

John Rupp; Geo. Walter; J. V. McKernan, agt. Anthony Wiegand; Robert C. McGill; J. C. Ferguson & Co., and 22 others.

Councilman Morrison offered the following resolution:

WHEREAS, The committee of this Council having reported in favor of the payment of the claim of Dunning & Hudson, for the improvement of West street, for the property adjacent to Greenlawn Cemetery, and in view of the fact that other streets will soon be improved adjacent to said cemetery, and that the city must very soon take some steps looking to the building of a new fence that will cost several thousand dollars; therefore be it

Resolved, That a special committee be appointed, to consist of His Honor the Mayor and City Attorney, together with five members of the Council and three members of the Board of Aldermen, to look into the expediency of the condemnation of said Greenlawn Cemetery for burial purposes, and the advisability of removing all bodies from said cemetery to a more suitable location, that said cemetery grounds may be used for our rapidly increasing railroad facilities or manufacturing interests.

Which was adopted by the following vote:

AYES, 21—viz. Councilmen Bernhamer, Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lang, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The Chair appointed Councilmen Morrison, Yoke, VanVorhis, Harrold and Koller, as the Council members of said special committee, as provided for in the foregoing resolution.

Councilman Kahn presented the following petitions; which were referred to the Judiciary Committee, City Attorney, and City Assessor:

Indianapolis, February 7th, 1881.

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

Gentlemen:—The undersigned would respectfully represent that lots No. 32, 33, 34 and 35 of J. G. Webb's subdivision of Hanway and Hanna's Oak Hill addition to the City of Indianapolis, were sold April 2d, 1880, for city taxes of 1876, 1877, 1878 and 1879, and that said lots were foreclosed on and under a mortgage to the State of Indiana, dated November 1st, 1875, and were sold September 16th, 1879, to Ingram Fletcher. (See inclosed statements of City Treasurer and Auditor of State.) Your petitioner asks that said tax sale be set aside and the tax of the years before enumerated be certified off the duplicate, as lands under mortgage to the State are not liable for taxes from date of mortgage to date of sale (if forfeited, as in above instance). See 24 Ind., page 255.

Respectfully submitted,

W. T. STEELE.

Lots No. 32, 33, 34 and 35, square 13, J. G. Webb's subdivision of Hanway and Hanna's Oak Hill addition, were sold April 2d, 1880, for city taxes of 1876, 1877, 1878 and 1879.

WM. G. WASSON, City Treasurer.

Indianapolis, January 29th, 1881.

Lots No. 32, 33, 34 and 35, in John G. Webb's subdivision of lots No. 13, 15 and 16, in Hanway and Hanna's Oak Hill suburb to the City of Indianapolis, were sold on College Fund mortgage, on the 16th day of September, 1879, to Ingram Fletcher, for \$645.27, as per certificate No. 1,047.

E. H. WOLFE, Auditor of State.

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

Gentlemen.—The undersigned would respectfully represent that Wm. C. Anderson bought at private sale April 2d. 1880, lots No. 32, 33, 34 and 35, of square 13, J. G. Webb's subdivision of Hanway and Hanna's Oak Hill addition to Indianapolis, for \$5.82 each. Said sale was erroneous, as above described lots were forfeited to State of Indiana, under a foreclosure of mortgage dated November 1st, 1875. You will please direct the clerk to issue a warrant to Wm. C. Anderson for \$23.28, the amount of sale and interest at 6 per cent. to date.

Respectfully submitted,

W. T. STEELE.

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

Gentlemen.—Your petitioner would respectfully represent that on the 12th day of February, 1880, he purchased, at the public tax sale held on that day, from the City Treasurer, a tax sale certificate on the following described property, viz: Lot No. sixty-three (63) in Stevens' subdivision in out-lot No. one hundred and three (103), for which he paid to the City Treasurer the sum of thirty-nine dollars and eleven cents (\$39.11).

The above sale was erroneous, from the fact that the property was assessed in another name, and paid in that name, the property being double on the duplicates.

Your petitioner, therefore, asks and demands that the above amount of thirty-nine dollars and eleven cents (\$39.11) be refunded to him, with interest at the rate of six per cent. from February 12, 1880.

And, as in duty bound, your petitioner will ever pray.

Frank A. Mitchell, Trustee.

By William C. Anderson, Petitioner.

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

Gentlemen.—Your petitioner would respectfully represent that on the 12th day of February, 1880, at the public tax sale held by the city on that day he purchased from the City Treasurer a tax sale certificate on lot No. Ten (10), in Hendricks' subdivision, in out-lot No. Ninety-nine (99), for which he paid into the hands of the City Treasurer the sum of ten dollars and eighty-two cents (\$10.82).

The above sale is erroneous, for the reason that the property was assessed double on the duplicate, and the tax has been paid in the other name.

Your petitioner would, therefore, ask and demand that the above amount of ten dollars and eighty-two cents (\$10.82) be refunded to him, with interest at the rate of six per cent. on the same from the 12th of February, 1880.

And, as in duty bound, your petitioner will ever pray.

George W. Stubbs, Petitioner.

Councilman Koller presented the following petition; which was referred to the Judiciary Committee:

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

Gentlemen.—Your petitioner, who owns lot No. 102 in Noble's heirs' subdivision of lot No. 55, in the city of Indianapolis, the same being on the east side of Spring street, between New York and Vermont streets, the residence thereon, which he occupies, being numbered 175, represents that, by reason of unskillful engineering, resulting in the unskillful construction of Spring street, between the other streets named, the said Spring street and the gutter thereof, being so graded and constructed, that it is considerably lower in the central space between said streets (that

is, at a point at the corner of said lot, about 140 feet south of Vermont street) than at either one of them, so that from both of them the water runs towards the center, with no means of escape except across the lots of persons in that vicinity.

And he further represents that because of the improper grading and leveling of said Spring street, when there is a heavy rain, which is often the case, the lot is entirely overflowed and covered with water, and during the recent heavy rain was not only overflowed so that it was almost, if not entirely, impassable for days to get in and out of the house, and his cellar was filled with water, and great damage done to its contents, as well as to the cellar itself; that his well was filled full of dirty water, and rendered unfit for use, and his cistern was likewise filled with dirty water, and for the time rendered useless. And he says that he has been and will be put to expense in cleaning out said well and cistern.

He says that the damage to him has not been the result of the heavy fall of water or the existence of the ice, for other lots and ground, where the street is of the right elevation, and the gutters so properly constructed as to carry off the water, have not suffered in this way, or at all.

He therefore asks your honorable body to allow him the damages he has sustained, to-wit:

For damages to cellar.....	\$ 5 00
For damages to well.....	10 00
For damages to cistern	10 00
General inconvenience and damage from being unable to go in and out of the house without wading through the water.....	20 00
Total	\$45 00

Thomas P. Miller.

STATE OF INDIANA, } ss. Before me, the undersigned, a notary public in and for Marion County. } said county, this 7th day of February, 1881, personally appeared the above named Thomas P. Miller, and subscribed and made oath to the foregoing statement.

Witness my hand and notarial seal

[SEAL.]

John F. Julian, Notary Public.

Councilman Koller offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to trim the limbs off of the shade trees that obstruct the light of the street lamps at street corners.

Councilman Mauer presented plans and specifications (prepared by Abraham L. Stoner) for a Market House on the West Market space; which were referred to the Committee on Markets, to make report as to their advisability.

Councilman Morrison offered the following motions; which were adopted:

That the City Attorney be, and is hereby, requested to report to this Council at the next regular meeting whether the Citizens' Street Railway Company or the city must keep in repair the culverts and bridges made by said street railroad company along the line of the street railroad within the corporate limits of said city.

That the City Civil Engineer be required to look into the culverts crossing Tennessee street and Indiana avenue, and require the Citizens' Street Railway Company or the Street Commissioner to enlarge the culverts, or make said culverts so that water may pass through and not remain on the streets.

Councilman Morrison offered the following resolution; which was laid on the table.

WHEREAS, The rapid growth and development of the city, and the public convenience and comfort of the citizens, demand the improvement of the public parks; and

WHEREAS, The present revenues of the city are inadequate to pay the ordinary expenses of city government, and at the same time provide for the improvement of said parks; therefore

Resolved, That the City Attorney and Joint Judiciary Committee be directed to prepare and urge the passage of a bill by the Legislature, authorizing the city to levy a special tax of five cents on the hundred dollars each year for a period of five years, for the purpose of the purchase and improvement of public parks of the city.

Councilman McKay offered the following motion; which was adopted:

That H. Clay be granted sixty days further time to complete his contract for bowldering gutters on Ohio street, between Pennsylvania and Meridian streets.

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

Indianapolis, February 7th, 1881.

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

Gentlemen:—I beg of your honorable body to examine into the tax assessment assessed on the property of Conrad and Elizabeth Tramer, lot No. 1, square 22, Johnson's subdivision of Lamb's addition, for the year 1880, the same being assessed for \$1,950—\$750 for lot and \$1,200 for house; which is from \$300 to \$350 too high for the house, as you can build the house new for \$900, and the house has been built for six or seven years. The same Conrad Tramer being pastor of a small congregation in Logansport, Ind., at a small salary, barely sufficient to keep him and his family, and he not living here at the time of the meeting of the Board of Equalization and therefore not receiving the notice sent to him, I therefore, as his agent, beg of you to make the reduction in the assessment for the year 1880, as he is in need of the money.

Yours truly,

ELIAS TRAMER.

Councilman McKay presented the following remonstrance; which was referred to the Board of Public Improvements:

To the Honorables, the City Council and Members of Board of Aldermen:

Gentlemen:—The undersigned owners of property fronting on Market street, between Missouri and Blackford streets, in the City of Indianapolis, hereby respectfully remonstrate against the passage of an ordinance pending to grade, bowlder and curb said street and sidewalks, or any other improvements for the present.

T. Edward Hambleton (Receiver of Water Works Company of Indianapolis), 930 feet; G. H. Voss, 300 feet; W. H. English.

Councilman McKay presented the following proposition; which was referred to the Joint Committees on Public Property:

Richmond, Ind., February 8, 1881.

To the Honorable Mayor, City Council, and Board of Aldermen of Indianapolis, Ind.:

Gentlemen:—We are prepared to take any animal matter accumulating in the City of Indianapolis from five to ten miles from the corporation, and can give security for our ability so to do.

Truly,
H. J. BARNES & Co.

Councilman McKay offered the following motion; which was referred with the above proposition:

That the Committee on Public Property be instructed to carefully examine the proposition of H. J. Barnes & Co., to remove all dead animals at least ten miles from the city for a term of years; and if, on investigation, the proposition is considered a good one for the city, that said committee be instructed to take into consideration the sale of the Sellers Farm, and that the proceeds of the sale be applied to the building of a new market house, and report at the next meeting of the Council.

Councilman McKay presented the following petition; which was referred to the Committee on Streets and Alleys:

To the Members of the Common Council of Indianapolis, Indiana:

Gentlemen:—Your petitioner, Albert E. Fletcher, prays your honorable body that the lots, streets and alleys in Jesse L. McHatton's subdivision of lot seventy-three (73) in Albert E. & Ingram Fletcher's Oak Hill addition to the city of Indianapolis, Marion county, Indiana, be vacated, and that said subdivision be made void and annulled, and that your petitioner be allowed to put a fence around and use the same for purposes of cultivation—the lots, streets and alleys which your petitioner asks to be vacated being more particularly described as follows, to-wit: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of said subdivision, the 14-foot alley running northeast and southwest through the center of said subdivision, and the strip of land, 20 feet wide, running along the west side of said subdivision, and intended for half of a street. The plat of said subdivision is recorded in Plat Book No. 6, page 187, and a copy thereof is filed herewith and made a part of this petition.

Your petitioner shows to your honorable body that he is the owner in fee simple of said lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 in said McHatton's subdivision, being all the lots therein contained; that he is owner in fee simple of lots 9, 10, 11, 12, 13, 14 and 15, and the east half of lot 8 in House and Carter's subdivision of lots 70 and 71 of said Oak Hill addition, and of lots 72, 74 and 75 of said A. E. & I. Fletcher's Oak Hill addition, said above described lots being all the property immediately adjoining said subdivision asked to be vacated, and that therefore your petitioner is the only person in interest.

Your petitioner further says that he will give notice of the pendency of this petition, by publication in a public newspaper, printed in Marion county, Indiana, during the twenty days prescribed by law, and that he will file herewith, at the expiration of said twenty days, a certificate of said publication. Your petitioner has also posted written notices of the pendency of this petition, in three public places near the lots, streets and alleys asked to be vacated.

Wherefore your petitioner asks that his said petition be granted.

Albert E. Fletcher.

I, Walter Kessler, being first duly sworn, on my oath say that I did, on February 3, 1881, post in three public places near Jesse L. McHatton's subdivision of lot 73 of Albert E. & Ingram Fletcher's Oak Hill addition to Indianapolis Marion county, Indiana, written notices of the pendency of the above petition for the vacation of said subdivision.

Walter Kessler.

Subscribed and sworn to before me this 4th day of February, 1881.

William F. Heinrich,
Notary Public, Marion county, Indiana.

Councilman Pearson offered the following motion; which was referred to the Board of Public Improvements and Street Commissioner, with power to act:

That the Street Commissioner be instructed to place Tennessee street in a passable condition, and that work be commenced as soon as possible by spreading pit gravel and loam thereon.

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

That the Board of Public Improvements be instructed to have the road roller remodeled, so the same may be drawn by horse power, and roll Tennessee street after the gravel and loam is spread thereon.

Councilman Pearson presented the following report; which was referred to the Committee on Public Property:

City of Indianapolis:

The following is a statement of your account for the three months ending December 31st, 1880:

EXPENSES.

Oct. 28.	To drayage on lumber.....	\$ 25
30.	To L. & L. & G. Insurance.....	25 00
30.	To Fire Association.....	52 80
30.	To repairing pump, No. 23 West Ohio street.....	1 50
30.	To ash pans, No. 113 North Illinois street.....	1 00
30.	To hauling ashes, No. 23 West Ohio street.....	3 25
Nov. 5.	To glass and hardware, No. 23 West Ohio street.....	1 46
5.	To lumber, No. 23 West Ohio street.....	11 63
13.	To pump, No. 21 Indiana avenue.....	12 40
15.	To glazing and shingles, No. 23 West Ohio street.....	6 25
30.	To carpenter, No. 117 North Illinois street.....	3 00
30.	To Fire Association.....	11 25
Dec. 4.	To keys and repairing lock, 115 North Illinois street.....	1 25
9.	To glass and hdes., No. 115 N. Illinois st. and No. 23 W. Ohio st..	1 49
Oct. 7.	To Repairing pump, No. 117 North Illinois street.....	1 00
Dec. 31.	To commission on \$402.50.....	14 15
31.	To check to balance.....	255 12
	Total.....	<u>\$402 80</u>

RECEIPTS.

Oct. 1.	By L. D. Waterman.....	\$ 5 00
4.	By M. A. Dwyer.....	25 00
6.	By T. Zumbush.....	35 00
7.	By M. H. Mahan.....	5 00
8.	By W. H. Nott.....	5 00
13.	By W. H. Mahan.....	20 00
15.	W. H. Nott.....	20 00
18.	Paul Sherman.....	15 00
20.	By error on Nott.....	30
30.	W. H. Mahon.....	25 00
Nov. 5.	By W. H. Nott.....	25 00
5.	By M. A. Dwyer.....	25 00
6.	By T. Zumbush.....	30 00
8.	By T. Zumbush.....	5 00

Nov. 15.	By Paul Sherman	5 00
17.	By L. S. Campbell.....	12 00
30.	By Paul Sherman	3 00
Dec. 1.	By Paul Sherman.....	7 00
1.	By M. A. Dwyer	24 50
7.	By W. H. Mahan.....	20 00
8.	By W. H. Mahan.....	5 00
10.	By M. A. Dwyer.....	50
14.	By Paul Sherman.....	5 00
15.	By T. Zumbush.....	30 00
20.	By T. Zumbush.....	5 00
23.	By W. H. Nott.....	5 00
30.	By W. H. Nott.....	4 00
30.	By W. H. Nott.....	4 00
30.	By L. D. Waterman.....	15 00
31.	By Paul Sherman.....	7 00
Total		<u>\$402 80</u>

JOHN S. SPANN & Co., Rental Agents.

Councilman Prier offered the following motion; which was adopted:

That the City Civil Engineer be directed to make proper survey, and report what, if anything, can be done to relieve the northeast portion of the city from the overflow of water by widening and deepening the State ditch.

Councilman Prier moved that the Police Board be instructed to carry the name of Carter Temple on the Police pay roll during the month of February, 1881.

Which motion was adopted.

On motion by Councilman Yoke, the Police Board were also instructed to carry the name of Melville Havens during the same period.

Councilman Shilling offered the following motion; which was adopted:

That the City Civil Engineer be directed to investigate and report to this Council, at earliest date possible, by what method a proper drainage can be procured from Bright street at the intersection of Vermont and vicinity.

Councilman Shilling presented the following petition; which was referred to the Joint Committees on Streets and Alleys and City Attorney, with instructions to report at next regular meeting:

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

Gentlemen:—The undersigned respectfully represent that they are the owners of lots No. 17, 18, 19 and 20, in Blake and Ray's subdivision of lot 148. This subdivision was made and recorded in 1848, and in 1860 an amended plat was placed on record. Lot 21, however, was sold before the amended plat was recorded, as were also some others, we believe. A 30-foot alley divides lots 20 and 21, and by

the plat of 1848 the west line of lot 21 is a straight line from north to south. And if the record of 1848 is correct, then the east line of lot 20 is a straight line from north to south. If, on the other hand, the plat of 1860 is accepted as the correct one, then the east line of lot 20 has an angle in it commencing 32 feet from the front and running to a point at the sidewalk, five feet from a line parallel with the west line of lot 21.

We have taken occasion to say that the occupancy of this ground, and the setting of curbstones and bowldering of the alley crossing has been completed about eighteen years, and corresponds with the record of 1848. We are also advised by competent attorney that the plat of 1860 was vitiated by the sale of a portion before the amended plat was recorded.

Be that as it may, we now desire to put up a permanent building on lot 20, coming up square to the corner of the alley; and therefore, for the purpose of having the matter forever settled, earnestly desire your honorable bodies to vacate so much of this ground as would appear to lie in the alley, as represented in the plat of 1860

We will say farther, that this vacation can affect no one but ourselves, as we own all the the ground between the alley and lower arm of the canal, and that the triangular piece of ground, being about 5 feet at its base and 32 feet to its apex, can be of no use to the city, as it only gives a bell-mouthed shape to the alley that would be otherwise parallell.

Respectfully submitted,

CHANDLER & TAYLOR.

Indianapolis, February 7th, 1881.

The undersigned property owners are familiar with the facts above stated, and join in petitioning for the vacation asked for.

R. F. TenEyck,
David Gibson,
C. E. Geisendorff & Co.

Councilman Thalman offered the following motion :

That the two lamp posts on Ohio street, between Pennsylvania and Meridian streets, be moved to the following points on said square: the one on the north side to the corner of alley on same side; the one on the south to in front of the City Library.

Councilman Morrison moved to amend the above motion, to include the lamp post on north side of Michigan street, between Illinois and Tennessee streets, to the first alley west.

Which amendment was adopted; and the original motion with the amendment was then referred to the Committee on Public Light.

Councilman VanVorhis presented the following remonstrance; which was received:

Indianapolis, January 18th, 1881.

To the Honorable Mayor and Common Council of the

City of Indianapolis, and Board of Aldermen:

Gentlemen:—The undersigned, owners of property fronting on Meridian street, between New York and Seventh streets, in the city of Indianapolis, earnestly remonstrate against the improvement of said street, or any part of it, with cedar

blocks, or with wood of any kind, and we petition your honorable body for the improvement of said street by a good roadway of screened river gravel, to be finished with a proper coating of fine gravel or sand for packing, and, if practicable, to be rolled; the gutters to be bouldered or stone, in the best manner.

William S. and Mary M. Hubbard, by W. S. Hubbard, 465 ft.; John S. Spann, 62½ ft.; Marietta A. Davis, 61 ft.; Morison & Hutchinson, 32 ft.; James H. Ruddell, 80 ft.; E. H. Ferguson, 62½ ft.; Willard H. Hinkley, 33¾ ft.; Mrs. Thomas H. Bowles, 40 ft.; Sarah Reeves, 31¼ ft.; Mrs. J. O. Radcliffe, 37½ ft.; M. B. & J. D. Carmichael, 62½ ft.; John C. Shoemaker, 62½ ft.; John H. Ohr, 31¼ ft.; Conrad Baker, H. C. Newcomb, Franklin Landers, James Hasson, H. H. Lee, George W. Johnston, Trustees of Third Presbyterian Church, 100 ft.; George W. Johnston, 31 ft.; George D. Staats, 37½ ft.; Julia A. Root, 65½ ft.; M. A. Van Doren, 35 ft.; James C. Ferguson, 80 ft.; Fred. Gøpper, 157 ft.; W. M. S. E. Tout, 120 ft.; Mrs. M. B. Copeland, 59½ ft.; Amelia B. Mansur, 205 ft.; Mrs. J. D. Vinnedge, 104 ft.; James Hasson, 31¼ ft.; Mary A. Parry, 67½ ft.; Charles Mayer, 200 ft.; William Sullivan, 130 ft.; R. B. Duncan, 122½ ft.; George Crozier, 22½ ft.; Mrs. Alice T. Barbour, 208 ft.; Mrs. Barbara Morrison, 50 ft.; M. E. Jordan, 61 ft.; Mrs. Sarah L. Hall, 202½ ft.; Isaac Patterson, 110 ft.; Eleanor Ferguson, per C. A. F., 200 ft.; P. H. Jameson, admr. George Towsey, against either block or gravel, 248 ft.; Anna Dunlop, admr. estate John Dunlop, 67½ ft.; A. M. Dukemineer, 33½ ft.; John M. Maxwell, 65 ft.; Willis S. Webb, 125 ft.; E. B. McQuatt, 243 ft.; T. C. Vinton, by L. Vinton, 202 ft.; W. H. Allen, 155 ft.; S. A. Fletcher & Co., 50 ft.; Sarah F. Atkins, by E. C. A., 222 ft., Ingram Fletcher, on condition that it be rolled with the steam roller "Romeo," 125 ft.; Mrs. J. W. Copeland, 59½ ft. Total, resident owners, remonstrating against wooden block pavement, 4,984 ft.; total, resident owners, asking for gravel pavement, 4,736 ft.

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

Gentlemen:—The undersigned, owners of property fronting on Meridian street, between New York and Seventh streets, in the city of Indianapolis, earnestly remonstrate against the improvement of said street, or any part of it, with cedar blocks, or with wood of any kind, and we petition your honorable bodies for the improvement of said street by a good roadway of screened river gravel, to be finished with a proper coating of fine gravel or sand for packing, and, if practicable, to be rolled; the gutters to be bouldered in the best manner.

Brew & Bennett, 247 ft.,
Oscar B. Hord, 100 ft.

By consent, Councilman Kahn presented the following petition; which was received:

Indianapolis, January 20, 1881.

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

Gentlemen:—The undersigned, owners of the real estate fronting on North Meridian street, between New York and Seventh streets, respectfully petition for the passage of ordinances providing for the repaving of the gutters of said North Meridian street, between New York and St. Clair streets, to the width of ten (10) feet

on each side, with bowlders, and from St. Clair street to Seventh street in the same manner to the width of six (6) feet on each side, and for the repaving of the roadway of said street from gutter to gutter with red cedar blocks, from New York street to Seventh street, now pending for action before the Common Council of said city.

And your petitioners will ever pray, etc.

Susan R. Herod, 60 feet; J. H. Stuart, 44 feet; W. C. DePauw, 100 feet; Theo. P. Haughey, 90 $\frac{3}{4}$ feet; Addison C. Harris, 105 feet; George B. Yandes, 100 feet; Geo. W. Sloan, 127 $\frac{1}{2}$ feet; R. Browning, 180 feet; W. W. Johnston, Jr., 80 feet; A. Keefer, 82 feet; J. D. Condit, 210 feet; M. H. Ayres, 95 feet; Alfred Harrison, 63 feet; J. C. S. Harrison, by A. Harrison, 62 feet; Mrs. Desdy Howland, 80 feet; W. Henderson, 97 feet.

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

That the City Civil Engineer be instructed to again examine the crossing of Delaware and North streets, and report what, if anything, can be done to carry away the water that accumulates at said crossing.

That the Board of Health be, and they are hereby, instructed to continue such examinations of the works of the Water Works Company, and keep this Council advised as to the character of the water supply and in regard to any change in the supply, and the character of the improvements made by said company, if any, that this Council may be enabled intelligently to protect the interests of our citizens.

Councilman VanVorhis offered the following resolution:

Resolved, That no motion shall be entertained in the Common Council for extending the time of any contract for street or alley improvements, unless said motion shall be accompanied by a sworn statement by the contractor, setting out the reason for such extension, and that a reasonable diligence has been exercised to comply with the terms of the contract; and if said motion be not accompanied by a recommendation of the Board of Public Improvements, then said motion shall be referred to said board without discussion.

Which was adopted by the following vote:

AYES, 16—viz: Councilmen Bryce, Caylor, Downey, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, O'Conner, Pearson, Prier, Shilling, VanVorhis and Yoke.

NAYS, 4—viz: Councilmen Fultz, Harrold, Thalman and White.

Councilman Yoke offered the following resolutions; which were referred to the Committee on Railroads:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Council and Board deem it expedient that the line of street railway be extended along and upon East McCarty street from its present terminus, east to Virginia avenue; thence southeast along and upon Virginia avenue to the terminus of said avenue; and that the Street Railway Company be, and are hereby, ordered to construct the same; and that 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 fifteen 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.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Council and Board deem it expedient that the line of street railway be extended along and upon West South street, from Illinois street to West street; thence north upon West street to Washington street; and that the Street Railway Company be, and are hereby, ordered to commence and construct the same. That 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 fifteen 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.

Councilman Yoke presented the following remonstrance; which was referred to the Board of Public Improvements:

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

Gentlemen:—The undersigned, property holders on Highland street, and owning real estate on said street, would respectfully show your honorable bodies that the grade in said street was established, and the contract awarded for the improvement of said street in accordance with the grade so established in 1879.

Therefore we respectfully remonstrate against any change of the grade of said street from that heretofore established, as aforesaid.

James L. Mitchell,
Joseph S. Fisher.

Councilman Yoke offered the following motion; which was adopted:

That the City Marshal notify the Water Works Company to remove the obstruction placed by them on Illinois street, near the corner of North street, within two days after receiving said notice.

Councilman Fultz offered the following motion; which was adopted:

That the City Civil Engineer and the Board of Public Improvements be, and are hereby, instructed to report to this Council on a motion offered by me at a regular meeting held June 21st. 1880, in regard to the improvement of Pogue's Run, to prevent the destruction of property between Merrill and Catharine streets.

PENDING ORDINANCES.

The following entitled ordinances were severally read the second times;

- S. O. 2, 1881—An Ordinance to provide for improving Meridian street, from New York street to St. Clair street, by bowldering the gutters to a width of ten (10) feet, and paving the roadway, from gutter to gutter, with red cedar blocks.
- S. O. 3, 1881—An Ordinance to provide for improving Meridian street, from St. Clair street to Seventh street, by bowldering the gutters to a width of six (6) feet, and paving the roadway, from gutter to gutter, with red cedar blocks.

It being now nearly eleven o'clock, Councilman Morrison moved the suspension of the following section of the rules:

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

Which motion was adopted, and the rules suspended, by the following vote :

AYES, 17—viz. Councilmen Bryce, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, Pearson, Prier, Thalman, VanVorhis and White.

NAYS, 4—viz. Councilmen McKay, O'Conner, Shilling and Yoke.

Councilman VanVorhis moved to refer the above entitled ordinances (S. O. 2 and 3, 1881) to the Board of Public Improvements, to report back as to their passage in accordance with the wishes of the majority of the property owners along the line of the proposed improvement.

Councilman Prier moved, as an amendment to the above, that a special committee of five be appointed to consider the facts as to the improvement of said street.

Councilman Pearson moved to lay both the above motions on the table.

Which motion was adopted.

Councilman Prier then renewed his motion to refer to a special committee.

Councilman Thalman then moved, as a substitute to the above motion, to refer all petitions and remonstrances to the City Clerk, and report at the next regular meeting the number of feet *for* and *against* the improvement of North Meridian street, according to the ordinances (S. O. 2 and 3, 1881) now on the Council files.

Councilman Thalman then moved the "previous question."

The chair then put the question, "Shall the main question be now put?"

The main question being demanded by a majority of the members present, the chair then at once put the question upon the substitute as offered by Councilman Thalman.

Which was adopted by the following vote :

AYES, 11—viz. Councilmen Bryce, Caylor, Downey, Koller, Lamb, McKay, O'Conner, Prier, Shilling, Thalman and White.

NAYS, 10—viz. Councilmen Dean, Fultz, Harrold, Kahn, Lang, Maur, Morrison, Pearson, VanVorhis and Yoke.

On motion, the Common Council then adjourned.

Mayor,
President of Common Council.

Attest: City Clerk.