

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 21, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber on Monday evening, February 21st, 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 22 members, viz.: Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, McKay, Pearson, Prier, Pritchard, Thalman, Van Vorhis, White and Yoke.

ABSENT—Councilmen Maur, O'Connor and Shilling—3.

The Proceedings of the Common Council, for the regular session held on February 7th, 1881, and for the adjourned session held February 9th, 1881, having been printed, and placed on the desks of the Councilmen, said Journals, as corrected (see page 892), were approved.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, February 21st, 1881.

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

Gentlemen:—The amount of Mayor's fees collected by me during the month of January, 1881, was \$92.55; of policemen's witness fees, \$97.28; and of fines due the City Treasury, \$15.25; making a total of \$205.08; which I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,
J. CAVEN, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

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 affidavits, now on file in my office, for the collection of street assessments by precepts, to-wit:

Fred Gansberg vs. Arthur G. Fosdyke, for.....	33 18
Fred Gansberg vs. Arthur G. Fosdyke, for	33 18
Fred Gansberg vs. Sylvester Hand, for	29 64
Fred Gansberg vs. Albert Dillinham, for.....	3 90
Fred Gansberg vs. Jediah R. McCormick, for.....	20 28
Fred Gansberg vs. Elizabeth McCormick, for.....	20 28
Fred Gansberg vs. Catharine Karney, for.....	49 14

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And the precepts ordered to issue by the following vote:

AYES, 13—viz. Councilmen Bedford, Bryce, Dowling, Downey, Fultz, Kahn, Koller, Lamb, Lang, Morrison, McKay, Prier and White.

NAYS, 2—viz. Councilmen Pearson and Thalman.

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

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

Gentlemen:—I herewith submit the following report upon sundry matters referred to me for an opinion thereon:

First. Is a motion directing me to report to the Council as to whose duty it is to repair the culverts and bridges over gutters crossed by the tracks of the Citizens' Street Railway.

By section one of an ordinance ordained April 2d, 1878, the Citizens' Street Railway Company is required to provide suitable bridges at all the gutters crossed by their tracks, so as to permit the free flow of water in and along said gutters. The same ordinance provides that the said company shall also keep said bridges and culverts in good repair to the satisfaction of the Common Council and Board of Aldermen. The terms of this ordinance were accepted by the Street Railroad Company, and it is therefore the duty of the company to construct and keep said bridges in repair.

Second. Is a motion directing me to report the provisions of the ordinance in regard to the storage and sale of coal oil.

On the 1st day of November, 1875, the following ordinance was passed by the Common Council, and is now in force:

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, that it shall be unlawful for any person or persons to have, keep for sale or store, in any place or building within the corporate limits of this city, any crude petroleum, earth or rock oil, or any of its products, except lubricating oils, in quantity exceeding ten (10) barrels or four hundred and eighty gallons; except the same shall be stored in a properly ventilated building, which shall be detached at least sixty feet from any other building, and the outer walls of said building shall be either of stone, brick and mortar or iron, and so constructed as to prevent the overflow of its contents beyond the premises where it may be stored. Said oil not to be stored above the first floor of said building, and no fire, heat or light shall be permitted on such premises.

SEC 2. Any person or persons now owning or harboring of crude petroleum earth or rock oil, or any of its products, except lubricating oils, more than the quantity mentioned or described in the first section hereof, shall be required to regulate and store the same in the manner prescribed in said first section hereof, within sixty days from the passage of this ordinance.

SEC. 3. Any person or persons offending against any of the provisions of this ordinance, shall on conviction thereof, be fined in the sum of fifty dollars for each offense, and fifty dollars for each days continuance of the same.

The above is the only ordinance governing the matter referred to.

Respectfully, JOHN A. HENRY, City Attorney.

The City Civil Engineer submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Having been directed by your honorable bodies to report what can best be done to protect the northeast portion of the city from overflow by the State ditch, I would report that the best plan would be to sewer said ditch, from north corporate limits to Fall Creek.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Civil Engineer submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—I have examined the corner of Delaware and North streets, subject to your order of February 7, 1881, and find that the most feasible plan to remedy the bad drainage at said point is to construct a brick sewer, 2½ feet in diameter, in and along North street from Delaware street to, and connecting with, the Illinois street sewer.

Estimate cost of such sewer:

1,575 lineal feet, at \$2	\$3,150
7 manholes, at \$40 each	280
14 catch-basins, at \$70 each.....	980
Total.....	\$4,410

City's portion of said estimate.....\$1,800

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Civil Engineer submitted the following report; which was approved:

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

Gentlemen:—I make the following report for your consideration and action thereon. In making the measurement of city's portion for a first and final estimate for improving Tennessee street, from Ohio street to First street, in behalf of Fred Gansburg, contractor, the work was done by James W. Brown (who was assisting me in my official duties while I was sick) hurriedly, and with the view of making a more careful and accurate measurement, which has been delayed on account of the snow and ice upon the street until the present time. The following is a statement of a careful measurement made, and amount due the contractor:

1,369 ²¹ / ₁₀₀ lineal feet roadway, at 79 cents.....	\$1,082 67
21,748 ⁵⁷ / ₁₀₀ square feet bowldering, at 4½ cents.....	978 68
3,661 ³ / ₁₀₀ lineal feet stone crossings, at 30 cents.....	1,098 32
100 yards extra gravel, at 60 cents.....	60 00

Total.....\$3,219 67

Amount allowed in former estimate..... 3,162 20

Balance due contractor.....\$ 57 47

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The City Civil Engineer submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—Subject to your order of February 7, 1881, I have investigated the matter relative to the drainage of Bright street, at the intersection of Vermont street, and see no reason why the water should not run off if the gutters were cleaned and put in proper condition.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

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

To the Mayor and Common Council:

Gentlemen:—Pursuant to a motion passed by your honorable body February 7, 1881, directing me to make examination of remonstrances and petitions relative to improving Meridian street, from New York street to Seventh street, by bowldering the gutters and paving with cedar blocks the roadway, I find the total property line to be 10,904 lineal feet. Of said amount there is a remonstrance against said improvement representing 4,984 lineal feet, and petition for said improvement representing 1,581 $\frac{3}{4}$ lineal feet.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

By consent, Councilman Bernlamer offered the following motion; which was adopted:

That the minutes of February 7th, 1881, on page 841, be corrected by adding after the words Mayor and City Attorney, "with instructions to report at the next regular meeting."

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

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

Under 1 year.....	22
1 to 2 years.....	2
2 to 5 ".....	7
5 to 10 ".....	4
10 to 15 ".....	3
15 to 20 ".....	3
20 to 25 ".....	6
25 to 30 ".....	2
30 to 40 ".....	11
40 to 50 ".....	10
50 to 60 ".....	7
60 to 70 ".....	3
70 to 80 ".....	3
80 to 90 ".....	4
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0

Total..... 87

Respectfully,

E. S. ELDER, M. D., President.

W. E. JEFFRIES, M. D., Secretary.

REPORTS, ETC., FROM COMMITTEES.

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

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

Gentlemen:—Your Committee on Finance, to whom was referred the financial statements of the City Clerk and Treasurer for the month of January, 1881, have examined the same, and have found them to be in form and correct.

Respectfully submitted,
 Leon Kahn,
 Jas. T. Dowling,
 M. H. McKay,
 John R. Pearson,
 E. H. Koller,
 Finance Committee.

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

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

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

1st. Is a resolution for the extension of East McCarty street line of Street Railway from present terminus to Virginia avenue, thence southeast to the southern terminus of said avenue.

Recommend said resolution be adopted.

2d. Is a resolution for the extension of the South street line of Street Railway from Illinois street to West street, thence north on West street to Washington street.

Recommend said resolution be not adopted.

We would further recommend that the City Marshal be, and is hereby, directed to notify the Citizens' Street railway Company to repair and keep in repair the roadway of all their lines in the city, as contemplated in their charter.

Respectfully submitted,
 F. W. Hamilton, N. Yoke,
 Hiram Seibert, W. G. White,
 Aldermanic Committee. Council Committee.

Councilman Bernhamer moved that action on the passage of the resolution be postponed until the next regular meeting.

Councilman Yoke moved to lay the above motion on the table.

Which motion was adopted, and the motion laid on the table by the following vote:

AYES, 13—viz. Councilmen Bryce, Downey, Kahn, Koller, Lamb, Mauer, McKay, Pearson, Prier, Pritchard, Thalman, VanVorhis and Yoke.

NAYS, 8—viz. Councilmen Bedford, Bernhamer, Dowling, Fultz, Harrold, Lang Morrison and White.

The resolution referred to in the first clause of the foregoing report (see page 870, *ante*) was then read, and adopted by the following vote:

AYES, 18—viz: Councilmen Bedford, Bryce, Dean, Downey, Kahn, Koller, Lamb, Lang, Mauer, Morrison, McKay, Pearson, Prier, Pritchard, Thalman, VanVorhis, White and Yoke.

NAYS, 4—viz: Councilmen Bernhamer, Dowling, Fultz and Harrold.

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

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

Gentlemen.—Your Joint Committee on Streets and Alleys, together with the City Attorney, to whom was referred a petition of Chandler & Taylor, asking for the vacation of a certain part of an alley lying between lots 20 and 21 Blake and Ray's subdivision of out-lot 148, would report:

We have made examination of the matter, and are of the opinion that the plat as recorded in 1842 shows the correct line of said alley, and, in view of this fact, there is no vacation to be made.

Respectfully submitted,

H. E. Drew,

Aldermanic Committee.

John T. Downey,

Wm. H. Morrison,

John A. Lang,

Council Committee

JOHN A. HENRY, City Attorney.

By consent, Councilman Thalman, in behalf of the Committee on Contracts and Streets and Alleys, submitted the following report:

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

Gentlemen.—Your Joint Committee on Contracts and Streets and Alleys, to whom was referred the proposals for lettering the street corners with names of streets, would report, after careful examination of all the samples, plans and proposals submitted, we find the following to be the lowest and best: J. C. Bowe & Co., street lamp sign, made of malleable iron, blacked and put in the lamps for eighteen (18) cents per sign. Believing that the plan and proposal of J. C. Bowe & Co. is the lowest and best, we recommend they be awarded the contract.

For placing the names of streets on the house corners, J. W. Springstein bids ten (10) cents per each tin sign. Believing the bid of J. W. Springstein is the lowest and best, we recommend he be awarded the contract, provided the said tin sign is made of the best block tin, painted with two coats of black and two-inch white letters.

Respectfully submitted,

Isaac Thalman,

E. H. Koller.

John A. Lang,

James A. Pritchard,

Committee.

Councilman Pearson moved to refer the above report back to the Committees, to report back some agreed plan at the next regular meeting; and that the said report be made a special order.

Which motion was adopted by the following vote:

AYES, 16—viz. Councilmen Bedford, Bryce, Caylor, Downey, Fultz, Harrold, Kahn, Lamb, Mauer, Morrison, McKay, Pearson, Prier, Pritchard, Thalman and VanVorhis.

NAYS, 7—viz. Councilman Bernhamer, Dean, Dowling, Koller, Lang, White and Yoke.

Councilman McKay asked to be excused, on account of sickness; which request was granted.

Councilman Mauer 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, at its regular session held on February 9th, 1881, amended the following resolution (adopted by your honorable body January 3, 1881), by limiting the number of paid "extras" police to three, viz:

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

The above resolution, as amended, was then concurrently adopted.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion by Councilman Bryce, the Council adhered to its former action.

Councilman Downey moved that a Committee of Conference be appointed, to confer with a like committee from the Board of Aldermen, and that said committee consist of three members from each body.

Which motion was adopted; and the Chair appointed Councilmen Downey, Prier and Dowling to act as the Council members of said Conference Committee.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session held on February 9th, 1881, approved the following report from its Committee on Public Health; thereby providing for a certain amendment in the lease between the city and David F. Ratts, as fully shown in the said report, viz:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Public Health, to whom was referred the lease of David F. Ratts for the city dumping ground, would recommend that the action of the Common Council be concurred in, with the proviso that the lease as submitted by David F. Ratts be amended so as to read, "For privy vaults or cesspool cleanings, 2½ cents for each and every donegan, or 30 cents per load otherwise conveyed;" instead of, "For privy vaults or cesspool cleanings, 2½ cents per donegan, or 50 cents per load." Would further recommend that the said David F. Ratts file in the Clerk's office a written agreement consenting to the above amendment to the lease as submitted by him to Council, September 20, 1880; and also, that the bondsmen be also requested to sign said agreement, waving any defect that may arise as to the validity of the agreement and bond.

Respectfully submitted,

Geo. P. Wood,

D. Musmann,

D. W. Grubbs,

Committee on Public Health.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

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

Councilman VanVorhis presented the following agreement; which was approved:

We, David F. Ratts, contractor, Jackson H. Wright and Edward Gilbert, his bondsmen, do hereby agree to the change of from fifty cents to thirty cents per load, as by the committee from the Board of Aldermen recommended; and hereby waive any defect that may arise in said contract and bond on account of said change.

David F. Ratts.
Jackson H. Wright.
Edward Gilbert.

Indianapolis, February 14th, 1881.

By consent, Councilman Morrison, in behalf of the Board of Public Improvements, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—The matter of the remonstrance against the improvement of Market street, from Missouri street to Blackford street, having been referred to us, we see no reason why the ordinance providing for said improvement should not be passed, as in our opinion it is a public necessity. We therefore recommend the passage of said ordinance.

Respectfully submitted,

Wm. H. Morrison,
Edward H. Dean,
Hiram Seibert,
Board of Public Improvements.

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

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

Gentlemen:—The Board of Public Improvements having been directed to report what duty, if any, is being done by the City Civil Engineer, would report that during the past five months it has been almost impossible to do any outside work, and the office work is being done. The records of the office for the last year have been properly indexed and recorded. The plat books, containing all the squares and out-lots of the city, have been revised and remade, and are now in good shape. In addition, the records for compiling plat books to contain all additions within the city limits are being prepared; also general plans of public works, such as sewers, plans of drainage, viaducts, and other matters of importance to the office. All of which, though not done by Mr. Patterson himself, yet were done under his direction as City Civil Engineer. Mr. Patterson having been connected with the City Government in his capacity for the last twelve years, and having been connected with public works in and around the city for the last forty-six years, his experience and general knowledge in his department is of great value to the city, and to persons seeking information connected with the Engineer's office.

Respectfully submitted,

Wm. H. Morrison,
Edward H. Dean,
Hiram Seibert,
Board of Public Improvements.

NEW ORDINANCES.

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

By Councilman Dowling:

S. O. 6, 1881—An Ordinance to provide for grading and bowldering the first alley South of Georgia street, from Illinois street to Tennessee street.

The above entitled ordinance was accompanied by the following petition:

To the Honorable Common Council, City of Indianapolis, Indiana:

Gentlemen.—Your petitioner would most respectfully ask that you order the alley running east and west from Illinois street to Tennessee street, between Georgia and Louisiana streets, to be graded and graveled; for the reason that Illinois street is so obstructed by the fences to the entrance to the tunnel, and Louisiana street is also so narrowed up by railroad tracks, and the movement of trains thereon interferes so much with the use of the street by vehicles, that we regard the improvement of the alley above mentioned as a positive necessity to that portion of the city.

I would also state to your honorable body that your petitioner owns one-fourth of the property on said alley.

Most respectfully,

A. W. Johnson.

Indianapolis, Ind., February 21, 1881.

By Councilman Dowling:

S. O. 7, 1881—An Ordinance to provide for grading, bowldering and curbing with stone the gutters and paying with brick the north sidewalk (where not already bowldered, curbed or paved) of Georgia street, from Illinois street to Mississippi street.

By Councilman Dowling:

G. O. 1, 1881—An Ordinance fixing the amount of license to be paid by the Adelphia Theater, situated No. 90 South Illinois street.

By Councilman Dowling:

G. O. 2, 1881—An Ordinance fixing the amount of license to be paid by the Capitol Theater, situate No. 141 West Washington street.

The above ordinance (G. O. 2, 1881) was accompanied by the following petition:

To the Members of the Common Council:

Gentlemen.—We the undersigned, as neighbors and citizens of the Fifteenth and Sixteenth wards, do hereby state that the theater known as the Vaudeville has been managed and conducted in as orderly, quiet and legitimate manner as any theater in the city.

J. N. Morlan, 139 W. W.; W. Fisher, P. H. McNelis; Carmichael & Bryan, druggists; Dan. Lemon, I. M. Johnson, Theo. Osterbrink, M. B. Gibbs, William Dixon, A. Hafner, E. Dietch, James R. Muuro; Educas, 115 W. Wash. st; P. T. Royse, Esq.; Thomas Fiscus, policeman; Jacob Lannenberger; F. Stout & Son, 160 West Washington street; H. Rosenthal; Wm. Kitzmiller, police; Joseph F. Short, James Stewart, John A. McConnell, L. H. Renkert, E. E. Geissendorff, Chas. Maguire, Thos. W. Jones, Fred, M. Kistner, Gus. J. Frevert; H. Case, policeman; John Kistner, S. O. Kaufman, Benj. Kaufman, H. McDonald, A. R. White & Co., C. L. Wiegand, H. A. Vollmar, R. R. Miles, Geo. W. Harvie, E. Williamson, Thos. Hanway, Geo. B. Keay, F. Schmidt, Pat. Maley; H. T. Pope, policeman; G. Coble, sr.; John A. Meyers; Jas. L. Taylor, merchant police.

By Councilman Bryce :

G. O. 3, 1881—An Ordinance to repeal an Ordinance entitled, "An Ordinance to regulate the storage of crude petroleum earth or rock oil, or any of its products, except lubricating oil;" ordained November 1st, 1875.

By Councilman Downey :

S. O. 8, 1881—An Ordinance to provide for grading and graveling East Pearl street and sidewalks, from Benton street to the first alley east of Benton street.

The above entitled ordinance was accompanied by the following petition :

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

Gentlemen:—The undersigned, owners of real estate fronting on East Pearl street, between Benton street and the first alley east of Benton street, respectfully petition for the passage of an ordinance providing for the grading and graveling of the above named street and sidewalks, between the points named.

And your petitioner will ever pray, etc.

Ellen Gates, 32 feet.

By Councilman Fultz :

S. O. 9, 1881—An Ordinance to provide for grading and graveling Chadwick street and sidewalks, from McCarty street to Catharine street.

By Councilman Kahn :

S. O. 10, 1881—An Ordinance to provide for grading and paving with brick the south sidewalk of Michigan street, from Liberty street to Massachusetts avenue.

The above entitled ordinance was accompanied by the following petition :

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

Gentlemen:—The undersigned, owners of the real estate fronting on the line between Liberty street and New Jersey street, respectfully petition for the passage of an ordinance providing for the paving with brick the south side of Michigan street, from Liberty street west to Massachusetts avenue, according to the standard width of such sidewalks.

And your petitioners will ever pray, etc.

F. L. Spahr, C. Ruckelshaus, F. Vonnegut, J. C. Thomas, W. H. Miller, A. L. Heath, H. J. Plogterth, B. Teethill, F. Noelle, William Pfafflin, R. J. Koonce, S. Kaufman, J. W. Smith, A. M. Snyder, A. F. Wyon, Peter Liehr, Christian Stark.

By Councilman Thalman :

S. O. 11, 1881—An Ordinance to provide for grading and graveling Meridian street, bowldering the gutters and placing a gutter-stone therein, from New York street to St. Clair street.

By Councilman Thalman :

S. O. 12, 1881—An Ordinance to provide for grading and graveling Meridian street, bowldering the gutters, and placing a gutter-stone therein, from St. Clair street to Seventh street.

By Councilman White :

S. O. 13, 1881—An Ordinance to provide for grading and graveling the first alley east of Laurel street, from the first alley south of Prospect street to Orange street.

The above entitled ordinance was accompanied by the following petition :

Indianapolis, January 29, 1881.

We, the undersigned, property owners, would respectfully ask the Council to have the first alley west of Spruce street to Orange street graded and gravelled. It runs from the first alley south of Prospect street about one square; and since some have filled up their lots, we on the east side are in a terrible fix. The alley from which it commences is graded and gravelled.

C. T. Langhorne.

MISCELLANEOUS.

Councilman Bedford presented the following petition; which was referred to the Judiciary Committee and the Board of Health, to report at the next regular meeting :

To the Mayor and Common Council :

Gentlemen:—The undersigned would petition your honorable body to grant them the privilege of sinking a privy vault in the rear of 243 Massachusetts avenue; said vault to be located on the west side of Liberty street—the vault located in the cellar having been condemned and ordered filled.

And for relief your petitioners will ever pray.

Mills & Carter, 36 North Delaware street.

Councilman Bernhamer offered the following motion; which was adopted :

That special ordinance No. 47 of 1879 be stricken from the files.

Councilman Bernhamer offered the following motion; which was unanimously adopted by a rising vote :

That the sympathies of this Common Council and the Board of Aldermen be extended to our worthy City Marshal, Richard S. Colter, in his severe affliction, caused by the recent death of his estimable wife.

Councilman Bernhamer offered the following resolution; which was referred to the Committee on Education :

Resolved by the Common Council and Board of Aldermen, That it is the opinion of these bodies that the Board of School Commissioners should take the necessary steps to establish a High School at some convenient point south of Washington street; and that the City Clerk transmit a copy of this resolution to said Board.

Councilman Bernhamer offered the following motion :

That when this Council do adjourn, it be to meet in special session on Wednesday, February, 23d. 1881, at 7:30 P. M., to hear a report from Police Board, Judiciary Committee, His Honor, the Mayor, and City Attorney, on the communication from the Evangelical Alliance, entered on pages 839 to 841, and disposing of the same.

Councilman Pearson moved to lay the above motion on the table.

Which motion, to lay on the table, was adopted by the following vote :

AYES, 12—viz. Councilmen Bedford, Bryce, Caylor, Dean, Kahn, Lamb, Morrison, Pearson, Prier, Pritchard, Thalman and Yoke.

NAYS, 8—viz. Councilmen Bernhamer, Dowling, Fultz, Harrold, Koller, Lang, VanVorhis and White.

Councilman Bryce offered the following motion ; which was referred to the Committee on Railroads and City Attorney :

That the switch that crosses the sidewalk on the east side of Pennsylvania street, just north of the railroad tracks, shall be removed, as it has been the cause of several serious accidents, one of them occurring to-day, and laying the city liable to great damages thereby.

Councilman Bryce offered the following motion ; which was referred to the Street Commissioner, with instructions to act :

That the Street Commissioner be instructed to immediately attend to the filling up of a man trap, in the shape of an old well or cistern, that is gaping open under the sidewalk on the southwest corner of Delaware and South streets.

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

That the Street Commissioner be instructed to place a wooden culvert at the crossing of West and Pratt streets.

Councilman Dowling offered the following motion :

That the Police Board and His Honor, the Mayor, be excused from further consideration of the petition from the members of the Evangelical Alliance.

Councilman Thalman moved to lay the above motion on the table.

Which motion, to lay on the table, was adopted by the following vote :

AYES, 13—viz. Councilmen Bryce, Caylor, Dean, Kahn, Lamb, Lang, Morrison, Pearson, Prier, Pritchard, Thalman, VanVorhis and Yoke.

NAYS, 7—viz. Councilmen Bedford, Bernhamer, Dowling, Fultz, Harrold, Koller and White.

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

That the Street Commissioner be, and is hereby, directed to lay a double stone crossing across South street on both sides of Illinois street.

Councilman Harrold offered the following motion :

That J. L. Spaulding be granted ninety (90) days additional time to complete his contract for the improvement of King street, from Pennsylvania street to Delaware street.

Councilman Pritchard offered the following motions :

That contractor Henry Clay be given sixty days more time in which to finish his contract on Columbia avenue.

That contractor Henry Clay be given sixty days more time in which to finish his contract on the first alley north of Prospect street, from Spruce street.

Councilman Prier moved that the operation of a certain resolution, requiring the above motions to be accompanied with certain recommendations, be suspended.

Which motion was adopted, and operation of the resolution suspended, by the following vote :

AYES, 21—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn Koller, Lamb, Lang, Morrison, Pearson, Prier, Pritchard, Thalman, VanVorhis, White and Yoke.

NAYS—None.

The above motions, as offered by Councilman Pritchard and Prier, were then adopted.

Councilman Dowling offered the following motion ; which was adopted :

That Councilmen Bernhamer and McKay be added to the committee on petition of Evangelical Alliance.

Councilman Mauer, through Councilman Thalman, offered the following motion ; which was adopted :

That the City Civil Engineer be instructed to make the necessary surveys and report upon some plan of drainage between Michigan and New York streets on Blake street.

Councilman Mauer, by Councilman Thalman, presented the following petition ; which was referred to the Committee on Streets and Alleys :

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

Gentlemen :—We, the undersigned petitioners, freeholders of said city, do hereby pray your honorable body for the vacation of the street commonly known as Water street : more fully described below, and according to plat filed herewith.

Water street is located west of steam mill lot 25 and east of east bank of White River. In dedicating this street, no specific width is given. Plat of this subdivision, deed record T, page 640. Dedication of street will be found in mortgage record 22. The full length of said street is two hundred feet ; from National road south to Washington street.

Christian Schloer, C. E. Geisendorff, T. E. Chandler.

I, the undersigned, ask the vacation of above said street on account of its dangerous condition to my property. During the high water it caved in, so that there is not to exceed eight feet of said street remaining. If said street is vacated, I will make such improvements as will prevent further danger to my property.

Christian Schloer.

Councilman Morrison offered the following motion ; which was adopted :

That the Street Commissioner be, and is hereby, ordered to furnish for the use of the City Sexton the lumber necessary for the proper protection of the roadways at the entrance to Greenlawn Cemetery.

Councilman Morrison presented the following petition :

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

Gentlemen:—Since 1874, when, by action of the Common Council, Fall Creek was turned from its natural outlet and emptied into White River above Patterson's gravel bar, there has been during every freshet, owing to the increased volume and velocity of the stream, a constant undermining and washing away of the south bank of the river, from above the Michigan-street bridge to Noble street in Indianola ; until one entire street has been washed away, a considerable portion of the old Lafayette pike destroyed, and hundreds of dollars damage done to private property. The last freshet was particularly disastrous, from the fact that the wash-out has now reached valuable private property, including several houses and improved public streets. Many feet of State street has been washed away—and Bloomington, a well-improved street, with brick sidewalks and public lamps, is now being undermined. Of the street running along the river bank there is barely enough left for a driveway ; probably it could be saved, should it be attended to at once, but if left until after another freshet it will necessitate the condemnation of private property for a new street, which would doubtless be much more expensive than protection of the river bank.

We respectfully request that you take immediate steps, if not to repair the damage already done, at least to prevent in the future that which with each succeeding freshet will be of still greater magnitude.

J. L. Spaulding, Joseph F. Flack, S. A. Fletcher & Co.,
Edward Mueller ; M. A. Toohey, by J. V. McKernan,
his attorney in fact ; William Coughlen, Elizabeth
Moore ; Wm. S. Hubbard, trustee ; A. Wm. Minkner,
Thomas Moore, W. H. Howson, Mrs. W. H. Howson,
George Merritt.

Councilman Morrison offered the following motions ; which were adopted :

That the Board of Public Improvements, together with the City Attorney, City Civil Engineer and Street Commissioner, be, and are hereby, instructed to examine the Lafayette road from Noble street to the first street south of the Michigan street bridge, and report what can be done to protect the same and the property fronting thereon from caving, caused by high water in White river.

That the Street Commissioner be, and is hereby, ordered to extend with brick the sidewalks at the crossings in and along the improved portion of Mississippi street, where the sidewalks were improved with brick before the new improvement was made on said street.

Councilman Morrison offered the following resolution ; which was referred to the Committee on Public Light ; and, on further motion, Councilman Morrison was added as a member of said Committee :

Resolved, That a special committee of this Council and Board of Aldermen be appointed by the respective presiding officers of said bodies, to consist of five (5) members of the Council and three (3) members of the Board of Aldermen, for the purpose of ascertaining and reporting the expense of erecting and maintaining five or more electric lights, said lights to be located at the following places :

One in front of the Court House on Washington street, one in the center of the Governor's Circle, one in front of the Bates House on Illinois street, one on the north side of the Union Depot on Illinois street, and one on the north side of the Union Depot on Meridian street, and that the committee be, and are hereby, requested to report at an early day.

Councilman McKay, by Councilman Bryce, offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be instructed to put the drinking fountain at the corner of College avenue and Seventh street in good condition.

Councilman McKay, by Councilman Bryce, presented the following remonstrance; which was referred to the Committee on Streets and Alleys:

To the Honorable Council of the City of Indianapolis:

Gentlemen.—We, the undersigned owners of real estate adjacent to the alley between Delaware and Alabama streets, and running from Seventh to Eighth streets, do hereby respectfully remonstrate against the improvement of said alley, as prayed for by Allen and others: for the reasons that the same would not be of public utility; that the public does not need the same; that it would put your remonstrators to great unnecessary expense; that the petitioners can obtain the personal relief they desire by a drain, at a small expense.

H. S. Hutchins, 60 feet front; B. Ward, 60 feet front;
M. Ward, 40 feet front; Wm. H. Hussey, 40 feet
front; R. G. Heizer, 40 feet front; W. J. Richards,
40 feet front; J. H. Baldwin, 40 feet front; John
T. Wilson, 40 feet front; J. N. Biuford, 40 feet
front; Mrs. A. J. Halford, 40 feet front.

Councilman Pearson offered the following motion; which was referred to the Board of Health and the Committee on Public Health, with instructions to report in two weeks:

That M. H. Wright be granted the privilege to build a pork house and grease rendering establishment, to be located on White River three-fourths of a mile south of Stock Yards.

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

That the City Civil Engineer be instructed to advertise for bids for the building of a fifteen hundred barrel cistern, to be located at the corner of Seventh and Howard streets; to be built under the instructions of the City Civil Engineer.

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

That the Street Commissioner be directed to put in a stone crossing on south side of Massachusetts avenue crossing Alabama street.

Councilman Prier offered the following resolution:

Resolved, That the name of Wilson street, from Hill avenue o Brookside avenue, be changed to Newman street, and the street east of lots 10 and 17, Albert E. Fletcher's first addition, running from Brookside avenue to Clifford avenue, be named Newman street.

Which was adopted by the following vote :

AYES, 19—viz: Councilmen Bedford, Bernhamer, Bryce, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, Pearson, Prier, Pritchard, Thalman, VanVorhis, White and Yoke.

NAYS—None.

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

That the Street Commissioner be directed to repair and put in good order the flag-stone crossing across Pennsylvania street at Post Office corner.

That the Street Commissioner raise and put in good condition the alley crossing of the sidewalk adjoining the New-Denison Hotel, on Pennsylvania street.

Councilman Thalman offered the following motion; which was adopted :

WHEREAS, By the terms of a certain lease, dated August 8th, 1878, the City of Indianapolis, agrees to pay all taxes and assessments for the term of five years, including the taxes for 1878, on lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 in Metzger and Robinius' subdivision of lots 1, 2 and 3, in square 70 (the West Market space); and,

WHEREAS, On February 13, 1879, lots 1, 2, 3 and 4 of the foregoing lots were sold for State and county taxes, to Josiah Locke, for the taxes of 1877 and 1878, and were sold for \$161.03; therefore,

Moved, That the City Attorney be, and is hereby, instructed to report to this body, at its next regular meeting, on what terms the city can redeem the aforesaid lots.

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

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

Gentlemen.--Your petitioner would respectfully show that she is the owner of lot No. 132 in that part of Greenlawn Cemetery known as the "North Burying Ground." That the city has taken possession of said lot, and used the same for the purpose of burying paupers buried at public expense. She, therefore, prays that the city may pay her the full and just value of said lot, as the same has, as she is informed and believes, been converted to public use.

And your petitioner will ever pray.

Maria Ann Stiltz.

This indenture, made this tenth day of June, A. D. eighteen hundred and fifty-four, between Edwin J. Peck and Mary Ann Peck, his wife, of the county of Marion and State of Indiana, of the first part, and Jacob Birkenmayer, of the county of Marion and State of Indiana, of the second part, Witnesseth that the parties of the first part, in consideration of the sum of twenty-five (\$25) dollars, in hand by them received, do sell to the party of the second part, their heirs and assigns, forever to hold lot number one hundred and thirty-two (132) in the North Burying Ground, as laid down on a plat thereof, recorded in the Clerk's office of Marion county, Indiana; said lot to be used as a place of burial for the dead, and for no other use whatever; and if otherwise used, then to be forfeited to the original proprietors, their heirs or assigns.

And the said parties of the first part, for themselves, their heirs, executors and administrators, do covenant forever to defend the party of the second part, his heirs and assigns, against all claims of any and every other person to said lot number one hundred and thirty-two (132).

In witness whereof, the said Edwin J. Peck, and also Mary Ann Peck, his wife, who hereby, in consideration of the premises, relinquishes all her right, title and claim of dower in said lot, have hereunto set their hands and seals, the day and year first above written.

E. J. Peck, [SEAL.]
M. A. Peck, [SEAL.]

State of Indiana, Marion County:

Personally appeared before me, the subscriber, a Notary Public in and for said county, Edwin J. Peck and Mary Ann Peck, his wife, the grantors in the above conveyance, and acknowledge the same to be their voluntary act and deed. And the said Mary Ann Peck, wife of the said Edwin J. Peck, being examined by me privately, separate and apart from, and without the hearing of her husband, and the full contents and purport of said deed being by me made known and explained to her, declared that she executed the same of her own free will and accord, and without any coercion or compulsion from her husband.

Witness my hand and notarial seal, this 15th day of June, 1854.

T. R. Fletcher, [SEAL.]

PENDING ORDINANCES.

Councilman Morrison presented the following petition:

Indianapolis, February 14, 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 street and Seventh street, respectfully petition for the passage of ordinances providing for the repairing of the gutters of said North Meridian street, between New York and St. Clair streets, to the width of ten feet on each side, with bowlders; and from St. Clair to Seventh street, in the same manner, to the width of six feet on each side; and for the repairing 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.

R. F. Kennedy, 50 ft.; Mary B. Greene, 45 ft.; H. R. Allen, 57 ft.; E. G. Cornelius, 106½ ft.; Louis Hollweg, 62½ ft.; John W. Murphy, 85 ft.; E. F. Claypool, 100 ft.; Wm. B. Burford, 112½ ft.; Alex. Rieman, by John H. Holliday, 82½ ft.; George H. Chapman, 120 ft.; M. J. Osgood, 61½ ft.; T. A. Lewis, 144 ft.; B. C. Husten, 56 ft.; J. C. and M. S. Brush, 31 ft.; A. W. Hendricks, 54 ft.; W. J. Holliday, 60 ft.; H. G. Carey, 100 ft.; D. A. Richardson, 93 ft.; J. McK., Marth H. McKee, 30 ft.; Emily Kelly, 37½ ft.; B. F. Tuttle, 65 ft.; Mrs. C. Hug, 56 ft.; E. B. and E. Martindale, 105 ft.; Charles Mayer, 210 ft. Total, 1,924 feet.

Indianapolis, February 16th, 1881.

Joseph Magner, Esq., City Clerk:

My Dear Sir:—In regard to the proposed work on Meridian street, I will say that my first choice is to improve with raked river gravel, coated with sand or fine gravel, and rolled with the steamer "Romeo." The gutters, twelve feet each side, bowldered to St. Clair street; from there northward, gutters six feet wide. But if this is not deemed best by the Common Council, then my second choice is to have cedar blocks free from sap.

Very truly,
INGRAM FLETCHER.

Indianapolis, February 21st, 1881.

To the Honorable Common Council:

Gentlemen:—In relation to the improvements talked of, concerning Meridian street, I am taking no part in, but leaving it entirely with the Council and Board of Aldermen.

Very respectfully,

E. H. WOLFE, Auditor of State.

By an affirmative vote of all the members present, Wm. W. Herod was granted the privilege of addressing the Council, who spoke in favor of improving North Meridian street with cedar blocks.

Wm. S. Hubbard and John S. Spann also addressed the Council on the same subject; speaking against the above proposed improvement, but favoring the improvement of said street with gravel.

Councilman Bernhamer called up S. O. 2 and 3, 1881, for the improvement of Meridian street with cedar blocks, and moved that the ordinances be engrossed.

Councilman Yoke moved the previous question, and it being demanded by a majority of the members present, the previous question was admitted.

The question then being on the engrossment of the ordinances, Special Ordinance No. 2, 1881, for the improvement of North Meridian street, from New York street to St. Clair street, was then ordered engrossed by the following vote:

AYES, 15—viz. Councilmen Bedford, Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Morrison, Pearson, Pritchard, White and Yoke.

NAYS, 6—viz. Councilmen Bryce, Caylor, Koller, Prier, Thalman and Van-Vorhis.

Special Ordinance No. 3, 1881, for the improvement of North Meridian street, from St. Clair street to Seventh street, was then ordered engrossed by the following vote:

AYES, 15—viz. Councilmen Bedford, Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Morrison, Pearson, Pritchard, White and Yoke.

NAYS, 6—viz. Councilman Bryce, Caylor, Koller, Prier, Thalman and Van-Vorhis.

Councilman VanVorhis then moved to strike S. O. 2 and S. O. 3, 1881, from the files.

Which motion was lost by the following vote:

AYES, 6—viz. Councilmen Bryce, Caylor, Koller, Prier, Thalman and Van-Vorhis.

NAYS, 15—viz. Councilmen Bedford, Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Morrison, Pearson, Pritchard, White and Yoke.

Councilman Bernhamer moved to place the above ordinances, S. O. 2 and S. O. 3, 1881, on their third reading and final passage.

The previous question was then moved, and, it being demanded by a majority of the members present, the previous question was admitted.

The following entitled ordinance was then read the third time :

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.

And it failed to pass (not receiving the necessary two-thirds vote) by the following vote :

AYES, 12—viz. Councilmen Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Lang, Morrison, Pearson, Pritchard, White and Yoke.

NAYS, 9—viz. Councilmen Bedford, Bryce, Caylor, Kahn, Koller, Lamb, Prier, Thalman and VanVorhis.

The following entitled ordinance was read the third time :

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.

And it failed to pass (not receiving the necessary two-thirds vote) by the following vote :

AYES, 12—viz. Councilmen Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Lang, Morrison, Pearson, Pritchard, White and Yoke.

NAYS, 9—viz. Councilmen Bedford, Bryce, Caylor, Kahn, Koller, Lamb, Prier, Thalman and VanVorhis.

Councilman Kahn moved to reconsider the vote by which the above ordinances failed to pass.

Councilman VanVorhis moved to lay the motion to reconsider on the table.

The motion to lay on the table was lost by the following vote :

AYES, 1—viz. Councilman VanVorhis.

NAYS, 20—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, Pearson, Prier, Pritchard, Thalman, White and Yoke.

Councilman Kahn's motion to reconsider was then adopted by the following vote :

AYES, 17—viz. Councilmen Bedford, Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Lamb, Lang, Morrison, Pearson, Prier, Pritchard, Thalman, White and Yoke.

NAYS, 4—viz. Councilmen Bryce, Caylor, Koller and VanVorhis.

On motion by Councilman Lamb, the above ordinances, S. O. 2 and 3, 1881, with the petitions and remonstrances, were referred to the Board of Public Improvements, City Attorney, City Clerk and Councilman Van Vorhis, with instructions to report the number of resident property owners for and against the proposed improvement with cedar blocks.

Councilman Dowling offered the following motion; which was adopted, and Councilmen Dowling, Pritchard and Bedford were appointed by the Chair to act as the members of said special committee:

That a special committee of three be appointed to examine into statements of attempted bribery by certain parties toward members of this body, in the matter of Meridian street improvement.

Councilman Prier was excused for the remainder of this session.

It being now nearly eleven o'clock, Councilman Pearson 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, 19—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Morrison, Pearson, Pritchard, Thalman, VanVorhis, White and Yoke.

NAYS, 1—viz. Councilman Lamb.

Councilmen Downey and Yoke were excused for the remainder of this session.

Councilman Dowling moved that no more Councilmen be excused.

Which motion was adopted.

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

S. O. 156, 1880—An Ordinance to provide for grading and paving with brick, the west sidewalk of Park avenue, between Cherry street and Gregg street.

And passed by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, Pritchard, Thalman, VanVorhis and White.

NAYS—None.

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

S. O. 157, 1880—An Ordinance to provide for the erection of lamp posts, lamps and fixtures, (complete to burn gas, except the service pipes), on West street, between Kentucky avenue and Georgia street.

And it was passed by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, Pritchard, Thaman, VanVorhis and White.

NAYS—None.

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

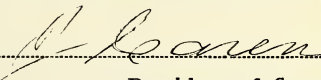
S. O. 1, 1881—An Ordinance to provide for bowldering the gutters, and curbing with stone the sidewalks, of Market street, from Missouri street to Blackford street.

And it was passed by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Morrison, Pritchard, Thaman, VanVorhis and White.

NAYS—None.

On motion, the Common Council then adjourned.


..... Mayor,
President of Common Council.

Attest: 
..... City Clerk.