

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MARCH 7, 1881.

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

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

ABSENT—Councilmen Bryce and McKay—2.

The Proceedings of the Common Council, for the regular session held on February 21st, 1881, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts and Streets and Alleys, through Councilman Thalman, submitted the following report:

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

Gentlemen:—Your Joint Committees on Contracts and Streets and Alleys, having the matter of placing the names of streets on street corners referred back to us for reconsideration, would report: After having re-examined all the plans and proposals, we are still of the opinion that the plans and proposals of J. W. Bowe & Co. and J. W. Springstein are the lowest and best.

J. W. Bowe & Co., street lamp sign, made of malleable iron, blacked, and put in the lamps for eighteen (18) cents per sign. Believing that J. W. Bowe & Co. is the lowest and best bidder, 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, or japanned, and two inch white letters, and placed on corners where there are no lamps.

We further recommend that only two malable iron signs be placed in each lamp, and the tin sign to be put up in such quantities and on such streets as may be directed by the City Civil Engineer.

Respectfully submitted,
John Newman,
Aldermanic Committee.

Wm. H. Morrison,
John A. Lang,
Isaac Thalman,
E. H. Koller,
Council Committee.

On motion by Councilman Prier, the first clause of the above report was concurred in, by the following vote:

AYES, 17—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Fultz, Harrold, Koller, Lang, Maurer, Morrison, O'Conner, Pearson, Prier, Shilling, Thalman and White.

NAYS, 3—viz. Councilmen Downey, Kahn and VanVorhis.

Councilman Prier moved that the Committee on Contracts enter into an agreement with J. W. Bowe & Co., the contractors, to give a satisfactory bond, with approved security, providing that the City of Indianapolis be saved harmless from any damages or cost that may occur from any suits on account of infringement of patents, the bond to be examined by the City Attorney.

Councilman VanVorhis moved to amend, so that the bond would also guarantee the durability of each sign for the term of three years.

Which amendment was accepted by Councilman Prier, and the motion as amended was then adopted by the following vote:

AYES, 17—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Harrold, Koller, Lang, Maurer, Morrison, O'Conner, Pearson, Prier, Shilling, Thalman and White.

NAYS, 2—viz. Councilmen Kahn and VanVorhis.

Councilman VanVorhis called for a division of the question on the balance of the report.

On motion, that portion of the report relative to the placing of tin signs on the street corners, and the placing in each gas lamp two malable iron signs, were severally concurred in.

By consent, Councilman Bernhamer presented the following entitled ordinance, which was read the first time:

S. O. 14, 1881—An Ordinance to provide for grading and paving with brick the north sidewalk of Buchanan street, from East street to Greer street.

The above entitled ordinance was accompanied by the following petition:

Indianapolis, March 3d, 1881.

To the Honorable President and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on Buchanan street, between East street and Greer street, respectfully petition for the passage of an ordinance providing for paving with brick the sidewalk on the north side of Buchanan street, between East and Greer streets.

And your petitioners will ever pray, etc.

Mrs. P. Kelley, one lot, 30 feet; Peter Dennis, two lots, 60 feet.

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:

Smith & Sylvester vs. John G. Blake, for.....	\$21 80
C. T. Langhorne vs. George W. McAlpine, trustee, for.....	14 08
August Richter vs. Anna M. Southard, for.....	58 50
August Richter vs. Francis S. Mallock, for.....	45 00
August Richter vs Clarrissa H. Young, for.....	24 30
August Richter vs Azel B. Brown, for.....	90 00
August Richter vs. James James, for.....	45 00
August Richter vs. Susan C Dickson, for.....	22 50
August Richter vs. Susan C. Dickson, for.....	45 00
August Richter vs. Riley Foster, for.....	45 00
August Richter vs. Blanche Caldwell, for.....	54 00

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, 20—viz Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Shilling, VanVorhis and White.

NAYS—None.

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

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 February, 1881:

Board of Health.....	\$208 80
City Assessor's Department.....	88 50
City Civil Engineer's Department.....	178 25
City Dispensary.....	254 54
City Hall.....	70 25
City Hospital and Branch.....	847 29
City Treasurer's percentage.....	469 91

Damages and costs	3,782 55
Fire Department.....	5,489 72
Gas.....	5,198 51
Home for Friendless Woman.....	171 85
Incidentals.....	318 86
Insurance.....	65 00
Interest on bonds.....	59,118 00
Market-Masters' Fees.....	134 55
Parks.....	115 15
Police.....	4,305 00
Printing.....	1,013 82
Salary.....	120 91
Station Houses.....	248 41
Street Improvements.....	349 99
Street Repairs.....	1,058 22
Taxes refunded.....	60 87
Total.....	<u>\$83,668 45</u>

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

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

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

RECEIPTS.

Balance on hand January 31, 1881, as shown by report.....	\$81,905 14
From current taxes.....	13,142 94
From delinquent taxes.....	6,074 73
From auction licenses.....	10 00
From dray licenses.....	3 00
From coal licenses.....	6 00
From dog licenses.....	75
From express licenses.....	4 25
From fines and fees.....	205 08
From hack licenses.....	5 00
From hucksters' licenses.....	20 00
From market masters' fees.....	193 10
From peddlers' licenses.....	6 00
From exhibition licenses.....	100 00
From promiscuous.....	1,005 00
	<u>\$102,680 99</u>

DISBURSEMENTS.

For Board of Health.....	\$208 80
For City Assessor's Department.....	88 50
For City Civil Engineer's Department.....	178 00
For City Dispensary.....	247 79
For City Hall.....	520 25
For City Hospital and Branch.....	888 01
For City Treasurer's percentage.....	469 91
For damages and costs.....	3,797 55
For elections.....	7 00
For Fire Department.....	5,512 29
For gas.....	5,198 51
For incidental.....	316 86

For insurance.....	65 00
For interest on bonds.. .. .	59,118 00
For market-masters' fees.....	134 55
For parks.....	115 15
For Police.....	4,305 00
For printing.....	1,013 82
For salary.....	195 91
For Station Houses.....	340 88
For street improvements.....	357 99
For street repairs.....	1,189 14
For taxes refunded.....	449 74
For Home for Friendless Women.....	171 85
Balance on hand.....	17,790 49

\$102,680 99

Respectfully submitted,

W. G. WASSON, City Treasurer.

To JOSEPH T. MAGNER, City Clerk.

The City Attorney submitted the following report; which was concurred in, and the amount ordered to be placed in the next general appropriation ordinance :

Indianapolis, March 7th, 1881.

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

Gentlemen:—In obedience to your instructions, I herewith submit a report as to the conditions upon which lots 1, 2, 3 and 4 in Metzger & Robinius' subdivision in square 70 can be redeemed from the tax sale had February 13th, 1879. Upon examination, I found that the lots referred to had not only been sold for taxes for the years 1877 and 1878, but they had also been carried on the duplicate for the years 1879 and 1880, and the holder of the certificate, to prevent a sale, had paid the taxes for those years. The taxes for the years 1879 and 1880 were assessed against the lots contrary to the order of the Board of Commissioners exempting them; and the attention of the Auditor having been called to this, he has ordered a refunding of the taxes for those years to the holder of the certificate.

This would leave the amount to be paid in redemption the sum of \$761.03, with penalty and interest. Mr. Locke, the holder of the tax certificate, proposes, however, to accept the amount of his bid at tax sale, \$161.03, and 25 per cent. additional in lieu of penalty and interest. Of this amount, the city is liable for such portion thereof as the amount of the taxes for 1878 bears to the whole amount, and Mr. Ogden, the owner of the property, should pay the balance.

I would suggest that, in case the city should redeem from the tax sale and pay the full amount, the certificate be assigned to the city.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

REPORTS, ETC., FROM OFFICIAL BOARDS.

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

Indianapolis, March 4th, 1881.

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

Gentlemen:—Your Fire Board and Chief Engineer would respectfully report that we have considered the motion referred to us in regard to advertising for proposals for building a 1,500-barrel cistern at the corner of Seventh and How-

ard streets. We believe a cistern is badly needed at that point; and would recommend that the motion be concurred in, and that the Civil Engineer be directed to advertise for a 2,000-barrel cistern.

Respectfully submitted,

James T. Layman,
John R. Pearson,
Isaac Thalman,

Fire Board.

JOHN G. PENDERGAST, Chief Fire Engineer.

Councilman Pearson, in behalf of the Chief Fire Engineer, submitted the following report; which was referred to the Committee on Finance:

Third Quarterly Report of the Chief Fire Engineer.

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

Gentlemen:--The following is my third quarterly statement of the running expenses of the Fire Department for the quarter ending March 1st, 1881:

CASH ACCOUNT.

I have received from the different sources the following amounts:

Dec.	1.	Balance on hand, per last report.....	\$274 77
	2.	O. S. Myers, to old hose and coupling.....	\$2 25
	7.	J. Hightshue, to old hose.....	50
	10.	J. H. Wright, to old hose.....	3 89
Jan.	12.	C. D. Lancaster, to old hose.....	75
	14.	Rand Bros., to old hose.....	2 00
	15.	J. Shilling, to old hose.....	80
	17.	Thos. Demar, to old harness.....	10 50
	19.	M. Slaven, to old harness.....	3 00
	19.	W. Morrison, to old harness.....	2 50
	25.	E. A. Caylor, to old hose.....	80
Feb.	23.	W. H. McCurdy, to old engine house.....	152 00
			178 99
Total receipts.....			\$453 76

DISBURSEMENTS.

By order of the Fire Board, I have paid out as follows:

Dec.	2.	R. Pearsons, hay.....	15 75
	7.	A. M. Express Co., expressage.....	25
	11.	A. M. Express Co., expressage.....	35
	11.	George Rainey, straw.....	4 50
	27.	A. M. Express Co., expressage.....	40
Jan.	11.	A. M. Express Co., expressage.....	25
	15.	A. M. Express Co., expressage.....	90
	17.	Wm. B. Burford, blank book.....	50
	19.	Thos. Moore, hay.....	16 50
	28.	A. M. Express Co., expressage.....	1 25
Feb.	22.	T. Q. Hall, repairing chair.....	60
	23.	City Treasurer, old engine house.....	152 00
	26.	M. Cline, straw.....	5 52
	28.	K. Munter, one horse.....	200 00
March	2.	A. McCray, corn.....	12 27
			\$411 04
Total receipts.....			\$453 76
Total disbursements.....			411 04
Balance on hand.....			\$42 72

We have examined the vouchers for the foregoing, and find them to be correct.

Respectfully,

James T. Layman,
Isaac Thalman,
John R. Pearson,
Fire Board.

The following amounts have been paid for supplies for the three-quarters ending March 1, 1881:

Anthracite coal.....	\$38 54
Arnica	6 40
Block coal	608 59
Brooms	33 00
Corn.....	216 05
Case	26 25
Castor oil.....	5 50
Castile soap.....	8 24
Common soap	11 30
Chamois skin.....	2 00
Cisterns account.....	203 54
Curry combs	4 50
Chemicals and extinguishers.....	68 20
Dusters	11 50
Department badges.....	48 00
Emory flour	1 50
Hay.....	476 19
Horses.....	650 00
Horse shoeing.....	479 23
Horse blankets	6 00
Horse bedding.....	163 68
Hose, large.....	2,680 00
Hose, small	4 62
Hose couplings	174 20
Hose bands.....	1 70
Harness shop.....	110 38
Horse brushes	22 50
Horse furnishing and bedding	85 02
Kindling	17 00
Lard oil	31 18
Liniments	1 35
Insurance account.....	50 00
Maps.....	5 00
Matches.....	13 50
Oats.....	940 11
Oil of tar.....	50
Oil meal.....	5 60
Office account.....	85 96
Pittsburgh coal.....	25 68
Privy vaults	80 50
Pasturing horses.....	20 90
Pipes and nozzles.....	105 28
Rent	75 00
Repairs on apparatus.....	356 34
Repairs on houses.....	1,108 64
Shorts account.....	98 87
Sponges.....	3 50
Salt.....	6 05
Stoves and repairs.....	150 21
Salt sacks.....	2 22
Scrub brushes.....	50

Scoop shovels.....	2 50
Telephone account.....	28 00
Tripoli.....	4 25
Telegraph department.....	899 63
Waste (cotton).....	36 00
Whips.....	9 50
Total.....	<u>\$10,315 40</u>

Respectfully submitted,

JOHN G. PENDERGAST, Chief Fire Engineer.

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

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

Gentlemen:—The Board of Public Improvements, to whom sundry papers were referred, would report:

1st. Is a motion that the Street Commissioner be instructed to place wooden culverts at the crossing of West and Pratt streets. Recommend the work be done.

2d. Is a motion, that the Street Commissioner be directed to lay double stone crossing across South street on both sides of Illinois street. Recommend the work be done.

3d. Is a motion that the Street Commissioner be instructed to put the drinking fountain at the corner of College avenue and Seventh street in good condition.

4th. Is a motion that the Street Commissioner be directed to put a double stone crossing on south side of Massachusetts avenue, crossing Alabama street. The intention of this motion was to read Delaware instead of Alabama street. Recommend the work be done at Delaware street.

5th. Is a motion that the Street Commissioner be directed to repair and put in good order the flag stone crossing across Pennsylvania street at Postoffice corner. Recommend that the work be done.

6th. Is a motion that the Street Commissioner raise and put in good condition the alley crossing of sidewalk adjoining the New-Denison Hotel on Pennsylvania street. Recommend the work be done.

Respectfully submitted,

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

The Board of Public Improvements and Street Commissioner, through Councilman Morrison, submitted the following report; which was referred to the Committee on Finance:

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

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

Pay-rolls.....	\$723 33
Stone spauls.....	21 60
Bowlders.....	44 42
Freight on stone.....	64 00

Freight on lumber.....	12 00
Lumber.....	184 82
Hardware.....	8 05
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Total expenditures for February, 1881.....	\$1,058 22
Total expenditures, per last report.....	26,626 03
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Total expenditures to March 1st, 1881.....	\$27,684 25

Respectfully submitted,

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

L. A. FULMER, Street Commissioner

The Superintendent of the City Hospital and Branch submitted the following report; which was referred to the Committee on Finance:

To the Common Council and Board of Aldermen:

Gentlemen.—The following reports of the City Hospital and Branch, for the month of February, 1881, are respectfully submitted:

	First Week.	Second Week.	Third Week.	Fourth Week.	Days.	Monthly Totals
Number of paid Officers and Employes in Hospital.....	11					
Number of paid Officers and Employes in Branch.....	1					
Number of beds in Hospital.....	100					
Number of beds in Branch.....	10					
No. of adult patients in Hospital at beginning of week.....	48	53	42	45	....	48
No. of infant patients in Hospital at beginning of week.....	2	2	1	3	....	2
No. of adult patients received during week.....	12	8	12	10	....	42
No. of infant patients received or born during week.....	....	1	2	....	....	3
No. of adult patients discharged during week.....	7	16	9	2	....	34
No. of infant patients discharged during week.....	....	2	....	1	....	3
No. of adult patients who died during week.....	....	3	1	4	....	8
No. of infant patients who died during week.....	....	....	....	....	....	....
No. of patients in Branch at beginning of week.....	....	1	1	....	....	....
No. of patients in Branch at end of week.....	....	1	1	....	....	....
No. of adult patients in Hospital at end of week.....	53	42	45	49	....	49
No. of infant patients in Hospital at end of week.....	2	1	3	2	....	2
No. of pay-patients at beginning of week.....	....	....	....	....	....	....
No. of pay-patients at end of week.....	....	....	....	....	....	....
Aggregate number of days of patients in Hospital.....	385	381	322	356	....	1444
Aggregate number of days of patients in Branch.....	....	....	....	....	....	9
Aggregate number of days of employes in Hospital.....	2	7	368
Number of prescriptions filled.....	837					
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Total.....						

Total expenditures for month.....	\$ 827 22
Cash collected from pay-patients and other sources, and paid to City Treasurer.....	\$48 00
Aggregate number of days subsistence furnished.....	1811
Average daily cost of each patient.....	.56-8 cts.
Average daily cost for patients, officers, and employes.....	.45-6 cts.

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

The Superintendent of the City Dispensary submitted the following report; which was referred to the Committee on Finance:

To the Common Council and Board of Aldermen:

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

Number of Patients treated at Dispensary	215
Number of Medical cases at Dispensary	135
Number of Surgical cases at Dispensary	45
Number of Disease of Nervous System.....	25
Number of Disease of Eye and Ear.....	10
Number of Diseases of the Throat.....	0
Number of Out-door Patients treated	152
Number at Station House.....	8
Number at News Boys' Home	0
Number of Patients vaccinated.....	40
Total number of Patients treated during month.....	405
Total number of Visits made during month.....	504
Total number of Prescriptions filled during month.....	1077
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.....	47 70
Drew & Co., coal.....	7 50
Indianapolis Gas Light & Coke Co.....	4 40
Johnson Bros., repairing stove.....	1 75

Total expenditures for month..... \$236 34

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

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

Report of Deaths in the City of Indianapolis, from the 15th day of February to the 28th day of February, 1881—inclusive.

Under 1 year.....	13
1 to 2 years.....	5
2 to 5 ".....	3
5 to 10 ".....	3
10 to 15 ".....	5
15 to 20 ".....	5
20 to 25 ".....	5
25 to 30 ".....	7
30 to 40 ".....	5
40 to 50 ".....	8
50 to 60 ".....	3
60 to 70 ".....	4
70 to 80 ".....	5
80 to 90 ".....	0
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	0
Total.....	72

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

BOARD OF CITY COMMISSIONERS.

The Board of City Commissioners submitted the following report; which was concurred in :

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

Gentlemen :—In pursuance of the call issued by the City Clerk on the petition of the Indianapolis Rolling Mill Company et al., by the direction of the City Council and Board of Aldermen, the following Commissioners met on the 28th day of February, 1881, viz: James C. Yohn, Michael Steinbauer, Geo. W. Hill and Wm. Hadley, at the office of the City Clerk, and, after consideration of the matter contained in said petition, we adjourned to meet the 2d day of March, 1881.

In pursuance of said adjournment, we met at the office of City Clerk on the 2d day of March, 1881—the following Commissioners present, viz: James C. Yohn, Michael Steinbauer, Wm. Hadley and Geo. W. Hill. At said meeting your Commissioners made the following finding and report, which we now respectfully submit:

We have viewed the streets and alleys proposed to be vacated, and we find that the heirs of James H. McKernan, deceased, are the persons who will be directly benefitted by the proposed vacation.

We further find that all the property owners immediately upon the line of said streets and alleys, and who are directly interested therein, and who would in anywise be affected by the vacation of the same, have joined in said petition and become parties to the same.

We further find that all the necessary and proper parties affected by the proposed vacation, have been before us, in person or by attorney, in said petition, and that all have asked for, and none have objected to, said vacation.

We further find that the expense of obtaining the consent and removing the objections of those parties interested in said streets and alleys, and affected by the vacation of the same, will be about seven thousand dollars (\$7,000), and that said expenses will be borne by the said Indianapolis Rolling Mill Company and the heirs of James H. McKernan, deceased, who are the parties directly benefitted by said vacation.

In connection with the report we find,

First. The following to be the length, width and location of the streets and alleys proposed to be vacated:

1st. Catharine street, from Mississippi street east to Tennessee street, in McKernan & Pierce's subdivision of out-lot 125; being 465 feet long by 30 feet in width.

2d. Catharine street, from the first alley east of Missouri street to the eastern terminus in McKernan & Pierce's subdivision of out-lot 126; being 202 feet long on the north side and 243 feet long on the south side, and 60 feet in width.

3d. Mississippi street, from Merrill street to McCarty street, in McKernan & Pierce's subdivision of out-lots 125 and 126; being 840 feet long by 30 feet in width.

4th. Ann street, from Catharine street to McCarty street, in McKernan & Pierce's subdivision of out-lot 125; being 390 feet long by 60 feet wide.

5th. The first alley lying north of McCarty street, from the first alley east of Missouri street to its eastern terminus in McKernan & Pierce's subdivision of out-lot 126; being 300 feet long on the north side and 307 feet and 8 inches long on the south side, and 16 feet wide, more or less.

6th. The alley lying northeast of lots 22 and 28 in McKernan & 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; being 352½ feet long, more or less, and 15 feet wide.

7th. The first alley west of Tennessee street, from Catharine street south to a point even with a line drawn 20 feet north of the south line of lots 5 and 22 in McKernan & Pierce's subdivision of out-lot 125; being 130 feet long and 10 feet wide.

Second. The value of the land upon which said streets and alleys are located is six thousand five hundred and fifty dollars (\$6,550).

Third. The benefits to the persons desiring the vacation is \$102.

Fourth. That all the property owners or persons who are in anywise interested in said streets and alleys, and who had a right to object to the vacation of the same, have joined in and become parties to the petition praying for the vacation of the same.

We therefore recommend that said petition be granted, and that said streets and alleys be vacated as prayed for.

James C. Yohn,
William Hadley,
M. Steinhauer,
Geo. W. Hill,
City Commissioners.

The City Attorney offered the following resolution:

Resolved, That the report of the City Commissioners in the matter of the petition of the Indianapolis Rolling Mill Company et al, for the vacation of certain streets and alley therein described, and presented to the Common Council at the present session, be, and the same is hereby, in all things accepted, adopted and approved; and that, in accordance with said report, the following streets and alleys be ordered vacated as follows, to-wit:

- 1st. Catharine street, from Mississippi street east to Tennessee street.
- 2d. Catharine street, from the first alley east of Missouri street to the eastern terminus in McKernan & Pierce's subdivision of out-lot 126.
- 3d. Mississippi street, from Merrill street to McCarty street, in McKernan & Pierce's subdivision of out-lot 125 and 126.
- 4th. Ann street, from Catharine to McCarty street, in McKernan & Pierce's subdivision of out lot 125.
- 5th. The first alley lying north of McCarty street, from the first alley east of Missouri street to its eastern terminus in McKernan & Pierce's subdivision of out-lot 126.
- 6th. The alley lying northeast of lots 22 and 28 in McKernan & 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 20 feet north of the south line of lots 5 and 22 in McKernan & Pierce's subdivision of out-lot 125.

And that the persons against whom benefits are assessed be required to pay the same to the City Treasurer within twenty days from this date.

Which was adopted by the following vote:

AYES, 20—viz. Councilmen Bedford, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Thalman, Shilling, VanVorhis and White.

NAYS—None.

REPORTS FROM STANDING COMMITTEES.

The Committee on Finance, through Councilman Kahn, submitted the following report; which was concurred in, and the contract and bond of the Indianapolis Fertilizer Company approved:

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

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

1st. Is a resolution that the Joint Finance Committees contract with some suitable person to look after the city's interest relative to unassessed property. In the opinion of the committee, it is the duty of the City Assessor and Treasurer to use full diligence to make assessments and collections of taxes on all property. Therefore, recommend the resolution be not adopted

2d. Is a report of the Board of Managers and Treasurer of the Home for Friendless Women for 1880. We have examined the report, and believe the same to be correct. Recommend the report be adopted.

3d. Is the contract and bond of the Indianapolis Fertilizer Company for removing dead animals from within the city limits. This contract was awarded said company last August for \$110. Said amount has been paid into the City Treasury, and a receipt given. Therefore, we recommend the contract and bond be approved.

Respectfully submitted,

James T. Layman,	Leon Kahn,
F. W. Hamilton,	James T. Dowling,
Aldermanic Committee.	E. H. Koller,
	John R. Pearson,
	Council Committee.

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

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

Gentlemen:—Your Judiciary Committee and City Attorney, to whom was referred the petition of Wm. J. Wallace, asking that certain damages assessed by the City Commissioners in the opening of Court street be paid to him, report:

We found, upon examination, that the Commissioners assessed the sum of \$100 as damages to the owner of a piece of ground 25 by 36 $\frac{1}{10}$ feet in the northwest corner of out-lot 65, taken and condemned in the opening of Court street. The appropriation was accordingly made, but the warrant has never been issued, for the reason that the Clerk was unable to determine who was the party entitled to the same; and the matter has so remained for several years. Mr. Wallace has procured a quit claim deed to the city from the Laux heirs, who appear by the records to be the legal owners of the property, accompanied with a proper abstract of title. He has also obtained power of attorney, authorizing him to draw the money.

We therefore recommend that the City Clerk be authorized to deliver said warrant to said William Jno. Wallace, taking proper voucher therefor.

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

JOHN A. HENRY, City Attorney.

The Committee on Judiciary, through Councilman Lamb, submitted the following further report; and, on motion, the recommendations were severally concurred in:

Indianapolis, March 7th, 1881.

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee and City Attorney, to whom was referred certain papers, report thereon as follows, to-wit:

The first is a petition of Mary M. Springer, asking the payment of a certain judgment in her favor against the city for the sum of fifteen hundred dollars, on account of personal injuries received by reason of defect in West Michigan street fill. The case was tried at the November term, 1880, of Superior Court, resulting in above judgment. Motion for new trial filed by the city was overruled by the court. The petitioner offers to accept nine hundred and fifty dollars in full satisfaction of her judgment, and your Committee are of the opinion that the propo-

sition under the facts is the best that can be done, and therefore recommend that the petitioner, Mary M. Springer, be paid the sum of nine hundred and fifty dollars and costs, and receipt judgement docket in full. This case is one of several in which the city has been mulched in damages on account of the West Michigan street fill. Your committee heartily concur in the suggestion of Mr. Henry, City Attorney, that some steps should be taken to insure security to travelers on this street; for if left in its present condition, the city may expect to be called upon to respond in heavy damages in the future—as in the past.

2. The second is a petition of Mills and Carter, asking the Council 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. Your committee are of the opinion that, if it is proper to build a privy vault at the point mentioned, the petitioners have the right to build it without any special permission of the City Council. If it is to be built on any part of the street or sidewalk, the Council have no right, under the law, to grant privilege to so build it. In either event your committee recommend that the petition be not granted.

3. The third is the petition of Frank H. Mitchell, trustee, by William C. Anderson, petitioner, showing that on the 12th day of February, 1880, at city tax sale, petitioner purchased lot No. sixty-three (63) in Steven's subdivision of out-lot one hundred and three (103), and paid City Treasurer the sum of thirty-nine dollars and eleven cents (\$39.11). Petition further shows that the sale was erroneous, from the fact that the property was assessed in another name and sold in that name, the property being double on the duplicate, and taxes for which property was sold having been paid in that name. Your committee were informed by City Treasurer that the foregoing facts were true. Petitioner asks that the money paid at said tax sale be refunded to him. Your committee recommend that the city's portion of said (\$39.11) be refunded without interest, and that the City Treasurer present bill to School Board for that part of said fund paid to them as school tax.

4. The fourth is a petition of George W. Stubbs, showing that on the 12th day February, 1880, at city tax sale, he purchased lot two in Hendrick's subdivision, in out lot No. ninety-nine (99), for which he paid ten dollars and eighty-two cents (\$10.82). Petitioner shows above sale to have been erroneous, for the reason that the property was assessed double on the duplicate; and asks that the money be refunded with interest. Your committee were informed by City Treasurer that the above real estate was sold in the name of Streight, and taxes were paid in the name of Stubbs. Your committee recommend that the city's portion of said \$10.82 be refunded without interest, and that the City Treasurer present bill to School Board for that part of said fund paid to them as school tax.

Respectfully submitted,

James A. Pritchard,
Jas. T. Dowling,
William C. Lamb,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

Councilman VanVorhis was excused for the remainder of this session.

The Committee on Markets, through Councilman Mauer, submitted the following report; which was referred to the Committee on Markets and Public Property:

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

Gentlemen:—Your Joint Committees on Markets, to whom was referred the plans and specifications prepared and submitted by A. L. Stoner for the erection of a West Market House, would report:

We have a communication from the owners of the lots on which the proposed market house is to be erected, which, in substance, is, that the owners will give the city a lease for the term of five years, at the expiration of the present lease; in

consideration of which the city is to pay all State, county and city taxes, and construct a brick building upon such ground valued at \$6,000—such improvement to belong to the ground at the end of the lease.

We recommend that the proposition be not accepted.

Respectfully submitted,

H. J. Mauer,
Patrick Harrold,
H. J. Prier,
Council Committee.

Councilman Mauer presented the following communication, which was referred with the above report:

Fairmount, March 3d, 1881.

Mr. A. L. Stoner:

Dear Sir:—Mr. Robinius has sent me a letter written by you to him, in which you express an objection to putting up an improvement on a five year lease of the property now occupied by you for market purposes, on West Washington street. Mr. Ogden, the owner, has recently died, leaving his widow executrix. She says she does not wish to retain the building at the end of the five years, but that the city can remove it. Perhaps at that time the lease could be extended, or the property purchased by the city, if so desired. Please answer immediately. Please address either John A. Trimble, corner of Walnut and Fifth streets, or George C. Ogden, East Fairmount, Cincinnati.

Yours respectfully,

GEO. C. OGDEN.

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

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

Gentlemen:—Your committee, to whom was referred G. O. 104, 1880, proposing to light with gas California street, between Indiana avenue and First street, would respectfully report in favor of the passage of said ordinance.

Respectfully submitted,

H. J. Prier,
Jas. T. Dowling,
Committee on Public Light.

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 Committees on Railroads, to whom was referred a motion to inquire into the feasibility of compelling the railroad companies whose tracks cross Virginia avenue to erect and maintain safety-gates at said crossing, report:

Your committee are of the opinion that for the better protection of travel on said street, safety-gates should be placed at said crossing. Therefore, recommend that the City Marshal be, and is hereby, directed to notify the Pan-Handle and Union Railway Companies to erect and maintain safety-gates at the crossing of Virginia avenue and their tracks.

Respectfully submitted,

H. Seibert,
F. W. Hamilton,
Aldermanic Committee.

N. Yoke,
W. G. White,
W. E. Shilling,
Council Committee.

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 Committees on Streets and Alleys, to whom sundry papers were referred, would report :

1st. Is a petition of John Coburn et al. to change and alter the location of an alley in the southwest quarter of square 38, and to vacate a portion thereof. We have examined and investigated the matter, and, in our opinion, the same should be referred to the City Commissioners. We, therefore, recommend the accompanying resolution be adopted.

2d. Is a remonstrance of H. S. Hutchins et al. against the improvement of the alley running from Seventh street to Eighth street, between Delaware and Alabama streets. We have examined the locality, and are of the opinion that said alley should be improved.

Respectfully submitted,

H. E. Drew,
John Newman,
W. H. Tucker,
Aldermanic Committee.

Jno. T. Downey,
Win. H. Morrison,
John A. Lang,
Council Committee.

Councilman Downey offered the following resolution :

Resolved, That the petition of John Coburn et al., praying for the vacation of a certain portion of a ten (10) foot alley, commencing at Hudson alley in square 38, and fully described in the plat thereto attached, be referred to the City Commissioners, with instructions to assess benefits and damages to any person thereby benefited or damaged. The said commissioners are instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately upon the line of said street or alley, who is directly interested therein, shall object to such vacation, to make such a part of their report; and the City Clerk is hereby directed to issue the proper notices to the commissioners.

Which was adopted by the following vote :

AYES, 19—viz. Councilmen Bedford, Caylor, Dean, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman and Yoke.

NAYS—None.

REPORTS FROM SELECT COMMITTEES.

Under this order of business, Councilman Pritchard submitted the following report :

Indianapolis, March 7th, 1881.

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

Gentlemen :—The undersigned, to whom was referred the communication of the "Evangelical Alliance" and others, in reference to the alleged violation of certain laws and ordinances of the city, would report that they have had the same under consideration, and herewith report the same back with the recommendation that the Police Board be authorized and directed to instruct the Chief of Police to at once see that all laws and ordinances of said city, and particularly the laws referred to in said communication, are enforced.

Will F. A. Bernhamer,
J. Caven, Mayor,
John A. Henry, City Attorney.

James A. Pritchard,
James T. Dowling.

On motion by Councilman Kahn, the above report was referred back to the committee with instructions to strike out so much thereof as par-

ticularizes the enforcement of certain laws and ordinances, and report back at this session.

Councilman Pritchard presented the following report, pursuant to the above motion, which was concurred in:

Indianapolis, March 7th, 1881.

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

Gentlemen:—The undersigned, to whom was referred the communication of the "Evangelical Alliance" and others, in reference to the alleged violation of certain laws and ordinances of the city, would report that they have had the same under consideration, and herewith report the same back with the recommendation that the Police Board be authorized and directed to instruct the Chief of Police to at once see that all laws and ordinances of said city are enforced.

Wm. C. Lamb,	James A. Pritchard
Will F. A. Bernhamer,	H. J. Prier,
J. Caven, Mayor,	Jno. T. Downey,
John A. Henry, City Attorney,	James T. Dowling,
	Jas. T. Layman,

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, February 23d, 1881, recommended that the street improvement, assessed against the Indianapolis Orphan Asylum, for the improvement of Tennessee street from First street to Seventh street, be paid, as the precedence has already been established in the payment by the city of former street improvements fronting on said property.

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, as set forth in the foregoing message, was concurred in.

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. 12, 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 Yoke:

Ap. O. 13, 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. 14, 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 Dean:

Ap. O. 15, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

By the Committees on Printing, through Councilman Bedford:

Ap. O. 16, 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. 12, 13, 14, and 16, 1881, were severally read the second time, and ordered engrossed.

Ap. O. 15, 1881, was then ordered engrossed (see page 937).

Councilman Dowling offered the following amendment to Ap. O. 15, 1881; which, on motion, was laid on the table:

I move to amend by inserting \$305.63 in favor of John Greene, found due him, as per pages 288, 528 and 529 of these Proceedings.

The following entitled ordinance was read the third time:

Ap. O. 12, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis on account of the Fire Department. [Amount appropriated \$411.30.]

And it was passed by the following vote:

AYES, 21—viz. Councilmen Bedford, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time:

Ap. O. 13, 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, \$827.22.]

And it was passed by the following vote:

AYES, 21—viz: Councilmen Bedford, Caylor, Dean, Downey, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time:

Ap. O. 14, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$328.84.]

And it was passed by the following vote :

AYES, 21—viz: Councilmen Bedford, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time :

Ap. O. 15, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$14,733.82.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bedford, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

The following entitled ordinance was read the third time :

Ap. O. 16, 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, \$327.74.]

And it was passed by the following vote :

AYES, 21—viz. Councilmen Bedford, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Bedford :

S. O. 15, 1881—An Ordinance to provide for grading and paving with brick (where not already paved) the sidewalks of Oak street, from Massachusetts avenue to the first alley north of Cherry street.

By Councilman Bedford :

S. O. 16, 1881—An Ordinance to provide for grading and paving with brick (where not already paved) the sidewalks of Plum street, from Massachusetts avenue to Christian avenue.

By Councilman Dean :

S. O. 17, 1881—An Ordinance to provide for grading and graveling the first alley east of Delaware street, from Bicking street to the first alley north of Coburn street.

By Councilman Dean :

G. O. 4, 1881—An Ordinance authorizing the establishment of a slaughter house and grease rendering establishment on the bank of White River, on the south end of the land now owned by the Union Railway and Stock Yards Company, and on which the Stock Yards are now situated.

Councilman Dean moved to suspend the rules to place the above entitled ordinance on its passage.

Which motion failed of adoption by the following vote:

AYES, 11—viz. Councilmen Bedford, Caylor, Dean, Dowling, Downey, Kahn, Lamb, Mauer, Morrison, Pearson, Prier, Pritchard, Shilling and Thalman.

NAYS, 7—viz. Councilmen Fultz, Harrold, Koller, Lang, O'Conner, White and Yoke.

By Councilman Kahn :

S. O. 18, 1881—An Ordinance to provide for grading and paving with brick the south sidewalk of Michigan street, from East street to Massachusetts avenue.

By Councilman Kahn :

S. O. 19, 1881—An Ordinance to provide for grading and paving with brick the south sidewalk of Michigan street, from Liberty street to East street.

On motion, S. O. 10, 1881, was stricken from the files.

By Councilman Morrison :

G. O. 5, 1881—An Ordinance to amend an Ordinance entitled, "An Ordinance granting Charles T. Gilmore a license to carry on, maintain and exhibit a museum and menagerie in the City of Indianapolis." Ordained June 23, 1880.

By Councilman Morrison :

G. O. 6, 1881—An Ordinance to repeal an Ordinance entitled, "An Ordinance to amend section 14 of an Ordinance entitled 'An Ordinance relative to the licensing and regulating of certain extraordinary trades and establishment.'" Ordained May 4, 1859.

By Councilman Kahn :

G. O. 7, 1881—An Ordinance prescribing the terms and conditions upon which the time specified in contracts for public improvements within which the work shall be performed may be extended.

By Councilman Pearson :

S. O. 20, 1881—An Ordinance to provide for grading and paving with brick (where not already paved) the south sidewalk of St. Clair street, from Meridian street to Tennessee street.

By Councilman Yoke :

S. O. 21, 1881—An Ordinance to provide for grading and paving with brick the sidewalks of Pine street, from English avenue to Fletcher avenue.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be instructed to clean and grade the gutters on East street, from St. Clair street to Cherry street, to carry the water that stands therein away.

Councilman Dean offered the following motions ; which were adopted :

That the City Civil Engineer be, and is hereby, directed to advertise for sealed proposals to furnish and erect a drinking fountain at the southeast corner of Downey street and Madison avenue.

That the City Clerk be instructed to provide for the better lighting of the east and west entrance of the basement to the Court House, and request the County Commissioners to place hand rails on each side of the steps at said entrances.

That the City Clerk be instructed to have eight hundred copies of the Garbage Ordinance printed, and posted in and about the city.

Councilman Dowling offered the following motion ; which was adopted :

That the City Marshal be, and is hereby, instructed to endeavor to find the parties who erected the large bill board on the south side of Washington street, corner of Missouri street, and notify the owners thereof to immediately take down said bill board, as it is dangerous to the safety of the general public, from its close proximity to the C, I, St. L. & C. Railroad, rendering it almost impossible for the public to see approaching trains.

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

That the Street Commissioner be, and is hereby, directed to flag and bowlder the crossing of McParty street on the west side of West street.

Councilman Fultz offered the following motion ; which was referred to the Board of Public Improvements, with power to act :

That the Street Commissioner be, and is hereby, directed to repair the extreme southern portion of Mississippi street and the street leading thereto from the Bluff road.

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

That the Street Commissioner be, and is hereby, instructed to lay a double stone crossing on Kentucky avenue across South and West streets.

That the Street Commissioner be, and is hereby, directed to open the gutters, and put a thick coat of gravel on Maryland street, between Helen street and the paper mill.

Councilman Kahn offered the following motion ; which was adopted :

That the lamp on the corner of Noble and Vermont streets be replaced and relighted.

Councilman Kahn offered the following resolution:

Resolved, That in addition to tickets issued to wood sellers on the East and West Markets of the city, the Wood Measurers be instructed to mark in plain figures on end of wagons the amount of wood on each of such wagon, and the Clerk is hereby instructed to notify said officers of the passage of this resolution.

Which was adopted by the following vote:

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

NAYS—None.

Councilman Kahn presented the following petitions; which was referred to the Judiciary Committee:

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

Gentlemen:—Your petitioner would respectfully represent that on the 10th day of April, 1879, he purchased from the City Treasurer, at private sale, a tax sale certificate on lot No. nine (9) in Hanway & Hanna's Oak Hill addition, for which he paid into the hands of the City Treasurer the sum of sixty-seven dollars and thirty-two cents (\$67.32).

The above sale was erroneous, for the reason that the improvement on the lot had been removed to another lot, and the tax on the improvement still charged on the above named lot.

Your petitioner would therefore respectfully ask and demand that the above amount be refunded him, with interest at 6 per cent. from April 10th, 1879, and that the taxes be placed on the duplicates to the proper parties.

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

Respectfully,

Frank McWhinney,

By J. T. Lecklider, attorney in fact.

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

Gentlemen:—Your petitioner would respectfully represent that on the 11th day of February, 1879, he purchased from the City Treasurer, at the public tax sale held on that day, a tax sale certificate on lot No. forty-four (44) in Drake & Mayhew's first addition, for which he paid into the hands of the City Treasurer the sum of thirty-two dollars and nine cents (\$32.09).

The above sale was erroneous, for the reason that it included the tax on \$800 personal property and poll of M. K. Fatout, for the year 1876, which was paid prior to the sale, being paid on the 20th of August, 1877.

Your petitioner would, therefore, ask and demand that the above amount be refunded him, with interest at 6 per cent. from April 10th, 1879, and the proper amount of tax due on the lot be carried to the same.

Respectfully,

James G. Douglass.

To the Honorable, the Mayor, and Common Council

and Board of Aldermen of the City of Indianapolis:

Gentlemen:—Your petitioner comes and respectfully shows: That on the 12th day of February, 1879, it purchased, at the sale for taxes by said city, property described as lot 9 in Hendricks' subdivision of out-lot 99, in said city; that said sale was for the taxes due said city for the years 1876, 1877 and 1878, as shown by the certificate of the sale aforesaid, and at duplicate No. 15,797. Your petitioner paid the Treasurer of the city the sum of \$14.53, the purchase money of said city sale.

Your petitioner further shows that said sale was illegal and void, for the reason that only the year before, to-wit: on February 13th, 1878, the same identical real estate was sold for the taxes then accrued, to-wit: the years of 1876 and 1877, being the same years for which the property was sold to your petitioner, as above shown. Wherefore, your petitioner prays a refunding to it, with interest, of the sum illegally received by the city of and from your petitioner.

And it will ever pray.

Keystone Loan Company,
By I. L. Bloomer, its attorney.

Councilman Koller offered the following motion; which was referred to the Committee on Bridges:

That the City Civil Engineer be, and is hereby, instructed to advertise for proposals for the construction of a bridge over Pogue's Run, on New York street, according to plans and specifications to be prepared by said Engineer.

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

That the Street Commissioner be, and is hereby, directed to fill the chuck holes with gravel in Spring street, from New York street to North street.

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

That the Street Commissioner be, and is hereby, instructed to raise (to a proper grade) that portion of the sidewalk on the west side of Union street immediately north of McCarty street.

Councilman Morrison offered the following motion; which was adopted:

That the Board of Health and City Attorney be, and are hereby, ordered to prepare an ordinance looking to the suppression of the manufacture or sale of oleomargarine, and the adulteration of baking powder, spices, vinegar, etc., and that said committee be requested to report said ordinance at the next meeting of this Council; provided, that the Board of Health, consider the use of the same injurious to health.

Councilman Morrison offered the following motion; which was referred to the Board of Public Improvements, with power to act:

That the Street Commissioner be, and is hereby, ordered to repair the sidewalk at the northeast corner of Tennessee street and Michigan street, said sidewalk being in bad condition.

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

That the Street Commissioner be directed to erect stone protection, for the protection of life and property, on West Michigan street, between the mill race and White River.

Councilman Pearson offered the following motion; which was adopted:

That the City Civil Engineer be instructed to draft a map showing location of all fire alarm boxes, telegraph lines, cisterns, hydrants, etc., pertaining to the Fire Department, under instructions of the Chief Fire Engineer.

Councilman Thalman offered the following motions; which were adopted:

That the Chief Fire Engineer and Fire Board be directed to sell the old hook and ladder truck.

That the City Clerk be directed to credit the proceeds of the sale of St. Joseph street Hose Reel House to Fire Department account.

Councilman Thalman presented the following petition; which was referred to the Committee on Accounts and Claims:

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

Gentlemen.—We respectfully petition you to authorize the City Treasurer to pay one hundred and eighty-six dollars and thirty cents (\$186.30), the amount of street improvement for the property belonging to the Trustees of the Indianapolis Home for Friendless Women, situated on the southeast corner of North Tennessee street and Tenth or William street; thereby placing it on the same footing as the property of the Orphan Asylum.

Very truly, your obedient servants,

J. H. Vajen, Wm. S. Hubbard, S. Merrill, A. E. Fletcher, Conrad Baker, Th. H. Sharpe.

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

That the Street Commissioner be, and is hereby, directed to repair the street crossing at the intersection of Massachusetts avenue and Alvord street.

Councilman White presented the following remonstrance; which was ordered filed with the ordinance:

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

Gentlemen.—The undersigned, owners of the real estate fronting on Laurel and Spruce streets, between Orange street and Prospect street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of the alley running from the first alley south of Prospect street south to Orange street, and between Spruce street and Laurel street; and would say in explanation that the alley is in a fair condition, and the grading of the same will only bring damage to residents along it.

And your petitioners will ever pray, etc.

D. B. Hosbrook, 264 feet; Samuel Lamb, 92 feet;
Charles Shepherd, 40 feet; Martha McCann, 30 feet;
G. H. Voss, 33 feet.

Councilman White presented the following petition; which was ordered filed with the ordinance:

Indianapolis, March 7th, 1881.

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

Gentlemen.—The undersigned, owners of real estate fronting on Woodlawn avenue, between Dillon street and Linden street, respectfully petition for the

passage of an ordinance providing for the laying of gas mains and erecting of lamp posts along said street, as provided for in S. O. Nos. 20 and 21, 1880.

And your petitioners will ever pray, etc.

L. C. Bowser (trustee), lots 101, 102 and 103; Alex. Jemison, pastor of Edwin Ray Church—This church is to light their house with gas; D. B. Hosbrook, Wm. C. Denny, T. C. Faries, trustees E. R. M. C.; Geo. W. Bruce, Henry Greenwalt, Amanda Stout, W. W. Galoway, Charles Ott, William H. Fletcher, Caroline Bowser, W. G. Wright, Mary H. Brown, Adam Smith.

Councilman White offered the following motion; which was adopted:

That the Committee on Bridges be asked to report on the motion asking for the placing of a bridge on Spruce street, at its crossing of Pleasant Run (introduced May 31, 1880; referred back again January 7, 1880); and that they report at next meeting.

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

That the Street Commissioner be instructed to open the gutters under the bridges and repair crossings at intersection of Woodlawn avenue and Olive streets.

PENDING ORDINANCES.

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

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

And it was passed by the following vote:

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

NAYS—None.

The following entitled ordinance was read the second time, and referred to the Fire Board, Chief Fire Engineer and Joint Committees on Ordinances:

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.

The following entitled ordinance was read the second time, and referred to the Committee on Ordinances:

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

Councilman Morrison moved to suspend the rules for the purpose of placing G. O. 5, 1881, on its final passage.

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

AYES, 21—viz. Councilmen Bedford, Bernhamer, Caylor, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

The following entitled ordinance was read the second time:

G. O. 5, 1881—An Ordinance to amend an Ordinance entitled, "An Ordinance granting Charles T. Gilmore a license to carry on, maintain and exhibit a museum and menagerie in the City of Indianapolis." Ordained June 23, 1880.

Councilman Downey moved to strike out the word "fifty" and insert in lieu thereof the words "one hundred," so as to read "one hundred dollars as an annual license fee."

Which amendment was adopted.

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

AYES, 21—viz. Councilmen Bedford, Bernhamer, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lamb, Lang, Mauer, Morrison, O'Conner, Pearson, Prier, Pritchard, Shilling, Thalman, White and Yoke.

NAYS—None.

Councilman Dean moved to suspend the rules for the purpose of placing G. O. 4, 1881, on its final passage.

Which motion failed of adoption by the following vote:

AYES, 13—viz. Councilmen Bedford, Caylor, Dean, Downey, Kahn, Lamb, Mauer, Morrison, Pearson, Prier, Pritchard, Shilling and Thalman.

NAYS, 9—viz. Councilmen Bernhamer, Dowling, Fultz, Harrold, Koller, Lang, O'Conner, White and Yoke.

Councilman Prier was excused for the remainder of this session.

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

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.

And it was passed by the following vote:

AYES, 19—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

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

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.

And it was passed by the following vote :

AYES, 19—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

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

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.

And it was passed by the following vote :

AYES, 19—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

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

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

And it was passed by the following vote :

AYES, 19—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

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

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.

And it was passed by the following vote :

AYES, 19—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

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

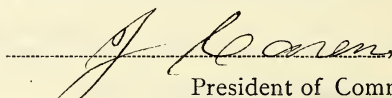
S. O. 104, 1880--An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service-pipes,) on California street, between Indiana avenue and First street.

And it was passed by the following vote:

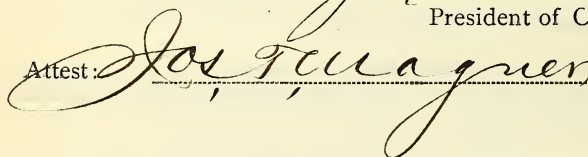
AYES, 19.—viz. Councilmen Bedford, Bernhamer, Caylor, Dean, Dowling, Downey, Fultz, Harrold, Kahn, Koller, Lang, Mauer, Morrison, O'Conner, Pearson, Pritchard, Shilling, Thalman and White.

NAYS—None.

On motion, the Common Council then adjourned.



Mayor,
President of Common Council.

Attest: 

City Clerk.