

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—MAY 27, 1878.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, May 27th, A. D. 1878, at half-past seven o'clock, pursuant to adjournment.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and the following members: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright—25.

ABSENT—None.

His Honor, President Caven, called the Council's attention to the Special Order for this evening, when Councilman Wright offered the following resolution:

Resolved, That the City Clerk be instructed to give the necessary legal notice that an election will be held on Saturday, the 8th day of June, 1878, for the election of one School Commissioner from each of the Fifth, Sixth, and Ninth Districts; and that School House No. 5 in the Fifth District, School House No. 19 in the Sixth, and School House No. 9 in the Ninth District, be, and are hereby, designated as the places of holding such elections.

Resolved, That the following named persons be, and are hereby, appointed to serve as inspectors and judges of the election to be held in the Fifth, Sixth, and Ninth School-Commissioner Districts in the City of Indianapolis, on the 8th day of June, 1878, for the election of one School Commissioner from each one of said Districts:

Fifth District—Inspector, S. C. Astley; Judges, James W. Dixon and James Renihan.

Sixth District—Inspector, B. F. Hetherington; Judges, Geo. W. Hardesty and J. C. Johnston.

Ninth District—Inspector, Chas. Many; Judges, Charles Aldag and H. S. Keely.

Which was adopted by the following vote:

AYES, 21—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, McGinty, McKay, Off, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, President Caven, presented the following invitation; which, on motion, was accepted:

Indianapolis, May 27, 1878.

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

Gentlemen:—You are hereby invited to be present on the occasion of the reception of the delegates of the German Catholic Central Association, at Mozart Hall, on Sunday, June 9th, 1878, at 9½ A. M., and also to accompany the grand parade at 2½ P. M. on the same day.

Yours, most respectfully,

ANTHONY SCHEIDELER,

Pastor of St. Mary's Church.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer presented the following communication, accompanying same with the contract and bond therein referred to; which communication was received, and the contract and bond was duly concurred in and approved:

Indianapolis, May 27, 1878.

To the Mayor and Common Council:

Gentlemen:—I herewith present, for your consideration, the contract and bond of John A. Buchanan, for placing that portion of the Delaware street viaduct, set apart for that purpose, on the stone abutments already erected on the canal at the crossing of Fifth street.

Bond, \$500; bondsman, W. G. Wasson.

Respectfully submitted,

BERNHARD H. DIETZ, City Civil Engineer.

The City Clerk presented the following communication, accompanying same with the official bonds therein referred to; which communication was received, and the several official bonds were duly approved:

Indianapolis, May 27, 1878.

To the Mayor and Common Council:

Gentlemen:—I herewith submit, for your approval, the official bonds of the following city officers elect, who have otherwise qualified by taking the oath of office and filing the same, together with their certificate of election, in my office, viz.:

John G. Pendergast, Chief Fire Engineer; giving, as security, Adam Scott and N. S. Byram; penalty of bond, \$1,500.

Joseph M. Sutton, Market Master, East Market; giving, as security, Samuel A. Johnson, D. V. Burns, and Leon Kahn; penalty of bond, \$3,000.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

The retiring Chief Fire Engineer submitted the following, as his Annual Report; which was referred to the Fire Board :

OFFICE OF CHIEF FIRE ENGINEER, May 27, 1878.

To the Mayor and Common Council :

Gentlemen:—I herewith present a report of the running expenses of the Fire Department for the year ending May 15th, 1878.

I have sold condemned horses and old material to the amount of \$425; of which I have been paid \$375, leaving a balance of \$50 to be collected.

From the funds received, I have paid \$168 for freight, horse-bedding, and postage, \$190 for one horse, and placed the balance (\$17) into the city treasury.

The following is a condensed list of expenditures, as taken from the books of the City Clerk:

Salary.....	\$59,817 00
Horse feed.....	3,147 47
Repairs on apparatus.....	2,611 51
Coal and coke.....	1,476 63
Telegraph supplies	1,875 86
Harness and repairs	969 25
Horse shoeing.....	649 99
Repairs on houses	572 59
Furniture	100 22
Repairs on gas and water pipe.....	179 63
Hardware.....	123 83
Brass work, new pipes, hose couplings, and bands.....	184 62
Horse bedding	38 62
Soap, matches, and tallow.....	58 94
Hose leak-stoppers	200 00
Paints, oils, and glass.....	130 78
Horses.....	530 00
Brooms, salt, and kindling.....	54 05
Cistern repairs and cleaning vaults.....	114 73
Veterinary services and medicines.....	193 95
Miscellaneous.....	261 57
Total.....	\$73,291 24

W. O. SHERWOOD, Chief of Fire Department.

REPORTS FROM COMMITTEES.

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

To the Mayor and Common Council :

Gentlemen:—The Committee on Contracts, to whom was referred the proposals presented to Council May 20th, 1878, have examined the same, and find them to be as follows, viz. :

First For grading and graveling Mill street and sidewalks, from Sixth street to Seventh street—

- J. J. Palmer, \$1.15 per lineal foot front on each side.
- R. P. Dunning, 75 cents per lineal foot front on each side.
- E. B. Elliott, 58 cents per lineal foot front on each side.
- Richard Carr, 55 cents per lineal foot front on each side.
- John Greene, 55 cents per lineal foot front on each side.
- Henry Clay, 50 cents per lineal foot front on each side.
- C. S. Roney, 45 cents per lineal foot front on each side.
- D. A. Haywood, 43 cents per lineal foot front on each side.

D. A. Haywood being the lowest and best bidder, your committee recommend that he be awarded the contract.

Second. For grading and graveling the first alley west of Tennessee street, from McCarty street to the second alley south of McCarty street—

- Richard Carr, 13 cents per lineal foot front on each side.
- John Greene, 12½ cents per lineal foot front on each side.
- Wm. Murphy, 12 cents per lineal foot front on each side.
- Thos. Flaherty, 11 cents per lineal foot front on each side.
- Wm. Earls, 10½ cents per lineal foot front on each side.

Wm. Earls being the lowest and best bidder, your committee recommend that he be awarded the contract.

Third. For grading and graveling Michigan street and sidewalks, from the east line of the C., C., C. & I. R. R. Company's grounds to Archer street—

- John Greene, 80 cents per lineal foot front on each side.
- Jas. Mahoney, 75 cents per lineal foot front on each side.
- Henry Clay, 73 cents per lineal foot front on each side.
- R. P. Dunning, 67 cents per lineal foot front on each side.
- J. J. Palmer, 65 cents per lineal foot front on each side.
- Hiram Seibert, 65 cents per lineal foot front on each side.
- D. A. Haywood, 64 cents per lineal foot front on each side.
- E. B. Elliott, 60 cents per lineal foot front on each side.
- Geo. Wm. Seibert, 56 cents per lineal foot front on each side.
- Fred. Gansberg, 55 cents per lineal foot front on each side.

Fred. Gansberg being the lowest and best bidder, your committee recommend that he be awarded the contract.

Fourth. For grading, and paving with brick, the west sidewalk of Pennsylvania street (where not already paved), from Union Railway tracks, or Louisiana street, to South street—

- Jacob Bly, 85 cents per lineal foot front.
- John Schier, 68 cents per lineal foot front.
- E. B. Elliott, 66 cents per lineal foot front.
- Jas. W. Hudson, 65 cents per lineal foot front.
- D. A. Haywood, 62 cents per lineal foot front.

D. A. Haywood being the lowest and best bidder, your committee recommend that he be awarded the contract.

Fifth. For re-graveling Ohio street, bowldering the gutters, and curbing with stone the sidewalks thereof, from Alabama street to East street—

Hiram Seibert—re-graveling the street, per cubic yard, 80 cents; bowldering the gutters, per lineal foot, 55 cents; for curbing the sidewalks, per lineal foot, 37 cents.

R. P. Dunning—re-graveling the street, per cubic yard, 75 cents; bowldering the gutters, per lineal foot, 55 cents; for curbing the sidewalks, per lineal foot, 37 cents.

James Mahoney—re-graveling the street, per cubic yard, 75 cents; bowldering the gutters, per lineal foot front on each side, 50 cents; for curbing the sidewalks, per lineal foot front on each side, 40 cents.

J. J. Palmer—re-graveling the street, per cubic yard, 73 cents; bowldering the gutters, per lineal foot front on each side, 52 cents; for curbing the sidewalks, per lineal foot front on each side, 43 cents.

E. B. Elliott—re-graveling the street, per cubic yard, 68 cents; for scraping and leveling the street, per lineal foot front, 10 cents; bowldering the gutters, per lineal foot front, 39 cents; for curbing the sidewalks, per lineal foot front, 40 cents.

Geo. Wm. Seibert—re-graveling the street, per cubic yard, 65 cents; bowldering the gutters, per foot front on each side, 50 cents; for curbing the sidewalks, per foot front on each side, 34 cents.

Fred. Gansberg—re-graveling the street, per cubic yard, 65 cents; for bowldering the gutters and curbing the the sidewalks, per lineal foot on each side, 82 cents.

James W. Hudson—re-graveling the street, per cubic yard, 65 cents; bowldering the gutters, per lineal foot on each side, 47 cents; for curbing the sidewalks, per lineal foot on each side, 33 cents.

C. S. Roney—re-graveling the street, per cubic yard, 63 cents; bowldering the gutters, per lineal foot front on each side, 44 cents; for curbing the sidewalks, per lineal foot front on each side, 34 cents.

D. A. Haywood—grading and graveling the street, per cubic yard, 63 cents; and for bowldering the gutters and curbing the sidewalks, per lineal foot front on each side, 74 cents.

D. A. Haywood being the lowest and best bidder, your committee recommend that he be awarded the contract.

Respectfully submitted,

JAS. T. LAYMAN,
M. L. BROWN,
T. C. READING,
Committee on Contracts.

The Committee on Gas-Light, through Councilman Tucker, submitted the following report; and the Common Council duly approved the action of the committee, and referred the accompanying bill of James Coulter, for gas-burners purchased and gas-fitting done, to the Committee on Accounts and Claims:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Gas-Light, to whom was referred the motion to purchase Stacy's patent gas burners, and have the same attached where gas was

being used by the city by meter measurement, would most respectfully report that we have purchased 134 Stacy burners, at \$7.40 per dozen, and other fixtures as shown by bill herewith submitted.

We would also further report that we dispensed with 78 burners at the several engine houses, hose-reel, and station houses, where your committee believed they could be dispensed with.

Most respectfully submitted,

W. H. TUCKER,
T. C. READING,
Committee on Gas-Light.

The Select Committee on University Square Park, through Councilman Tucker, submitted the following report and appended permission to open said park to the public; and the committee report was duly approved and concurred in, and the official permission was accepted:

To the Mayor and Common Council:

Gentlemen:—Your select committee, to whom was referred the motion to confer with the proper State authorities as regards the opening of University Square, and also to report to this Council the additional expense of keeping up said University Square, if opened, would most respectfully make the following report:

Your committee called upon the proper State authorities, and received permission to open said University Square, and to use the same as a city park, under the management of the city government. We herewith submit the order from the Auditor of State.

Your committee would further report that the additional expense of keeping open said square will not exceed \$250 per year, unless improvements should be ordered made; which your committee do not think would be required, as the walks are all made and graveled ready for use. There is also a water plug in the centre of the square, now being paid for by the city, but not used, and may be used without additional expense.

We would, therefore, most earnestly recommend said University Square be opened to the public, and that the Committee on Parks be instructed to at once proceed to cleaning up the grounds, putting the gates in proper repair, and opening the grounds to the public at as early a day as possible.

Most respectfully submitted,

W. H. TUCKER,
I. C. WALKER,
T. C. READING.

STATE OF INDIANA, OFFICE OF AUDITOR OF STATE, }
Indianapolis, May 22, 1878. }

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

Gentlemen:—You have my consent, as Auditor of the State of Indiana to open University Square, and use it as a city park, under the protection and management of the city government.

Respectfully, etc.,

E. HENDERSON, Auditor of State.

INTRODUCTION OF ORDINANCES.

On roll-call had, the following entitled ordinances were introduced, and severally read the first time:

Councilman Brown introduced—

G. O. 17, 1878—An Ordinance creating the Police Board; prescribing its Powers and Duties; and regulating the Organization of the Police Force of the City of Indianapolis.

Councilman Wright introduced—

- G. O. 18, 1878—An Ordinance amending sections two (2), three (3), and four (4), of an ordinance entitled "An Ordinance re-organizing the Fire Department (ordained and established May 15, 1876)."
- G. O. 19, 1878—An Ordinance providing for the Compensation of the Officers of the City of Indianapolis, and the Officers and Members of the Police and Fire Departments of said city, for the Fiscal Year ending May 15th, 1879.
- G. O. 20, 1878—An Ordinance prescribing General Regulations for the Public Markets of the City of Indianapolis; providing for the establishment of Licensed Markets; and defining the General Powers, Functions, and Duties of City Market-Masters.
- G. O. 21, 1878—An Ordinance establishing certain Rules and Regulations for the Government of the Public Markets of the City of Indianapolis; prescribing Restrictions upon Sales of sundry Articles of Food in other portions of said city; and imposing Fines and Punishments for violations thereof.
- G. O. 22, 1878—An Ordinance to repeal "An Ordinance prescribing Rules and Regulations for the Government of the City Council, its Officers, and Officers connected with the City Government," together with all ordinances amendatory thereto.

At the suggestion of Councilman Wright, the ordinance last above, together with the matter of reporting new rules and regulations in lieu of the ordinance proposed to be repealed, was ordered to be referred to a select committee of three; and His Honor, the President, appointed Councilmen Wright, Brown, and Reading as such committee.

Councilman McGinty introduced—

S. O. 26, 1878—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.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

Moved, That the Street Commissioner be instructed to repair the first alley east of Dillon street, on the south side of Fletcher avenue.

Moved, That the Street Commissioner be instructed to place a plank crossing over the gutter at the alley on the east side of Dillon street, between Fletcher and Lexington avenues.

Councilman Bruner presented a remonstrance against the passage of Special Ordinance 12, 1878 (as proposed to be amended by the Board of Aldermen); and the City Clerk was directed to transmit the remonstrance to the Board of Aldermen, where aforesaid ordinance was now pending.

Councilman Cummings offered the following motion; which was adopted:

Moved, That the Committee on Bridges be instructed to examine the bridges owned by the city, and see if they do not require painting, and report the result of such examination to this Council.

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

Moved, That the Street Commissioner be directed to fill the chuck-holes in New York street, between Blackford and Agnes streets.

Councilman Morris offered the following motion; which was adopted:

Moved, That John J. Davis be granted permission to move frame house from Brookside avenue, southwest on said avenue, to Archer street; thence, south on Archer street, to the corner of John and Archer streets, he crossing over no bridges and culverts with such building.

The same gentleman presented the following petition; which was referred to the Committee on Judiciary and City Attorney:

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

Gentlemen:—We, the undersigned petitioners, would respectfully show unto your honorable bodies that we are residents and tax-payers, residing in Brookside and Oak Hill Additions to City of Indianapolis, and in the northeastern part of the First Ward of said city. That said portion of said Ward is situated from half a mile to a mile distant from the built up portion of said city.

Your petitioners further show, that the streets in said part of said city are unimproved; that they have no benefit from gas or street lamps; that they are so far distant that they can receive no benefit or protection from the Fire Department or the Police Department; that when they drive into the city, they are compelled to pay toll on the Pendleton Pike, a street of said city; that there are hundreds of acres of unenclosed lots in said part of the city and adjoining thereto; that if they allow any of their stock to browse or graze for an hour on said unenclosed land, some lynx-eyed minion of law pounces down on the same, and drives them to the public pound, and your petitioners are compelled to redeem such stock at great expense and trouble. In short, your petitioners respectfully show that they are compelled to bear all of the burdens, and yet receive none of the benefits, of residents of said city.

Wherefore, your petitioners pray that the corporation boundary of said city may be changed and restricted so as to include only such property as is in such proximity to said city as to receive the benefits thereof.

And they will ever pray, etc.

Philipp Hofmann, Robert B. Hamilton, Alex. C. Hamilton, Emily P. Hughes, John A. Hughes, James Gatewood, Wm. Coster, Christian Fritsche, Andrew Bodenbacher, William Sandmann, Daniel Monninger, James

B. Conaty, Frank Lackey, George W. Baker, George W. Weir, Chas. May, Fred. Striby, M. Frich, James West, Albert Wenebel, D. Behymer, O. Baker, Wm. H. Amos, Charles Hauerstick, C. W. Shearer, Leander Cox, Emanuel Smith, John Schweitzer, Hereson Somers, John K. Hepp, John E. Walter, Ira Collins, Joseph Brinkman, Wales Roberts, Peter Little, John L. Hanna, Edward J. Lakin, C. F. Miller, H. E. Miller, Christ. Lenkhardt, James Badger, John Spaker, Theodore H. Haneman, John F. Haneman, W. H. Crumrine, John Dgeles, James Thomas, John Sims, Jesse Sennatt, George Heen, A. W. Kessler, D. C. Bunnell, F. W. Simon, Alex. M. Robertson, John C. Perry, John Messick, J. E. Robertson, J. F. Snyder, Eleonore Bulsterbaum, Louis Tandy, Henrich Brinkmann, Emerine Rogers, Levi Rogers, P. J. Carleton, A. Morgan, M. D., Martin Gregg, Catharine Hofmann, and Louis Wies.

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

Moved, That the Street Commissioner be directed to clean the gutters of McCarty street, between West and Illinois streets.

Councilman McKay offered the following motion ; which was adopted :

Moved, That the time for completing contract given to J. M. McKnight, for the improvement of the alley between College avenue and Broadway street, be extended sixty days from the first day of June, 1878.

The same gentleman offered the following motion ; which was referred to the Board of Public Improvements :

Moved, That the Street Commissioner be ordered to put a double-stone footwalk across Second street, at its intersection with Pennsylvania street.

Councilman O'Brien offered the following motion ; which was adopted, and Special Ordinance 20, 1878, was ordered to be stricken from the files :

Moved, That the ordinance providing for the grading and gravelling of first alley west of West street, and running south from Maryland to Chesapeake street, be stricken from the files.

The same gentleman offered the following resolution ; which, on Councilman Walker's motion, was laid on the table :

WHEREAS, There is a general demand and necessity for the reduction of all public expenditures ; therefore,

Resolved, That the Board of School Commissioners be requested to reduce the school expenditures, in order that the municipal tax for the support of the public schools may be reduced to the lowest possible point without impairing their efficiency.

Councilman Steeg offered the following motion ; which was adopted :

Moved, That the Leiderkranz Singing Society be allowed the privilege of using the Southern Park for a picnic, on Sunday, June 2, 1878.

The same gentleman offered the following motion ; which was referred to the Board of Public Improvements :

Moved, That Joseph Blackman be allowed the privilege of constructing a plank driveway across the sidewalk in front of his wood-yard, on the west side of Virginia avenue, between Bradshaw and Buchanan streets—the same to be done within ten days, at his own expense, and under the direction of the City Civil Engineer.

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

Moved, That the Street Commissioner be instructed to re-gravel Virginia avenue, from the I., C. & L. R. R. tracks to Dillon street.

Councilman Wright presented the following petitions ; which were severally referred to the Judiciary Committee and the City Attorney :

Indianapolis, March 29, 1878.

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

Gentlemen:—Your petitioner would respectfully represent—

That, at the public tax sale held by the City of Indianapolis on the 11th day of February, 1865, he purchased, at public sale on that day, under tax certificate No. 1090, from the City Treasurer, for the sum of seven dollars and nine cents (\$7.09), the following described property, to wit: Fuor (4) feet the north side of lot No. four hundred and three (403), in out-lot No. ninety-seven (97), in the City of Indianapolis, Marion County, Indiana. The above sale was made for the city taxes on the whole of the above lot, and was sold, for the taxes of 1863 and 1864, in the name of Meni Devin.

Now, lot No. four hundred and three (403), in out-lot No. ninety-eight (98)—which is the same as the first above described property (out-lots 97 and 98 being the same)—was also assessed in the name of David L. Peltier, for the same years 1863 and 1864, being a double assessment.

Now comes David L. Peltier, and produces the City Treasurer's receipts for the city taxes on the whole of the above described property for the years 1863 and 1864—the years for which the property was erroneously sold. (Copies of receipts herewith submitted.)

And your petitioner would, therefore, ask and demand that the purchase-money (\$7.09), with interest at six per cent. from date of sale, be refunded to him.

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

(Signed)

J. M. W. LANGSDALE.

For value received, I hereby assign this claim to David Leon Peltier.

(Signed)

J. M. W. LANGSDALE.

To the Mayor and Councilmen of the City of Indianapolis, Indiana :

Your petitioner, Owen Burns, would respectfully show that, during the year 1865, and for a long time thereafter, he was the owner of lot No. 1, and fifteen feet and ten inches of the south side of lot No. 2, in out-lot No. 27, in the City of Indianapolis, Marion County, Indiana, which front on S. Tennessee street.

That, on the 28th day of August, 1865, the city contracted the grading and graveling of said Tennessee street to one Thomas Wren, as per contract of that date.

That afterwards, on the 11th day of June, 1866, a partial estimate was allowed the said contractor, amounting to \$13.73. (See Council Proceedings of June, 1866, p 119.)

That afterwards, on the 7th day of January, 1867, said contractor was allowed his second partial estimate on said contract, amounting to \$54.41; thus making the total estimate allowed said contractor, on said contract, as against the property above described, the sum of \$68.14. Your petitioner shows that, in January, 1867, he paid said contractor, on said estimates, the sum of \$20, and March 9, 1867, the further sum of \$30; making total amount paid on the estimates, \$50. (See copies of receipts filed, Exhibits A and B.)

Your petitioner further shows that when said payments were made, the contract had not been complied with, and the work had not been completed; and the said contractor told your petitioner that the amount he had paid was about the full amount on his said property until the work was completed. But your petitioner has since learned there was a balance due said contractor, on said estimates, after deducting payment made, the sum of \$18.14; but this fact he did not learn until within the last sixty days.

That afterwards, on the 16th day of April, 1877, the contractor, Thomas Wren, filed his affidavit with the City Clerk for a precept against said property (see Record of Application for Precepts, No. 5, p. 122), in which he showed due and owing on said estimates the sum of, as principal, \$48.14; to which was added, as interest due thereon, \$30.52; making due on said estimates, the sum of \$78.66, when, in truth and fact, there was only \$18.14, and the interest thereon, due said contractor.

Your petitioner further says he was never called on for said balance due on said work, and had no knowledge that the contractor claimed anything more than he had paid, until a few weeks since, when he learned the said property had been sold to one F. M. Churchman on the 28th day of July, 1877, for the sum of \$91.56. That of this amount, the said contractor, Thomas Wren, received the sum of \$78.66, and the balance of said amount was the costs of sale and fees of the city officers.

Your petitioner shows he is now ready, and has always been ready, to pay said contractor, or any other person, any balance that is or may be found due and owing for said improvement; and he now prays that the true amount thereof may be fixed upon and settled by your honorable body, or some one legally appointed therefor that he may pay the sum, and that said sale of said sale may be declared illegal and void by such action of this Council, as would be just, equitable, and right.

Your petitioner further shows that after the contract to improve said street had been let, he sold a part of the real estate named herein to Peter Lamb, who made, for your petitioner, one of the payments on said work, as will appear from Exhibit B. The other (Exhibit A) was paid by your petitioner.

OWEN BURNS.

"EXHIBIT A." Received of Owen Burns 20 dollars, in part payment of street money. January 9, 1867. (This credit is allowed by contractor.)

THOMAS WREN.

"EXHIBIT B."

Indianapolis, March 9, 1867.

Received of Peter Lamb the sum of thirty dollars, in part payment for grading and graveling on South Tennessee street.

Attest or witness: JAMES KENNEDY.

His
THOMAS WREN.
mark.

The same gentleman presented the following petition; which was referred to the Board of Public Improvements:

Indianapolis, May 13, 1878.

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

Your petitioners, John R. Nickum, and Mrs. C. S. Nickum, and Samuel H. Cobb, would respectfully represent that they are the owners, respectively, of the realty known as 26 and 24 Lockerbie street in said city, and respectfully ask permission to curb in front of their respective properties, at their own expense, with stone.

And they would further represent, that said Lockerbie street is a short street, running between East street and Liberty street, not much traveled; that valuable shade-trees are set and growing on the north side of Lockerbie street; and they request that the City Engineer be directed to set the stakes for said curbing at such points as will preserve and keep all of said shade-trees on the inside of the line of said curbing. And they present, herewith, the written consent and request of the property holders, on said north side of Lockerbie street, that the stakes for said curbing be so set.

JOHN R. NICKUM,
MRS. C. S. NICKUM,
SAMUEL H. COBB.

We, the undersigned property holders on Lockerbie street, respectfully join in the petition aforesaid, requesting that the stakes for curbing in front of the property of John R. and C. S. Nickum and Samuel H. Cobb, be so set as to keep and preserve, on the inside of the line of said curbing, if continued along said street, all the shade-trees now set and growing on the north side of Lockerbie street.

Mrs. W. Despa, Mrs. N. K. Igoe, Mrs. R. K. Clark, J. F. Resener, S. H. Cobb, W. H. Keely, Chas. Hartmann.

PENDING ORDINANCES—PROCEEDINGS HAD THEREON.

On Councilman Wright's motion, the rules were suspended, for the purpose of taking up General Ordinances 17, 18, and 19, 1878 (on second reading), and placing them on their passage, by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

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

G. O. 17, 1878—An Ordinance creating the Police Force; prescribing its Powers and Duties; and regulating the Organization of the Police Board of the City of Indianapolis;

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

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

G. O. 18, 1878—An Ordinance amending sections two (2), three (3), and four (4) of an ordinance entitled "An Ordinance re-organizing the Fire Department (ordained and established May 15, 1876)";

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

General Ordinance 19, 1878, was then read the second time ; when Councilman Reasner offered the following amendment to section three (3), viz. :

Moved, That that part of the ordinance regulating the salaries of the employes of the Fire Department, reducing the salaries to \$1.75 per day, be amended and left as it was, or made two dollars per day while in service.

The Common Council refused to adopt above proposed amendment by the following vote :

AYES, 12—viz.: Councilmen Bermann, Bruner, Maus, McGinty, O'Brien, Off, Reading, Reasner, Showalter, Sindlinger, Steeg, and Wiese.

NAYS, 13—viz.: Councilmen Anderson, Brown, Cummings, Dill, Layman, Marsee, Morris, Morse, McKay, Rodibaugh, Tucker, Walker, and Wright.

On Councilman Layman's motion, the following amendment of section five (5) of same ordinance was unanimously consented to ; and said section now reads as follows :

"SEC. 5. Each member of the Board of Health shall receive one hundred dollars per annum, except the Secretary of said Board (who shall be a member thereof) shall receive two hundred dollars per annum, payable quarterly."

Aforesaid ordinance was then ordered to be engrossed, and read the third time, viz. :

G. O. 19, 1878—An Ordinance providing for the Compensation of the Officers of the City of Indianapolis, and the Officers and Members of the Police and Fire Departments of said city, for the Fiscal Year ending May 15, 1879;

And was passed by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

Councilman McGinty, by consent, offered the following resolution :

Resolved, That the report of the City Commissioners in the matter of Kingan street be adopted, and the several persons against whom benefits are assessed be required to pay the same to the City Treasurer within twenty days, and that said street be not closed until such benefits are paid; and that the City Treasurer be instructed to collect such benefits, and report the same to this Council within twenty days.

Which was adopted by the following vote :

AYES, 25—viz.: Councilmen Anderson, Bermann, Brown, Bruner, Cummings, Dill, Layman, Marsee, Maus, Morris, Morse, McGinty, McKay, O'Brien, Off, Reading, Reasner, Rodibaugh, Showalter, Sindlinger, Steeg, Tucker, Walker, Wiese, and Wright.

NAYS—None.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest :

President of Common Council.

BENJ. C. WRIGHT, City Clerk.