

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—JULY 14, 1879.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, July 14th, A. D. 1879, at eight o'clock, in adjourned session.

PRESENT—Hon. M. L. Brown, President *pro tempore* of the Common Council, in the Chair, and 22 other members, viz.: Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

ABSENT—President Caven, and Councilmen King and Prier.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven (through President *pro tempore* Brown) presented the following communication; which, on Councilman Lamb's motion, was referred to the Committee on Railroads:

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

—*Gentlemen*:—On the 4th of July last, it was rumored that the I., C. & L. Railroad was carrying passengers to other cities for reduced fares, while refusing to do so to this city. Feeling that if this were true, it was a great injustice to this city, and, if not, it was a great injustice to the officers of that road, it was important that the truth should be known; and to that end I addressed to M. E. Ingalls, Esq., the receiver of said road, a letter, of which the following is a copy:

Indianapolis, July 4, 1879.

M. E. Ingalls, Esq.

Dear Sir:—I am informed that, on to-day, while other roads carried passengers to this city at reduced rates, the I., C. & L. refused to do so, although carrying passengers to Cincinnati at half-fare. Our people feel this as a most direct and unfriendly discrimination against us.

Being unable to conceive of any reason you could have for unfriendly action, I write to enquire if this was so; and if so, why? in the hope there may be some explanation satisfactory to our people.

While we hope to maintain the most friendly relations with railroads, we could not, of course, rest satisfied to be thus discriminated against, without seeking a remedy for the future.

Truly yours,

J. CAVEN, May 1.

To above letter I have received the following reply:

SIG. 23.

[221]

Cincinnati, July 7, 1879.

Hon. JOHN CAVEN:

Dear Sir—I have yours of the 4th, and hasten to answer the same.

We made no half-rates to any station on our road on the Fourth of July. Our reasons for the same were—first, that it took every coach we had for our business, at full rates, and if we had reduced to half-fare, we would have crowded and discommoded the people, and caused many complaints; secondly, there is much risk and danger in carrying crowds on the Fourth of July, and we do not believe the compensation pays the risk.

So far as discriminating against your city is concerned, there is not one particle of truth in it. The whole story was started, as a pure fabrication, by parties who, for years, have had personal ill-will toward this company. We have a time-card, which was made with special reference to your city. We have a local freight tariff that is much more favorable to your merchants than any that has existed on the road before. In fact, the only complaints we have had against it have been from Cincinnati merchants. The whole accusation against our company is unjust and unfounded; and I will feel under obligations to you, if you will take pains to contradict it; and if at any time you can find any act of ours, squinting toward unjust discriminations to your city, if you will call it to my attention, I will at once correct it. At the same time, if it is a complaint made by a party who fails to receive all the transportation he wishes for himself and friends, you, of course, know we can not satisfy such a wrong.

Yours truly,

M. E. INGALLS, Receiver.

This letter seems to be full, frank, and unqualified in its denial of discrimination against Indianapolis on the Fourth, or at any other time and way.

We have, perhaps, been doing the officers of that road an unintentional injustice, and it might be well to refer the matter to a committee, to make report, and place the right of the matter officially upon the records—as, without such action, it might never be satisfactorily explained to all of our citizens.

July 14, 1879.

Respectfully submitted,

J. CAVEN, Mayor.

The following communication was also read, and was duly received:

Indianapolis, July 14, 1879.

Mayor Caven:

Sir—The Board of Agriculture will extend an invitation to President Hayes and lady, to visit the Indiana State Fair, on Wednesday, October 1st next, and desires the co-operation of the citizens in making the invitation more general in its character, by making the visit include our city, and thus give all an opportunity to join in entertaining so distinguished a guest.

I would suggest a committee from City Council, to meet with committee from Board of Trade and committee of Board of Agriculture on Tuesday next, at 9 o'clock A. M., in the Agricultural Rooms, to perfect arrangements.

In addition to the usual fair programme, improved and extended, there will be a State Pioneer meeting, military prize-drill, balloon races, trotting and running-races—all promising well for a grand holiday week.

Very respectfully,

ALEX. HERON, Sec'y.

Messrs. Chandler, Tucker, and Dowling:

Gentlemen—Will you please act as such committee?

Yours,

J. CAVEN, Mayor.

On Councilman McKay's motion, it was then ordered that business be now taken up at the point where left on late Monday evening.

NEW ORDINANCES.

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

By the Board of Public Improvements, through President McKay :

Ap. O. 46, 1879—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

By Councilman Bermann :

G. O. 32, 1879—An Ordinance to amend an ordinance entitled "An Ordinance regulating the Cleaning, etc., of Privy-Vaults, Water-Closets, and other Receptacles of Human Excrements, and requiring persons who may engage in such business to be duly licensed before undertaking such work" (being General Ordinance 55, ordained December 2d, 1878).

By Councilman Bieler :

G. O. 33, 1879—An Ordinance to amend section 3 of an ordinance entitled "An Ordinance regulating the Cleaning, etc., of Privy-Vaults, Water-Closets, and other Receptacles of Human Excrements, and requiring persons who may engage in such business to be duly licensed before undertaking such work (ordained December 2d, 1878)."

By Councilman Kahn :

G. O. 34, 1879—An Ordinance to regulate the Establishment, Maintenance, and Operation of Hospitals within the City of Indianapolis.

By Councilman Lamb :

G. O. 35, 1879—An Ordinance to amend section 4 of an ordinance entitled "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 31st, 1880 (ordained and established May 20th, 1879)."

By Councilman Morrison :

G. O. 36, 1879—An Ordinance to authorize the Treasurer of the City of Indianapolis to transfer the moneys collected as Taxes on Secreted Property, or property not returned for taxation, to the account of the Street-Repairs Fund of said city.

G. O. 37, 1879—An Ordinance to amend section forty-six (46) of "G. O. 13, 1878—An Ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis; restraining the making of Excavations therein or in lands adjacent thereto; prohibiting the placing of unauthorized Obstructions in or upon the same; securing the Public in the free and safe use thereof; revising and re-enacting Ordinance-Provisions now in force; and prescribing Penalties for violations of its Regulations and Requirements (ordined and established on September 2d, 1878)."

By Councilman Rooker:

- G. O. 38, 1879—An Ordinance providing for the Removal and Abatement of the Mill-Dam across Fall Creek next below and nearly west of the bridge over the said stream, on the Michigan Road, near the City of Indianapolis, in Centre Township, Marion County, Indiana.

By Councilman Tucker:

- G. O. 39, 1879—An Ordinance amending sections two (2) and three (3) of an ordinance entitled “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 August 15th, 1876’; ordained and established May 28th, 1878.”

Councilman Morrison moved that last entitled ordinance be referred to the Committees on Finance; which proposition, on Councilman Tucker's motion, was laid on the table.

By Councilman Dowling:

- S. O. 24, 1879—An Ordinance to provide for grading the first Alley east of Mississippi street, from Garden street to Pogue's Run.

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

Indianapolis, July 14, 1879.

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

Gentlemen:—The undersigned, owners of the real estate fronting on the first alley east of Mississippi street, between Garden street and Pogue's Run, respectfully petition for the passage of an ordinance providing for grading said alley, between the points named.

And your petitioners will ever pray, etc.,

Thomas Fox, Pat'k McDonald.

By Councilman Downey:

- S. O. 25, 1879—An Ordinance to provide for grading, and paving with brick, and curbing with stone, the south sidewalk of New York street, from Liberty street to Noble street.

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

Indianapolis, June 26, 1879.

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

Gentlemen:—The undersigned, owners of the real estate fronting on New York street, between Liberty street and Noble street, respectfully petition for the passage of an ordinance providing for grading, curbing with stone, and paving with hard brick, said south sidewalk on New York street, to correspond with south sidewalk running from Liberty to East street.

For the passage of said ordinance, the undersigned do ever pray.

A. Kramer, 48 feet; Joseph Staub, 96 feet; J. B. Bernard, 48 feet; Henry Helm, 48 feet.

The above signatures represent about two-thirds the property owners along the line of the desired improvement.

A. K.

By Councilman Harmening :

S. O. 26, 1879—An Ordinance to provide for grading and paving with brick, the west sidewalk of State avenue, from Washington street to Market street.

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

Indianapolis, July 12, 1879.

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

Gentlemen:—The undersigned, owners of the real estate fronting on State avenue, between Washington street and Market street, respectfully petition for the passage of an ordinance providing for paving with brick the west sidewalk of said avenue, between the points above given.

And your petitioners will ever pray, etc.

Abram Springsteen, 33½ feet; Wm. W. Welling, 33½ feet; H. Schierling, 33½ feet.

By Councilman McGinty :

S. O. 27, 1879—An Ordinance to provide for grading, and paving with brick, the west sidewalk of Maple street, between Ray and McCarty streets.

By Councilman McKay :

S. O. 28, 1879—An Ordinance to provide for grading and graveling the Alley between Columbia avenue and Yandes street, from Lincoln avenue to Seventh street.

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

Indianapolis, June 20, 1879.

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

Gentlemen:—The undersigned owners and occupants of the real estate abutting on the alley hereinafter described, respectfully petition for the passage of an ordinance providing for the grading and graveling of the alley extending from Lincoln avenue to Seventh street, between Yandes street and Columbia avenue.

And your petitioners will ever pray, etc.

E. C. Tuttle, 40 feet; John E. Watts, H. C. Curtis, George W. Thompson, Peter Voris, W. T. Duckworth, Sarah J. Rhoades, H. Lanter, W. S. Odell, K. L. Dearborn, Daniel Neff, A. H. Quick, David Greenwood, Sanford Evans, W. A. Crane.

By Councilman Rooker :

S. O. 29, 1879—An Ordinance to provide for grading, and paving with brick, the north sidewalk of Sixth street, from Tennessee street to the No. 5 Engine House.

By Councilman Wood :

S. O. 30, 1879—An Ordinance to provide for grading and bouldering West street, and curbing with stone the outer edges of the sidewalks thereof, from Georgia street to Kentucky avenue.

S. O. 31, 1879—An Ordinance to provide for re-graveling West street, bowldering the gutters, and curbing with stone the outer edges of the sidewalks thereof, from Washington street to Georgia street.

On Councilman McKay's motion, the rules were suspended, for the purpose of placing Appropriation Ordinance 46, 1879, on its passage, by the following vote:

AYES, 23—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

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

Ap. O. 46, 1879—An Ordinance appropriating the sum of Five Thousand Dollars, on account of the Street-Repairs Department of the City of Indianapolis.

And it was duly passed by the following vote:

AYES, 23—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

On Councilman Kahn's motion, the rules were suspended, for the purpose of placing General Ordinance 34, 1879, on its passage, by the following vote:

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McKay, Pearson, Rooker, Shilling, Van Vorhis, Wiese, and Wood.

NAYS, 5—viz. Councilmen Dowling, McGinty, O'Connor, Sheppard, and Tucker.

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

G. O. 34, 1879—An Ordinance to regulate the Establishment, Maintenance, and Operation of Hospitals within the City of Indianapolis.

And it was duly passed by the following vote:

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McKay, Pearson, Rooker, Shilling, Van Vorhis, Wiese, and Wood.

NAYS, 5—viz. Councilmen Dowling, McGinty, O'Connor, Sheppard, and Tucker.

On Councilman Kahn's motion, the following entitled ordinance was then stricken from the files:

G. O. 27, 1879—An Ordinance to prohibit the Erection or Establishment of Hospitals within the limits of the City of Indianapolis.

Councilman Morrison moved to suspend the rules, for the purpose of placing General Ordinance 37, 1879, on its passage; but said proposition was defeated, by want of the necessary two-thirds vote infavor of such suspension, as follows:

AYES, 13—viz. Councilmen Bermann, Bieler, Bryce, Downey, Harmening, Kahn, Lamb, Morrison, Pearson, Rooker, Shilling, Wiese, and Wood.

NAYS, 10—viz. Councilmen Brown, Carey, Dowling, Hamilton, McGinty, McKay, O'Connor, Sheppard, Tucker, and Van Vorhis.

Later in this session, the Common Council determined to reconsider the foregoing result by a vote of 19 to 0, and the rules were then suspended by a vote of 18 to 1.

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

G. O. 37, 1879—An Ordinance to amend section forty-six (46) of “G. O. 13, 1878 —An Ordinance relative to the Streets, Alleys, Sidewalks, and Public Places of the City of Indianapolis; restraining the making of Excavations therein or in lands adjacent thereto; prohibiting the placing of unauthorized Obstructions in or upon the same; securing the Public in the free and safe use thereof; revising and re-enacting Ordinance-Provisions now in force; and prescribing Penalties for violations of its Regulations and Requirements (ordained and established on September 2d, 1878).”

And it was duly passed by the following vote:

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, Van Vorhis, and Wiese.

NAYS—None.

Councilman Kahn presented the following remonstrance against awarding a contract for making the improvement described in Special Ordinance 14, 1879; which was, at his suggestion, referred to the Committee on Contracts:

Indianapolis, July 7, 1879.

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

Gentlemen—The undersigned, owners of the real estate fronting on first alley north of Elizabeth street, between Maxwell street and Wilson street, respectfully remonstrate against awarding a contract for improving said alley under the provisions of Special Ordinance 14, 1879, which was passed by your honorable bodies on June 16th and 17th, 1879, for the following reasons:

Neither Wilson street nor Coe street is graded or graveled, and the alleys in said square are higher than either of the surrounding streets. No water does, or can, stand on this alley, because good gravel underlies same. This alley is but little used, and there is not a single occupant of property on said alley frontage who has fully paid for same. Finally, said alley is now in much better condition than many which have been graded and graveled, and the proposed improvement of this particular alley is wholly unnecessary at this time.

And your remonstrants will ever pray, etc.

J. H. Vajen, 120 feet; Marshal Parmer, Scipio Dobbs,
120 feet; Willis Vajen, Jacob DeVersy, Fahnley &
McCrea, 120 feet; Franklin Vajen, 120 feet.

Whole number of feet, both sides, 480, representing the owners of every foot on both sides who are opposed to the improvement, together with a number owning property in the same square.

[Later in the session, the contract for this improvement was awarded, notwithstanding the foregoing remonstrance.]

Councilman Wiese presented the following remonstrance against the passage of Special Ordinance 21, 1879; which was referred to the Board of Public Improvements, in whose hands said ordinance now is:

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

The undersigned, who are the owners of the property fronting on Benton and Maryland streets, and on the first alley north of Maryland street,—the same being part of Greenleaf's Subdivision of out-lot 78—respectfully protest against the grading and graveling of the first alley north of Maryland street, running from Benton street to the first alley east of Benton street, as described in Special Ordinance 21, 1879, for the following reasons:

1st. The expense, in proportion to the benefits, will be a great burden upon us, as the land is very high, and the cut will average ten feet in depth.

2d. The alley, if graded and cut down, will compel us to build stone or brick foundations for our stables, wood-sheds, etc., which are located on the line of said alley.

3d. There is no necessity for the improvement of said alley at this time, when taxes are high and money scarce; in fact, there is but one property-owner petitioning for this improvement.

Therefore, your petitioners request your honorable bodies to cause the ordinance for the grading and graveling of said alley to be stricken from the files, or indefinitely postponed, and for such other and further relief as to you may seem just and right.

And your petitioners, as in duty bound, will ever pray, etc.

H. E. Frauer, 100 feet; Brainard Rorison, 68 $\frac{2}{3}$ feet;
M. Criqui, 34 feet; John Goetz, 34 feet; James Lee,
34 feet.

MISCELLANEOUS.

Under this order of business, sundry papers were presented and disposed of as follows:

On Councilman Bermann's motion, it was ordered—

That the City Attorney and Judiciary Committee be instructed to report to this Council the present condition of the proceedings in the Gregg-Will case.

That the Board of Public Improvements be directed to examine that part of the city adjacent to Yeiser and East streets, and report some practical and permanent plan for improving the drainage in the neighborhood of the streets referred to.

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

July 14, 1879.]

City of Indianapolis, Ind.

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Indianapolis, June —, 1879.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Yeiser street, between East street and Madison avenue, respectfully petition for the repairing of Yeiser street, by making such improvements as may be required to prevent damage by water flowing unnecessarily from East street (near McCarty street) into said Yeiser street, and seriously damaging same. Further, that the city make such improvements at her expense, inasmuch as we believe it was caused by improper management, etc., in improving that portion of S. East street, formerly called "Japan street," and that such water should naturally flow in another direction. That it may please your honorable body to grant us this request, as we think it much to our interest, and to the interest of the city also.

And your petitioners will ever pray, etc.,

Fred. Graber, Frank Smallwood, C. R. Durbon, Jacob Fritz, Cal. Morgan, Wm. Yule, Wm. McGuffigan, Wm. Regenauer, Chas. Behr, August Schulz, John Vanstan, Louis Maas, A. and J. C. S. Harrison, Frank Elff, Henry F. Kuhlmann, G. F. Casterline and O. H. Alexander, by G. W. Alexander, Agent, 70 feet, Nos. 44, 46, and 48.

On Councilman Bryce's motion, it was ordered—

That the Union Railway Company be required to repair, by laying with new planks, the Illinois street crossing of its tracks.

The following motion, made by same Councilman, at Councilman Tucker's suggestion, was referred to the Committee on Gas-Light:

To place a lamp on Garden street, opposite Mechanic street, just west of Meridian street. A lamp can be spared on Meridian street, directly opposite Garden street, as there are two, near together.

The following motions, made by the same Councilman, were, under the rules, referred to the Board of Public Improvements:

To repair the east side of Illinois street, alongside the north end of the tunnel, which is in a dangerous condition.

To fill the chuck-holes in Pennsylvania street, from South street to Madison avenue, with gravel—said Pennsylvania street, from one end to the other, being in a dreadful condition.

The same Councilman presented the following petition; which, on Councilman McKay's motion, was duly granted, with the proviso that the work should be done at the petitioner's expense and under the supervision of the City Civil Engineer:

Indianapolis, July 7, 1879.

To the City Council of the City of Indianapolis:

We would respectfully petition your honorable body to give us permission to raise the sidewalk alongside our premises, adjoining the Union Railway tracks, on S. Delaware street, to a grade level with the said Union Railway tracks; also to extend the culvert up to the north line of our premises; also to boulder a portion of said sidewalk.

Very respectfully,

I. P. EVANS & CO.

On Councilman Carey's motion, it was ordered—

That Chas. Haag be directed to remove his street-sprinkler water-plug from New York street, near the Fire Department Headquarters.

On Councilman Dowling's motion, it was ordered—

That the City Civil Engineer be instructed to inspect the contracted improvement of Garden street, between Eddy and Tennessee streets, and report at the next meeting of this Council if the contractor has complied with the contract in all respects, and if said grading was done in accordance with the stakes set by him.

That permission be granted J. C. Clawson, proprietor "Planters' House," on S. Illinois street, between Maryland and Georgia streets, to erect and maintain an illuminated sign, the height of an ordinary lamp post, in front of his premises on said S. Illinois street.

The following motions, made by same Councilman, were, under the rules, severally referred to the Board of Public Improvements:

That the Street Commissioner be directed to erect a wooden bridge across Pogue's Run at the first alley east of Tennessee street, between Garden and Merrill streets, said Commissioner using as much as possible of the material left on hand from building the Ohio street bridge over Pogue's Run.

That the Street Commissioner be directed to scrape and clean South street, between Illinois and Missouri streets.

That the Street Commissioner be directed to raise and re-bowlder the gutter on the south side of Washington street, between Tennessee and Missouri streets, so as to permit the free passage of the water therein; also, to take up the drain pipe across Mississippi street and clean or re-place it.

On Councilman Downey's motion, it was ordered—

That the amended petition of Mrs. Catharine Reinken, presented at last session of this body, be referred to the Judiciary Committee and City Attorney, with instructions to report thereon at next regular session, July 21st, 1879.

The same Councilman presented the following petition; which, at his suggestion, was referred to the Judiciary Committee and the City Attorney:

Indianapolis, Ind., July 7, 1879.

To the Honorable Common Council and Board of Aldermen

of the City of Indianapolis:

Gentlemen:—At the time that the City of Indianapolis purchased the property known as the Southern Park, there rested upon said property a mortgage, executed by the Indianapolis Agricultural, Horticultural, and Mechanical Association to one Owen Fuller, Thomas F. Ryan, Dillard Ricketts, E. S. Alvord, and L. W. Hasselman, of date December 4th, 1872 (recorded in Record 34, p. 432, Recorder's office).

The interest of Mr. Dillard Ricketts, in said mortgage, is one note, of even date with said mortgage, for the sum of \$200, due in one day after date, with interest at 10 per cent. per annum.

On the 15th day of February, 1873, all the mortgagees foreclosed as to their several interests in said mortgage, except Dillard Ricketts; and, upon said foreclosure and judgment, a sale was made to Owen Fuller; and on the 2d of Febru-

ary, 1874, said property was redeemed from said sale. Said mortgage stands unsatisfied of record, and said Dillard Rickett's interest, amounting to \$331.83, has not been paid.

As representing said Ricketts, and as acting for him in this matter, I respectfully petition your honorable body to direct the Treasurer of this city to pay over to said Ricketts his interest in the said mortgage, as above set forth.

Said cause will be found in Entry Docket No. 9, p. 62, and is numbered 2,882.

Very respectfully,

W. H. HOBBS, Agent for Dillard Ricketts.

On Councilman Hamilton's motion, it was ordered—

That the policemen and City Marshal enforce, from this date, all the provisions and requirements of the ordinances now in force regarding dogs and the owners thereof; also, the ordinances and laws for the protection of shade-trees on the sidewalks, and for the prevention of horses and other animals running at large upon the streets, alleys, and commons of this city.

25 That the Board of Public Improvements, in connection with the City Engineer and Street Commissioner, examine Cherry street, east of East street; Broadway street, south of Christian avenue; and Park avenue, between Cherry street and Christian avenue—and report to this Council the cheapest, best, and most practicable way to remedy the present defective drainage of said streets and the sidewalks thereof, between said points, with a view to such improvements being made.

Councilman Harmening made the following motion; which, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be ordered to fill up the chuck-holes in Market street, east of Noble street.

Councilman Kahn offered the following resolution:

WHEREAS, The City Council voted an increase in the number of fire-plugs within the city;

AND WHEREAS, There are a great many plugs now located that might be dispensed with, without detriment to the city: Therefore, be it

Resolved, That the Fire Board and the Committee on Water-Works be, and are hereby, requested to investigate and report whether an equal number of plugs could not be dispensed with as are proposed to be increased.

Which was duly adopted by the following vote:

AYES, 23—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, Wiese, and Wood.

NAYS—None.

Councilman Lamb made the following motion; which, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be instructed to repair the bridge over the gutter on South street in front of the Hook and Ladder House.

Councilman Morrison made the following motions; which, under the rules, were referred to the Board of Public Improvements:

That the Street Commissioner be directed to remove the blocks from Tennessee street, between Ohio and Vermont streets, and improve said street as follows, to-wit: Remove the blocks in the centre of said street, to a width of thirty-two feet, and re-place said blocks with broken stone and gravel, the work to be done under the supervision of the City Civil Engineer.

That the Street Commissioner be instructed to re-lay the plank walk in front of Engine House No. 2, on Indiana avenue.

That the Street Commissioner be instructed to clean the gutters and fill the chuck-holes on Indiana avenue, from Illinois street to the canal.

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

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

Gentlemen:—Your petitioner would respectfully represent that, on the 14th day of February, 1877, at a public tax-sale, held by the city on that day, he purchased from the City Treasurer a tax-certificate on the following described property, to-wit: 70 feet west of 30 feet, east ends of lots four (4), five (5), and six (6), in C. West's Addition to the City of Indianapolis, for which he paid to the City Treasurer the sum of forty-six dollars and sixty cents (\$46.60).

Your petitioner would represent that the above sale is void on account of erroneous description. The description should read—70 feet the east ends of lots four (4), five (5), and six (6), in C. West's Addition to the City of Indianapolis.

Your petitioner, therefore, asks and demands that the above sum—forty-six dollars and sixty cents (\$46.60)—be refunded to him, with interest from February 14th, 1877.

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

JAMES G. DOUGLASS, Petitioner.

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

Gentlemen:—Your petitioner would respectfully represent that, on the 12th day of February, 1879, at a public tax-sale held by the City of Indianapolis, he purchased from the City Treasurer a tax-sale certificate, for which he paid the sum of eighty dollars and seventy-two cents (\$80.72), on the following described property, to-wit: Fifty (50) feet on Market street, by one hundred and ninety-three (193) six and one-half ($6\frac{1}{2}$) inches, on west line, and one hundred and seventy (170) feet and one-half of an inch, on east line, northwest corner of out-lot sixty-five (65), and twenty-five (25) feet on Market street, by one hundred and ninety-seven (197) feet, northeast corner of out-lot sixty-four (64), in the City of Indianapolis.

The above sale is erroneous, for the reason that the taxes had been paid on the greater part of this property, and was advertised and sold for the full amount, without any deduction being made for the payment, having been paid after the delinquent list had been given to the printer.

Your petitioner would, therefore, ask and demand that the sum of \$80.72, with six per cent. interest from February 12th, 1879, be refunded him.

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

JAMES G. DOUGLASS, Petitioner.

Indianapolis, June 20, 1879.

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

Gentlemen:—Your petitioner would respectfully represent that, at a public tax-sale held by the City of Indianapolis, on the 11th day of February, 1879, he purchased from the City Treasurer a tax-sale certificate on lot fifty-one (51), in

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the City Council and County Commissioners' Addition to the City of Indianapolis, for which he paid the sum of seventy-five dollars and seventy-three cents (\$75.73).

The above sale is erroneous, for the reason that it was advertised as lot fifty-one (51), in the C., C., C. and I. Addition, when it should have been lot fifty-one (51) in the C. C. and C. C. Addition.

Your petitioner would, therefore, ask and demand that the above sum of seventy-five dollars and seventy-three cents (\$75.73) be refunded him, with interest at six per cent. from date of purchase, February 11th, 1879.

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

JAMES G. DOUGLASS, Petitioner.

Indianapolis, June 20, 1879.

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

Gentlemen:—Your petitioner would respectfully represent that, at a public tax-sale held by the City of Indianapolis, on the 14th day of February, 1877, he purchased from the City Treasurer a tax-sale certificate on the following described property, to-wit: 25 by 205 feet northeast corner of out-lot sixty-four (64), and fourteen (14) feet by two hundred and five (205) feet the northwest corner of out-lot sixty-five (65), in the City of Indianapolis, for which he paid the sum of seventy-seven dollars and seventy-five cents (\$77.75).

The above sale is erroneous for the reason that the taxes had been paid, and should not have been carried against the property. The property was sold in the name of John W. Muir, and he had paid the full tax due on the above described property.

Your petitioner would, therefore, ask and demand that the above sum, seventy-seven dollars and seventy-five cents (\$77.75), with interest at six per cent. from February 14th, 1877, be refunded him.

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

Indianapolis, June 20, 1879.

JAMES G. DOUGLASS, Petitioner.

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

Gentlemen:—Your petitioner respectfully shows that, at the sale for city taxes, of February 14th, 1877, he bought, for \$22.78, property described as lot 4 in County Commissioners' and City Council's Addition to Indianapolis, being the undivided half of four (4) acres, in section 34, township 15, north of range 4 east.

Your petitioner says said sale was in the name of L. R. Martin, and at No. 12,032 on Sale Book and Duplicate.

He shows that if that description be correct, the property lies several miles southwest of the city, in a farm of S. A. Fletcher, Esq.—a thing quite out of the question, being too far off from the city in the first place, and being ground never subdivided by Mr. Fletcher, or any one else, and owned by him for many years.

Again, this property named in said certificate is on the Duplicate for the present year in the name of "L. R. Martin's Heirs," but this time it is described as in township 15, instead of 16, and in section 24 instead of 34.

Again, Mr. Hadley, the City Assessor, on being asked, is unable to locate this certificate, and, after a painstaking examination on his part, reports that, in his opinion, there is fatal error of description.

Again, the administrator of L. R. Martin's estate says his decedent never owned any such property, nor do his heirs now, nor had he or they ever any interest in such a property, as far as the administrator can ascertain.

Wherefore, your petitioner says the city has his money, without giving value; and, considering that the sale is void by reason of fundamental error in description, your petitioner asks a refunding of his money, and interest on it.

And he will ever pray.

C. S. CONVERSE, Petitioner.

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

Your petitioner submits the annexed statements of the City Treasurer and your petitioner, as supplemental to the petition heretofore filed, and in answer to your committee's questions.

And he prays the relief asked.

FRANCIS M. CHURCHMAN.

In the matter of the petition of Francis M. Churchman, for refunding.

The committee asks (in these words):

1. "What was the actual amount of money paid?"

Answer: \$162.83, by check of F. M. Churchman.

2. "Wherein was said tax-sale illegal, improper, and void?"

Answer: The whole personal tax of the reputed owner of the real estate sold was included, to a figure nearly as much as the amount of tax against the real estate.

I hereby certify that the above statement is true and correct.

WM. M. WILES, City Treasurer.

Your petitioner shows further: That, on last Saturday, June 7th, 1879, since the filing of this petition, he has bought in this property at Sheriff's sale, on a decree against Deless Root et al.; and that to accumulate title, he desires valid tax-sales, not invalid ones.

He is, therefore, compelled to buy in said property, at next tax-sale, to protect it, so that the city really loses nothing by cancelling this invalid sale, in order that a valid one may follow.

F. M. CHURCHMAN.

On Councilman McGinty's motion, it was ordered—

That the sanitary policeman be directed to visit the east corner of Merrill and Missouri streets, and see what could be done to abate the nuisance in that locality.

That the Board of Police be directed to instruct the Sanitary Policeman to prohibit Collins & James from depositing filth or nauseous stuff at the foot of Kentucky avenue, near the Vincennes bridge.

On Councilman McKay's motion, it was ordered—

That His Honor, the Mayor, cause to be furnished to the City Assessor, by the Auditor of Marion County, certified copies of the reports of the national and private banks, joint-stock corporations, railroads, gravel roads, pawnbrokers, and such other stock as is required by law to be furnished to cities by the County Auditor.

The same Councilman presented the following petition; which was referred to the Council and Aldermanic Committees on Railroads:

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

We, the undersigned and *bona fide* residents of the said City of Indianapolis, would respectfully petition your honorable body that you, by resolution in accordance with section fifteen (15) of the charter of the Citizens Street Railway Company, cause said company to extend their Massachusetts and College avenue car-line, from the present terminus at Seventh street and College avenue, north, and along said avenue, to Tenth street, for the reason that said extension would be of great public benefit and convenience to the citizens of your city.

And your petitioners will ever pray.

P. W. Bartholomew, R. D. Medkirk, G. B. Manlove,
W. S. Haymond, J. N. Scott, E. J. Ritter, H. D.

Hanson, John R. Bonseck, O. L. Wade, W. J. Merk, J. Wickard, John C. Fullenwider, C. S. Wright, Worth Wright, J. J. W. Billingsley, A. Timberlake, W. K. Bellis, F. L. Everts, and 157 others.

The same Councilman offered the following resolution:

WHEREAS, It is provided in section eight of the City Charter, that the City Attorney, Street Commissioner, and Civil Engineer shall hold their offices two years each, subject to removal by said Common Council at their pleasure;

AND, WHEREAS, It is the pleasure of the Common Council of the City of Indianapolis (the Board of Aldermen concurring), that Thaddeus Reed be removed from the office of City Civil Engineer: Therefore, be it

Resolved, That said Thaddeus Reed is hereby removed from the office of City Civil Engineer, and that a vacancy is declared to exist in said office.

M. H. McKay,
J. L. Bieler,
H. Coburn,
Board of Public Improvements.

And it was duly adopted by the following vote:

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McKay, Pearson, Rooker, Shilling, Tucker, Van Vorhis, and Wood.

NAYS, 5—viz. Councilmen Dowling, McGinty, O'Connor, Sheppard, and Wiese.

Councilman O'Connor made the following motion; which, under the rules, was referred to the Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters, fill the chuck-holes with gravel, and repair the sidewalks, where needed, of Bates street, from Noble street to Leota street.

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

Indianapolis, June 26, 1879.

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

Gentlemen:—My tax duplicate for 1878 shows personal property in my possession valued at \$15,000, and my indebtedness to be \$6,000, when, in fact, I owed nothing nor owned nothing subject to taxation in the City of Indianapolis.

To compel me to pay taxes on property I never owned would not only be a hardship but unjust. I, therefore, pray this honorable body to release me from this burden.

W. EMIL WULSCHNER.

W. E. Wulschner, first being duly sworn, upon his oath says that the foregoing statements are true in substance and in fact.

L. Dow McCRAIN, Notary Public.

On Councilman Rooker's motion, it was ordered—

That the Township Trustee be allowed to grade Twelfth street, from Meridian street to Illinois street, without expense to the property owners or the city, and to remove the earth and gravel down to such grade, and use the same in making a

fill on the Schurman farm, between the northern terminus of Meridian street and Fall Creek. The City Civil Engineer is hereby ordered to establish the proper grade for Twelfth street, between the points named.

That the proprietors of the Indianapolis Conservatory, on west side of N. Tennessee street, north of Tinker street, be, and they are hereby, granted permission to put down and maintain, at their own expense, two driveways (at such points as needed) across the pavement at the south corner and in front of said conservatory premises.

The same Councilman also made the following motion :

That the Board of Public Improvements be, and they are hereby, ordered to prepare, and report to this Council, at its next meeting, an ordinance to provide for and enforce the thorough repair and improvement of Meridian street, from Ohio to Twelfth street, upon such terms and conditions as they may deem best.

And, further, that should said Board find it fair, just, and expedient so to do, they are instructed to corporate into said ordinance a provision requiring one-half the expense of the repairs, etc., on said street, when made, to be paid by the property-owners, and the other half by the city.

Councilman Kahn moved that preceding motion be referred to the Board of Public Improvements; which proposition Councilman Rooker moved to amend, by instructing such official board to report an ordinance in keeping with his motion.

Councilman Van Vorhis moved to lay the foregoing proposition on the table; which motion was lost by the following vote :

AYES, 8—viz. Councilmen Bryce, Downey, Hamilton, Kahn, Lamb, Morrison, McKay, and Van Vorhis.

NAYS, 15—viz. Councilmen Bermann, Bieler, Brown, Carey, Dowling, Harmening, McGinty, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Wiese, and Wood.

Councilman Van Vorhis then moved to amend the original motion by adding the other block-pavement streets—viz.: N. Delaware street, N. Tennessee street, and Brookside avenue; which motion was laid on the table by a *viva voce* vote.

Aforesaid original motion was then ordered to be referred to the Board of Public Improvements without any instructions whatever.

Councilman Rooker also offered the following resolution :

WHEREAS, David Richards, an active, diligent, and worthy patrolman of the Police Force, was dangerously wounded on the 2d instant, by being shot in the knee, and, in consequence of such wound, will be unable to be in active service for some time to come;

AND WHEREAS, Such wound was received by him whilst bravely doing his duty as a patrolman: Therefore,

Resolved, That the Police Board be, and are hereby, instructed to continue said Richards upon the Police roll, at full pay, during the continuance of his present disability above mentioned.

Which was duly adopted by the following vote :

AYES, 22—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

The same Councilman also offered the following resolution :

WHEREAS, The safety and convenience of the public require that a change be made in the track of the Indianapolis, Cincinnati & Lafayette Railroad by the said company: Therefore,

Resolved, That the Civil Engineer be, and is hereby, directed to make a survey of that portion of said track above the level of the street grades, and to make a proper drawing thereof, showing thereon the length and number of tracks to be lowered, the points of beginning and termination, and the distance which said track or tracks shall be lowered, and report the same to this Council for its action. Upon the approval of said report, it shall be the duty of the City Attorney to prepare proper notices to be served upon said railroad company, and report the same to this Council for its approval.

Which was duly adopted by the following vote :

AYES, 22—viz. Councilmen Bermann, Bieler, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, VanVorhis, Wiese, and Wood.

NAYS—None.

The following petition, presented by same Councilman, was referred to the Judiciary Committee and the City Attorney :

To the Common Council of the City of Indianapolis:

Gentlemen :—Your petitioner having paid, January 12th, 1876, the sum of thirty-five dollars as benefits in the matter of opening Second street, from Pennsylvania to Meridian street, would respectfully ask that the same be refunded, with interest, as your petitioner understands that the matter has been decided by the Courts that no tax shall be collected as benefits in opening said street.

AMANDA F. JENKINS.

Indianapolis, July 7th, 1879.

The following petition, presented by same Councilman, was referred to the Committee on Opening, etc., Streets and Alleys :

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

Gentlemen :—The undersigned property owners on and in the vicinity of W. Fifth street, pray your honorable bodies to take immediate proceedings to lay out and extend said W. Fifth street, from its present western terminus, at east end of the bridge over the canal, to the Michigan Road.

A plat of the proposed extension is herewith filed, and is made a part of this petition.

And your petitioners will ever pray, etc.

The, P. Haughey, D. Hazzard & Son, Geo. Sutter, Benjamin Charles, Nicholas Wood, G. T. Miller, Wm. B. Burford, Franklin Insurance Co. by J. E. Robertson, president, Lorenz Schmidt, A. B. Lesh, Isaac N. Hall, A. S. Parker.

The following affidavit, with the appended bills, presented by same Councilman, were referred to the Committees on Accounts and Claims:

STATE OF INDIANA, Marion County:

Before the undersigned, a notary public within and for said County and State, personally came George B. Wallace, who, being duly sworn, upon his oath says, that the itemized accounts, hereto attached, in his favor against the City of Indianapolis, are just, lawful, and correct, and that there is due from said city to said affiant the sum of twenty dollars, together with interest thereon, at the rate of six per cent. per annum from the — day of —, 187—, at which time said accounts fell due; that there are no offsets against the same, to the knowledge of this affiant, and that no security has been given for the payment of the same, and that said accounts are due and wholly unpaid.

GEO. B. WALLCE, Affiant.

Subscribed and sworn to before me, this 7th day of July, 1879.

C. F. ROOKER, Notary Public.

On Councilman Sheppard's motion, it was ordered—

That the Marshal be instructed to notify the Police to prohibit any person or persons from dumping garbage on the banks of the old bed of Fall Creek.

The following motions, made by same Councilman, were, under the rules, referred to the Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters, and cut the weeds and grass therein, on Minerva street, between New York and North streets; also, to clean out the culverts of said Minerva street.

That the Street Commissioner be directed to clean the gutters, and cut the weeds and grass therein, on Blake street, between Washington street and Indiana avenue; also to clean out the culverts of said Blake street.

On Councilman Shilling's motion, it was ordered—

That the City Clerk be instructed to advertise for proposals to remove dead animals to Sellers' Farm for the term of one year, as the contract of the Indianapolis Fertilizer Company will soon expire.

The following motions, made by same Councilman, were, under the rules, referred to Board of Public Improvements:

That the Street Commissioner be directed to clean the gutters of West street, between New York and Washington streets; also, fill chuck-holes in said street.

That the Street Commissioner be directed to clean the bridges and gutters of Bright street, and grade the same, that the water may flow.

That the Street Commissioner be directed to repair the gutter at the intersection of Michigan and Columbia streets.

On Councilman Tucker's motion, it was ordered—

That the Hospital Board, in connection with the Superintendent of the City Hospital, be directed to report to this Council the probable cost of putting in gas pipes and fixtures in the Hospital building. Also, to report if, in their opinion, it would not be very much to the advantage of the Hospital to burn gas, and if, in their opinion, it would not be quite as cheap as coal oil.

Inasmuch as the ordinance providing for the placing of proper signal lights where obstructions are left in and along the streets and alleys of this city, thereby

endangering the lives of those using said streets and alleys, and laying the city liable for damages, is unreasonably disregarded and violated: Therefore,

Moved, That the Chief of Police is hereby ordered to instruct the Police Force to file against every person or corporation who may violate said ordinance; and the Marshal is hereby directed to notify the Citizens' Street Railway Company that it must comply with said ordinance, and, that unless they at once comply, to file against said company.

Further, That the Street Commissioner and the Chief of the Fire Department are hereby requested, directed, and ordered to report all persons or corporations who violate said ordinance to the City Marshal, and the City Marshal shall file against said parties at once, and follow up all cases until they realize the force of the law and that ordinances must be respected, especially when the lives of the public are endangered.

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

Inasmuch as our city covers over a territory of nearly twelve square miles, a very large portion of which is suitably adapted for lounging places for tramps and evildoers; and whereas our present Police Force is entirely too small to afford sufficient protection to our city from the depredations which are being committed daily around the city; and believing that a small mounted patrol would very much add to the efficiency of the Police Department, without any very great increase of expense: Therefore,

Resolved, That the Police Board and Chief of Police be authorized to purchase four horses, saddles, and bridles, not to cost to exceed \$75 each—two horses to be stationed at Sixth street Engine House, and two at No. 7 Engine House, on Maryland street; that said horses and equipments be purchased out of the general city funds; that the Chief of the Fire Department supply feed for the horses, and charge same up to city account; further, that the horses be fed and cared for by members of the Fire Department, and that the horses be subject to the orders of the Police Board and Chief of Police.

Moved, That above preamble and resolution be referred to Police Board and Chief of Police, to report, at their earliest convenience, their views and opinions recommending its adoption or rejection.

The following petition, presented by same Councilman, was referred to the Judiciary Committee and the City Attorney:

To His Honor, the Mayor, and Members of the Common Council and Board of Aldermen
of the City of Indianapolis, in Marion County, and State of Indiana:

Gentlemen:—Your honorable body is hereby notified that the south side one-half of Louisiana street, between East and Noble streets, in out-lot 93, is greatly obstructed by Cox & Co. using the same for a lumber yard, by placing post barriers, sheds, and lumber on said street; also, by I., C & L. Railroad Company placing a switch and cars on the same, on said Louisiana street.

Now, therefore, the citizens of this neighborhood are entitled to the free use and enjoyment of said street, and can not so enjoy the same on account of such obstructions.

Now, therefore, I, the undersigned, being one of the citizens nearest to said obstructed street, am greatly aggrieved, annoyed, and damaged on account of such obstructions. Such obstructions are not only a detriment to myself, personally and individually, but is a great damage to my property on East and Rockwood streets. It has greatly lessened and depreciated the value of my property by allowing said obstructions to remain.

Your honorable body has been notified divers times of said obstructions, and asked that said obstructions be removed, and said street be opened and improved, that the citizens have free use, as they are legally entitled thereto. No action was

taken on said notices to remove said obstructions from said street. That said street is public street, and can not be used, as it now is, as a public street. There has been, also, a greater portion of water than should be allowed to flow or run along and down the south side of Louisiana street, to the intersection of East and Louisiana streets, from the I., C. & L. shops and from Smith & Ittenbach's stone yards, and for want of a culvert under the I., C. & L. Railroad tracks, on east side of East street, has been allowed to overflow East street in front of my property, to great annoyance, detriment, and damage to myself and property. I have expended large sums of money to improve my property, by erecting and constructing dwelling houses on East and Rockwood streets; also, have expended large sums to improve said East and Rockwood streets, by grading, graveling, bowldering, paving, and curbing said streets and sidewalks; also, have expended considerable sums in shade-trees on said sidewalks and yards, to benefit my property, to make it comfortable for tenants who might chance to rent said property, and to induce a good class of renters to rent said property. Now, on account of this switch and other obstructions, and the result following the occupancy of said street, I have failed to get that class of tenants. In a great many instances, I would have either to let my property lay idle or take just such tenants that would put up with these annoyances, and in several cases would be tenants that were turned out on account of not paying their rent where they came from, and in this way have sustained a great deal of actual damage, all on account of said Louisiana street being obstructed, and the result therefrom, which brings an extensive lumber yard directly up to my property, also a saw-mill connected therewith.

Now, therefore, as I, the undersigned, have not been permitted the free use and enjoyment of said Louisiana street, on account of said obstructions and the overflow of streets in front of my property by water and all the grievances above mentioned, I have sustained damages to the amount of five thousand dollars (\$5,000). I claim and demand this amount, and ask your honorable body to allow me for the damages I have sustained on account of said obstructions on said street, and be paid by said City of Indianapolis, in County and State aforesaid, the sum of five thousand dollars, to be paid in the lawful money of the United States.

Your honorable body is further notified that I, the undersigned, will institute legal proceedings in our County Courts to recover the same, after giving a reasonable time for an adjustment of said damages by said City of Indianapolis, in Marion County, and State of Indiana.

Dated at Indianapolis, this 14th day of July, A. D. 1879.

SAMUEL LOVE.

Further, the I., C. & L. Railroad main tracks being some twenty inches higher or above the grade of East street, at this point, is also a considerable damage to my property, and has been allowed to remain for many years past.

Dated at Indianapolis, July 14th, 1879.

SAMUEL LOVE.

The following proposal, presented by same Councilman, at Councilman VanVorhis's suggestion, was referred to the Committees on Public Property, with instructions to reject the same:

Indianapolis, July 14, 1879.

To the Honorable Members of the Committee on Parks of City of Indianapolis, Ind.:

Gentlemen:—I am desirous of locating and erecting a greenhouse upon the south side of the square now used for park purposes, and known as University Park, and I therefore submit to you, for your consideration, the following proposition:

I propose to locate upon said square a greenhouse of the value of not less than \$5,000, which, when erected, shall be an ornament to the grounds. I further propose to save the city the expense of keeping a gardener for said park, guarantee that I will take proper care of the park, and will keep the same in a neat and good condition, and will furnish such plants and flowers and make such beds of plants and flowers, as may be necessary for the purposes of adorning and beautifying said park—the same, during the continuance of said lease, to be kept to the reasonable satisfaction of the Committee on Parks.

In consideration of the above, you to make a lease to me of a part of the ground in said park, for the purpose of erecting said greenhouse, and located in such part of the park as you may determine—said leased ground to be of the stake and dimensions and the lease to be for such duration of time, as may hereafter be agreed upon.

THOS. LEWIS.

On Councilman VanVorhis's motion, it was ordered—

That the Board of Health be directed to examine the privy vaults connected with the business houses on Meridian street, between Washington street and the railroad; also, the one at the Union Depot; and report their condition to the Council.

The following motions, made by same Councilman, were, under the rules, referred to the Board of Public Improvements:

That the Street Commissioner be directed to notify the Street-car Company to repair between their tracks on New Jersey street, from North street to Ft. Wayne avenue.

That the Street Commissioner be instructed to fill the chuck-holes and clean the gutters of Alabama street, from North street to Ft. Wayne avenue.

That the Street Commissioner be directed to repair St. Clair street, from Meridian to New Jersey street.

The following petition, presented by same Councilman, was referred to the Judiciary Committee and the City Attorney:

To the Honorable Common Council of the City of Indianapolis:

The undersigned, your petitioner, would respectfully represent and show unto your honorable body, that she is the widow of John Tercy, who has been dead for more than twenty-three years last past, and that, since his death, your petitioner has remained, and now is, an unmarried female.

That, by virtue of the law of descent, the undersigned inherited the estate of said John Tercy, to-wit, lot eleven (11), in square four (4), in out-lot twelve (12), and that she has remained, and now is, the sole owner of said lot; and that, since 1872, said real estate, and about forty dollars personalty, is all the property, personal and real, that your petitioner has owned or had any interest in.

That, since 1872, the undersigned, your petitioner, has paid the sum of seven and 77-100 dollars (\$7.77), as named in the receipts on file herewith; which sum was assessed against said property as taxes claimed to be due thereon, and so collected of your petitioner. That the assessed value of said above described realty and personal property, from 1872 to 1875, was \$440; and from 1875 to the present time, inclusive, is \$450. That, by virtue of an Act made to provide for a uniform assessment of taxes, approved December 21st, 1872 (see 1 Revised Statutes 1876, p. 74, sec. 7, clause 8), your petitioner was exempt from taxation.

Wherefore, your petitioner prays that your honorable body cause to be refunded to her said sum assessed against said property, as aforesaid, and paid by her—to-wit, the sum of seven and 77-100 dollars (\$7.77.)

Attest: R. B. DUNCAN.

Her
PARMELIA TERCY.
Mark.

STATE OF INDIANA, Marion County, ss:

Parmelia Tercy, being by me duly sworn, upon her oath says, that the matters and facts set out in the foregoing petition are true in substance and fact, as affiant verily believes.

Subscribed and sworn to, before me, this 10th day of July, 1879.

Witness my hand and notarial seal.

WILLIAM W. SPENCER, Notary Public.

On Councilman Wiese's motion, it was ordered—

That the City Janitor be directed to provide the members of the Common Council with writing paper and keys for desk to those members that have none.

That the Committee on Public Property be requested to report, at the next meeting of this Council, if Mr Scott has any jurisdiction of any kind, or is entitled to charge any of our citizens for the use of the Southern Park.

Councilman Wood made the following motions; which, under the rules, were referred to the Board of Public Improvements:

That the Street Commissioner be directed to lay a single flag-stone crossing from the northeast corner to the southeast corner of Blackford street, across Washington street.

That the Street Commissioner be directed to fill, with cinders, the chuck-hole on the corner of California and Chesapeake streets.

Councilmen Downey and Wood were excused for the balance of this session.

REPORT FROM COMMITTEE ON CONTRACTS.

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

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

Gentlemen:—Your Committee on Contracts, to which was referred sundry proposals, presented to Council on July 7, 1879, have examined the same, and find them to be as follows, to-wit:

1st. For grading and bowltering Maryland street, and the north gutter thereof, from Illinois street to Tennessee street—

S. J. Smock, \$1.80 per lineal foot front on the north side; and \$1.33 per lineal foot front on the south side.

James W. Hudson, \$1.85 per lineal foot front on the north side; and \$1.20 per lineal foot front on the south side.

James Mahony, \$1.64 per lineal foot front on the north side; and \$1.24 per lineal foot front on the south side.

Dewey, Twiname & Co., \$1.58 per lineal foot front on the north side; and \$1.11 per lineal foot front on the south side.

Henry C. Clay, \$1.47 per lineal foot front on the north side; and \$1.19 per lineal foot front on the south side.

D. A. Hamond, \$1.48 per lineal foot front on the north side; and \$1.05 per lineal foot front on the south side.

Fred Gansberg, \$1.48 per lineal foot front on the north side; and \$1.03 per lineal foot front on the south side.

R. P. Dunning, \$1.39 per lineal foot front on the north side; and 99 cents per lineal foot front on the south side.

R. P. Dunning being the lowest and best bidder, your committee recommend that he be awarded the contract.

2d. For grading and graveling the alley between Hoyt avenue and Huron street, from Dillon street to Linden street—

Dewey, Twiname & Co., 17 cents per lineal foot front on each side.

D. A. Haywood, 17 cents per lineal foot front on each side.

James Mahoney, 18 $\frac{1}{2}$ cents per lineal foot front on each side.

R. P. Dunning, 11 $\frac{1}{2}$ cents per lineal foot front on each side.

Wm. Morrison, 11 cents per lineal foot front on each side.

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

3d. For grading and graveling the first alley north of Elizabeth street, between Maxwell and Wilson streets—

Dewey, Twiname & Co., 16 cents per lineal foot front on each side.

Henry Clay, 16 cents per lineal foot front on each side.

D. A. Haywood 14 cents per lineal foot front on each side.

Jas. Mahoney, 12 $\frac{1}{2}$ cents per lineal foot front on each side.

S. J. Patterson, 12 cents per lineal foot front on each side.

R. P. Dunning, 11 $\frac{1}{2}$ cents per lineal foot front on each side.

Wm. Morrison, 10 cents per lineal foot front on each side.

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

4th. For grading and graveling the alley between Illinois and Meridian streets, and the sidewalks thereof, from North street to Walnut street.

S. J. Smock, 35 cents per lineal foot front on each side.

Dewey, Twiname & Co., 30 cents per lineal foot front on each side.

Jas Mahoney, 29 $\frac{1}{2}$ cents per lineal foot front on each side,

R. P. Dunning, 27 cents per lineal foot front on each side.

D. A. Haywood, 25 cents per lineal foot front on each side.

Wm. Morrison, 21 cents per lineal foot front on each side.

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

Respectfully submitted,

M. L. Brown,
F. W. Hamilton,
J. H. Sheppard.
Committee on Contracts.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Common Council of the City of Indianapolis:

Gentlemen:—I herewith present the following estimates:

A first and final estimate in behalf of David A. Haywood, for grading and graveling the alley between College avenue and Ash street, from the first alley north of Christian avenue to the second alley north of Christian avenue—

644 lineal feet, at 12 $\frac{1}{2}$ cents.....	\$80 50
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A first and final estimate in behalf of Fred Gansberg, for grading and bowldering Delaware street, from Washington street to the north line of Wabash street—

1482 lineal feet, at \$1.35.....	\$2,000 68
296 $\frac{1}{2}$ yards extra bowldering, at 40 $\frac{1}{2}$ cents.....	120 15

Total.....	\$2,120 83
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Respectfully submitted,

T. REED, City Civil Engineer.

The following estimate resolution was then read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of David A. Haywood, for grading and graveling the alley between College avenue and Ash street, from the first alley north of Christian avenue to the second alley north of Christian avenue be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was duly adopted by the following vote:

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling Hamilton, Harmening Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, and Wiese.

NAYS—None.

The following estimate resolution was also read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fred Gansberg, for grading and bowldering Delaware street, from Washington street to the north line of Wabash street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was duly adopted by the following vote:

AYES, 21—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Hamilton, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, Van Vorhis, and Wiese.

NAYS—None.

Councilman Rooker was excused for the balance of this session.

The City Marshal submitted the following report; which was duly approved, and then, on Councilman Pearson's motion, the matter was referred to the Board of Public Improvements:

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

Gentlemen:—I hereby report that, on the 27th day of June, 1879, I served the following motion (which had been concurrently adopted by your honorable bodies on June 9th and 10th, 1879), by reading an official copy of the same to the James Duffey, named therein:

"That the City Marshal be directed to notify James Duffey, owner of lots 72, 73, and 74, in Wiley and Martin's Sub. of out-lot 31, to set his fence back to the line of the first alley south of St. Clair street, from Missouri street to the first alley west of Missouri street, and that the City Civil Engineer be directed to give the proper stakes for same."

The City Civil Engineer set the required line stakes on June 18th and 19th, 1879, as appears by his return, on file in the office of the City Clerk.

It has been reported that said James Duffey refuses to obey your orders, as above set forth, and, consequently, I report that fact back for your consideration and action.

Respectfully,

R. S. COLTER, City Marshal.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the following report; which was duly received, and both of the requests therein preferred were severally granted:

To the Common Council, and Board of Aldermen:

We respectfully submit that the sanitary force of this Board is too small for the effective discharge of the duties devolving upon it, and that it requires all of the time of the present officers to attend to nuisances complained of, thereby leaving much filth existing, and not complained of through the diffidence or indifference of some citizens. We also respectfully represent that it requires a person of good judgment and discretion to properly deal with the many little vexatious matters coming under his notice. The Board think that Mr. George W. Cronch possesses the requisite qualifications, and would ask you to employ him, at least for the summer and fall months.

We would further recommend that Dr. Watson be furnished with a horse, and its keep, during the summer months, or until his horse (disabled in the prosecution of the city's business) gets well. He would, thereby, be enabled to do double the amount of work, at small expense to the city.

Respectfully submitted,

HENRY JAMESON, President.

W. E. JEEFRIES, Secretary.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Common Council of the City of Indianapolis:

Gentlemen:—At the regular session of the Board of Aldermen, held on July 9th, 1879, Hon. Henry Coburn requested the appointment of a select committee of two Aldermen and three Councilmen, for the purpose of investigating the charges preferred against him (Alderman Coburn) in the public newspapers of this city. Vice-President Chandler appointed Aldermen Layman and Piel as the Aldermanic members of aforesaid select committee. At Alderman Coburn's request, the City Attorney was instructed to aid in the investigation.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

And then President *pro tempore* Brown appointed Councilmen Van-Vorhis, Sheppard, and Hamilton as the Council membership of the joint Committee of Investigation.

The following message was duly received:

To the Common Council of the City of Indianapolis:

Gentlemen:—I herewith submit to your honorable body, certain papers, which were favorably passed upon by the Board of Aldermen, at its regular session, held on Wednesday evening (July 9th, 1879), for your action upon same.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following report from the Board of Public Improvements [see page 218, *ante*] was read; and this body joined with the Board of Aldermen in concurring in the recommendation therein contained:

To the Board of Aldermen of the City of Indianapolis:

The following motion was referred to us by your honorable body: That the Street Commissioner be instructed to lay a stone crossing over Pennsylvania street, at the intersection of Second street.

We recommend said crossing be laid.

Respectfully submitted,

M. H. McKay,
J. L. Bieler,
H. Coburn,
Board of Public Improvements.

The following report from the Aldermanic Committee on Public Light [see page 218, *ante*] was read; and this body joined with the Board of Aldermen in approving the suggestion set forth in last paragraph:

To the Board of Aldermen of the City of Indianapolis:

Yor' Committee on Public Light would report as follows upon a motion which had been duly adopted by the Common Council on June 9th [see page 115. *ante*], proposing to re-light the street lamp at a catch-basin on the east side of Union street, and to discontinue the first lamp south of said catch-basin on the west side of said street.

It will be noticed that the exact whereabouts of the aforesaid lamps is not particularly defined, but after some search your committee found the locations intended in the square between McCarty and Ray streets. Union street, between the points named, is about 700 feet in length. On one side, 12-foot alleys separate the lots, having 42 feet frontage each, into pairs; and on the other side, the pairs of lots, with 44 feet frontage, are separated by 14-foot alleys; an occasional short and narrow street appearing as an east and west thoroughfare. There are seven alleys and streets intersecting Union street on each side thereof, so peculiarly located that a lamp placed at the corner of a street or alley on one side of the street throws its light about the centre of the opposite alley.

The lamps in question were situated so as to light two alleys each. About twenty feet north of the lamp on the west side of Union street (which the motion proposes to discontinue) is a small catch-basin, in the line of the west gutter; and about twenty feet south of the dismantled lamp on the east side (which the motion proposes to have re-lighted) is also a catch-basin.

Your committee, therefore, report adversely to discontinuing the west side lamp, and suggest that the best way to put the east side lamp in service is to discontinue the lamp on the southeast corner of Union and McCarty streets.

Respectfully submitted,

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

Councilman Dowling moved a reconsideration of the vote by which the motion to suspend the rules in favor of General Ordinance 37, 1879, failed of adoption [see page —, *ante*]; and said reconsideration was ordered by the following vote:

AYES, 19—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, Van Vorhis, and Wiese.

NAYS—None.

Councilman Morrison then moved that the rules be suspended, which was done by the following vote :

AYES, 18—viz. Councilmen Bermann, Bieler, Brown, Bryce, Carey, Dowling, Harmening, Kahn, Lamb, Morrison, McGinty, McKay, O'Connor, Pearson, Sheppard, Shilling, Tucker, and Wiese.

NAYS, 1—viz. Councilman Van Vorhis.

[General Ordinance 37, 1879, was then passed by a vote of 18 to 0, for which see page —, *ante*.]

On motion, the Common Council then adjourned.

M. L. BROWN, President *pro tem.*

Attest: BENJ. C. WRIGHT, City Clerk.