

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—AUGUST 18, 1890.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, August 18, A. D. 1890, at 8:00 o'clock, in regular session.

PRESENT—Hon. Thomas L. Sullivan, Mayor, and *ex officio* President of the Common Council in the Chair, and 22 members, viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Trusler, Weber, Woollen and Yontz.

ABSENT, 3—viz: Councilmen Dunn, Gasper and Sherer.

The Proceedings of the Common Council for the regular session held August 4, 1890, having been printed and placed upon the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for the following street improvements, etc., were opened, read, and referred to the Committee on Contracts:

For the construction of one 2,000-barrel cistern on West Washington street, at or near the crossing of the I. D. & W. R. R. tracks.

For constructing one 1,500-barrel cistern at or near the corner of Archer and Vermont street.

For constructing a brick sewer three (3) feet internal diameter, an extension of Agnes street sewer from its present terminus to White river.

For repairing the rip rap on the west side of Pogue's Run from Ray street to Macaulay street. Price per cubic yard.

S. O. 24, 1890—For grading, paving with brick and curbing the roadway of Seventh street, from the east side of Illinois street, north side, to the west line of Alabama street, and requiring the Citizens' Street Railroad Company to pay a portion of the cost thereof, as provided for in General Ordinance No. 4, 1884.

S. O. 76, 1890—For grading, bowldering and curbing the gutters and graveling the roadway, and paving with brick the sidewalks of Windsor street, from Clifford avenue to Stoughton street.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication; which was referred to the Committee on Natural Gas:

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

Gentlemen:—We would most respectfully call your attention to the fact that the Indianapolis Gas Co., have through their proper officers, agreed to lay from the gas fields a pipe line to supply such parts of our City as are not now supplied with gas upon the following conditions:

1st. That an amendment be made to the present Gas Ordinance, granting the Company the right to use meters whenever it may seem necessary to prevent the waste of natural gas, in order that it may be used with more economy.

2d. To prevent the paralleling of lines until all parts of the City have been supplied, unless by the permission of the Council and Board of Alderman.

We desire to represent to you that with the meter system used, where there is an unnecessary waste of gas, and with the addition of this new line, this entire City will be supplied with a sufficient amount of this fuel.

Further, we would most respectfully ask that this question be referred to the proper committee, and that they be directed to investigate the question of the granting of these amendments at as early a date as possible, in order that we may receive this new supply of fuel for this winters use, which would insure a saving to the City of over \$200,000.

CITIZENS' NATURAL GAS COMPANY,
W. H. TUCKER, Chairman.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the contracts and bonds approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following contracts and bonds:

Contract and bond of Geo. W. McCray, for grading and graveling Pratt street and sidewalks, from Fayette street to Missouri street.

Bond \$700.00; surety, Geo. K Schofield.

Contract and bond of Augustus Bruner, for constructing a vitrified stone-ware pipe-line sewer, 18 inches internal diameter, in and along the first alley north of New York street, from Missouri street to Bright street.

Bond \$2,000; surety, Anderson Bruner.

Respectfully submitted,

A. P. SHAWVER, City Civil Engineer.

The following report, which was received, and the estimates (presented therewith) approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimates of work done according to contract:

A first and final estimate in behalf of W. F. Gansberg, for grading and paving with brick the sidewalks of Hoyt avenue, from Reid street to the first alley west of Reid street.

780.00 lineal feet, at 33 cents.....	\$257 40
28.90 lineal feet of walk-stone, at 64 cents.....	18 37
15.73 square yards of wings, at 55 cents.....	8 65

\$284 42

A first and final estimate in behalf of Fred. Gansberg, for grading, bowldering and curbing the roadway of Bismark street, and paving with brick the south sidewalk thereof, from Virginia avenue to Sullivan street.

1,331.60 feet of bowldering, at 43 cents.....	\$ 615 58
1,453.90 lineal feet of curb, at 40 cents.....	581 56
702.00 lineal feet of paving, at 29 cents	203 58
21.00 lineal feet of walk-stone, at 60 cents	12 60
12.50 lineal feet of curb reset, at 10 cents	1 24
11 66 square yards of bowldered wings, at 54 cents.....	6 30
10.00 square yards of bowldered wings relaid, at 35 cents.....	3 50
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	\$1,424 37

A first and final estimate in behalf of Roney & Gansberg, for grading and graveling Madison avenue and sidewalks, from Hanna street to Archer street.

903.00 feet, at 71 cents	\$641 12
7.50 yards of extra gravel at the alley crossing, at 65 cents	4 87
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	\$645 99

A first and final estimate in behalf of Gansberg & Roney, for grading, bowldering and curbing the south gutter of Second street, from Illinois street to Tennessee street.

333 70 lineal feet of bowldering, at 41 cents.....	\$177 82
494.90 lineal feet of curb, at 46 cents	227 65
38.90 feet of double walk-stone, at 68 cents	26 45
43.42 yards of bowldered wings, at 55 cents	23 77
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	\$455 69

A first and final estimate in behalf of James W. Hudson, for grading and graveling Hoyt avenue and sidewalks, from Reid street to the first street east of Reid street.

1,200 lineal feet, at 63 cents	2656 00
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A first and final estimate in behalf of Clay & Litel, for grading and graveling the first alley west of Central avenue, from Fourteenth street to Fifteenth street.

1,280 lineal feet, at 17 cents	\$217 60
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A first and final estimate in behalf of Fisher & Twiname for grading and graveling the first alley west of Ash street, from Ninth street to Tenth street.

1,206 lineal feet, at 25 cents	\$289 44
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A first and final estimate in behalf of Fred. Laakman, for grading, and paving with cement, the south sidewalk of Ohio street, from Tennessee street to Mississippi street.

392 lineal feet, at \$1.60.....	\$627 20
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A first and final estimate in behalf of Fred. Laakman, for grading, and paving with cement, the east sidewalk of Mississippi street, from Washington street to Ohio street.

928 lineal feet, at \$1.60.....	\$1,484 80
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A first and final estimate in behalf of Fulmer, Cooper & Co., for grading, and paving with brick, the north sidewalk of Morris street, from Meridian street to West street.

1,849.20 lineal feet of paving, at 33 cents.....	\$610 25
272.10 lineal feet of double walk-stone, at 68 cents.....	185 02
126.70 lineal feet of return curb, at 43 cents	54 48
146.70 square yards of bowldered wings, at 50 cents.....	73 35
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	\$923 10

A first and final estimate in behalf of Wm. F. Gansberg, for grading, and paving with brick, the west sidewalk of Delaware street, from Eighth street to Exposition avenue.

248.50 lineal feet of paving, at 33 cents	\$ 82 00
24.00 lineal feet of double walk-stone, at 64 cents	15 86
13.33 square yards of bowldered wings, at 55 cents.....	7 38

\$104 69

Respectfully submitted, A. P. SHAWVER, City Civil Engineer.

The following estimate resolutions was 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 Wm. F. Gansberg, for grading and paving with brick the sidewalks of Hoyt avenue, from Reid street to the first alley west of Reid street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The following estimate resolution was 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, bowlderin and curbing the roadway of Bismark street, and paving with brick the south sidewalk thereof, from Virginia avenue to Sullivan street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The following estimate resolution was 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 Gansberg & Roney, for grading and graveling Madison street, from Hanna street to Archer street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The following estimate resolutions were 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 Gansberg & Roney, for grading, bowldering and curbing the south gutter of Second street, from Illinois street to Tennessee street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The following estimate resolution was 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 James W. Hudson, for grading and graveling Hoyt avenue, from Reid street to the first street east of Reid street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The following estimate resolution was 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 Clay & Litel, for grading and graveling the first alley west of Central avenue, from Fourteenth street to Fifteenth street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The following estimate resolution was 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 Fisher & Twiname, for grading and graveling the first alley west of Ash street, from Ninth street to Tenth street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The following estimate resolution was 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 Laakman, for grading and paving with cement the south sidewalk of Ohio street, from Tennessee street to Mississippi, be and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The following estimate resolution was 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 Laakman, for grading and paving with cement the east sidewalk of Mississippi street, from Washington street to Ohio street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The following estimate resolution was 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 Fulmer, Cooper & Co., for grading and paving with brick, the north sidewalk of Morris street, from Meridian street to West street, be, and is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The following estimate resolution was 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 Wm. F Gansberg, for grading and paving with brick, the west sidewalk of Delaware street, from Eight street to Exposition avenue, be and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woollen and Yontz.

NAYS—None.

The City Clerk submitted the following report, which was received, and the remonstrances ordered filed with the ordinance :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.—In compliance to advertisements of declaratory resolutions the following remonstrances were presented.

Respectfully submitted,

E. B. SWIFT, City Clerk.

Indianapolis, July 14th, 1890.

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

Gentlemen.—The undersigned, owners of real estate fronting on South Delaware street, from South street to Madison avenue, respectfully remonstrate against the passage of an ordinance for the narrowing of said street.

Frederick Berner, 50 feet; Henry Burke, 62 feet; Peter Morbach, 26½ feet; John Holland, William Rafert, 53 feet; Mrs. Wren, 53 feet, and 60 others.

The County Auditor submitted the following report, which was received :

STATE OF INDIANA, *Marion County, ss:*

I, Thomas Trggart, Auditor of said county, do hereby certify that the aggregate assessment and valuation for taxation for State and county purposes, for the year 1890, of all taxable, real and personal, and railroad property, in the city of Indianapolis is (estimated), \$55,266,955 00. Number of taxable polls is (estimated), 24,149.

Witness my hand and the seal of the Board of Commissioners, this 12th day of August, 1890.

THOMAS TAGGART, Auditor.

By consent, Councilman Woollen offered the following resolution :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That there be and hereby is assessed and levied upon all real estate and improvements, and all personal property of whatever description, notes, bonds, stocks and choses in action in the city of Indianapolis, Indiana, assessed and returned for taxation in and for said city for the year 1890, a tax for general city purposes of ninety (90) cents upon each one hundred dollars valuation of all such property, and the further sum of fifty (50) cents on each poll, for general purposes; and

Be it further resolved, That the Auditor of Marion county, Indiana, be and he hereby is ordered and directed to place said taxes upon the proper tax duplicate, and the County Treasurer of said county is hereby ordered and directed to collect the same for said city of Indianapolis, and make due report thereof to the Council and Board of Aldermen.

And it was adopted by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Davis, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS—None.

The Treasurer, for the City, submitted the following report; which was read and received :

Indianapolis, Ind., August 14, 1890.

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

Gentlemen: In the matter of the vacation of an alley running through block ten (10), Beatty's Heirs Addition, I respectfully report that I have collected the costs of said vacation, amounting to sixty-nine (\$69.00) dollars, from the petitioner, Harry J. Milligan. Very respectfully,

JNO. OSTERMAN, Treasurer.

REPORTS FROM OFFICIAL BOARDS.

The Board of City Commissioners submitted the following report and resolution :

Indianapolis, July 7, 1890.

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

Gentlemen: The undersigned, being all the members of the Board of City Commissioners of the City of Indianapolis, Ind., except H. M. Hadley, who is an interested party in the proceedings, and being barred by statute from participating therein, does not participate; and being duly appointed, qualified, and acting as a Board of City Commissioners in and for said city, under the provisions of the Statutes of the State of Indiana, in relation to the vacation of streets and alleys, etc., submit the following report :

1. That we met in room three, of the City Clerk's office, on Monday, July 7, 1890, at 10 o'clock A. M., pursuant to notice, all the members being present.

The Board proceeded to consider the matter set forth in the petition of O. L. Pray et al., asking that the action of the former Board of City Commissioners, dated October 17, 1885, pertaining to the reduction of Eleventh street to the width of 70 feet. (see Deed Record 178, page 513, and Plat Book No. 8, page 128, in the Recorder's office of Marion county, Ind.), be corrected and amended.

2. The Board, by full vote, decided to amend and correct the former proceedings in the case, in accordance with the petition, plat, and the instructions contained in the report of the Committee on Streets and Alleys.

The title of said property lying south of the south line of said Eleventh street, as reduced to a width of 70 feet, north of the north property-line of Seaton's subdivision of block 25, Johnson's Heirs Addition to the city of Indianapolis, be and the same is hereby vacated and quieted in the petitioners in accordance with the report, plat and resolution aforesaid.

The Secretary was instructed to file this report with the Clerk, with instructions to have it and the petition and amended plat and the report of the Committee on Streets and Alleys, which are made a part hereof, filed for record with the Recorder of Marion county.

The cost of these proceedings have been fully paid by the petitioners.

Respectfully submitted,

F. W. Hamilton,
I. N. Walker,
James Renihan,
John R. Elder,

City Commissioners of Indianapolis.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the report of the Board of City Commissioners, in the matter of the petition of C. L. Pray and others, asking that the action of the former Board of City Commissioners, dated October 17, 1885, relative to the reduction of Eleventh street to the width of seventy (70) feet, be corrected and amended, and that all property lying south of the south line of Eleventh street, as thns reduced to a width of seventy (70) feet, and north of the north property line of Seaton's subdivision of block 25, in Johnson's Heirs Addition in the city of Indianapolis, be quieted in the abutting property-holders, as described in said report, be and the same is hereby in all things accepted, adopted and approved; and in accordance with said report the said plat accompanying said petition, as corrected, is hereby approved and ordered recorded, and the right and title to said vacated portion of Eleventh street be and the same is hereby forever quieted in the abutting property-holders; and that said petitioners be and they are hereby required to have recorded in the Recorder's office of Marion county, Indiana, a plat of said strip of land so vacated and quieted as filed with said petition; and to procure from the City Clerk, and have recorded in the Recorder's office of Marion county, Indiana, a certified copy of this resolution, all at their own expense;

Provided, That until said plat and certified copy of said proceedings are recorded as aforesaid, said strip of ground shall not be vacated or otherwise used than as now.

Which report was received, and the resolution adopted, by the following vote:

AYES, 21—viz: Councilmen Austin, Cooper, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Oisen, Pearson, Rassman, Stechhan, Sweetland, Trusler, Weber, Woollen, and Yontz.

NAYS—None.

REPORTS FROM STANDING COMMITTEES.

The Committee on Contracts, through Councilman Austin, submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—Your Committee on Contracts, to whom was referred the proposals received July 21st, 1890, have examined the same, and find them to be as follows:

For grading and paving with brick the south sidewalk of North street, from New Jersey street to Massachusetts avenue.

Price per lineal foot front.

Name of bidder.	Paving.	Walk-stone.	Bowlderred Wings per yard.
Gansberg & Roney... ..	48 cents.....	68 cents.....	55 cents
Fisher & Twiname.....	42 cents.....	75 cents.....	60 cents

Fisher & Twiname being the lowest and best bidders, recommend they be awarded the contract.

For grading and graveling Clyde street and sidewalks, from Central avenue to the L., N. A. & C. R. R. tracks.

Fisher & Twiname.....	79 cents per lineal foot front on each side
James W. Hudson.....	72 cents per lineal foot front on each side
Henry Clay.....	69 cents per lineal foot front on each side
Fulmer, Cooper & Co.....	63 cents per lineal foot front on each side
Ed. Roberts & Co.....	61 cents per lineal foot front on each side
Gansberg & Roney.....	61 cents per lineal foot front on each side
T. A. Greene.....	57 cents per lineal foot front on each side
Roney & Dunning.....	55 cents per lineal foot front on each side

Roney & Dunning being the lowest and best bidders, recommend they be awarded the contract.

For grading and graveling the first alley north of Twelfth street, from Meridian street to Illinois street.

Fisher & Twiname	43	cents per lineal foot front on each side
Ed. Roberts & Co.....	38	cents per lineal foot front on each side
Gansberg & Roney	28	cents per lineal foot front on each side
Henry Clay.....	23	cents per lineal foot front on each side
Jennings & Co.....	17½	cents per lineal foot front on each side
Thos. A. Greene.....	17	cents per lineal foot front on each side
Michael Flaherty.....	15	cents per lineal foot front on each side

Michael Flaherty being the lowest and best bidder, recommend he be awarded the contract.

For grading and bowldering the first alley north of Fletcher avenue, from Dillon street to Linden street.

Ed. Roberts & Co	95	cents per lineal foot front on each side
James W. Hudson.....	54	cents per lineal foot front on each side
Fulmer, Cooper & Co.....	48	cents per lineal foot front on each side
Fisher & Twiname.....	45	cents per lineal foot front on each side
Gansberg & Roney.....	40	cents per lineal foot front on each side
Fred. Gansberg	36	cents per lineal foot front on each side

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

For grading and paving with brick the north sidewalk of St. Joseph street, from Meridian street to Illinois street.

Name of bidder.	Price per lineal foot front.		
	Paving.	Double Walk-stone.	Bowldered Wings, per sq. yd.
Gansberg & Roney	38 cents.....	68 cents.....	58 cents
Fisher & Twiname.....	36 cents.....	75 cents.....	60 cents

Fisher & Twiname being the lowest and best bidders, recommend they be awarded the contract.

For grading and graveling Irwin street and sidewalks, from Bellefontaine avenue to Peru avenue.

Henry Clay.....	68	cents per lineal foot front on each side
Gansberg & Roney.....	62	cents per lineal foot front on each side
Fulmer, Cooper & Co.....	52	cents per lineal foot front on each side

Fulmer, Cooper & Co. being the lowest and best bidders, recommend they be awarded the contract.

For re-grading, bowldering the gutters, and bowldering between the rails of the tracks of the Citizens' Street Railroad, widening the sidewalks and curbing the outer edges thereof, and improving the roadway with broken stone, of Delaware street, from South street to Madison avenue.

Price per lineal foot front on each side.

Robert Kennington... bowldering, 85 cents; curbing, 65 cents; broken stone, \$2.00; re-setting curb, 25 cents.

Fulmer, Cooper & Co... bowldering and broken stone, roadway complete, \$2.65; curbing, 42 cents; re-setting curb, 18 cents; round curb, 85 cents.

Gansberg & Roney... bowldering, 75 cents; curbing, 48 cents; broken stone, \$1.68; re-setting curb, 10 cents.

Gansberg & Roney being the lowest and best bidders, recommend they be awarded the contract.

Respectfully submitted,

Edward A. Austin,
O. R. Olsen,
Otto Stechhan,
Committee on Contracts.

On motion by Councilman Coy, that part of the report awarding the contract for improving Delaware street, from South street to Madison avenue, was stricken from the report.

On motion, the report, as amended, was then concurred in :

The Committee on Judiciary, through Councilman McGill, submitted the following report :

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

Gentlemen:—The Judiciary Committee to whom was referred the message of Thomas Wren, would respectfully report to your honorable body:

That the petitioner, Thomas Wren, was awarded a contract by the city, in August 1865, to grade and gravel South Tennessee street, from Garden street to McCarty street, at the price of 70 cents per cubic yard for grading, and \$1.60 per cubic yard for graveling said work; that afterwards he was ordered to grade and gravel the crossings of Garden street and McCarty street with south Tennessee street, at the above prices for said work. That said contractor was delayed and hindered from the completion of said work by the city failing and neglecting to construct abutments for a bridge across Pogue's Run, and by vexatious suits brought against him and the city by the Rolling Mill and other persons, until in September 1866, when an unprecedented flood came and washed away a large amount of said grading and graveling, that should have been protected by the city building said abutments as claimed by Mr. Wren.

That the city never allowed said Wren to complete said work, although he had frequently petitioned the Council to be allowed so to do; and after said bridge was built, the city let the contract for completing said improvement to other contractors.

That the following sums of money have been paid to said Wren upon said work by the city.

First payment	\$ 784 00
Second payment, November 8th, 1875	506 61

Total cash

\$1,290 61

The following estimates have been made of said work by the City Civil Engineer, as directed by the Council and delivered to Mr. Wren.

June 11, 1866, at 30 cents per lineal foot, for grading and graveling Tennessee street, between Garden street and McCarty street. (Pro. Council 1866, page 118.)

Amount of estimate against private property only, (James Wood Engineer), \$721.10.

SECOND ESTIMATE. December 17, 1866, (by Joshua Staples, Engineer; Pro. Council 1866, page 563), the Engineer says in his report, "estimating only embankment, the greater quantity, using as data there for the notes of the former Engineer," he gives as follows: at \$1.18 per lineal foot—

2,307.4 cubic yards embankment, at 70 cents	\$1,615 80
2,070.2 cubic yards graveled at \$1.60	3,312 32

Total

\$4,929 12

One-quarter retained

\$1,232 03

Three-quarters full amount

\$3,696 09

Deduct former estimate given

\$ 721 10

Amount due Contractor

\$2,975 99

THIRD ESTIMATE. Upon the 24th day of April, 1889, the Council and Board of Aldermen ordered the Engineer to make out, and deliver to Mr. Wren, an estimate for said \$1,232.03, which had been withheld from him ever since the 17th day of December 1866, and the said estimate has been received by him.

These payments and estimates have been made, and given Mr. Wren upon his work under said contract, done between Garden street and McCarty street, exclud-

ing in said payment and estimates all work done by him on the cuts. That said cuts extend from the south line of McCarty street to near the south line of Norwood street, and included the crossing of Garden street and Tennessee street.

That during the time that has elapsed since Mr. Wren completed his work to the present, two or more suits have been instituted by him for a mandate, and to recover damages against the city, and suit have been determined against Mr. Wren, as the records show, but notwithstanding said judgments, the city has recognized the justice of his claim, and in part has paid him thereon since the rendition of said judgments, as follows:

Cash, November 8th, 1875	\$ 506 61
Third Estimate	\$1,232 03

From the measurement made by three competent disinterested Civil Engineers, we find that the cuts made by Mr. Wren in said work amounts to 2,242 cubic yards, and at the contract price of 70 cents amounts to the sum of \$1,569 40 which remains due Mr. Wren and unpaid.

Wherefore while your committee is of the opinion that there is no legal obligation resting on the city to furnish other estimates on account of the results of the litigation herein referred to, yet as a matter of justice and equity, there is due Mr. Wren for cuts on said street a sum equal to \$———, which sum should be estimated by City Engineer.

Robt. C. McGill,
Jno. A. Weber,
David A. Myers.
Judiciary Committee.

On motion by Councilman Trusler, the report was *not* concurred in.

The Committee on Railroads, through Councilman Yontz, submitted the following report, which was received:

Gentlemen:—Your Committee, to whom was referred G. O. No. 42, would recommend that the same pass.

Respectfully submitted,

M. D. Yontz,
William Wesley Woollen,
Committee on Railroads.

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

G. O. 42, 1890.—An ordinance authorizing A. W. Stevens & Son to lay and maintain a switch-track in and along Missouri street, from the main track of the C. C. C. & St. L. R. R. onto their property.

And it was passed by the following vote:

AYES, 21—viz: Councilmen Austin, Burns, Coy, Davis, Gauss, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Trusler, Weber, Woollen, and Yontz.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the following: "That the report of the City Commissioners in reference to the vacation of an alley as found on pages 79 and 80 of the Proceedings of the Common Council as of the date of February 3, 1890, *be not* concurred in," beg leave to re-

port that we have examined this matter and are of the opinion that the report of the City Commissioners should be concurred in and we so recommend.

Respectfully submitted,

Emil C. Rassmann,

Chas. A. Gauss,

Rob't. Martindale,

Committee on Streets and Alleys.

Which report was received, and the resolution referred to, adopted by the following vote :

AYES, 20—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Trusler, Weber, Woollen, and Yontz.

NAYS—None.

REPORTS FROM SELECT COMMITTEES.

Councilman Burns, on behalf of the Conference Committee, submitted the following report, which was concurred in and the Committee discharged :

Indianapolis, August 18, 1890.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—This Committee of Conference, appointed by your honorable bodies, to consider the question of purchasing hose for the Fire Department, as recommended by the Council Committee on Fire Department, June 2, 1890, have met and fully considered the question, and have failed to agree on a favorable report, and herewith report the matter back with request that your Committee be discharged from the further consideration of the matter.

Respectfully submitted,

Geo. T. Breunig,

H. B. Smith,

James Reilly,

Aldermanic Members.

Michael J. Burns,

John R. Pearson,

Chas. A. Gauss.

Council Members.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the action of the Board of Aldermen thereon, concurred in :

To the Mayor and Members of the Common Council :

Gentlemen:—The Board of Aldermen in regular session, held Monday evening, August 18, 1890, amend the following, report as follows :

To His Honor, the Mayor, and Common Council :

Gentlemen:—Your Committee on Public Property paid a visit to Greenlawn Cemetery and found about 1,000 feet of fence in a deplorable condition, and cows and other animals having free access to same. Your Committee would recommend that the City Clerk be instructed to advertise for bids for 1,000 feet of farm fence to be erected at Greenlawn Cemetery. Also, that the old city sexton, Robert Turner, be employed to take charge of Greenlawn at a salary of two (2) dollars per day.

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committee on Markets and Public Property recommends to

amend the following report, by making Turner's time expire the first day of January, 1891, and also to strike out "farm fence" and insert therein "any kinds of fence."

John J. Blackwell,
M. H. Farrell,
Theo. F. Smither.

I submit the same for your consideration.

For the Board of Aldermen:

S. V. PERROTT, Clerk.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced:

By Councilman Weber. Read the first time:

G. O. 43, 1890—An ordinance authorizing the Cleveland, Cincinnati, Chicago and St. Louis Railway Company to lay and maintain a switch-track across Tennessee street and sidewalks, leading from the ground of the Union Railway Company to the freight yard of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, between Tennessee and Mississippi streets.

On motion by Councilman Hicklin, the Rules were suspended for the purpose of placing G. O. 43, 1890, on its final passage, by the following vote:

AYES, 19—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Hicklin, Markey, Martindale, Murphy, Myers, Nolan, Olsen, Pearson, Rassmann, Sweetland, Trusler, Weber and Yontz.

NAYS, 3—viz: Councilmen Gauss, McGill and Woolen.

G. O. 43, 1890, was read the second time, ordered engrossed, and then read the third time and passed, by the following vote:

AYES, 20—viz Councilmen Austin, Burns, Cooper, Coy, Davis, Hicklin, Markey, Martindale, Murphy, Myers, Nolan, Olsen, Pearson, Rassman, Stechhan, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS, 2—viz: Councilmen Gauss and McGill.

By Councilman Yontz Read the first time:

G. O. 44, 1890—An ordinance authorizing the Warren Scharf Asphalt Company to lay and maintain a switch track across Biddle street along the east side of the Cincinnati, Cleveland, Chicago and St. Louis Railroad track.

On motion by Councilman Yontz, the Rules were suspended for the purpose of placing G. O. 44, 1890, on its final passage, by the following vote:

AYES, 20—viz: Councilmen Austin, Burns, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Trusler, Weber, Woolen and Yontz.

NAYS, 2—viz: Councilmen Cooper and McGill.

G. O. 44, 1890, was read the second time, ordered engrossed, and then read the third time and passed by the following vote:

AYES, 22—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Trusler, Weber, Woollen, and Yontz.

NAYS—None.

By Councilman Austin. Read the first time :

S. O. 192, 1890—An ordinance to provide for grading and graveling the first alley west of Pine street, from Washington street to Maryland street.

By Councilman Myers. Read first time :

S. O. 193, 1890—An ordinance to provide for grading and paving with brick the north sidewalk of Ninth street, from Bellefontaine avenue to College avenue.

By Councilman Olsen. Read the first time :

S. O. 194, 1890—An ordinance to provide for grading and graveling the roadway, boulder and curb the gutters of Pine street, from Lord street to Virginia avenue.

By Councilman Sweetland. Read the first time :

S. O. 195, 1890—An ordinance to provide for grading and paving with brick the south sidewalk of Twelfth street, from Illinois street to Pennsylvania street.

S. O. 196, 1890—An ordinance to provide for grading and graveling Eighth street and sidewalks, from the first alley west of Mississippi street to Michigan Road.

DECLARATORY RESOLUTIONS.

Councilman Olsen offered the following resolution :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, Ind., That it is deemed necessary to improve Elm street, from Noble street to Dillon street, by grading and paving with brick the roadway, widening the sidewalks, and curbing with stone the outer edges thereof, in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal front foot upon the real estate abutting on said street, between East street and Madison avenue, (except the portion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis); said assessments, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued to the contractor in payment for said work, unless the property owners pay said assessments before said bond or bonds are issued; all as provided for in an Act of the General Assembly of Indiana, approved March 8, 1889.

And it was adopted by the following vote :

AYES, 22—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Tru-ler, Weber, Woolle and Yontz.

NAYS—None.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Coy presented the following petition, which was read and the Street Commissioners directed to replace the pump as petitioned for :

To the Honorable Council and Board of Aldermen :

Gentlemen:—The undersigned citizens of Virginia avenue would represent that there has been a well of water used by the public located in front of 191 and 193 Virginia avenue, that said well of water has been the chief reliance of the whole neighborhood for many years; that the Street Commissioner has taken out the pump from said well; that it is causing much discomfort and inconvenience to the whole neighborhood; that we respectfully ask to have said pump restored.

Thos. W. Ryan, P. W. Armstrong, S. Peterson, W. T. M. Horuff, Mrs. A. Davenport and 31 others.

Councilman Cooper presented the following petition, which was ordered filed with the ordinance :

Indianapolis, Ind., July 22d, 1890.

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

Gentlemen:—The undersigned, owners and occupants of buildings fronting on Washington street, between Delaware and Tennessee streets, respectfully petition for the passage of an ordinance providing for prohibiting the sale of fruits, etc., from wagons and push-carts along the roadway of Washington street, between Delaware and Tennessee streets.

L. S. Ayres & Co, Charles Meyers & Co, Browning & Son, Eastman, Schleicher & Lee, Will, M. Swain, Paul H. Krauss, Dickson & Talbott and 66 others.

Councilman Davis offered the following motion; which was adopted :

That the Street Commissioner be directed to clean the gutters of Blake street, from Washington street to Indiana avenue.

Councilman Markey offered the following resolution; which was referred to the Committee on Water :

Resolved, That the Indianapolis Water Company be directed to lay its main in and along Lincoln Lane east to East street, thence south to the Belt Railroad tracks on East street, and locate hydrants according to contract.

The following remonstrance, which was ordered filed with the ordinance :

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

Gentlemen: We, the undersigned, property holders fronting on High street, bounded on the north by Bicking street and on the south by Coburn street, do respectfully and most earnestly protest against the proposed improvement on that part of High street.

Mary Resch, 39 feet; Timothy O. Reardon, 30 feet;
Charles Khun, 30 feet; Minnie Scherrer, 40 feet;
John L. Berberlich, 20 feet, and 21 others.

Number of property-holders who signed remonstrance 26, representing 1,331 feet; property-holders out of State 1, representing 60 feet; property-holders who refused signing remonstrance 2, representing 61 feet; property-holders not requested to sign 4, representing 120 feet; total, 241 feet.

Councilman Markey offered the following motion :

Indianapolis, Ind., August 18, 1890.

That Thomas A. Greene be granted thirty days extension from date, to finish the grading and graveling of the first alley north of North street, from Illinois street to Tennessee street.

Councilman Pearson moved that the motion be not adopted :

Councilman Markey moved to lay the motion offered by Councilman Pearson on the table, which was not adopted, by the following vote :

AYES 9—viz: Councilmen Burns, Coy, Gauss, Markey, Martindale, Murphy, Myers, Nolan and Trusler.

NAYS, 13—viz: Councilmen Austin, Cooper, Davis, Hicklin, McGill, Olsen, Pearson, Rassmann, Stechhan, Sweetland, Weber, Woollen and Yontz.

The motion offered by Councilman Pearson was then adopted :

Councilman Markey offered the following motions; which were adopted:

That the Indianapolis Gas Company be directed to lay its main on Madison avenue, from Nebraska street south to Lincoln Lane.

That the Street Commissioner be instructed fill chuck holes on Shelby street, from Prospect street to Pleasant Run bridge.

The following resolution which was referred to the Committee on Railroads :

That the Citizens' Street Railroad Company be directed to lay its tracks from Nebraska street south on Madison avenue, thence to Lincoln Lane, thence east on Lincoln Lane to East street, thence south on East to Garfield Park.

The following motion, which was referred to the Committee on City Improvements :

That the Street Commissioner be instructed to fill chuck-holes on East street between Yeiser street and Belt Railroad.

Councilman Meyers presented the following petition and motion, which was referred to the Committee on Water :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—The undersigned resident property owners on Seventh street, between College avenue and Ash street, would respectfully represent to you that Seventh street is being improved at a heavy expense to property owners. The street is narrowed to thirty (30) feet, and as it is the only street north of St. Clair that extends entirely through the city, when the improvement is completed the travel on it will be necessarily very heavy.

We also represent, that Charles Crossen is maintaining a hydrant on Seventh street, between College avenue and Ash street, about fifteen feet east of the alley, for furnishing a heavy sprinkling wagon, in violation of the Ordinance for regulation of hydrants for sprinkling carts, which ordinance provides that such hydrants shall not be nearer than twenty-five (25) feet to any street or alley corner.

Also, that as the street is to be constructed of broken stone; that it will be impossible to have it settled to a good even surface if the hydrant is maintained, owing to the leakage of the tank and weight of wagon

We therefore petition that the hydrant may be removed from Seventh street.

J. H. Prier, Jas. H. Woodburn, Ann E. Woodburn,
and W. D. Voris.

WHEREAS, Seventh street is being macadamized and at the same time narrowed to thirty (30) feet, and

WHEREAS, A hydrant for furnishing water for sprinkling carts, is now located on the north side of said street, between College avenue and Ash street, and the further use of the same will now become an obstruction to said street, therefore

Moved, That the owner of such hydrant, Charles Crossen, be ordered to at once remove said hydrant, and if the same is not done the Street Commissioner will remove the same at the expense of said Mr. Crossen.

Councilman Nolan offered the following motion; which was adopted:

That the Citizens' Street Railroad Company be ordered to raise their track on West street, from Merrill street to Morris street, to the proper grade of the street, also on Morris, from West street to Dakota street.

Councilman Nolan offered the following motion; which was adopted:

That John Fohl, of the sanitary force, be given permission to act as humane officer at the Stock Yards where such duties does not come in conflict with his duties as sanitary officer.

Councilman Olsen offered the following motion; which was adopted:

That the City Civil Engineer be directed to designate the numbers on the houses on Hosbrook street, from Grove street to Prospect street.

That the City Civil Engineer be directed to designate the numbers on the houses on Fletcher avenue, from South street to Dillon street.

That the City Civil Engineer be directed to designate the numbers on the houses on Pine street, from Virginia avenue to Lord street.

Councilman Trusler offered the following motion; which was adopted:

That the City Civil Engineer be instructed to designate the proper numbers to residents on Reid street, from Washington street to its southern terminus.

Councilman Weber offered the following motion; which was referred to the Committee on Streets and Alleys:

Indianapolis, July 24th, 1890.

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

Gentlemen: The undersigned, owners of real estate fronting on Eighth, Peru and Bellefontaine streets, between Eighth and Ninth streets, respectfully petition for the passage of an ordinance providing for vacating an alley, nine feet in width, running from Peru street west to an alley, being on the north side of lot 10, of Hoss' subdivision of part of lot twenty-seven (27) Johnson Heirs' Addition to the city of Indianapolis, said alley dividing the property of A. G. Fosdyke on the south, and A. G. and Mary E. Fosdyke on the north; said alley being of no public utility, the undersigned recommend its vacation. For location of said alley, see enclosed plat of square 27, marked Exhibit A, Johnson Heirs' Addition, filed herewith, and made a part of this petition.

Arthur G. Fosdyke, 191½ feet on Peru street, and 161 feet on Bellefontaine street; Mary E. Fosdyke and A. G. F., 155 feet on Peru street, and 9 others.

Councilman Yontz offered the following motion ; which was adopted :

Moved, That the City Civil Engineer be, and he is hereby directed to make survey and locate the boundary lines of Peru avenue and report to this Council, whether or not he finds any property owner, corporation or railroad company, occupying any portion of said street, between North street and Massachusetts avenue.

On motion, the Common Council then adjourned.

J. L. Sullivan

, Mayor,

President of the Common Council.

E. D. Swift

Attest:

, City Clerk.