

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JANUARY 19, 1891.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 19th, A. D. 1891, at 7:30 o'clock, in regular session.

PRESENT—Hon. Thomas L. Sullivan, Mayor, and *ex officio* President of the Common Council in the Chair, and 25 members, viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Sweetland, Trusler, Weber, Woollen and Yontz.

ABSENT—None.

The Proceedings of the Common Council for the regular session held January 15th, 1891, having been printed and placed upon the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS.

Sealed proposals for the construction of a bridge over Pleasant Run, at Orchard avenue, were opened, read, and referred to the Committee on Bridges.

Sealed proposals for constructing the following fire cisterns, were read, and referred to the Committee on Contracts:

For constructing one two-thousand barrel cistern at or near the crossing of Pleasant Run and Gatlin street.

For constructing one two-thousand barrel cistern at or near the corner of Raymond and Shelby streets.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, Jan. 15, 1891.

Hon. THOMAS L. SULLIVAN, Mayor, and the

Common Council and Board of Aldermen, Indianapolis:

Gentlemen:—On behalf of the Western Paving and Supply Company, I feel that it is proper to say to you that it appears not only inequitable, but, further, contrary to law, to require the paving company to entirely lose the money due it from improving so much of Pennsylvania street as is occupied by the street railroad company as described in S. O. No. 105, 1889. When the street railroad declined to pay

the assessment made by the city, the City Attorney was notified, and requested by the Common Council to assist in the case which was prepared for the Supreme Court, and which has since been decided. My view then was, and still is, that as the city by the improvement ordinance, as an inducement for the paving company taking the contract and doing the work, promised that there existed at the time ordinances which could be applied so as to enable the company to collect for its material and labor from the street railroad company, the sum of \$3,716.28, as afterwards ascertained and estimated; and as it has now been decided that no such ordinances existed binding the street railroad company, that both in equity and at law the city is obligated to pay the paving company that sum. This of course rests upon the well-known legal rule that if a city assumes and agrees that there are ordinances in force whereby the cost of the improvement can be collected, and such ordinance is proved to be void for any reason, the city is liable, on the ground that the legal machinery which is stipulated to be in existence, having failed through no fault of the contractor, the law raises the implication that it shall pay for what it bought, received and enjoys.

I shall be glad to confer with you at any time and place you may indicate, upon this matter, if thereby you shall secure to the paving company, in any way, its honest debt without delay and expense.

Yours truly,

ADDISON C. HARRIS, Attorney, &c.

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

That a committee of five (5) be appointed, the same to be known as a Legislative Committee, to look after such legislation as may come before the General Assembly now in session, affecting the interests of the city.

His Honor, the Mayor, appointed Councilmen Yontz, Rassmann, Austin, Cooper and Gasper as members of the Committee provided for in the above motion.

The City Civil Engineer submitted the following reports; which were referred to the Committee on Streets and Alleys:

Indianapolis, January 19, 1891.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a first and final estimate for grading and improving with broken stone the roadway of Washington street, from Noble street to the old Donation Line, authorized by Special Ordinance No. 44, 1890, based upon the terms of the contract with Fulmer, Cooper & Company, contractors for said work, approved by the Common Council the 10th day of November, 1890, and by the Board of Aldermen the 10th day of November, 1890.

Total length frontage of improvement, 3,200 feet.	
Total cost of improvement.....	\$4,160 00
Average cost per lineal front foot.....	1 30
Total allowance to property owners.....	none.
Total cost of work done by contractors.....	\$4,160 00

Respectfully submitted, H. A. MANSFIELD, City Civil Engineer.

Indianapolis, January 19th, 1891.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a second, corrected and final estimate for grading, bowldering and curbing the roadway of Clinton street, and paving with brick the sidewalks thereof, from Vermont street to New York street, authorized by Special Ordinance No. 56, 1890, based upon the terms of the contract with Fulmer, Cooper & Co. contractors for said work, approved by the Common Council the 4th day of August, 1890, and by the Board of Aldermen the 11th day August, 1890.

Total length frontage of improvement, 840 feet.	
Total cost of improvement.....	\$1,127 25
Average cost per lineal front foot.....	1 34 1-10
Total allowance to property owners.....	none.
Total cost of work done by contractor.....	\$1,127 25

This estimate is made against the property bordering on said Clinton street, and to a depth of fifty feet, correcting the estimate submitted October 20th, 1890.

Respectfully submitted, H. A. MANSFIELD, City Civil Engineer.

The City Civil Engineer submitted 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 a fourth and final estimate in behalf of Augustus Bruner, for constructing a brick sewer, three (3) feet internal diameter, in and along Pennsylvania street, from the north line of Pratt street to Massachusetts avenue, and connecting with the Massachusetts avenue sewer.

3,335.10 lineal feet, at \$5.50.....	\$11,675 50
8 catch-basins, at \$58 00 each.....	464 00
7 man-holes, at \$30.00 each.....	210 00
83 00 feet of 12 inch pipe, at 65 cents.....	53 95
17.77 yards of filling at North street, at 25 cents.....	4 44
Total.....	\$12,407 89
Total city portion.....	\$5,969 18
Amount allowed in former estimates.....	5,278 83

Balance city portion due contractor..... \$ 690 35

A first and final estimate in behalf of Michael Flaherty, John Johnson assignee, for grading and graveling Sanders street and sidewalks, from Wright street to East street.

2,284 lineal feet, at 55 cents.....	\$1,256 20
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Respectfully submitted,

H. A. MANSFIELD, City Civil Engineer.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying fourth and final estimate in behalf of Augustus Bruner, for constructing a brick sewer, three (3) feet internal diameter, in and along Pennsylvania street, from the north line of Pratt street to and connecting with the Massachusetts avenue sewer at Massachusetts 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, 24—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassman, Sherer, Stechhan, Sweetland, Trusler, Weber, and Woollen.

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 Michael Flaherty—John Johnson, assignee—for grading and graveling Sanders street and sidewalks, from Wright street to East 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, 24—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Sweetland, Trusler, Weber, and Woollen.

NAYS—None.

The City Clerk submitted the following reports ; which were read and received :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized statement showing the amount of orders drawn upon the City Treasury during the year 1890, viz:

Board of Health.....	\$ 3,648 07
Bridges.....	1,051 40
Cemeteries.....	3 50
Charity.....	600 00
City Assessor.....	8,217 59
City Civil Engineer's Department.....	4,927 68
City Dispensary.....	5,197 08
City Hall.....	2,274 82
City Hospital and Branch.....	21,596 06
Cisterns.....	3,790 86
Elections.....	356 00
Fire Department—pay-rolls.....	68,285 00
Fire Department—accounts.....	12,548 25
Fountains and driven wells.....	262 00
Gas light, \$39,828.29; Electric light, \$6,849 70; Vapor light, \$5,100.00..	51,777 99
Illinois Street Tunnel.....	955 00
Interest and redemption of temporary loans.....	121,288 37
Incidentals.....	2,201 90
Interest on bonds and exchange.....	127,823 24
Judgments and costs.....	195 80
Markets.....	4,059 69
Parks.....	5,847 44
Police.....	66,603 91
Printing.....	9,012 55
Salary.....	22,494 27
Sewers.....	37,296 54
Station House.....	3,259 39
Street improvements.....	41,606 13
Street openings and vacations.....	2,308 00
Street repairs—pay-rolls.....	42,768 48
Street repair—accounts.....	11,266 80
Taxes refunded.....	221 85
Tomlinson Estate.....	30 75
Tomlinson Hall accounts.....	2,039 95
Water Rent.....	38,725 20
Total.....	\$724,541 56

Respectfully submitted,

E. B. SWIFT, City Clerk.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized report showing the receipts and disbursements by the Treasurer of the city during the year 1890; also, a tabular statement of the bonded indebtedness of the City of Indianapolis, and an interest-coupon statement, showing the amount of interest payable each year, together with the amount of temporary loans unpaid.

Respectfully submitted,

E. B. SWIFT, City Clerk.

RECEIPTS, 1890.

Market licenses.....	\$ 12,860 18	
Dog licenses.....	2,846 25	
Express licenses.....	742 50	
Hack licenses.....	565 00	
Huckster licenses.....	3,110 00	
Liquor licenses.....	85,130 94	
Peddler licenses.....	780 00	
Coal licenses.....	134 00	
Auction licences.....	170 00	
Exhibition licenses.....	590 00	
Dray licenses.....	254 00	
Market Master's fees.....	3,898 50	
Tapping sewers.....	224 00	
Fines and fees, City Court.....	4,641 65	
Benefits.....	1,427 50	
Rent of Tomlinson Hall.....	2,020 00	
Rent from Tomlinson Estate.....	555 61	
Sale of Tomlinson Estate.....	7,991 82	
Station House accounts.....	1,720 15	
Natural Gas Co., street repairs.....	1,617 98	
Rent of Sellers Farm.....	353 00	
Miscellaneous.....	3,507 55	
		<u>\$135,140 63</u>

LOANS.

Temporary loan of January, 1890.....	\$ 35,000 00	
Temporary loan of February, 1890.....	25,000 00	
Temporary loan of September, 1890.....	35,000 00	
Temporary loan of December, 1890.....	65,000 00	
		<u>160,000 00</u>
Interest on Belt Railroad bonds.....	\$ 30,000 00	
Taxes collected for the year 1890.....	474,616 60	
		<u>504 616 60.</u>
Total receipts from all sources.....		<u><u>\$799,757 23</u></u>

GENERAL FUND.

Receipts.

From temporary loans.....	\$160,000 00	
From interest on Belt Railroad bonds.....	30,000 00	
From taxes collected, 1890.....	474,616 60	
From miscellaneous.....	135,140 63	
		<u>\$799,757 23</u>

Disbursements.

Overdraft January 1, 1890.....	\$ 17,229 56	
Orders paid during the year 1890.....	719,781 22	
Balance.....	62,746 45	
		<u>\$799,757 23</u>
Warrants on hand unredeemed, January 1, 1891.....		\$10,315 58

Tabular Statement of Bonded Indebtedness of the City of Indianapolis, on Jan. 1st, 1891.

KIND OF BONDS.	Date of Issue.	Date of Maturity.	Value of Bonds.			When Payable.	AGGREGATE AMOUNTS.
			Value of Bonds.	Number of issue.	Rate of Interest.		
Sellers' Farm Purchase.....	April 1, 1873.	April 1, 1893.	\$1600	21	8	Oct. & April 1st.	\$ 21,000 00
Series "A".....	July 1, 1873.	July 1, 1893.	1000	300	7.3	Jan. & July 1st.	300,000 00
Series "B".....	July 1, 1873.	July 1, 1893.	1000	300	7.3	Jan. & July 1st.	300,000 00
Southern Park Purchase.....	Jan. 26, 1874.	Jan. 26, 1894.	500	219	7.3	July & Jan. 1st.	109,500 00
Series "C".....	July 1, 1874.	July 1, 1894.	1000	300	7.3	Jan. & July 1st.	300,000 00
Series "D".....	July 1, 1875.	July 1, 1895.	1000	200	7.3	Jan. & July 1st.	200,000 00
Fire Department.....	Jan. 1, 1875.	Jan. 1, 1895.	5 0	14	7.3	Jan. & July 1st.	7,009 00
Series "E".....	Jan. 1, 1876.	Jan. 1, 1896.	1000	8	7.3	July & Jan. 1st.	8,000 00
Patterson Levee.....	July 1, 1876.	July 1, 1896.	1000	5	6	July 1st.	5,000 00
U. R. R. T. and S. Y. Co ^s	Jan. 1, 1877.	Jan. 1, 1897.	1000	500	6	July & Jan. 1st.	500,000 00
Funding bonds.....	Jan. 1, 1877.	Jan. 1, 1909.	1000	110	4	July & Jan. 1st.	110,000 00
Funding bonds.....	Jan. 1, 1890.	Jan. 1, 1910.	500	90	4	July & Jan. 1st.	45,000 00
Grand Total.....							\$1,905,500 00

Interest-Coupon Statement.

KIND OF BONDS.	WHERE PAYABLE.	When Payable.	No. of Coupons.	Value of Coupon.		TOTALS.
				When Payable.	Amount Payable.	
Series "A".....	Winslow, Lanier & Co., N. Y.	January 1st.	300	\$36 50	\$10,950 00	
Series "B".....	" " "	January 1st.	300	36 50	10,950 00	
Southern Park Purchase.....	" " "	January 1st.	219	18 25	3,996 75	
Series "C".....	" " "	January 1st.	300	36 50	10,950 00	
Series "D".....	" " "	January 1st.	200	36 50	7,300 00	
Fire Department.....	" " "	January 1st.	14	18 25	255 50	
Series "E".....	" " "	January 1st.	8	36 50	292 00	
U. R. R. T. & S. Y. Co. ^s	" " "	January 1st.	500	30 00	15,000 00	
Funding Bonds.....	Winslow, Lanier & Co., N. Y.	January 1st.	110	20 00	2,200 00	
Funding Bonds.....	" " "	January 1st.	90	10 00	900 00	\$ 62,794 25
Sellers' Farm Purchase.....	" " "	April 1st.	21	40 00	840 00	840 00
Series "A".....	Winslow, Lanier & Co., N. Y.	July 1st.	3 0	36 50	10,950 00	
Series "B".....	" " "	July 1st.	300	36 50	10,950 00	
Southern Park Purchase.....	" " "	July 1st.	219	18 25	3,996 75	
Series "C".....	" " "	July 1st.	300	36 50	10,950 00	
Series "D".....	" " "	July 1st.	200	36 50	7,300 00	
Fire Department.....	" " "	July 1st.	14	18 25	255 50	
Series "E".....	" " "	July 1st.	8	36 50	292 00	
U. R. R. T. & S. Y. Co. ^s	" " "	July 1st.	500	30 00	15,000 00	
Funding Bonds.....	" " "	July 1st.	110	20 00	2,200 00	
Funding Bonds.....	" " "	July 1st.	90	10 00	900 00	
Patterson Levee.....	" " "	July 1st.	5	60 00	300 00	\$63,094 25
Sellers' Farm Purchase.....	" " "	October 1st.	21	40 00	840 00	840 00
Grand Total.....						\$127,568 50

TEMPORARY LOAN WARRANTS.

Issued December 19, 1890, payable April 15, 1891.....	\$15,000 00
Issued December 22, 1890, payable April 15, 1891.....	15,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Issued December 26, 1890, payable April 15, 1891.....	5,000 00
Total.....	\$65,000 00

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

Indianapolis, Ind., January 2, 1891.

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

Gentlemen:— I respectfully report the condition of the city treasury at this date, as follows:

Collections on duplicate from January 1, 1890 to December 31, 1890....	\$474,616 60
Miscellaneous collections from January 1, 1890 to December 31, 1890...	325,140 63
	<u>\$799,757 23</u>
Overdraft, January 1, 1890.....	\$ 17,229 56
Warrants paid from January 1, 1890, to December 31, 1890.....	719,781 22
Balance, January 1, 1891.....	62,746 45
	<u>\$799,757 23</u>

Respectfully submitted, JNO. OSTERMAN, Treasurer.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Accounts and Claims, through Councilman Weber, submitted the following report :

To the Members of the Common Council :

Gentlemen.—Your Committee to whom was referred the communication of Thomas Taggart, Auditor, in relation to compensation for work in making the tax duplicates for street improvements under the Barrett Law, would recommend the payment of one hundred and fifty dollars for work already done, and six hundred dollars per year hereafter.

Jno. A. Weber,
M. J. Murphy,
Committee.

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

AYES, 20—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Trusler, Weber, and Yontz.

NAYS, 5—viz: Councilmen Gauss, Myers, McGill, Sweetland, and Woollen.

The Committee on Finance, through Councilman Woollen, submitted the following report and resolution :

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

Gentlemen:—The undersigned, your Finance Committee, beg leave to report that in their judgment it will be necessary to borrow money to defray the necessary expenses of the city, before a sufficient amount of the revenue of 1890 shall have become available, and respectfully recommend the adoption of the accompanying resolution.

William Wesley Woollen,
William H. Cooper,
Emil C. Rassmann,
Edw. A. Austin.

Indianapolis, Jan. 19, 1891.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Finance Committee of said Council be, and they are hereby, authorized and directed to negotiate a temporary loan or loans in the name and on behalf of said city, in anticipation of the revenue of 1890, for any sum or sums not exceeding

in the aggregate thirty-five thousand dollars, for any term of time not extending beyond the 15th day of April, 1891, and at a rate of interest not exceeding six per cent. per annum. Said loan or loans to be made and the obligations of the city given therefor from time to time, as the needs of the city may require. That the Mayor and City Clerk be, and they are hereby, authorized and directed to execute the proper bonds or obligations of said city for the amounts so borrowed, and for the payment of such bonds or obligations, the faith of said city of Indianapolis is hereby irrevocably pledged.

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

AYES, 25—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Gauss, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Sweetland, Trusler, Weber, Woollen, and Yontz.

NAYS—None.

By consent, Councilman Yontz offered the following motion :

WHEREAS, Doubt has arisen as to when the right of the Citizens' Street Railroad Company to occupy the streets of this city expires, and also whether, under the now existing laws the Legislature has the right to compel the said Citizens' Street Railroad Company to bear its proportion of the costs of street improvements; therefore, be it

Moved, That the City Attorney be, and is hereby directed to furnish to this body an opinion in writing upon each of the said two questions.

Councilman Woollen offered the following amendment; which was adopted :

Amend, by directing the Mayor to appoint a committee of three to confer with the City Attorney in selecting associate counsel for him in considering these questions.

The motion offered by Councilman Yontz, was them adopted as amended.

His Honor, the Mayor, appointed Councilmen Yontz, Woollen and Cooper to act as members of the above Committee.

Councilman Woollen moved that G. O. No. 30, 1890, be recalled from the Committee on Railroads.

Which was adopted by the following vote :

AYES, 14—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

NAYS, 11—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, Sweetland, and Yontz.

Councilman Woollen moved to strike G. O. 30, 1890, from the files.

Councilman Olsen demanded the previous question.

The question being, "*Shall the main question be now put?*" and it was so ordered, by the following vote :

AYES, 14—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

NAYS, 11—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, Sweetland, and Yontz.

The motion offered by Councilman Woollen, was then adopted, by the following vote :

AYES, 14—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

NAYS, 11—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, Sweetland, and Yontz.

Councilman Pearson raised the point of order that as G. O. 30, 1890, had not been engrossed, according to the Rules of the Common Council the ordinance could not be stricken from the files.

His Honor, the Mayor, sustained the point of order raised by Councilman Pearson.

Councilman Yontz moved to adjourn.

Which failed of adoption, by the following vote :

AYES, 10—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Pearson, Sweetland, and Yontz.

NAYS, 15—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

Councilman Yontz moved to refer G. O. 30, 1890, to the Committee on Railroads.

Which failed of adoption by the following vote :

AYES, 11—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, Sweetland, and Yontz.

NAYS, 14—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

Councilman Trusler moved that G. O. 30, 1890, be read the second time.

On which he demanded the previous question.

The question being, "*Shall the main question be now put?*" and it was so ordered, by the following vote :

AYES, 17—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sherer, Stechhan, Trusler, Weber, Woollen, and Yontz.

NAYS, 8—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, and Sweetland.

The motion offered by Councilman Trusler was then adopted, by the following vote :

AYES, 15—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, Woollen, and Yontz.

NAYS, 10—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, and Sweetland.

Councilman Yontz moved to reconsider the above vote.

Councilman Rassmann moved to lay the motion offered by Councilman Yontz, on the table.

Which was adopted by the following vote:

AYES, 14—viz: Councilmen Austin, Cooper, Gauss, Martindale, Murphy, McGill, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

NAYS, 11—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Myers, Pearson, Sweetland, and Yontz.

Councilman Yontz moved to adjourn.

Which failed of adoption, by the following vote:

AYES, 12—viz: Councilmen Burns, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Murphy, McGill, Pearson, Sweetland, and Yontz.

NAYS, 13—viz: Councilmen Austin, Cooper, Gauss, Martindale, Myers, Nolan, Olsen, Rassmann, Sherer, Stechhan, Trusler, Weber, and Woollen.

The City Clerk proceeded to read the following entitled ordinance:

G. O. 30, 1890—An ordinance supplemental to and amendatory of an ordinance entitled "An ordinance authorizing the construction, extension and operation of certain passenger railways in and upon the streets of the City of Indianapolis, ordained and established January 18th, 1864, and of all ordinances supplemental thereto and amendatory thereof, including the ordinance of the City of Indianapolis, entitled 'An ordinance approving the sale and transfer to the Citizens' Street Railroad Company of Indianapolis, Indiana, its successors and assigns, of all the property, rights, privileges and franchises of the Citizens' Street Railway Company of Indianapolis, Indiana, and confirming unto said first named company all the rights, privileges and franchises of said latter company, subject to all the duties and obligations under which said rights, privileges and franchises have been heretofore held by said last named company;'" ordained and established April 23d, 1888.

It being eleven o'clock, the Common Council adjourned before the above entitled ordinance was read the second time.

J. L. Sullivan, Mayor,

President of the Common Council.

Attest:

E. P. Swift, City Clerk.