

# PROCEEDINGS OF COMMON COUNCIL.

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REGULAR SESSION—OCTOBER 18, 1880.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, October 18th, A. D. 1880, at half-past seven o'clock, in regular session.

**PRESENT**—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and 18 members, viz: Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Shilling, Thalman, Van Vorhis, and Yoke.

**ABSENT**—Councilmen Downey, Lamb, Lang, Mauer, O'Connor, Pritchard, and White—7.

The Proceedings of the Common Council, for the regular session held on October 4th, 1880, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

As a question of privilege, on motion by Councilman Prier, Hon. Geo. H. Chapman, by an affirmative vote of a majority of all the members present, was granted permission to address the Council in relation to the opening and extension of Vermont street, who, in behalf of a number of petitioners, spoke at some length, advocating the opening of said street.

Sealed proposals for making the below described improvements, and for the erection of a certain lamp-post, were opened, read, and referred to the Committee on Contracts:

- (S. O. 70, 1880)—For grading and paving with brick, and curbing with stone, (where not already paved and curbed,) the east sidewalk, and bowldering the east gutter of West street, between First and Second streets.
- (S. O. 133, 1880)—For grading and bowldering the gutters of Columbia avenue, and curbing with stone the outer edges of the sidewalks thereof, from Malott avenue to Home avenue.
- (S. O. 105, 1880)—For the erection of a lamp-post and fixtures, (complete to burn gas, except the service pipes,) at northwest corner of Liberty and Court streets.
- (S. O. 29, 1880)—For grading and graveling the first alley west of East street, from McCarty street to Bicking street.

On motion by Councilman Kahn, the proposal for the placing of street signs on the sides of lamp-posts, was referred to the Committee on Public Light, jointly with the Committee on Contracts.

REPORT FROM COMMITTEE ON CONTRACTS.

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

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—Your Committee on Contracts, to whom was referred sundry proposals, presented to Council October 4th, 1880, have examined the same, and find them to be as follows:

1st. For grading and bowldering the south gutter, curbing with stone and paving with brick the south sidewalk of Ohio street, from Noble street to a point 222 feet east of Harvey street.

John Schier, 54 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing; 49 cents per lineal foot front on each side for paving.

Henry C. Roney, 50 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing; 50 cents per lineal foot front on each side for paving.

Henry Clay, 50 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing; 49 cents per lineal foot front on each side for paving.

Michael Faust & Co., 38½ cents per lineal foot front on each side for bowldering; 42½ cents per lineal foot front on each side for curbing; 32½ cents per lineal foot front on each side for paving.

Michael Faust & Co. being the lowest and best bidders, we recommend they be awarded the contract.

2d. For grading and bowldering the gutters of Ohio street, and curbing with stone the outer edges of the sidewalks thereof, from East street to Noble street.

John Schier, 54 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing.

John Stumph, 92 cents per lineal foot front on each side.

Henry Clay, 50 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing.

Henry C. Roney, 50 cents per lineal foot front on each side for bowldering; 42 cents per lineal foot front on each side for curbing.

Michael Faust, 38½ cents per lineal foot front on each side for bowldering; 42½ cents per lineal foot front on each side for curbing.

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

3d. For the construction of a brick sewer in, and along, Washington street, from the east line of New Jersey street to, and connecting with, the Washington street sewer at the intersection of Pennsylvania street.

A Bruner, \$14.00 per lineal foot; \$40.00 for man-holes; \$75.00 for catch-basins.

John A. Whitsit, \$11.75 per lineal foot; \$40.00 for man-holes; \$100.00 for catch-basins; \$2.00 for house connections.

Wm. Bossert, \$11.65 per lineal foot; \$70.00 for catch-basins; \$45.00 for man-holes.

R. M. Riner & Co., \$10.20 per lineal foot; \$65.00 for catch-basins; \$40.00 for man-holes.

Whereas, R. M. Riner & Co., being the lowest bidders, and being notified by said R. M. Riner & Co., as being unable to comply with foregoing bid, we recommend re-advertisement of said Washington street sewer.

Respectfully submitted,

Isaac Thalman,  
E. H. Koller.

#### COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, submitted the following report; which was approved:

*Indianapolis, Ind., Oct. 18, 1880.*

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

*Gentlemen:*—The amount of Mayor's fees collected by me during the month of September, 1880, was \$133.66. The amount of Policemen witness fees, was \$130.52. The amount of fines collected due the city treasury, was \$40.73; and the amount collected during the months of July, August and September, due the Home for Friendless Women, was \$129.40—making a total of \$434.31, which amounts I have paid the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

#### REPORTS FROM CITY OFFICERS.

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

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

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

Contract and bond of James Mahoney, for grading and graveling the first alley south of Prospect street, from Olive street to Laurel street. Bond, \$300; surety, John Schier.

Contract and bond of James Mahoney, for grading and graveling the first alley north of Buchanan street, from Greer street to Beaty street. Bond, \$300; surety, John Schier.

Contract and bond of Anderson Bruner, for constructing a brick sewer in and along the first alley east of Meridian street, from Maryland to, and connecting with, the Washington street sewer. Bond, \$7,500; surety, James Loucks.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

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

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

*Gentlemen*:—I herewith report the following estimates:

A first and final estimate in behalf of C. T. Langhorn, for grading and graveling Spruce street and sidewalks, between Prospect street and Pleasant Run.

2,822 $\frac{1}{2}$ lineal feet, at 50 c-nts .....	\$1,411 10
37 yards extra gravel at Orange street, at 40 cents.....	29 20

Total estimate..... \$1,440 30

A first and final estimate in behalf of J. L. Spaulding, for grading and graveling first alley west of Missouri street, from Indiana avenue to North street.

382 $\frac{1}{2}$ lineal feet, at 21 cents.....	\$80 41
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A first and final estimate in behalf of J. L. Spaulding, for grading and graveling the first alley west of Tennessee street, from Garden street to Pogue's Run.

556 lineal feet, at 17 cents.....	\$94 52
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Respectfully submitted,

R. M. PATTERSON, 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 allowed J. L. Spaulding, for grading and graveling the first alley west of Missouri street, from Indiana avenue to North 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 adopted by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Shilling, Thalman, VanVorhis, and Yoke.

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 allowed J. L. Spaulding, for grading and graveling the first alley west of Tennessee street, from Garden street to Pogue's Run, 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 adopted by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Shilling, Thalman, VanVorhis, and Yoke

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 allowed C. T. Langhorn, for gra-



ding and graveling Spruce street and sidewalks, from Prospect street to Pleasant Run, 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 adopted by the following vote:

AYES, 18—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Shilling, Thalmann, Van Vorhis, and Yoke.

NAYS—None.

The City Civil Engineer and Chief Fire Engineer submitted the following report:

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

*Gentlemen:*—The well at the intersection of Tenth and Arch streets having been completed according to contract, I find, upon examination, that there is but two and one-half feet of water in the same, and that it is useless for the purpose for which it was intended.

The data upon which the calculation was made, was taken at a time of the year when the ground was full of water, and it was not made deep enough for utility in times of drouth.

The water in the same having sunken one-half foot in the last two weeks, it is reasonable to suppose that it may be still lower.

I therefore recommend that the well be sunken to an extra depth of five feet.

Respectfully submitted,

S. H. SHEARER, Ass't. City Civil Engineer.

J. G. PENDERGAST, Chief Fire Engineer.

Indianapolis, Oct, 18, 1880.

On motion by Councilman Morrison, the City Civil Engineer was directed to advertise for proposals for deepening the well, according to report.

The City Clerk submitted the following report; which was concurred in:

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

*Gentlemen:*—I herewith report the following affidavits, now on file in my office, for collection of street assessment, by precepts, to-wit:

Fred. Gansberg vs. Harriet Jordan, for.....	\$23 70
Fred. Gansberg vs. Arthur G. Fosdyke, for.....	33 18
Fred Gansberg vs Arthur G. Fosdyke, for .....	33 18
Fred Gansberg vs. Isaac Frankem, for .....	31 60
Fred Gansberg vs. Jacob B. McChesney, for.....	31 60
Fred Gansberg vs. Jacob B. McChesney, for.....	31 60
Robert P. Dunning and James W. Hudson vs. William B. Wallace, for .....	44 80
Robert P. Dunning and James W. Hudson vs. William H Barker, for.....	42 37
Robert P. Dunning and James W. Hudson vs. Timothy W. Whiting, for.....	42 37

Robert P. Dunning and James W. Hudson vs. Timothy W. Whiting, for.....	42 37
Robert P. Dunning and James W. Hudson vs. John Welsh, for ..	22 40
Robert P. Dunning and James W. Hudson vs. John Welsh, for....	44 80
Robert P. Dunning and James W. Hudson vs. Noah T. and E. Roberts, for .....	44 80
Robert P. Dunning and James W. Hudson vs. Noah T. and E. Roberts, for .....	44 80
Robert P. Dunning and James W. Hudson vs. John T. R. Brown, for .....	50 40
Robert P. Dunning and James W. Hudson vs. John T. R. Brown, for.....	50 40
Robert P. Dunning and James W. Hudson vs. Sarah C. Heath, for..	50 40
Robert P. Dunning and James W. Hudson vs. Sarah C. Heath, for..	51 70

And recommend that you order the precepts to issue.

Respectfully,

JOS. T. MAGNER, City Clerk.

And the precepts ordered to issue by the following vote:

AYES, 17—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Fultz, Harrold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Shilling, Van-Vorhis, and Yoke.

NAYS, 1—viz. Councilman Thalman.

#### REPORTS, ETC., FROM OFFICIAL BOARDS.

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

First estimate, as per contract, for work and material on Engine House No. 9, on the corner of Seventh and Ash streets.

Excavation .....	\$60 00
Rubble stone work .....	300 00
Cut stone work .....	40 00
Brick work .....	250 00
Joist and bridging.....	100 00
Five window frames .....	30 00
Two door frames .....	12 00
Anchors .....	9 00
Carpenter work .....	50 00
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	\$871 00

First estimate, as per contract, for work and material on Engine House No. 10, on the corner of Madison avenue and Morris street.

Excavation .....	\$80 00
Rubble stone work .....	450 00
Cut stone work .....	40 00
Brick work .....	550 00
Joist and bridging .....	200 00
Five window frames.....	30 00
Two door frames .....	12 00

Anchors.....	9 00
Carpenter work .....	100 00
	\$1,471 00
Total of Engine House No. 9.....	871 00
Total of Engine House No. 10 ..	1,471 00
Total.....	\$2,342 00

We have compared the following estimates carefully, and recommend that the amount be allowed, less the twenty per cent. to be retained according to contract.

Respectfully submitted,

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

JOHN G. PENDERGAST, Chief Fire Engineer.

And the estimates allowed by the following vote :

AYES, 16—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling, Harrold, Kahn, Morrison, McKay, Pearson, Prier, Shilling, Thalman, Van-Vorhis, and Yoke.

NAYS—None.

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

*Report of Deaths in the City of Indianapolis, from the 30th day of September, to the 15th day of October, 1880—inclusive.*

Under 1 year.....	25
1 to 2 years.....	5
2 to 5 ".....	5
5 to 10 ".....	5
10 to 15 ".....	1
15 to 20 ".....	2
20 to 25 ".....	2
25 to 30 ".....	2
30 to 40 ".....	5
40 to 50 ".....	5
50 to 60 ".....	3
60 to 70 ".....	2
70 to 80 ".....	2
80 to 90 ".....	1
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	0
Total.....	66

Respectfully,

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

REPORTS, ETC., FROM COMMITTEES.

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

Indianapolis, October 18, 1880.

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

*Gentlemen:*—Your Committee on Finance, to whom was referred the reports of the City Clerk and Treasurer, beg leave to report that they have examined the same, and after careful examination and comparison of the same with the books of these respective officers, find them to be correct and in proper form.

Respectfully submitted,

Leon Kahn,  
M. H. McKay,  
E. H. Koller,  
John R. Pearson.

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

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

*Gentlemen:*—Your Joint Committee on Public Light, to whom sundry papers were referred, would report thereon as follows :

We recommend the following special ordinances, providing for erecting lamp-posts, etc., be passed, and number of lamp-posts established. after the property holders along the proposed lines have petitioned the Common Council and Board of Aldermen to pass said ordinances, and agree to take fifteen burners to the square :

S. O. 39, 1879—Woodlawn avenue, from Dillon to Reed street, eight posts.

S. O. 72, 1880—Eddy street, from South to Norwood street, seven posts.

S. O. 91, 1880—Water street, from Stevens to McCarty street, three posts.

S. O. 92, 1880—Greer street, from Stevens to Buchanan street, four posts.

S. O. 99, 1880—Hosbrook street, from Grove to Elk street, three posts.

S. O. 112, 1880—Ash street, from Ninth to Twelfth street, five posts.

S. O. 113, 1880—Broadway street, from Seventh to Tenth street, seven posts.

S. O. 114, 1880—Garden street, from Meridian to Illinois street, one post; and remove posts, on east side of Meridian street, opposite Garden street, to south side of Garden street, opposite Mechanic street.

S. O. 120, 1880—Woodlawn avenue, from Dillon to Lindon street.

S. O. 116, 1880—Yandes street, from Malott avenue to Lincoln avenue, six posts. On this line the citizens have expressed their willingness to take fifteen burners to the square, and Gas Company to lay mains. In view of this fact, we recommend this ordinance be passed.

The following special ordinances we recommend be not passed :

S. O. 100, 1880—Lord street, from Noble to Pine street.

S. O. 119, 1880—Pleasant street, from Dillon to Linden street.

S. O. 121, 1880—Dillon street, from Prospect to Elm street.

S. O. 38, 1879—Hoyt avenue, from Dillon to Linden street.

S. O. 107, 1880—Morris street, from Meridian to Dakota street.

Your committee would report adversely to the following motions, referred to us :

1st. To remove first lamp south of Bicking street to northwest corner of Ray street and Madison avenue.

2d. To relight four lamps on Arsenal avenue, between Washington and Michigan streets.

3d. To relight lamps on corner of Madison avenue and Phipps street.



4th. To relight lamps on west side of Noble street, between New York and Ohio streets

5th. To relight lamp at 283 South Delaware street.

6th. To relight lamp in front of C. Harmoning's, on South Delaware street.

Your committee recommend the following motions; to remove lamp-posts, be adopted, providing it can be done without any cost to the city.

1st. To remove lamp-post on east side of Illinois street, at the crossing of Fourth street, to in front of grocery store, north side of Fourth street.

2d To remove lamp-post on Michigan street, between Illinois and Tennessee streets, on south side, to the thirty-foot alley.

3d. To re-light lamp on the south side of South street, so as to light the alley, and extinguish one near the northeast corner of South street and Kentucky avenue.

The following petition of C. F. Rafert and others, praying for the passage of an ordinance to lay mains and erect lamp-posts on Pratt street, between Alabama and Delaware streets.

Recommend that the prayer of the petitioners be granted, and an ordinance be introduced and passed for the erection of two lamp-posts on said line.

The following motion, referred to your committee—

That the City Civil Engineer be directed to re-advertise for sealed proposals for the erection of lamp-posts, lamps and fixtures, on West street, between Georgia street and Kentucky avenue, are under S. O. 26, 1878—

Recommend that said advertisement be made for the erection of two lamp-posts—one on each side of railroad track—providing the railroad companies pay for the same.

Respectfully submitted,  
F. W. Hamilton,  
Aldermanic Committee.

H. J. Prier,  
Peter F. Bryce,  
James T. Dowling,  
Common Council Committee.

The chairman of the Committee on Sewers and Drainage, submitted the following report; which was received:

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

*Gentlemen:*—The question of the sewer on Indiana avenue, was referred to the Committee on Sewers and Drainage and as chairman of said committee, called the same to attend a meeting, but none of the committee appeared. I therefore make the following statement of facts in reference thereto:

At the time the improvement was first proposed, there was quite a remonstrance against it. The committee, as they then believed, shortened the distance of the sewer (believing that would be satisfactory to the remonstrants,) and reported accordingly. The ordinance was passed by the Council and Board of Aldermen, and the Clerk advertised for bids for the same, which the committee reported on last meeting, when the same remonstrants again appear and ask the Council to not let the contract, claiming that the party having the matter in charge, was detained from attending to the matter on account of sickness and death in his family, and thinks it a great hardship on him and the other remonstrants if the ordinance be enforced. The petitioner, represented by Dr. Tomlinson—who it appears is the only petitioner—sends in the following communication, which is herewith presented as a part of my statement; and I herewith return all the bids and papers connected with the matter, for the action of the Council.

Respectfully submitted,

LEON KAHN, Ch'n.  
Committee on Sewers and Drainage.

Oct. 18, 1880.

By consent, Councilman Kahn presented the following communication; which was received:

To the Honorable City Council:

*Gentlemen:*—The undersigned would respectfully state, in reference to the sewer on Indiana avenue, that wishing to build last spring, and from the excitement in respect to vaults and sinks, and not desiring to make trouble for myself, or a nuisance to my neighbors, and not knowing but what from the then existing feeling, that the City Council would suppress both vaults and sinks, I then thought of a sewer. Finding that it would be impracticable for one to connect with the Illinois street sewer, it occurred to me that one was needed on Indiana avenue. I saw from the flow of water coming into it, causing complaint, that it was needed by the city; and the Engineer agreed with me. I presented the subject to Mr. Morrison, and thought that it met with his approval. I requested Mr. Pearson to introduce an ordinance. It was advertised for the requisite number of days, and afterwards passed the Council. Two weeks after the passage, comes the remonstrance which was referred with the ordinance to the Committee on Sewers. The committee had it four weeks; reported in favor of the ordinance; passed the Council; it went to Board of Aldermen, and passed September 8th. It was advertised for bids. Bids were received, referred to the Committee on Contracts, who made their report; their report was accepted. Now, after all this, comes again the remonstrance October 4th, to oppose. Clearly, by their own dereliction, they have lost their right to be heard. As for myself, in good faith supposing all complete, in fact, was told so—that I might go on, without a doubt; made my contracts; bound myself; building now in course of erection. Is it right that I should be thus damaged? I would not have built without the sewer. Had they acted in time, and stopped it, then I would be free. It does not look right. Looks as if intended to see me bound, and when they would see that I had began building, then come in and endeavor to stop the sewer, regardless of the injury to me. I appeal to your native honesty, is it right?

JAS. M. TOMLINSON.

By consent, Councilman Kahn presented the following remonstrance; which was received:

Indianapolis, Oct. 15, 1880.

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

*Gentlemen:*—The undersigned, owners of real estate fronting on Indiana avenue, between Illinois street and Tennessee street, respectfully remonstrate against the acceptance of any contract or bid made, providing for the construction of a sewer in and along Indiana avenue, from Illinois street to Tennessee street, and ask the Council and Board of Aldermen to reconsider their action in passing the ordinance providing for such construction, and assign as their reason therefor, the same that were assigned in the remonstrance and petition dated September 30th, 1880, and presented before the Council. And we, the undersigned, do show to your honorable body, that we fully endorse the remonstrance in every particular, and make the same prayer for relief. And your petitioners will ever pray, etc.

H. W. & Mrs. E. L. Harrington, 49 Indiana avenue, own 76 feet on Indiana avenue; Mrs. E. C. Knodle, Anna M. Knodle, and George Knodle, 39 feet.

Councilman McKay moved to refer the whole matter back to the Committee on Sewers and Drainage; which was lost.

On motion by Councilman Pearson, the contract for building the Indiana avenue sewer, as recommended in the first clause of the report of the Committee on Contracts (see Council, page 562, *ante*) was awarded.

## MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read :

To the Mayor and Common Council :

*Gentlemen:*—The Board of Aldermen, in regular session, held October 6th, 1880, adopted the following motion :

“That the City Clerk be directed not to issue any notices in the opening of Hanway street until a proper bond shall have been filed by the parties applying for said opening, indemnifying the city against any loss.”

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

On motion, the action of the Board of Aldermen, in adopting the above motion, was concurred in.

The following message was read :

To the Mayor and Common Council :

*Gentlemen:*—The Board of Aldermen, in regular session held October 6th, 1880, refused to concur in your action in not passing the following entitled ordinances :

*First Clause.*

S. O. 59, 1879—An Ordinance to provide for grading and graveling the west sidewalk of Reid street, from Prospect street to Cypress street.

*Second Clause.*

S. O. 126, 1880—An Ordinance to provide for improving Massachusetts avenue, from New Jersey street to the intersection of Clifford avenue, by removing the boulders forty (40) feet in the center of the street, and graveling the same with raked river gravel.

I submit the same for your consideration and action.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

On motion, the action of the Board of Aldermen, in refusing to pass S. O. 59, 1879, and S. O. 126, 1880, was concurred in.

NEW ORDINANCES.

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

By Councilman VanVorhis :

S. O. 152, 1880—An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures, (complete to burn gas, except the service pipes,) in Pratt street, between Delaware and Alabama streets.

By Councilman Yoke :



S. O. 153, 1880—An Ordinance to provide for grading and paving with brick, the east sidewalk of Elm street, from Grove street to Pine street.

## MISCELLANEOUS.

Councilman Bernhamer presented the following petition; which was referred to the Committee on Finance:

*Indianapolis, Ind., 15th Sept., 1880.*

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

*Gentlemen:*—Your petitioners would respectfully represent to you that they are either the owners of real estate or residents of said city, south of the Belt Railroad, and that by reason of the great number of trains daily passing over said railroad, they are almost cut off from communication with said city, and are compelled to pay city taxes, but receive no benefit therefrom, either from the Fire Department, Gas, Police, or other benefits generally given to tax payers by the city government.

Therefore, we pray you that all of said real estate lying within the corporate limits of Indianapolis south of the Belt Railroad and east of White River, be thrown out of the city limits and restored to the County and Township government.

E. Rauh & Sons, John Krupp, Henry Stolte, Geo Geinsseman, Sarah A. Robbins, Budenz & Adcock, Fredericke Lensmann, Otto Stechhan, John Cohen, executor and trustee Nancy S Beaty, dec'd., representing Beaty's addition; B C Shaw J. W. Fike, L B Hervey, Edward Guth, Wm. H. Nimal, M. Oriqui, H. Albrey, Wm. Rathert, Henry Budenz.

Councilman Bernhamer offered the following motion; which was adopted:

That the City Civil Engineer be directed to prepare from the records and actual measurements a plat of Sullivan street, from McCarty street to Buchanan street, and of the first alley east of said street, from Bismarck to Buchanan street.

Councilman Bernhamer offered the following motion:

That the sympathies of this body be extended to our fellow member John O'Conner, on account of the severe affliction that has befallen him by the death of his estimable wife.

Which was adopted by a rising vote.

Councilman Caylor presented the following claims; which were referred to the Judiciary Committee:

*Indianapolis, October 18th, 1880.*

THE CITY OF INDIANAPOLIS

*To John Larkin;*

*Dr.*

To damage to wagon, by being broken, in crossing a broken culvert, as per O'Brien's bill.....	\$ 7 85
To damage for use of wagon, for four days, while same was repairing.....	12 00
	\$19 85



Indianapolis, October 16th, 1880.

JOHN LARKIN,

To P. O'Brien,

Dr.

October 16—Wood work on shafts.....	\$ 2 25
“ Ironing shafts .....	2 00
“ Setting, one axle and clips .....	1 75
“ New singletree.....	1 25
“ Six bolts in wagon.....	60
	<hr/>
	\$7 85

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

That the Street Commissioner be and is hereby directed to clean the gutters on Garden street, between Tennessee and Mississippi streets.

That the Street Commissioner be and is hereby directed to fill the chuck-holes and clean the gutters on South street, between Illinois and Tennessee streets.

That Casper Hess have permission to bridge the gutter with plank, in front of his place of business, on Madison avenue, under the direction of the City Civil Engineer.

Councilman Prier offered the following motion ; which was adopted :

That the City Marshal be and is hereby directed to wait upon John Gimber, who rents coffee-stand No. 2 at the the east market, and has failed to pay the rent ; and request him to pay at once, and if he does not do so, eject him.

Councilman Shilling offered the following resolution :

*Resolved*, That the report of the City Commissioner, in reference to the opening and extension of Vermont street, heretofore filed in the office of the City Clerk on the second day of October, 1880, and reported to the Common Council at its last meeting, be and the same is hereby accepted and approved.

*Resolved*, That the real estate necessary for the opening of said street, as fully shown in the report of said City Commissioners, be and the same is hereby condemned and appropriated for the purpose of opening of said street, and the City Clerk is hereby directed to prepare and deliver to the City Treasurer a certified copy of so much of said report as assesses benefits and damages upon real estate ; and the City Treasurer is hereby directed to proceed to collect all benefits so assessed, and also to make tender of the damages awarded to the owner or owners of real estate taken in the opening of said street ; and that the City Marshal be and he is hereby directed to notify the owner of such real estate, so condemned, to vacate said premises, and failing to do so, that he be directed to proceed to open said street in accordance with the report of said Commissioners.

Which failed of adoption by the following vote :

AYES 3—viz. Councilmen Bernhamer, Shilling, and Thalman.

NAYS, 15—viz. Councilmen Bedford, Bryce, Caylor, Dean, Dowling, Fultz, Harold, Kahn, Koller, Morrison, McKay, Pearson, Prier, Van Vorhis, and Yoke.

Councilman VanVorhis offered the following motion; which was adopted:

That the proper parties be directed to repair or remove the patent gas-governor from the gas-meter connected with this room.

Councilman Prier moved that the action of the Council in failing to adopt the report of the Board of City Commissioners, in relation to the Vermont street opening, be reconsidered.

Which motion was adopted, and Council's action reconsidered by the following vote:

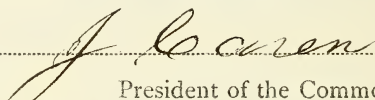
AYES, 17—viz. Councilmen Bedford, Bernhamer, Bryce, Caylor, Dean, Dowling Fultz, Harrold, Kahn, Koller, McKay, Pearson, Prier, Shilling, Thalman, VanVorhis, and Yoke.

NAYS, 1—viz. Councilman Morrison.

Councilman Shilling offered the following motion; which was adopted:

That the report of the City Commissioners, in reference to the opening of Vermont street, be referred back to them and the City Attorney.

On motion, the Common Council then adjourned.

  
..... Mayor,  
President of the Common Council.

Attest:   
..... City Clerk.