

# PROCEEDINGS OF COMMON COUNCIL.

## REGULAR SESSION—APRIL 1, 1889.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 1st, A. D. 1889, at 7:30 o'clock, in regular session.

**PRESENT**—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 18 members, viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, McClelland, Parkinson, Pearson, Smith, Stackmeyer, Swain, Thalman, Trusler, and Wilson.

**ABSENT**, 7—viz: Councilmen Coy, Finch, Johnston, Kelley, Long, Markey, and O'Connor.

The Proceedings of the Common Council for the regular session held March 18th, and the special session held March 21st, 1889, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

### REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report; which was 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 month of March, 1889, viz:

Board of Health.....	\$ 186 00
City Civil Engineer's Department.....	143 20
City Dispensary.....	331 29
City Hall.....	5 25
Fire Department—pay-rolls.....	5,000 00
Fire Department—accounts.....	690 65
Fountains and pumps.....	140 00
Garfield Park.....	566 26
Gas.....	3,768 07
Hospital and Branch.....	1,807 04
Illinois street tunnel.....	149 00
Incidentals.....	93 50
Interest.....	111 50
Judgments and costs.....	46 20
Markets.....	96 65
Parks.....	162 00
Police.....	4,601 29
Printing.....	513 83
Public charity.....	50 00
Redemption of bonds, and interest.....	4,940 50

Salary .....	\$ 356 33
Station House.....	226 86
Street Improvements.....	81 90
Street repairs—pay-rolls.....	5,563 63
Street repair—accounts.....	1,497 53
Taxes refunded.....	10 08
Tomlinson Estate .....	12 50
Tomlinson Hall—Janitors.....	98 00
Tomlinson Hall—accounts.....	149 30
Water rent.....	8,808 99
<b>Total.....</b>	<b>\$ 40,207 35</b>

Respectfully submitted,

JNO. W. BOWLUS, City Clerk.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—I herewith report the following entitled affidavits, now on file in the office of the City Clerk, for the collection of street improvement assessments by precepts, to-wit:

Geo. W. Seibert vs. Minnie E. Eminger, for.....	\$ 25 50
J. L. Fisher vs. H. J. Milligan, Trustee, for.....	107 05
J. L. Spaulding vs. Henry Schwomeyer, for.....	13 64
J. L. Spaulding vs. Henry Schwomeyer, for.....	19 20
J. L. Spaulding vs. Henry Schwomeyer, for.....	19 20
J. L. Spaulding vs. M. E. & C. Glenn, for.....	19 20
J. L. Spaulding vs. M. E. & C. Glenn, for.....	19 20
J. L. Spaulding vs. J. H. Holland, for.....	19 20

Respectfully submitted,

JNO. W. BOWLUS, City Clerk.

Which was read, and the precept ordered to issue, by the following vote:

**AYES, 16**—viz: Councilmen Darnell, Davis, Dunn, Elliott, Gasper, Gaul, Eicklin, McClelland, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS, 2**—viz: Councilmen Burns, and Cummings.

The Street Commissioner submitted the following report; which was read and received:

*Indianapolis, April 1, 1889.*

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

*Gentlemen:*—I respectfully call your attention to the condition of the streets and alleys on the lines occupied by the gas and water companies' mains. The companies have almost entirely disregarded their contract with the city to put the streets in as good condition as they found them. All are in very bad condition, and a great many are almost impassable, owing to which, I respectfully suggest that a sufficient fund be placed at the disposal of the City Civil Engineer or Street Commissioner to do the work left undone by these companies, and that the amount so expended be collected from them.

Respectfully,

D. DERUITER, Street Commissioner.

The Street Commissioner submitted the following report; which was referred to the Board of Public Improvements:

Indianapolis, April 1st, 1889.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith submit report of the expenditures of the Street Department for the month of March:

Pay-rolls.....	\$ 5,617 22
Blacksmithing.....	46 35
Bowlders.....	107 50
Broken stone.....	12 03
Freight on stone.....	72 10
Gravel, delivered on streets.....	912 69
Hardware.....	18 70
Lumber.....	154 71
Miscellaneous.....	14 30
Rent.....	15 00
Sand.....	1 50
Sewer pipe.....	2 46
Stone crossings.....	140 51
<b>Total expenditures.....</b>	<b>\$ 7,115 07</b>

D. DERUITER, Street Commissioner."

The City Civil Engineer submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimate in behalf of Henry W. Tielking, for constructing a stone abutment for a bridge over Pleasant Run in Garfield Park:

98 66 cubic yards of masonry, at \$6'75.....	\$665 95
281.25 cubic yards of wet excavation, at 60 cents.....	168 75
20.00 cubic yards of dry excavation, at 15 cents.....	3 00
780.00 square feet of timber, at 16 cents.....	124 80
1,281.00 feet of lumber, B. M., at \$18.00 per thousand.....	23 06
<b>Total estimate.....</b>	<b>\$985 56</b>
<b>Amount allowed in first partial estimate.....</b>	<b>350 47</b>
<b>Balance due.....</b>	<b>\$635 09</b>

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

Which report was received, and the estimate, presented therewith, approved by the following vote:

AYES, 21--viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The City Civil Engineer and Board of Public Improvements submitted the following report; which was read and approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The natural gas companies are opening the streets and putting in service pipes, and will soon commence laying additional mains, therefore require attention of my Department. I would most respectfully ask permission to appoint one or more persons, as the necessity may demand, to assist me in my Department as gas inspectors.

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

We recommend said appointments be made, provided that the number does not exceed four persons.

Respectfully submitted,

R. McClelland,  
W. H. Wilson,  
Wm. J. Parkinson,  
Board of Public Improvements.

The City Civil Engineer submitted the following report :

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—I have appointed Thomas C. Darnell as axman in my Department. I respectfully submit the same for your approval.

Respectfully submitted,

A. P. SHAWVER, City Civil Engineer.

We recommend said appointment be concurred in.

Respectfully submitted,

W. H. Wilson,  
Wm J. Parkinson,  
Board of Public Improvements.

Councilman McClelland moved that the name of Wm. S. Lockman be substituted for that of Thomas C. Darnell.

Councilman Gaul moved to lay the above motion on the table.

Which motion was adopted, by the following vote :

AYES, 19—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Finch, Gaul, Hicklin, Kelley, Long, Markey, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 3—viz: Councilmen Gasper, McClelland, and O'Connor.

On motion, the report, as submitted by the City Civil Engineer, was then concurred in.

The City Rental Agent submitted the following report ; which was referred to the Finance Committee :

*Indianapolis, March 31st, 1889.*

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

*Gentlemen:*—I herewith report rents collected from Tomlinson Estate as follows :

From L. S. Campbell.....	\$12 50
From Alice Robinson.....	25 00
From Mrs. H. Overman.....	25 00
From Mrs. W. H. Mahan.....	25 00
	<hr/>
	\$87 50
Commission.....	4 37
	<hr/>
	\$83 13

Respectfully submitted,

WM. HADLEY, Agent.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Bridges, through Councilman Wilson, offered the following motion ; which was adopted :

*Moved*, That John Springstein be allowed the use of the south side of the old wooden bridge across White River, for advertising purposes, provided that he will agree with the City Clerk to keep in repair and paint the south side and both ends.

W. H. Wilson,  
John O'Connor,  
Committee on Bridges.

The Committee on Fire Department submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen*:—Your Fire Committee and Chief Fire Engineer would recommend the building of a twelve hundred barrel cistern at the corner of Yandes and Tenth streets, and that the City Civil Engineer advertise for bids on same

Respectfully submitted,

P. C. Trusler,  
Fred. W. Gaul,  
J. C. Finch,  
Fire Committee.

FRANK L. DAUGHERTY, Chief Fire Engineer.

Councilman Thalman offered the following motion; which was adopted:

That the Committee on Office Fixtures and Supplies be instructed to purchase two of Baker's new city maps; one for the City Civil Engineer's Department and one for the Fire Department.

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

To the Mayor and Common Council:

*Gentlemen*:—Your Committee on Public Light respectfully report upon the following motions:

1st. "That the Public Light Committee be directed to report to the Council some method of lighting Shelby street, from the place where the lights now stop to the Belt Railway." Recommend that the City Civil Engineer locate vapor lights.

2d. "That a two thousand candle-power arc electric light be erected at the corner of Noble and Michigan streets, under the contract with the Brush Electric Light Company." Recommend its passage.

Respectfully submitted,

P. C. Trusler,  
Thomas Markey,  
J. C. Finch,  
Committee on Public Light.

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen*:—Your Committee on Streets and Alleys, to whom was referred sundry matters, report thereon as follows:

1st. We recommend that the petition of Louisa A. Wright and others, praying for reducing the width of Carlos street, from Morris street to Wisconsin street, from sixty (60) to forty (40) feet, be not granted. We would, however, favor the vacating of ten (10) feet on the east side of said street, but no more, for the reason that if ten (10) feet were vacated on the west side of said street, the jog in the street would be that much greater than it now is at Morris street.

2d. We report progress and ask further time on the petition of John Sullivan and others, praying for the vacation of all of Catharine street between Missouri street and Pogue's Run.

Respectfully submitted,

Edward Dunn,  
C. H. Stuckmeyer,  
Elton B. Elliott,  
Committee on Streets and Alleys.

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

To the Mayor and Common Council :

*Gentlemen:*—Your Committee on Streets and Alleys, to whom was referred the petition of Fahnley, McCrea, and others, praying for the opening and extending, to a uniform width of fifty (50) feet, Eleventh or Herbert street, from the first alley west of Illinois street to Illinois street, report that we recommend the prayer of the petitioners be granted, and the accompanying resolution be adopted.

Respectfully submitted,

Edward Dunn,  
C. H. Stuckmeyer,  
Elton B. Elliott,  
Committee on Streets and Alleys.

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis.* That the petition of Fahnley, McCrea and others, praying for the opening and extending, to a uniform width of fifty (50) feet, Eleventh or Herbert street, from the first alley west of Illinois street to Illinois street, as prayed for in said petition, be referred to the Board of City Commissioners, with instructions to assess benefits and damages, and to make due report to the Common Council and Board of Aldermen; the said Commissioners to return all petitions and notices. The City Clerk is hereby instructed to issue the proper notices, and the Superintendent of the Metropolitan Police Force is hereby directed to serve said notices on the said Board of City Commissioners and upon the property owners: *Provided*, That before the Clerk issue the said notices to the City Commissioners, a bond shall be filed with said City Clerk, to the approval of the Mayor, guaranteeing the payment of all of said costs and charges of said Commissioners in this matter.

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

**AYES**, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**—None.

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

To the Mayor and Common Council :

*Gentlemen:*—Your Committee on Streets and Alleys, to whom was referred the petition of W. F. Piel & Company, and others, praying for the vacation of twenty (20) feet off of the west side of Dakota street, from Morris street to the southeast corner of Lot forty-three (43,) in Peru & Indianapolis Railroad Company's South Addition to the City of Indianapolis, report that we recommend the prayer of said petitioners be granted, and that the accompanying resolution be adopted.

Respectfully submitted,

Edward Dunn,  
C. H. Stuckmeyer,  
Elton B. Elliott,  
Committee on Streets and Alleys.

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis.* That the petition of W. F. Piel & Co., and others, praying for the vacation of twenty (20) feet off of the west side of Dakota street, from Morris street to the southeast corner of Lot forty-three (43,) in Peru & Indianapolis Railroad Company's South Addition to the City of Indianapolis, as prayed for in said petition, be referred to the Board of City Commissioners, together with the plat accompanying the same, with instructions to assess benefits and damages, caused by such vacation, and to make due report to the Common Council and Board of Aldermen; the said Board of City Commissioners to return all petitions, plats and notices. The City Clerk is

hereby required to issue, and the Superintendent of the Metropolitan Police Force to serve, the proper notices upon the said Commissioners; and the petitioners are hereby required to serve the proper notices upon the property owners, and show by affidavit due service of such notices: *Provided*, That before the Clerk issue the said notices to the City Commissioners, a bond shall be filed with the City Clerk, to the approval of the Mayor, guaranteeing the payment of all costs and charges of said Commissioners in this matter.

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

**AYES**, 21—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

**NAYS**, 2—viz: Councilmen Darnell, and Trusler.

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

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen*:—We herewith submit the following bills and pay-rolls for labor and materials on Garfield Park, and recommend their payment out of the special fund appropriated therefor:

William H. Tielking, final estimate for stone abutments for bridge over Pleasant Run .....	\$635 09
John Chislett, stakes, and an assistant.....	25 60
Francke & Schindler, hardware.....	8 06
Lilly & Stalnaker, hardware.....	60
Joseph W. Buchanan, blacksmithing ....	4 00
H. T. Conde, hardware.....	6 50
Pay-rolls.....	206 37

Total..... \$886 22

Respectfully submitted,  
 Wm. E. Davis,  
 W. M. Hicklin,  
 P. C. Trusler,  
 M. M. Reynolds,  
 Committee on Public Property.

The Committee on Water, through Councilman Smith, submitted the following report:

To the Mayor and Members of the Common Council:

*Gentlemen*:—Your Committee to whom was referred the following resolutions—

- 1st. To extend water mains on north West street, from First to Third streets;
- 2d. To extend mains on north New Jersey street, from Seventh street to the State Ditch;
- 3d. To extend mains on Coburn street, from East street to Virginia avenue;
- 4th. To extend mains on Fletcher avenue to Reid street, and on Reid street to the P., C. & St. L. Railway track, and to locate fire hydrants as per contract, under the direction of the Chief Fire Engineer;

Would recommend the passage of the above resolutions.

Respectfully submitted,  
 Henry L. Smith,  
 M. M. Cummings,  
 John O'Connor,  
 Committee on Water.

Which report was concurred in, and the resolutions adopted, by the following vote:

AYES, 22—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The Rental Committee, through the City Clerk, submitted the following report; which was read and received:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—Your Rental Committee, having charge of the renting of Tomlinson Hall, beg leave to report the following rents collected for the month of March, 1889:

March 4.	Irish American Association.....	\$ 30 00
" 5.	State Tariff League.....	30 00
" 8.	Jos. Cameron.....	30 00
" 19.	Wm. Lee.....	30 00
		\$120 00

Respectfully submitted,

WM. L. TAYLOR,  
JNO. W. BOWLUS,  
Rental Committee.

The Superintendent of the City Dispensary submitted a report for the month of March, 1889, which was received.

#### 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 in the Aldermanic Chamber Monday evening, March 11th, 1889, non-concurred in the action of your honorable body on the proposition of the Sun Vapor Light Company for furnishing five hundred street lamps, and asked that a Conference Committee be appointed.

I submit the same for your consideration.

For the Board of Aldermen:

MICHAEL W. TOOMEY, Clerk.

On motion, the above request was granted, and His Honor, the Mayor, appointed as such committee, Councilmen Gasper, O'Connor and Thalman to serve as members of such committee on the part of the Common Council.

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

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen in regular session held in the Aldermanic Chamber Monday evening, March 25th, 1889, adopted the following motion:

"That the City Street Commissioner be, and is hereby, directed to notify the Jeffersonville, Madison & Indianapolis Railroad Company to at once provide for proper drainage under their tracks at the crossing of Hanway street; and if the work is not done in fifteen days, the Street Commissioner to do the work at the cost of the railroad company."

I submit the same for your consideration.

For the Board of Aldermen:

MICHAEL W. TOOMEY, Clerk.

The following message was read and referred to the Committee on Ordinances and the City Attorney, to investigate and report an ordinance, if necessary :

To the Mayor and Common Council:

*Gentlemen* —The Board of Aldermen, in regular session held in the Aldermanic Chamber Monday evening March 25th, 1889, adopted the following resolution :

*Resolved*, That the City Attorney be instructed to prepare an ordinance providing for the repeal of all the rights and privileges heretofore granted to and accepted and acted upon by the Citizens' Street Railway and the Citizens' Street Railroad Company, in the City of Indianapolis, Indiana.

I submit the same for your consideration.

For the Board of Aldermen :

MICHAEL W. TOOMEY, Clerk.

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

To the Mayor and Common Council :

*Gentlemen*:—The Board of Alderman, in regular session held in the Aldermanic Chamber Monday evening, March 25th, 1889, non concurred in the action of your honorable body in adopting the following resolution :

WHEREAS, The City Civil Engineer has communicated to this body the information that the Brush Electric Light & Power Company, of this city, is not complying with the terms and provisions of G. O. No. 44, of 1888; therefore

*Resolved*, That no money be paid said Brush Electric Light & Power Company for and on account of electric light furnished to the city under its present contract with the city, so long as said company fails to comply with the terms and provisions of said ordinance.

I submit the same for your consideration.

For the Board of Aldermen :

MICHAEL W. TOOMEY, Clerk.

#### APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were introduced and placed upon their final passage, without a suspension of the Rules :

Councilman Thalman, on behalf of the Finance Committee, submitted the following entitled appropriation ordinances :

Ap. O. 18, 1889—An ordinance appropriating money for the payment of the salaries of the officers and members of the Fire and Police Departments; of the Committee Clerk; of the Janitor and Assistant Janitor of the City Hall; of the Janitor and Assistant Janitor of Tomlinson Hall, and of the East and West Market Masters. [Amount appropriated, \$10,968.33.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 19, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$247.68 ]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 23—viz: Councilmen Burns Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 20, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$1,512.79.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 21, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$690.09 ]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The following entitled ordinance was read the first and second times :

Ap. O. 22, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$6,180.16.]

On motion by Councilman McClelland, the item allowing Wm. Hadley \$60 00 for insurance on White River bridge, was stricken out, and referred to the Committee on Public Property.

Councilman Hicklin moved that the names of Drs. Hurty, Pettijohn and Earp be stricken out.

Councilman Thalman moved to lay the above motion on the table.

Which was adopted.

The ordinance—Ap. O. 22, 1889—was then ordered engrossed, read the third time and passed, by the following vote .

**AYES, 23**—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**—None.

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

**Ap. O. 23, 1889**—An ordinance appropriating the sum of Ten Thousand Dollars (\$10,000) on account of the Street Repairs Department of the City of Indianapolis.

And it was passed by the following vote :

**AYES, 23**—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**—None.

**Ap. O. 24, 1889**—An ordinance appropriating Three Thousand Dollars, to be used under the direction of the Street Commissioner to repair streets, avenues and alleys heretofore torn up by the natural gas companies, and providing for the collection from said companies of any part of said sum expended on the repair of any such streets, avenues or alleys so torn up by said companies.

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

**AYES, 23**—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**—None.

**Ap. O. 25, 1889**—An ordinance to appropriate Eight Hundred and Forty Dollars to pay interest on bonded debt due April 1st, 1889, on "Seller Farm" bonds.

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

**AYES, 23**—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS**—None.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Gasper, which was referred to the Committee on Public Light:

**G. O. 10, 1889.**—An ordinance to amend Section Thirteen of General Ordinance No. 44, 1888, entitled "An ordinance authorizing the construction and regulating the operation and maintenance of incandescent and arc electric lighting and power plants, in the City of Indianapolis;" ordained November 19, 1888.

By Councilman Thalman :

G. O. 11, 1889.—An ordinance regulating temporary sales of badkrupt stocks, or damaged goods within the City of Indianapolis.

Councilman Peason moved that the rules be suspended for the purpose of placing the ordinance, G. O. 11, 1889, on its passage.

Which motion failed of adoption by the following vote :

AYES, 13—viz: Dunn, Gasper, Gaul, Hicklin, Kelley, Long, Markey, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 9—Councilmen Burns Cummings, Darnell, Elliott, Finch, McClelland, O'Connor, Parkinson and Trusler.

By Councilman Thalman, which was referred to the Committee on Public Light.

G. O. 12, 1889.—An ordinance to amend Sections 12 and 13 of General Ordinance No. 44, 1888, entitled "An ordinance authorizing the construction and regulating the maintenance of incandescent and arc electric lighting and power plants in the City of Indianapolis; ordained and established November 19, 1888.

It being now near eleven o'clock, on motion by Councilman Darnell, the Rules were suspended for the purpose of extending the time of the session, by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Darnell, Dunn, Elliott, Gasper, Gaul, Hicklin, Kelley, Markey, McClelland, O'Connor, Parkinson, Pearson, Swain, Thalman, and Wilson.

NAYS, 5—viz: Councilmen Finch, Long, Smith, Stuckmeyer, and Trusler.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Cummings moved that the following entitled ordinance be recalled from the Board of Aldermen :

G. O. 1, 1889—An ordinance establishing a Board of Health for the City of Indianapolis, and legalizing the election and acts of former Boards of Health and of the city, relating to public health, and ordinance relating thereto.

Which motion failed of adoption.

On motion by Councilman Cummings, the Council adjourned to meet next Monday evening, to take action on the above entitled ordinance G. O. 1, 1889.

Councilman Darnell presented the following petition and resolution, which were referred to the Judiciary Committee and City Attorney :

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

*Gentlemen:*—The undersigned, resident and property owners in the City of Indianapolis, would respectfully petition your honorable body to cause surveys and estimates to be made for the construction, repair and maintenance of a substantial

levee on the south bank of Fall Creek, beginning two hundred feet east of Central avenue, on the south bank of said Creek, and extending west along said south bank with the present levee, until it intersects Mississippi street, at the crossing of said Creek. And they respectfully petition your honorable body to cause said levee to be constructed, repaired and maintained in pursuance of the Act of the General Assembly of the State of Indiana, entitled "An act to authorize cities to construct, repair and maintain levees, and matters connected therewith, and declaring an emergency;" approved February 14th, 1889. A copy of which said Act accompanies this petition.

C. W. Davison, Liberty Howard, H. Woodworth, J. W. Beck, J. C. Shaffer—and 19 others.

*Be it Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, Indiana,* That the construction, repair and maintenance of a levee on the south bank of Fall Creek, north of the City of Indianapolis, extending from a point two hundred feet east of Central avenue with the present levee now constructed on the south bank of said Creek, to the point of intersection with Mississippi street, is of sufficient public interest to justify the construction, repair and maintenance of such levee by the city.

The City Civil Engineer is therefore hereby directed to survey, locate and estimate the cost of such construction, repair and maintenance of such levee, and report the same at his earliest convenience to the Common Council and Board of Aldermen.

Councilman Darnell presented the following resignation, which was accepted:

To the Hon. CALLEB S. DENNY, Mayor, and President of the City Council:

*Gentlemen:*—I hereby tender my resignation as City Wood Measurer, to take effect on the first day of April, 1889, and would suggest that the office be abolished, for the reason that the wood business is gone from this city; it is virtually played out. I have the honor to be, most respectfully, your obedient servant,

March 30th, 1889.

WM. B. BOGARDUS.

Councilman Cummings offered the following motion; which was adopted:

That Mrs. Hedges be permitted to re-lay the brick sidewalk in front of her houses, Nos. 140 and 124 north Tennessee street, at her own expense, under the instruction of the City Civil Engineer.

Councilman Cummings presented the following petition; which was referred to the Judiciary Committee and City Attorney:

STATE OF INDIANA *Marion County, ss:*

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

*Gentlemen:*—Your petitioner, John C. Purdy, would respectfully represent and show unto your Honor and your honorable bodies, that heretofore, to-wit: on or about the 19th day of March, 1889, your petitioner was traveling along and upon Michigan street, in the City of Indianapolis, county and State aforesaid, in his buggy, drawn by a single horse, and going west toward Haughville. That just after he had crossed White River, and before he had reached the corporate limits of said city, and while crossing a bridge on said Michigan street, his said horse, without any fault or negligence upon the part of your petitioner, fell through or broke through the bridge, by reason of the plank breaking and giving way, thereby upsetting the buggy and smashing it to pieces, and throwing your petitioner violently forward and out upon the ground, thereby injuring and bruising him, and wrenching his back or spine, so that he has been unable to do any kind of work since said accident. That his horse was seriously and permanently injured.

Your petitioner says he thinks he has sustained great damages by reason of the accident aforesaid; but he dislikes the expense and delays of litigation, and would

prefer accepting a much smaller sum—say five hundred dollars—to avoid the same. Your petitioner further says that if the matter be referred to a committee, he will appear before the same and satisfy such committee of the justness of his claim.

JOHN C. PURDY,

by GEO. W. SPAHR, his Att'y.

Councilman Davis offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to open Davis street, from Maxwell street to Wilson street.

Councilman Finch offered the following motion; which was adopted:

That Dr. Isaac C. Walker be, and is hereby, permitted to improve, at his own expense, by grading and graveling, the sidewalks and roadways of east New York street, from Archer street to Hanna street, and Dorman street, from Vermont street to the first alley south of Vermont street; work to be done under the direction of the City Civil Engineer.

Councilman Gasper offered the following motions; which were adopted:

That Joseph Flack be granted the privilege of replacing the paving on Delaware street along his property, at his own expense; the work to be done under the direction of the City Civil Engineer.

Councilman Gaul offered the following motions; which were adopted:

That the City Clerk be, and is hereby, instructed to notify the Citizens' Street Railroad Company to raise their tracks on Morris street, from West street to White River bridge.

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

That the Street Commissioner be, and is hereby, directed to fill all chuch-holes on Meridian street, from Morris street to Palmer street.

Councilman Kelley offered the following motion; which was adopted:

That the Street Commissioner be directed to notify the companies that tore up Buchanan street last fall, to replace the said street in as good condition as it was before they opened the same.

Councilman Stuckmeyer offered the following resolution:

*Resolved,* That the Indianapolis Water Company be, and is hereby, directed to lay mains in Huron street, from Noble street to Dillon street.

And it was adopted by the following vote:

**AYES, 21—viz:** Councilmen Burns, Darnell, Dunn, Elliot, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

**NAYS, 1—viz:** Councilman Cummings.

Councilman Stuckmeyer offered the following motion ; which was adopted :

That A. Stephenson, C. E. Vandever, Charles Rees and A. D. Lambard be, and are hereby, granted permission to grade, bowlder and curb the gutter in front of their property on Huron street, between Cedar and Grove streets. Curb to be set out to same line as on the square east. Work to be done at their own expense, under the direction of the City Civil Engineer.

Councilman Swain offered the following resolution :

*Resolved*, That the Indianapolis Water Company be, and is hereby, directed to lay water mains in Delaware street north from Eighth street to Ninth street, and to locate one fire plug on said line, under the direction of the Chief Fire Engineer.

And it was adopted by the following vote :

AYES, 21—viz: Councilmen Burns, Darnell, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 1—viz: Councilman Cummings.

Councilman Swain offered the following motion ; which was adopted :

That Henry Clay be granted sixty days additional time to make improvements as per his contract, on Ash street, from Lincoln avenue to Irwin street.

Councilman Pearson moved that the following entitled ordinance be taken up:

G. O. 9, 1889—An ordinance to repeal General Ordinance No. 19, 1887, of the City of Indianapolis, entitled "An ordinance authorizing the construction, extension and operation of certain street railways in and upon the streets of the City of Indianapolis;" ordained and established June 22d, 1887; and also G. O. 34, 1888, entitled "An ordinance amendatory and supplemental to an ordinance entitled 'An ordinance authorizing the construction, extension and operation of certain street railways in and upon the streets of the City of Indianapolis, ordained and established June 22, 1887;'" which amendatory and supplemental ordinance was ordained and established July 2d, 1888.

Which motion was adopted.

The ordinance—G. O. 9, 1889—was then read the second time.

Councilman Pearson moved that the above entitled ordinance be engrossed.

Councilmen Cummings moved to lay the motion to engross on the table.

Which failed of adoption.

Councilman McClelland moved the previous question.

The Chair: "*Shall the main question be now put?*"

The ayes and nays were demanded and the main question ordered by the following vote.

AYES, 12—viz: Councilmen Burns, Cummings, Elliott, Finch, Gasper, Markey, McClelland, O'Connor, Pearson, Smith, Swain, and Thalman.

NAYS, 10—viz: Councilmen Darnell, Dunn, Gaul, Hicklin, Kelley, Long, Parkinson, Stuckmeyer, Trusler, and Wilson.

Councilman Trusler moved that the Council do now adjourn.

Which motion failed of adoption, by the following vote :

AYES, 11—viz: Councilmen Darnell, Dunn, Gaul, Hicklin, Kelley, Long, Parkinson, Smith, Stuckmeyer, Trusler and Wilson.

NAYS, 12—viz: Councilmen Burns, Cummings, Elliott, Finch, Gasper, Markey, McClelland, O'Connor, Pearson, Swain, Thalman, and Mayor Denny.

The foregoing entitled ordinance—G. O. 9, 1889—was then ordered engrossed, read the third time and passed by the following vote :

AYES, 12—viz: Councilmen Burns, Elliott, Finch, Gasper, Markey, McClelland, O'Connor, Pearson, Smith, Swain, Thalman, and Mayor Denny.

NAYS, 11—viz: Councilmen Cummings, Darnell, Dunn, Gaul, Hicklin, Kelley, Long, Parkinson, Stuckmeyer, Trusler, and Wilson.

#### PENDING ORDINANCES.

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

S. O. 26, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite or Sheet Asphaltic Pavement, the roadway of Mississippi street, widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the south line of Ohio street to the south line of Washington street.

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Darnell, Dunn, Elliott, Gasper, Gaul, Kelley, Long, Markey, McClelland, O'Connor, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 2—Councilmen Hicklin and Trusler.

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

S. O. 27, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite or Sheet Asphaltic Pavement, the roadway of Tennessee street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the north line of Washington street to the north line of Ohio street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884.

And it was passed by the following vote :

AYES, 18—viz: Councilmen Burns, Cummings, Darnell, Dunn, Elliott, Gasper, Gaul, Kelley, Long, Markey, McClelland, O'Connor, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 2—viz: Councilmen Hicklin and Trusler.

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

S. O. 28, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite or Sheet Asphaltic Pavement, the roadway of Ohio street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the west line of Tennessee street to the west line of Mississippi street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884.

And it was passed by the following vote :

AYES, 18— viz: Councilmen Burns, Cummings, Darnell, Dunn, Elliott, Gasper, Gaul, Kelly, Long, Markey, McClelland, O'Connor, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 2—viz: Councilmen Hicklin and Trusler.

On motion, the Common Council then adjourned, at 11:25 o'clock, P. M.

C. S. Murray, Mayor,  
President of the Common Council.

Attest: J. W. Rowles, City Clerk.