

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—AUGUST 12, 1889.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, Monday evening, August 12th, A. D. 1889, at eight o'clock, in regular session.

PRESENT—Hon. Granville S. Wright, President of the Board of Aldermen, in the Chair, and Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, and Tousey—10.

ABSENT—None.

The Proceedings of the Board of Aldermen for the regular session held July 22d, 1889, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council at its regular session held August 5th, 1889.

For the Common Council:

JNO. W. BOWLUS, City Clerk.

The following entitled ordinance, as amended by the Common Council, was read:

G. O. 32, 1889—An ordinance supplemental to the ordinance of the City of Indianapolis, 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 18, 1864, and all other ordinances of the City of Indianapolis amendatory of and supplemental to said entitled ordinance.

Alderman Laut moved that the action of the Common Council be concurred in.

Alderman Smith offered the following amendment:

Amend by striking out all of Section 4, and inserting the following as Section 4:

"All poles shall be erected and wires suspended, maintained and operated, so as not to interfere with any present wires, poles or fixtures belonging to any other person, company or corporation, and so as not to interfere electrically or otherwise, with the use and operation of the same."

Which failed of adoption, by the following vote :

AYES, 5—viz: Aldermen Connett, Rail, Reinecke, Smith, and Tousey.

NAYS, 5—viz: Aldermen Clark, Laut, Reynolds, Taylor, and President Wright.

Alderman Smith presented the following communication ; which was read and received :

Indianapolis, Ind., Aug. 10th, 1889.

To the President and Members of the Board of Aldermen of the City of Indianapolis:

Gentlemen:—We desire to call the attention of your Board to some of the provisions of the Street Railway Ordinance now pending before your honorable body.

The operation of Section four of this ordinance, as amended and adopted by the Council at its meeting August 5th, 1889, will, if permitted, prevent the operation of telephone lines now in use by the city Fire Department, and by telephone subscribers in this city, and also the use of the Police Patrol telephone lines now operated under a contract between this company and the city. It would also, if permitted, result in the telephone and fire-alarm poles and wires along the proposed route of the street railway being so "changed by the railway company at its own expense," as to remove them from such streets altogether, and destroy their usefulness.

It is perhaps not generally understood that the amount of interference by an over-head electric street railway system with the operation of other electrical wires, depends entirely upon the manner in which such over-head railway system is constructed and operated. It is easy to so construct and operate such a system as to destroy and prevent the operation of telephone lines along the same street, without, in the language of the ordinance, "injuring the present poles, wires or fixtures." It is also easy to so construct and operate such an over-head railway system as to not prevent or interfere with the operation of telephone lines along the same streets.

In view of these facts, and our prior rights and occupancy of the streets, and the mutual interest of the city and ourselves, in preventing interference with the telephone service of the Fire and Police Departments, as well as that of private citizens, we would respectfully ask that Section four of the ordinance be so amended as to preserve and protect our prior rights and the interests of our city and ourselves, and so as to prevent the changing of any of the present lines without the consent of the owners thereof.

In presenting this communication to your honorable body, we do not wish to be understood as in any way antagonizing the building and operation of an electric street railway system, but only as urging that the construction and operation of such a system shall be in such manner as to prevent interference with existing lines and the operation thereof, and that the same be provided for in the ordinance. We would therefore suggest that Section four of this ordinance be amended so as to read as follows:

"All poles shall be erected and wires suspended, maintained and operated, so as not to interfere with any present poles, wires or fixtures belonging to any other person, company or corporation, and so as not to interfere electrically or otherwise, with the use and operation of the same."

If the ordinance is so amended, the construction and operation of an electric railway will be practicable, and the rights and interests of the city and its Fire and Police Departments, as well as our own, will be fully protected.

Respectfully submitted,

CENTRAL UNION TELEPHONE COMPANY,

By J. E. HOCKETT, Sup't.

The question then being on the motion offered by Alderman Laut, to concur in the action of Council, the ayes and nays being demanded, said motion failed of adoption by the following vote :

AYES, 5—viz: Aldermen Clark, Laut, Reynolds, Taylor, and President Wright.

NAYS, 5—viz: Aldermen Connett, Rail, Reinecke, Smith, and Tousey.

Alderman Connett moved that a Conference Committee be appointed.

Which motion was adopted.

The report from His Honor, the Mayor, reporting fines and fees collected, (see page 551, *ante*), was read and received.

The report of the Committee on Contracts, awarding the contract for the building of a levee on the south bank of Fall Creek (see pages 552 and 553, *ante*), was read, and action thereon postponed until the next meeting.

The report of the City Civil Engineer, accompanied with estimates, (see pages 553 and 554, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following estimate resolution (see page 554, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of James W. Hudson, for re-grading and graveling the roadway of Michigan street, bowldering the gutters, and placing a gutter-stone therein, re setting the curb and widening the sidewalks, from Meridian street to Pennsylvania 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 concurrently adopted, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 554, *ante*), 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 Freaney Brothers, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes,) on Yeiser street, between East street and Madison 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 concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 554, *ante*), 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 Freaney Brothers, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes,) on State street, between Washington street and Michigan 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 concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 555, *ante*,) 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 Freaney Brothers, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Davis street, between Biching street and the southern terminus of Davis 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 concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 555, *ante*), 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 Freaney Brothers, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes,) on Vermont street, between Noble and Pine streets, 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 concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 555, *ante*), 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 Cooper & Haywood, for grading and paving with brick the north sidewalk of Garden street, from Meridian street to Illinois 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 concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 555, *ante*), 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 Cooper & Haywood, for grading and paving with brick the east sidewalk of Ruckle street, from Tenth street to Eleventh 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 concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 556, *ante*), 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 Cooper & Haywood, for grading and paving with brick the west sidewalk of West street, from New York street to Michigan 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 concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following estimate resolution (see page 556, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fisher & Roney, for grading and graveling Ann street and sidewalks, from McCarty street to Reaume 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 concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The report of the City Clerk, reporting the amount of orders drawn on the City Treasurer during the month of July (see pages 556 and 557, *ante*), was read and received.

The report of the City Clerk, reporting the acceptance of G. O. 44, 1888, (see page 557, *ante*), was read and received.

The bond of C. C. Perry, as required by G. O. 44, 1888, (see pages 557 and 558, *ante*), was read and concurrently approved.

The communication from the Board of Health (see page 558, *ante*), was read, and the action of the Common Council thereon, concurred in.

The reports of the Board of Public Improvements and Street Commissioner showing the monthly expenditures, (see page 560, *ante*), were read and received.

The report of the Superintendent of the City Dispensary for July, 1889, was read and received.

The report from the Committee on Public Health, in relation to the appointment of Meat Inspector, (see page 561, *ante*), was read.

Alderman Reynolds offered the following amendment; which was adopted:

That the action of the Common Council, in the appointment of John R. Fohl as Chief Inspector, and Dr. Williams as Deputy Inspector of Meat, as provided for by Act of General Assembly of Indiana, be concurred in, with the following proviso: "Provided, That the County of Marion shall pay for all the services of said Deputy, and the pay for all the services of said Fohl shall be borne by the City of Indianapolis, which said amount to be paid to said Fohl, shall be two dollars per day, inclusive of compensation now paid him for his services as an officer of the Board of Health of said city."

The report, as above amended, was then, on motion, concurred in.

The report from the Committee on Public Light, in reference to the removal of vapor lamps on Arsenal avenue, (see 561, *ante*), was read, and the action of the Common Council thereon, concurred in.

The report from the Rental Committee (see page 561, *ante*), was read and received.

The report from the Committee on Public Property (see page 563, *ante*), was read, and the action of the Common Council thereon, concurred in.

The following resolution (see page 563, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the offer of R. R. Shiel, dated July 25, 1889, of five thousand dollars for the ground owned by the city and obtained from the Tomlinson Estate, and lying in Square No. 34, in the city, be accepted, and the Mayor, for and on behalf and in the name of the city, be ordered to execute a deed of conveyance for all the real estate owned by the city and obtained from the Tomlinson Estate and lying in Square number thirty-four (34) in the City of Indianapolis, to R. R. Shiel, upon his payment to said city the sum of five thousand dollars; one-third cash, the balance in one and two years from date of sale, the purchaser executing his notes with six per cent. interest, and secured by mortgage on the property sold.

And it was concurrently adopted by the following vote:

AYES, 10—viz. Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following resolution (see pages 569 and 570, *ante*), was read:

WHEREAS, The name of streets lying north of Seventh street, between Meridian and Tennessee streets conflict; therefore

Resolved, That the thirty foot street running from Meridian street to Illinois street, between Lots No. 9 and 10 and 29 and 30, in W. H. Morrison's addition, shall be designated and known as Eighth street; and the street running from Meridian street to Tennessee street, bounded on the north by Lots 39 and 78, Morrison's addition and Byram's second subdivision and Lee's subdivision, shall be designated and known as Ninth street; and the street running from Meridian to Illinois

streets, bounded on the north by Lots No. 49 and 68, W. H. Morrison's addition and Cornelius' subdivision and Ketcham's subdivision, shall be designated and known as Tenth street; and the street known as Herbert street, running from Meridian street to Tennessee street, bounded on the north by Elliott's subdivision, and May's subdivision and Lots, Nos. 116 and 153, W. H. Morrison's addition, be designated and known as Eleventh street; and the street running from Meridian street to Tennessee street, bounded on the south by Lots No. 140 and 129, in W. H. Morrison's addition and Schurmann's addition, be known and designated as Twelfth street.

Resolved, further, That the City Clerk be, and is hereby, directed to serve a copy of this resolution upon the Township Assessor, and he is authorized to change all plats and maps in his office to conform thereto.

And it was concurrently adopted by the following vote :

AYES, 9—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS, 1—viz: Alderman Connett.

The following resolution (see page 570, *ante*), was read :

Resolved, That the Consumers' Natural Gas Trust Company be, and are hereby, directed to extend the line of gas mains in and along Vermont street, from Agnes street to the western terminus of Vermont street.

And it was concurrently adopted by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following resolution (see page 572, *ante*), was read :

WHEREAS, The residents or owners of property on Grant street, between West and Eckert streets have petitioned for the extension of natural gas mains along said street, and ten per cent. of said residents are willing to use gas; *and whereas*, the mains of the Indianapolis Gas Company are contiguous to said street;

Resolved, That the Indianapolis Natural Gas Company be, and is hereby, instructed to lay mains in and along said Grant street, from West street to Eckert street, within sixty days from the passage of this resolution.

And it was concurrently adopted, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following resolution (see page 573, *ante*), was read :

Resolved, That the Indianapolis Gas Light & Coke Company be, and are hereby, ordered and directed to re-mantle the first lamp west of Pine street, on the south side of Bates street.

And it was concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following resolution (see page 575, *ante*), was read :

WHEREAS, The sidewalks of the city in numerous places are worn out and uneven, making them in all such places dangerous to pedestrians, particularly after night;

Resolved, That the City Street Commissioner be, and is hereby, directed to notify all property holders in front of whose property the sidewalk is worn out, or wherever it does not conform to the grade, to have the same repaired within sixty days from serving of such notice; and if such repairs be not made within that time, it shall be the duty of the Street Commissioner to have such work done, the expense of doing the same charged to the property, and collected as any tax for street improvements would be collected.

Alderman Wright offered the following amendment; which was adopted:

Amend the resolution as follows: Strike out the words and figures "within 60 days," and insert in lieu thereof the following words: "within the time now provided by law and the ordinances of the city." Also, by striking out the words: "as any tax for street improvements would be collected, and insert the following words: "as provided by law and the ordinances of the city."

The resolution, as thus amended, was then adopted by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following resolution (see page 576, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Street Commissioner be ordered to notify the Western Union Telegraph Company, the Central Union Telephone Company, the Indianapolis Brush Electric Light and Power Company, and all other companies having poles erected on Pennsylvania street, from Washington street to Ohio street, to move out of the gutter and inside of the curb line all poles owned by each of them respectively. Said work to be done within ten days from the service of such notice; and if not done, said Street Commissioner is hereby ordered and directed to do said work, and collect the costs thereof from said companies respectively, for whom such work shall be done.

And it was concurrently adopted by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following motions (see pages 569, 571, 572 and 573, *ante*), were read and concurrently adopted :

That the City Civil Engineer be instructed to remove one vapor lamp from Wallace street, and locate the same on Springfield street, between Bloomington and Decatur streets.

That the Street Commissioner be instructed to place catch-basin or trap to sewer at corner of Reid street and Lexington avenue.

That the Chief Fire Engineer be, and is hereby, ordered and directed to advertise for the construction of a twelve-hundred barrel cistern at the corner of south East street and the Belt Railroad.

That the City Civil Engineer be directed to prepare an ordinance for the improvement of Sanders street, where not now improved, along with recommendations for straightening said Sanders street near Wright street.

That the Street Commissioner be ordered to construct a catch-basin on the east side of New Jersey street, at the intersection of Wabash street.

That the Street Commissioner be ordered to place four catch-basins on Delaware street, between McCarty street and Morris street, to take off the overflow of water.

That the East Market Master be instructed to have the inside of the Market House whitewashed, the same not to cost to exceed fifty dollars (\$50).

The petition for a bridge across the State Ditch on north Pennsylvania street, (see pages 555 and 556, *ante*), was read, and the action of the Common Council thereon, concurred in.

The following entitled ordinance (passed by the Common Council) were severally read the first time :

G. O. 36, 1889—An ordinance providing for the cutting and burning of weeds, dock and thistles, on the lots in the city.

G. O. 37, 1889—An ordinance to promote public health in the City of Indianapolis, by an inspection of milk, cream and butter to be sold within the city.

On motion by Alderman Wright, the Rules were suspended for the purpose of placing G. O. 36 and G. O. 37, 1889, of the foregoing entitled ordinances on their final passage, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

G. O. 36, 1889, was then read the second time, read the third time and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

G. O. 37, 1889, was then read the second time, read the third time and passed, by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

APPROPRIATION ORDINANCE.

This being the regular appropriation night, the following entitled Appropriation Ordinances (passed by the Common Council) were placed on their final passage, without a suspension of the Rules :

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

Ap. O. 44, 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, \$11,475.33.]

And it was passed by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

Ap. O. 45, 1889—An ordinance appropriating the sum of Ten Thousand Dollars (\$10,000) on account of the Street Repair Department of the City of Indianapolis.

And it was passed by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

Ap. O. 46, 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, \$1,475.84.]

And it was passed by the following vote :

NAYS, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

Ap. O. 47, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$336.63.]

And it was passed by the following vote :

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

Ap. O. 48, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$967.98]

And it was passed by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

Ap. O. 49, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$7,950.89.]

And it was passed by the following vote:

AYES, 10—viz: Aldermen Clark, Connett, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

Alderman Reynolds moved that the vote by which the following entitled ordinance was passed, be reconsidered:

S. O. 4, 1889—An ordinance to provide for the construction of a brick sewer, two and one-half feet internal diameter, in and along Broadway street and Christian avenue, from the north line of Cherry street to the west line of Central avenue.

Which motion was adopted by the following vote:

AYES, 9—viz: Aldermen Clark, Connett, Laut, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS, 1—viz: Alderman Rail.

On motion by Alderman Reynolds, the ordinance—S. O. 4, 1889—was then ordered stricken from the files.

Alderman Rail moved that the vote by which a Conference Committee was created to consider G. O. 32, 1889, be reconsidered.

Which motion was adopted.

Alderman Rail moved that the vote by which the motion to concur in the action of the Common Council in adopting the amendment to G. O. 32, 1889, failed, be reconsidered.

Which motion was adopted by the following vote:

AYES, 7—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Taylor, and President Wright.

NAYS, 3—viz: Aldermen Connett, Smith, and Tousey.

Alderman Rail moved that the action of the Common Council be concurred in.

Alderman Smith moved to lay the motion on the table.

Which failed of adoption by the following vote :

AYES, 3—viz: Aldermen Connett, Smith, and Tousey.

NAYS, 7—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Taylor, and President Wright.

On motion, the action of the Common Council was then concurred in, by the following vote :

AYES, 8—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, and President Wright.

NAYS, 2—viz: Aldermen Connett, and Tousey.

Alderman Rail moved to reconsider the vote just had.

Alderman Laut moved to lay the motion on the table.

Alderman Taylor being in the Chair, and the question being on the motion made by Alderman Laut, Alderman Smith demanded that the Chair recognize him in preference to either Alderman Rail or Laut, for the purpose of enabling him to give notice that at the next regular meeting of the Board of Aldermen he would move to reconsider the vote by which the action of the Common Council was concurred in on the adoption of the amendments to G. O. 32, 1889.

The Chair (Alderman Taylor,) decided Alderman Smith out of order, and from which decision Alderman Smith appealed.

The question then being: "*Shall the decision of the Chair stand as the decision of the Board of Aldermen?*"

The following vote thereon was had :

AYES, 7—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Taylor, and President Wright.

NAYS, 3—viz: Aldermen Connett, Smith, and Tousey.

So the decision of the Chair was sustained.

The question then recurring on the motion made by Alderman Laut, to lay on the table the motion to reconsider made by Alderman Rail, said motion to lay on the table was then adopted.

The question then being, shall the following entitled ordinance, as amended, be passed—

G. O. 32, 1889—An ordinance supplemental to the ordinance of the City of Indianapolis 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 18, 1864, and all other ordinances of the City of Indianapolis amendatory of and supplemental to said entitled ordinance.


And the said ordinance—G. O. 32, 1889—was then passed, by the following vote:

AYES, 7—viz: Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Taylor, and President Wright.

Aldermen Connett, Smith and Tousey were present, but declined to vote.

Aldermen Connett and Smith entered their respective protests against the ruling of the Chair on the question presented in the appeal from the decision of the Chair, and time given them to file their protests in writing.

On motion, the Board of Aldermen adjourned.

 _____, President.

Attest:  _____, Clerk.