

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—APRIL 6, 1881.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, April 6th A. D. 1881, at half-past seven o'clock, in regular session.

PRESENT—His Honor, President Coburn, in the Chair, and Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert and Tucker—8.

ABSENT—Aldermen Grubbs and Wood—2.

The Proceedings of the Board of Aldermen, for the regular session held on March 23d, 1881, 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 and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I herewith transmit to your honorable body certain papers, favorably passed upon by the Common Council, at its regular session, held on Monday evening, April 4th, 1881, for your action upon the same.

For the Common Council:

Jos. T. MAGNER, City Clerk.

REPORT FROM COMMITTEE ON CONTRACTS.

The following report from the Committee on Contracts was read; and the favorable action of the Common Council in concurring in the several recommendations and awarding the contracts (see page 1000, *ante*) was concurred in, except the third clause, relative to the improvement of Market street, was not concurred in:

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

Gentlemen:—Your Committee on Contracts, to whom were referred sundry proposals presented to Council March 21st, 1881, have examined the same and find them to be as follows, viz:

1st. For grading and graveling the first alley west of Virginia avenue, from Buchanan to Dougherty street.

Henry Clay, 28 cents per lineal foot front on each side.

James Mahoney, 18 cents per lineal foot front on each side.

August Richter and Brother and Henry Burke, 17 cents per lineal front foot on each side.

August Richter and Brother and Henry Burke being the lowest and best bidder, we recommend they be awarded the contract.

2d. For grading and paving with brick the west sidewalk of Park avenue, between Cherry street and Gregg street.

John Schier, 46 cents per lineal foot front.

C. S. Roney, 40 cents per lineal foot front.

J. W. Smith, 37½ cents per lineal foot front.

Twiname, Amos & Co., 36 cents per lineal foot front.

Twiname, Amos & Co., being the lowest and best bidder, we recommend they be awarded the contract.

3d. For grading, bowldering the gutters, and curbing with stone the sidewalks, of Market street, from Missouri street to Blackford street.

August Richter & Co., \$1.10 per lineal foot front on each side, for curbing and bowldering.

James Mahoney, 48 cents per lineal foot front on each side for curbing, and 65 cents per lineal foot front on each side for bowldering.

Dunning & Hudson, 45 cents per lineal foot front on each side for curbing, and 63 cents per lineal foot front on each side for bowldering.

Henry Clay, 42 cents per lineal foot front on each side for curbing, and 64 cents per lineal foot front on each side for bowldering.

C. S. Roney, 44 cents per lineal foot front on each side for curbing, and 62 cents per lineal foot front on each side for bowldering.

Samuel W. Patterson, \$1.05 per lineal foot front on each side for curbing and bowldering.

Samuel W. Patterson being the lowest and best bidder, we recommend that he be awarded the contract.

4th. For grading and bowldering the first alley south of Georgia street, from Illinois street to Tennessee street.

Henry Clay, 72 cents per lineal foot front on each side.

Michael Flaherty, 72 cents per lineal foot front on each side.

M. Doherty, 70 cents per lineal foot front on each side.

C. S. Roney, 70 cents per lineal foot front on each side.

August Richter & Co., 68 cents per lineal foot front on each side.

Richard Carr, 68 cents per lineal foot front on each side.

James Mahoney, 64 cents per lineal foot front on each side.

R. P. Dunning and James W. Hudson, 62 cents per lineal foot front on each side.

R. P. Dunning and James W. Hudson being the lowest and best bidders, we recommend they be awarded the contract.

5th. For re-graveling Malott avenue, from Alvord street to Columbia avenue.

August Richter, 28 cents per lineal foot front on each side.

James Mahoney, 28 cents per lineal foot front on each side.

Dunning & Hudson, 26 cents per lineal foot front on each side.

John Schier, 25 cents per lineal foot front on each side.

Henry Clay, 25 cents per lineal foot front on each side.

Richard Carr, 22 cents per lineal foot front on each side.

C. S. Roney, 20 cents per lineal foot front on each side.

Twiname, Amos & Co., 20 cents per lineal foot front on each side.

There being a tie bid, and believing the same low and reasonable, we recommend the contract be awarded to C. S. Roney.

6th. For re-graveling Columbia avenue, from Malott avenue to Hill avenue.

James Mahoney, 29 cents per lineal foot front on each side.

John Schier, 28 cents per lineal foot front on each side.

August Richter & Co., 28 cents per lineal foot front on each side.

Dunning & Hudson, 26 cents per lineal foot front on each side.

Henry Clay, 25 cents per lineal foot front on each side.
 Richard Carr, 22 cents per lineal foot front on each side.
 C. S. Roney, 20 cents per lineal foot front on each side.
 Twiname, Amos & Co., 20 cents per lineal foot front on each side.

There being a tie bid, and believing the same low and reasonable, we recommend the contract be awarded to Twiname, Amos & Co.

7th. For re-graveling Hill avenue, from Columbia avenue to Darwin street.

James Mahoney, 30 cents per lineal foot front on each side.
 August Richter, 28 cents per lineal foot front on each side.
 Dunning & Hudson, 26 cents per lineal foot front on each side.
 Henry Clay, 25 cents per lineal foot front on each side.
 Richard Carr, 22 cents per lineal foot front on each side.
 Twiname, Amos & Co., 20 cents per lineal foot front on each side.

Twiname, Amos & Co., being the lowest and best bidder, we recommend they be awarded the contract.

8th. For grading and graveling Hill avenue, from Darwin street to the intersection of Baltimore avenue.

Dunning & Hudson, 97 cents per lineal foot front on each side.
 Richard Carr, 84 cents per lineal foot front on each side.
 John L. Hanna, 75 cents per lineal foot front on each side.
 August Richter & Co., 73 cents per lineal foot front on each side.
 Henry Clay, 57 cents per lineal foot front on each side.

Henry Clay is the lowest and best bidder. But the committee are fully satisfied that Henry Clay has made a grave mistake in his bid, and he so informs the committee that such is the fact. We, therefore, recommend that all bids be rejected, and that the Engineer be directed to re-advertise for bids on this work.

9th. For grading and graveling Baltimore avenue, from the intersection of Hill avenue to the north corporate limits.

Dunning & Hudson, 87 cents per lineal foot front on each side.
 August Richter & Co., 73 cents per lineal foot front on each side.
 Richard Carr, 69 cents per lineal foot front on each side.
 John L. Hanna, 65 cents per lineal foot front on each side.
 Henry Clay, 65 cents per lineal foot front on each side.

There being a tie bid, and believing the same low and reasonable, we recommend the contract be awarded to Henry Clay.

10th. For building a two-thousand barrel cistern at, or near, the corner of Seventh and Howard streets.

John Schier, 65 cents per barrel.
 John A. Whitsit, 60 cents per barrel.
 C. S. Roney, 57 cents per barrel.
 A. Bruner, 55 cents per barrel.
 Twiname, Amos & Co., 35 cents per barrel.
 L. McNutt, 31½ cents per barrel.

L. McNutt being the lowest and best bidder, we recommend that he be awarded the contract.

Isaac Thalman,
 James A. Pritchard,
 E. H. Koller,
 Committee on Contracts.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 1006, *ante*) was concurred in:

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

Gentlemen:—I herewith make the following report for your consideration and action thereon. The contracts for erecting lamp-posts on Ash, Elizabeth and Locke streets have been completed, and the nine posts on said lines are ready for lighting.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 1003, *ante*) was concurred in:

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

Gentlemen:—I herewith report the following estimates: A first and final estimate in behalf of M. T. Clark for erecting lamp-posts, lamps and fixtures (complete to burn gas, except service-pipes,) on Ash street, between Ninth and Twelfth streets, five lamp-posts, complete, at \$18.00; 2,422 lineal feet, at \$0.3 71-100, \$90.00.

A first and final estimate in behalf of John Knight, agent, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except service-pipes), on Elizabeth street, from Blake street to Locke street, thence north to the City Hospital grounds, four lamp-posts, complete, at \$17.00; 2,133 lineal feet, at \$0.3 18-100, \$68.00.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 1004, *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 M. T. Clark, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service-pipes), on Ash street, between Ninth and Twelfth 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 adopted by the following vote:

AYES 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 1004, *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 John Knight, agent, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service-pipes), on Elizabeth street, from Blake street to Locke street, thence north to the City Hospital grounds, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city, and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

The following report from the City Civil Engineer was read, and the action of the Common Council in approving the contract and bond (see page 1004, *ante*) was concurred in:

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

Gentlemen:—I herewith report the contract and bond of R. P. Dunning and James W. Hudson, for grading and bowldering the first alley south of Georgia street, from Illinois street to Tennessee street. Bond, \$900.00; surety, Fred Gansberg.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The following report from the City Assessor was read :

To the Mayor, Members of the Common Council and Board of Alderman :

Gentlemen :—I herewith submit the following names for confirmation as Deputy Assessors: Edwin Carpenter, P. A. Perine, F. B. Duncan, Calvin Pritchard, Oscar Cole, Austin Prather, George Shelton, A. R. Lewis, Hans Blume, J. W. Dean, Joseph Morrow, Hugh McBride, W. T. Wright, W. S. Demotte, G. R. Rhodes, L. J. Bradley, Charles Stipp, W. J. Jackson, J. H. Perry, C. E. Clark, John Pourier, W. M. Adams, Harry Phillips, Samuel Magner, and John Jacks. Also the following names, appointed by Township Assessor Ben Rau: William M. Springer, Samuel Whittridge, John Maher, John Fletcher, J. G. Kendall, J. W. Carter, D. R. Sylvester, J. L. Bishop, James Stewart, J. H. Lehr, William Munson, J. C. Maxwell, Emanuel Haugh, Alexander Wood, H. C. Hoover, W. T. Ellis, T. H. S. Peck, Isaac Ray, A. Buchanan, Charles Baden, Henry Graff, James Costello, Joseph Neiman, Joseph Ruemele, William Morris, William Walden, Jr., Frank Adams, and Al Moore.

Respectfully submitted,
M. F. CONNETT, City Assessor.

And the action of the Common Council in confirming the appointments (see page 1006, *ante*) was concurred in by the following vote :

AYES, 5—viz. Aldermen Drew, Mussman, Newman, Seibert and President Coburn.

NAYS, 3—viz. Aldermen Hamilton, Layman and Tucker.

The City Attorney submitted the following report; and the action of the Common Council thereon (see pages 1006 and 1007, *ante*) was concurred in :

Indianapolis, April 4th, 1881.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen :—The case of John F. Redmond vs. The City has been tried by the Superior Court, at special term, and resulted in a finding and judgment against the city for \$103.00.

This was an action based upon a resolution of the Common Council of December 14th, 1863, offering a bounty of \$50.00 to persons enlisting in the service of the United States and causing themselves to be credited on the quota of the city. The plaintiff enlisted and was credited to the city, but has never received his pay. The court allows the amount of the bounty and interest from February 19th, 1864. I am of the opinion that the city is not chargeable with interest, at least.

As there are a number of other cases similar to this awaiting the result of this action, and as this is to be regarded as a test case, I recommend an appeal.

In the case of John F. Ramsey et al. vs. The City, being an action to enjoin the collection of a certain sewer assessment made in 1870 against the abutting property holders on Illinois street, from Washington to South street, the court has held the assessment void, on account of the irregularity in the proceedings.

The most of the sewer has since been taken out as inadequate for the purpose for which it was intended, and the collection of the assessment practically abandoned. I am of the opinion that the irregularities in the proceedings are of such a character as render the assessment invalid, and therefore do not think it advisable to further litigate the matter. Proper exception, however, has been entered, and the case prepared for an appeal, should you deem it advisable.

Respectfully submitted,
JOHN A. HENRY, City Attorney.

The report of the Superintendent of the City Hospital and Branch (see pages 1007 and 1008, *ante*) was read and received.

The report of the Superintendent of the City Dispensary (see page 1008, *ante*) was read and received.

The following report from the Fire Board was read, and the favorable action of the Common Council thereon (see pages 1008 and 1009, *ante*) with instructions that the City Civil Engineer advertise for building the said Fire cistern, was concurred in:

Indianapolis, April 1st, 1881.

To His Honor, the Mayor, Members of the Common Council

and Board of Aldermen of the City of Indianapolis:

Gentlemen:—In a motion referred to the Fire Board to place the new Clapp & Jones engine at the No. 10 Reel House, we respectfully report that as this steamer was ordered built specially for the No. 1 Engine House, and so numbered, that no change be made.

In a preamble and resolution referred to us as to the present fire protection afforded to the property in the district near the corner of New York street and the C. I. St. L. & C. Railroad, more particularly the property known as the Indianapolis Chair Factory, we have to report, after a careful examination of this locality, that so long as there is a supply of water in the canal, the protection in case of fire is ample; but often times there is no water in the canal, which is the case at present, and in case of fire at this critical period, when the canal may be dry, there undoubtedly would be a heavy loss. In order to more effectually protect this district, your committee recommend that one fire hydrant be removed from Tennessee street, designated by the Chief Fire Engineer, and erected at the city's expense, at the corner of Ellsworth and New York streets, and a 1,200-barrel cistern be built near the corner of Ellsworth and Vermont streets.

Respectfully submitted,

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

JOHN G. PENDERGAST, Chief Fire Engineer.

Fire Board.

The report of the Board of Public Improvements and Street Commissioner, (see page 1010, *ante*) showing the expenses of the Street Repairs Department for the month of March, 1881, and the expenses of the fiscal year prior, to March, was read and received.

The following petitions were read, and the action of the Council in extending the time on the said contracts (see page 1010, 1011 and 1024, *ante*) was concurred in:

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

Gentlemen:—I do most respectfully petition your honorable bodies for an extension of time for the completion of the following contract:

"For grading, bowldering and curbing the gutters of the first alley south of Ohio street, from Pennsylvania street to Delaware street."

I would further state that reasonable diligence has been exercised to comply with the terms of the contract, and ask for sixty days for its completion.

H. C. Roney.

STATE OF INDIANA, } Personally appeared H. C. Roney, who, being sworn,
Marion County, } ss: says that the matter and facts as contained in the above-
statement are true.

H. C. RONEY.

Subscribed and sworn to, this 29th day of March, 1881.

[SEAL]

FRANK W. RIPLEY, Notary Public.

We, the undersigned, have examined the above, and recommend that the time be extended.

William H. Morrison,
Edward H. Dean,
Hiram Seibert,

Board of Public Improvements.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen :—I ask thirty days more time in which to complete my contract on Ohio street, between Pennsylvania and Meridian streets. HENRY CLAY.

STATE OF INDIANA, } ss. Henry Clay, being duly sworn, upon his oath says that
 Marion County, } he is the contractor to improve Ohio street, between Penn-
 sylvania and Meridian streets, and that I have been unable to do the work on ac-
 count of the frozen ground and bad condition of the weather.

HENRY CLAY.

Subscribed and sworn to before me this 4th day of April, 1881, as true in sub-
 stance and fact.

[SEAL]

JAMES A. PRITCHARD, Notary Public.

Approved.

Wm. H. Morrison,
 Edward H. Dean,
 Board of Public Improvements.

The mortality report of the Board of Health (see page 1011, *ante*) was read and received.

The following report from the Committee on Judiciary was read; and the action of the Common Council thereon (see pages 1011 and 1012, *ante*) was concurred in, except the fifth clause, relative to the claim of H. Lauter for property destroyed by fire, which was referred to the Aldermanic Committee on Judiciary :

Indianapolis, April 4, 1881.

To the Mayor and Common Council :

Gentlemen :—Your Judiciary Committee, together with the City Attorney, to whom was referred sundry papers, report thereon as follows :

1st. Is a petition from W. T. Steel, showing that lots 32, 33, 34 and 35 of J. G. Webb's subdivision of Hanway & Hanna's Oak Hill Addition to the city of Indianapolis, were sold April 2, 1880, for city taxes of 1876, 1877, 1878 and 1879. Further, said lots were foreclosed on, under a mortgage to the State of Indiana, dated November 1, 1875, and were forfeited to the State. Ingram Fletcher afterwards purchased the lots, at private sale, from the State. The petitioner asks that the tax sale be set aside, and that the tax of the years before enumerated be certified off the duplicate, upon the ground that *lands* under mortgage to the State are not liable for taxes from the *date of mortgage to the date of sale thereunder*. The Supreme Court, in the case of Groom, Auditor of Tipton county, vs. The State, on the relation of Bonlin, 24 Ind., 255, decide that where lands are mortgaged to the State, and offered for sale for the non-payment of the mortgage debt, and are bid in for the State, and subsequently sold, the purchaser is entitled to take the lands freed from all assessments and taxes made or levied between the date of the mortgage and the date of his deeds. The facts given in this petition brings the case within the law as declared in this case. Your committee, therefore, recommend that the prayer of the petition be granted.

2d. Is a petition from Frank McWhinney, by J. F. Lecklider, attorney in fact, showing that on the 10th day of April, 1879, he purchased from the City Treasurer, at private sale, a tax certificate on lot 9 in Hanway & Hanna's Oak Hill Addition, for the sum of sixty-seven dollars and thirty-two cents (\$67.32). The sale was erroneous, for the reason that the improvement on the lot had been removed to another lot, and the tax on the improvement still charged on the above-named lot. The petitioner asks that the sale be set aside, and amount paid be refunded to him, with six per cent. interest from April 10, 1879, and that the taxes be placed on the duplicates to the proper parties. Your committee recommend that the sale be set aside, the \$67.32 be refunded, without interest, and that tax be put upon the duplicates to proper parties.

3d. Is a petition from Ch. Hilgenberg, showing that on the 30th day of June, 1879, he paid to the City Treasurer the sum of eight dollars and sixty-seven cents,

on lot three (3), in square forty-six (46), in Franks' subdivision of B. F. Morris' Addition, and, further, that he paid the personal and poll for years 1878 and 1879 of Charles Abel, taxed against said lot. The petitioner further states that the payment of these several sums by him was erroneous, from the fact that the property was assessed double—in name of Charles Abel and — Van Dolah, and petitioner had already paid taxes in name of Van Dolah, and then erroneously paid them again in name of Charles Abel. Your committee were informed by City Treasurer that above facts were true. The petitioner asks that the money so erroneously paid by him be refunded to him, and your committee recommend the prayer of the petitioner be granted.

4th. Is a petition from S. R. Holt, showing that he was assessed for \$840 worth of ice for 1880, in the city of Indianapolis, and that he has paid the taxes on March 8th, 1881. The petitioner does not ask anything in this petition, and your committee have nothing before them to recommend. If the petitioner had asked to have taxes paid refunded, the prayer of petition would not have been granted.

5th. Is a petition by H. Lauter, showing that in the early part of 1880 he was engaged in the business of manufacturing furniture in this city; that on April 10, 1880, he was assessed for taxation on machinery \$500, and on stock \$500, total \$1,000; that afterwards, on the 20th day of April, 1880, the building in which he carried on this business, together with its contents, was destroyed by fire. There was no insurance on either his stock or machinery, consequently everything was a total loss to him. Petitioner asks to be released from the taxes assessed on said \$1,000 worth of property destroyed. Your committee recommend that the prayer of petition be granted.

6th. Is a petition from the Mutual Trust Company, by M. G. McLain, President; John T. Budenz, Secretary, and Henry Dunmanhoff, Treasurer, showing that the tax assessed for year 1880 against said company is erroneous, in this, that they have been assessed for \$4,550 worth of personal property that they never had. Petitioners ask that erroneous assessment as to this personal property be certified off of the city tax duplicate. Your committee recommend that the prayer of petition be granted.

Very respectfully submitted,
 William C. Lamb,
 James A. Pritchard,
 Jas. T. Dowling,
 Judiciary Committee.

JOHN A. HENRY, City Attorney.

The bond of William Hadley, for collecting the rents of the Tomlinson estate, (see page 1013, *ante*) was read and approved.

The following motion was read (see action of the Common Council thereon, page 1018, *ante*), and referred to the Aldermanic Committee on Public Light, with power to act:

That the City Civil Engineer be directed to have the lamp post situate on the east side of Park avenue, at the mouth of the first alley north of Butler street, removed about three feet south of its present location, as the said post extends that far into the alley.

The following motions (adopted by the Common Council—see pages 1018, 1019 and 1021, *ante*) were read and concurrently adopted:

That the City Marshal notify the property owners on Park avenue to renumber their houses according to usual form, and that the City Clerk designate the proper numbers.

That Arthur G. Fosdyke, C. B. Paul and C. A. Heath be, and are hereby, granted permission to pave with brick, to a width of eight feet, the sidewalk in front of their property, on Christian avenue, between Ash and Plum streets. Work to be done at their own expense, within sixty days, and according to stakes to be set by the City Civil Engineer.

To have a stone crossing placed on the south side of Merrill street, at the crossing of Delaware. This is a very necessary improvement, as there is no crossing at all there, and is much needed, especially on account of the children going to and from school.

That Joseph Kruger be allowed to place a brick sidewalk, at his own expense, in front of his property, corner of High and Coburn streets, according to grade stakes set by the City Civil Engineer.

That H. R. Dean be allowed to lay a brick sidewalk in front of his residence, corner of High and Coburn streets, at his own expense, according to stakes set by City Civil Engineer.

That the City Marshal be, and is hereby, directed to notify the I., P. & C. and C., C., C. & I. Railroad Companies to increase the size of their culverts on Pine street to a sufficient capacity to admit of the free flow of water through them.

The following resolution (adopted by the Common Council—see page 1019, *ante*) was read:

Resolved, That the owners of the following described real estate, to-wit: Lot No. 29 in Kappes' subdivision of B. F. Morris' addition to the City of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of the Common Council and Board of Aldermen, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance, and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled "An ordinance providing for the drainage and filling up of Ponds, Excavations and Holes, and prescribing Penalties for the failure to fill up or drain the same;" and that, in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance, *provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

And it was adopted by the following vote:

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

The following motion was read:

That the City Attorney be, and is hereby, instructed to procure from N. B. Taylor or A. C. Harris a written opinion showing when the terms of the present City Attorney, Chief of the Fire Department, Street Commissioner, City Civil Engineer, Market Masters, Treasurer, and Chief of Police, expires. Also, what meeting is the "first annual meeting" of the Council, and when, under the law, the above officers, to be elected by the Council and Board of Aldermen, should be elected; and any other question the City Attorney may deem necessary for the proper interpretation of the late law regarding municipal elections, said opinion not to cost to exceed the sum of twenty-five dollars.

The action of the Common Council thereon, in referring the above motion to the Judiciary Committee, with instructions to procure an opinion (see page 1022, *ante*), was not concurred in, by the following vote:

AYES—None.

NAYS, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

The following motion (adopted by the Common Council—see page 1022, *ante*) was read:

That the City Civil Engineer and Street Commissioner be, and are hereby, ordered to procure the lumber for the building of a fence along West Michigan street, east of White river, in accordance with the recommendation of the City Attorney; and that they be instructed to contract for said lumber and the building of the fence at the best terms possible.

And it was adopted by the following vote:

AYES, 6—viz. Aldermen Drew, Layman, Mussman, Newman, Seibert and President Coburn.

NAYS, 2—viz. Aldermen Hamilton and Tucker.

The following motion was read, and the action of the Common Council thereon—(see page 1025, *ante*) was not concurred in:

That the Fire Board be directed to paint the No. 5 Engine House, on Sixth street.

The following motion was read, and the action of the Common Council thereon—(see page 1025, *ante*) was concurred in:

That the Street Commissioner repair the first alley north of Washington street, between Illinois and Meridian streets, and raise the bowlders at the mouth of the alley on Illinois street to a level with the sidewalk, sloping to the center.

The following entitled ordinances (passed by the Common Council—see pages 1014 and 1015, *ante*) were severally read the first time:

Ap. O. 19, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department.

Ap. O. 20, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis on account of the City Hospital and Branch.

Ap. O. 21, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses.

Ap. O. 22, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Ap. O. 23, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery, and Advertising.

This being the regular appropriation night, the foregoing entitled Appropriation Ordinances were placed on their final passage without suspension of the rules.

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

ap. O. 19, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$4,536.52.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

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

Ap. O. 20, 1881—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, \$1,189.10.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

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

Ap. O. 21, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station Houses. [Amount appropriated, \$138.24.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

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

Ap. O. 22, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$19,463.83.]

And it was passed by the following vote :

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

The following entitled ordinance was read the second time :

Ap. O. 23, 1881—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Printing, Stationery and Advertising. [Amount appropriated, \$641.65.]

Alderman Hamilton moved to strike out of the above ordinance the item, "O. H. Hasselman, 20 yards drawing paper, and one roll French tracing cloth, \$29.00."

Which motion failed of adoption by the following vote :

AYES, 4—viz. Aldermen Hamilton, Layman, Newman and Tucker.

NAYS, 4—viz. Aldermen Drew, Mussman, Seibert and President Coburn.

The ordinance Ap. O. 23, 1881, was then read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen Drew, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS, 1—viz. Alderman Hamilton.

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

G. O. 9, 1881—An Ordinance to amend section three (3) of an Ordinance entitled, "An Ordinance to provide for the prevention of fraud in the sale of grain, hay and produce in the City of Indianapolis." Ordained and established March 1st, 1880.

G. O. 11, 1881—An Ordinance granting McOuat & May the right and privilege to build and construct a railroad switch across Pine street (old Cady), just south of Bates street, in the rear of lots one (1) and two (2) in the Indianapolis and Cincinnati Railroad Company's subdivision of out lot number ninety (90).

S. O. 24, 1881—An Ordinance to provide for grading and graveling Lincoln avenue and sidewalks, from Beeler street to Newman street.

S. O. 25, 1881—An Ordinance to provide for grading and graveling Seventh street and sidewalks, from Columbia avenue to Hill avenue.

S. O. 27, 1881—An Ordinance to provide for grading, paving with brick, and curbing with stone (where not already properly paved or curbed) the north sidewalk of Maryland street, from West street to Helen street.

S. O. 28, 1881—An Ordinance to provide for grading and paving with brick (where not already paved) the east sidewalk of West street, from South street to Merrill street.

S. O. 29, 1881—An Ordinance to provide for grading and paving with brick the west sidewalk of West street (where not already properly paved), from Washington street to Kentucky avenue.

S. O. 30, 1881—An Ordinance to provide for grading and paving with brick the west sidewalk of Railroad street, from Market street to Ohio street.

S. O. 32, 1881—An Ordinance to provide for grading and graveling Newman street and sidewalks, from Hill avenue to the Pendleton road.

S. O. 33, 1881—An Ordinance to provide for grading and graveling Newman street and sidewalks, from Pendleton road to Brookside avenue.

S. O. 34, 1881—An Ordinance to provide for grading and graveling Newman street and sidewalks, from Brookside avenue to Clifford avenue.

S. O. 15, 1881—An Ordinance to provide for grading and paving with brick (where not already paved) the sidewalks of Oak street, from Massachusetts avenue to the first alley north of Cherry street.

S. O. 36, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes,) on Dillon street, between Prospect and Elm streets.

S. O. 37, 1881—An Ordinance to provide for grading and graveling the alley between Union and Chestnut streets, from Hanway street to Hill street.

Alderman Hamilton moved to refer all the above street improvement ordinances to the Board of Public Improvements, and the gas ordinance (S. O. 36, 1881.) to the Committee on Public Light.

Which motion failed of adoption by the following vote:

AYES, 4—viz. Aldermen Drew, Hamilton, Layman and President Coburn.

NAYS, 4—viz. Aldermen Mussman, Newman, Seibert and Tucker.

Alderman Tucker moved to suspend the rules, for the purpose of placing G. O. 11, 1881, on its final passage

Alderman Seibert moved to amend by including S. O. 36, 1881.

Which amendment was lost.

The question then being on Alderman Tucker's motion, the rules were suspended to pass G. O. 11, 1881, by the following vote:

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

G. O. 11, 1881, was then read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert and President Coburn.

NAYS—None.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Public Light, through Alderman Layman, submitted the following report:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Public Light, to whom sundry papers were referred, would report:

1st. Is a motion to remove the lamp-post on Michigan street, between Illinois and Tennessee streets, on south side, to the 30 foot alley. Recommend the work be done.

2d. Is S. O. 39, 1879, and S. O. 120, 1880: Ordinances providing for erecting lamp-posts on Woodlawn avenue, from Dillon street to Reid street. The two ordinances provide for erecting posts on the same line. Recommend that the action of the Common Council, in the passage of said ordinances be not concurred in.

Respectfully submitted,

James T. Layman,
F. W. Hamilton,
H. E. Drew,
Committee on Public Light.

On motion, the first clause was concurred in; and the second clause was not concurred in, by the following vote:

AYES, 4—viz. Aldermen Drew, Hamilton, Layman and President Coburn.

NAYS, 4—viz. Alderman Mussman, Newman, Seibert and Tucker.

Alderman Layman, in behalf of the same committee, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Special ordinance No. 114, which was referred to your committee, providing for the erection of lamp-posts on Garden street, between Illinois and Meridian streets, we offer the following report:

After a careful examination of this locality, and consulting with the Indianapolis Gas Company, we believe that the parties interested in this improvement can be served by simply passing a motion requesting the Indianapolis Gas Company to lay a service pipe to Phillip Dohn's factory, said pipe to be large enough to light one street lamp, which is to be removed from some other part of the ward and erected in Garden street; said lamp-post to be removed by the advice of Councilman Bryce. We therefore recommend that the ordinance be not passed.

Respectfully submitted,

James T. Layman,
F. W. Hamilton,
H. E. Drew,
Committee on Public Light.

Alderman Layman offered the following motion; which was adopted:

That the City Civil Engineer request the Indianapolis Gas Company to lay a service pipe in Garden street to Phillip Dohn's factory; said pipe to be large enough to supply a street lamp; said lamp-post to be removed from some other portion of the ward and erected in Garden street, as Councilman Bryce may designate—the city to pay the expense of removal.

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

S. O. 39, 1879—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service-pipes), on Woodlawn avenue, from Dillon street to Reid street.

And it failed to pass by the following vote:

AYES, 3—viz. Aldermen Mussman, Newman and Seibert.

NAYS, 5—viz. Aldermen Drew, Hamilton, Layman, Tucker and President Coburn.

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

S. O. 120, 1880—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures, (complete to burn gas, except the service pipes), on Woodlawn avenue from Dillon street to Linden street.

And it failed to pass by the following vote:

AYES, 3—viz. Aldermen Mussman, Newman and Seibert.

NAYS, 5—viz. Aldermen Drew, Hamilton, Layman, Tucker and President Coburn.

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

S. O. 114, 1880—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service-pipes), on Garden street, between Meridian and Illinois streets.

And it failed to pass, by the following vote :

AYES, 4—viz. Aldermen Musssman, Newman, Seibert and President Coburn.

NAYS, 4—viz. Aldermen Drew, Hamilton, Layman and Tucker.

The Committee on Streets and Alleys, through Alderman Drew, submitted the following report; which was concurred in;

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the remonstrance of Chas. L. Schuartz, and others, relative to the improvement of the first alley west of Alabama street, from Eighth street to the State Ditch, would report:

We made examination of the line of the proposed improvement, together with the Council committee, before the ordinance passed, and reported in favor of its passage March 7, 1881. The ordinance having passed, and proposals received by the Common Council, we recommend the contract be awarded.

Respectfully submitted,

H. E. Drew,
W. H. Tucker,
John Newman,

Committee on Streets and Alleys.

Alderman Drew, in behalf of the same committee, submitted the following report; which was concurred in :

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred S. O. 8, 1881, "An Ordinance to provide for grading and graveling East Pearl street, from Benton street to first alley east." As there is a remonstrance against said improvement, representing a majority of the feet front to be improved, we recommend that the action of the Common Council in the passage of said ordinance be not concurred in.

Respectfully submitted,

H. E. Drew,
W. H. Tucker,
John Newman,

Committee on Streets and Alleys.

The Committee on Streets and Alleys and Public Light, through Alderman Drew, submitted the following report; which was received:

To the President and Members of the Board of Aldermen:

Gentlemen:—In the matter of lettering the street corners with the names of streets, referred to the Council and Aldermanic Committees on Streets and Alleys and Public Lights, we, the undersigned members of said committees, are of the opinion that the street guides recommended by the committees February 21st, 1881, are the most practicable street guides, and recommend that the action of the Common Council, in awarding the contract to J. W. Bowe & Co., for the malable iron guide, and J. W. Springstien, for the tin guide, be concurred in.

Respectfully submitted,

John Newman,
Aldermanic Committee.

H. J. Prier,
Peter F. Bryce,
Jas. T. Dowling,
E. H. Koller,
Wm. H. Morrison,
Council Committee.

Alderman Drew, in behalf of the same committees, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen.—In the matter referred to the Council and Aldermanic Committees on Streets and Alleys and Public Light, relative to lettering the street corners with the names of streets, make the following report:

We, the undersigned members of said committee, having given the matter a thorough investigation, are of the opinion that, for the best interest of the city, the most practicable guide (for street lamps) to adopt is the strip of frosted glass with metal binding. Therefore, recommend that the action of the Common Council in awarding the contract to J. W. Bowe & Co., for malable iron sign, be not concurred in, and that the contract be awarded to J. W. Springstein for the above named frosted glass sign, at sixteen (16) cents a piece, and for placing the names of streets on the house corners, to J. W. Springstein, according to the report of committee, March 7th, 1881.

Respectfully submitted,

H. E. Drew,
W. H. Tucker,
Jno. T. Downey.

I favor, in preference to all other plans for street signs submitted, the one originally agreed upon by the joint committee—the metal sign, with two inch letters, placed on the tops of lamps, so as not to obstruct the light. As a choice between the iron and frosted glass sign now submitted, I prefer the glass, with metal edges, and so report.

Respectfully submitted,

F. W. Hamilton,

Alderman Hamilton moved to reconsider the vote by which S. O. 104, 1880, (see page 996, *ante*) was passed.

Which motion was adopted, and the action of the Board of Aldermen reconsidered by the following vote:

AYES, 6—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert and President Coburn.

NAYS, 2—viz. Aldermen Drew and Tucker.

S. O. 104, 1880, was, on motion, then referred to the Committee on Public Light.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Newman presented the following remonstrance; which was referred to the Board of Public Improvements, with the ordinance:

Indianapolis, March 22, 1881.

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

Gentlemen.—The undersigned, owners of real estate fronting on Buchanan street, between Greer street and East street, respectfully remonstrate against the passage of an ordinance providing for grading and paving the north sidewalk of said street between the points named, unless it shall go further, to Virginia avenue.

And your remonstrators will ever pray, etc.

Margaret A. Mahoney, 30 ft.; Michael Mahoney, 30 ft.; C. S. H. Mahoney, 30 ft.; Peter Dennis, 60 ft.; Patrick Stundon, 30 ft.; Jacob C. Maag, 60 ft.

On motion by Alderman Tucker the following ordinances were referred to the Board of Public Improvements: S. O. 75, 1879, and S. O. 12, 13, 76 and 154, 1880, and S. O. 9, 14, 15, 17, 20, 24, 25, 27, 28, 29, 30, 32, 33, 34 and 37, 1881.

On motion, the Board of Aldermen then adjourned.

A. Coburn _____, President.

Attest: *Geo. T. Brunning* _____, Clerk.