

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—AUGUST 22, 1881.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, on Monday evening, August 22d, A. D. 1881, at eight o'clock, in regular session.

PRESENT—His Honor, President Layman, in the Chair, and Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, and Wood—9.

ABSENT—Alderman Rorison—1.

The Proceedings of the Board of Aldermen for the adjourned sessions, held August 1st, 1881, and August 3d, 1881, and the Proceedings of the Board of Equalization, held August 1st, 1881, and August 10th, 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 special message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I herewith transmit to your honorable body general ordinance No. 39, 1881, passed by the Common Council, at its special session held August 10th, 1881, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following entitled ordinance was read the first time:

G. O. 39, 1881—An Ordinance making a General Tax levy for the year 1881, upon the taxable property within the limits of the city of Indianapolis.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in regular session, held in the Council Chamber, Monday evening, August 1st, 1881, adhered to their former action in concurring in the report of the Council Committee on Public Light, recommend-

ing the adoption of sundry motions (see page 255, *ante*) to locate, re-light and dismantle various gas lamps; and requested that a Committee of Conference be appointed. Councilmen Dowling, Cowie and Yoke were appointed to act as the Council members of such committee.

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

On motion, the matter as set forth in the foregoing message, was referred to the Committee on Public Light and Education; and, on further motion, it was ordered that said committee act as a Committee of Conference.

The following clauses from the report of the Board of Public Improvements were read. The action of the Common Council, in adopting the sixth clause was concurred in (see page 426, *ante*) and the balance of the report was referred to the Committee on Finance:

2d. Is a motion that the Street Commissioner be instructed to clean the gutters of Noble street, between Vermont and New York streets, and to raise the bridge over the gutter at Lockerbie street and Noble street high enough to permit the free flow of water.

Recommend the work be done.

3d. Is a motion that a double stone crossing be placed across Meridian street, on the north side of South street.

Recommend the work be done.

4th. Is a motion that the Street Commissioner be, and is hereby, directed to place a stone crossing across Maryland street, west side of Alabama street, instead of one ordered to be placed on Alabama street, south side of Pearl street.

Recommend the work be done.

6th. Is a motion that the Street Commissioner be, and is hereby, directed to clean the gutters of Garden street, between Tennessee and Mississippi streets. Also, clean the gutters of Willard street, between Garden street and Pogue's Run.

Recommend the work be done.

7th. Is a motion that the Street Commissioner be directed to erect a fence on the west side of Geisendorff street, between Washington street and the National Road, as said short street is in a very dangerous condition at present.

Recommend that the Water Works Company be directed to build the fence, and, if not done in ten days, that the Street Commissioner do the work and collect the cost thereof from said Water Works Company.

8th. Is a motion that the Street Commissioner be, and is hereby, instructed to replace the foot bridge at the southwest corner of Ray and Maple streets.

Recommend the work be done.

9th is a motion that the Street Commissioner be, and is hereby, instructed to deposit two loads of gravel on the west sidewalk of Tennessee street, joining No. 474, near Ray street, and that he open the pipe connecting Tennessee street gutters with the Ray street sewer.

Recommend the work be done.

10th. Is a motion that the Street Commissioner be, and is hereby, ordered to clean the gutters on Russell avenue, between Illinois and Meridian streets.

Recommend the work be done.

11th. Is a motion that the Street Commissioner be, and is hereby, directed to clean the gutters and fill the chuck-holes on Pine street, between Market and North streets.

Recommend the work be done.

12th. Is a motion that the Street Commissioner be, and is hereby, authorized to clean the gutters on the west side of Noble street, between Washington and New York streets.

Recommend the work be done on both sides.

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, which were favorably passed upon by the Common Council, at its regular session, held on Monday evening, August 15th, 1881, for your action upon the same.

For the Common Council :

JOS. T. MAGNER, City Clerk.

The following report from the Committee on Contracts was read :

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

Gentlemen :—The Committee on Contracts, to whom was referred the following proposals, presented to Council August 1st, 1881, have examined the same and find them to be as follows, viz :

1st. For re-grading and re-bowdering Meridian street, from Washington street to Louisiana street.

John L. Hanna & Co., for re-grading, 75 cents; for re-bowdering, \$2.14; for gutter stones, 36 cents; for re-setting curb, 7 cents; all per lineal foot front on each side.

R. H. Patterson, for re-grading, 60 cents; for re-bowdering, \$2.10; for gutter stones, 35 cents; for re-setting curb, 15 cents; all per lineal foot front on each side.

John Stumph, for re-grading, 35 cents; for re-bowdering, and gutter stones, \$2.75½; for re-setting curb, 7 cents; all per lineal foot front on each side.

H. C. Roney, for re-grading, 85 cents; for re-bowdering, \$1.75; for gutter stones, 36 cents; for re-setting curb, 15 cents; all per lineal foot front on each side.

Richard Carr, for re-grading, 68 cents; for re-bowdering, \$1.98; for gutter stones, 30 cents; for re-setting curb, 7 cents; for straightening curb, 3½ cents; all per lineal foot front on each side.

Robert Kennington, \$2.85 per lineal foot front on each side for the work complete.

Dunning & Hudson, for re-grading, 45 cents; for re-bowdering, \$1.79; for gutter stones, 31 cents; for re-setting the curb, 5 cents; all per lineal foot front on each side.

Dunning & Hudson being the lowest and best bidders, we recommend they be awarded the contract.

2d. For grading, paving with brick, and curbing with stone the south sidewalk of Maryland street, from Missouri street to West street.

John L. Hanna & Co., 53 cents for curbing and 63 cents for paving per lineal foot front.

J. L. Spaulding, 45 cents for curbing and 55 cents for paving per lineal foot front.

H. C. Roney, 41 cents for curbing and 58 cents for paving per lineal foot front.

Henry C. Roney being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and graveling East Pearl street and sidewalks, from Benton street to Pine street.

R. P. Dunning, 95 cents per lineal foot front on each side.
 Michael Foust, 73½ cents per lineal foot front on each side.
 J. L. Spaulding, 72 cents per lineal foot front on each side.
 James Mahoney, 70 cents per lineal foot front on each side.

James Mahoney being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and graveling the first alley north of Bates street, from Concordia street to Benton street.

Henry Clay, 39 cents per lineal foot front on each side.
 J. L. Spaulding, 22 cents per lineal foot front on each side.
 James Mahoney, 20 cents per lineal foot front on each side.

James Mahoney being the lowest and best bidder, we recommend he be awarded the contract.

5th. For erecting lamp posts, lamps and fixtures (complete to burn gas, except the service pipes), on Greer street, between Stevens street and Buchanan street.

For the above work no proposals were presented, and we recommend the City Civil Engineer be directed to re-advertise for proposals.

6th. For improving Fletcher avenue, from Cedar street to Dillon street, by grading and bowldering the gutters, widening and grading the sidewalks to the width of twenty feet, and curbing with stone the outer edges of the sidewalks.

John Stumph, for grading and bowldering, 66 cents; for widening the sidewalks, 7 cents; and for curbing, 49 cents per lineal foot front on each side

R. H. Patterson, for bowldering 72 cents and curbing 45 cents per lineal foot front on each side.

Fred. Gansberg, for bowldering 67 cents and curbing 44 cents per lineal foot front on each side.

James Mahoney, for bowldering 65 cents and curbing 45 cents per lineal foot front on each side.

Dunning & Hudson, for bowldering 63 cents and curbing 42 cents per lineal foot front on each side.

H. C. Roney, for bowldering 58 cents and curbing 42 cents per lineal foot front on each side.

August Richter, 97 cents per lineal foot front on each side for the work complete.

August Richter having failed to bid on each part of the work separately, we recommend the contract be awarded to Henry C. Roney.

7th. For improving New York street, from Delaware street to New Jersey street, by widening the sidewalks, curbing with stone the outer edges thereof, and bowldering the gutters.

John Stumph, for widening the sidewalks, 7 cents; for curbing, 49 cents, and for bowldering, 66 cents per lineal foot front on each side.

R. H. Patterson, 69 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

James Mahoney, 68 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Fred Gansberg, 65 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

Dunning & Hudson, 63 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.

H. C. Roney, 59 cents per lineal foot front on each side for bowldering and 42 cents per lineal foot front on each side for curbing.

August Richter, \$1.00 per lineal foot front on each side for the work complete.

August Richter being the lowest and best bidder, we recommend he be awarded the contract.

Isaac Thalman,
 E. H. Koller,
 Committee on Contracts.

Alderman Tucker moved that the first clause of the above report be referred to the Committee on Contracts, and that the balance of the report be concurred in.

Alberman Seibert moved that the above motion be laid on the table.

Which motion to lay on the table was adopted.

On motion by Alderman Layman, the action of the Common Council in adopting the above report (see page 490, *ante*) was concurred in.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 492, *ante*) was concurred in:

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

Gentlemen:—I herewith report the following estimates of work done according to contract:

A first and final estimate in behalf of Robert Kennington, for grading and graveling the first alley east of the intersection of South street and Virginia avenue, from South street to Virginia avenue:

337 lineal feet, at 25 cents.....	\$84 25
202½ square feet bowldering, at mouth of alley at South street.....	16 20

Total.....	\$100 45
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A first and final estimate in behalf of Michael Flaherty, for grading and graveling the first alley east of Pennsylvania street, from St. Joseph street to the first alley north of St. Joseph street:

314 lineal feet, at 20 cents.....	\$62 80
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A first and final estimate in behalf of Michael Flaherty, for grading and graveling the first alley north of St. Joseph street, from Pennsylvania street to Delaware street:

897½ lineal feet, at 22 cents.....	\$197 41
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A first and final estimate in behalf of John Stumph, for building one 2,000 barrel cistern, corner of Seventh and Howard streets:

1,995.53 barrels, at 49 cents.....	\$977 80
Extra excavation, 110 yards, at 20 cents.....	22 80

Less twenty per cent. reserve.....	199 60
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Amount allowed.....	\$800 20
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A first and final estimate in behalf of Henry Clay, for grading and graveling Baltimore avenue, from Hill avenue to the north corporate limits:

3,171 lineal feet, at 65 cents.....	\$2,061 16
130⅓ cubic yards excavating, a ditch, at 25 cents.....	32 50

Total.....	\$2,093 66
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A first and final estimate in behalf of Charles S. Roney, for grading and graveling the first alley west of Alabama street, from Seventh street to the State Ditch:

2,826⅘ lineal feet, at 30 cents.....	\$848 00
62⅓ cubic yards extra excavation at Eighth street, at 25 cents,	15 56

Total.....	\$863 56
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A first and final estimate in behalf of Henry C. Roney, for grading and graveling Chadwick street and sidewalks, from McCarty street to Catharine street:

790 $\frac{1}{2}$ lineal feet, at 49 cents.....\$387 18

A second and partial estimate in behalf of Anderson Bruner, for constructing a brick sewer in and along Washington street, from the east line of New Jersey street to, and connecting with, the Washington sewer, at the intersection of Pennsylvania street:

802 $\frac{1}{2}$ lineal feet, at \$11.00.....\$8,827 50
 3 manholes, at 40.00..... 120 00
 3 catch-basins, at 80.00.. 240 00

\$9,187 50

Less 15 per cent. reserve..... 1,378 12

Amount allowed.....\$7,809 38

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 493, *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 Robert Kennington, for grading and graveling the first alley east of Virginia avenue, from South street to Virginia avenue, where not already properly improved, 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussman, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 493, *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 Michael Flaherty for grading and graveling the first alley east of Pennsylvania street, from St. Joseph street to the first alley north of St. Joseph 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 494, *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 Michael Flaherty, for grading and graveling the first alley north of St. Joseph street, from Pennsylvania street to Delaware 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 494, *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 Henry Clay, for grading and graveling Baltimore avenue and sidewalks, from Hill avenue to the north corporate limits, 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 494, *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 C. S. Roney, for grading and graveling the first alley west of Alabama street, from Seventh street to the State Ditch, 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 494, *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 Henry C. Roney, for grading and graveling Chadwick street and sidewalks, from McCarty street to Catharine 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 495, *ante*) was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying second and partial estimate in behalf of Anderson Bruner, for constructing a brick sewer in and along Washington street, from the west line of New Jersey street to, and connecting with, the Washington street sewer, at the intersection of 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 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 495, *ante*) was concurred in :

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

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

Contract and bond of Henry C. Roney, for improving Fletcher avenue, from Cedar street to Dillon street, by grading and bowldering the gutters, widening and grading the sidewalks to the width of twenty feet, and curbing with stone the outer edges of the sidewalks. Bond, \$3,000. Surety, R. P. Dunning and C. S. Roney.

Contract and bond of Henry C. Roney, for grading and paving with brick, and curbing with stone the south sidewalk of Maryland street, from Missouri street to West street. Bond, \$1,000. Surety, C. S. Roney.

Contract and bond of August Richter, for improving New York street, from Delaware street to New Jersey street, by widening the sidewalks, curbing with stone the outer edges thereof, and bowldering the gutters. Bond, \$2,000. Surety, Henrich Burke.

Contract and bond of R. P. Dunning and James W. Hudson, for regrading and rebowldering Meridian street, from Washington street to Louisiana street. Bond, \$15,000. Surety, John Rupp and John Schier.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following report from the City Clerk was read :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith present the official bonds of the following officers elect, who have otherwise qualified by filing with me their certificates of election and oaths of office, viz :

JOSEPH T. MAGNER, City Clerk, penalty of bond, \$5,000; giving as security Vinson Carter and J. D. Condit.

MILLARD F. CONNETT, City Assessor, penalty of bond, \$5,000; giving as security, W. M. Adams and Wm. H. English.

ISAAC N. PATTISON, City Treasurer, penalty of bond, \$1,200,000; giving as security James A. Wildman, Peter M. Wright, R. F. Kennedy, F. A. W. Davis, A. D. Lynch, John L. Ketcham, Sidney M. Dyer, Issac Pattison, W. A. Ketcham, S. Loftin, Herman Lieber, John Clifford, W. A. Pattison, Charles Leonard, J. C. McCutcheon, John Landers, John H. Smith, John J. Cooper, Wm. Essman and Franklin Landers.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

Alderman Hamilton moved that the favorable action of the Common Council on the above report, be concurred in (see page 496, *ante*) except as to the bond of I. N. Pattison, City Treasurer, and that said bond be referred to the Finance Committee.

Which motion to refer failed of adoption.

The report was then concurred in, and bonds approved.

The following report from the City Clerk was read:

To the Mayor, Common Council and Board of Aldermen:

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

John L. Spaulding vs. Samuel F. Montague, for.....	\$8 47
Michael Flaherty vs. Hans C. Jensen, for.....	6 00
James Mahoney vs. M. E. Byrkit (christian name unknown), for....	20 68
Charles S. Roney vs. James H. Ruddell, for.....	59 00

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion, the favorable action of the Common Council on the above report (see page 496, *ante*) was concurred in, and the precepts ordered to issue by the following vote:

AYES, 8—viz. Aldermen DeRuitter, Drow, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

The resignation of Master Dashiell (see page 496, *ante*) was read and accepted.

The report of Wm. Hadley, Rental Agent (see page 497, *ante*), was read and received.

The Mortality report of the Board of Health (see page 497 and 498, *ante*) was read and received.

The following report of the Finance Committee was read (see favorable action of the Common Council thereon—page 499, *ante*), and referred, with the communication, to the Finance Committee:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Finance having received the accompanying petition from W. G. Wasson, City Treasurer, recommend that he be authorized to collect the taxes according to said petition.

Respectfully submitted,

John R. Pearson,
Isaac Thalman,
E. H. Koller,
B. Ward,
Frederick Hartmann,
Committee.

Indianapolis, July 28th, 1881.

To the Members of the Finance Committee, City of Indianapolis:

Gentlemen:—On or before the last day for receiving current taxes, General Coburn requested me to make out his tax receipts and hold for him, to avoid the penalties and costs. I promised him in good faith I would do so, but, owing to the rush of business at that time, his case was overlooked, and his taxes went delinquent through no fault of his.

I would therefore most respectfully ask the honorable Committee of Finance to authorize me to receive the taxes of General Coburn for the year 1880 as current:

Very respectfully,

WM. G. WASSON, Treasurer of City of Indianapolis.

The following report of the Finance Committee was read, and the favorable action of the Common Council thereon (see page 499, *ante*) was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Finance, to whom was referred the reports of City Treasurer, City Clerk, and Chief Fire Engineer for the month of July, 1881, would report, we have compared the same with the books of said officers and found the reports made to your honorable body to be in form and accurate. We therefore recommend approval of the same.

Respectfully submitted,

John R. Pearson,
Isaac Thalman,
B. Ward,
E. H. Koller,
F. Hartmann,
Committee.

The following clauses from the report of the Judiciary Committee, were read (see favorable action of the Common Council thereon—pages 500 and 501, *ante*), and, on motion by Alderman Seibert, was referred to the Finance Committee.

The first is the petition of E. B. Hutchison, showing that on the 10th day of February, 1880, he purchased a tax certificate on the north half of lot 3, square 28, in L. D. Johnson's subdivision of Johnson's heirs addition, for which he paid the sum of \$27.58. He says the above sale was erroneous, from the fact that the property described was absorbed in Gerrand's subdivision of square 28. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the \$27.58, with interest from the date of purchase, be refunded to petitioner.

The second is the petition of M. L. McWhinney, showing that on the 9th day of February, 1880, he purchased tax certificate on 35 feet south of 68 feet north ends of lots 7 and 8, square 3, Harris' subdivision of out-lot 157, for which he paid the sum of \$45.27, sold in the name of Amelia Chism. The above sale was erroneous, as the same property was charged double on duplicate, being in name of M. A. Tahoe, also. The City Treasurer informed your committee that the facts stated in the petition are true.

Your committee, therefore, recommend that the sum of \$45.27, with interest from date of purchase, be refunded to petitioner.

The third is the petition of J. W. Hadley, showing that on the 13th day of February, 1880, he purchased a tax certificate on lot 25, out-lot 105, sold in name of Thomas Walsh, for which he paid \$21.09. The sale was erroneous, from the fact that the description should be 25 feet north side of lot 25, Merrill's subdivision of out-lot 105. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$21.09, with interest from date of purchase, be refunded to petitioner.

The fourth is the petition of Hiram Cohen, showing that on the 10th day of February, 1880, he purchased a tax certificate on lot 282, Fletcher's et al. subdivisions of out-lot 98, sold in the name of E. T., S. K., S. A., and A. E. Fletcher, for which he paid \$11.45. The sale was erroneous, as the same property was charged double on duplicate, in name of Fletcher S. Hines, also. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$11.45, with interest from date of purchase, be refunded to petitioner.

The fifth is the petition of G. R. Fries, showing that on the 13th day of February, 1880, he purchased tax certificate on lot 436, Fletcher's et al. subdivision of out-lot 98, for which he paid the sum of \$30.12, sold in name of William Teal. The sale was erroneous, from the fact that the same property was charged double on duplicate, in name of M. A. Birer, also, and paid in that name. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$30.12, with interest from date of purchase, be refunded to petitioner.

The sixth is the petition of James G. Douglass, showing that on the 12th day of February, 1879, he purchased a tax certificate on lot 40, Blake's subdivision of out-lot 169, in name of Jas. H. Perry, for which he paid the sum of \$50.30. The sale was erroneous, for the reason that the delinquency against the lot had been paid previous to the sale, and still carried against the lot. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$50.30, with interest from date of purchase, be refunded to petitioner.

The seventh is the petition of J. A. Moore, showing that on the 29th day of January, 1881, he paid taxes for 1880, on lot No. 7, Seidensticker's subdivision of out-lot 15, in name of Jacob L. Green. Upon examination it was found that there was an overcharge in computing the tax of \$5.30. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$5.30 be refunded to petitioner.

The eighth is the petition of Frank McWhinney, showing: 1st. That on 19th day of August, 1880, he purchased tax certificate on lot No. 37, Kapp & Frank's subdivision, B. F. Morris' addition, for which he paid \$3.52. Sale was void, from the fact the description should have been lot 37, Kapp & Frank's south addition.

2d. That on 11th day of February, 1880, 20 4-12 feet on Louisiana street, west of 63 8-12 feet, east end, lot 6, in square 87, sold in name of Frank McWhinney, for the sum of \$126.17. The sale was void, for the reason the property was double on duplicate, being in name of George P. Bissell, trustee, and the taxes paid.

3d. Purchased lot 5, G. G. & H.'s subdivision, D. T.'s addition, on October 29th, 1879, for the sum of \$10.97, sold in name of McWhinney, and is double, in name of G. Dollman, and taxes paid.

4th. That on August 19th, 1880, petitioner purchased $\frac{1}{2}$ acre east of 52-100 acres, west side of lot 21, Cress' addition, for which he paid the sum of \$15.32. The sale was erroneous, for the reason that the property described was absorbed in the laying out of the lots.

Petitioner asks that these five several sums of money be refunded. The City Treasurer informed your committee that the facts stated in all items of petition are true.

Your committee, therefore, recommend that the several sums mentioned in items 1, 2, 3, and 4 of this report, be refunded, with interest.

The 9th is the petition of J. H. Vajen, showing that on the 19th day of April, 1880, he paid the City Treasurer the sum of \$12.78, being the city taxes for 1876, 1877, 1878, and 1879, on lot 94, in Patterson's addition to Indianapolis, in name of Martha Yard. The above property was sold for the taxes of aforesaid years, on 10th day of February, 1880, to M. L. McWhinney. The property was not marked sold on the duplicate. The payment of the tax was therefore erroneous, for the reason that the city had already received the tax by sale. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$12.78 be refunded to petitioner.

The following clause from the report of the Committee on Public Light was read (see page 506, *ante*), and, on motion by Alderman Hamilton, was referred to the Committee on Public Light and Education :

Your Committee had referred back to them their recommendation of the placing of two additional lamps on West street, and the erection of two lamps on Merrill street, at the crossing of the J., M. & I. Railroad. We again renew our recommendation of the placing of the lamps on said streets, and recommend the following lamps be dismantled, to enable the foregoing lamps to be placed as indicated above. One in front of 203 Massachusetts avenue, said lamp-post to be removed; one lamp on west side of Central avenue, between Lincoln avenue and the first alley north; one lamp on south side of Seventh street, first lamp west of College avenue.

The following motions (adopted by the Common Council—see pages 513 and 514, *ante*) were read and concurrently adopted :

That the German Reform Church be granted permission to hold a pic-nic at the Southern Park, on Thursday, August 25th, 1881.

That Geo. W. Stubbs be, and is hereby, granted permission to pave with brick the sidewalks in front of his property, No. 477 south Meridian street, at his own expense, and according to grade stakes to be set by the City Civil Engineer.

The following motion (adopted by the Common Council—see page 503, *ante*) was read :

That the Committee on Printing be directed to advertise and receive proposals for doing the city advertising, publishing the delinquent list, and bill posting, for the ensuing year.

Alderman Hamilton moved that the action of the Common Council be not concurred in.

Alderman Drew moved, as an amendment to Alderman Hamilton's motion, that the motion be referred to the Committee on Contracts and Bridges.

Which motion, as an amendment, failed of adoption.

Alderman Hamilton's motion was then adopted by the following vote :

AYES, 5—viz. Aldermen Hamilton, Newman, Seibert, Wood, and President Layman.

NAYS, 4—viz. Aldermen DeRuiter, Drew, Mussmann, and Tucker.

The following motion (adopted by the Common Council—see page 514, *ante*) was read, and failed of adoption :

That the water plug now located on or near the corner of Indiana avenue and Michigan street, on the south side of Michigan street, be removed to some more suitable location; and that the Committee on Water have full power to act and order said removal.

Later in the session, Alderman Drew moved that the action on the above motion be reconsidered.

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

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The motion was then adopted by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

The following motion (adopted by the Common Council—see page 515, *ante*) was read :

That the City Civil Engineer be, and is hereby, instructed to order the contractor on contract for improving south Meridian street, to repair all stone crossings, and place new crossings where there are none, both east and west and north and south, between Washington street and Louisiana street.

Alderman Hamilton moved that the above motion be referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act.

Which motion was adopted.

The following resolution (adopted by the Common Council—see page 515, *ante*) was read :

Be it resolved by the Common Council and Board of Aldermen, That no person or corporation shall be given permission to lay either gas or water mains, or connections thereto, in and along north Meridian street, between New York street and Seventh street, after the completion of the new cedar pavement.

We therefore urgently request all persons and corporations to lay all need mains along and across said street, and to make all needed gas and water connections with mains now laid, at once.

And it was concurrently adopted by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Wood, and President Layman.

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

The following entitled ordinance was read the first time:

Ap. O. 52, 1881—An Ordinance appropriating the sum of five thousand dollars on account of the Street Repairs Department, and five hundred dollars in favor of the Chief Fire Engineer of the City of Indianapolis.

The following entitled ordinance was read the first time, and referred to the Committee on Public Light and Education:

G. O. 42, 1881—An Ordinance investing the Indianapolis Brush Electric Light and Power Company with the privilege of erecting and maintaining towers and masts, or posts, necessary for the purpose of supplying Indianapolis and its inhabitants with electric light and power.

The following proposition, presented with the above ordinance, was referred to the Committee on Public Light and Education:

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

Gentlemen:—The Indianapolis Brush Electric Light and Power Company respectfully withdraw so much of any and all propositions heretofore submitted to you for lighting the city as proposes or requires any contract on the part of the city to take or pay for light, and only ask that you pass an ordinance, well guarding the interests of the city, and giving to us such privileges and use of the streets and alleys and public grounds as may be required for the erection of the necessary towers, masts, or posts, for the suspension of wires and lights.

Respectfully submitted,

THE INDIANAPOLIS BRUSH ELECTRIC LIGHT AND POWER COMPANY,
By JOHN CAVEN, President.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in adjourned session, held in the Council Chamber, Thursday evening, August 18th, 1881, adopted the following motion:

“That the City Clerk be directed to re-advertise for sealed proposals to remove the dead animals from the streets, alleys and commons of the City of Indianapolis; and that said advertisement be inserted once each week for two consecutive weeks in The Evening News.”

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

On motion, the action of the Common Council in adopting the above motion was concurred in.

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 adjourned session, held on Thursday evening, August 18th, 1881, for your action upon the same.

For the Common Council:

JOS. T. MAGRER, City Clerk.

The following report from the Committee on Contracts was read (see pages 517, 518 and 519, *ante*), and, on motion by Alderman Hamilton, was referred to the Committee on Contracts and Bridges:

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

Gentlemen:—Your Committee on Contracts, to whom was referred sundry proposals, presented to Council, August 15th, 1881, have examined the same, and find them to be as follows:

1st. For grading and bowldering New Jersey street, and curbing with stone (except where already curbed), the outer edges of the sidewalks thereof, from Washington street to the south line of lot No. 5, Yandes & Wilkins subdivision of square No. 62.

R. H. Patterson, \$2 54 per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

H. C. Roney, \$2.24 per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.

Dunning & Hudson, \$2.19 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

Fred. Gansberg, \$2.12 per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

Michael Faust, \$2.10 per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

There being a tie bid, and believing them low, we recommend the contract be awarded to Michael Faust.

2d. For grading, curbing, and bowldering the gutters of Vermont street, from Illinois street to the canal (except where already properly bowldered and curbed.)

S. W. Patterson, 58 cents per lineal foot front on each side for bowldering, and 55 cents per lineal foot front on each side for curbing.

Henry Clay, 63 cents per lineal foot front on each side for bowldering, and 47 cents per lineal foot front on each side for curbing.

R. H. Patterson, 54 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Kennington & Co., 99 cents per lineal foot front on each side for bowldering and curbing.

J. W. Smith, 55 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

August Richter, 48 cents per lineal foot front on each side for bowldering, and 47 cents per lineal foot front on each side for curbing.

Dunning & Hudson, 52 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

Fred. Gansberg, 49 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

H. C. Roney, 50 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.
 Michael Faust, 45 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Owing to almost all the property owners on the line of this improvement remonstrating, and it would be a great hardship for several of them to pay for same, we recommend that all the bids be rejected and the improvement of said street be indefinitely postponed.

3d. For curbing the sidewalks and bowldering the gutters of Lockerbie street, from East street to Liberty street.

S. W. Patterson, 65 cents per lineal foot front on each side for bowldering, and 55 cents per lineal foot front on each side for curbing.
 J. L. Spaulding, 68 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.
 John Stumph & Son, 65 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.
 J. W. Smith, 63 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.
 Dunning & Hudson, 61 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.
 August Richter, 57 cents per lineal foot front on each side for bowldering, and 47 cents per lineal foot front for curbing.
 R. H. Patterson, 59 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.
 James Mahoney, 99 cents per lineal foot front on each side for bowldering, and curbing.
 H. C. Roney, 57 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.
 M. Faust, 52 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.
 Fred. Gansberg, 54 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.
 J. D. Hoss, 48 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

J. D. Hoss being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and graveling Eddy street and sidewalks, from Norwood street to Merrill street.

Michael Faust, 58 cents per lineal foot front on each side.
 R. H. Patterson, 43 cents per lineal foot front on each side.
 Henry Clay, 39 cents per lineal foot front on each side.
 J. L. Spaulding, 36 cents per lineal foot front on each side.
 M. Doherty, 35 cents per lineal foot front on each side.
 James Mahoney, 35 cents per lineal foot front on each side.
 H. C. Roney, 28 cents per lineal foot front on each side.

H. C. Roney being the lowest and best bidder, we recommend he be awarded the contract.

5th. For grading and bowldering the gutters of West street, from Washington street to Indiana avenue, where not already properly done.

Kennington & Co., 75 cents per lineal foot front on each side.
 Henry Clay, 71 cents per lineal foot front on each side.
 August Richter, 66 cents per lineal foot front on each side.
 John Stumph & Son, 65 cents per lineal foot front on each side.
 S. W. Patterson, 63 cents per lineal foot front on each side.
 J. W. Smith, 63 cents per lineal foot front on each side.

- R. H. Patterson, 64 cents per lineal foot front on each side
 J. L. Spaulding, 62 cents per lineal foot front on each side.
 Dunning & Hudson, 61 cents per lineal foot front on each side.
 H. C. Roney, 55 cents per lineal foot front on each side for bowldering, and 7 cents per lineal foot front for re-setting the old curb.
 Michael Frust, 55 cents per lineal foot front on each side.
 Fred. Gansberg, 55 cents per lineal foot front on each side.

There being two bids at same price, and believing the same low, we recommend the contract be awarded to Fred. Gansberg.

6th. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Louisiana street, from Alabama street to East street.

W. J. Freaney, \$20 50 for each lamp-post, lamp and fixture complete.

We would recommend the contract be awarded to W. J. Freaney.

7th. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Morris street, from Meridian street to Dakota street.

No proposals presented for above.

We recommend no further action be taken.

8th. For building one 2,000 barrel cistern on Eddy street, between Merrill street and Pogue's Run.

- H. C. Roney, 74 cents per barrel.
 A. Bruner, 68 cents per barrel.
 Rubush & Whitsit, 58 cents per barrel.
 John Stumph & Son, 54½ cents per barrel.

John Stumph & Son being the lowest and best bidders, we recommend they be awarded the contract.

Respectfully submitted,

Isaac Thalman,
 E. H. Koller,
 Committee on Contracts.

Alderman Newman was excused for the remainder of this session.

The following report from the Committees on Judiciary and Contracts, and City Attorney, was read:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Committees on Contracts, and Judiciary, together with the City Attorney, to whom was referred certain proposals presented to Council Monday evening, August 15th, 1881, for paving with wood blocks the roadway of Meridian street, and bowldering the wings of the street and alley crossings thereof, from New York street to St. Clair street, have examined such proposals, and find them to be as follows, viz:

- J. W. Hinkley & Co., \$6.24 per lineal foot for white cedar, red cedar, or white pine blocks, as per specifications; \$7.20 per lineal foot for red cedar; \$1.20 per lineal foot for the street and alley intersections, twenty feet wide; 33 cents per lineal foot for the stone crossings.
 J. B. Smith & Co., \$3.48 per lineal foot front on each side for the white cedar block; \$3.74 per lineal foot front on each side for the white pine block; \$5.25 per lineal foot front on each side for the red cedar block; \$1.30 per lineal foot front on each side for bowldering; 35 cents per lineal foot front on each side for single crosswalk, and 70 cents for double walk.

- H. C. Campbell & Co., \$3.45 per lineal foot; \$4.46 per lineal foot for red cedar at Vermont street crossing; \$3.65 per lineal foot for white pine at Michigan street crossing; \$1.69 per lineal foot for bowldering crossings or wings; \$1.61 per lineal foot for stone crossings.
- George W. Houston & Co., \$3.21 per lineal foot; \$4.70 per lineal foot for red cedar at Vermont street crossings; \$3.50 per lineal foot for Michigan street crossing; \$1.55 per lineal foot for bowldering; 49 cents per lineal foot for stone crossings; guaranteeing the white cedar block for ten years.
- J. Rubush & John A. Whitsit, \$3.17 $\frac{3}{4}$ per lineal foot front on each side for white cedar; \$3.85 per lineal foot front on each side for red cedar; \$3.17 per lineal foot front on each side for white pine; \$1.04 per front foot for bowldering the wings of streets and alleys; 32 cents per lineal foot for single stone crossings.
- S. W. Patterson, \$2.80 per lineal foot front on each side for white cedar blocks; \$3.20 per lineal foot front on each side for red cedar block at Vermont street; 55 cents per yard for bowldering, and 30 cents per lineal foot for stone walks.

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

Isaac Thalman,
E. H. Koller,
Contract Committee.

James A. Pritchard,
James T. Dowling,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

Alderman Hamilton moved that the above report be referred to the Committee on Contracts and Bridges.

Alderman Seibert moved to lay Alderman Hamilton's motion on the table.

Which motion, to lay on the table, was adopted by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Drew, Seibert, Wood, and President Layman.

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

The action of the Common Council in adopting the above report (see page 520, *ante*) was concurred in by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Drew, Seibert, Wood, and President Layman.

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

The following report from the Committees on Judiciary and Contracts, and City Attorney, was read:

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

Gentlemen:—The Committees on Contracts, and Judiciary, together with the City Attorney, to whom was referred certain proposals presented to Council, Monday evening, August 15th, 1881, for paving with wood blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from St. Clair street to Seventh street, have examined such proposals, and find them to be as follows, viz.

- J. W. Hinkley & Co., \$4.50 per lineal foot for white cedar blocks; \$5.20 per lineal foot for red cedar blocks; \$1.00 per lineal foot for street and alley intersections; 33 cents per lineal foot for stone crossings.

J. B. Smith & Co., \$2.55 per lineal foot front on each side for white cedar blocks; \$1.10 per lineal foot front on each side for bowldering; 35 cents per lineal foot front on each side for single stone crossings, and 70 cents for double stone crossings.

H. C. Campbell & Co., \$2.85 per lineal foot for white cedar blocks; \$1.69 per lineal foot for bowldering crossings or wings; \$1.61 per lineal foot for stone crossings.

Geo. W. Huston & Co., \$2.51 per lineal foot for paving; \$1.55 per lineal foot for bowldering; 49 cents per lineal foot for stone crossings.

Rubush & Whitsit, \$2.29 per lineal foot front on each side for white cedar blocks; 78 cents per front foot for bowldering the wings; 32 cents per lineal foot for stone crossings.

S. W. Patterson, \$1.98 per lineal foot front on each side for white cedar blocks; 55 cents per yard for bowldering, and 30 cents per lineal foot for stone walks.

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

Isaac Thalman,
E. H. Koller,
Contract Committee.

James A. Pritchard,
James T. Dowling,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

Alderman Seibert moved that the action of the Common Council (see pages 520 and 521, *ante*), in adopting the above report, be concurred in.

Alderman Hamilton moved to lay Alderman Seibert's motion on the table.

Which motion, to lay on the table, failed of adoption by the following vote:

AYES, 3—viz. Aldermen Hamilton, Mussmann, and Tucker.

NAYS, 5—viz. Aldermen DeRuiter, Drew, Seibert, Wood, and President Layman.

Alderman Seibert's motion was then adopted by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Drew, Seibert, Wood, and President Layman.

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

Alderman Hamilton moved that the Committee on Contracts and Bridges be abolished.

Alderman Drew raised the point of order, that committees can be abolished only by resolution.

The Chair ruled that the point of order was well taken, and Alderman Hamilton's motion out of order.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 521, *ante*) was concurred in:

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

Gentlemen:—I herewith report the following estimates, done according to contract:

A first and final estimate in behalf of R. H. Patterson for grading and graveling Newman street, and sidewalks, from Hill avenue to Pendleton road:

982 lineal feet @ 87c.....	\$854 30
35 feet 10-inch pipe @ 60c.....	21 00
77 feet 18-inch pipe @ \$1.00	77 00
Total	\$952 33

A first and final estimate in behalf of R. H. Patterson for grading and graveling Newman street, and sidewalks, from Pendleton road to Brookside avenue:

457 lineal feet @ 65c.....	\$297 05
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A first and final estimate in behalf of Richard Carr for grading and graveling Newman street, and sidewalks, from Brookside avenue to Clifford avenue:

1720 $\frac{30}{100}$ lineal feet @ 87c.....	\$1496 84
71 $\frac{96}{100}$ cubic yards extra, excavating ditch.....	17 99
	\$1514 83

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 522, *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 R. H. Patterson, for grading and graveling Newman street, and sidewalks, from Hill avenue to the Pendleton road, 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, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 522, *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 R. H. Patterson, for grading and graveling Newman street and sidewalks, from Pendleton Road to Brookside 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, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 522, *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 Richard Carr, for grading and graveling Newman street and sidewalks, from Brookside avenue to Clifford

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:

A YES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 523, *ante*) was concurred in:

Indianapolis, August 18th, 1881.

To the Mayor, and Common Council:

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred the petition of Catharine E. Ruschaupt, report thereon as follows, to-wit:

The petitioner states that she is the owner of thirty feet off of the north side of Lot 19, and twenty feet off of the south side of Lot 18, in Hough & Churchman's subdivision of Lot 3, St. Clair's addition to the city. That there is an assessment for benefits, for the sum of \$131.25, on account of the opening of Second street, and that the same appears on the records as a lien upon her real estate. Petitioner asks to have said lien removed, on the ground that the assessment was null and void.

In the Yandes case, in the Superior Court, Judge Elliott held that the assessment was void for the reason that the petition for the opening of street was not referred to a committee before it went to the Commissioners. This opinion was affirmed in General Term.

Your committee recommend the prayer of petition be granted, and that the City Clerk be directed to satisfy the record in Recorder's office.

Respectfully submitted,

James A. Pritchard,
Jas. T. Dowling,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

The following motion (adopted by the Common Council—see page 524, *ante*) was read, and concurrently adopted:

That J. P. Mauer be allowed to pave with brick, the sidewalk in front of his place of business on Blake street, under the instruction of the City Civil Engineer, at his own expense.

The following motion (adopted by the Common Council—see page 524, *ante*) was read:

That the Mayor appoint a committee of three (3), the Mayor to be one of said committee, and request the President of the Board of Aldermen to appoint a like committee, to consult with the managers of the Union Railway Company, with a view of the speedy erection of a new Union Depot, and what, if any, concessions said managers may want from the city, and report the result of said consultation to the Common Council and Board of Aldermen.

On motion by Alderman Tucker, the above motion was concurrently adopted, and President Layman requested to act as a member of such committee. Aldermen Drew and Tucker were then appointed as members of said committee.

REPORTS, ETC., FROM CITY OFFICERS.

The City Attorney submitted the following report; which was concurred in, and the City Attorney directed to serve the necessary notice to procure the opening of said street:

Indianapolis, August 22d, 1881.

To the Board of Aldermen of the City of Indianapolis:

Gentlemen:—I herewith submit the following report upon sundry matters referred to me:

1st. Is the resolution adopting the report of the City Commissioners in reference to the opening of Hanway street, referred to me for an opinion as to the regularity of the proceedings.

I have examined the proceedings before the Commissioners, and believe them to be in conformity to the statute.

The statute, however, requires that the Common Council shall, within twenty-eight days after the report of the Commissioners is presented, either adopt, reject or re-commit the same. The report of the Commissioners was presented to Council June 6th, 1881, adopted June 20th, and presented to the Board of Aldermen June 22d, where it has been pending on reference ever since. It is essential in all matters of this character that the statute should be strictly complied with; and, as the report was not acted on by the Council and Board of Aldermen within the time fixed by law, I am of the opinion that the proceedings must be regarded as abandoned.

2d. Is a motion directing me to report whether or not the C., C., C. & I. R. R. and the I., P. & C. R. R. have complied with their contract with the city, with reference to the re-arrangement of their tracks, and also what are the proper steps necessary to compel them to comply with their contract.

All of the terms of the contract have been complied with, except that part referring to the opening of Maryland street. The contract requires that said railroads shall open Maryland street to a width of forty feet through square seventy-nine.

By a decree of court heretofore rendered on said contract, the railroad companies referred to, upon notice given, can be compelled to comply with this provision, and on failure so to do, may be proceeded against as for contempt of court. And this would be the proper proceeding in case the railroads fail to open the street, as required by said contract.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Streets & Alleys and Sewers & Drainage, through Alderman Seibert, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Streets & Alleys and Sewers & Drainage, to whom was referred certain clauses of the report of the Board of Public Improvements to the Council, July 25th, 1881 (see page 362), have examined the same, and recommend the action of the Common Council in the following clauses be not concurred in:

1st, 3d, 6th, 15th, 16th, 27th, 28th and 29th.

7th, Recommend concurrence when the street is properly opened, and not until then.

19th, Recommend concur in filling chuck-holes only.

Recommend the following clauses be fully concurred in :

4th, 5th, 8th, 17th, 18th, 20th, 21st, 22d, 23d, 25th, 26th, 30th and 31st.

Respectfully submitted,

H. Seibert,
H. E. Drew,
D. DeRuiter,
Committee.

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 & Alleys and Sewers & Drainage, to whom sundry papers were referred, would report thereon as follows :

1st. Is S. O. 12 and 13, 1880; ordinances providing for improving Meridian street, from New York street to Seventh street. Later ordinances have been introduced and passed for said improvement. Therefore, we recommend said ordinances be referred back to the Common Council and stricken from the files.

2d. Is S. O. 76, 1880; for improving Ohio street, from Highland street to Arsenal avenue. There is an error in this ordinance, the streets not being properly opened between the points named, and a new and corrected ordinance having been introduced. Recommend this ordinance be reported back to the Common Council and stricken from the files.

3d. Is S. O. 4, 1881; for improving the west gutter of West street, from Kentucky avenue one hundred feet south. This improvement has been made by the property owner. Make the same recommendation as the above on this ordinance.

4th. Is a motion that the City Civil Engineer make his specifications for the old style curbing, except in cases where the property owners petition for extra finish. Recommend that the action of the Common Council in the adoption of said motion be concurred in.

5th. Is the report of the Board of Public Improvements, submitting for confirmation the name of Jacob W. Lepper, as Inspector of Public Works, adopted by the Common Council August 1st, 1881. The principal improvement for which said Inspector was to be appointed for, being the Washington street sewer, is now about completed. We recommend the action of the Common Council be not concurred in.

Respectfully submitted,

Hiram Seibert,
D. DeRuiter,
H. E. Drew,
Committee.

The same committee submitted the following further report; which was concurred in :

To the Board of Aldermen :

Gentlemen:—Your Committee on Streets & Alleys and Sewers & Drainage, to whom certain special ordinances were referred, would report that they have had the same under consideration, and would recommend the action of the Council on S. O. Nos. 81, 85, 90, 101, 102, 103 and 105, 1881, be concurred in, and the ordinances passed; and that S. O. 97, 1881, be not passed.

Respectfully submitted,

H. Seibert,
D. DeRuiter,
H. E. Drew,
Committee.

The following remonstrance, presented with the foregoing report, was read and received :

Indianapolis, June 27th, 1881.

To the Honorable Common Council of the City of Indianapolis:

Gentlemen:—We, the undersigned, citizens and tax payers of the city, are opposed to and protest against the bowldering, curbing and paving of the east side of Madison avenue, from McCarty to Ray street, the same being unnecessary, as well as oppressive to the owners thereof.

Jno. E. Golden, 1½ lots; Gottfried Blum, 1 lot; C. B. Schmidt; Amanda J. Shaffer, 1 lot; Isodor Obersfelt, 1 lot; Mare Wells, 1 lot; Timothy Lyons, 37½ feet; John Koser, 1 lot; Paul Schneider, 142 feet; Michael Gruner, 1 lot; Aug. M. Kuhn, 2 lots; Wm. Wundram, 3 lots.

The Committee on Water, through Alderman DeRuiter, submitted the following report; which was received:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Water, to whom was referred the resolution adopted by the Common Council August 1, 1881, locating water mains on Park avenue, between Home and Lincoln avenues, submit herewith a petition of property holders in said locality; and we also submit a resolution in lieu of the one referred to us, conforming with said petition, and recommend its adoption.

Respectfully submitted,

D. DeRuiter,
H. Seibert,
D. Mussmann,
Committee.

The following petition, presented with the above report, was read and received:

Indianapolis, August 12th, 1881.

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

Gentlemen:—The undersigned, owners of real estate fronting on Park avenue and Broadway street, between Sixth and Eighth streets, on Park avenue, and Eighth and Ninth streets on Broadway street, respectfully petition for the passage of a resolution providing for the laying of water pipes, or mains, from the present terminus on Park avenue north on that street to Eighth street, thence east on Eighth street to Broadway, then north on Broadway to Ninth street, and east on Ninth street to connect with the mains on the corner of College avenue and Ninth street.

R. S. Hill, 406 Park avenue, 79 ft.; Alvin D. May, 414 Park avenue, 92 ft.; W. T. Hatch, 418 Park avenue, 45 ft.; Pleasant Bond, 80 ft.; H. C. Roney, 410 Park avenue, 51 ft.; W. D. Butler, 520 Broadway street, 40 ft.; F. E. Creelman, 525 Broadway street, 80 ft.; R. Bell, 507 Broadway street, 40 ft.; Wm. T. Hubbard, 60 ft.; D. Root, 40 ft.; Frank McGinnis, 50 ft.

Alderman DeRuiter offered the following resolution:

Resolved by the Common Council and Board of Aldermen, That the Water Works Company of Indianapolis be, and is hereby, required to extend their line of water mains from the corner of Home avenue, in and along Park avenue to Eighth street; thence east on Eighth street to Broadway street; thence north on Broadway street to Ninth street; thence east on Ninth street to, and connecting with the main on College avenue, and locate one hydrant on said extension every one thousand feet, under the direction of the Chief Fire Engineer; and the City Clerk is hereby directed to notify said Water Works Company to lay said water mains.

And it was adopted by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The Committee on Markets and Public Property, 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 Public Property, to whom was referred the matter of receiving bids for the bill posting privilege of the East and West Market spaces, report that Harbison & Abrams bid sixty dollars for the privilege for one year. This being the highest bid, recommend that the privilege be granted them.

H. E. Drew,
D. DeRuiter,
Geo. P. Wood,
Committee.

Alderman Tucker moved that the action of the Board of Aldermen, in concurring in the report of the Committee on Public Health (see page 469 and 470, *ante*), be reconsidered.

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

AYES, 5—viz. Aldermen Hamilton, Mussmann, Seibert, Tucker, and President Layman.

NAYS, 3—viz. Aldermen DeRuiter, Drew, and Wood.

Alderman Tucker then moved that the action of the Common Council be not concurred in.

Which motion was adopted by the following vote :

AYES, 5—viz. Aldermen Hamilton, Mussmann, Seibert, Tucker, and President Layman.

NAYS, 3—viz. Aldermen DeRuiter, Drew, and Wood.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton presented the following remonstrance; which was received, and ordered filed with the ordinance S. O. 127, 1881 :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—The undersigned, owners of real estate fronting on Central and Park avenues, between Seventh and Eighth streets, Indianapolis, Indiana, respect-

fully remonstrate against the passage of an ordinance providing for the grading and graveling the alley between Central avenue and Park avenue, running from Seventh street to Eighth street.

Jas. F. Darnall, 40 ft. front, Central avenue; Charles Sopur, 135 feet, Central avenue; Sarah Jane Gerard, as guardian, P. E. Johnson, 41 ft., Park avenue; Martha W. Bond, 80 ft. front on Park avenue; John V. Martin, 448½ ft. on Central avenue; Amelia B. Mansur, 85½ ft.; Amelia B. Mansur, guardian of Jas. B. and Cecilia Mansur, minors.

Alderman Hamilton offered the following motions; which were adopted:

That the Committee on Public Property procure plans and specifications of the city buildings and market houses of Detroit, Mich, and St. Paul, Minn; the estimated cost thereof, and the revenue derived therefrom; and report to this Board.

That the City Attorney prepare and introduce to the Common Council at its next meeting an ordinance providing that the "Board of Public Improvements," "Board of Police," "Fire Board," "Hospital Board," and "Dispensary Board," shall each consist of (5) members of such Council, and that no member shall be competent to serve on more than one of such boards.

Alderman Tucker offered the following motion; which was adopted:

That the janitor move the clock from the Council Chamber to this Aldermanic Chamber.

Alderman Tucker offered the following resolution:

Resolved, By this Board, that the Police Board be, and are hereby, requested to enforce all laws over which the Police Department have jurisdiction, and that the law closing saloons on Sundays, if there is any such law, be enforced; and that the City Clerk send at once to the Police Board a copy of this resolution, that they may consider the wishes of this Board at their next meeting.

And it was adopted by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Hamilton, Seibert, Tucker, and President Layman.

NAYS, 3—viz. Aldermen Drew, Mussmann, and Wood.

PENDING ORDINANCES.

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

S. O. 41, 1881—An Ordinance to provide for grading and graveling Ohio street, and curbing and bowldering the gutters thereof, from 222 feet east of Harvey street to the alley on the east line of lot eleven (11), in Douglass' addition.

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

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

S. O. 73, 1881—An Ordinance to provide for grading and graveling the first alley west of Tennessee street, from the first alley north of Third street to Fourth street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

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

S. O. 86, 1881—An Ordinance to provide for grading and paving with brick, the south sidewalk of Third street, from Tennessee street to Illinois street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

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

S. O. 98, 1881—An Ordinance to provide for grading and graveling the north sidewalk of Twelfth street, from Meridian street to Illinois street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

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

S. O. 99, 1881—An Ordinance to provide for grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley west of Tennessee street.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

Alderman Hamilton moved to suspend the rules for the purpose of placing Ap. O. 52, 1881, and G. O. 39, 1881, on their final passage.

Which motion was adopted, and the rules suspended by the following vote :

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following entitled ordinance was read the second time :

Ap. O. 52, 1881—An Ordinance appropriating the sum of five thousand dollars on account of the Street Repairs Department, and five hundred dollars in favor of the Chief Fire Engineer, of the City of Indianapolis.

Alderman Hamilton presented a report of the estimates for the fiscal year, which were ordered not printed.

Alderman Mussmann moved to strike out any part of the above ordinance that may appropriate five hundred dollars in favor of the Chief Fire Engineer.

Which motion failed of adoption by the following vote :

AYES, 3—viz. Aldermen Hamilton, Mussmann, and Tucker.

NAYS, 5—viz. Aldermen DeRuiter, Drew, Seibert, Wood, and President Layman.

Ap. O. 52, 1881, was then read the third time, and passed by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

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

G. O. 39, 1881—An Ordinance making a general tax levy for the year 1881, upon the taxable property within the limits of the City of Indianapolis.

And it was passed by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.