

PROCEEDINGS OF BOARD OF ALDERMEN.

ADJOURNED SESSION—SEPTEMBER 28, 1881.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, on Wednesday evening, September 28th, A. D. 1881, at half-past seven o'clock, in adjourned session.

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

ABSENT—Alderman Wood—1.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

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, September 12th, 1881, adhered to their former action in concurring in the following recommendations of the Board of Public Improvements :

“3d. Is a motion that the Street Commissioner be, and is hereby, directed to clean the gutters of Tennessee street, between South and Merrill streets.

Recommend the work be done.”

“6th. Is a motion that the Street Commissioner be, and is hereby, ordered to repair Mississippi street, from Washington street to North street.

Recommend the work be done.”

“15th. Is a motion that the Street Commissioner place a few loads of gravel in a low place in the first alley north of St. Clair street, between Pennsylvania and Delaware streets; the same to be done under the direction of the City Civil Engineer.

Recommend the work be done.”

“27th. Is a motion that the Street Commissioner be instructed to clean gutters of Michigan street, between Alabama and Delaware streets.

Recommend the work be done.”

“28th. Is a motion that the Street Commissioner be, and is hereby, directed to clean gutters on Wabash street, between East and Noble streets.

Recommend the work be done.”

"29th. Is a motion that the Street Commissioner be, and is hereby, directed to fill the chuck holes on Christian avenue, between College avenue and Bellefontaine avenue.

Recommend the work be done."

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

On motion by Alderman Tucker, the matter as set forth in the foregoing message was ordered not received by this body.

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, September 12th, 1881, adhered to their former action in recommending that a 1,200-barrel fire cistern be built on the corner of East street and Lincoln Lane.

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

Alderman Mussman moved that the Board of Aldermen recede from their former action.

Alderman Tucker moved to lay Alderman Mussmann's motion on the table.

Which motion, to lay on the table, failed of adoption.

Alderman Mussmann's motion also failed of adoption.

The matter, as set forth in the above message was then referred to the Committee on Fire Department, Water and Public Health.

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 day evening, September 19th, 1881, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following communication was read; and, on motion, the action of the Common Council in appointing a special committee (see page 631, *ante*) was concurred in, and Aldermen Rorison, Hamilton and Mussmann appointed by the Chair to act with the Council members of such committee:

Indianapolis, Ind., Sept. 19th, 1881.

To the Common Council and Board of Aldermen:

Gentlemen:—At a meeting of the Trades' Assembly, of this city, held on Monday, Sept. 12th, 1881, the following resolutions were adopted, and such action is requested as to your honorable bodies may seem necessary and proper.

Very respectfully,

D. W. GRUBBS, Mayor.

“ WHEREAS, The members of this Assembly view with anxiety and apprehension the condition of many ill-conditioned and cheaply constructed buildings in this city ; and whereas, we deem such structures as dangerous to human life in their hazardous chances of falling to pieces, and also as productive of peril to other property in case of fire ; therefore,

Resolved, That the President appoint a committee on insecure Buildings, whose duty it shall be to co operate with the Chief Fire Engineer or other officers delegated by the city authorities in the inspection of any and all structures that may properly come under the head of insecure buildings.

Resolved, That said committee shall report from time to time their investigations to this Assembly, that the result of their labors may go into the proceedings of the Assembly as a matter of record.

Resolved, That a copy of these resolutions be furnished to the Mayor of the city of Indianapolis, to be by him submitted to the board of Aldermen and Council, with the request that they decide upon such action as may be necessary to accomplish the ends herein desired.”

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 632, 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 John Schier, for grading and paving with brick the east sidewalk of West street, from South street to Merrill street.

749 ^{1 1/2}/₁₀₀ lineal feet, at 42 cents..... \$315 05

A first and final estimate in behalf of James Mahoney, for grading and graveling the first alley north of Bates street, from Concordia street to Benton street.

370 lineal feet, at 20 cents.... \$74 00

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 632, 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 Schier, for grading and paving with brick the east sidewalk of West street, from South street to Merrill 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, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 633, *ante*) was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of James Mahoney, for grading and graveling the first alley north of Bates street, from Concordia street to Benton 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, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Rorison, Seibert, Tucker, 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 633, *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 J. D. Hoss, for curbing the sidewalks and bowldering the gutters of Loekerbie street, from East street to Liberty street. Bond, \$800; surety, David R. Marshall.

Contract and bond of Henry C. Roney, for grading and graveling Eddy street and sidewalks, from Norwood street to Merrill street. Bond, \$800; surety, C. S. Roney.

Contract and bond of Fred Gansberg, for grading and bowldering the gutters of West street, from Washington street to Indiana avenue. Bond, \$5,000; surety, Richard Carr and John Schier.

Contract and bond of Samuel Keers & Co., for grading and graveling Seventh street and sidewalks, from Columbia avenue to Hill avenue. Bond, \$2,800; surety, Hamilton Bailie.

Contract and bond of W. J. Freaney, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Louisiana street, from Alabama street to East street. Bond, \$300; surety, Henry Wetzel.

Contract and bond of Michael Faust, 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. Bond, \$2,000; surety, Christian Buchhorn.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following report from the City Clerk was read:

To the Common Council and Board of Aldermen :

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

Henry Clay vs. Christian F. Miller, sr., for.....	\$57 52
Henry Clay vs. Christian F. Miller, sr., for.....	26 00
Henry Clay vs. Christian F. Miller, sr., for.....	26 00
Henry Clay vs. Milton Thornburgh, for.....	26 00
Henry Clay vs. Milton Thornburgh, for.....	26 00
Henry Clay vs. Milton Thornburgh, for.....	26 00
Henry Clay vs. Catharine Harrison, for.....	26 00
Henry Clay vs. First National Bank of Danville, Illinois, for.....	26 00
Henry Clay vs. First National Bank of Danville, Illinois, for.....	26 00
Henry Clay vs. First National Bank of Danville, Illinois, for.....	26 00
Henry Clay vs. First National Bank of Danville, Illinois, for.....	26 00
Henry Clay vs. James C. and M. E. Pratt, for.....	26 00.
Henry Clay vs. John D. Brown, for.....	26 00
Henry Clay vs. Benjamin M. Gregory, for.....	26 00
Henry Clay vs. F. W. Miller (Christian name unknown)	26 00
William Morrison vs. Dorman Davidson, for.....	5 95
Fred Richter vs. W. P. Carter, for.....	31 65
Fred. Richter vs. W. P. Carter, for.....	31 65
R. P. Dunning and James W. Hudson vs. Augustus Turner, deceased, (D. D. Long, guardian) for.....	42 52
R. P. Dunning and James W. Hudson vs Augustus Turner, deceased, (D. D. Long, guardian) for.....	42 52
R. H. Patterson vs. Edith Morris, for.....	34 80
R. H. Patterson vs. Edith Morris, for.....	34 80
R. H. Patterson vs. R. M. Heiston (Christian name unknown), for.....	60 09
R. H. Patterson vs. Samuel C. Hanna, for.....	5 23
R. H. Patterson vs. Wiley J. Brown, for.....	74 73

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 thereon (see pages 633 and 634, *ante*) was not concurred in, by the following vote :

AYES, 3—viz. Aldermen DeRuiter, Drew, and Mussmann.

NAYS, 5—viz. Aldermen Hamilton, Rorison, Seibert, Tucker, and President Layman.

The following clauses from the report of the Board of Public Improvements were read (see pages 634 and 635, *ante*), and on motion by Alderman Hamilton, were referred to the Committees on Finance and Accounts & Claims, and Streets & Alleys and Sewers & Drainage :

1st. Is a motion that the Street Commissioner be directed to repair the south Tennessee and Illinois street bridges across Pogue's Run ; and build approaches to the south Tennessee street bridge over the gutters on both sides of the bridge, as the said bridge is in a dangerous condition, owing to the height of the gutters.

Recommend the approaches be built; replanking all ready ordered.

2d. Is a motion that the Street Commissioner be, and is hereby, directed to clean the gutters of Madison avenue, between Merrill and McCarty streets.

Recommend the work be done.

3d. Is a motion that the Street Commissioner be instructed to repair the sidewalks around the East Market.

Recommend that the Committee on Markets have this work done.

4th. Is a motion that the Street Commissioner be, and is hereby, directed to place a double stone crossing across McCarty street, on the east side of Illinois street.

Recommend the work be done.

5th. Is a motion that the Street Commissioner be directed to repair Howard street, from Second street north to Fifth street, by placing a coat of gravel thereon.

Recommend the chuck-holes be filled only.

6th. Is a motion that the Street Commissioner be directed to remove the gutter pipes on Illinois street, at the intersection of Fifth and Sixth streets, and place in lieu thereof bewldered gutters.

Recommend the work be done.

8th. Is a motion that the Street Commissioner be, and is hereby, directed to fill chuck-holes on north Alabama street, between Morrison and Seventh streets.

Recommend the work be done.

10th. Is a motion that the Street Commissioner be, and is hereby, directed to place a culvert at the intersection of the first alley east of Virginia avenue and South street, so that alley may be used.

Recommend the work be done.

12th. Is a motion that the City Civil Engineer be instructed to make a survey and prepare plat of Sullivan street and surrounding territory, showing width of said street.

Recommend that the City Civil Engineer be directed to do the work.

The Mortality report of the Board of Health for the last half of September, 1881 (see page 636, *ante*) was read and received.

The following report from the Committee on Printing was read:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Printing, to whom was referred the matter relative to the city advertising and the delinquent list for the year ending May 31st, 1882, would respectfully report that we have advertised for bids for the same, and the following bids were received:

Saturday Review, 28 cents per square for advertising, and 25 cents for each description.

Indianapolis Times, 25 cents per square, and 15 cents per description.

Indianapolis Journal, 21 cents per square, and 20 cents per description.

Saturday Herald, 15 cents per square, and 12 cents per description.

The People, 8 cents per square, and 9 cents per description.

Indianapolis Republican, 5 cents per square, and 8 cents per description.

Previous to the opening of bids, the following motion was unanimously adopted by the committee:

"That the committee do not award the contract to any paper with a less circulation than 4,000."

The circulation of the People and Republican being less than 4,000, their bids were not entertained. The Herald and Review did not certify to their circulation, and their bids could not be entertained. The circulation of the Times being 6,500

and the Journal 7,000, the committee are of the opinion that the Journal is the lowest and best. We recommend that it be awarded the contract.

At the same time bids were also received for bill posting, Harbison & Abrams and John Edwards being the only bidders.

Harbison & Abrams being the lowest and best bidders, we recommend they be awarded the contract.

We herewith submit the bond of Harbison & Abrams for your approval.

Respectfully submitted,

C. T. Bedford,
Edgar Brundage,
John W. Fultz,

Committee on Printing.

Alderman Seibert moved that the above report be referred to the Committee on Printing and Office Fixtures & Supplies.

Alderman Rorison moved to lay the above motion on the table.

Which motion, to lay on the table, was adopted.

On motion, the favorable action of the Common Council on the above report (see page 638, *ante*) was then concurred in.

The contract and bond of Harbison & Abrams, for doing the city bill posting, in the penal sum of five hundred dollars, for the year ending May 31st, 1882, (see pages 638 and 369, *ante*) were read, the contract concurred in, and bond approved.

The following petition was read, and the favorable action of the Common Council thereon (see page 639, *ante*) was concurred in:

Indianapolis, Ind., Sept. 19th, 1881:

To the Board of Aldermen and City Council:

Gentlemen:—The following named persons, Messrs. W. C. De Pauw, E. F. Claypool, J. W. Murphy, H. B. Hibben, and Mrs. W. J. Burford, owning property on Meridian street, between New York and Vermont streets, do now petition your body to grant them the permission of constructing a sewer for the use and benefit of their property, as hereinafter described.

They intend to construct a sewer in accordance with plan and profile prepared by your City Engineer. The main branch is to extend east along the centre of the alley between New York and Vermont streets from the Illinois street sewer to the centre of the first alley east. At the intersection of the alleys between New York and Vermont, Meridian and Illinois streets, they propose building a man-hole of regulation size and construction. The branch sewers beginning at the man-hole, running along the centres of the alleys north 150' east 112' south 9' 6". For the construction of said sewer, the parties above named propose to pay all expense, and that the city will not be called upon to pay any part thereof.

Hoping for an immediate and favorable reply,

In behalf of the above named parties,

E. H. KETCHAM.

The following motions (adopted by the Common Council—see pages 643, 644 and 645, *ante*) were read and concurrently adopted:

That Messrs. Johnson & Erwin have permission to lay a double stone crossing across south Meridian street, in front of their place of business; work to be done at their own expense, and under the direction of the City Civil Engineer.

That the City Civil Engineer be, and is hereby, directed to set the grade stakes, and the Street Commissioner be directed to do the work, and again grade and gravel Garden street, between Eddy and Tennessee streets, said street having been graded and graveled two years ago by ordinance, and stakes set by the City Civil Engineer, and now Eddy street, has been bowldered, and is much higher than Garden street.

That F. H. Rosch be permitted to pave with brick, the sidewalk in front of his place of business, at Nos. 333 and 331, on the corner of Morris and Dakotah streets; the work to be done according to stakes set by the City Civil Engineer.

That A. G. Craft be granted permission to re-pave the sidewalk in front of her property on the west side of Tennessee street, between Pratt and First streets; the same to be done at her own expense, under the direction of the City Civil Engineer.

To grant permission to James A. Mitchell to lay a plank crossing over the sidewalk on the west side of Columbia avenue, near Home avenue.

The following petition (see page 644, *ante*) was read, and the prayer of the petitioner granted:

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

Gentlemen:—The undersigned, owner of the real estate situate at the corner of East and Washington streets, in the city of Indianapolis, would show to your honorable bodies that he is desirous of putting down a driven well in front of his said premises on East street, in the sidewalk. The well, when put down, will be of great benefit and advantage, not only to the occupants of said premises, who have no other means of supply, but to the public as well, by furnishing an abundant supply of pure water.

He therefore prays your honorable bodies to grant him the necessary permission to at once proceed in the construction and maintenance of said well.

JAMES JOHNSON.

Indianapolis, Ind, Sept. 2d, 1881.

The following motion (adopted by the Common Council—see page 643, *ante*) was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage:

That the Street Commissioner notify the Citizens' Street Railway Company to fill the center of their tracks on Virginia avenue, from South street to its southern terminus, so as to conform to the established grade of the street. If the said work is not done in thirty days, that the Street Commissioner proceed to do the work, and collect the cost thereof from said Railway Company.

The following motion (adopted by the Common Council—see page 644, *ante*) was read, and referred to the Committee on Water and Public Health:

That the Fire Board be directed to have Delaware and Alabama streets sprinkled from Washington street to Exposition Grounds during the week of the State Fair, without any expense to the city.

REPORTS, ETC., FROM CITY OFFICERS.

The City Attorney submitted the following report; which was read and received:

Indianapolis, September 26th, 1881.

To the President and Members of the Board of Aldermen:

Gentlemen:—The undersigned, to whom was referred a motion directing that the Street Railroad be required to bowlder between their tracks on certain portions of Virginia avenue, with directions to report what the rights and powers of the city are in the premises, herewith submit the following report thereon:

The charter of the Street Railroad was granted January 18th, 1864; the fifth section of which reads as follows;

SECTION 5. The track of every such railway shall not be elevated above the surface of the street, and the same shall be laid so as to conform to the established grades of the streets of said city, and in such manner as to be no unnecessary impediment to the ordinary use of the streets, and the passage of wagons, carriages and other vehicles, upon, along or across said tracks at any point, and in any and all directions, with suitable bridges at all the gutters so as to permit the free and unimpeded flow of water in along said gutters. The said company shall bowlder the space between the rails of the track, and also shall pave, bowlder or otherwise improve (as the street may be) two feet on the outside of each rail, so as at all times to correspond with the street outside, and keep the same, together with all bridges at the crossing of gutters, in good repair, to the satisfaction of the Common Council; and in case of the failure of such company to do the same, the Common Council shall have the right to prevent the use of said track, by removing the rails therefrom."

By ordinance of November 4th, 1867, the said company was relieved from the duties cast upon it by this section, until January 1st, 1878, when the same again became operative.

By ordinance of April 2d, 1878, section five of the original charter was amended so as to read as follows:

"The track of any such railway shall not be elevated above the surface of the street, and the same shall be laid so as to conform to the established grades of the streets of said city, and in such manner as to be no unnecessary impediment to the ordinary use of the streets, and the passage of wagons, carriages and other vehicles, upon, along or across said tracks, at any point, and in any and all directions, with suitable bridges at all the gutters, so as to permit the free and uninterrupted flow of water in and along said gutters. The said company shall keep the space between their tracks, and two feet on the outside of each rail, together with all bridges at the crossings of gutters, at all times in good repair, to the satisfaction of the Common Council and Board of Aldermen; and shall also cause the space between their tracks, and two feet on the outside of each rail, to conform to the grade of the street upon which the same is laid. And if said company shall fail or refuse to repair any street or bridge in such way or manner as the Common Council and Board of Aldermen shall direct, or shall fail or refuse to make the space between the tracks, and two feet on the outside of each rail, conform to the grade of the street upon which the same is laid, for a period of ten days after having been notified so to do by the order of said Common Council and Board of Aldermen, then said Council and Board shall have the right to prevent the use of the track, by causing the rails to be removed therefrom," etc.

The said section, as amended, provides that "upon failure of said company to comply with any of the provisions of this ordinance, the Common Council and Board of Aldermen of said city shall have the right to at once repeal this ordinance and provide for the enforcement of sections five and six of the ordinance of January 18th, 1864."

The above amendatory ordinance is now in full force, and the only one regulating the manner of laying and maintaining the tracks of said company upon the streets of the city. Under the provisions of the original charter, the company were required to bowlder the space between their tracks where ever laid upon the streets of the city, while under the terms of the amendatory ordinance, it seems to have been left to the Council and Board of Aldermen to determine when and in what particular manner the space should be repaired. And we are of the opinion that the Common Council and Board of Aldermen, under the present ordinance, have the power, if they deem it necessary, to require the said company to bowlder the space between their tracks upon any portion of the streets of the city, whether the balance of the street be bowldered or not; or if it should be found as a fact that said company have failed to comply with any of the provisions of said amendatory ordinance, the Council and Board of Aldermen may repeal said ordinance, and provide for the enforcement of section five of the original charter.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

S. H. SHEARER, City Civil Engineer.

On motion by Alderman Seibert, the following motion was recalled from the City Attorney and City Civil Engineer, referred to them at the last regular meeting (see page 630, *ante*), and adopted:

“That the City Marshal be directed to notify the Street Railroad Company to bowlder between the tracks along Virginia avenue, between Louisiana and Coburn streets”

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Judiciary, Ordinances and Rules, through Alderman Rorison, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Judiciary Committee, to whom was referred the report of the City Commissioners in the vacation of the first alley west of Peru street, in Out-lot No. 43, together with a resolution relative thereto, recommend that the action of the Common Council in said vacation be concurred in.

Respectfully submitted,

Brainard Rorison,
W. H. Tucker,
Committee.

The resolution (see page 614, *ante*), as recommended by the above report, was then adopted by the following vote:

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

NAYS—None.

The Committee on Public Light and Education, through Alderman Tucker, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Public Light and Education, to whom was referred the following Conference Committee report, beg leave to report as follows:

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

Gentlemen:—Your Conference Committee of the Council and Board of Aldermen, to whom was referred sundry matters passed by the Council, and by the Board of Aldermen referred to Committee of Conference, would report in favor of concurring in the action of the Council and the passage of the various motions and recommendations of the Council Committee on Public Light, viz:

1st. That the company re-light lamp at entrance of alley south side of Vermont, between Delaware and Alabama streets.

2d. That lamp opposite 565 east Seventh street be re-lit. The committee report against this motion, and recommend that lamp southeast corner Peru street and Seventh street, opposite Bellefontaine avenue, be dismantled.

5th. Is to dismantle the following lamps: 1. Lamp on Plum street, between Cherry street and Christian avenue, first alley east side of Plum street. 2. Lamp north side of Vine street, between Plum and Broadway.

All the foregoing passed the Council, and we recommend their passage again, as being in the interest of the city, affording, as their adoption will, better light in the different localities indicated; and where we recommend the dismantling of lamps, the locality can well afford it, being sufficiently well lighted after the lamps proposed are put out.

Respectfully submitted,

Jas. T. Dowling,
John R. Cowie,
N. Yoke,
Conference Committee.”

Your Committee on Public Light and Education, report against concurring in the above.

Respectfully submitted,

D. Mussmann,
W. H. Tucker,
F. W. Hamilton,
Committee.

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 the report of the Board of Public Improvements of September 5th, 1881 (see page 569), have examined the same, and would report on each clause as follows:

In 1st and 2d clauses we find the work has been done.

In 3d, 7th, 8th, 10th, 19th, 20th, 24th, 25th and 26th clauses, recommend the action of the Common Council in the adoption of said motions be concurred in.

In 11th, 13th, 14th, 21st and 22d clauses, recommend the action of the Common Council, in the adoption of said motion, be not concurred in.

Respectfully submitted,

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

The Committee on Contracts and Bridges, through Alderman Wood, submitted the following report:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Contracts and Bridges, to whom was referred the report of Common Council of September 5th, 1881 (see page 597),

Recommend that in clauses 1, 4, 9, 10, 11, 12, 14, 15 and 16, the action of the Common Council, in awarding said contracts, be concurred in.

In clauses 2 and 3, be referred to the City Attorney for his written opinion whether all the property on said line of improvement can be legally assessed for street improvements.

In clause 13, provides for improving the first alley north of Fifth street, from Tennessee street to the first alley west of Tennessee street. This is an error in the description; should be second alley west of Tennessee street.

Recommend the same be referred back to the Common Council for their consideration and action thereon.

In clauses 5, 6, 7 and 8, we recommend the action of the Common Council, in awarding the contracts, be not concurred in, and the same be referred back, recommending re-advertising.

Respectfully submitted,

Geo. P. Wood,
Brainard Rorison,
Committee.

Alderman Seibert moved that the above report be concurred in, except so much thereof as refers to the fifth, sixth, seventh and eighth clauses.

Which motion was adopted.

The action of the Common Council on the report of the Committee on Contracts (see page 597, *ante*) was then concurred in, except as to the clauses second, third and thirteen.

The Committee on Contracts and Bridges, through Alderman Rorison, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Contracts and Bridges, to whom sundry papers were referred, would report:

1st. Is a resolution that hereafter this Board will not consider nor act upon any contract and bond unless said contract and bond be accompanied with an affidavit stating that the surety on said bond is the owner in his own name and right of real estate situated in Marion county, Indiana, which real estate is clear and wholly unincumbered, and of the value of at least the amount named in said bond.

Recommend said resolution be adopted.

2d. Is a motion that the contract of Wm. Kown, for grading and bowldering the gutters on Morrison street, be, and is hereby, rescinded, as the time for the completion of the work has expired, and none of the work done; and that the City Civil Engineer re-advertise the work.

Recommend that the action of the Common Council, in the adoption of said motion, be concurred in.

Respectfully submitted,

George P. Wood,
Brainard Rorison,
Committee.

The resolution, as shown in the report, was then adopted by the following vote:

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

NAYS, 3—viz. Aldermen DeRuitter, Drew, and Seibert.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton offered the following motion ; which was adopted :

That the City Clerk, in making up the appropriation ordinances each month, shall leave out all claims for work or material done or furnished without the approval of this Board, and report such claims separately.

Alderman Mussmann offered the following motion :

That the Committee on Markets and Public Property be directed to have the tent in Military Park removed at once, and the benches put in their proper place.

Alderman Rorison moved to lay the above motion on the table.

Which motion, to lay on the table, failed of adoption.

The motion, as offered by Alderman Mussmann, was then adopted.

Alderman Seibert offered the following motion ; which was adopted :

That the City Civil Engineer make a survey and prepare a plat profile of Maryland street, between Alabama and New Jersey streets, and report the same to the City Council for their approval.

Alderman Tucker offered the following motion ; which was referred to the Committee on Streets & Alleys and Sewers & Drainage, and the City Civil Engineer, with power to act :

That the Street Commissioner and City Civil Engineer be, and are hereby, directed to repair the curbing and sidewalks on Meridian street, between Washington and Louisiana streets, by filling the crevices with cement, concrete, by putting in new curb, or otherwise.

Alderman Tucker offered the following motion ; which was adopted :

That the Finance Committee be directed to act with the Committees on Fire and Water, on the location and building of cistern, as ordered by the Council.

Alderman Hamilton offered the following motion ; which was adopted :

That the City Civil Engineer notify the contractor on south Meridian street to push said work as fast as possible, and to obstruct but one-half of said street at a time as said work progresses, leaving a passage-way for teams.

PENDING ORDINANCES.

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

S. O. 134, 1880—An Ordinance to provide for grading and graveling the alley between Pleasant street and Lexington avenue, from Linden street to Spruce street.

And it was passed by the following vote :

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

NAYS—None.

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

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.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 52, 1881—An Ordinance to provide for grading and paving with brick (where not already paved), the south sidewalk of First street, from Illinois street to the Canal.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 81, 1881—An Ordinance to provide for grading and graveling the first alley east of Benton street, from Meek street to Georgia street.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 90, 1881—An Ordinance to provide for grading and graveling the first alley north of McCarty street, from the first alley east of Alabama street to the first alley west of New Jersey street.

And it was passed by the following vote :

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

NAYS, 1—viz. Alderman Hamilton.

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

S. O. 94, 1881—An Ordinance to provide for grading, bowldering and curbing the gutters of South street, from Pennsylvania street to Delaware street (where not already properly bowldered or curbed.)

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 97, 1881—An Ordinance to provide for grading, and paving with brick, the sidewalks of Madison avenue, from McCarty street to Ray street.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 101, 1881—An Ordinance to provide for grading and bowldering the first alley east of Meridian street, from the south line of lot number six, square ninety-seven, south to Pogue's Run.

And it was passed by the following vote :

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

NAYS, 1—viz. Alderman Hamilton.

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

S. O. 102, 1881—An Ordinance to provide for grading and bowldering Georgia street, and curbing with stone the outer edges of the sidewalks, from Pennsylvania street to Delaware street.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 103, 1881—An Ordinance to provide for grading and bowldering South street, and curbing with stone the outer edges of the sidewalks, from Meridian street to Illinois street.

And it was passed by the following vote :

AYES, 7—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Rorison, Seibert, and Tucker.

NAYS, 2—viz. Aldermen Hamilton, and President Layman.

The following entitled ordinance was read the second time :

S. O. 110, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Merrill street, from Delaware street to Pennsylvania street.

The above entitled ordinance was amended so as to cause the erection of two lamp posts on Morris street. As amended, the ordinance was ordered engrossed, read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, and Tucker.

NAYS 2—viz. Aldermen Rorison, and President Layman.

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

S. O. 122, 1881—An Ordinance to provide for grading, bowldering and curbing, the gutters of New York street, from Missouri street to Bright street (where not already properly bowldered or curbed.)

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 141, 1881—An Ordinance to provide for building a brick sewer in, and along, the first alley east of Meridian street, to, and connecting with, the Georgia street sewer, and providing for the assessment and collection of the cost thereof.

And it was passed by the following vote :

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

NAYS—None.

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

S. O. 142, 1881—An Ordinance to provide for grading and paving with brick (where not already properly paved), the north sidewalk of St. Marys street, from Delaware street to Alabama street.

And it was passed by the following vote :

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

NAYS—None.

Alderman Hamilton moved that all ordinances that have *not* been referred to the Committee on Streets & Alleys and Sewers & Drainage, be so referred; and that all ordinances that have been reported *against* by the said committee, that the action of the Common Council be non-concurred in

Which motion was adopted, and S. O. 81, 1880, and S. O. 19, 115, 116, 118, 121, 126, 129, 130, and 136, 1881, were referred to the Committee on Streets & Alleys and Sewers & Drainage.

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

S. O. 12, 1880—An Ordinance to provide for re-paving with wooden blocks (red cedar), the roadway of Meridian street, from New York street to St. Clair street.

And it failed to pass by the following vote :

AYES, 1—viz. Alderman Rorison.

NAYS, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, and President Layman.

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

S. O. 13, 1880—An Ordinance to provide for re-paving with wooden blocks (red cedar) the roadway of Meridian street, from St. Clair street to Seventh street.

And it failed to pass by the following vote :

AYES, 2—viz. Aldermen Newman, and Rorison.

NAYS, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Seibert, Tucker, and President Layman.

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

S. O. 75, 1879—An Ordinance to provide for grading and graveling the sidewalks and roadway, and bowldering, and curbing with stone the gutters, of Highland street, from Washington street to the north line of Ohio street, and repealing S. O. 48, 1878.

And it failed to pass by the following vote:

AYES, 1—viz. President Layman.

NAYS, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker.

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

S. O. 76, 1880—An Ordinance to provide for grading and graveling Ohio street and sidewalks, from Highland street to Arsenal avenue.

And it failed to pass by the following vote:

AYES, 1—viz. Alderman Newman.

NAYS, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Rorison, Seibert, Tucker, and President Layman.

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

S. O. 135, 1880—An Ordinance to provide for grading and graveling Pleasant street and sidewalks, from Linden street to Reid street.

And it failed to pass by the following vote:

AYES—None.

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

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

S. O. 4, 1881—An Ordinance to provide for grading, bowldering and curbing the west gutter of West street, from Kentucky avenue to a point one hundred feet south of Kentucky avenue.

And it failed to pass by the following vote:

AYES, 1—viz. Alderman Newman.

NAYS, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Rorison, Seibert, Tucker, and President Layman.

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

S. O. 105, 1881—An Ordinance to provide for grading and graveling the south half of the roadway of Brinkman street, from Rural street to Baltimore avenue.

And it failed to pass by the following vote :

AYES, 4—viz. Aldermen DeRuiter, Drew, Seibert, and President Layman.

NAYS, 5—viz. Aldermen Hamilton, Mussmann, Newman, Rorison, and Tucker.

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

S. O. 109, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Georgia street, from Pennsylvania street to Delaware street.

And it failed to pass by the following vote :

AYES, 2—viz. Aldermen Newman, and Seibert.

NAYS, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

Alderman Tucker offered the following motion :

That the City Civil Engineer and Street Commissioner notify the Street Railway Company *not* to lay T *rail* on the new line from Illinois street to the Morris street bridge, and that the improved flat rail be used, and that the flange be put in towards the center of the track.

Alderman Newman's motion to refer the above to the Committee on Railroads and Public Charities, failed of adoption.

Alderman Tucker's motion was then adopted.

Alderman Seibert moved that the Board of Aldermen reconsider their action in non-concurring in the action of the Common Council in ordering certain precepts (see page 634, *ante*) to issue.

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

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, and President Layman.

NAYS, 2—viz. Aldermen Rorison, and Tucker.

On motion by Alderman Hamilton, the precepts were then referred to the Committee on Contracts and Bridges, by the following vote:

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Nowman, Rorison, Tucker, and President Layman.

NAYS, 1—viz. Alderman Seibert.

Alderman Hamilton moved that the City Attorney be instructed to draft a proper resolution referring the improvement of Highland and Market streets to the City Commissioners for the assessment of benefits and damages, if there be any.

Which motion was adopted.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.