

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—NOVEMBER 21, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, November 21st, A. D. 1881, at half-past seven o'clock, in regular session.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 23 members, viz: Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT—Councilmen Bryce and Cowie—2.

The Proceedings of the Third Joint Convention, held in the Council Chamber November 14th, 1881, having been printed, and placed on the desks of the Councilmen, said Proceedings were approved as published.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Thalman, submitted the following report; which was received, and the several recommendations concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Committee on Contracts, to whom was referred sundry proposals, presented to Council, Monday evening, November 7th, 1881, have examined the same and find them to be as follows, viz:

1st. For grading and graveling New Jersey street, bowldering the gutters, and curbing with stone the outer edges of the sidewalks thereof, from the south line of lot No. 5, in Yandes & Wilkins' subdivision of square No. 62, to the C., C., C. & I. R. R. Co.'s tracks.

James Mahoney, \$2.10 per lineal foot front on each side.

H. C. Roney, \$1.20 per lineal foot front on each side for graveling; 60 cents per lineal foot front on each side for bowldering; and 48 cents per lineal foot front on each side for curbing.

R. H. Patterson, \$1.00 per lineal foot front on each side for graveling; 79 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Michael Faust, 85 cents per lineal foot front on each side for graveling; 63 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Dunning & Hudson, 79 cents per lineal foot front on each side for graveling; 60 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

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

2d. For grading and paving with brick, the south sidewalk of Michigan street, from Liberty street to East street.

H. C. Roney, 50 cents per lineal foot front.
 J. L. Spaulding, 48 cents per lineal foot front.
 J. D. Hoss & Co., 44 cents per lineal foot front.
 John Schier, 43 cents per lineal foot front.

John Schier being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and paving with brick, where not already paved, the east sidewalk of Meridian street, from McCarty street to Morris street.

Henry C. Roney, 52 cents per lineal foot front.
 John Schier, 49 cents per lineal foot front.
 John L. Spaulding, 47 cents per lineal foot front.

John L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and paving with brick, the north sidewalk of North street, from Tennessee street to Pennsylvania street, except where already paved.

R. H. Patterson, 69 cents per lineal foot front.
 John Schier, 57 cents per lineal foot front.
 J. D. Hoss & Co., 57 cents per lineal foot front.
 H. C. Roney, 56 cents per lineal foot front.
 John L. Spaulding, 51 cents per lineal foot front.

John L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

5th. For curbing with stone the sidewalks of Massachusetts avenue, where not already curbed, from Pennsylvania street to New Jersey street.

Michael Faust, 48 cents per lineal foot front on each side.
 J. D. Hoss & Co., 48 cents per lineal foot front on each side.
 H. C. Roney, 45 cents per lineal foot front on each side.
 Dunning & Hudson, 45 cents per lineal foot front on each side.
 John L. Spaulding, 42 cents per lineal foot front on each side.

John L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

6th. For grading and graveling the first alley north of Market street, from the first alley east of Arsenal avenue to the first alley west of State avenue.

John L. Spaulding, 34 cents per lineal foot front on each side.
 James Mahoney, 28 cents per lineal foot front on each side.

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

7th. For grading, bowldering and curbing the north gutter of Ohio street, from Meridian street to Illinois street.

Henry Clay, 80 cents per lineal foot front for bowldering, and 47 cents per lineal foot front for curbing.
 J. L. Spaulding, 72 cents per lineal foot front for bowldering, and 43 cents per lineal foot front for curbing.

Henry C. Roney, 70 cents per lineal foot front for bowldering, and 45 cents per lineal foot front for curbing.

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

J. D. Hoss & Co., 65 cents per lineal foot front for bowldering, and 47 cents per lineal foot front for curbing.

Fred. Gansberg, 65 cents per lineal foot front for bowldering, and 45 cents per lineal foot front for curbing.

Dunning & Hudson, 65 cents per lineal foot front for bowldering, and 43 cents per lineal foot front for curbing.

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

8th. For grading and paving with brick, and curbing with stone, the east sidewalk of Pine street, from St. Clair street to the first alley south.

J. D. Hoss & Co., 47 cents per lineal foot front for curbing, and 50 cents per lineal foot front for paving.

We recommend that J. D. Hoss & Co. be awarded the contract.

9th. For paving with brick, where not already paved, the west sidewalk of Broadway street, between Christian avenue and St. Clair street.

John L. Spaulding, 65 cents per lineal foot front.

John Schier, 58 cents per lineal foot front.

J. D. Hoss & Co., 56 cents per lineal foot front.

Henry C. Roney, 55 cents per lineal foot front.

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

10th. For grading and graveling the alley between Park and Central avenues, from Seventh street to Eighth street.

J. L. Spaulding, 33 cents per lineal foot front on each side.

Henry Clay, 27 cents per lineal foot front on each side.

James R. Shea, 25 cents per lineal foot front on each side.

Dunning & Hudson, 24 cents per lineal foot front on each side.

David A. Haywood, 22 cents per lineal foot front on each side.

David A. Haywood being the lowest and best bidder, we recommend he be awarded the contract.

11th. For grading and paving with brick, and curbing with stone, the south sidewalk of New York street, from Bright street west to Minerva street.

R. H. Patterson, 48 cents per lineal foot front for paving, and 45 cents per lineal foot front for curbing.

H. C. Roney, 44 cents per lineal foot front for paving, and 46 cents per lineal foot front for curbing.

John Schier, 44 cents per lineal foot front for paving, and 46 cents per lineal foot front for curbing.

John L. Spaulding, 41 cents per lineal foot front for paving, and 43 cents per lineal foot front for curbing.

John L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

12th. For grading and paving with brick, and curbing with stone, the north sidewalk of New York street, from Bright street to Agnes street.

R. H. Patterson, 49 cents per lineal foot front for paving, and 45 cents per lineal foot front for curbing.

H. C. Roney, 44 cents per lineal foot front for paving, and 46 cents per lineal foot front for curbing.

John Schier, 43 cents per lineal foot front for paving, and 46 cents per lineal foot front for curbing.

John L. Spaulding, 40 cents per lineal foot front for paving, and 43 cents per lineal foot front for curbing.

John L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

13th. For grading and bowldering the gutters of Morrison street, between Alabama and Delaware streets.

H. C. Roney, 45 cents per lineal foot front on each side.

J. L. Spaulding, 45 cents per lineal foot front on each side.

R. H. Patterson, 45 cents per lineal foot front on each side.¹

J. D. Hoss & Co., 43 cents per lineal foot front on each side.

Fred. Gansberg, 39 cents per lineal foot front on each side.

Fred. Gansberg being the lowest and best bidder, we recommend he be awarded the contract.

14th. For erecting two lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Merrill street, between Delaware street and Pennsylvania street.

No proposals were submitted for the above work. We recommend no further action be taken until next May.

15th. For grading and bowldering, the first alley north of Ohio street, from Meridian street to Bird street.

J. L. Spaulding, 48 cents per lineal foot front on each side for bowldering, 43 cents per lineal foot front for curbing, and 35 cents per lineal foot for stone crossings.

James Mahoney, 65 cents per lineal foot front on each side.

R. H. Patterson, 45 cents per lineal foot front on each side.

H. C. Roney, 45 cents per lineal foot front on each side.

Michael Faust, 40 cents per lineal foot front on each side.

Dunning & Hudson, 37 cents per lineal foot front on each side.

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

16th. For grading and graveling Ohio street and sidewalks, and bowldering and curbing the gutters thereof, from 222 feet east of Harvey street to the first alley west of Hanna street.

R. H. Patterson, \$1.85 per lineal foot front on each side for graveling; 72 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Dunning & Hudson, \$1.51 per lineal foot front on each side for graveling; 63 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

Michael Faust, \$1.45 per lineal foot front on each side for graveling; 63 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

H. C. Roney, \$1.18 per lineal foot front on each side for graveling; 70 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

Fred. Gansberg, \$1.23 per lineal foot front on each side for graveling; 65 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

Henry Clay, \$1.12 per lineal foot front on each side for graveling; 68 cents per lineal foot front on each side for bowldering, and 47 cents per lineal foot front on each side for curbing.

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

17th. For grading and bowldering the south gutter, curbing with stone and paving with brick, the south sidewalk of Ohio street, from Harvey street to a point 222 feet east of Harvey street.

J. L. Spaulding, 56 cents per lineal foot front for paving; 69 cents per lineal foot front for bowldering, and 44 cents per lineal foot front for curbing.

R. H. Patterson, 56 cents per lineal foot front for paving; 59 cents per lineal foot front for bowldering, and 45 cents per lineal foot front for curbing.

H. C. Roney, 48 cents per lineal foot front for paving; 56 cents per lineal foot front for bowldering, and 46 cents per lineal foot front for curbing.

Dunning & Hudson, 43 cents per lineal foot front for paving; 49 cents per lineal foot front for bowldering, and 45 cents per lineal foot front for curbing.

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

Respectfully submitted,

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

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, read the following message; which was received and ordered printed in the Proceedings:

Indianapolis, November 20th, 1881.

To the Common Council and Board of Aldermen:

Gentlemen:—I desire to call your attention to the fact that the condition of the East Market square is discreditable to a city of eighty thousand inhabitants. There is certainly no good reason for permitting it to remain in its present unsightly condition, and steps should at once be taken for the erection of a city building on said square.

The last will and testament of Stephen D. Tomlinson, dated April 18, 1870, contains the following clause:

“Item Second. The residue of my estate, which may remain after her decease, whether the same be acquired by exchange or purchase, I bequeath to the city of Indianapolis, to be used in the erection of buildings for the use of citizens and city authorities—what are commonly called ‘public buildings’—on the west end of the East Market House, fronting on Delaware street, and next north of Market street. And I further direct that there be no unnecessary delay in converting the property hereby bequeathed to the uses designated, as I do not wish to endow the city with a property to be held indefinitely for rent.”

The Council accepted this bequest, and from the income of the property so devised there is now in the city treasury the sum of \$25,750, which can be used for no other purpose than that set forth in the will aforesaid. The real estate named in the will is now the absolute property of the city, and subject to its disposal. One parcel of this property, on East Washington street, is very valuable, and can be readily sold at any time. I am informed that not long since an offer of \$27,000 was made for it. Add this to the \$25,750 of the Tomlinson fund now in the treasury, and the city would have about \$54,000 as a fund with which to commence a building such as contemplated by the will, of Mr. Tomlinson, and which said will directs shall be erected without unnecessary delay, the testator plainly declaring that it was not his intention to endow the city with a property to be held indefinitely for rent.

The addition of but five cents to the present rate of taxation—an increase which you have the right to make—and appropriating it to this building fund, would

make a fund which could all be made available, within about one year, of over \$80,000. I do not think it necessary or prudent to expend over \$100,000 in this improvement, and that sum would now provide a building adequate for market purposes, city offices, and a public hall of sufficient capacity to accommodate any and all of the large conventions and other meetings which so often assemble in our city.

In the city of Detroit the market house, erected at a cost of \$50,000, pays, as I am informed, ten per cent. net on the amount expended. The market privileges afforded by the building herein proposed would bring a handsome revenue to the city, and this might be materially increased by rents received for the use of the hall.

Permit me also to call your attention to the necessity for improvement in our public parks. Dilapidated fences should be taken down, rickety benches should be removed and comfortable seats provided; tangled grass and weeds should be replaced by a smooth and well-cared-for lawn, and mis-shapen trees should be pruned into proper form, so that healthy growth and beauty may result therefrom.

Money spent in beautifying and adorning our parks is money well invested. It serves to cultivate a taste for that which is beautiful and inviting, the results of which will at once be seen in the better care of the private grounds of all our citizens. There is no doubt that handsome public parks are an advantage to a city in a pecuniary point of view. But there should be a higher incentive for their creation and maintenance—that of providing the people with a place of recreation, where they can enjoy their hours of freedom from labor, where pleasant drives and walks, green lawns, and the attractions of nature and art invite mirth and gladness, and promote healthful amusements.

I call your attention to these points of public interest at this time in order that you may, if deemed advisable, place the matter in the hands of proper and competent committees, that some definite plan may be agreed upon before the season suitable for such work is upon us.

D. W. GRUBBS, Mayor.

By consent, Councilman Weaver offered the following resolution :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That there shall be appointed two members of the Common Council and one member of the Board of Aldermen to act as City Commissioners on Market House and City Hall buildings, in conjunction with the Mayor and President of the Board of Aldermen. They shall be authorized to advertise for a full and complete set of plans, specifications and estimates for the erection of a City Hall and Market House on the site known as the "East Market Place." They shall call to their assistance the City Civil Engineer to prepare a topographical map of the site, for the guide and use of competing architects; he shall also act with them in any capacity they may think his services are required. They shall make a thorough and critical examination of all plans, specifications and estimates submitted, and if found suitable and correct, and the building contemplated in such plans can be constructed within the limit ofdollars, and suitable in every respect to light, ventilation, permanence and convenience, and adapted to all the purposes and requirements for such a building as contemplated, said commissioners may select the most meritorious plans for future consideration. The following terms may be offered to the architects submitting plans: That a premium of eight hundred dollars (\$800) be awarded to the three best plans offered, divided as follows: Four hundred dollars (\$400) for the first best plan, two hundred and fifty dollars (\$250) for the second, and one hundred and fifty dollars (\$150) for the third: and when built, should the city decide to build by such plan, the architect whose plans were accepted and received the first award, shall enter into a contract that his compensation shall not exceed three per cent. for all plans, details, specifications, and supervising of the erection of said building, and from this amount shall be deducted four hundred dollars (\$400) awarded as first premium when his plans were accepted. That three plans receiving the premiums shall be the property of the city and left in the care of the Market House and City Hall Commissioners.

And it was adopted by the following vote :

AYES, 15—viz. Councilmen Bedford, Brundage, Caylor, Cole, Dowling, Egger, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Ward, and Weaver.

NAYS, 7—viz. Councilmen Coy, Dean, Fultz, Harrold, Mauer, Thalman, and Yoke.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report ; which was received, and the estimate (presented therewith) approved :

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

Gentlemen :—I herewith report a first and final estimate in behalf of J. L. Spaulding for grading and graveling the first alley west of Tennessee street, from the first alley north of Third street, to Fourth street, 360 lineal feet, at 15 cents, \$54.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution 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 J. L. Spaulding, for grading and graveling the first alley west of Tennessee street, from the first alley north of Third street to Fourth 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 adopted by the following vote :

AYES, 19—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Harrold, Knodel, Koller, Mauer, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

The City Clerk submitted the following report :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen :—I herewith report the following affidavit, now on file in my office, for the collection of street assessments, by precept, to-wit : H. C. Roney vs. Ephraim Swallow, for \$60. And recommend that you order the precept to issue.

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

On motion, the above report was concurred in, and the precepts ordered to issue by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Ward, Weaver, and Yoke.

NAYS, 1—viz. Councilman Thalman.

The City Clerk presented the following communication ; which was received :

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

Gentlemen:—This Board has received a certified copy of a concurrent motion of your bodies tendering the use of the Central Station House of said city for a county prison, which has been accepted, with the conditions stated, and this day entered of record, subject to the further orders of this board.

Very respectfully,

Moses Allen,
John H. Smith,
J. M. Ridenour.
Commissioners.

The Mayor presented the following communication; which was received:

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

Gentlemen:—This Board, during the discussion in your Bodies of the question of allowing or prohibiting cows or other animals running at large in the city, wish to state that in our judgment the public interest will be best served by prohibiting all animals to roam the streets unattended, or without a herdsman. Much trouble and large expense has been incurred in the endeavor to preserve and protect the county property in our charge, without practical success, and we see no solution of the question other than for the city authorities to exercise the right under the law, in enforcing such prohibition, as exercised by nearly all cities in the country.

Respectfully,

Moses Allen,
John H. Smith,
J. M. Ridenour,
Commissioners.

The City Clerk presented the following report; which was referred to the Finance Committee:

Indianapolis, Nov. 21st, 1881.

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

Gentlemen:—I herewith submit a report of the collections of the rents for the month of October, 1881, with the Treasurer's receipt therefor:

Received of Mary A. Dyer, 113 north Illinois street.....	25 00
Received of H. C. Overman, 115 north Illinois street.....	25 00
Received of E. H. Pritchard, 27 west Ohio street.....	25 00
Received of L. S. Campbell, ground rent, 17 Indiana avenue.....	12 50
Received of Sarah Pickard, 23 west Ohio street.....	35 00

Total receipts.....	\$122 50
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Less 3½ per cent, commission	4 29
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\$118 21

B. F. Gresch, repairing well and cistern.....	\$3 50
Frank Fertig, glazing.....	6 48—

\$108 31

Respectfully submitted,

WILLIAM HADLEY, Agent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Police Board and Board of Health, through Councilman Pearson, submitted the following report:

Indianapolis, Nov. 14th, 1881.

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

Gentlemen:—In regard to the resolution adopted by the Board of Aldermen and referred to the Board of Police and Board of Health, permit us to say that at present we can not see how the services of any of our sanitary policemen can be dispensed with, without seriously impairing the efficiency of the Board of Health. One of the officers is compelled to attend the daily markets and supervise the sale of meats offered our citizens, and another officer is required to be continually in the office; so that we really have but one officer for outside duties (all the time). The indications now are that we shall have a warm open winter, which always results in an increased amount of sickness and deaths, and is especially favorable to the propagation of epidemic and specific diseases. Several of these diseases are now existing in our city, and it will require careful, intelligent supervision to prevent their becoming more prevalent. Smallpox is now severely prevalent in surrounding cities and towns (172 having died from that disease, in October, in the city of Chicago), and the welfare of our citizens demands an increase rather than a decrease of the sanitary force. We most earnestly hope that no reduction will be made in our sanitary force, and in the interest of the lives and health of our citizens, we protest against any abandonment of the efforts being made to place and keep our city in as good a hygienic condition as the limited means and force now available will place it. Very respectfully,

John R. Pearson,
Edgar Brundage,
H. B. Stout,
Police Board.

R. S. Elder, M. D., Pres't,
W. E. Jeffries, M. D., Sec'y,
Wm. J. Elstun, M. D.
Board of Health.

Councilman Thalman moved that the above report be concurred in, and that no reduction be made in the number of Sanitary Police.

Which motion was adopted.

The Board of Public Improvements, through Councilman Dean, presented the following; which was received, the recommendation concurred in, and the prayer of the petitioner granted :

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

Gentlemen:—We, the undersigned, owners of the real estate abutting on the first alley west of Carlos street, and between Morris and Wilkins streets, respectfully request your honorable body to grant us permission to grade and gravel the said alley with good river, and that the Engineer be directed to set the grade stakes thereon.

Nicholas McCarty, for himself and the other heirs of
N. McCarty, deceased; Emrich, Paulius & Co, H.
Campbell.

We recommend that the prayer of the petitioners be granted, and that the City Civil Engineer be, and is hereby, directed to set the proper graded stakes for said work.

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

The Board of Public Improvements, through Councilman Dean, presented the following :

Indianapolis, Nov. 10th, 1881.

To the Members of the Board of Public Improvements :

Gentlemen:—I would earnestly petition your honorable body to recommend to the Common Council and Board of Aldermen an extension of time for completing my contract for improving North Meridian street, between New York and Sev-

enth streets. I have used all due diligence in the prosecution of said improvements, but owing to the difficulty of getting the blocks contracted for from Northern parties, on account of a strike among the lumbermen, I have been unable to complete the contract according to the terms of the contract.

S. W. PATTERSON, Contractor.

STATE OF INDIANA, *Marion County, ss:*

Before me, a Notary Public in and for said county, came S. W. Patterson, and being duly sworn, said this above matters as set forth in the above petition are true.

Subscribed and sworn to before me, this 11th day of November, 1881.

[Seal.]

WM. C. PHIPPS, Notary Public.

We the undersigned Board of Public Improvements, examined the petition as sworn to by S. W. Patterson. We recommend the time be extended till the first day of June, 1882.

E. H. Dean,
Wm. H. Morrison,
John R. Cowie.

Board of Public Improvements.

On motion, the above recommendation was concurred in, and the time extended by the following vote:

AYES, 18—viz. Councilmen Brundage, Caylor, Cole, Coy, Dean, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Ward, and Yoke.

NAYS, 5—viz Councilmen Bedford, Dowling, Pritchard, Stout, and Weaver.

The Board of Health submitted the following report; which was received:

Report of Deaths in the City of Indianapolis, from the 31st day of October, to the 15th day of November, 1881—inclusive.

Under 1 year.....	16
1 to 2 years.....	3
2 to 5 ".....	3
5 to 10 ".....	0
10 to 15 ".....	4
15 to 20 ".....	7
20 to 25 ".....	4
25 to 30 ".....	2
30 to 40 ".....	5
40 to 50 ".....	7
50 to 60 ".....	5
60 to 70 ".....	3
70 to 80 ".....	2
80 to 90 ".....	2
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	1

Total..... 64

Respectfully, E. S. ELDER, M. D., President.
W. E. JEFFRIES, M. D., Secretary.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Judiciary Committee, through Councilman Pritchard, submitted the following report; which was received, and the several recommendations concurred in:

Indianapolis, November 21st, 1881.

To the Mayor and Common Council:

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

The first is the petition of F. W. Baugher, asking that city taxes charged against him for years 1877-78-79-80, be stricken from the duplicate, on the ground that he had no property during these years.

For year 1877, Assessor returns that petitioner refused to list his property, and he listed it for him, at \$1,575, and poll.

For year 1878, the same thing was done, \$200.00 and poll.

For year 1879, petitioner made return, no property, but returned himself 32 years old, subject, therefore, to poll tax.

For year 1880, assessment seems to have been signed by a woman—petitioner's wife, doubtless, and returns \$150.00, and poll.

Your committee recommend the prayer of the petitioner be not granted.

The second is J. T. Lecklider, attorney for sundry persons, showing that no interest was allowed on following matters:

1st. That on petition of E. B. Hutchinson, on tax sale of Lot 3, Square 28, in L. D. Johnson's subdivision of Johnson's heirs addition, for \$27.58.

2d. M. L. McWhinney, on tax sale of 35 feet south of 68 feet north ends Lots 7 and 8, Harris' subdivision of Out-lot 157, for \$45.27.

3d. M. L. McWhinney, on tax sale of Lot 37, Kapp & Frank's south addition, for \$3.52.

4th. M. L. McWhinney, on tax sale of 20 $\frac{1}{2}$ feet on Louisiana street, west of 63 $\frac{1}{2}$ feet east end Lot 6, Square 87, for \$126.17.

5th. M. L. McWhinney, Lot 5, G. G. & H.'s sub. D. T.'s add., for \$10.97.

6th. M. L. McWhinney, on tax sale of one-half acre east of 52 acres west side of Lot 21, Cress's addition, for \$15.32.

Upon all of these six items your committee, some time ago, recommended that money paid be refunded, with interest. The Board of Aldermen non-concurred in the payment of interest, and the Council then concurred in the action of the Board of Aldermen.

Now petitioner is here again, asking the interest. The law is very plain that he should have the interest. Section 227, act of 1872, and Section 278, laws of 1881, provide that when tax sale is void, money paid, with interest, shall be refunded. The Supreme Court also decides. 57 Ind. 189.

Your committee recommend that interest due on several sums mentioned in this report, be paid to petitioner from date of sale.

The third is the petition of J. T. Lecklider, attorney, showing that on January 4th, 1881, F. McWhinney purchased at tax sale 20 $\frac{1}{2}$ feet on Louisiana street, west of 63 $\frac{1}{2}$ feet east end of Lot 87, for which he paid \$58.85.

Sale was void, for the reason that it was charged double on duplicate, and taxes were paid before sale by Bissell, the owner thereof.

Also, on 11th day of February, 1880, petitioner purchased (except 30 feet south of 156 feet north end), Lot 130 in McKernan & Pierce's subdivision of Out-lots 121 and 128, and paid the sum of \$14.70, and since paid taxes of 1880, \$6.42. Sale was void, on account of double taxation on duplicate, and taxes paid before sale.

Also, on 13th day of February, 1880, he purchased Lot 46, in W. H. Morrison's addition to city, paying the sum of \$42.78. Assessed double on duplicate, in name of M. A. Toohey and also in the name of Perkins & Douglass, and taxes paid by last named persons before the sale.

The City Treasurer says all the facts stated in foregoing petition are true.

Your committee recommend that the several sums paid at the void tax sale, with six per cent from day of sale, be refunded to petitioner.

The fourth is the petition of S. J. Patterson, showing that the embankment built upon the bank of Fall Creek and White River, is washed out in several places, and needs repairing.

So long as this embankment and Mr. Patterson's farm are within the city limits, this embankment should be kept in order. We suggest that the City Attorney prepare necessary petition for the disannexation of all these lands.

The fifth is the petition of J. H. Vajen, John J. Cooper, and others, asking that necessary steps required by law for the disannexation of all that part of the territory now included within the corporate limits of the city which lies north of White River and west of Fall Creek.

There are several good reasons why this should be done. Your committee recommend that the City Attorney prepare necessary papers disannexing this territory.

The sixth is General Ordinance No. 55, 1881, providing that all telegraph and telephone wires, from and after a certain time mentioned in the ordinance, shall be placed under ground.

A communication from W. W. Smith, Sup't. of Telephone Company, in which he states that in the present state of telephone science, it would be positively impossible to do their work with their wires under ground.

In the opinion of your committee, the ordinance should not pass at this time, and therefore recommend that the same be stricken from the files.

The seventh is General Ordinance No. 56, 1881, providing that hereafter every person and corporation to whom the franchise or right to the use of the streets, alleys or public grounds, for any purpose whatsoever shall be granted, shall pay to the city five per cent of their gross receipts.

The ordinance would seem to include within its provisions cabmen, expressmen, draymen—any one who uses the streets—shall pay five per cent of gross receipts. Your committee recommend that the ordinance be stricken from the files.

Respectfully submitted,

James A. Pritchard,
N. Yoke,
James T. Dowling.

Committee.

JOHN A. HENRY, City Attorney.

The Committee on Sewers and Drainage, and City Attorney, through Councilman Morrison, submitted the following report; which was concurred in:

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

Gentlemen:—Your Committee on Sewers and the City Attorney, to whom was referred certain questions as to the construction of the proposed sewer to connect with the Female Reformatory, would report thereon as follows:

The law appropriating forty thousand dollars on behalf of the State, for the construction of said sewer, provides, "That the city shall, by its ordinance, first accept the terms and provisions of this act, and agree to construct such sewer within the period of twelve months from the passage of this act," etc. The act was approved April 15th, 1881, and we are of the opinion that in order to receive the benefit of the appropriation made, the city would have to construct the sewer within one year.

from said date. In reference to the law authorizing the city to levy a special tax for sewer purposes, we are of the opinion that the levy cannot be made upon the property in separate districts, but must be made upon all the taxable property of the city without regard to the requirements of any particular districts, and if the city be divided into districts, the fund derived by such special levy from each particular district would have to be set apart and used only for the construction of sewers in such district, and could not be used for any other purpose.

Respectfully submitted,

Wm. H. Morrison,
H. J. Mauer,
E. H. Koller,
Committee on Sewers.

JOHN A. HENRY, City Attorney.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in adjourned session, held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, adopted the following amendments to Ap. O. 70, 1881, appropriating \$5,000 on account of the Street Repair Department of the city of Indianapolis!

“Amend by inserting after the words ‘such work’ the following: ‘And that of said sum of five thousand dollars, hereby appropriated, the sum of one hundred dollars shall be by the Street Commissioner expended in each ward of the city, under the direction of the Councilman of the ward and the Alderman of the district.’

“That twenty-five hundred dollars of the amount hereby appropriated shall be expended by joint action of the Board of Public Improvements and Aldermanic Committee on Streets & Alleys and Sewers & Drainage.”

Also, the further amendment, that the sum of \$5,000 be stricken out of the ordinance, and \$7,000 inserted in lieu thereof, so as to read, “appropriating \$7,000 on account of the Street Department of the city of Indianapolis.” The ordinance, as amended, was then passed.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

Councilman Thalman offered the following motion in relation to the above message:

Whereas, it is not probable that the appropriation ordinance can be passed by the Board of Aldermen and City Council so as to meet the views of both bodies, therefore moved, that a conference committee of three be appointed, and that the Board of Aldermen be respectfully requested to appoint a like committee to meet with them, and they endeavor to manage the matter so that it will be acceptable to both bodies.

Which motion was adopted, and Councilmen Yoke, Cole and Thalman appointed to act as the Council members of such Conference Committee.

The following message was read; and on motion by Councilman Pritchard, the Common Council adhered to their former action:

To the Mayor and Members of the Common Council :

Gentlemen:—The Board of Aldermen in adjourned session, held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, non-concurred in your action in approving the estimate for bowldering the wings of street and alley crossings on north Meridian street, and in passing the resolution adopting the same.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read ; and on motion by Councilman Pearson, the Common Council adhered to their former action :

To the Mayor and Members of the Common Council :

Gentlemen:—The Board of Aldermen, in adjourned session, held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, non-concurred in your action in adopting the following motion:

“That the City Civil Engineer be and is hereby authorized to have printed blank forms of specifications for all kinds of street improvements done under contract.”

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read ; and on motion by Councilman Pearson, the Common Council receded from their former action :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in adjourned session, held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, non-concurred in your action in adopting the following motion :

“That the Street Commissioner be directed to place a gravel roadway of ten feet on each side of Tennessee street between Ohio and Washington streets.”

I submit the above for your further consideration and action.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read ; and on motion by Councilman Ward, the Common Council receded from their former action :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen in adjourned session, held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, non-concurred in your action of September 5th, 1881, in recommending that a 1200-barrel fire cistern be build at the corner of East street and Lincoln Lane.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read ; and on motion by Councilman Caylor, the Common Council adhered to their former action :

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in adjourned session, held Thursday evening, November 17th, 1881, non-concurred in your action of October 17th, 1881, in adopting the following resolutions:

Resolved, That the above and foregoing petition, prepared by the City Attorney, for the annexation of certain territory therein described, be and the same is hereby adopted as the petition of the Common Council and Board of Aldermen of the city of Indianapolis to the Board of Commissioners of Marion County, Indiana, and the City Clerk is hereby directed to file the same with a certified copy of this resolution and the motion heretofore adopted on this subject, together with the vote of the Common Council and Board of Aldermen thereon, in the office of the Auditor of Marion county, Indiana.

Resolved, That the City Clerk be and he is hereby directed to cause the proper notice of the pendency of said petition to be at once published as required by law.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read; and on motion by Councilman Pearson, the matter as set forth therein, was referred to a certain special committee, not yet discharged, consisting of Councilmen Weaver, Caylor, and Dowling, :

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in adjourned session, held in Aldermanic Chamber, Thursday evening, November 17th, 1881, concurred in the following recommendation of the Aldermanic Committee on Streets & Alleys and Sewers & Drainage:

“Is a motion that the City Civil Engineer be ordered to arrange the culvert at the corner of Indiana avenue and Mississippi street, in such manner that the property in this vicinity may not be damaged by water. Recommend that the action of the Common Common Council in the adoption of said motion be not concurred in; and that the Citizens’ Street Railway Company be notified to do the work, and on failure to comply with said notification within ten days after receiving said notice, the City Attorney be instructed to take the proper action to compel said company to do the work.”

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read; and, on motion, the second clause was referred to the Board of Public Improvements:

To the Mayor and Members of the Common Council:

Gentlemen:—The Board of Aldermen in adjourned sessions held in the Aldermanic Chamber, Thursday evening, November 17th, 1881, adopted the following motions:

“1st. That the Council be respectfully requested to consider and forward general ordinances numbered 48, 55 and 56, and special ordinances (1881) numbered 151, 152 and 153, now pending in that body.

“2d. That the Street Commissioner be, and is hereby directed to scrape and clean the gutters on North Alabama street, between Fort Wayne avenue and Home avenue.”

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Brundage:

S. O. 167, 1881—An Ordinance to provide for grading and graveling the east sidewalk of Shelby street, from Pleasant Run to a point where already graded and graveled, north of said Pleasant Run.

By Councilman Dowling:

G. O. 60, 1881—An Ordinance creating Police Commissioners, prescribing their powers and duties, and regulating the organization of the Police Force of the city of Indianapolis.

G. O. 61, 1881—An Ordinance providing for the management of the City Hospital, and providing for the selection of Supervisors of said Hospital.

G. O. 62, 1881—An Ordinance to establish a Dispensary in the city of Indianapolis, to be known as the City Dispensary, and to provide for the government and management thereof.

G. O. 63, 1881—An Ordinance creating Commissioners of Public Works and Improvements, and prescribing their powers and duties, and the manner of their election and appointment.

G. O. 64, 1881—An Ordinance creating Fire Commissioners, and providing for the organization of the Fire Department of the city of Indianapolis, and prescribing rules and regulations governing the same.

Councilman Dowling moved to suspend the rules for the purpose of placing the above entitled ordinances, G. O. 60, 61, 62, 63 and 64, 1881, on their final passage.

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

AYES, 17—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Weaver, and Yoke.

NAYS, 6—viz. Councilmen Bedford, Caylor, Cole, Pritchard, Stout, and Ward.

G. O. 60, 1881, was then read the second time, ordered engrossed, read the third time, and passed by the following vote:

AYES, 17—viz. Councilmen Brundage, Coy, Dean, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Ward, Weaver and Yoke.

NAYS, 6—viz. Councilmen Bedford, Caylor, Cole, Egger, Pritchard, and Stout.

G. O. 61, 1881, was then read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 17—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Fultz, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Weaver, and Yoke.

NAYS, 6—viz. Councilmen Bedford, Caylor, Cole, Pritchard, Stout, and Ward.

G. O. 62, 1881, was then read the second time.

Councilman Ward offered the following amendment to the above ordinance, (G. O. 62, 1881), which was adopted :

Moved to amend by including the inmates of the County Jail, provided satisfactory terms can be agreed upon between the County Commissioners and City Council.

His Honor, the Mayor, suggested that Section six (6) of the ordinance, (G. O. 62, 1881), be amended, making the appointment annually, of *two* assistant physicians, as now constituted.

Which amendment was accepted, by general consent.

The ordinance (G. O. 62, 1881), was then ordered engrossed as amended, read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Fultz, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Ward, Weaver, and Yoke.

NAYS, 5—viz. Councilmen Bedford, Caylor, Cole, Pritchard, and Stout.

G. O. 63, 1881, was read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 17—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Fultz, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Weaver, and Yoke.

NAYS, 6—viz. Councilmen Bedford, Caylor, Cole, Pritchard, Stout, and Ward.

G. O. 64, 1881, was read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 17—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Fultz, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Reichwein, Thalman, Weaver, and Yoke.

NAYS, 6—viz. Councilmen Bedford, Caylor, Cole, Pritchard, Stout, and Ward.

Councilman Thalman moved that the five ordinances, (G. O. 60, 61, 62, 63 and 64, 1881), be printed in pamphlet form.

Which motion was adopted.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be directed to fill the chuck-holes in Park avenue, between St. Clair street and Christian avenue.

Councilman Brundage offered the following motion; which was adopted:

That the City Marshal be, and is hereby, directed to notify the Belt Railroad Company to make the culvert, at the intersection of Shelby street and Belt Railroad, six feet wide, the present culvert being too small to allow the large quantity of water that accumulates during heavy rains to escape, thereby damaging the property in that vicinity.

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

Resolved, That the Board of Public Improvements be authorized to have a double row of stone crossings be placed on each side of Delaware street at the intersections of all the streets and alleys between Walnut and Market streets, where not already laid.

Councilman Dean presented the following petition; which was referred to the Board of Public Improvements:

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

Gentlemen.—Your petitioners, the undersigned, would respectfully represent to your honorable body, that they are freeholders of the city of Indianapolis; that they reside on and near Minnesota street in said city; that said Minnesota street is in the southern part of said city; that it runs in an east and westerly direction, opening on the west from South Meridian street at No. 885, and running thence east across the Jefferson, Madison and Indianapolis railroad and Madison avenue, and further east three squares to the Shelby road. Your petitioners would further represent that they live on said street, on the squares immediately east of its crossing with the Madison gravel road; that the said railroad crosses the Madison gravel road at the intersection of said road and Minnesota street; that at the point of intersection of said streets and the crossing of said railroad, the ground slopes eastwardly toward the residences of your petitioners on said Minnesota street; that the drainage on the north, following the line of the Madison gravel road, is in the direction of their houses from as far north as Nebraska street, or Lieber's brewery, and that of the commons for several squares to the north and north-east is wholly in the direction of the houses of your petitioners.

And your petitioners respectfully represent, that as a consequence of the drainage of so much surface, their homes are in wet seasons rendered uninhabitable, and the approach to them impossible except by boats; that for the past four days the cellars under all their houses have been filled with water, and now are; that vast ponds of water are lying in front of their doors, so that ingress to or egress from their houses is fraught with the greatest danger.

Your petitioners further represent that their present condition is due to the fact that so much surface to the north and northeast of them is permitted to drain in

the direction of their homes instead of being turned to the west, as could be easily done, and thereby render their homes healthful and comfortable.

Your petitioners would further represent that the trouble, or occasion of the trouble, is not with the location of Minnesota street, that they desire nothing done to it, as nothing is necessary to be done; but they petition your honorable body, that drains be laid upon the streets parallel to theirs and above them, that the water, instead of flowing down and forming pools and ponds before their houses, may be carried west, and in drains properly made be caused to flow west to the Madison gravel road, and along said road beyond the city limits.

Your petitioners further represent that this petition is made by them in the interest of the comfort and health of themselves and their families, and not for the factious purpose of entailing trouble and expense to the city.

And this your petitioners will ever pray.

Henry Maar, Minnesota street; George Herrmann, Minnesota street; M. B. Wiles; Herman W. Fennema, Palmer street; Arnold Steicker, Minnesota st.

Councilman Harrold offered the following motion; which was adopted:

That the Committee on Streets and Alleys be directed to examine the west bank of White river, between Michigan and Washington streets, and report what is necessary to protect said bank from further washings, as it has been badly damaged by the late freshet.

Councilman Koller offered the following motions; which were referred to the Board of Public Improvements:

That the Street Commissioner be, and is hereby, directed to place a double crossing across Washington street at State avenue; also, across Arsenal avenue and Highland street, north side of Washington street.

That the Street Commissioner be, and is hereby, directed to clean the gutters on Michigan street, between Noble street and the first alley east of Pine street.

Councilman Koller offered the following motion; which was adopted:

Whereas, Several cellars have been filled with water by the overflow of Pogue's Run, moved that the Chief Fire Engineer be directed to pump out the same with the old Silsby engine, as soon as possible.

Councilman Pearson offered the following motion; which was adopted:

That the Committee on Supplies be instructed to secure a hat-rack, and have the same placed in the northeast corner of the Council Chamber.

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

That the Street Commissioner be directed to fill the chuck-holes in Park avenue, between Christian avenue and Home avenue.

Councilman Thalman presented the following petitions; which were referred to the Judiciary Committee and City Attorney:

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

Gentlemen:—Your petitioner would respectfully represent that on the 12th day of February, 1880, at the public tax-sale held on that day, he purchased from the City Treasurer, for which he paid the sum of fifty-nine dollars and twenty six cents (59.26) for the certificates, and that he has since paid the taxes for the year 1880, being in amount nine dollars and ten cents (9.10), and paid, January 4th, 1881, on the above certificates on 26 feet north side of lot 5, Pope's subdivision of Fletcher's Woodlawn, and on lot 3, Ross's re-subdivision in Henderson's addition. The sales were erroneous and void for the reason that the first-named description was double in the name of J. Seele and J. C. Pope. The property has been paid in the name of J. C. Pope for the years sold, and the last-named description was double in the name of J. H. Ross and A. R. Colborn. The tax on the property has been paid in the name of A. R. Colborn for the years sold. Both of the above descriptions have been assessed double on the duplicates.

Your petitioner would therefore ask and demand that the above sum (\$68.36), with interest from the several dates of payment, be refunded; and as in duty bound, your petitioner will ever pray.

FRANK McWHINNEY, Petitioner.

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

Gentlemen:—Your petitioner would respectfully represent to your honorable body, that on the 12th day of February, 1880, at the public tax sale held on that day, he purchased from the City Treasurer tax sale certificates on the north half of Lots one (1) and two (2), in Ross's re-subdivision in Henderson's addition, for which he paid the sum of forty-eight dollars and sixty-eight cents (\$48.68.)

The above sales were erroneous and void, for the reason that the property was assessed double on the duplicates for the years for which it was sold for taxes, being assessed in the name of Johnson H. Ross and A. R. Colburn, and should have been in the name of A. R. Colburn alone, in which name the taxes have been paid for the years sold.

Your petitioner would therefore ask and demand that the above sum (\$48.68), be refunded him, with interest from the 12th day of February, 1880; and as in duty bound, your petitioner will ever pray.

WM. ROWE, Petitioner.

Councilman Thalman offered the following motions; which were adopted:

That the Street Commissioner be directed to at once fill a dangerous chuck-hole on the road extending from Ray street, in West Indianapolis, along the bank of White River.

That Noel Bros. have permission to bridge over the gutter in front of their property on Illinois street; said work to be done at their own expense, under the direction of the City Civil Engineer.

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

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

Gentlemen:—Your petitioner would respectfully represent that she is, and has been, since 1874, the owner of Lots 25, 26, 44 and 45, in Stanton & Francis' addition to the city of Indianapolis; that the Common Council, by resolution in 1874, annexed it to the city as contiguous territory, when, in point of fact, it was not, (Council Proceedings '73-4, pages 1678, 1691 and 1834); that it is not, and never was, contiguous to the city, or any territory annexed thereto, but half a mile there-

from, and never received any improvements or benefit from the city government; that such ordinance was illegal, null and void, as appears by the report of the Judiciary Committee, concurred in by the Council (Council Proceedings '80-81, page 1096); that she has paid taxes thereon from and including April, 1876, up to and including taxes for 1880, paid March 19, 1881—amounting in all to \$67.35.

Your petitioner would therefore ask that the above sum of \$67.35 be refunded to her, with interest; and your petitioner will ever pray, etc.

MARY J. MCAVOY,
(Formerly Mary J. Swain.)

PENDING ORDINANCES.

Councilman Knodel was excused for the remainder of this session.

Under this order of business, the following entitled ordinance was read the second time :

G. O. 48, 1881—An ordinance to prohibit the running at large of cattle, horses swine, sheep, fowls, and other animals within the corporate limits of the City of Indianapolis; and to provide for the impounding, keeping, sale and redemption of the same, and providing penalties for the violation thereof.

Councilman Pritchard moved to amend the above ordinance by striking out the word "ten," and insert in lieu thereof the word "five," in line 8, of Section 4, so as to read "and all fees, charges and expenses paid within *five* days after being advertised," etc.

Which motion was adopted, and the ordinance so amended.

Councilman Pritchard moved to amend the above ordinance so as to allow persons to herd their cattle on the outskirts of the city.

On the foregoing amendment, offered by Councilman Pritchard, there was no action taken.

Councilman Morrison offered the following amendment to the above ordinance :

I move to amend by making the ordinance read "That cows shall not be allowed to run at large from six o'clock P. M., to seven o'clock A. M."

Councilman Pritchard moved to lay the above emendment on the table.

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

AYES, 11—viz. Councilmen Bedford, Brundage, Cole, Coy, Dean, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS, 11—viz. Councilmen Caylor, Dowling, Egger, Fultz, Harrold, Hartmann, Koller, Mauer, Morrison, Ward, and Weaver.

There being a tie vote, the name of Mayor Grubbs was called, and His Honor voting in the affirmative, the amendment was laid on the table.

Councilman Dowling moved to refer the ordinance to the Judiciary Committee.

Which motion to refer, failed of adoption by the following vote:

AYES, 9—viz. Councilmen Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Koller, Mauer, and Weaver.

NAYS, 13—viz. Councilmen Bedford, Brundage, Caylor, Cole, Dean, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

Councilman Morrison then moved the "*previous question*."

The Chair then put the *previous question*, "Shall the main question be now put?"

Which was admitted by a majority of the members present.

The ordinance was then ordered engrossed as amended, read the third time, and passed by the following vote:

AYES, 13—viz. Councilmen Bedford, Brundage, Caylor, Cole, Dean, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS, 9—viz. Councilmen Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Koller, Mauer, and Weaver.

Councilmen Stout, Bedford and Ward, were excused for the remainder of this session.

The following entitled ordinances were read the second time, and stricken from the files:

G. O. 52, 1881—An Ordinance to provide for the re-organization of the Police Board, Fire Board, Hospital Board, Dispensary Board, and Board of Public Improvements, of the City of Indianapolis.

G. O. 55, 1881—An Ordinance in relation to the erection and maintenance of telegraph and telephone wires and electric conductors in and upon the streets and alleys of the city of Indianapolis.

G. O. 56, 1881—An Ordinance in relation to granting the use of streets, alleys, and public grounds of the city to any person or corporation, and fix the compensation to be paid therefor.

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

G. O. 59, 1881—An Ordinance to amend section two of an ordinance authorizing the Junction Railroad Company to occupy with their tracks Maryland street, from the east corporation line to Pogue's Run, and to cross other streets, passed October 28th, 1867.

And it was passed by the following vote :

AYES, 17—viz. Councilmen Brundage, Caylor, Cole, Coy, Dean, Dowling, Egger, Fultz, Harrold, Koller, Maer, Morrison, Pearson, Pritchard, Reichwein, Therman, and Yoke.

NAYS, 1—viz. Councilman Hartmann.

On motion, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor,

President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.