

PROCEEDINGS OF BOARD OF ALDERMEN.

SPECIAL SESSION—DECEMBER 21, 1881.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Wednesday evening, December 21st, A. D. 1881, at seven o'clock, in special session, pursuant to the following call:

Indianapolis, Dec. 20, 1881.

To Derk DeRuiter, Harry E. Drew, Francis W. Hamilton, Diedrich Mussmann, John Newman, Brainard Rorison, Hiram Seibert, Wm. H. Tucker, and George P. Wood, members of the Board of Aldermen:

Gentlemen:—You are hereby requested to meet in special session, on Wednesday evening, December 21st, 1881, for the purpose of considering the ordinance granting the Union Mutual Telegraph Co certain privileges, and for the consideration of all other business that may be submitted to the Board.

JAMES T. LAYMAN, President,

By GEO. T. BREUNIG, Clerk.

PRESENT—Hon. James T. Layman, President, in the Chair, and Aldermen DeRuiter, Hamilton, Mussmann, Rorison, and Tucker—6.

ABSENT*—Aldermen Drew, Newman, Seibert, and Wood—4.

The Proceedings of the Board of Aldermen for the regular session, held December 12th, 1881, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

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, December 19th, 1881, reconsidered their former action in adopting the following amendments to the consulting and clinical staff of the City Hospital, thereby non-concurring in your action of November 28th, 1881.

Resolved, That the physicians and surgeons appointed on the consulting and clinical staff of the City Hospital of Indianapolis, July 5th, 1881, by the Hospital Board, be continued; and that the board is hereby instructed to appoint, in addition to the present staff, two physicians from the homeopathic school of medicine, two physicians from the phsio-medical school of medicine, and two physicians from the eclectic school of medicine.

I submit the same for your consideration.

For the Common Council,

Jos. T. MAGNER, City Clerk.

Alderman Rorison moved that the Board of Aldermen adhere to their former action.

Which motion to adhere failed of adoption.

Alderman Hamilton offered the following amendment to the matter as set forth in the foregoing message :

Amend by adopting all of said resolution, and by adding thereto the following :
 "Two physicians from the 'hydropath' school of medicine; two herb physicians; and that one female physician from each school shall, in addition to the above, be placed on such hospital staff."

Alderman Rorison moved that the above amendment be laid on the table.

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

AYES, 4—viz. Aldermen DeRuiter, Mussmann, Rorison, and Tucker.

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

Alderman Rorison moved that the original resolution be adopted.

Alderman Hamilton raised the point of order, that an amendment to a resolution, any part of which is included in, or the subject matter of the resolution, being laid on the table, carries with it the original resolution.

The Chair ruled the point of order, as raised by Alderman Hamilton, well taken, and the whole matter was ordered laid on the table.

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, December 19th, 1881, adhered to their former action in adopting the following motion :

"That the Committee on Streets and Alleys be directed to examine the road or street on White River bank, at the corner of Ray street, where the road has been washed away, and take some steps toward opening said road."

I submit the same for your consideration.

For the Common Council :

JOS. T. MAGNER, City Clerk.

Alderman Tucker moved that the action of the Common Council on the motion as set forth in the foregoing message, be concurred in, and that the said motion be referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act.

Which motion was adopted.

Alderman Rorison moved to take from the table the resolution laid thereon by a previous vote, relative to the appointment of a consulting and clinical staff at the City Hospital.

Which motion failed of adoption by the following vote:

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

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

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I herewith transmit to your honorable body certain papers, which were favorably passed upon by the Common Council, at its regular session, held on Monday evening, December 19th, 1881, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 944. *ante*) was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimates for work completed according to contract. A first and final estimate in behalf of Richard Carr, for bouldering and curbing the gutters of South street, from Pennsylvania street to Delaware street (where not already properly bouldered or curbed.)

753.40 lineal feet of bouldering, at 65 cents.....	\$489 70
362.45 lineal feet of curbing at 42 cents.....	152 32
Total.....	\$641 92

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the sidewalks of Georgia street, from Noble street to Dillon street, (where not already properly paved.)

1809.95 lineal feet, at 45 cents.....	\$814 45
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A first and final estimate in behalf of Samuel Keers & Co., for grading and gravelling Seventh street and sidewalks from Columbia avenue to Hill avenue.

2,531 90 lineal feet at 65 cents... ..	\$1,645,72
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A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick and curbing with stone when not already properly paved or curbed, the north sidewalk of Maryland street from West street to Helen street

873.95 lineal feet curbing at 42 cents.....	\$367 04
794.90 lineal feet paving at 47 cents.....	373 63
Total.....	\$740 67

A first and final estimate in behalf of John Schier, for grading and paving with brick the south sidewalk of Michigan street, from Liberty street to East street.

415.10 lineal feet at 43 cents,.....	\$178 50
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A first and final estimate in behalf of F. J. Blume, for grading and paving with brick the sidewalks of Spann avenue, from Dillon street to Linden street.

2,052 lineal feet at 40 cents.....	\$820 80
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A first and final estimate in behalf of J. D. Hoss & Co., for grading and paving with brick (where not already paved), the south sidewalk of First street, from Illinois street to the Canal.

1,340.05 lineal feet at 40 cents.....\$536 02

A first and partial estimate in behalf of Fred Richter, for constructing one 1,200-barrel cistern at or near the corner of Ellsworth and Vermont streets.

1,012.25 barrels at 47 cents\$475 75
 Less 25 per cent reserve... 118 93

Amount allowed.....\$356 82

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 Richard Carr, for bouldering and curbing the gutters of South street from Pennsylvania street to Delaware street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote :

AYES, 6—viz. Aldermen DeRuitter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

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 Henry C. Roney, for grading and paving with brick, the sidewalks of Georgia street, from Noble street to Dillon 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, 6—viz. Aldermen DeRuitter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

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 Samuel Keers & Co., for grading and graveling Seventh street and sidewalks from Columbia avenue, to Hill avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote :

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

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 paving with brick and curbing with stone when not already properly paved or curbed, the north sidewalk of Maryland street, from West street to Helen 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, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None

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 John Schier, for grading and paving with brick, the south sidewalk of Michigan street, from Liberty street to East 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, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

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 F. J. Blume, for grading and paving with brick the sidewalks of Spann avenue, from Dillon street to Linden 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.

Which was concurrently adopted by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

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. D. Hoss & Co., for grading and paving with brick, where not already paved, the south sidewalk of First street, from Illinois street to the Canal, 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, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, 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 pages 947 and 948, *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 R. H. Patterson for grading and graveling the first alley east of Benton street, from Meek street to Georgia street. Bond \$600; surety, S. J. Patterson.

Contract and bond of R. H. Patterson 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. Bond \$400; surety, S. J. Patterson.

Contract and bond of R. H. Patterson for grading and bouldering the first alley east of Meridian street from the south line of lot 6, square 97, to Pogues Run. Bond \$800; surety S. J. Patterson.

Contract and bond of J. D. Hoss & Co., 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. Bond \$400; surety David R. Marshall.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following motion (see page 948, *ante*) was read; and on motion by Alderman Rorison, was laid on the table:

WHEREAS, The Council has upon two former occasions extended the time for the improvement of North Meridian street, and the Board of Aldermen have refused to extend said contract, it is conceded by all that the contract price for the improvement is a reasonable price, and the trouble has been in the contractor and Mr. Jones not having a proper understanding as to the kind of blocks to be used on said street. Mr. Jones not fully understanding what the specifications called for, until his recent visit to this city. Mr Patterson now says the blocks will be sent in good time, and the street will be made according to plans and specifications if the time is extended.

Moved, That a Conference Committee be appointed to consider the matter as to the extension of time for the improvement of North Meridian street, to consist of three (3) members of the Council and a like number of the Board of Aldermen, also the City Attorney.

The following report (see page 949, *ante*) was read; and on motion by Alderman Hamilton, was referred to the Judiciary Committee:

To the Mayor and Common Council:

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

James Mahoney vs. Mary Earley, for.....	\$ 4 60
James Mahoney vs. Mary J. Anderson, for.....	7 59
James Mahoney vs. C. B. Smock, for.....	7 59
James Mahoney vs. Catharine Miller, for.....	7 59
James Mahoney vs. W. H. Draper, for.....	7 59
Fred. Gansberg vs. James Kinsey, for.....	26 12
James Mahoney vs. William H. Blount, for.....	7 59

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The mortality report from the Board of Health (see page 951, *ante*) was read and received.

The report of the Superintendent of the City Dispensary (see pages 951 and 952, *ante*) was read and received.

The following report of the Finance Committee was read, and the favorable action of the Common Council thereon (see page 952, *ante*) was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Finance was referred the reports of the City Clerk and City Treasurer for the months of October and November. Report that we have examined said reports and find them correct.

Respectfully submitted,

John R. Pearson,
Isaac Thalman,
E. H. Koller,

The following report of the Committee on Markets, was read; and the favorable action of the Common Council thereon (see page 953, *ante*) was concurred in:

To the Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Markets to whom was referred the communication of the Mayor, regarding the frequent complaints made to him that diseased meats are offered for sale in the Public Markets, would report as follows:

That the Committee have now placed all the butchers on the inside of the market house where the Market Master can have better control of them, and we do hereby recommend that the Sanitary Policeman now placed there as meat inspector be retained.

Respectfully submitted,

H. J. Mauer,
Allen Caylor,
Patrick Harrold.

The following report of the Committee on Streets and Alleys (see pages 953 and 934, *ante*) was read; and, on motion by Alderman Tucker, was referred, with the resolutions accompanying the same, to the Committee on Judiciary and City Attorney, to report next meeting:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, together with the City Attorney, to whom was referred the matter of opening and widening Cruse and Dillon streets, have given the matter thorough investigation, and recommend the accompanying resolutions relative thereto, be adopted.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

Resolved, That the matter of opening, widening, laying out and extending Dillon street, to a width of sixty (60) feet, from a point on said street where Cedar street intersects the same, near Harrison street, to the north line of Meek street, together with the petition and plat presented in such case, be referred to the City Commissioners, with instructions to assess benefits and damages to any person or persons thereby benefitted or damaged. The Commissioners are hereby instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately upon the line of said street, who is directly interested therein, shall object to such opening and extension of said street, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

Resolved, That the matter of opening, widening, laying out and extending Cruse street, to a width of sixty (60) feet, from the north line of Meek street to the south end of Lots 25 and 26, Indiana Central Railroad Co.'s subdivision of Out-lot No. 90; thence north to the Michigan Road, together with the petition and plat presented in such case, be referred to the City Commissioners, with instructions to assess benefits and damages, to any person or persons thereby benefitted or damaged. The said Commissioners are hereby instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately upon the line of said street, who is directly interested therein, shall object to such opening and extension of said street, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

The following report of the Committee on Streets and Alleys was read; and the favorable action of the Common Council thereon (see page 954, *ante*) was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys herewith submit a petition of S. A. Fletcher and others, for the vacation of a part of Columbia street and first alley south, as shown in a plat herewith submitted, in and through Stanley's subdivision of out lot 8 west of White River, and would report that we have examined the locality of the proposed vacation, under a former petition referred to us and recommend the accompanying resolution referring the matter to the City Commissioners be adopted.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

The following petition (see page 954, *ante*) accompanying the above report, was read and received:

To the City Council of Indianapolis:

Gentlemen:—The undersigned respectfully petition for the vacation of that part of Columbia Street, and that part of a 15 foot alley which are platted through Stanley's sub. of lots 2, 3, 4 and 5 of Boatright's sub. of out lot 8, west of White river. The entire subdivision is owned by S. A. Fletcher & Co., and no streets or alleys abut or adjoin it on the east. The street and alley named have never

been opened to the public, improved or used by anybody, and no damage can result from the vacation to anybody. The vacation is desired, so the property can be used for the erection of a manufactory upon it.

Respectfully submitted,

S. A. Fletcher & Co.
J. F. Holt,
S. J. Fletcher.

The following resolution (adopted by the Common Council—see page 954, *ante*) was read :

Resolved, That the matter of vacation of that part of Columbia street, and that part of a 15 foot alley which are platted through Stanley's subdivision of Lots 2, 3, 4 and 5, of Boatright's subdivision of Out-lot 8, west of White River, together with the petition and plat presented in such case, be referred to the City Commissioners with instructions to assess benefits and damages to any person or persons thereby benefitted or damaged. The said Commissioners are hereby instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately on the line of said street or alley who is directly interested therein, shall object to such vacation of said street and alley, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

And it was concurrently adopted by the following vote :

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

The following report from the Committee on Streets and Alleys, was read; and the favorable action of the Common Council thereon (see page 955, *ante*) was concurred in :

To the Mayor and Common Council :

Gentlemen.—Your Committee on streets and alleys to whom was referred the petition of Albert E. Fletcher, for the vacation of certain platted ground belonging to him, would report that we have examined the same and recommend that the prayer of the petitioner be granted, and the adoption of the accompanying preamble and resolution.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

The following resolution (adopted by the Common Council—see page 955, *ante*) was read :

WHEREAS, Albert E. Fletcher has petitioned the Common Council of the city to vacate a certain subdivision known as Jesse L. McHatton's subdivision of Lot 73, in Albert E. and Ingram Fletcher's Oak Hill addition to the city; and

Whereas, It appears by said petition and the affidavit attached thereto, that said Fletcher is the owner of all the lots in said subdivision, and it appearing to the satisfaction of the Common Council and Board of Aldermen that more than twenty days notice of the pendency of said petition was given, by publication in a newspaper of general circulation in said city, and also by posting up notices of the same in three public places near the said subdivision proposed to be vacated, and no remonstrances or opposition having been made to said petition; therefore,

Resolved, That the plat of the subdivision known as Jesse L. McHatton's subdi-

vision, of Lot 73, in Albert E. and Ingram Fletcher's Oak Hill addition to the city of Indianapolis, Marion county, Indiana, be and the same is hereby ordered to be vacated and set aside, and that the several streets and alleys laid out and platted in the said addition, be, and the same are hereby, vacated, and Albert E. Fletcher is hereby granted the right to fence said subdivision into one or more inclosures.

And it was concurrently adopted by the following vote :

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

The following motions (adopted by the Common Council—see pages 962 and 963, *ante*) were read and referred to the Judiciary Committee :

That John Gustin be, and is hereby, granted a license to sell goods at auction for one year, and that he be allowed to pay for said license quarterly in advance.

That hereafter, when special bids are to be advertised for the purpose of making loans, or any other special advestising, where the same is to be published in more than one paper, that the German Telegraph be recognized as one of the leading papers, and that such special advertising be also given to that paper.

The following motions (adopted by the Common Council—see page 964, *ante*) were read, and referred to the Committee on Public Light and Education :

WHEREAS, The gas post on the east side of Tennessee street, between Ohio and Market streets, is about sixty feet south of the alley; therefore

Moved, That the City Civil Engineer be, and is hereby, instructed to at once have said lamp post removed to the northeast corner of the first alley north of said post.

That the gas post on the north side of New York street, and east of Ellsworth street, be, and is hereby, ordered removed to the corner of Ellsworth and New York streets.

The following motions (adopted by the Common Council—see pages 963, 964 and 965, *ante*) were read and concurrently adopted :

That Wm. McClintock be, and is hereby, granted permission to grade and pave with brick, the sidewalk in front of his property on Stevens street, between Greer and Water streets; work to be done at his own expense, and under the direction of the City Civil Engineer.

That the Street Commissioner, together with the City Civil Engineer, be, and are hereby, ordered to at once place the stone crossing of Tennessee street and Indiana avenue in proper position, as said crossings are now below the grade of said streets.

That Wm. H. Curry be allowed to bowlder across the sidewalk at north side of Maryland street, Lot No. 50, south West street, corner of West and Maryland streets; the same to be done under the direction of the City Civil Engineer.

That the Street Commissioner be instructed to raise to proper grade the stone crossing on south side of North street, at its intersection with Illinois street.

The bonds of W. N. Wishard, Superintendent of the City Hospital, and John J. Garver, Superintendent of the City Dispensary, (see page 957, *ante*) were severally approved.

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

G. O. 53, 1881—An Ordinance for the protection of travellers, passengers, and baggage, and for the preservation of order in and about the Union Depot, in the city of Indianapolis.

Ap. O. 76, 1881—An Ordinance appropriating money for the payment of the salaries and compensations of the members of the Common Council and Board of Aldermen, of the city officers, and officers and members of the Fire and Police Departments of the city of Indianapolis. [Amount appropriated, \$32,448.75.]

On motion, G. O. 53, 1881, was referred to the Judiciary Committee.

A motion to suspend the rules for the purpose of placing Ap. O. 76, 1881, on its final passage, was adopted by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

Ap. O. 76, 1881, was then read the second and third times, and passed by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

Alderman DeRuiter moved to call the claims of George W. Crouch and Joseph W. Shelton, sanitary policemen, from the Committee on Police Department and City Attorney; and that the action of the Common Council, approving said claims, be concurred in.

Which motion was adopted, the claims presented by the committee, and approved by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

REPORTS FROM SELECT COMMITTEES.

Alderman Hamilton, in behalf of the Finance Committee, submitted the following majority and minority reports:

To the President and Members of the Board of Aldermen :

Gentlemen:—The undersigned special committee, to which was referred general ordinance of 1881, numbered 66, granting rights and privileges to the Mutual Union Telegraph Company of New York, respectfully reports that it has considered such ordinance and while it fully recognizes the importance of competition in telegraphy, as in all other branches and lines of business and enterprise, yet the fact that many of the streets and alleys of the city are burdened and obstructed with the wires and poles of the companies to whom special privileges and franchise have been given, without restrictions and to the damage of the city, demands that when similar privileges are hereafter asked by companies or corporations, proper restrictions be imposed and required, and as such companies demand such special privileges, they should be willing, at any rate required, to pay for what is valuable and not enjoyed by the ordinary citizen and taxpayer.

We respectfully recommend that the ordinance submitted be not passed, but that it be amended as follows and then passed, to-wit:

Amend section 1 by adding at the end thereof, the words "and the free operation and use of the city fire department."

Amend section 2, by adding after the word "city," the words, "and any citizen."

Strike out section 3, and insert the following: "That no posts shall be erected or wires stretched from the main line to the principal or branch offices, upon any street or streets, but along and upon alleys only, where practicable, and in case the city shall be sued or be held liable for any damages occasioned, it shall be the duty of such company to appear and defend the same, and whenever any street, alley or public place shall be opened, or any hole dug for the purpose of said company, said company shall within ten days repair the street, alley or place so opened, and put the same in as good condition as before such opening was made, and on failure so to do, the city may make such repairs, and such company shall be liable for the amounts thus expended, and on failure to pay shall forfeit all rights and privileges granted by this ordinance; *Provided*, That the city may, at any time hereafter, require said Mutual Union Telegraph Company to pay to the city a per cent. of its gross receipts and earnings; and in case said telegraph company shall sell, lease, consolidate, or in any way dispose of its line or lines passing into, or through or upon any of the streets or alleys of the city of Indianapolis, to any company, corporation or individuals, then the rights and privileges vested by this ordinance shall revert to such city and cease and be of no effect, as if the same had not been granted.

Said company is required to comply with, and conform to all city ordinances, and the Common Council and Board of Aldermen reserve the right to repeal this ordinance at any time.

This ordinance shall take effect and be in force from and after its passage."

Respectfully submitted,

F. W. Hamilton,
D. De Ruiter,
Special Committee.

I concur in the above report, with the exception of that part of the third clause from the last, which reads as follows: "and in case said telegraph company shall sell, lease, consolidate, or in any way dispose of its line or lines passing into or through, or upon any of the streets or alleys of the city of Indianapolis, to any company, corporation or individuals, then the rights and privileges vested by this ordinance shall revert to such city and cease, and be of no effect, as if the same had not been granted."

BRAINARD RORISON.

Alderman Rorison moved that the minority report be concurred in.

Which motion failed of adoption by the following vote:

AYES, 3—viz. Aldermen Mussmann, Rorison, and President Layman.

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

On motion, the majority report was then concurred in by the following vote :

AYES, 4—viz. Aldermen DeRuitter, Hamilton, Tucker, and President Layman.

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

On motion, the action on so much of the third section of the majority report as is included in the minority report, was reconsidered by the following vote :

AYES, 6—viz. Aldermen DeRuitter, Hamilton, Mussmann, Rorison, Tucker, and President Layman.

NAYS—None.

The matter was then referred back to the committee, to report next Monday night.

Alderman Hamilton offered the following motion ; which was adopted :

6 That the City Attorney have presented to the Common Council the enclosed ordinance for consideration and passage.

PENDING ORDINANCES.

On motion, the following entitled ordinance was referred to the Committee on Public Light and Education :

S. O. 119, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Pennsylvania street, between Seventh and Williams streets.

On motion, the following entitled ordinance was referred to the Committee on Streets & Alleys and Sewers & Drainage :

S. O. 124, 1881—An Ordinance to provide for grading and paving with brick, the south sidewalk of McCarty street, from East street to Virginia avenue.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President

Attest: GEO. T. BREUNIG, Clerk.