

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—APRIL 17, 1882.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 17th, A. D. 1882, 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 22 members, viz: Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Maier, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT—Councilmen Cole, Cowie, and Fultz—3.

The Proceedings of the Common Council for the regular session, held April 3d, 1882, and for the adjourned session, held April 5th, 1882, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Thalman, submitted the following report; which, on motion by Councilman Brundage, was referred to a special committee. Councilmen Ward, Cowie and Dowling, were appointed by the Chair to act as the members of such committee:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Committee on Contracts, to whom was referred the proposals presented to Council April 5th, 1882, for removing garbage, etc., have examined the same, and find them to be as follows:

C. S. Roney, \$12,995.00 per year, for five years.

Henry L. Smith, \$12,000 for the first year; \$11,750 for the second year; \$11,500 for the third year; \$11,250 for the fourth year, and \$11,000 for the fifth year.

H. C. Campbell, \$6,950 per year for a term not exceeding five years.

We report the above back to you for consideration, without recommendation. Should you determine to award the contract, H. C. Campbell is the lowest bidder.

Should you decide not to award any contract, we recommend that the City Attorney be directed to at once prepare an ordinance to repeal the garbage ordinance, No. 33, 1880, and to prepare an ordinance requiring all persons to clean up their premises and remove all their slops, garbage, etc.

Respectfully submitted,

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

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, City Council and Board of Aldermen:

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

A first and final estimate in behalf of David A. Haywood, for grading and graveling the alley between Park and Central avenues, from Seventh street to Eighth street.

1,230 ⁸/₁₂ lineal feet, at 22 cents..... \$270 74

A first and final estimate in behalf of J. D. Hoss & Co., for grading, paving with brick, and curbing with stone, the east sidewalk of Pine street, from St. Clair street to the first alley south.

166.50 lineal feet paving, at 50 cents..... \$ 83 25

185.53 lineal feet curbing, at 47 cents..... 87 20

\$170 45

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 David A. Haywood for grading and graveling the alley between Park and Central avenues, from Seventh street to Eighth 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, 18—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Harrold, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

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, paving with brick, and curbing with stone, the east sidewalk of Pine street, from St. Clair street to the first alley south, 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, 18—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Harrold, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contracts concurred in, and the bonds approved:

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

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

Contract and bond of William McClintock, for placing a double row of stone crossings across Alabama street, north and south sides of New York street. Bond, \$200 00; surety, Robert Skelley.

Contract and bond of Aneshansel & Strong, for erecting two lamp-posts, lamps and fixtures, complete to burn gas, except the service pipes, on Merrill street, between Delaware and Pennsylvania streets. Bond, \$50.00; surety, Adolph Schearer.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report; which was concurred in:

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

Gentlemen:—I herewith make the following report for your consideration and action thereon :

An ordinance was passed and contract let, 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.

On examination, I find that said alley is of irregular widths, and has never been properly opened and laid out. Mr. Patterson, my predecessor, made report of this fact January 19, 1880. (See Council Proceedings, page 809, 1880.)

I would recommend that the contractor be relieved of said contract, and that said alley be not improved until it is properly opened to a uniform width.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen :

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

James Mahoney vs. Charles C. Williams, for..... \$8 00

And recommend you order the precept to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

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

AYES, 16—*viz.* Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Egger, Harold, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Stout, Ward, and Yoke.

NAYS, 1—*viz.* Councilman Thalman.

The City Clerk submitted the following report; which was received:

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

Gentlemen:—I herewith report that S. A. Fletcher & Co., J. F. Holt and S. J. Fletcher, who were assessed the sum of fifty-one dollars on account of the vacation of part of Columbia street, and part of 15 foot alley in Stanley's subdivision in Outlot No. 8, west of White River, and which vacation was ordered conditioned on the payment of the aforesaid sum, have paid into the city treasury such sum, and filed the Tr. asurer's receipt therefor in my office.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

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

[Indianapolis, April 17, 1882.

To the Mayor and Common Council:

Gentlemen:—I was instructed by the Board of Aldermen, at its last session, to prepare and have presented to this meeting of the Council, an ordinance providing that after January 1, 1884, all telegraph and electric wires (except telephone wires) shall be placed under ground, etc. Also, an ordinance providing that hereafter no telegraph, telephone or electric light pole shall be erected on any street or alley of the city, without special consent of the Council and Board of Aldermen. Also, an ordinance making certain specified regulations in regard to the moving of buildings from one point to another in the city.

I have prepared each of said ordinances, and now hand the same to His Honor, the Mayor, for introduction.

In the case of the one providing for the moving of buildings, I found an ordinance on the subject, which covered some of the features of the one I was directed to prepare, and I have therefore simply incorporated the new matter in an amendment of the old ordinance.

Respectfully,

C. S. DENNY, City Attorney.

The following entitled ordinances, presented by His Honor, Mayor Grubbs, as per foregoing report, were severally read the first time:

G. O. 31, 1882—An Ordinance to amend Section four (4) of an ordinance entitled "An ordinance concerning buildings and improvements, and regulating the granting of building permits;" ordained May 31, 1869.

G. O. 32, 1882—An Ordinance requiring all telegraph and electric wires (except telephone) to be placed under ground, from and after the first day of January, 1884.

G. O. 33, 1882—An Ordinance forbidding the erection of any telegraph, telephone or electric light pole, on any of the public streets or alleys of the city of Indianapolis, without the special consent of the Common Council and Board of Aldermen first had.

The City Attorney submitted the following report; which, on motion by Councilman Thalman, was referred to the City Hall Commissioners, with instructions to have a deed prepared by the City Attorney, and properly executed by Mrs. Mary T. Tomlinson, transferring the property known as the "Tomlinson Estate," to the city of Indianapolis:

Indianapolis, April 17th, 1882.

To the Mayor and Common Council:

Gentlemen:—You ask me “whether or not the funds in the city treasury known as the Tomlinson Estate fund, can be invested in Government bonds, to be used for the erection of a City Hall and Market House, when needed?”

Stephen Tomlinson left all his property, both real and personal, to his wife, “to be by her used for her maintenance and convenience, and to be by her consumed in any degree or to any extent, according to her desires and necessities;” his will further providing, that any residue of such property remaining after her death, including any acquired by her by exchange or purchase, should go to the city of Indianapolis, for the purpose of erecting a public building on the Market House space—specially directing that “there be no unnecessary delay in converting the property * * bequeathed to the uses designated,” etc.

It will be seen by the first quoted clause from the will above, that Mrs. Tomlinson was empowered to do what she pleased with the estate. Under this power she entered into a contract with the city, on the 27th day of April, 1874, by which she relinquished all her interest in the estate of her late husband to the city, in consideration that the city would pay her an annuity of \$7,000 during her life. The full text of said agreement may be found in the Proceedings of the Council of 1874-'75, page 150. It will be seen by said agreement, that it was not contemplated that the buildings provided for in Stephen Tomlinson's will and said agreement, should be erected before the death of Mrs. Tomlinson, unless the city should so desire. It was not clear from said agreement, that Mrs. Tomlinson intended to authorize the city to invest the funds on hand and any thereafter realized from the rents or sale of said property, into bonds or other securities prior to the building of the City Hall, although it was her intention to give such authority. Therefore, on the 30th day of July, 1880, she executed a supplementary agreement, in which she declares, that “for the purpose of giving effect to the true intent and meaning of said contract, as well as to enable the said city of Indianapolis to carry out the intention of the testator (Stephen D. Tomlinson), I, the said Mary T. Tomlinson, do hereby consent to, and fully authorize said city of Indianapolis, should the Common Council and Board of Aldermen of said city deem it advisable, to sell said real estate in said contract described, and invest the proceeds thereof, *as well, also, the funds now on hands*, in bonds, mortgage, or other securities, until such funds and the accumulations of interest thereon shall be deemed by the Common Council and Board of Aldermen sufficient to erect a suitable building on said space. And I hereby waive any and all right which I might have to claim a rescission of said contract on account of the temporary investment of said funds.”

Mrs. Tomlinson had the right to make this agreement, and she is bound by it. It follows, therefore, that the city has a right to invest any and all funds now on hands, in Government bonds, or any other securities she desires and that she may safely do so. But while this is true, she (the city) must invest said funds, and keep said property in such a shape as to be able to use the same in the erection of the contemplated buildings without unreasonable delay, after Mrs. Tomlinson's death, should that occur before said estate is used for that purpose; for unless said estate shall be used in the erection of such buildings as are specified in Mrs. Tomlinson's first agreement above referred to, and that, too, without unreasonable delay, after her death, (if not done before,) it is not certain that the whole estate would not descend to her heirs.

I take the liberty of stating to your honorable body, that Mrs. Tomlinson has never executed any deed to the city for the real estate, which I think ought to be done. I doubt whether any one would take a conveyance from the city when she desires to sell, with this broken link, simply on this agreement referred to from Mrs. Tomlinson.

Respectfully submitted,

C. S. DENNY, City Attorney.

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

To the Mayor and Common Council:

Gentlemen:—The undersigned, to whom was referred special ordinances, beg leave to report all of the same back, with the request that you have the same read in regular order, and that each member indicate the ordinances he wishes passed, and recommit the same to us, and the remaining ones be stricken from the files.

Respectfully submitted,

C. S. DENNY, City Attorney.

S. H. SHEARER, City Civil Engineer.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Thalman, submitted the following report; which was concurred in:

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

Gentlemen:—Our recommendation for the purchase of a new Hook and Ladder Truck, having been concurred in by your honorable bodies, we respectfully report that we received bids from various parties, and found that the Chicago Fire Extinguisher Manufacturing Company's was the best. We therefore contracted with them for the same, at a cost of \$1,350, f. o. b., to be delivered within 60 days.

Your Board are of the opinion that a reserve of at least 3,000 feet of hose should always be kept on hand, and in store at Headquarters of the Fire Department for use in case an emergency should arise. We recommend that you authorize us to receive bids and to purchase that amount of good, first-class hose.

Respectfully submitted,

ISAAC Thalman,
Phil. Reichwein,
N. Yoke,
Fire Board.

The Board of Public Improvements and Street Commissioner, through Councilman Morrison, submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures of the Street Repairs Department for the month of March, 1882, together with total amount to April 1st, 1882:

Pay-rolls.....	\$ 2,982 52
Blacksmithing.....	28 85
Bowlders.....	26 50
Cement.....	12 00
Coal.....	4 00
Freight on stone.....	48 00
Gravel.....	112 60
Hardware.....	56 12
Lumber.....	258 23
Sand.....	3 40
Stone crossings and curb.....	154 70
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Total expenditures for March, 1882.....	\$3,686 92
Total expenditures per last report.....	21,825 53
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Total expenditures to April 1st, 1882.....	\$25,512 45

Respectfully submitted,

Edward H. Dean,
John R. Cowie,
Wm. H. Morrison,
Board of Public Improvements.

L. A. FULMER, Street Commissioner.

The Board of Public Improvements, through Councilman Morrison, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom was referred the following numbered Special Ordinances for street improvements: S. O. 61, 130, 142 and 155, 1880; S. O. 26, 56 83, 84, 89, 117, 149, 161 and 165, 1881; S. O. 6, 14 and 25, 1882, report the same back to your honorable body, and recommend they be referred to the City Attorney and City Civil Engineer.

Respectfully submitted,
 Edward H. Dean,
 John R. Cowie,
 Wm H. Morrison,
 Board of Public Improvements.

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

Report of Deaths in the City of Indianapolis, from the 31st day of March, 1882, to the 15th day of April, 1882—inclusive.

Under 1 year.....	14
1 to 2 years.....	5
2 to 5 ".....	3
5 to 10 ".....	4
10 to 15 ".....	2
15 to 20 ".....	1
20 to 25 ".....	3
25 to 30 ".....	5
30 to 40 ".....	2
40 to 50 ".....	2
50 to 60 ".....	1
60 to 70 ".....	3
70 to 80 ".....	2
80 to 90 ".....	0
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0
Total.....	47

J. A. SUTCLIFF, M. D., Pres't.,
 E. S. ELDER, M. D., Sec'y.,
 M. S. RUNNELS, M. D.,
 Board of Health.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Accounts and Claims, through Councilman Brundage, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Accounts and Claims, to whom was referred the claim of L. H. Moores, for clothes destroyed at the Pest House, beg leave to report that the said claim be not allowed, the said Moores having received services at the expense of the city fully equal to the value of the goods destroyed.

Very respectfully,
 Edgar Brundage,
 John Egger,
 F. Hartmann,
 Committee on Accounts and Claims.

The Committee on Judiciary, through Councilman Pritchard, submitted the following report; which was concurred in:

Indianapolis, April 17th, 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 Wm. H. Lyons, showing that on the 21st day of June, 1880, he was allowed by the city \$29.55, amount paid to him as a refunder on a void tax sale. He now asks for the interest. The sale occurred March 10th, 1873. He received the amount of principal, \$29.55, August 5th, 1880.

We recommend that interest be allowed him on \$29.55 from March 10th, 1873, to August 5th, 1880.

The second is the petition of Wm. C. Anderson, that Lots 51 and 53, in Kappes & Frank's Meridian street addition, for taxes of 1876-'7-'8 and '9, to M. E. Vinton, for \$14.68. The sale was void, for the reason that the lots intended to be sold were 51 and 53, in Kappes & Frank's south addition.

We recommend the sum of \$14.68, with interest, be refunded, and the amount be carried against the proper lots by the City Treasurer.

The third is the petition of F. H. Harris that he be given auctioneer's license to sell general merchandise. We recommend the license be granted.

The fourth is the petition of Chris. Hilgenberg, showing that he purchased at private tax sale, April 6th, 1880, Lot 8, in French's subdivision of Out-lot 4, west of White River, paying the sum of \$37.74. He says the lot was in White River at the time of sale. He asks that the money be refunded, with interest.

The law does not allow the City Treasurer to sell property at private tax sale. The thing called a "sale," in the petition, is no sale at all, and leaves the petitioner in the situation of having made a *voluntary payment* of taxes for some one else, to-wit: the owner of the lot. Again, the lot was there at the time the taxes were levied and assessed.

For these two reasons, we recommend the prayer of petitioner be not granted.

The fifth is the petition of Ann Allen, showing that she is the owner of 67½ feet by 100 feet deep, off of the north end of Lot 9, in Square 65, in city, and The City of Indianapolis is the owner of 33 feet 9 inches, by 80 feet deep, on south end of same lot. Upon this lot stands No. 7 Engine House, on Maryland street. Between petitioner's lot and the Engine lot, is a fifteen (15) foot alley. The city has secured in the deed to the lot, the right to use this private alley forever. This right has been secured in several deeds prior to the city's deed.

But from 1867 to 1881, inclusive, the petitioner has paid taxes to the city on this alley-way, 15 by 33 feet amounting to \$48.44. This she has done without knowing it, until last summer, when a sewer assessment in the alley running from Maryland street to the first street north, was presented to her for payment. She then noticed she was assessed for the 15 feet in alley, in rear of the Engine House, and on examination, found she had been paying taxes also. This sewer assessment amounts to \$18.95. She asks in petition, that \$48.44 of taxes so paid be refunded, and that she be relieved from the sewer assessment.

We recommend that the sum of \$48.44 be refunded, and the city pay the \$18.95 sewer assessment on said alley.

Respectfully submitted,

James A. Pritchard,
N. Yoke,
John W. Fultz.
Committee.

C. S. DENNY, City Attorney.

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom the following matters were referred, would report thereon as follows:

1st. Is the remonstrance against the passage of S. O. 20, 1882, an ordinance to provide for grading, paving with brick, and curbing with stone, the east sidewalk on Blake street.

On examination, we believe the improvement should be made; therefore recommend said ordinance be passed.

2d. Is S. O. 19, 1882, an ordinance to provide for bowldering the gutters of Pine street, from Washington street to St. Clair street, together with a remonstrance against said improvement.

We recommend this ordinance be passed.

Respectfully submitted,

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

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom the petition in the matter of opening Central avenue to a uniform width of sixty-five feet from St. Marys street to the State Ditch was referred, would report:

We have made thorough examination of the premises and find that the property owners have set their fences back thirty feet on the west side of said avenue, and the greater portion of the ground donated to the public; while on the east side most of the property owners have set their fences and shade trees to conform to a width of thirty-five feet, as far north as Eighth street, and a large portion of that amount has been donated to the public. Said petition asks that the street be opened sixty-five feet wide to the State Ditch; but in consultation with the petitioners at our meeting, we believe it best to only open the street to a width of sixty feet from Eighth street to the State Ditch. This would obviate the necessity of moving back some buildings, and, in the opinion of your committee, be more satisfactory to those persons owning property above Eighth street. The proposed opening does not materially change any part of the street as now thrown out by the property owners for public use, but merely to properly locate the street of uniform width, according to law, that the street may be properly improved by ordinance.

We recommend that the street be opened a uniform width of 65 feet from St. Marys street to Eighth street, by condemning to a ground not already properly donated, to a width of thirty-five feet on the east side, and to a width of thirty feet on the west side of said avenue, between St. Marys street and Eighth street, and thirty feet on each side between Eighth street and the State Ditch; and that the accompanying resolution relative thereto, be adopted.

Respectfully submitted,

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

Councilman Weaver, with the above report, presented the following resolution:

Resolved, That the petition of W. A. Taylor, R. S. Dorsey, C. Karle, J. C. Karle, O. S. Gillette, M. O'Conner, B. F. Witt and W. C. Van Arsdal, praying for the widening and opening of Central avenue to a width of sixty-five (65) feet from St. Marys street to Eighth street, and to a width of sixty (60) feet from Eighth street to the State Ditch, be referred to the Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purpose of such opening and widening of said Central avenue, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve the proper notices upon the Commissioners and property owners.

And it was adopted by the following vote :

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

NAYS—None.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the action of the Board of Aldermen, in amending the ordinance, was concurred in:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, April 10th, 1882, non concurred in your action of April 5th, 1882, appropriating five thousand dollars on account of the Street Repair Department, but amended the ordinance and appropriated three thousand dollars.

The ordinance, as amended, is submitted for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and the matter as set forth therein, was referred to the Police Board, to report at this session:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, April 10th, 1882, adopted the following motion:

“That the Police Board, the Chief of Police and the four Police Captains, investigate and report to the Council, if it would not add very much to the efficiency of the Police Department, to create four sub-stations, one to be located at the Engine House on Virginia avenue; one at No. 4, south Illinois street; one at No. 1, Indiana avenue, and one at No. 5, Massachusetts avenue; and that a man be stationed, one at night and one during the day, at each station; and that the Police Department be divided into five districts, the fifth being the Central Station, and that the Patrolmen in each district answer to roll call at their respective district headquarters. Further, that there be purchased and kept at headquarters, a one-horse vehicle, to be used exclusively between the districts and headquarters. Further, that the districts be connected with the general telephone system of the city. Further, that the above committee be requested to report if the above would not make the department much more efficient than an increase of twenty patrolmen, which has been recommended by the Police Board.”

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

Councilman Brundage, in behalf of the Police Board, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your committee to whom was referred the motion from the Board of Aldermen in reference to improving the efficiency of the Police force, beg leave to report that they are in favor of some of the recommendations contained therein; and after a careful consideration of the subject, report that they are in favor of adding to the present force four men, two of whom shall be and remain at the Central

Station during the day time, and two during the night; said men to be furnished with a horse and wagon for service at all times, for the purpose of going on call to any portion of the city to convey prisoners in charge of officers to said Central Station. We would further report that telephone service to carry out the above proposed changes in the force, has been arranged for at a slight cost.

Respectfully submitted,

H. B. Stout,
Ed. Brundage,

The following special message was read :

To the Mayor, and Common Council :

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, April 10th, 1882, adopted the following motions:

1st. "That in all cases where delinquent taxes are charged on the city tax duplicates against any person or persons having contracts, the City Clerk and Treasurer are directed to deduct the said taxes so charged from the first appropriation made to such person or persons."

2d. "That the City Clerk advertise for ten days from the first day of May, 1882, that sealed proposals will be received by the Board of Aldermen and Common Council, till 12 o'clock, noon, of the fifteenth day of May, 1882, for furnishing the city, for one year from June 1st, 1882, with books and stationery, and to do the necessary printing, advertising and bill posting for the same length of time."

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion, the first clause of the above message was referred to the Judiciary Committee; and on further motion, the second clause was amended so as to read "that proposals be received up to the meeting of the Common Council May 15th, 1882." The motion as amended, was then adopted.

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. 45, 1882—An Ordinance to provide for grading and graveling Linden street and sidewalks, from Orange street to Pleasant Run.

By Councilman Egger :

G. O. 34, 1882—An Ordinance to provide for the establishment of electric lights at the crossing of the Union tracks with Virginia avenue and south Delaware street.

By Councilman Pritchard :

S. O. 46, 1882—An Ordinance to provide for improving Highland street, between Washington and Ohio streets.

S. O. 47, 1882—An Ordinance to provide for paving with brick, and curbing with stone, the sidewalks of Highland street, between Washington and Ohio streets.

By Councilman Reichwein :

G. O. 35, 1882—An Ordinance requiring the Wabash, St. Louis & Pacific, and Cleveland, Columbus, Cincinnati & Indianapolis Railway Companies in the city of Indianapolis to erect and maintain safety gates, for the protection of the public, at the crossing of said roads and Noble street.

Councilman Reichwein moved a suspension of the rules for the purpose of placing the above ordinance, G. O. 35, 1882, on its final passage.

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

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

G. O. 35, 1882, was then read the second time, ordered engrossed, read the third time, and passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

By Councilman Thalman :

S. O. 48, 1882—An Ordinance to provide for re-grading and bowldering (where not already done) the roadway of Ohio street, from Meridian street to Illinois street.

By Councilman Yoke:

S. O. 49, 1882—An Ordinance to provide for grading and graveling the alley between Cedar and Grove streets, from Huron street to Fletcher avenue.

S. O. 50, 1882—An Ordinance to provide for grading and graveling the first alley south of Fletcher avenue, from Cedar street to Grove street.

S. O. 51, 1882—An Ordinance to provide for grading, bowldering and curbing the gutters, and widening the sidewalks of Fletcher avenue, from Noble street to Cedar street.

S. O. 52, 1882—An Ordinance to provide for grading, bowldering and curbing the gutters of South street, from East street to Noble street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Brundage offered the following motion; which was adopted:

That the Judiciary Committee, together with the City Attorney, be, and is hereby, instructed to revise and have printed, two hundred copies of the rules and regulations governing the Common Council and Board of Aldermen.

Councilman Coy offered the following motion; which was adopted:

That John Gustin be, and is hereby, granted an auctioneer's license for the city of Indianapolis, for eight (8) months from the 1st day of May, 1882.

Councilman Coy offered the following resolution:

WHEREAS, Many of the citizens of Indianapolis believe that the business of the Vincennes Lottery, as now carried on, and much of the business of the Indianapolis Boards of Trade and "Bucket Shops," as now conducted and carried on, is the worst possible species of gambling, and pernicious to the future welfare of the city, and that the same ought to be suppressed; therefore,

Resolved, That the City Attorney be, and is hereby, instructed to make a minute inquiry into the existing laws governing these institutions, together with the charter in relation to this species of vice, and report in writing to the next Council meeting, whether or not the Common Council and Board of Aldermen have power by ordinance to suppress and prohibit these vices within the corporate limits of Indianapolis.

And it was adopted by the following vote:

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

NAYS, 1—viz. Councilman Morrison.

Councilman Knodel presented the following petition; which was referred to the Committee on Public Light:

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

Gentlemen:—We the undersigned, citizens of south Meridian street, pray for the laying of gas mains from Kansas street to Arizona street. That portion of Meridian street is thickly populated, and therefore we beg for the passage of an ordinance therefor.

M. Clune, H. Altmann, L. Lake, Frank Straub, W. Smith, Wm. Wundram, Wm. Meyer, Nicholas McCarty.

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

That the Street Commissioner be, and is hereby, directed to clean the gutters of Market street, from Noble street to Arsenal avenue.

Councilman Morrison offered the following motions; which were severally adopted:

That the Committee on Water be, and are hereby, instructed to have the water connections on Michigan street, between Mississippi street and the Canal, removed to a more suitable location, as said connections are now made in front of a business house which causes a great nuisance and inconvenience to said business house.

That the City Civil Engineer and the Street Commissioner be, and are hereby, instructed to make an examination of New York blue stone, now in the city and report to the Council the cost of same for street crossings, as compared with the prices now paid by the city for stone crossings, with the opinion of said Engineer and Street Commissioner if said stone is superior to the stone now in use for stone crossings.

Councilman Morrison offered the following motion; which was referred to the Committee on Water:

That the Committee on Water and the City Civil Engineer be, and are hereby, instructed to contract for, and place in position, a Drinking Fountain on the north-west corner of Mississippi and Washington streets.

Councilman Morrison offered the following motion:

WHEREAS, It is the opinion of many of the best citizens and tax payers of the city of Indianapolis, and a majority of the public press, that the Common Council and Board of Aldermen should, without delay, pass some ordinances providing for an increase of the revenues of the city, in order that the streets and parks may be kept in better repair, and that the Police Department may be made more efficient, by a small increase of the force; and that real estate does now pay an unjust portion of taxes for the maintenance of the city government; therefore, be it

Moved, That when the Council adjourns, it adjourn to meet on Wednesday evening, April 19th, 1882, for the special consideration of ordinances providing for an increase of the revenues of the city.

On motion by Councilman Dowling, the above motion was laid on the table, by the following vote:

AYES, 11—viz. Councilmen Bryce, Coy, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, and Reichwein.

NAYS, 9—viz. Councilmen Bedford, Brundage, Caylor, Morrison, Pritchard, Stout, Thalman, Ward, and Weaver.

Councilman Reichwein presented the following petition; which was received, and the prayer of the petition granted:

Indianapolis, April 1, 1882.

The Hon. Council of the City of Indianapolis:

Is hereby respectfully petitioned to permit the building of a coal vault of the size from out to out 23½ feet by 5 feet, and 8 feet deep, under the sidewalk in the rear of store 184 and 186, east Washington street—say on Court street—according to the existing city ordinance. And your petitioner will ever pray.

CLEMENS VONNEGUT.

Councilman Thalman offered the following motion; which was adopted:

That the Street Commissioner be directed to repair Market street, between Delaware and Pennsylvania streets, where there are dangerous chuck-holes; also, to repair the stone crossing on Washington street, between Pennsylvania and Delaware streets.

Councilman Ward offered the following motion; which was adopted:

That the City Marshal notify the owners of Bacon's Block, on Ft. Wayne avenue, to repair the sidewalk in front of said block, at their own expense; and in case of their failure to repair the said sidewalk within twenty days, the Street Commissioner shall do the work, and collect the expense thereof from the owners of said block.

Councilman Ward presented the following petition; which was referred to the Judiciary Committee:

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

Gentlemen:—Your petitioner, Frederick W. Baugher, respectfully shows that on the tax duplicate for the city of Indianapolis for the year 1877, he is assessed with personal property to the amount of \$1,575.00, upon which taxes are charged against him to the amount of \$18 14. He says that at no time during the year 1877 was he the owner of any personal property whatever, and that the assessment list filed and purporting to be a statement of his personal property, was never signed by him, or given in by him, or by any other person with his consent or authority; that he is desirous of paying his current taxes, but the City Treasurer refuses to accept the same unless the delinquent taxes for 1877 are also paid; and he therefore asks that said taxes be remitted, and he be released from the payment thereof. And he will ever pray.

F. W. BAUGHER.

Subscribed and sworn to before me this 10th day of April, 1882.

[SEAL]

ALBERT T. BECK, Notary Public.

Councilman Yoke offered the following motion:

That the City Treasurer be, and is hereby, directed to advertise the several pieces of property known as the Tomlinson Estate, in the daily papers for ten days, and that after said ten days the property shall be sold to the highest bidder, at the south door of the Court House, by the City Treasurer; that no bid be received below the amount of appraisement on said property, which is now on file in the City Clerk's office; that the said sale take place within five days after the ten days of advertising.

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

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

AYES, 10—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Mauer, Morrison, Pritchard, Reichwein, Thalman, and Ward.

NAYS, 12—viz. Councilmen Coy, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Pearson, Stout, Weaver, and Yoke.

Councilman Pritchard then moved the *previous question*; which, being demanded by a majority of the members present, the question was then put upon the original motion, as offered by Councilman Yoke, and it was adopted by the following vote:

AYES, 13—viz. Councilmen Brundage, Coy, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Pearson, Reichwein, Weaver, and Yoke.

NAYS, 9—viz. Councilmen Bedford, Bryce, Caylor, Mauer, Morrison, Pritchard, Stout, Thalman, and Ward.

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

That the Street Commissioner is hereby instructed to clean the gutters on Hoobrook street, between Cedar and Elk streets.

PENDING ORDINANCES.

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

S. O. 166, 1881—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes) on Wabash street, between Delaware and Pennsylvania streets.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 31, 1882—An Ordinance to provide for grading and graveling the alley between Meridian and Pennsylvania streets, from Seventh street to Eighth, or Williams street.

And it was passed by the following vote:

AYES, 20—viz. Councilman Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 33, 1882—An Ordinance to provide for grading, bowldering and curbing the gutters of Fletcher avenue, from Dillon street to Linden street.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 34, 1882—An Ordinance to provide for grading and paving with brick, the east sidewalk of Dillon street, from Prospect street to English avenue, where not already properly paved.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 35, 1882—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Spann avenue, between Dillon and Linden streets.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 36, 1882—An Ordinance to provide for grading and graveling the alley between Eddy and Tennessee streets, from Garden street to Merrill street.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 37, 1882—An Ordinance to provide for grading and graveling the first alley south of Henry street, from Mississippi street to Missouri street.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 38, 1882—An Ordinance to provide for grading and graveling the first alley west of Illinois street, from Eighth street to the first street north of Eighth street (where not already done.)

And it was passed by the following vote:

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

SIG. 117.

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

S. O. 39, 1882—An Ordinance to provide for grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley east of Mississippi street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 40, 1882—An Ordinance to provide for grading and graveling the first alley south of Third street, from Illinois street to Tennessee street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 41, 1882—An Ordinance to provide for paving with cedar blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof, from New York street to St. Clair street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 42, 1882—An Ordinance to provide for the paving with cedar blocks the roadway of Meridian street, from St. Clair street to Seventh street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 43, 1882—An Ordinance to provide for grading, bowldering, and curbing the gutters, and widening the sidewalks of New York street, from New Jersey street to East street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 44, 1882—An Ordinance to provide for grading, bowldering and curbing the gutters (where not already curbed) of New York street, from East street to Noble street.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

The following entitled ordinance was taken up on its second reading:

G. O. 19, 1882—An Ordinance authorizing the Indiana, Bloomington & Western Railway Company to construct certain tracks within and through a certain portion of the city of Indianapolis, Indiana.

Councilman Pritchard moved to strike out the second section of the above ordinance.

Councilman Pearson moved to lay the above motion on the table.

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

AYES, 11—viz. Councilmen Brundage, Dean, Egger, Mauer, Morrison, Pearson, Reichwein, Thalman, Ward, Weaver and Yoke.

NAYS, 10—viz. Councilmen Bedford, Bryce, Caylor, Coy, Dowling, Harrold, Hartmann, Knodel, Koller, and Stout

Councilman Pritchard was excused from voting on this ordinance, he having paired with Councilman Fultz.

Councilman Weaver offered the following amendment to section two of the above ordinance:

I move to amend Section 2 of the ordinance by adding the following: "Provided that said Indiana, Bloomington & Western Railway Company shall not use said track or switch for any other purpose except that of connecting said Out-lot 94 with the main track of the I, D. & S. Railway, and shall not connect or use the same with any track in Tennessee street, and shall not connect the same with any track or system of tracks to obtain any right of way in or through the city, south or east of said Lot 94, or allow said track to be so used by others; and if said company shall violate any of the conditions or provisions of this section, they shall at once forfeit any and all rights granted by this ordinance, and the city shall have the right to order said switch or track removed.

Councilman Pearson moved that the time be extended.

Councilman Harrold moved that the Common Council do now adjourn.

Which motion to adjourn failed of adoption by the following vote:

AYES, 11—viz. Councilmen Bryce, Caylor, Coy, Dowling, Harrold, Hartmann, Knodel, Koller, Mauer, Pritchard, and Stout.

NAYS, 11—viz. Councilmen Bedford, Brundage, Dean, Egger, Morrison, Pearson, Reichwein, Thalman, Ward, Weaver, and Yoke.

There being a tie vote, the name of His Honor, Mayor Grubbs, was called, and he voting in the negative, the motion to adjourn was decided as *not* adopted.

The motion then being on Councilman Pearson's motion to extend the time, it failed of adoption by the following vote (a suspension of the rules to sit later on any evening than eleven o'clock, requiring a two-thirds vote):

AYES, 11—viz. Councilmen Bedford, Brundage, Dean, Egger, Morrison, Pearson, Reichwein, Thalman, Ward, Weaver, and Yoke.

NAYS, 11—viz. Councilmen Bryce, Caylor, Coy, Dowling, Harrold, Hartmann, Knodel, Koller, Mauer, Pritchard, and Stout.

Councilman Pearson moved that when this Council adjourns, it adjourn to meet again next Wednesday night.

Councilman Bryce moved to so amend the above motion that the Council meet at the next regular meeting.

Councilman Pearson moved to lay the above amendment on the table.

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

AYES, 9—viz. Councilmen Bedford, Brundage, Dean, Morrison, Pearson, Thaman, Ward, Weaver, and Yoke.

NAYS, 13—viz. Councilmen Bryce, Caylor, Coy, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Pritchard, Reichwein, and Stout.

On motion by Councilman Pearson, the Common Council then adjourned to meet Tuesday evening, April 18th, 1882.

DANIEL W. GRUBBS, Mayor,

President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.