

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 29, 1882.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, May 29th, A. D. 1882, at eight o'clock, in regular session.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio*, President of the Common Council, in the Chair, and 20 members—viz.: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

ABSENT, 5—viz: Councilmen Bryce, Dean, Harrold, Knodel, and Ward.

The Proceedings of the Common Council for the regular session, held May 22d, 1882, and for the called session, held May 25th, 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 was concurred in, and the contracts awarded, as recommended:

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

Gentlemen:—The Committee on Contracts, to whom was referred sundry proposals presented to Council May 22d, 1882, have examined the same and find them to be as follows, viz:

1st. For grading and graveling Linden street and sidewalks from Orange street to Pleasant Run.

R. P. Dunning, \$1.13 per lineal foot front on each side.

H. C. Roney, \$1.07 per lineal foot front on each side.

R. H. Patterson, \$1.05 per lineal foot front on each side.

August Richter, 99 cents per lineal foot front on each side.

James W. Hudson, 98 cents per lineal foot front on each side.

John Keenan, 90 cents per lineal foot front on each side.

Fred Gansberg, 72 cents per lineal foot front on each side.

Samuel Keers, 70 cents per lineal foot front on each side.

Henry Clay, 49 cents per lineal foot front on each side.

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

2d. For regrading and bowldering, where not already done, the roadway of Ohio street, from Meridian street to Illinois street.

James W. Hudson, \$2.58 per lineal foot front on south side, \$1.82 per lineal foot front on north side; taking up and relaying stone crossings, 10 cents per lineal foot.

R. P. Dunning, \$2.55 per lineal foot front on south side, \$1.78 on north side.

Richard Carr, \$2.55 per lineal foot front on south side, \$1.78 on north side; taking up and relaying stone crossings, 18 cents per square yard.

D. A. Haywood, \$2.36 per lineal foot front on south side, \$1.65 per lineal foot front on north side.

R. H. Patterson, \$2.25 per lineal foot front on each side.

R. H. Patterson being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and graveling the alley between Cedar and Grove streets, from Huron street to Fletcher avenue.

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

J. L. Spaulding, 38 cents per lineal foot front on each side.

August Richter, 33 cents per lineal foot front on each side.

H. C. Roney, 29 cents per lineal foot front on each side.

R. H. Patterson, 28 cents per lineal foot front on each side.

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

Fred. Gansberg, 24 cents per lineal foot front on each side.

C. S. Roney, 22 cents per lineal foot front on each side.

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

4th. For grading and graveling the first alley south of Fletcher avenue, from Cedar street to Grove street.

J. L. Spaulding, 38 cents per lineal foot front on each side.

August Richter, 35 cents per lineal foot front on each side.

H. C. Roney, 30 cents per lineal foot front on each side.

R. H. Patterson, 28 cents per lineal foot front on each side.

James Mahoney, 24 cents per lineal foot front on each side.

Fred. Gansberg, 22 cents per lineal foot front on each side.

C. S. Roney, 22 cents per lineal foot front on each side.

There being a tie bid, and believing the same reasonable, we recommend the contract be awarded to Fred. Gansberg.

5th. For grading, bowldering and curbing the gutters, and widening the sidewalks of Fletcher avenue, from Noble street to Cedar street.

R. H. Patterson, 68 cents per lineal foot front on each side for bowldering, and 48 cents per lineal foot front on each side for curbing.

J. W. Hudson, 68 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

August Richter, 58 cents per lineal foot front on each side for bowldering, and 50 cents per lineal foot front on each side for curbing.

Fred. Gansberg, 63 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

Taking up and relaying stone crossings at 18 cents per square yard.

J. L. Spaulding, 69 cents per lineal foot front on each side for bowldering, and 38 cents per lineal foot front on each side for curbing.

C. S. Roney, 62 cents per lineal foot front on each side for bowldering, and 43 cents per lineal foot front on each side for curbing.

H. C. Roney, 59 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.

R. P. Dunning, 59 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.

R. P. Dunning being the lowest and best bidder, we recommend he be awarded the contract.

6th. For grading, bowldering and curbing the gutters (where not already curbed) of New York street, from East street to Noble street.

Samuel Keers, \$1 per lineal foot front on each side.

August Richter, 60 cents per lineal foot front on each side for bowldering, and 53 cents per lineal foot front on each side for curbing.

Richard Carr, 48 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

J. L. Spaulding, 47 cents per lineal foot front on each side for bowldering and 45 cents per lineal foot front on each side for curbing.
Stone crossings at 38 cents per foot.

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

James W. Hudson, 46 cents per lineal foot front on each side for bowldering, 44 cents per lineal foot front on each side for curbing, and 36 cents per lineal foot for single-row stone crossings.

J. D. Hoss & Co., 54 cents per lineal foot front on each side for bowldering, 35 cents per lineal foot front on each side for curbing, and 28 cents per lineal foot for stone crossings.

D. A. Haywood, 42 cents per lineal foot front on each side for bowldering, 45 cents per lineal foot front on each side for curbing, and 35 cents per lineal foot for stone crossings.

R. P. Dunning, 43 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.

C. S. Roney, 42 cents per lineal foot front on each side for bowldering, 42 cents per lineal foot front on each side for curbing, and 70 cents per lineal foot for double-row stone crossings.

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

7th. 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).

D. A. Haywood, 30 cents per lineal foot front on each side.

R. H. Patterson, 26 cents per lineal foot front on each side.

Henry Clay, 26 cents per lineal foot front on each side.

Michael Flaherty, 25 cents per lineal foot front on each side.

J. L. Spaulding, 24 cents per lineal foot front on each side.

J. D. Hoss & Co., 20 cents per lineal foot front on each side.

Samuel Keers, 20 cents per lineal foot front on each side.

C. S. Roney, 18 cents per lineal foot front on each side.

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

8th. For grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley east of Mississippi street.

August Richter, 35 cents per lineal foot front on each side.

James Mahoney, 32 cents per lineal foot front on each side.
 D. A. Haywood, 30 cents per lineal foot front on each side.
 J. D. Hoss & Co., 30 cents per lineal foot front on each side.
 J. L. Spaulding, 29 cents per lineal foot front on each side.
 Henry Clay, 29 cents per lineal foot front on each side.
 C. S. Roney, 27 cents per lineal foot front on each side.

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

9th. For grading and graveling the first alley south of Third street, from Illinois street to Tennessee street.

August Richter, 30 cen's per lineal foot front on each side.
 D. A. Haywood, 30 cents per lineal foot front on each side.
 R. H. Patterson, 29 cents per lineal foot front on each side.
 James Mahoney, 27 cents per lineal foot front on each side.
 Michael Flaherty, 25 cents per lineal foot front on each side.
 C. S. Roney, 25 cents per lineal foot front on each side.
 J. L. Spaulding, 25 cents per lineal foot front on each side.
 J. D. Hoss & Co., 24 cents per lineal foot front on each side.

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

10th. For building one 2,000-barrel cistern at, or near, the corner of Deloss and Reid streets, according to specifications on file in the office of the City Civil Engineer.

August Richter, 73 cents per barrel.
 C. S. Roney, 57 cents per barrel.
 John A. Whitsit, 56 cents per barrel.
 H. C. Roney, 55 cents per barrel.

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

Respectfully submitted,

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

COMMUNICATION, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following invitation; which was accepted:

Indianapolis, Ind., May 26th, 1882.

To the Mayor, Common Council, Board of Aldermen, and other officers of the city of Indiaapolis:

Gentlemen:—You are respectfully invited to take part in the parade and other exercises of Memorial Day.

Respectfully,

JAMES B. BLACK, Marshal.

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 Dunning & Hudson, for grading and bowldering Georgia street, and curbing with stone the outer edges of the sidewalks, from Pennsylvania street to Delaware street.

869.15 lineal feet of bowldering, at \$1.37.....	\$1,190 73
835.69 lineal feet of curbing, at 43 cents.....	359 34
15.25 lineal feet, resetting curb, at 7 cents.....	1 07
67.79 lineal feet, rebowldering, at 93 cents.....	63 05
	\$1,614 19

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 Dunning and Hudson, for grading and bowldering Georgia street, and curbing with stone the outer edges of the sidewalks, 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 adopted by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, 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 J. L. Spaulding, for grading and graveling the alley between Meridian and Pennsylvania streets, from Seventh street to Eighth, or Williams street. Bond, \$400. Surety, Fred. Gansberg.

Contract and bond of J. L. Spaulding, for grading and graveling the alley between Eddy and Tennessee streets, from Garden street to Merrill street. Bond, \$400. Surety, Fred. Gansberg.

Contract and bond of J. L. Spaulding, for grading and graveling the first alley south of Henry street, from Mississippi street to Missouri street. Bond, \$300 Surety, Fred. Gansberg.

Contract and bond of H. C. Roney, for grading, bowldering, and curbing the gutters of Fletcher avenue, from Dillon street to Linden street. Bond, \$4,000. Surety, A. Haywood.

Contract and bond of C. S. Roney, for grading and paving with brick the east sidewalk of Dillon street, from Prospect street to English avenue, where not already done. Bond, \$1,300. Surety, A. Haywood.

Contract and bond of C. S. Roney, for grading and graveling the alley between Cedar street and Grove street, from Huron street to Fletcher avenue. Bond, \$400. Surety, A. Haywood.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following reports from the City Clerk were read and approved:

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

Gentlemen:—I herewith report that C. and W. Dehne, Mary Lingenfelter, and Charles Bard, trustee, have paid into the city treasury the sum of thirty-three (33) dollars, being amounts of benefits or costs in the matter of the vacation of the alley from Buchanan street to Bismarck street, parallel with and contiguous to Sullivan street, and that said parties have procured, for record in Recorder's office, certified copies of the proceedings and plat in said vacation.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith report that F. M. Churchman, trustee, has paid into the city treasury the sum of sixty-three (\$63) dollars, being amount of benefits assessed in the matter of the vacation of a part of Madison street and part of alley in Hanna's heirs addition; and that the parties benefitted have procured a copy of the proceedings and plat in said vacation, for the purpose of placing the same on record in the Recorder's office.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—In accordance with your instructions, I have prepared and delivered to the City Treasurer certified copies of the assessment of damages and benefits in the matter of the opening, etc., of Cruse street, from Meek street to the Michigan Road; also, in the matter of the widening of Dillon street, from a point near Cedar street, to Meek street. I have also prepared and delivered to the Marion County Recorder, for record, certified copies of the assessment of damages and benefits, and of the plats, in the above street openings.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The City Clerk presented the following communication; which was referred to the Committee on Water :

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

Indianapolis, May 29th, 1882.

Gentlemen:—G. O. 12, 1882, entitled "An ordinance making and providing for the execution of a contract between the city of Indianapolis and the Indianapolis Water Company," has this provision in it, to the effect that the said Water Company shall be authorized to employ, at its own expense, a competent man to attend all fires, and see that fire plugs are properly opened, etc.; this is simply re-enacting the clause, to the same tenor and effect, in the original contract between the city and company; upon the employment of such man, and upon the report of such employment to the city authorities, the City Council and Board of Aldermen are directed to enact an ordinance protecting him in the discharge of said duties. We herewith report to you the name of Christopher Heckman as the person employed by this company. Will you please protect him in the manner provided for in said contract?

Respectfully,

S. M. DYER, Vice President.

The City Attorney submitted the following report; which was received, and the second and third clauses referred to a special committee, consisting of Councilman Pritchard, Morrison and Hartman.

Indianapolis, May 29, 1882.

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

Gentlemen:—Since the last regular session of the Common Council, the case of

Barbara Jarnagin vs. The City has been tried before a jury in the Superior Court, and resulted in a verdict in favor of the city. The plaintiff broke her arm by a fall on West Washington street, in front of the Braden block, in February, 1881. She claimed that the fall was caused by the negligence of the city in allowing the gutter to become and remain filled with rubbish, and that while in that condition the fireman at No. 6 Engine House turned on the water from the fire plug above, which flooded the sidewalk, freezing during the night, and then snowing so as to conceal the dangerous condition of the walk where and before she fell.

2. Two cases brought before Esquire Johnson, by the city, against Franklin Landers as surety on forfeited recognizances in the Mayor's Court, have been disposed of by payment in full of the amount due and costs.

3. The case of A. and J. C. S. Harrison vs. The City, brought to enjoin the city from collecting the taxes on \$200,000 assessed against them as bankers, by the Board of Equalization, for the year 1881, will most likely be tried at the August term of the Circuit Court. The case was partially tried in December last, but, for some reason, after the evidence was heard, the submission was set aside, and it now stands for trial anew. Thinking it would be reached for trial at this present term of the court, I procured from the stenographer who reported the evidence at the former partial trial, a copy of the plaintiff's testimony. I have examined it carefully, as also the deposition of William A. Nash, cashier of the Corn Exchange Bank, New York, through whom the purchase and sale of the \$200,000 of Government bonds which the plaintiffs claim to have owned on April 1, 1881, are said to have been made. I am now convinced that the city can not safely go to trial with the evidence in its present shape. I think it is necessary that Mr. Nash's testimony should now be taken on behalf of the city, and that other parties in New York should be examined on an important question in the case, provided a certain kind of evidence can be obtained, concerning which I have written to a party in that city.

4. I also beg leave to call your attention to the old case of Rockwood et al. vs. The City, pending in the Superior Court, brought by the owners of the property known as the I. & C. R. R. Co.'s subdivision southeast of the city, to enjoin the collection of all city taxes assessed against the same; and also to the action recently instituted by W. H. English, A. D. Streight and John J. Cooper vs. The City, to enjoin the further collection of taxes assessed against their lots in King, Downey, and Lewis & Co.'s subdivisions, respectively, in Bryan's Arsenal Heights addition, east of Woodruff Place.

In the Rockwood case, the claim is that the ground was never legally annexed to the city, because the I. & C. R. Co.'s subdivision was not such a platted addition as contemplated by the statute giving the Council power to annex the same by resolution without the consent of the owners, the same being rural property, no lot therein consisting of less than ten acres, and subdivided, as claimed, for mere convenience in selling and describing. Other claims are also made by plaintiffs in their complaint, seeking to avoid payment of these taxes and to have this property declared outside of the city.

In the English case, the claim is that the addition in which the lots lie was not contiguous to the city at the time the attempt was made to annex it.

The proceedings of the Council in reference to these annexations, as also several others about which litigation has been had and more is threatened, may be found in the proceedings of the Council of 1874, pp. 1687 to 1700, and 1833-4. I have examined these proceedings and the facts connected with the various claims of the parties who have quit paying taxes on their lots, and think I understand both the facts and the law in the various cases; but, feeling that an investigation thereof by a committee composed of members from each of your honorable bodies, with a report thereon, would be more satisfactory than any recommendation I might make concerning what I think ought to be done in the premises, I beg leave to submit the matters referred to, with the request that you name a committee to look into and report their judgment thereon.

I also request that you refer clause No. 3 above, to the same or a like committee,

to inquire into the advisability of taking further steps to prepare the case therein referred to for trial.

Respectfully submitted,

C. S. DENNY, City Attorney.

By consent, Councilman Dowling introduced the following entitled ordinance; which was read the first time:

G. O. 46, 1882—An Ordinance granting C. E. Flagg a license to carry on, maintain and exhibit an Illusion Show.

On motion by Councilman Dowling, the rules were suspended, for the purpose of placing the foregoing ordinance on its final passage, by the following vote:

AYES, 18—viz.: Councilmen Bedford, Brundage, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS—None.

G. O. 46, 1882, was then read the second time, ordered engrossed, read the third time, and passed by the following vote:

AYES, 19—viz.: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS—None.

By consent, Councilman Egger offered the following motion; which was adopted:

That Daniel A. Chenowith be granted permission to lay gravel sidewalk in front of his own property, on west side of Shelby street; the work to be done at his own expense, under the direction of the City Civil Engineer.

REPORTS, ETC., FROM OFFICIAL BOARDS.

Councilman Morrison, in behalf of the Board of Public Improvements, presented the following petition; which was received, and the prayer of the petition granted:

To the Board of Public Improvements:

Gentlemen:—I desire an extension of thirty days time for the improvement of sidewalks on North street, between Pennsylvania and Tennessee streets, and on south Meridian, between McCarty and Morris streets; for the reason, that the company of whom I engaged the paving brick have been unable to supply them in time. I will do the work just as soon as I can get the brick.

J. L. SPAULDING.

Subscribed and sworn to this 27th day of May, 1882.

[SEAL]

GEO. T. BREUNIG, Notary Public.

We the undersigned, members of the Board of Public Improvements, recommend that the above contracts be extended thirty days.

John R. Cowie,
William H. Morrison.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The last appropriation ordinance for \$10,000, introduced by the Board of Public Improvements, on account of the Street Department: Said ordinance was so drafted as to set apart a certain proportion for four different branches of the department, viz.:

\$5,000 for repairs, etc.; \$2,500 for cleaning, etc.; \$1,500 for bridges; \$1,000 for sewers.

Our reasons for making the ordinance in this manner was, that each branch might have expended in it just the amount so appropriated, and when said appropriation was exhausted, the other branches would not have to stop work on account of funds; and further, our monthly report would show just how much had been expended in each branch of the department, and if the Council and Board of Aldermen saw fit, might stop any branch of the work.

The Common Council passed the ordinance as submitted, but the Board of Aldermen have stricken out the entire amount for street cleaning, leaving the department without any funds to do any street cleaning, which we believe absolutely necessary at this season of the year, for the health and comfort of our citizens.

Therefore, we herewith submit an appropriation ordinance for \$1,500, on account of street cleaning, and recommend said ordinance be passed.

Respectfully submitted,

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

The following entitled ordinance, presented with the above report, was read the first time:

Ap. O. 31, 1882—An ordinance appropriating the sum of \$1,500 on account of the Street Department of the city of Indianapolis.

On motion by Councilman Morrison, the rules were suspended for the purpose of placing the foregoing ordinance on its final passage, by the following vote:

AYES, 19—viz.: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS—None.

Ap. O. 31, 1882, was then read the second time, ordered engrossed, read the third time, and passed by the following vote:

AYES, 19—viz.: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS—None.

The Board of Health submitted the following report; which was referred to a special committee, viz., Councilmen, Cole, Thalman and Coy:

Indianapolis, May 29th, 1882.

To the Mayor and Members of the Common Council:

Gentlemen:—I desire to call your attention to the matter of some of the vault cleaners of the city. I am satisfied that some of them are attempting to defraud

not only the owners of real estate, but also the city. The Board of Health are prepared to prove that in one instance a charge was made for cleaning a vault at a house where no vault ever existed, and other excessive and fraudulent charges have been extorted from property holders. Again, several firms or individuals are doing business under one license. We would suggest that this matter be referred to an appropriate committee, to which committee the Board of Health will cheerfully furnish information. We also respectfully suggest that licenses be withheld from those who are proven guilty.

Very truly, E. S. ELDER, M. D., Secretary Indianapolis Board of Health.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

Indianapolis, May 22d, 1882.

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 action of the Board of Aldermen on petition of Ann Allen, to refund certain taxes, from 1867 to 1881, on alley 15 by 33 feet, in rear of No. 7 Engine House.

Your committee recommend that the sewer assessment of \$18.95, assessed against Ann Allen, be paid by city, and the Assessor be directed to place Mrs. Allen's lot upon the duplicate as one hundred (100) feet deep, so that she may not be taxed upon said alley in the future.

The second is a petition of S. C. Hanna, showing that he is the owner of lot 16 in Martindale's addition, fronting on Second street; that said lot was assessed with \$45 benefits for opening Second street, which assessment appears as a lien on his lot. He asks that said lien be ordered satisfied, the same being void. All these assessments, on account of opening Second street, were adjudged void by the courts in case of Yandes vs. Kuschaupt, the City et al., Judge Elliott delivering the opinion in general term of Superior Court.

Your committee recommend that the City Clerk be directed to satisfy the lien on petitioner's property (see Mortgage Record No. 77, pages 423 to 428), and in future to make satisfaction, from time to time, as property owners may demand.

Respectfully submitted,

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

C. S. DENNY, City Attorney.

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

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred a communication from W. A. Bell, President, and Austin H. Brown, Secretary of the School Board, showing that lots Nos. 20 and 21 in Wingate's subdivision of square eighty-two (82) was purchased for school purposes many years ago, and the legal title taken in the name of the "City Council of Indianapolis."

The School Board have sold said lots to Henry C. Brinker and Henry F. Habeny, of Indianapolis, and desire a deed made. Petitioners ask that the Council and Board will by resolution direct Mayor Grubbs to make the deed,

Your committee recommend the accompanying resolution be adopted.

Respectfully submitted,

Jas. A. Pritchard,
N. Yoke,
John W. Fultz,
Judiciary Committee.

C. S. DENNY, City Attorney.

Resolved, By the Common Council and Board of Aldermen of the city of Indianapolis, that Mayor D. W. Grubbs be, and is hereby, authorized to execute a deed to lots No. 20 and 21 in block or square 82 in Wingate's subdivision, according to plat recorded in Deed Record Q, pages 1 and 2, in Recorder's office of Marion county, to Henry C. Brinker and Henry F. Habeny, of Marion county, Indiana; and that said deed, when executed, be by the City Clerk delivered to the Treasurer of the Board of School Commissioners of Indianapolis.

The resolution, as presented by the foregoing report, was adopted by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, and Yoke.

NAYS—None.

The Committee on Printing, through Councilman Bedford, submitted the following report; which was concurred in, and the contracts awarded, as recommended :

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

Gentlemen:—The Committee on Printing, to whom was referred sundry proposals for City Printing, Advertising, etc., presented to the Council, Monday evening, May 22d, 1882, have examined the same, and report thereon as follows :

For Printing, Book Work and Stationery—

O. H. Hasselman submitted three propositions. The first proposes to do the printing, book work, and furnishing stationery supplies, at prices fully specified therein, publishing delinquent tax list at 10½ cents description, and for doing bill-posting, all as one contract. The second proposes to do the printing, book work, and furnishing stationery supplies, at prices fully specified therein. And the third proposes to do the printing, book-work, and furnish stationery supplies, at the prices designated in his present contract, with the following exceptions and changes:

Proceeding of Council, Aldermen and Joint Conventions, 75 cents per page.

An increase of 20 cents per thousand for plain matter in annual reports and other work.

A reduction of 55 cents per thousand for rule and figure work on annual work.

A reduction of 25 per cent. of the table prices on all printing blanks.

No charges for ruling vouchers.

We have carefully examined the said propositions, and came to the conclusion that the third one was the lowest and best, and therefore recommend that said proposition be accepted, and contract awarded to said Hasselman, for one year from June 1st, 1882.

For City Advertising, for year ending May 31, 1883, we recommend the contract be awarded to W. R. Holloway, proprietor of the Indianapolis Times, at 20 cents per square for each insertion.

For publishing the City Delinquent Tax List, we recommend the contract be awarded to W. R. Holloway, proprietor of the Indianapolis Times, at 15 cents per description.

For Bill Posting, we recommend the contract be awarded to Harbison & Abrams, at following prices: Notice to contractors, 20 cents per notice; street improvement notices, 30 cents per notice; election notices, 10 cents for each voting precinct; one-sheet posters, 50 cents per 100; half-sheet posters, 40 cents per 100; and quarter-sheet posters, 30 cents per 100. For one year, from June 1st, 1822.

Respectfully submitted,

C. T. Bedford,
Edgar Brundage,
John W. Fultz,
Council Committee on Printing.

We have examined the propositions for above work, and approve of the foregoing recommendations.

F. W. Hamilton,
Brainard Rorison,
John Newman,
Aldermanic Committee on Printing.

Councilman Egger moved to reconsider the vote by which the above report was concurred in; which failed of adoption.

REPORTS FROM SELECT COMMITTEES.

Councilman Morrison, in behalf of a certain special committee, submitted the following report; which was approved:

To the Mayor and Common Council:

Gentlemen:—The undersigned, your committee, together with the City Attorney and City Civil Engineer, to whom was referred the matter of examining the ordinances granting the various railroad companies entering the city the privilege of crossing the streets and alleys thereof, and to ascertain if any of said roads now cross any streets or alleys where the Council has not granted the right so to do, beg leave to report thereon as follows:

We have made a thorough examination of the records of ordinances, and a very careful inspection of every track in the city limits, and find the following number of tracks have been laid across the streets and alleys named without having obtained permission so to do, viz.:

1. Vandalia: Three tracks across Tennessee street, two of them running through its freight depot, and the other on the south side thereof; two at crossing of Mississippi street; one at crossing of Kentucky avenue; four north of the center on Louisiana street, and fifteen at West street. The only ordinance ever granted to this company (then the Terre Haute and Indianapolis Railroad Company) was the original one of July 2d, 1849, found in printed volume of ordinances, edition of 1875, page 407.

2. I., D. & S.: One track on north side of Louisiana street, between Kentucky avenue and Mississippi street. Only ordinance found in Ordinance Book No. 4, page 156, City Clerk's office.

3. I. & St. L.: One track across Hellen street. Only ordinances, pages 394 and 398.

4. C., I., St. L. & C.: North of Union Depot, (formerly I., C. & L.) three tracks across North street, three across Walnut, three across St. Clair, four across Pratt, one across First. South of Union Depot, (formerly Lawrenceburg and Upper Mississippi Railroad Company) ten across Alabama, two across Delaware, two across Pine, one across Benton, and four across Dillon. Only ordinances found on pages 384 and 386.

5. I., P. & C.: One track across Liberty, leading to round-house, and one leading to freight depot. This company also has a trestle bridge across Pogue's Run, near said street, so constructed as to naturally obstruct the water way of said run, by collecting drift wood, etc. This bridge is found in violation of an ordinance found on page 254. The original ordinance giving the right to cross certain streets is found on page 393, and a later one giving said company and the C., C., C. & I. very sweeping privileges, especially in their right to cross East and New Jersey streets may be found in written record of ordinances, No. 3, page 437, in the City Clerk's office. This ordinance was the consummation of a contract between the city and said companies, a copy of which may be found in the printed proceedings of the Common Council of 1875-6, page 1775.

6. C., C., C. & I.: One track across Railroad street, and one across Market. Only ordinance found on page 373 of printed volume, and the one above referred to in written volume No. 3, page 437.

7. P., C. & St. L.: One track at Delaware, five at Virginia avenue, five at New Jersey, and five at Leota or Grant street. Only ordinances, pages 403 and 405. This company also has a pile bent bridge over Pogue's Run, with the bents set almost at right angles to the current, six in number. These bents seriously obstruct the free flow of water in said run, and should be removed at once. This obstruction is in violation of ordinance on page 254.

C., H. & I.: Two tracks across Grant street. This company also has a seven-pile bent bridge over Pogue's Run, on its main track, in violation of the ordinance above referred to on page 254, and is also in plain violation of the company's own ordinance, found on pages 365-6, the fourth section of which provides that it may cross said run, provided it bridge the same with a bridge having good stone abutments and a span of not less than thirty-eight feet, or by constructing stone arches across the same of no less capacity than those on McNabb street. The bents are in the same position, relative to the course of the stream, as those of the P., C. & St. L. bridge above referred to, and together with the one of the I., P. & C. R. R. Co., and the remains of the old dam, between Liberty and Washington streets, cause the accumulation of sand-bars south of and under the Washington street culvert, which, in turn, cause Pogue's Run to overflow, greatly to the damage of adjacent property, about which various complaints have been made to the Common Council and Board of Alderman. (See petition of Peter Schmidt in printed proceedings of Board of Aldermen of December 12th, 1881, page 937, and, also, communication of Robert Denny, on behalf of various citizens, page 1228 of proceedings of February 27th, 1882). These obstructions, if removed, would lessen the liability to overflow of said stream, and should be at once removed, and these companies, as well as all others crossing said stream, should be required to either span the same by girders or by stone arches.

9. J., M. & I.: Five tracks across South street, six at Merrill, two at McCarty, three at Morris, and two at Madison avenue. This road came to the city before the boundaries were extended beyond South street, so that no original ordinance was necessary, as their track stopped at the south side of that street. The only ordinance ever passed giving them any rights, was that of November 10th, 1873, found on page 411 of the printed volume of ordinances, which gave it the right to cross, with additional tracks, all streets and alleys between McCarty and Hanway streets, this portion of territory having been taken into the city after their original tracks were laid. The track from the South Street Depot to Union Depot, crossing South and Pennsylvania streets, was laid without authority. The Union Railway Company now claims this track, as also the one running from the South Street Depot up Railroad avenue and connecting with the Union tracks at Delaware street.

10. The Indianapolis Rolling Mill Company's track down Tennessee street seems to have been laid without authority, also, although they have the right to cross streets and alleys on either one of two other routes, found in ordinances on page 413 in printed volume.

We made no investigation as to the private switches laid by individuals or companies other than railroad companies, not understanding that the motion covered this kind of a track.

Respectfully submitted,

Wm. H. Morrison,
N. Yoke,
Jas. T. Dowling,
Special Committee.

C. S. DENNY, City Attorney.
S. H. SHEARER, City Civil Engineer.

Councilman Morrison, with the above report, submitted the following further report; which was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, your committee, making the foregoing report in reference to the various railroad companies in the city, deem it proper to recommend, in connection with said report, that the various companies which have laid tracks across the streets and alleys of the city without authority, as therein shown, be requested by the City Clerk to make proper application to the Common Council and Board of Aldermen for the passage of proper ordinances authorizing them to cross said streets and alleys and maintain the tracks as already laid; and that such request, except in cases of great public inconvenience, be granted.

We also recommend that the L., P. & C., C., H. & I., and P., C. & St. L. companies be notified by the City Marshal that they are each required, without delay, to remove the obstructions from Pogue's Run, mentioned in our report, and that said L., P. & C. company be also notified to remove the remains of the old dam across Pogue's Run, south of Washington street.

Respectfully submitted,

William H. Morrison,
N. Yoke,
James T. Dowling,
Special Committee.

C. S. DENNY, City Attorney.
S. H. SHEARER, City Civil Engineer.

Councilman Morrison, in behalf of a certain special committee, submitted the following report:

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

Gentlemen:—Your special committee, appointed to investigate the question of expense and location of a new City Hospital, beg leave to submit the following report, which for proper reasons has been deferred until the present time.

We have examined the present buildings, and find them totally unfit for hospital purposes. The brick building is small, and, owing to its construction, is not adapted for the use to which it is applied. There is in it available capacity for only twenty-five patients, which necessitates the use of the frame building for the great majority of the unfortunate sick who are compelled to go to the hospital for treatment. The condition of the frame building is as bad as it can well be. The ceilings are but eight feet and nine inches in height; the windows are small, and proper light and ventilation are impossible. The foundation, roof, weatherboarding and floors are old and decaying, and the entire building should be torn down, as it is unfit to furnish protection from the rain and cold, if used for dwelling purposes alone, much less to afford the comfortable, well-lighted and well-ventilated rooms so necessary for the successful care and treatment of the sick.

With this statement relative to the condition of the present hospital, we desire to say that we have carefully investigated the question of location, and that the present location is not a desirable one in many respects, but that it is now much less objectionable than formerly. The low ground north and west of the hospital is better drained and dryer than heretofore, and it will constantly be improved in this respect. It is difficult to find an obtainable location that is entirely free from objections, and as the city owns the present grounds, we would recommend that the location be not changed.

The necessity for better buildings is, however, so imperative that it can not, in justice, be longer deferred. Members of your committee have visited the hospitals in Cincinnati, Chicago and elsewhere, in order to obtain facts relative to the best mode of constructing a building to give proper light, ventilation, etc. We find that all well regulated hospitals are built with a view to allowing from twelve to sixteen hundred cubic feet of space for each patient. The Indianapolis City Hospital, when filled, admits of but six hundred cubic feet per patient. We believe that all the essentials of a good hospital can be obtained at a very moderate expense, if the present location is used and the brick building allowed to remain.

To obtain this end, we would recommend that two frame buildings be erected. One should be three stories in height, about one hundred and ten feet in length, and at least twenty-eight feet in width; this building to join the present brick building at its northeast corner, and run from thence one hundred and ten feet east. The second building should be two stories in height, and one hundred feet in length, and to be placed on or near the site of the present frame structure, and join the above three-story building on the west, and the present brick building on the north; the lower floors of these two buildings to be used for dining-rooms, employees' rooms, store rooms, etc; the second and third floors of the three-story building, and the second floor of the two story building, to be used for sick wards. A small building should also be built for a kitchen and wash-house. Such buildings would comfortably provide for one hundred and ten patients, and as the largest number of patients in the hospital at any one time for several years past has not exceeded ninety, this would furnish the city with a building sufficient to answer all necessary purposes for several years to come. We have consulted with prominent members of the local medical profession, and otherwise endeavored to ascertain what is the best thing to be done about this most important matter, and we are of the opinion that some such building as the above will answer quite as well, if not better, than an expensive brick building.

The above buildings can be erected at a probable cost of from twelve to fifteen thousand dollars. The filing of this report has purposely been deferred in order that it might be presented at such a time as would insure the prompt and speedy carrying out of some measure for the erection of a new hospital. As above stated, the present hospital is not at all fit for the purpose to which it is applied, and we most earnestly recommend that provision be at once made to erect a new one.

William H. Morrison,
C. T. Bedford,
Peter F. Bryce,
H. J. Mauer,
F. W. Hamilton,
W. N. Wishard,
Special Committee.

Councilman Cowie moved that the report be received.

Councilman Dowling offered a motion in reference to the foregoing report; which, on motion by Councilman Cowie, was ordered laid on the table, without printing.

Councilman Cowie's motion, to receive the report, was then adopted.

By consent, Councilman Egger offered the following motion; which was adopted:

That J. F. Carson be permitted to improve his own sidewalk on Shelby street, at his own expense, according to stakes to be set by the City Civil Engineer; and said Engineer is hereby directed to set said stakes.

Councilman Morrison, in behalf of a certain special committee, submitted the following report:

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

Gentlemen:—Your committee to whom was referred the report of the Committee on Public Light of the Board of Aldermen, together with G. O. No. 14, by Mr. Egger, providing for the keeping up of all cows between sunset and sunrise, would make the following report:

An ordinance has been passed by the Council and Board, providing for the keeping up of cattle at all hours, and said ordinance has not been enforced, and after a careful consideration of the subject, your committee would recommend that the ordinance, as introduced by Mr. Egger, be passed, and that its provisions be fully complied with.

Respectfully submitted,

Wm. H. Morrison,
E. H. Koller,
John R. Pearson,
Special Committee.

Councilman Pritchard moved that the above report be received ; which failed of adoption.

Councilman Egger's motion, that the report be concurred in, failed of adoption by the following vote :

AYES, 9—viz. Councilmen Brundage, Coy, Egger, Hartmann, Koller, Morrison, Pearson, Stout, and Weaver.

NAYS, 11—viz.: Councilmen Bedford, Caylor, Cole, Cowie, Dowling, Fultz, Mauer, Pritchard, Reichwein, Thalman, and Yoke.

The following entitled ordinance was called up, and read the second time :

G. O. 44, 1882—An ordinance providing for the compensation of the officers of the city of Indianapolis, and the officers and members of the Police and Fire Departments of said city, for the year ending May 31st, 1883.

Councilman Pritchard moved to so amend the first section of the above ordinance as to make the compensation of the members of the Common Council and Board of Aldermen one hundred and fifty dollars per annum ; and then demanded the *previous question*, which was admitted, by the following vote :

AYES, 14—viz: Councilmen Brundage, Caylor, Cole, Cowie, Egger, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS, 6—viz: Councilmen Bedford, Coy, Dowling, Fultz, Hartmann, and Koller.

The amendment was then adopted.

Councilman Pritchard moved that the ordinance be engrossed, read the third time, and placed upon its final passage ; and then demanded the *previous question*, which was admitted, by a majority of the members present.

The ordinance was then ordered engrossed, read the third time, and failed of passage by the following vote :

AYES, 8—viz: Councilmen Brundage, Cole, Morrison, Pearson, Pritchard, Reichwein, Thalman, and Weaver.

NAYS, 12—viz: Councilmen Bedford, Caylor, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Stout, and Yoke.

Later in the session, on motion by Councilman Yoke, the above action was reconsidered by the following vote:

AYES, 13—viz: Councilmen Bedford, Brundage, Caylor, Cole, Egger, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS, 7—viz: Councilmen Cowie, Coy, Dowling, Fultz, Hartmann, Koller, and Mauer.

Councilman Thalman moved to place the ordinance on its passage; and demanded the *previous question*, which was admitted by the following vote:

AYES, 11—viz: Councilmen Bedford, Brundage, Egger, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS, 9—viz: Councilmen Caylor, Cole, Cowie, Coy, Dowling, Fultz, Hartmann, Koller, and Mauer.

G. O. 44 1882, was then read the third time, and passed by the following vote:

AYES, 13—viz: Councilmen Bedford, Brundage, Cole, Egger, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS, 7—viz: Councilmen Caylor, Cowie, Coy, Dowling, Fultz, Hartmann, and Koller.

Councilman Dowling presented the following statement, as charges against a city officer:

THE STATE OF INDIANA, *County of Marion*, ss:

Comes now John Kolb, of lawful age, who being first duly sworn according to law upon his oath says: That this affiant has lived in the city of Indianapolis, county and State aforesaid, for more than sixteen years last past, is by trade a mason's helper; that he was in the employ of said city of Indianapolis for about three years on the "sewer gang," under the control and direction of Leander A. Fulmer, the Street Commissioner of said city; that he received as wages for his said work the sum of one dollar and seventy-five cents a day for each day he actually worked. William Bossert, who resides at 158 English avenue, was "boss" of the "sewer gang." When I was first employed, I was working on the construction of the Belt railroad, at the time; when I left to work for the city, said William Bossert came to my house and asked me how much I got from the Belt railroad for my work. I replied, "one dollar a day." Said Bossert then told me I could get steady work from the city, at the same wages. I agreed I would go and work for the city under said Bossert, who worked under said Fulmer. The wages paid was one dollar and one half a day for the first week, and one dollar and seventy-five cents a day after the first week. I was compelled to pay said Bossert all the wages I received for my said work over and above one dollar a day. I gave said Bossert on demand all over one dollar a day for about two months. I then, at the command of said Bossert, turned said excess over to Leander A. Fulmer in person, and said Fulmer received the same from me. I paid said sums of money out of the wages I drew from the city to said Street Commissioner for more than two years. Said Bossert often told me that I must not allow any one to see me turn the money over to him or Fulmer, that I must give it up in a quiet way when no one was near.

Said Bossert told me, if I did not pay over the sums of money over one dollar a day, I would be immediately discharged. I always signed the pay-roll and drew my wages, and afterward turned over the excess above one dollar as aforesaid.

Witness my hand and seal.

JOHN KOLB. [Seal.]

Councilman Dowling, with the above, offered the following motion :

Indianapolis, Ind., May 29, 1882.

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

Gentlemen:—In view of all the information in my possession, and of the facts as I believe substantiated, I hereby prefer charges against Leander A. Fulmer, Street Commissioner of the city of Indianapolis, for malfeasance in office.

I therefore move, that a special committee of three from this body, and two from the Board of Aldermen, be appointed to investigate the alleged truth of the malfeasance of said Leander A. Fulmer.

Respectfully submitted,

JAMES T. DOWLING.

Councilman Pritchard moved, as a substitute for the above motion, that a special committee of three be appointed from this body.

Which motion, as a substitute was adopted, and the Chair appointed Councilmen Pritchard, Brundage and Dowling to act as the members of such committee.

By consent, Councilman Thalman, offered the following resolution :

Resolved, That the following named persons be, and are hereby, appointed as Inspectors and Judges for School Commissioners election, to be held Saturday, June 10th, 1882, for the Districts named :

First District—Inspector, George Anderson ; Judges, J. E. Robertson and A. W. McOuat.

Second District—Inspector, Wm. Hadley ; Judges, John H. Eagle and T. E. Johnson.

Tenth District—Inspector, James McMurry, Judges, Samuel M. Patton and Samuel I. Craig.

Eleventh District—Inspector, N. S. Byram ; Judges, W. A. Pattison and N. B. Taylor.

And it was adopted by the following vote :

AYES, 17—viz.: Councilmen Bedford, Bryce, Cole, Coy, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver and Yoke.

NAYS—None.

By consent, Councilman Morrison presented the following petition ; which was referred to the Finance Committee :

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

Gentlemen:—The undersigned represents to your honorable bodies, that from \$700,000 to \$1,000,000 in value of personal property annually fails to be returned by the owners for taxation in the city of Indianapolis, as he is led to believe, and does believe, from a careful study and investigation of the matter. Experience in looking up and investigating these matters convinces me that a very large majority of those who fail to make return of all their property do so fraudulently.

I propose to look up property and credits so omitted in the returns of residents, and others owning property in the city, for 20 per cent. of the amount of taxes actually realized by means of such investigations, no part of said twenty per cent. to be paid to me till the taxes are paid into the city treasury.

Respectfully submitted,

J. W. COOPER.

May 29, 1882.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—At a regular session of the Board of Aldermen, held in their chamber, Monday evening, May 29th, 1882, the following resolution was offered and adopted, viz.:

“*Resolved*, That where railroad tracks or switches have been laid within the city limits, without authority from the Common Council and Board of Aldermen, the Street Commissioner is directed to at once notify the individuals or companies operating and using such tracks and switches, in each case, to remove the same, and if, at the end of six months from the adoption of this resolution, any such track or switch remains, unauthorized by ordinance, said Street Commissioner shall take up and remove the same without further delay.”

I submit the same for your consideration and action thereon.

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 Judiciary Committee :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, May 15th, 1882, adopted the following resolution :

Resolved, That from this date, no claim or account against the city for goods furnished for the Committees on Printing, Office Fixtures and Supplies, and Market and Public Property, shall be allowed by the Committee on Accounts and Claims, or placed in any appropriation ordinance by the City Clerk and allowed, unless such claim or account is accompanied with the proper requisition in every case, signed by a majority of the members of such committee.

I submit the same for your consideration and action thereon.

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 Finance Committee :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, May 15th, 1882, adopted the following motion :

“Any Department of the City Government having exhausted its estimate for any fiscal year before the expiration of such year, shall be allowed no further appropriation by ordinance or otherwise until approved by the Board of Aldermen or an estimate is made and approved for the succeeding fiscal year.”

I submit the same for your consideration,

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

The following message was read and received:

To the Mayor and the Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, May 22d, 1882, amended Ap. O. 30, 1882, an ordinance appropriating money on account of the Street Department of the city of Indianapolis, by striking out the following clause:

“For the payment of claims for labor and tools, on account of the cleaning of streets, alleys, etc., the sum of two thousand and five hundred dollars (\$2,500).”

The ordinance, as amended, was then passed.

I herewith submit the said ordinance for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—At a regular session of the Board of Aldermen, held in the Aldermanic Chamber, Monday evening, May 22d, 1882, the following motions and resolution were originated and severally adopted:

1st. “That the Street Commissioner and Committees on Public Property be, and are hereby, directed to tear down the old fence around the Circle park, and to sell the material to the highest bidder; and that the same be done and the material taken from the grounds before June 15th, 1882, and to properly clean up the said park. The enforcement of the foregoing is left to the discretion of the committees named.

2d. That the Committee on Public Property, of this body, together with the same committee from the City Council, be authorized to place a drinking fountain in Circle park, at a cost not to exceed \$300.

3d. *Resolved*, That the City Marshal be, and he is hereby, directed to immediately lease a lot in a convenient place, and provide a pound thereon, said pound and the lease of said lot for one year to cost not exceeding \$300, and that said Marshal immediately commence to enforce the ordinance now in force, known as the “cow ordinance.”

I submit the same for your consideration and action thereon.

For the Board of Aldermen.

GEO. T. BREUNIG, Clerk.

Councilman Thalman offered the following motions, as substitutes for the first and second clauses of the above message, which were severally adopted:

That the City Civil Engineer be directed to advertise for proposals for taking away the old fence around Circle Park, and for the putting up of a good substantial wooden railing and cedar posts around the said park. Also, to advertise for 100 single wooden seats to be placed along the walks; bids to be received, Monday, June 12th.

That the City Civil Engineer be directed to confer with the committee having the driven well and fountain matter in charge, together with the Aldermanic Committee, and proceed at once to have a driven well put in the center of the Circle, to be driven to the second water current.

The third clause of the message was then received.

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

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, at its regular session held May 22d, 1882 amended the following motion (adopted by your honorable body, May 15th), by adding at the end thereof the words “and special committee of four from the Board of Aldermen :”

“That the Board of Public Improvements be and are hereby authorized to use the money appropriated for putting a driven well in Circle Park, etc., or such part thereof as they may deem expedient for the purpose of sinking driven wells in various localities in the city. Such work to be done under the supervision of the Board of Public Improvements.”

The motion, as amended, was then adopted.

The committee appointed to act in conjunction with the Board of Public Improvements consists of Aldermen Tucker, Drew, Mussmann and Hamilton.

I submit the foregoing for your further consideration and action.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

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

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen in adjourned session, held in the Aldermanic Chamber, Tuesday evening, May 23d, 1882, approved the following report, and confirmed the sale :

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

Gentlemen:—I herewith submit the following report of the sale of the Tomlinson Estate property, in accordance with a motion passed by your honorable bodies, directing the sale of the above, adopted May 1st, 1882, to-wit: 18½ feet east side of lot No. four (4), in square No. fifty-six (56), in the city of Indianapolis, for the sum of twenty-eight thousand dollars (\$28,000) cash, to F. M. Churchman and S. J. Fletcher, and ask your confirmation of the sale, and authorize deed made for same.

I. N. PATTISON, City Treasurer.

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 Fultz :

S. O. 78, 1882—An Ordinance to provide for grading and graveling the first alley west of Illinois street, from Merrill street to Norwood street.

By Councilman Egger :

S. O. 79, 1882—An Ordinance to provide for grading and graveling Sullivan street and sidewalks, from the north line of Bismark street to Buchanan street.

By Councilman Stout :

S. O. 80, 1882—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Bellefontaine avenue, between Ninth and Tenth streets.

By Councilman Thalman :

S. O. 81, 1882—An Ordinance to provide for re-grading and graveling the roadway of Delaware street, bowldering the gutters, and placing a gutter stone therein, from the north side of Wabash street to the north side of Massachusetts avenue.

∞ O. 82, 1882—An Ordinance to provide for re-grading and graveling the roadway of Delaware street, bowldering the gutters, and placing a gutter stone therein, from the north side of Massachusetts avenue to the north side of St. Clair street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be, and is hereby, instructed to clean the following gutters : South side of Christian avenue, between Central avenue, to L. P. & O. railroad tracks ; Plum street, from Christian avenue to Massachusetts avenue ; north Noble street, from North street to Massachusetts avenue ; east St. Clair street, from East street to Archer street ; and fill the chuck-holes on St. Clair street, between East street and Massachusetts avenue.

Councilman Brundage offered the following motion ; which was adopted :

That the City Attorney be, and is hereby, instructed to bring suit against the bondsman of John Stumph, for the completion of the cistern at the corner of Eddy and Merrill streets.

Councilman Caylor offered the following motion, which was adopted :

That the City Civil Engineer have the name on lamp-post of west Fourth street changed from West street to Brett street.

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

That the Street Commissioner be directed to clean the gutters of Liberty street, between Lockerbie and Michigan streets.

Councilman Egger offered the following motion ; which was adopted, and Councilmen Egger, Pritchard and Hartmann were appointed as members of such committee :

That the report of the special committee on the cow ordinance, together with the ordinance providing for the keeping up of cows from sunrise to sunset, be referred to a special committee of three, with instructions to report at the first meeting in June, 1882.

Councilman Egger presented the following petition ; which was referred to the Committee on Sewers and Drainage :

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

Gentlemen:—We the undersigned citizens would respectfully but earnestly call your attention to the condition of the sewer in the fourth alley east of East street, running from Merrill street to the first alley south of Merrill street. The sewer in this alley is entirely inadequate to carry off the water which collects in that vicinity; the property in that locality has already suffered damages to a considerable extent, and we are fearful of another overflow at any time. By giving this your early attention, and us the desired relief, you will confer a favor on us and a blessing on the community at large.

Yours, etc.,
George Alig, J. B. New, Samuel Cain, H. C. Zimmerman.

Councilman Egger presented the following petition; which was referred to the Committee on Streets and Alleys:

Honorable Mayor and Common Council of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on Sanders street, between Shelby street and its western terminus, respectfully petition for the narrowing of said Sanders street, its whole present length, from a width of eighty (80) feet, now existing, to that of forty (40) feet, and the vacating of twenty (20) feet, on each side, to the respective owners on the north and south sides of said Sanders street (a plat of said street hereby accompanying this petition).

And your petitioners will ever pray.

John B. Stumph, David Munson, Isabella R. Munson,
William F. Stiltz, Daniel A. Chenowith, Fred. and
Mary Burgman, and B. J. Jangier, President of Bro-
thers of Sacred Heart.

Councilman Fultz offered the following motion; which was adopted:

That the Police Board and Chief of Police be, and are hereby, requested to place a policeman at the intersection of Merrill street and Kentucky avenue, to prevent persons from dumping garbage in that vicinity.

Councilman Koller offered the following motion; which was adopted:

That the Street Commissioner and City Civil Engineer be, and are hereby, directed to examine the drainage between Vermont and New York streets, and report what, in their judgment, should be done to remedy the same.

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 clean the gutters on Vermont street, between Noble and Pine streets.

That the Street Commissioner be, and is hereby, notified to pave the sidewalks of Washington street, at the corner of Highland street.

That the Street Commissioner be, and is hereby, directed to clean the gutters and fill the chuck holes on Noble street, from Market street to North street.

Councilman Morrison offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, instructed to repair the sidewalk on the west side of Tennessee street, from Indiana avenue to Vermont street, as a portion of said walk is below the grade of said street.

Councilman Pritchard presented the following petition; which was referred to the Committee on Streets and Alleys:

To the Honorable the Common Council of the City of Indianapolis:

Your petitioners, the undersigned, Maria Jameson, and Patrick H. Jameson her husband, Ovid D. Butler, Scott Butler, Chauncey Butler, Anne E. Butler, Esther W. Duncan, and John S. Duncan her husband, Zerilda W. Haughey, and Louis C. Haughey her husband, Annie W. Hughes, and William A. Hughes her husband, Lewis Wallace and Ovid B. Wallace, all of the city of Indianapolis, in Marion county in the State of Indiana, respectfully show that they own all the real estate adjacent to the alley hereinafter shown, that is to say, the alley running east from College avenue to Ash street, one hundred and — feet and — inches, north of Lincoln avenue, which said alley is three hundred and sixty-nine feet long; that said alley has never, in fact, been opened or improved in any manner whatever, but has always been closed with a fence at each end thereof; that said alley is not used, and never has been, and the same is of no practical utility, and is not a benefit in any way to the city or the public; that there is an alley immediately south thereof, which is sufficient for all purposes; and that your petitioners desire to have the same vacated, to make partition of said real estate, and for the greater convenience of all said property, and to save the forest trees on said alley, and because, in making partition of said real estate which descended to your petitioners from Ovid Butler, late of Marion county, deceased, a better and more equal division can be made upon the vacation of said alley.

[Following is a plat showing said alley.]

Wherefore your said petitioners pray that said alley be vacated; and they will ever pray, etc.

Maria Jameson, P. H. Jameson, Ovid D. Butler, Scot Butler, Chauncey Butler, Esther W. Duncan, John S. Duncan, Zerelda W. Haughey, Anne Butler, Anne W. Hughes, Will A. Hughes, Lew. Wallace, Ovid B. Wallace.

Councilman Pritchard presented the following remonstrance; which was referred to the Committee on Streets and Alleys:

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

Gentlemen:—The undersigned, who is the owner of real estate at the northeast corner of east Market and Highland streets, in the city of Indianapolis, would most respectfully remonstrate against the passage of special ordinance No. 77, of 1882, being an ordinance for the improvement of Highland street from the north line of Washington street to the center of Market street, for the reason, among others, that should the grade proposed by said ordinance be established, it would change the grade of Market and Highland streets as already established at the crossing of said streets, from the south line of Market street to the center thereof, the whole width of Highland street, and would lower the present grade some six feet or more; and thus compel the further changing of the grades of both Market and Highland streets, before either would be passable at said points; and thus, by the forced change, do irreparable damage to the property of the undersigned.

Respectfully,

J. L. MITCHELL.

May 29th, 1882.

Councilman Thalman presented the following petition; which was referred to the Committee on Streets and Alleys:

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

Gentlemen:—The undersigned, property holders on Highland street, on the line of the proposed improvement of said street, from Washington to Ohio streets, would respectfully ask your honorable bodies to amend the ordinances for the improvement of Highland street and sidewalk, numbered S. O. 46 and 47, 1882,

introduced April 17th, 1882; so that the grade of said street shall be as follows, to wit: Beginning at station 0, on a sub-grade elevation of 55.90, and running to station 3+58 (the center of Market street) on a regular descending grade of 0.60 foot per hundred feet; from station 3+58 to station 7 on a regular ascending grade of 1.65 foot per hundred feet; thence to station 8+79.5 (the center of Ohio street) on a regular descending grade of 0.53 foot per hundred feet. And that, when so amended, said ordinances be passed at once.

Respectfully,
 Frederick Ostermeyer, 232½ ft.; J. L. Mitchell, 247 ft.;
 Edward King, 219 ft.; M. G. Cooper, 45 ft.; H. W.
 Piel, 80 ft.; N. F. Ostermeyer, 80 ft.

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

That the Street Commissioner be, and is hereby, directed to lay stone crossings on the north and south sides of Market street, crossing Liberty street.

That the Street Commissioner be, and is hereby, directed to extend the culverts to the sidewalks on New Jersey and Market streets.

That the Street Commissioner be, and is hereby, directed to clean the gutters on Liberty street, below Washington and New York streets.

Councilman Reichwein presented the following petitions; which were received, and the prayer of the petitions granted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, engaged in the auctioneers business for several years past, respectfully petition for auction license for one year from April 1st, 1882, such license to be issued under existing ordinances.

Respectfully submitted,

HUNT & McCURDY.

Indianapolis, May 29, 1882.

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

I, the undersigned, do hereby petition your honorable body for Auctioneer's license for one year, or for one or more quarters of a year, in conformity with the ordinances now in force on this subject.

JOHN G. PAYNE.

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

That the Street Commissioner be, and is hereby, requested to fill chuck-holes between St. Clair street and Lincoln avenue, on Delaware street.

Councilman Thalman offered the following motion; which was adopted:

That the Street Commissioner be directed to repair the stone crossing on Washington street, between Delaware and Illinois streets; also the holes in the bowldered street, between same points as above.

Councilman Bedford offered the following resolution:

Resolved, That the owners of the following described real estate, to-wit: Lots 49 and 50, Ridenour's Sub. of C. & W. addition, or 2d addition, of the City of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An Ordinance providing

for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

And it was adopted by the following vote :

AYES, 18—viz: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, and Weaver.

NAYS—None.

PENDING ORDINANCES.

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

S. O. 54, 1882—An Ordinance to provide for grading, paving with brick and curbing with stone the west sidewalk of West street, from Third street to McIntyre street.

And it was passed by the following vote :

AYES, 19—viz: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 55, 1882—An Ordinance to provide for grading and graveling the roadway of West street, from First street to McIntyre street.

And it was passed by the following vote*:

AYES, 19—viz: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 58, 1882—An Ordinance to provide for grading and graveling Pratt street, from Tennessee street to Mississippi street.

And it was passed by the following vote :

AYES, 19—viz: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 59, 1882—An Ordinance to provide for grading, and paving with brick, the west sidewalk of Mississippi street, from First street to Second street.

And it was passed by the following vote :

AYES, 19—viz. Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, Weaver, and Yoke.

NAYS—None.

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

S. O. 67, 1882—An Ordinance to provide for grading and graveling Pleasant street and sidewalks, from Linden street to Reid street.

And it was passed by the following vote :

AYES 19—viz: Councilmen Bedford, Brundage, Caylor, Cole, Cowie, Coy, Dowling, Egger, Fultz, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Thalman, Weaver, and Yoke.

NAYS—None.

On motion, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor.

President of Common Council.

Attest: JOS. T. MAGNER, City Clerk.

Handwritten title at the top of the page, possibly a name or subject.

Main body of handwritten text, consisting of several lines of cursive script. The text is mostly illegible due to fading and blurring.

Handwritten text block, possibly a signature or a specific note, located in the lower middle section of the page.

Handwritten text at the bottom of the page, possibly a date or a reference.

PROCEEDINGS OF BOARD OF ALDERMEN

REGULAR SESSION—MAY 29, 1882.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, May 29th, A. D. 1882, at eight o'clock, in regular session.

PRESENT—Hon. James T. Layman, President of the Board of Aldermen, in the Chair, and Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, and Seibert—7.

ABSENT—Aldermen Drew, Tucker, and Wood—3.

The Proceedings of the Board of Aldermen for the regular sessions, held May 15th and May 29th, 1882, having been printed, and placed on the desks of the Aldermen, said Journals were approved as published.

The following message was read and received :

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith transmit to your honorable body certain papers, favorably passed upon by the Common Council, at its regular session, held on Monday evening, May 22d, 1882, for your action upon the same.

For the Common Council :

Jos. T. MAGNER, City Clerk.

The report of the City Attorney, showing the state of the case of Harvey Moore vs. Aegidius Naltner et al., and the return of four dollars to the city treasury (see pages 1528 and 1529, *ante*) was read and received.

The following motions (adopted by the Common Council—see pages 1531, 1533 and 1534, *ante*) were read and concurrently adopted :

That Mrs. Parry have permission to connect a ten-inch sewer with the branch sewer on Ohio street. Said connection to be made under the direction of the City Civil Engineer, and in accordance with the ordinance governing the same.

That Albert Rankin be granted permission to lay a brick sidewalk in front of his property on North Mississippi street (being lot 10 in square 28 of Drake's addition to city), east side, at his own expense, under the direction of the City Civil Engineer.

STATE OF INDIANA, *Marion County, ss:*

[Henry Clay, being duly sworn according to law, deposes and says, that he has been prevented from completing his contract to grade and gravel the roadway, and bowlder the gutters, on part of East Ohio street, on account of the rainy weather in April and first part of May. [Signed] HENRY CLAY.

[Seal] Subscribed and sworn to, before me, as true in substance and in fact, this 20th day of May, 1882.

JAMES A. PRITCHARD, Notary Public.

Moved, That Henry Clay be granted thirty (30) days more time to complete his contract to grade and gravel the roadway, and bowlder the gutters, on East Ohio street.

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

- S. O. 22, 1882—An Ordinance to provide for grading and paving with brick, the sidewalks of Mississippi street, from Second street to Seventh street, where not already properly paved.
- S. O. 53, 1882—An Ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Meridian street, between Kansas street and Arizona street.
- S. O. 69, 1882—An ordinance to provide for grading and paving with brick, where not already done, the sidewalks of Stevens street, from East street to Virginia avenue.
- S. O. 70, 1882—An ordinance to provide for grading and paving with brick the sidewalks of McCarty street, from East street to Virginia avenue.

Alderman Hamilton, and Clerk of the Board, presented the following remonstrances to above ordinances S. O. 69 and 70, 1882:

Indianapolis, Feb. 10th, 1882.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Stevens street, between East street and Virginia avenue, respectfully remanstrate against the passage of an ordinance providing for the laying of the sidewalks with bricks on said Stevens street.

Mike Gimble, 120 feet; M. G. I. Stern, 40 feet; Sam'l Cain, 40 feet; Mrs. Wall, 40 feet; John Curby, 40 feet; Isaac Miller, 40 feet; John Shine, 40 feet; Martin Costello, 40 feet; Henry May, 36 feet; George Alig, H. C. Zimmerman, agent for Daniel Webster, 92 feet; John Rosenbery, 120 feet; L. Muellar, 36 feet; George Koch, 120 feet.

Indianapolis, May 11th, 1882.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on McCarty street, between East street and Virginia avenue, respectfully remonstrate against the passage of an ordinance providing for grading and paving the north sidewalk on McCarty street, between East street and Virginia avenue.

C. M. Hugo, 182 feet; Mrs. Christian Wands, 182 feet; Mrs. Christiana Smith, 182 feet; C. H. Kruger, 222 Martha J. Ferguson, 84 feet; Chas. Beck, 130 feet; John Beck, 130 feet; Mrs. Rebecca J. Cooper, 20 ft. 7 in.; Phebe Husted, 20 ft. 7 in.; David Kregelo, 31 ft. 5 in.; H. R. Mathews, 40 feet; J. S. Mathews, 40 feet; John L. Kring, 40 feet; Thames Loan and Trust Co., 33 feet; Fred. Machlman, Wm. G. Shaw, 135 feet.

On motion by Alderman Hamilton, S. O. 22, 69 and 70, 1882, with the above remonstrances, were referred to the Committees on Streets and Alleys and Sewers and Drainage, and S. O. 53, 1882, was referred to the Committee on Public Light and Education.

REPORTS FROM STANDING COMMITTEES.

Alderman Hamilton, in behalf of the Committees on Railroads and Public Charities, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—The undersigned, to whom was referred General Ordinance No. 45, 1882, to allow Steinhauer & Drotz to lay a railroad switch on Louisiana street, between Dillon and Grant streets, report that we have carefully examined the premises, and think that no private or public interest can possibly suffer by the construction of such switch as proposed.

We recommend the ordinance be passed.
Respectfully submitted,

F. W. Hamilton,
Railroad Committee.

The following entitled ordinance was taken up on its second reading, and read the third time:

G. O. 45, 1882—An ordinance to allow Steinhauer & Drotz to lay a switch across the north side of East Louisiana street, between Dillon and Grant streets.

And it was passed by the following vote:

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

NAYS—None.

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

Gentlemen:—At a meeting of the Board of Aldermen of the City of Indianapolis held on the 22d day of May, 1882, the following clauses of Council Judiciary report (concurred in by Council, May 15th, 1882), were referred to Aldermanic Judiciary Committee:

Attest:

GEO. T. BREUNIG, Clerk.

To the President and Board of Aldermen:

Gentlemen:—Your Committee on Judiciary, to whom was referred the following clauses of Council Judiciary report, respectfully recommend the passage of the same.

"2. The second is the petition of Daniel Taggart, showing that in making his list for taxation for the year 1881, he reported his credits at \$8,000, and failed to list debts he owed on the 1st of April, 1881, to the amount of \$5,416.24. He shows by his own affidavit, together with the affidavits of J. N. Church and his brother, Alexander Taggart, that he was indebted to J. N. Church in the sum of \$5,141.24, to Orlando Furnas, \$275; or a total indebtedness of \$5,416.24. He was entitled to deduct the indebtedness from the credits. Failing to do so, his taxes are \$58 too much. He asks that this amount be certified off of the duplicate.

Believing that he was so indebted, your committee recommend that the sum of \$58 be certified off of duplicate, when petitioner comes to pay balance of taxes assessed against him; provided, he pay balance without sale.

3. The third is the petition of George P. Bissell, trustee, by D. M. Bradbury, attorney, showing that on the 11th day of February, 1880, S. A. Fletcher & Co. purchased at tax sale 30×90 feet southeast corner lot 31, out-lot 101, paying therefor the sum of \$55.57, and afterwards paying accruing taxes amounting to \$9.16; total \$64.63.

In July, 1880, petitioner purchased the above property; and to protect his property, he purchased the tax certificate of Fletcher & Co. for \$92.45. He asks that \$92.45 be refunded, on the ground that the sale was void, the property being taxed double on the duplicate, and taxes paid. The sale was void for reasons stated, but all the city is required to refund is the amount paid at void tax sale, with six per cent. interest.

Your committee recommend that \$64.63, with interest from the 11th day of February, 1880, be refunded; provided, the petitioner will accept the same in full of demands against the city on account of said void tax certificate, and look to S. A. Fletcher & Co. for the balance of money paid to them on said certificate."

Brainard Rorison,
John Newman,
Committee on Judiciary.

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

Indianapolis, May 23, 1882.

At a meeting of the Board of Aldermen of the City of Indianapolis, held on the 22d day of May, 1882, the following motion (adopted by Council May 15, 1882) was referred to Committee on Streets and Alley and Sewers and Drainage, with power to act.

Attest:

GEO. T. BREUNIG, Clerk.

"That the Street Commissioner be instructed to put in good condition, previous to July 1st, the following streets and gutters of the same, to-wit: Mississippi, Tennessee, Illinois, Pennsylvania, Alabama, New Jersey and East streets."

Your Committee on Streets and Alleys, Sewers and Drainage, to whom was referred the above motion, would recommend that the same be approved.

Hiram Seiber,
D. DeRuiter.

The Committee on Water and Public Health, through Alderman DeRuiter, submitted the following report; which was concurred in, and amendment adopted:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Committee on Water and Public Health, to whom was referred the request of Henry Love to be allowed to erect a hydrant for sprinkling purposes, on the corner of Sixth and Tennessee streets, recommend that the action of the Council be concurred in.

The committee recommend that the action of Council granting Christian Lehr the privilege of erecting a hydrant between Ray and Morris streets, on South Meridian street, be so amended that D. Mussmann be granted the privilege of said hydrant instead of Christian Lehr.

D. DeRuiter,
Hiram Seibert,
D. Mussmann.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton offered the following resolution:

Resolved, That where railroad tracks or switches have been laid within the city limits without authority from the Common Council and Board of Aldermen, the Street Commissioner is directed to at once notify the individuals or companies operating and using such tracks and switches, in such case, to remove the same; and if at the end of six months from the adoption of this resolution any such track or switch remains, unauthorized by ordinance, said Street Commissioner shall take up and remove the same without further delay.

And it was adopted by the following vote :

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

NAVS--None.

Alderman Rorison offered the following resolution :

WHEREAS, The City Marshal states that he will enforce the cow ordinance if a pound is furnished;

Resolved, That a committee of three of this Board be appointed to assist the Marshal in preparing a pound, as provided in the said ordinance.

And it was adopted by the following vote; and Aldermen Rorison, Hamilton and Mussmann were appointed to act as the members of such committee :

AYES, 4—viz.: Aldermen DeRuiter, Hamilton, Rorison, and President Layman.

NAVS, 3—viz.: Aldermen Mussmann, Newman, and Seibert.

PENDING ORDINANCES.

The following entitled ordinance was read the second time :

G. O. 8, 1882—An ordinance punishing the reckless use and handling of firearms.

On motion by Alderman Mussmann, the above ordinance was referred to a special committee, consisting of Alderman Mussmann, Seibert and De Ruiter.

The following entitled ordinance was read the second time, and referred to the Committee on Streets and Alleys and Sewers and Drainage :

G. O. 15, 1882—An Ordinance granting William Pfafflin permission to erect an iron balcony over the sidewalk of Indiana avenue, in front of Lot 12, in Square No. 28, in the city of Indianapolis

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

G. O. 54, 1881—An ordinance requiring the Cleveland Columbus, Cincinnati and Indianapolis Railway Company, and the Indianapolis, Peru and Chicago Railway Company, to employ and station a flagman at the point where the tracks of said companies cross east Market street.

And it failed to pass by the following vote :

sig. 135.

AYES—None.

NAYS, 7—viz: Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, and President Layman.

The following entitled ordinance was read the second time :

G. O. 57, 1881—An ordinance requiring the Indianapolis, Decatur and Springfield Railway Company to employ and station a flagman at the point where the track of said company crosses West street.

On motion, both the title and the body of the above ordinance was amended, by inserting the words "Indiana, Bloomington and Western Railway Company, lessees of the" before the words, "Indianapolis Decatur and Springfield Railway Company"; the ordinance, as amended was ordered engrossed, read the third time, and passed by the following vote :

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

NAYS—None.

The following entitled ordinance was read the second time, and referred to the Committee on Railroads, with instructions to report why the ordinance should not pass :

G. O. 5, 1879—An Ordinance amending Sections one (1) and two (2) of "An ordinance regulating the weighing and sale of coal and coke, in the city of Indianapolis."

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

G. O. 30, 1879—An Ordinance to grant R. Frank Kennedy, J. Shellenberger and J. M. Situs, the right and privilege to build and construct a railroad switch on and across Dakota street, in the city of Indianapolis.

And it was passed by the following vote :

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

NAYS—None.

The following message was read and received :

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith transmit to your honorable body certain papers, favorably passed upon by the Common Council, at its regular session, held this Monday evening, May 29th, 1882, for your action upon the same.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following invitation (see page 1556, *ante*) was read and accepted :

Indianapolis, Ind., May 26th, 1882.

To the Mayor, Common Council, Board of Aldermen, and other Officers of the city of Indianapolis :]]

Gentlemen:—You are respectfully invited to take part in the parade and other exercises of Memorial Day.

Respectfully,

JAMES B. BLACK, Marshal.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 1556, *ante*.) was concurred in:

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

Gentlemen.—I herewith report a first and final estimate in behalf of Dunning & Hudson, for grading and bowldering Georgia street, and curbing with stone the outer edges of the sidewalks, from Pennsylvania street to Delaware street.

869.15 lineal feet of bowldering, at \$1.37.....	\$1,190 73
835.69 lineal feet of curbing, at 43 cents.....	359 34
15.25 lineal feet, resetting curb, at 7 cents.....	1 07
67.79 lineal feet, rebowldering, at 93 cents.....	63 05
	\$1,614 19

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 1557, *ante*) was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Dunning and Hudson, for grading and bowldering Georgia street, and curbing with stone the outer edges of the sidewalks, 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 DeRuiter, Mussmann, Newman, Rorison, Seibert, and President Layman.

NAYS—None.

The following motion (adopted by the Common Council—see page 1560, *ante*) was read, and concnrrntly adopted :

That Daniel A. Chenowith be granted permission to lay gravel sidewalk in front of his own property, on west side of Shelby street; the work to be done at his own expense, under the direction of the City Civil Engineer.

The following report of the Board of Public Improvements was read, and the favorable action of the Common Council thereon (see page 1561, *ante*) was concurred in :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.—The last appropriation ordinance for \$10,000, introduced by the Board of Public Improvements, on account of the Street Department: Said ordinance was so drafted as to set apart a certain proportion for four different branches of the department, *viz.*:

\$5,000 for repairs, etc.; \$2,500 for cleaning, etc.; \$1,500 for bridges; \$1,000 for sewers.

Our reasons for making the ordinance in this manner was, that each branch might have expended in it just the amount so appropriated, and when said appropriation was exhausted, the other branches would not have to stop work on account of funds; and further, our monthly report would show just how much had been

expended in each branch of the department, and if the Council and Board of Aldermen saw fit, might stop any branch of the work.

The Common Council passed the ordinance as submitted, but the Board of Aldermen have stricken out the entire amount for street cleaning, leaving the department without any funds to do any street cleaning, which we believe absolutely necessary at this season of the year, for the health and comfort of our citizens.

Therefore, we herewith submit an appropriation ordinance for \$1,500, on account of street cleaning, and recommend said ordinance be passed.

Respectfully submitted,

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

The following entitled ordinance (passed by the Common Council) was read the first time:

Ap. O. 31, 1882—An ordinance appropriating the sum of \$1,500 on account of the Street Department of the city of Indianapolis.

On motion by Alderman DeRuiter, the rules were suspended, for the purpose of placing the foregoing ordinance on its final passage, by the following vote:

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

NAYS—None.

Ap. O. 31, 1882, was then read the second and third times, and passed by the following vote:

AYES, 7—viz.: Aldermen DeRuiter, Hamilton, Mussmann, Newmann, Rorison, Seibert, and President Layman.

NAYS—None.

The following report from the Judiciary Committee was read:

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred a communication from W. A. Bell, President, and Austin H. Brown, Secretary of the School Board, showing that lots Nos. 20 and 21 in Wingate's subdivision of square eighty-two (82) was purchased for school purposes many years ago, and the legal title taken in the name of the "City Council of Indianapolis."

The School Board have sold said lots to Henry C. Brinker and Henry F. Habeny of Indianapolis, and desire a deed made. Petitioners ask that the Council and Board will by resolution direct Mayor Grubbs to make the deed,

Your committee recommend the accompanying resolution be adopted.

Respectfully submitted,

Jas. A. Pritchard,
N. Yoke,
John W. Fultz,
Judiciary Committee.

C. S. DENNY, City Attorney.

Resolved, By the Common Council and Board of Aldermen of the city of Indianapolis, that Mayor D. W. Grubbs be, and is hereby, authorized to execute a deed

to lots No. 20 and 21 in block or square 82 in Wingate's subdivision, according to plat recorded in Deed Record Q, pages 1 and 2, in Recorder's office of Marion county, to Henry C. Brinker and Henry F. Habeny, of Marion county, Indiana; and that said deed, when executed, be by the City Clerk delivered to the Treasurer of the Board of School Commissioners of Indianapolis.

On motion, the favorable action of the Common Council on the above report (see page 1563, *ante*), was concurred in, and the resolution concurrently adopted by the following vote :

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

NAYS—None.

The following report from the Committee on Printing was read, and the favorable action of the Common Council thereon (see page 1563, *ante*) was concurred in :

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

Gentlemen:—The Committee on Printing, to whom was referred sundry proposals for City Printing, Advertising, etc., presented to the Council, Monday evening, May 22d, 1882, have examined the same, and report thereon as follows :

For Printing, Book Work and Stationery—

O. H. Hasselman submitted three propositions. The first proposes to do the printing, book work, and furnishing stationery supplies, at prices fully specified therein, publishing delinquent tax list at 10½ cents description, and for doing bill-posting, all as one contract. The second proposes to do the printing, book work, and furnishing stationery supplies, at prices fully specified therein. And the third proposes to do the printing, book-work, and furnish stationery supplies, at the prices designated in his present contract, with the following exceptions and changes: Proceeding of Council, Aldermen and Joint Conventions, 75 cents per page.

An increase of 20 cents per thousand for plain matter in annual reports and other work.

A reduction of 55 cents per thousand for rule and figure work on annual work.

A reduction of 25 per cent. of the table prices on all printing blanks.

No charges for ruling vouchers.

We have carefully examined the said propositions, and came to the conclusion that the third one was the lowest and best, and therefore recommend that said proposition be accepted, and contract awarded to said Hasselman, for one year from June 1st, 1882.

For City Advertising, for year ending May 31, 1883, we recommend the contract be awarded to W. R. Holloway, proprietor of the Indianapolis Times, at 20 cents per square for each insertion.

For publishing the City Delinquent Tax List, we recommend the contract be awarded to W. R. Holloway, proprietor of the Indianapolis Times, at 15 cents per description.

For Bill Posting, we recommend the contract be awarded to Harbison & Abrams at following prices: Notice to contractors, 20 cents per notice; street improvement notices, 30 cents per notice; election notices, 10 cents for each voting precinct; one-sheet posters, 50 cents per 100; half-sheet posters, 40 cents per 100; and quarter-sheet posters, 30 cents per 100. For one year, from June 1st, 1882.

Respectfully submitted,

C. T. Bedford,
Edgar Brundage,
John W. Fultz,
Council Committee on Printing.

We have examined the propositions for above work, and approve of the foregoing recommendations.

F. W. Hamilton,
Brainard Rorison,
John Newman,
Aldermanic Committee on Printing.

The following motion (adopted by the Common Council—see page 1567, *ante*) was read, and concurrently adopted:

That J. F. Carson be permitted to improve his own sidewalk on Shelby street at his own expense, according to stakes to be set by the City Civil Engineer; and said Engineer is hereby directed to set said stakes.

The motion offered by Alderman Newman, to adjourn, failed of adoption.

On motion, a recess was then taken.

Later, the President called the Board to order.

The following petition and motion was read, and the favorable action of Common Council thereon (see page 1560, *ante*) was concurred in:

To the Board of Public Improvements:

Gentlemen:—I desire an extension of thirty days time for the improvement of sidewalks on North street, between Pennsylvania and Tennessee streets, and on south Meridian, between McCarty and Morris streets; for the reason, that the company of whom I engaged the paving brick have been unable to supply them in time. I will do the work just as soon as I can get the brick.

J. L. SPAULDING.

Subscribed and sworn to this 27th day of May, 1882.

[SEAL]

GEO. T. BREUNIG, Notary Public.

We the undersigned, members of the Board of Public Improvements, recommend that the above contracts be extended thirty days.

John R. Cowie,
William H. Morrison.

The following resolution (adopted by the Common Council—see page 1570, *ante*) was read:

Resolved, That the following named persons be, and are hereby, appointed as Inspectors and Judges for School Commissioners election, to be held Saturday, June 10th, 1882, for the Districts named:

First District—Inspector, George Anderson; Judges, J. E. Robertson and A. W. McQuat.

Second District—Inspector, Wm. Hadley; Judges, John H. Eagle and T. E. Johnson.

Tenth District—Inspector, James McMurry, Judges, Samuel M. Patton and Samuel I. Craig.

Eleventh District—Inspector, N. S. Byram; Judges, W. A. Pattison and N. B. Taylor.

And it was concurrently adopted by the following vote:

AYES, 7—viz.: Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, and President Layman.
NAYS—None.

The following entitled ordinance (passed by the Common Council) was read the first time :

G. O. 44, 1882. An ordinance providing for the compensation of the officers of the city of Indianapolis, and the officers and members of the Police and Fire Department of said city, for the year ending May 31st, 1883.

On motion by Alderman DeRuiter, the rules failed of suspension (not having the necessary two-thirds vote) for the purpose of placing the above ordinance on its final passage, by the following vote :

AYES, 5—viz.: Aldermen DeRuiter, Hamilton, Rorison, Seibert, and President Layman.
NAYS, 2—viz. Aldermen Mussmann and Newman.

On motion by Alderman Hamilton, it was ordered that the President be requested to call a special meeting for to-morrow (Tuesday), May 30th, 1882, at 8 o'clock, for the purpose of taking up the above ordinance for consideration.

On motion by Alderman Musmann, the ordinance, G. O. 44, 1882, was referred to the Finance Committee, to report at said special session.

The following motion (adopted by the Common Council—see page 1572, *ante*) was read, and, on motion by Alderman Seibert, was laid on the table :

That the City Civil Engineer be directed to advertise for proposals for taking away the old fence around Circle Park, and for the putting up of a good substantial wooden railing and cedar posts around the said park. Also, to advertise for 100 single wooden seats to be placed along the walks; bids to be received, Monday, June 12th.

The following motion (adopted by the Common Council—see page 1572, *ante*), was read, and concurrently adopted :

That the City Civil Engineer be directed to confer with the committee having the driven well and fountain matter in charge, together with the Aldermanic Committee, and proceed at once to have a driven well put in the center of the Circle, to be driven to the second water current.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.