

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JUNE 19, 1882.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, June 19th, 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 23 members—viz.: Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT, 2—viz: Councilmen Caylor and Mauer.

The Proceedings of the Common Council for the adjourned session, held June 13th, 1882, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for making the below described street improvements were opened, read, and referred to the Committee on Contracts:

[S. O. 43, 1882]—For grading, bowldering, and curbing the gutters, and widening the sidewalks of New York street, from New Jersey street to East street.

[S. O. 61, 1882]—For grading, bowldering and curbing the gutters, and widening the sidewalks of South street, from East street to Noble street.

COMMUNICATION, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following report; which was received:

Indianapolis, Ind., June 19th, 1882.

To the Common Council and Board of Aldermen:

Gentlemen: I report collections for the month of May, as follows:

Policemen's witness fees.....	\$98 20
Mayor's fees.....	75 45
Fines.....	9 30
Total	\$182 95

Which amount I have this day paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Very respectfully,

D. W. GRUBBS, Mayor.

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 C. S. Roney, for grading and graveling the alley between Cedar and Grove streets, from Huron street to Fletcher avenue; done according to contract.

664 lineal feet at 22c	\$146 08
31.22 square yards rebowldering, crossing, at 20 cents	6.24

\$152.32

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 C. S. Roney, for grading and graveling the alley between Cedar and Grove streets, from Huron street to Fletcher avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16.—viz. Councilmen Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Pearson, Reichwein, Thalman, and Yoke.

NAYS,—None.

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

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

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

Contract and bond of R. P. Dunning for grading, bowldering and curbing the gutters and widening the sidewalks of Fletcher avenue, from Noble street to Cedar street. Bond, \$5,000; surety, Richard Carr.

Contract and bond of Fred Gansberg, for grading and graveling the first alley south of Fletcher avenue, from Cedar street to Grove street. Bond, \$600; surety, Richard Carr.

Contract and bond of J. D. Hoss & Co., for grading and graveling the first alley south of Third street, from Illinois street to Tennessee street. Bond, \$500; surety, J. L. Spaulding.

Contract and bond of C. S. Roney, for grading and graveling the first alley west of Illinois street, from Eighth street, to the first alley north of Eighth street. Bond, \$200; surety, J. L. Spaulding.

Contract and bond of C. S. Roney, for grading and graveling the first alley north of Fifth street, from Tennessee street to the first alley east of Mississippi street. Bond, \$200; surety, J. L. Spaulding.

Contract and bond of C. S. Roney, for grading, bowldering and curbing (where not already done) the gutters of New York street, from East street to Noble street. Bond, \$2,500; surety, Richard Carr.

Contract and bond of Henry Clay, for grading and graveling Linden street and sidewalks, from Orange street to Pleasant Run. Bond, \$2,500; surety, Hamilton Bailie.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report :

Indianapolis, June 19th, 1882.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I most respectfully beg leave to inform you that Messrs. J. F. and H. L. Talbot have filed a bond in my office, within the time specified by law, for the performance of their contract for paving Meridian street from New York to St. Clair street, but owing to the fact that the State officers are still considering the advisability of giving their consent in writing to said contract, the firm have requested me to withhold my report until your next meeting.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Councilman Thalman moved to accept the above report, and that His Honor the Mayor, President of the Board of Aldermen, and the members of the Board of Public Improvements, be appointed as a special committee, with instructions to visit the State officers and procure, if possible, the written consent of the proper officials for the improvement of North Meridian street.

Councilman Morrison offered the following motion :

Whereas, The State of Indiana is the owner of 1,260 feet on North Meridian street, and the contract, as made by this Council at the last regular meeting for the improvement of said street, will involve the city unless the written consent and approval of the Auditor and Treasurer of State is obtained for said improvement; the cost of said improvement is \$3.45 per foot, which sum will make \$4,347.00; therefore,

Moved, That the motion by which the contract was made for the improvement of that portion of North Meridian street, including the property of the State of Indiana, be, and is hereby reconsidered until such time as a committee, to consist of His Honor the Mayor and the President of the Board, together with three members of the Council and two members of the Board of Aldermen, shall make a personal request of the Auditor and Treasurer of State for their written consent and approval of said improvement.

Councilman Coy moved, that when this Council adjourns, it adjourn to meet again next Monday evening, June 26th, 1882, at eight o'clock; which motion was adopted.

On motion by Councilman Thalman, Councilman Morrison's motion was laid on the table.

The motion, as offered by Councilman Thalman, was then adopted.

The City Clerk submitted the following report :

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

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

William Petrie vs. Espey Stormer, for.....\$17 40

And recommend you order the precept to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

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

AYES, 17—viz. Councilmen Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, and Yoke.

NAYS, 1—viz.: Councilman Thalman.

The City Attorney submitted the following report, which was concurred in, and he was instructed to bring suit against Moses Broyles if he does not satisfy the judgment against the city :

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

Gentlemen:—Since the last meeting of the Council the case of Annie Merriek vs. Moses Broyles and the city, has been tried, resulting in a verdict against the city for \$275, and in favor of Broyles. The action was for personal injuries, which the evidence showed to be very serious. She claimed to have fallen over a trough which was maintained by Broyles across the side-walk leading out of his premises on West Michigan street, for some three years before the accident occurred, for the purpose of carrying off the waste water from his lot. The fall occurred in the night time, the plaintiff being ignorant of the existence of the obstruction. Of course, Broyles is primarily liable and the city secondarily, notwithstanding this very singular verdict in that respect. If Mr. Broyles will not pay the judgment, if one shall be rendered on the verdict, the city can pay it and recover the amount from him in another action, if he is responsible financially for the amount, which will be a matter for further consideration. I regard the recovery much smaller than the city could hope to succeed in keeping it on another trial, and therefore shall not file a motion for a new one unless so instructed.

The petition of the appellant in the case of Anna M. Stilz vs. The City, in the Supreme Court, has been overruled, and the case is now finally determined. Mrs. Stilz sought to enjoin the collection of taxes on certain real estate in the southern part of the city.

Several losers by the recent high waters in Pogue's Run have served notices on the city through the Mayor and myself, to appoint appraisers to assist in the appraisalment of their losses. We declined to do so, and hope our action will be approved by you.

I will also state for the information of the members of the Council and Board of Aldermen, that in the case of The City against Gottfried Monninger, for violation of the saloon license ordinance, all the legal questions which can well be raised against the validity of the ordinance were urged before His Honor the Mayor, the ordinance being sustained in all its parts. The defendant will appeal.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Street Commissioner submitted the following report :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I beg leave to report the damage done to the following bridges by the late flood: The stone arches over Pogue's Run, on Eddy street, have been undermined, and are badly cracked; and the stone abutments of Shelby and Reed street bridges have been undermined also, and are ready to fall down. Your immediate attention is called to the above. The New Jersey street bridge has been raised up, but can be put down without taking apart. The Market street bridge has been moved off the foundation, but is so badly rotten that there will have to be a new stringer and new floor. The Dorman street bridge has been washed away, and will have to be built new. The Archer street bridge has been carried about two squares from its foundation; but this is an iron bridge, and I can take it apart and replace it on the foundation. The bridge over the State ditch, on Park avenue will have to be rebuilt, as it has been washed out.

I respectfully submit this for your earliest consideration.

L. A. FULMER, Street Commissioner.

On motion by Councilman Pearson, so much of the above report as relates to the arches, was referred to the City Civil Engineer to report at the next regular meeting.

Councilman Brundage offered the following motion :

That the Street Commissioner be, and is hereby, instructed to immediately repair the stone abutments of the Reid street and Shelby street bridges over Pleasant Run.

On motion by Councilman Thalman the above motion was adopted, with the amendment that the Street Commissioner be instructed to repair all the bridges as mentioned in his foregoing report.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman Dean, submitted the following report; which was concurred in, and the motion adopted :

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom was referred the following motion: "That the Street Commissioner is hereby directed to place stone crossings at the intersection of Pine street and English avenue," recommend the work be done.

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

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

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom was referred S. O. 76, 1882, an ordinance to provide for grading, bowldering and curbing the gutters and widening the sidewalks (to a width of 20 feet) of New York street, from New Jer-

sey street to East street, and repealing an ordinance for improving said gutters, ordained May 8th, 1882.

We recommend that said S. O. 76, 1882 be passed.

Respectfully submitted,

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

On motion by Councilman Cole, the following entitled ordinance was read the second time :

S. O. 76, 1882—An ordinance to provide for grading, bowldering and curbing the gutters and widening the sidewalks of New York street, from New Jersey street to East street, and to repeal an ordinance entitled "An ordinance to provide for grading, bowldering and curbing the gutters and widening the sidewalks of New York street, from New Jersey street to East street," ordained May 8th, 1882.

Councilman Reichwein moved to refer the above ordinance to the Committee on Streets and Alleys.

On motion by Councilman Pritchard, as a substitute, the ordinance was referred to the City Civil Engineer, to report at this session.

Later in the session, the City Civil Engineer submitted the following report:

To the Mayor and Common Council:

Gentlemen:—S. O. 76, 1882, an ordinance to provide for improving the gutters and widening the sidewalks of New York street, from New Jersey street to East street, having been referred to me, I submit the following report thereon:

After a thorough investigation of the matter, I am convinced that the most practicable manner of improving said street would be to improve it upon the original plan made by me, and embodied in the ordinance above mentioned; for the reason that said street, between Delaware and New Jersey streets, having been recently improved by widening the sidewalks and bowldering the gutters, as provided for in this ordinance. Therefore I recommend that said ordinance S. O. 76, 1882, be passed.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

By consent, Dr. J. M. Gaston addressed the Council in behalf of the ordinance for the improvement of New York street as originally passed.

On motion by Councilman Pearson, the entire matter was laid over until next Monday night.

By consent, the City Civil Engineer submitted the following report; which was received, and the contractors ordered to file their bonds by next Monday night:

To the Mayor and Common Council:

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

R. H. Patterson has failed to file the necessary bond for the contract awarded him for improving Ohio street between Meridian and Illinois streets; also, H. C. Roney, for building one 2,000-barrel cistern at the corner of Reed and Deloss streets.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

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

Under 1 year.....	16
1 to 2 years.....	2
2 to 5 ".....	2
5 to 10 ".....	3
10 to 15 ".....	2
15 to 20 ".....	4
20 to 25 ".....	7
25 to 30 ".....	6
30 to 40 ".....	8
40 to 50 ".....	5
50 to 60 ".....	2
60 to 70 ".....	2
70 to 80 ".....	3
80 to 90 ".....	1
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	1
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Total.....	64

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

The Board of Health submitted the following report; which was referred to the Committee on Streets and Alleys:

Indianapolis, June 19th, 1882.

The Board of Health condemn the following alley and streets as injurious to public health, and recommend that the same be put in good sanitary condition by being graded and graveled, as, in our opinion, they can not be made safe otherwise:

Wright street, from Coburn street south to first alley south of Coburn street.

Second. First alley west of East street, from Merrill street north to alley running from East to New Jersey street.

E. S. ELDER, Secretary.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

Indianapolis, June 19th, 1882.

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred the petition of John H. Vajen and James H. Baldwin, asking a refunding of certain taxes paid by them for the years 1880 and 1881, on stock owned by them in the Citizens National Bank:

Under the tax law of Indiana, of 1872, citizens are permitted to deduct their debts from their credits, and pay taxes only on balance remaining over indebtedness. The same act forbids the holders of National Bank stock from deducting their debts from the same, but requires them to pay tax on the full cash value of their stock.

For example, if a man has loaned out to an individual \$10,000, and owes \$6,000, he may deduct his \$6,000 of debts from his \$10,000 of credits, and pay tax on balance, to-wit, \$4,000. But if he invests his \$10,000 in National bank stock, and at the same time owes \$6,000, he is required by the State law to pay tax on the full cash value of his stock, without reference to his debts.

Section 5,219 of the act of Congress authorizes the States to tax the stock of National banks, subject to two conditions, one of which is important in this case, and is in the following words: "That the taxation shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such State." The petitioners claim that the revenue law of Indiana is in conflict with the act of Congress, and as to them (they being in debt during years 1880 and 1881) is void, and the assessment void, and that therefore the taxes which they have paid on their stock should be refunded. They ask that the taxes collected on their stock, amounting in two years to \$72,640.88 be refunded. The amount asked for amounts to a large sum of money, and is worthy of careful consideration.

The petitioners, in support of their claim, cite the case of the Evansville National Bank vs. Britton, reported in the Federal Reporter, page 867. The decision is by Justice Harlan in the Circuit Court of the United States.

He holds our State law valid as against the owner of National Bank stock, who owns no debts, but invalid as against the owner of such stock and is in debt, because in his case the State act comes in conflict with the act of Congress, by imposing upon him "a greater rate of taxation than is assessed upon other moneyed capital in the hands of individual citizens," by refusing to allow him to deduct his debts from his stock, as in the case of citizens holding other kinds of credits.

In other words, he holds the State law valid, as a general rule, but with an exception, leaving each individual owner of bank stock to make a record showing himself to be within the exception.

This case went to the Supreme Court of the United States. There, Justice Miller concurred with Harlan, but Chief Justice Waite and Justice Gray delivered a dissenting opinion. Waite says, in this case of the Evansville Bank against Britten: "In *Hepburn vs. The School Directors*, 23 Wall, 485, this court said, it could not be the intention of Congress to exempt National bank shares from taxation, because some moneyed capital was exempt." In that case, a tax on bank shares was sustained, where by law mortgages, judgments, recognizances, and moneys owing on articles of agreements for the sale of land, were not taxable. I am unable to distinguish this case from that." It seems, therefore, that the Harlan decision, new of its kind, is not settled law, by any means.

Let us assume that it will remain as the law. It holds the State revenue law valid, except in the case of a holder of National bank stock who is in debt at the time his assessment for taxation is made. The assessments for taxation on stock of Messrs. Vajen & Baldwin were valid, under Justice Harlan's decision, unless they made it appear affirmatively at the proper time, and before the proper officers, that they were indebted more than the value of their stock. The time and place for this to be done is settled by the Supreme Court of the United States, in the case of *Williams vs. Weaver*, cited in the Reporter for April, 1882; found in 100 U. S., page 539. That case means, that Messrs. Vajen and Baldwin should have gone to the Assessor and Board of Equalization, and there demanded that their bank stock should be left off of the duplicate, on the ground that they were indebted in an amount equal to or in excess of the cash value of their stock. This was not done. If not done, then the Supreme Court of the United States, in the case of *Albany County vs. Stanley*, Federal Reporter, page 641, says: "It follows that the assessors were not without authority to assess National bank shares; that when no debts of the owner existed to be deducted, the assessment was valid, and the tax paid under it a valid tax; that in cases where there did exist such indebtedness, which ought to be deducted, the assessment was voidable, but not void. The

assessing officers acted within their authority in such cases until they were notified in some proper manner that the shareholder owed just debts which he was entitled to have deducted."

Our Assessor, in the case of these petitioners, was informed by the sworn statement of the gentlemen, in the city tax statements for 1880 and 1881, that they were free from debt, except as to Mr. Baldwin's return for 1881, who that year writes the words on his return, "My indebtedness largely exceeds my credits."

On such a return your committee can say that the assessment was valid, and the tax paid under a valid tax.

We therefore recommend that the prayer of petition be not granted.

Respectfully submitted,

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

C. S. DENNY, City Attorney.

The Committee on Public Property, through Councilman Cowie, submitted the following report; which was received, and the following statement ordered printed:

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

Gentlemen:--In compliance with your request, your Committee of Public Property offer the following report in regard to the Tomlinson estate:

Respectfully submitted,

John R. Cowie,
John W. Fultz,
Wm. H. Morrison.

Indianapolis, June 12, 1882.

NAMES OF TENANTS.	No.	Street.	Am't Per Month.	To When Paid.	REMARKS.
Paul Sherman.....	21	Ind. Av.	\$15 00	Mar. 15..	
L.S.Campbell (ground rent)	17	"	4 33 $\frac{1}{3}$	May 15..	Lease cont'd at same.
K.Crosby (Waterman lease)	30	E. Ohio..	5 00	April 1..	Lease expires Ap. '83
Sarah Pickard.....	23	W. Ohio	35 00	May 1...	
Mary A. Dyer.....	113	N. Ill,...	25 00	June 8...	
Hannah Overman.....	115	"	25 00	May 13...	
W. H. Mahone.....	117	"	25 00	" 1...	
Dr. E. H. Pritchard.....	27	W. Ohio	25 00	Mar. 1...	

The above tabular statement shows the price per month at which all of the Tomlinson property is rented. The property is in need of some repairs, and is damaging for want of it.

Respectfully submitted,

WM. HADLEY, Agent,

To the Committee on Public Buildings:

Gentlemen:--Enclosed please find statement of rents collected the past year, as per vouchers on Treasurer's receipts filed in City Clerk's office:

Voucher No. 1.	May 16th, report for April, 1881.....	\$ 127 60
" " 2.	June 6th, report for May, 1881.....	101 78
" " 3.	July 8th, report for June, 1881.....	117 62
" " 4.	August 15th, report for July, 1881.....	120 62
" " 5.	September 5th, report for August, 1881.....	118 21
" " 6.	October 17th, report for September, 1881.....	144 75

Voucher No. 7.	November 21st, report for October, 1881	108 31
" " 8.	December 5th, report for November, 1881	90 00
" " 9.	February 6th, report for Dec. and Jan., 1882...	301 30
" " 10.	March 6th, report for February, 1882.....	95 37
" " 11.	April 3d, report for March, 1882.....	144 75
" " 12.	May 1st, report for April, 1882.....	101 32
" " 13.	June 5th, report for May, 1882.....	93 18

Total amount of collections.....\$1,664 81

Respectfully submitted,

WM. HADLEY, Agent.

The Committee on Railroads, through Councilman Yoke, submitted the following report; which was concurred in, and G. O. 10, 1882, stricken from the files:

To the Mayor and Members of the Common Council:

Gentlemen.—Your Committee on Railroads, to whom was referred G. O. 10, 1882, entitled an ordinance to amend section two of an ordinance entitled an ordinance to regulate the running of locomotives and cars in the city of Indianapolis. As there is a good and complete ordinance now in force, your committee would most respectfully recommend that the Chief of Police be, and is hereby, instructed to enforce the same, and that G. O. 10, 1882, be stricken from the files.

Respectfully submitted,

N. Yoke,
John R. Pearson,
Committee on Railroads.

The Committee on Rules, Judiciary and City Attorney, through Councilman Knodel, submitted the following report:

Indianapolis, June 19th, 1882.

To the Mayor and Common Council:

Gentlemen :—Your Committee on Judiciary and Rules, together with the City Attorney, to whom was referred motion to revise and have printed two hundred copies of rules of Common Council, report that, in our opinion, a committee should be appointed by the Board of Alderman to confer with us, and rules for both bodies should be revised before a new ordinance book is printed, so that the same may be printed therein, as well as separately, for accommodation of members of both bodies.

Respectfully submitted,

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

Ernest Knodel,
John Egger,
Patrick Harrold.
Committee on Rules.

C. S. DENNY, City Attorney.

Councilman Reichwein moved to refer the above report back to the committee, with instructions to prepare rules, etc., for the Council; which failed of adoption.

The report, as submitted, was then concurred in.

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

To the Mayor and Common Council:

Gentlemen.—Your Committee on Streets and Alleys, to whom was referred S. O. 60, 1882, an ordinance to provide for grading and bowldering the first alley south of Michigan street, from Delaware street to the first alley west of Delaware street, recommend said ordinance be passed.

Respectfully submitted,

George Weaver,
B. W. Cole,
Sim. Coy,
Committee on Streets and Alleys.

The same committee submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen.—Your Committee on Streets and Alleys and Judiciary, to whom were referred sundry papers relative to the improvement of Highland street, between Washington and Ohio streets, recommend that the City Attorney and City Civil Engineer prepare and submit an ordinance in accordance to the petition of J. L. Mitchell, Frederick Ostermeyer and others, presented to Council May 29th, 1882. See pages 1576-7.

Respectfully submitted,

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

George Weaver,
Simeon Coy,
B. W. Cole,
Committee on Streets and Alleys.

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

S. O. 88, 1882—An ordinance to provide for grading and graveling Highland street, and paving with brick and curbing with stone the sidewalks, from the north line of Washington street to the south side of Ohio street.

On motion, S. O. 10, 11, 46, 47 and 77, 1882, ordinances for the improvement of Highland street, were ordered stricken from the files.

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

To the Mayor and Common Council:

Gentlemen.—Your Committee on Streets and Alleys, to whom was referred back our report on S. O. 57, 1882, providing for the improvement of Blake street, after further examination and consideration of the matter, recommend the amendment offered by Councilman Mauer, May 29th, 1882, to strike out so much of said ordinance as provides for the improvement of the west sidewalk of said Blake street, from the National Road to the first alley south of New York street, be adopted. After said ordinance is so amended, we recommend it be passed.

Respectfully submitted,

George Weaver,
B. W. Cole,
Sim. Coy,
Committee on Streets and Alleys.

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

To the Honorable Mayor and Common Council.

Gentlemen:—Your Committee on water, to whom was referred a motion of Councilman Morrison, instructing your committee to move to a more suitable location a sprinkling plug on the south side of Michigan street, near the canal, would respectfully report that, on investigation, we find the party placing the said plug located it without the permission of the property owners. We would therefore recommend that the City Marshal cause the same to be removed.

2d Is also a motion of Councilman Morrison, instructing your committee to locate a drinking fountain at the north-west corner of Washington and Mississippi streets. We would recommend that, instead of a drinking fountain, a driven well be located at that point, as purer water, at less expense, can thus be obtained.

Respectfully submitted,

B. Ward,
E. H. Dean,
F. Hartmann,
Committee on Water.

REPORTS FROM SELECT COMMITTEES.

Councilman Pritchard, in behalf of a certain select committee, submitted the following report; which was concurred in:

Indianapolis, Ind., June 19th, 1882.

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

Gentlemen:—The undersigned, members of your joint special committee, appointed to consider and report on clauses 3 and 4 of the City Attorney's communication of May 29th (see page 1559 of printed proceedings), beg leave to report that they have fully investigated that part of said clause number 4 which refers to the suit of W. H. English et al. v. The City, seeking to avoid the payment of taxes on property in different subdivisions of Bryan's Arsenal Heights Addition, and find that there is no reasonable chance for the city to defeat the suit pending, or any of those which might hereafter be brought by parties owning property in said addition—said addition not being contiguous property at the time of the attempted annexation. We therefore deem it useless, as well as unfair, for the city to further attempt to collect taxes on lots in said addition, and herewith report a motion directing the City Assessor and City Clerk to hereafter leave the lots in said addition off of the tax duplicates, including the duplicates of this present year, and that the Treasurer cancel the assessments standing against said property on the duplicates now in his hands.

We recommend that the City Attorney be instructed to make no further costs in opposing the suit referred to above.

Respectfully submitted,

James A. Pritchard,
B. Rorison,
Frederick Hartmann,
Wm. H. Morrison.

Councilman Pritchard offered the following motion; which was adopted:

That the City Assessor and City Clerk be, and they are hereby, instructed to leave off of the tax duplicate hereafter, including the duplicates now being prepared, all the lots and improvements in B. & I. Bryan's subdivision of the east half of the north-east quarter of section 6, township 15 north, range 4 east, and also ten acres of the north-west corner of section 5, township 15, range 4, in Marion county, Indiana, together with all of the lots in the different subdivisions of parts of said original addition.

That the City Treasurer be, and he is hereby, directed not to collect any taxes assessed against any of the aforesaid property, on any duplicate now in his hands.

APPROPRIATION ORDINANCES.

Councilman Pearson introduced the following entitled ordinance ; which was read the first time :

Ap. O. 37, 1882—An Ordinance appropriating money for the payment of the salaries and compensation of the members of the Common Council and Board of Aldermen, of the city officers, and officers and members of the Fire and Police Departments of the City of Indianapolis.

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

AYES, 22—viz: Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

Ap. O. 37, 1882, was then read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 22—viz: Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS—None.

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 Bedford :

S. O. 89, 1882—An Ordinance to provide for grading and graveling the first alley south of Christian avenue, from Central avenue to Broadway street.

S. O. 90, 1882.—An ordinance to provide for grading, paving with brick and curbing with stone the east sidewalk of Broadway street, from St. Clair street to Cherry street (where not already properly done.)

The above ordinance was accompanied by the following petition :

Indianapolis, May 10th, 1882.

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

Gentlemen:—The undersigned, owners of real estate fronting on the east side of Broadway street, between Cherry and Arch streets, respectfully petition for the passage of an ordinance providing for the paving and curbing of the east side of Broadway street, between Cherry and Arch streets.

M. F. Robinson owns 33 feet; Helen Van Laningham, 3033 feet; Henry Nicolai, 26 feet; Frederick Nicolai, 40 feet.

By Councilman Brundage :

S. O. 91, 1882.—An ordinance to provide for grading and graveling the east sidewalk of Shelby street, from a point 623 feet south of Willow street to Pleasant Run.

S. O. 167, 1881, was ordered stricken from the files.

By Councilman Cole :

S. O. 92, 1882.—An ordinance to provide for grading, and paving with brick, the north sidewalk of Michigan street, from East street to Liberty street.

S. O. 2, 1882, was ordered stricken from the files.

By Councilman Cowie :

S. O. 93, 1882.—An ordinance to provide for grading and bowldering the first alley south of New York street, from Missouri street to Columbia street.

The above entitled ordinance was accompanied by the following petition :

Indianapolis, Ind., April 21st, 1882.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley south of New York street, between Missouri and Columbia streets, respectfully petition for the passage of an ordinance providing for grading and bowldering.

James A. Isgrigg, 65 ft.; Henry Nicoli, 30 ft.; Lew.
Nicoli, 37½ ft.; Mrs. Annie Davis, 97½ ft.; T. L.
Thompson, 30 ft.

S. O. 94, 1882.—An ordinance to provide for regrading and bowldering the roadway of Indiana avenue, from Illinois street to Michigan street.

By Councilman Coy :

S. O. 95, 1882.—An ordinance to provide for grading and bowldering the first alley south of Pogue's Run, from East street to New Jersey street.

By Councilman Dean :

G. O. 51, 1882.—An ordinance to provide for the erection of City Buildings.

By Councilman Pritchard :

G. O. 52, 1882.—An ordinance granting the right to maintain and exhibit a Mechanical Clock in the city of Indianapolis.

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

AYES, 23—viz: Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

G. O. 52, 1882, was then read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 23—viz. Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS—None.

By Councilman Stout :

S. O. 96, 1882.—An ordinance to provide for grading and graveling the first alley north of Home avenue, from Broadway street to College avenue.

S. O. 97, 1882.—An ordinance to provide for grading, bowldering and curbing the gutters (where not already curbed) of College avenue, from Christian avenue to Seventh street.

G. O. 53, 1882.—An ordinance to amend an ordinance, entitled "An ordinance to prohibit the running at large of cattle, horses, swine, sheep, fowls, and other animal, within the corporate limits of the city of Indianapolis, and to provide for the impounding, keeping, sale and redemption of the same, and providing penalties for the violation thereof," ordained December 12th, 1881.

By Councilman Thalman :

S. O. 98, 1882.—An ordinance to provide for grading, paving with brick and curbing with stone, the south sidewalk of North street, from Pennsylvania street to the first alley west of Pennsylvania street.

S. O. 24, 1882, was ordered stricken from the files.

By Councilman Ward :

S. O. 99, 1882.—An ordinance to provide for grading, and paving with brick, the north sidewalk of St. Joseph street, from New Jersey street to Delaware street, where not already done.

By Councilman Weaver :

S. O. 100, 1882—An Ordinance to provide for grading and graveling the first alley east of Bieler street, from Hill avenue to Lincoln avenue.

The above entitled ordinance was accompanied by the following petition.

Indianapolis, Ind., April 29th, 1882.

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

Gentlemen:—The undersigned, owners of real estate fronting on the alley between Bieler and Newman streets, and Hill avenue and Seventh street, respectfully petition for the passage of an ordinance for grading and graveling the same.

Jos. R. Forbes, Daniel O'Leary, Bartlett Ellis.

By Councilman Weaver :

G. O. 54, 1882—An ordinance requiring the Cleveland, Columbus, Cincinnati and Indianapolis Railroad Company, and the Indiana, Bloomington and Western Railroad Company, to station a flagman at the crossing of Rural street with said companies' tracks.

The above ordinance was accompanied by the following petition :

Indianapolis, May 24th, 1882.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—We, the undersigned, citizens of the city of Indianapolis and vicinity, respectfully petition your honorable body to order the Cleveland, Columbus, Cincinnati and Indianapolis Railroad Company to station a flagman at the crossing of Rural street, in said city, where the right of way of said company intersects the same. And, in support of said petition, we show that said crossing is a very public one, and used by many people daily; that there is a switch located just west of said crossing, which is almost constantly filled with cars for use by Fletcher & Thomas' brick-yard, and for other purposes; that a new addition has recently been built to Moore's Desk Factory, located just east of said crossing, whereby the approach of trains is concealed from the traveling public; that by reason of said switch and factory, said crossing is dangerous, alike to the public and to said company; that said company, by reason of the location of her shops at Brightwood, many trains daily pass along the right of way of said company. Wherefore we ask that a flagman be stationed at the Rural street crossing aforesaid, and we will ever pray.

S. K. Eletcher, E. C. Gopmann, John M. Hamilton,
Joseph F. Strain, C Tapp, J. A. Hughes, George E.
Myers, James Kennedy, Robert Thomas, Robert
Young, T. E. Sprong, E. J. Lakin, James A. Mc-
Millen, J. F. Candell, J. C. Matthews, Y. I. Heid-
ergott, and 91 others.

S. O. 124, 168, 172, 177, 1881, and S. O. 6, 1882, were ordered stricken from the files.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bedford offered the following motion; which was adopted :

That the Gas Company be requested to lay gas mains from Vine street north on Oak street to the U. B. Church, at the Gas Company's expense, and oblige the trustees of the church.

Councilman Brundage presented the following remonstrance; which was referred to the Committee on Streets and Alleys, with the ordinance S. O. 85, 1882 :

Indianapolis, June 6th, 1882.

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

Gentlemen:—We protest against the first alley west of Reed street, between Prospect and Orange streets, being graded.

Christ. Barmfuhrer, 66 feet; David Sherman, 66 feet;
Wilkson Pope, 99 feet; Dirk Kayelskamp, 56 feet.

Councilman Brundage offered the following motion; which was adopted :

That the Street Commissioner be, and is hereby, instructed to repair the first alley south of Lexington avenue, from Linden street to Spruce street.

Councilman Bryce offered the following motion ; which was referred to the City Civil Engineer, with instructions to have the work done by contract :

That the sidewalk in front of the Engine House on Maryland street, between Meridian and Pennsylvania streets, be relaid by good, sound blocks.

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

To the Common Council of the City of Indianapolis :

We respectfully petition and represent to your honorable body, that William H. Howson is the owner of the lot and tract of ground indicated by his name on the accompanying plat ; that such lot lies near to and contiguous to White river, and that great portions of the same have been washed away by said river ; that steps have been taken to riprap said stream along and near said lot, by the city of Indianapolis, and that such work will consume and appropriate ten or fifteen feet more of such lot. We therefore petition that fifteen feet of the street running east and west on the south side of said lot be vacated, and that said Howson be allowed to place the same within his enclosure, and to be used and occupied by him. The vacating of such fifteen feet will make the street uniform in width with the other portions of the same street running west from said lot.

Martha E. Kingan, per Thomas D. Kingan, by R. W. Reid, attorney in fact ; Mary Eliza Howson, W. H. Howson.

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

That the City Civil Engineer be directed to prepare, for introduction at the special meeting of the Council on next Monday evening, ordinances contemplating the improvement of South Illinois street, between Washington and South streets, by bowldering said street.

That the Board of Health be directed to investigate the sanitary condition of south Mississippi street, between Washington and Louisiana streets, and report at the special meeting of this Council on next Monday evening.

Councilman Egger offered the following motions, which were severally adopted, and Councilmen Egger, Reichwein and Hartmann appointed by the Chair to act as the members of the special committee asked for :

That the Mayor appoint a committee of three members of the Council, and that the President of the Board of Aldermen be requested to also appoint a committee, which committees, together with the City Attorney, shall inquire into and report on the advisability and practicability of straightening and widening East street where it intersects Morris street.

That the Street Commissioner and City Civil Engineer be, and they are hereby, directed to investigate and report to this Council what can and should be done toward filling up or draining the pond near the corner of Wright and Coburn streets.

That the City Attorney report to this Council, at its next session, whether or not the Citizens Street Railway Company has a right to haul over its track manure, and such like material.

Councilman Fultz offered the following motion ; which was adopted :

That the Street Commissioner be, and is hereby, directed to open the gutters and fill up the sidewalk on Morris street, where it has been washed out, between Illinois street and the White River bridge, and that he have power to act, as the sidewalk is in a dangerous condition.

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

That the Street Commissioner be, and is hereby, directed to clean the gutter on the south side of Washington street, from Missouri street to White river.

Councilman Harrold presented the following communication ; which was referred to the Judiciary Committee :

Indianapolis, June 16th, 1882.

Mr. Patrick Harrold:

Dear Sir:—I wish herein to give you a statement of the rental of the West Market stands. There are 13 buildings on Washington street that pay 75 cents per week each, and 3 stands that pay 50 cents per week, the latter having only 6 feet front, while the former are 8 and 9 feet in frontage; total per week, \$11.25. There are 8 stands on Missouri street, paying 50 cents per week each, \$4.00; total, \$15.25; fifty-two weeks, at \$15.25 per week, \$793—\$195 over your committee's appraised estimate. We have 30 curbstone stands, running from Missouri street west to alley, renting at 30 cents per week, \$9, and 18 stands, from alley west to West street at 25 cents per week, \$4.50; total, \$13.50. These curb stands west of alley can only be rented during the regular market season, and an approximate estimate can be based at about \$8 per week, say 52 weeks at \$8 per week, \$4.16. This does not include the transient stands on Missouri and West streets, of which I have quite a number, and can supply all the demands made for places; those transient stands are all rented at 10 cents each, and only occupied on Saturday.

The change contemplated by your committee would be detrimental to the market as well as to the interest of the city, and would be a loss in revenue to the amount of at least \$300, by cutting the market off west of alley, and compelling the marketers to use the inside, which is nothing less than a mudhole, as this has been tried before and failed. People will not leave a clean sidewalk and go in such a place to either buy or sell. This change would result in bringing all the city hucksters and grocers selling on the market to occupy the outside stands, and drive all the gardeners, and those that come from a distance, into a mudhole or off the market. This making all outside stands transient will not do for this market.

I have this market in as good condition as it can be made, with no dissatisfaction in the present arrangement, and I think, for the interest of all concerned, it would be advisable to let it remain so.

Hoping that this explanation may meet with your approval, I remain yours, respectfully,
A. L. STONER, West Market Master.

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

That the City Marshal be, and is hereby, directed to notify the owner of No. 321 East Washington street to immediately repair the sidewalk in front of said property, and if not done within ten days, that the Street Commissioner be directed to make said repairs at the expense of the owner of said property.

That the Board of Health be directed to inquire into the sanitary condition of the cellar under the premises of No. 321 east Washington street, and report to the Council at its next special meeting, on Monday evening, what measures are necessary to improve both cellar and building.

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

That the Street Commissioner be and is hereby directed to clean the gutters and fill the chuck-holes on Meek street, between Liberty and Dillon streets.

Councilman Morrison offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, instructed to at once place the gutter on the west side of Indiana avenue, on Mississippi street, in proper condition, in order that property may not be damaged in the future.

Councilman Morrison called up the proposition of James M. Tomlinson, and the motion (see page 24, *ante*), which was read, the proposition accepted, and the motion adopted.

Councilman Pritchard called up the resolution on the City Dispensary lot (see page 24, *ante*), and it was adopted by the following vote:

AYES, 22—viz.: Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 1—viz.: Councilman Dowling.

Councilman Pearson presented the following communication, which was received, and the freedom of the city granted:

Indianapolis, June 19th, 1882.

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

Gentlemen:—The undersigned, the Committee of Arrangements of the Military and Knights Templar Encampment, would respectfully request that your honorable body extend the freedom of the city to visitors during the continuance of the Encampment, June 30th to July 6th, inclusive.

Respectfully,

AUSTIN H. BROWN, President.
P. G. C. HUNT, Vice-President.
H. S. WATSON, Secretary.

O. H. Hasselman, J. T. Brush,
Albert Gall, C. F. Holliday,
G. F. Branham,
Committee.

Councilman Pearson offered the following resolution:

WHEREAS, The Common Council and Board of Aldermen of the city of Indianapolis has passed General Ordinance No. 41, 1882, requiring Saloons, Telegraph Companies and Express Companies, doing business within the city of Indianapolis, to pay certain sums of money into the treasury of said city, as a license for the privilege of conducting their business; and,

WHEREAS, Many persons have complied with the terms of said ordinance, by paying into the treasury the amount required, and many others will yet do the same; and,

WHEREAS, The validity of said ordinance, and parts thereof, is now being contested in the courts; therefore,

Resolved, That the Common Council and Board of Aldermen, in the event said ordinance, or any part thereof, shall be held void, hereby pledge themselves to vote for an ordinance to refund any and all sums which may have heretofore or shall hereafter be paid under the terms of said ordinance to the person or persons who paid the sums: *Provided*, said ordinance is only held defective on fractional parts of a year, then those only effected thereby shall have their money refunded.

Councilman Stout moved to report the above resolution to the Judiciary Committee and City Attorney.

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

AYES, 10—viz.: Councilmen Bedford, Bryce, Cole, Cowie, Dean, Morrison, Pritchard, Stout, Ward and Yoke.

NAYS, 13—viz.: Councilmen Brundage, Coy, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Pearson, Reichwein, Thalman and Weaver.

The resolution, as offered by Councilman Pearson, was then adopted by the following vote :

AYES, 16—viz. Councilmen Brundage, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Morrison, Pearson, Reichwein, Thalman and Weaver.

NAYS, 7—viz.: Councilmen Bedford, Bryce, Cole, Pritchard, Stout, Ward, and Yoke.

Councilman Pritchard offered the following motion :

47That all fines imposed by the Mayor on saloon men for violating the license ordinance, be refunded to them in case the ordinance is held void by the courts.

Councilman Pearson moved to lay the above motion on the table, which failed of adoption by the following vote :

AYES, 10—viz: Councilmen Bedford, Brundage, Dean, Egger, Knodel, Pearson, Reichwein, Thalman, Ward and Weaver.

NAYS, 13—viz: Councilmen Bryce, Cole, Cowie, Coy, Dowling, Fultz, Harrold, Hartmann, Koller, Morrison, Pritchard, Stout, and Yoke.

It being now nearly eleven o'clock, on motion by Councilman Ward, the time was extended by the following vote :

AYES, 19—viz. Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Hartmann, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 4—viz.: Councilmen Harrold, Knodel, Koller and Morrison.

The foregoing motion, as offered by Councilman Pritchard, then failed of adoption by the following vote :

AYES, 5--viz. Councilmen Hartmann, Knodel, Morrison, Pritchard and Yoke.

NAYS, 18--viz. Councilmen Bedford, Brundage, Bryce, Cole, Cowie, Coy, Dean, Dowling, Egger, Fultz, Harrold, Koller, Pearson, Reichwein, Stout, Thalman, Ward and Weaver.

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

That the Street Commissioner be, and is hereby, requested to repair the bridge on College avenue, at the State Ditch, as it is now in an unsafe condition.

That the Street Commissioner be, and is hereby, directed to rebuild the bridge at the crossing of the State ditch and Parke avenue.

That the Street Commissioner be, and is hereby, directed to clean gutters on Seventh street, between Pennsylvania and Alabama streets. As they are now, the water will not run of.

Councilman Pritchard presented the following petition; which was received, motion adopted, and the prayer of the petition granted:

That Henry Clay be given thirty (30) days more time to complete his contract on East Ohio street.

STATE OF INDIANA, *Marion County*, ss:

Henry Clay, being duly sworn, deposes and says, that he has a contract from the city to improve part of East Ohio street, and that he has been unable to finish the same on account of the recent heavy rains and continued wet weather, and, in his opinion, he can finish the same within thirty days, and asks that he be given thirty days more time to complete his contract.

HENRY CLAY.

[Seal.] Subscribed and sworn to before me, this 19th day of June, 1882,
as true in substance and in fact.

JAMES A. PRITCHARD, Notary Public.

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

That the Board of Health be directed to examine the condition of a sink in rear of 359 east Market street.

That the Street Commissioner be, and is hereby, directed to remove the sand and gravel from the Washington street culverts to the depth of at least four feet, under direction of the City Civil Engineer.

Councilman Thalman offered the following motion; which was adopted:

That the Street Commissioner be directed to notify the trustees of the Y. M. C. A. building, on North Illinois street, to immediately have the stone sidewalk raised so that the water will not remain standing thereon.

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

That the City Civil Engineer and Street Commissioner be instructed to examine the State ditch, and report to this Council, at the next regular meeting, the best

thing that can be done to relieve the citizens near the Atlas Works from the overflow of water in that vicinity.

Recommended by the Special Committee on State Ditch.

B. Ward,
Sim. Coy,
H. B. Stout,
Special Committee.

That P. L. Chambers be permitted to pave with brick the sidewalk in front of his property on the north side of St. Jo street, between Alabama and Delaware streets, and the City Civil Engineer is hereby directed to set the grade stakes, at Chambers' own expense.

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

To put down a double stone crossing at the intersection of Columbia and Home avenues

That the Committee on Insecure Buildings, with the City Civil Engineer, be instructed to make an examination of the buildings and platforms, and any other improvements on or near the banks of Pogue's Run, and report what, in their judgment would be advisable to do in the matter; or anything that will endanger the lives or property of citizens in times of floods or overflows.

Councilman Thalman offered the following motion; which was adopted:

That wooden foot bridges be placed at the crossings of Meridian and Market street crossings at the Circle.

Councilman Yoke offered the following motion; which, on motion by Councilman Thalman, was laid on the table:

That the ordinance for the construction of the City Hall be made the special order of business for next regular meeting. Said ordinance to be taken up at 8:30 p. m. of the above named date.

Councilman Yoke presented the following petition; which was received and ordered filed with the ordinance:

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

Gentlemen:—The undersigned, owners of real estate fronting on alley beginning at School street and ending at School street, known as No. 63, 1882, respectfully petition for the passage of an ordinance providing for the above described alley.

H. Alfrey, 70 feet; Dr. B. Atkinson, 60; Louis Siersdorfer, 29; Jno. P. Brock, by Rob't Catterson, agent, 51; E. B. Adams, per K. T. A., 40; C. Tinsley, 22; H. H. Lee, 21.

On motion by Councilman Thalman, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor,
President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.