

# PROCEEDINGS OF COMMON COUNCIL.

## REGULAR SESSION—SEPTEMBER 4, 1882.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, September 4th, A. D. 1882, at half-past seven o'clock, in regular session.

**PRESENT**—Hon. Isaac Thalman, President *pro tem.* of the Common Council, in the Chair, and 19 members, viz: Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dowling, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

**ABSENT**—Hon. Daniel W. Grubbs, Mayor, and Councilmen Cowie, Coy, Dean Egger, Hartmann, and Weaver—6.

The Proceedings of the Common Council, for the regular session, held August 21st, 1882, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

### COMMUNICATIONS, ETC., FROM THE MAYOR.

Hon. Isaac Thalman presented an invitation from the Secretary of the German Protestant Orphan Association of Indianapolis, asking the attendance of the members of the Common Council to their Fifth Anniversary, to be held September 10th, 1882; also, a request from the invitation committee, in behalf of the citizens of Louisville, to attend the celebration of the completion of various Railroads, on September 12th, 1882.

### REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of August Richter, for grading and paving with brick the west sidewalk of Mississippi street, from First street to Second street.

342.23 lineal feet, at 53 cents..... \$181 38

SIG. 29.

[ 379 ]

A first and final estimate in behalf of J. D. Hoss & Co., for grading and graveling the first alley south of Christian avenue, from Park avenue to Broadway street.

577 lineal feet, at 24 cents..... \$138 48

A first and final estimate in behalf of J. L. Spaulding, for grading and graveling the alley between Eddy and Tennessee streets, from Garden street to Merrill street.

712 lineal feet, at 19 cents..... \$135 28

A first and final estimate in behalf of R. P. Dunning, for grading, bowldering, and curbing the gutters, and widening the sidewalks of Fletcher avenue, from Noble street to Cedar street.

2,674.37 lineal feet of bowldering, at 59 cents..... \$1,577 86

2,728.63 lineal feet of curbing, at 42 cents..... 1,145 99

\$2,723 85

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick (where not already done), the sidewalks of Stevens street, from East street to Virginia avenue.

1,548 3-12 lineal feet, at 34 cents..... \$526 40

A first and final estimate in behalf of C. S. Roney, for grading, bowldering and curbing the gutters of New York street (where not already curbed), from East street to Noble street.

2,001.94 lineal feet bowldering, at 42 cents..... \$ 840 81

898.55 lineal feet curbing, at 42 cents..... 377 39

272.75 lineal feet of walk-stone, at 35 cents.. 95 46

88.6 lineal feet of curbing re-set, at 7 cents..... 6 10

5.83 square yards of brick pavement, at 65 cents..... 3 79

Total..... \$1,323 55

A first and final estimate in behalf of J. D. Hoss & Co., for grading and graveling the first alley south of Third street, from Illinois street to Tennessee street.

839.60 lineal feet, at 24 cents..... \$201 50

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 August Richter, for grading and paving with brick, the west sidewalk of Mississippi street, from First street to Second 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf J. D. Hoss & Co., for grading and graveling the first alley south of Christian avenue, from Park avenue to Broadway 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and graveling the alley between Eddy and Tennessee streets, from Garden street to Merrill 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman and Ward.

NAYS—None.

The following estimate resolution was read :

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of R. P. Dunning, for grading, bowldering, and curbing the gutters, and widening the sidewalks of Fletcher avenue, from Noble street to Cedar 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of Henry C. Roney, for grading and paving with brick (where not already done), the sidewalks of Stevens street, from East street to Virginia 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of C. S. Roney, for grading, bowldering and curbing the gutters of New York street, (where not already curbed), from East street to Noble street, be, and he 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read:

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That the accompanying first and final estimate in behalf of J. D. Hoss & Co., for grading and graveling the first alley south of Third street, from Illinois street to Tennessee 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, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Thalman, and Ward.

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 H. C. Roney for constructing a brick sewer three feet in diameter, at the expense of the city, from the intersection of English avenue and Reid street, in and along Reid street to Pleasant Run.

Bond, \$14,000; sureties, Richard Carr, Fred. Gansberg and John Schier.

Contract and bond of H. C. Roney for grading and paving with brick, where not already done, the north sidewalk of St. Clair street, from Park avenue to Massachusetts avenue.

Bond, \$500; surety, John Schier.

Contract and bond of James Mahoney for grading and graveling the east sidewalk of Shelby street, from a point 623 feet south of Willow street, to Pleasant Run.

Bond, \$200; surety, James Renihan.

Contract and bond of James Mahoney for grading and graveling the first alley south of English avenue, from Linden street to Laurel street.

Bond, \$340; surety, James Renihan.

Contract and bond of James Mahoney for grading and graveling the west sidewalk of Shelby street, from Prospect street to Pleasant Run, where not already done.

Bond, \$1,000; surety, James Renihan.

Contract and bond of H. C. Roney for grading, paving with brick, and curbing with stone the west sidewalk of Pine street, from St. Clair street to the first alley south of St. Clair street.

Bond, \$400; surety, J. D. Hoss.

Contract and bond of J. D. Hoss & Co. for grading and graveling the second alley north of Christian avenue, from Bellefontaine avenue to Peru street.

Bond, \$335; surety, H. C. Roney.

Contract and bond of Michael Flaherty for grading and graveling the first alley west of Illinois street, from Merrill street to Norwood street.

Bond, \$250; surety, W. G. Wasson.

Contract and bond of Michael Flaherty for grading and graveling the alley beginning at School street, on the south side of lot 13 in out-lot 94, and running around lots 13, 14, 15 and 16 in said out-lot, and terminating at School street.

Bond, \$300; surety, W. G. Wasson.

Contract and bond of Michael Flaherty for grading and graveling the first alley south of Fletcher avenue, from Linden street to Laurel street.

Bond, \$250; surety, W. G. Wasson.

Contract and bond of John Schier, for grading and paving with brick, where not already done, the north sidewalk of Arch street, from Park avenue to Plum street.

Bond, \$500; surety, H. C. Roney.

Contract and bond of August Richter for grading and bowldering the first alley south of Pogue's Run, from East street to New Jersey street.

Bond, \$900; surety, Richard Carr.

Contract and bond of H. C. Roney for grading and bowldering the first alley south of Michigan street, from Delaware street to the first alley west of Delaware street.

Bond, \$400; surety, J. L. Spaulding.

Contract and bond of Fred. Gansberg for grading and graveling the first alley west of Virginia avenue, from Bradshaw street to Buchanan street.

Bond, \$300; surety, James W. Hudson.

Contract and bond of James W. Hudson, for grading and graveling Hill avenue and sidewalks, from Baltimore avenue to Brinkman street.

Bond, \$3,000; surety, Fred. Gansberg.

Contract and bond of James W. Hudson, 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.

Bond, \$200; surety, Fred. Gansberg.

Contract and bond of James W. Hudson, for grading and bowldering first alley west of Meridian street, from South street to Garden street.

Bond, \$1,000; surety, Fred. Gansberg.

Respectfully submitted,

H. S. SHEARER, City Civil Engineer.

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

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

*Gentlemen:*—Some time ago, an ordinance was passed for the erection of lamp-posts on Meridian street, between Kansas and Arizona streets; the contract was let, and bond approved. On examination, I find that nearly all the territory on the west side, and part of that on the east, is not within the corporate limits. I therefore recommend that the contract be annulled.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Treasurer submitted the following report; which was referred to the Finance Committee :

*Report of I. N. PATISON, City Treasurer, for the month of August, 1882.*

RECEIPTS.

Balance on hand August 1st, 1882.....	\$254,228 01
From benefits.....	333 00
From coal licenses.....	10 00
From dog licenses.....	39 00
From dray licenses.....	3 00
From express licenses.....	23 25
From fines and fees.....	221 75
From hucksters' licenses.....	88 00
From liquor licenses.....	884 00
From market rents.....	38 00
From market masters' fees.....	386 40
From peddlers' licenses.....	17 00
From promiscuous.....	2 70
From sale of old material—Fire Department.....	31 74
From show licenses.....	115 00
From tapping sewers.....	4 00
From vault-cleaners' licenses.....	50 00
From tax sales.....	44 81
From taxes delinquent.....	1,930 77

\$ 258,450 43

DISBURSEMENTS.

For Board of Health.....	\$ 261 00
For bridges.....	47 67
For bridge repairs.....	491 01
For City Assessor's Department.....	265 50
For City Civil Engineer's Department.....	202 80
For City Dispensary.....	257 13
For City Hall.....	95 45
For City Hospital and Branch.....	919 77
For cisterns.....	121 83
For Fire Department.....	8,293 51
For gas.....	5,292 29
For Garfield Park.....	171 86
For incidentals.....	29 60
For judgments and costs.....	332 91
For markets.....	8 00
For Market-masters' fees.....	262 14
For parks.....	239 15
For percentage.....	499 61

For Police.....	4,344 33
For printing.....	481 67
For salary.....	219 75
For sewer cleaning.....	222 00
For Station Houses.....	202 24
For street improvements.....	3 52
For street openings and vacations.....	165 00
For street repairs.....	1,863 44
For street cleaning.....	1,618 10
For amount taken from General Fund and applied to "Additional City Hall Fund," under the provisions of G. O. 41, 1882, liquor licenses and Express Co. licenses from June 5th, to Aug. 7th, 1882.....	11,621 92
Balance on hand, General Fund, including \$60,000.00 paid.....	219,967 23
	<u>\$258,450 43</u>

## TOMLINSON ESTATE.

Balance on hand, August 1st, 1882.....	\$ 55,051 75
From rents.....	120 62
	<u>\$ 55,172 37</u>
For repairs.....	\$ 50 80
Balance on hand, Sept. 1, 1882.....	55,121 57
	<u>\$ 55,172 37</u>

## ADDITIONAL CITY HALL FUND.

From General Fund, under provisions of G. O. 41, 1882.....	\$ 11,621 92
Balance on hand Sept. 1st, 1882.....	11,621 92
	<u>\$ 23,243 84</u>

Respectfully submitted,

I. N. PATTISON, City Treasurer.

To JOSEPH T. MAGNER, City Clerk.

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

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

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the city treasury during the month of August, 1882, viz:

Board of Health.....	\$ 186 00
Bridges.....	47 67
City Assessor's Department.....	265 50
City Civil Engineer's Department.....	209 80
City Dispensary.....	254 13
City Hall.....	96 45
City Hospital and Branch.....	1,000 46
City Treasurer's percentage.....	499 61
Cisterns.....	121 83
Fire Department.....	8,306 75
Garfield Park.....	171 86
Gas.....	5,292 29
Incidentals.....	86 35
Judgments and costs.....	332 90
Markets.....	5 00
Market-Masters' Fees.....	262 14
Parks.....	256 90

Police.....	4,312 33	
Printing.....	442 92	
Salary.....	144 75	
Station Houses.....	202 24	
Street Improvements.....	3 52	
Street openings and vacations.....	192 00	
Street cleaning.....	1,592 23	
Street Repairs.....	1,903 94	
Street Department, bridge repairs, etc.....	491 01	
Street Department, sewer cleaning, etc.....	279 83	
		\$26,963 41
School fund.....	\$ 659 21	
Tomlinson Estate, repairs, etc.....	63 35	
		722 56
Total.....		<u>\$27,685 97</u>

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The City Clerk submitted the following report:

To the Mayor and Common Council:

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

John A. Whitsit vs. Frederick Goepper's heirs, viz: Susanna Goepper, Lena Goepper, Emma Goepper, Lilly Goepper, Oscar Goepper, Frederick Goepper, Albert Goepper, Anna M. Krauss and Callie Frenzel, for..... \$270.27

John A. Whitsit vs. Frederick Goepper's heirs, viz: Susanna Goepper, Lena Goepper, Emma Goepper, Lilly Goepper, Oscar Goepper, Frederick Goepper, Albert Goepper, Anna M. Krauss and Callie Frenzel, for..... \$105.16

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

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

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pritchard, Reichwein, Stout, Ward, and Yoke.

NAYS, 1—viz. Councilman Thalman.

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

Indianapolis, August 19th, 1882.

To JOS. T. MAGNER, Clerk of the City of Indianapolis, Ind.

We, the President and Secretary of the Board of School Commissioners of the city of Indianapolis, hereby certify, that at the regular session of said Board, held August 18th, A. D. 1882, the following resolution was adopted, to wit:

“Resolved, That the tax levy of this Board for the year 1882, be adopted and established as follows:

For Special Fund, twenty cents (20 cts.) on each one hundred dollars (\$100.00), and one dollar (\$1.00) on each poll.

For Library Fund, two cents (2 cts.) on each one hundred dollars (\$100.00.)



And the President and Secretary are directed to certify this action of the Board to the City Clerk, and cause the same to be placed on the tax duplicate of the city of Indianapolis, for the year 1882, against all property assessed for School purposes, all property transferred for School purposes, and against each poll."

Witness our hands, and the seal of said Board of School Commissioners, the day and year above written.

The Board of School Commissioners of the city of Indianapolis,  
 [Seal.] By W. A. BELL, their President.  
 E. P. THOMPSON, their Secretary.

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

Indianapolis, Sept. 4, 1882.

To the Mayor and Common Council:

*Gentlemen:*—Under your instructions, I have prepared an ordinance regulating the removal of garbage and other waste matter from the city, and repealing the one now in force on that subject. I hand the same to the Mayor for introduction.

I return the repealing ordinance heretofore introduced, which was referred to me, to the Clerk, the same being G. O. 49, 1882, and suggest that the same be now stricken from the files. Respectfully submitted,

C. S. DENNY, City Attorney.

The following entitled ordinance, presented by the President as per foregoing report, was read the first time:

G. O. 70, 1882—An ordinance regulating the removal of garbage, slops, ashes, and other waste matter, from the corporate limits of the city of Indianapolis, and repealing an ordinance on the same subject.

G. O. 49, 1882, was ordered stricken from the files.

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

Indianapolis, Sept. 4, 1882.

To the Mayor and Common Council:

*Gentlemen:*—General Ordinance No. 49, 1881, to provide for removal and burial of the unknown dead of the city, introduced by title, simply, was referred to me to fill out. The parties interested therein, now desire it stricken from the files, without further action. I therefore return the same to the Clerk.

Respectfully submitted, C. S. DENNY, City Attorney.

G. O. 49, 1881, was ordered stricken from the files.

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

Indianapolis, Sept. 4, 1882.

To the Mayor and Common Council:

*Gentlemen:*—By direction of the Board of Aldermen, I have prepared and herewith hand to His Honor, the Mayor, for introduction, an ordinance making it unlawful for any person to use, fire off, etc., any toy pistol, or any toy fire arm, in the city. By special direction, I have also included a provision against the sale of same, except by wholesale, in the city.

Respectfully submitted,  
 C. S. DENNY, City Attorney.

The following entitled ordinance, presented by the President as per foregoing report, was read the first time:

G. O. 71, 1882—An ordinance prohibiting the use of toy pistols, and other toy fire-arms, and making it unlawful to sell said articles by retail, in the city of Indianapolis.

The City Attorney submitted the following reports; which were severally received;

Indianapolis, Sept. 4, 1882.

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

*Gentlemen:*—The Superior Court, in General Term, has affirmed the judgments of Special Term, in the cases of Charles Bauer vs. The City, and Rosina Kistner, Executrix, vs. The City, in favor of the city. Appeals will, most likely, be taken to the Supreme Court, in both cases.

Respectfully submitted,

C. S. DENNY, City Attorney.

Indianapolis, Sept. 4, 1882.

To the Mayor and Common Council:

*Gentlemen:*—A motion was introduced some weeks ago, directing the Union Railway Co. to extend the walls and roof of the Union Depot over the tracks on the north side of the present depot. The Council, without other action, referred said motion to me, for the purpose, as I suppose, of getting my opinion as to what power, if any, the city has to compel the company to do the work mentioned.

After a careful examination of the matter, including all the company's ordinances, I will state that I do not think the city can require said company to construct said addition to the present depot, by any legal process.

Respectfully submitted,

C. S. DENNY, City Attorney.

Indianapolis, Sept. 4, 1882.

To the Mayor and Common Council:

*Gentlemen:*—Special Ordinance No. 113, 1882, together with the communication of Edward King, relative thereto, and other matters, was referred to me at the last meeting, for the purpose, as I suppose, of getting my opinion as to whether the said ordinance now pending, can be legally passed, and a legal contract awarded thereunder.

While it may not have been a proper thing for Mr. Spaulding to remove the materials placed on the sidewalk by him, because he could not make collection from Mr. King, and although he might have been enjoined from doing so by Mr. King, (or the city, possibly), at the time, yet, it having been done, I do not see that Mr. King now has power to prevent the work being done over again, or to resist payment, provided the ordinance shall be passed by the necessary two-thirds vote, and the contract properly awarded. Mr. King will not be damaged any more than he would have been had the first ordinance been properly passed, so as to have been legally enforced, for he is out nothing. He can equitably claim nothing, and can properly do nothing in the premises, except remonstrate against the passage of the pending ordinance, which he has done.

As to his request for an investigation as to the causes and circumstances attending the destruction of the former sidewalk, I do not understand that I am called upon to advise the Council. I return the ordinance to the Clerk.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Street Commissioner submitted the following report; which was approved:

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

*Gentlemen:*—On July 17th and 24th, 1882, the following motion was adopted by your honorable bodies:

"That the City Marshal be, and is hereby, directed to notify the owners of property on East Washington street, on the south side of the second lot east of Pine street, to fill up the low sink-hole on said lot, where stagnant water stands, within five days from receipt of notice, and if not done within five days, that the Street Commissioner fill the same, and collect from the property owners, and upon their refusal to pay, to bring suit for collection within thirty days; further, that the Street Commissioner report to this Council, at our next meeting, if the work has been done."

The City Marshall informs me that he served due notice upon the property holders, and at the expiration of the time given the work was not done. The City Attorney informs me that a lien can not be made against the property under the above motion, and I herewith submit a resolution, in due form, in lieu thereof, that the city may collect the cost, if necessary to do the work.

Respectfully submitted.

L. A. FULMER, Street Commissioner.

The following resolution, presented with the above report, was read:

*Resolved,* That the owners of the foll wing described real estate, to-wit, lots Nos. 2, 3 and 4 in Allen, Johnson and Wilson's subdivision of out lot No. 76, in the city of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in opinion of the Common Council and Board of Aldermen, 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 is hereby required to notify the owners thereof, as provided by 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**, 19—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dowling, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

**NAYS**—None.

The following report from the Chief Fire Engineer, was read and concurred in:

Indianapolis, September 2d, 1882.

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

*Gentlemen:*—I have been officially notified of the placing in service of the fire hydrant ordered by your honorable bodies, at the northeast corner of New York and Agnes streets, and said hydrant is dated in service from August 28th, 1882.

Yours respectfully,

JOSEPH H. WEBSTER, Chief Fire Engineer.

The following report from the Chief Fire Engineer was read and received:

Indianapolis, Ind., September 1st, 1882.

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

City of Indianapolis, Ind.:

*Gentlemen:*—I herewith submit for your consideration my monthly report of the cash receipts and disbursements of the Fire Department for the month of August, 1882:

Sept. 1.	Balance on hand as per last report.....	\$147 13
RECEIPTS.		
Aug. 1.	Hiram Ringaloskey, old papers ..	10
Aug. 3.	J. M. Bolemie, 5 ft. old hose .....	50
Aug. 8.	George Borst, 13 ft old hose .....	1 30
Aug. 10.	Wm. Wishmeir, 15 ft. old hose .....	1 50
Aug. 12.	L. Morrison, old horse .....	65 00
Aug. 14.	Carbon Hill Block Coal Company, 72 ft. old hose .....	7 20
Aug. 19.	B. Beckman, 100 ft. old hose.....	10 00
Aug. 23.	Thomas Cummings, 30 ft. old hose .....	3 00
	Total receipts.....	88 60
	Total .....	\$235 73
DISBURSEMENTS.		
Aug. 2.	W., St. L. & P. Ry. Co., freight .....	1 12
Sept. 1.	I. N. Pattison, City Treasurer, cash.....	88 60
		89 72
	Balance on hand .....	\$146 01

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

The following report from Wm. Hadley, rental agent, was read and received:

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

*Gentlemen:*—I herewith submit report for rents for month of August, 1882, with Treasurer's receipt therefor, viz:

Mary Dyer, No. 113, north Illinois street.....	\$ 25 00
Hannah Overman, No. 115, north Illinois st.....	25 00
W. H. Mahone, No. 117, north Illinois st .....	25 00
B. W. Cain, No. 30, east Ohio street .....	15 00
Paul Sherman, No. 21, Indiana avenue.....	15 00
L. S. Campbell, No. 17, Indiana avenue.....	12 50
	\$117 50
Less 3½ per cent commission.. .....	3 50
	\$114 00

Respectfully submitted,

W. HADLEY, Agent.

The Superintendent of the City Hospital and Branch, submitted the following report; which was received:

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

Gentlemen:—The following reports of the City Hospital and Branch, for the month of August, 1882, are respectfully submitted:

	First Week.	Second Week.	Third Week.	Fourth Week.	Three Days.	Monthly Totals.
Number of paid Officers and Employes in Hospital .....	12					
Number of paid Officers and Employes in Branch.....	1					
Number of beds in Hospital .....	100					
Number of beds in Branch.....	10					
No. of adult patients in Hospital at beginning of week.....	58	59	56	59	61	58
No. of infant patients in Hospital at beginning of week....	5	6	6	5	6	5
No. of adult patients received during week .....	11	7	13	10	6	47
No. of infant patients received or born during week.....	2		1	1		4
No. of adult patients discharged during week .....	10	9	9	8	3	39
No. of infant patients discharged during week.....			2			2
No. of adult patients who died during week.....		1	1		1	3
No. of infant patients who died during week.....	1					1
No. of patients in Branch at beginning of week.....						
No. of patients in Branch at end of week.....						
No. of adult patients in Hospital and Branch at end of week	59	56	59	61	63	63
No. of infant patients in Hospital and Branch at end of week	6	6	5	6	6	6
No. of pay-patients at beginning of week.....						
No. of pay-patients at end of week .....						
Aggregate number of days of patients in Hospital.....	451	432	460	447	202	1993
Aggregate number of days of employes in Hospital.....						470
Aggregate number of prescriptions filled during month ..						910
Aggregate number of patients in Hospital during month..						114
Totals .....						
Total expenditures for month .....						\$992.13
Aggregate number of days subsistence furnished .....			2463			
Average daily cost of each patient .....						49+cts.
Average daily cost for patients, officers, and employes.....						40+cts.

WILLIAM N. WISHARD, M. D., Superintendent.

The Superintendent of the City Dispensary submitted the following report; which was received:

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

Gentlemen:—The following reports of the City Dispensary for the month of August, 1882, are respectfully submitted:

Number of Patients treated at Dispensary.....	220
Number of Medical cases at Dispensary .....	272
Number of Surgical cases at Dispensary.....	3
Number of Disease of Nervous System.....	2
Number of Disease of Eye and Ear.....	3
Number of Diseases of the Throat.....	5
Number of Out-door Patients treated .....	120
Number at Station House .....	14
Number at News Boys' Home .....	0
Number of Patients sent to Hospital.....	4
Total number of Patients treated during month.....	643
Total number of Visits made during month.....	321
Total number of Prescriptions filled during month.....	958
Number of Births during month.....	3

Number of Deaths during month.....	3
Still-born.....	1

## EXPENDITURES FOR MONTH.

J. J. Garver, Superintendent.....	\$70 00
C. Button, Assistant.....	41 66
G. A. Coble, Assistant.....	41 66
C. H. Bacon, Druggist.....	30 00
L. A. Gable, drugs and instruments furnished.....	85 10
Vajen & New, hardware.....	1 15
A. L. Wright & Co., carpets, oil-cloth, etc.....	53 87
C. G. Haag, sprinkling street.....	1 50
Total expenditures for month.....	<u>\$324 94</u>

J. J. GARVER, M. D., Superintendent.

## REPORTS, ETC., FROM OFFICIAL BOARDS.

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

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

*Gentlemen:*—We herewith report expenditures of the Street Department for the month of August, 1882, together with the total amount of expenditures to September 1st, 1882:

## STREET REPAIRS DEPARTMENT.

Pay-rolls.....	\$1,425 79
Blacksmithing.....	21 35
Bowlders.....	97 25
Cedar blocks.....	185 00
Freight on stone.....	32 00
Gravel.....	89 40
Sand.....	17 15
Stone sprawls.....	36 00
Total expenditures for August, 1882.....	\$1,903 94
Total expenditures per last report.....	4,307 23
Total expenditures to September 1st, 1882.....	<u>\$6,211 17</u>

## STREET CLEANING DEPARTMENT.

Pay-rolls.....	\$1,559 73
Blacksmithing.....	32 50
Total expenditure for August, 1882.....	\$1,592 23
Total expenditures per last report.....	2,808 11
Total expenditures to September 1st, 1882.....	<u>\$4,400 34</u>

## BRIDGE DEPARTMENT.

Pay-rolls.....	\$399 75
Hardware.....	91 26
Total expenditures for August, 1882.....	\$ 491 01
Total expenditures per last report.....	1,290 95
Total expenditures to September 1st, 1882.....	<u>\$1,781 96</u>

SEWER DEPARTMENT.

Pay-rolls.....	\$222 00
Cement.....	12 25
Sewer pipe.....	41 68
Lime.....	3 90
<hr/>	
Total expenditures for August, 1882.....	\$279 83
Total expenditures per last report.....	587 72
<hr/>	
Total expenditures to September 1st, 1882.....	\$867 55

Respectfully submitted,

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

L. A. FULMER, Street Commissioner.

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

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

Under 1 year.....	18
1 to 2 years.....	7
2 to 5 ".....	5
5 to 10 ".....	1
10 to 15 ".....	2
15 to 20 ".....	1
20 to 25 ".....	3
25 to 30 ".....	1
30 to 40 ".....	5
40 to 50 ".....	8
50 to 60 ".....	4
60 to 70 ".....	5
70 to 80 ".....	4
80 to 90 ".....	1
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	0
<hr/>	
Total.....	66

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

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Judiciary, through Councilman Pritchard, submitted the following report:

*Indianapolis, Sept. 4th, 1882.*

To the Mayor and Common Council:

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

The first is the petition of Pattison M. E. Church, Wm. J. Coffman, James Ballard, and others, showing that on Lots 1, 2 and 3, in L. D. Johnson's subdivision of the south half of Square 28, Johnson's heirs addition, there is a lien, being an assessment for the opening of Rohampton street, from Seventh street to Lincoln avenue.

Petitioners ask to have this lien satisfied of record, on the ground that the Superior Court, in the case of Ovid Butler vs. The City, has decided said assessments *null and void*. The assessments, as a matter of fact, are not void, and the above case does not so decide. Butler did not make the point that the assessment was *void*, but that it was too large against him. The court agreed with him, and reduced the same *in part*, and Mr. Butler paid the balance.

We therefore recommend that the prayer of the petitioners be *not* granted.

The second is G. O. 65, 1882; is an ordinance proposing to levy a special tax of \$35.00 on each car run by the Citizens' Street Railroad Company.

In the opinion of your committee, this cannot be done during the continuance of the present charter. The tax, if levied, would be *void*, and would result in the city paying a bill of costs, as a defendant in a law suit.

We therefore recommend that the ordinance be stricken from the files.

The third is a motion that the Street Railroad Company furnish the Council and Board of Aldermen with a time-table of each Street Railway line; also, the number of cars on each line.

We recommend the motion be passed.

The fourth is the petition of 32 persons, owning property and residing on South street and Fletcher avenue, asking to have the "T" rail, on street car line, removed off said street, and replaced with the improved flat rail.

Since the filing of the above petition, 31 of the 32 persons, have filed a counter petition, asking that the "T" rail be let alone, as the street has been improved and track filled with gravel.

Your committee therefore recommend, that as the people on the street are satisfied with the present condition of the street, that the motion based upon the above petition, requiring the Street Railroad Company to remove said "T" rail, by September 31st, be stricken from the files.

Respectfully submitted,

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

C. S. DENNY, City Attorney.

On motion, the first, second and third clauses of the above report were concurred in.

Councilman Yoke, relative to the fourth clause of the foregoing report, submitted the following minority report:

To the Mayor and Common Council:

*Gentlemen:*—The undersigned, a member of the Judiciary Committee, to which committee was referred the petition of citizens along South street and Fletcher avenue, relative to the use of the "T" rail by the Citizens' Street Railway Company on said streets, and the motion requiring said company to remove said "T" rail within six weeks from date of notice, has given the matter careful consideration, and am of the opinion that said company has violated its charter, in not using the improved or most approved rail.

I therefore recommend that the prayer of the petition be granted, and that the Citizens' Street Railway Company be required to remove the "T" rail on or before January 1, 1883.

Respectfully submitted,

N. YOKE.

On motion by Councilman Ward, the *previous question* was ordered by a majority of the members present.



The question was then put on the minority report, and it failed of concurrence by the following vote:

AYES, 3—viz. Councilmen Brundage, Reichwein, and Yoke.

NAYS, 16—viz. Councilmen Bedford, Bryce, Caylor, Cole, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Pritchard, Stout, Thalman, and Ward.

The fourth clause of the foregoing report of the Judiciary Committee, was then concurred in.

The Judiciary Committee, through Councilman Pritchard, submitted the following majority and minority reports:

33

Indianapolis, Sept. 4th, 1882.

To the Mayor and Common Council:

*Gentlemen:*—Your Judiciary Committee, together with the City Attorney, to whom was referred petition of Wm. Rowe, showing that on the 10th day of February, 1880, he purchased from the City Treasurer, at public tax sale, Lot 12, Square 35, paying therefor the sum of \$143.33, and the treasurer issued to him his certificate of sale, No 20,487. This lot was owned by St. Paul Church. This church bring a suit, No. 29,271, against City Treasurer to enjoin him from making deed upon said certificate of sale. The Superior Court grant a perpetual injunction, upon the ground that the assessment and sale of this church property was absolutely void. This decision is correct, and supported by the Supreme Court of the State, in the case of The First Presbyterian Church of Fort Wayne vs. The City of Fort Wayne, and others, 36 Ind., 338. Property used for religious purposes "are not liable to assessment to contribute to the cost of the construction of sewers in a city. Such property not being valued and assessed upon the tax duplicate for State and County taxes, no method is provided by law for its assessment for the purpose of sewerage." This is the language of our Supreme Court.

When the city built the Illinois street sewer, it was her legal duty, therefore, to pay the sum taxed up to this church; but, in violation of law, or without any law, the city assessed the same against the church, and placed the same on the tax duplicate. On failure of the church to pay, our City Treasurer offers the same for sale, and sells the same for \$143.33, to one of our own citizens. Then the church acts, and secures a perpetual injunction against the city from making Mr. Rowe a deed, on the ground that all the city has done in the matter, is *null and void*.

Now, as we cannot make a deed, Mr. Rowe asks that the city give him back his money. It is *just, honest*, and lawful to do so; and therefore recommend that the sum of \$143.33, with interest from February 10th, 1880, be refunded to petitioner.

Respectfully submitted,

JAMES A. PRITCHARD.

We do not concur in the above.

N. YOKE,  
JOHN W. FULTZ.

On motion by Councilman Yoke, the *previous question* was ordered by a majority of the members present.

The minority report was then concurred in by the following vote:

AYES, 14—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Egger, Knodel, Mauer, Morrison, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS, 4—viz. Councilmen Dowling, Fultz, Harrold, and Yoke.

Councilman Pritchard was excused for the remainder of this session.

SIG. 30.

The Committee on Printing, through Councilman Bedford, submitted the following report; which, on motion by Councilman Bryce, was referred to the Judiciary Committee and City Attorney:

To His Honor, the Mayor, and Common Council:

*Gentlemen:*—Your Committee on Printing, beg leave to report that we have investigated the matter of printing the statutes and ordinances, as codified in convenient form by your City Attorney, as per his report, and would recommend that the work be done; and the City Clerk is hereby instructed to advertise for bids for the same, up to 4 o'clock, P. M., of Saturday, September 16th, 1882.

Respectfully submitted,

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

The Committee on Public Health, through Councilman Bedford, submitted the following report; which was concurred in:

To His Honor, the Mayor, and Common Council:

*Gentlemen:*—The petition of J. H. Stewart, Hildebrand & Fugate, John C. Shoemaker, and about (150) one hundred and fifty others, in reference to the placing of a well, and a Merrill's Fountain Spray Pump in it, at the northwest corner of Illinois and Market streets, which was referred to your Committees on Public Health and Water, would report that, in as much as the digging of wells on the sidewalks and streets, are not only in violation of existing ordinances, but in violation of the statute, we would recommend that the prayer be *not* granted.

B. Ward,  
Committee on Water.

C. T. Bedford,  
Phil. Reichwein,  
Committee on Health.

#### REPORTS FROM SELECT COMMITTEES.

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

To the Mayor and Common Council:

*Gentlemen:*—Your committee to whom was referred the petition of Charles Helwig, and others, asking that proceedings be instituted to have the Canal filled up in the city limits, etc., beg leave to report: That they have carefully investigated said matter, and find the following to be the facts:

At the time the petition was signed by the citizens along the line of the canal, the Water Works Company was putting in a new aqueduct, which necessitated the shutting off of water at Broad Ripple, during the whole of the time said work was progressing. The new aqueduct was constructed as rapidly as possible, and as soon as it was completed, the water was again turned in, and the canal is now full of water. The petitioners who met your committee some weeks ago and strongly urged that steps be taken to have the bed of the canal filled up, now withdraw their objections to its continuance. There is no provision in the law under which the canal was constructed, creating a forfeiture in case the same shall become and remain dry for thirty days, or any other time, as was thought to be the case by some of the petitioners.

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

Respectfully submitted,

Jas. A. Pritchard,  
E. H. Koller,  
Wm. H. Morrison,  
Jas. T. Dowling,  
H. B. Stout,  
Special Committee.

## MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the claims referred to the Fire Board:

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen, at its regular session held on August 28th, 1882, failed to concur in your action of August 21st, in directing the City Clerk to insert in next appropriation ordinance the amount of ten dollars in favor of each respectively, Hiram Hunt, John Kent and James Kealy.

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, at its regular session held on August 28th, 1882, non-concurred in the report your special committee made in relation to the suit of Harrison's Bank vs. The City of Indianapolis, their objections being against the clause binding the city to abide by the decision of the Circuit Court. The Board of Aldermen is of the opinion that no such agreement should be made.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and the former action of the Common Council was adhered to:

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen, at its session held on August 28th, 1882, refused to concurrently adopt the following motion (adopted by your honorable body August 21st, 1882), for the reason that said body did not deem it advisable to close the pound in question until a new pound had been procured:

"That the City Marshal be, and he is hereby, ordered to abandon the cow pound in rear of Ross Block, at once."

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following special message was read:

To the Mayor and Common Council:

*Gentlemen:*—At a regular session of the Board of Aldermen held August 28th, 1882, the following motions and resolution were offered, and were severally adopted:

1st. "WHEREAS, There being a great necessity for a City Cemetery; therefore,

*Moved*, That the City Clerk be, and is hereby, directed to advertise, in the daily city papers, for thirty days, the Sellers Farm for sale, and that if the Council shall decide to sell said grounds, that the amount received from such sale be set aside as a part of the purchase money for a City Cemetery. Further, that the Council and Board of Aldermen reserves the right to reject any and all bids."

2d. "*Moved*, That the City Marshal be, and is hereby, directed to see that the ordinance providing for the impounding of all kinds of stock, is enforced; and if the present place for impounding is not suitable, to procure a place at once, at the city's expense."

3d. "Resolved, That the name of South street, from East street to Noble street, be changed to Fletcher avenue, and that the proper city officers make said change on the Plat Books of the city."

I submit the same for your consideration and action.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

On motion, the first clause of the above message was referred to the special committee on "New Cemetery;" the second clause was referred to the special committee on "Cow Ordinance," and the third clause referred to the Councilman of the Ward, to present new petition of property owners residing on the whole line of South street.

The following message was read, and G. O. 51, 1882, ordered stricken from the files:

To the Mayor and Common Council:

*Gentlemen:*—The Board of Aldermen, at its regular session held August 28th, 1882, failed to pass the following entitled ordinance:

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

For the Board of Aldermen.

GEO. T. BREUNIG, Clerk.

On motion, S. O. 113, 137 and 181, 1881, and S. O. 12 and 23, 1882, were ordered stricken from the files.

Councilmen Dowling and Cole were excused for the remainder of this session.

#### APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were placed upon their final passage without a suspension of the rules:

By the Fire Board, through Councilman Thalman, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 52, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$3,158.69.]

And it was passed by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS—None.

By the Hospital Board, through Councilman Bryce, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time :

Ap. O. 53, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis on account of the City Hospital and Branch. [Amount appropriated, \$990.13.]

And it was passed by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS—None.

By the Police Board, through Councilman Stout, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 54, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$979.69.]

And it was passed by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, Ward and Yoke.

NAYS—None.

By the Committee on Accounts and Claims, through Councilman Brundage, the following entitled ordinance was introduced and read the first and second times, ordered engrossed, and read the third time:

Ap. O. 55, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis. [Amount appropriated, \$79,894.28.]

And it was passed by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS—None.

By the Committee on Printing, through Councilman Bedford, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 56, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of Printing, Stationery and Advertising. [Amount appropriated, \$263.88.]

And it was passed by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, Ward, 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. 145, 1882—An ordinance to provide for the construction of a brick sewer in and along Massachusetts avenue, from Ash street to, and connecting with, the Massachusetts avenue sewer at Vermont street; and to provide for the assessment and collection of the cost thereof.
- S. O. 146, 1882—An ordinance to provide for grading, and paving with brick, the sidewalks of Oak street, from Massachusetts avenue to the first alley north of Cherry street.
- S. O. 147, 1882—An ordinance to provide for grading, bowldering and curbing the gutters of Park avenue, from St. Clair street to Christian avenue.
- S. O. 148, 1882—An ordinance to provide for grading, and paving with brick, the north sidewalk of Cherry street, from Fort Wayne avenue to Park avenue.

By Councilman Brundage:

- S. O. 149, 1882—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on English avenue, between Dillon street and Reid street.

On motion, the above ordinance was referred to the Committee on Public Light.

By Councilman Mauer:

- S. O. 150, 1882—An ordinance to repeal Special Ordinance No. 94, of 1882, entitled "An ordinance to provide for re-grading and bowldering the roadway of Indiana avenue, from Illinois street to Michigan street," ordained August 28, 1882.

By Councilman Morrison, for Councilman Pritchard:

- G. O. 70, 1882—An ordinance granting the right to maintain and exhibit a deformed child in the city of Indianapolis.

By Councilman Thalman:

- S. O. 151, 1882—An ordinance to provide for grading and bowldering the south gutter of Ohio street, from Meridian street to Illinois 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 repair the sidewalks on southeast side of Massachusetts avenue, at Liberty street crossing, the same being in a very bad condition.

Councilman Brundage offered the following motion; which was adopted:

That the City Marshal be, and is hereby, instructed to notify property owners to cut the weeds in and around their property.

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

To the Honorable, the Chairman and Council of the City of Indianapolis, State of Indiana:

*Gentlemen:*—"The New York and Chicago Electric Underground Conduit Company," (a corporation formed under the State laws of the State of New York, June 21st, A. D. 1882, and owning and controlling a "Patented Invention" for conveying Electric Wires underground), do very respectfully ask that your honorable body do grant to the said company the privilege of laying their conduit underground in the public streets. or any parts of the streets or alley ways in said city of Indianapolis, with the privilege, also, to lay said conduit to the depth of three feet by twenty-four inches in width underground, either in the centre of any street or alley way, or to lay the same at or near the curb-stone or sidewalk of any street or alley way, with the privilege, also, of forming and building man-holes at or near every street crossing, underground. The said conduit will contain as many Electric Light wires, or cables, Telegraph and Telephone wires or cables, as may be necessary or proper to be introduced into the conduit.

The conduit to be manufactured out of any kind of suitable material, such as paper, terra cotta, asphalt, glazed pipe, or iron, with offsets therefrom within the space of every ten or sixteen feet, so that connection can readily be made with any business houses or dwellings along the line of main conduit.

The said privilege is prayed for and during the term of twenty five years. The said conduit to be laid within one year from the date of such order, when passed by said Council.

The said company will enter into a sufficient bond to guarantee the said city against damage to streets which may occur, or in anywise arise out of the exercises of the said privilege, along the line where conduit is laid. The company will also agree not to open up more than one hundred feet of any one street or alley way at any one time, while laying the conduit, and all of the said work of laying the conduit, will be done at night time. The said company will agree to furnish to the said city, free of charge, the use of two Telegraph and two Telephone wires in conduit.

JOHN MORTON & Co., General Agents to  
The New York and Chicago Electric Underground  
Conduit Co. Offices, Room 23, 133 Lasall street,  
Chicago, Ill. Principal offices, 84 Nassau street,  
New York City.

Chicago, Ill., Sept. 2d, 1882.

Councilman Mauer, for Councilman Cowie, presented the following petition; which was referred to the Committee on Public Property:

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

*Gentlemen:*—We, the undersigned, residents and property owners fronting on and in the neighborhood of Military Park, most respectfully petition your honorable bodies to remove the fence that now encloses the Park. The same has become decayed and broken, and its removal will add greatly to the appearance of the Park.

Thos. J. Morse, Julius C. Walk, Sam'l E. Perkins, David Gibson, Edward Dunn, Jno. B. Long, M. D., C. E. Geisendorff, Dan. Burton, Simeon Goins, John M. Foreman, Otto A. Deisch, Mrs L. M. Perkins, Alma R. Perkins, Otto Schissel, Henry G. Werbe, William Williams, N. Kellogg, Wm. Archdeacon, O. B. Hoar, Wm. E. Featherston, T. E. Chandler, Henry C. Cox, Wm. Coughlen, William Powell, D. H. Prunk, M. F. Connett, George Zapf, J. L. Schepper, Aaron X Moar, his mark. I want the old fence removed, provided the horses and cows now running at large, can be kept up. Chas. N. Lee.

Councilman Egger offered the following motion; which was adopted:

That the City Marshal be, and is hereby, directed to notify all property owners having shade trees in front of their property where limbs obstruct the passage of wagons and other vehicles, to trim such trees and remove such obstructions, within five days from such notice.

Councilman Egger offered the following motion; which was referred to the Board of Public Improvements, with power to act:

That the Street Commissioner be instructed to place stone crossings at the alleys and Greer street crossing between Virginia avenue and East street, on Stevens street, as the sidewalks have been lately paved with brick.

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

To the Common Council and Board of Aldermen:

*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 fifty (50) feet, and the vacating of fifteen (15) feet on each side to the respective owners on the north and south sides of said Sanders street. A plat of said street hereby accompanys this petition.

And your petitioners will ever pray.

Mary Burgman,  
Daniel Chenoweth,  
John B. Stumph.

Councilman Fultz 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 Church street from Ray street to Morris street.

That the Street Commissioner be and is hereby directed to clean the gutters and fill the chuck-holes on Tennessee street from Pogues Run to Ray street.

That the Street Commissioner be and is hereby directed to clean the gutters on Chadwick street from McCarty street to Ray street.

Councilman Harrold offered the following resolution:



*Resolved*, That the first street west of West street, from Washington to Maryland street, be, and the same is hereby, named California street; and that the name of Ellis street, from Maryland to Georgia street, be, and is hereby, changed to California street.

Councilman Yoke moved to refer the above resolution to the Councilman of the Ward, with instructions to procure proper petition on the whole line of the street.

On motion by Councilman Bryce, the above motion to refer, was laid on the table.

The resolution was then adopted by the following vote:

**AYES**, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Egger, Fultz, Harrold, Knodel, Koller, Mauer, Morrison, Reichwein, Stout, Thalman, and Ward.

**NAYS**, 1—viz. Councilman Yoke.

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 open and clean out the gutter on north side of Washington street, from White River bridge to L. B. & W. Railway.

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

That the Street Commissioner be, and is hereby, instructed to place a double stone crossing on Russel avenue and Illinois street.

Councilman Morrison, for Councilman Dowling, offered the following motion; which was adopted:

That the Board of Public Improvements and the City Civil Engineer be, and are hereby, directed to purchase the material for a new sewer pipe on the south side of Washington street, corner of Mississippi street; said pipe to be Akron Sewer Pipe, of not less than fifteen inches diameter. And the Street Commissioner be, and is hereby, directed to lay said sewer pipe under the direction of the Board of Public Improvements.

Councilman Egger was excused for the remainder of this session.

Councilman Morrison, for Councilman Pritchard, offered the following motions; which were referred to the Board of Public Improvements:

That the Street Commissioner be directed to fill with gravel the holes on Illinois and Meridian streets, from Seventh street to Tenth street.

That the Street Commissioner be, and is hereby, authorized to employ sufficient men to move the rank growth of weeds now growing upon the public streets and sidewalks on the outskirts of the city.

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

That the water fountain now located near the corner of Illinois and Seventh streets, be moved to the north side of Seventh street, on a line with the center of Illinois street.

Councilman Morrison, for Councilman Pritchard, offered the following motion; which was adopted:

That we ask the owners of vacant lots, in the interest of public health, to cut the weeds now growing upon their lots, and promise them that the city will do her part in this work, by cutting the weeds upon the public streets and alleys within the city limits.

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

*Indianapolis, Sept. 4th, 1882.*

To the Common Council and Board of Aldermen :

*Gentlemen:*—The undersigned, James G. Douglass, asks permission to build a private sewer from the lot on the northeast corner of Meridian and Michigan streets, across Meridian street, and west in the first alley north of Michigan street, so as to connect with the sewer in the first alley west of Meridian street, running from Michigan street to North street. The work to be done at my expense, under the direction of the City Civil Engineer.

Respectfully submitted, JAMES G. DOUGLASS.

Councilman Reichwein offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to drain the water from the gutter at the northwest corner of Washington and East streets.

Councilman Reichwein presented the following remonstrances; which were referred to the Committee on Streets and Alleys, with the ordinances S. O. 136 and 137, 1882:

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

*Gentlemen:*—The undersigned respectfully remonstrates against the improvement of Ohio street, between Hanna street and Arsenal avenue.

The reasons urged are, that the improvement is not a public necessity; that the property on both sides of the street—making nine hundred and eighty-six feet (986 feet)—is owned entirely by minor children, and cannot be sold during their minority; that it is wholly unproductive, and is already heavily taxed by the city, as well as the State and County. The improvement would be a great hardship on the children. I therefore respectfully ask your honorable body to defer this work until the demand is more urgent.

Very respectfully,

MARIA F. RITZINGER, Guardian  
of the minor heirs of J. B. Ritzinger, deceased.

*Indianapolis, Aug. 31st, 1882.*

To the Mayor, Common Council and Board of Aldermen :

*Gentlemen:*—The undersigned, owners of real estate fronting on Ohio street, between Pine street and 222 feet east of Harvey street, respectfully remonstrate against the passage of an ordinance providing for the improvement of said street between the points named, as contemplated under the present ordinance, S. O. 137, 1882.

Chas. G. Mueller, 49 feet; Joseph Eep, 37 feet; Gustav Herrmann, 36 feet; Henry Vehling, 32 feet; Christain Kraus, 37 feet; John Haltmann, 37 feet; Michael Cantwell; Cobb & Branham, over 300 feet; Chas. C. Hutchinson, 37 feet.

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 lay stone crossing at corner of Fifth and Pennsylvania streets.

Councilman Thalman offered the following motion; which was adopted:

That the Chief Fire Engineer be granted two weeks leave of absence, from September 9th, to attend the Chief Fire Engineers Convention, at Cincinnati.

Councilman Yoke presented the following remonstrances; which were received, and ordered filed with the ordinances:

Indianapolis, August 25th, 1882.

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—The undersigned, owners of real estate fronting on Hosbrook street, between Cedar and Dillon streets, respectfully remonstrate against the passage of an ordinance providing for the paving of Hosbrook street, from Cedar to Dillon street.

Charles Ott, 40 feet; Margaret Grants, 40 feet; Mr. Douglas, 80 feet; Arona Knennlein, 40 feet; Henry A. Secrist, 120 feet; Mary White, 40 feet; M. J. Anderson, 40 feet; Johannes Lauer, 40 feet; Louis Heitz, 40 feet; Adam Neumeister, 40 feet; Ira H. Stout, 40 feet; Patrick Wey, 20 feet; Joseph Davis; John W. Hoppe, 40 feet; Emma Prard, 26½ feet; Barnhard Funs, 45½ feet; Miss Wonder, 20 feet; Alexander Oberns, 40 feet; J. C. Hassey, for Adelaid Hassey, 128 feet; Martin Lurquin, 53½ feet; Conrad Burley, 40 feet.

Indianapolis, August, 1882.

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—The undersigned, owners of real estate fronting on Elm street, between Dillon and Grove streets, respectfully remonstrate against the passage of an ordinance providing for paving with brick the sidewalks of said Elm street, between the points named.

A. W. Ritzinger, 46 feet; Olie Wright, 80 feet; Fletcher S. Hines, by C., 40 feet; Elizabeth Taehly, 30 feet; Nancy J. Johnson, 40 feet; Kitty Croghan, 40 feet; Caroline Queisser, 40 feet; Patience Dunaway, 40 feet; Joseph Davis, 50 feet; Mary Lee, 20 feet; Jas. Johnson, 40 feet; Henry Taylor, per Hilt, 40 feet; Nancy Wyatt, 40 feet.

On motion, the Common Council then adjourned.

ISAAC THALMAN, President *pro tem.*

of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.