

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—OCTOBER 9, 1882.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, October 9th, A. D. 1882, at half-past seven o'clock, in regular session.

PRESENT—Hon. James T. Layman, President of the Board of Aldermen, in the Chair, and Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, and Wood—8.

ABSENT—Aldermen Rorison, and Tucker—2.

The Proceedings of the Board of Aldermen for the adjourned session, held September 13th, 1882, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

The following message was read and received:

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith transmit to your honorable body, the following papers for your consideration, favorably passed upon by the Common Council, at its session held September 25th, A. D. 1882.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following motions (adopted by the Common Council—see page 465, *ante*), were read and concurrently adopted:

That the City Marshal be, and is hereby, directed to notify the Wabash Railroad Company to plank their crossing at East street.

That the City Marshal be, and is hereby, directed to notify the P. C. & St. L. R. Company to plank their crossing on Cruse street.

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I herewith transmit to your honorable body, the following papers for your consideration, favorably passed upon by the Common Council, at its session held October 2d, A. D. 1882.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from His Honor, Mayor Grubbs, (see page 489, *ante*), was read and received:

Indianapolis, Ind., Oct. 2, 1882.

To the Common Council and Board of Aldermen :

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

Policemens' witness fees.....	\$135 20
Mayor's fees.....	118 73
Fines.....	13 35

\$267 28

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

Respectfully,

D. W. GRUBBS, Mayor.

The following report from the City Attorney was read, and the first clause of the report, relating to the appointment of an attorney, was referred to the Judiciary Committee; and the favorable action of the Common Council on the balance of the report (see page 490, *ante*), was concurred in:

Indianapolis, Oct. 2, 1882.

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

Gentlemen:—Before I was elected City Attorney, the law firm of which I am a member, brought an action for one Malinda Murphy, against the city, to recover damages for personal injuries received on account of a defective street. The Circuit Court sustained a demurer to the plaintiff's complaint. An appeal was taken from that ruling to the Supreme Court, and that court has now reversed the judgment of the Circuit Court, and remanded the case for trial.

Of course I cannot now take any further part on either side of said cause, and respectfully suggest that your honorable bodies each name a committee to select and employ an attorney to appear and defend said cause for the city, giving them power to act.

2. Some months ago, the old case of Rockwood, *et al.* vs. The City, brought several years ago, to enjoin the city from the further collection of taxes on the lots or blocks of ground in what is known as the I. & C. R. Co.'s subdivision southeast of the city, was referred, with two other cases, to the Judiciary Committees of your two bodies, with power to instruct me as to what further steps, if any, I should take in defense. As to this case, the committees gave me no definite instructions; but the feeling seemed to be, that the decision of the court be taken on all the legal questions involved, at least, before the city should abandon the defense. I have consequently proceeded with the case to a final determination, the court holding against the city on every question in the case, and a perpetual injunction has now been entered against the city collecting any more taxes on land in this subdivision. The record was put in proper shape for an appeal, if your honorable bodies desire one taken.

I state it as my opinion, however, as I have done before, that the action of the Council in 1874, in attempting to annex this territory by resolution, was a nullity.

Unless I am ordered to appeal said cause, I suggest that the Assessor and Clerk be directed to hereafter leave all the lots in said addition, and the subdivisions thereof, off of the tax duplicates; and that the Treasurer be directed to cancel all taxes now on the duplicates in his hands, in accordance with the decree of the court.

Respectfully submitted,

C. S. DENNY, City Attorney.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see pages 490 and 491, *ante*), was concurred in:

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 Charles S. Roney, for grading and paving with brick, the sidewalks of McCarty street, from East street to Virginia avenue.

2,582.90 lineal feet, at 43 cents..... \$1,110 61

A first and final estimate in behalf 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.

485.90 lineal feet, at 47 cents..... \$228 36

A first and final estimate in behalf of John Schier, for grading and paving with brick, the north sidewalk of Arch street, from Park avenue to Plum street.

615 lineal feet, at 47 cents..... \$276 01

A first and final estimate in behalf of Henry Clay, for grading and graveling Linden street and sidewalks, from Orange street to Pleasant Run.

2,514 lineal feet, at 49 cents... \$1,231 86

3 yards extra gravel, at 50 cents. 1 50

\$1,233 36

A first and final estimate in behalf of Wm. J. Freaney, for erecting a lamp-post, lamp and fixtures, (complete to burn gas, except the service pipes), on Wabash street, between Pennsylvania and Delaware streets.

810 lineal feet, at \$18.50 per post, 2 $\frac{1}{4}$ per foot..... \$18 50

A first and partial estimate in behalf of Henry C. Roney, for constructing a three foot brick sewer, at the expense of the city, in Reid street, from English avenue to Pleasant Run.

921.40 lineal feet, at \$1.87..... \$1,723 02

Cutting through abutment at Pleasant Run..... 10 00

\$1,733 02

Less 15 per cent reserve..... 259 95

Amount allowed \$1,473 07

A first and final estimate in behalf of S. W. Patterson, for re-graveling Indiana avenue, between Fall Creek and Belt Road.

1,246.1 cubic yards, at 39 cents. \$485 98

To 4 teams 1 day, grading, at \$3.50..... 14 00

\$499 98

A first and final estimate in behalf of J. L. Spaulding, for grading and paving the north sidewalk of the National Road, (where not already done), from Blackford street to the first alley west of Blackford street.

111.50 lineal feet, at 84 cents..... \$93 66

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 491, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Charles S. Roney, for grading and paving with brick the sidewalks of McCarty 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 concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 492, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for grading and paving with brick (where not already done), the north sidewalk on St. Clair street, from Park avenue to Massachusetts avenue, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 492, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf John Schier, for grading and paving with brick, the north sidewalk of Arch street, from Park avenue to Plum street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 492, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry Clay, for grading and graveling Linden street and sidewalks, from Orange street to Pleasant Run, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 492, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Wm J. Freaney, for erecting a lamp-post, lamp and fixtures, complete to burn gas, except the service pipes, on Wabash street, between Pennsylvania and Delaware streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 493, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving the north sidewalk of the National Road, (where not already done), from Blackford street to the first alley west of Blackford street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

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

NAYS—None.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 493, *ante*), was concurred in:

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

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

Contract and bond of Richter and Twiname, for grading, bowldering the gutters, and widening the sidewalks of North street, from Illinois street to the C., I., St. L. & C. Railroad tracks. Bond, \$3,000; surety, Peter Fritz.

Contract and bond of John Schier, for building one 1200-barrel cistern, at or near the corner of East street and Lincoln lane. Bond, \$1,200; surety, J. L. Spaulding.

Contract and bond of C. S. Roney, for grading, and paving with brick, the north sidewalk of Michigan street, from East street to Liberty street. Bond, \$400; surety, Richard Carr.

Contract and bond of R. P. Dunning, for grading and paving with brick the sidewalks of Georgia street, from Delaware street to Pennsylvania street. Bond, \$1,100; surety, Richard Carr.

Contract and bond of R. P. Dunning, for grading, paving with brick, and curbing with stone the east side walk of Broadway street, from St. Clair street to Cherry street, where not already done. Bond, \$1,800; surety, Richard Carr.

Contract and bond of R. P. Dunning, for grading and paving with brick the north sidewalk of St. Joseph street, from Alabama street to Delaware street, where not already done. Bond, \$200; surety, Richard Carr.

Contract and bond of James W. Hudson, for re-grading and bowldering the roadway of Illinois street, from Washington street to the south line of South street. Bond, \$18,500; surety, John Schier and Fred. Gansberg.

Contract and bond of Fred. Gansberg, for grading and graveling Minnesota street and sidewalks, from Madison avenue to East street. Bond, \$2,500; surety, James W. Hudson.

Contract and bond of Fred. Gansberg, for grading and graveling Deloss street and sidewalks, from Spruce street to Reid street. Bond, \$1,500; surety, James W. Hudson.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following report from the City Clerk was read:

To the Mayor, Common Council and Board of Aldermen:

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

John A. Whitsit vs Joseph D. Vinnedge heirs, viz.: Kate G. Vinnedge and Lillie M. Vinnedge, for.....	\$244 17
Henry O. Roney vs. Mary Sawyers, for ...	30 90

and recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion, the favorable action of the Common Council on the above report (see page 496, *ante*), was concurred in, and the precepts ordered to issue by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

The reports of the Superintendents of the City Dispensary and City Hospital and Branch, (see pages 496 and 497, *ante*), were read and received.

The report of the Board of Public Improvements and Street Commissioner, showing expenses in the Street Repairs Department, for the month of September, 1882, (see pages 497 and 498, *ante*), was read and ordered not received.

The mortality report of the Board of Health (see pages 498 and 499, *ante*), was read and received.

The following report from the Judiciary Committee was read, (see pages 499 and 500, *ante*); and on motion by Alderman Seibert, was referred to the Finance Committee:

Indianapolis, Oct. 2d, 1882.

To the Mayor and Common Council:

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

1. The first is the petition of F. McWhinney, showing that on August 19th, 1880, he purchased Lot 2, Square 3, Myer's subdivision, for \$55.45, and paid additional taxes of \$2.68; also, Lot 1, Square 3, same subdivision, for \$55.45, and paid additional taxes of \$2.68; also, Lot 3, Myer's subdivision D & M.'s second addition, for \$19.75, and paid additional tax of \$1.60, at city tax sale.

At time of sale, all the above real estate had been forfeited, under the School fund, to the State, and title was in State of Indiana before the above tax sale. For this reason petitioner asks that above amounts, with interest, be refunded.

The City Treasurer informs your committee that the facts stated in petition, are true. Our Supreme Court, in case of Govrn, Auditor of Tipton County, vs. The State, on relation of Bowlin, 24 Ind., 255, decide that where lands are taken by the State for non-payment of mortgage debt, the State takes the land free from all assessments and taxes made and levied between the date of the mortgage and date of the deed.

The above sales were therefore void, and therefore recommend that above sums, with interest, be refunded to petitioner.

2. The second is the petition of Frank McWhinney, showing that on February 9th, 1880, he purchased at tax sale Lots 21, 22, 26 and 28, in Bel.'s subdivision of Square 26, Johnson heirs' addition, for \$50.29. The sale was void, that said lots were taxed double on the duplicate; property sold in name of Edwin A. Benedict, and taxes paid in name of Brown, before sale.

City Treasurer informs your committee that facts stated in petition, are true. We therefore recommend that \$50.29 be refunded, with interest.

3. The third is the petition of I. N. Patterson, City Treasurer, showing that he issued two receipts for the same tax, to-wit: Nos. 7,913 c., 2,532 d., each receipt for \$8.03—total, \$16.06. In making his report to the Council, both receipts have been credited, and stubs show that both have been received to the city, in the return of taxes for April, 1882.

We are satisfied a mistake has been made, and therefore recommend that \$8.03 be refunded to the City Treasurer.

Respectfully submitted,

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

C. S. DENNY, City Attorney.

The following report from the Committee on Contracts was read, and the favorable action of the Common Council thereon (see pages 500 and 501, *ante*), was concurred in:

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

Gentlemen:—The Committee on Contracts, to whom was referred the proposals presented to Council, September 18th, 1882, for grading and graveling the first alley east of Olive street, from the first alley south of Prospect street, to the first alley north of Pleasant Run, having examined the same, find them to be as follows, viz: James Mahoney, 35 cents per lineal foot front on each side; J. L. Spaulding, 32 cents per lineal foot front on each side.

After further consideration, we believe the bids too high, and recommend that the City Civil Engineer be directed to re advertise the same.

Respectfully submitted,

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

The following report from the Committee on Sewers was read, and the favorable action of the Common Council thereon (see page 500, *ante*), was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Sewers, to whom was referred the motion to investigate the sewer pipe leading from the east gutter of Illinois street to the Washington street sewer, have examined said locality, and recommend that the Street Commissioner be directed to construct a catch-basin at the southeast corner of Market and Illinois streets, and repair the gutter on Illinois street, from Market street to the first alley north.

Respectfully submitted,

Wm. H. Morrisor,
E. H. Koller,
Committee on Sewers.

The following motions (adopted by the Common Council—see pages 505, 507, 508, 509 and 510, *ante*), were read and concurrently adopted:

That the City Clerk be, and he is hereby, instructed not to put on the tax-duplicates of the current year the poll-tax of \$1 for school purposes, under the action of the Board of School Commissioners of Indianapolis; and that he disregard that portion of the resolution of said board.

That the Street Commissioner instruct the J., M. & I. Railroad Company to put the street alongside their tracks, where they cross South street, in good order within five days; and if not done, that he proceed to do the work, the same to be charged to said railroad company.

That the Street Commissioner be, and is hereby, directed to clean the gutters on Missouri street, between Merrill and McCarty streets, and that he have the power to act.

That I. Rebensberger be permitted to lay brick sidewalk in front of his house, No. 23 west McCarty street, under direction of the City Civil Engineer, and at his own expense.

That the Street Commissioner be, and is hereby, ordered to at once look into the condition of the first alley north of Washington street, from Illinois street to Tennessee street, and clean the same, as said alley is now, by its condition, causing damage to the property along said alley.

That Milton Connett be, and is hereby, permitted to lay a plank crossing across the sidewalk in rear of his property on Michigan street.

The following motion (referred to the Board of Public Improvements, with power to act—see page 507, *ante*), was read and concurrently adopted:

That the motion recently passed, to lay a stone crossing from south side of Prospect street, in a southwestern direction diagonally across Dillon street, be amended so as to read "From the south side of Prospect street directly west, so as to connect with the north sidewalk of Coburn street."

The following motion (adopted by the Common Council—see page 507, *ante*), was read:

That the Street Commissioner request the owners of the switches at crossing of Pennsylvania street with the tracks to put the street at said crossing in good order; and if not done within fifteen days, that he proceed to do the work himself, and charge the same to the said owners.

Alderman Seibert offered the following motion as a substitute for the foregoing motion; which was adopted:

That the Street Commissioner serve notice on the railroad companies maintaining switches at crossing of Pennsylvania street, (said notice to be prepared by the City Attorney), to put the street at said crossing in good order; and if not done in accordance with said notice, that the same will be done by the city, at the cost of said companies.

The following motion (referred to the Board of Public Improvements with power to act—see page 509, *ante*), was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act:

That the Street Commissioner be, and is hereby, directed to place a double stone crossing on Washington street, at State avenue.

The following motions (adopted by the Common Council—see pages 509 and 511, *ante*), were read and referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act:

That the Street Commissioner be directed to lay stone crossings across Cherry street, at intersection of Park avenue.

That the pipe in the gutters on Howard street, at Third street, be taken out, and a good open gutter be made of bowlders.

The following motion (adopted by the Common Council—see page 511, *ante*), was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage:

That the Street Commissioner be, and is hereby, authorized to fill up chuck-holes with broken stone, on Market street, between East and Noble streets, as the same is traveled a great deal by heavy vehicles.

The following motion (adopted by the Common Council—see page 511, *ante*), was read, and referred to the Committees on Public Property and Finance:

That the Committee on Parks be authorized to offer to the Trustees of the Morton Monument Fund, the sum authorized by Council and Board of Aldermen to be expended for a fountain provided they will place the monument in Circle Park.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances (passed by the Common Council), were placed upon their final passage without a suspension of the rules.

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

Ap. O. 50, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,551.06.]

And it was passed by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Wood and President Layman.

NAYS, 2—viz. Aldermen Hamilton, and Seibert.

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

Ap. O. 61, 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, \$1,206.23.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

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

Ap. O. 62, 1882—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station-Houses. [Amount appropriated, \$269.63.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

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

Ap. O. 63, 1882—An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis. [Amount appropriated, \$11,856.69.]

And it was passed by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Wood, and President Layman.

NAYS, 1—viz. Alderman Seibert.

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

Ap. O. 64, 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, \$198.53.]

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

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

- S. O. 124, 1882—An ordinance to provide for grading, bowldering and curbing the gutters of Vermont street, from West street to Blackford street.
- S. O. 153, 1882—An ordinance to provide for grading and graveling the first alley south of Orange street, from Laurel street to Spruce street.
- S. O. 155, 1882—An ordinance to provide for grading, bowldering the roadway, and curbing the gutters of Indiana avenue, from West street to Fall Creek.
- S. O. 156, 1882—An ordinance to provide for grading, bowldering and curbing, the gutters of Liberty street, from New York street to Michigan street.
- S. O. 160, 1882—An ordinance to provide for the construction of a vitrified stone ware pipe sewer in, and along, New York street, from the east line of Mississippi street to, and connecting with, the Indiana avenue sewer, at the intersection of New York street and Indiana avenue; and to provide for the assessment and collection of the cost thereof.
- S. O. 161, 1882—An ordinance to provide for grading, graveling, and curbing with wood, the west side of Missouri street, from North street to St. Clair street.
- S. O. 162, 1882—An ordinance to provide for grading and graveling the first alley east of Mississippi street, from First street to the first alley south of First street.
- S. O. 163, 1882—An ordinance to provide for grading and paving with brick, the east sidewalk of West street, from St. Clair street to Walnut street.
- S. O. 165, 1882—An ordinance to provide for the erection of lamp-posts, lamps and fixtures, (complete to burn gas, except the service pipes) on New Jersey street, between St. Joseph and St. Mary streets.
- S. O. 166, 1882—An ordinance to provide for grading and graveling the first alley east of Delaware street, from St. Clair street to Pratt street.
- S. O. 167, 1882—An ordinance to provide for grading, bowldering and curbing, the gutters of North street, (where not already done), from Pennsylvania street to Meridian street.

On motion by Alderman Hamilton, S. O. 124, 153, 156, 161, 162, 163, 166 and 167, 1882, were referred to the Committee on Streets & Alleys and Sewers & Drainage, and S. O. 165, 1882, was referred to the Committee on Public Light and Education, with instructions to report next spring.

The following remonstrances were presented against S. O. 124 and 155, 1882:

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

Gentlemen:—The undersigned, property holders, owning property upon Vermont street, between West street and Blackford street, in the city of Indianapolis, respectfully protest against the grading, guttering and curbing of said Vermont street, as stated, for the reasons that the said improvement is expensive, unnecessary and particularly burdensome from its expense upon them.

Your petitioners represent that the said street is not much traveled; is a neigh-

borhood street, rather than a thoroughfare, and that the improvement is not asked for by the public nor by the property holders on the street. That the ordinance for the improvement has already passed the Council, and is now before the Aldermen, waiting final action. Your petitioners request that no further action be taken, and that said improvement be not ordered. And as in duty bound, your petitioners will ever pray.

John J. Smith, 187 feet; David Beam, 39 feet; Rebecca Rozier, for heirs of A. Rozier, 39 feet; Elizabeth Chamberlin, 39 feet; A. S. Ames, 39½ feet; Michael Recler, 187½ feet; Jos. A. Moore, agent, 157 feet; M. G. I. Stern, 60 feet; F. O. Wadsworth, 112 feet; William Tinsley, by Mrs. Stagg, 68 feet.

Indianapolis, Oct. 3, 1882.

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

Gentlemen:—The undersigned, owners of real estate fronting on Indiana avenue, between West street and Fall Creek, respectfully remonstrate against the passage of an ordinance providing for the bowldering and curbing said avenue.

John W. Meyers, 33 feet; Gabriel Ward, 60 feet; Jas. E. Watts, 33 feet; B. Prumphrey; John W. Brown, 50 feet; Clara Rau, 60 feet.

Alderman DeRuiter moved a suspension of the rules to pass S. O. 155, 1882.

S. C. 155, 1882, was referred, on motion by Alderman Newman, to the Committee on Streets & Alleys and Sewers & Drainage.

REPORTS, ETC., FROM STANDING COMMITTEES.

Alderman Hamilton, Chairman of the Finance Committee, presented the following estimate of expenditures; which was received:

To the President and Members of the Board of Aldermen:

Gentlemen:—We submit a statement of the expenditures by the various departments of the city for the first four months of the fiscal year commencing June 1st, 1882, also, the amounts overdrawn, and to the credit of each for the said proportion of year, to-wit:

DEPARTMENTS.	Amount of Estimates.	Amount of Expenditures.	Am't. over for 4 months.	Am't. und'r proportion.
Board of Health.....	\$ 2,500 00	\$ 841 35	\$ 8 02	\$.....
Bridges.....	2,500 00	2,651 51	1,818 17	.....
City Assessor's Department.....	4,500 00	2,093 20	593 20	.....
City Civil Engineer's Dept.....	2,300 00	655 80	.....	110 87
City Dispensary.....	3,100 00	1,100 04	66 51	.....
City Hall.....	2,500 00	736 35	.....	96 99
City Hospital and Branch.....	11,500 00	4,239 59	406 25	.....
City Treasurer's percentage.....	5,000 00	3,424 93	1,758 26	.....
Cisterns.....	2,000 00	609 17	.....	57 50
Elections.....	.....	.....	.....	.....
Fire Department.....	73,000 00	27,973 86	3,645 53	.....
Fountains.....	200 00	.....	.....	66 66
Garfield Park.....	1,000 00	1,039 66	736 33	.....
Gas.....	63,000 00	21,066 94	66 94	.....
Incidentals.....	1,000 00	1,292 95	959 61	.....
Insurance.....	.....	.....	.....	.....
Interest on bonds.....	132,505 00	60,618 75	.....	.....

Judgments and costs.....	7,000 00	345 60	.....	1,987 73
Markets.....	200 00	24 00	.....	42 67
Market Master's fees.....	2,000 00	945 03	278 37	.....
Parks.....	2,500 00	914 97	81 64	.....
Police.....	50,000 00	17,579 32	912 65	.....
Printing.....	6,000 00	1,627 63	.....	372 37
Salary.....	23,722 00	5,796 08	.....	2,111 25
Sewers.....	7,500 00	18 95	.....	2,481 05
Station Houses.....	4,000 00	1,789 83	456 50	.....
Street improvements.....	10,500 00	3,355 96	.....	144 04
Street openings and vacations...	300 00	2,642 00	2,475 33	.....
Street cleaning.....	12,500 00	6,719 65	2,553 00	.....
Street repairs.....	20,500 00	8,535 66	1,702 32	.....
Street Dep't—bridge repairs, etc	3,000 00	2,389 34	1,389 34	.....
Street Dep't—sewer clean'g. etc	3,0 0 00	1,189 89	189 89	.....
Taxes refunded.....	1,000 00	74 24	.....	259 10
Tomlinson annuity.....	.....	3,500 00	3,500 00	.....
Water rent.....	28,000 00	14,053 42	4,720 09	.....
City Hospital addition.....	6,000 00	.....	.....	2,000 00
Driven wells.....	1,500 00	.....	.....	50 00
Street signs.....	100 00	.....	.....	33 33
	<u>\$496,127 00</u>	<u>\$199,880 67</u>		
Less interest....	132,505 00	60,618 75		
Totals.....	<u>\$363,622 00</u>	<u>\$139,261 92</u>	<u>\$28,318 15</u>	<u>\$10,263 56</u>

Total expenditures in excess of the estimates in proportion, for four months of the year (less interest), \$18,054.59.

Respectfully submitted,

F. W. HAMILTON,
Finance Committee.

Alderman Seibert, in behalf of the Committees on Streets & Alleys and Sewers & Drainage, and Contracts, submitted the following report; which was concurred in:

To the President and Board of Aldermen:

Gentlemen:—Your committee to whom was referred the report of the Committee on Contracts, would recommend the report be concurred in, except the first alley east of Everson street. There being only three bids, and two the same amount, we recommend the same be re-advertised.

Respectfully submitted,

H. Seibert,
Committee on Streets and Alleys.

Geo. P. Wood,
John Newman,
Committee on Contracts.

The favorable action of the Common Council as to the second, third, ninth and eleventh clauses of the report of the Committee on Contracts, (see pages 457, 458 and 459, *ante*), was then concurred in.

Later in the session, on motion by Alderman Drew, the action of the Board of Aldermen as to the second clause of the above report, was reconsidered by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Musmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

The second clause was then referred to the Committee on Contracts.

The Committee on Water, through Alderman DeRuiter, submitted the following report:

To the President and Members of the Board of Aldermen:

Gentlemen:—At a meeting of the Board of Aldermen of the city of Indianapolis, held on the 24th day of July, 1882, the following report and resolution was referred to the Committee on Water and Public Health:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Water, to whom was referred the accompanying resolution, would report in favor of its passage.

Respectfully submitted,

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

“Resolved by the Common Council and Board of Aldermen, That the Indianapolis Water Company be, and is hereby, required to extend its line of water mains from the corner of Home avenue, in and along Park avenue to Eighth street; thence east on Eighth street to Broadway street; thence north on Broadway street to Ninth street; thence east on Ninth street to and connecting with the main on College avenue. Said mains to be laid as soon after the first day of January, 1883, as practicable, and before May first, 1883, and locate hydrants along said extension, not to exceed one for every five hundred feet; all to be done under the direction of the Chief Fire Engineer; and the City Clerk is hereby directed to notify said Water Company of the action had herein”

Your committee to whom was referred the above proposed extension of water mains, recommend that the action of the Council be concurred in.

Respectfully submitted,

D. DeRuiter,
Hiram Seibert,
D. Mussmann,
Committee on Water.

On motion, the favorable action of the Common Council on the above report (see page 219, *ante*), was concurred in, and the resolution concurrently adopted by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

The report of the Committee on Streets and Alleys, and the accompanying resolution, was called up, and the action of the Common Council thereon (see page 205, *ante*), was concurred in:

“Resolved, That the petition of E. S. Moffatt, A. L. Wright, trustee, G. K. Pope and Maggie W. Weaver, praying for the laying out and opening of Greenwood street, from Ninth street to the first alley south of Ninth street, through part of Block 27, Johnson's heirs addition, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purpose of such opening and extension, the Common Council and Board of Alder-

men do propose to appropriate such real estate and property as may be necessary therefor.

The said Commissioners are instructed to return, as part of their report, all petitions and notices.

The City Clerk is hereby directed to issue, and the City Marshal to serve the proper notices upon the Commissioners and property owners."

And the above resolution was concurrently adopted by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

Alderman Hamilton offered the following motions; which were severally adopted:

That all accounts exceeding twenty-five dollars in amount, shall hereafter be properly sworn to, as required by law, before being placed in appropriation ordinances.

That this Board will vote for no appropriation of the public funds, or recognize any contract for work or material of any kind or nature whatever, unless consented to and concurred in by previous action of this body, and authorized by the City Charter and ordinances.

Alderman Hamilton offered the following motion:

That the City Attorney prepare and have presented to the Common Council, an ordinance repealing the ordinances creating the Fire Board, Police Board, Hospital Board and Board of Public Improvements; providing therein that the Fire Chief, Chief of Police, Superintendent of Hospital and Street Commissioner, shall perform the duties of said boards respectively, subject, always, to the approval of the Common Council and Board of Aldermen; be directly responsible for the conduct and management of their several departments, for the appointment, faithfulness and efficiency of the men, and the prompt execution of the laws and all ordinances of the city; to give bond, be subject to removal for inefficiency, etc.

And it failed of adoption by the following vote:

AYES, 4—viz. Aldermen DeRuiter, Hamilton, Mussmann, and Seibert.

NAYS, 4—viz. Aldermen Drew, Newman, Wood, and President Layman.

On motion by Alderman Hamilton, the following entitled ordinance was returned from the Committee on Public Light, and read the second and third times:

S. O. 140, 1882—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Broadway street, between Seventh and Ninth streets.

And it was passed by the following vote:

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

NAYS, 1—viz. Alderman Drew.

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

S. O. 141, 1882—An ordinance to provide for the construction of a brick sewer in, and along, Delaware street, from North street to, and connecting with the Massachusetts avenue sewer at New York street; and to provide for the assessment and collection of the cost thereof.

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

On motion by Alderman DeRuiter, the rules were suspended for the purpose of placing S. O. 160, 1882, on its final passage, by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

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

S. O. 160, 1882—An ordinance to provide for the construction of a vitrified stone ware pipe sewer in, and along, New York street, from the east line of Mississippi street to, and connecting with, the Indiana avenue sewer, at the intersection of New York street and Indiana avenue; and providing for the assessment and collection of the cost thereof.

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS—None.

PENDING ORDINANCES.

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

S. O. 57, 1882—An ordinance to provide for grading and paving with brick (where not already done), the sidewalks of Blake street, from the National Road to Indiana avenue, except the west sidewalk, from said National Road to the first alley south of New York street.

And it was passed by the following vote:

AYES, 7—viz. Aldermen Drew, Hamilton, Mussmann, Newman, Seibert, Wood, and President Layman.

NAYS, 1—viz. Alderman DeRuiter.

The following entitled ordinance was read the second time:

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

On motion by Alderman Hamilton, the above ordinance was amended by striking out so much thereof as relates to "placing a gutter stone," by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Drew, Hamilton, Newman, Wood, and President Layman.

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

The ordinance was then ordered engrossed, as amended, read the third time, and passed by the following vote:

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

NAYS, 1—viz. Alderman Drew.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.