

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—MARCH 26, 1883.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, March 26th, A. D. 1883, at half-past seven o'clock, in adjourned session.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 22 members, viz: Councilmen Bedford. Brundage, Bryce, Caylor, Cole, Dean, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT 3—viz. Councilmen Cowie, Coy, and Egger

REPORTS FROM COMMITTEE ON CONTRACTS.

Councilman Thalman, in behalf of the Committee on Contracts, submitted the following report; which was received, and the contract awarded, as recommended:

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

Gentlemen:—Your Committee to whom was referred the proposals, presented to Council September 18th, 1882, for re-grading and bowldering the roadway of Indiana avenue, from Illinois street to Michigan street, have examined the same, and find them to be as follows, viz:

R. P. Dunning, \$2.95 per lineal foot front on each side.

C. S. Roney, \$2.80 per lineal foot front on each side.

J. W. Hudson, \$2.79 per lineal foot front on each side.

Carr & Buchanan, \$2.75 per lineal foot front on each side.

Richter & Twiname, \$2.65 per lineal foot front on each side.

Henry Clay, \$2.61 per lineal foot front on each side.

S. W. Patterson, \$2.49 per lineal foot front on each side.

Your Committee on Contracts would recommend that the contract for the above improvement be awarded to S. W. Patterson, the lowest bidder.

Respectfully submitted,

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

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the Engineer instructed to prepare an ordinance to extend the Washington street sewer to Pogue's Run:

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

Gentlemen:—I am informed by the Governor, of his intention to proceed at once with the construction of the "Reformatory Sewer," as provided in House Bill No. 52, of the last General Assembly. By the provisions of said bill, the Governor is authorized to pay to the city an amount equivalent to the cost of constructing said sewer from Pine street to the present terminus of the city's sewer, *provided* the city extends her sewer to said point. As, in my opinion, there is a great necessity for the extension of the city's main sewer to Pogue's Run, I would suggest that if it is the city's intention to extend said sewer, that it be done at once, while this assistance from the State could be obtained.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

By consent, Councilman Morrison offered the following resolution:

WHEREAS, The Governor of the State has appointed Samuel H. Shearer, City Civil Engineer of this city, as Superintending Engineer of the Reformatory Sewer, thus protecting, in all respects, the interests of the city in the construction of said sewer through her streets; therefore

Resolved, That the thanks of the city be, and the same are hereby, extended to Governor Porter for selecting our Engineer to do said work; and

Resolved, further, That any compensation received by said Shearer from the State for his services, shall be retained by him, any ordinance to the contrary notwithstanding.

And it was adopted by the following vote:

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

NAYS—None.

The City Clerk presented the following communication:

Indianapolis, March 26, 1883.

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

Gentlemen:—We have been appointed Police Commissioners of this city. The duties of our position make it necessary that we should have a legal adviser. We are informed that the City Attorney is our proper legal counselor. Are you willing he should act in that capacity? Your immediate attention is respectfully requested.

JNO. W. MURPHY,
V. T. MALOTT,
J. P. FRENZEL.

Councilman Pearson moved to refer the foregoing communication to the Judiciary Committee.

Which failed of adoption by the following vote:

AYES, 8—viz. Councilmen Brundage, Bryce, Dean, Pearson, Pritchard, Stout, Weaver, and Yoke.

NAYS, 14—viz. Councilmen Bedford, Caylor, Cole, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Reichwein, Thalman, and Ward.

Councilman Dowling moved that the City Attorney act as counselor for thirty days.

Councilman Thalman moved to reconsider the action by which the foregoing communication failed of reference to the Judiciary Committee.

Councilman Dowling moved to lay the motion to reconsider on the table; which failed of adoption.

The action of the Common Council then failed of reconsideration, by the following vote:

AYES, 10—viz. Councilmen Bedford, Brundage, Cole, Dean, Morrison, Pearson, Pritchard, Stout, Thalman, and Yoke.

NAYS, 11—viz. Councilmen Bryce, Caylor, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Reichwein, and Ward.

Councilman Morrison offered the following motion, as a substitute:

That the Police Board, together with the Mayor and City Attorney and the President of the Board of Aldermen, James T. Layman, be, and are hereby, instructed to act as a committee on the part of the city, in the transfer of the city's property in the Police Department to the Police Commissioners appointed by the State Officers; and in view of the high standing of the gentlemen appointed, we, as the members of the Council and Board of Aldermen, pledge them our support in their efforts to make a model Police System; and that they be requested to call upon the Attorney General of the State to act as attorney for the Commissioners for thirty days.

Councilmen Pearson moved to refer the whole matter to the Committee on Judiciary.

Councilman Dowling moved to lay the substitute on the table; which was adopted by the following vote:

AYES, 13—viz. Councilmen Brundage, Dean, Dowling, Fultz, Harrold, Koller, Pearson, Pritchard, Reichwein, Stout, Thalman, Weaver, and Yoke.

NAYS, 9—viz. Councilmen Bedford, Bryce, Caylor, Cole, Hartmann, Knodel, Mauer, Morrison, and Ward.

Councilman Dowling moved to lay the motion to refer to the Judiciary Committee, on the table; which failed of adoption.

The communication was then referred to the Judiciary Committee, by the following vote:

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Cole, Dean, Knodel, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS, 6—viz. Councilmen Caylor, Dowling, Fultz, Harrold, Hartmann, and Koller.

REPORTS FROM STANDING COMMITTEES.

Councilman Pritchard, in behalf of the Committees on Judiciary and Railroads, submitted the following *majority* report:

Indianapolis, March 26th, 1883.

To the Mayor and Common Council:

Gentlemen:—Your Committees on Judiciary and Railroads, together with the City Attorney, to whom was referred back the Metropolitan Street Railroad ordinance, with the amendments and other papers relating thereto, beg leave to submit the following report:

We held a meeting on Thursday, the 22d inst., for the purpose of further considering said matters. After a full interchange of opinion, the members of your Committee concluded to submit a series of questions to the Citizens Street Railway Company, and to request answers thereto by Saturday, to which time your Committees adjourned.

Our purpose in this was to ascertain what might be expected in the way of improvement upon existing lines, and as to the character of new lines, in the event the Council and Board of Aldermen should decide that the option contained in the 15th section of their charter should be given, and notice served upon said company to build the lines asked for by the Metropolitan Company.

The questions submitted were as follows:

Indianapolis, March 22, 1883.

Citizens Street Railway Company:

Gentlemen:—The undersigned, members of the Council Committees on Judiciary and Railroads, together with the City Attorney, desire an answer in writing from you, by Saturday, the 24th day of March, 1883, by 4 p. m., to the following questions, to-wit:

1. Will you begin at once to place double platform cars on your lines, and have changed within one year from this date all "bob-tailed" cars into front and rear platform cars?
2. Will you at once place conductors upon all your cars?
3. Will you introduce at once a system of transfers, whereby a passenger, for one fare of five cents, may be transferred so as to enable the passenger to go from any point on your lines to any other point on your lines within the city limits?
4. Will you build a line to Crown Hill, and run cars regularly thereon? If so, how soon?
5. Will you, within one year, reverse all rails now laid within the city limits, where the tram is turned outward, and remove T rails and supply their places with tram rails, with the tram turned in?
6. Will you agree that all tracks hereafter laid by you, within the boundaries of New York, Delaware, Louisiana and Tennessee streets, including said streets, shall be a free territory? And that any other company so using said tracks shall first pay to your company for the use thereof, one-half of the cost of construction of the part of the track so used, and one half the cost of maintaining the same while so used, such half cost of construction to be paid before such use is commenced?
7. If the Common Council and Board of Aldermen pass an ordinance providing for the matters mentioned in the foregoing questions, will you file with the City Clerk, within ten days after its passage, a copy of a resolution passed by your Board of Directors accepting the terms and conditions of such an ordinance?

Respectfully yours,

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

John R. Pearson,
N. Yoke,
Allen Caylor,
Railroads.

C. S. DENNY, City Attorney.

At our meeting on Saturday the company, by its President, submitted the following answers to foregoing questions:

Indianapolis, March 24, 1883.

Gentlemen of the Judiciary and Railroad Committees,
and City Attorney of the City of Indianapolis:

Your communication of the 22d inst. handed me, has received my most careful consideration, and I will most cheerfully call a meeting of the Board of Directors

of our company for immediate action on any ordinance, resolution or direction we may receive from the Honorable Common Council and Board of Aldermen, to which our assent may appear necessary or desirable, and in obedience to your wishes as expressed in your seventh (7) question will file with the City Clerk within the time allowed a copy of such resolution passed by our Board, and feel perfectly assured of an advance, of their ready acceptance of anything your Honorable Bodies may require of us—not inconsistent with the terms of our charter—either with reference to a system of transfers, upon some basis that shall accomplish the purpose mentioned in your third (3) question, or the subject of extensions of existing lines, mentioned in your fourth (4) question (the accommodation to the largest number we believe should be the governing principle), or with reference to reversed rails or removing objectionable rails and substituting tram rails, in the time required, as embraced in your fifth (5) question; or free territory, referred to in your sixth (6) question, to other companies on the conditions stated, who may acquire the right to construct and operate lines under the authority of the Common Council and Board of Aldermen, which shall not trench upon previous grants and rights to our company by the Honorable Common Council of the City of Indianapolis.

The first (1) and second (2) questions are almost synonymous, as front and rear platforms and conductors necessarily go together, and are universally used in connection with each other. We have thought that the interest of the community was better served by making the intervals between cars as short as possible, than by increasing the expense of operating our lines and thereby necessitating the lengthening the interval or space between them, and since the recent agitation of this question we have taken great care to ascertain public sentiment on that subject, and believe it almost universally conceded by the people of our city that short intervals are much more desirable than placing conductors on our lines.

This embraces, I believe, the best answer possible to make in the brief space of time you have seen fit to require of us a written reply. We would beg leave, however, to meet your Honorable Committees in person, for further conference, and for the arrangement of details in our efforts to comply with your wishes.

Most respectfully,

A. W. JOHNSON, Pres't.

Citizens' Street Railway Company.

These answers are not satisfactory to your Committee. They are clearly evasive, and when carefully examined it will be seen a negative answer is returned to every question, except No. 5.

They agree to accept an ordinance, providing for the matters mentioned in the questions submitted, *provided*, the ordinance "shall not trench upon previous grants and rights to their company."

It is a fact that the questions of conductors, platform cars, transfer systems and free territory, *all* trench upon the *letter* of the "previous grants and rights," to the Citizens' Company; and they say, in their answers, they will accept an ordinance on these subjects, *only upon condition* that it will not "trench upon previous grants," etc.

Clearly we have received a negative answer to all questions, except No. 5, on the subject of "T" rails and tram rails.

The "T" rail is not the "most approved rail" as provided in their charter, and hence the city may now require their removal under the existing grant.

Inasmuch as the old company declines to grant any of the reasonable requests of our citizens, as shown by the above answers, we do not think any moral obligation longer rests on the Council to give said company the notice and option claimed under the 15th section of their ordinance.

Your Committees have carefully examined the Metropolitan Company's ordinance, and believe that with a few amendments, it would be all that the citizens could ask, and that the same should pass.

Respectfully submitted,

JAMES A. PRITCHARD,

Judiciary.

JOHN R. PEARSON,

Railroads.

C. S. DENNEY, City Attorney.

P. S.—Since the foregoing report was agreed on by the subscribing members of

your Committees, the President of the Citizens' Company has presented to your Committees new answers to the questions above set out. In the opinion of your Committees, these answers came too late, and beside, we feel certain, from oral statements made by the management of the company to the Committee, that a determined fight would be made by the officers of the company against the passage of an ordinance embodying the matters set forth in the questions propounded.

JAMES A. PRITCHARD,
JOHN R. PEARSON.

C. S. DENNY.

Councilman Yoke, in behalf of the same committees, submitted the following *minority* report:

To the Mayor and Common Council:

Gentlemen:—Your Committees on Judiciary and Railroads, to whom was referred certain matters pertaining to street railways, beg leave to make the following report:

That the Citizens' Street Railway Company, by their answers to certain questions submitted to them by your committee, have signified their willingness to accept of the provisions of an ordinance embracing the matters set forth in said questions, which questions and the answers thereto are hereby submitted.

Your Committee therefore recommend that the City Attorney be directed to prepare an ordinance embracing said matters, for the consideration of this body; and we recommend the postponement of the ordinance granting certain rights and privileges to the Metropolitan Street Railway Company until the notice required by Section fifteen of the charter of the Citizens' Street Railway Company be given to said company.

Signed,
John W. Fultz,
N. Yoke,
Judiciary.

N. Yoke,
Railroads.

Indianapolis, March 22, 1883.

Citizens' Street Railway Company:

Gentlemen:—The undersigned, members of the Council Committees on Judiciary and Railroads, together with the City Attorney, desire an answer in writing from you, by Saturday, the 24th day of March, 1883, by 4 P. M., to the following questions, to-wit:

1. Will you begin at once to place double platform cars on your lines, and have changed within one year from this date, all "bob-tailed" cars into front and rear platform cars?

2. Will you at once place conductors upon all your cars?

3. Will you introduce at once a system of transfers, whereby a passenger, for one fare of five cents, may be transferred so as to enable the passenger to go from any point on your lines to any other point on your lines within the city limits?

4. Will you build a line to Crown Hill, and run cars regularly thereon? If so, how soon?

5. Will you, within one year, reverse all rails now laid within the city limits, where the tram is turned outward, and remove T rails and supply their places with tram rails, with the tram turned in?

6. Will you agree that all tracks hereafter laid by you, within the boundaries of New York, Delaware, Louisiana and Tennessee streets, including said streets, shall be a free territory, and that any other company so using said tracks shall first pay to your company for the use thereof, one half of the cost of construction of the part of the track so used, and one-half the cost of maintaining the same while so used, such half cost of construction to be paid before such use is commenced?

7. If the Common Council and Board of Aldermen pass an ordinance providing for the matters mentioned in the foregoing questions, will you file with the City Clerk, within ten days after its passage, a copy of a resolution passed by your Board of Directors, accepting the terms and conditions of such an ordinance?

Respectfully yours,

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

John R. Pearson,
N. Yoke,
Allen Caylor,
Railroads.

C. S. DENNY, City Attorney.

OFFICE OF THE CITIZENS' STREET RAILWAY Co.,
Indianapolis, Ind., March 26th, 1883. }

Gentlemen of the Judiciary and Railroad Committees, and the City Attorney:

We would beg leave to substitute the following in lieu of the previous reply made to your seven (7) questions:

We will accept each and all the requirements embraced in those questions, if required of us by the passage of an ordinance to that effect, in whatever period of time you may think just and reasonable.

Very respectfully,
A. W. JOHNSON, Pres't.
Citizens' Street Railway Co.

Councilman Thalman moved the adoption of the majority report.

Councilman Morrison moved the adoption of the minority report.

Councilman Thalman moved to lay the minority report on the table.

Which failed of adoption by the following vote:

AYES, 10--viz. Councilmen Caylor, Cole, Dean, Knodel, Pearson, Pritchard, Reichwein, Stout, Thalman, and Weaver.

NAYS, 12--viz. Councilmen Bedford, Brundage, Bryce, Dowling, Fultz, Harrold, Hartmann, Koller, Mauer, Morrison, Ward, and Yoke.

Councilman Yoke moved to adopt the minority report.

On motion by Councilman Morrison, the previous question was ordered by the following vote:

AYES, 22--viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dean, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

NAYS--None.

The minority report was then adopted by the following vote:

AYES, 12--viz. Councilmen Bedford, Brundage, Bryce, Dowling, Fultz, Harrold, Hartmann, Koller, Mauer, Morrison, Ward, and Yoke.

NAYS, 10--viz. Councilmen Caylor, Cole, Dean, Knodel, Pearson, Pritchard, Reichwein, Stout, Thalman, and Weaver.

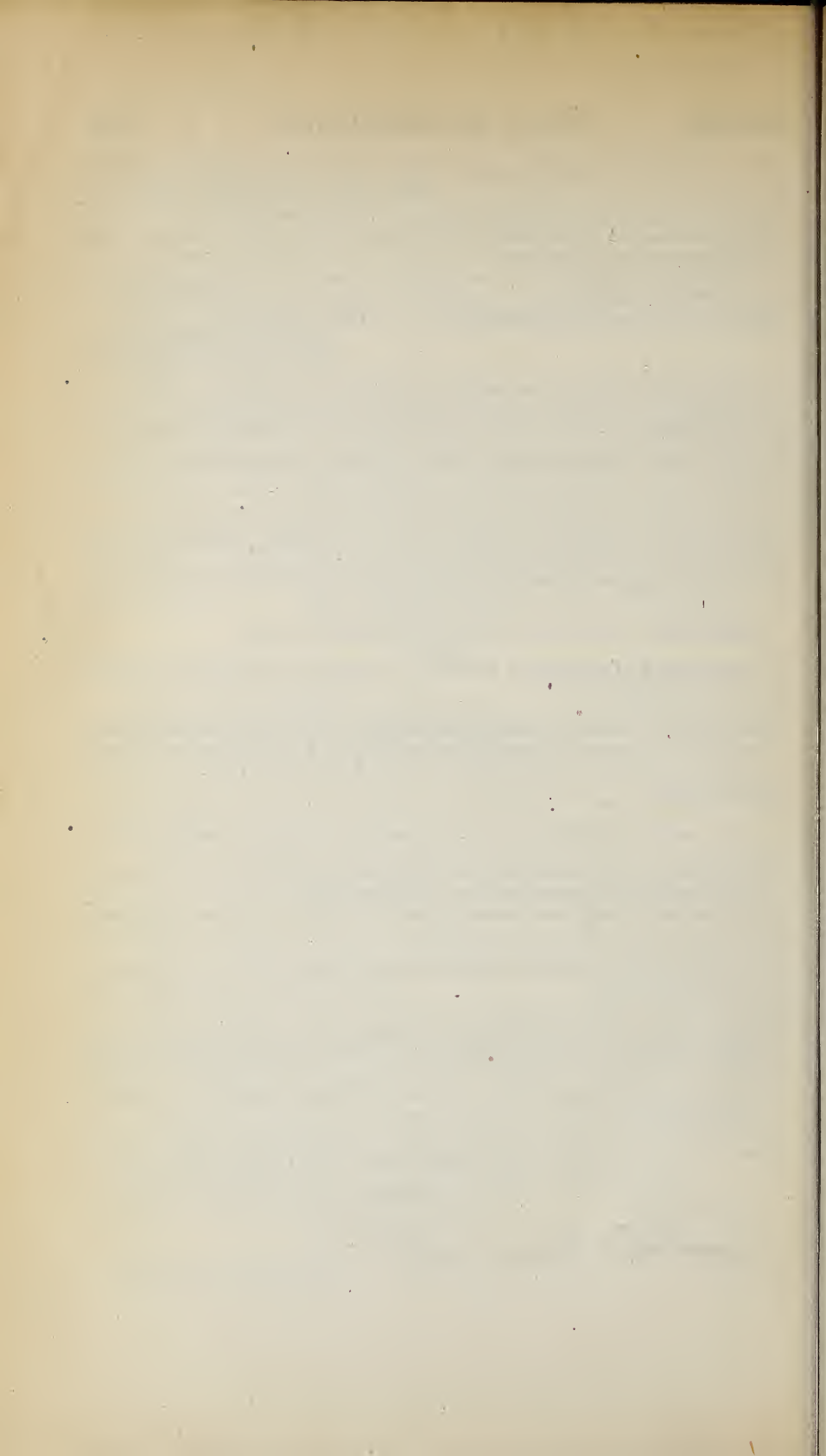
On motion by Councilman Morrison, the Common Council adjourned, by the following vote:

AYES, 15--viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dowling, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Reichwein, and Yoke.

NAYS, 7--viz. Councilmen Dean, Pearson, Pritchard, Stout, Thalman, Ward, and Weaver.

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

Attest: JOS. T. MAGNER, City Clerk.



PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—MARCH 26, 1883.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, March 26th, A. D. 1883, 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, Tucker, and Wood—9.

ABSENT, 1—viz. Alderman Rorison.

The Proceedings of the Board of Aldermen for the regular session, held March 12th, 1883, 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 submit the following papers for your consideration, favorably passed upon by the Common Council, at its regular session, held March 19th, 1883.

For the Common Council:

Jos. T. MAGNER, City Clerk.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 964, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a first and final estimate in behalf of Charles S. Roney, for constructing 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—

945 lineal feet at 47½ cents	\$448 87
One man-hole at \$38.00.....	38 00
Total	\$486 87

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 964, *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 constructing 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; 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, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, 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 964, *ante*), was concurred in:

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

Gentlemen.—I herewith report the contract and bond of Huston Solomon, 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. Bond 2,000.00; surety, G. W. Moore.

Respectfully submitted, S. H. SHEARER, City Civil Engineer.

The following report from the City Civil Engineer was read, and referred to the Committee on Finance and Accounts & Claims, and City Attorney:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.—In making the estimate of the Delaware street sewer, I assessed the sum of \$303.75 against the Trustees of Roberts Park Church, the same being the amount due for constructing sewer in front of 202 $\frac{5}{10}$ feet of ground owned by said Trustees. At the time of making said estimate, I was fully aware that, *legally*, the said Trustees were not bound to pay said assessment, but I thought they should pay it, and therefore assessed it against them.

I submit, herewith, a letter from Robert N. Lamb, attorney for said Trustees, stating it to be the intention of them not to pay said assessment.

Clause 43, of section 53 of the Charter, as construed by the Supreme Court in the case of The First Presbyterian Church of Ft. Wayne vs. The City of Ft. Wayne, 36 Ind. 338, covers the case exactly.

If it is the city's intention to pay said amount, I ask to be instructed to include the same in the bill for the city's portion.

Respectfully submitted, S. H. SHEARER, City Civil Engineer.

Indianapolis, Ind., March 17, 1883.

JOHN H. FORREST :

Dear Sir.—In regard to sewerage on North Delaware street in front of Roberts Park Church, I understand the Trustees decline to pay, for two reasons: First, during the summer of 1882 the Trustees constructed a private sewer from the church, connecting with Massachusetts avenue sewer, which furnishes all necessary sewerage for the church property, so that the Delaware street sewer is of no benefit to the church property. Second, church property is not liable, under the law, to assessments for sewerage in front of church property.

Respectfully,

ROBERT N. LAMB.

The following report from the City Civil Engineer was read, and the favorable action of the Common Council thereon (see page 965, ante), was concurred in:

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

Gentlemen:—I hereby recommend that Rue Shawver, Rodman in my department, be promoted to Transitman, and that he receive for such services a compensation of \$2.75 per day. And that Wm. H. Fink, Axman, be promoted to Rodman.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

After due consideration of the above recommendation, we recommend it be concurred in.

Respectfully submitted,

Edward H. Dean,
Wm. H. Morrison,
Board of Public Improvements.

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:

Fred. Gansberg vs. Charles Bard, Trustee, for.....	\$13 55
Fred. Gansberg vs. Margaret C. Lingenfelter, for.....	12 65
Samuel W. Patterson vs. Martha J. Taylor, for.....	16 24
Samuel W. Patterson vs. Catherine Landis, for.....	17 99

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And the favorable action of the Common Council thereon (see page 966, ante), was concurred in, and the precepts ordered to issue, by the following vote:

- AYES, 8—viz. Aldermen DeRuitter, Drew, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.
- NAYS, 1—viz. Alderman Hamilton.

The report of the City Attorney (see page 966, ante), showing the recent disposition of cases, was read and received.

The following report from the City Assessor was read, and the favorable action of the Common Council thereon (see page 967, ante), was concurred in:

Indianapolis, March 19th, 1883.

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

Gentlemen:—I herewith submit the names of the following persons to act as Deputy City Assessors, for your confirmation: Samuel M. Patton, L. J. Bradley, W. H. Phillips, W. O. Brouse, Wm. N. Springer, Samuel Magner, W. S. Elliott, Charles Stipp, James H. Perry, J. H. Lehr, Alex. Harder, J. C. Stokes, Henry Schultz, Wm. S. Monroe, Deloss G. Peck, Wm. S. Lockman, W. H. Mahan, H. M. Hadley, H. J. Pettijohn, W. H. McKahn.

Respectfully,

M. F. CONNETT, City Assessor.

The report of the Superintendent of the City Hospital and Branch (see page 968, *ante*), was read and received.

The following motion (adopted by the Common Council—see page 968, *ante*), was read and concurrently adopted:

That the Street Commissioner be, and is hereby, directed to repair, and turn on water in all the street-fountains in the city.

The following report from the Board of Public Improvements was read:

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

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

The Board of Aldermen, at their last meeting, adopted the following motion: "That the Street Commissioner be directed to clean Meridian street, between New York and Seventh streets, within twenty days." We offer the following resolution, and recommend its adoption:

Resolved, That the Street Commissioner be, and is hereby, directed to purchase a street-sweeping machine, (cost not to exceed \$400.00), for the purpose of sweeping block and bowldered streets. The cost of such machine and cost of its maintenance to be taken from Street Department fund.

Further report: We are of the opinion that some action should be taken for the protection of said street from being used for heavy traffic. This is due the property owners on said street, who have been called on the second time to pay for improving said street, at great expense, and if some action of this kind is not taken soon, the city will be called upon, from time to time, to make necessary repairs at a considerable expense. We have consulted the City Attorney in this matter, and asked him to prepare an ordinance relative thereto, which we herewith submit, and recommend its passage.

Respectfully submitted,

Edward H. Dean,
Wm. H. Morrison,
Board of Public Improvements.

Alderman Hamilton presented the following petition:

To the Board of Aldermen of the City of Indianapolis:

Gentlemen: The undersigned, residents and property holders on north Meridian street, respectfully request your honorable body to concur in the action of the Common Council in the matter of the purchase of a sweeping machine for the use of the city.

Respectfully submitted,

Bingham & Walk, V. T. Malott, J. C. S. Harrison,
Alfred Harrison, J. D. Condit, Jno. F. Wallick, E.
G. Cornelius, Albert Gall, Wm. B. Burford, L. C.
Hopkins, Ingram Fletcher, J. H. Stewart, Theo. P.
Haughey, Geo. W. Sloan, E. H. Bradley, E. B. Mar-
tindale, Susan R. Herod, Jno. C. Shoemaker, A. C.
Harris, Henry D. Pierce, R. Browning, W. J. Hol-
liday, A. Kiefer, Jno. W. Murphy, D. P. Erwin, W.
W. Johnston, G. R. Root, Louis Hollweg, B. F.
Tuttle, A. D. Lynch, J. C. McCutcheon, Geo. B.
Yandes, J. H. Baldwin, J. H. Vajen.

On motion, the foregoing report was concurred in, and the resolution (see page 968, *ante*), was concurrently adopted by the following vote:

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

NAYS, 3—viz. Aldermen Mussmann, Newman, and Tucker.

The following report from the Board of Public Improvements (see page 969, *ante*), was read, and referred to the Committees on Streets & Alleys and Sewers & Drainage, and Finance and Accounts & Claims:

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

Gentlemen.—The Board of Public Improvements, together with Councilman Harrold, to whom was referred the following report of the City Civil Engineer, to-wit:

Gentlemen.—I wish to call your attention to the fact that, under your instructions, I was only ordered to rip-rap one thousand feet of the west bank of White River, and therefore could not protect it as far as needed. The work has been done by sinking the foundation, most of the distance, to two feet below low water mark, and it is therefore safe against cutting out. The ends have been also well protected. As at the time I first estimated the work there were 2,600 feet needing protection, will say that the sooner the work is done the cheaper the protection can be made.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Recommend the balance of the work, necessary to be done, be let to same contractor that did the first thousand feet, at the same price, providing said contractor repair his first work (that has been damaged by the late high water) in good manner and to satisfaction of City Civil Engineer, without any additional allowance

Respectfully submitted,

Pat Harrold,
Councilman 15th Ward.

Edward H. Dean,
Wm. H. Morrison,
Board of Public Improvements.

The mortality report of the Board of Health (see page 970, *ante*), was read and received.

The report of the Board of City Commissioners, on the vacation of the first alley north of Lincoln avenue, running east and west from College avenue to Ash street (see page 971, *ante*), was read.

The following resolution, presented with the report (adopted by the Common Council—see page 972, *ante*), was read:

Resolved, That the report of the City Commissioners in the matter of the petition for the vacation of the first alley north of Lincoln avenue, running east and west from College avenue to Ash street, in the City of Indianapolis, be, and the same is hereby, in all things accepted, adopted and approved; and that in accordance with said report, the first alley north of Lincoln avenue, running east and west from College avenue to Ash street, in said city, be, and the same is hereby vacated.

Resolved, further, That the petitioners be, and they are hereby, required to pay to the City Treasurer within twenty days from the adoption of this resolution, the sum of sixty-six dollars, the amount of expenses reported by the Commissioners as taxed in this matter; and that said petitioners also be, and are hereby, required to procure and have recorded in the office of the Recorder of Marion County, the proper certified copies of proceedings and maps as required by law, at their own expense, and that until such expenses are paid and proceedings and maps recorded, as aforesaid, said alley shall not be closed or used otherwise than as now.

And it was concurrently adopted by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The report of the Board of City Commissioners, in the matter of opening Greenwood street to a width of fifty feet, from the first alley south of Ninth street north to Ninth street, through the north part of Block 27, Johnson's heirs addition (see pages 972, 973 and 974, *ante*), was read.

The following resolution, presented with the report (adopted by the Common Council—see page 974, *ante*), was read:

Resolved, That the report of the City Commissioners in the matter of the petition for the opening and extension of Greenwood street, from the north side of Ninth street, south through the north half of the north half of block 27 in Johnson's Heirs addition to the City of Indianapolis, a width of fifty feet, connecting with the street already dedicated and running through the south half of the north half of Block 27 in said addition, thus opening the said street from Ninth street to the first alleys south of Ninth street on a line with Peru street as it runs through said block, be, and the same is hereby, in all things accepted and approved; that the benefits assessed and damages awarded by said Commissioners be, and the same is hereby, approved; that the real estate therein described for the opening and extension of said Greenwood street be, and the same is hereby, appropriated; that the City Clerk be, and he is hereby, directed to certify to the City Treasurer, so much of said report as assesses, benefits and awards, damages upon real estate, giving the description thereof; and that the City Treasurer be, and he is hereby, directed to make tender of such damages to the parties entitled thereto, and proceed to collect said benefits according to law.

And it was concurrently adopted by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following report from the Finance Committee, and the resolution accompanying the same (see page 978, *ante*), was read:

To the Mayor and Common Council:

Gentlemen:—Your Committee to whom was referred the communication of James M. Tomlinson, proposing to pay the City \$150 for one and one half feet of the dispensary lot adjoining the 17 feet heretofore sold to him by the city, beg leave to report, that they have examined into said matter; and believing that the offer is a good one for the city, and that the ground can be parted with by the city without injury to the balance of her property, we recommend that the proposition be accepted. We submit herewith, a resolution on the subject.

Respectfully,

C. S. DENNY, City Attorney.

John R. Pearson,

Isaac Thalman,

B. Ward,

F. Hartmann.

Committee on Finance

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the proposition of James M. Tomlinson, heretofore made, to pay the City of Indianapolis the sum of one hundred and fifty dollars (\$150), for one and one-half feet of the city's ground, adjoining the seventeen feet heretofore purchased by him from said city in lot 6, square 36, in said city, be, and the same is hereby, accepted.

Resolved, further, That upon the payment by said Tomlinson to the City Treasurer of said sum of \$150, the Mayor be authorized, and he is hereby instructed, to execute a good and sufficient deed to said Tomlinson for said realty, which is more particularly described as follows, to-wit: Beginning at a point thirty-three, (33), feet east of the southwest corner of lot number six, (6), in square thirty-six, (36), in the City of Indianapolis, Marion County, Indiana; running thence east along Ohio street, one foot and a half, (1 ft. 6 in.); thence north across said lot, sixty-seven and one half feet, (67 ft. 6 in.); thence west along the north line of said lot, one foot and a half, (1 ft. 6 in.); and thence south to the place of beginning.

And the favorable action of the Common Council thereon (see 978, ante), was concurred in, and the resolution concurrently adopted by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following clauses from the report of the Judiciary Committee (see page 979, ante), were read, and referred to the Committee on Judiciary and Ordinances:

Third is petition of James Mahoney, showing an assessment by city for street improvement, against lot 7, sq. 3, in name of Thomas C. Reading for \$32.65. The lot was forfeited to the State of Indiana, hence the city's assessment was void. Recommend that \$32.65 in favor of petitioner be placed in next appropriation ordinance.

Fourth is the petition of Wm. F. Stilz, showing that he is owner of forty acres lying in the northwest part of the N. E. ¼, section 13, township 15, range 3, and liable only for taxation at township rate.

Total taxation justly due,.....\$134.59.
Excess Collection,..... 289.59.

Total amount paid,.....\$424.18.

Petitioner asks to have the excess of \$289.59 refunded. We recommend the excess so erroneously paid be refunded, to-wit, \$289.59.

Fifth, is petition of John J. Cooper, Simon Yandes, and George C. Duy, attorney for Morrison heirs, showing lots 1 to 19 inclusive, and 28 to 38 inclusive, in Wm. H. Morrison's and Richard L. Talbott's sub. in sec. 7, town. 15, range 4 E, are upon the duplicate for taxation for the year 1882, and taxed at \$38.64. Petitioners asks to have the same certified off the duplicate for the reason that said lots are not within the city limits. This fact we find to be true. We therefore recommend the City Treasurer certify the same off the duplicate.

Sixth, is petition of S. A. Fletcher & Co., showing that at tax sale February 14, 1881, they bought lot "S, S. & H's. subdivision, West heirs add." There is no such subdivision. City Treasurer informs your committee the facts are true. We therefore recommend that the sum of \$13.03 with interest be refunded.

Seventh, is petition of John H. Vajen, showing that 6 ⁴¹/₁₀₀ acres, in sec. 34, town. 6, range 3, was taxed at full city rates, and should have been taxed at township rate.

Amount paid,..... \$89.88.
Amount that should be paid..... 27.72.

Amount paid under protest, excess.....\$62.16.

City Treasurer informs your committee the facts stated are true, and that \$62.16 should be refunded. We recommend that \$62.16 with interest be refunded.

The following report from the Committee on Water, and the resolution accompanying the same, were read:

To His Honor the Mayor and Common Council:

Gentlemen:—Your Committee on Water, to whom was referred a resolution offered by Councilman Stout, directing the Water Works Company to extend the line of mains now ordered to be laid on Tinker street, to Delaware street, and thence south on Delaware street to connect with mains at the intersection of Home avenue. Would respectfully report in favor of the adoption of said resolution, as water is very much needed for fire protection in that locality.

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

Resolved, That the Indianapolis Water Works Company are hereby directed to extend the line of mains now ordered to be laid on Tinker street, to Delaware street, and thence south on Delaware street to connect with mains at intersection of Home avenue.

Alderman Hamilton offered the following motion; which was adopted:

The Water Works Company, in laying mains, is directed to first lay those first ordered, and so in order according to date, when directed by Common Council and Board of Aldermen.

On motion, the favorable action of the Common Council on the foregoing report (see page 984, *ante*), was concurred in, and the resolution concurrently adopted by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following report from the Committee on Conference, and an opinion from the City Attorney (see pages 985 and 986, *ante*), were read, and the action of the Common Council thereon (see page 985, *ante*), was concurred in:

To the Mayor, Board of Aldermen and City Council:

Gentlemen:—Your Committee on Conference respectfully submit herewith the report of the City Attorney which clearly defines the duties and power of the Street Commissioner, and that his duties cannot be delegated to any other body. It also defines the power that may be delegated to the Board of Public Improvements by the Council and Board of Aldermen. We therefore recommend that no work be ordered done by the Board of Public Improvements, unless they have been first so instructed by both municipal bodies.

Respectfully submitted,

Hiram Seibert,
Of Board of Aldermen.

Isaac Thalman,
B. W. Cole,
John W. Fultz,
Of Council.

Alderman Tucker offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to assume all the duties of his office, as provided for by the City Charter, and that all appropriation ordinances for the street and sewer departments and bridges, be made subject to the directions of the Council and Board of Aldermen.

The following motions (adopted by the Common Council—see pages 987 and 989, *ante*), were read and concurrently adopted:

That Judson S. Hawes be allowed to put down a double stone crossing, from the east middle door of the Union Depot to the sidewalk in front of his restaurant, No. 24 West Louisiana street, at his own expense and under direction of the City Civil Engineer.

That the Street Commissioner be, and is hereby, requested to clean the gutters on Eddy street between Merrill and Rockwood streets, and that he have power to act.

That the Street Commissioner be, and is hereby, instructed to repair Ray street bridge over Pogues Run, and that he have power to act.

The following resolution (adopted by the Common Council—see page 988, *ante*), was read:

Resolved, That the street running from Nebraska street to Lincoln Lane, and being the first one west of Japan street, be named Dean street.

Alderman Tucker moved to amend the above resolution by adding the words "and that South street, east of East street, be changed to Fletcher avenue;" which was adopted.

The resolution, as amended, was adopted by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Drew, Hamilton, Seibert, Tucker, Wood, and President Layman.

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

The following motions and petition, referred by the Common Council to the Board of Public Improvements, with power to act (see pages 993 and 995, *ante*), were read; and, on motion, the Council action was amended by referring to the Street Commissioner, with power to act:

That the Street Commissioner be, and is hereby, instructed to repair the washout on Davis street, west of the Mill Race.

That the Street Commissioner be, and is hereby, instructed to at once fill in and repair the bridge across the Mill Race on Davis street.

Indianapolis, March 1st, 1883.

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

Gentlemen:—The undersigned, owners of real estate fronting on Broadway street, between Seventh and Twelfth streets, respectfully petition for the passage of an order providing for foot bridges and broken stone crossings running east and west and north and south, to conform to the grade of the sidewalk being laid; said crossings are of importance, particularly to school children, as well as residents.

F. E. Creelman, M. D. Butler, F. R. Woollen.

The following motion (adopted by the Common Council—see page 995, *ante*), was read, and referred to the Committee on Public Light and Education:

That the City Civil Engineer be directed to replace street signs at any point where they have been broken or misplaced.

The following petition (see page 996, *ante*), was read, and referred to the Committee on Finance and Accounts & Claims:

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

Gentlemen:—We, the undersigned petitioners, resident tax payers, respectfully ask your honorable body to have a double stone crossing laid across Washington street at the foot of Blackford street.

February 12, 1883.

Kingan & Co's., per R. S. Sinclair, Gibson & Co., Chandler & Taylor, Salisbury & Vinton Paper Co., Geo. Merritt & Co., C. E. Geise dorff & Co., Wm. H. Morrison, Chas. N. Lee, John Moore, Richardson & Evans, S. B. Corbaley, A. Helprich, Wm. Ried, Mr. Judson, W. R. Carey, A. Minter, J. S. Carey, C. F. Winter, Theo. A. Buchter, Patrick Manley, Zeph Hollingsworth, Geo. F. Traub, R. F. Teneyck, D. E. Reagan, T. B. Messid.

The following petition and motion were read, and the action of the Common Council thereon (see page 995, *ante*), was concurred in, except as to so much "directing the Street Commissioner to do the crossings, as asked for."

To the Honorable Council of the City of Indianapolis:

Gentlemen:—I do, most respectfully, ask permission to grade and pave with brick the east sidewalk of Bright street, between New York street and the first alley north; also grade and gravel the alley between Blackford and Bright streets, extending 130 feet north from New York street; also to grade and pave with brick, the sidewalk in front of lot 17, O. L. 151 Maguire's sub; also grade and gravel 170 feet east of the first alley north of New York street from Bright street, at my own expense, and that you authorize the City Engineer to set the stakes for the proper grading and paving of the same, and I also ask you to authorize the Street Commissioner to extend the sidewalks to the proper distance at their interseetion on the northeast corner of New York and Bright streets, and to put in two flagstone walks across the alley between Blackford and Bright streets on New York streets, after the afore mentioned grading and paving has been completed.

Very respectfully,

D. H. PRUNK.

Indianapolis, Ind., March 3, 1883.

That permission be granted to do the work at his own expense and under the direction of the City Civil Engineer, and that the Street Commissioner be directed to do the crossings as asked for, it being the city's portion and necessary to make the improvement complete.

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

G. O. 4, 1883—An ordinance granting the Indianapolis Oil Tank Line Co. the right and privilege to build and construct a railroad switch in Louisiana street, from the C. I., St. L. & C. R. R. Co.'s track opposite Lot 15, and running to Lot 24, in Out-lot 91, in the City of Indianapolis.

G. O. 13, 1883—An ordinance providing for the assessment of real and personal property in the City of Indianapolis, for the purpose of taxation for the year 1883.

G. O. 14, 1883—An ordinance providing for the erection of Public Buildings for the use of the citizens and city authorities of Indianapolis, creating a committee to take charge of and direct said work, and repealing all ordinances, resolutions and motions coming in conflict with the provisions of this ordinance.

G. O. 15, 1883—An ordinance to repeal an ordinance entitled "An ordinance granting the Mutual Union Telegraph Company, of New York, the privilege of using certain streets and alleys of the City of Indianapolis, in constructing lines of telegraph in said city," ordained February 27th, 1882, and declaring all rights thereunder forfeited.

G. O. 16, 1883—An ordinance to repeal an ordinance entitled "An ordinance granting the Mutual Union Telegraph Company, of New York, the privilege of using the streets and alleys of the City of Indianapolis, in constructing lines of telegraph in said city," ordained January 16th, 1882, and declaring all rights thereunder forfeited.

Ap. O. 22, 1883.—An ordinance appropriating money for the payment of the salaries and compensations of the members of the Common Council and Board of Aldermen, and of the City Officers, of the City of Indianapolis.

Ap. O. 23, 1883—An ordinance appropriating one thousand and twenty dollars to Peter Rouvier, on account of work done by him as contractor for the erection of the East Wing of the City Hospital Building.

Alderman Seibert moved a suspension of the rules for the purpose of placing the foregoing ordinances on their final passage.

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

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

G. O. 4, 1883, was then read the second and third times, and passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

G. O. 13, 1883, was then read the second and third times, and passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following entitled ordinance was read the second time:

G. O. 14, 1883—An ordinance providing for the erection of Public Buildings for the use of the citizens and city authorities of Indianapolis, creating a committee to take charge of and direct said work, and repealing all ordinances, resolutions and motions coming in conflict with the provisions of this ordinance.

Alderman Hamilton moved that action on the ordinance be postponed for two weeks, and that one hundred copies be printed; which failed of adoption by the following vote:

AYES, 2—viz. Aldermen DeRuiter, and Hamilton.

NAYS, 7—viz. Aldermen Drew, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

Alderman Hamilton offered the following amendment; which failed of adoption:

Amend by striking out all names of Commissioners not members of Common Council and Board of Aldermen.

Alderman Hamilton offered the following amendment:

Amend by adding names of Albert G. Porter, William R. Holloway and Thos. A. Morris, as additional City Hall Commissioners.

And it failed of adoption by the following vote:

AYES, 1—viz. Alderman Hamilton.

NAYS, 8—viz. Aldermen DeRuiter, Drew, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

Alderman Hamilton offered the following amendment:

Adopt all of said ordinance, and after the last word therein, add the following: "And after due publication thereof in *all* of the city papers."

And it failed of adoption by the following vote:

AYES, 2—viz. Aldermen DeRuiter, and Hamilton.

NAYS, 7—viz. Aldermen Drew, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

Alderman Hamilton raised the point of order, that as the last above motion embodied the whole matter of the ordinance, and the said motion being defeated, carried with it the ordinance.

The Chair ruled the point of order not well taken.

The ordinance was then ordered engrossed, by the following vote:

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

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

The ordinance was then read the third time, and passed by the following vote:

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

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

The ordinance as passed by the foregoing vote, is in the words and figures as follows, to-wit:

§ O. 14, 1883.—An ordinance providing for the erection of public buildings for the use of the citizens and city authorities of Indianapolis, creating a committee to take charge of and direct said work, and repealing all ordinances, resolutions and motions coming in conflict with the provision of this ordinance.

WHEREAS, Certain plans, specifications, details and estimates have heretofore been prepared by J. H. and A. H. Stem, for the erection of a City Hall and Market House on the East Market square, in the City of Indianapolis, and adopted by said city through her Common Council and Board of Aldermen.

And whereas, It has since been determined by said Council and Board of Aldermen not to build the Market House portion of said building at present, but have decided to build the office and public assembly hall portion thereof under said plans, first making certain necessary changes therein, and have informally awarded the contract therefor to Moses K. Fatout;

And whereas, It is deemed expedient to make specific provision for the construction of said building before the same is commenced, to the end that no misunderstandings may hereafter arise, and the interests of the city may be fully protected; therefore,

SECTION 1. *Be it ordained by the Common Council and Board of Aldermen of the City of Indianapolis,* That the Mayor, President of the Board of Aldermen, Aldermen W. H. Tucker and D. Mussmann, Councilmen George Weaver, E. H. Dean and E. H. Koller, and Volney T. Malott, Elijah B. Martindale, John C. S. Harrison and Franklin Landers, citizens of said city, be, and they are hereby appointed as a committee, to take in charge, superintend and control the erection of a new office and public assembly building or hall on the East Market square, in the City of Indianapolis, for the use of citizens and city authorities of said city, as contemplated by the will of the late Stephen D. Tomlinson. Said building is to be constructed according to the plans, specifications and details heretofore prepared by J. H. and A. H. Stem, architects of said city, first making such changes therein as are necessary on account of the omission of the Market House portion of said building, and which changes have been heretofore substantially agreed on between Moses K. Fatout and the city authorities. All vacancies occurring in said committee before the completion of said building, shall be filled by a majority vote of the Common Council, when concurred in by the Board of Aldermen. The death, resignation or expiration of the term of office of any member of said committee shall create a vacancy.

SEC. 2. Said committee shall organize by electing one of their members as chairman and another as secretary. They shall keep a full record of all their proceedings, and shall make quarterly reports of their doings to the Common Council and Board of Aldermen; they may make such rules and regulations for the payment of money and the management of the grounds as they may deem proper.

SEC. 3. A majority of said committee shall be competent to act. They shall all serve without compensation.

SEC. 4. All warrants drawn by them, or a majority of them, on the City Treasurer, countersigned by the Mayor and City Clerk, for the payment of money for the erection and construction of said buildings, shall be by that officer honored and paid. All warrants drawn for work done under this ordinance shall be based upon the estimates of the supervising architect, approved by a majority of the committee, and signed by the Mayor and City Clerk; *provided*, that no warrants shall be drawn on, or money paid out of any other funds than the Tomlinson Estate Fund and Additional City Hall Fund, in the erection of said buildings.

SEC. 5. Said committee shall designate either J. H. or A. H. Stem as supervising architect of said building, and may change from one to the other, if deemed expedient, at any time. Said J. H. and A. H. Stem shall receive for the services already rendered by them, and to be hereafter rendered in supervising the erection of said building, three per cent. on the cost price of said building, and no more; the same to be paid from time to time as the work progresses, on the warrant of said committee, the committee first deducting the sum of nineteen hundred dollars already paid on said account.

SEC. 6. Said committee shall, as soon as practicable, prepare a full and binding contract to be executed by Moses K. Fatout to the City of Indianapolis, specifically describing all the changes that are to be made in the plans and specifications of said J. H. and A. H. Stem, by reason of leaving out the Market House portion, and in all respects guarding and protecting the interests of the city; the contract price for the erection of said building not to exceed the sum of one hundred and thirty-five thousand dollars (\$135,000.00), and shall report the same, together with a bond executed by said Fatout and good freehold sureties, conditioned for the faithful execution of said work according to said contract, to the Common Council and Board of Aldermen, for their approval or rejection.

SEC. 7. As soon as said contract and bond shall be approved and the Tomlinson Estate Fund and Additional City Hall Fund combined, shall amount to the sum of one hundred and five thousand dollars in the hands of the City Treasurer, said committee shall immediately cause the construction of said buildings under said contract, to be commenced and prosecuted as soon as possible.

SEC. 8. All of the money in the hands of the City Treasurer to the credit of the "Tomlinson Estate" and "Additional City Hall Fund" are hereby set apart and appropriated for the erection of said buildings; *provided*, that no part thereof shall be drawn from the hands of the City Treasurer, except as required by said committee to pay for the construction of said buildings, as the same progresses; *and provided further*, that fifteen per cent. of each estimate shall be withheld by said committee until the final completion of said buildings.

SEC. 9. Said J. H. and A. H. Stem shall indicate in writing their acceptance or rejection of the terms proposed by this ordinance, as to their compensation for past and future services, and if said proposition is not accepted by them in ten days after the passage of this ordinance, said fact shall be communicated to the Common Council and Board of Aldermen by said committee.

SEC. 10. No member of said committee shall ever, either directly or indirectly, be interested in, or derive any profit from any contract, employment or purchase connected with said buildings or the action of the committee, any contract made in violation of this section shall be null and void, and the party so offending shall, upon being found guilty by the Common Council and Board of Aldermen, be removed from said committee.

SEC. 11. Vacancies in said committee shall be filled by resolution adopted by the Common Council and concurred in by the Board of Aldermen.

SEC. 12. The Common Council and Board of Aldermen may, from time to time as the funds accumulate, appropriate additional sums from the Tomlinson Estate Fund and Additional City Hall Fund, until said additional sums added to the amount of said combined funds now on hand and hereby appropriated, amount to said sum of \$135,000, when appropriations for the construction of said buildings shall cease.

SEC. 13. All ordinances and resolutions heretofore adopted and motions passed by the Common Council and Board of Aldermen of the City of Indianapolis, coming in conflict with the provisions of this ordinance, are hereby repealed, annulled and set aside.

SEC. 14. This ordinance shall take effect and be in force from and after its passage.

G. O. 15, 1883, and G. O. 16, 1883—ordinances repealing Mutual Union Telegraph ordinances—were, on motion, referred to a Special Committee of five and City Attorney.

The Chair appointed Aldermen Tucker, Hamilton, DeRuiter, Wood and Newman, to act as members of such committee.

The following ordinance was read the second and third times:

Ap. O. 22, 1883—An ordinance appropriating money for the payment of the salaries and compensations of the members of the Common Council and Board of Aldermen, and of the City Officers, of the City of Indianapolis.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following ordinance was read the second and third times:

Ap. O. 23, 1883—An ordinance appropriating one thousand and twenty dollars to Peter Routier, on account of work done by him as contractor for the erection of the East Wing of the City Hospital Building.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

President Layman presented the following preamble and resolution:

At a special meeting of "Indianapolis Board of Trade," held March 13, 1883, the following resolutions were unanimously adopted:

WHEREAS, An ordinance is now pending before the Common Council of this city, granting the Metropolitan Street Railway Company the right to construct certain lines of street railroad in the city; *And whereas*, we believe that all persons and companies who desire to invest capital in this city in any business enterprise, should be encouraged and welcomed; and believing that the proposed new lines offer many advantages not now enjoyed by the public, and that the granting of rights to a new company will not only afford the public better facilities, but will compel existing lines to improve their accommodations, and thus benefit the city and its citizens; therefore

Resolved, That it is the sense of this Board that said ordinance should be passed; and we therefore request the Common Council and Board of Aldermen to pass said ordinance, and grant said company rights to do business in this city.

JOHN G. BLAKE, Secretary.

Which was adopted by the following vote, (the Board of Aldermen reserving the right to make such amendments to the ordinance as may be deemed proper):

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

NAYS, 1—viz. Alderman Newman.

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I herewith submit the following papers for your consideration, favorably passed upon by the Common Council at its adjourned session, held March 26th, 1883.

For the Common Council:

JOS. T. MAGNER, City Clerk.

The following report from the Committee on Contracts was read, and the favorable action of the Common Council thereon (see page 997, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee to whom was referred the proposals presented to Council September 18th, 1882, for re-grading and bowldering the roadway of Indiana avenue, from Illinois street to Michigan street, have examined the same, and find them to be as follows, viz:

- R. P. Dunning, \$2 95 per lineal foot front on each side.
- C. S. Roney, \$2 80 per lineal foot front on each side.
- J. W. Hudson, \$2.79 per lineal foot front on each side.
- Carr & Buchanan, \$2.75 per lineal foot front on each side.
- Richter & Twiname, \$2.65 per lineal foot front on each side.
- Henry Clay, \$2.61 per lineal foot front on each side.
- S. W. Patterson, \$2 49 per lineal foot front on each side.

Your Committee on Contracts would recommend that the contract for the above improvement be awarded to S. W. Patterson, the lowest bidder.

Respectfully submitted,

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

The following report from the City Civil Engineer was read, and the action of the Common Council thereon (see page 998, *ante*), was concurred in:

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

Gentlemen:—I am informed by the Governor, of his intention to proceed at once with the construction of the "Reformatory Sewer," as provided in House Bill No. 52, of the last General Assembly. By the provisions of said bill, the Governor is authorized to pay to the city an amount equivalent to the cost of constructing said sewer from Pine street to the present terminus of the city sewer, *provided* the city extends her sewer to said point. As, in my opinion, there is a great necessity for the extension of the city's main sewer to Pogue's Run, I would suggest that if it is the city's intention to extend said sewer, that it be done at once, while this assistance from the State could be obtained.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following resolution (adopted by the Common Council—see page 998, *ante*), was read:

WHEREAS, The Governor of the State has appointed Samuel H. Shearer, City Civil Engineer of this city, as Superintending Engineer of the Reformatory Sewer, thus protecting, in all respects, the interests of the city in the construction of said sewer through her street; therefore

Resolved, That the thanks of the city be, and the same are hereby, extended to Governor Porter for selecting our Engineer to do said work; and

Resolved, further, That any compensation received by said Shearer from the State for his services, shall be retained by him, any ordinance to the contrary notwithstanding.

And it was concurrently adopted by the following vote:

AYES, 8—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, and Wood.

NAYS—None.

REPORTS FROM CITY OFFICERS.

The Clerk of Board of Aldermen presented the following petition; which was received:

To the Honorable Board of Aldermen:

Gentlemen:—The undersigned would respectfully request you to pass the ordinance already passed by the City Council, for me to be permitted to exhibit two Incubators, this being a curiosity, and a matter of much interest to many, who have never seen chickens hatched by artificial heat. I intend to charge only a trifle for my trouble and loss of chicks, caused by exposure of eggs not hatched, to a low temperature. I therefore cannot afford to pay more than a small, a nominal amount for the permit, such as the City Council has inserted in the ordinance.

Very respectfully,

March 26th, 1883.

S. ROSENGARTEN.

The following ordinance was taken up, read the second and third times:

G. O 11, 1883—An Ordinance authorizing the issuance of a license to Samuel Rosengarten to exhibit an Incubator, and fixing the amount of license money to be paid by said Rosengarten.

And it was passed by the following vote:

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

NAYS, 1—viz. Alderman Hamilton.

REPORTS FROM STANDING COMMITTEES.

The Committee on Finance and Accounts & Claims, through Alderman Hamilton, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—In the matter of petition of N. S. Byram, showing double taxation on Lot 31, in Out-lot 101, which he purchased at tax sale; the said lot having been charged double, and paid for by Nancy Nichols, for the same years for which it was sold to him, we recommend that the amount of \$55.57 be refunded, according to the action of the Common Council thereon.

Respectfully submitted,

F. W. Hamilton,
Hiram Seibert,
D. Mussmann,
Finance Committee.

March 26th, 1883.

Alderman Hamilton, in behalf of the same committee, submitted the following report; which was concurred in:

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

Gentlemen:—The undersigned, in the matter of the report of City Attorney in regard to collection of license fees due from the "Park Theatre" and "Grand Opera House," asking for direction as to settlement, etc., we recommend that said City Attorney be directed to collect all that such theatres are legally liable for, and that is due therefrom, according to law and city ordinance.

Respectfully submitted,

F. W. Hamilton,
Hiram Seibert,
D. Mussmann,
Aldermanic Finance Committee

John R. Pearson,
Isaac Thalman,
E. H. Koller,
Finance Committee Common Council.

Alderman Hamilton, in behalf of the same committee, submitted the following report; which was received:

Indianapolis, March 1st, 1883.

To the President and Members of the Board of Aldermen:

Gentlemen:—We submit a statement, showing the aggregate amounts expended by each department of the city for nine months to this date; also, the proportion of estimate of each for the same length of time, to-wit:

DEPARTMENTS.	$\frac{3}{4}$ of estimate for fiscal year	Am't expended to Mar. 1, 1883.
Board of Health.....	\$ 1,875 00	\$ 1,953 85
Bridges.....	1,875 00	4,913 32
City Assessor.....	3,375 00	2,821 85
City Engineer.....	1,725 00	1,332 75
City Dispensary.....	2,325 00	2,454 70
City Hall.....	1,875 00	1,908 53
City Hospital and Branch.....	8,625 00	10,447 94
City Hospital addition.....	4,500 00
City Treasurer's per cent.....	3,750 00	4,465 96
Cisterns.....	1,500 00	1,654 16
Driven Wells and Fountains.....	1,275 00	1,856 70
Fire Department.....	54,750 00	58,035 18
Garfield Park.....	750 00	1,471 27
Gas.....	47,250 00	48,060 77
Incidentals.....	750 00	2,113 40
Insurance.....	62 50
Judgments and costs.....	5,250 00	458 80
Markets.....	150 00	33 70
Market Master's fees.....	1,500 00	1,947 86
Parks.....	1,875 00	1,817 89
Police.....	37,500 00	39,190 97
Printing.....	4,500 00	3,744 88
Salary.....	17,792 00	17,702 83
Sewers.....	5,625 00	5,152 77
Station House.....	3,000 00	3,211 01
Street Improvements.....	7,875 00	14,029 83
Street openings and vacations.....	375 00	2,980 50
Street cleaning.....	9,375 00	9,041 77
Street repairs.....	15,375 00	14,522 91
Street Department—repairs to bridges.....	2,250 00	4,578 65
Street Department—repairs to sewers.....	2,250 00	2,456 36
Street signs.....	75 00	4 32
Taxes refunded.....	750 00	555 25
Water rents.....	21,000 00	21,092 42
Tomlinson Annuity.....	3,500 00
White River rip-rap.....	3,405 27
Totals.....	\$272,717 00	\$292,980 87
Aggregate expended above proportion of esti- mates 9 months.....	20,263 87	
	\$292,980 87	\$292,980 87
Interest paid.....		123,541 00
Total expenditures for 9 months.....		\$416 521 87

Total estimate for the year, embracing all receipts for general purposes..\$496,127 00

Departments that *have not* expended three-fourths of their respective appropriations, are: City Assessor, City Engineer, City Hospital addition, Judgments and

costs, Markets, Parks, Printing, Salary, Sewers, Street cleaning, Street repairs,
Street signs and Taxes refunded. Respectfully,

F. W. Hamilton,
Hiram Seibert,
D. Mussmann,
Finance Committee.

The Committee on Fire Department, through Alderman Tucker, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen.—Your Committee on Fire Department, to whom was referred the claim of W. Chandler, for one fire alarm station, \$150.00, recommend that the Council action in allowing the claim, be concurred in.

Respectfully,

W. H. Tucker,
D. DeRuiter,
Committee.

The Committee on Printing and Office Fixtures & Supplies, through Alderman Hamilton, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen.—The undersigned, to whom was referred the petition of City Engineer, for a new wagon for his department, with power to act, report that we have contracted for a first-class vehicle at a cost of \$175.00, and the old wagon.

Respectfully,

F. W. Hamilton,
John Newman,
Committee on Office Fixtures and Supplies.

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

To the President and Board of Aldermen:

Gentlemen.—Your Committee on Streets and Alleys, to whom was referred Special Ordinances Nos. 153, 162, 163, 166 and 167, 1882, have examined the same, and recommend their passage; and that Ordinances S. O. 101 and 124, 1882, for the bowldering the gutters on Indiana avenue and Vermont street, be not passed.

Also, that the action of Council in relation to petition of Wm. H. English, be concurred in.

Respectfully submitted,

Hiram Seibert,
D. DeRuiter,
H. E. Drew,
Committee on Streets and Alleys.

PENDING ORDINANCES.

The following ordinance was read the second and third times:

S. O. 101, 1882—An ordinance to provide for grading, bowldering the gutters, curbing the sidewalks of Indiana avenue, from Illinois street to Michigan street, (where not already properly done).

And it failed of passage by the following vote:

AYES—None.

NAYS, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

The following ordinance was read the second and third times:

S. O. 124, 1882—An ordinance to provide for grading, bowldering and curbing the gutters of Vermont street, from West street to Blackford street.

And it failed of passage by the following vote:

AYES—None.

NAYS, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

The following ordinance was read the second and third times:

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.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following ordinance was read the second and third times:

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.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following ordinance was read the second and third times:

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.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following ordinance was read the second and third times:

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.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

The following ordinance was read the second and third times:

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.

And it was passed by the following vote:

AYES, 9—viz. Aldermen DeRuitter, Drew, Hamilton, Mussmann, Newman, Seibert, Tucker, Wood, and President Layman.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.