

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 7, 1883.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, May 7th, A. D. 1883, at eight o'clock, in regular session.

PRESENT—HON. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 23 members, viz: Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, Weaver, and Yoke.

ABSENT 2—viz. Councilmen Cowie, and Coy.

The Proceedings of the Common Council for the special session, held April 23d, 1883, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS.

Sealed proposals for removing dead animals from the streets, alleys, commons and public places of the City of Indianapolis, for the term of one year, were opened, read, and referred to the Committees on Contracts and Public Health.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, Ind., May 7, 1883.

To the Common Council and Board of Aldermen:

Gentlemen:—I report collections for the months of March and April as follows:

Policemen's witness fees.....	\$ 35 45
Mayor's fees	94 85
Fines.....	9 00

Total\$189 30

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.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of John Keenan, 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.

3,700 lineal feet, at 31 cents..... \$1,147 00

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution was read:

Resolved, by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of John Keenan, 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, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

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

NAYS—None.

The following report from the City Civil Engineer was read:

To the Mayor, Common Council and Board of Aldermen:

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

Contract and bond of John C. Schier, Jr., for grading and paving with brick, the east sidewalk of West street, from St. Clair street to Walnut street. Bond, \$500.00; surety, John Schier.

Contract and bond of J. L. Spaulding, for grading and graveling the first alley east of Delaware street, from St. Clair street to Pratt street. Bond, \$400.00; surety, H. C. Roney.

Contract and bond of J. L. Spaulding, for grading and graveling the first alley east of Mississippi street, from First street to the first alley south of First street. Bond, \$300.00; surety, H. C. Roney.

Contract and bond of James Mahoney, for grading and graveling the first alley south of Orange street, from Laurel street to Spruce street. Bond, \$325.00; surety, James Renihan.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer

Councilman Morrison presented the contract and bond of S. W. & R. H. Patterson, for grading and bowldering the roadway, and curbing the

gutters of Indiana avenue, from West street to Fall Creek, in the penal sum of twenty-eight thousand dollars, with S. J. Patterson, Hamilton Bailie and Charles F. Kuhn as sureties.

On motion, the foregoing report was concurred in, and the above contracts severally awarded and bonds approved, by the following vote:

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

NAYS, 2--viz. Councilmen Pritchard, and Stout.

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

To the Mayor and Common Council:

Gentlemen:—At your last meeting, S. O. 18, 1883, "An ordinance to provide for grading, bowldering and curbing the gutters of East street, from St. Clair street to Cherry street," was referred to me for amendment, to improve said gutters from St. Clair street to Gregg street. Said amendment has been properly made, and I herewith return the ordinance.

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

The following entitled ordinance was read the second time, and amended as per foregoing report:

S. O. 18, 1883—An ordinance to provide for grading, bowldering and curbing the gutters of East street from St. Clair street to Cherry street.

The City Clerk submitted the following report:

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

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

J. F. & H. L. Talbot vs. Martha and Lewis Jordan, for..... \$212 17½

Respectfully submitted,
JOS. T. MAGNER, City Clerk.

Which was concurred in, and the precept ordered to issue by the following vote:

AYES, 17--viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Stout, and Yoke.

NAYS, 1--viz. Councilman Thalman.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the city treasury during the month of April, 1883, viz:

Board of Health.....	\$ 371 35	
Bridges.....	491 40	
City Assessor's Department.....	148 85	
City Civil Engineer's Department.....	134 75	
City Dispensary.....	265 66	
City Hall.....	533 75	
City Hospital and Branch.....	1,324 71	
City Hospital and Branch—New Addition.....	1,615 00	
City Treasurer's percentage.....	222 51	
Cisterns.....	614 45	
Fire Department.....	5,821 10	
Gas.....	5,396 66	
Incidentals.....	5 00	
Judgments and costs.....	126 80	
Market-Masters' Fees.....	114 69	
Parks.....	124 00	
Police.....	4,098 75	
Printing.....	1,154 12	
Salary.....	5,765 73	
Sewers.....	3,882 78	
Station House.....	274 38	
Street Improvements.....	13 20	
Street Openings and Vacations.....	174 00	
Street cleaning.....	958 24	
Street repairs.....	1,013 32	
Street Department, bridge repairs, etc.....	331 23	
Street Department, sewer cleaning, etc.....	254 66	
Taxes refunded.....	46 08	
		\$35,272 17
Time warrants of 1882.....	\$50,000 00	
Sinking fund.....	3,105 79	
School fund.....	23,573 73	
Tomlinson Estate, repairs, etc.....	33 00	
		76,712 52
Total.....		\$111,984 69

Respectfully submitted,

Jos. T. MAGNER, City Clerk.

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

Report of I. N. PATTISON, City Treasurer, for the month of April, 1883.

RECEIPTS.

Balance on hand as per last report, April 1st, 1883.....	\$120,553 57
From coal licenses.....	6 00
From express licenses.....	3 15
From fines and fees.....	55 45
From hucksters' licenses.....	18 00
From liquor licenses.....	579 98
From market-masters' fees.....	239 65
From peddlers' licenses.....	45 00
From promiscuous.....	36 20
From sale of old material Fire Department.....	11 40
From show licenses.....	1 00
From taxes current.....	394,109 97

From taxes delinquent.....	\$ 1,842 45
From tax sales current.....	1,480 08
From tax sales delinquent.....	1,638 55
From tapping sewers.....	2 00
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	\$ 520,622 45

DISBURSEMENTS.

For Board of Health.....	\$ 368 35
For bridges	197 40
For bridge repairs.....	326 12
For City Assessor's Department.....	148 85
For City Civil Engineer's Department.....	127 75
For City Dispensary.....	265 66
For City Hall.....	1,883 75
For City Hospital and Branch.....	2,915 45
For cisterns.....	614 45
For Fire Department.....	5,764 14
For gas.....	5,396 66
For incidentals.....	5 00
For judgments and costs.....	117 85
For Market-masters' fees.....	114 69
For parks.....	124 00
For police.....	3,942 42
For printing.....	1,152 42
For percentage.....	222 51
For salary.....	5,757 95
For school fund.....	28,649 11
For sewers.....	3,882 78
For sewer cleaning.....	249 73
For Station House.....	240 68
For street improvements.....	20 40
For street opening and vacation.....	168 00
For street repairs.....	992 32
For sinking fund.....	3,105 79
For street cleaning.....	929 75
For taxes refunded.....	46 08
For time warrants	50,000 00
Balance on hand May 1, 1883.....	402,893 39
	<hr/>
	\$520,622 45

TOMLINSON ESTATE.

Receipts.

Balance on hand April 1st, 1883.....	\$55,255 49
From rents.....	86 85
From sale of ground.....	150 00
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	\$ 55,492 34

Disbursements.

For repairs, etc.....	\$ 33 00
Balance on hand May 1st, 1883.....	55,459 34
	<hr/>
	\$ 55,492 34

ADDITIONAL CITY HALL FUND.

Balance on hand, April 1st, 1883.....	\$ 11,621 92
Balance on hand May 1st, 1883.....	\$ 11,621 92

SINKING FUND.

Balance on hand May 1st, 1883..... \$ 4,853 43
Respectfully submitted,

I. N. PATTISON, City Treasurer.

To JOSEPH T. MAGNER, City Clerk.

The City Attorney submitted the following report; which was concurred in, and the compromise as shown in the first clause, authorized:

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

Gentlemen:—The court has overruled the City's motion for a new trial in the David Duncan case, and rendered judgment on the verdict for \$250.00 and costs. The amount is too small to justify the city in paying for a record to appeal. Nicholas Shoendorf, of Crawfordsville, Ind., is the owner of the property abutting on the alley where the injuries occurred. He proposes to pay \$125.00 of the judgment, rather than allow suit to be brought against him by the city to recover back the amount, when she shall have paid it. I feel sure he will pay no more; and knowing that it will cost the city the greater part of the difference to prosecute a suit against him in Montgomery county, beside being placed at a decided disadvantage in every way, I recommend that his proposition be accepted.

In the case of Edwin L. Atkinson against the city, which was an appeal from the City Commissioners' report, assessing \$30.00 benefits against him in the opening of Dillon and Cruse streets, the court reduced the assessment to \$15.00, it appearing by the evidence of the Commissioners, that they were mistaken as to the ownership of one of the pieces of property, which they thought belonged to the appellant. The court adjudged one-half of all the costs against Mr. Atkinson, however.

Respectfully submitted,

C. S. DENNY, City Attorney.

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

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

Gentlemen:—The following reports of the City Dispensary for the month of April, 1883, are respectfully submitted:

Number of Patients treated at Dispensary.....	241
Number of Medical cases at Dispensary.....	183
Number of Surgical cases at Dispensary.....	4
Number of Disease of Nervous System.....	3
Number of Disease of Eye and Ear.....	5
Number of Diseases of the Throat.....	8
Number of Out-door Patients treated.....	98
Number at Station House.....	2
Number at News Boys' Home.....	4
Number of Patients sent to Hospital.....	49
Total number of Patients treated during month.....	597
Total number of Visits made during month.....	255
Total number of Prescriptions filled during month.....	513
Number of Births during month.....	5
Number of Deaths during month.....	5

EXPENDITURES FOR MONTH.

J. J. Garver, Superintendent.....	\$70 00
F. Swain, Assistant.....	41 66
F. M. Wiles, Assistant.....	41 66
E. G. Grahn, Druggist.....	30 00
L. A. Gable, drugs, etc., furnished.....	76 07
A. B. Mayer & Co., coal furnished.....	6 95
William F. Thomas, removing ashes.....	4 50

Total expenditures for month..... \$270 84

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

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

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

Gentlemen:—The following reports of the City Hospital and Branch, for the month of April, 1883, are respectfully submitted:

	First Week.	Second Week.	Third Week.	Fourth Week.	Two Days.	Monthly Total.
Number of paid Officers and Employes in Hospital	15					
Number of paid Officers and Employes in Branch.....	3					
Number of beds in Hospital	95					
Number of beds in Branch.....	13					
No. of adult patients in Hospital at beginning of week.....	59	60	54	51	57	59
No. of infant patients in Hospital at beginning of week.....	6	7	7	5	5	6
No. of adult patients received during week.....	9	18	13	17	1	58
No. of infant patients received or born during week.....	1	1	.....	1	.....	3
No. of adult patients discharged during week	8	19	9	6	3	45
No. of infant patients discharged during week.....	.....	1	2	1	.....	4
No. of adult patients who died during week.....	.....	1	2	1	1	5
No. of infant patients who died during week.....	.....	.....	.....	.....	.....	.....
Number of patients in Branch at beginning of week.....	.....	.....	4	9	13	.....
Number of patients in Hospital during entire month.....	122	.....	4	9	13	13
No. of adult patients in Hospital at end of week.	60	58	60	70	67	67
No. of infant patients in Hospital at end of week.....	7	7	5	5	5	5
Number of patients in Hospital and Branch during month.....	.....	.....	.....	.....	.....	139
Number of pay patients at end of week .....	.....	.....	.....	.....	.....	.....
Aggregate number of days of patients in Hospital.....	465	473	411	427	126	1902
Aggregate No. of days of patients in Branch.....	.....	12	50	70	26	158
Aggregate number of days of employes in Hospital and Branch.....	.....	.....	.....	.....	.....	510
Aggregate number of prescriptions filled during month.....	.....	.....	.....	.....	.....	.....
Total expenditures for month.....	.....	.....	.....	.....	.....	\$1,287 07
Aggregate number of days subsistence furnished .....	.....	.....	2,570	.....	.....	.....
Average daily cost of each patient .....	.....	.....	.....	.....	.....	62.4 cts.
Average daily cost for patients, officers, and employes.....	.....	.....	.....	.....	.....	50.8 cts.

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

The Chief Fire Engineer submitted the following report; which, was received:

To His Honor, Mayor Grubbs, the Board of Aldermen, and

Common Council of the City of Indianapolis, Ind:

Gentlemen:—I herewith submit for your consideration, my monthly report of the cash receipts and disbursements for the month of April, 1883:

1883.

RECEIPTS.

April 2.	Balance on hand as per last report.....	\$ 75 20
" 9.	T. A. Gentry, old hose.....	5 40
" 10.	F. Bremmer, old hose.....	5 00
" 13.	Hiram Miller, old hose.....	4 00
" 14.	Hiram Miller, old hose.....	2 70
" 14.	Chris. Potahast, old hose.....	5 10
" 17.	James Wells, old hose.....	1 00
" 18.	M. T. Rozelle, old hose.....	9 40
" 18.	J. M. Eugene, old hose.....	50
" 19.	C. Hilgemeier, old hose.....	3 30

April 26.	H. Seelle, old hose.....	\$ 30	
" 27.	John Johnson, old hose.....	10 50	
" 27.	Jacob Greiswald, old hose.....	25	
			42 45
			<u>\$117 65</u>

DISBURSEMENTS.

April 30.	I. N. Pattison, City Treasurer, cash.....		42 45
	Balance on hand.....		<u>\$ 75 20</u>

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

The rental agent submitted the following report; which was received:

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

Gentlemen:—I herewith submit report of collections of rents of the Tomlinson Estate for the month of April, 1883:

Mrs. Mahan, 117 north Illinois street.....	\$ 25 00
Mary Dwyer, 113 north Illinois street.....	25 00
H. Oferman, 115 north Illinois street.....	25 00
Anna McKenzie, 27 west Ohio street.....	15 00
	<u>\$ 90 00</u>
Less commission, 3½ per cent.....	3 15
	<u>\$86 85</u>

Respectfully submitted,

W. HADLEY, Agent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

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

To the Mayor and Common Council:

Gentlemen:—At your last meeting, S. O. 33, 1883, an ordinance to provide for constructing a brick sewer in and along Delaware street, between North and St. Joseph streets, was referred to us. We would report that we have examined said locality, and find that said Delaware street is being improved about half the distance of said proposed sewer, by bowldering the gutters and graveling the roadway with screened gravel, thoroughly rolled, and that there is one square about completed. We return said ordinance, petitions and remonstrances for your consideration and action.

Respectfully submitted,

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

The Board of Public Improvements and Street Commissioner, through Councilman Dean, submitted the following report, which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures of the Street Department for the month of April, 1883, together with the total amount of expenditures to May 1st, 1883:

CLEANING DEPARTMENT.

Pay-rolls.....	\$958 23	
Total expenditures for April, 1883.....		\$ 958 23
Total expenditures per last report.....		9,041 77
		<hr/>
Total expenditures to May 1st, 1883.....		\$10,000 00

REPAIR DEPARTMENT.

Pay-rolls.....	\$943 72	
Blacksmithing.....	3 30	
Bowlders.....	24 50	
Coal.....	2 00	
Gravel.....	18 95	
Hardware.....	20 85	
		<hr/>
Total expenditures for April, 1883.....		\$ 1,013 32
Total expenditures per last report.....		15,515 03
		<hr/>
Total expenditures to May 1st, 1883.....		\$16,528 35

BRIDGE DEPARTMENT.

Pay-rolls.....	\$311 62	
Lumber.....	19 61	
		<hr/>
Total expenditures for April, 1883.....		\$ 331 23
Total expenditures per last report.....		4,857 27
		<hr/>
Total expenditures to May 1st, 1883.....		\$ 5,188 50

SEWER DEPARTMENT.

Pay-rolls.....	\$245 00	
Catch-basin castings.....	9 66	
		<hr/>
Total expenditures for April, 1883.....		\$ 254 66
Total expenditures per last report.....		2,781 12
		<hr/>
Total expenditures to May 1st, 1883.....		\$ 3,035 78
		<hr/>
Total expenditures in department for April, 1883.....		\$ 2,557 44
		<hr/>
Total expenditures in department to May 1st, 1883.....		\$34,752 63

Respectfully submitted,

E. H. Dean,
W. H. Morrison,

L. A. FULMER, Street Commissioner.

Board of Public Improvements.

The Bord of Health submitted the following mortality reports; which were received:

Report of Deaths in the City of Indianapolis, from the 31st day of March, 1883, to 15th day of April, 1883.

Under 1 year.....	14
1 to 2 years.....	0
2 to 5 ".....	2
5 to 10 ".....	1
10 to 15 ".....	3
15 to 20 ".....	6
20 to 25 ".....	3
25 to 30 ".....	4
30 to 40 ".....	6

40 to 50 years.....	4
50 to 60 ".....	3
60 to 70 ".....	5
70 to 80 ".....	4
80 to 90 ".....	2
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0
Total.....	57

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

*Report of Deaths in the City of Indianapolis, from the 15th day of April, to the
 27th day of April, 1883.*

Under 1 year.....	13
1 to 2 years.....	0
2 to 5 ".....	4
5 to 10 ".....	2
10 to 15 ".....	1
15 to 20 ".....	4
20 to 25 ".....	6
25 to 30 ".....	0
30 to 40 ".....	3
40 to 50 ".....	5
50 to 60 ".....	0
60 to 70 ".....	8
70 to 80 ".....	3
80 to 90 ".....	1
90 to 100 ".....	1
100 and upwards.....	0
Unknown.....	0
Total.....	51

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

REPORTS FROM STANDING COMMITTEES.

Councilman Brundage, in behalf of the Committee on Accounts and Claims, moved that the claims of William D. Griffin, R. C. Williamson, George O. Griffin, sanitary officers, and L. S. Henthorne, M. D., for burying smallpox patients, be referred to the Judiciary Committee and City Attorney.

Which was adopted.

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

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, to whom was referred a communication from Jno. W. Murphy, V. T. Malott and John P. Frenzel, Police Commissioners, giving list of officers by them appointed, and salaries by them fixed, report as follows:

These *State Officers* have made a pay-roll amounting to \$12,327.50 for the first quarter, commencing April 15th, 1883. They estimate, for the same quarter, that detective service and "other expenses," will amount to \$1,672.50. They therefore ask that the *wards of the State of Indiana*, to-wit: the citizens of Indianapolis, through their Common Council and Board of Aldermen, will appropriate \$14,000.00 to pay the expenses of this Democratic, self constituted guardianship, for the first quarter, beginning April 15th. We recommend,

1st. As our fiscal year ends June 1st, 1883, that the appropriation be made only to that time, and therefore recommend the ordinance be amended by striking out \$14,000.00 and inserting in lieu thereof, \$7,000.00.

2d. That the resolutions herewith submitted, and made a part hereof, be *first* passed, and then the appropriation ordinance for Police force, after amendment as herein recommended, be also passed.

Respectfully submitted,

James A. Pritchard,
N. Yoke,
Committee.

Resolved, That the law known as the Metropolitan Police Bill, is an outrage on the citizens of Indianapolis, the same having been passed over the protest of a large majority of the people and tax payers of said city, and in defiance of the principles of local self-government.

Resolved, further, That while we recognize the fact that said law was "conceived in sin and brought forth in iniquity," and deserves the condemnation of all good citizens, we at the same time feel that as members of the Council and Board of Aldermen, it is better for the present that we vote the necessary appropriations to sustain the Police force organized under its provisions, than to obstruct its workings, and thus leave the city without police protection.

Resolved, further, That the appropriation now asked for by the Board of Metropolitan Police Commissioners, is made under our solemn protest.

And the foregoing resolution was adopted by the following vote:

AYES, 16--viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Dean, Egger, Knodel, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalmann and Yoke.

NAYS, 5--viz. Councilmen Dowling, Fultz, Harrold, Koller and Weaver.

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

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:

First, is the petition of John L. Avery, showing that as owner of lots 9, 10, and 11, in Bartholomew's subdivision of L. C. & L. R. R. Co.'s addition, he has paid as taxes for years 1877-8-9 and 1881-2, the sum of \$111.05.

The said addition was never properly annexed to the city, and has been withdrawn from city duplicate as unassessable. Petitioner asks the sum of \$111.05 be refunded.

We recommend the sum of \$88.80 be refunded by city, and the balance, \$22.80, petitioner obtain from School Board

Second, is a resolution providing that the City Treasurer tender to Ellen Powers the damages for house and lot proposed to be taken for a street opening at corner of south East street and Morris street.

We recommend the resolution be stricken from the files.

Third, is the petition of Henry Clay, showing that he was given a city estimate against lot 19, square 8, for grading and graveling Linden street. The amount is for \$32.34. Said lot had reverted to the State of Indiana under a school fund mortgage.

We recommend the sum of \$32.34 on said account be paid to petitioner by the city in the June appropriation.

Fourth, is the petition of Louis Prenzler, showing that as owner of the north half of the south half of lot "D" in I. & C. R. R. Co.'s addition, he has paid taxes for years 1875 to 1881, inclusive, amounting to \$241.02. For the same reason given in item 1 of this report, this sum must be refunded.

We therefore recommend the sum of \$192.82 be refunded, with interest from the dates of the several payments, by the city, and the balance, to-wit, \$48.20, with its interest, petitioner obtain from School Board.

Fifth, is a report from City Civil Engineer, showing that an ordinance was passed and contract awarded to Henry Clay, to grade and gravel the west sidewalk of so-called Missouri street. The report further shows, that between North street and St. Clair street, there is no street there, but is all private property, owned by the Water-Works Company.

We recommend the contract with Henry Clay be annulled.

Sixth, is the petition of Mary A. Huddart, showing that on June 23, 1879, she purchased at tax-sale, lot 22 in Davidson's second addition, paying \$46.74. In this amount was \$23.37 on improvements. There never was any improvements upon the lot. Petitioner asks that \$23.37, with interest, be refunded. The City Treasurer informs your committee the facts stated are true.

We therefore recommend the sum of \$23.37, with interest, be refunded.

Seventh, is a petition of S. A. Fletcher & Co., showing same state of facts as in item six of this report, as to lot 5, H. & D. subdivision of Yeiser addition. Sale occurred February 12, 1878, and was for taxes on lot on \$300.00 on improvements. There was no improvements upon the lots. The sale was therefore void.

We recommend the sum paid on certificate No. 7035 (1878) be refunded, with interest.

Eighth, is the petition of E. B. Hutchinson, showing that under tax certificate 12,634 (1880), he purchased 2½ feet off of the west end of lot 7, square 7, out-lot 157, Hill's subdivision, and 22½ feet east end lot 8, square 8, same out-lot and subdivision, paying therefor, on February 4, 1880..... \$80 53

Taxes subsequently paid, June 20, 1881..... 3 80

Interest, 6 per cent..... 15 00

\$99 33

The sale was void for the reason that the same was taxed double on the duplicate, and taxes paid in one name and sold in another. The City Treasurer informs your committee the facts are true.

We recommend that the sum of \$79.67 be refunded by the city, and the balance, \$19.66, be obtained by petitioner from the School Board.

Ninth, is the petition of Stephen Gray, showing that as owner he paid taxes on lots 37, 38, 39, and 40, in Coburn's subdivision of I., C. & L. R. R. Co.'s addition, for years 1874-5-6-7-8-9, and 1880-81, paying the sum in all these years, of \$35.24. For reasons given in item one of this report, the same must be refunded.

We therefore recommend the sum of \$18.19, with interest be refunded by the city, and that petitioner obtain balance, \$7.05, with its interest, from the School Board.

Tenth, is the petition of Alvine May, showing that as owner of lots 50 to 56, inclusive in King's subdivision of May, Wasson & Co.'s Highland Park addition; also lots 64 to 70, and 36 to 42, and lot 15, same addition, he redeemed from a city tax-sale made August 19, 1880, paying the sum of \$447.51, including interest to date. The sale was void, for the reason that said addition was not properly annexed to the city, and petitioner asks that the money so paid be refunded. Under the Mc-Avoy case, recently decided by the Supreme Court, the prayer of petitioner must be granted.

We recommend that the sum of \$372.13 be refunded from this date, and the balance, to-wit, \$75.38, be obtained by petitioner from the School Board.

Eleventh, is a petition of R. L. De Puy, adm'r, asking that the assessment upon the "Sherman House" be reduced from \$12,000.00 to \$9,000.00, the same being, in the opinion of petitioner, assessed too high.

This is a matter not fixed by the Council and Board of Aldermen, and we therefore recommend the prayer of petitioner be not granted.

Twelfth, is an item from former report of your committee, on petition of Jas. C. Ferguson, asking that the sum of \$15,000.00 cash, returned for taxation, be stricken from the duplicate. Former report was against the petition. An effort was made to copy return made in 1881, made by Mr. Ferguson, and make the same return for 1882. By the return of 1881, the sum of \$1,500.00 cash was returned, and in making copy an additional cipher was added, making it read \$15,000.00.

We therefore recommend that the sum of \$13,450.00 be certified off the duplicate.

Respectfully submitted,

James A. Pritchard,
John W. Fultz,
N. Yeke,

Committee.

C. S. DENNY, City Attorney.

On motion by Councilman Weaver, the second clause of the above report was referred back to the Judiciary Committee, and the third clause, on motion by Councilman Thalman, was referred back with instructions to present the claim to the State authorities for payment, and, on further motion, the balance of the report was concurred in.

The Committee on Markets, through Councilman Mauer, submitted the following report:

To the Mayor and Common Council:

18 *Gentlemen*:—Your Committee on Markets, to whom was referred sundry papers touching the West Market, report as follows: We found,

1st. That the whole space was being rented by private parties, at \$6.00, \$8.00 and \$10.00 per stand, the money collected by them and appropriated to their own use.

2d. We found seven or eight families living upon the Space, and some seven of them paying their rent every month, from \$4.00 to \$10.00 per month, to private individuals, who appropriated the same to their own use.

3d. We found the Space in a dirty and filthy condition.

4th. We found curb-stone stands rented to certain parties by the week, at 75 cents per week, and same stands let to other parties, at an additional rent for same stands, at times when no market was there.

All of which things are in open violation of the Market ordinance.

More than ten days ago, your committee directed A. L. Stoner, the West Market Master, to correct *at once* the above abuses, and to require all families to be off the Space in ten days, and to clean the Space up. This ten days expired Friday, May 4, 1883. To-day a member of your committee visited the Space, to ascertain what, if anything, had been done. We found all families still in possession and residing

thereon, with little or no cleaning done. No attention seems to have been paid to the orders of your committee by the Market Master, neither does he seem to care about any provision of the Market ordinance. We report these facts to you for your consideration, without recommendation.

Respectfully submitted,

H. J. Mauer,
Allen Caylor,
P. Harrold.
Committee.

Councilman Pritchard offered the following resolution:

WHEREAS, Almost every provision of the Market ordinance of the City of Indianapolis has been openly and continually violated for months past, with the knowledge and consent of the West Market Master, A. L. Stoner, as shown by report of Market Committee; therefore, be it

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the office of West Market Master be, and the same is hereby, declared vacant.

And it was adopted by the following vote:

AYES, 14—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dean, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein and Stout.

NAYS, 9—viz. Councilmen Cole, Dowling, Egger, Fultz, Harrold, Thalman, Ward, Weaver and Yoke.

Councilman Morrison moved that the above action be reconsidered.

Which motion was adopted, and the action reconsidered by the following vote:

AYES, 12—viz. Councilmen Bedford, Brundage, Bryce, Cole, Dean, Egger, Koller, Morrison, Thalman, Ward, Weaver and Yoke.

NAYS, 11—viz. Councilmen Caylor, Dowling, Fultz, Harrold, Hartmann, Knodel, Mauer, Pearson, Pritchard, Reichwein and Stout.

On motion by Councilman Pritchard, the resolution was then referred to the Committee on Markets and City Attorney for the purpose of investigation.

By consent, Councilman Bryce presented the following estimates of work done, which were received, the estimates approved, and ordered inserted in the miscellaneous appropriation this evening:

Estimate No. 3.

Indianapolis, May 5th, 1883.

CITY OF INDIANAPOLIS, IND.

This is to certify, that Peter Routier is entitled for pay on account of his contract for building the East Wing addition to the City Hospital building:

For excavation.....	\$ 150 00
For rubble masonry.....	1,200 00
For cut stone.....	300 00
For brick work.....	3,000 00
For carpenter work.....	2,000 00
For iron work.....	50 00

\$6,700 00

As per contract, less 15 per cent.....	\$1,005 00	
Less estimates No 1 and 2.....	2,635 00	
	<hr/>	3,640 00

Amount due him \$3,060 00

CHAS. MUELLER,
firm Huebner & Mueller, Architects.

Examined and approved.

PETER F. BRYCE, Pres't. Hospital Board.

Indianapolis, May 5th, 1883.

CITY OF INDIANAPOLIS, IND.

To Huebner & Mueller, Architects,

On account for supervising the erection of the East Wing to the City Hospital building:

As per contract, 2½ per cent on contract amount.....	\$12,000 00
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Estimates made to Peter Routier, builder:

Estimate No. 1, March 19th	\$1,020 00
Estimate No. 2, April 16th.....	1,615 00
Estimate No. 3, May 5th.....	3,060 00

Total.....	<hr/>	\$5,695 00 at 2½ per cent.
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Amount due us.....	\$ 142 37
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Examined and approved.

PETER F. BRYCE,
Pres't. Hospital Board.

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

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

Gentlemen:—The undersigned, Committee on Streets and Alleys, to whom was referred the following petition:

Indianapolis, April 23, 1883.

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

Gentlemen:—The undersigned respectfully asks your honorable bodies to vacate the seven and a half foot alley on the south side of Lot seven, in John Wocher's Jr. subdivision of part of southeast quarter Section 36, Township 16 north, Range 3 east, in the City of Indianapolis. A plat is herewith submitted, as a part hereof, marked Exhibit A.

Respectfully,

E. C. Sewall, John Wocher, Jr., Louis Newberger,
Geo. T. Breunig.”

Report in favor of granting the relief asked.

Respectfully submitted,

George Weaver,
B. W. Cole,
Committee.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message from the Board of Aldermen was read:

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, April 9th, 1883, adhered to their former action in adding the amendment “and that South street, east of East street, be changed to Fletcher avenue,” to the following resolution:

"Resolved, That the street running from Nebraska street to Lincoln Lane, be named Dean street;" and also requested the Common Council to appoint a special committee for the purpose of investigation.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

Councilman Dowling moved to refer the above matter to the present special committee.

Councilman Bryce moved that the message be received, and that the present special committee be instructed to report at the next regular meeting, and that three additional members from the Council be appointed by the Chair to act as members of such committee.

Which motion was adopted, and Councilmen Pearson, Reichwein and Knodel were appointed the additional members.

On motion by Councilman Pearson, Councilman Bryce was instructed to act as the chairman of the committee.

The following message was read:

To the Mayor and Common Council,

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, April 23d, 1883, adhered to their former action by inserting the amendment "that the amount appropriated be expended under the direction of the Street Commissioner," in the following ordinance:

Ap. O. 30, 1883—An ordinance appropriating the sum of One Thousand Dollars, on account of the Street Department of the City of Indianapolis.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

Councilman Pearson moved that the Common Council adhere to their former action, and that a conference committee be appointed.

Which motion was adopted, and Councilmen Pearson, Yoke and Hartman appointed by the Chair to act as the members of such committee.

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

That the City Civil Engineer be, and is hereby, instructed to re-advertise for bids for the erection of lamp-posts on English avenue, from Dillon street to Reid street.

APPROPRIATION ORDINANCES.

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

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

Ap. O. 34, 1883—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$403.36.]

And it was passed by the following vote:

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

NAYS—None.

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

Ap. O. 35, 1883—An Ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$110,298.64.]

And it was passed by the following vote:

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

NAYS—None.

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

Ap. O. 36, 1883—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, \$1,318.12.]

And it was passed by the following vote:

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

NAYS—None.

By the Board of Public Improvements, through Councilman Dean, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 30, 1883—An ordinance appropriating the sum of one thousand dollars on account of the Street Department of the City of Indianapolis, for repairing streets, etc.

And it was passed by the following vote:

sig. 97.

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

NAYS—None.

The following entitled ordinance was read the second time:

Ap. O. 31, 1883—An ordinance appropriating the sum of Fourteen Thousand Dollars, for the payment of the salaries of the Commissioners, Officers and Members of the Metropolitan Police of the City of Indianapolis.

Councilman Pritchard moved to amend the above ordinance by striking out \$14,000 and insert in lieu thereof \$7,000.

Which amendment was adopted.

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

AYES, 18—viz. Councilmen Bedford, Bryce, Caylor, Cole, Dowling, Fultz, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pritchard, Reichwein, Thalman, Ward, and Yoke.

NAYS, 6—viz. Councilmen Brundage, Dean, Egger, Pearson, Stout, and Weaver.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following entitled ordinances were introduced and severally read the first time:

By Councilman Bedford:

S. O. 37, 1883—An ordinance to provide for grading, and paving with brick, the sidewalks of Park avenue (where not already done), from St. Clair street to Vine street.

S. O. 38, 1883—An ordinance to provide for grading, and paving with brick, the north sidewalk of Cherry street, from Park avenue to Plum street.

S. O. 39, 1883—An ordinance to provide for grading and paving with brick, the west sidewalk of Park avenue, from Cherry street to Christian avenue.

By Councilman Brundage, accompanied with petition:

S. O. 40, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Pleasant street, between Dillon and Reid streets.

Indianapolis, April 12th, 1883.

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

Gentlemen:—The undersigned, owners of real estate fronting on Pleasant street, between Dillon and Reid streets, respectfully petition for the passage of an ordinance providing for the laying of gas mains and erection of lamp-posts on said street.

S. D. Crane, 80 feet; John C. Woodard, 40 feet; Gertrude Miner, by D. Miner, 40 feet; C. G. A. Jewre, 80 feet; Hiram Siebert, 80 feet; John Gustin, 40 feet; A. Stratford, 40 feet; E. L. Atkinson, 110 feet; O. B. Gilkey, 40 feet; J. M. McCollum, 40 feet.

On motion, the above ordinance and petition were referred to the Committee on Public Light.

By Councilman Bryce:

S. O. 41, 1883—An ordinance to provide for grading and bowldering the roadway, and curbing the gutters, of Garden street, from Meridian street to Illinois street.

By Councilman Cole:

S. O. 42, 1883—An ordinance to provide for grading, paving with brick and curbing with stone the sidewalks, and bowldering the gutters, of Liberty street, from Michigan street to Massachusetts avenue (where not already done.)

S. O. 43, 1882.—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick the sidewalks of Lockerbie street, from Liberty street to Noble street.

The above ordinance was accompanied by the following petition:

Indianapolis, April 12, 1883.

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

Gentlemen:—The undersigned, owners of real estate on Lockerbie street, between East and Noble streets, respectfully petition for the passage of an ordinance providing for the paving with brick of the sidewalks, the curbing of the same with stone, and bowldering of the gutters where not yet so improved.

Theodore Stein, 70 feet; F. W. Simon, 80 feet; Jacob Bauer, 79 feet.

S. O. 44, 1883—An ordinance to provide for grading and paving with brick, the west sidewalk of Liberty street, from New York street to Michigan street.

S. O. 45, 1883—An ordinance to provide for the construction of a brick sewer (3 feet internal diameter) in and along New Jersey street, from New York street to the North line of Vermont street, and providing for the manner of the assessment and collection of the cost thereof.

By Councilman Fultz:

S. O. 46, 1883—An ordinance to provide for grading, and paving with brick, the north sidewalk of McCarty street, from Chadwick street to West street.

S. O. 47, 1883—An ordinance to provide for grading, and paving with brick, the east sidewalk of West street, from McCarty street to the first alley north of McCarty street.

By Councilman Morrison, accompanied with petition:

S. O. 48, 1883—An ordinance to provide for grading and graveling Highland street and sidewalks, from Washington street to Ohio street.

Indianapolis, May 7th, 1883.

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

Gentlemen:—The undersigned, owners of real estate on Highland street, between Washington and Ohio streets, respectfully petition for the passage of an ordinance

providing for grading and graveling Highland street and sidewalks from Washington street to Ohio street.

H. Latham, Charles Latham, 333 feet; Fred. Knefler, 333 feet; Edward King, 217 feet; J. W. Cooper, 45 feet; Frederick Ostermeyer, 232 feet; H. W. Piel, 80 feet; Fred. A. Ostermeyer, 80 feet; total, 1,330 feet.

S. O. 49, 1882—An ordinance to provide for curbing with stone the gutters of Indiana avenue, from Illinois street to the Canal.

By Councilman Pritchard:

S. O. 50, 1883—An ordinance to provide for grading and paving with brick, the south sidewalk of Sixth street, between Tennessee and Mississippi streets.

On motion by Councilman Pitchard, S. O. 29, 1883, was ordered stricken from the files.

His Honor, Mayor Grubbs, presented the following communication:

To the Board of Metropolitan Police Commissioners:

Gentlemen:—Your petitioner would respectfully represent that, as Superintendent of Police, it becomes a part of my duty to enforce an ordinance to prohibit the running at large of cattle and other animals, ordained December 12, 1881. Section 6 provides that two pounds shall be constructed for safe keeping of animals. Having no funds under my control I would respectfully request your honorable body to obtain from the Council and Board of Aldermen an appropriation to construct said pounds and pay the rental of the ground for one year. I estimate that one hundred and twenty-five dollars (\$125) will be required for one year.

Very respectfully,

IRWIN ROBBINS, Superintendent of Police.

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

Gentlemen:—The above communication is most respectfully referred to your bodies with the request that you take immediate action on the same.

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

Councilman Pritchard presented the following communication:

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

Gentlemen:—We do most respectfully request that your honorable bodies will pass the accompanying ordinance.

Very respectfully yours,

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

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

G. O. 27, 1883—An ordinance prohibiting cows, horses and other animals from running at large within the corporate limits of the City of Indianapolis, and to provide for the impounding, keeping, sale and redemption thereof, and providing penalties for the violation thereof.

Councilman Stout introduced the following entitled ordinance, which was read the first time:

G. O. 28, 1883.—An ordinance making it unlawful for any one to erect or superintend any hospital in the City of Indianapolis, off the line of a public sewer.

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

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

NAYS, 1—viz. Councilman Weaver.

The ordinance was then read the second time.

Councilman Weaver moved to refer the ordinance to the Committee on Judiciary; which failed of adoption by the following vote:

AYES, 4—viz. Councilmen Bryce, Caylor, Morrison, and Weaver.

NAYS, 19—viz. Councilmen Bedford, Brundage, Cole, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

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

AYES, 21—viz. Councilmen Bedford, Brundage, Caylor, Cole, Dean, Dowling, Egger, Fultz, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Yoke.

NAYS, 2—viz. Councilmen Bryce and Weaver.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bedford offered the following motion; which was adopted:

That Mr. Thomas Amos be allowed to pave the sidewalk on Liberty street along his property, at his own expense, according to the stakes set by the City Civil Engineer.

Councilman Brundage offered the following motion; which was referred to the Judiciary Committee:

Indianapolis, May 4, 1883.

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

Gentlemen:—The undersigned is the owner of Lots 27, 28 and 29, in Hubbard, Martindale & McCarty's subdivision of lots one and two, in Block 13, of the south-east addition to Indianapolis. He represents that the east ends of said lots have been washed off by the recent freshets in Pleasant Run, to the distance of 25 feet. Notwithstanding this, he has been compelled to, and has paid, the full amount of taxes assessed against them for 1882, amounting to \$6.10.

He therefore prays that a portion of said sum be refunded to him; that the City

Assessor be directed to make personal examination of said lots before assessing the same for the year 1883, with a view to making the proper reduction on account of said loss of ground, and that a committee be appointed to examine the creek at and near said point, and report a plan for protecting the property along the same, which your petitioner and the owners of property generally in that neighborhood are unable to make themselves; and your petitioner will ever pray.

Respectfully, JAMES CLANCY.

Councilman Bryce offered the following motion; which was referred to the City Attorney to prepare proper ordinance:

31 That the subject of banana and orange peelings thrown upon our sidewalks by careless citizens, is an unmitigated nuisance; and that an ordinance should be prepared to put a stop thereto.

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

32 That the Board of Improvements report at the next meeting of Council, how much of the tee (T) rail has been replaced with the "Johnston Patent" rail, and how much of the rail with flange inside, has been changed or reversed, within the past sixty days.

33 That the Street Commissioner instruct the Citizens' Street Railway Company to put up a card of notice on every car, prohibiting smoking on said car.

Councilman Caylor offered the following motion; which was referred to the Committee on Water:

34 That the City Civil Engineer be, and he is hereby, directed to advertise for sealed proposals to furnish and erect a drinking fountain at the southeast corner of St. Clair street and Indiana avenue.

Councilman Thalman presented the following petition; which was referred to the Judiciary Committee and City Attorney, with power, if lawful:

To the Mayor, Common Council and Board of Aldermen:

35 *Gentlemen*.—I hereby assign all my rights and title to a certain contract that I have with the City of Indianapolis, 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, to G. W. Moore, said party agreeing to carry out the stipulations as set forth in said contract, and to assume all liabilities that may arise under the existence of said contract.

HUSTON SOLOMON, Contractor.

Councilman Cole offered the following motion; which was adopted:

36 That the City Civil Engineer be instructed to have a double row of stone crossings placed at the intersections of the streets and alleys on Liberty street, between New York and Michigan streets, as Liberty street is now being improved by curbing and bowldering the gutters and paving the sidewalks.

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

That the Street Commissioner be instructed to fill chuck-holes on Virginia avenue with broken stone.

Councilman Bedford offered the following motion; which was referred to the Fire Board:

That the City Civil Engineer be directed to advertise for the erection of a thousand barrel cistern at or near the corner of Clifford avenue and Archer street, as located by the City Civil Engineer and Chief Fire Engineer, for the further protection of property in said section.

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

That the Street Commissioner be instructed to fill up the chuck-holes on Madison avenue, between Meridian and Merrill streets.

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

That the City Civil Engineer be, and is hereby, directed to request the Indianapolis Gas Light and Coke Company to finish laying mains to furnish gas to and for posts erected on Morris street, between Carlos and Dakota streets.

That the City Civil Engineer be, and is hereby, directed to advertise for bids to lower the crown of the fire cistern on Tennessee street, between McCarty and Ray streets, to conform to the grade of the street.

Councilman Harrold offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to repair Washington street bridge crossing White River, as the flooring of the bridge is in a very bad condition, the edges of the planking worn very thin, and liable to break at any time, and several holes being roughly patched over.

It being now nearly eleven o'clock, Councilman Brundage moved that the time be extended.

Which motion was adopted, and the time extended by the following vote:

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

NAYS—None.

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

That the Street Commissioner be, and is hereby, instructed to clean the gutters on West street, from Washington street to Merrill street.

That the Street Commissioner be, and is hereby, instructed to fill mud holes and other bad places on Georgia street, between Missouri and West streets.

That the Street Commissioner be, and is hereby, instructed to clean the gutters on Maryland street, from Missouri street to Helen street.

Councilman Harrold presented the following communication; which was received; and, on motion, the Chair appointed Councilmen Pritchard, Egger and Harrold as a committee for investigation:

To Hon. Dan'l. W. Grubbs, Mayor, and to the Common Council,
and Board of Aldermen of the City of Indianapolis:

Gentlemen.—Your petitioner, Zack Meadors, a resident of said city, would respectfully represent and show unto your Honor and your honorable bodies, that Phelen Huston, the present Sexton of Greenlawn Cemetery, sold to him a lot in said cemetery, large enough for two graves, for six dollars, and that he paid him therefor the sum of five dollars, and that he had his mother buried in one grave; and that soon thereafter, said Sexton caused his mother to be taken up and buried at another part of said cemetery, without the knowledge or consent of your petitioner, and that said Sexton, in burying his mother at another place, only buried her seventeen (17) inches under ground; and that when your petitioner complained to said Sexton about the transfer of his mother, said Sexton gave as his reason therefor, that other parties claimed the ground. Wherefore he says that for the grievances herein recited, he prays for the removal of said Sexton.

ZACK. MEADORS.

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

That the Street Commissioner be, and is hereby, directed to fill up the chuck-holes on Morris street, between Meridian and Union streets.

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

That the Street Commissioner be, and is hereby, directed to fill the dangerous chuck-holes on Davidson street, between Market and North streets.

That the Committee on Sewers be directed to examine the culvert near the Female Reformatory. Said culvert is choked up so that the water of Crooked Run can not flow through the same.

That the Street Commissioner be, and is hereby, directed to fill the dangerous chuck-holes on Pine street, between Market and North streets.

That the Street Commissioner be, and is hereby, directed to put down double stone crossings on Cruse street, at the crossing of Ohio street.

Councilman Morrison offered the following motion; which was adopted:

That the City Civil Engineer and the Street Commissioner be, and are hereby, instructed to investigate the condition of the sprinkling carts now in use in this city, and that they report an ordinance looking to the proper protection of the streets and crossings in said city, as many of the streets are now being greatly damaged by said carts.

Councilman Pearson offered the following motion; which was adopted:

That the Street Commissioner be instructed to lower the crown at once of the cistern located on north Mississippi street, between St. Clair and Pratt streets. The same is now one and one-half feet above the grade of the street, and is dangerous to travel.

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

That the Street Commissioner report to the Council at next meeting, whether or not all the driven wells put in by Mr. Rouse, are in good condition, and how many, if any, are out of repair.

That the Indianapolis Electric Light Company be given permission to erect two poles, one on Delaware street, near Court House, and one at alley north of Bates House, on Illinois street, so as to carry a wire to the Court House.

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

That the Street Commissioner be directed to clean the gutters on Seventh street, from Lafayette Railroad track west to the Canal.

That the Street Commissioner be directed to gravel Sixth street, from Tennessee street west to the Canal.

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

To the Board of Aldermen and Common Council:

Gentlemen:—The undersigned respectfully represent that the commons on the west side of Arsenal avenue, extending from the Phipps homestead to Michigan street, was subdivided into small lots by the late Stoughton A. Fletcher, under the designation of "Arsenal Park Addition." None of the lots have been sold, but Mr. Fletcher's will, gives this property to the children of Baptist Ritzinger, who are all quite young, and the property can not be sold for several years. The streets have never been improved, nor have they been used by the public, excepting Ohio street. It is desired by the guardian of the children, that your honorable boards vacate this addition, with the exception of Ohio street, which street she will at once grade and gravel the entire length of this property. As no person will be injured by this vacation, and as some good ground will thus be reclaimed, and made to produce something during the infancy of the children, your petitioners hope you will give them the benefit of a vacation.

Maria F. Ritzinger, Charles R. Phipps, Edward King,
E. P. Thompson.

Indianapolis, April 4, 1883.

Councilman Pritchard presented the following petitions; which were referred to the Judiciary Committee:

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

Gentlemen:—Your petitioner respectfully shows that during the years 1875 to 1880, inclusive, he was the owner of certain lots in Edith Francis' subdivision of a part of the east half of the northeast quarter of Section 18, Township 15, north of Range 4 east, a plat of which subdivision is duly recorded in Plat Book No. 6, on page 33, in the Recorder's office for Marion county, and that the City of Indianapolis caused said lots to be assessed for taxation by said city, during said years, and that petitioner paid to the treasurer of said city, for the years aforesaid, taxes on said lots aggregating in all the sum of two hundred and twenty dollars and fifty-one cents, all of which will more particularly appear from the schedule filed herewith, and made a part hereof. Petitioner further says said assessments were wholly without authority of law, and void, and their collection was wrongful and illegal. Wherefore he respectfully asks that you order the City Treasurer to refund said

sum of money to him, together with interest on and for all the various payments from the time they were respectively made, and other proper relief.

DANIEL R. BROWN,
By Stanton & Scott, Attorneys.

Schedule of Lots, and taxes paid on same:

April 6, 1876. On Lots 1 to 9 inclusive; 12 to 16 inclusive; 18, 19, 21 to 25, inclusive, he paid tax for 1875.....	\$ 33 75
March 21, 1877. On Lots 1 to 9, inclusive; 12 to 16 inclusive; 18, 19 and 21 to 27 inclusive, tax 1876.....	34 88
March 15, 1878. On Lots 1 to 9, inclusive; 12 to 19 inclusive, and 21 to 27 inclusive, tax 1877.....	61 60
April 2, 1879. On Lots 1 to 7 inclusive; 9, 12 to 19 inclusive; 21 to 27 inclusive, tax 1878.....	45 98
April 6, 1880. On Lots 1 to 7 inclusive; 9, 12 to 19 inclusive; 21 to 27 inclusive, tax 1879.....	26 04
April 8, 1881. On Lots 1 to 7 inclusive; 9, 12 to 19 inclusive; 21 to 27 inclusive, tax 1880.....	19 26
	\$221 51

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

Gentlemen:—Your petitioner respectfully shows that at the times mentioned in the schedule hereto annexed, she was the owner of the lots in said schedule described, said lots being in Stanton's subdivision, a plat of which subdivision is recorded in Plat-Book 6, page 33, in the Recorder's office for Marion County, State of Indiana; and that she paid, at the times set forth in said schedule, the sums of money therein set out to the Treasurer of the City of Indianapolis, in payment of taxes levied upon said lots by said city, and that she has the tax receipts from said Treasurer therefor. She further says that said tax was unlawfully levied and illegally collected, and should be refunded; wherefore she respectfully asks that you order the City Treasurer to repay said sum, amounting in all to \$176.⁴⁷/₁₀₀, together with interest on the various payments from the time they were made, and she asks for all other proper relief.

ANNA E. STANTON,
Per Stanton & Scott, Att'ys.

Schedule of city taxes paid by Anna E. Stanton, on lots in Stanton's addition:

April 8, 1876. On lots 7 to 22 inclusive, 24, 31 to 37 inclusive, 40, 41, 42, 43, 46 and 47, (tax '75).....	\$38 25
April 16, 1877. Lots 7, 8, 10 to 20 inclusive, 22, 24, 31 to 37 inclusive, and 47, (tax '76).....	38 50
April 12, 1878. Same lots as in '76, (tax '77).....	56 00
April 21, 1879. Same lots as in '76, (tax '78).....	30 24
April 16, 1880. Same lots as in '76, (tax '79).....	13 49
	\$176 77

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

Gentlemen:—Your petitioner respectfully shows that he is the owner of lots 9 and 46, in Stanton's subdivision, a plat of which subdivision is recorded in Plat-Book 6, on page 33, in the Recorder's office for Marion County, in the State of Indiana, and has owned the same since the year 1876, and has paid to the City of Indianapolis, and has its Treasurer's receipts therefor, taxes on said lots as follows, to-wit:

April 13, 1877. City tax for 1876.....	\$2 80
April 4, 1878. City tax for 1877.....	8 96
April 21, 1879. City tax for 1878.....	6 48
Feb. 21, 1880. City tax for 1879.....	4 65
	\$22 88

He further says, that at the time he made the payments aforesaid he believed the

city had full power and authority to levy and collect said tax, but now is informed and believes that it had no such power, and should and is legally bound to refund the money so paid by him; wherefore he respectfully asks that you will order the City Treasurer to refund to him the above amount of \$22.89, and interest on the various payments from the time they were respectively made, and any additional proper relief.

ISAAC N. SIMS,
Per Stanton & Scott, Att'ys.

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

Gentlemen:—Your petitioner respectfully shows that he has been the owner of lots 27 and 30, in Stanton's subdivision of a part of the east $\frac{1}{2}$ of the north $\frac{1}{4}$ of section 18, township 15, north of range 4 east, since the year 1875. A plat of said subdivision is duly recorded in Plat-Book 6, on page 33, in Recorder's office for Marion County, Indiana. That he has paid taxes on said lots, to the Treasurer of said city, and holds receipts therefor as follows, to-wit:

April 16, 1876.	Taxes for 1875	\$3 97
April 16, 1877.	Taxes for 1876.....	2 80
Aug. 26, 1878.	Taxes for 1877.....	5 03
Mar. 15, 1879.	Taxes for 1878.....	3 24
Mar. 20, 1880.	Taxes for 1879.....	2 14
April 9, 1881.	Taxes for 1880.....	1 07
Total.....		\$18 25

He further says, that at the time he paid said taxes he did it in the belief that the city had full power and authority to levy and collect said tax, but he has since learned that the ordinance annexing said subdivision to the City of Indianapolis was inoperative and void from the beginning, and that the levy and collection of the taxes above mentioned was wrongful and without authority of law; wherefore he respectfully asks that you order the City Treasurer to refund him the amount hereinbefore mentioned, as having been unlawfully collected by said city, together with interest on said payments from the date of same respectively.

ELEAZER BALES,
Per Stanton & Scott, Att'ys.

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

Gentlemen:—Your petitioner respectfully shows that she has owned, since the year 1875, lot 29, in Stanton's subdivision of a part of the east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of section 18, township 15, north of range 4 east, a plat of which subdivision is recorded in Plat Book No. 6, on page 33, in the Recorder's office for Marion County, Indiana. That she has paid taxes to the Treasurer of said city, and holds his receipts therefor, on said lot as follows, to-wit:

April 16, 1876.	Tax for 1875.....	\$1 98
April 16, 1877.	Tax for 1876.....	1 40
Aug. 26, 1878.	Tax for 1877.....	2 51
Mar. 15, 1879.	Tax for 1878.....	1 62
Mar. 20, 1880.	Tax for 1879.....	93
April 9, 1881.	Tax for 1880.....	53
Total.....		\$8 97

She further says, she paid said taxes believing said city had the right and power to levy and collect said tax, when in point of fact the city had no right nor lawful power to so do; wherefore she respectfully asks that your honorable body will order the City Treasurer to refund said sum of money to her, and she asks all other proper relief.

ESTHER C. BALES,
Per Stanton & Scott, Att'ys.

Councilman Reichwein offered the following motion; which was referred to the City Attorney:

That the City Attorney be, and is hereby, directed to report to this Council, whether or not the Citizens' Street R. R. Co. has a right to lay a third track on any street where there are two tracks already laid.

Councilman Thalman presented the following petition; which was referred with the above motion:

Indianapolis, May 2, 1883.

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

Gentlemen:—The undersigned, being property owners on west Washington street, between Illinois and Meridian streets, request that your honorable bodies take immediate action to have the track of the Citizens' Street Railway Company recently laid between its double track east of Illinois street, on Washington street, removed, and the standing of a car thereon be discontinued. We believe this third track was laid by said company without any authority of law, and in violation of our rights, and that the standing of a car in the center of the principal street of the city, is a nuisance which should be abated without delay.

Respectfully submitted,

Bradshaw & Wright, Margaret McCarty Harrison,
Charles Mayer, John T. Burford, A. C. Harris,
Henry Schnull, John H. Holliday & Co., E. F. Claypool,
Newton Claypool, S. T. Bowen, Wm. Mansur,
Geo. B. Yandes, A. N. Stoddard.

Councilman Morrison moved to add to the above reference, the Committee on Railroads; which was laid on the table, on motion by Councilman Pritchard.

Councilman Stout offered the following motion; which was adopted:

That the crossings of Central avenue be laid with stone, and that the contractor be so instructed; the city to furnish stone, and the contractor to lay stone without expense to the city.

Councilman Stout asked to be excused from acting with the special committee for the purchase of grounds for a new Cemetery, appointed at a previous session. (See page 1,086, *ante*.)

Which request was granted, and Councilman Bryce appointed to fill the vacancy.

Councilman Reichwein offered the following motion; which was referred to the Committee on Public Light:

That the City Civil Engineer be, and is hereby, directed to have the gas post remantled on north side of Market street, east of New Jersey street.

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

That the Street Commissioner be, and is hereby, directed to lay stone crossings on Liberty street crossing Ohio street.

That the Street Commissioner be, and is hereby, directed to repair the gutters on Noble street, between Market and Washington streets.

That the Street Commissioner be, and is hereby, directed to change the grade of the gutters on New York street, between Noble and Liberty streets, so as to draw the water to East street, the same to be done under the direction of the City Civil Engineer.

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

That the Delaware street sewer ordinance be referred to a special committee of three, consisting of Messrs. Ward, Weaver and Keller, with instructions to report next Monday night.

That that the Street Commissioner be directed to repair the old National Road Bridge, and that he be directed to receive bids for putting the same in good order.

Councilman Thalman offered the following motion; which was referred to the Committee on Public Light:

That the Committee on Public Light be directed to change the lamp-post on the south side of Ohio street, between Delaware street and the first alley west, to the west corner of the alley.

Councilman Weaver offered the following motion; which was referred to the Committee on Streets and Alleys:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We, the undersigned, interested property owners, respectfully petition your honorable bodies to cause the following streets and alleys to be vacated:

The whole of Wheeler street between the south line of the first alley south of Hill avenue and the C., C., C. & I. R. R. and 20 feet of the east side, and 20 feet of the west side of said Wheeler street, leaving enough of the center of said Wheeler street to make a twenty foot alley from said Hill avenue to and connecting with the first alley south of Hill avenue. A plat of said proposed vacation is herewith filed, and made a part of this petition.

John Roberts, Francis A. Coffin, H. I. Barnet.

Councilman Weaver offered the following motion; which was adopted, except as to so much requiring the City to build a cistern; which part was referred to the Fire Board:

That S. A. Fletcher, Jr., be, and is hereby, granted permission to sink a well at or near the corner of Newman and Ninth streets, said well being for fire protection for the Atlas Works, at his own expense; work to be done under the direction of the City Civil Engineer; and that the city build another well in that locality, cost not to exceed \$200.00, location to be agreed to by the Fire Board and S. A. Fletcher Jr., and under the instruction of the City Civil Engineer.

Councilman Weaver offered the following motion; which was adopted:

That the Fire Board be instructed to report at our next meeting, if any frame buildings have been erected inside the district known as the fire limits, within the last two years, and state the location of the same.

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

That the Street Commissioner erect a plank bridge across the run on Hillside avenue, between Baltimore avenue and Brinkman street.

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

That the Street Commissioner be, and is hereby, directed to fill the chuck-holes in the first alley west of Huron street, between Pine and Cedar streets.

That the Street Commissioner be, and is hereby, directed to fill the chuck-holes in the first alley west of Huron street, between Cedar and Grove streets.

Councilman Thalman presented the following remonstrance; which was referred to the Committee on Streets and Alleys, with the ordinance:

Indianapolis, April 27, 1883.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on the first alley north of Michigan street, between Meridian and Pennsylvania streets, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of same.

Jot. Elliott, 33 $\frac{3}{4}$ feet; Geo. W. Johnston, 33 $\frac{3}{4}$ feet; G. D. Staats, 33 $\frac{3}{4}$ feet; Abbie M. Dukemineer, 202 feet; Mrs. John C. New, 202 feet.

Councilman Thalman presented the following petition; which was referred to the Committee on Markets:

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

Gentlemen:—We, the undersigned citizens of Indianapolis, respectfully petition your honorable bodies to remove the West Market, and the frame buildings and tenement houses erected thereon, located in said City of Indianapolis, between Washington street on the north and Pearl street on the south, and Missouri street on the east and West street on the west, for the following reasons, to-wit:

First, that frame buildings have been erected in said market place without authority from the city government and in violation of a city ordinance passed by Common Council of the City of Indianapolis November 13, 1863.

Second, that certain frame buildings erected on said market ground are now and for a long time past have been occupied by tenants and used for residences.

Third, that said market has become a public nuisance by reason of the occupants thereon throwing decaying substances and various kinds of offal in and about said market place.

Thos. E. Chandler, C. E. Geisendorff & Co., James B. Corbaley, Richardson & Evans, John Matz, John Eppinger, Geo. F. Traub, and 53 others.

Councilman Caylor presented the following remonstrance; which was referred to the Judiciary Committee and City Attorney, with the ordinance, G. O. 25, 1883:

To the Honorable Council of the City of Indianapolis:

WHEREAS, There has been introduced, and is now pending before your honorable body, an ordinance designated as G. O. 25, 1883, and entitled "An ordinance making it unlawful to sell produce from railroad cars without a license"; and *Whereas*, Said ordinance is not intended nor calculated to regulate the sale, but virtually to prohibit the same, being in the interest of a few commission men only,

and a united effort making by them to drive out all competition in the persons of a number of shippers and dealers, thereby securing to themselves a monopoly of the entire business; and *whereas*, it is in direct contravention of the interests of the railroads, retail grocer, shipper, and citizens generally, because of the effect it would have in preventing shippers making Indianapolis a market, while it would advance the price of all kinds of produce to the consumer; and *whereas*, it is prejudicial to the best interests of the city, for while it would create no revenue, it would impose a tax (through the commission men) upon the entire community.

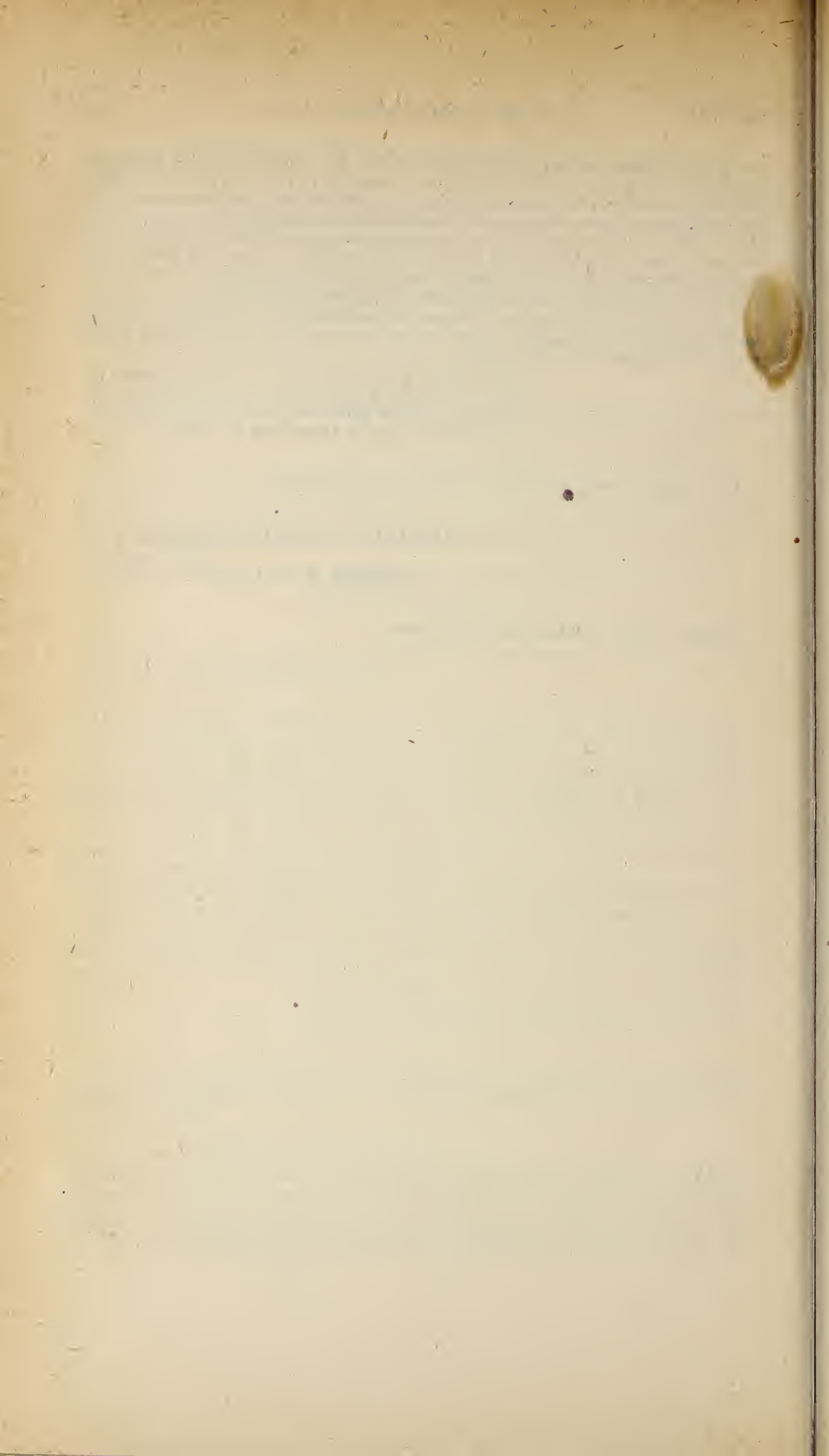
Therefore, we the undersigned citizens and business men of the City of Indianapolis, earnestly protest against the passage of the above designated, or any similar ordinance, by your honorable body.

Kiefaber Bros. & Co., successors to J. F. Needham & Co.; Wyatt S. Hopkins, E. O. Browning, J. S. Duckwall, Jacob Bowman, Wm. Grinn, Schofield & Schofield, Theo. A. Owen, and 34 others.

On motion, the Common Council then adjourned.

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

Attest: JOS. T. MAGNER, City Clerk.



PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—MAY 7, 1883.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, May 7th, A. D. 1883, at eight 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, Rorison, Seibert, and Tucker—9.

ABSENT, 1—viz. Alderman Wood.

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 April 23d, 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 1,092, *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 R. P. Dunning, for grading and graveling the first alley west of Maxwell street, from Elizabeth street to Coe street.

792 lineal feet, at 19 cents..... \$150 48

A first and final estimate in behalf of Charles S. Roney, for grading and paving with brick the sidewalks of Hosbrook street, from Cedar street to Dillon street.

2,783.60 feet, at 41 cents..... \$1,141 27

A fifth and final estimate in behalf of Henry C. Roney, for constructing a brick sewer in and along Reid street, from English avenue to Pleasant Run.

200 lineal feet, at \$1.87..... \$ 374 00

1 man-hole, at \$30.00..... 30 00

8 catch-basins, at \$42.00..... 336 00

52 lineal feet 12-inch sewer pipe, at 75 cents..... 39 00

1,133 brick for facing, at \$17.50..... 19 26

\$ 798 26

Amount reserved in four former estimates.....	1,034 25
Balance due.....	\$1,832 51
Reserve.....	300 00
Amount allowed.....	<u>\$1,532 51</u>
3,721.40 total length of sewer, at.....	\$6,959 02
11 man-holes, at \$30.00.....	330 00
8 catch-basins, at \$42.00.....	336 00
52 lineal feet 12-inch pipe, at 75 cents.....	39 00
1,133 brick for facing, at \$17.50.....	19 26
Cutting through abutment.....	10 00
Total cost of sewer complete.....	<u>\$7,693 28</u>

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 1,092, *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 R. P. Dunning, for grading and graveling the first alley west of Maxwell street, from Elizabeth street to Coe 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, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following estimate resolution (adopted by the Common Council—see page 1,093, *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 Hosbrook street, from Cedar street to Dillon 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, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following motion (adopted by the Common Council—see page 1,101, *ante*), was read, and referred to the Committee on Railroads and Public Charities, to report at an early day:

That the Street Commissioner be, and is hereby, directed to notify the J., M. & I. R. R. Co. to take up the bowldered sidewalk from the east line of their freight depot, on South street, to the west line of their property, and replace the same with good brick pavement; also, to place a double stone crossing from the east line of said depot to the east line of their property; also, to re-plank all their tracks crossing on South street, Pennsylvania street and sidewalks; all of the above work to be done under the direction and entire satisfaction of the City Civil Engineer.

Alderman Rorison, as a question of privilege, moved to reconsider the action of the Board of Aldermen, by which the contract was awarded at the last meeting, for improving Indiana avenue, from West street to Fall Creek.

Which motion was adopted, and the action reconsidered, by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Tucker, and President Layman.

NAYS, 1—viz. Alderman Seibert.

Alderman Rorison moved to refer the matter to a special committee of three, together with City Civil Engineer and Street Commissioner; which failed of adoption.

Alderman Rorison moved to refer the matter to a committee of three, two of said committee to be selected from the Aldermen of that district, together with the City Civil Engineer and Street Commissioner.

Which motion was adopted, and Aldermen Drew, DeRuiter and Wood appointed by the Chair to act as the members of such committee.

The following motions (adopted by the Common Council—see pages 1, 101, 1, 103, 1, 105, 1, 107, 1, 108, 1, 109 and 1, 110, *ante*), were read and concurrently adopted:

That the Street Commissioner be, and is hereby, directed to notify G. R. Root to re-plank, and replace in good and safe condition, their switches leading to the elevator and coal yards.

That the Street Commissioner be, and is hereby, directed to drain the sidewalk and bridge on Ohio street over Pogue's Run, as water is now constantly standing thereon.

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

Gentlemen:—Your petitioner would respectfully represent that on the 5th day of February, 1883, he presented to you a petition, setting forth the fact that tax certificate No. 14,817, issued by the City of Indianapolis to S. A. Fletcher & Co., on account of sale of February 11th, 1880, on 30 by 90 feet off of the southeast corner of Lot No. 31, in Greer & Watter's subdivision of Out-lot 101, in the City of Indianapolis, delinquent taxes for the years 1876, 1877, 1878 and 1879, and which certificate was assigned to him on the 1st day of February, 1882, said sale being illegal, the property having been doubly assessed for the said years, it having been assessed and paid for in the name of Nancy Nichols and also assessed and sold in the name

of Angeline C. Rogers, upon which petition an order was passed allowing the principal of said sale, \$55.57, and ordering the same to be paid your petitioner, but failed to allow any interest thereon.

Your petitioner would respectfully represent that there is now more than three years interest due him on said \$55.57, to-wit: Interest thereon from February 11th, 1880 to March 26th, 1883, and he respectfully asks that the same be allowed him; said interest amounting to ten dollars and thirty-three cents; and your petitioner will ever pray, etc.

N. S. BYRAM.

Moved, That the City Treasurer be directed to pay to N. S. Byram the sum of \$10.33, on account of interest due on tax certificate No. 14,817.

That the Street Commissioner be, and is hereby, directed to notify the property holders on Delaware street, between Ohio and New York streets, to repair their sidewalks.

That Mrs. Benson be allowed to bowlder about ten feet of sidewalk on Alabama street, between Washington and Court streets, so as to enable her to drive across; the same to be done under the direction of the City Civil Engineer, at her own expense.

That the Street Commissioner be directed to attach cups to the public fountains and wells.

That the Street Commissioner be directed to notify the property owner on the northwest corner of Meridian and New York streets, to raise the brick pavement so the water will run off into the gutter; if the work be not done in twenty days, that the Street Commissioner be directed to do the work, and collect the cost from the property owner.

That the City Attorney be instructed to bring suit against some parties who have been assessed benefits for street and alley openings, and fail to pay the same.

That the City Civil Engineer be directed to re-advertise the ordinance for grading and graveling the alley between College and Broadway, Home and Lincoln avenues.

The following motions (adopted by the Common Council—see page 1, 103, *ante*), were read and referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act:

That in the matter of cleaning the gutters and filling of chuck-holes, that the Commissioner be, and is hereby, instructed to clean and fill those first and in the order in which they were acted upon by Council and Board of Aldermen last fall, which were not cleaned on account of the inclemency of the weather.

That the Street Commissioner be, and is hereby, directed to place a few loads of gravel on Cruse street, between Market and Ohio streets.

The following petition was read, and the favorable action of the Common Council thereon (see page 1, 106, *ante*), was concurred in:

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

Gentlemen:—The undersigned, John Stake, respectfully petitions your honorable body to refund eleven dollars and seventy-six cents (\$11.76), for taxes paid on lot at corner of Williams street and Arsenal avenue, for improvements that are not in existence. The mistake was made by an assistant Assessor, and has since been verified by Mr. Connett, your City Assessor.

Yours, most obedient,

JOHN STAKE.

The following motion (adopted by the Common Council—see page 1, 107, *ante*), was read:

That the Superintendent of Police be, and is hereby, directed to notify the C., C., C. & I. R. R. and Wabash, Pacific & St. Louis R. R. Co.'s to repair their crossings on Washington street.

And it was laid on the table, by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Drew, Hamilton, Rorison, Seibert, and Tucker.
NAYS, 3—viz. Aldermen Mussmann, Newman, and President Layman.

The following motion (adopted by the Common Council—see page 1, 109, *ante*), was read and adopted after amendment, on motion by Alderman Hamilton, so as to include Park avenue:

61That the City Civil Engineer be instructed to designate the number of the houses on Garfield Place.

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

G. O. 1, 1883—An ordinance to amend Section five (5) of an ordinance entitled "An ordinance for the protection of travelers, passengers and baggage, and for the preservation of order in and about the Union Depot, in the City of Indianapolis, Indiana," ordained February 20th, 1882.

G. O. 10, 1883—An ordinance to regulate the soliciting of business by the owners and drivers of Express Wagons, and others working in their interest.

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

S. O. 109, 1882—An ordinance to provide for grading and bowldering the gutters and curbing the sidewalks of Noble street (where not already done), from Washington street to Massachusetts avenue.

S. O. 135, 1882—An ordinance to provide for paving with brick the west sidewalk of Linden street, from Orange street to the south side of Lot 20, Square 8, in Hubbard, Martindale & McCarty's southeast addition.

Alderman Tucker presented the following remonstrance; which was read and received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Linden street, between Orange street and Lot No. 20, respectfully remonstrate against the passage of an ordinance providing for the paving the west sidewalk of Linden street, between Orange street and the south line of Lot 20, Square 8.

Virginia Belman, Lot 21, Square 8; John Carr, by J. T. McMillin, Lot 22, Square 8; R. H. McCrea, assignee W. S. Stoneman, Lots 23 and 24, Square 8.

S. O. 136, 1882—An ordinance to provide for grading and graveling Ohio street and sidewalks, from the first alley west of Hanna street to Arsenal avenue.

- S. O. 137, 1882—An ordinance to provide for grading, bowldering and curbing, the north gutter of Ohio street, from Pine street to a point 222 feet east of Harvey street.
- S. O. 157, 1882—An ordinance to provide for grading, and paving with brick, the sidewalks of Buchanan street, from East street to Virginia avenue.
- S. O. 158, 1882—An ordinance to provide for curbing with stone, the sidewalks of Georgia street, from East street to Noble street.
- S. O. 159, 1882—An ordinance to provide for grading, paving with brick, and curbing with stone, the north sidewalk of Louisiana street, from East street to Noble street.
- S. O. 168, 1882—An ordinance to provide for grading and graveling the roadway of Rose Lane, from Orchard avenue to Brookside avenue.
- S. O. 169, 1882—An ordinance to provide for grading and graveling the roadway of Brookside avenue, from Rose Lane to Rural street.
- S. O. 171, 1882—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Shelby street, between Prospect street and Pleasant Run.
- S. O. 174, 1882—An ordinance to provide for grading and paving with brick, the sidewalks of Woodlawn avenue, from Dillon street to Linden street.
- S. O. 175, 1882—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Linden street, between Prospect street and Pleasant Run.
- S. O. 177, 1882—An ordinance to provide for grading and paving with white cedar blocks, the roadway of Market street, from Pennsylvania street to Delaware street.
- S. O. 178, 1882—An ordinance to provide for grading and graveling the roadway of Columbia avenue, from Malott avenue to the C., C., C. & I. Railroad.
- S. O. 2, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Eighth street, between Bellefontaine avenue and the Wabash, St. Louis and Pacific Railroad Company's tracks.
- S. O. 3, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Park avenue, between Seventh and Ninth streets.
- S. O. 4, 1883—An ordinance to provide for grading and graveling the alley between Pennsylvania and Delaware streets, from Second street to the first alley south of Second street.
- S. O. 7, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Beaty street, between McCarty and Buchanan streets.
- S. O. 8, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Sullivan street, between McCarty and Buchanan streets.
- S. O. 9, 1883—An ordinance to provide for grading and graveling fifty-three feet and eight inches ($53\frac{8}{12}$) of the west side of Peru street, from Lincoln avenue to Seventh street.

- S. O. 10, 1883—An ordinance to provide for grading, paving with brick, and curbing with stone, the north sidewalk of Vermont street, from Meridian street to Illinois street.
- S. O. 11, 1883—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick the sidewalks of English avenue, from Dillon street to Linden street.
- S. O. 12, 1883—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Yeiser street, between Madison avenue and East street.
- S. O. 13, 1883—An ordinance to provide for grading and paving with brick, the south sidewalk of St. Clair street, from Pennsylvania street to Delaware street.
- S. O. 14, 1883—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick, the sidewalks of Morris street, from East street to Madison avenue.
- S. O. 15, 1883—An ordinance to provide for the construction of a brick sewer (three feet internal diameter), in and along New Jersey street, from New York street to, and connecting with, the Washington street sewer, and providing for the manner of the assessment and collection of the cost thereof.

Alderman Seibert presented the following remonstrance; which was read, and ordered filed with the ordinance:

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

Gentlemen:—The undersigned, owners of real estate bordering on New Jersey street, in the City of Indianapolis, between Washington street and New York street, remonstrate against the passage of the following ordinance, to-wit:

Special ordinance 15, 1883, and entitled "An ordinance to provide for the construction of a brick sewer three (3) feet internal diameter, in and along New Jersey street, from New York street to connect with the Washington street sewer, and providing for the manner of the assessment and collection of the cost thereof," and now pending before your bodies.

Amelia Langbein, 195 feet; United States Mortgage Co. by Jno. S. Spann & Co., agents, 172 feet; Maria F. Ritzinger, 135 feet; S. J. Fletcher, 202 feet; Amelia B. Mansur, guardian of Jos. B. & Celia Mansur, 195 feet; Cicero Seibert, adm'r., 195 feet; Connecticut Mutual Life Insurance Co., by Jos. A. Moore, agent, 195 feet; Sarah Lanham, 50 feet; James Anderson, 50 feet; Louise Dorbecker, 40 feet; Charles Anderson, 28 feet; John Anderson, 30 feet; Mary Bly, 32 feet; H. Severin, 67 feet; heirs Geo. Long, by H. C. Long, 65 feet.

- S. O. 16, 1883—An ordinance to provide for the construction of a brick sewer (seven and one-half feet internal diameter), in and along Washington street, from the east line of New Jersey street to Pogue's Run, and providing for the manner of the assessment and collection of the cost thereof.
- S. O. 17, 1883—An ordinance to provide for grading and paving with brick the south sidewalk of St. Clair street, from Ft. Wayne avenue to Massachusetts avenue.
- S. O. 19, 1883—An ordinance to provide for grading and paving with brick (where not already properly paved) the sidewalks of Broadway street, from Home avenue to Seventh street.

Alderman Hamilton moved that all ordinances for the improvement of streets and alleys, (except S. O. 109, 1882), and for the construction of sewers, be referred to the Committee on Streets & Alleys and Sewers & Drainage; and ordinances for the erection of lamp-posts, be referred to the Committee on Public Light & Education.

Alderman Tucker moved to amend the above motion, by adding the Committee on Finance and Accounts & Claims, and that President Layman act as Chairman of the Committees; which amendment was accepted by Alderman Hamilton.

The motion to refer, was then adopted.

On motion by Alderman Hamilton, the rules were suspended for the purpose of placing G. O. 1, 1883, and G. O. 10, 1883, on their final passage, by the following vote:

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

NAYS—None.

The following entitled ordinance was then read the second time; and, on motion, was referred to the Committee on Judiciary and Ordinances:

G. O. 1, 1883—An ordinance to amend Section five (5) of an ordinance entitled "An ordinance for the protection of travelers, passengers and baggage, and for the preservation of order in and about the Union Depot, in the City of Indianapolis, Indiana," ordained February 20th, 1882.

The following entitled ordinance was read the second time, and, on motion, was referred to the Committees on Judiciary and Ordinances, and Railroads & Public Charities:

G. O. 10, 1883—An ordinance to regulate the soliciting of business by the owners and drivers of Express Wagons, and others working in their interest.

The following entitled ordinance was taken up, read the second time, amended by striking out the words "Board of Public Improvements and City Civil Engineer," wherever they occur, and inserting in lieu thereof the words "Common Council and Board of Aldermen;" ordered engrossed as amended, and read the third time:

G. O. 36, 1882—An ordinance to amend Sections 22, 23 and 24 of an ordinance entitled "An ordinance relative to the streets, alleys, sidewalks and public places of the City of Indianapolis; restraining the making of excavations therein, or in lands adjacent thereto; prohibiting the placing of unauthorized obstructions in or upon the same; securing the public in the free and safe use thereof; revising and re-enacting ordinance provisions now in force, and prescribing penalties for violations of its regulations and requirements;" ordained September 2d, 1878.

And it was passed by the following vote:

AYES, 8—viz. Aldermen Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

REPORTS FROM STANDING COMMITTEES.

The Committees on Hospital & Dispensary, and Finance and Accounts & Claims, through Alderman Seibert, submitted the following report; which was laid on the table, on motion by Alderman Rorison:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committees on Hospital and Finance, to whom was referred the matter of appointment of Dr. L. S. Henthorn as "Pest House" physician, at a salary of \$500.00 per year, would recommend that the action of Council thereon be not concurred in by this Board. We recommend, however, that W. N. Wishard, the Hospital Superintendent, if he deems it necessary, employ a suitable and competent physician to attend upon small pox cases at the said Pest House, when such disease prevails to any considerable extent; such employment to continue only while such disease prevails, and at reasonable price.

Respectfully submitted,
Hiram Seibert,
Hospital Committee.

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

Alderman Rorison offered the following motion; which was adopted, and the City Clerk instructed to notify W. N. Wishard, M. D., Superintendent of the City Hospital, of this action:

That the Council action be amended so as to read that the said physician be employed for only three months, from April 17th, at the rate of \$500.00 per annum.

The Committee on Hospital and Dispensary, through Alderman Seibert, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Hospital and Dispensary, to whom was referred the bill of E. F. Houghton, for the sum of \$19.78, stricken from Ap. O. 25, 1883, have examined the same, and recommend it be paid.

Respectfully submitted,

Hiram Seibert,
D. Mussmann,
Committee.

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

To the President and Members of the Board of Aldermen:

Gentlemen:—The Judiciary Committee respectfully report in favor of concurring in the action of Council on within papers. (See Council action, pages 1,080 and 1,081, *ante*.)

Respectfully submitted,

Brainard Rorison,
W. H. Tucker,
John Newman,
Judiciary Committee.

Alderman Rorison, in behalf of certain committees, submitted the following report; which was received:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Joint Committee on Judiciary, Finance and Streets and Alleys, respectfully report back the within ordinance (G. O. 18, 1883), without recommendation. Of the six members present, three favored the passage of the ordinance, and three favored its passage with amendment.

BRAINARD RORISON, Ch'n.

On motion by Alderman Seibert, action on G. O. 18, 1883, was postponed for one week.

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

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committees on Streets and Alleys and Finance, to whom sundry papers were referred, would report thereon as follows :

1st. Is a motion that the Street Commissioner repair Tennessee street, between Ohio and Tinker streets. Recommended by the Committee on Streets and Alleys of the Council, "to be done and paid for out of street repair fund."

We recommend the action of the Common Council be concurred in.

2d. Is the proposition of August Minkner to give sufficient ground for a roadway along the west bank of White River, for the sum of \$700.00. The Committee on Streets and Alleys of the Council recommended "that the sum of \$500.00 be paid for enough land to make a 65 foot street, running west from the present river bank," which was adopted by the Council, April 2, 1883.

We recommend said action be concurred in, providing said boundary line shall commence at the first fence post west from the southeast corner of said Minkner's ground, being lot 24, and the lines to be surveyed, and established by, and to the satisfaction of the City Civil Engineer.

3d. Is awarding of the contract for building additional rip-rap on the west bank of White River, adopted by the Council March 19, 1883.

We recommend the action of the Common Council in awarding said contract be not concurred in.

-Respectfully submitted,

H. Seibert,
Committee on Streets and Alleys.

F. W. Hamilton,
D. Mussmann,
Committee on Finance.

Alderman Tucker called up the report of the Committee on Streets and Alleys, and the resolution accompanying the same, providing for the laying out, etc., of Woodlawn avenue, from its terminus at Dillon street, west to Elk street, on which action was postponed (see page 908, *ante*), and on motion, was referred to the Committee on Streets & Alleys and Sewers & Drainage.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Tucker offered the following motion; which was adopted:

That the City Clerk be, and is hereby, requested to report to this Board, at our next meeting, if the statement made by Mr. Hamilton and the Finance Committee on March 1st, 1883, is a correct statement of the expenditures of the several departments; also, to report the amount of expenditures of the several departments for the months of March and April, 1883.

Alderman Rorison moved that the rules be suspended for the purpose of placing S. O. 109, 1882, on its final passage.

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

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker.

NAYS—None.

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

S. O. 109, 1882—An ordinance to provide for grading and bowldering the gutters and curbing the sidewalks of Noble street (where not already done), from Washington street to Massachusetts avenue.

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Drew, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker.

NAYS—None.

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 session, held this evening, May 7th, A. D. 1883.

Respectfully submitted, **JOS. T. MAGNER**, City Clerk.

The following report from the Judiciary Committee (see page 1,149, 1,150 and 1,151, *ante*), was read, and referred to the Committee on Judiciary and Ordinances:

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:

First, is the petition of John L. Avery, showing that as owner of lots 9, 10, and 11, in Bartholomew's subdivision of I., C. & L. R. R. Co.'s addition, he has paid as taxes for years 1877-8-9 and 1881-2, the sum of \$111.05.

The said addition was never properly annexed to the city, and has been withdrawn from city duplicate as unassessable. Petitioner asks the sum of \$111.05 be refunded.

We recommend the sum of \$88.80 be refunded by city, and the balance, \$22.80, petitioner obtain from School Board

Second, is a resolution providing that the City Treasurer tender to Ellen Powers the damages for house and lot proposed to be taken for a street opening at corner of south East street and Morris street.

We recommend the resolution be stricken from the files.

Third, is the petition of Henry Clay, showing that he was given a city estimate against lot 19, square 8, for grading and graveling Linden street. The amount is for \$32.34. Said lot had reverted to the State of Indiana under a school fund mortgage.

We recommend the sum of \$32.34 on said account be paid to petitioner by the city in the June appropriation.

Fourth, is the petition of Louis Prenzler, showing that as owner of the north half of the south half of lot "D" in I. & C. R. R. Co.'s addition, he has paid taxes for years 1875 to 1881, inclusive, amounting to \$241.02. For the same reason given in item 1 of this report, this sum must be refunded.

We therefore recommend the sum of \$192.82 be refunded, with interest from the dates of the several payments, by the city, and the balance, to-wit, \$48.20, with its interest, petitioner obtain from School Board.

Fifth, is a report from City Civil Engineer, showing that an ordinance was passed and contract awarded to Henry Clay, to grade and gravel the west sidewalk of so-called Missouri street. The report further shows, that between North street and St. Clair street, there is no street there, but is all private property, owned by the Water-Works Company.

We recommend the contract with Henry Clay be annulled.

Sixth, is the petition of Mary A. Huddart, showing that on June 23, 1879, she purchased at tax-sale, lot 22 in Davidson's second addition, paying \$46.74. In this amount was \$23.37 on improvements. There never was any improvements upon the lot. Petitioner asks that \$23.37, with interest, be refunded. The City Treasurer informs your committee the facts stated are true.

We therefore recommend the sum of \$23 37, with interest, be refunded.

Seventh, is a petition of S. A. Fletcher & Co., showing same state of facts as in item six of this report, as to lot 5, H. & D. subdivision of Yeiser addition. Sale occurred February 12, 1878, and was for taxes on lot on \$300.00 on improvements. There was no improvements upon the lots. The sale was therefore void.

We recommend the sum paid on certificate No. 7035 (1878) be refunded, with interest.

Eighth, is the petition of E. B. Hutchinson, showing that under tax certificate 12,634 (1880), he purchased 2½ feet off of the west end of lot 7, square 7, out-lot 157, Hill's subdivision, and 22½ feet east end lot 8, square 8, same out-lot and subdivision, paying therefor, on February 4, 1880..... \$80 53
Taxes subsequently paid, June 20, 1881..... 3 80
Interest, 6 per cent..... 15 00

\$99 33

The sale was void for the reason that the same was taxed double on the duplicate, and taxes paid in one name and sold in another. The City Treasurer informs your committee the facts are true.

We recommend that the sum of \$79.67 be refunded by the city, and the balance, \$19.66, be obtained by petitioner from the School Board.

Ninth, is the petition of Stephen Gray, showing that as owner he paid taxes on lots 37, 38, 39, and 40, in Coburn's subdivision of L. C. & L. R. R. Co.'s addition, for years 1874-5-6-7-8-9, and 1880-81, paying the sum in all these years, of \$35.24. For reasons given in item one of this report, the same must be refunded.

We therefore recommend the sum of \$18.19, with interest be refunded by the the city, and that petitioner obtain balance, \$7.05, with its interest, from the School Board.

Tenth, is the petition of Alvine May, showing that as owner of lots 50 to 56, inclusive in King's subdivision of May, Wasson & Co.'s Highland Park addition; also lots 64 to 70, and 36 to 42, and lot 15, same addition, he redeemed from a city tax-sale made August 19, 1880, paying the sum of \$447.51, including interest to date. The sale was void, for the reason that said addition was not properly annexed to the city, and petitioner asks that the money so paid be refunded. Under the Mc-Avoy case, recently decided by the Supreme Court, the prayer of petitioner must be granted.

We recommend that the sum of \$372.13 be refunded from this date, and the balance, to-wit, \$75.38, be obtained by petitioner from the School Board.

Eleventh, is a petition of R. L. De Puy, adm'r, asking that the assessment upon the "Sherman House" be reduced from \$12,000.00 to \$9,000.00, the same being, in the opinion of petitioner, assessed too high.

This is a matter not fixed by the Council and Board of Aldermen, and we therefore recommend the prayer of petitioner be not granted.

Twelfth, is an item from former report of your committee, on petition of Jas. C. Ferguson, asking that the sum of \$15,000.00 cash, returned for taxation, be stricken from the duplicate. Former report was against the petition. An effort was made to copy return made in 1881, made by Mr. Ferguson, and make the same return for 1882. By the return of 1881, the sum of \$1,500.00 cash was returned, and in making copy an additional cipher was added, making it read \$15,000.00.

We therefore recommend that the sum of \$13,450.00 be certified off the duplicate.

Respectfully submitted,

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

Committee.

C. S. DENNY, City Attorney.

The following motion (see page 1,154, *ante*), was read, and concurrently adopted:

That the City Civil Engineer be, and is hereby, instructed to re-advertise for bids for the erection of lamp-posts on English avenue, from Dillon street to Reid street.

The following special message was read, the request granted, and Aldermen Seibert, DeRuiter and Drew appointed to act as the Aldermanic members of such Conference Committee:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council, in regular session, held this evening, May 7th, 1883, adhered to their former action on Ap. O. 30, 1883, appropriating \$1,000.00 on account of the Street Department, and requested that a Conference Committee be appointed.

Councilmen Pearson, Yoke and Hartmann were appointed as the Council members of such committee.

For the Common Council:

Jos. T. MAGNER, City Clerk.

On motion by President Layman, the Board of Aldermen adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.