

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—SEPTEMBER 15, 1884.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, September 15th, A. D. 1884, at half-past seven o'clock, in regular session.

PRESENT—Hon. John L. McMaster, Mayor, and *ex officio* President of the Common Council, in the Chair, and 22 members, viz: Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalmann, Trusler, and Wolf.

ABSENT, 3—viz. Councilmen Mack, Sheppard, and Wharton.

The Proceedings of the Common Council for the regular session, held September 1st, 1884, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

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

(S. O. 5, 1884)—For grading, bowldering and curbing the gutters of St. Joseph street, from Delaware street to Alabama street.

(S. O. 79, 1884)—For grading and paving with brick the sidewalks of Valley street, from East street to the second alley east of East street.

(S. O. 85, 1884)—For grading and graveling the first alley east of Ash street, from Tenth street to Twelfth street.

REPORTS, ETC., FROM COMMITTEE ON CONTRACTS.

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

To the Mayor and Common Council:

Gentlemen.—Your Committee on Contracts, to whom was referred the proposals for re-bowldering the gutters of North street, from Pennsylvania street to Delaware street, have examined the same, and find them to be as follows:

S. W. & R. H. Patterson..	43 cents per square yard.
R. P. Dunning	42 cents per square yard.
H. C. Roney.....	31 cents per lineal foot front on each side.
Chas. S. Roney.....	33 cents per square yard.

sig. 83.

[833]

We find that Chas. S. Roney is the lowest and best bidder, but as the work is to be done at the city's expense, we recommend that the contract be not awarded.

Respectfully submitted,

W. C. Newcomb,
M. M. Reynolds,
Committee on Contracts.

Councilman Newcomb, in behalf of the same Committee, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your Committee to whom was referred the contracts for the abutments of the Eddie street and Sixth street bridges, recommend that in view of the financial condition of the city, and the large expenditure that would be entailed in the erection of said abutments and bridges, we recommend that said contracts be not at present awarded.

Respectfully submitted,

W. C. Newcomb,
M. M. Reynolds,
Committee on Contracts.

Which was concurred in, by the following vote:

AYES, 13—viz. Councilmen Benjamin, Cowie, Downey, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, and Trusler.

NAYS, 6—viz. Councilmen Coy, Dowling, Edenharter, Moran, Reinecke, and Wolf.

Councilman Newcomb, in behalf of the same Committee, submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—The undersigned, to whom was referred the lease prepared by C. E. Coffin & Co., agents, for the West Market ground, together with the motion directing a change to be made in the terms of the same, beg leave to report that they have seen said agents, and they decline to make any change whatever in the language of the lease, as heretofore presented, and which we herewith return for approval or rejection.

Respectfully submitted,

W. C. Newcomb,
M. M. Reynolds,
Committee on Contracts.

C. S. DENNY, City Attorney.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of Charles S. Roney, for grading and paving with brick the east sidewalk of West street, from Merrill street to McCarty street.

590.10 lineal feet of paving, at 40 cents.....	\$236 04
63 lineal feet double walk-stone, at 66 cents.....	41 56
39 square yards of bowldering, at 60 cents.....	23 40
	<hr/>
	\$301 00

A first and final estimate in behalf of James Mahoney, for grading and paving with brick the east sidewalk of Linden street, from Prospect street to Orange street.

842.20 lineal feet of paving, at 35 cents	\$294 77
14 50 lineal feet double walk-stone, at 64 cents.....	9 28
7.57 square yards of bowldering, at 50 cents.....	3 79
	<hr/>
	\$307 84

A first and final estimate in favor of John Schier, for grading and paving with brick the east sidewalk of Arsenal avenue, from Washington street to Ohio street.

600.40 lineal feet of paving, at 42 cents	\$252 18
41 lineal feet double walk-stone, at 68 cents.....	27 88
23 lineal feet curbing, at 42 cents.....	9 66
25 square yards bowldering, at 70 cents.....	17 50
	<hr/>
	\$307 22

A first and final estimate in favor of Henry Clay, for grading and graveling the first alley north of Fourth street, from Mississippi street to Lafayette street.

427 lineal feet, at 26 cents.....	\$111 02
15 lineal feet curb re-set, at 7 cents.....	1 05
	<hr/>
	\$112 07

A first and final estimate in behalf of R. P. Dunning, for grading, bowldering and curbing the south gutter of Christian avenue, from Central avenue to Ash street.

1,639.20 lineal feet bowldering, at 58 cents.....	\$ 950 74
1,667 50 lineal feet curbing, at 41 cents.....	682 68
218.30 lineal feet double walk-stone, at 63 cents.....	137 52
298.73 square yards bowldering wings, at 58 cents.....	173 26
	<hr/>
	\$1,944 20

A first and final estimate in favor of Richter & Twiname, for grading, bowldering and curbing the gutters of First street, from Illinois street to Meridian street.

907.30 lineal feet of bowldering, at 34 cents.....	\$308 48
864 16 lineal feet curbing, at 41 cents.....	354 30
60.50 lineal feet double walk-stone, at 60 cents.....	36 30
29.37 square yards bowldered wings, at 60 cents.....	17 62
14.40 square yards brick pavement, at 60 cents.....	8 64
25 05 square yards bowlders re-laid, at 25 cents.....	7 26
29.30 lineal feet curb re-set, at 7 cents.....	2 05
	<hr/>
	\$734 65

A first and final estimate in behalf of Hamilton Bailie, for grading, bowldering and curbing the gutters, and graveling the roadway of Indiana avenue, from St. Clair street to Fall Creek.

3,395.70 lineal feet bowldered gutters, at 49 cents.....	\$1,664 27
3,395 70 lineal feet graveled roadway, at 49 cents.....	1,664 27
3,327 lineal feet stone curb, at 40 cents.....	1,330 80
377.80 lineal feet double walk stone, at 63 cents.....	238 01
333.18 square yards bowldered wings, at 65 cents.....	216 68
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	\$5,114 03

A first and final estimate in favor of George W. Buchanan, for grading and bowldering the first alley west of New Jersey street, from Ohio street to the first alley north of Ohio street.

455.14 lineal feet, at 94 cents.....	\$427 83
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A second and final estimate in behalf of Richter & Twiname, for building three 1,200-barrel cisterns, at the following points, viz:

One corner Meridian and Palmer streets, 1,490.76 bbl., at 48 cents...	\$ 715 56
One corner West and Fourth streets, 2,009.10 bbl., at 48 cents.....	964 37
One corner First and Paca streets, 1,440.82 bbl., at 48 cents.....	691 60

\$2,371 53

Amount allowed in first partial estimate..... 1,295 00

Balance due..... \$1,076 53

A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks of Michigan street, from Noble street to Pine street.

1,265.56 lineal feet paving, at 35 cents..... \$442 95

181 lineal feet double walk-stone, at 64 cents..... 115 85

110.60 square yards bowldering wings, at 60 cents..... 66 36

\$625 16

A first and final estimate in behalf of Henry C. Roney, for grading, bowldering the roadway, curbing the gutters and paving with brick the sidewalks of Sciota street, from Ohio street to New York street.

879.20 lineal feet bowldering, at 70 cents..... \$ 615 44

714 lineal feet curbing, at 40 cents... 285 60

758 30 lineal feet paving, at 33 cents..... 250 20

20 lineal feet double walk-stone, at 65 cents..... 12 00

33 $\frac{1}{2}$ square yards of bowlders re-laid, at 25 cents..... 8 33

9 lineal feet curb re-set, at 7 cents... 63

\$1,173 20

A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks of New York street, from Noble street to Pine street.

1,013.40 lineal feet, at 35 cents..... \$354 70

181.10 lineal feet double walk-stone, at 64 cents..... 115 90

124.73 square yards bowldering, at 60 cents..... 74 85

\$545 45

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 Charles S. Roney, for grading and paving with brick the east sidewalk of West street, from Merrill street to McCarty street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenharter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of James Mahoney, for grading and paving with brick the east sidewalk of Linden street, from Prospect street to Orange street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

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

And it was adopted by the following vote:

AYES, 17—viz.: Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

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

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of R. P. Dunning, for grading, bowldering and curbing the south gutter of Christian avenue, from Central avenue to Ash street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Richter & Twiname, for grading, bowldering and curbing the gutters of First street, from Illinois street to Meridian street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Hamilton Bailie, for grading, bowldering and curbing the gutters, and graveling (with raked River or Fall Creek gravel), the roadway of Indiana avenue, from St. Clair street to Fall Creek, 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, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of George W. Buchanan, for grading and bowldering the first alley west of New Jersey street, from Ohio street to the first alley west of Ohio street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks Michigan street, from Noble street to Pine street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for grading, bowidering the roadway, curbing the gutters, and paving the sidewalks of Sciota street, from Ohio street to New York street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen o said city; and that the property owners are hereby required to pay the sums set oppo- site their respective names.

And it was adopted by the following vote;

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J L. Spaulding, for grading and paving with brick the sidewalks of New York street, from Noble street to Pine street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenhar-ter, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen :

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

Robert P. Dunning vs. George W. Stout and Bank of Commerce, for..	\$18 00
Robert P. Dunning vs. George W. Stout and Bank of Commerce, for..	18 00
Robert P. Dunning vs. George W. Stout and Bank of Commerce, for..	18 00
Robert P. Dunning vs. T. E. Ellis (christian name unknown), for	16 95

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

Which was concurred in, and the precepts ordered to issue, by the fol- lowing vote :

AYES, 16—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Gallahue, Haugh, Moran, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS, 2—viz. Councilmen Downey, and Edenharter.

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

To the Common Council and Board of Aldermen :

Gentlemen:—Since the last regular meeting of the Council, the case of The City vs. Henry English, has been tried in the Superior Court. This was a suit which was brought in June last before a Justice of the Peace, by the direction of the Committee on Public Property, seeking to get possession of the Garfield Park property. English appealed from the judgment of the Justice, and the order now entered, requires him to vacate on or before November 15th, the court having given defendant that time, by consent of the city, in which to remove his crops.

Three foreclosure cases, in which the city was a party, on account of street opening assessments and judgment liens held by her on the mortgaged property, have been disposed of in the Superior Court, the city's claims being fully protected in each case.

The case of the United States vs. The City et al., in the U. S. Circuit Court, growing out of the Womens' Reformatory sewer controversy, has been dismissed by the District Attorney, at the cost of complainant.

In the case of Columbus V. Gray vs. The City, wherein \$5,000 00 damages were claimed, for personal injuries alleged to have been received by a fall on a defective sidewalk on Coburn street, an abatement has been entered by the Superior Court, on suggestion of plaintiff's death. I do not understand that it is claimed by the relatives that his death was the result of the injuries referred to. This being true, no further actions can be prosecuted by his representatives on account of such injuries, and the litigation concerning the same is thus finally ended.

In case of The City vs. Eliza R. Espy, for disturbing the peace—appealed by the defendant from the Mayor's Court—Judge Taylor has found for the defendant, holding that the disturbance was justifiable under the peculiar circumstances of the case, as proved.

Respectfully submitted,

C. S. DENNY, City Attorney.

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

To the Honorable Common Council and Board of Aldermen :

Gentlemen:—In response to the resolution passed by your honorable bodies, requesting our company to extend the lines of track on College avenue and from Peru street on Home avenue, &c., we would respectfully state that in compliance with the order of your honorable bodies heretofore made, to remove the "T" and reversed rails now in use, we have, during the present season, reconstructed several miles of track, replacing the "T" and worn rails with the newly improved steel girder rail, and are pressing this work ahead as speedily as possible, having several miles yet of this character of reconstruction, that of necessity will be required as soon as it is possible for us to do the work. These and other improvements have proven such a drain on the financial resources of the company that in the present depressed condition of the money market, will render it impracticable at present to assume the burden of these extensions with the necessary equipments of cars, live stock, increased capacity of stables, and other expenses incident thereto. But we expect, as soon as circumstances will permit, to extend our present lines wherever there is sufficient population to justify the increased liabilities consequent upon the operation of such extensions, and as your honorable bodies may direct.

Hoping the above reasons may prove satisfactory for the delay, I am

Most respectfully yours,

A. W. JOHNSON, Pres't.
Citizens' Street Railway.

Indianapolis, Ind., Sept. 11, 1884.

The Clerk of the Board of Aldermen presented the following petition; which was referred to the Board of Public Improvements:

Indianapolis, Sept. 8, 1884.

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

Gentlemen.—The undersigned, business men and property owners on that portion of Indiana avenue recently improved, extending from North and West streets to Fall Creek bridge, respectfully petition your honorable bodies that recent improvements have rendered our street for the present, and for a time so impassable that it does and will continue to destroy the business interests of our street. We therefore ask that you order, at the expense of said city, the further improvement of said street, namely, that pit sand, to the depth of three inches, be spread over the graveled portion of said street, and rolled down solidly, forthwith.

W. W. Hoover, W. P. Etris & Co., T. A. Kroll, H. Schwomeyer, Patrick Kurts, John Willis, J. W. Cook, Geo. O. Jobs, J. B. Siessl, Christian Held, Jacob Debersy, Conrad Monninger, Andreas Hornberger, John S. Neiman, Bridget Conlon, Mrs. Lou Albright, A. P. Crane, A. S. Grose, Jos. F. Lawson, Conrad Lehrritter, Robert McGee, Leopold Zink, Fred. Bownan, Fred. Witthoeff, Frank Sullivan, John Coon, his + mark, Wm. A. Smith, William Bowman, Wm. F. Martin, J. M. Myers, W. Gardner, M. S. Brown, John W. Hadley, 33 feet; Jno. W. Partlow, J. W. Wehheg, E. C. Haas, Jacob Schmiel; A. Shwalter, 110 feet; S. E. Mitchell, John W. Humphrey, Ed. Santo, 158 feet; George Schubert, 33 feet; A. Clifford, 177 feet; Philip Roehling, 33 feet; Mary J. Kennedy, her + mark, 33 feet; Charles E. Baily, 29 feet; E. T. Kimble, 33 feet; C. Kleifgen, 33 feet; Isaiah Webb, 41½ feet; Edward Gilbert, 66 feet.

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

Indianapolis, Sept. 9th, 1884.

At meetings of the Common Council and Board of Aldermen of the City of Indianapolis, held respectively on the 1st and 8th of September, 1884, the following recommendation was concurred in.

Attest:

GEO. T. BREUNIG, City Clerk.

2d. Is a motion "That the Board of Health order immediately that the first alley on north West street, above Mayhew street, adjoining Segar's Row, be cleaned up, and steps taken to dispose of said filth, as it has become a nuisance."

Recommend that the Board of Health be so directed.

Indianapolis, Sept. 15, 1884.

To the Honorable Members of the City Council:

Gentlemen.—In connection with the attached order, permit us to say, that we have given the necessary orders to have the alley cleaned. However, it is evident that the only way to maintain the alley in a sanitary condition, is to have the same improved. We are informed by Mr Segar, that he desires such improvement, and that he informed his Councilman some time ago, that he desired an ordinance passed providing for the improvement of the alley, and that no remonstrance against the same would be presented. We therefore recommend that you cause the passage of such an ordinance.

Very respectfully,

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

PENDING ORDINANCES.

The following entitled ordinance was read the second time, amended by striking out the words "and by posting up printed notices in not less than five of the most public places in the City of Indianapolis," ordered engrossed as amended, and read the third time:

S. O. 100, 1884—An ordinance to provide for grading and paving with brick, the south sidewalk of North street, from Wood street to Indiana avenue.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time:

S. O. 108, 1884—An ordinance to provide for grading and graveling the first alley north of Bates street, from Dillon street to Leota street.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time:

S. O. 110, 1884—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on John street, between Massachusetts avenue and Dorman street, and repealing Special Ordinance No. 38, 1884.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time:

S. O. 111, 1884—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Dorman street, between John and Campbell streets, and repealing Special Ordinance No. 39, 1884.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 112, 1884—An ordinance to provide for grading and graveling Munson street and sidewalks, from Sanders street to the south line of Lot 34, in Munson's subdivision of Block 6, in Birkemeyer addition.

And it was passed by the following vote :

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time :

S. O. 113, 1884—An ordinance to provide for grading, bowldering and curbing the gutters, and widening the sidewalks of Bellefontaine avenue, from Christian avenue to Home avenue.

And it was passed by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

G. O. 32, 1884, "An ordinance supplemental to the Gleason Telephone Company's ordinance," was referred to the Judiciary Committee and City Attorney.

The following entitled ordinance was taken up, amended by striking out the word "occupant," wherever it may occur, ordered engrossed as amended, and read the third time:

G. O. 57, 1884—An ordinance to amend Section eleven (11) of an ordinance entitled "An ordinance providing a uniform system for numbering buildings," and repealing an ordinance entitled "An ordinance requiring owners and occupants of houses and buildings within the City of Indianapolis to properly number the same."

And it was passed by the following vote:

AYES, 19—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Downey, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

NAYS—None.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Benjamin, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—We would respectfully recommend that the accompanying motion be adopted:

“That there be placed at the corner of Henry and Mississippi streets, a fire-alarm box, to be erected under the direction of the Chief Fire Engineer.”

Respectfully submitted,

F. E. Benjamin,
Geo. W. Spahr,
Fire Board.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of G. W. Vansickle and others, asking that Massachusetts avenue be straightened, widened and extended, by condemning and appropriating a triangular strip of ground belonging to John W. Ray, in Lots 73 and 75, of Ovid Butler's second addition to the City of Indianapolis, beg leave to report, that they have carefully considered said matter. We believe the improvement ought to be made, and that it is expedient to refer the petition to the City Commissioners for consideration. We report herewith a resolution so referring it.

Respectfully submitted,

M. M. Reynolds,
Julius F. Reinecke,
J. W. Wharton,
Committee on Streets and Alleys.

The following resolution was read:

Resolved, That the petition of G. W. Vansickle and others, praying for the straightening, widening and extension of Massachusetts avenue, by condemning and appropriating a triangular piece of ground out of Lots 73 and 75, of Ovid Butler's second addition to Indianapolis, together with the plat showing said proposed opening and extension, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purpose of such opening, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the Superintendent of Police to serve, the proper notices upon the City Commissioners and property owners.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Cowie, Coy, Dowling, Downey, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following messages were read, and the action of the Board of Aldermen was severally concurred in:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, September 8th, 1884, amended the following entitled ordinances, by striking out so much thereof as pertains to putting in stone crossings:

S. O. 61, 1884—An ordinance to provide for grading and paving with brick, the sidewalks of California street, from North street to Pratt street.

S. O. 80, 1884—An ordinance to provide for grading and paving with brick the east sidewalk of Tennessee street, from McCarty street to Merrill street.

S. O. 88, 1884—An ordinance to provide for grading and paving with brick, the south sidewalk of Vermont street, from Blackford street to the first alley west of Bright street, where not already done.

S. O. 90, 1884—An ordinance to provide for grading and paving with brick, the east sidewalk of Douglass street, from New York street to Michigan street, where not already done.

And also amended the following ordinances by striking out so much thereof as pertains to putting in stone crossings, and by striking out in Section two the words "and by posting up printed notices in not less than five of the most public places in the City of Indianapolis."

S. O. 32, 1884—An ordinance to provide for grading and paving with brick, the east sidewalk of Madison avenue, from Nebraska street to Lincoln Lane.

S. O. 95, 1884—An ordinance to provide for grading, bowldering and curbing, (where not already done), Chesapeake street, from Delaware street to Pennsylvania street.

The ordinances, as amended, were then passed.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, September 8th, 1884, adopted the following motion:

"To advertise for proposals to erect lamp-posts from Prospect street to Willow street, on Shelby street."

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

APPROPRIATION ORDINANCES.

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

Ap. O. 48, 1884.—An ordinance appropriating money for the payment of the salaries and compensation of the members of the Common Council and Board of Aldermen, of the City Officers, and officers and members of the Fire Department, of the City of Indianapolis.

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

AYES, 19—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Downey, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

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

AYES, 21—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wolf.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Benjamin:

S. O. 114, 1884—An ordinance to provide for grading and bowldering the first alley west of Illinois street, from Maryland street to Georgia street.

S. O. 115, 1884—An ordinance to provide for grading, bowldering the roadway, curbing the gutters, and paving with brick, the sidewalks of Chesapeake street, from Illinois street to Tennessee street.

By Councilman Cowie:

S. O. 116, 1884—An ordinance to provide for grading and graveling the first alley west of West street, from Michigan street to North street.

By Councilman Gallahue, accompanied with petition:

S. O. 117, 1884—An ordinance to provide for grading and paving with brick the sidewalks of Lord street, from Noble street to Pine street.

Indianapolis, September ..., 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on Lord street, between Pine and Noble streets, respectfully petition for the passage of an ordinance providing for grading and paving the sidewalks of Lord street, between Pine street and Noble street.

James B. Brown, Wm. McGinnis, Mrs. Buckley, Wolfram Bros., R. R. Gray, Jessie Nicholson, John Kirkwood.

By Councilman Spahr:

S. O. 118, 1884—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Meridian street, between Eleventh and Twelfth streets.

S. O. 119, 1884—An ordinance to provide for grading and paving with brick, the west sidewalk of College avenue, from Lincoln avenue to Seventh street.

By Councilman Smither:

S. O. 120, 1884—An ordinance to provide for grading and paving with brick, the south sidewalk of Indiana avenue, from West street to Blake street.

By Councilman Wolf:

S. O. 121, 1884—An ordinance to provide for grading and paving with brick, the sidewalks of New Jersey street, from McCarty street to Coburn street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following motion; which was referred to the Committee on Railroads:

That the President of the Citizens' Street Railway Company be requested to adopt a rule forbidding smoking at all times on the cars of said company. The City Clerk is directed to send a copy of this motion to Mr. Johnson, who is requested to notify the Council what action he proposes to take in this matter.

Councilman Benjamin offered the following motion; which was adopted, and Councilmen Spahr, McClelland, Mack, Downey and Haugh appointed as such committee.

That a Committee of five be appointed, to confer with the County Commissioners, and see if the County will not defray half the expense of piling and planking the west side of White River, in Indianola, so as to protect property; and that the City Attorney and City Civil Engineer be added to the Committee.

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

That the Street Commissioner, under the direction of the City Civil Engineer, be, and is hereby, instructed to put in a catch-basin at the southwest corner of Meridian and South streets.

That the Street Commissioner, under the direction of the City Civil Engineer, be, and is hereby, instructed to put in double stone crossings across Illinois street, on the south side of Chesapeake street.

Councilman Benjamin offered the following motion; which was adopted, and the original motion (see page 814, *ante*), was referred to the Committee on Railroads:

To reconsider the motion directing Railroad companies to put in stone culverts at the Mississippi street crossing.

Councilman Coy offered the following motion; which was adopted:

That the C., St. L. and P. R. R. be, and are hereby, directed to at once raise their tracks at the crossing of Virginia avenue, so as to conform to the grade of the Union Railway tracks.

Councilman Downey offered the following motion; which was adopted:

That the City Civil Engineer be instructed to direct the Gas Company to move the first lamp-post west of New Jersey street, on the south side of Ohio street, to the corner of the first alley west of New Jersey street, being about 75 feet west of its present location.

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

That the Street Commissioner be, and he is hereby, instructed to fill the chuck-holes in Market street, from Delaware street to Noble street, with broken stone or good gravel.

Councilman Downey offered the following resolution; which was referred to the Committee on Accounts and Claims:

WHEREAS, on or about the 25th day of October, 1882, a valuable cow, the property of Mrs. John D. Huegele, was impounded, and afterwards sold by the City Marshal and butchered, without her knowledge, and as is believed, without proper advertising; therefore,

Resolved, That the City Treasurer be, and he is hereby, directed to pay to Mrs. Huegele the sum of fifty dollars for the loss of said animal.

Councilman McClelland offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, ordered to repair the gutter on the south side of Massachusetts avenue, between East and Liberty streets.

Councilman McClelland offered the following resolution; which was referred to the Committee on Water:

Resolved, That the Indianapolis Water Company be, and are hereby, directed to lay water mains on North street, from Davidson street to Dorman street; north on Dorman street to St. Clair street. Hydrants to be located according to contract, under the direction of the Chief Fire Engineer.

Councilman Newcomb offered the following motion; which was adopted:

That permission be granted W. F. Resener to improve his sidewalk on North street, at the corner of North and East streets, at his own expense, under the direction of the City Civil Engineer.

Councilman Newcomb presented the following claim; which was referred to the Committee on Accounts and Claims, and City Attorney:

CITY OF INDIANAPOLIS,

DR.

To H. L. Smith:

To damages sustained to horse, buggy and harness, in breaking through wooden culvert corner of Market and New Jersey streets, said culvert being in a very bad condition at the time.....\$75 00

Councilman Pearson presented the following petition; which was referred to the Judiciary Committee:

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

Gentlemen:—Your petitioner, George W. Stubbs, would respectfully show that at a public sale for taxes in February, 1880, he purchased from the Treasurer of this city, Lot 65, in King's subdivision of Bryan's addition to the City of Indianapolis, paying therefor the sum of \$10.52. That at the time of listing said property for taxation, it was outside of the corporate limits of the city, and that the city had no right to tax the same, nor to sell it for taxes. Wherefore your petitioner asks that said sum so paid be refunded to him, with interest, as provided in Section 6,487, R. S. 1881.

GEORGE W. STUBBS, per K.

Councilman Pearson offered the following resolution, accompanied with bond:

Resolved, That John R. Fohl's proposition to pay to the City of Indianapolis the the sum of \$213.00, and do all the city bill posting for one year, for the exclusive privilege of using all public bridges, lamp-posts, market houses, public grounds, and other public property of said city, be, and the same is hereby accepted, the same to take effect as soon as said Fohl shall give a bond to the acceptance of this Council and Board of Aldermen, in the sum of \$200.00, for the faithful performance of his contract, and shall pay into the City Treasury said sum of \$213.00, which shall be done within three days from the time of the final approval of said bond.

And Resolved further, That upon a full compliance with the above requirements, it shall be the duty of the City Street Commissioner to put said Fohl in proper possession of all public bridges and other property above contemplated, for the purposes contemplated, and do such things from time to time as may be necessary to protect him in his rights under his said contract with the city.

WE, John R. Fohl, as principal, Alexander Harbison and D. M. Ransdell, as sureties, are held and firmly bound unto the City of Indianapolis, in the penal sum of two hundred dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators and assigns, firmly by these presents. Sealed with our seals, and dated this 15th day of September, A. D. 1884.

The condition of this obligation is as follows: *Whereas*, said above bound John R. Fohl has heretofore agreed and proposed to pay to said City of Indianapolis the sum of \$213.00 in cash, and do all the bill posting necessary and required by said city for one year, for the privilege of being allowed by and receiving from said city the exclusive privilege of using certain of her public bridges, posts and other public property, on which to post and hang bills and notices for any and all persons employing him to post notices and advertisements, for the period of one year; *and whereas*, said city, through her Common Council and Board of Aldermen, have accepted said proposition;

Now, therefore, If said Fohl shall pay into the City Treasury of said city, said sum of \$213.00 within three days from the time of the final approval of this bond by the Common Council and Board of Aldermen aforesaid, and shall, during said year, promptly and properly do all bill posting necessary and proper to be done by and on behalf of said city and her different departments, whenever directed by said city and the heads of said departments, and shall promptly repair or make good any and all damages that may be done to any city or public property by reason of the bill posting done by said Fohl, then this obligation shall be void; else, in full force and effect.

JOHN R. FOHL,
ALEX. HARBISON,
D. M. RANSELL.

Councilman Haugh moved to reconsider the action of the Common Council at its last meeting, as to removing the bill boards, &c., (see page 813, *ante*), from bridges and public property; which was adopted.

Councilman Thalman, as to the above, offered the following motion; which was adopted:

That the matter of John R. Fohl and his bond, be referred to the Committee on Contracts, with instructions to investigate what is required of the city, and to designate what can and is required to be done by the Street Commissioner.

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

That the Street Commissioner be instructed to put foot bridges on Indiana avenue across the gutters, where needed.

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

That the Street Commissioner be, and is hereby, directed to repair Brookside avenue with gravel, from Pogue's Run to Rose Lane; cost not to exceed one hundred and fifty dollars.

Councilman Spahr presented the following remonstrance; which was ordered filed with the ordinance, S. O. 113, 1884:

Indianapolis, August 25th, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on Bellefontaine avenue, between Christian avenue and Home avenue, respectfully remonstrate against the passage of an ordinance providing for the curbing and bowldering of the gutters on said street, or letting contract for the same.

W. C. Ewing, 80 feet; Wm. Ewing, 40 feet; B. A. Richmond, 54 feet; J. F. Haneman, 40 feet; Mary Griffin, 40 feet; L. G. Hay, 145 feet; Olive D. Osgood, 54 feet; A. Langbein, 40 feet, Step. McCarthy, 40 feet.

Councilman Spahr offered the following resolution; which was referred to the Committee on Water:

Resolved by the Common Council and Board of Aldermen, That the Indianapolis Water Company be, and it is hereby, directed to extend its water mains on Broadway street, from Seventh street to Eighth street, establishing water hydrants as per its contract with the City of Indianapolis.

Councilman Spahr offered the following motion; which was adopted:

That the sum of twenty dollars be appropriated by the next appropriation ordinance, subject to the order of the Mayor, for the purpose of printing bills prepared by the City Officers' Association, to be presented to the next Legislature.

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

That the Street Commissioner be directed to haul gravel on Michigan street, between the Mill Race and White River bridge, and fill the gullies and chuck-holes.

Councilman Thalman offered the following motion; which was adopted:

WHEREAS, There has been great complaint made by the citizens living in the vicinity of Military Park, in regard to said Park being run over by cows during night and late in the morning; therefore,

Moved, That the Committee on Public Property be directed to interview the man paid to take charge of said Park, and ascertain why this is not prevented; and if he can not prevent it, why not?

Councilman Trusler offered the following motion; which was adopted:

That the City Civil Engineer be instructed to dis-mantle the lamp-post on the northwest corner of Hoyt avenue and Olive street, and to re-mantle the first lamp-post on the north side of Prospect street east of Shelby street.

Councilman Wolf offered the following motion; which was referred to the Fire Board, with power to act:

That the Chief Fire Engineer be, and is hereby, directed to remove the fire-alarm telegraph pole on McCarty street, near Delaware street, as soon as possible.

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

That the Street Commissioner be, and is hereby, directed to repair Phipps street on the east side of Delaware street, as soon as possible.

Councilman Doyle offered the following motion:

That His Honor, the Mayor, be directed to execute the lease of the West Market, as is now prepared.

Councilman Thalman offered the following motion:

That the parties be offered a sum in cash equal to the amount of taxes now assessed against said property, and \$300.00 cash to be paid quarterly, and no further exemption be made whatever as to any assessments against said property.

On motion by Councilman Rees, the above motions were referred to the Judiciary Committee and City Attorney.

On motion, the Common Council then adjourned.

JOHN L. McMASTER, Mayor,
President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.