

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—OCTOBER 6, 1884.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, October 6th, 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 21 members, viz: Councilmen Benjamin, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

ABSENT, 4—viz. Councilmen Cowie, Coy, Sheppard, and Wolf.

The Proceedings of the Common Council for the regular session, held September 15th, 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 and the erection of lamp-posts, were opened, read, and referred to the Committee on Contracts:

(S. O. 171, 1882)—For the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Shelby street, between Prospect and Willow street.

(S. O. 156, 1883)—For grading, bowldering and curbing the gutters of New York street, from Illinois street to Indiana avenue.

(S. O. 32, 1884)—For grading and paving with brick, the east sidewalk of Madison avenue, from Nebraska street to Lincoln Lane.

(S. O. 58, 1884)—For grading, bowldering and curbing the gutters of Fort Wayne avenue, from Pennsylvania street to New Jersey street.

(S. O. 61, 1884)—For grading and paving with brick, the sidewalks of California street, from North street to Pratt street.

(S. O. 65, 1884)—For grading and graveling Walcott street and sidewalks, from Michigan street to Koller street.

(S. O. 77, 1884)—For grading and bowldering the roadway of Alabama street, from Pogue's Run to the C., I., St. L. & C. R. R. tracks.

(S. O. 80, 1884)—For grading and paving with brick the east sidewalk of Tennessee street, from McCarty street to Merrill street.

(S. O. 82, 1884)—For grading, bowldering the gutters, and curbing with stone the sidewalks of Mississippi street, from Maryland street to Washington street.

(S. O. 84, 1884)—For grading and graveling Guffin street, from Seventh street to Eighth street.

(S. O. 86, 1884)—For grading and graveling the first alley north of McCarty street, from East street to New Jersey street.

(S. O. 88, 1884)—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)—For grading and paving with brick, the east sidewalk of Douglass street, from New York street to Michigan street, where not already done.

(S. O. 94, 1884)—For grading and paving with brick (where not already done) the east sidewalk of Ash street, from Christian avenue to Home avenue.

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

(S. O. 103, 1884)—For grading and graveling Minerva street and sidewalks, from New York street to its southern terminus.

(S. O. 105, 1884)—For grading and graveling the first alley west of Delaware street, from Seventh street to Eighth street

(S. O. 106, 1884)—For grading, bowldering, and curbing the east gutter of Delaware street, from Wyoming street to Ray street.

(S. O. 108, 1884)—For grading and graveling the first alley north of Bates street, from Dillon street to Leota street.

(S. O. 112, 1884)—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's addition.

(S. O. 113, 1884)—For grading, bowldering and curbing the gutters, and widening the sidewalks of Bellefontaine avenue, from Christian avenue to Home avenue.

(S. O. 81, 1884)—For the erection of one bracket lamp and fixtures (complete to burn gas, except the service-pipe), on the first alley north of Washington street, between Illinois and Meridian streets.

(S. O. 110, 1884)—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.

(S. O. 111, 1884)—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.

REPORTS FROM COMMITTEE ON CONTRACTS.

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

To the Mayor and Common Council and Board of Aldermen :

Gentlemen.—The Committee on Contracts, to which were referred the proposals received September 15th, 1884, have examined the same and find them to be as follows, to-wit:

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

Bids per lineal foot front on each side.

Names of bidders.	Bowl-dering.	Curbing.	Walk-stones.	Bld. wings, sq. y'd
James W. Hudson.....	51 cents.....	40 cents.....	55 cents.....	50 cents
H. C. Roney.....	47 cents.....	41 cents.....	61 cents.....	55 cents
S. W. & R. H. Patterson	47 cents.....	40 cents.....	70 cents.....	70 cents
C. S. Roney.....	46 cents.....	40 cents.....	... cents.....	56 cents
R. P. Dunning.....	44 cents.....	41 cents.....	63 cents.....	60 cents
D. A. Haywood.....	42 cents.....	42 cents.....	60 cents.....	54 cents

D. A. Haywood being the lowest bidder, we recommend that he be awarded the contract.

(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.

Bids per lineal foot front on each side.

Names of bidders.	Paving.	Walk-stones.	Bowl. wings, sq. y'd.
Henry C. Roney.....	35 cents.....	61 cents.....	51 cents
D. A. Haywood.....	34 cents.....	... cents.....	... cents
Chas. S. Roney.....	33 cents.....	64 cents.....	58 cents

Chas. S. Roney being the lowest and best bidder, recommend he be awarded the contract.

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

S. W. & R. H. Patterson..	21 cents per lineal foot front on each side
D. A. Haywood.....	19 cents per lineal foot front on each side
Henry C. Roney.....	19 cents per lineal foot front on each side
Chas. S. Roney....	19 cents per lineal foot front on each side

Being a tie bid, and believing the same to be low, we recommend the contract be awarded to Chas. S. Roney.

Respectfully submitted,

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

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

To the Mayor and Common Council:

Gentlemen.—Your Committee on Contracts, to whom was referred the resolution and bond concerning the city bill posting under John R. Fohl's proposition, beg leave to report, that they have considered the matter, and would recommend that the resolution introduced on September 15th, be amended as follows: Add after the words "approval of said bond," the following: "Provided, that this contract with said Fohl shall not be construed to include any other bridges, market houses or other public grounds or property than those now and which have heretofore been used for such bill posting, a complete schedule of which places shall be reduced to writing and agreed on between said Fohl and the Street Commissioner."

Also, by adding after the words "with the city," the following: "But any failure of said Street Commissioner to put and keep said Fohl in such possession, by reason of any suit or injunction, shall not render the city liable to said Fohl for any damages on account thereof." And when so amended, that the resolution be adopted, and the bond heretofore tendered by said Fohl, be approved.

Respectfully submitted,

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

By consent, Councilman Spahr presented the following contracts and bonds; which were read and approved:

Contract and bond of David A. Haywood, for grading, bowldering and curbing the gutters of St. Joseph street, from Delaware street to Alabama street. Bond, \$1,500.00; surety, Chas. S. Roney.

Contract and bond of Charles S. Roney, for grading and paving with brick, the sidewalks of Valley street, from East street to the second alley east of East street. Bond, \$500.00; surety, Fred. Gansberg.

Contract and bond of Charles S. Roney, for grading and graveling the first alley east of Ash street, from Tenth street to Twelfth street. Bond, \$600.00 surety, Fred. Gansberg.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

To the Common Council and Board of Aldermen :

Gentlemen:—I herewith submit the report of the fees and fines due the city, collected for the month of September, 1884, as follows:

Marshal's fees.....	\$260 60
Mayor's fees.....	208 20
Fines due city.....	17 30
	\$486 10

Which said fees and fines I have this day paid over to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully, JOHN L. McMASTER, Mayor.

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 A'dermen :

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

A first and final estimate in behalf of A. Bruner, for building one 1,200-barrel cistern at or near the corner of Eighth and Newman streets.

1,525.91 barrels, at \$1.00.....	\$1,525 91
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A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks of Vermont street, from Noble street to Pine street.

1,296 lineal feet of paving, at 35 cents.....	\$453 63
118.70 lineal feet double walk stone, at 64 cents.....	75 97
83.29 square yards of bowldering wings, at 60 cents.....	50 00
	\$479 60

A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks of Pine street, from Harrison street to the C., I., St. L. & C. Railroad tracks.

601.60 lineal feet of paving, at 35 cents.....	\$210 56
61.90 lineal feet of double walk-stone, at 66 cents.....	40 85
44.70 square yards of bowldering wings, at 62 cents.....	27 71
	\$279 12

A first and final estimate in behalf of George W. Seibert, for grading, bowldering the roadway, curbing the gutters and paving the sidewalks of California street, between Washington and Maryland streets.

919.70 lineal feet bowldering, at 67 cents.....	\$ 616 20
839.90 lineal feet curbing, at 41 cents.....	344 36
617.60 lineal feet paving, at 30 cents.....	185 28
51 lineal feet double walk-stone, at 66 cents.....	33 66
47.60 lineal feet curb re-set, at 7 cents.....	3 33
21 square yards of bowldering wings, at 58 cents.....	12 39
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	\$1,195 22

A first and final estimate in behalf of Geo. W. Buchanan, for grading, bowldering the roadway, curbing the gutters and paving the sidewalks of Wabash street, between Illinois and Tennessee streets.

890.15 lineal feet bowldering, at 65 cents.....	\$ 578 60
829.40 lineal feet curbing, at 40 cents.....	331 76
888 lineal feet paving, at 30 cents.....	266 40
33.50 lineal feet double walk-stone, at 65 cents.....	21 77
80.70 lineal feet curb re-set, at 7 cents.....	5 65
26.34 square yards of bowlders re-laid, at 25 cents.....	6 58
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	\$1,210 76

A first and final estimate in behalf of Charles S. Roney, for grading and paving with brick the west sidewalk of Ash street, from Christian avenue to Home avenue.

811 lineal feet paving, at 34 cents.....	\$275 74
31.80 lineal feet double walk-stone, at 64 cents.....	20 35
19.43 square yards bowldering wings, at 60 cents.....	11 66
	<hr/>
	\$307 75

A first and final estimate in behalf of Hanway & Cooper, for grading and gravelling the south sidewalk of Washington street, from White River to the I., B. & W. Railway tracks.

3,193 lineal feet, at 68 cents.....	\$2,171 24
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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 J. L. Spaulding, for grading and paving with brick the sidewalks of Vermont 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, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, 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 Pine street, from Harrison street to

the C., I., St. L. & C. Railroad tracks, 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, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, 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. Seibert, for grading, bowldering the roadway, curbing the gutters, and paving the sidewalks of California street, between Washington and Maryland streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote;

AYES, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, 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, bowldering the roadway, curbing the gutters, and paving the sidewalks of Wabash street, between Illinois and Tennessee streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Galahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, 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 Charles S. Roney, for grading and paving with brick the west sidewalk of Ash street, from Christian avenue to Home avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Gal-lahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, 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 Hanway & Cooper, for grading and graveling the south sidewalk of Washington street, from White River to the L. B. & W. Railroad tracks, 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, 19—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Edenharter, Gal-lahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, and Trusler.

NAYS—None.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—At your meeting held September 1st, 1884, you directed me to prepare a diagram of dimensions, in the case of a proposed alley opening in Out-lot 160, for your Committee on Streets and Alleys; also to inform your committee as to the advisability of opening Paca street, from First to Torbett street.

As I have not seen your committee, I desire to state that I herewith submit a plat of said Out-lot 160, and that I am ready to confer with your committee at any time in regard to Paca street.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—At your last meeting I was directed to investigate the drainage on First street, between Mississippi street and the Canal. I beg leave to submit that in my opinion, a surface sewer, at least two feet in diameter, should be built from Mississippi street to the Canal.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

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 September, 1884, viz: ●

City Assessor's Department.....	\$ 280 00
City Civil Engineer's Department.....	385 25
City Dispensary.....	301 58
City Hall.....	45 50
City Hospital and Branch.....	1,104 31
City Treasurer's per centage.....	326 28
City Hospital addition.....	3,870 90

Fire Department.....	\$ 6,228 35	
Gas.....	5,481 25	
Incidentals	348 50	
Interest on bonds.....	60,268 25	
Market Masters' fees.....	263 85	
Parks.....	130 00	
Police.....	4,622 69	
Printing.....	151 80	
Salary.....	144 75	
Station House.....	189 98	
Street improvements.....	2,050 08	
Street openings and vacations.....	111 00	
Street repairs.....	3,573 96	
Taxes refunded.....	22 00	
Water rent.....	7,576 31	
		\$ 97,426 59
Sinking fund.....	\$ 70 64	
School fund.....	517 97	
		588 61
Total.....		\$ 98,015 20

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

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

Report of I. N. PATTISON, City Treasurer, for the month of September, 1884.

RECEIPTS

Balance on hand September 1st, 1884, as per last report.....	\$137,248 36
From benefits.....	306 00
From coal licenses.....	34 00
From dog licenses.....	114 00
From express licences.....	24 00
From fines and fees.....	647 82
From hack licenses.....	44 00
From huckster licenses	120 00
From liquor licenses	2,548 00
From Market-masters' fees.....	469 75
From market rents.....	37 00
From pay patients, City Hospital.....	92 91
From peddiers' licenses.....	42 00
From promiscuous—(bill posters' privileges).....	213 00
From tapping sewers.....	3 00
From taxes delinquent.....	1,688 10
	<u>\$148,631 94</u>

DISBURSEMENTS.

For bridges.....	\$ 670 00
For City Assessor's department.....	230 00
For City Civil Engineer's department.....	377 50
For City Dispensary.....	301 58
For City Hall.....	45 50
For City Hospital and Branch.....	4,752 25
For Fire Department.....	6,176 33
For gas	5,481 25
For incidentals.....	319 85
For interest on bonds	60,268 25
For Market-masters' fees.....	263 85

For parks	130 00
For per centag ^a	326 28
For police.....	4,622 69
For printing.....	734 66
For salary.....	144 75
For school fund.....	603 17
For sinking fund.....	70 64
For Station House.....	190 58
For street improvements.....	2,023 46
For street openings and vacations.....	111 00
For street repairs.....	3,872 16
For taxes refunded.....	22 00
For water rent.....	7,576 31
Balance on hand October 1st, 1884.....	44,317 28

\$143,631 94

TOMLINSON ESTATE.

Balance on hand September 1, 1884, as per last report..... \$ 64,841 74

Printing..... 14 00
 Balance on hand October 1, 1884..... \$ 64,827 74

\$ 64,841 74

ADDITIONAL CITY HALL FUND.

Balance on hand September 1st, 1884, as per last report..... \$ 45,749 94

Balance on hand October 1st, 1884.. .. \$ 45,749 94

SINKING FUND.

Balance on hand September 1st, 1884, as per last report..... \$ 30,627 03
 From August taxes..... 70 64

\$ 30,697 67

Balance on hand October 1st, 1884 \$ 30,697 67

I. N. PATTISON, City Treasurer.

To GEO. T. BREUNIG, City Clerk.

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:

S. W. & R. H. Patterson vs. Lucinda Kersey, for.....	\$ 4 60
S. W. & R. H. Patterson vs. Lucinda Kersey, for.....	7 90
S. W. & R. H. Patterson vs. Anderson Lewis, for.....	15 44
S. W. & R. H. Patterson vs. John J. Smith, for.....	47 52
Henry Clay vs. George Roedter, for.....	6 85
Robert P. Dunning vs. G. S. White (christian name unknown), for	17 10

Respectfully submitted, GEO. T. BREUNIG, City Clerk.

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

AYES, 17—viz. Councilmen Benjamin, Curry, Dowling, Doyle, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, and Trusler.

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

The City Attorney submitted the following report:

Indianapolis, Oct. 6, 1884.

To the Common Council and Board of Aldermen:

Gentlemen:—The case of Chas. B. Hitchcock vs. The City et al., has been tried in the Superior Court, resulting in a finding and judgment in favor of the defendants. This was an attempt by Mr. Hitchcock to maintain replevin for a faro table, taken by the police officers in a raid without a warrant. The judgment therefore sustains the validity of the ordinance authorizing such seizure. The plaintiff will appeal.

In the injunction suit brought by Councilmen Benjamin, Wharton and Spahr, against Chief Fire Engineer Webster, in vacation, Judge Taylor has sustained plaintiff's demurrer to defendant's answer, thus holding that the Councilmen named cannot be disturbed in their control of the Fire Department during their term as such Councilmen, thus practically annulling the ordinance of July 14th, 1884. An appeal has been taken to the General Term of said court, and the cause was this day submitted therein, but no time can be definitely fixed for its presentation to the full Bench for the present, on account of Judge Walker's absence therefrom.

The judgment of Special Term was this day affirmed in the case of Regar vs. Hays, et al., the city being a nominal party, the controversy being as to whom the damages in a street opening award shall be paid. The city has judgment for costs.

Respectfully submitted,

C. S. DENNY, City Attorney.

Councilman Trusler, as to the first clause of the above report, offered the following motion:

That the course of the City Attorney in appealing the case of the Fire Board to General Term, be indorsed, and that he is hereby instructed to appear in the case to the end of the same, in the interest of the Chief Fire Engineer.

Councilman Rees moved to lay the above motion on the table.

Which failed of adoption, by the following vote:

AYES, 9—viz. Councilmen Benjamin, Dowling, Downey, Edenharter, Haugh, Moran, Rees, Reinecke, and Spahr.

NAYS, 11—viz. Councilmen Curry, Doyle, Gallahue, Mack, McClelland, Newcomb, Pearson, Reynolds, Smither, Thalman, and Trusler.

The motion was then adopted, by the following vote:

AYES, 11—viz. Councilmen Curry, Doyle, Gallahue, Mack, McClelland, Newcomb, Pearson, Reynolds, Smither, Thalman, and Trusler.

NAYS, 9—viz. Councilmen Benjamin, Dowling, Downey, Edenharter, Haugh, Moran, Rees, Reinecke, and Spahr.

The balance of the report from the City Attorney was received.

The Chief Fire Engineer submitted his third quarterly report, showing cash receipts and disbursements from July 1st, to October 1st, 1884, and the amounts paid for supplies from January 1st, 1884, to October 1st, 1884; which was received, and ordered not printed in the Proceedings.

The Superintendent of the City Dispensary submitted his report for September, 1884; which was received, and ordered not printed in the Proceedings.

The Rental Agent submitted the following report; which was received :

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

Gentlemen:—I herewith submit report of collections of rents from the Tomlinson Estate for the month of August, 1884, viz:

Mary Dwyer, No. 113 north Illinois street	\$ 30 00
W. H. Mahan, No. 117 north Illinois street	30 00
Hannah C. Overman, No. 115 north Illinois street.....	30 00
Paul Sherman, on No. 21, Indiana avenue.....	15 00
Dr. Campbell, ground rent.....	12 50

\$117 50

Less 3½ per cent. commission..... 4 11

\$113 39

Less papering hall..\$5 00

Less whitewashing..... 2 50

7 50

\$105 89

Respectfully submitted,

WM. HADLEY, Agent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:— We herewith report expenditures in Street Repair Department for month of September, 1884, together with the expenditures to September 30, 1884:

Pay-rolls.....	\$3,174 19
Blacksmithing.....	28 00
Bowlders.....	3 50
Brick.....	84 50
Hardware.....	37 06
Lumber.....	187 20
Sand.....	51 40
Toll.....	8 11

Total expenditures for September..... \$ 3,573 96

Expenditures per last report. 29,456 73

Expenditures to September 30, 1884..... \$33,030 69

Respectfully submitted,

M. M. Reynolds,
R. H. Rees,
Board of Public Improvements.

L. A. FULMER, Street Commissioner.

The Board of Public Improvements, through Councilman Reynolds, submitted the following report; which was received, and the recommendations severally concurred in:

To the Mayor and Common Council :

Gentlemen:—The Board of Public Improvements, to whom the following motions were referred, would report:

"That the Street Commissioner be instructed to repair the sidewalk crossings at the intersection of Seventh and Alabama streets"

Recommend the work be done.

"That stone crossings be placed at the crossing of Pennsylvania and Vermont streets." Recommend the work be not done.

"That the Street Commissioner be instructed to cut the poisonous weeds along the banks of Pogue's Run, between Garden and Illinois streets, and wherever found in streets and alleys."

Jack Frost will do the work in a very satisfactory way before the Street Commissioner can possibly get around on all the streets and alleys and cut the weeds.

"That the Street Commissioner be, and he is hereby, directed to clean the gutters of New Jersey street, from Washington street to New York street."

Recommend the work be done.

"That the Street Commissioner be, and he is hereby, instructed to lay a double stone crossing from the east side of Clinton street across Washington street."

Recommend the work be not done.

"That the Street Commissioner be instructed to fill the chuck-holes in Ohio street, from Delaware street to Noble street, with broken stone or gravel."

The work has been done.

"To build a catch-basin at the southeast corner of Illinois and Ray streets."

Recommend that the Street Commissioner be instructed to do the work.

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

We find that the trouble comes from pumps on the sidewalks. Recommend the property owners maintaining the same, be notified to comply with the ordinance relative thereto.

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

Recommend the work be done.

"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." Recommend the work be done.

"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." Recommend the work be done.

Respectfully submitted,

M. M. Reynolds,
R. H. Rees,
Board of Public Improvements.

The Board of Health submitted their Mortality report; which was received, and ordered placed on file in the City Clerk's office.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Accounts and Claims, through Councilman McClelland, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Accounts and Claims, to whom the following resolution was referred:

"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."

Recommend that Mrs. Huegele be allowed twenty dollars in addition to the twenty dollars in the hands of the City Treasurer, in full satisfaction of the above claim.

Respectfully submitted,
 Robert McClelland,
 P. M. Gallahue,
 Wm. Curry,
 Committee on Accounts and Claims.

Later in the session, Councilman Thalman moved to reconsider the action on the above report, and that the matter be referred to the City Attorney.

Councilman Rees moved the *previous question*.

The Chair then put the question, "*Shall the main question be now put?*"

Which was admitted by a majority vote of the members present.

The motion to reconsider, then failed of adoption, by the following vote :

AYES, 8—viz. Councilmen Haugh, Newcomb, Pearson, Rees, Reynolds, Smither, Thalman, and Trusler.

NAYS, 12—Councilmen Benjamin, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Mack, Moran, McClelland, Reinecke, and Spahr.

The Committee on Accounts and Claims, through Councilman McClelland, submitted the following report; which was concurred in :

To the Mayor and Common Council :

Gentlemen:—Your Committee on Accounts and Claims, to whom was referred the following motion:

"That a committee of five be appointed to investigate the damages said to have accrued to the property holders by laying new sidewalk on the south side of South street, between Pennsylvania and Delaware streets."

Have examined the same, and find that the parties herein named had brick sidewalk in front of their property, which was taken up, and no compensation allowed them therefor. Therefore, we recommend they be allowed the amount set opposite their respective names, and that the City Clerk be instructed to place said amounts in the next appropriation ordinance.

J. H. Clark et al, 46 $\frac{8}{12}$ feet	\$13 35
Herman Greunert estate, 70 feet.....	20 30
H. Burke, 46 $\frac{8}{12}$ feet.....	13 35
G. H. Gisler, 23 $\frac{4}{12}$ feet.....	6 70
	\$53 70

Respectfully submitted,
 Robert McClelland,
 P. M. Gallahue,
 Wm. Curry,
 Committee on Accounts and Claims.

Councilman Curry was excused for the remainder of this session.

The Judiciary Committee, through Councilman Newcomb, submitted the following report; which was concurred in, and the lease, as amended, approved :

To the Mayor and Common Council:

Gentlemen:—The undersigned, to whom was referred the matter of re-releasing the West Market Space, beg leave to report, that Coffin & Co., agents, now agree to allow the words, "and assessments of any kind," in clause eight, of the lease now pending before the Council for approval, to be stricken out.

We therefore recommend that the lease, with said amendment first made, be approved, and that the Mayor be directed to execute the same on behalf of the city.

Respectfully submitted,

W. C. Newcomb,
P. M. Gallahue,
Geo. F. Edenharter,
Judiciary Committee.

C. S. DENNY, City Attorney.

Councilman Newcomb, in behalf of the same Committee, submitted the following report; which was approved, and G. O. 32, 1884, ordered stricken from the files:

To the Mayor and Common Council:

Gentlemen:—The undersigned, to whom was referred G. O. No. 32, 1884, have considered the same. We do not believe the passage of the ordinance would add anything to the city's powers or rights with reference to future assessments against the Telephone Company. The city's rights were guarded, as is usual in such cases, by a clause in the original ordinance reserving the right to repeal at any time. We think the passage of the pending supplemental ordinance would be a needless encumbrance of the records, and recommend that it be stricken from the files.

Respectfully submitted,

W. C. Newcomb,
P. M. Gallahue,
Judiciary Committee.

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

To the Mayor and Common Council:

Gentlemen:—We report on claims heretofore referred to us as follows:

1. Abel D. Streight's claim for \$737.35, presented to the Council February 4, 1884, is for taxes paid on a large number of lots owned by him, in Downey's subdivision of Bryant's addition, for 1876 to 1881, inclusive. These lots were never legally annexed to the city, and hence the claim must be allowed, under the authority of the decision in the McAvoy case, 86 Ind. 587. The City Treasurer has verified the amounts, as stated in the claim filed, and we have his certificate as to its correctness.

2. Of the \$38.13 claimed by Henry Hahn, as per his bill presented September 1st, we recommend that \$8.68 only (being the amount paid within the last six years) be refunded.

3. The amount of \$10.52, claimed by Geo. W. Stubbs in bills presented July 21st and September 15th, was refunded July 15th. We therefore recommend that these two bills be not allowed.

In the above allowances we recommend that the City Clerk be directed to deduct the School Board's proportion before inserting in the appropriation ordinance; and that hereafter the City Clerk make such deductions whether specially directed in the reports or not.

Respectfully submitted,

W. C. Newcomb,
P. M. Gallahue,
Geo. F. Edenharter,
Judiciary Committee.

The Committee on Streets and Alleys, through Councilman Reynolds, submitted the following reports; which were severally concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of W. T. Fenton and others for the vacation of 20 feet off of the north side of Eighth street, between Illinois and Pennsylvania streets, for the purpose of making the street uniform width, have examined said locality and do not see any advantage to be gained by such narrowing the street. Therefore recommend the prayer of the petitioners be not granted.

Respectfully submitted,

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the following ordinances, would report:

1st. Is G. O. 56, 1884, "An Ordinance granting Kingan & Co. the right to lay and maintain a railroad switch-track across west Georgia street and along a certain part of Helen street." Recommend said ordinance be passed.

2d. Is S. O. 74, 1883, for improving the gutters of New York street, from Pennsylvania street to Delaware street. Being late in season for such improvement, we return said ordinance without recommendation.

Respectfully submitted,

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

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of J. B. Roberts, Richard Smock and others for the vacation of a strip of ground on the north side of block 16, Johnson heirs' addition, have examined the records and find the following facts:

In the original subdivision made by Johnson's heirs, block 16 included all of the ground to north line of the quarter section, being 159 72-100 feet front on Central avenue. Hamlin subdivided the west half of block 16 (between Central avenue and Ruckle street) in to eight lots—four 39 93-100 feet on Central avenue, and four 40 feet front on Ruckle street; therefore, there is no surplus ground, as indicated in plat filed with petition.

Respectfully submitted,

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

The Committee on Water, through Councilman Reynolds, submitted the following report, accompanied with a statement from the Indianapolis Water Company; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Water, together with the City Civil Engineer, beg leave to submit the following as their report on the matters referred to them at your last meeting.

Respectfully submitted,

M. M. Reynolds,
W. C. Newcomb,
J. T. Downey,
Committee on Water.

S. H. SHEARER, City Civil Engineer.

Indianapolis, Aug. 14th, 1884

Lines of water pipe laid as directed by the Common Council and Board of Aldermen :

Date of Ordinance.		Feet.
1882.		
Oct. 9.	On Park avenue, from Home avenue, to Eighth; on Eighth, from Park avenue to Broadway; on Broadway, from Eighth to Ninth, and on Ninth from Broadway to College avenue.....	3666
1883.		
May 28.	On Pennsylvania street, from Home avenue to Tinker, east on Tinker to Delaware, south on Delaware street to Home avenue..	3469
July 23.	On Seventh, from Delaware to Alabama, and upon Alabama from Seventh street to the Exposition building.....	2097
Aug. 27.	On Cherry, between Broadway and East street.....	777
Aug. 27.	On Vermont, from West to California.....	426
Sept. 10.	On Alabama street, from Home avenue to Seventh street.....	1473
Dec. 17.	On Elizabeth, from Blake to Locke, on Locke to Margaret, and west on Margaret to the City Hospital.....	1533
1884.		
April 28.	On Maryland, between Helen and Geisendorf streets.....	456
April 23.	On Peru, from Christian avenue to 500 feet north ..	512
May 26.	On Morris str et, from Meridian street to 50 feet of Pogue's Run..	1840
May 26.	On Illinois, from Ray to Morris streets ..	875
		17124
Requirements, 1883.....		6500
" 1884.....		10560
		17060

Excess of contract for 1883 and 1884 64

Lines of water pipe directed to be laid by the Common Council and Board of Aldermen, and *not yet laid*:

1883.		
Sept. 24.	On Broadway, from Seventh to Eighth.....	700
1884.		
Feb. 25.	On Mississippi, from Second to Twelfth street	5000
Feb. 25.	On Central avenue to Ninth.....	4000
Feb. 25.	On West, from Indiana avenue to Fourth.....	3500
June 9.	On Pennsylvania to Ninth street.....	1500
June 23.	On Pine, from Washington to North street	2936
July 14.	On Ohio, from Pogue's Run to Arsenal avenue.....	2686
July 28.	On Ash, from Ninth to Seventh.....	1375

Estimated number of feet 21697

Councilman Rees was excused for the remainder of this session.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the action of the Board of Aldermen approved :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening September 22d, 1884, accepted the following resignation:

Indianapolis, Sept. 16th, 1884.

To the Honorable Board of Aldermen for the City of Indianapolis:

Gentlemen:—One year ago I presented to the Common Council and Board of Aldermen my resignation as a member of the Indianapolis Board of Health. The same was accepted by the Council and by the Board of Aldermen referred to a committee, which committee failed to report during the term of office of the Board. In consequence of the fact that my other duties demand so much attention during the next three months, that I cannot give the time to the duties of the office of Secretary of the City Board that I should like to do, I hereby tender you my resignation as a member of the City Board of Health, to take effect from the first day of October, 1884; and as the Council will meet prior to that time, I earnestly request that your honorable body will take immediate action upon this, in order that the Council may pass upon the same at its next meeting.

Thanking you for the uniform courtesy that you have always extended me,
I remain very truly yours, E. S. ELDER, M. D.,
Indianapolis Board of Health.

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

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 September 22d, 1884, adopted the following resolution, on the petition of J. P. Curtis, Captain commanding Indianapolis Light Artillery, Captain B. A. Richardson, of Richardson Zouaves, Eli Lilly, and others:

“Resolved, That the application of the Indianapolis Light Artillery and the Richardson Zouaves, for the use of Lot number 28, of T. R. Fletcher's subdivision of Out-lots 51 and 54, in the City of Indianapolis, for armory and drill purposes, be, and the same is hereby granted, in so far as the city is authorized to grant such authority.”

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

And the action of the Board of Aldermen approved, and the resolution concurrently adopted, by the following vote:

AYES, 17—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, and Wharton.

NAYS—None.

The following message was read, and the action of the Board of Aldermen non-concurred in:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, September 22d, 1884, adopted the following motion:

“That Conrad Schneider is hereby granted permission to dig a well on the sidewalk in front of his premises, on the south side of Wyoming street, (being Lots 16 and 17, in John A. Roset's subdivision of the northwest corner of Out-lot 107), and maintain a pump therein for public use, provided the same be done so as not to obstruct travel, and the gutter be properly bowldered, under the direction of the City Civil Engineer, at his own expense.”

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

APPROPRIATION ORDINANCES.

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

The Fire Board introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time :

Ap. O. 49, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$609.10.]

And it was passed by the following vote:

AYES, 19—viz.: Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

The Hospital Board introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time :

Ap. O. 50, 1884—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, \$1,081.66.]

And it was passed by the following vote:

AYES, 19—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

By the Committee on Accounts and Claims, through Councilman McClelland, the following entitled ordinance was introduced and read the first and second times :

Ap. O. 51, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

On motion by Councilman Newcomb, the following claims were ordered inserted in the above ordinance :

Indianapolis, Ind., Oct. 6th, 1884.

CITY OF INDIANAPOLIS,

To Chas. G. Mueller,

Dr.

To professional services rendered in the construction of the west wing and additions to the City Hospital buildings:

Estimate to the builder No. 5\$4,000 10×3½ per cent.....\$140.00.

Approved.

W. C. NEWCOMB, Pres't. Hospital Board.

CITY OF INDIANAPOLIS,

In account with Peter Routier, Contractor:

For building the west wing and additions to the City Hospital buildings.

[Estimate No. 5.]

Indianapolis, Oct. 6th, 1884.

Total amount of work done and materials furnished.....	\$20,106 00
Less 15 per cent	\$ 3,015 90
Less Estimates No. 1, 2, 3, 4.....	13,090 00 16,105 90
Amount due on account.....	\$ 4,000 10

Total of former estimates.....	\$13,090 00
Total to date.....	17,090 10

CHAS. G. MUELLER, Architect.

W. C. NEWCOMB, Pres't. Hospital Board.

The ordinance was then ordered engrossed, read the third time, (amount appropriated, \$19,980.34), and passed, by the following vote:

AYES, 19—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

By the City Clerk, on behalf of the Police Commissioners, the following entitled ordinance was introduced, read the first and second times:

Ap. O. 52, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Station House.

Councilman Trusler offered the following motion as to the above ordinance; which was adopted, and Councilmen Spahr, Newcomb and Downey appointed as the members of such committee.

That the bills for printing, sponges and repairs reported from Board of Police Commissioners be referred to special committee of three, with the City Attorney, who shall report to the Council as to the powers of Police Board to incur such expense and the liability of this Council in the premises.

The ordinance was then ordered engrossed, read the third time, (amount appropriated, \$322.75), and passed, by the following vote:

AYES, 19—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

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

Ap. O. 53, 1884—An ordinance appropriating the sum of Three Thousand (\$3,000) Dollars, on account of the Street Repair Department of the City of Indianapolis,

And it was passed by the following vote:

AYES, 19—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

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. 122, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Garden street, between Illinois street and the first alley east of Illinois street.

By Councilman Downey, accompanied with petition:

S. O. 123, 1884—An ordinance to provide for grading and bowldering the first alley west of Liberty street, from New York street to Miami street.

Indianapolis, Sept. 30th, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley west of Liberty street, between New York and Miami streets, respectfully petition for the passage of an ordinance providing for grading and bowldering the above described alley, between the points named.

John Grosch, about 200 feet, one entire front; Spring,
by John Grosch, 35 feet.

By Councilman Mack, for Councilman Curry:

S. O. 124, 1884—An ordinance to provide for grading and graveling Tennessee street and sidewalks, from Ray street to Morris street.

By Councilman Edenharter, which was referred to the Committee on Streets and Alleys, to report upon at the next meeting:

G. O. 69, 1884—An ordinance repealing an ordinance entitled "An ordinance authorizing Mary J. Vance to lay and maintain a Railroad switch track along an alley and across east Market street, in the City of Indianapolis," ordained December 21, 1883.

By Councilman Haugh:

S. O. 125, 1884—An ordinance to provide for re-paving with brick the sidewalks of Massachusetts avenue (where not already properly paved), from Delaware street to North street.

By Councilman McClelland:

G. O. 70, 1884—An ordinance providing for the construction of a brick sewer in and along Massachusetts avenue, from Bellefontaine street to Alabama street.

By Councilman Newcomb, which was referred to the Committee on Railroads:

G. O. 71, 1884—An ordinance to prohibit smoking on street cars, in the City of Indianapolis

By Councilman Pearson:

G. O. 72, 1884—An ordinance amending Section three of an ordinance entitled "An ordinance regulating the granting of Theatre licenses," ordained April 28th, 1884.

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, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

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

AYES, 18—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

By Councilman Pearson, for Councilman Rees, which was referred to the Committee on Public Light :

S. O. 126, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on the southwest corner of Wabash street and the first alley east of Tennessee street.

By Councilman Pearson, for Councilman Cowie :

S. O. 127, 1884—An ordinance to provide for grading and graveling the first alley south of North street, from West street to California street.

By Councilman Reynolds, which was referred to the Committee on Public Light :

S. O. 128, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Home avenue, between Peru and Yandes streets.

By Councilman Smither:

S. O. 129, 1884—An ordinance to provide for grading and graveling the first alley north of Third street, from West street to the first alley west of West street.

By Councilman Spahr, which was referred to the Committee on Public Light :

S. O. 130, 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,

By Councilman Spahr:

S. O. 131, 1884—An ordinance to provide for grading and paving with brick the north side of Seventh street, from Central avenue to the W., St. L. & P. Railroad.

By Councilman Spahr, accompanied with petition:

S. O. 132, 1884—An ordinance to provide for grading and graveling the first alley south of Seventh street, from Delaware street to Alabama street.

Indianapolis, Sept. 10, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on Delaware street, between Sixth and Seventh streets, respectfully petition for the passage of an ordinance for grading and graveling the first alley running east from Delaware street, to the alley running north and south between Delaware and Alabama streets.

George W. Snider, Cynthia Butsch.

By Councilman Trusler, accompanied with petition:

S. O. 133, 1884—An ordinance to provide for grading and graveling the first alley north of Woodlawn avenue, from Linden street to Laurel street.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley north of Woodlawn avenue, between Linden and Laurel streets, respectfully petition for the passage of an ordinance providing for grading and graveling said alley between the points named.

John Updyke, 162 Woodlawn avenue; Frances I. Fulmer, Nos. 164 and 165, Pleasant street; Carl Weiland, Joseph Allerdice, 174 Woodlawn avenue.

By Councilman Wharton:

S. O. 134, 1884—An ordinance to provide for grading Hall Place street and sidewalks, from Seventh street to Eighth or Williams street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin presented the following petitions to S. O. 114 and 115, 1884:

Indianapolis, Sept. 20, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on Chesapeake street, between Illinois and Tennessee streets, respectfully petition for the passage of an ordinance for grading and bowdizing and paving said street between the points named.

V. T. Malott, 202½ feet; H. C. Wilson, 101 feet; Oscar T. Hord, 90 feet.

Indianapolis, Sept. 20th, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley east of Tennessee street, between Georgia and Maryland streets, respectfully petition for the passage of an ordinance for grading and bowdizing said alley between the points named.

V. T. Malott, 65 feet; H. C. Wilson, 195 feet.

Councilman Dowling presented the following petition, accompanied with motion :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—We, the undersigned tax payers, would most respectfully petition your honorable bodies to have the bridge over Pogue's Run, on Eddy street, re-built. Your petitioners are owners of valuable improvements in the vicinity of said locality, and in case of fire, the fire department certainly would have to work at disadvantage by said bridge being out, and cause heavy loss to us thereby, besides other advantages to our business would be gained by re-building said bridge.

Respectfully submitted,

Lew. H. Bome, Ephraim Fry, Samuel Marth, Tim. Griffin, Woodburn "Sarven Wheel" Co., E. C. Atkins & Co., C. McGroarty.

In view of the absolute necessity of said bridge in case of fire in the rear of the large and valuable manufactories in the foregoing locality, I would respectfully urge the wisdom of erecting the foregoing Eddy street bridge.

J. H. WEBSTER, Chief Fire Engineer.

That the Committee on Contracts, in view of the foregoing petition from the aforesaid property owners and tax payers on said Eddy street, be directed to award the contract to the lowest and best bidder, as per bids received at previous meeting of this Council, for building and erecting said Eddy street bridge across Pogue's Run.

Which were referred, on motion by Councilman Thalman, to the Committee on Bridges, with instructions to report at the next meeting, by the following vote:

AYES, 15—viz. Councilmen Doyle, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS, 4—viz. Councilmen Benjamin, Dowling, Downey, and Edenharter.

Councilman Dowling offered the following motion; which was adopted :

That "Richards & Butler," manufacturers, be directed by the Superintendent of Police and Street Commissioner to immediately remove all boilers, timber and other articles of merchandise from Missouri street, on the west side of their premises, as said articles are a nuisance.

Councilman Downey offered the following motion; which was referred to the Committee on Accounts and Claims, and City Attorney :

Resolved, That the City Treasurer be, and is hereby, instructed to pay Peter Zion the sum of fifty dollars on account of damage sustained to his horse and grocery delivery wagon, the same being caused by the city's defective bridge at the intersection of Yeizer and Franklin streets, about September 13, 1884.

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

That the City Civil Engineer be, and is hereby, instructed to direct the Gas Company to re-mantle and re-light the lamp on the south side of Ohio street, between Delaware and Alabama streets.

Councilman Downey offered the following resolution:

Resolved, That the Indianapolis Water Company be, and are hereby, directed to lay water mains in and along New York street, from East street to Noble street, hydrants to be located according to contract, under the direction of the Chief Fire Engineer.

Which was adopted, by the following vote:

AYES, 18—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS, 1—viz. Councilman Trusler.

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

That the Street Commission be, and he is hereby, directed to fill the chuck-holes in East street, from Washington street to New York street.

Councilman Doyle offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, directed to notify the Gas Company to remove all gas posts now on the sidewalk just completed, on the south side of the National Road, from White River to the L, B, & W. Railway tracks, moved to the outer edge of said sidewalk.

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

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

Gentlemen:—The undersigned respectfully petition for the widening of Hermann street to a width of forty (40) feet, by condemning twenty (20) feet off of the west side of Lot No. fourteen (14), in M. E. and W. P. Noble's subdivision of Out-lot No. 61, in said city. A plat of such proposed widening is herewith attached, and made a part of this petition.

Respectfully,

John Hermann, Fred. W. Fehring, Henry Wiese,
Carl Feldt.

Councilman Gallahue offered the following motion; which was adopted:

That Charles E. Hawthorn be permitted to pave sidewalks, corner of Greer and Dillon streets, according to the instructions of the City Civil Engineer, at his own expense.

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

That the Street Commissioner be, and is hereby, directed to notify the property owner on east side of Alabama street, between Michigan street and first alley north of Michigan street, to raise the brick sidewalk to proper grade, between the the points named. If not done in within thirty days, the Street Commissioner to do the work and collect the cost thereof from the property owner according to law.

That J. W. Smith & Son be authorized to replace brick walk with bowlders for crossing of vehicles, at the rear of their bakery, on the west side of Liberty street, the same to be done at their own expense and under the direction of the City Civil Engineer.

Councilman Mack offered the following motion; which was adopted:

That Fred. Klare be, and is hereby, permitted to grade and gravel the alley in rear of lots 24, 25 and 26, out-lot 120, McCarty's subdivision, at his own expense, and under the direction of the City Civil Engineer.

Councilman Moran offered the following motion; which was adopted:

That D. Vielhaber have permission to bowlder the gutter and curb the sidewalk with stone in front of his property, at the southwest corner of Georgia and Benton streets, said work to be done at his own expense, and under the direction of the City Civil Engineer, and that the City Civil Engineer be, and is hereby, ordered to set the grade-stakes for said work.

Councilman McClelland offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, directed to notify the Gas Co. to remove the first lamp-post southwest of John street, on the south side of Massachusetts avenue, to the northwest corner of Massachusetts avenue and John street.

Councilman Newcomb offered the following motion; which was adopted:

That George Mansfield be permitted to lay a brick pavement in front of his property on Walnut street, on south side, from East street to first alley west, 195 feet, at his own expense, and under the direction of the City Civil Engineer.

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

That the City Civil Engineer be, and is hereby, instructed to dismantle the first lamp-post north of McCarty on the west side of East, and to remantle the lamp-post in front of 542 south East street, the west side of East street.

That the Street Commissioner be, and is hereby, directed to notify the property owners on the corner of Valley street and south East street, 295 south East and 311 south East to remove the shade-trees that are now obstructing the passage way on the sidewalk and are dangerous to the people who use said street. If the owners of said property fail to remove said trees in ten days, the Commissioner to remove the same at the expense of the property owners.

That Mr. Samuel Keeley be granted the right to grade and gravel the sidewalk in front of his lot, No. 23, in Beaty's addition to the City of Indianapolis, at his own expense, the work to be done under the direction of the City Civil Engineer.

That the City Civil Engineer be, and is hereby, instructed to dismantle the lamp-post on the southeast corner of Daugherty and South East streets, and remantle the lamp-post in front of the Bristol Block, on the west side of Virginia avenue.

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

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

Gentlemen:—The undersigned respectfully petition your honorable bodies to open out and extend the first alley west of Shelby street, from its present northern terminus through Lot 1, Daugherty's subdivision of Out lot 99, to Coburn street; also to vacate the present first alley west of Shelby street through said lot. A plat of the proposed opening and extension is herewith filed, and made a part of this petition.

Respectfully,

August Richter, Ambrose Hodges, W. H. Carle,
Fred. Burgman.

Councilman Dowling was excused for the remainder of this session.

Councilman Smither presented the following petition; which was granted:

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

Gentlemen:—Your petitioner would respectfully represent that he is the owner of lot No. 34, in Drake & Mayhew's second addition to the City of Indianapolis, Marion county, Indiana, and being 477 Indiana avenue. Your petitioner hereby asks that a permit be granted him to pave the sidewalk in front of said lot with brick, at his own expense, subject to the supervision and direction of the City Civil Engineer, and as in duty bound your petitioner will ever pray.

Christoph Hilgenberg, pr. C. A. Hilgenberg, Att'y.

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

That H. C. Roney have permission to curb with stone and pave with brick the sidewalk in front of his property on Park avenue, at his own expense, and under direction of the City Civil Engineer.

That the City Attorney be, and he is hereby, instructed to report at the next meeting of the Council, what authority, if any, the Board of Police Commissioners have over the sanitary or health officers of the city; and what right, if any, said Board has to remove and appoint said officers, and whether or not the city can give to said sanitary officers police powers.

Councilman Spahr offered the following resolution; which was referred to the Committee on Streets and Alleys, and City Attorney:

WHEREAS, At meetings of the Common Council and Board of Aldermen, held June 16th and 23d, 1884, respectively, there was ordered the vacation of a part of Herbert street, extending east of Meridian street, in W. H. Morrison's addition to the City of Indianapolis; and whereas, the matter of the vacation was not referred to the City Commissioners, and since the attempted vacation of a part of said street has come to the knowledge of the surrounding property owners, there is much objection thereto; and as the proceedings in the matter of such vacation have been irregular; therefore

Moved, That the matter be referred to a committee, with instructions to make further investigation, and report at the next regular meeting of the Common Council, the facts of the case, and, if found necessary, to report a resolution rescinding the action of the Common Council and Board of Aldermen in this matter.

Councilman Thalman offered the following motion; which was adopted:

That the City Civil Engineer be directed to move the first lamp-post east of the alley between Illinois and Meridian streets, on Washington street, to the mouth of said alley.

Councilman Thalman presented the following claim; which was referred to the Committee on Accounts and Claims:

THE CITY OF INDIANAPOLIS,

To A. Bruner, Dr.

To repairing and renewing cellar wall of English's Block, on the northwest corner of Noble and Washington streets, washed out by the overflow of Pogue's Run, in November, 1883.....	\$ 50 00
To cleaning out and hauling away mud washed into the main sewer on Washington street, by same overflow	325 00
To damage to hoisting engine thrown into the ditch and broken up, by the same overflow of Pogue's Run	350 00
	\$725 00

STATE OF INDIANA, Marion County, ss:

Personally appeared before the undersigned, a Notary Public in and for said County and State, A. Bruner, who, being duly sworn, on oath says the within account is just, due and unpaid.

A. BRUNER.

Sworn and subscribed to this 30th day of June, 1884.

[Seal.]

WM. C. PHIPPS, Notary Public.

Councilman Thalman presented the following petition; which was referred to the City Attorney:

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

Gentlemen:—Your petitioners would most respectfully represent that Lots number 5 and 14, and 15 and 16, and 17 and 18, in Metzger & Robinius' subdivision of Square seventy (70), in Indianapolis, on which lots your city now holds a lease, which lease was in full force and effect in the years 1880 and 1881, and that said lots were sold for delinquent taxes in said years 1880 and 1881, date of said sale March 8th, 1882; that said lots were purchased at the sale of lots for delinquent taxes for State and County taxes, and W. T. Steele purchased the lots, and afterwards said lots were per value legally assigned on the certificate to William Harper Morrison, and tax title deeds were by the Auditor of the County of Marion duly and legally issued to said Wm. Harper Morrison, and said Morrison is now the owner, and holds possession of said tax titles; and that your petitioners are informed and believe that under the lease aforementioned said city is legally bound to pay all taxes on said lots by the terms of said lease; and therefore your petitioners would respectfully represent that in justice to all parties, the lien on said lots for said delinquent taxes, with interest, penalties and costs, ought to be paid by said city, without litigation or further costs or trouble, and save your petitioners the necessity of having other recourse.

William Harper Morrison, per Robt. E. Smith, Att'y.;
George C. Ogden and Mary B. Ogden; owners of the
property, by C. E. Coffin & Co., agents.

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

That the Street Commissioner be, and is hereby, instructed to repair the embankment at the east side of the south abutment of the Shelby street bridge.

Councilman Trusler offered the following resolution:

WHEREAS, A large number of residents of the southeastern portion of the city have petitioned the Council to take action looking to the erection of a drinking fountain and urinal at the southern terminus of Virginia avenue; and,

WHEREAS, It is believed that such an improvement would be of great public benefit, and that there is ample unused space at the junction of Virginia avenue, Coburn, Shelby, Prospect and Dillon streets to accommodate such a structure without interfering with public travel on any of said streets; therefore,

Resolved, That said petitioners be, and they are hereby, authorized to erect on the open unused space at the juncture of said streets, at their own expense, a structure not exceeding six and one-half feet square at the base and not more than fifteen feet high, the exact location thereof being first designated by the City Civil Engineer: *Provided*, That all water and gas connections therewith shall be made without cost to the city, and all water and gas for said fountain and urinal be furnished free of cost to her for one year from the opening thereof.

Which was adopted, by the following vote:

AYES, 16—viz. Councilmen Benjamin, Doyle, Edenbarter, Gallabue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Trusler, and Wharton.

NAYS, 1—viz. Councilman Thalman.

Councilman Wharton offered the following resolution; which was adopted:

Resolved, That the City Civil Engineer be, and is hereby, directed to advertise for bids to build a bridge over the Canal, on Sixth street, according to plans and specifications to be on file in his office.

On motion, the Common Council then adjourned.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.