

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—NOVEMBER 7, 1884.

The Common Council of the City of Indianapolis, met in the Council Chamber, Friday evening, November 7th, A. D. 1884, at seven o'clock, in adjourned session.

PRESENT—Hon. John L. McMaster, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and 18 members, viz: Councilmen Benjamin, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wharton.

ABSENT, 7—viz. Councilmen Cowie, Coy, Curry, Downey, Moran, Rees, and Wolf.

The Proceedings of the Common Council for the special sessions, held October 27th and October 29th, 1884, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

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 R. P. Dunning, for grading and paving with brick the south sidewalk of Vermont street, from Blackford street to the first alley west of Bright street.

343.50 lineal feet, at 34 cents	\$116 80
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A first and final estimate in behalf of Chas. S. Roney, for grading and paving with brick the sidewalks of Valley street, from East street to the second alley east of East street.

465.80 lineal feet, at 33 cents.....	\$153 11
22.80 lineal feet double walk-stone, at 64 cents.....	14 60
13.43 square yards bowldering wings, at 58 cents.....	7 79

\$175 50

A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick the sidewalks of Cedar street, from Virginia avenue to Dillon street.

3,186.60 lineal feet, at 34 cents	\$1,083 45
447.60 lineal feet double walk-stone, at 63 cents.....	281 99
310 22 square yards bowldered wings, at 58 cents	179 93

\$1,545 37

A first and final estimate in behalf of R. P. Dunning, for grading and paving with brick the east sidewalk of Douglass street, from New York street to Michigan street.

882.15 lineal feet, at 34 cents..... \$399 73

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 R. P. Dunning, for grading and paving with brick the south sidewalk of Vermont street, from Blackford street to the first alley west of Bright 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, 13—viz. Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, Newcomb, Pearson, Reinecke, Sheppard, Smither, Spahr, Trusler, and Wharton.

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 Charle S. Roney, for grading and paving with brick the sidewalks of Valley street, from East street to the second alley east of East 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, 13—viz. Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, Newcomb, Pearson, Reinecke, Sheppard, Smither, Spahr, Trusler, and Wharton.

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 Cedar street, from Virginia avenue to Dillon street, be; and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 13—viz. Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, Newcomb, Pearson, Reinecke, Sheppard, Smither, Spahr, Trusler, and Wharton.

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 and paving with brick the east sidewalk of Douglass street, from New York street to Michigan 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, 13—viz. Councilmen Benjamin, Edenharter, Gallahue, Haugh, Mack, Newcomb, Pearson, Reinecke, Sheppard, Smither, Spahr, Trusler, and Wharton.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, and the contracts and bonds approved:

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

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

Contract and bond of John H. Freaney, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on the following streets:

Dorman street, between John and Campbell streets. Bond, \$100.00; surety, John F. Holt

John street, between Massachusetts avenue and Dorman street. Bond, \$100.00 surety, John F. Holt.

Shelby street, between Prospect and Willow streets. Bond, \$100.00; surety, John F. Holt.

Bracket lamp on first alley north of Washington street, between Illinois and Meridian streets. Bond, \$10.00; surety, John F. Holt.

Contract and bond of J. D. Hoss & Co., for grading and graveling the first alley west of De'aware street, from Seventh street to Eighth street. Bond, \$400.00; surety, R. P. Dunning.

Contract and bond of David A. Haywood for grading and paving with brick the east sidewalk of Madison avenue, from Nebraska street to Lincoln Lane. Bond, \$700.00; surety, H. C. Roney

Contract and bond of David A. Haywood, for grading and paving with brick the east sidewalk of Tennessee street, from McCarty street to Merrill street. Bond, \$400.00; surety, H. C. Roney.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the city treasury during the month of October, 1884, viz:

Board of Health.....	\$ 100 00
Bridges.....	898 78
City Assessor's Department.....	193 65
City Civil Engineer's Department.....	152 05
City Dispensary.....	244 64
City Hall.....	487 50
City Hospital and Branch.....	1,081 66
City Hospital addition.....	4,140 10
City Treasurer's per centage.....	101 28
Cisterns.....	2,602 44
Fire Department.....	5,529 10
Gas.....	5,471 55
Incidentals.....	84 57
Markets.....	39 00
Market Masters' fees.....	269 40
Parks.....	170 00
Police.....	4,791 02
Pogue's Run.....	167 75

Printing.....	\$ 332 82	
Salary.....	5,561 25	
Station House.....	322 75	
Street improvements.....	4,329 63	
Street openings and vacations.....	1 35	
Street repairs.....	3,839 86	
		\$ 40,912 15
School fund.....	\$ 305 52	
Sinking fund.....	41 66	
Tomlinson Estate.....	14 40	
		361 58
Total.....		\$ 41,273 73

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

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

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

RECEIPTS

From auction licenses.....	\$ 45 00
From benefits.....	60 40
From coal licenses.....	46 00
From dray licenses.....	4 05
From dog licenses.....	18 00
From express licenses.....	39 60
From fines and fees.....	486 10
From hack licenses.....	36 00
From huckster licenses.....	36 00
From liquor licenses.....	728 00
From Market-masters' fees.....	403 65
From peddlers' licenses.....	26 00
From show licenses.....	135 00
From sale of old material (Fire Department).....	50 56
From taxes delinquent.....	1,646 16
Total.....	\$ 3,760 52
Balance on hand October 1, 1884.....	44,317 28
	\$ 48,077 80

DISBURSEMENTS.

For Board of Health.....	\$ 100 00
For bridges.....	898 78
For cisterns.....	2,602 44
For City Assessor's department.....	193 65
For City Civil Engineer's department.....	145 80
For City Dispensary.....	241 02
For City Hall.....	37 50
For City Hospital and Branch.....	5,320 55
For Fire Department.....	5,505 71
For gas.....	5,471 55
For incidentals.....	94 57
For markets.....	35 00
For Market-masters' fees.....	269 40
For parks.....	180 00
For Pogue's Run.....	124 25
For police.....	4,759 02

For printing.....	\$ 332 82
For salary.....	5,523 75
For sinking fund.....	41 66
For Station House.....	327 70
For street improvements.....	4,329 63
For street openings and vacations.....	1 35
For street repairs.....	3,790 95
Total.....	\$ 40,331 10
Balance on hand November 1, 1884.....	7,746 70
	<u>\$ 48,077 80</u>

TOMLINSON ESTATE.

Receipts.

Balance on hand October 1, 1884, as per last report.....	\$ 64,827 74
Rents.....	105 89
	<u>\$64,933 63</u>

Disbursements.

Repairs, etc.....	\$ 14 40
Balance on hand November 1, 1884.....	64,919 23
	<u>\$ 64,933 63</u>

ADDITIONAL CITY HALL FUND.

Balance on hand October 1st, 1884, as per last report.....	\$ 45,749 94
Balance on hand November 1st, 1884.....	<u>\$ 45,749 94</u>

SINKING FUND.

Balance on hand October 1st, 1884.....	\$ 30,697 67
From September taxes.....	41 66
	<u>\$ 30,739 33</u>
Balance on hand November 1st, 1884.....	<u>\$ 30,739 33</u>

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:

Fred. Gansberg vs. Stephen Gray, for.....	\$ 49 11
J. D. Hoss & Co. vs. James D. Stevenson, for.....	18 07
J. D. Hoss & Co. vs. Herman N. Kunz, for.....	25 60
J. D. Hoss & Co. vs. Fannie P. Stark, for.....	25 60
David A. Haywood vs. Rockwell M. Thompson, for.....	236 52

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

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

AYES, 13—viz. Councilmen Benjamin, Dowling, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Sheppard, Smither, Spahr, Trusler, and Wharton.

NAYS, 1—viz. Councilman Edenharter.

The City Clerk presented the following application; which was granted :

Indianapolis, Ind., Oct. 28, 1884.

HON. GEORGE T. BREUNIG, City Clerk :

Dear Sir:—I hereby apply to the City of Indianapolis for a license to conduct a place of amusement in this city, known as English's Opera House.

Very respectfully, WILL. E. ENGLISH.

The Superintendent of the City Hospital and Branch submitted his reports for August, September and October, 1884; which were received, and placed on file in the City Clerk's office.

The Superintendent of the City Dispensary submitted his report for October, 1884; which was received, and placed on file in the City Clerk's office.

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 rents collected from Tomlinson Estate for the month of September, 1884, viz:

Mary Dwyer, No. 113 north Illinois street	\$ 30 00
H. C. Overman, No. 115 north Illinois street.....	30 00
W. H. Mahan, No. 117 north Illinois street	30 00
	\$90 00
Less 3½ per cent.....	3 15
	\$86 85

Nov. 3, 1884.

Respectfully submitted,

WM. HADLEY, Agent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

Councilman Newcomb, in behalf of the Hospital Board, presented the following estimates; which were approved, and ordered inserted in the appropriation ordinance :

[Estimate No. 6.]

Indianapolis, Nov. 6th, 1884.

CITY OF INDIANAPOLIS,

In account with Peter Routier, Contractor:

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

It is hereby certified, that the following materials have been furnished, and workmanship executed, in accordance with conditions of contract.

Due on account of his contract (two thousand dollars).....	\$2,000 00
Total of former estimates.....	\$17,090 10
Total to date.....	19,090 10

CHAS. G. MUELLER, Architect.

Approved.

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

Indianapolis, Ind., Nov. 6th, 1884.

CITY OF INDIANAPOLIS,

To Chas. G. Mueller, Dr.

For professional services rendered in the construction of the addition and west wing—additions to the City Hospital buildings.

Estimate No. 6 to builder, \$2,000, at $3\frac{1}{2}$ per cent..... \$70 00

Approved,

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

The Board of Health presented the following communication; which was received:

Indianapolis, Nov. 1st, 1884.

To the Honorable Council and Board of Aldermen:

Gentlemen:—We wish to inform your honorable body that at a meeting of the Board of Health on October 17th, 1884, Moses T. Runnels, M. D., was elected Secretary, to fill the unexpired term of Dr. E. S. Elder, resigned.

Very respectfully,

J. A. SUTCLIFFE, M. D., Pres't.

M. T. RUNNELS, Sec'y., per "G."

The Board of Health submitted the Mortality reports for the four weeks ending October 31st, 1884; which were read and received.

REPORTS FROM THE BOARD OF CITY COMMISSIONERS.

The Board of City Commissioners submitted the following reports; which were severally received:

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

Gentlemen:—The undersigned, members of the Board of City Commissioners, duly appointed, qualified and acting under the provisions of the Statutes of the State of Indiana, in relation to the laying out, opening, widening, altering and vacation of streets and alleys, beg leave to submit the following report in the case of the petition of Kingan et al., to vacate a portion of Helen street:

1st. We met on the 26th day of September, 1884, in pursuance of notice of the City Clerk, found the papers in regular order, and by mutual agreement of the petitioners and a committee of the Council, it was agreed that fourteen feet, instead of eighteen feet, be vacated. We proceeded to view the ground and the surrounding property, and found that the petitioners were the sole owners of the ground on both sides of the street, with one exception; and the petitioners agreeing to obtain the consent of that party, on a general waiver as to time, in order that the petitioners may proceed with the construction of a switch along the west side of Helen street, it was agreed by the Board that the petitioners assuming the responsibility as to time, notify the interested property holders to meet the Commissioners on the 4th day of October, 1884, at 10 o'clock, A. M., at the City Clerk's office, to hear evidence and further consider the matter of said vacation.

2d. We made report of said facts to the City Clerk, and required said Clerk to have the petitioners notify Jason Carey's heirs to meet the City Commissioners on said 4th day of October.

3d. We further report that we met at the time and place named, and due service had been made on the interested parties and Simeon B. Carey, one of the Executors of the will of Jason S. Carey, appeared and asked that an adjournment be made to give opportunity to be heard by the attorney representing the Carey heirs. Whereupon the Board adjourned to meet on the 11th day of October, 1884, at 10 o'clock, A. M.

4th. We further report that we met as per adjournment, all interested parties

being represented, and it was mutually agreed that the petition for vacation be withdrawn; and it was also agreed by the representatives of the Carey heirs that no objection would be made by them to the laying down of a switch along the west side of Helen street.

5th. We further report that the expenses attending the proceedings of the vacation of Helen street, have been forty-eight dollars.

James C. Yohn,
John L. F. Steeg,
Wm. Hadley,
F. W. Hamilton,
Aug. M. Kuhn,
City Commissioners.

Report of the Board of City Commissioners in the case of the vacation of the first alley south of North street.

1st. In pursuance of notice of the City Clerk, the City Commissioners met (a majority of them) on the 15th day of August, 1884, in the case of the petition of the Sisters of Providence to vacate the first alley south of North street, running from Noble street to the first alley west of Noble street.

2d. We did, at that time and place, enter upon the consideration of the vacation of the alley above described. We did, on said 15th day of August, proceed to view the ground and examine the alley proposed to be vacated, also the contiguous property along the line, and the property in the neighborhood, with a view of ascertaining what property would be benefited and what property damaged; and did then file with the City Clerk a report giving a description of the property, with the name of the owner of each particular lot, which report also instructed the City Clerk to have the petitioners notify each property owner to meet the City Commissioners on the 13th day of October, 1884, in the City Clerk's office at 10 o'clock, A. M. Said report is filed herewith, as a part hereof, and marked exhibit "C."

3d. That they did meet on the said 13th day of October, at the time and place named, and entered upon the further consideration of said vacation, by examining under oath various witnesses and interested parties in relation to vacating the alley herein described. Two of the interested property holders (Bernhard Koehring and Samuel Rodenberger) objected to closing the alley, on the ground that it would *damage* their property in value, and for rental purposes. Whereupon the City Commissioners agreed to report the facts to your honorable body, in accordance with the provisions of the Statutes of the State of Indiana, as contained in the 19th Section of said Act: "In case any property holder immediately upon the line of said street, alley, highway or square, who is directly interested therein shall object to such vacation, the City Commissioners shall report such facts to the Common Council."

4th. The costs in this case have been \$33.00.

Respectfully submitted,

William Hadley,
John L. F. Steeg,
James C. Yohn,
Aug. M. Kuhn,
F. W. Hamilton,
City Commissioners.

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

Gentlemen:—A full Board of the City Commissioners met as per adjournment, in the case of the petition of John Roberts et al., to vacate Wheeler street, from Hill avenue to the C., C. & I. R. R. On examination of the papers, it was found that no return of service had been made on the property holders interested in said vacation. And the City Clerk informed that the petitioners had been duly furnished with a list of the names of the property holders as contained in our report to him on September 3d, to have the petitioners notify the property holders along the line of said street and vicinity to meet the Commissioners on the 27th day of Octo-

ber, 1884; but the petitioners having failed to give such notice, or put in an appearance for themselves, it was unanimously agreed to recommend your honorable bodies to dismiss further proceedings in the case, on account of the petitioners having failed to give the legal notice in the case. The costs in the case is \$33.00.

Respectfully submitted,

Oct. 27th, 1884.

WM. HADLEY, Sec'y. of Board.

Councilman Thalman offered the following motion; which was adopted:

That the City Treasurer be directed to collect the cost of the Commissioners and other expenses connected with the several petitions for vacating certain streets and alleys, which have failed to pass.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Judiciary, through Councilman Newcomb, submitted the following reports; which were severally concurred in:

To the Mayor and Common Council:

Gentlemen:—Since submitting our report of October 6th (see page 878 Proceedings), on petitions for refunding of taxes, we find that the claim of Geo. W. Stubbs, for \$10.52, has not in fact been paid, as therein stated. We relied on the City Treasurer's statement, and he was misguided by the fact that a wrong certificate had been returned by the petitioner on a previous payment. We recommend that the amount be refunded.

Respectfully submitted,

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

To the Mayor and Common Council:

Gentlemen:—Your Committee to whom was referred the petition of R. H. Hurley, for a license for a Concert Saloon at No. 141 west Washington street, have had the matter under consideration, and would respectfully recommend that the license be granted.

Respectfully submitted,

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

The Committee on Public Light, through Councilman Gallahue, submitted the following reports; which were severally concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom the following motion was referred:

“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.”

Recommend the motion be adopted, providing the Councilman from the Ward in which the lamp is located first designate some lighted lamp to be dis-mantled.

Respectfully submitted,

P. M. Gallahue,
Fred. J. Mack,
Theo. F. Smither,
Committee on Public Light.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom the following motions were referred, would report:

1st. “That the City Civil Engineer be instructed to dis-mantle the first lamp

west of Grove street, on the south side of Huron street, and re-mantle the first lamp west of Grove street, on the south side of Elm street."

Recommend the same be adopted,

2d. "That the City Civil Engineer be instructed to dis-mantle the third lamp east of Cedar street, north side of Huron street, and re-mantle the second lamp east of Cedar street, south side of Huron street."

Recommend the lamp-post be moved to the corner of the first alley east of where now located, and said motion adopted.

Respectfully submitted,

P. M. Gallahue,
T. F. Smither,
Fred. J. Mack,
Committee on Public Light.

The Committee on Streets and Alleys, through Councilman Reynolds, submitted the following report, accompanied with a resolution:

To the Mayor and Common Council:

Gentlemen:—Your Committee, to whom was referred the following motion:

"That the Committee on Streets and Alleys report upon the advisability of opening an alley to connect the first alley west of California street, running south from Indiana avenue, with the first alley west of California street, running north from North street, all in Out-lot 160, and of the expediency of referring the matter to the Board of City Commissioners; also, that the City Civil Engineer examine the premises, and report to said committee before the next meeting of the Council, a plan (showing exact measurements), for connecting said alleys, which map may also serve the purposes of the City Commissioners."

Submit herewith the plat of the City Civil Engineer, made in compliance with the above, and advise that the matter be referred to the Board of City Commissioners.

Respectfully submitted,

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

Resolved, That the motion looking to the opening of an alley to connect the first alley west of California street, running south from Indiana avenue, with the first alley west of California street, running north from North street, in Out-lot 160, together with the report of the Committee on Streets and Alleys thereon, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purposes of such laying out and opening, the Common Council and Board of Aldermen do propose to appropriate the real estate designated on the plat accompanying said committee's report, and hereof made a part, the same being more particularly described as follows: Commencing at a point 15 feet west of the northwest corner of Lot 9 in Pitts' subdivision of Out-lot 160; running thence west 91 feet along the south lines of Lots 4 and 5, in Baylor's heirs' subdivision; thence south 12 feet; thence east 91 feet; thence north 12 feet, to the place of beginning.

Which report was concurred in, and the foregoing resolution was adopted, by the following vote:

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

NAYS—None.

The Committee on Finance, through Councilman Thalman, offered the following resolution:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the City Treasurer of said city be, and he is hereby, authorized and instructed to make a temporary loan in the name and on behalf of said city, in anticipation of the current years' revenues, of the sum of one hundred thousand dollars (\$100,000), the same being needed to defray the current expenses of said city; said loan to run until March 15th, 1885; *Provided,* that the interest allowed shall not exceed six per cent per annum, which may be paid in advance or otherwise, as may be most beneficial to the city.

And Resolved further, That the Mayor and City Clerk be, and they are hereby, authorized to execute the obligation to be given for the loan above provided for in the name and on behalf of said city; and for the payment of any such obligation so given, the faith of the City of Indianapolis is hereby irrevocably pledged.

We recommend the adoption of the foregoing resolution,

Isaac Thalman,	Thomas E. Endly,
John R. Pearson,	Wm. A. Cox,
Philip J. Doyle,	Isaac King,
Preston C. Trusler,	Aldermanic Finance Committee.
Julius F. Reinecke,	
Council Finance Committee.	

Which was adopted, by the following vote:

AYES, 16--viz. Councilmen Benjamin, Dowling, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS—None.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, October 27th, 1884, non-concurred in your action in adopting the following motion:

“That the Street Commissioner be authorized to remove the city scales from the West Market Space to the City Hospital, for the purpose of weighing coal as delivered to said hospital.”

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. 54, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,116.21.]

And it was passed by the following vote :

AYES, 13—viz. Councilmen Benjamin, Doyle, Edenharter, Gallahue, Mack, McClelland, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, and Trusler.

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. 55, 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, \$1,259.68.]

And it was passed by the following vote :

AYES, 13—viz. Councilmen Benjamin, Doyle, Edenharter, Gallahue, Mack, McClelland, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, and Trusler.

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. 56, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis.

Councilman Haugh moved to strike out the claim "Wm. D. Griffin, services as Sanitary Policeman, \$62.00."

On motion by Councilman Spahr, the above motion was laid on the table, by the following vote:

AYES, 10—viz. Councilmen Benjamin, Doyle, McClelland, Newcomb, Pearson, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS, 7—viz. Councilmen Dowling, Edenharter, Gallahue, Haugh, Mack, Reinecke, and Trusler.

Councilman Edenharter moved to refer the claim to the Committee on Accounts and Claims.

On motion by Councilman Thalman, the above motion was laid on the table, by the following vote :

AYES, 10—viz. Councilmen Benjamin, Doyle, McClelland, Newcomb, Pearson, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS, 6—viz. Councilmen Dowling, Edenharter, Haugh, Mack, Reinecke, and Trusler.

The ordinance was then ordered engrossed, read the third time (amount appropriated, \$12,822.77), and passed, by the following vote:

AYES, 10—viz. Councilmen Benjamin, Doyle, McClelland, Newcomb, Pearson, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS, 7—viz. Councilmen Dowling, Edenharter, Gallahue, Haugh, Mack, Reinecke, and Trusler.

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

Ap. O. 57, 1884—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Station House. [Amount appropriated, \$350.67.]

And it was passed by the following vote:

AYES, 13—viz. Councilmen Benjamin, Doyle, Edenharter, Gallahue, Mack, McClelland, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, and Trusler.

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. 58, 1884—An ordinance appropriating the sum of Two Thousand (\$2,000) Dollars, on account of the Street Repair Department of the City of Indianapolis.

And it was passed by the following vote:

AYES, 13—viz. Councilmen Benjamin, Doyle, Edenharter, Gallahue, Mack, McClelland, Pearson, Reinecke, Reynolds, Smither, Spahr, Thalman, and Trusler.

NAYS—None.

Councilman Thalman offered the following motion; which was adopted:

That the Committee on Accounts and Claims be directed to examine the miscellaneous appropriation ordinance carefully, before it goes to the Board of Aldermen.

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. 139, 1884—An ordinance to provide for grading, bowldering and curbing the gutters, and paving with brick the sidewalks of Chesapeake street, from Illinois street to Tennessee street.

By Councilman Wharton:

S. O. 140, 1884—An ordinance to provide for paving with brick the north sidewalk of Ninth street, from Tennessee street to the first alley east of Tennessee street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Dowling, for Councilman Cowie, offered the following motion; which was adopted:

That the Toledo Oil Company be authorized to place a bowldered roadway across the sidewalk in front of their premises, corner of Market and Blackford streets, subject to the approval of the City Civil Engineer.

Councilman Edenharter offered the following motion:

That the Street Commissioner be directed to build a wooden bridge over Crooked Run at Walcott street, and south of Michigan street.

Councilman Thalman moved to refer the motion to the Committee on Bridges, and Board of Public Improvements.

Councilman Edenharter moved to lay the above motion on the table. Which failed of adoption.

Councilman Thalman's motion was then adopted.

Councilman Newcomb offered the following motion; which was adopted:

That the Street Commissioner notify the owner or owners of the block situated on the west side of north Alabama street, from Pratt street to the first alley north of Pratt street, to repair the sidewalk in front of said block; and if not done in ten days, said Street Commissioner to repair the same at the expense of said property owner or owners.

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

That the City Civil Engineer be, and is hereby, directed to have the contractor for paving sidewalks of California street, between North and Pratt streets, to put in double row of walk stones, and bowldered on all street and alley crossings.

Councilman Smither presented the following proposition; which was accepted:

I will take the Scales on West Market and put the same in repair and pay \$5.00 per month for the same, and also agree to weigh all city matter free of charge.
Nov; 3, 1884. JOSEPH H. HAYS.

Councilman Thalman offered the following motion; which was adopted:

That the Committee on Public Health enquire as to the necessity of Sanitary Police officers, and under whose control they are acting.

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

That W. L. Higgins have permission to lay a track, or railroad switch, across Alabama street, near Virginia avenue, as per plat herewith submitted.

Councilman Trusler presented the following Agreement, accompanied with resolution:

WHEREAS, Proceedings were had in the year 1878, looking to the widening of Shelby street to a uniform width of sixty feet, from Prospect street to the south corporation line, in the City of Indianapolis, which proceedings resulted in the submission of a report by the City Commissioners to the Common Council and Board of Aldermen, on the 4th day of November, 1878, favoring said widening, assessing benefits and awarding damages in said matter, which report was subsequently approved by said Council and Board of Aldermen;

And Whereas, damages in the sum of five hundred dollars were, by said report, awarded to Webb & McGehee, the supposed owners of Lots numbered 18, 19, 20 and 21, of Richter's subdivision of Cress' addition to the City of Indianapolis, for seven and one-half feet of ground to be taken off of the west ends of said lots, in such proposed widening, said five hundred dollars being allowed wholly as damages which would result to the brick building which then stood, and still stands, on said Lot 21, a portion of said building being on said seven and one-half feet to be taken in said widening;

And Whereas, it was ascertained by the City of Indianapolis for the first time after said proceedings were had, that the Hartford Orphan Asylum, of Hartford, Conn., was, during the time of said proceedings, the equitable owner of said lots, and afterwards became the legal owner thereof, by foreclosure and sale of the equity of redemption of said Webb & McGehee;

And Whereas, said Hartford Orphan Asylum was not notified of said condemnation proceedings, and was not therefore bound by the same, and did, during the time it continued to be the owner of said property, object to having said seven and one half feet taken off of the ends of said lots and to receive said five hundred dollars awarded to said Webb & McGehee in lieu of its damages, should the same have been taken;

And Whereas, said Lots 18, 19, 20 and 21, are now the property of the undersigned, by purchase from said Hartford Orphan Asylum;

And Whereas, said street has not yet been actually opened up and improved according to the new lines fixed by the proceedings aforesaid, and as shown by the map on file with the papers in said matter, a transcript of which is recorded in Mortgage Record No. 100, at page 535, in the Recorder's office of Marion County;.

And Whereas, the undersigned is desirous that said street should be so opened up and improved;

Now, therefore, In consideration of the payment to me of said five hundred dollars, I hereby consent that the City of Indianapolis may take said seven and one-half feet off of the west ends of said Lots 18, 19, 20 and 21, and widen said street as contemplated; and I agree to protect and indemnify the City of Indianapolis against the payment of any part of said five hundred dollars over again, to said Webb & McGehee, should they at any time hereafter assert any claim thereto.

Witness my hand and seal, this 31st day of October, 1884.

WILLIAM BEATTY, [Seal.]

Indianapolis, Nov. 5th, 1884.

I agree to the within payment of five hundred dollars to William Beatty, provided it is for my benefit, and to be applied on his payment due to me.

Jos. A. MOORE, Hartford Orphan Asylum,

By Jos. A. Moore, Agent.

Resolved, That the proposition of William Beatty, in regard to the widening of Shelby street, be accepted; and said Beatty having agreed in writing that said five hundred dollars, when appropriated by the city, shall be applied on his debt to Joseph A. Moore, the City Clerk is directed to insert said sum of five hundred dollars in the next appropriation ordinance in the name of William Beatty, for the use of Joseph A. Moore; provided the parties furnish the City Attorney with abstract of title to his satisfaction, and provided the assessments have all been paid into the city treasury.

SIG. 95.

And the resolution was adopted, by the following vote:

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

NAYS—None.

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

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

Gentlemen.—Harrison Kemp, aged 51 years, a citizen and resident of Maywood, near said city, and for the past 20 years a citizen of Marion County, Indiana, shows that he is the owner of a sorrel mare, 8 years old, of the value of \$75 00; that on Monday, October 27, 1884, in the afternoon, as your petitioner was driving his said mare over the bridge on West street over the Canal, she fell partly through said bridge, her hind legs passing through up to her body, and she was thereby bruised and scarred, and made lame in her hind legs, and your petitioner was unable to use her for eight days, and since then she is only able to render partial service, as she has not fully recovered; but your petitioner's necessities compel him to use her. That he never knew of any imperfection in said bridge until his mare was struggling to escape from the hole in the same. That he considers his damages for loss of time, medicine, farrier's bill and injury to his mare, at least fifteen dollars, which he asks your honorable body to order paid.

He also shows that immediately on releasing his mare from said bridge, he took her to Dr. L. N. Perry, 241 west Washington street, for treatment, who charged him \$5.00 therefor. And for an amicable adjustment of his said damages, he respectfully prays. And he makes oath that the matters set forth in the foregoing petition are true.

his
HARRISON + KEMP.
mark.

Subscribed and sworn to this November 7, 1884, before me, a Notary Public for Marion County, Ind
[Seal,]

GEO. CARTER, N. P.

This petitioner I have known for 20 years, and certify that he is an honest man, and I believe his statement to be true.

(Carter & Binford, Att'ys. for Kemp.)

GEO. CARTER, Att'y.,
96 east Washington street.

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

AYES, 9—viz. Councilmen Edenharter, Haugh, Mack, McClelland, Pearson, Reinecke, Smither, Thalman, and Trusler.

NAYS, 5—viz. Councilmen Gallahue, Newcomb, Reynolds, Spahr, and Wharton.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.