

PROCEEDINGS OF JOINT CONVENTION.

SIXTH SESSION—APRIL 6, 1885.

The Common Council and Board of Aldermen of the City of Indianapolis convened in sixth Joint Convention, in the Council Chamber, Monday evening, April 6th, 1885, at half-past eight o'clock, pursuant to the following call:

Indianapolis, Ind., April 6th, 1885.

I hereby call the Joint Convention of the Common Council and Board of Aldermen to meet in the Council Chamber on Monday evening, April 6th, 1885, at 8:30 o'clock, for the purpose of electing two Belt Railroad Directors.

BRAINARD RORISON, Pres't.

President Rorison in the Chair, directed the Secretary to call the roll.

The roll of the members of the Board of Aldermen and Common Council having been called, the following members of the Joint Convention were found to be present:

PRESENT—Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, Tallentire, and President Rorison—8. Councilmen Benjamin, Coy, Curry, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, Wolf, and Mayor McMaster—23. Total present, 31.

ABSENT—Aldermen Cobb, and McHugh—2. Councilmen Cowie, Dowling, and Wharton—3. Total absent, 5.

There being a quorum present from each body, the Chair announced that the Joint Convention was ready for the transaction of business.

On motion, it was ordered that the Joint Convention proceed to the election of two Directors of the Belt Railroad.

The Chair appointed Alderman Pritchard and Councilman Reynolds to act as tellers.

Alderman Pritchard placed in nomination William Harper Morrison.

Councilman Thalman placed in nomination John M. Kitchen.

Alderman Bernhamer placed in nomination James Renihan.

Councilman Rees placed in nomination John Caven.

A ballot was then had, which resulted as follows:

William Harper Morrison received 22 votes.

John M. Kitchen received 25 votes.

James Renihan received 9 votes.

John Caven received 6 votes.

Messrs. Morrison and Kitchen having thus received a majority of all the votes cast, they were declared by the President duly elected Directors of the Belt Railroad.

On motion by Councilman Pearson, the Joint Convention adjourned, to meet again at the call of the President.

BRAINARD MORRISON, President.

Attest: GEO. T. BREUNIG, City Clerk,

Secretary.

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—APRIL 6, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 6th, A. D. 1885, 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 23 members, viz: Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

ABSENT, 2—viz. Councilmen Cowie, and Wharton.

The Proceedings of the Common Council for the sessions held March 16th, 1885, and March 31st, 1885, 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 for the erection of lamp-posts, were opened, read, and referred to the Committee on Contracts:

(S. O. 50, 1878)—For the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Agnes street, between New York and North streets.

(S. O. 101, 1884)—For grading and graveling the roadway of Greenbrier Lane, from Fernway to the Belt Railroad.

(S. O. 102, 1884)—For grading and graveling the roadway of Bloyd street, from Greenbrier Lane to Fountain street.

(S. O. 13, 1885)—For grading and paving with brick the east sidewalk of Delaware street, from Seventh street to Eighth street.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Newcomb, submitted the following report; which was concurred in, and the contracts severally awarded as recommended:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—The Committee on Contracts, to whom were referred the proposal received March 16th, 1885, have examined the same, and find them to be as follows, to-wit :

1st. For grading and graveling Hanna street and sidewalks, from Ohio street to Market street.

Fulmer & Seibert.....	74 cents per lineal foot front on each side.
J. L. Spaulding.....	67 cents per lineal foot front on each side.
J. H. Forrest.....	67 cents per lineal foot front on each side.
Hanway & Cooper.....	65 cents per lineal foot front on each side.
Richter & Twiname ..	65 cents per lineal foot front on each side.
Geo. W. Seibert, Sr.....	64 cents per lineal foot front on each side.
Geo. W. Buchanan.....	63 cents per lineal foot front on each side.
S. W. & R. H. Patterson...	57 cents per lineal foot front on each side.

S. W. & R. H. Patterson being the lowest and best bidders, recommend they be awarded the contract.

2d. For grading and graveling Hanna street and sidewalks, from Washington street to Market street.

Fulmer & Seibert.....	77 cents per lineal foot front on each side.
J. L. Spaulding.....	70 cents per lineal foot front on each side.
Richter & Twiname.....	69 cents per lineal foot front on each side.
Geo. W. Seibert, Sr.....	68 cents per lineal foot front on each side.
Geo. W. Buchanan....	67 cents per lineal foot front on each side.
S. W. & R. H. Patterson...	66 cents per lineal foot front on each side.
Hanway & Cooper.....	65 cents per lineal foot front on each side.
J. H. Forrest.....	65 cents per lineal foot front on each side.

Being a tie bid, and believing the same to be low, recommend the contract be awarded to J. H. Forrest.

Respectfully submitted,

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

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 a report of the amount of fees and fines due the city, collected by me during the month of March, 1885, as follows:

Marshal's fees.....	\$199 30
Mayor's fees.....	143 30
Fines due city.....	5 60
	\$348 20

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

Respectfully,

JOHN L. McMASTER, Mayor.

His Honor, the Mayor, presented the following contract; which was approved, and the Mayor instructed to execute the same on behalf of the city:

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

Gentlemen:—I hereby accept the position of Architect of the City of Indianapolis for the preparation of plans, drawings and specifications for a Market House to be erected on the East Market Square, and a building across the west end thereof for

market purposes, and containing certain offices connected therewith, and an Assembly Hall, under the provisions of an ordinance of said city, entitled "An ordinance providing for the erection of a Market House and Public Buildings, on the ground known as the East Market Square, in the City of Indianapolis," ordained March 9th, 1885.

For the services to be performed by me, the City of Indianapolis is to pay me the sum of four thousand dollars (\$4,000), as provided in said ordinance, for buildings to cost \$150,000, which is equal to two and two-thirds ($2\frac{2}{3}$) per cent on said cost. Should the expense of the buildings be more or less than the said sum of \$150,000, the amount to be paid shall be at the rate of $2\frac{2}{3}$ per centum on such cost.

The payments shall be made as follows: One and one-third ($1\frac{1}{3}$) per cent, shall be paid when the contracts for the construction of said buildings are let, and the other one and one-third ($1\frac{1}{3}$) per cent, shall be paid as the work of constructing said buildings progresses and is finished.

And I hereby contract with said City of Indianapolis, in consideration of said compensation to be paid me, to prepare all the proper and necessary plans, drawings and specifications for the construction of the buildings described in said ordinance, and to superintend the construction of said buildings, and to faithfully and honestly discharge all said duties, and any and all other duties imposed upon me as such Architect, by the ordinances of the city in connection with the construction of said buildings. Said ordinance of March 9th, 1885, is hereby made a part of this contract, as fully as if the same was written out at full length herein.

In Witness Whereof, I have hereunto set my hand and seal, this 6th day of April, 1885.

D. A. BOHLEN, [Seal.]

His Honor, the Mayor, presented the following resolution:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the plans, drawings and specifications prepared by D. A. Bohlen, Architect, for the construction of a Market House and Assembly Hall on the East Market Square, under the provisions of G. O. No. 7, 1885, heretofore exhibited to the members of the Common Council and Board of Aldermen, be, and the same are hereby, approved and adopted as the plans and specifications by which said buildings shall be erected.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Benjamin, Curry, Dowling, Downey, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 1—viz. Councilman Edenharter.

By consent, Councilman Trusler offered the following resolution:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Building Committee contemplated and provided for by Section four of the ordinance of March 9th, 1885, entitled "An ordinance providing for the erection of a Market House and Public Buildings on the grounds known as the East Market Square, in the City of Indianapolis," is hereby selected, and made to consist of the following members, to-wit: The Mayor, the President of the Board of Aldermen, Councilmen John R. Pearson and Joseph H. Sheppard and Alderman Isaac King.

And it was adopted by the following vote:

AYES, 16—viz. Councilmen Benjamin, Curry, Dowling, Downey, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 1—viz. Councilman Edenharter.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of John Egger, for painting Olive and Shelby street bridges.

Olive street bridge.....	\$73 00
Shelby street bridge.....	40 00
	\$113 00

A first and final estimate in behalf of S. W. & R. H. Patterson, for grading and graveling Minerva street and sidewalks, from New York street to its southern terminus.

458 lineal feet, at 47 cents.....	\$215 26
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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 S. W. & R. H. Patterson, for grading and graveling Minerva street and sidewalks, from New York street to its southern terminus, 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, 20—viz. Councilmen Benjamin, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contract concurred in, and the bond approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the contract and bond of James W. Hudson, for grading, bowldering and curbing the south gutter of Fort Wayne avenue, and paving with brick the sidewalk thereof, from New Jersey street to Central avenue. Bond, \$800.00; surety, R. P. Dunning.

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

The City Civil Engineer submitted the following report; which was referred to the Board of Public Improvements:

To the Mayor and Common Council:

Gentlemen:—In accordance with your instructions, I have examined the sidewalks on Prospect street, and find that both walks for a great distance, are some lower than the lawns, but with the grade of the street. This ought not to be the source of the trouble complained of. I find on the south side, in addition to the above, some depression in the walk, which, in my opinion, causes the water to settle in wet

weather. I am of the opinion that if the Street Commissioner would raise the depressions in the walks, according to stakes that I will set, that the trouble complained of will be obviated.

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

The City Clerk presented the following communication:

Cincinnati, Ohio, March, 1885.

GEO. T. BREUNIG, Esq., City Clerk, Indianapolis, Ind:

Dear Sir:—I have yours of the 19th, and am pleased to get it, as it gives me an opportunity to answer officially what I have been asked so many times by individuals. At the time the ordinance in question was passed, we expected to commence the erection of the shops at once, but our company at that time was visited by a great calamity in the way of successive floods, and before we had fairly recovered from these, the depression in business had become so severe that no Railway manager was justified in undertaking new work. If business shall continue to improve this summer, and next August shall show fair crops along our lines in your State, we shall commence work on our new shops during the coming fall. If the reverse should be true, we shall have to postpone until the times will justify. I believe that the discomfort of the citizens from the vacation of the streets referred to, has been overrated, and that the chief complaint comes from speculators in real estate who have not reaped the profits they expected. However that may be, our intentions are as above set forth. If your honorable body, however, should conclude that the interests of the city demands the opening of the streets in question, we of course shall have to submit and seek another location for our shops. I can not conceive, however, that this can happen, for I believe that the interests of the city and of our company are identical.

Yours truly, M. E. INGALLS, Pres't.

Councilman Thalman moved that the communication be received.

Councilman Dowling moved as a substitute, to receive the communication, and that the matter be referred to a special committee of three, and that said committee be appointed by the Chair.

Councilman Newcomb moved as an amendment, that the communication be received, and action thereon be indefinitely postponed.

Councilman Thalman moved to lay the substitute and amendment on the table; and moved the *previous question*.

Which was admitted by the following vote :

AYES, 20—viz. Councilmen Coy, Curry, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Shepard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 3—viz. Councilmen Benjamin, Dowling, and Downey.

The substitute and amendment were then laid on the table, and the communication received.

On motion by Councilman Thalman, the Common Council took a recess for the purpose of meeting with the Board of Aldermen in Joint Convention.

The Joint Convention having completed the business for which it was convened, the Common Council was called to order. A quorum being present, the regular order of business was proceeded with.

By consent, the following entitled ordinances were introduced and severally read the first time:

By Councilman Haugh :

G. O. 9, 1885—An ordinance granting John B. Doris the privilege of exhibiting his Circus and Menagerie for two days in the City of Indianapolis, free of charge for license.

By Councilman Wolf:

G. O. 10, 1885—An ordinance granting C. F. Schmidt the right to lay and maintain a hand or horse car track in and along High street.

On motion by Councilman Haugh, the rules were suspended for the purposes of placing the above ordinances on their final passage, by the following vote:

AYES, 23—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

G. O. 9, 1885, was then read the second time, ordered engrossed, read the third time and passed, by the following vote:

AYES, 20—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Edenharter, Gallahue, Haugh, Mack, Moran, Newcomb, Pearson, Rees, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 3—viz. Councilmen Doyle, McClelland, and Reinecke.

G. O. 10, 1885, was read the second time, ordered engrossed, read the third time and passed, by the following vote:

AYES, 23—viz. Councilmen Benjamin, Coy, Curry, Dowling, Downey, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

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 March, 1885, viz:

Board of Health.....	\$ 170 05	
City Assessor's Department.....	129 25	
City Civil Engineer's Department.....	130 00	
City Dispensary.....	289 22	
City Hall.....	48 25	
City Hospital and Branch.....	1,485 69	
City Treasurer's per centage.....	575 41	
Fire Department.....	5,848 59	
Gas.....	5,517 26	
Incidentals.....	140 00	
Markets.....	14 40	
Market-Masters' fees.....	144 86	
Parks.....	119 09	
Police.....	4,041 69	
Printing.....	456 40	
Salary.....	138 00	
Station House.....	266 91	
Street openings and vacations.....	8 10	
Street repairs.....	596 31	
Taxes refunded.....	1 62	
Water rent.....	7,609 50	
		\$ 27,730 60
School fund.....	\$ 5,257 14	
Sewer fund.....	1,881 54	
Sinking fund.....	716 88	
		<u>7,855 56</u>
Total.....		<u>\$ 35,586 16</u>

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 March, 1885.

RECEIPTE.

From auction licenses.....	\$ 35 00
From benefits.....	58 85
From coal licenses.....	8 00
From dog licenses.....	75
From express licenses.....	1 40
From fines and fees.....	274 10
From huckster licenses.....	20 00
From liquor licenses.....	3,588 00
From Market-masters' fees.....	305 60
From market rents.....	9 00
From peddlers' licenses.....	65 00
From promiscuous.....	100 00
From show licenses.....	166 68
From current taxes.....	139,418 26
From current tax sales.....	398 86
From delinquent tax sales.....	387 58
From delinquent taxes.....	294 11
Total.....	<u>\$145,131 19</u>
Balance on hand March 1st, 1885.....	55,573 92
	<u><u>\$200,705 11</u></u>

DISBURSEMENTS.	
For Board of Health.....	\$ 170 00
For City Assessor's department.....	129 20
For City Civil Engineer's department.....	120 00
For City Dispensary.....	289 20
For City Hall.....	69 20
For City Hospital and Branch.....	1,580 00
For elections.....	5 00
For Fire Department.....	5,780 50
For gas.....	5,517 20
For incidentals.....	140 00
For judgments and cost.....	52 00
For markets.....	14 40
For Market-Masters' fees.....	144 80
For parks.....	119 00
For per centaga.....	707 90
For police.....	3,985 60
For printing.....	456 40
For salary.....	175 50
For sewer fund.....	1,881 50
For sinking fund.....	716 88
For Station Houses.....	270 60
For street improvements.....	20 30
For street openings and vacations.....	23 10
For street repairs.....	658 28
For water rent.....	7,609 50

Total.....	\$ 30,646 60
Balance on hand April 1st, 1885.....	170,058 40
	<u>\$200,705 11</u>

TOMLINSON ESTATE.	
Balance on hand March 1st, 1885.....	\$ 65,017 50
Rents.....	96 50
	<u>\$ 65,114 00</u>
Balance on hand April 1st, 1885.....	\$ 65,114 00

ADDITIONAL CITY HALL FUND.	
Balance on hand March 1st, 1885.....	\$ 45,749 90
Balance on hand April 1st, 1885.....	\$ 45,749 90

SINKING FUND.	
Balance on hand March 1st, 1885.....	\$ 31,344 50
From February taxes.....	716 88
	<u>\$ 32,061 40</u>
Balance on hand April 1st, 1885.....	\$ 32,061 40

SEWER FUND.	
Balance on hand March 1st, 1885.....	\$ 963 20
From February taxes.....	1,881 50
	<u>\$ 2,844 70</u>
Balance on hand April 1st, 1885.....	\$ 2,844 70

Respectfully submitted,

To GEO. T. BREUNIG, City Clerk.

I. N. PATTISON, City Treasurer.

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

To the Common Council and Board of Aldermen :

Gentlemen:—Since the last regular meeting of the Council, the case of Thomas E. Johnson vs. The City et al, to enjoin the payment of the outstanding Sellers Farm bonds, has been dismissed by the plaintiff at his own costs. An act has been passed and approved legalizing the purchase.

In the case of the Connecticut Mutual Life Insurance Company vs. John D. Condit et al., the city being a party on account of the \$250.00 street opening assessment against Mr. Condit's lot for the opening of Fifth street, the plaintiff has dismissed as to the city, at its own costs, leaving said lien to be disposed of hereafter.

I have collected and turned into the treasury, the sum of \$331.20 from the Receiver of the Indiana Banking Company, on the judgment taken by the city against the stockholders of that company for money which ex-Mayor Grubbs had on deposit there at the time of the suspension.

The case of Frank M. Wright vs. The City, asking damages for personal injuries, has been tried since the last meeting. A special verdict was rendered by the jury, in which the facts were rather strongly found against the city. If the court should sustain the findings, the amount of the recovery was fixed at \$2,750.00. A motion for a new trial has been filed and argued, and at the request of plaintiff's attorney, it will be again orally argued before a ruling is made, after which I can more definitely state the situation of the parties, and the probable future results.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Chief Fire Engineer submitted the following report; which was received, the appointment confirmed, and recommendation concurred in :

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

Gentlemen:—I herewith most respectfully present to you for confirmation, the name of August Ernest, to fill the vacancy in the Fire Department caused by the resignation of T. W. Stratford.

I would also respectfully ask that an eight inch sewer connection be made with the Shelby street sewer to the new Engine House now being erected on Prospect street. Said sewer will not cost to exceed \$200 00.

Respectfully,

J. H. WEBSTER, Chief Fire Engineer.

The Chief Fire Engineer submitted his first quarterly report, showing receipts and disbursements from January 1st, 1885, to April 1st, 1885; which was read and received, and placed on file in the City Clerk's office.

Wm. Hadley, Rental Agent, submitted his report for March, 1885; which was read and received.

The Board of Public Improvements submitted the following report; which was concurred in;

To the Mayor and Common Council :

Gentlemen:—The Board of Public Improvements, to whom was referred the petition of E. Williamson, Julius Alder and others, asking that a stone crossing be laid across Washington street, at the intersection of Osage street, recommend the Street Commissioner be directed to lay single crossing.

Respectfully submitted,

M. M. Reynolds,

R. H. Rees,

Board of Public Improvements.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—We herewith report expenditures in the Street Repair Department, for the month of March, together with total expenditures to April 1st, 1885:

Pay-rolls.....	\$ 573 07	
Hardware.....	19 49	
Miscellaneous.....	3 75	
		<hr/>
Total expenditures for March.....		\$ 596 31
Total expenditures per last report.....		1,410 11
		<hr/>
Total expenditures to April 1st, 1885.....		\$ 2,006 42

Respectfully submitted,

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

C. S. RONEY, Street Commissioner.

The Board of Health submitted the Mortality report for two weeks, ending March 31st, 1885; which was read and received.

The Superintendent of the City Dispensary submitted his report for March, 1885; which was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee and City Attorney, to whom were referred various petitions, beg leave to submit the report thereon:

1st. Is the petition of Harry J. Thrush, asking to be released from the payment of one-half of a certain assessment made against a lot now owned by him, for the opening of an alley in Out-lot 100. A similar petition of a lot owner on this alley, was made and granted about a year ago, and no reason was given in the petition or report of the committees therefor. We do not feel justified, therefore, in accepting that case as a precedent; and knowing no reason why the compromise should be made in this case by accepting less than the original assessment, we recommend that the prayer of the petition be not granted.

2d. The claim of Mrs. Jacob Wagoner, for refunding of taxes, is too stale, the alleged error occurring thirteen years ago, and we recommend that no part of the claim be allowed.

3d. The demand of R. M. Cosby, for refunding of taxes paid on Lot 15, in Out-lot 100, because there was a School Fund mortgage on the same when the taxes accrued, on which a forfeiture has since occurred, has no merit, as the mere existence of a School Fund mortgage does not exempt property from taxation. We recommend that no part of said taxes be refunded.

4th. We have again carefully considered the petition of Mrs. Harriet Keller, presented to the Council December 15, 1884. Our conclusion upon the merits of the controversy, is the same as that expressed in our report of February 2; but we find that the lot of Mrs. Keller is but 130 feet long, instead of 140, as certified by the Engineer; and therefore recommend that the Engineer make the proper deduction to Mrs. Keller, on account of this error, and that the cost of this 10 extra feet (which appears from the plat to be an alley), be paid by the city—the amount to be certified by the Engineer to the City Clerk for insertion in the next appropriation ordinance in the name of the contractors.

5th. The claim of S. W. Patterson, for \$230.00, presented December 15th, 1884, has been carefully investigated by us. The statements of Mr. Patterson and John A. Henry, Esq., who was the City Attorney at the time the judgment was taken against the petitioner on the old Garfield Park lease, are diametrically opposed to each other. We are inclined to give full credit to both gentlemen, and to believe that simply the recollection of one or the other is at fault. But outside of the verbal statements of witnesses, we find that the former Council offset the judgment in question against a like sum to Mr. Pattersen on work done for the city. Mr. Patterson then sued the city for the money now claimed in the petition under consideration, and was beaten. We feel it our duty, therefore, to report against the allowance of this claim.

We present herewith Mr. Henry's written statement of the facts attending the taking of the judgment, to be filed by the Clerk with this report, without printing.

6th. We recommend that the proposition of Wm. S. Hubbard, presented February 2d, to pay \$400 as a full settlement of the Fourth street opening assessment, be accepted. We have examined the matter carefully, and believe that the ground taken from Mr. Hubbard was worth nearly as much as the benefits to the balance of the lot. Beside this, there is little hope of the city ever being able to collect anything by suit; and it is useless to try to get any one to bid at a sale, as past experience proves.

Respectfully submitted,

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

C. S. DENNY, City Attorney.

Councilman Coy moved to refer the first clause of the above report to a special committee of three.

Which was laid on the table, on motion by Councilman Pearson, by the following vote:

AYES, 13—viz. Councilmen Benjamin, Curry, Downey, Edenharter, Gallahue, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Thalman, and Trusler.

NAYS, 8—viz. Councilmen Coy, Dowling, Doyle, Haugh, Mack, Moran, Reinecke, and Wolf.

The foregoing report of the committee was then concurred in.

The Committee on Public Property, through Councilman Mack, submitted the following report, accompanied with proposition from Fred. Fells; which was referred back to the committee:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Property herewith submit a proposition from Fred. Fells to take charge of the Garfield Park, which we recommend shall be accepted.

Respectfully submitted,

Fred. J. Mack,
Wm. Curry,
Theo. F. Smither,
Committee on Public Property.

The Committee on Public Health, through Councilman Thalman, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Health, to whom was referred a communication from the Board of Health, recommend that a horse and wagon be fur-

nished. The total expense would not be over \$250 00 for the entire outfit. The Police Commissioners kindly propose to keep the horse at the Station House stable.

Respectfully submitted,

Isaac Thalman,
R. H. Rees,
Geo. F. Edenharter,
Committee on Public Health.

Which was laid on the table, on motion by Councilman Trusler, by the following vote:

AYES, 14—viz. Councilmen Benjamin, Coy, Dowling, Downey, Doyle, Gallahue, Haugh, Moran, McClelland, Reinecke, Smither, Spahr, Trusler, and Wolf.

NAYS, 8—viz. Councilmen Edenharter, Mack, Newcomb, Pearson, Rees, Reynolds, Sheppard, and Thalman.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee to whom was referred S. O. No. 9, for the construction of a sewer on Virginia avenue and other streets, to connect with the South street sewer, would respectfully submit, that as the South street sewer is not of sufficient diameter to carry off the water now conducted to it, therefore we would consider it a useless expenditure of money to connect the Virginia avenue sewer with the South street sewer; and recommend that the work be not done, as contemplated.

Respectfully submitted,

Robert McClelland,
P. H. Wolf,
Committee on Sewers.

The Committee on Water, through Councilman Reynolds, submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Water, together with the Chief Fire Engineer, to whom was referred the matter, with power to act, of building a fire cistern near the German Orphan Asylum, have examined said locality, and find that a cistern could not be built in the low ground near Pleasant Run. To build south of the Run, will not afford much protection to the property holders in that locality; and north of the Run, on suitable ground, will be too far away to protect the Asylum. We wait further instruction.

Respectfully submitted,

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

J. H. WEBSTER, Chief Fire Engineer.

REPORTS FROM SELECT COMMITTEES.

The Special Committee on Fire Department, through Councilman Thalman, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Special Committee on Fire, to whom was referred a communication from the Chief Fire Engineer, in regard to the purchase of Hose and a Chemical Extinguisher, respectfully report that we have investigated the matter, and recommend that the Chief be authorized to purchase 2,000 feet of Cotton (rubber lined) Eureka Hose, at 90 cents per foot, including couplings, &c. We also

recommend that the Chief be authorized to contract for a Double Tank 4-wheel Chemical Engine, at a cost not to exceed \$2,250, to be located at the new Prospect Street Engine House, the machine not to be delivered until the new house is completed and ready to receive it.

Respectfully,

Isaac Thalman,
P. C. Trusler,
Fred. J. Mack,
Committee on Fire Department.

The Special Committee appointed at a recent session for the purpose of conferring with the Oliver Bros., for the location of the Oliver Chilled Plow Works in the city, was discharged.

Councilman Thalman, in behalf of a certain Conference Committee, submitted the following *majority* report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, Committee of the Common Council and Board of Aldermen, to whom were referred the various proposals for the services of a Veterinary Surgeon for the horses owned by the city, for the year 1885, have had the same under consideration, and finding Dr. E. H. Pritchard the lowest and best bidder, recommend that he be awarded the contract, with the proviso to furnish all medicine.

Respectfully submitted,

Isaac Thalman,
Committee of Common Council.
J. H. Webster, Chief Fire Engineer,

H. J. Prier,
Will. F. A. Bernhamer,
Committee of Board of Aldermen.

Councilman Mack, on behalf of the same committee, submitted the following *minority* report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The minority of your Conference Committee on Veterinary Surgeons, recommend that the City Clerk be instructed to re-advertise for bids, to be received at the next meeting of the Council.

Respectfully submitted,

Isaac King,
Fred. J. Mack,
P. C. Trusler,
Minority Conference Committee.

Councilman Benjamin moved to lay the *minority* report on the table.

Which failed of adoption, by the following vote:

AYES, 7—viz. Councilmen Benjamin, Gallahue, McClelland, Rees, Reynolds, Spahr, and Thalman.

NAYS, 14—viz. Councilmen Curry, Dowling, Downey, Edenharter, Haugh, Mack, Moran, Newcomb, Pearson, Reinecke, Sheppard, Smither, Trusler, and Wolf.

Councilman Haugh moved that the *majority* report be concurred in.

Councilman McClelland, as a substitute for the whole matter, offered the following motion:

That the entire matter be left to the Chief Fire Engineer, and that he be given power to select a Surgeon.

Councilman Edenharter moved that the above substitute be laid on the table; which failed of adoption, by the following vote:

AYES, 9—viz. Councilmen Curry, Downey, Edenharter, Mack, Moran, Newcomb, Reinecke, Smither, and Trusler.

NAYS, 12—viz. Councilmen Benjamin, Dowling, Gallahue, Haugh, McClelland, Pearson, Rees, Reynolds, Sheppard, Spahr, Thalman, and Wolf.

Councilman Haugh moved to amend the motion so that the "compensation shall not exceed \$180.00 per annum;" which was adopted, and the motion as amended adopted.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read and referred to the Committee on Streets and Alleys:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session, held in the Aldermanic Chamber, Monday evening, March 9th, 1885, non-concurred in your action of March 2d, 1885, in ordering the precepts of David A. Haywood vs. Thomas Wren, two lots, for \$22.16.

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its session held this evening (April 6th) passed G. O. 10, of 1885, after amending same as follows:

By striking out the words "C. F. Schmidt" wherever they occur, and inserting in lieu thereof the words "John W. Schmidt and Edward Schmidt, doing business under the firm name and style of C. F. Schmidt."

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

Ap. O. 17, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department [Amount appropriated, \$817.15.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Dowling, Downey, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

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

Ap. O. 18, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$49,440.00.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Dowling, Downey, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

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. 19, 1885—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, \$1,609.10.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Dowling, Downey, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

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. 20, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$266.74.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Dowling, Downey, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

§ 18.

By Councilman Donwey:

G. O. 11, 1885—An ordinance in relation to tapping Sewers.

By Councilman Edenharter:

S. O. 16, 1885—An ordinance to provide for grading and graveling the first alley north of Washington street, from State street to the first alley east of Arsenal avenue.

S. O. 17, 1885—An ordinance to provide for grading and graveling the first alley east of Arsenal Avenue, from Market street to Arsenal avenue.

By Councilman Gallahue:

G. O. 12, 1885—An ordinance amending Section eight (8) of an ordinance entitled "An ordinance to increase the public revenues of the City of Indianapolis by licensing Saloons, Telegraph Companies and Wagons or other vehicles used by Express Companies doing business in said city, and to provide for the erection of a City Hall and Market House," by increasing the license fee therein provided for to one hundred dollars per annum.

By Councilman Pearson:

S. O. 18, 1885—An ordinance to provide for grading and paving with brick, the south sidewalk of Second street, from Tennessee street to Illinois street, where not already properly done.

By Councilman Rees:

S. O. 19, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Wood street, and paving with brick the sidewalk thereof, from Michigan street to North street.

S. O. 20, 1885—An ordinance to provide for grading, bowldering and curbing the south gutter of Vermont street, and paving with brick the sidewalk thereof, from Tennessee street to Indiana avenue.

By Councilman Reinecke:

S. O. 21, 1885—An ordinance to provide for grading and paving with brick (where not already done), the sidewalks of Dougherty street, from East street to Virginia avenue.

S. O. 22, 1885—An ordinance to provide for grading and graveling Wright street and sidewalks, from Coburn street to Sanders street.

By Councilman Reynolds:

S. O. 23, 1885—An ordinance to repeal S. O. No. 21, of 1884.

By Councilman Spahr:

S. O. 24, 1885—An ordinance to provide for grading and paving with brick, the north sidewalk of Second street, from Pennsylvania street to Delaware street.

S. O. 25, 1885—An ordinance to provide for grading and paving the west sidewalk of Delaware street, from Seventh street to Eighth street.

S. O. 26, 1885—An ordinance to provide for grading, bowldering and curbing the gutters of Broadway street, from the first alley north of Seventh street to Eighth street, and widening the sidewalks thereof.

S. O. 27, 1885—An ordinance to provide for grading, bowldering and curbing the gutters of Park avenue, and paving with brick the sidewalks thereof, from Lincoln avenue to Eighth street.

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

Gentlemen:—The undersigned, owners of real estate fronting on Park avenue, between Lincoln avenue and Eighth street, respectfully petition for the passage of an ordinance providing for grading, bowldering and curbing the gutters of Park avenue, and paving with brick the sidewalks thereof, from Lincoln avenue to Eighth street.

Jno. B. Conner, Jno. R. Budd, Chas. D. Johnson, James
C. Hood, Charles Styer, H. C. Roney, Chas. Fairbanks,
— Smith, corner of Park and Lincoln avenues.

By Councilman Wolf, accompanied with petition:

S. O. 28, 1885—An ordinance to provide for grading, bowldering and curbing the gutters of Coburn street, and paving with brick the sidewalks thereof, from East street to Madison avenue.

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

Gentlemen:—The undersigned, owners of real estate fronting on Coburn street, between East street and Madison avenue, respectfully petition for the passage of an ordinance providing for the grading and paving with brick both sides of said Coburn street between said points named; also, to curb and bowlder the gutter of the same.

Wm. Rugenstein, 30 feet; H. J. Rugenstein, 30 feet;
feet; Thomas Hallin, 30 feet; Joachim Grombman,
30 feet; Robert Keller, 150 feet; C. Hartman, 30 feet;
German Reform Church, by Ernst Hartman and John
Geretts, Trustees, 150 feet; Robert Schmitz, 30 feet;
E. L. Hasseld, 90 feet.

By Councilman Reinecke:

S. O. 29, 1885—An ordinance providing for the construction of a brick sewer in and along Virginia avenue, from Pine street to Merrill street, thence west in and along Merrill street to and connecting with the Kentucky avenue sewer.

On motion, the above ordinance was referred to the Committee on Sewers and Drainage.

It being now nearly eleven o'clock, on motion by Councilman Thalman, the time was extended, by the following vote:

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

NAYS, 1—viz. Councilman Moran.

Councilman Moran was excused for the remainder of this session.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following resolution; which was referred to the Committee on Public Light:

WHEREAS, The streets are practically barren of any indicator or guide to show our citizens and visitors the name of whatever street they may be traveling; therefore, be it

Resolved, That the Committee on Public Light be empowered to enquire into and see what plan would be the most feasible, and report at next regular meeting.

Councilman Benjamin offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, instructed to repair Fountain on Delaware street, just below South street. Same has been out of repair for some time.

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

That the Street Commissioner be, and is hereby, directed to lay a double stone crossing across Delaware street, at the intersection of Duncan street, the same having been recommended by the Board of Public Improvements in 1884. See page 984.

Councilman Spahr, for Councilman Cowie, presented the following petition; which was granted:

To the Honorable the Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen:—The undersigned, Adelide Hassey, would respectfully ask your honorable body for permission to pave, with brick, the sidewalk fronting on her property, situated at the southeast corner of Bright and Michigan streets. Said sidewalk to commence at the southeast corner of Bright and Michigan streets; thence to run east along the south side of Michigan street one hundred and twenty feet to an alley; all of which fronts her own property. Said work to be done at her own expense and under the direction of the City Civil Engineer.

ADELIDE HASSEY, Petitioner.

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

That the Street Commissioner be, and he is hereby, directed to remove the offensive offal heretofore dumped on the territory bounded by McCarty, McCauley, Ann and Michael streets, the same being liable to breed disease, and is now a nuisance.

Councilman Curry offered the following resolution; which was referred to the Committee on Markets, to report at the next meeting:

WHEREAS, John Carlisle has occupied the southeastern portion of the West Market Space, located at the corner of Pearl and Missouri streets, attached to the City Scales; and whereas, The Market Master, in pursuance of his duties, has rented the aforesaid portion of the Market Space for a sum that will bring a revenue to the city; and whereas, Said John Carlisle has refused, and does now refuse to comply with the demand of the Market Master for possession of the aforesaid premises; therefore, be it

Resolved, That the Market Master be, and he is hereby, directed, in conjunction with the City Attorney, to take the necessary steps to immediately obtain possession of the premises now claimed by said John Carlisle, and report to the next meeting of this Council.

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

That the Street Commissioner be, and he is hereby, directed to clean the streets and alleys of the Ninth Ward, and put the same in good condition.

Councilman Edenharter presented a petition from Anthony Prange, as to the location of a certain alley in Davidson's heirs' addition, accompanied with the following motion; which was adopted:

That the City Civil Engineer investigate the matters stated in the petition of Anthony Prange; and if he finds the alley therein referred to is a public one, that he establish the boundaries thereof, and that the Street Commissioner open said alley to public travel, if found to be such public alley, according to the lines so established.

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

That the Street Commissioner be directed to re-gravel the roadway of Davidson street, between Market street and the Wabash Railroad tracks.

That the Street Commissioner be directed to repair the approach to Arsenal avenue at the east end of Ohio street.

That the Street Commissioner be directed to place foot bridges over the gutters on the north side of Market street across Highland street.

Councilman Gallahue, for Councilman Wharton, offered the following motion; which was referred to the Committee on Public Light:

That the City Civil Engineer be instructed to direct the Gas Company to dismantle the first lamp-post west of Mississippi street, on the south side of Fifth street, and re-mantle and light the lamp post on the northeast corner of Mississippi and Eighth streets.

Councilman Gallahue, for Councilman Wharton, offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be, and is hereby, directed to lay a stone crossing on the south side of Fourth street, across Mississippi street.

Councilman Haugh presented a petition of Jno. C. New, Executor, etc., and Trustee, heirs Nancy S. Beatty, deceased, asking for refunding of \$20,000, with interest, on the several lots constituting David S. Beatty's addition (in Section 13, Township 15, Range 3 east); which was referred to the Judiciary Committee.

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

That the Street Commissioner be, and is hereby, directed to lay double stone crossings on Union street across Ray, Wilkins and Morris streets.

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

That the Street Commissioner be instructed to repair the gutter on the north side of Second street, from the first alley east of West street to West street, so the water will run off.

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

That the Street Commissioner be instructed to place a double stone crossing on the north side of Ohio street, over Indiana avenue and Illinois street.

Councilman Reinecke offered the following resolution:

Resolved, That the petition of A. S. Patterson, Wm. F. Stilz, and E. B. Martindale, asking for the widening and straightening of south East street at the intersection of Morris street, together with the petition and plat presented in such case, be referred to the City Commissioners, with instructions to assess benefits and damages to any person or persons thereby benefited or damaged. The Commissioners are hereby instructed to return as a part of their report all petitions and notices; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

Which was adopted, by the following vote:

AYES, 17—viz. Councilmen Benjamin, Curry, Edenharter, Gallahue, Haugh, Mack, McClelland, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 1—viz. Councilman Newcomb.

Councilman Reinecke offered the following resolution; which was referred to the Committee on Railroads:

Resolved, That the Belt Railroad Company be, and is hereby, requested to station a flagman at their crossing on Shelby street

Councilman Reinecke offered the following motion; which was adopted:

That the Board of Public Improvements take some steps in regard to cleaning the alley between Dougherty and Coburn streets, from East street to Wright street, as the alley is now in a very unhealthy condition.

Councilman Reinecke presented a petition of citizens and members of the South Side Viaduct Association; which was referred to the Committee on Railroads, with instructions to confer with the Citizens' Committee in relation to the erection of a Viaduct, by the following vote:

AYES, 15—viz. Councilmen Benjamin, Edenharter, Gallahue, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, and Trusler.

NAYS, 6—viz. Councilmen Coy, Curry, Dowling, Downey, Haugh, and Wolf.

The members of such citizens committee are Messrs. John Caven, G. W. Hill, H. Seibert, A. W. Johnson, L. Schmidt, A. M. Kuhn, and W. H. English.

Councilman Sheppard 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, interested owners of real estate, respectfully petition for the passage of a resolution providing for the opening and extension of Douglass street, from its present southern terminus south to the first alley north of the National Road. A plat of said proposed opening is herewith submitted, and made a part of this petition.

Franklin Landers, James Meehan, William Johnson.

Councilman Reynolds offered the following motion; which was referred to the Special Committee on Fire Department:

That the City Civil Engineer be instructed to advertise for bids for the construction of a one thousand barrel cistern to be located on the corner of Hill avenue and Newman street.

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

That the City Civil Engineer be instructed to erect a Water Fountain on Indiana avenue, near St. Clair street.

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

That the Street Commissioner be instructed to fill chuck-holes on Paca street with gravel.

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

That the first lamp east of Tennessee street, on Maryland street, on the north side, be re-mantled and re lit, and the lamp on the south side of Kentucky avenue and west of Mississippi street, be dis-mantled.

On motion of Councilman Edénharter, S. O. 1, 1885, erecting lamp-posts on Michigan street, between Noble and Pine streets, was referred to the Committee on Public Light.

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

That the Street Commissioner be directed to furnish plank for platform in front of Headquarters Fire Department.

That J. A. Benson have permission to put in a coal vault in front of his property, No. 220 west Washington street.

That the City Civil Engineer be, and is hereby, instructed to prepare a plat of the proposed street west of White River, near the bank of White River.

Councilman Spahr offered the following motion; which was referred to the Chief Fire Engineer and the Special Committee on Fire Department:

That the City Civil Engineer be instructed to locate a cistern of one thousand barrels at the intersection of Clifford avenue and Archer street; and that he be directed to advertise for bids for the same.

Councilman Thalman presented a petition of J. D. Condit, asking for a compromise of assessments of benefits and damages against a part of lot 12, in St. Clair's addition; also petition of Byram & Cornelius, asking for satisfaction of record for an assessment of \$84.00 against lot 5, Fiscus' subdivision of Johnson heirs' addition, for the opening of Rohampton street; and a petition of Jos. A. Moore, asking a refunding of taxes on 100 feet off north end of 25 feet, west side, east half of lot 5, Out-lot 19, Merrill's subdivision, for \$24.00, with interest, sold for taxes at city tax sale; which were referred to the Judiciary Committee.

Councilman Thalman presented a petition of Jno. S. Crosby et al., asking for the construction of a fire cistern at the intersection of the National Road and Miley avenue, W. W. R.; which was referred to the Special Committee on Fire Department and Chief Fire Engineer.

Councilman Trusler presented a petition looking to the relief of residents and property owners on Linden street, between Orange and Prospect streets, owing to a defective sidewalk; which was referred to the Committee on Streets and Alleys.

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

That C. F. Schmidt be, and is hereby, granted permission to grade, bowlder and curb the west side of High street, and pave with brick the sidewalk thereof, from McCarty street to Wyoming street, at their own expense, under the direction of the City Civil Engineer.

That Herman C. Holle be, and is hereby, granted permission to pave with brick the sidewalk in front of his property on Dunlap street, at his own expense, under the direction of the City Civil Engineer.

That Caspar Hess be, and is hereby, granted permission to grade, curb and bowlder the gutter in front of his property on Madison avenue, at his own expense, under the direction of the City Civil Engineer.

Councilman Wolf presented a petition of Hannah Oliver, asking for a refunding of taxes to the amount of \$15.07, with interest, on lots 12 and 13, in Foot's addition; which was referred to the Judiciary Committee.

On motion, the Common Council then adjourned.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.

PROCEEDINGS OF BOARD OF ALDERMEN.

SPECIAL SESSION—APRIL 6, 1885.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, April 6th, A. D. 1885, at half-past seven o'clock, in special session, pursuant to the following call:

Indianapolis, April 6th, 1885.

To the Members of the Board of Aldermen of the City of Indianapolis:

Gentlemen:—You are hereby requested to meet in Special Session this, Monday evening, April 6th, 1885, for the purpose of acting on the proposed contract with D. A. Bohlen for supervising, etc., the City Hall and Market House, and for the transaction of such other business as may come before your body,

BRAINARD RORISON, President.

PRESENT—Hon. Brainard Rorison, President of the Board of Aldermen, in the Chair, and Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, and Tallentire—8.

ABSENT—Aldermen Cobb and McHugh—2.

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council at its session held this evening, April 6th, 1885.

For the Common Council:

GEO. T. BREUNIG, City Clerk.

The following contract was read, and the favorable action of the Common Council thereon (see pages 160 and 161, *ante*), was concurred in:

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

Gentlemen:—I hereby accept the position of Architect of the City of Indianapolis, for the preparation of plans, drawings and specifications for a Market House to be erected on the East Market Square, and a building across the west end thereof for market purposes, and containing certain offices connected therewith, and an Assembly Hall, under the provisions of an ordinance of said city, entitled "An ordinance providing for the erection of a Market House and Public Buildings, on the ground known as the East Market Square, in the City of Indianapolis," ordained March 9th, 1885.

For the services to be performed by me, the City of Indianapolis is to pay me the sum of four thousand dollars (\$4,000), as provided in said ordinance, for buildings to cost \$150,000, which is equal to two and two-thirds ($2\frac{2}{3}$) per cent. on said cost. Should the expense of the buildings be more or less than the said sum of \$150,000, the amount to be paid shall be at the rate of $2\frac{2}{3}$ per centum on such cost.

The payments shall be made as follows: One and one-third ($1\frac{1}{3}$) per cent. shall be paid when the contracts for the construction of said buildings are let, and the other one and one-third ($1\frac{1}{3}$) per cent. shall be paid as the work of constructing said buildings progresses and is finished.

And I hereby contract with the City of Indianapolis, in consideration of said compensation to be paid to me, to prepare all the proper and necessary plans, drawings and specifications for the construction of the buildings described in said ordinance, and to superintend the construction of said buildings, and to faithfully and honestly discharge all said duties, and any and all other duties imposed upon me as such Architect, by the ordinances of the city in connection with the construction of said buildings. Said ordinance of March 9th, 1885, is hereby made a part of this contract, as fully as if the same was written out at full length herein.

In Witness Whereof, I have hereunto set my hand and seal, this 6th day of April, 1885.

D. A. BOHLEN. [Seal.]

The following resolution (see page 161, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the plans, drawings and specifications prepared by D. A. Bohlen, Architect, for the construction of a Market House and Assembly Hall on the East Market Square, under the provisions of G. O. No. 7, 1885, heretofore exhibited to the members of the Common Council and Board of Aldermen, be, and the same are hereby, approved and adopted as the plans and specifications by which said buildings shall be erected.

And it was concurrently adopted by the following vote :

AYES, 8—viz. Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, Tallentire, and President Rorison.

NAYS—None.

The following resolution (see page 161, *ante*), was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the Building Committee contemplated and provided for by Section four of the ordinance of March 9th, 1885, entitled "An ordinance providing for the erection of a Market House and Public Buildings on the grounds known as the East Market Square, in the City of Indianapolis," is hereby selected, and made to consist of the following members, to-wit: The Mayor, the President of the Board of Aldermen, Councilmen John R. Pearson and Joseph H. Sheppard, and Alderman Isaac King.

Alderman Bernhamer presented the following protest; which was ordered printed in the Proceedings :

I hereby enter my protest against the passage of so much of the resolution creating the Board for the erection of the new Market House and City Hall as names the members thereof, for the following reasons:

1st. It leaves all that part of the City of Indianapolis lying south of Washington street with but one representative.

2d. Because the Council exceeded its functions in naming the democratic members of the Board from the Board of Aldermen.

WILL F. A. BERNHAMER, Alderman 5th District.

The resolution was then concurrently adopted by the following vote :

AYES, 7—viz. Aldermen Cox, Endly, King, Prier, Pritchard, Tallentire, and President Rorison.

NAYS, 1—viz. Alderman Bernhamer.

On motion, the Board then adjourned to meet at the call of the President.

The President called the Board to order again, a quorum present, the following entitled ordinances (passed by the Common Council at the session held this evening), were severally read the first time :

G. O. 9, 1885—An ordinance granting John B. Doris the privilege of exhibiting his Circus and Menagerie for two days in the City of Indianapolis free of charge for license.

G. O. 10, 1885—An ordinance granting C. F. Schmidt the right to lay and maintain a hand or horse car track in and along High street.

On motion by Alderman Pritchard, the rules were suspended for the purpose of placing the above ordinances on their final passage by the following vote :

AYES, 7—viz. Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, and Tallentire.

NAYS—None.

G. O. 9, 1885, was then read the second time, read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, and Tallentire.

NAYS—None.

G. O. 10, 1885, was read the second time.

Alderman Bernhamer offered the following amendment, to the above ordinance ; which was adopted :

I move to amend by striking out the words "C. F. Schmidt" wherever they occur in the ordinance, and inserting in lieu thereof the words "John W. Schmidt and Edward Schmidt, doing business under the firm name and style of C. F. Schmidt."

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

AYES, 7—viz. Aldermen Bernhamer, Cox, Endly, King, Prier, Pritchard, and Tallentire.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

BRAINARD RORISON, President.

Attest: FRANK W. RIPLEY, Clerk.