

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—APRIL 20, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 20th, 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 21 members, viz: Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McCielland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Trusler, Wharton, and Wolf.

ABSENT, 4—viz. Councilmen Cowie, Downey, Moran, and Thalman.

The Proceedings of the Common Council for the regular session, held April 6th, 1885, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

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 proposals received April 6th, 1885, have examined the same, and find them to be as follows:

1st. For grading and graveling the roadway of Greenbrier Lane, from Fernway to the Belt Railroad.

Richter & Twiname..... 95 cents per lineal foot front on each side.

J. D. Hoss & Co..... 62 cents per lineal foot front on each side.

Fulmer & Seibert..... 47 cents per lineal foot front on each side.

Fulmer & Seibert being the lowest and best bidders, recommend they be awarded the contract.

2d. For grading and graveling the roadway of Bloyd street, from Greenbrier Lane to Fountain street.

Richter & Twiname... 99 cents per lineal foot front on each side.

J. D. Hoss & Co..... 90 cents per lineal foot front on each side.

Fulmer & Seibert..... 44 cents per lineal foot front on each side.

Fulmer & Seibert being the lowest and best bidders, recommend they be awarded the contract.

3d. For grading and paving with brick the east sidewalk of Delaware street, from Seventh street to Eighth street.

J. D. Hoss & Co.....	36	cents per lineal foot front.
R. P. Dunning.....	34	cents per lineal foot front.
H. C. Roney.....	33	cents per lineal foot front.
J. L. Spaulding.....	33	cents per lineal foot front.
D. A. Haywood	33	cents per lineal foot front.
Richter & Twiname.....	32½	cents per lineal foot front.

Richter & Twiname being the lowest and best bidders, recommend they be awarded the contract.

4th. No bids were submitted for erecting lamp-posts, &c., on Agnes street.

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

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 David A. Haywood, for grading and paving with brick the east sidewalk of Madison avenue, from Nebraska street to Lincoln Lane.

887 lineal feet, at 36 cents.....	\$319 32
3 yards of extra gravel, at 75 cents.....	2 25
	\$321 57

A first and partial estimate in behalf of A. Bruner, for constructing Geisendorf street sewer.

260 lineal feet, at \$4.33.....	\$1,125 80
Less ten per cent. reserve.....	112 58
	\$1,013 22

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 David A. Haywood, for grading and paving with brick the east sidewalk of Madison avenue, from Nebraska street to Lincoln Lane, 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, Coy, Edenharter, Gallahue, Haugh, McClelland, Newcomb, Pearson, Rees, Reineeke, Reynolds, Trusler, and Wolf.

NAYS—None.

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

To the Mayor, Common Council and Board of Aldermen :

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

Contract and bond of J. H. Forrest, for grading and graveling Hanna street and sidewalks, from Washington street to Market street. Bond, \$1,200.00; surety, George H. Branham.

Contract and bond of S. W. & R. H. Patterson, for grading and graveling Hanna street and sidewalks, from Ohio street to Market street. Bond, \$1,200.00; surety, Hamilton Bailie.

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

The City Attorney submitted the following report; which was received, the second clause referred to the Committee on Streets and Alleys, and the balance of the report concurred in:

To the Common Council and Board of Aldermen :

Gentlemen:—Since the last regular meeting of the Council, the case of John G. Rathsam vs. The City et al., asking \$10,000 damages for injuries received in falling into an unprotected area way in the sidewalk in front of the James House, has been finally disposed of. Enoch D. Hanna, the owner of the premises, compromised the case with Mr. Rathsam, and the same has been dismissed.

The case of Kate Koster, Executrix, vs. The City, asking \$10,000.00 damages on account of the death of Joseph Koster, which occurred some two years ago, by falling over the north end of the Washington street culvert over Pogue's Run, in the night time, has been tried before a jury in the Superior Court. It resulted in a verdict for the city, and the court has since rendered judgment on the verdict, which, I think, will be the end of the litigation. I think some kind of a guard ought to be placed at this point by the city.

The case of Timothy R. Fletcher vs. The City, the Richardson Zouaves and the Indianapolis Light Artillery, to enjoin the erection of a building for drill and armory purposes, on the lot known as the "Park," in Out-lot 51, has been disposed of. The judgment is in favor of the city, but against the military companies for the costs, they having abandoned the idea of building at that point.

The case of Israel J. Richardson vs. The City et al., brought to recover certain gambling implements taken by the police in a raid some months ago, and which was prosecuted for the special purpose of testing the validity of the ordinance authorizing the seizure of such property without warrant, and the subsequent destruction thereof, has been dismissed by the court, the plaintiff failing to appear for trial; and the property has been ordered returned to the defendants, to be destroyed.

The case of Patsy Patterson vs. The City, claiming some \$3,000 on account of taxes paid by her since 1872, on the lots composing what are known as "Samuel J. Patterson's Addition," and "Patterson's Extended Addition" to the city, on the ground that said additions were never legally annexed to the city, has been disposed of by the special term of the Superior Court. The finding is in favor of the city, as to the first named addition, but against her as to the Extended Addition, and the amount ordered refunded is \$809.00. The court rests its decision solely on the ground that Mrs. Patterson, the owner of the land, never signed the plat of the "Extended Addition," and that therefore the Council never had any jurisdiction to annex it. There are so many subsequent acts of the plaintiff, which I think amount to a ratification of her husband's acts, however, that I have no hesitation in recommending an appeal.

His Honor, the Mayor, and myself, succeeded in getting the General Assembly to pass a special bill, allowing the city the sum of \$3,184.69, on account of the Reformatory sewer matter, of which you are all familiar. But your committee, of which I was a member, did not succeed so well as to the general legislation in which our city was so much interested. Indeed, none of the dozen bills which we desired, except one of minor importance, passed.

Respectfully submitted, C. S. DENNY, City Attorney.

His Honor, the Mayor, in behalf of the Building Committee of the City Hall and Market House, submitted the following report; which was concurred in, the contract awarded as recommended, and the Mayor authorized to execute the contract on behalf of the city:

To the Common Council and Board of Aldermen:

Gentlemen:—Your Building Committee respectfully report that they have advertised for bids for the excavation for the new Market House, and in response thereto received the following:

	Per cubic yard.	
	Excavation.	Re-filling.
Robert Kennington.....	27 cents.....	10 cents.
D. A. Haywood.....	32 cents.....	25 cents.
James W. Hudson.....	27 cents.....	10 cents.
R. P. Dunning.....	33 cents.....	35 cents.
Laakmann & Sherer.....	23 cents.....	20 cents.
S W. & R. H. Patterson.....	33 cents.....	20 cents.
Richter & Twiname.....	34 cents.....	15 cents.
Geo. W. Seibert.....	29½ cents.....	15 cents.
Fulmer & Seibert.....	24 cents.....	15 cents.

Fulmer & Seibert having proposed in their bid to remove the Scales from the west end of the Market Space, and replace them at the east end, and also to remove that part of the old Market House necessary to be removed; Laakmann & Sherer were asked for their proposition for the last named work, which they offered to do for the sum of \$68.00. Upon the Architect's estimate of the amount of excavation and re-filling, the lowest bids, including said extra work, are as follows:

Fulmer & Seibert.....	\$2,550 00
Laakmann & Sherer.....	2,568 00

We therefore recommend that the bid of Fulmer & Seibert be accepted, they being the lowest and best bidders, and that they be awarded the contract, and that the Mayor be authorized to execute the contract with them on behalf of the city.

JOHN L. McMASTER, Mayor,
 BRAINARD ROBISON, Secretary,
 Isaac King,
 John R. Pearson,
 J. H. Sheppard.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman Reynolds, submitted the following report; which was concurred in;

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom sundry papers were referred, would report thereon as follows:

1st. Is a motion "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." Recommend the work be done.

2d. Is a motion "That the Street Commissioner be directed to re-gravel the roadway of Davidson street, between Market street and the Wabash Railroad tracks." Recommend the work be done under ordinance.

3d. Is a motion "That the Street Commissioner be directed to repair the approach to Arsenal avenue at the east end of Ohio street." Recommend the work be done.

4th. Is a motion "That the Street Commissioner be directed to place foot bridges over the gutters on the north side of Market street across Highland street." Recommend the work be done.

5th. Is a motion "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." Recommend to add the other twenty-four Wards.

6th. Is a motion "That the Street Commissioner be instructed to fill chuck-holes on Paca street with gravel." Recommend the work be done.

7th. Is a motion "That the Street Commissioner be directed to fill the chuck-holes on Tennessee street, between Washington and Ohio streets." Recommend the work be done.

8th. Is S. O. No. 74, 1883, "An ordinance to provide for bowldering and curbing the gutters of New York street, from Pennsylvania street to Delaware street." Recommend said ordinance be passed.

We recommend that the Street Commissioner be directed to lay a two-foot Akron sewer pipe from the present terminus of the pipe now in the north gutter of First street, just west of the C., I. St. L. & C. Railroad, west to the Canal.

Also, to lay a 15-inch Akron sewer pipe from the first alley east of West street, in the north gutter of First street, to the Canal.

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

Councilman Reynolds presented the following petition; which was granted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We would most respectfully ask an extension of time until June 1st, 1885, for completing our contract for grading and graveling Munson street and sidewalks, for the reason that we can not get the gravel at this time of the year.

RICHTER & TWINAME.

Subscribed and sworn to this 20th day of April, 1885.

[Seal.]

WM. C. PHIPPS, Notary Public.

Recommend the time be extended.

Respectfully submitted,

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

Later in the session, the Board of Public Improvements, through Councilman Reynolds, submitted the following report:

To the President and Members of the Board of Public Improvements:

Gentlemen:—I recommend Thomas Tallentire for the position of Axman in my Department.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We concur in the above recommendation, and recommend the appointment be made, and that the compensation be fixed at \$2.00 per day, for the time actually employed.

Respectfully submitted,

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

Which was concurred in, and the appointment confirmed, by the following vote:

AYES, 20—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Trusler, Wharton, and Wolf.

NAYS, 1—viz. Councilman Spahr.

The Board of Health submitted the Mortality report for the first half of April, 1885; which was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee, having investigated various petitions referred to them, make the following recommendations:

1st. That the sum of \$27.25 be refunded to Jos. A. Moore, on account of money paid by him at delinquent sale of part of Lot 5, Out-lot 19, Merrill's subdivision, the city having had no right to sell the same.

2d. That the proposition of J. D. Condit to pay \$100.00 in full of the \$250.00 assessed in the Fifth street opening matter, be accepted. There are special reasons in this case why we think this a good compromise for the city, which we can better give orally than in this report.

3d. That the sum of \$15 07 asked by Hannah Oliver, on account of erroneous assessment against her, be refunded, the statements in her petition being true.

4th. That the sum of \$25.00 be accepted in full settlement of the \$50.00 assessment against Lot 7, in Crane's subdivision in Out-lot 158, as petitioned for by Geo. William Brown, February 2d.

5th. That the sum of \$43.75 be refunded to Fred. W. Haehner, provided he will accept the same in full payment of his claim for taxes paid on Lot 21, in Stanton's addition, the same never having been in the city.

Respectfully submitted,

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

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the motion concurrently adopted:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, April 13th, 1885, as a substitute for your action as to employing a Veterinary Surgeon for the horses in the Fire Department, adopted the following motion:

“That the City Clerk advertise for new bids for a Veterinary Surgeon for all horses in the Fire Department, and other city horses, service to include treatment and medicines.”

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

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 Dowling:

S. O. 30, 1885—An ordinance to provide for grading and bowldering the second alley south of South street, from Tennessee street to Eddy street.

By Councilman Haugh, accompanied with petition:

S. O. 31, 1885—An ordinance to provide for grading and graveling the first alley west of Noble street, from New York street to Lockerbie street.

Indianapolis, March 28, 1885.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley west of Noble street, between New York and Lockerbie streets, respectfully petition for the passage of an ordinance providing for graveling said alley.

HERMANN SIEBOLDT,
ISAAC KAHN.

Councilman Moran, by Councilman Wolf:

S. O. 32, 1885—An ordinance to provide for grading, bowldering and curbing the gutters of Pine street, and paving with brick the sidewalks thereof, from Washington street to the Q, I., St. L. & C. Railroad tracks.

By Councilman Trusler:

S. O. 33, 1885—An ordinance to provide for grading and graveling the east sidewalk of Shelby street, from Pleasant Run to the south Corporation limits.

By Councilman Wolf:

S. O. 34, 1885—An ordinance to provide for grading and paving with brick the south sidewalk of Nebraska street, from Madison avenue to East street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be, and is hereby, instructed to repair the sidewalk and street torn up to put in catch-basin last fall.

That the Street Commissioner be, and is hereby, instructed to place cups at all fountains where not already done.

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

That a fire-alarm box be placed in the vicinity of Madison avenue and South street.

Councilman Benjamin offered the following motion; which was referred to the Committee on Office Fixtures and Supplies:

That a suitable clock be purchased for the City Clerk's office, the cost not to exceed twenty-five dollars.

Councilman Coy offered the following motion :

I move to reconsider the action of the Council on the report of the Council Committee of the Board of Health, recommending the purchase of a horse and wagon for the use of said Board.

Councilman Trusler moved to lay the motion on the table.

Which failed of adoption, by the following vote:

AYES, 5—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, and Trusler.
NAYS, 11—viz. Councilmen Coy, Curry, Doyle, Edenharter, Mack, Newcomb, Pearson, Rees, Reinecke, Smither, and Wolf.

The motion to reconsider was then adopted, by the following vote:

AYES, 13—viz. Councilmen Coy, Curry, Dowling, Doyle, Edenharter, Mack, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smither, and Wolf.
NAYS, 6—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, Spahr, and Trusler.

The report of the Committee on Public Health (see pages 169 and 170, *ante*), was then concurred in, by the following vote:

AYES, 13—viz. Councilmen Coy, Curry, Dowling, Doyle, Edenharter, Mack, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smither, and Wolf.
NAYS, 6—viz. Councilmen Benjamin, Gallahue, Haugh, McClelland, Spahr, and Trusler.

Councilman Edenharter presented the following remonstrance, accompanied with petitions; which were ordered filed with the ordinances, S. O's. 16 and 17, 1885:

Indianapolis, April 20, 1885.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on the first alley north of Washington street, from Arsenal avenue to State avenue, respectfully remonstrate against the passage of an ordinance providing for grading and graveling the above described alley.

Fred. Hergt, 121½ feet; Fred. Bottcher, 60 feet; George Wright, 43 feet; Wm. N. Burt, 90 feet; B. L. Case, 43 feet; Thomas Shea, 43 feet; Percy Hosbrook, 36 feet; J. E. Sullivan, Charles P. Rossman.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley north of Washington street, between State street and the first alley east of Arsenal avenue, respectfully petition for the passage of an ordinance providing for the grading and graveling of said alley between the points above named.

Henry Schrader, Leonard Rasobbacher, Jeremiah Egan.

I signed the remonstrance against the above improvement, but now recall the same, and favor the passage of said improvement.

THOMAS SHEA.

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

Gentlemen:—The undersigned, owner of real estate fronting on the first alley east of Arsenal avenue, between Market street and Arsenal avenue, respectfully petition for the passage of an ordinance providing for grading and graveling said alley between the points above named.
H. HOSBROOK, 19 Arsenal avenue.

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

That the Street Commissioner be directed to place an iron railing along the north edge of the culvert crossing Pogue's Run at Washington street.

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

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

Gentlemen:—The Indianapolis Brush Electric Light and Power Company respectfully asks your consent to erect and maintain posts to sustain their wires, on the south side of Virginia avenue, from and between Washington and Louisiana streets, On the west side of Alabama, from and between Maryland and Louisiana streets, On the north side of east Washington street, from and between New Jersey street and the C., C., C. & I. Railroad. On the west side of Delaware street, from Court street to Virginia avenue. On the south side of Massachusetts avenue, from Ohio to Alabama street. On the first alley north of Washington street, between Illinois and Tennessee streets. On the west side of Illinois, from Market to Ohio streets, and iron poles or towers on the northwest corner of Washington and Pennsylvania streets; the northeast corner of Washington and Illinois streets; the southeast corner of Ohio and Illinois streets, and the southwest corner of Ohio and Pennsylvania streets; and four poles on the inner side of Circle street, in a line with the centers of Meridian and Market streets, north and south and east and west.

Respectfully submitted,

J. CAVEN, Pres't.

Councilman Pearson offered the following motion:

That a Committee of three be appointed to wait on Mr. John R. Cowie, and request him to attend the next meeting of this body.

Councilman Dowling moved as a substitute, "That the City Clerk be instructed to notify Mr. Cowie to attend the next meeting of this body;" which was adopted.

Councilman Pearson offered the following motion; which was adopted:

That the City Attorney be, and is hereby, requested to advise the Council at its next meeting, as to the manner to be pursued in straightening the city boundaries, and to make such suggestions as he may think proper in connection therewith.

Councilman Trusler moved that the Special Committee on Boundaries be discharged; which was laid on the table, on motion by Councilman Pearson.

Councilman Pearson offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, directed to have the contractor for placing a bracket lamp in the first alley north of Washington street, between Illinois and Meridian streets, place said bracket lamp in the alley running north and south from Washington street to the first alley north, and between Illinois and Meridian streets, the cost of said lamp (\$7.50), to be paid by Messrs. Wilson & Splan.

Councilman Pearson presented the following petition; which was referred to the Committees on Public Property, and Streets and Alleys:

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

Gentlemen:—We the undersigned, property owners and occupants of buildings around the Circle Park, would respectfully represent that the express wagon stand on the Circle has become a public nuisance, and we hereby petition your body to repeal the ordinance permitting the Circle to be used for such purpose. We also represent that the walks in said Circle Park are muddy and soft, during wet weather, and we request that they be laid with asphalt.

The Indianapolis Times Co., Abby A. Cady, Mary Morrison, Elizabeth Talbott, W. H. Talbott, H. H. Jackson, Grubb, Paxton & Co., Wm. H. English, O. S. & M. T. Runnels, Allen & Johnson, Sarah F. Atkins, for herself and E. C. Atkins, David Nicholson, W. C. Grubb, Franklin Insurance Co., by J. E. Robertson; N. N. Morris, Ransom Randolph & Co., Sidney M. Dyer, Emil C. Rassmann, Thomas A. Winterrowd, E. A. Walker, Horace F. Wood, T. L. Armstrong, Wm. C. Nicholson, Mrs. G. Rhodius, Backus & Reagan, Carlon & Hollenbeck.

Councilman Pearson offered the following motion, accompanied with propositions from John A. Wilkins, R. Browning and J. L. Hedges, for the sale of lots; which was referred to the Committee on Public Property:

That the Committee on Public Property be instructed to report to this body, at its next meeting, the advisability of purchasing lots in the old Cemetery.

Councilman Rees offered the following motion; which was adopted:

That the City Civil Engineer be, and he is hereby directed to remove the first lamp-post north of Wabash street, on the west side of Illinois street, to the north-west corner of Illinois and Wabash streets.

Councilman Reinecke offered the following motion:

That the City Civil Engineer be, and is hereby, directed to remove the dead lamp-post on the north side of Dougherty street, first west of Virginia avenue, to a point in front of St. Patrick's Church, and re-light the same.

Councilman Doyle moved as an amendment to the motion, "and that the lamp on the south side of Georgia street, between West and Missouri streets, be dis-mantled;" which was adopted, and the motion as amended adopted.

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

That the Street Commissioner be instructed to put gravel on north West street, above North street.

That the Street Commissioner be instructed to grade the approaches to the Fifth street bridge over the Canal, to make it passable.

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

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

Gentlemen:—We would again respectfully call your attention to the city farm, known as the "Sellers Farm." White River and Eagle Creek are cutting through and totally ruining the bottoms of said farm, between the River and Creek. The River is cutting away the bank on the east boundary of the farm, and unless prompt action is taken in the matter, the bottoms will be totally destroyed, and rendered useless for farming purposes. The River has already washed away over sixty feet of the bluff or high ground, and is seriously endangering our works, which must be moved, unless the bank can be secured by either rip-rap work or sheet piling.

We have, for the last three or four years, kept the fences, roads and levees on the farm in order, and also protected the river bank at our own expense, which we feel that the city should bear, in its capacity as landlord. The expense has been a serious one for us, and we are not able to bear it; and we therefore respectfully request your honorable body to cancel all claims against us for rent to May 1st, 1885, from which date we will pay \$500.00 per year for the use of said farm.

The city having permitted other fertilizer manufacturers to operate in and about the city, and on the line of railways, whereby the expense of teaming can be dispensed with, has practically shut us out of successful competition, as those nearer town can do more with one team than we can with three, and can handle and ship their material with much less expense, because we must pay toll on every wagon coming to our works; and being without railway communication on the farm, everything must be transported on wagons, which places us at a great disadvantage. And as the city has placed us in this position by its enactments, we feel it but right and proper that you reimburse us for our outlays in protecting the city's property.

We trust you will appoint a committee to investigate this matter fully, and see for themselves the truth of our statements; and we are ready at any time to transport such committee to and from the farm. Hoping you will not delay this matter, and grant our prayer, we remain gentlemen,

Your obedient servants,

INDIANAPOLIS FERTILIZER COMPANY,

By F. G. Wiselogle, Sec'y.

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

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

Gentlemen:—The petition of the undersigned represents to your Honor and honorable bodies, that he is the owner of what is known as the "James House," on north Alabama street, in the City of Indianapolis; that he acquired title to said property within the last two years by purchase; that as he is informed, the improvements in front of said property were erected and put there in accordance with the ordinances of said city; that said improvements have not been changed in any manner since he purchased said property, and that he is not a resident of said city. He further shows to you that on the day of, 1885, one John G. Rathsam, in passing over the sidewalk in front of said city, was precipitated into the basement area in front of said building and injured, and that for the injuries thus received, the said Rathsam instituted a suit in the Superior Court of Marion County, against your petitioner, the City of Indianapolis and Mrs. James, to recover damages, stated in his complaint at \$5,000.

He further shows to you that he had the matter carefully examined, and was advised that in all probability said Rathsam would recover a judgment against the City of Indianapolis and himself, and that he had better compromise the matter, if he could; and that acting upon said advice, he has compromised said suit at \$600.00 and has paid that amount to said Rathsam in full of claims because of said injuries. Your petitioner asks that you will reimburse him, for part of the money that he has thus expended, say in the sum of \$300.00. And he will ever pray, &c.

ENOCH D. HANNA,

By William Watson Woollen, his Attorney.

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

That the Street Commissioner be instructed to make some provision for the discharge of water from the gutter on the east side of Laurel street into Pleasant Run without injury to private property.

Councilman Trusler offered the following motion; which was adopted:

That the Committee on Water and Chief Fire Engineer be instructed to build a fire cistern on the south side of the German Orphan Asylum, capacity not to exceed one thousand barrels.

Councilman Wolf presented the following remonstrance; which was ordered filed with the ordinance, S. O. 28, 1885:

Indianapolis, April 14th, 1885.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Coburn street, between south East street and Madison avenue, respectfully remonstrate against the passage of an ordinance providing for the grading, bowldering and curbing the gutters of Coburn street, and paving with brick the sidewalks thereof.

Kate H. Dean, 400 feet; G. P. Fahrback, 30 feet; H. Funke, 30 feet; Leopold Leppert, 30 feet; Chas. D. Kruger, 150 feet; M. E. Noble (by A. Baker, Guard'n.) 150 feet; Kate Crosby, 80 feet; Harriet R. Dean, 150 feet.

Councilman Curry offered the following motion; which was adopted:

That the resolution of the last meeting, in reference to getting possession of that part of the West Market Space now occupied by John Carlisle, be withdrawn from the Committee on Markets, and that the Market Master and City Attorney take the necessary steps to put the city in possession of said space, Mr. Carlisle being allowed to remove all buildings placed there by him.

Councilman Rees offered the following motion; which was referred to the Judiciary Committee, and City Attorney:

That there be refunded to James L. Bradley, the amount of taxes paid by him for 1884, on Lot 6, Square 28, on all over \$16,000 appraisement; the amount to be ascertained, and inserted in the next appropriation ordinance, by the City Clerk.

PENDING ORDINANCES.

The following entitled ordinances were ordered stricken from the files:

- 3. O. 3, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Madison avenue, from the north line of Downey street to Nebraska street.
- 3. O. 9, 1885—An ordinance providing for the construction of a brick sewer in and along the following streets and alleys, viz: Beginning at Virginia avenue, and running thence west in and along the first alley south of Merrill street to the third alley east of East street, thence north in and along said alley to Merrill street; thence west in and along Merrill street (where not already properly done), to the first alley east of East street; thence north in and along said alley to the first alley west of Virginia avenue; thence northwest in and along said alley to East street; thence north in and along East street to and connecting with the sewer now in South street.

Councilman Spahr presented the following remonstrance to S. O. 27, 1885:

To the Common Council of the City of Indianapolis:

Gentlemen:—We, the undersigned, citizens and residents, and property owners abutting on each side of that part of Park avenue between Lincoln avenue and Eighth street, in said city, earnestly protest against any improvement whatever being made upon said part of said avenue, except the pavement of the sidewalks hereof.

Martha W. Bond, 80 feet; H. C. Roney, 45 feet; A. D. May, 80 feet; R. S. Hill, 90 feet; Sarah Jane Gerard, 41 feet; E. A. Campbell, 41 feet; Wm. T. Brown, 41 feet; Chas. F. Robbins, 42 feet; William Hoss, 71 feet; B. Balmer, 80 feet; Chas. Styer, 43 feet; Rebecca J. Martin, 50 feet; Susanna Goepper, 43 feet; G. T. Porter, 43 feet; Cyrus Smith; John Wachter, 343 feet; Wm. G. Rubush, 40 feet; E. C. Sewall, 46 feet; James Stephenson, 56 feet; Josie Cline, 50 feet.

The following entitled ordinance was read the second time, amended by striking out all in relation to stone crossings, ordered engrossed, and read the third time:

- 3. O. 83, 1884—An ordinance to provide for grading and paving with brick the sidewalks of Coburn street, from East street to Virginia avenue.

And it was passed by the following vote:

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

NAYS—None.

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

- 3. O. 143, 1884—An ordinance to provide for grading and bowldering the first alley west of Mississippi street, from Michigan street to Indiana avenue.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 150, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on College avenue between Home avenue and Irvin street, at the entrance to the Indianapolis Orphan Asylum.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 151, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Home avenue between College and Bellefontaine avenues, at the entrance to the Indianapolis Orphan Asylum.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 152, 1884—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Irvin street, between College and Bellefontaine avenues, at the entrance to the Indianapolis Orphan Asylum.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 154, 1884—An ordinance to provide for grading and paving with brick, the north sidewalk of Ninth street, from Tennessee street to the first alley east of Tennessee street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 2, 1885—An ordinance to provide for grading and paving with brick, the sidewalks of Greer street, from McCarty street to Buchanan street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 6, 1885—An ordinance to provide for grading and bowldering the gutters of Maryland street, curbing with stone and paving with brick (where not already done), the sidewalks thereof, from West street to Helen street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 7, 1885—An ordinance to provide for grading and bowldering the gutters of Maryland street, from Missouri street to West street.

And it was passed by the following vote:

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

NAYS—None.

The following entitled ordinance was read the second time, amended by striking out "West street" and inserting "Canal," ordered engrossed, and read the third time:

S. O. 8, 1885—An ordinance to provide for grading and paving with brick, the north sidewalk of St. Clair street, from Mississippi street to West street.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 11, 1885—An ordinance to provide for grading and graveling Hanway street and sidewalks, from Madison avenue to the J., M. & I. Railroad tracks.

And it was passed by the following vote:

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

NAYS—None.

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

S. O. 14, 1885—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on John street, between Dorman and Hanna streets.

And it was passed by the following vote:

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

NAYS—None.

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

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.

And it was passed by the following vote:

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

NAYS—None.

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

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.

And it was passed by the following vote :

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

NAYS—None.

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

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.

And it was passed by the following vote :

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

NAYS—None.

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

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.

And it was passed by the following vote:

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

NAYS—None.

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

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.

And it was passed by the following vote:

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

NAYS—None.

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

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.

SIG. 23.

And it was passed by the following vote:

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

NAYS—None.

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

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

And it was passed by the following vote :

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

NAYS—None.

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

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

And it was passed by the following vote :

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

NAYS—None.

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

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.

And it was passed by the following vote :

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

NAYS—None.

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

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

And it was passed by the following vote :

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

NAYS—None.

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

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.

And it was passed by the following vote:

AYES, 21—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinnecke, Reynolds, Sheppard, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

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

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.

And it was passed by the following vote:

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

NAYS—None.

The following entitled ordinance was called up by Councilman Dowling, and was read the second time:

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.

Councilman Dowling moved that the ordinance be stricken from the files.

Councilman Spahr, as an amendment, moved that the ordinance be referred to the Judiciary Committee.

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

AYES, 11—viz. Councilmen Benjamin, Coy, Curry, Dowling, Doyle, Edenharter, Haugh, Mack, Reinecke, Sheppard, and Wolf.

NAYS, 9—viz. Councilmen Gallahue, McClelland, Newcomb, Pearson, Reynolds, Smither, Spahr, Trusler, and Wharton.

Councilman Benjamin moved to reconsider the action by which the ordinance was postponed; which was ruled out of order by the Chair.

Councilman Spahr moved that further action on the ordinance be postponed until the next regular meeting.

Councilman Coy moved that the above motion be laid on the table.

Which failed of adoption, by the following vote:

AYES, 10—viz. Councilmen Coy, Curry, Dowling, Doyle, Edenharter, Haugh, Mack, Reinecke, Sheppard, and Wolf.

NAYS, 11—viz. Councilmen Benjamin, Gallahue, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, and Wharton.

Councilman Spahr's motion to postpone action, was then adopted.

On motion, the Common Council then adjourned.

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

Attest: **GEO. T. BREUNIG**, City Clerk.