

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—AUGUST 17, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, August 17th, A. D. 1885, at eight o'clock, in regular session.

PRESENT—Hon. John L. McMaster, Mayor, and *ex officio* President of the Common Council in the Chair, and 24 members, viz: Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

ABSENT, 1—viz. Councilman Downey.

The Proceedings of the second session of the Board of Equalization, held August 13th, 1885, and the special session of the Common Council held August 13th, 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 improvement, and for constructing the following cistern, were opened, read, and referred to the Committee on Contracts:

(S. O. 59, 1885)—For grading and paving with brick, the west sidewalk of Douglass street, from New York street to North street.

For the construction of one 1000-barrel cistern at or near the corner of Walcott and Carter streets.

REPORTS FROM COMMITTEE ON CONTRACTS.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Contracts, to whom was referred the proposals received August 3d, 1885, have examined the same, and find them to be as follows:

1st. For grading and graveling the first alley west of Arsenal avenue, from Washington street to Market street.

Fulmer & Seibert.....	28 cents per lineal foot front on each side.
Richter & Twiname	24 cents per lineal foot front on each side.
J. L. Spaulding.....	23 cents per lineal foot front on each side.
J. D. Hoss & Co.....	23 cents per lineal foot front on each side.
Hanway & Cooper.....	22 cents per lineal foot front on each side.
Isaac Snyder	19 cents per lineal foot front on each side.
Fred. Gansberg.....	18 cents per lineal foot front on each side.

Fred. Gansberg being the lowest and best bidder, recommend he be awarded the contract.

2d. For curbing with stone the outer edges of the sidewalks of North street from Pennsylvania street to Delaware street.

James W. Hudson.....	41 cents per lineal foot front on each side.
J. D. Hoss & Co.....	41 cents per lineal foot front on each side.
D. A. Haywood.....	39 cents per lineal foot front on each side.
J. L. Spaulding.....	39 cents per lineal foot front on each side.
R. P. Dunning.....	38 cents per lineal foot front on each side.
Richter & Twiname.....	38 cents per lineal foot front on each side.
Hanway & Cooper.....	38 cents per lineal foot front on each side.
Henry C. Roney.....	37 cents per lineal foot front on each side.

Henry C. Roney being the lowest and best bidder, recommend he be awarded the contract.

3d. For grading and paving with brick, the sidewalks of Eighth street, from Central avenue to the Wabash Railroad tracks.

Bernauer & Nichols....	33 cents per lineal foot front on each side.
J. D. Hoss & Co.....	32 cents per lineal foot front on each side.
Fulmer & Seibert.....	31 cents per lineal foot front on each side.
James W. Hudson.....	31 cents per lineal foot front on each side.
George W. Seibert, Sr.	30 $\frac{3}{4}$ cents per lineal foot front on each side.
Richter & Twiname....	30 cents per lineal foot front on each side.
Henry C. Roney.....	30 cents per lineal foot front on each side.
D. A. Haywood.....	29 cents per lineal foot front on each side.
R. P. Dunning.....	29 cents per lineal foot front on each side.
J. L. Spaulding.....	28 $\frac{3}{4}$ cents per lineal foot front on each side.

J. L. Spaulding being the lowest and best bidder, recommend he be awarded the contract.

4th. For building a stone wall on the north side of Pogue's Run, from Tennessee street to the first alley east of Tennessee street.

Name of Bidders.	Masonry.	Dry excavation.	Wet excavation.	Timber, cub. ft.
Helm & Son.....	\$6 25	18 cents	40 cents	20 cents.
Richter & Twiname..	5 00	20 cents	40 cents	20 cents.
Thomas Cummings...	4 35	10 cents	35 cents	13 cents.

Thomas Cummings being the lowest and best bidder, recommend he be awarded the contract.

5th. For the erection of lamp-posts, lamps and fixtures (complete to burn gas except the service pipes), on Yandes street, between Malott avenue and Seventh street; also on Michigan street, between Noble and Pine streets; also one post on Mississippi street, between Herbert and Twelfth streets.

Freaney Bros. being the only bidder, at \$21.00, and believing the same to be reasonably low, recommend they be awarded the contract.

Respectfully submitted,

W. C. Newcomb,
M. M. Reynolds,
Philip J. Doyle,
Committee on Contracts.

By consent, the following contracts and bonds were presented and approved:

Contract and bond of Thomas Cummings, to build a stone wall on the north bank of Pogue's Run, from Tennessee street to the first alley east of Tennessee street. Bond, \$2,000; surety, F. Wm. Schaefer.

Contract and bond of Fred. Gansberg, to grade and gravel the first alley west of Canal avenue, from Washington street to Market street. Bond, \$400.00; surety, C. Roney.

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 report the fees and fines due the city, collected by me the month of July, 1885, as follows:

Marshal's fees.....	\$275 50
Mayor's fees.....	198 00
Fines due city.....	26 20
	\$499 70

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 communication; which, on motion by Councilman Pearson, was referred to the Building Committee of the City Hall and Market House:

to the Hon. Mayor and Common Council and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned petitioners, composing the Board of Commissioners of the Metropolitan Police of the City of Indianapolis, and petitioning as such Board, respectfully show:

That the Indianapolis Light Infantry, for the past eight years a militia company of the State of Indiana, has connected itself with the forces under and subject to the control of your petitioners, for the preservation of law and order within the city; and the officers and members thereof have been sworn into the service of the city, and constituted the "Metropolitan Militia Reserve" of the City of Indianapolis, under an express agreement to serve without compensation, except in case of their being called into actual service, when they are to receive the compensation allowed by law.

That your petitioners deem it desirable that the armory of said Metropolitan Militia Reserve should be in the immediate vicinity of the public buildings and offices of the city, the station house and county jail, which it will be its duty to protect; and convenient to the headquarters of this Board, to the control of which it is subject.

In consideration, therefore, of the advantages to the city of such location, as above set forth, and as a recognition of the benefits and security derived from the voluntary service of said Indianapolis Light Infantry as such Metropolitan Militia Reserve, your petitioners respectfully request and earnestly recommend that said Metropolitan Military Reserve be allowed and granted the use of the Market Hall now being erected, for armory purposes. And they show that the same can be so used without any change in the plans for the same as already adopted, without any injury to such building, and without interfering in any way with all other proper use thereof.

And your petitioners further show that they deem it important, as a means bringing the Metropolitan Police force of the city to the highest standard of discipline and efficiency, as well as of increasing the security to person and property afforded by such force, that the officers and men thereof should be instructed in the theory and practice of military drill, and made familiar with the rules and regulations of military discipline; that they have arranged for such instruction being given, but they are without a suitable place in which the same can be given, and can not provide the same except at a considerable expense to the city. And they show that in the event of the granting of the prayer of your petitioners for the use of such hall for armory purposes, they would thereby be provided with the means of securing such instruction for such force. For all of which reasons they ask that their petition be granted.

Respectfully submitted,

JNO. W. MURPHY,
FRANK W. MORRISON,
THOMAS COTTRELL,

Board of Commissioners of Metropolitan Police, City of Indianapolis,
Indianapolis, Ind., August 15th, 1885.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen :

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

A first and final estimate in behalf of Freaney Bros., for erecting eleven lamp posts on Agnes street, between New York and North streets.

2,657 lineal feet, at 8.68 cents (\$21.00) per post.....\$231 00

A first and final estimate in behalf of Freaney Bros., for erecting one lamp-post on Michigan street, between New Jersey and East streets,

739.33 lineal feet, at 2.85 cents..... \$21 00

A first and final estimate in behalf of J. L. Spaulding, for grading, bowldering and curbing the gutter, and paving with brick the sidewalk of Wood street, from Michigan street to North street.

488.10 lineal feet bowldering, at 39 cents.....\$190 37

447.50 lineal feet curbing, at 38 cents 170 10

420.10 lineal feet paving, at 28 cents. 117 63

15 lineal feet double walk-stone, at 60 cents..... 9 00

\$487 10

A first and final estimate in behalf of R. P. Dunning, for grading and bowldering the first alley west of Mississippi street, from Michigan street to Indiana avenue

429.20 lineal feet, at 33 cents.....\$140 63

12.75 square yards bowlders re-laid, at 25 cents..... 3 20

\$143 83

A first and final estimate in behalf of David A. Haywood, for grading, bowldering and curbing the gutters of Park avenue, and paving with brick the sidewalk thereof, from Lincoln avenue to Eighth street.

2,597.55 lineal feet of bowldering, at 39 cents.....\$1,013 04

2,686.30 lineal feet of curbing, at 39 cents..... 1,047 62

2,456.49 lineal feet of paving, at 32 cents..... 785 92

227.40 lineal feet of walk-stone, at 60 cents 136 44

38.50 lineal feet of curb re-set, at 7 cents..... 2 70

351.32 square yards of bowldered wings, at 50 cents..... 175 66

\$3,161 38

A first and final estimate in behalf of John Hennessy, for grading and graveling the first alley south of Spann avenue, from Linden street to Laurel street

1,054 lineal feet, at 15 cents.....	\$158 10
2 extra yards of gravel, at 50 cents.....	1 00

\$159 10

A first and final estimate in behalf of Richter & Twiname, for grading and paving with brick, the sidewalks of Greer street, from McCarty street to Buchanan street.

1,522 lineal feet, at 32½ cents.....	\$494 65
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A first and final estimate in behalf of Hanway & Cooper, for grading and graveling the first alley east of Central avenue, from Eighth street to Ninth street.

1,230 lineal feet, at 15 cents.....	\$184 50
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A first and final estimate in behalf of Richter & Twiname, for grading, bowldering and curbing the gutters of Broadway street, from the first alley north of Seventh street to Eighth street.

600.80 lineal feet of bowldering, at 37 cents.....	\$222 11
658 lineal feet of curbing, at 38 cents.....	250 04
76 lineal feet of double walk-stone, at 60 cents.....	45 60
111.50 square yards of bowldered wings, at 50 cents.....	55 75

\$573 50

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the west sidewalk of Pennsylvania street, from Eighth street to the first alley south of Ninth street.

286.00 lineal feet, at 38 cents.....	\$108 68
21.39 square yards of bowldering, at 60 cents.....	12 82

\$121 50

A second and final estimate in behalf of Thomas Cummings, for building stone abutments for a combination bridge on Eddy street over Pogue's Run.

474.84 cubic yards of dry excavation, at 12 cents.....	\$ 56 92
460.16 cubic yards of wet excavation, at 45 cents.....	207 07
1,080 feet of square timber, at 15 cents.....	172 00
3,240 feet plank, B. M., at \$20.00 per thousand.....	64 80
202.40 yards stone work, at \$4.50.....	910 80
732.09 yards back-filling around abutments, at 15 cents.....	73 21
30 feet 18-inch sewer pipe, at \$1.00.....	30 00
30 feet 15-inch sewer pipe, at 75 cents.....	22 50

\$1,537 30

Amount allowed in first estimate..... 1,383 75

Balance due..... \$ 153 55

A second and final estimate in behalf of Thomas Cummings, for building stone abutments for a combination bridge on Sixth street over the Canal.

710.75 cubic yards of dry excavation, at 12 cents.....	\$ 85 29
1,052.22 cubic yards of wet excavation, at 45 cents.....	473 50
1,040 cubic feet square timber, at 15 cents.....	156 00
3,120 feet of plank, B. M., at \$20.00 per thousand.....	62 40
225.05 cubic yards of masonry, at \$4.80.....	1,080 24
1,547.92 cubic yards of back-filling around abutment, at 10 cents.....	154 79

\$2,012 22

Amount allowed in first estimate..... 1,816 25

Balance due..... \$ 195 97

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 Freaney Brothers, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Agnes street, between New York and North streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenhart, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis That the accompanying first and final estimate in behalf of Freaney Brothers, for erecting one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Michigan street, between New Jersey and East streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharte, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

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

And it was adopted by the following vote:

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

NAYS—None.

The following estimate resolution was read:

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

And it was adopted by the following vote:

YES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, that the accompanying first and final estimate in behalf of David A. Haywood, for grading, bowldering and curbing the gutters of Park avenue, and paving with brick the sidewalks thereof, from Lincoln avenue to Eighth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

YES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, that the accompanying first and final estimate in behalf of John Hennessey, for grading and graveling the first alley south of Spann avenue, from Linden street to Laurel street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

YES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, that the accompanying first and final estimate in behalf of Richter & Twiname, for grading and paving with brick, the sidewalks of Greer street, from McCarty street to Buchanan street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

YES, 20—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Smither, Spahr, Trusler, Wharton, and Wolf.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Hanway & Cooper, for grading and graveling the first alley east of Central avenue, from Seventh street to Eighth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

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

NAYS—None.

The following estimate resolution was read:

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

And it was adopted by the following vote:

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

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the west sidewalk of Pennsylvania street, from Eighth street to the first alley south of Ninth street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

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

NAYS -None.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the contract and bond of Fulmer & Seibert, for constructing a brick sewer in and along Massachusetts avenue, from Alabama street to Bellefontaine street. Bond, \$30,000, surety, Hiram Seibert.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith report contract and bond of Robert Kennington, for grading and graveling the roadway of Meridian street, from Morris street to the south line of Palmer street. Bond, \$4,200; surety, Fred. Gansberg.

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

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—In accordance with your instructions of July 20, 1885, I herewith submit an estimate of the cost of building a stone wall on the south and east bank of Pogue's Run, from Garden street to the bend, where said Run is now walled up, as follows:

Timber foundation, 37,560 feet B. M., at \$20.00 per thousand.....	\$ 751 20
Stone work, 366 yards, at \$5.00.....	1,830 00

Total.....	\$2,581 20
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Respectfully submitted, S. H. SHEARER, City Civil Engineer.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen :

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

J. D. Hoss & Co. vs. Alfred & John C. S. Harrison, for.....	\$39 68
John L. Spaulding vs. Martha A. Reed, for..	26 85
John L. Spaulding vs. John W. Fredericks, for.....	10 20

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

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

AYES, 18—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Doyle, Galahue, Haugh, Mack, McClelland, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Wharton, and Wolf.

NAYS, 5—viz. Councilmen Edenharter, Moran, Newcomb, Thalman, and Trusler.

The City Attorney submitted the following reports; which were severally received:

To the Mayor and Common Council :

Gentlemen:—I have examined the ordinance making a general tax levy for the year 1885, together with the motion asking my opinion as to whether the city can legally set aside a part of the revenue raised by taxation for sinking fund purposes, or not.

The Act of February 21, 1885, known as the "Winter Bill," limits the taxing powers of the Council and Board of Aldermen in this city, to ninety cents on the hundred dollars in value of taxable property. The same section of the Statute repeals all former laws requiring a tax to create a sinking fund, and provides that "any moneys on hand belonging to such sinking fund, may be appropriated by the Board of Aldermen and Common Council to general city purposes." (See Section 9, page 17, of Acts of 1885.)

The ordinance under consideration does not attempt to levy exceeding ninety cents on the hundred dollars of property. Out of the amount levied, it seeks to set apart a certain portion of the revenue to be raised thereby, "as a sinking fund, to

be used for the payment of the principal and interest of the city's indebtedness." I see no reason why this can not legally be done, and why it is not a very proper thing to do. The Statute certainly does not in terms prohibit it; and I do not believe that any reasonable construction can be placed upon the language above quoted, which will have the effect to prevent the city from making provision in advance in this way for the liquidation of her just debts.

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

To the Mayor and Common Council:

Gentlemen:—The report of the City's Belt Railroad Commissioners, made at the last regular meeting, was referred to me, with instructions "to report if the city's rights are fully protected." I have examined said report, and the mortgages and other instruments referred to therein.

While I do not presume to know what the real value of the company's property on which the city holds her mortgage is, and can not, therefore, state whether the city is entirely secure as to the five hundred thousand dollars loaned by her to the company, or not, yet I have no hesitation in saying that the city's legal rights to enforce her mortgage, have not been in any way impaired, or her security lessened by the execution of the mortgage to Conrad Baker, Trustee, on April 30, 1881, referred to in the report under consideration. On the contrary, it would seem that the city will be more likely to get her claim without resort to legal proceedings, than she would if this subsequent indebtedness had not been contracted by the company; for the parties holding these last bonds will hardly allow their entire security to be swept away by foreclosure of the city's mortgage.

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

The Chief Fire Engineer submitted the following report; which was received:

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

Gentlemen:—The following hydrants have been reported located, and now in service:

- No. 659—Southeast corner of Pine and New York streets.
- No. 660—Southeast corner of Pine and Vermont streets.
- No. 661—Southeast corner of Pine and Michigan streets.
- No. 662—Southeast corner of Pine and North streets.
- No. 663—Southeast corner of Mississippi and Third streets.
- No. 664—Southeast corner of Mississippi and Fourth streets.
- No. 665—Southeast corner of Mississippi and Fifth streets.
- No. 666—Northeast corner of Mississippi street and the first alley.
- No. 669—Northeast corner of Central avenue and Seventh street.
- No. 670—Southeast corner of Central avenue and Eighth street.
- No. 671—Southeast corner of Central avenue and alley north of Eighth street.

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the Mortality report for the month ending August 15th, 1885, showing 158 deaths; which was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Judiciary Committee, through Councilman Newcomb, submitted the following report; which was approved, and the request granted:

To the Mayor and Common Council:

Gentlemen:—John C. New, Trustee of the Beaty heirs, asks leave to withdraw the claim for \$20,000.00, presented by him April 6th, 1885, (see page 177, *ante*), and referred to the undersigned committee; and we recommend that his request be granted, without further action.

Respectfully submitted,

C. S. DENNY, City Attorney.

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

The same Committee submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Judiciary Committee and City Attorney, to whom was referred the petition of William Wallace, asking that the assessments against Lots 11 and 12, in Eli A. Hall's subdivision, for the opening of alley in Henderson's addition, in 1874, be cancelled, have examined into the matter. We find that the statements in said petition are true, and that said assessments, as to Mr. Hall, were void. We therefore recommend that the prayer of the petition be granted.

Respectfully submitted,

C. S. DENNY, City Attorney.

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

The Committee on Markets, through Councilman Cowie, submitted the following report; which was concurred in. Councilman Spahr requested to be recorded in the negative:

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

Gentlemen:—The Committee on Markets report that E. M. Cook, who purchased Butcher Stall No. 6, at the June sale, for the sum of \$15.00, has refused to pay into the city treasury the amount of his bid. We therefore recommend that the penalty prescribed by Section 15 of the Market Ordinance, be imposed, and that said Cook be excluded, for two years, from leasing or occupying any stall, bench or stand, in any of the city markets.

Respectfully submitted,

John R. Cowie,
Wm. Curry,
;Committee on Markets.

The same Committee presented the following; which was approved:

Indianapolis, August 11, 1885.

CITY TREASURER:

This is to Certify, That Herman Vollrath has purchased Butcher Stall No. 6, for \$15.00.

Wm. Curry,
John R. Cowie,
Market Committee.

Please deduct one month from above amount.

John R. Cowie,
Wm. Curry.

Councilman Haugh moved to reconsider action on the foregoing report relating to E. M. Cook.

Which was adopted by the following vote :

AYES, 15—viz. Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mack, Moran, Pearson, Rees, Reinecke, Reynolds, Sheppard, Spahr, Thalman, and Wharton.

NAYS, 7—viz. Councilmen Cowie, Edenharter, McClelland, Newcomb, Smither, Trusler, and Wolf.

Councilman Thalman moved to refer the report back to the committee.

Which was laid on the table, on motion by Councilman Trusler.

On motion by Councilman Spahr, it was ordered that the committee report at the next meeting of the Council the names of all persons who have not taken out leases for their stalls.

On motion by Councilman Thalman, the report of the committee was again concurred in, by the following vote:

AYES, 22—viz. Councilmen Benjamin, Cowie, Coy, Curry, Doyle, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 1—viz. Councilman Wharton.

The Committee on Public Light, through Councilman Gallahue, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—The Committee on Public Light, to whom was referred the motion to erect six Vapor lights and posts on the east side of south Meridian street, between Kansas and Palmer streets, and four lamps on Union street, between Hill and Palmer streets, recommend the same be done.

Respectfully submitted,

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

By consent, Councilman Reynolds presented the following petition; which was referred to the Committee on Streets and Alleys, with instructions to report at this session:

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

Gentlemen:—The undersigned, citizens and resident owners of property fronting on, and laying along that portion of Eighth street between Illinois street and Pennsylvania street, would respectfully represent that said Eighth street, west of Illinois street, is only thirty-three feet wide, and east of the first alley west of Pennsylvania street is forty feet wide, whilst that portion from the east side of Illinois street to said alley west of Pennsylvania street is sixty feet wide, which in no way accommodates or benefits the public, and forms jogs at the corners both unsightly and inconvenient. We therefore pray that said portion of Eighth street—being one and one-half squares—be ordered to be reduced to forty feet in width, within the bounds of said one and one-half squares, and that the lines of the same be made to conform to the lines of that portion east of the alley aforesaid, as per the plat hereto attached, and marked exhibit "A." And your petitioners will ever pray.

F. L. Ritzinger, Thos. C. Day, J. W. Murphy, N. R.
Ruckle, Robert Sloss, Egan & Treat.

Later in the session, Councilman Reynolds, in behalf of the Committee on Streets and Alleys, submitted the following report, accompanied with resolution :

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—Your Committee on Streets and Alleys, to whom was referred the petition of F. L. Ritzinger, et al., asking for the vacation of a certain portion of Eighth street, north and south sides, from Illinois street to the first alley west of Pennsylvania street, so as to make said street a uniform width of forty (40) feet, have carefully considered said matter, and believe the prayer of the petitioners should be granted; therefore recommend the adoption of the following resolution.

Respectfully submitted,

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

Resolved, That the petition of F. L. Ritzinger et al., praying for the vacation of certain portion of Eighth street, north and south sides, from Illinois street to the first alley west of Pennsylvania street, be referred to the City Commissioners, with instructions to assess benefits, if there be any, and to make due report to the Common Council and Board of Aldermen. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the Superintendent of Police to serve the proper notices upon the City Commissioners, and the petitioners are required to serve the proper notices upon all interested property owners.

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

AYES, 22—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reineeke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS—None.

REPORTS FROM SELECT COMMITTEES.

Councilman Pearson, in behalf of a certain Special Committee, submitted the following report; which was received, and on motion by Councilman Cowie, the committee was discharged:

To the Mayor and Common Council:

Gentlemen.—Your Committee appointed to make inquiry into the truth of the charges made by and against Mr. Dowling, respectfully submit the following report:

Your Committee have been guided throughout their investigation, by the motion in pursuance of which they were appointed. Said motion is as follows:

“WHEREAS, It has been reported and stated in the daily newspapers of this city that a member of this body has openly and publicly stated that he bribed certain members of a former Council to vote for a particular measure; now, therefore, it is hereby

Moved, That a committee of five be appointed to make inquiry into such matter and report as to the truth of such charges at the next meeting of this Council.”

Believing that they have no power or authority except such as is given them under the above motion, your committee have endeavored to make a thorough investigation and inquiry into the matters therein specified, but have not prepared any charges, nor made any recommendations on the subject, for the reason that they do not deem it in their province so to do.

Subpoenas were issued for all persons supposed to know anything about the matter, and a number of witnesses were examined under oath. Mr. W. H. Tucker testified that Mr. Dowling, on Sunday, August 2d, 1885, in front of the Post Office,

in this city, made statements regarding the bribery of ex-members of the Council substantially the same as those published in the Times, and set forth in the second question put to Mr. Dowling, which is hereinafter inserted.

Messrs. Yoke, Egger, Brundage, Mauer, Cole, Morrison and Caylor, ex-member of the Council, were then examined under oath, and each and all testified that they had never received money or favors by way of a bribe from Mr. Dowling, Col. Johnson, or any person as agent or on behalf of the Citizens' Street Railway Company. No other evidence being obtainable, the following questions were put to Mr. Dowling:

Question No. 1—Did you, on Saturday, August 1, 1885, or at any time prior thereto, have any conversation with a representative of the Indianapolis Times, in which conversation you made use of the following language: "I should like to know who the Times refers to as the Street Car Company's pensioner in the City Council. I demand to know, and I will know. I know who it meant. The allusion was made to me. Whoever says that I am a pensioner of the Street Car Company, or have ever been, is a ——— liar. The Times shall publish the name. If it does not, I intend to offer a resolution on Monday night to exclude all the reporters of that paper from Council, and also pay my respects to the confounded sheet. It doesn't make any difference whether a single member except myself votes for the resolution or not, it will give me a chance to get even. I never accepted a dollar from the Street Car Company. I could have had my expenses paid during the last local campaign, but I did not take a penny. My hands are clean, and I can prove it by the books of a prominent bank. I do not deny that I made the race for Council as a friend of the Street Car Company, but I am nobody's pensioner. I'll tell you what I did, though. I bought some of the members and I don't care who knows it. They were Republicans, every mother's son of them. We didn't have to buy Democrats, for they were all right at the start. You must understand that I am referring to the members of the old Council. If you want something to put in your paper, just say that I bought Republicans. I don't care who knows it, but I'll bet you won't dare to publish it. I bribed them. I purchased their votes, and I don't care who knows it."

Question No. 2—Did you, on Sunday, August 2, 1885, near the Post Office, in this city, have a conversation with or in the presence of William H. Tucker, Marcus L. Brown, William H. Morrison, and others, and in which conversation, the same having reference to the matter embraced in the first question above propounded, say in words or substance as follows: "I know what I am talking about. I'm no fool. You may depend upon it that if I had not the proof, I would say nothing. But I have the documents bearing the signatures of the Councilmen, which conclusively prove what I have charged. I have been watching for this opportunity for years. It came a little sooner than I expected, but I'll improve it just the same. I want to show those fellows in their true light. I bought them, and I bought them cheap, and I can prove it. I have abundant proof in black and white. Don't fear that I haven't gone into this matter with my eyes open. I want to go before the grand jury. I want to show them the papers and letters I have. I am just as anxious for an investigation as the Times."

Question No. 3—Were the statements made by you, and included in question No. 1, true or false?

Question No. 4—Were the statements made by you, and included in question No. 2, true or false?

Mr. Dowling, through his attorneys, Messrs. Cropsey and Everett, then submitted the following so-called answers, in writing:

To the Honorable Special Committee appointed by the Common Council of Indianapolis, on motion of the Honorable John R. Pearson, to inquire into certain rumors concerning James T. Dowling, a member of said body, now makes reply to the questions to him propounded, through his attorneys, J. M. Cropsey and Harmon J. Everett, admitted through the courtesy of said committee, and says: That he used language in substance similar with that stated by the informant; but that the interpretation of said language so used was violent to the intent and meaning thereof. That said language was provoked by persistent personal assaults upon said member through a newspaper of wide circulation. That said assaults were of the most provoking character and totally unwarranted; that by systematic attacks

of the said newspaper he was so angered that he responded with wrath and inconsideration, and the words used by him were hasty and unthought. The language used was improper and unparliamentary to his brother members of the City Council of 1882 and 1883, and as to them he regrets having used the same. Whatever conversation was had on said subject was outside of and foreign to any member of the now City Council. It was not in the Council Chamber or during its session, but street talk only. No contempt, slight or indignation was thereby intended to be cast on the Council of which this committee is a representative, or any member thereof.

With full faith in the honesty and integrity of the Council and committee, respondent submits:

1. That the charges were taken cognizance of by reason of a hasty charge of a newspaper personally the respondent's enemy.

2. That with deference to the members of the Council on this committee, and the members thereof, this committee has not been legally organized by any ordinance requiring such inquiry. That is to say, that specific charges, in writing, have not been preferred against this respondent by any citizen under oath, nor by any member of the City Council in his official capacity as such; nor have any specific charges in writing or otherwise been referred to a committee of three of said Council, as by its own ordinance required.

That this committee has no authority to require a party or witness to answer or respond under oath; hence, this respondent, as by your committee requested, fully answers herein, and in accordance with the resolution of said Council.

JAMES M. CROPSEY,
HARMON J. EVERETT.

Your committee, not being satisfied with such answers, requested Mr. Dowling to answer specifically questions 3 and 4, but on objection being made to their form, the following questions were substituted:

Question 3. Did you, during the years 1882 or 1883, bribe any member of said Council in any way to cast a vote in favor of the Citizens' Street Railway Co.?

Question 4. Do you know of Col. Johnson, or Tom Johnson, or any agent of said Street Railway Co., having bribed any member of the Common Council during the years of 1882 or 1883, to cast a vote in favor of said Citizens' Street Railway Company?

These questions Mr. Dowling refused to answer, making the following statement in writing:

"James T. Dowling says: That in his best and honest judgment he has fully and truly answered to all the matters of which this committee has authority to inquire, and he respectfully asks to be excused from further response in this behalf.

H. J. EVERETT,
J. M. CROPSEY,
Attorneys "

As will be seen from the foregoing, Mr. Dowling admits having made the statements with which he stands charged in the newspapers; but refuses to answer as to whether such charges made by him were with or without foundation. Their truth is denied by all the parties that could have been included in such charges, except one, who did not appear before this committee, and Mr. Dowling admitted that such party would also deny the charges.

Your committee have made a full report of the matters investigated by them, stating facts rather than conclusions, that the Council may take such further action thereon as it may see fit.

And your committee, having completed their labor, now ask to be discharged.

John R. Pearson,
Fred J. Mack,
Robert McClelland,
Julius F. Reinecke,
Preston C. Trusler,
Special Committee.

Councilman McClelland presented the following charges; which were referred to a committee of Councilmen Newcomb, Trusler and Mac for examination:

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

Gentlemen:—The undersigned charges James T. Dowling, a member of the Common Council, with conduct unbecoming a member thereof, and warranting his expulsion therefrom.

In proof thereof, the undersigned charges said Dowling with having openly and publicly stated, charged, proclaimed and admitted, that he bribed certain members of the Common Council of said city for the years 1882-'83, by paying said members money to vote for certain measures and against certain other measures then pending before said Council, in the interest of the Citizens' Street Railway Company said charges having been so publicly made on the streets of said city on the first and second days of August, 1885, said Dowling having been, at the time said charges, statements, proclamations and admissions were made, and at the time said bribes were charged to have been given, a member of the Common Council aforesaid.

Wherefore, the undersigned asks that steps be taken looking to the expulsion of said Dowling as a member of this body, and that he be so expelled.

ROBERT McCLELLAND,
Councilman Seventh Ward.

Councilman Spahr moved that the report (see pages 467 and 468, *ante*) of the Special Committee in relation to the Stem claim, be now taken up for consideration; which was adopted.

Councilman Trusler moved that the report be laid on the table.

Which failed of adoption, by the following vote:

AYES, 9—viz. Councilmen Doyle, Gallahue, McClelland, Newcomb, Rees, Reinecke, Smither, Thalman, and Trusler.

NAYS, 14—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Edenharter, Haugh, Mack, Moran, Pearson, Reynolds, Sheppard, Spahr, Wharton, and Wolf.

Councilman Cowie moved that the report be concurred in.

Which failed of adoption, by the following vote:

AYES, 10—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Edenharter, Haugh, Mack, Sheppard, Spahr, and Wolf.

NAYS, 11—viz. Councilmen Gallahue, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Thalman, and Trusler.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and the matter referred to the Committee on Public Property:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, August 10th, 1885, concurred in the recommendation of the Committee on Public Property, that insurance be taken in responsible companies, on that prop-

erty of the city's which is not insured, in such sums as the Committees on Public Property may determine.

I submit the same for your consideration.

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 Haugh:

G. O. 81, 1885—An ordinance to provide for the construction of an eighteen (18) inch Akron pipe sewer, in and along Michigan street, from Massachusetts avenue to the first alley east of East street.

By Councilman Newcomb:

S. O. 86, 1885—An ordinance to provide for grading and bowldering the south gutter of North street, from Pennsylvania street to Meridian street.

By Councilman Spahr:

S. G. 87, 1885—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas, except the service pipes), on Bellefontaine avenue, between Lincoln avenue and Seventh street.

S. O. 88, 1885—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Broadway street, between Lincoln avenue and Seventh street.

By Councilman Thalman, accompanied with petition:

G. O. 32, 1885—An ordinance to grant to the Indianapolis District Telegraph Company, the right of way for the construction and operation of its lines, and to set poles and to string wires thereon, in the streets, sidewalks and alleys of the City of Indianapolis.

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

Gentlemen:—Your petitioner, The Indianapolis District Telegraph Company, respectfully represents: That it has, through its agents, procured about five hundred subscribers to its District Telegraph and Messenger Service, who have agreed to take about six hundred of its patented boxes. That it has donated to every charitable institution one of its boxes, and that it will place, free of charge, a patent Fire Register and Indicator in every Engine and Hose house in the City of Indianapolis—this latter being a part of the system of the Indianapolis District Telegraph Company to better protect its subscribers and the general public in case of fire.

Your petitioner respectfully asks that you will grant to them the right-of-way through the City of Indianapolis to string its wires, so that the system can be speedily put into operation. Your petitioner herewith presents an ordinance granting such right, and asks that the same be passed. And your petitioner will ever pray, etc.

THE INDIANAPOLIS DISTRICT TELEGRAPH COMPANY,
By E. G. Ohmer, its Agent.

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

810. 54.

AYES, 22—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenhart, Gallahue, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

The ordinance was then read the second time.

On motion by Councilman Spahr, the ordinance was amended by inserting, after the word "may," in the *proviso* of Section three the words "amend or," and after the words "Hose Houses," in line nine of Section one, the words "and Police Headquarters."

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

AYES, 21—viz. Councilmen Benjamin, Cowie, Coy, Curry, Dowling, Edenhart, Gallahue, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

By Councilman Trusler:

S. O. 89, 1885—An ordinance to provide for grading and graveling the first alley south of Prospect street, from Olive street to the first alley west of Olive street.

By Councilman Wolf:

S. O. 90, 1885—An ordinance to provide for grading and graveling the first alley south of Bicking street, from Davis street to the first alley west of Davis street.

S. O. 91, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Delaware street, from the first alley south of Bicking street to Madison avenue.

S. O. 92, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Madison avenue, from Delaware street to the first alley north of Coburn 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 clean the gutters of Delaware street, from South to Merrill streets.

That the Street Commissioner be, and is hereby, instructed to repair the street crossing across Delaware street, at the intersection of Duncan street.

That the Street Commissioner be, and is hereby, instructed to repair the crossings at the intersection of Madison avenue, Merrill and Union streets.

That the Street Commissioner, under the direction of the City Civil Engineer, be, and is hereby, instructed to repair the gutter at the intersection of Chesapeake and Delaware streets, forthwith.

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

That a Flagman be placed on Pennsylvania street, where the private switches cross, at the expense of the owners of said tracks.

Councilman Benjamin offered the following resolution:

Resolved, That the city take nine hundred of Viera's Street Guide at \$1.50 each, be placed at points to be hereafter designated by the City Civil Engineer, said guides to be erected by the said Viera to the entire satisfaction of said Engineer.

Councilman Newcomb moved to lay the resolution on the table.

Which failed of adoption, by the following vote:

YES, 7—viz. Councilmen McClelland, Newcomb, Reinecke, Reynolds, Sheppard, Thalman, and Trusler.

AYS, 13—viz. Councilmen Benjamin, Cowie, Dowling, Edenharter, Gallahue, Haugh, Mack, Moran, Pearson, Rees, Smither, Spahr, and Wolf.

Councilman Cowie moved to amend the resolution by striking out 900, and inserting 100.

Councilman Mack moved to insert 500; which was adopted.

The resolution as amended, then failed of adoption, by the following vote:

YES, 11—viz. Councilmen Benjamin, Cowie, Coy, Dowling, Edenharter, Gallahue, Haugh, Mack, Smither, Spahr, and Wolf.

AYS, 11—viz. Councilmen Curry, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Thalman, and Trusler.

There being a tie vote, according to the rule, the Chair declared the resolution not adopted.

Councilman Cowie offered the following motion, which was referred to the Board of Public Improvements:

That Councilman Sheppard's motion to bowlder the alley between Vermont and Michigan streets, from Blake to Douglass streets, be continued to Bright street.

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

That the contractor be, and is hereby, directed to place stone crossings on the west end of Maryland street; one crossing on the first alley west of West street, on Maryland street, on the south side of Maryland street; also, one on the north side of, and along Maryland street, and one across California street, on the south side Maryland street.

Councilman Mack, for Councilman Doyle, offered the following resolution; which was referred to the Committee on Streets and Alleys:

Resolved, That the name of Noble street, west of White River, in said city, be and the same is hereby, changed to "Traub" street; and that State street, in the same locality, be, and the same is hereby, changed to "Spaulding" street.

Councilman Edenharter 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 both sides of Hanna street, across Market street.

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

That the Street Commissioner be directed to lay a stone crossing on Phipps street, on the east side of Russell avenue.

That the Street Commissioner be, and is hereby, directed to at once scrape the street and gutters, and fill up the chuck-holes on south Meridian street, from McCarty street to Morris street.

That the Street Commissioner be, and is hereby, directed to fill up the chuck-holes on Union street.

Councilman McClelland offered the following motion; which was adopted:

That Samuel W. Wales be, and is hereby, granted permission to lay a wooden driveway across the gravel sidewalk on Massachusetts avenue, in front of his coal yard; under the direction of the City Civil Engineer.

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

That a Vapor light be placed on the east side of Oak street, between Vine and Cherry streets, at the corner of the alley.

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

That the Indianapolis Water Company be, and is hereby, directed to lay water mains in Park avenue, from St. Clair street to Cherry street.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owner of Lots 24, 28, 42, 78, 83, 93, 96 and 99, in J. W. King's subdivision of Bryan's addition, respectfully asks your honorable bodies to refund the amount of taxes paid on said lots, with interest, for the reason that the courts have held that said lots were never annexed, and the taxes, consequently, illegally collected:

Tax of 1875, paid April 8, 1876.....	\$ 33 75
Tax of 1876, paid April 11, 1877.....	28 00
Tax of 1877, paid April 9, 1878.....	17 92
Tax of 1878, paid March 25, 1879.....	12 96

Tax of 1879, paid April 15, 1880.....	\$ 7 44
Tax of 1880, paid April 13, 1881.....	6 42
Tax of 1881, paid April 5, 1882.....	6 43

 \$112 92

Respectfully,

A. H. HAYMOND,
B.

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

To the Common Council and Board of Aldermen :

Gentlemen:—Your petitioners, the Trustees of the African Methodist Episcopal Church, respectfully represent that the city has for several years past taxed the parsonage and ground on which it stands, so that there has accumulated, and now remains delinquent on the city tax duplicate, the sum of \$394.34, together with six per cent. interest thereon from April 20th. Your petitioners further show that they labored under the impression while said taxes were accumulating, that said parsonage was exempt from taxation, the same being on land immediately adjoining the church edifice. They are now advised, however, that the law exempting property used for religious worship, only applies to the church building proper. The whole of the property is largely incumbered by a mortgage, which the membership are striving to cancel, but will be utterly unable to do so, if the taxes aforesaid are enforced, and will be compelled to lose their place of worship and parsonage.

We therefore earnestly petition your honorable bodies to relieve us from payment of said taxes. And as in duty bound, we will ever pray.

Respectfully submitted,

Dr. S. A. Elbert, Albert J. Farley, D. M. Black, Beverley
Porter, Edward + Roberts, Trustees A. M. E. Church.

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

That the Street Commissioner be instructed to fill the chuck-holes on Wood street, and spread the gravel now piled on the west side of said street.

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

To the Honorable Mayor, Board of Aldermen, and

Common Council of the City of Indianapolis, Ind :

Gentlemen:—Your petitioner, Daniel W. Noble, respectfully represents, that in the year 1884 he was, by the City of Indianapolis, Indiana, assessed for taxation on eighty shares of bank stock of The First National Bank of Indianapolis, Indiana, at seventy-five dollars per share, and a total of six thousand dollars; that at the time said assessment was made, said petitioner was indebted in the sum of four thousand dollars for borrowed money, and at said time when said assessment for taxation was made, your petitioner had no other credits or monied capital other than said bank stock, from which to deduct his said *bona fide* indebtedness of four thousand dollars; that no deduction whatever was made or allowed your petitioner on the said assessment of bank stock for his said indebtedness; that thereafter, to-wit: on the 27th day of March, 1885, said petitioner paid to I. N. Pattison, Treasurer of said city, the sum of sixty-nine dollars and eleven cents (\$69.11), full amount of taxes computed on said full assessment of six thousand dollars.

Your petitioner says that under the decision of the Supreme Court of Indiana, in the case of Wasson, Treasurer, vs. The First National Bank, filed May 2d, 1885, the taxes on four thousand dollars of said six thousand dollars, was unlawfully and wrongfully assessed, and that the taxes paid on said wrongful assessment, ought to

be refunded to him; that the amount which ought to be re-paid to your petitioner as calculated by him, is forty-six dollars and seven cents (\$46.07). Wherefore your petitioner respectfully prays that an order be made refunding him said sum of \$46.07.

DANIEL W. NOBLE.

Subscribed and sworn to before me, this 4th day of August, A. D. 1885.

Witness my hand and Notarial seal.

[Seal.]

ALFRED R. HOVEY, Notary Public.

Councilman Rees presented the following communication:

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

Gentlemen:—The Indianapolis Sentinel of this morning contains an editorial concerning the management of the Indianapolis City Hospital that implies that there is gross mismanagement of the institution. I respectfully request that you appoint a committee to investigate the charges, and that Mr. John C. Shoemaker, the editor of the Sentinel, be made a member of such committee.

Respectfully,

W. N. WISHARD, Supt. City Hospital.

Councilman Rees moved that a Special Committee of three be appointed.

On motion by Councilman Thalman, the above motion was laid on the table, and the communication received.

Councilman Reinecke offered the following motion:

That the Committee on Public Property be instructed to have a brick foundation built under the dwelling house at Garfield Park, as the house will fall down unless the improvement is made.

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

AYES, 12—viz. Councilmen Cowie, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Spahr, and Thalman.

NAYS, 10—viz. Councilmen Benjamin, Coy, Curry, Dowling, Mack, Reinecke, Sheppard, Smither, Trusler, and Wolf.

Councilman Reinecke offered the following resolution, accompanied with petition:

Resolved, That the Citizens' Street Railway Company of Indianapolis be, and it is hereby, ordered and directed to extend its line of track from the south termination of Virginia avenue in and along Shelby street to the Belt Railroad Company's track.

And the resolution was adopted by the following vote:

AYES, 18—viz. Councilmen Cowie, Coy, Dowling, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wolf.

NAYS, 4—viz. Councilmen Benjamin, Curry, Edenharter, and Mack.

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

That six Vapor lamps be erected on Pendleton Pike; six on Home avenue, between Peru and Columbia avenue, and ten on Brookside avenue. Said lamps to be under the direction of the City Civil Engineer.

Councilman Smither offered the following motion; which was adopted:

That Mr. Pruett be allowed to make bowldered driveway across sidewalk at 324 Indiana avenue, at his own expense, and under supervision of City Civil Engineer.

Councilman Smither offered the following motion:

That the Committee on Public Property be allowed \$200.00 to be used on house and fences in Garfield Park, to place same in good shape.

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

AYES, 13—viz. Councilmen Benjamin, Cowie, Edenharter, Gallahue, Haugh, Moran, McClelland, Newcomb, Pearson, Rees, Reynolds, Sheppard, and Spahr.

NAYS, 9—viz. Councilmen Coy, Curry, Dowling, Mack, Reinecke, Smither, Thalman, Trusler, and Wolf.

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

That the Street Commissioner be directed to gravel Park avenue, from Lincoln avenue to Eighth street; also Broadway street, from Eighth street to the first alley south.

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

Resolved, That the Indianapolis Water Company be, and are hereby, directed to lay water mains on Ash street, from the first alley north of Christian avenue to Home avenue.

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

That the Street Commissioner be, and is hereby, instructed to clean the gutters on Vermont street, between Delaware and East streets.

Councilman Spahr offered the following resolution:

Resolved, That the Street Commissioner be, and he is hereby, directed to plank the sides of the State Ditch, to a hight of six (6) feet, on either side, with oak plank two (2) inches thick, from the intersection of said Ditch and the south line of the State Fair grounds, east to Bellefontaine street, under the direction and supervision of the City Civil Engineer.

It being now eleven o'clock, by virtue of the rules, the Chair declared the Common Council adjourned.

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

Attest: GEO. T. BREUNIG, City Clerk.