

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 1, 1886.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, February 1st, A. D. 1886, at 7:30 o'clock, in regular session.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 25 members, viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Edenhart, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT—None.

The Proceedings of the Common Council for the regular session, held January 18th, 1886, and the Proceedings of the Joint Conventions held January 8th and 11th, 1886, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

To the Common Council and Board of Aldermen:

Gentlemen.—I herewith report the amount of fees and fines due the city, collected by me for the month of January, 1886, as follows:

| | |
|---------------------|----------|
| Marshal's fees..... | \$138 80 |
| Mayor's fees..... | 105 40 |
| Fines due city..... | 11 00 |
| Total..... | \$255 20 |

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

Respectfully submitted, C. S. DENNY, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer and City Attorney submitted the following report; which was received, and extension of time granted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—The undersigned, whom you instructed to report all plats, petitions, resolutions, &c., at this meeting of the Council, beg leave to inform you that we have labored hard and faithfully to comply with your order, but find, owing to the enormous amount of work required, together with its difficult nature, that it has

been absolutely impossible. We therefore ask for an extension of time to complete said work, and suggest that if the Council would meet in special session next Friday evening, we hope to make a complete and final report, and also, as it is important to have the County Commissioners act on the matter at their March term, it could then go to the Board of Aldermen without any loss of time.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

WILLIAM L. TAYLOR, City Attorney.

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

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 building one 1000-barrel cistern on Willow street, between Spruce and Reid streets.

1,075 68 barrels, at 44 cents.....\$473 30

A first and final estimate in behalf of Richter & Twiname, for painting the National Road bridge over the Canal.

Contract price.....\$45 00

A first and final estimate in behalf of Richter & Twiname, for building one 1000-barrel cistern, corner of Walcott and Center streets.

971.80 barrels, at 40 cents.....\$388 72

Less 10 per cent reserve..... 38 87

Amount allowed.....\$349 85

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

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following entitled affidavit, now on file in my office, for the collection of street improvement assessment by precept, to-wit:

Richter & Twiname vs. Johanna Schowmyer, for.....\$9 78

Feb. 1st, 1886.

MICHAEL F. SHIELDS, City Clerk.

And the precept ordered to issue, by the following vote :}

AYES, 20—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, and Waterman.

NAYS—None.

The following report from the City Clerk was read and received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report receipt of H. W. Miller, Treasurer, for \$16 50, received from James L. Mitchell, as per order of Council and Board of Aldermen of December 29th and 30th, 1885.

Respectfully,

MICHAEL F. SHIELDS, City Clerk.

Indianapolis, January 26th, 1886.

Received of James L. Mitchell sixteen dollars and fifty cents (\$16.50), as and for the amount paid by the City of Indianapolis to George W. Seibert, Jr, on the improvement of Highland street, from Washington street to Ohio street, on an assessment made and reported by S. H. Shearer, City Civil Engineer, November 5th,

1883, against 15 feet on the east side of said Highland street, which said 15 feet had formerly been platted as an alley, but which, by vacation and deed, at the time of said improvement and assessment, belonged to said Mitchell. And said assessment of \$16.50 for the 15 feet against the city, should have been made against said Mitchell in addition to the 232½ lineal feet for which he was at said time assessed, and to correct said assessment, and to reimburse said city in the amount so paid by her, said \$16.50 is received.

H. W. MILLER,
Treasurer for City of Indianapolis.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the city treasury during the month of January, 1886, viz:

| | | |
|---------------------------------------|-------------|---------------------|
| Board of Health..... | \$ 300 00 | |
| Bridges..... | 30 00 | |
| City Assessor's Department..... | 155 35 | |
| City Civil Engineer's Department..... | 208 20 | |
| City Dispensary..... | 211 62 | |
| City Hall..... | 91 55 | |
| City Hospital and Branch..... | 1,880 03 | |
| City Treasurer's per centage..... | 503 13 | |
| Fire Department..... | 6,051 92 | |
| Gas..... | 5,864 86 | |
| Incidentals..... | 60 40 | |
| Interest on Bonds..... | 2,007 00 | |
| Markets..... | 3 65 | |
| Market-Masters' fees..... | 177 45 | |
| Parks..... | 124 00 | |
| Police..... | 4,807 29 | |
| Printing..... | 376 38 | |
| Salary..... | 5,534 33 | |
| Station House..... | 298 60 | |
| Street improvements..... | 22 | |
| Street repairs..... | 1,738 83 | |
| Taxes refunded..... | 51 39 | |
| | <hr/> | \$ 29,976 60 |
| School fund..... | \$ 1,497 35 | |
| Sewer fund..... | 680 61 | |
| Sinking fund..... | 204 19 | |
| | <hr/> | 2,382 15 |
| SPECIAL FUNDS. | | |
| Special sewers..... | \$ 2,928 99 | |
| Market House and Public Hall..... | 6,962 00 | |
| | <hr/> | 9,890 99 |
| Total..... | <hr/> | <u>\$ 42,249 74</u> |

Respectfully submitted,

MICHAEL F. SHIELDS, City Clerk.

The following report from the City Clerk was read, and the appointment confirmed:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I have appointed Edwin F. Gould as a Deputy in my office. I respectfully request your honorable bodies to confirm his appointment.

Feb. 1st, 1886.

MICHAEL F. SHIELDS, City Clerk.

The Rental Agent submitted the following report; which was referred to the Finance Committee:

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

Gentlemen:—I herewith submit report of collection of rents from Tomlinson property, as follows:

| | |
|---|----------|
| Dr. L S. Campbell, ground rent, Indiana avenue..... | \$ 12 50 |
| Mrs Thomson, No. 113 north Illinois street..... | 56 00 |
| Mrs. Overman, No. 115 north Illinois street..... | 25 00 |
| Mrs. Mahan, No. 117 north Illinois street | 25 00 |
| Paul Sherman, No. 21, Indiana avenue..... | 15 00 |

| | |
|----------------------|----------|
| | \$133 50 |
| Less commission..... | 4 67 |

| | |
|-------------------|----------|
| | \$128 83 |
| Less repairs..... | 2 00 |

| | |
|--|----------|
| | \$126 83 |
|--|----------|

Respectfully submitted,

January 30th, 1886. WM. HADLEY, Agent.

The Superintendent of the City Hospital and Branch submitted his report for January, 1886; which was read and received.

The Superintendent of the City Dispensary submitted his report for January, 1886; which was read and received.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the Mortality report for the last half of January, 1886; which was read and received.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in the Street Repair Department, for the month of January, 1886:

| | |
|------------------------------|-------------|
| Pay-rolls..... | \$ 1,036 66 |
| Blacksmithing..... | 9 45 |
| Broken stone..... | 195 70 |
| Castings for sewers..... | 23 88 |
| Freight on lumber..... | 16 50 |
| Freight on stone..... | 14 40 |
| Gravel..... | 1 12 |
| Hardware..... | 8 82 |
| Iron bridges, repaired..... | 21 74 |
| Lumber..... | 265 31 |
| Miscellaneous..... | 20 90 |
| Rent of City Stone Yard..... | 100 00 |
| Rubber goods..... | 8 95 |
| Sewer pipe..... | 15 40 |

| | |
|------------|-------------|
| Total..... | \$ 1,738 83 |
|------------|-------------|

Respectfully submitted,

C. S. RONEY, Street Commissioner.

M. M. REYNOLDS,
Board of Public Improvements.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Contracts, to whom was referred proposals received January 18, 1886, have examined the same, and find them to be as follows:

1st. For grading and paving with brick, the north sidewalk of Walnut street, from East street to Park avenue.

| | |
|-------------------------|---------------------------------|
| H. C. Roney | 31 cents per lineal foot front. |
| Richter & Twiname,..... | 31 cents per lineal foot front. |
| R. P. Dunning..... | 31 cents per lineal foot front. |
| D. A. Haywood..... | 30 cents per lineal foot front. |
| J. L. Spaulding..... | 30 cents per lineal foot front. |

There being a tie bid, and the same being low, recommend the contract be awarded to J. L. Spaulding.

2d. For grading and bowldering the south gutter of North street, from Pennsylvania street to Meridian street.

| | |
|------------------------|---------------------------------|
| R. P. Dunning | 55 cents per lineal foot front. |
| Richter & Twiname..... | 54 cents per lineal foot front. |
| Fulmer & Seibert..... | 53 cents per lineal foot front. |
| D. A. Haywood..... | 53 cents per lineal foot front. |
| James W. Hudson..... | 52 cents per lineal foot front. |
| J. L. Spaulding..... | 52 cents per lineal foot front. |
| Geo. W. Buchanan..... | 49 cents per lineal foot front. |
| H. C. Roney..... | 49 cents per lineal foot front. |
| Fred. Gansberg..... | 46 cents per lineal foot front. |
| J. W. Cooper & Co..... | 46 cents per lineal foot front. |

Being a tie bid, and the same being low, recommend the contract be awarded to J. W. Cooper & Co.

3d. For grading and graveling the first alley south of Prospect street, from Olive street to the first alley west of Olive street.

| | |
|------------------------|--|
| Richter & Twiname..... | 15 cents per lineal foot front on each side. |
| Fred. Gansberg..... | 15 cents per lineal foot front on each side. |

Being a tie bid, and the same being low, recommend the contract be awarded to Fred. Gansberg.

4th. For grading and graveling the first alley south of Bicking street, from Davis street to the first alley west of Davis street.

| | |
|------------------------|--|
| Richter & Twiname..... | 25 cents per lineal foot front on each side. |
| Robert Kennington..... | 20 cents per lineal foot front on each side. |
| Fred. Gansberg..... | 16 cents per lineal foot front on each side. |

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

5th. For grading and graveling the first alley south of McCarty street, from Illinois street to Maple street.

| | |
|------------------------|--|
| Robert Kennington..... | 20 cents per lineal foot front on each side. |
| Michael Flaherty..... | 20 cents per lineal foot front on each side. |
| Richter & Twiname..... | 20 cents per lineal foot front on each side. |
| J. L. Spaulding..... | 19 cents per lineal foot front on each side. |
| J. W. Cooper & Co..... | 14 cents per lineal foot front on each side. |

J. W. Cooper & Co. being the lowest and best bidders, recommend they be awarded the contract.

6th. For the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Park avenue, between Ninth and Eleventh streets.

Freaney Brothers being the only bidders, at \$21.00 per lamp-post, recommend they be awarded the contract.

7th. For grading and graveling the roadway and sidewalks of Illinois (or Chicago) street, from Morris street to Wisconsin street.

| | | |
|------------------------|-----|---|
| Wm. Murphy..... | 63½ | cents per lineal foot front on each side. |
| Richter & Twiname..... | 63 | cents per lineal foot front on each side. |
| J. W. Cooper & Co..... | 60 | cents per lineal foot front on each side. |
| Michael Flaherty..... | 59 | cents per lineal foot front on each side. |
| D. A. Haywood..... | 57 | cents per lineal foot front on each side. |
| Robert Kennington..... | 55 | cents per lineal foot front on each side. |
| Geo. W. Buchanan..... | 54 | cents per lineal foot front on each side. |
| Fred. Gansberg..... | 51 | cents per lineal foot front on each side. |
| James W Hudson..... | 49 | cents per lineal foot front on each side. |
| J. L. Spaulding..... | 48 | cents per lineal foot front on each side. |
| Fulmer & Seibert..... | 34 | cents per lineal foot front on each side. |

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

8th. For grading and paving with brick, the south sidewalk of McCarty street, from Tennessee street to Ann street.

| | | |
|------------------------|-----|------------------------------|
| R. P. Dunning..... | 33 | cents per lineal foot front. |
| Richter & Twiname..... | 31 | cents per lineal foot front. |
| J. L. Spaulding..... | 31 | cents per lineal foot front. |
| H. C. Roney..... | 30 | cents per lineal foot front. |
| D. A. Haywood..... | 30 | cents per lineal foot front. |
| Joseph Bernauer..... | 29½ | cents per lineal foot front. |

Joseph Bernauer being the lowest and best bidder, recommend he be awarded the contract.

9th. For the construction of an 18 inch Akron pipe sewer, in and along Michigan street, from Massachusetts avenue to the first alley east of East street.

| | Sewer, per lineal foot. | Man-holes. |
|----------------------|-------------------------|------------|
| John A. Whitsit..... | \$2 07 | \$30 00 |
| R. P. Dunning..... | 1 23 | 20 00 |
| A. Bruner..... | 1 15 | 35 00 |
| D. A. Haywood..... | 1 05 | 22 00 |
| H. C. Roney..... | 93 | 28 00 |

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

10th. For grading and paving with brick, the sidewalks of Missouri street, from Merrill street to McCarty street.

| | | |
|------------------------|-----|---|
| R. P. Dunning..... | 32 | cents per lineal foot front on each side. |
| H. C. Roney..... | 31 | cents per lineal foot front on each side. |
| J. L. Spaulding..... | 31 | cents per lineal foot front on each side. |
| Richter & Twiname..... | 31 | cents per lineal foot front on each side. |
| D. A. Haywood..... | 30 | cents per lineal foot front on each side. |
| Joseph Bernauer..... | 29½ | cents per lineal foot front on each side. |

A repealing ordinance having been passed, repealing the ordinance under which this work was advertised, recommend no further action be taken.

Respectfully submitted,

M. M. Reynolds,
Frank M. Dell,
Committee on Contracts.

Councilman Haugh presented the contract and bond of Henry C. Roney, to construct an eighteen-inch Akron pipe sewer in and along Michigan street, from Massachusetts avenue to the first alley east of East street. Bond, \$1,500.00; surety, L. A. Fulmer; which was approved.

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

To the Mayor and City Council:

Gentlemen:—Your Finance Committee recommend that the Mayor and City Clerk be authorized to issue warrants to the amount of \$30,000, at a rate of interest not to exceed $4\frac{1}{2}$ per cent per annum; time to run, to May 1st, next.

Respectfully submitted,

Isaac Thalman,
John R. Pearson,
Henry L. Smith,
Julius F. Reinecke,
Joseph H. Howes,
Committee on Finance.

A majority of the Committee on Public Light submitted the following report; which was read:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom was referred the following Gas Ordinances, to provide for the erection of lamp posts on the following named streets, would report:

- S. O. 71, 1885—Hall Place street, between Seventh and Eighth streets;
- S. O. 72, 1885—Eleventh street, between Meridian and Illinois streets;
- S. O. 88, 1885—Broadway street, between Lincoln avenue and Seventh street;
- S. O. 115, 1885—Second street, between Delaware and Meridian streets;
- S. O. 4, 1886—Pratt street, between Delaware and Alabama streets;
- S. O. 15, 1886—Fifth street, between Pennsylvania and Delaware streets;
- S. O. 16, 1886—Home avenue, between Delaware and Alabama streets;

Recommend the above ordinances be passed. The following ordinances:

- S. O. 53, 1885—Dunlap street, between East street and Madison avenue;
- S. O. 63, 1885—Roe street, between Grant and McCarty streets;
- S. O. 78, 1885—Lincoln avenue, between College and Bellefontaine avenues;
- S. O. 87, 1885—Bellefontaine avenue, between Lincoln ave. and Seventh st;

There being no mains on said streets, and the Gas Company's Charter requiring that the property holders shall present a petition, agreeing to take 15 burners to each 500 feet along any proposed line before they shall be required to lay mains; therefore recommend that no further action be taken until such petition shall be presented, or the Gas Company shall have laid the mains.

Respectfully submitted,

C. F. Rooker,
Theo. F. Smither,
Committee on Public Light.

Councilman Haugh, of the same Committee, submitted the following minority report:

To the Mayor and Common Council:

Gentlemen:—A majority of your Committee to whom was referred Special Ordinances Nos. 4, 15, 71, 72, 88 and 115, for the erection of lamp-posts on the following streets: Eleventh street, between Meridian and Illinois streets; Broadway street, between Lincoln avenue and Seventh street; Second street, between Delaware and Meridian streets; Pratt street, between Delaware and Alabama streets; Home avenue, between Delaware and Alabama streets; Fifth street, between Pennsylvania and Delaware streets, have reported in favor of having the work done. The minority part of your Committee did not join in the recommendation of the majority part of your committee, for the following reasons:

First—I do not think it wise for the city, under its present financial condition, to increase the expense of our public light.

Second—I believe that the late Council adopted a rule where they erected a lamp in any Ward, they would dis-mantle one in the same Ward. The parties introducing the ordinance above have not done this.

I therefore recommend that the work be not done, and submit this as my minority report.

C. E. HAUGH,
Minority Committee on Public Light.

And it was adopted by the following vote:

AYES, 17—viz. Councilmen Burns, Coy, Cummings, Dell, Dunn, Haugh, Howes, Mack, Markey, McClelland, Newland, Pearson, Reinecke, Reynolds, Stuckmeyer, Thalman, and Waterman.

NAYS, 7—viz. Councilmen Benjamin, Edenharter, Herig, McGroarty, Rooker, Smither, and Swain.

The Committee on Streets and Alleys submitted the following report and resolution:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of Elizabeth Talbott and others, asking that certain alleys in Elizabeth Talbott's Revised Addition, be vacated, proposing to dedicate to the public and open a 30 foot street in lieu thereof, on the north part of Lot 223, said addition, recommend the prayer of said petitioners be granted, when a deed of said dedication shall have been filed with the City Clerk.

Respectfully submitted,

Edward Dunn,
Julius F. Reinecke,
John H. Herig.

Committee on Streets and Alleys.

Resolved, That the petition of Elizabeth Talbott, Geo. B. Wright, Byron K. Elliott and John C. Wright, for the vacation of the first alley east of Pennsylvania street, from Seventh street to Coram street, also alley midway between Seventh and Coram streets, from Talbott avenue west to said alley above described, and also twenty-eight (28) feet off of the north side of Coram street, between Talbott avenue and the first alley east of said Talbott avenue—all in Elizabeth Talbott's Revised Addition to the City of Indianapolis—together with the plats accompanying said petition, be referred to the City Commissioners, with instruction to report thereon, and return as a part of their report all petitions and notices, and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

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

AYES, 22—viz. Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

The Committee on Streets and Alleys submitted the following report and resolution:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom sundry papers were referred, would report thereon as follows:

1st. Is G. O. 65, 1884, an ordinance repealing Section 47 of an ordinance entitled 'An ordinance relative to streets, alleys and sidewalks, and public places of the city.' Recommend said ordinance be stricken from the files.

2d. Is G. O. 1, 1886, an ordinance requiring persons to keep sidewalks and gutters free from snow and ice. Recommend said ordinance be passed.

3d. Is S. O. 125, 1885, an ordinance to provide for paving with brick, the sidewalks of John street, from Massachusetts avenue to Hanna street, and repealing S. O. 99, 1885, together with the remonstrance against said work.

Recommend no further action be taken in the matter until after June 1, 1886.

4th. Is a motion that the Street Commissioner notify the owner to remove the building known as the "Shelby House," out of the street; and if not done before April 1, 1886, to do the work and charge the expense to the property owner.

Recommend said motion be adopted.

5th. Is a petition to name a street west of the River "Elder avenue." Recommend the accompanying resolution, relative thereto, be adopted:

Resolved, That the first street west of Miley avenue, from Washington street to Decatur street, be, and the same is hereby, named "Elder avenue."

Respectfully submitted,

Edward Dunn,

John H. Herig,

Julius F. Reinecke,

Committee on Streets and Alleys.

And the report was concurred in, G. O. 65, 1884, stricken from the files, and the foregoing resolution adopted by the following vote:

AYES, 24—viz. Councilmen Benjamin Burns, Coy, Cummings, Dell, Dunn, Edenharter, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

On motion, the Committee on Streets and Alleys was granted further time to consider the petition to widen Alabama street, between Merrill and McCarty streets.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session held January 25th., 1886, adhered to its action of January 11th, 1886, in adopting the following motion:

"That any member of the Common Council and Board of Aldermen who appears under the influence of liquor in these Chambers, shall be fined by the Mayor in any sum not more than twenty-five dollars, nor less than five dollars, to which expulsion may be added."

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

Councilman Edenharter offered the following motion; which was adopted:

WHEREAS, The members of this Council are men who need no such enactment to keep them sober, and further believe that they are entirely competent to take care of themselves in case such legislation becomes actually necessary; therefore be it

Moved, That the motion which seems to be a necessity with the Board of Aldermen be referred to the Judiciary Committee of this body, with instructions not to report on the same during their term of service in the present Council.

The following message was read and received:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session held January 25th., 1886, non-concurred in the favorable act on of the Common Council on the petition of several citizens, relating to fast driving.

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session, held January 25th, 1886, adopted the following resolution:

"*Resolved*, That the City Attorney be instructed to bring immediate suit against Isaac N. Pattison and his bondsmen for the recovery of the \$111,293.39, which Mr. Pattison withholds from the city."

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

Councilman Pearson offered the following substitute:

Moved, As the sense of this Council, that suit shall not be brought on the bond of ex-City Treasurer Pattison until Wednesday, February 10th, 1886; and that if the sureties on said bond will pay and secure to the city, to the acceptance of a majority of the Finance Committees of the Council and Board of Aldermen, the sum of sixty-eight thousand dollars, the city will release said sureties from liability on said bond, and allow said sureties to take said Pattison's property now owned by him, or an amount thereof sufficient to reimburse themselves, the city reserving the right to pursue said Pattison hereafter for the balance due from him, after said sureties have been reimbursed out of property now held by him.

Councilman Smith moved to lay the substitute on the table.

Which failed by the following vote:

AYES, 11—viz: Councilmen Cummings, Edenharter, Herig, Howes, Mack, Markey, McClelland, Reinecke, Smith, Stuckmeyer, and Swain.

NAYS, 14—viz: Councilmen Benjamin, Burns, Coy, Dell, Dunn, Haugh, McGroarty, Newland, Pearson, Reynolds, Rooker, Smither, Thalman, and Waterman.

Councilman Coy moved that the whole matter be referred to the Committee on Finance, with instructions to report at the next meeting.

Which failed of adoption, by the following vote:

AYES, 11—viz: Councilmen Benjamin, Coy, Dunn, Haugh, Herig, McGroarty, Newland, Pearson, Reynolds, Smither, and Thalman.

NAYS, 14—viz: Councilmen Burns, Cummings, Dell, Edenharter, Howes, Mack, Markey, McClelland, Reinecke, Rooker, Smith, Stuckmeyer, Swain, and Waterman.

The question being on the adoption of the substitute offered by Councilman Pearson, it failed of adoption, by the following vote:

AYES, 9—viz: Councilmen Benjamin, Coy, Dunn, McGroarty, Newland, Pearson, Reynolds, Smither, and Waterman.

NAYS, 16—viz: Councilmen Burns, Cummings, Dell, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, Reinecke, Rooker, Smith, Stuckmeyer, Swain, and Thalman.

Councilman Reinecke moved to concur in the action of the Board of Aldermen in adopting the resolution.

A vote was had, and the resolution was *non-concurred* in, as follows:

AYES, 12—viz. Councilmen Burns, Dell, Edenharter, Howes, Mack, Markey, McClelland, Newland, Reinecke, Smith, Stuckmeyer, and Waterman.

NAYS, 13—viz. Councilmen Benjamin, Coy, Cummings, Dunn, Haugh, Herig, McGroarty, Pearson, Reynolds, Rooker, Smither, Swain, and Thalman.

Councilman Swain offered the following resolution :

Resolved, That the City Attorney and the Committee on Finance be authorized to settle with City Treasurer Pattison on these terms, to-wit :

| | |
|--|-------------|
| Cash..... | \$24,000 00 |
| 4 months, at 4 per cent interest..... | 20,000 00 |
| 12 months, at 4 per cent interest..... | 20,000 00 |
| 24 months, at 4 per cent interest..... | 20,000 00 |

Such notes to be signed by all of Mr. Pattison's bondsmen, and that said bondsmen be allowed to take such assets as Mr. Pattison may have; and if the aforesaid proposition is not accepted within fourteen (14) days, the City Attorney is hereby ordered to institute suit at once.

On motion of Councilman Thalman, the resolution was referred to the Committee on Finance, with instructions to report at the next regular meeting.

By consent, Councilman Benjamin offered the following motion; which was adopted :

That I. N. Pattison furnish the Finance Committee with an itemized statement of all properties and securities owned by him outside of the County of Marion, State of Indiana.

By consent, Councilman Rooker offered the following motion; which was adopted :

That a Special Committee of three, with the City Attorney, be appointed to investigate and report to this Council at its next meeting, the sufficiency of the official bond of Hiram Miller, the County Treasurer, and present custodian of the funds of the city.

His Honor, the Mayor, appointed Councilmen Rooker, Waterman and Swain, as the Special Committee to investigate the sufficiency of Treasurer Miller's bond.

By consent, Councilman Smith offered the following motion; which was adopted :

That Hiram W. Miller, Treasurer of Marion County, Indiana, be requested to report, at the next meeting of the Common Council, the full amount of all moneys received and paid out on account of the City of Indianapolis, including the money received from Isaac N. Pattison, during the month of January, 1886; and hereafter to report at the first meeting of the Common Council in each month, the full amount of all moneys received and paid out by him on account of said city during the preceding month.

APPROPRIATION ORDINANCES.

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

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

Ap. O. 6, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$4,307.72.]

And it was passed by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Edenharter, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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

Ap. O. 7, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$1,371.65.]

And it was passed by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Edenharter, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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

Ap. O. 8, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$74,332.35.]

And it was passed by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Edenharter, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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

Ap. O. 9, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$298.92.]

And it was passed by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Edenharter, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

By the Finance Committee, through Councilman Thalman, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read a third time:

Ap. O. 10, 1886—An ordinance appropriating money for the payment of the compensation of the officers and members of the Fire and Police Departments, the Committee Clerk and City Janitor.

And it was passed by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Edenharter, Hrig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman McGroarty:

S. O. 2, 1886—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Mississippi street, between Garden and Merrill streets.

S. O. 22, 1886—An ordinance to provide for the erection of lamp posts, lamps and fixtures (complete to burn gas, except the service pipes), on Willard street, between Merrill and Garden streets.

By Councilman Rooker:

S. O. 23, 1886—An ordinance to provide for grading, curbing with stone and paving with brick, the south sidewalk of Fifth street, from Illinois street to Meridian street.

Councilman Rooker presented the following remonstrance; which was filed with the ordinance, (S. O. 10, 1886):

Indianapolis, January 22d, 1886.

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

Gentlemen:—The undersigned, owners of real estate fronting on Fifth street, between Illinois and Mississippi streets, respectfully remonstrate against the passage of an ordinance providing for the "grading and paving with brick, the sidewalks of Fifth street, from Illinois street to Mississippi street, where not already done." (S. O. 10, 1886.)

Berkshire Life Insurance Company, by W. Miller, 210 feet; Louis Schulmeyer, 210 feet; Ann Webster, 210 feet; Julia A. McCormick, 208 feet; Matrina Baty, 30 feet; Franklin Hall, 30 feet; Mrs. Mary Jane Given, 128 feet; J. A. Given, 128 feet; Ellen M. Ingraham, 30 feet; Mrs. Lizzie Drake, 108 feet; Henry Swerin, 208 feet; Butler University, 208 feet.

By Councilman Stuckmeyer:

S. O. 24, 1886—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Lord street, between Noble and Pine streets.

By Councilman Markey:

- S. O. 25, 1886—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Bicking street, between Delaware and East streets.
- S. O. 26, 1886—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on High street, between McCarty and Coburn streets.
- G. O. 3, 1886—An ordinance creating the office of Boiler Inspector, and providing for the election of such Inspector.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner is hereby ordered to lay double stone crossings across Maryland street, along the east line of Delaware street.

That the Street Commissioner is hereby ordered to properly lay double stone crossings along each side of Alabama street, across Louisiana street.

Councilman Cummings presented the following petition, accompanied with motion; which were referred to the Committee on Sewers and Drainage:

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

Gentlemen:—We, the undersigned, owners of property on west Washington street, between Mississippi and Missouri streets, respectfully petition for the construction of a brick sewer of such size as the City Civil Engineer may recommend, in and along Washington street, from Mississippi street to Missouri street.

Z. Bush, Chas. Bush, Jacob Wachtstetter, Anna Wachtstetter, Furman Stout, Thomas Stout, C Sch ub, her + mark; E Williamson, Chas. Mayer, Roman Oehler, Charles W. Gorsch, guardian G F. Farman.

Moved, That the City Civil Engineer be requested to draw an ordinance to construct the same.

Councilman Cummings presented the following petition; which was referred to the City Attorney and Committee on Railroads, with instructions to prepare an ordinance for the same and report at the next meeting:

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

Your petitioner respectfully requests your honorable bodies that, by virtue of the authority in you jointly vested, you will grant him the right of-way over the streets and alleys of the city mentioned below, for the purpose of constructing, owning and operating the "Bidwell Electric Railway System," viz: Beginning at the intersection of Illinois and Georgia streets, and running thence west on Georgia street to Mississippi street; thence north on Mississippi street to Twelfth street; thence east on Twelfth street to Meridian street, and from Twelfth street north on Tennessee, Illinois and Meridian streets to the city limits, it being contemplated by your petitioner that said system shall extend beyond the city limits to Crown Hill Cemetery.

Respectfully submitted,

CHAS. F. BIDWELL.

Indianapolis, Ind., February 1, 1886:

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

That the Street Commissioner is hereby ordered to place double stone crossing on Blake street, at Michigan street.

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

That the Street Commissioner is hereby ordered to lay with stone a crossing across Dunlap street and Madison avenue.

That the Street Commissioner is hereby ordered to lay stone crossings across Nebraska street and Madison avenue.

That the Street Commissioner is hereby ordered to properly lay down double stone crossings across Hanway street across Madison avenue.

That the Street Commissioner is hereby ordered to properly lay double stone crossings across Downey street and Madison avenue.

That the Street Commissioner is hereby ordered to properly lay down double stone crossings across Delaware street, along each side of McCarty street.

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

To the Mayor and Common Council:

Gentlemen.—The undersigned respectfully asks for the refunding of ten dollars and sixty-four cents, taxes of 1883, erroneously paid on March 20, 1884. Lot 160, Fletcher's Woodlawn addition, was, through error of the City Assessor, assessed in my name, when it should have been assessed to L. H. Buck, and Lot 161, on said addition, charged to me. On account of such erroneous assessment, my lot, 161, became delinquent, and was sold for taxes in 1885. I therefore ask for the refunding of the amount erroneously paid by me, \$10.64, and that the proper amount may be charged against said Lot 160, in the name of L. H. Buck.

Respectfully,

CHARLES WEILAND,
B.

Councilman Pearson offered the following motion; which was adopted:

That when we adjourn, we adjourn to meet next Friday evening.

Councilman Reynolds presented the following petition from the Street Commissioner; which was referred to the Committee on Public Property:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—I would most respectfully request that your honorable bodies authorize me to purchase a piece of land for the city, in some convenient part, in or near the city, for the purpose of a gravel bank.

In the repairing of the bowldered streets and brick sidewalks, I am at a considerable expense in my Department, for the purchase of bank sand. I am of the opinion that a great saving can be made in making said purchase. I am offered Lot 1, in Ruddle's subdivision of Burton & Campbell's Park Place addition, for the sum of \$235 00. I have examined said lot, and believe it to be a good bank of sand.

Respectfully submitted,

C. S. RONEY, Street Commissioner.

Councilman Rooker presented the following proposition; which was referred to the Committee on Finance:

To the Mayor and Common Council:

Gentlemen.—I propose to look up property and credits omitted and not returned for taxation in the City of Indianapolis, for twenty-five (25) per cent of the amount

of taxes actually realized by means of such investigations. No part of said twenty-five per cent to be paid until the taxes are actually paid into the county treasury for said city.

Respectfully,

J. W. WHARTON.

Councilman Smither offered the following motion:

That the City Civil Engineer have four Vapor lights located on First street, west of West street

Which, on motion, was laid on the table.

Councilman Stuckmeyer offered the following motions; which were adopted:

That the City Civil Engineer be, and is hereby, directed to regulate the gas lights on Ellen street, between Noble and Dillon streets.

That N. N. Morris be notified by the Street Commissioner to repair the brick walk at or near the corner of Benton and Harrison streets; and if said work is not done by the first of May, the Street Commissioner to do the work at the expense of the property owner.

Councilman Thalman presented the following petition: which was referred to the Committee on Public Property:

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

Gentlemen:—The undersigned, tenants of said city, occupying that portion of the Tomlinson Estate known as, and located at numbers 113, 115 and 117, north Illinois street, would most respectfully petition your honorable bodies for a reduction of the rent for said property located as aforesaid, for the reason that your petitioners are now paying the sum of thirty dollars (\$30.00) per month for each of the above numbered houses, while the property situated immediately north, and being a portion of the same estate, and also the same brick row, but owned by private parties, and being in much better repair than the property occupied by your petitioners, and owned by the city now rents for the sum of twenty-five dollars (\$25.00), which your petitions represent is ample rent for the same in that locality; and further, that the thirty dollars now paid by your petitioners, is too much, and more than they can pay. Wherefore they ask that you reduce said rent to twenty-five dollars (\$25.00) and place said rental value on something like an equal basis of similar property in the same locality.

MRS. J. MAHAN,
MRS. A. H. THOMSON,
HANNAH C. OVERMAN.

On motion, the Common Council then adjourned.

C. S. DENNY, Mayor,
President of the Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.