

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 15, 1886.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, February 15th, 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, Edenharter, 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 adjourned sessions, held February 5th and 8th, 1886, 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 below described improvement were opened, read, and referred to the Committee on Contracts:

(S. O. 2, 1886)—For grading, bowldering and curbing the gutters of Ash street, from Christian avenue to Massachusetts avenue.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication; which was approved:

To the Common Council and Board of Aldermen:

Gentlemen.—On account of the deficiency reported by our late City Treasurer, and the workings of our new tax law, it is apparent that the city will have to borrow \$100,000 on April first, to meet the temporary loan of last year, falling due at that time. This money can not be re-paid until about December first. The city can borrow it for the time indicated at 4½ per cent per annum. I believe, however, that the city can issue eight months time warrants in denominations of \$100.00, \$500.00 and \$1,000.00, drawing 4 per cent per annum, and get them taken here at home. This would be a benefit to both the city and our citizens.

I recommend that your honorable bodies invite all persons who desire to invest in such bonds, to leave their names with the City Clerk, Mayor, or some member of the Finance Committee, before March 10th, indicating the amount of bonds desired. I would suggest that no one person be permitted to take more than \$5,000.

Respectfully submitted,

C. S. DENNY, Mayor.

His Honor, the Mayor, presented the following communication:

To the Common Council and Board of Aldermen:

Gentlemen:—A petition signed by the owners of 1,540 feet of the real estate on Washington street, between Mississippi and Pennsylvania streets, was presented to the former Council, asking that an ordinance be passed, providing for the re-grading and re-bowldering of Washington street, using the same bowlders now on said street. An ordinance was introduced in accordance therewith, but was afterwards stricken from the files. The bad grade of said street, and also of the sidewalks at certain points, makes it almost a necessity that both be improved the coming season. By authority of the property owners, I herewith re-present the old petition for said improvement to your honorable bodies, and at their request suggest that the City Civil Engineer be directed to prepare the necessary ordinance by the next meeting of the Council, so that the work can be done during the coming spring.

The property owners also request that the ordinance be drawn in accordance with the provisions of the amendment to the charter of the Citizens' Street Railway Co., requiring that company to pay a certain proportion of the cost thereof; and as the Engineer will desire to know what the wish of your honorable bodies is on this subject, I suggest that instructions be given on this point.

Respectfully submitted,

C. S. DENNY, Mayor.

Councilman Pearson moved that the communication be approved, and the City Civil Engineer be instructed to prepare an ordinance for the same, in accordance with the amendment to the Charter of the Citizens' Street Railway Company.

Which was adopted, by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McGroarty, Newland, Pearson, Keinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 1—viz: Councilman Edenharter.

The following communication from His Honor, the Mayor, and the City Clerk, was read and approved:

To the Common Council and Board of Aldermen:

Gentlemen:—In compliance with your previous instructions, we did, on the 9th inst., execute three time warrants or bonds, for \$10,000 each, due on or before May 12th, 1886, drawing 5 per cent interest per annum from date. Under instructions of the Finance Committees, we made said bonds payable to Hiram W. Miller, who, upon delivery of the same to him, placed the said sum of \$30,000 to the credit of the city.

Respectfully submitted,

C. S. DENNY, Mayor.

MICHAEL F. SHIELDS, City Clerk.

The following communication from His Honor, the Mayor, and the City Civil Engineer, was read, and referred to the Board of Public Improvements:

To the Common Council and Board of Aldermen:

Gentlemen:—Our attention having been called, by the citizens in the vicinity of West and Root streets, to the imperfect drainage of said locality, we deemed it of sufficient importance to make an examination of the premises, and desire to submit thereon the following report:

The drainage of West street at Root street, is so imperfect that at times of even an ordinary rain, the center of the street and sidewalks, for a considerable distance, are entirely overflowed, and there is danger of overflow into some of the cellars. We also find the street in a very bad condition, with the gutters on a line with the sidewalks. We therefore recommend that the Street Commissioner, as soon as the weather will permit, be instructed to repair the roadway and to clean the gutters so as to properly drain said locality.

We further recommend the building of an 18-inch pipe sewer from West on Root street, to White River, a distance of about 350 feet, with three catch-basins at West street.

Respectfully submitted,

C. S. DENNY, Mayor.

S. H. SHEARER, City Civil Engineer.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was read and 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 J. R. Miller, for painting the following bridges:

Clifford avenue, over Pogue's Run.....	\$ 20 00
Archer street, over Pogue's Run.....	20 00
Illinois street, over Pogue's Run.....	40 00
Tennessee street, over Pogue's Run.....	24 00

Total.....\$104 00

A first and final estimate in behalf of John Egger, for painting Michigan street bridge over the Canal, \$60.00.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

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

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

Contract and bond of Freaney Bros., 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. Bond, \$100.00; surety, J. F. Holt.

Contract and bond of Fulmer & Seibert, for grading and graveling the roadway and sidewalk of Illinois, or Chicago, street, from Morris street to Wisconsin street. Bond, \$700.00; surety, Fred. Gansberg.

Contract and bond of Fred. Gansberg, for grading and graveling the first alley south of Bicking street, from Davis street to the first alley west of Davis street. Bond, \$400.00; surety, L. A. Fulmer.

Contract and bond of Fred. Gansberg, for grading and graveling the first alley south of Prospect street, from Olive street to the first alley west of Olive street. Bond, \$300.00; surety, L. A. Fulmer.

Contract and bond of Joseph Bernauer, for grading and paving with brick the south sidewalk of McCarty street, from Tennessee street to Ann street. Bond, \$250.00; surety, Charles C. Thompson.

Contract and bond of J. W. Cooper & Co., for grading and bowldering the south gutter of North street, from Pennsylvania street to Meridian street. Bond, \$500.00; surety, John S. Berryhill.

Contract and bond of J. W. Cooper & Co., for grading and graveling the first alley south of McCarty street, from Illinois street to Maple street.

Bond, \$300.00; surety, John S. Berryhill.

Contract and bond of J. L. Spaulding, for grading and paving with brick the north sidewalk of Walnut street, from East street to Park avenue.

Bond, \$200.00; surety, Fred. Gansberg.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

H. W. Miller, Treasurer for the city, submitted the following report; which was received:

Report of Receipts and Disbursements on account of City of Indianapolis, Jan., 1886.

RECEIPTS.

Received from I. N. Pattison, ex-Treasurer.....	\$ 20,320 03
Proceeds of loan in January.....	33,000 00
Receipts of miscellaneous funds.....	1,242 62
	<hr/>
	\$ 54,562 65

DISBURSEMENTS.

City orders redeemed in January.....	\$ 42,583 98
Interest coupons on city bonds redeemed.....	2,820 00
Balance to credit of the city.	9,158 67
	<hr/>
	\$ 54,562 65

Respectfully submitted,

HIRAM W. MILLER, Treasurer for City.

By consent, Councilman Smith offered the following motion:

WHEREAS, Hiram W. Miller, Treasurer of Marion County, Indiana, has failed and refused to file with the City Clerk, on the last day of January, 1886, or at any subsequent date, as required by law, a report of all the money received and disbursed by him, during the month of January, 1886, on account of the City of Indianapolis, notwithstanding this Council has so requested him to do; therefore

Moved, That the City Attorney be instructed to proceed, by proper legal method, to compel such a report to be made and filed, as provided by law.

And it was adopted by the following vote:

AYES, 18—viz: Councilmen Benjamin, Cummings, Dell, Dunn, Haugh, Herig, Markey, McGroarty, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 5—viz: Councilmen Burns, Coy, Edenharter, Howes, and Newland.

The following report from the City Clerk was read:

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 assessments for the erection of lamp-posts, by precepts, to-wit:

Thomas H. S. Peck vs. William Henry, for.....	\$1 86
Thomas H. S. Peck vs. Josephine Jackson, for.....	1 85
Thomas H. S. Peck vs. Amanda G. Helm, for.....	1 85

Thomas H. S. Peck vs. Eliza Stahlhut, for.....	1 85
Thomas H. S. Peck vs. William L. Overstreet, for	2 00
Thomas H. S. Peck vs. Charles E. Coffin, for.....	2 00
Thomas H. S. Peck vs. Lewis H. McMurry, for.....	2 00

Respectfully submitted,

Feb. 8, 1886.

MICHAEL F. SHIELDS, City Clerk.

And the precepts ordered to issue, by the following vote :

AYES, 23—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 1—viz: Councilman Edenharter.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the Mortality report for the two weeks ending February 15th, 1886; which was read and received.

The Board of Public Improvements submitted the following report; which was adopted:

To the Mayor, Common Council and Board of Aldermen :

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

1st. To place double stone crossings on the east side of Tennessee street, at the crossing of Market street

Recommend further action be postponed until after the State House is completed.

2d. To fill the chuck holes on Pratt street, west of West street.

Recommend the work be done.

3d To fill the chuck-holes in Virginia avenue, from South street to the south end of the avenue. Recommend the work be done.

4th. To place a double stone crossing across Maryland street, along the east line of Delaware street. Recommend the work be not done.

5th. To lay a double stone crossing on the north end of High street, across McCarty street. Recommend the work be done.

Respectfully submitted,

John H. Herig,
C. H. Stuckmeyer,
R. McClelland,
Board of Public Improvements.

REPORTS, ETC., FROM STANDING COMMITTEES.

Councilman Thalman, in behalf of the Finance Committee, submitted the following report; which was received :

To the Members of the Common Council:

Gentlemen:—Your Finance Committee beg leave to report, that they held a meeting on the 10th inst., at which the sureties on the bond of Isaac N. Pattison, late City Treasurer, were either present in person or by counsel.

As a compromise of the differences existing between said parties and the city,

His Honor, the Mayor, presented the following communication:

To the Common Council and Board of Aldermen:

Gentlemen:—A petition signed by the owners of 1,540 feet of the real estate on Washington street, between Mississippi and Pennsylvania streets, was presented to the former Council, asking that an ordinance be passed, providing for the re-grading and re-bowldering of Washington street, using the same bowlders now on said street. An ordinance was introduced in accordance therewith, but was afterwards stricken from the files. The bad grade of said street, and also of the sidewalks at certain points, makes it almost a necessity that both be improved the coming season. By authority of the property owners, I herewith re-present the old petition for said improvement to your honorable bodies, and at their request suggest that the City Civil Engineer be directed to prepare the necessary ordinance by the next meeting of the Council, so that the work can be done during the coming spring.

The property owners also request that the ordinance be drawn in accordance with the provisions of the amendment to the charter of the Citizens' Street Railway Co., requiring that company to pay a certain proportion of the cost thereof; and as the Engineer will desire to know what the wish of your honorable bodies is on this subject, I suggest that instructions be given on this point.

Respectfully submitted,

C. S. DENNY, Mayor.

Councilman Pearson moved that the communication be approved, and the City Civil Engineer be instructed to prepare an ordinance for the same, in accordance with the amendment to the Charter of the Citizens' Street Railway Company.

Which was adopted, by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 1—viz: Councilman Edenharter.

The following communication from His Honor, the Mayor, and the City Clerk, was read and approved:

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Gentlemen:—In compliance with your previous instructions, we did, on the 9th inst., execute three time warrants or bonds, for \$10,000 each, due on or before May 12th, 1886, drawing 5 per cent interest per annum from date. Under instructions of the Finance Committees, we made said bonds payable to Hiram W. Miller, who, upon delivery of the same to him, placed the said sum of \$30,000 to the credit of the city.

Respectfully submitted,

C. S. DENNY, Mayor.

MICHAEL F. SHIELDS, City Clerk.

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We further recommend the building of an 18-inch pipe sewer from West on Root street, to White River, a distance of about 350 feet, with three catch-basins at West street.

Respectfully submitted,

C. S. DENNY, Mayor.

S. H. SHEARER, City Civil Engineer.

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The City Civil Engineer submitted the following report; which was read and approved:

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Bond, \$300.00; surety, John S. Berryhill.

Contract and bond of J. L. Spaulding, for grading and paving with brick the north sidewalk of Walnut street, from East street to Park avenue.

Bond, \$200.00; surety, Fred. Gansberg.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

H. W. Miller, Treasurer for the city, submitted the following report; which was received:

Report of Receipts and Disbursements on account of City of Indianapolis, Jan., 1886.

RECEIPTS.

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Receipts of miscellaneous funds.....	1,242 62
	<u>\$ 54,562 65</u>

DISBURSEMENTS.

City orders redeemed in January.....	\$ 42,588 98
Interest coupons on city bonds redeemed.....	2,820 00
Balance to credit of the city.....	9,158 67
	<u>\$ 54,562 65</u>

Respectfully submitted,

HIRAM W. MILLER, Treasurer for City.

By consent, Councilman Smith offered the following motion:

WHEREAS, Hiram W. Miller, Treasurer of Marion County, Indiana, has failed and refused to file with the City Clerk, on the last day of January, 1886, or at any subsequent date, as required by law, a report of all the money received and disbursed by him, during the month of January, 1886, on account of the City of Indianapolis, notwithstanding this Council has so requested him to do; therefore

Moved, That the City Attorney be instructed to proceed, by proper legal method, to compel such a report to be made and filed, as provided by law.

And it was adopted by the following vote:

AYES, 18—viz: Councilmen Benjamin, Cummings, Dell, Dunn, Haugh, Herig, Markey, McGroarty, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 5—viz: Councilmen Burns, Coy, Edenharter, Howes, and Newland.

The following report from the City Clerk was read:

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 assessments for the erection of lamp-posts, by precepts, to-wit:

Thomas H. S. Peck vs. William Henry, for.....	\$1 86
Thomas H. S. Peck vs. Josephine Jackson, for.....	1 85
Thomas H. S. Peck vs. Amanda G. Helm, for.....	1 85

Thomas H. S. Peck vs. Eliza Stahlhut, for.....	1 85
Thomas H. S. Peck vs. William L. Overstreet, for	2 00
Thomas H. S. Peck vs. Charles E. Coffin, for.....	2 00
Thomas H. S. Peck vs. Lewis H. McMurry, for.....	2 00

Respectfully submitted,

Feb. 8, 1886.

MICHAEL F. SHIELDS, City Clerk.

And the precepts ordered to issue, by the following vote :

AYES, 23—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 1—viz: Councilman Edenharter.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the Mortality report for the two weeks ending February 15th, 1886; which was read and received.

The Board of Public Improvements submitted the following report; which was adopted:

To the Mayor, Common Council and Board of Aldermen :

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

1st. To place double stone crossings on the east side of Tennessee street, at the crossing of Market street

Recommend further action be postponed until after the State House is completed.

2d. To fill the chuck holes on Pratt street, west of West street.

Recommend the work be done.

3d. To fill the chuck-holes in Virginia avenue, from South street to the south end of the avenue. Recommend the work be done.

4th. To place a double stone crossing across Maryland street, along the east line of Delaware street. Recommend the work be not done.

5th. To lay a double stone crossing on the north end of High street, across McCarty street. Recommend the work be done.

Respectfully submitted,

John H. Herig,
C. H. Stuckmeyer,
R. McClelland,
Board of Public Improvements.

REPORTS, ETC., FROM STANDING COMMITTEES.

Councilman Thalman, in behalf of the Finance Committee, submitted the following report; which was received:

To the Members of the Common Council:

Gentlemen:—Your Finance Committee beg leave to report, that they held a meeting on the 10th inst., at which the sureties on the bond of Isaac N. Pattison, late City Treasurer, were either present in person or by counsel.

As a compromise of the differences existing between said parties and the city,

Clerk is hereby required to issue the proper notices, and the Superintendent of Metropolitan Police is hereby directed to serve the notices upon the City Commissioners and property owners.

The Committee also filed the following remonstrance:

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

Gentlemen.—The undersigned, owners of real estate fronting on Alabama street, between Merrill and McCarty streets, in said city, respectfully remonstrate against the granting of the petition for the widening of said Alabama street between said Merrill and McCarty streets, by adding fifteen feet on the east side of said street, taken from the property abutting thereon. In support of this remonstrance, they respectfully represent that said street is now of the same width as it has ever been since it was opened as a street, and that there is no call or demand for the widening of the same, but that it is now of ample and sufficient width for all demands upon it; that the same is not, between the streets mentioned, a business thoroughfare, but is a purely residence street, ending with McCarty street, and abutting upon the property known as "Schmidt's Square." That between said streets the same is thickly built up with residences, and that to widen said street as proposed, the houses built upon the east side will, many of them, have to be removed, and the front yards of others will be entirely destroyed, and the property thereby greatly depreciated, and that said street is now already wider by five feet than East street, a through street to its east.

Those of the undersigned whose names appear upon the petition for the widening of said street, would further represent that they signed the same inadvertently, and hereby withdraw their said signatures from said petition, and join in this remonstrance.

John W. and Edward Schmidt, 165 feet front; Anna Hamilton, 33½ feet front; John Murphy, 49¾ feet front; Mary M. Laird, by W. J. McCullough, 50 feet front; Mrs. A. Hunt, 50 feet front; Mrs. Philibeana Zobbe, 52 feet front; C. Cornelius, 50 feet front; A. Oehler, 55½ feet front; Samuel and Eliza Stephens, 49¾ feet front; C. E. Unverzagt, 32½ feet front; C. F. Schakel, 100 feet front; Mrs. Josephine Fieber, 99 feet front; Sarah D. Duvall, 33½ feet front; Wilhelmena Fette, 45 feet front; E. U. Hamlet, 33½ feet front; Janet D. Moores, 180 feet side; Margaret A. Walsh, 25 feet front; Phil. Rappaport, Guardian of John May, 45 feet front.

The question being on the adoption of the resolution, the yeas and nays were taken. Those voting in the affirmative were:

Councilmen Benjamin, Burns, Cummings, Dunn, Herig, Howes, Markey, McClelland, McGroarty, Reinecke, Rooker, Stuckmeyer, and Thalman—13.

Those voting in the negative were:

Councilmen Coy, Dell, Edenharter, Haugh, Newland, Pearson, Reynolds, Smith, Smither, and Waterman—10.

So the resolution failed, it requiring a two thirds vote of all the members elect to adopt.

On motion, the report and resolution were referred back to the Committee on Streets and Alleys.

It being near eleven o'clock, on motion Rule 61 was suspended, by the following vote:

AYES, 19—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Edenhar-ter, Herig, Howes, Markey, McClelland, McGroraty, Newland, Pearson, Reynolds, Rooker, Smither, Stuckmeyer, Thalman, and Waterman.

NAYS, 3—viz: Councilmen Haugh, Reinecke, and Smith.

Councilman Rooker, in behalf of the Special Committee appointed to examine Treasurer Miller's bond, submitted the following report; which was adopted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Special Committee, to whom was referred the matter of examining the bond given by Hiram W. Miller, as Treasurer of Marion County, Ind., to the City of Indianapolis, report that they have made an examination of said bond, and the sufficiency of the sureties thereon, and that, in their opinion, the sureties on said bond are worth, in their own right, the full penalty of \$500,000; but your committee report that said bond is not acknowledged properly, and they recommend that the City Attorney be instructed to procure the proper acknowledgment of the same. They further recommend that it be the duty of the City Attorney to see that the validity and sufficiency of said bond is constantly maintained.

Respectfully submitted,

C. F. Rooker,
D. F. Swain,
C. Waterman,
Committee.

WILLIAM L. TAYLOR, City Attorney.

The Special Committee on Boundaries, submitted the following report and resolution:

To the Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Boundaries, to whom was referred the resolution annexing certain platted territory, submit the following report:

We recommend the annexation of Blocks 1, 2, 3 and 4, of Caven & Rockwood's subdivision, and the leaving out of said resolution, Jacob Traub's addition and William Traub's addition.

After amending the resolution as above, which we have done so far as clerical work goes, we recommend its adoption.

Respectfully submitted,

Isaac Thalman,	C. S. DENNY, Mayor.
John H. Herig,	S. H. SHEARER, City Civil Engineer.
A. L. Newland,	WM. L. TAYLOR, City Attorney.
Committee.	

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, to whom was referred the matter of straightening the boundaries of the City of Indianapolis, report that they have considered the same, and herewith submit a list of platted, contiguous subdivisions and additions, with descriptions, and a resolution, which we recommend be adopted.

Respectfully submitted,

WILLIAM L. TAYLOR, City Attorney.
S. H. SHEARER, City Civil Engineer.

WHEREAS, Certain lots and parcels of lands adjoining the City of Indianapolis, Indiana, and described in the following resolution, have been laid off into city building lots, and proper plats thereof made and recorded in the office of the Recorder of Marion County, Indiana; and

Whereas, The Common Council and Board of Aldermen, pursuant to the provision of Section 3,195 of the Revised Statutes of 1881, are desirous to extend the corporate limits of the City of Indianapolis, so as to include said lots; therefore

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,
That the boundary lines of the City of Indianapolis, be, and the same are hereby extended so as to include the following contiguous territory, to-wit:

- 1st. A subdivision of part of the southeast quarter of Section thirty-one (31), Township sixteen (16), north of Range four (4) east, bordering on Clifford avenue on the south, and parallel to, and 745 feet and 8 inches west of the east line of said quarter section; known on the records as Clifford Place, and recorded in Platt Book 8, page 110, in the Recorder's office of Marion County, Indiana
- 2d. The plat of Section one (1), of Martindale's Hill Place addition to the City of Indianapolis, being a subdivision of part of the northwest quarter of Section seven (7), Township fifteen (15), north of Range four (4) east, in Marion County, Indiana; recorded in Plat Book 8, page 40, in the Recorder's office of Marion County, Indiana.
- 3d. Lippencott's subdivision of a part of the east half of the northwest quarter of Section seven (7), Township fifteen (15), north of Range four (4) east; recorded in Plat Book 4, page 289, in the Recorder's Office of Marion County, Indiana.
- 4th. Florence L. and Peter Crabster's subdivision of the following described tract of land; beginning on the east line of the northwest quarter of Section Seven (7), Township Fifteen, (15), north of Range Four, (4), East, at the southeast corner of the three acre tract conveyed by Hill to Ridenour; said point being 350.50 feet south of the center of Michigan Road, at the intersection of said east line with said road; thence south with said east line 136 feet; thence west and parallel with Ridenour's south line 320 feet; thence north 136 feet to Ridenour's southwest corner; thence east with Ridenour's south line 320 feet to the beginning point; in Marion County, Indiana; recorded in Plat Book 8, page 85, in the Recorder's Office of Marion County, Indiana
- 5th. Tucker and Dorsey's subdivision into lots, streets and alleys, of a part of the northwest quarter of Section Seven (7), Township Fifteen (15), north of Range Four (4), east; in Marion County, Indiana; recorded in Plat Book 8, page 60, in the Recorder's Office of Marion County, Indiana.
- 6th. Alexander Metzger's subdivision of Lot nine (9), of Theodore F. Turner's subdivision of the middle part of the southwest quarter of Section eighteen (18), Township fifteen (15), north of Range four (4), east, Marion County, Indiana; recorded in Plat Book 7, page 147, in the Recorder's office of Marion County, Indiana.
- 7th. Theodore F. Turner's subdivision of the middle part of the southwest quarter of Section eighteen (18), Township fifteen (15), north of Range four (4), east, Marion County, Indiana; recorded in Plat Book 3, page 16, in the Recorder's office of Marion County, Indiana.
- 8th. Lockwood, Royster and Green's subdivision of Lots 25, 26, 27, 28, 29, and 30, of B. S. Green's southeast addition to Indianapolis, and 196 feet off of the west side of Block sixteen (16), O'Neal and Adam's subdivision of fifty (50) acres off of the south side of the southwest quarter of Section eighteen (18), Township fifteen (15), north of Range four (4), east, in Marion County, Indiana; recorded in Plat Book 6, page 168, in the Recorder's office of Marion County, Indiana.
- 9th. Roll and Morris's subdivision, in Out-lots 13 and 14, in Adams and O'Neal's subdivision of Block number 17, of fifty (50) acres off of the south side of the southwest quarter of Section eighteen (18), Township fifteen (15), north of Range four (4), east; recorded in Plat Book 3, page 6, in the Recorder's office of Marion County, Indiana.
- 10th. All of Richard O'Neal and Wesley M. Adams' subdivision of fifty (50) acres off of the south side of the southwest quarter of Section eighteen (18), Township fifteen (15), north of Range four (4), east; except Lots 5, 6, 7, 8, 9, 10, 11, and 137 feet off of the east side of Lot 12, and the east half of Lot 4, in said O'Neal and Adams' subdivision; recently vacated by Commissioners of Marion County, Indiana. A plat of said O'Neal and Adams' subdivision is recorded in Plat Book one (1), page 281, in the Recorder's office of Marion County, Indiana.

11th. Reading, Tompkins, Davis and Kelly's addition to the City of Indianapolis, Indiana; the same being a subdivision of part of the east half of the southwest quarter of Section thirteen (13), Township fifteen (15) north of Range three (3), east, and recorded in Plat Book 8, page 29, in the Recorder's office of Marion County, Indiana.

12th. Pennsylvania Co.'s addition to the City of Indianapolis, Indiana; being two and nineteen hundredths (2-19) acres in the west half of the northwest quarter of Section thirteen (13), Township fifteen (15), north of Range three (3), east; recorded in Plat Book 8, page 125, in the Recorder's office of Marion County, Indiana.

13th. Blocks 1, 2, 3, and 241, and Lots 53 to 69, inclusive, of Kappes and Naltner's south Meridian street addition to the City of Indianapolis, Indiana; being a subdivision of part of the north half of the southeast quarter of Section fourteen (14), Township fifteen (15), north of Range three (3), east; recorded in Plat Book 7, page 24, in the Recorder's office of Marion County, Indiana.

14th. William Muir's subdivision of two and ninety-two hundredth of an acre of land in that part of the west part of the southwest quarter of fractional Section number three (3), Township fifteen (15), north of Range three (3), east; lying south of the National Road, in Marion County, Indiana; bounded as follows, to-wit: Beginning at the southwest corner of said Section three (3), in the Mooresville road, and running thence east eight (8) chains and sixty seven and one-half ($67\frac{1}{2}$) links, to a point, or stone, in the south line of said Section three (3), the north three (3) chains and eighty-three (83) links, to a point in the south line of the National Road, thence southwestwardly along the south line of the National Road to a point in the Mooresville Road, thence south on the west line of said Section three (3) two (2) chains and ninety (90) links to the place of beginning. Recorded in Plat Book one (1), page 128, in the Recorder's office of Marion County, Indiana.

15th. Block 1, 2, 3 and 4, in John Caven, William O. Rockwood and Helen M. Rockwood's East Woodlawn subdivision of said Caven and Rockwood's subdivision of lots A, B, C, E and F of the Indianapolis and Cincinnati Railroad Company's subdivision of the east half and the north half of the west half of the southeast quarter of section seven (7), township fifteen (15), north of range four (4) east. Recorded in Plat Book 7, page 37, in the Recorder's office of Marion County, Indiana.

16. Charles Post's Guardian's First Addition to the City of Indianapolis; situated in the northwest corner of the east half of the northeast quarter of Section Thirty-five (35), Township Sixteen (16), North of Range Three (3), East; and the southwest corner of the east half of the southeast quarter of Section Twenty-six (26), of Township and Range aforesaid, in Marion County, Indiana. Recorded in Plat Book 7, page 90, in the Recorder's office of Marion County, Indiana.

Which said lots, and parcels of lands above described, shall hereafter form a part of said City, and be within the jurisdiction of the same.

Resolved, further, That the City Clerk be, and he is hereby directed to file a certified copy of the foregoing preamble and resolution, and the action of the Common Council and Board of Aldermen thereon, in the office of the Recorder of said County; who is authorized and directed to record the same.

The report was received and the resolution adopted, by the following vote:

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

NAYS—None.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its special session held February 5th, 1886, adopted the following motion:

“That the City Attorney be, and he is hereby, directed to bring a suit against Treasurer Miller, to test the question of his right to hold the city taxes and other funds until after the third Monday in April.”

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its special session held February 5th, 1886, amended your action of the same date, in authorizing the Committee on Markets to erect a cheap structure for the Wood Measurer, by limiting the cost thereof to \$20.00, instead of \$30.00, as originally passed by your honorable body.

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

The following message was read, and on motion was laid on the table:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session, held February 8th, 1886, adhered to its action of January 25th, 1886, in adopting 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.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen at its regular session held February 8th, 1886, adopted the following motion:

“That the Board of Metropolitan Police Commissioners be requested to enforce the law against the Railroad companies as to obstructing streets, and allowing cars to stand on the streets and on the crossings; also, if possible, to have a *uan* (patrolman) stationed for that purpose on Louisiana and Alabama streets, and Virginia avenue.”

I submit the same for your consideration.

For the Board of Aldermen:

JOSEPH T. FANNING, Clerk.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Markey:

S. O. 27, 1886—An ordinance to provide for grading and curbing with stone, and paving with brick, the west sidewalk of East street, from Morris street to Lincoln Lane.

By Councilman Stuckmeyer:

G. O. 4, 1886—An ordinance to amend Section 36 of an ordinance entitled "An ordinance prescribing general regulations for the Public Markets of the City of Indianapolis; providing for the establishment of Licensed Markets, and defining the general powers, functions and duties of City Market Masters."

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

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

Gentlemen:—The undersigned, your petitioner, would respectfully represent and show to your honorable body, that he is the owner of the following described real estate in said city, to-wit: The east half ($\frac{1}{2}$) of Lot No seven (7); all of Lots Nos. eight (8) and nine (9), in Bell & Anderson's subdivision of Out-lot No. four (4), west of White River. That he purchased said realty from one Frederick Schmick, in October, 1872, paying the full value thereof for all benefits accruing to the same. That while said realty was owned by said Schmick, the new iron bridge over White River was built, in the year 1871. That before purchasing, he caused a good abstract of title to said realty to be made by Taylor Elliott, a regular Abstractor of this city, and that said abstract showed no assessment of any kind standing against said realty by reason of the building of said bridge, and that said assessment was not placed of record until the year 1883 or 1884; and your petitioner had no means of knowing, other than that said assessment had been paid, and that whatever benefits accrued to said realty by reason thereof, he paid to said Schmick, and by reason of the negligence of the city in not placing said assessment of record at the proper time, he became an innocent purchaser; and having paid for said improvement once, it would be a hardship and a wrong to compel him to re-pay it, the more especially since it is true that the property has depreciated in value, and that the floods of White River has washed away about ninety feet off the rear end of said realty. Wherefore he prays your honorable body to ordain the said assessment—amounting to about fifty-four dollars (\$54.00), to be cancelled and released from his said real estate; and he will ever pray.

DANIEL G. VOLLMER.

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

Indianapolis, Ind., Jan. 21, 1886.

To the Members of the Common Council and Board of Aldermen:

Gentlemen:—We, the petitioners, owners of real estate and residents of the City of Indianapolis, in Miley's addition, would respectfully represent to you that at the intersection of Washington street and the second street west of the Belt Railroad, in said addition, a large accumulation of water takes place at every large rain, and backs up and overflows our property and sidewalks, and actually prevents us from getting to and from Washington street. We would further represent to you that a small outlay of work and about four hundred feet of sewer pipe, more or less, or an open ditch along the side of Washington street, would at once remedy the evil. We therefore earnestly pray you to cause said work to be done at once; and we will ever pray, &c.

E. S. Elder, M. D., owner of Lots 40 to 47; P. Kirland, A. Kirland, on west Washington street, owner of

Block 60, 217 feet 7 inches; J. B. Burns, W. Thoms-son, S. W. Long, Ed. Goldstein, M. S. Rhaum, A. W. Yant, MComb, Mrs. W. S. Fogarty, J. W. Ross. W. W. Dye, W. T. Barclay, Charles Townsend, M. Townsend, John T. Owens, Hugh Baird, R. Harris, A. S. Hampton, Jas. W. Braddock, W. L. Vermillion, Austin B. Prather, Tim Leary, Jerry Miller, George Smith, M. A. Dewyer, John Flannery, G. W. Stone, J. W. Mackey, M. Horan.

Councilman Coy offered the following motion; which was adopted:

That the C., C., C. & I. Railroad Company be, and are hereby, granted permission to repair the gutter and sidewalk in front of their freight depot, on south Alabama street, at their own expense, under the direction of the City Civil Engineer.

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

That this City Council devise some way whereby the fire insurance companies be made to pay a certain per centum on the gross premium receipts on all business done by them within the city limits, and the proceeds be applied toward the running expenses of the Fire Department of Indianapolis, Ind.

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

That the Street Commissioner be, and is hereby, directed to repair with gravel the roadway of the following named streets: Michigan street, between West and Douglass streets; New York street, between West and Douglass streets; Black-ord street, between Washington and New York streets; West street, between Washington and New York streets.

Councilman Herig offered the following motion; which was referred to the Committee on Sewers and Drainage:

That the City Civil Engineer be, and is hereby, directed to prepare plans and advertise for bids for the construction of an eighteen (18) inch pipe sewer on Root street, from West street to White River.

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

That the Street Commissioner be, and is hereby, directed to repair with gravel the roadway of West street, and to clean the gutters of said street, in the vicinity of Root street, so as to afford proper drainage.

Councilman Herig offered the following motion; which was adopted:

That Fred. Kroeckel be allowed the privilege of bowldering the gutters and resetting the curb stone in front of his property on south Meridian street, at his own cost, and to the satisfaction of Fred. Kroeckel; and the City Civil Engineer is hereby directed to set the grade stakes for the said improvement.

On motion by Councilman Markey, G. O. 2, 1886, was ordered stricken from the files.

Councilman Newland offered the following motion; which was adopted:

That the Street Commissioner be, and he is hereby, directed to remove the front part of the brick building on Shelby street heretofore condemned, for the purpose of widening and straightening said street, unless William Beaty, the present owner of said property, does so himself, after ten days notice has been given him so to do, by said Street Commissioner; and that in case said Street Commissioner does said work, he collect the cost thereof from said Beaty.

Councilman Reinecke offered the following motion; which was adopted:

That the Street Commissioner be directed to notify the owner or owners of the lots on the east side of East street, south of the first alley south of South street, to repair the sidewalk in front of the same, as it is in a bad condition.

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

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

Gentlemen:—The undersigned respectfully submit to your honorable body for your consideration the following, to-wit: I, being a tax payer of the City of Indianapolis, Ind., and the owner of two (2) lots—21 and 28, Wright's subdivision of Johnson's heirs' addition to the City of Indianapolis—through which the State Ditch runs diagonally, making them valueless as to my interests in said lots, they being used by the city for the purpose of improving and enhancing the value of other property at my proportion of the expense of maintaining the same, by taxation on this (and on other properties) and the total loss of the use of the aforesaid described property to the exclusive benefit of others; and I ever pray that upon due examination and lawful information, your honorable body will refund to me an equitable and just rebate of the sum of ninety-four dollars and fifty cents (\$94.50) as follows, to-wit: Fifty-four dollars (\$54.00) being the amount of the city tax paid for the years 1876 to 1885, inclusive, upon an exorbitant rate of valuation, the same as other property adjoining thereto and not effected thereby; also, alley improvements as per S. O. 132, 1883, "An ordinance to provide for grading and graveling the first alley west of Greenwood street, from Ninth to Tenth streets," awarded at S. S., March 10th, 1884, and charged to the total width of said lots, with deducting space of Ditch, which contractors did not improve, and not being advised of said improvement until after the same had went to protest and sold, for which I was required to pay, including costs, penalty and assessments, in the amount of forty dollars and fifty cents (\$40.50). In the recent work on said Ditch, said improvements have been made worthless and to no effect. On examination, it will be found that improvements rates of valuation taxation is excessive and unjust. By granting proper relief as above requested, your petitioner will ever pray.

MARTHA JANE ROBERTS,
Formerly Martha Jane Davis.

Councilman Reynolds offered the following motion; which was referred to the Committee on Accounts and Claims:

WHEREAS, In the improvement of the State Ditch, it became necessary to remove the fences and stable off of the lot that covered the State Ditch on the east side of Bellefontaine street, owned by Thadeous Johnson; and

Whereas, After the improvement of said Ditch, said Johnson was compelled to buy new material to build said fences and stable; therefore

Moved, That the sum of thirty-five dollars (\$35.00) be allowed said Johnson, the same to be in full for any and all damages sustained by the improving of said State

Ditch; and that the City Clerk be, and is hereby, directed to place said amount in the next appropriation ordinance.

Councilman Rooker offered the following motion; which was, on motion, laid on the table:

That the Street Commissioner be required to dig up all stone street crossings on north Illinois street that are not visible to the naked eye, and that he sell said stone crossings at public auction, to the highest bidder.

Councilman Smither offered the following motion; which was adopted:

That the Indianapolis Water Company be instructed to repair West street, between North street and St. Clair street, where water mains have been laid.

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

To the Mayor and City Council and Board of Aldermen:

Gentlemen:—I was erroneously assessed and paid tax on Lot 21, in P. R. & F's addition, as follows:

1881.....	\$ 5 35
1882.....	5 60
1883.....	5 60
1884.....	6 10
	\$22 65

There is no such lot. I formerly owned a tract in said addition, and numerous lots. Not being able to locate Lot 21, I had City Civil Engineer Shearer make a search for it, but found it did not materialize. Kindly investigate the matter, and if found as stated above, recommend the refunding the same, end oblige

C. E. GEISINDORFF.

On motion, the Common Council then adjourned.

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

Attest: MICHAEL F. SHIELDS, City Clerk.