

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—JUNE 14, 1886.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, June 14th, A. D. 1886, at eight o'clock, pursuant to adjournment.

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 City Attorney submitted the following report and resolution :

To the Common Council:

Gentlemen:—I herewith submit a resolution accepting the City Commissioners' report in the matter of the vacation of part of Coram street and certain alleys in Elizabeth Talbott's Revised Addition, for your consideration, as directed by your honorable body at your last meeting.

Respectfully,

WILLIAM L. TAYLOR, City Attorney.

Resolved, That the report of the City Commissioners, in the matter of the petition of Elizabeth Talbott, George B. Wright, et al., for the vacation of the following alleys and portion of street in the city of Indianapolis, to-wit: The first alley east of Pennsylvania street, from Seventh street to Coram street; also, the short alley mid-way between Seventh and Coram streets, from Talbott avenue west to said alley above described; and, also, 28 feet off of the north side of Coram street, between Talbott avenue and the first alley east of said Talbott avenue, both of said alleys and said street being in Elizabeth Talbott's Revised Addition to said city, be, and the same is hereby, in all things accepted, adopted and approved; and that in accordance with the amended report of said City Commissioners, said alleys and said part of Coram street, be, and the same are hereby vacated, on condition, however, that said Elizabeth Talbott will dedicate to the public, to the satisfaction of the City Attorney, and open a thirty (30) foot street through the north part of lot 223 of said Elizabeth Talbott's Revised Addition, from Talbott avenue to the first alley east thereof.

Resolved, further, That the petitioners be, and they are hereby required to pay to the County Treasurer, for the use of the city, within twenty days after the adoption of this resolution, all the costs and expenses taxed and to be taxed in this matter; and that said petitioners also be, and are hereby required to procure and have recorded in the office of the Recorder of Marion county the proper certified copies of the proceedings and maps, as required by law, at their own expense; and that until such expenses are paid and proceedings and maps recorded as aforesaid, said part of Coram street above described and said alleys shall not be closed or used otherwise than as now.

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

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

NAYS,—None.

The Board of City Commissioners submitted the following report; which was referred to the Committee on Streets and Alleys:

Indianapolis, June 14th, 1886.

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

Gentlemen:—The undersigned members of the Board of City Commissioners of the City of Indianapolis duly appointed, qualified and acting under the provisions of the Statutes of the State of Indiana in relation to laying out, opening, widening, altering and vacation of streets and alleys, beg leave to submit the following report:

In the matter of opening, widening and extending Darnell street, from Brooks street to West street.

1st. We met in the office of the City Clerk, room 2, City Hall, on Thursday, the 22d day of April, in accordance with the notice of the City Clerk, which notice and return of the Superintendent of Police indorsed thereon, is filed herewith as a part hereof, and marked exhibit "A."

2d. We immediately proceeded to view the proposed street, and the property contiguous thereto, and agreed upon the parties interested in said street opening, and made due report of said facts to the City Clerk and required him to have the proper notices issued to the interested parties to meet the City Commissioners on Monday, the 14th day of June, 1886.

3d. We further report that we met at the time and place named with a large number of the property holders along the line of said street, who were all agreed to withdraw the present petition on account of the cost of moving valuable buildings in the line of said proposed street opening; and

4th. We now further report, in consideration of said facts, that the prayer of the petition be *not* granted.

5th. And we further report that we recommend to your favorable consideration the opening of an alley 20 feet wide, in accordance to the prayer of a petition, to be presented in lieu of former petition.

Respectfully submitted,

Wm. Hadley,
Wm. Johnson,
John L. F. Steeg,
James Renihan,
Joseph T. Magner.
City Committee.

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

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Contracts, through Councilman Reynolds, presented the following contracts and bonds; which were read and approved:

Contract and bond of Fulmer & Seibert, for paving with red cedar blocks the roadway of Delaware street, from St. Clair street to Seventh street.

Bond, \$36,000.00; surety, Hiram Seibert.

Contract and bond of Fred. Gansberg, for grading and graveling the west sidewalk of Shelby street, from Belt Railway to Raymond street.

Bond, \$800.00; surety, J. L. Spaulding.

Contract and bond of Richter & Twiname, for grading and graveling the first alley east of Park avenue, from Christian avenue to Butler street.

Bond, \$400.00; surety, Peter Fritz.

Contract and bond of Richter & Twiname, for grading and paving with brick the north sidewalk of St. Joseph street, from Pennsylvania street, to the first alley west of Pennsylvania street.

Bond, \$200.00; surety, Peter Fritz.

Contract and bond of Richter & Twiname, for grading and paving with brick the east sidewalk of Pine street, from Washington street to Market street.

Bond, \$300.00; surety, Peter Fritz.

By consent, Councilman Cummings introduced the following entitled ordinance; which was read the first time:

G. O. 41, 1886—An ordinance to amend Section 1 of General Ordinance No. 47, 1885, entitled: "An ordinance fixing the fire limits in the City of Indianapolis, and repealing certain ordinances heretofore passed on that subject," ordained and established the 22nd day of February, 1886.

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

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

NAYS—None.

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

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

NAYS—None.

By consent, Councilman Cummings presented the following petition; which was granted:

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

Gentlemen:—The Citizens Co-operative Telephone Company respectfully ask your "consent" to the erection of its poles on the following routes, viz:

On Pennsylvania street, from South to North street.

On Meridian street, from South to New York street.

On Illinois street, from South to Ohio street.

On Indiana avenue, from Ohio to City Hospital.

On Market street, from Circle to Noble street.

On West Washington street, from Illinois to river.

On east Washington street, from Alabama to State avenue.

On Kentucky avenue, from Washington to Stockyards.

On Massachusetts avenue, from Pennsylvania street to Clifford avenue.

Respectfully submitted,

THE CITIZENS CO-OPERATIVE TELEPHONE CO.,
J. CAVEN, Pres.

REPORTS, ETC., FROM SPECIAL COMMITTEES.

The Special Committee on New Union Depot Ordinances, through Councilman Benjamin, submitted the following report; which was read and received:

To the Common Council:

Gentlemen:—The undersigned, your special committee, appointed to consider the petitions and ordinances presented to the Council by the Indianapolis Union Railway Co., asking for the vacation of portions of Meridian, Illinois, Louisiana, and McNabb streets, and the two alleys between Illinois and Tennessee streets, south of Louisiana street, beg leave to report that we have held several public and two private meetings. We have patiently listened to statements and arguments from every person indicating a desire to be heard. The different opinions and ideas concerning this depot project, are numerous. On all the main questions presented, we have agreed unanimously, however.

We find that the requisite number of property owners have signed the petitions for the several vacations asked for, and that there is no legal objection to the passage of the ordinances now pending.

We believe, however, that there are various amendments necessary to be made to said ordinances, in order to fully protect the interests of the city and to do full justice to its citizens. We have prepared such amendments as to us seem proper, and have placed the same in the hands of our Chairman, with instructions to offer the same at the proper time.

As to the question of the location and width of the viaduct to be built by the Union Railway Co., we were unable to unanimously agree. The amendment to be offered by our Chairman represents the views of a majority of the committee, but the minority reserve the right to express their own individual views on this matter when the Meridian street ordinance comes up for final consideration.

We return all ordinances, petitions, remonstrances and other papers referred to us to the City Clerk. Respectfully submitted,

Thomas E. Endly,
G. S. Wright,
John Rail,
Special Committee on part of B'd. of Ald.

Frank E. Benjamin,
A. L. Newland,
John R. Pearson,
Julius F. Reinecke,
D. F. Swain,
Special Com. on part of Com. Council.

C. S. DENNY, Mayor.
WM. L. TAYLOR, City Attorney.
S. H. SHEARER, City Civil Engineer.

Councilman Edenharter presented the following remonstrance; which was received:

Honorable Mayor, Common Council and Board of Aldermen:

Gentlemen:—We, the undersigned citizens, business men and property holders of the north side, protest against passing the proposed ordinances of the Union Railway Company. We think those ordinances are entirely against the interest of our city, and will make the present obstruction between the north and south side permanent.

J. H. Miller, C. Riegger, Maria Miller, Peter Siehr,

J. H. Rodewald, Peter Hedderick, Elizabeth Schaub, F. W. Simon, Wm. Wiedenhorn, O. Hartmann, John Ruedey, George Doenr, Philip H. Haller, Henry Seibert, James Hearsh, John C. Thomas, Louis Peehl, A. B. Burgess, Jos. Schneider, J. W. Linton, T. D. Amos & Son, Chris. Resener, W. F. Resener, F. Stahlhut, Barthel Bros., Fred. Hergt.

Councilman Dell presented the following remonstrance; which was received:

Honorable Mayor, City Council, and Board of Aldermen:

Gentlemen:—We, the undersigned business men and property holders of the south side, protest against the proposed ordinances to appropriate streets to the Union Railway Company. We have suffered for years by being cut off from the north side by the many tracks of the Union Railway Company, which tracks have proved to be dangerous to life and ruinous to the best business interests of the whole city. We demand that these obstructions be removed before more concessions are granted to the Union Railway Company. Besides, we believe that a great many law suits will be brought against the city, and many costs have to be paid, if these ordinances are passed in the interest of the Union Railway Company.

Reinhold A. Miller, Frederick Hartman, S. Schuch, G. Landwehr, A. Mahaffey, Ernst Irmer, Wm. Banse, Henry Witthoft sr., L. William Hillman, C. Henry, F. Hillman, William Hillman, John Ebner, Louis Hillman, David C. Bryan, H. Kellermeier, G. Boss, Christ. Harmening, C. T. Baaske, Geo. Reuter, Charles Moenes, C. E. Kuster, S. E. Eberhardt, H. Fahle, H. L. Ulmstead, druggist; R. Hutchinson, Henry Runge, Chas. H. Krause, Wm. Senzen, Peter Pfisterer, E. B. Martin, Geo. Breivogel, Louis Kuehler, D. Drexler, Christ. Manlick, George Lang, John Bieller, Jacob Huller, M. G. Taylor, Henry Vornhalt, Samuel Wallace, A. J. Many, Louis Baumann, John H. Mayer, Frank S. Baner, Austin A. Hask, Frank Funk, Leo D. Samuel, Peter Zarzis, John Hoeschmann, George Graebnet, Rudolph Glesing, Charley Neighbors, Wm. F. Klanke, Heinrich Timmer, Geo. B. Whitaker, J. Printle, Conrad Metzger, William Mohs, Louis Stall, Wm. Monroe, Jessie Sage, C. Haussermann, H. Mowwe, Frank Hosbrook, E. P. Ervin, H. Mitschrich, C. H. Wehling, P. M. Koenig, Fred. Garsberg, Cyrus B. Noble, Joseph Morris, August Helms, Dennis Curran, S. J. White, J. A. Shea, Fred. Gansepohl, C. H. McDowell, Albert Gruman, H. Keller, E. Adolay, Frederick Klotz, John Eitel, Emil Werner, Wm. Engleking, Fred. Burns, George Lotz, Jacob Wirt, Christian Mathews, George Snyder, Wulhelm Cook, B. South F. J. Meyer, P. Hurter, R. Cooper, C. F. Schrader, N. G. White, Charles Louse, Christ. Iske, Pat. Brennan, Reinhold Herrmann, Henry Rodewald, H. Stuckmeyer, John H. Rodewald, J. B. Blackman, John Deschler, Silas T. Bartholomew, Martin Herz, William Rosebrock, H. Steinmetz, D. Schmedel, W. H. Kramer, Henry Stolte, James Wilcox, R. L. Cosler, Eugene Curran, J. W. Moran, Chris. Lehr, John Fighlo, A. S. Foster, M. C. Staley, E. H. Shaw, Frank Queisser, Wm. Reichert, Peter Quinling, J. H. Bomy, A. Bomy, N. Vandivier, Geo. C. Woessner, Henry Brasse, M. Steinhauer, J. P. Cala-

han, B. Koehring, F. Woessner, Oliver Healey, John Collins, John B. Walsch, S. F. Lackey, Dennis F. Golden, M. Br. ss, Wm. Poppe, Henry Arnholter, Anthony F. Cook, T. W. Fisher, J. P. Bruce, L. B. Davis, Ed. Anschuetz, Michael Galm, Charles Ott, John Grimmer, Henry Maiers, Christ. Miller, Harry P. Wright, C. H. Schrader, C. E. Burns, J. S. Faulkner, John H. Rothert, E. J. Forsyth, Chas. S. Simpson, Thomas North, John Whiteley, T. C. Keeler, F. C. Strangmann Charley Gross, Frank Houppert, John Callahan, Chas. Kirkhoff, J. S. Surbey, Henry Paul, H. B. Tomlinson, S. Kitse, Daniel H. Mahoney, Patrick H. O'Donnell, Wm. Horuff, A. Davenport, L. Rowley, Julius Miessen, Wm. Strack, Conrad Womer, John B. Pflum, W. T. Ellis, Fritz Botthen, J. M. Davis, Ezekiel Roberts, A. P. Poor, S. T. Verity, W. Mairell, Dr. T. S. Bennett, B. Thesling, J. A. Gramling, H. Wuryler, A. C. Albertson; Ernest Frietzsche, H. McWorsman, Alexander Rice, T. P. Gehring, Henry Bauer, C. Vandivier, A. Job.

Councilman Stuckmeyer presented the following remonstrance; which was received:

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

Gentlemen:—We, the undersigned, citizen, business men and property holders of the city of Indianapolis, protest earnestly against granting the privileges the Union Railway Company ask in their proposed ordinances.

We think now is the time when a radical change should be made in removing the obstructions which have proved dangerous to life and ruinous to business. No city can be found in this country or in Europe in which the railroads enjoy so many privileges as in this city, and where the citizens suffer so many outrages from the railroads. It has been proven that our city government is not powerful enough to make the railroads obey the laws of the city, as it is known, for instance, that passenger trains run at the rate of 20 miles per hour through the city limits, and freight trains constantly blockade the streets, which is constantly done and in open violation of the law.

We think the location of the Union Depot should be changed and the central portion of the city free from railroad obstructions. But we demand if that is not done, that the Union Railway Company build at their own expense viaducts on East street and Virginia avenue, and other points where viaducts are a necessity.

We trust that our City Council and Board of Aldermen, who are elected by the citizens for the city, will at last see it their duty to protect the citizens from the outrages of the overpowering railroad monopoly:

N. B. Howell, August Hilbner, Wm. Dehne, H. Hall, Henry Schwart, Dan Sullivan, H. Weimmann, Gus. Kothe, Ernest Kottowske, A. E. Kappler, Fred Blake, James Hawkins, P. Schmidt, Gustav G. Stark, George A. Albrecht, John Muhelfelder, Val. Schlietzauer, Louis Doersokel, George Schad, August Kigren, William Aebker, Fr. Stroele, John C. Johnson, Christ. Hallmeyer, Adam Schlotzhauer, Frederick Wall, F. Egelos, C. Orfhwain, O. Komfer, John Herrmann, Joseph Swobock, Chas. Keichardt, Ch. Zabel, Carl Feldf, John F. Gapping, Charles William Keger, Henry Vehling, G. H. Heinbrick, Conrad Bender, Wm. Auferbreike, John Heitkum, Joseph Schuster, Henry Vogel, F. Schellschmidt, Ferpel Dohmuiler, Michael Mode, Conrad Russe, W. G. Lockwood, Oscar

Barthel, Gustave Barthel, W. H. Barr, L. H. Barnes, T. D. Somerville, Jacob Gamerdinger, Louis Aldag, Andrew Kramer, John Poggemeyer, J. H. Steimfush, S. L. Curry, Adam Reinetter, John Skien, B. Cantwell, Cass Gauter, Samuel Algeo, J. Maillard, Henry Aufderfeidl, Eliza J. Weizemann, W. J. Kollé, John Scheier, John Edenharter, E. C. Long, Christ. F. Miller, Heery Pauli, Henry Pyock, S. Smith, N. Hofmerst, H. Hofmerst, G. A. G. Carey, Wm. Werther, H. Krieyer, Theodore W. Zell, Conrad Gabel, C. T. Ostermeyer, Henry Helms, Clementine Many, Geo. Grinsteiner, Charley Weire, J. A. Sattum, John Welsh, Jacob Klein, Mary Wonderl, John Seldpusch, Wm. H. Schmitts, Conrad Gisler, R. Schad, Marie Smith, John C. Bell, Ed. Hugo, Wm. Hugo, Chr. Brueggermann, W. F. Eilert, Gottlieb Hasert, Court Schoikel, Gottlieb Roach, A. Chevalier, Emil Renard, Fred. G. Pfuenger, Margret Matthe, Mrs. Fannie Thomas, Frank Dewald, Aug. Doeppers, Caroline Spreng, John Dersch, Frederick Diekmann, Florebert Michael, A. Prange, Marton Mock, Jacob Pfleper, H. C. Zimmerman, M. Buddenbaum, Abel Schaaf, Mrs. C. Wenger, F. Brockmeyer, C. Fieldpurch, Clameret Hess, Henry A. Ruske, Wm. H. Fuehring, Emelia Franzman, Martha A. Miller, W. Berk, E. H. Johnson, Jacob Gross, E. B. Dill, James Broden, Sr., James Broden, Jr., F. T. Herrmann, Christian Wiese, Gustie Ratzler, E. Kottowske, G. H. Riel, J. A. Haskinson, Chris. Schofferdoker, Bridget Sullivan, Mary Griffin, Wm. Paulisch, Wm. Paulisch, W. Tasgrer, David Ware, Pat Schea, M. Golden, Fred. Knefler, H. T. Nolting, John W. Reynolds, Henry A. Guittag, John C. Yates, Peter Wagner, C. Beurhle, S. Stout, Jim Spina, Gollieb Tinne, John D. Church, B. F. Rogers, Otto Wagner, Henry W. Hartwig, Joseph Stake, Fred. Cook, Frank Danmeyer, Chas. Richel, C. Ostermeyer, J. A. Church, E. E. Church, G. Schaub, August Kritsner, Nancy Sullivan, Margaret Flinn, Robert Wiseman, Hattie E. Small, Mart. Sears, Michael Griffin, Michael Sarghrow, M. Johana Sullivan, Christ. Moldthan, Mary Farrish, John Bernlocke, Daniel Sullivan, John O'Connor, C. H. Castell, Chas. Nuerge, H. W. White, Johanna Slattery, W. R. Miller, John Courtney, Edward F. Nelson, C. Kenedy, Owen Lynch, Peter Fleming, Edward Magee, G. S. Pittma, J. E. Larger, A. V. Kellogg, Mrs. M. Montgomery, R. H. Montgomery, H. H. Martin, M.D., F. Prange, Oathrine Fitzgerald, Catnarine E. Johnson, John Schulz, Clara Richard, Mary Sham, Timothy Lahey, Patrick Donahue, Simon Attyrive, Micel Caven, Pat Lynch, Adam Kirkwood, O. H. Hodson, John Schnilker, Albert Vuast, Lukis Wolf, Tobias Zost, George W. Hoffman, J. Richards, Aug. Aldag, Martin O'Conner.

His Honor, the Mayor, presented the following communication ; which was read and received :

Indianapolis, Ind., June 14, 1886.

Hon. C. S. DENNY, City:

Dear Sir:—Herewith resolution unanimously adopted at meeting of Board of Trade, held at noon to-day, and I was directed to copy to you.

Very respectfully,

J. G. BLAKE, Sec'y.

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

Resolved, That it is the sense of the Indianapolis Board of Trade that the commercial and general interests of the city would be greatly promoted by the prompt passage of the ordinances now pending before your honorable bodies granting the necessary facilities to enable the Union Railway Company to build a new Union passenger station on the present site or per plans proposed, and that the Secretary be instructed to forward a copy of these resolution to the Mayor of the City.

PENDING ORDINANCES.

The following entitled ordinance was read the second time:

G. O. 32, 1886—An ordinance confirming the right of the Indianapolis Union Railway company to occupy portions of Louisiana, Tennessee and Mississippi streets and Kentucky avenue with its tracks, authorizing said company to re-adjust its tracks in said streets and said avenue and to lay additional tracks thereon.

Councilman McGroarty moved to refer the above entitled ordinance to the Committee on Streets and Alleys, City Attorney and City Civil Engineer; which motion failed of adoption by the following vote:

AYES, 16—viz: Councilmen Burns, Dell, Edenharter, Herig, Mack, McGroarty, Reinecke, Smith, Stuckmeyer and Waterman.

NAYS, 15—viz: Councilmen Benjamin, Coy, Cummings, Dunn, Haugh, Howes, Markey, McClelland, Newland, Pearson, Reynolds, Rooker, Smither, Swain and Thalman.

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

AYES, 16—viz: Councilmen Benjamin, Coy, Cummings, Dell, Dunn, Haugh, Howes, Markey, McClelland, Newland, Pearson, Reynolds, Rooker, Smither, Swain and Thalman.

NAYS, 9—viz: Councilmen Burns, Edenharter, Herig, Mack, McGroarty, Reinecke, Smith, Stuckmeyer and Waterman.

The following entitled ordinance was read the second time:

G. O. 33, 1886—An ordinance to vacate a portion of Louisiana street for Union Railway purposes.

Councilman Benjamin offered the following amendment to the ordinance; which was adopted:

Amend G. O., No. 33, 1886, as follows:

In Section 1, line 2 (printed ordinance), after the word "that" insert the following, "the surface and such other part as may be required of."

In Section 1, line 5 (printed ordinance), strike out the words and figures "two hundred and seventeen (217)," and insert in lieu thereof, "one hundred and sixty-seven (167)."

In Section 1, line 7 (printed ordinance), after the word "vacated" add "for Union railway purposes."

And the following additional section and number, the same "Section 2," "By the acceptance of the provisions of this ordinance, the Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever, to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same "Section 3:" "The said Indianapolis Union Railway Company shall, before the erection of its said new Union Depot, file with the City Clerk of this city a certificate of its acceptance of all the provisions contained in this ordinance."

Change the number of "Section 2" (printed ordinance), to "Section 4."

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

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

NAYS, 2—viz: Councilmen Edenharter and Waterman.

The following entitled ordinance was read the second time:

G. O. 34, 1886—An ordinance to vacate a portion of Illinois street for Union Railway purposes.

Councilman Benjamin offered the following amendment to the ordinance:

Amend G. O. No. 34, of 1886, by striking out all after the title thereof, as introduced on June 7th, 1886, and insert in lieu thereof, the following:

WHEREAS, The Indianapolis Union Railway Company has presented to and filed with the Common Council and Board of Aldermen of the City of Indianapolis its petition praying for the vacation of that portion of Illinois street hereinafter in this ordinance described, setting forth that the purpose for which it is proposed to use the ground forming said portion of street sought to be vacated, is to occupy the same with Union Railway tracks, and to extend a car-shed thereon to be connected with the new Union Passenger Depot that said company is about to build, and forming part of the necessary facilities required for said new depot; and

Whereas, There was appended to said petition the written consent to the granting of the prayer thereof of the owners in fee-simple of more than one-half of the real estate fronting on both sides of said street, estimated by the frontage in feet upon said street, such frontage commencing at a line drawn across said street equidistant from the termini of that portion of said street proposed to be vacated, and extending along said street from said line fifteen hundred (1500) feet in each direction; and

Whereas, It is ascertained and hereby determined that said written consent so appended has been given and signed by the owners in fee-simple of more than one-half of the real estate fronting on both sides of said street, estimated by the frontage in feet upon said street, commencing at said equidistant line, and extending along said fifteen hundred (1500) feet in each direction; and

Whereas, Twenty days previous notice of the time of the presentation of said petition and of the prayer thereof, and describing the portion of street sought to be vacated, was given by said The Indianapolis Union Railway Company by publication by three insertions in each of the following daily newspapers, they being of general circulation, and printed and published in the City of Indianapolis, viz:—The Indianapolis News and the Indianapolis Sentinel; and

Whereas, In consequence of such proposed vacation of said portion of Illinois street, it is anticipated that an improvement of the Illinois-street tunnel will be desirable. Now, Therefore,

SECTION 1. Be it ordained by the Common Council and Board of Aldermen of the City of Indianapolis that the surface and such other part as may be required of the following described portion of Illinois street, viz:

Commencing at point fifty (50) feet south of the intersection of the north line of Louisiana street and the west line of Illinois street; thence south with the west line of Illinois street two hundred and ten (210) feet; thence east to the east line of Illinois street; thence north with said east line two hundred and ten (210) feet; thence west to the place of beginning.

Be, and the same hereby is vacated for Union Railway purposes;

Provided, That by its acceptance of this ordinance the said, The Indianapolis Union Railway Company, shall be held to agree to raise the grade of its tracks, at the crossing of said Illinois street at least two (2) feet, and that it will bear one half of the expense, not to exceed \$15,000,00, in making such improvements of the Illinois street tunnel, as shall be provided for in plans and specifications therefor that shall be prepared by the City Civil Engineer, and approved by a civil engineer who shall be selected by the said The Indianapolis Union Railway Company; and in case said two engineers can not agree upon such plans and specifications, said engineers shall choose a third disinterested engineer, and the majority of said three engineers shall determine upon such plans and specifications, and the improvement of said tunnel shall be made in accordance with the plans and specifications so prepared and adopted by a majority of said three engineers; provided, that if said city, in making such improvement, shall defray any part of the expense thereof, out of voluntary subscriptions made by citizens, such third disinterested engineer shall be selected by such citizens; but nothing herein contained shall be so construed as to require the city to pay any part of the expense of improving said tunnel.

And by its acceptance of this ordinance said The Indianapolis Union Railway Company shall further be held to agree to include in the construction of their depot and sheds, and to maintain in good condition a commodious foot-way not less than ten feet in width, for public use, on one side of said Illinois street, in accordance with plans to be prepared and adopted in the same way that the plans and specifications above mentioned are to be prepared and adopted; and said The Indianapolis Union Railway Company shall also be held by its acceptance of this ordinance, to agree to light at its expense said tunnel when so improved.

And provided further, That the property in said improved tunnel under the portion of said street hereinabove vacated shall become and be the property of the city, and the city shall have the title and use of said tunnel, and the same shall be subject to its municipal powers over streets and other city thoroughfares, and nothing herein contained shall be so construed as to make it the duty of the said The Indianapolis Union Railway Company to maintain the same after the same shall have been so improved.

Provided further, That said The Indianapolis Union Railway Company shall not erect any wall upon or across the part of Illinois street so vacated in such a manner as to obstruct the view of said street under said car-sheds and on either side thereof from north to south, for a width of sixty (60) feet nearest to the depot building, and shall provide and maintain at all times an exit gate from its said car sheds on the south side thereof convenient to said Illinois street, and provided, further, that the vacation of said street is made upon condition that said Railway Company shall erect its Union Depot and train-sheds so as to occupy therewith the part of said street so vacated, as contemplated in the preamble hereof.

Section 2. By the acceptance of the provisions of this ordinance, The Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever to any property owner or other person on account of the vacation herein made, should there be any such liability.

Section 3. The Indianapolis Union Railway Company shall, before the erection

of its said new Union Depot, file with the City Clerk of said city, a certificate of its acceptance of all the provisions contained in this ordinance.

Section 4. This ordinance shall take effect and be in force from and after its passage.

Councilman Thalman offered the following amendment to the amendment:

I move to amend Section 1, of the amendment, by striking out the words, "one-half of" and also the figures "\$15,000.00" and inserting in lieu thereof the figures "\$30,000.00."

Which was adopted by the following vote:

AYES, 16—viz: Councilmen Burns, Coy, Dell, Dunn, Edenharter, Herig, Howes, Mack, Markey, McGroarty, Reinecke, Smith, Smither, Stuckmeyer, Thalman and Waterman.

NAYS, 9—viz: Councilmen Benjamin, Cummings, Haugh, McClelland, Newland, Pearson Reynolds, Rooker and Swain.

The amendment as amended was then adopted.

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

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Swain and Thalman.

NAYS, 4—viz: Councilmen Edenharter, Mack, Stuckmeyer and Waterman.

The following entitled ordinance was read the second time:

G. O. 35, 1886—An ordinance to vacate a portion of Louisiana street for Union Railway purposes.

Councilman Benjamin offered the following amendment; which was adopted:

Amend G. O. No. 35, 1886, as follows:

In Section 1, line 2 (printed ordinance), after the word "that" insert the following, "the surface and such other part as may be required of."

Add the following additional section and number the same as "Section 2," "By the acceptance of the provisions of this ordinance the Indianapolis Union Railway Company agrees to same the City of Indianapolis harmless from any liability whatsoever to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same as "Section 3:" "The vacation of said street is made upon the condition that said Union Railway Company shall erect its Union Depot and train sheds so as to occupy therewith the part of said street so vacated as contemplated in the preambles hereof,"

And provided, That the said The Union Railway Company shall, before the erection of its said depot file with the City Clerk, of this city, a certificate of its acceptance of all of the provisions of this ordinance."

Change the number of "Section 2" (printed ordinance), to "Section 4."

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

AYES, 20—viz: Councilmen Benjamin. Burns, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Swain, and Thalman.

NAYS, 4—Councilmen Edenharter, Mack, Stuckmeyer, and Waterman.

The following entitled ordinance was read the second time :

G. O. 36, 1886—An ordinance to vacate a portion of Meridian street for Union Railway purposes ; also, to provide for the building of a foot bridge over the portion of street so vacated, and the building of a viaduct over the Union Railway Tracks between Meridian and Pennsylvania streets.

Councilman Benjamin offered the following amendment to the ordinance ; which was adopted :

Amend G. O. No. 36, 1886, as follows :

Amend the last "whereas" in the preamble, so as to read as follows :

"AND WHEREAS, Said Indianapolis Union Railway Company agrees with the city that in consideration of the granting of its said petition it will construct at its own expense the foot bridge and viaduct hereinafter in this ordinance mentioned, in accordance with plans and specifications to be prepared by and under the supervision of the City Civil Engineer of the City of Indianapolis; and said the Indianapolis Union Railway Company further agrees that it will pay all the expenses, damages and costs incident to procuring the necessary right of way for said viaduct with its approaches."

In Section 1, line 2, (printed ordinance) after the word "that," insert the following: "The surface and such other part as may be required of."

In Section 1, (printed ordinance), strike out the words and figures, "two hundred and fifteen (215)," where the same appear, and insert in lieu thereof, "two hundred and ten (210)."

In Section 2, line 5 (printed ordinance), strike out the words "double track."

In the same section, line 6, after the word "tracks" insert the following, "fifty (50) feet in width, including a sidewalk on each side of the roadway of said viaduct."

In Section 3, line 1 (printed ordinance), after the word "viaduct" insert the following, "with its approaches."

In the same section, line 2, after the word "by," strike out all of said section and insert the following in lieu thereof, "and under the supervision of the City Civil Engineer of the City of Indianapolis."

In Section 4, at the end thereof, add the following: "Provided, further, that the said The Indianapolis Union Railway Company shall, after the passage of this ordinance, and before the erection of its said new depot file with the City Clerk of this city a certificate of its acceptance of all the provisions of this ordinance, and said Indianapolis Union Railway Company, by the acceptance of this ordinance, hereby agrees to pay any and all such expenses, damages and costs incident to the procuring of such right of way and the constructing of such viaduct and foot bridge."

Add the following additional section and number the same as "Section 6:": "By the acceptance of the provisions of this ordinance the Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever, to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same as "Section 7:": "The said The Indianapolis Union Railway Company shall not erect any wall upon

or across the part of Meridian street so vacated in such manner as to obstruct the view of said street on either side thereof, from north to south.

Change the number of Section 6 (printed ordinance) to Section 8.

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

AYES, 16—viz: Councilman Benjamin, Coy, Cummings, Dunn, Haugh, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither and Thalman.

NAYS, 9—viz: Councilmen Burns, Dell, Edenharter, Herig, Mack, Reinecke, Stuckmeyer, Swain, and Waterman.

The following entitled ordinance was read the second time :

G. O. 37, 1886—An ordinance to vacate a portion of McNabb street for Union Railway purposes.

Councilman Benjamin offered the following amendment to the ordinance ; which was adopted :

Amend G. O. No. 37, 1886, as follows :

In Section 1, line 2 (printed ordinance), after the word "that" insert the following: "The surface and such other part as may be required of."

In the same section strike out the words and figures, "thirty, (30)," where the same appear, and insert in lieu thereof, "thirty-five, (35)."

Add the following additional section and number the same, "Section 2.:" "By the acceptance of the provisions of this ordinance, the Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same as "Section 3.:" "The said vacation is made upon the condition that said Union Railway Company shall erect its new Union Depot and train sheds as contemplated in the preamble hereof, and provided further that said Indianapolis Union Railway Company shall, before the erection of its said depot, file with the City Clerk of this city a certificate of its acceptance of all the provisions contained in this ordinance.

Change the number of "Section 2" (printed ordinance) to "Section 4."

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

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

NAYS, 4—viz: Councilmen Edenharter, Mack, Stuckmeyer and Waterman.

The following entitled ordinance was read the second time :

G. O. 38, 1886—An ordinance to vacate a portion of the first alley west of Illinois street, lying south of Louisiana street, for Union Railway purposes.

Councilman Benjamin offered the following amendment ; which was adopted :

Amend G. O. No. 38, 1886, as follows :

In Section 1, line 3 (printed ordinance), before the word "first" insert the following, "surface and such other part as may be required of the."

Add the following additional section and number the same "Section 2.:" "By the acceptance of the provisions of this ordinance the Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever, to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same "Section 3.:" "The said The Indianapolis Union Railway Company shall before the erection of its said depot, file with the City Clerk of this city a certificate of its acceptance of all the provisions contained in this ordinance."

Change the number of Section 2 (printed ordinance) to "Section 4."

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

AYES, 18—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither and Thalman.

NAYS, 4—viz: Councilmen Edenharter, Mack, Stuckmeyer and Waterman.

The following entitled ordinance was read the second time :

G. O. 39, 1886—An ordinance to vacate a portion of the second alley west of Illinois street, lying south of Louisiana street, for Union Railway purposes.

Councilman Benjamin offered the following amendment to the ordinance ; which was adopted :

Amend G. O. 39, 1886, as follows:

In Section 1, line 2 (printed ordinance), after the word "of," at the end of said line, insert the following, "the surface and such other part as may be required of."

Add the following additional section and number the same "Section 2.:" "By the acceptance of the provisions of this ordinance the Indianapolis Union Railway Company agrees to save the City of Indianapolis harmless from any liability whatsoever to any property owner or other person on account of the vacation herein made, should there be any such liability."

Add the following additional section and number the same "Section 3.:" "The said The Indianapolis Union Railway Company shall, before the erection of its said depot, file with the City Clerk of this city a certificate of its acceptance of all the provisions contained in this ordinance."

Change the number of "Section 2" (printed ordinance) to "Section 4."

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

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

NAYS, 3—viz; Edenharter, Stuckmeyer and Waterman.

Councilman Cummings offered the following resolution :

Resolved, That the City Clerk be instructed to issue to Bunn Brothers a license to exhibit in this city the Panorama of the Battle of Gettysburg at the rate of six dollars a week.

And it was adopted by the following vote :

AYES, 12—viz: Councilmen Benjamin, Burns, Coy, Cummings, Haugh, Howes, Markey, McGroarty, Pearson, Reynolds, Smither and Swain.

NAYS, 9—viz: Councilman Dell, Edenharter, Herig, McClelland, Reinecke, Smith, Stuckmeyer, Thalman and Waterman.

Councilman Herig offered the following motion ; which was adopted :

That the consent of the Common Council and Board of Aldermen be, and is hereby given to William Flynn to erect a shed over the sidewalk at the northeast corner of Ray and McGinnis street. Said shed to be so constructed as not to interfere with the flow of water in the gutter of Ray street.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber this evening, June 14th, 1886, adopted the following amendments to G. O. 27, 1886 :

1st. In line 20, in Section seven, after the word "dealers," amended by adding the words "or the drummers or clerks of resident merchants or manufacturers selling goods by sample to the people of Indianapolis."

2d. Amended line 22, of Section seven, by striking out the word "ten," and inserting in place thereof, the word "two"—so as to read two dollars per day.

3d. Amended Section eight, by striking out the proviso therein beginning with the word "provided," in line 11, and striking out all thereafter in Section eight.

And then passed the ordinance as amended.

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk:

And the amendnents to G. O. 27, 1886, were concurrently adopted by the following vote :

AYES, 17—viz: Councilmen Benjamin, Coy, Dell, Dunn, Haugh, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smither, Swain, Thalman and Waterman.

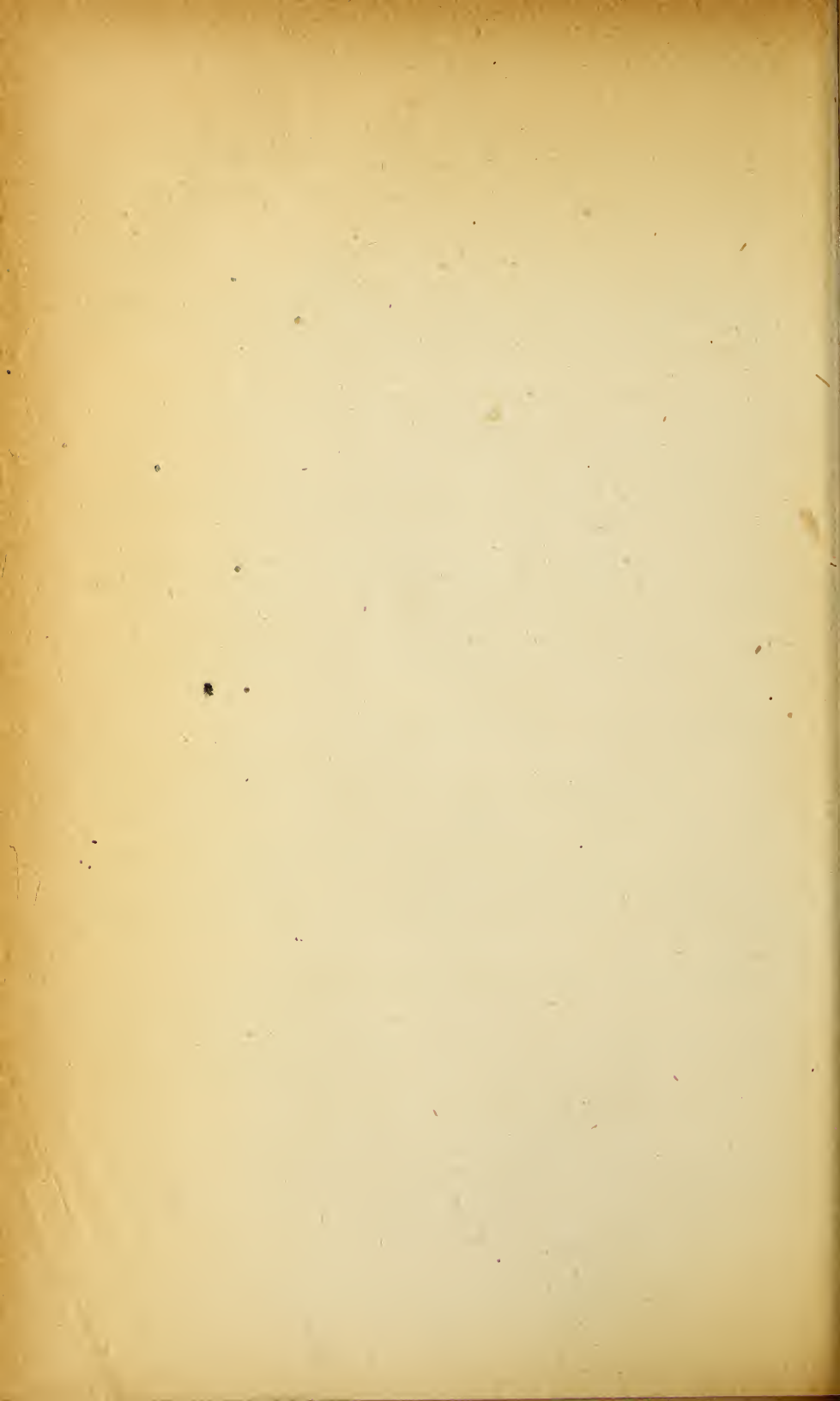
NAYS, 7—viz: Councilmen Burns, Cummings, Edenharter, Herig, Reinecke, Smith, and Stuckmeyer.

On motion the Common Council then sdjourned.

C. S. DENNY, Mayor,

President of Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.



PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JUNE 14, 1886.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, June 14th, A. D. 1886, at eight o'clock, in regular session.

PRESENT—Hon. Thomas E. Endly, President of the Board of Aldermen, in the Chair, and Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, and Wright—9.

ABSENT, 1—viz: Alderman Prier.

The Proceedings of the Board of Aldermen for the regular session held May 24th, 1886, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council in regular session held in the Council Chamber May 3, 1886, *non-concurred* in your action of adopting the following amendment to G. O. 12, 1886:

“No female under the age of eighteen years, shall be granted a permit under this ordinance.”

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

On motion by Alderman Pritchard, the Board of Aldermen receded from their former action, and reconsidered the adoption of the amendment.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council in adjourned session held in the Council Chamber May 24th, 1886, *non-concurred* in your action amending S. O. 53, 1886, by striking out the words “double walk-stones to be put in across Christian avenue, on the east side of Ash street.”

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

On motion by Alderman King, the Board of Aldermen adhered to their former action of amending the ordinance.

The following special message was read:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council in adjourned session held in the Council Chamber May 24th, 1886, non-concurred in your action amending S. O. 68, 1886, by striking out the words "curbing and bowldering."

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

On motion by Alderman King, the Board of Aldermen adhered to their former action of amending the ordinance.

The following message was read, the action of the Council approved, and Aldermen Crosby, Schmidt and Brown were appointed to act as the Board of Aldermen members of such committee:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council in adjourned session held in the Council Chamber May 24th, 1886, appointed Councilmen Cummings, Howes and Haugh as a committee to confer with a like committee on part of the Board of Aldermen, on the following motion:

"That the City Hall Committee be instructed to have the City Hall properly roded with lightning rods, and that the Munson proposition be accepted."

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The following message was read and received:

To the President and Members of the Board of Aldermen:

Gentlemen:—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council, at its adjourned session held May 24th, 1886.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report from the Committee on Contracts (see pages 416 to 420, inclusive, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in, except the first clause, which was referred to the Committee on Contracts and Bridges.

The contracts and bonds for improvements (see pages 420 and 421, *ante*), were read and concurrently approved.

The following certificate (accompanied with plat—see page 427, *ante*), was read, and the favorable action of the Common Council thereon, approved:

To the City Council, Indianapolis:

Gentlemen:—Having examined the plat of Cleveland Place, a proposed addition to the city, we find that the streets and alleys therein correspond with the abutting subdivision of King's Arsenal Heights on the south, also with Ruddel's Glenwood on the north side of Michigan street.

Respectfully,

THOS. F. QUILL, Assessor.

The following resolution (see page 426, *ante*), was read :

WHEREAS, There exists on Lot 26 in Vajen's sub-division of Out-lot 108 in the City of Indianapolis a pond or hole in which water has become and is stagnant and injurious.

Whereas, The same has become a nuisance and is injurious to the health and comfort of the inhabitants in that part of said city near said pond; therefore

Resolved, That the Street Commissioner be, and the same is hereby, ordered to cause a proper notification to be given to Lydia A. Branneman, the owner of said lot, to fill or drain such pond or hole, and notify her that if she fails to comply with such order and notice, then, in such event, he will proceed to perform the work himself, and that the costs and expenses thereof shall be assessed against said lot.

And it was concurrently adopted by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following motions (see pages 424, 426 and 427, *ante*), were read and concurrently adopted :

That the Committee on Public Property be instructed to have the City Scales at East Market place tested and sealed by the Fairbanks Scales Co., at the expense of the Weigh Master.

That there be erected a lamp-post, complete to burn gas, on south East street, at the southeast corner of Pogue's Run bridge.

That the Sacred Heart Church congregation be granted the right to occupy the Garfield Park Monday June 14th, for picnic purposes.

That the Street Commissioner be directed to notify the owners of the Lots on the west side of Illinois street, between Washington and South streets, to repair the sidewalks in front of their Lots wherever needed.

That Harry Lennsman be permitted to grade and gravel the sidewalk in front of his seven lots on the west side of Shelby street, under the direction of the City Civil Engineer and at his own expense.

That John H. Rothert be permitted to bowlder the gutter and pave the sidewalk along his property on the first alley south of Stevens street between Virginia Avenue, at his own expense, and all work to be done under the direction of the City Civil Engineer.

That William H. Tucker be and is hereby appointed Park Commissioner for Garfield Park for one year from date.

That Wm. Norris be appointed Commissioner of Brookside Park to serve without pay.

The following message was read :

To the President and Members of the Board of Aldermen:

Gentlemen:—I submit herewith the following motion for your consideration, favorably passed upon by the Common Council at its session held May 28th, 1886, and Councilmen Benjamin, Newland, Pearson, Reinecke and Swain were appointed

as the committee on the part of the Common Council, as provided for by the motion
For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

WHEREAS, The Union Railway Company has given the required legal notice of its intention to present to the Common Council at its session to be held on June 7th, certain ordinances, providing for the vacation of certain streets and alleys near the present site of the Union Depot, needed for the proposed new depot and car sheds;

And whereas, The questions involved in these matters are of very great importance, and demand the most careful investigation on the part of the city authorities before action is taken on said ordinances;

And whereas, The matters involved ought to be investigated at once, so that no delay shall be had when said ordinances have been presented; therefore

Moved, That the Mayor appoint a committee of five members of this body, and that the President of the Board of Aldermen be requested to immediately appoint a committee of two members of that body, who, together with the Mayor, President of the Board of Aldermen, City Attorney and City Civil Engineer, shall constitute a Special Committee to investigate the whole question connected with said subject prior to the introduction of said ordinance, and make report thereon at that time.

And the motion was concurrently adopted.

The President announced that he had complied with the request in the foregoing motion to appoint a committee on the part of the Board of Aldermen, by appointing Aldermen Wright and Rail as such committee.

The following message was read:

“ To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith submit the following papers for your consideration, favorably passed upon by the Common Council at its regular session held June 7th, 1886.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk.

The report from His Honor, the Mayor, (see page 444, *ante*), was read and approved.

The report from the City Civil Engineer (accompanied with estimates—see pages 445 and 446, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following estimate resolution (see page 446, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fulmer & Seibert for grading bowldering and curbing the east gutter of Delaware street, from the first alley south of Bicking street to Madison avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 446, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fulmer & Seibert, for grading, bowldering and curbing the east gutter of Madison avenue, from Delaware street to the first alley north of Coburn street; be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 346, *ante*), was read:

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

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly;

NAYS—None.

The following estimate resolution (see page 447, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of John W Cooper & Co., for graveling the roadway of River street, from Kentucky avenue to the river bridge, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 447, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fred. Gansberg, for

grading and graveling the first alley east of East street, from Merrill street to Steven's Place street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 447, *ante*), was read:

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

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 448, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Fred. Gansberg, for grading and bowldering the second alley south of South street, from Tennessee street to Eddy street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 448, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of S. Hoover for grading and graveling the first alley west of Park avenue, from tenth street to State Ditch be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 448, *ante*), was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, that the accompanying first and final estimate in behalf of S. Hoover, for grading and graveling the first alley west of Park avenue, from Eleventh street to a point 168 feet south of Eleventh street be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following estimate resolution (see page 448, *ante*), was read:

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

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The report from the City Civil Engineer, submitting certain contracts and bonds (see page 449, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The contracts and bonds submitted by Councilmen Reynolds, Newland and Swain (see page 449, *ante*), were read, and the favorable action of the Common Council thereon, was concurred in.

The report from the City Clerk, showing the amount of orders drawn upon the City Treasury during the month of May, 1886, (see page 450, *ante*), was read and received.

The report from the City Attorney (see page 452, *ante*), was read and received.

The report from the Rental Agent for May, 1886, was read and received.

The report from the Superintendent of the City Dispensary for May, 1886, was read and received.

The report from the Board of Public Improvements and Street Commissioner, showing the monthly expenditures (see page 453, *ante*), was read and received.

The report of the Committee on Contracts (see page 444, *ante*), was read, and the favorable action of the Common Council thereon concurred in.

The report from the Building Committee renting the new City Hall to the Democratic County Committee (see page 457, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the Building Committee, submitting statement of insurance placed on new City Hall building, together with the action of the Common Council thereon (see page 457, *ante*), was read, and referred to the Committee on Markets and Public Property.

The report from the Building Committee, submitting a sketch plan for a Market House, (see page 458, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report of the Building Committee, submitting a plan of the lower floor of the new City Hall building, (see page 459, *ante*), was read, and the action of the Common Council thereon, was concurred in.

The report from the Committee on Bridges, relating to the repairing of the west Washington street bridge over White River, (see page 455, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the Committee on Judiciary, on the petition of M. J. Huddart, (see page 455, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The report from the Committee on Public Light (see page 456, *ante*), was read and referred to the Committee on Public Light and Education.

The report from the Committee on Public Property on Garfield Park, (see page 456, *ante*), was read, and the favorable action on the Common Council thereon, concurred in.

The report from the Special Committee on Fire Department, recommending the purchase of a Hose Wagon for House No. 4, (see page 459, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The reports from the Committee on Streets and Alleys (see pages 456 and 457, *ante*), was read, and the favorable action of the Common Council thereon, concurred in.

The following resolution was read :

"Resolved, That the Indianapolis Water Company be, and are hereby, directed to extend their water mains from the present terminus on Meridian street, near Herbert street, to Twelfth street; thence to Illinois street, to connect with the present mains on said Illinois street."

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following resolution was read:

Resolved, That the Indianapolis Water Company be, and they are hereby, directed to lay water mains in Hall Place street, on the west side thereof, under the supervision of the Chief Fire Engineer.

And it was concurrently adopted by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The petition of citizens asking that the Central Union Telephone Company be permitted to operate until another company may come in (see pages 430 and 481, *ante*), were read.

Alderman Brown moved that the action of the Common Council thereon, be concurred in.

Alderman King moved to lay that motion on the table.

Which failed of adoption, by the following vote:

AYES, 4—viz: Aldermen King, Laut, Rail, and Schmidt,

NAYS 5—viz: Aldermen Brown, Crosby, Pritchard, Wright, and President Endly.

The motion to concur in the action of the Common Council, was then adopted, by the following vote:

AYES, 5—viz: Aldermen Brown, Crosby, Pritchard, Wright, and President Endly.

NAYS, 4—viz: Aldermen King, Laut, Rail, and Schmidt.

By consent, Alderman Pritchard presented the following communication; which was read and received:

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

Gentlemen:—In view of the somewhat changed condition, it is perhaps due to both you and us, that the Citizens' Co-operative Telephone Company should make a brief statement. It will be remembered that when the law was enacted regulating the price of telephone service, the Central Union declined to accept its terms, declaring the service could not be rendered for the price. Large indignation meetings of telephone users were held, and resolutions adopted denouncing the company, and demanding compliance with the law, and the company still refusing, some of its patrons brought suit to compel the company, against which the company made vigorous resistance; but the suits were decided against it, and the company then announced positive determination to withdraw from the city, and gave the following notice to users:

“Mr.”

You are hereby respectfully notified that the Central Union Telephone Company elects to terminate your contract for telephone service with its Exchange at Indianapolis, Ind., an (the latest was June 30, 1886,) in accordance with the provisions of said contract. The company will remove the instruments as soon after the termination of said contract as possible, and pending such removal no charge will be made for their use in connection with Exchange service.

Dated from Chicago.

W. S. CHAPMAN, Secretary.”

The company had removed large numbers of their instruments, and were busily removing them when we applied for and received the franchise.

The Council and Board, acting upon this decision of the company, repealed its charter, and ordered the company to remove its poles; and should it fail after fourteen days, the Street Commissioner was ordered to remove the poles and wires; and thus the concurrent and emphatic declaration and acts of all concerned, viz: telephone users, company and city, looked to recognize and decreed that by the first of July this city would be left without a single telephone from the Central Union; and this action had the effect to invite several other parties to make proposals to supply the place thus voluntarily abandoned. And your Aldermanic Committee, after carefully examining the Bell, and comparing all the other instruments proposed to be used with it, reported that the “Wallace”—the instrument we proposed to use—was the only one that did not infringe the Bell patents, a fact which they deem so important as to be decisive; and the committee thus, upon our merits, recommended that the franchise be granted us.

When we applied for the franchise, and also when it was granted, we acted upon the assumption that by the first of July the Central Union would have withdrawn, and their poles removed; but as they were still standing, and located precisely where ours would have to be, we concluded that that company, having abandoned the city, would no longer need the poles, and we would; that it would be mutually advantageous if we should purchase their plant, as we could so much sooner supply the service than if we had to wait until their poles were removed, and we put in an entirely new plant; and on the 4th day of June, wrote to George L. Phillips, the President of the Central Union Company at Chicago, thus:

Indianapolis, June 4, 1886.

GEORGE L. PHILLIPS, Esq:

Dear Sir:—The Council and Board of Aldermen have granted to the undersigned a franchise in the City of Indianapolis for a Telephone Company. As the franchise of the Central Union has been repealed, and it is removing its instruments, and vacating this field, we wish to inquire if your company would enter upon negotiations looking to the purchase by us of your plant in this city. We might add that we are actuated by the most friendly motives in making this proposition, as in view of the situation, we could utilize a property which might otherwise be rendered almost valueless to your company.

Signed,

THE CITIZENS' CO-OPERATIVE TELEPHONE COMPANY,

By J. CAVEN, President.

To this letter we have no reply.

As then that Company occupies in all your principal streets exactly the locations we require, and will not sell to us, then we must put in new lines of poles; and if theirs is permitted to remain, it adds greatly and unexpectedly to the difficulties and expense of our work from those supposed by us to exist when we applied for and when we obtained the right to the streets. We supposed the right given was to unobstructed streets of it—obstructed, would be removed. To put up poles and wires in streets already occupied, is almost an impossibility, as any one can see who will merely look up. That to compel the old company to remove their poles, would result in some inconvenience to some telephone users by being temporarily deprived of their telephones, is not now a just argument to benefit a party who proposed to abandon you and injure one who proposed to come to the rescue. The consequences of such inconvenience was recognized and accepted—by all parties—by the telephone users, when they were holding indignation meetings; by the Central Union,

when it resolved to abandon the city, and took out hundreds of instruments, and by the city, when it repealed the company's charter, and ordered its poles removed. Every one then knew and accepted as a certain consequence of their combined and individual action, the complete deprivation of telephone service for an indefinite time; and so far as the Central Union was concerned, for all time, as it not only declared it would not furnish the service, nor would permit any other, but would enjoin it as an infringer.

Your committee reported that our instrument was the only one which did not infringe, and consequently the only one which could supply you at all; and if the streets are to remain occupied by the poles of the Central Union, it makes it perhaps impossible for us. We can not act in combination with the Central Union; for you provide that if we should use a single Bell telephone, it is an absolute forfeiture, not only of our franchise, but every cent's worth of our property would be forfeited to the city.

In an enterprise of this kind, to substitute an entirely new telephone service for this city, and the old one still in the way, and much must be done before the results appear in tangible form to the public eye; and this preliminary work this company has been doing—preparation of papers, books, forms, by-laws, correspondence respecting poles, wires, selecting location for an Exchange, and many other details, which require time, and it is but twenty-one days since our charter was granted. Will it be just to us to grant to the old company the privilege of obstructing and delaying us in furnishing the service, and then charge us with this delay as a fault of ours? and giving an advantage to the party who caused it? If the old company had said they would give you the service—if indeed it had not positively declared it would not, nor let any one else, we would not have applied; but under the circumstances, it is but just to us and to you, that we should not be obstructed in giving you a speedy service; and the poles of the old company presents not merely a difficulty, but almost an impossibility, and to grant it, is aiding them to shut us out and compel you to re-grant them rights they had deliberately abandoned.

If requiring them to clear the way for us is an inconvenience to some one, it should not fall upon us, when the parties to be inconvenienced were the very parties who labored diligently to bring about this state of affairs, and we alone proposed, and, as your own committee reported, we alone could furnish relief. Hundreds have already suffered inconvenience. Their instruments were long ago removed, and only for our company, all would soon be suffering the inconvenience. There would not be a telephone left the city in about two weeks. The company notified you that by the first of July the last one would be removed, never to be restored, and the city not only cheerfully accepted the notice, but repealed their franchise, and notified the company if it did not remove its poles, the city would chop them down. If, then, under these circumstances, there must be loss or inconvenience to some, should it fall alone upon that party who alone proposed or can furnish relief?

One of the objections to the old company was, that it was a monopoly. We intended to avoid this objection, by giving our citizens an opportunity to take stock which they will readily do, if our franchise is not so burdened with onerous conditions and obstructions as to discourage investors. Our By-laws, already adopted, provide that any applicant for a telephone, may, if he chooses, take \$40.00 of stock, which will give him a telephone for one year free; so that at the end of a year, his stock will have cost him but \$4.00.

Respectfully submitted,

THE CITIZENS' CO-OPERATIVE TELEPHONE COMPANY,

By J. CAVEN, President.

Alderman Pritchard filed the following notice:

I hereby give notice that at the next meeting of the Board I will move a reconsideration of the vote by which the Board concurred in the action of the Council, granting the Central Union Telephone Company permission to furnish telephone service until the new company are ready for business in this city.

The following petitions (see pages 478 and 480, *ante*), were read, and the favorable action of the Common Council thereon, concurred in:

ASSESSOR'S OFFICE, Indianapolis, Ind, June 7, 1886.

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

Gentlemen:—Owing to the increased work of my office, caused by the recent consolidation therewith of the duties of City Assessor and the new improvements reported, together with the recent changes in the city boundaries, the assessments have been necessarily delayed. It will require a few weeks extension beyond the first of June, until the first of July, at furthest, to complete them. I most respectfully ask that your honorable bodies grant me this time in which to complete the work, the delays of which have been brought about by the causes above stated.

Respectfully,
THOS. F. QUILL,
Assessor Center Tp. and City of Indianapolis.

Indianapolis, June 4th, 1886.

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

Gentlemen:—The undersigned respectfully petition your honorable bodies for permission to erect and maintain a water plug to be used for the purpose of street sprinkling; said plug to be located on the south side of Pratt street between Meridian and Pennsylvania streets.

B. PORTER.

We, the undersigned, owners of the property adjoining said proposed water plug, agree to the erection thereof and join in the above petition.

C. E. KREGELO,
HELEN R. EDSON.

The following motions (see pages 476, 477, 479, 480, 481 and 482, *ante*), were read and concurrently adopted:

That the Indianapolis Gas Light and Coke Company repair sidewalk in front of 113 south Illinois street, and place it in as good condition as they found it.

That the Street Commissioner be, and is hereby directed to notify the owner of the property on the southeast corner of West and Michigan streets to remove dangerous leaning tree and repair sidewalk at once, and if not done in ten (10) days, the Street Commissioner do the same and collect the cost thereof from said owner.

That the Building Committee be directed to have a temporary water-closet erected at the new city building, for the benefit of the ladies that attend the market.

That Peter Olsin have permission to put in and maintain a plug for getting a supply of water for sprinkling purpose; said plug to be located on the north side of Maus' Block and south side of Prospect, opposite No. 1 Shelby street, the property owners all having given consent as required by ordinance.

That the Street Commissioner be instructed to notify the Belt Rail Road Co. to open Papaw street at the crossing of said road.

That Street Commissioner be instructed to grub out the small bushes in the north gutter of Clifford avenue east of Brookside avenue.

That the Market Masters be and is hereby instructed to enforce all ordinances regulating measures and weights used at the markets of this city. Special reference is made to Sections 21, 22 and 23, in General Ordinances regulating same.

That the Gas Company be and is hereby instructed to dismantle lamp-post on south side of Seventh street, between Alabama and New Jersey streets, and that instead of same the lamp-post on opposite side, at corner of alley, be lighted.

That the german gardeners be allowed to hold their annual picnic in Garfield Park, on Thursday, July 29th.

That the Street Commissioner be directed to notify owners of hacks standing on Circle street to clean up the manure and dirt where they stand daily.

That the German Luthoran Church be allowed to hold their picnic in Garfield Park, July the 5th.

That the Street Commissioner put the drinking fountain on east Washington street in proper repair.

That the Street Commissioner be instructed to notify the property owners corner of Vermont and New Jersey streets, to repair the sidewalk on Vermont street, and if the work is not down in ten days after such notification, the Street Commissioner proceed to do the work at once, and charge the same to property owners.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances (passed by the Common Council) were placed on their final passage without a suspension of the Rules:

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 30, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$921.64.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 31, 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, \$2,920.96.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 32, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated \$31,342.76.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 33, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$160.30.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following entitled ordinance was read the first and second times, and then read the third time:

Ap. O. 34, 1886—An ordinance appropriating money for the payment of the salaries and compensation of the Members of the Common Council and Board of Aldermen, of the City Officers, and officers and members of the Fire and Police Departments, the Committee Clerk and City Janitor. [Amount appropriated \$35,625.75.]

And it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

The following entitled ordinances (passed by the Common Council), were severally read the first time:

G. O. 17, 1886—An ordinance to amend Sections one and two, of an ordinance entitled "An ordinance prohibiting Cows, Horses and other animals from running at large within the corporate limits of the City of Indianapolis; to provide for the impounding, keeping, sale and redemption thereof, and providing penalties for the violation thereof;" ordained and established June 11th, 1883.

G. O. 24, 1886—An ordinance regulating the manner, and fixing the terms and conditions, on corporations and individuals, for the laying of pipes in the streets and highways of the City of Indianapolis, for the conveyance or supplying of natural or artificial gas to consumers.

G. O. 27, 1886—An ordinance requiring Auctioneers, Peddlers, Hucksters and certain classes of Public Showmen to pay a license to the City of Indianapolis; regulating certain matters connected with the business of such persons, and repealing certain ordinances herein specified.

Alderman Rail moved that the above entitled ordinance (G. O. 27, 1886), be referred to a special committee of two members for consideration, and that they report to this meeting; which motion was adopted, and the President appointed Aldermen Rail and Pritchard as such committee.

Later in session Alderman Pritchard moved to suspend the rules for the purpose of placing the ordinance (G. O. 27, 1886,) on its final passage; which motion was adopted and the rules suspended by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

The ordinance was then read the second time, and the special committee to whom the ordinance was referred, submitted the following report and amendments:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Special Committee to whom was referred G. O. 27, 1886, recommend—

1st. That in line 20 in Section seven, after the word "dealers," add the words "or the drummers or clerks of resident merchants or manufacturers selling goods by sample to the people of Indianapolis."

2d. Amend line 22 of Section seven, by striking out the word "ten," and inserting in place thereof the word "two"—so as to read two dollars per day.

3d. Amend Section eight by striking out the proviso therein beginning with the word "provided," in line 11, and strike out all thereafter in Section eight.

After so amended, recommend the ordinance be passed.

Respectfully submitted,

James A. Pritchard,
John Rail,
Special Committee.

Clauses No's. 1 and 2, of the above amendments, were, on motion by Alderman Pritchard, adopted.

Alderman Rail moved the adoption of Clause No. 3.

Alderman Schmidt moved to lay the motion on the table; which failed of adoption by the following vote:

AYES, 4—viz: Aldermen Crosby, King, Lout and Schmidt.

NAYS, 5—viz: Aldermen Brown, Pritchard, Rail, Wright and President Endly.

The amendment was then adopted by the following vote:

AYES, 5—viz: Aldermen Brown, Pritchard, Rail, Wright and President Endly.

NAYS, 4—Aldermen Crosby, King, Laut and Schmidt.

The ordinance was then read the third time, and it was passed by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

G. O. 40, 1886—An ordinance authorizing the Wabash, St. Louis and Pacific Railway Company to lay a switch track across Lincoln avenue.

G. O. 41, 1886—An Ordinance to amend Section one of General ordinance No. 47, 1885, entitled: "An Ordinance fixing the five limits in the City of Indianapolis, and repealing certain ordinances heretofore passed on that subject," ordained and established the 22nd day of February, 1886.

S. O. 117, 1885—An ordinance to provide for grading and bowldering the first alley north of Vermont street, from Illinois street to Tennessee street.

S. O. 40, 1886—An ordinance to provide for re-grading and paving with stone the roadway, and curbing the gutters of Washington street, from Tennessee street to Delaware street, and requiring the Citizens' Street Railway Company to pay a portion of the cost thereof, as provided for in G. O. 4, 1884.

S. O. 62, 1886—An ordinance to provide for the construction of a brick sewer in and along Washington street, from Mississippi street to Missouri street.

S. O. 82, 1886—An ordinance to provide for the erection of one lamp-post, lamp and fixtures (complete to burn gas except the service pipes) on the south side of Second street, between Delaware and Pennsylvania streets.

S. O. 84, 1886—An ordinance to provide for the erection of one lamp post, lamp and fixtures, (complete to burn gas except the service pipes), on Bellefontaine avenue, between Christian avenue and Cherry street.

S. O. 91, 1886—An ordinance to provide for grading and graveling Reid street and sidewalks, from the C., I., St. L. & C. R. R. tracks to Washington street.

S. O. 92, 1886—An ordinance to provide for grading and paving with brick, the south sidewalk of Market street, from West street to Blackford street.

S. O. 93, 1886—An ordinance to provide for grading and graveling State avenue and sidewalks, from Washington street to Michigan street.

S. O. 95, 1886—An ordinance to provide for grading and graveling Reid street and sidewalks, from Woodlawn avenue to the C., I., St. L. & C. R. R. tracks.

S. O. 109, 1886—An ordinance to provide for the construction of a brick sewer in and along New Jersey street, from New York street to and connecting with, Washington street sewer; and to provide for the assessment and collection of the cost thereof, and repealing Special Ordinance number 10, 1885.

On motion by Alderman Wright the Rules were suspended for the purpose of placing G. O's 17, 40 and 41 of 1886, S. O. 117, 1885, and S. O's. 40, 62, 82, 84, 91, 92, 93, 95 and 109, of 1886, on their final passage, by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

G. O. 17, 1886, was then read a second time.

Alderman Laut offered the following amendment to ordinance :

Add to Section one (1), as amended, the following words :

Provided, That cows may be permitted to run at large between the hours of six o'clock A. M. and six o'clock P. M., within the corporate limits, south of Washington street, east of Dillon street, south of Coburn street, west of Madson avenue, south Ray street, and west of Tennessee street.

Which amendment was, on motion by Alderman Brown, laid on the table by the following vote:

AYES, 6—viz: Aldermen Brown, Crosby, Pritchard, Schmidt, Wright and President Endly.

NAYS, 3—viz: Aldermen King, Laut, and Rail.

The ordinance was then read the third time, and passed by the following vote:

AYES, 6—viz: Aldermen Brown, Crosby, Pritchard, Schmidt, Wright, and President Endly.

NAYS, 3—viz: Aldermen King, Laut, and Rail.

G. O. 40, 1886, was then read the second time, read the third time and passed by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

G. O. 41, 1886, was then read the second time, read the third time and passed, by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

S. O. 117, 1885, was then read the second time, read the third time and passed, by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

S. O. 40, 1886, was then read the second time, read the third time and passed, by the following vote:

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

S. O. 62, 1886, was then read the second time.

SIG. 46.

Alderman Schmidt offered the following amendment to the ordinance :

Amend by striking out in the amendment adopted by the Common Council on May 28th, 1886, all that part after the words "to-wit," and insert in lieu thereof the following: " Except an amount equal to one dollar and fifty cents per front foot on each side of said Washington street along the line of said sewer, which said sum of one dollar and fifty cents per front foot on each side, shall be assessed against and collected from the property owners as provided by law."

And it was adopted by the following vote :

AYES, 5--viz: Aldermen Crosby, King, Laut, Rail, and Schmidt.

NAYS, 4--viz: Aldermen Brown, Pritchard, Wright, and President Endly.

On motion of Alderman Schmidt, the above vote, adopting the amendment, was reconsidered by the following vote :

AYES, 9--viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS--None.

By consent, Alderman Schmidt then withdrew the amendment.

The ordinance was then read the third time, and passed by the following vote:

AYES, 9--viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS--None.

S. O. 82, 1886, was then read the second time, read the third time and passed, by the following vote:

AYES, 9--viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS--None.

S. O. 84, 1886, was then read the second time, read the third time and passed, by the following vote:

AYES, 9--viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS--None.

S. O. 91, 1886, was then read the second time, read the third time and passed, by the following vote:

AYES, 9--viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS--None.

S. O. 92, 1886, was then read the second time, read the third time and passed, by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

S. O. 93, 1886, was then read the second time, read the third time and passed by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

S. O. 95, 1886, was then read the second time, read the third time and passed by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

S. O. 109, 1886, was then read the second time.

Alderman Schmidt offered the following amendment to the ordinance :

Strike out one dollar, and insert therefor one dollar and fifty cents.

And it failed of adoption by the following vote :

AYES, 4—viz: Aldermen Crosby, King, Rail and Schmidt.

NAYS, 5—viz: Aldermen Brown, Laut, Pritchard, Wright and President Endly.

The ordinance was then read the third time, and passed by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright, and President Endly.

NAYS—None.

It being now eleven o'clock, on motion by Alderman Pritchard, the Rules were suspended, and the time of the session extended, by the following vote :

AYES, 9—viz: Aldermen Brown, Crosby, King, Laut, Pritchard, Rail, Schmidt, Wright and President Endly.

NAYS—None.

The following message was read :

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith submit the following papers for your consideration, favorably passed upon by the Common Council, at its special session held this evening, June 14th, 1886.

For the Common Council:

MICHAEL F. SHIELDS, City Clerk,

The following report from the City Attorney (see page 489, *ante*), was read and received :

To the Common Council :

Gentlemen.—I herewith submit a resolution accepting the City Commissioners' report in the matter of the vacation of part of Coram street and certain alleys in Elizabeth Talbott's Revised Addition for your consideration, as directed by your honorable body at your last meeting.

Respectfully,

WM. L. TAYLOR, City Attorney.

The following resolution (see page 489 and 490, *ante*) was read :

Resolved, That the report of the City Commissioners, in the matters of the petition of Elizabeth Talbott, George B. Wright, et al., for the vacation of the following alleys and portion of street in the city of Indianapolis, to-wit: The first alley east of Pennsylvania street, from Seventh street to Coram street; also, the short alley mid-way between Seventh and Coram streets, from Talbott avenue west to said alley above described; and, also, 28 feet off the north side of Coram street, between Talbott avenue and the first ally east of said Talbott avenue, both of said alleys and said street being in Elizabeth Talbott's Revised Addition to said city, be, and the same is hereby, in all things accepted, adopted any approved; and that in accordance with the amended report of said City Commissioners, said alleys and said part of Coram street, be, and the same are hereby vacated, on condition, however, that said Elizabeth Talbott will dedicate to the public, to the satisfaction of the City Attorney, and open a thirty (30) foot street through the north part of Lot 223 of said Elizabeth Talbott's Revised Addition, from Talbott avenue to the first alley east thereof.

Resolved further, That the petitioners be, and they are hereby required to pay to the County Treasurer, for the use of the city, within twenty days after the adoption of this resolution, all the costs and expenses taxed and to be taxed in this matter; and that said petitioners also be, and are hereby required to procure and have recorded in the office of the Recorder of Marion County the proper certified copies of the proceedings and maps, as required by law, at their own expense; and that until such expenses are paid and proceedings and maps recorded, as aforesaid, said part of Coram street above described and said alleys shall not be closed or used otherwise than as uow.

And it was concurrently adopted by the fallowing vote :

AYES, 8—viz: Aldermen Brown, Crosby, King, Laut, Rail, Schmidt, Wright and President Endly.

NAYS—None.

The following petition (see page 491 and 492, *ante*) was read, and the favorable action of the Common Council thereon was concurred in :

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

Gentlemen.—The Citizens' Co-operative Telephone Company respectfully ask your "consent" to the erection of its poles on the following routes, viz :

On Pennsylvania street, from South to North street.

On Meridian street, from South to New York s.reet.

On Illinois street, from South to Ohio street.

On Indiana avenue, from Ohio to City Hospital.

On Market street, from Circle to Noble street.

On west Washington street, from Illinois street to river.

On east Washington street, from Alabama street to State avenue.
 On Kentucky avenue, from Washington street to Stockyards.
 On Massachusetts avenue, from Pennsylvania street to Clifford avenue.

Respectfully submitted,
 THE CITIZENS CO-OPERATIVE TELEPHONE CO.,
 J. CAVEN, President.

The contracts and bonds submitted by the Committee on Contracts (see pages 490 and 491, *ante*), were read and concurrently approved.

The following resolution (see page 505, *ante*) was read :

Resolved, That the City Clerk be instructed to issue to Bunn Brothers a license to exhibit in this city the Panorama of the Battle of Gettysburg at the rate of six dollars a week.

And it was concurrently adopted by the following vote :

AYES, 8—viz: Aldermen Brown, Crosby, King, Laut, Rail, Schmidt, Wright and President Endly.

NAYS, 1—viz; Alderman Pritchard.

The following report from the Special Committee on New Union Depot Ordinances (see page 492, *ante*) was read and received :

To the Common Council:

11 *Gentlemen*.—The undersigned, your special committee, appointed to consider the petitions and ordinances presented to the Council by the Indianapolis Union Railway Co., asking for the vacation of portions of Meridian, Illinois, Louisiana, and McNabb streets, and the two alleys between Illinois and Tennessee streets, south of Louisiana street, beg leave to report that we have held several public and two private meetings. We have patiently listened to statements and arguments from every person indicating a desire to be heard. The different opinions and ideas concerning this depot project, are numerous. On all the main questions presented, we have agreed unanimously, however.

We find that the requisite number of property owners have signed the petitions for the several vacations asked for, and that their is no legal objection to the passage of the ordinances now pending.

We believe, however, that there are various amendments necessary to be made to said ordinances, in order to fully protect the interests of the city and to do full justice to its citizens. We have prepared such amendments as to us seem proper, and have placed the same in the hands of our Chairman, with instructions to offer he same at the proper time.

As to the question of the location and width of the viaduct to be built by the Union Railway Co., we were unable to unanimously agree. The amendment to be offered by our Chairman represents the views of a majority of the committee, but the minority reserve the right to express their own individual views on this matter when the Meridian street ordinance comes up for final consideration.

We return all ordinances, petitions, remonstrances and other papers referred to us to the City Clerk. Respectfully submitted,

Thomas E. Endly,
 G. S. Wright,
 John Rail,
 Special Committee on part of B'd. of Ald.

Frank E. Benjamin,
 A. L. Newland,
 John R. Pearson,
 Julius F. Reinecke,
 D. F. Swain,
 Special Com. on part of Com. Council.

C. S. DENNY, Mayor.
 WM. L. TAYLOR, City Attorney.
 S. H. SHEARER, City Civil Engineer.

The following entitled ordinances (passed by the Common Council) were severally read the first time :

- G. O. 32, 1886—An ordinance confirming the right of the Indianapolis Union Railway Company to occupy portions of Louisiana, Tennessee and Mississippi streets, and Kentucky avenue, with its tracks; authorizing said company to re-adjust its tracks in said streets and said avenue, and to lay additional tracks thereon.
- G. O. 33, 1886—An ordinance to vacate a portion of Louisiana street, for Union Railway purposes.
- G. O. 34, 1886—An ordinance to vacate a portion of Illinois street, for Union Railway purposes.
- G. O. 35, 1886—An ordinance to vacate a portion of Louisiana street for Union Railway purposes.
- G. O. 36, 1886—An ordinance to vacate a portion of Meridian street for Union Railway purposes; also, to provide for the building of a foot bridge over the portion of street so vacated, and the building of a viaduct over the Union Railway tracks between Meridian and Pennsylvania streets.
- G. O. 37, 1886—An ordinance to vacate a portion of McNabb street, for Union Railway purposes.
- G. O. 38, 1886—An ordinance to vacate a portion of the first alley west of Illinois street lying south of Louisiana street, for Union Railway purposes.
- G. O. 39, 1886—An ordinance to vacate a portion of the second alley west of Illinois street lying south of Louisiana street, for Union Railway purposes.

Alderman Brown offered the following motion; which was adopted :

That the City Civil Engineer set stakes and give to Wm. Geizendanner the proper grade for him to re-build his sidewalk to conform to the same, at the corner of Mississippi and Vermont streets.

On motion the Board of Aldermen then adjourned.

THOMAS E. ENDLY, President.

Attest: JOSEPH T. FANNING, Clerk.