

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—APRIL 4, 1887.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 4th, A. D. 1887, at 7:30 o'clock, in regular session.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 20 members, viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT, 5—viz: Councilmen Coy, Herig, Howes, Rooker, and Smither.

The Proceedings of the Common Council for the regular session held March 21st, and the special session held March 28th, 1887, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for the erection of the following lamp-posts, were opened, read and referred to the Committee on Contracts:

(S. O. 188, 1886—For the erection of two lamp posts, lamps and fixtures (complete to burn gas, except the service pipes), on Pearl street, between Tennessee and Mississippi streets.

(S. O. 13, 1887—For the erection of two lamp-posts, lamps and fixtures, complete to burn gas, except the service pipes), on Gregg street, between New Jersey and East streets.

REPORTS FROM THE COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Reynolds, submitted the following reports; which were concurred in, and the contracts severally awarded as recommended:

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

Gentlemen:—Your Committee on Contracts, to whom was referred the proposals received March 21st, have examined the same, and find them to be as follows:

For grading, bowldering and curbing the gutters of Delaware street, and widening the sidewalks thereof, from Seventh street to Eighth street.

Price per lineal foot front on each side.

George W. Buchanan.....	bowldering 53 cents; curbing 46 cents.
R. P. Dunning.....	bowldering 52 cents; curbing 45 cents.
J. L. Spaulding.....	bowldering 53 cents; curbing 43 cents.
J. L. Fisher.....	bowldering 52 cents; curbing 45 cents.
Richter & Twiname.....	bowldering 50 cents; curbing 45 cents.
James W. Hudson.....	bowldering 50 cents; curbing 45 cents.
J. W. Cooper & Co.....	bowldering 50 cents; curbing 44 cents.
Fulmer & Seibert.....	bowldering 49 cents; curbing 46 cents.
Henry C. Roney.....	bowldering 49 cents; curbing 44 cents.

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

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

Michael Higgins..... 17½ cents per lineal foot front on each side.

There being only one bid for this work, and the same being low, recommend the contract be awarded to said Michael Higgins.

For grading and bowldering the first alley north of McCarty street, from the first alley east of Alabama street to the first alley west of New Jersey street.

Richter & Twiname..... 41 cents per lineal foot front on each side.

J. W. Cooper & Co..... 38 cents per lineal foot front on each side.

We report these bids back without any recommendation, as per your instructions of last session.

For grading and paving with brick, the east sidewalk of College avenue, from Home avenue to Seventh street.

J. L. Fisher.....	46 cents per lineal foot front.
Fulmer & Seibert.....	46 cents per lineal foot front.
Richter & Twiname.....	45 cents per lineal foot front.
Geo. W. Buchanan.....	45 cents per lineal foot front.
R. P. Dunning.....	45 cents per lineal foot front.
J. L. Spaulding.....	45 cents per lineal foot front.
H. C. Roney.....	45 cents per lineal foot front.
J. W. Cooper & Co.....	43½ cents per lineal foot front.
James W. Hudson.....	43 cents per lineal foot front.

James W. Hudson being the lowest and best bidder, recommend he be awarded the contract.

For grading and paving with brick, the sidewalks of Tennessee street, from Ray street to McCarty street.

Price per lineal foot front on each side.

Name of bidders.	Paving.	Walk-stones.	Wings, per sq. y'd.
Richter & Twiname.....	45 cents.....	65 cents.....	70 cents.
R. P. Dunning.....	45 cents		
J. L. Spaulding.....	45 cents.....	68 cents.....	63 cents.
J. L. Fisher.....	44 cents		
Geo. W. Buchanan.....	43 cents		
H. C. Roney.....	43 cents.....	68 cents.....	62 cents.
James W. Hudson.....	42 cents		
Joseph Bernauer.....	41 cents.....	66 cents.....	63 cents.

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

Respectfully submitted,

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—Subject to your order of March 28th, the City Civil Engineer advertised for bids, to be received Saturday, March 2d, for improving Tomlinson Court, which were opened, and found to be as follows, to-wit:

H. C. Roney, bowldering, 75 cents per square yard; curb, lime stone, 45 cents; Berea stone, 49 cents per lineal foot; paving with brick, 60 cents per square yard; re-setting curb, 18 cents per lineal foot; walk-stone, four rows, \$1.36 per lineal foot front.

J. W. Cooper & Co., bowldering, 73 cents per square yard; curbing, 44 cents per lineal foot; paving with brick, 56 cents per square yard; walk-stone, four rows, \$1.32 per lineal foot front.

Richter & Twiname, bowldering, 72 cents per square yard; curb, lime stone, 44 cents; Berea stone, 49 cents per lineal foot; paving with brick, 57 cents per square yard; re-setting curb, 17 cents per lineal foot, and walk-stone, four rows, \$1.30 per lineal foot.

Richter & Twiname being the lowest and best bidders, we awarded them the contract.

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

The following contract and bond was read and approved :

Contract and bond of Richter & Twiname, for grading and bowldering the roadway of "Tomlinson Court," and curbing with stone and paving with brick the sidewalks thereof, from Wabash street to Market street.

Bond, \$1,200.00; sure y, L. A. Fulmer.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of George W. Buchanan, for grading and paving with brick, the north sidewalk of Indiana avenue, from Leland street to Fall Creek.

833 50 lineal feet, at 65 cents.....\$541 77

A first and final estimate in behalf of James W. Hudson, for grading and bowldering the first alley south of Bicking street, from Delaware street to Davis street.

660.50 lineal feet of bowldering, at 59 cents.....\$389 70
15 lineal feet of double walk stone, at 65 cents..... 9 75
31 extra yards of gravel at Davis street, at 75 cents..... 23 25

\$422 70

A first and final estimate in behalf of J. W. Cooper & Co., for grading and bowldering the gutters of St. Clair street, and curbing with stone and paving with brick the sidewalks thereof, from Massachusetts avenue to the C, C, C. & I. R. R. tracks.

2,953.92 lineal feet of bowldering, at 50 cents.....\$1,476 88
2,462.00 lineal feet of curbing, at 43 cents..... 1,058 50
2,172.88 lineal feet of paving, at 35 cents..... 760 45
289.80 lineal feet of double walk-stone, at 65 cents..... 188 37

\$3,484 20

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

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of George W. Buchanan, for grading and paving with brick, the north sidewalk of Indiana avenue, from Leland street to Fall Creek, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 14—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Haugh, McClelland, McGroarty, Newland, Pearson, Reinecke, Stuckmeyer, Thalman, and Waterman.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of James W. Hudson, for grading and bowldering the first alley south of Bicking street, from Delaware street to 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 adopted, by the following vote:

AYES, 14—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Haugh, McClelland, McGroarty, Newland, Pearson, Reinecke, Stuckmeyer, Thalman, and Waterman.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. W. Cooper & Co., for grading and bowldering the gutters of St. Clair street, and curbing with stone and paving with brick the sidewalks thereof, from Massachusetts avenue to the C., C. & I. R. R. tracks, be and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 14—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Haugh, McClelland, McGroarty, Newland, Pearson, Reinecke, Stuckmeyer, Thalman, and Waterman.

NAYS—None.

The City Civil Engineer presented the following communication; which was read:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I desire to submit the following correspondence in reference to the construction of the Illinois street tunnel. As the plans and specifications have been ready for the letting of the contract for some time, and as it seems to me of the utmost importance that the contract should be let as soon as possible, I most respectfully ask that you give the matter your immediate attention, to the end that you give me instructions in regard to your wishes in the premises.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Indianapolis, March 29th, 1887.

V. T. MLOTT, Esq., Vice President and Manager Indianapolis Union Railway Co., Indianapolis, Ind:

DEAR SIR:—In February, 1887, I completed the plans and specifications for the proposed tunnel improvement under the tracks of The Indianapolis Union Railway Company on south Illinois street, in this city, and the same were subject to inspection, and were, at the time inspected by F. C. Doran, Esq., Civil Engineer of your company, without approval or disapproval. On the 11th day of March, 1887, I formerly submitted to Mr. Doran two complete sets of plans for said improvement, one of which was to be by him transmitted to Thomas Rodd, Esq., at Pittsburg, Pennsylvania, your Engineer in charge of the new Union Passenger Station in this city, said plan to be submitted by Mr. Rodd to James McCrear, Esq., General Manager. The other set of plans were given to Mr. Doran, Engineer of the Union Railway Company, to be submitted to you for your inspection.

On the 18th day of March, 1887, I submitted to Mr. Doran, in his office, a copy of the proposed specifications for said improvements. Said plans and specifications are now, and have been since the above date, ready for approval by your Engineer in charge, as contemplated by General Ordinance Number 34, 1886, as amended by General Ordinance Number 50, 1886, and supplemented by your written proposition submitted to the Board of Aldermen December 13th, 1886.

I have not yet been informed by your company, who has been selected as the Engineer to approve said plans and specifications, nor has there been any approval of either said plans or specifications, on the part of your company.

For and on behalf of the City of Indianapolis, I hereby inform you that when said plans and specifications shall have been approved by an Engineer selected by your company for said purpose, every thing is ready for the letting of the contract by The Indianapolis Union Railway Company for the said tunnel improvement, which the city is anxious should at once be made.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Indianapolis, April 4, 1887.

S. H. SHEARER, Esq., City Civil Engineer, Indianapolis:

DEAR SIR:—Your letter of the 29th ult. was duly received, but before it was practicable to prepare an answer, I was called away from the city for a few days, and have just returned.

I do not quite understand the transactions of the several dates you mention to have been as you recite them. As to this, however, it does not seem to me to be very important, practically.

I now desire to inform you officially and formally, that F. C. Doran, Esq., with whom you have had several conferences during the past month, relative to the plans and specifications for the Illinois street tunnel, has been the resident Engineer of the Union Railway Company since before the first day of February, 1887, and he has been and now is authorized to act as Engineer for the Union Railway Company in the matter of the Illinois street tunnel.

I do not understand you to complain that the Union Railway Company is chargeable with any delay in the approval of the plans and specifications for the tunnel; but to prevent any misapprehension on this subject, I think it is well here, to refer to certain matters which intervened to postpone final action upon the tunnel plans and specifications by the Railway Company's Engineer. The most important of these matters, as you are aware, was the difference of opinion between some of the city officers and the officers of the Union Railway Company, upon the legal question as to who, under the ordinances, should let the contract for the improvement of the tunnel. Pending this discussion, I was seriously ill, and was confined to my house for a week. I had only returned to business a few days before the receipt of your letter of the 29th ult. Immediately upon its receipt, it was shown to Mr. Doran, and he informs me that after your acceptance of some modifications of the tunnel plans and specifications suggested by him on the 30th ult., you and he had come to a practical agreement upon these plans and specifications in so far as they related to the engineering details of construction; but Mr. Doran, in accordance

with the Union Railway Company's position upon the question as to who should let the contract for the tunnel improvement, objected to all statements and implications in the specifications which assumed that the Union Railway Company was to let said work, with the responsibilities incident thereto.

The Union Railway Company's position upon that subject, and the reasons therefor, are fully stated in my letter of the 28th ult. to Mr. W. L. Taylor, Esq., the City Attorney, and I need not, therefore, repeat them here. I would say this, now, that inasmuch as the Union Railway Company has complied with the conditions of ordinances 34 and 50, of 1886, by depositing \$30,000 with the City Treasurer, and is not liable for any further sum that may be expended in improving the tunnel, if the tunnel is so constructed as to pass our trains safely, and if the work shall be done as soon as practicable, any plans and specifications for the work that may be satisfactory to the city, will be perfectly so to us, provided they do not in terms or by implication make this improvement the work of the Union Railway Company.

Very respectfully,
V. T. MALOTT, Vice President
and Manager Indianapolis Union Railway Co.

Councilman Thalman offered the following motion :

That the above communications be referred to the City Attorney for a legal opinion on the construction to be given to the ordinances providing for the Illinois street tunnel.

Which motion failed of adoption, by the following vote :

AYES, 9—viz: Councilmen Benjamin, Burns, Dell, Dunn, Mack, Markey, Reynolds, Swain, and Thalman.

NAYS, 10—viz: Councilman Cummings, Edenherter, Haugh, McClelland, McGroarty, Newland, Pearson, Reinecke, Stuckmeyer, and Waterman.

Councilman Pearson offered the following motion; which was adopted :

That it is the sense of this Common Council, that the Indianapolis Union Railway Company should advertise for proposals for the construction of the Illinois street tunnel.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith submit an itemized statement, showing the amount of orders drawn on the City Treasury during the month of March, 1887, viz:

Board of Health.....	\$ 191 25
City Civil Engineer's Department.....	230 75
City Dispensary.....	255 91
City Hall.....	78 50
City Hospital and Branch.....	1,403 89
Cisterns.....	74 47
Fire Department—pay-rolls.....	4,971 33
Fire Department—accounts.....	849 57
Gas.....	6,111 33
Incidentals.....	70 00
Judgments and costs.....	22 08
Markets.....	8 00
Parks.....	113 50
Police.....	4,301 27
Printing.....	15 75
Salary.....	356 33
Sewers.....	401 89

Station House.....	\$ 226 50
Street Improvements..	123 00
Street repairs—pay roll.....	1,688 78
Street repair—accounts.....	378 26
Tomlinson Hall Janitors	98 00
Tomlinson Hall accounts.....	284 99
Water rent	8,248 50
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	\$ 30,503 85

SPECIAL FUND

From new market house.....	2,319 48
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	\$ 32,823 33

Respectfully submitted, MICHAEL F. SHIELDS, City Clerk.

The Treasurer for the City submitted the following report; which was received:

Report of Receipts and Expenditures of the City of Indianapolis, for the month of March, 1887, by Hiram W. Miller, City Treasurer.

RECEIPTS.

Balance February 28, 1887.....	\$ 14,206 58
Taxes collected (estimated).....	\$ 89,990 29
Miscellaneous receipts.....	8,445 25
Union Railway Company, on account of viaduct.....	30,000 00
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	\$142,642 12

EXPENDITURES.

City warrants redeemed.....	\$ 33,500 05
Balance, March 31, 1887	109,142 07
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	\$142,642 12

Respectfully submitted, H. W. MILLER, Treasurer.

The City Attorney submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Since the last meeting of the Council, the suit of Francis M. Churchman and others vs. The City, has been decided by the Supreme Court in favor of the city. This, it will be remembered, was a case in which the Superior Court, at Special Term, gave judgment against the city for the sum of \$976.50, on account of street assessments paid by the plaintiff in the matter of the opening of Second street, some years ago. The proceedings for the opening of the street were irregular, and resulted in a loss to the city of many thousands of dollars. The Supreme Court holds that the payment of money into the city treasury by Fletcher and Churchman, was a voluntary payment, and being on a street assessment, the same can not be recovered back because there is no statutory provision requiring that this shall be done. The effect of this decision will be salutary, and will protect the city against many demands that may hereafter arise in this sort of cases. The court furthermore holds that the six years Statute of Limitations applies in this case, even if the money had not been voluntarily paid; and further, that money paid to the city treasurer does not make him or the city a trustee in any sense so as to prevent the Statutes of Limitations from running. Since this case was appealed, the Supreme Court has decided for the first time, that the six years Statute of Limitations applies in all cases for the recovery of taxes illegally collected. This rule, however, has always been adopted by the undersigned.

Respectfully submitted, WILLIAM L. TAYLOR, City Attorney.

The Chief Fire Engineer submitted the following report; which was received, and the appointments confirmed:

Indianapolis, April 2d, 1878.

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

Gentlemen:—I herewith present the names of Alexander Haugh and Thomas Black for appointment to positions in the Fire Department, to fill the vacancies caused by the resignations of Joseph L. Gasper and F. L. Dougherty.

Respectfully submitted,

J. H. WEBSTER, Chief Fire Engineer.

The Chief Fire Engineer submitted his first quarterly report, showing receipts and disbursements from January 1st to April 1st., 1887; which was read and received, and ordered placed on file in the City Clerk's office.

Wm. Hadley, Rental Agent, submitted his report for March, 1887; which was read and received.

Councilman Thalman offered the following motion; which was adopted:

That the Rental Agent be instructed to have the tenant of the Indiana avenue property reduce the amount of his indebtedness for rent, or cause him to vacate.

The Superintendents of the City Hospital and the City Dispensary submitted their reports for March, 1887; which were read and received.

REPORTS, ETC., FROM OFFICIAL BOARDS.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in the Street Repair Department, for the month of March, together with total expenditures to April 1st, 1887:

Pay-rolls.....	\$ 1,688 78
Blacksmithing.....	26 40
Bowlders.....	38 25
Brick.....	6 40
Fountain repairs.....	2 50
Gravel.....	16 11
Hardware.....	2 65
Lumber.....	263 90
Miscellaneous.....	2 55
Rent.....	18 00
Sand.....	1 50

Expenditures for March, 1887.....\$ 2,067 04

Expenditures per last report..... 2,264 23

Expenditures to April 1st, 1887.....\$ 4,331 27

Respectfully submitted,

Charles H. Stuckmeyer,
R. McClelland,
Board of Public Improvements.

C. S. RONEY, Street Commissioner.

The Board of Health submitted the following report; which was referred to the Councilman of the Nineteenth Ward—Councilman Dell:

Indianapolis, March 22d, 1887.

Reply to Mr. Dell's motion (28) "That the Board of Health, at the next meeting of this Council, state what shall be done with the pond of water alongside 263, Bates street."

To the Mayor and Members of the Common Council, Indianapolis, Ind.:

Gentlemen:—After a thorough inspection, officer Crane makes the following suggestions:

1st. That the alley east of 263 Bates street, be graded south to the C., I., St. L. & C. R. R.

2d. That the first alley south of Bates street be graded from Pine street to Leota street.

Respectfully,
S. E. EARP, M. D., Sec'y.
of City Board of Health.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Accounts and Claims and the City Attorney, through Councilman McClelland, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—The undersigned, Committee on Accounts and Claims, with the City Attorney, to whom was referred the bill of Thomas Quill, Assessor, for the sum of fifty dollars (\$50.00) as pay for the changes made on the Assessor's books and plats of the recent annexations and dis-annexations of additions, subdivisions and unplatted ground surrounding the city, amounting to 1,360 descriptions, your committee recommend that said bill be allowed, and that the same be placed in the appropriation ordinance.

Respectfully submitted,

R. McClelland,
A. L. Newland,
D. F. Swain,

WM. L. TAYLOR, City Atty.

Committee on Accounts and Claims.

The Committee on Finance, through Councilman Thalman, submitted the following report; which was read and received:

To the Mayor and City Council:

Gentlemen:—Your Committee on Finance respectfully report, that during the past year the city's expenses have *not* exceeded the receipts, although there has been paid out of the General Fund \$9,000 bonded debt, \$6,637 to complete the new Hospital, and \$18,300 on the new Market House. It will cost about \$7,700.00 more, out of this year's revenue, to complete the market house stalls and fixtures—making the entire amount paid out of the General Fund of 1886 and 1887, for the Tomlinson Hall and Market House, \$26,000, the balance having been paid out of the Tomlinson Estate and special license fund.

The tax collection was made last year on a duplicate of \$53,000,000, which amount was cut down at the last assessment to \$48,700,000—making amount of taxes less this year than last, \$43,200.00. This will make close work to get through without running in debt; but as the representatives of the tax payers, we have a certain amount placed at our disposal to run the expenses of the city with, and however small that may be, it is our duty to live within such amount, and do the best we can.

In order to keep within our revenue, all expenditures that are not absolutely necessary, must be avoided; such as the indiscriminate ordering of water mains, erecting lamp posts and fixtures, and the "wholesale" laying of stone crossings. We would also call your attention to the growing increase of lighting expenses, by allowing the vapor light business to get hold on the city. At first it was to cost but a

few hundred dollars, but has gradually crawled up to \$4,428.00 per annum, and will continue to grow, unless you put a veto on the business at once, which we recommend be done.

We herewith submit an estimate of expenses for the year 1887, and recommend that under no circumstances should ordinances be passed, or expenditures ordered, to exceed the amounts. They are sufficient to run the city, without any serious detriment to any Department, although very closely limited. Much more could be used to the great advantage of the city, in the way of building sewers, street improvements, and improving Parks; yet we can not do so until we have the funds to do them with.

ESTIMATE OF EXPENSES FOR 1887.

Board of Health.....	\$ 3,000 00
Bridges.....	2,000 00
City's assessment.....	7,800 00
City Civil Engineer's Department.....	2,800 00
City Dispensary.....	3,400 00
City Hall.....	3,700 00
City Hospital and Branch.....	16,000 00
City Treasurer's per centage for collecting delinquents.....	3,315 00
Cisterns.....	1,500 00
Cemetery.....	50 00
Fire Department.....	77,000 00
Gas, and vapor lamps.....	72,000 00
Incidental expenses.....	1,500 00
Interest account.....	133,600 00
Judgments and costs.....	1,000 00
Markets, including fuel and light.....	1,000 00
Market Master's salary.....	2,100 00
Parks.....	2,000 00
Police.....	53,000 00
Printing.....	5,000 00
Salaries.....	25,000 00
Sewers.....	5,000 00
Station House.....	3,000 00
Street improvements.....	15,000 00
Street openings and vacations.....	1,000 00
Street repairs.....	30,000 00
Taxes refunded.....	500 00
Water rent.....	32,500 00
Market House, to complete stalls and fixtures.....	7,600 00
Election.....	2,000 00
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	\$513,365 00

Respectfully submitted,

Isaac Thalman,
John R Pearson,
J. F. Reinecke,
Henry L. Smith,
Committee on Finance.

The Committee on Judiciary, through Councilman Cummings, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—The undersigned, Committee on Judiciary, with the City Attorney, to whom was referred sundry matters, report thereon as follows:

1st. As to the remonstrance of G. W. and T. V. Elvin and others, against Robert Keller being allowed to build a barn on Lots 5 and 6, in Out-lot No. 108, for the purpose of storing hay, straw and other material, recommend that said matter be referred to the Fire Board and the Chief Fire Engineer.

2d. As to the petition of Christoph Hilgenberg, praying for the re-payment to him of \$19.16 paid by him on Lot No. 29, in Out-lot No. 17, in McCormick's subdivision west of White River, your committee report that the amount of \$15.81 was paid more than six years ago, and hence is barred by the Statute of Limitations, and the balance of \$3.35, your committee recommend be not paid, because there is a small part of said lot that is not absorbed in the Belt Railroad right-of-way, hence the city is not liable for said sum.

3d. As to the petition of C. E. Geisendorff, praying for the re-payment of erroneous taxes on Lot 15, in P. R. & F's addition to the city, your committee report the same back, with instructions to the petitioner to furnish an itemized bill of such taxes, with dates and amounts.

4th. As to the petition of Jos. A. Moore, praying for the re-payment of \$31.29, for taxes and assessments for street improvements on Lot 5, in Block 10, in Colgan's subdivision of Fletcher's Brookside addition, your committee report that there is no law for the re-payment of assessment for street improvement, and therefore recommend that the prayer of the petitioner be not granted.

Respectfully submitted,

Geo. F. Edenharter,
M. M. Cummings,
Judiciary Committee.

WM. L. TAYLOR, City Atty.

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report, accompanied with resolution :

To the Mayor and Common Council:

Gentlemen:—The undersigned, Committee on Streets and Alleys, to whom was referred sundry matters, report thereon as follows:

1st We recommend that the motion requiring the Street Commissioner to place catch basins and the necessary connections with the sewer at the corner of Ohio street and Arsenal avenue, and at the corner of Market street and Arsenal avenue, be referred to the Committee on Sewers.

2d. As to the petition of Magdalena Maus and Brown and Love Brothers, asking that that portion of Patterson, Fletcher & Ray's subdivision of the west part of Out-lot No. 149, in the City of Indianapolis, and forty (40) acres in fractional Section No. three (3), Township fifteen (15), Range three (3) east, in Marion county, State of Indiana, that lies in the City of Indianapolis, be vacated, your committee recommend that the prayer of the petitioners be granted, and that the following resolution be adopted:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the petition of Magdalena Maus and others, praying for the vacation of all the streets, alleys and highways in that part of Patterson, Fletcher & Ray's subdivision of the west part of Out-lot No. 149, in the City of Indianapolis, and forty acres in fractional Section No. 3, Township 15, Range 3 east, in Marion county, Indiana, as described in Plat Record No. 2, page 113, in the Recorder's office of said county, that lies in the City of Indianapolis, be referred to the Board of City Commissioners, together with the plat accompanying the same, with instructions to assess benefits and damages caused by such vacation, and to make due report to the Common Council and Board of Aldermen; said Board of City Commissioners to return all petitions, plats and notices. The City Clerk is hereby required to issue, and the Superintendent of the Metropolitan Police Force to serve, the proper notices upon said Commissioners, and the petitioners are hereby required to serve the proper notices upon the property owners, and show by affidavit due service of such notice: *Provided,* That before the City Clerk issue the said notices to the City Commissioners, a bond shall be filed with said City Clerk, to be approved by the Mayor, guaranteeing the payment of all costs and charges of said Commissioners in this matter.

3d. Your committee recommend that the plat of "Wallace's subdivision of New-man Oak's Park," being a subdivision of Lot No. 3, of Ingram Fletcher's Oak Hill suburb to the City of Indianapolis, as recorded in Plat Book No. 7, page 114, in the Recorder's office of Marion county, Indiana, be adopted and approved, and the prayer of the petitioner be granted: *Provided,* That before such plat is recorded,

the same shall be presented to the County Auditor, who shall assess and apportion the true valuation of each lot or parcel of land described in such plat, as required by Section 6392 R. S. 1881.

4th. Your committee recommend that the petition of George and Margaret Roedter, praying for the vacation of the second alley north of Lincoln avenue, from Peru street to Alvord street, be not granted.

Respectfully submitted,

Edward Dunn,
Julius F. Reineke,
Committee on Streets and Alleys.

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

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

NAYS—None.

REPORT FROM SELECT COMMITTEES.

The Special Committee on Fire Department, through Councilman Benjamin, submitted the following reports; which were concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Fire Committee, to whom was referred the motion instructing the Chief Fire Engineer to place a fire-alarm box at the corner of Blackford and North streets, report that there now is a box close to the proposed box, and owing to the scarcity of funds, recommend that said motion be not adopted.

Respectfully submitted,

F. E. Benjamin,
A. L. Newland,
Fred. J. Mack,
M. M. Cummings,
Special Fire Committee.

To the Mayor and Members of Common Council:

Gentlemen:—We, your Special Fire Committee, to whom was referred the following motion:

“That the City Civil Engineer be, and is hereby, directed to advertise for proposals for the construction of one 1000-barrel cistern on Leota street, between Bates street and the railroad.”

Would respectfully report it back, with the recommendation that it be referred to the Finance Committee.

Respectfully submitted,

F. E. Benjamin,
A. L. Newland,
Fred. J. Mack,
M. M. Cummings,
Special Fire Committee.

The Special Committee on renting Tomlinson Hall, through the City Clerk, submitted the following report; which was read and received:

Indianapolis, Ind., April 4, 1887.

To the Common Council and Board of Aldermen:

Gentlemen:—The undersigned, your Rental Committee, beg leave to submit the following report of rents received for the use of Tomlinson Hall, since its opening.

On September 20, 1886, we made an itemized report of all receipts up to that date, which will be found on page 810, of the Proceedings of last year. And on January 3, 1887, we made our second itemized report, showing all collections up to the end of the year 1886, which report will be found on page 10, of the Proceedings of the present year.

Total amount received for rent of Hall up to date of last report aforesaid, as itemized in said reports of September 20th and January 3d.\$1,950 00

Telegraph Operator's ball, Dec. 22.....	40 00
Central Trades' and Labor Union, Dec. 30, on account.....	20 00
Elite Dancing Club, Dec. 31.....	40 00
Woodworth meeting, Jan. 16.....	50 00
Indianapolis Caledonian Quoting Club, Jan. 25.....	40 00
Saw Makers' Union ball, Jan. 26.....	40 00
Indianapolis School Board, Feb. 7.....	20 00
Grand Army of the Republic, Blackburn Lecture, Feb. 9.....	20 00
Roberts Park Church, Dairymaids' drill, Feb. 14 and 15.....	80 00
Military Fair and Carnival, Feb. 22 to 26.....	100 00
Brotherhood of Locomotive Firemen, Feb. 28.....	60 00
Republican Mass Meeting, March 1st.....	35 00
South Street Baptist Church, March 3 and 4.....	70 00
Union Labor Party, March 12.....	35 00
F. W. Steckhan (Anna Eva Fay meeting) March 13.....	35 00
Brotherhood of Locomotive Firemen Ball March 15.....	60 00
Roberts Park Church, Dairymaids' drill, March 17, 18 and 19.....	90 00

Total cash received to date.....\$2,765 00

There remains unpaid the following sums, for the dates named: September 4, \$35.00; Dec. 30, (balance), \$20.00; March 30, \$35.00, and April 1st, \$35.00—a total of \$125.00, all of which will be paid, except, perhaps, the first named.

Hereafter all rent will be received by the City Clerk (or the Treasurer, and receipt deposited with him), and a regular ledger and cash account of the same kept by him, as directed by the motion passed at the last meeting.

Respectfully submitted,

C. S. Denny,
Thomas E. Endly,
Michael F. Shields,
Rental Committee.

The Special Committee on Colfax Monument location, through Councilman Cummings, submitted the following report; which was concurred in:

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

Gentlemen.—Your Committee appointed for the purpose of acting in conjunction with the Colfax Odd Fellows' Monumental Committee, report that on the 26th day of March, 1887, they met with said Odd Fellows' committee for the purpose of selecting a location for said Monument: And after due deliberation and inspection of University Park, the Odd Fellows' committee and your committee unanimously selected the first open plateau of ground in said Park south of the music stand, as the location for the erection of said Monument. And we respectfully ask that our action in the premises be affirmed.

Respectfully submitted,

C. F. Rooker,
M. M. Cummings,
Ab. L. Newland,
Special Committee.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and on motion, the action of the Board of Aldermen amending the ordinance, was *non* concurred in:

Indianapolis, April 4, 1887.

To the Mayor and Common Council:

Gentlemen.—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, March 28th, 1887, amended S. O.'s Nos. 16, 18, 20, 21,

27, 34 and 39, of 1887, by striking out all stone crossings, and then passed the ordinances as amended.

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

The following message was read, and on motion, the action of the Board accepting the agreement, was *non* concurred in :

Indianapolis, April 4, 1887.

To the Mayor and Common Council :

Gentlemen:—The Board of Alderman, in regular session held in the Aldermanic Chamber, Monday evening, March 28th, 1887, accepted the following agreement, and passed S. O. No. 44, 1887 :

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

Gentlemen:—The undersigned, in consideration of the passage by your honorable body, of S. O. No. 44, 1887, agree to pay to the City of Indianapolis the amount of cost of stone crossings on Alabama street, which will be laid as provided in Special Ordinance No. 44, 1887.

H. C. DEWENTER,
STANTON J. PEELE,
H. C. ADAMS.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

The following message was read :

Indianapolis, April 4, 1887.

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, March 28th, 1887, *non*-concurred in your action of adopting the following motion :

“That Peter Gall be permitted to build a driveway over the gravel sidewalk at his coal yard entrance on Fifth street, between Illinois street and the first alley west thereof, and at his own expense, and under the direction of the City Civil Engineer.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk:

Councilman Reinecke moved that the Common Council adhere to its former action.

The question being on the adoption of the above motion, the ayes and nays were demanded.

Those voting in the affirmative were :

Councilmen Burns, Edenharter, Haugh, Mack, Markey, Newland, Reinecke, Reynolds, and Stuckmeyer—9.

Those voting in the negative were :

Councilman Benjamin, Cummings, Dell, McClelland, McGroarty, Pearson, Swain, Thalman, and Waterman—9.

The vote being a tie, the name of His Honor, the Mayor, was called, who voted in the negative. So the motion failed of adoption.

Councilmen Dunn and Smith were excused from voting on the above..

On motion, the Council then receded from its former action, and concurred in the action of the Board of Aldermen.

The following messages were read, and the action of the Board concurred in :

Indianapolis, April 4, 1887.

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, March 28th, 1887, *non-concurred* in the action of your honorable body in adopting the following resolution:

“Resolved, That the petition of Wm. Wallace, Receiver of Fletcher & Sharpe, praying for the vacation of streets and alleys in Hahn & Dawson and Stump's subdivision of A. E. & I. Fletcher's Oak Hill addition, be referred to the City Commissioners, together with the plat, with instructions to assess benefits and damages, and to make due report to the Common Council and Board of Aldermen; the Commissioners to return all petitions and notices. The City Clerk is hereby required to issue, and the Superintendent of the Metropolitan Police to serve, the proper notice upon the Commissioners, and the petitioner to serve the proper notice upon the property owners.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

Indianapolis April 4, 1887.

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, March 28th, 1887, concurred in the following report:

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

Gentlemen:—In your last week's meeting, you referred to the undersigned Committee a certain petition of Geo. W. Snider, Wm. Henderson and others, for the vacation of a part of Fifth street, between Meridian and Illinois streets, together with a resolution passed by the Common Council, and a remonstrance of Henry Severin, Louis Schulmeyer and others, (see Proceedings of February 21, 1887, at page 87, March 7, 1887, at page 103, and March 14, 1887, at pages 117 and 118.) When your Committee was about ready to examine into the merits of this affair, they were informed by said Geo. W. Snider and other petitioners, that we should consider their petition withdrawn, as they were getting up another petition, different from the present one. We therefore recommend that the resolution as passed by the Common Council, be *non-concurred* in.

Respectfully submitted,

Lorenz Schmidt,

H. J. Prier,

John Rail,

Committee on Streets & Alleys and Sewers & Drainage.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

Indianapolis, April 4, 1887.

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, March 28, 1887, adopted the following report:

“To the Members of the Board of Aldermen :

Gentlemen:—Your Committee on Fire Department, to whom was referred the petition of the Barbers' Assembly, with power to act, hereby respectfully request the Chief of the Fire Department to instruct firemen not to do any hair cutting in the future except for members of the Fire Department or their families.

Respectfully submitted,

H. J. Prier,

Isaac King,

G. S. Wright,

Committee on Fire Department.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

APPROPRIATION ORDINANCES.

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

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

Ap. O. 19, 1887—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,632 50.]

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, and Thalman.

NAYS—None.

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

Ap. O. 20, 1887—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$1,421.14.]

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, and Thalman.

NAYS—None.

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

Ap. O. 21, 1887—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$9,408.69.]

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, and Thalman.

NAYS—None.

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

Ap O. 22, 1887—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$387 67.]

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, and Thalman.

NAYS—None.

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

Ap. O. 23, 1887—An ordinance appropriating money for the payment of the compensations of the officers and members of the Fire and Police Departments, the Committee Clerk, City Janitor, Assistant City Janitor, Tomlinson Hall Janitor, Tomlinson Hall Assistant Janitor, and Market Masters of the East and West Markets. [Amount appropriated, \$10,468 33.]

And it was passed by the following vote :

AYES, 17—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke Reynolds, Smith, Stuckmeyer, Swair, and Thalman.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Cummings:

S. O. 62, 1887—An ordinance to provide for grading and bowldering Potomac alley, from Mississippi street to Missouri street.

By Councilman Reinecke :

S. O. 63, 1887—An ordinance to provide for re-grading and re-paving with brick, the west sidewalk of Virginia avenue, from Merrill street to the first alley south of Merrill street.

By Councilman Edenharter:

S. O. 64, 1887—An ordinance to provide for grading and paving with brick, and curbing with stone, the sidewalks of Spring street, from Ohio street to North street.

By Councilman Haugh:

S. O. 65, 1887—An ordinance to provide for grading, bowldering and curbing, the gutters of Lockerbie street, and widening the sidewalks thereof, from Liberty street to Noble street.

By Councilman Pearson, for Councilman Rooker :

S. O. 66, 1887—An ordinance to provide for grading and paving with brick, the sidewalks of Eighth (or Williams) street, from Mississippi street to Tennessee street.

By Councilman Pearson for Councilman Rooker, accompanied with petition and remonstrance; which, together with the ordinance, were referred to the Committee on Streets and Alleys :

S. O. 67, 1887—An ordinance to provide for grading and paving with brick, the east sidewalk of West street, from Second street to Fourth street.

Indianapolis, March 22, 1887.

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

Gentlemen:—The undersigned, owners of real estate fronting on West street, between Second and Fourth streets, respectfully petition for the passage of an ordinance providing for grading and paving the sidewalk seven feet wide with brick, on the east side of West street.

J. S. Cox, 38½ feet; D. S. Richards, 38 feet; L. Darling, 38½ feet; John Watson, two lots, 38½ feet; Edward J. Kline, 38 feet; D. R. Cathro, 37 feet, Flora Altheimes, per J. S. Vickers; P. Cleary, 33 feet; Jacob Mueller, 20 feet.

Indianapolis, March 23d, 1887.

To the Honorable Mayor and Common Council of Indianapolis :

Gentlemen:—We, the undersigned, do hereby protest against the laying of a sidewalk on the east side of north West street, between Second and Fourth streets, or between Second and Sixth streets.

Hiram J. Cahill, 73½ feet, No 601, north West street; George W. Irick, 33 feet, No 575 north West street; Sarah J. Coen, 18 feet, No. 567 north West street; C. A. Smith, 38 feet, No. 571 north West street; Jno. Loth, for E. Chambers, 36 feet, No. 553 north West street; Patrick Cleary, 33 feet, 559 north West street; Martha Robinson, 39 feet, 577 north West street; Wm. Reed, 37 feet, No. 605 north West street; William A. Hinesley, 39 feet, No. 567 north West street; S. H. Altland, 30 feet, No. 555 north West street; Mary Avey, per John C. Wright, 38 feet, between Third and Fourth streets; Fred. H. Wiley, per J. C. Wright, 114 feet, between Third and Fourth streets; William Glasscock's heirs, per J. C. Wright, 38 feet, between Third and Fourth streets; Fred. H. Wiley, per J. C. Wright, 650 feet, between Fourth and Sixth streets.

By Councilman Swain, accompanied with petition.

S. O. 68, 1887—An ordinance to provide for grading and paving with brick (where not already properly paved), the north sidewalk of Butler street, from Central avenue to College avenue.

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

Gentlemen:—The undersigned, a committee appointed by the Board of Trustees of Central Avenue M. E. Church, for this purpose respectfully represent that Butler street, extending from College avenue to Central avenue, is the thoroughfare by which a majority of the large and increasing congregation of worshipers at said church reach it; that the sidewalk on the north side thereof is of gravel, well worn

out, frequently muddy and unfit for travel; that there are no lights, except at the street crossings; that by reason of which the said congregation are often compelled to wade in mud, through darkness, in passing to and from their church. Wherefore your petitioners, on behalf of the Board of Trustees, and of the said church membership, earnestly pray your honorable bodies to cause said Butler street to be lighted with gas, and the said north sidewalk thereof to be improved with a good brick way where not already so improved.

Witness our hands, this 4th day of March, A. D. 1887.

SILAS A. LEE, }
W. F. HINLY, } Committee.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

His Honor, the Mayor, by request, presented the following remonstrance; which, together with the ordinance—S. O. 50, 1887—was referred to the Committee on Streets and Alleys:

Indianapolis, March 25th, 1887.

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

Gentlemen:—The undersigned, owners of real estate fronting on Columbia avenue, between Malott avenue and Seventh street, respectfully remonstrate against the passage of an ordinance providing for the laying of a brick sidewalk on both sides of the streets between the above named points.

Geo. W. Wagner, 40 feet; J. T. Tedrow, 40 feet; Annie E. Simmons, 200 feet; Henry Holt, 40 feet; Mercy Murry, 40 feet; M. E. Murry, 40 feet; Mrs. Olive Johnson, 44 feet; Mrs. A. M. Hook, 160 feet; Mrs. Emma M. Sullivan, 40 feet; Anna H. Webster, 43 feet; Mrs. Mary P. Gibson, 44 feet; Mrs. Mary Whiting, 40 feet; Susan Morrison, 40 feet; C. F. Wishmeyer, by C. E. Reynolds, 40 feet; C. T. Hill, 40 feet; Mrs. Sarah Jane Gerard, 34½ feet; A. M. Banks, by B. W. Sullivan, attorney in fact, 87 feet.

Councilman Benjamin presented a petition from Jas. H. Rouse and forty other property owners and business men on south Illinois street, praying for the passage of an ordinance to prevent sidewalk solicitors in front of a place of business; which was referred to the City Attorney, with instructions to prepare an ordinance to govern the same.

Councilman Benjamin was excused from attendance the balance of the evening.

It being now near eleven o'clock, on motion by Councilman Edenharter, the Rules were suspended for the purpose of extending the time of the session, by the following vote:

AYES, 18—viz: Councilmen Burns, Cummings, Dunn, Edenharter, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smith, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

Councilman Burns offered the following motion; which was adopted:

That A. Dillingham be, and is hereby, allowed to grade and pave with brick, the sidewalk in front of his property on west Washington street, at his own expense, under the direction of the City Civil Engineer, running from the corner of Wallace street ninety feet west on Washington street.

Councilman Markey offered the following motions; which were adopted:

That Mr. J. Butler be, and is hereby, permitted to curb and bowlder the gutter in front of his property on Madison avenue and Dunlap street; to be done at his own expense, and the Engineer give him the stakes.

That Mr. J. Butler be granted the privilege to pave the sidewalk in front of his property on Kennington street and Dunlap street, at his own expense, and that the Engineer set the stakes.

That Mr. Redford be granted the privilege to curb and bowlder the gutter in front of his property on Bicking street and Delaware street, and that the Engineer give him stakes

Councilman Markey offered the following resolution; which was referred to the Committee on Railroads:

Resolved, That the Citizens' Street Railway Company be, and is hereby, ordered to construct and operate a line of street cars in and along Delaware street and Madison avenue, from McCarty street to Lincoln Lane.

Councilman McClelland offered the following motion; which was referred to the Committee on Finance.

That the City Civil Engineer be, and he is hereby, instructed to advertise for proposals to build a twelve hundred barrel brick cistern at Clifford avenue and Archer street; said work to be done under the direction of the City Civil Engineer.

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

That the Street Commissioner be, and is hereby, directed to move the drinking fountain at the corner of St. Clair street and Massachusetts avenue, about 25 feet further east on said avenue.

Councilman Newland offered the following motion; which was referred to the Committee on Finance:

That the City Civil Engineer be, and is hereby, directed to advertise for proposals for the construction of one 1000-barrel cistern at the crossing of Cypress and Olive streets.

Councilman Swain presented the following petition; which was referred to the City Attorney and Committee on Accounts and Claims:

STATE OF INDIANA, *Marion County*, ss:

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

Gentlemen.—A. H. Nordyke, your petitioner, would respectfully show, that on the 24th day of March, 1887, his servant and employe, rode his, the said Nordyke's, horse in and upon the culvert located at the corner of Tennessee and Twelfth streets, in said city, and without any fault or negligence on the part of said Nor-

dyke or his said servant in so riding his horse upon said culvert, but on account of the negligence and carelessness of said city, in allowing the said culvert and the planks, boards and timbers composing the same to become rotten, worn and worthless, said timbers, boards and planks composing and forming the said culvert, broke, came apart, gave way, and threw said horse violently down through said culvert, thereby breaking the right fore leg of said horse, and rendering him of no value whatever to said Nordyke; that said horse was one of a pair and team of match horses, and of good blood, and a tried and trusty family horse, and of the value of two hundred and fifty dollars. Wherefore said Nordyke prays that he be allowed said sum of two hundred and fifty dollars as his damages.

A. H. NORDYKE.

Councilman Swain presented the following remonstrance; which was ordered filed with the ordinance.

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

Greeting:— We, the undersigned, owners of real estate situate on Broadway street between Ninth and Eleventh street, in the City of Indianapolis, do present to you this our protest against the Special Ordinance No. 57, 1887, introduced in your honorable bodies, for the improvement of said Broadway street as aforesaid, by curbing and guttering the same, for the reason that there is no necessity for the same.

W. A. Van Buren, Wm. F. Keay, Wm. H. Pritchard, Johnathan Edwards, Trustee, by J. H. Aldrich, agent; Henry R. Bond, Trustee, by J. H. Aldrich, agent; J. A. Rosevelt, Trustee, by J. H. Aldrich, agent; M. H. & B. S. Mallory, by Jos. A. Moore, agent; C. A. Howland, Arabella C. Peelle, John S. Morgan, The Travelers' Insurance Company, per E. S. Folsom, agent; Nellie Billingsley, Lewis H. McMurray, E. M. Tresler, Wm. Scott, A. B. English, Susan D. Yeaton.

Councilman Thalman offered the following motion; which was adopted:

That the Street Commissioner be directed to re-lay the bowlders in the alley in the rear of the Young Mens' Christian Association building, so the water will flow to the center of the alley out to Market street.

On motion the Common Council then adjourned.

C. S. DENNY, Mayor,

President of the Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.