

# PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—APRIL 18, 1887.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, April 18th, 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 22 members, viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Eidenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT, 3—viz: Councilmen Benjamin, Howes, and Smith.

The Proceedings of the Common Council for the regular session held April 4th, 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 following street improvements were opened, read, and referred to the Committee on Contracts:

(S. O. 102, 1886)—For grading and graveling Drake street and sidewalks, from West street to a point 848 feet west of West street.

(S. O. 159, 1886)—For grading and graveling the first alley south of Nebraska street, from Madison avenue to Kennington street.

(S. O. 169, 1886)—For grading and bowldering the first alley east of Illinois street, from Georgia street to Chesapeake street.

(S. O. 173, 1886)—For grading and graveling Sanders street and sidewalks, from Shelby street to Wright street.

(S. O. 181, 1886)—For grading and graveling the first alley west of Meridian street, from Seventh street to Eighth street.

(S. O. 14, 1887)—For grading and paving with brick, the sidewalks of Concordia street, from Bates street to Georgia street.

(S. O. 22, 1887)—For re-paving with brick the west sidewalk of Illinois street, from Washington street to South street, where not already properly paved.

(S. O. 23, 1887)—For grading and paving with brick, the south sidewalk of Maryland street from Illinois street to the first alley west of Illinois street.

(S. O. 24, 1887)—For grading and graveling Brett street and sidewalks, from West street to the third alley west of West street.

(S. O. 26, 1887)—For grading and paving with brick, the sidewalks of New Jersey street, from Seventh street to Eighth street.

(S. O. 28, 1887)—For re-paving with brick, the north sidewalk of Washington street, between Mississippi street and the first alley west of Mississippi street.

(S. O. 33, 1887)—For grading and paving with brick, the sidewalks of West street, from McCarty street to Ray street.

(S. O. 40, 1887)—For grading and paving with brick, the west sidewalk of Newman street, from Hill avenue to Seventh street.

(S. O. 41, 1887)—For grading and paving with brick, the sidewalks of Hill avenue, from Newman street to the first street east of Newman street.

(S. O. 44, 1887)—For grading and graveling the roadway of Alabama street, and bowldering and curbing the gutters thereof, and widening the sidewalks, from Morrison street to Seventh street.

#### COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, delivered the following address :

Gentlemen of the Common Council:

I suppose the importance of devising some system of street sprinkling, has impressed all of you, as it has the general public, during the past dry spell.

Individuals and communities are frequently compelled to endure unpleasant things, because no practical remedy can be devised. This seems to be the situation in the present instance. The plan suggested by some of the daily papers, to have the streets sprinkled by the members of the Fire Department, with hose attached to the fire plugs, is not only impracticable, but it is impossible. I felt reasonably sure of this before consulting any one. The Chief Fire Engineer, and various members of the Department, whom I have seen, assure me, without dissent, that my first impressions on this subject were correct. Mr. Webster says that even if the city had the necessary quantity of hose and water, it would require four times as many men as the Department now has, to sprinkle only those streets along which water mains are laid. And if this should be attempted, it would be at the hazard of a conflagration. It would practically render the Department useless as a protection against fire.

After carefully considering the subject, having consulted many citizens who feel, as I do, a deep interest in this matter, I am unable to suggest any remedy that can be put into general immediate use.

The sprinkling cart system is, in any aspect of the case, the only remedy on streets where water mains have not been laid. Lawn sprinklers can be utilized along streets where city water has been carried. But there is no law authorizing the Council to require residents to employ cart sprinklers. Neither is there any law permitting the city to do the work by contract, making the cost thereof a charge against the individuals or upon the abutting property. I prepared a bill covering this subject, and had it presented to both branches of the General Assembly of 1885; but it met with no favor in either. If you can devise means by which the city can afford to do the work by contract, paying the cost out of the general treasury, I suppose a sufficient number of carts could be secured by the middle of the Summer, to at least sprinkle those streets most traveled. The city or the contractors would be compelled, I suppose, to buy the water with which to do the work from the water company. As to how much the necessary supply would cost, I have no kind of information. I have not consulted with the officials of the company on this subject, because I had already intended to recommend at this meeting, where this question was first agitated, that the Committee on Water take immediate steps toward securing a new contract with that company for the future city supply; and this new

feature can now be discussed and decided by the Council and the company in connection with the other. I may be permitted to add, before leaving this question of street sprinkling, that if the committee, in conferring with the officials of the water company, can induce them to adopt such rules and prices for future consumption in residences and for lawn and street sprinkling connections, as to enable the poorer classes of our citizens to take its water, the dust problem would very soon be practically settled on many streets where now the nuisance is almost unbearable. If the rules of the company and prices charged to private consumers, can not be so fixed as to induce our people to take the water, at least one-half of the intended utility of the company to the city, is lost; and, if I may be allowed to express an opinion, I would add that a large per cent. of the company's possible profits are lost to it, for the same reason.

I know of no law requiring the Street Car Company to sprinkle the streets on which its tracks are laid; and, as I am unable to now suggest any practical mode of giving general relief on this dust question, I beg to urge that you will refer the whole subject-matter to an appropriate committee, to which the City Attorney shall be added, instructing them to fully consider the matter, and report, if possible, some plan of relief at your next meeting.

As you all know, the last contract made with the Indianapolis Water Company for the city water supply, expired last September. Since then, water has been furnished at the same prices as before, by virtue of a clause in the contract of 1881, which carries the old one over, until a new one shall have been executed. The committee having this matter in charge last fall, postponed its further consideration until the adjournment of the Legislature, thinking that some financial relief to the city might be provided during its session. You all know the result. In view of the present condition of the city's finances, and the recent recommendations of the Finance-Committee as to the present year's expenditures, I suggest that immediate steps be taken by the Water Committee to secure a contract with the company that will lessen the cost of water to the city, at least as much as the per cent. of the cut made in our tax assessments last year. I do not believe any long term contract should be seriously considered by the city, unless such concessions are made by the company as will fully justify you, on that account, in so doing.

Councilman Thalman offered the following motion relative to the foregoing address; which was adopted:

That the recommendation be referred to the Committees on Water and Fire Department, and that they be requested to confer with Chief Webster as to the practicability of sprinkling the streets from the fire hydrants, under his direction, and what additional expense would be necessary, and what portion of the city could be so sprinkled. Also, that the City Attorney be requested to report whether the Council has the power to create and enforce an ordinance compelling residents on streets to sprinkle the same and pay *pro rata* per front foot, when a majority petition for the same.

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

Indianapolis, Ind., April 18, 1887.

To the Common Council and Board of Aldermen:

*Gentlemen:*—I herewith report the amount of fines and fees collected in the Mayor's court for the month of March, 1887, which amount I paid over to the County Treasurer, for the use of the city, on the 9th inst., as follows:

Marshal's fees.....	\$219 60
Mayor's fees.....	160 30
Fines due the city.....	9 15
<hr style="border: 0.5px solid black;"/>	
Total.....	\$389 05

Respectfully submitted, C. S. DENNY, Mayor.



## -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 R. P. Dunning, for grading and paving with brick, the sidewalks of Yandes street, from Lincoln avenue to Seventh street.

1,236.00 lineal feet, at 35 cents .....\$432 57

A first and final estimate in behalf of Geo. W. Buchanan, for grading and paving with brick the south sidewalk of Fifth street, from Pennsylvania street to Delaware street.

410 lineal feet, at 36 cents.....\$147 60

A first and final estimate in behalf of Geo. W. Buchanan, for grading and graveling the first alley south of Bicking street, from Davis street to High street.

652 lineal feet, at 24 cents .....\$156 48

A first and final estimate in behalf of Michael Higgins, for grading and graveling the first alley east of California street, from North street to Indiana avenue.

260.10 lineal feet, at 17 cents..... \$44 11

A first and final estimate in behalf of Richter & Twiname, for grading, curbing and paving with brick, the north sidewalk of Georgia street, from Mississippi street to Missouri street.

392.75 lineal feet of curb, at 42 cents.....\$164 95

348.25 lineal feet of brick pavement, at 46 cents..... 160 20

\$325 15

A first and final estimate in behalf of R. P. Dunning, for grading, bowldering and curbing the gutters of English avenue, from Harrison street to Dillon street.

2,325.50 lineal feet of bowldering, at 63 cents.....\$1,465 06

2,283 08 lineal feet of curb, at 42 cents..... 958 89

223.36 lineal feet of double walk-stone, at 60 cents..... 134 00

180.00 lineal feet of curb re-set, at 7 cents..... 12 60

306.00 square yards of bowldered wings, at 60 cents..... 183 60

39.00 square yards of bowlders re-laid, at 25 cents..... 7 75

\$2,761 90

A first and final estimate in behalf of D. A. Haywood, for grading and graveling the first alley west of Meridian street, from Eighth street to Eleventh street.

2,890.00 lineal feet, at 28 cents.....\$809 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 R. P. Dunning, for grading and paving with brick the sidewalks of Yandes street, from Lincoln avenue to Seventh 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, 21—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, 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 Geo. W. Buchanan, for grading and paving with brick, the south sidewalk of Fifth street, from Pennsylvania street to Delaware 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, 21—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, 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 Michael Higgins, for grading and graveling the first alley east of California street, from North street to Indiana avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 21—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, 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 Richter & Twiname, for grading, curbing and paving with brick, the north sidewalk of Georgia street, from Mississippi street to Missouri 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, 21—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, 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 R. P. Dunning, for grading, bowldering and curbing the gutters of English avenue, from Harrison street to Dillon 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,** 21—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reinecke, Reynolds, Rooker, Smither, Stuckmeyer, Swain, 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 D. A. Haywood, for grading and graveling the first alley west of Meridian street, from Eighth street to 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 adopted, by the following vote:

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

**NAYS**—None.

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

To the Mayor, Common Council and Board of Aldermen:

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

Contract and bond of H. C. Roney, for grading, bowldering and curbing the gutters of Delaware street, from Seventh street to Eighth street.

Bond, \$1,500 00; surety, Robert Kennington.

Contract and bond of Joseph Bernauer, for grading and paving with brick, the sidewalks of Tennessee street, from Ray street to McCarty street.

Bond, \$1,500 00; surety, George W. Seibert, Sr.

Contract and bond of James W. Hudson, for grading and paving with brick, the east sidewalk of College avenue, from Home avenue to Seventh street.

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

Contract and bond of Michael Higgins, for grading and graveling the first alley south of McCarty street, from Maple street to the first alley east of Maple street.

Bond, \$200.00; surety, Patrick Gallagher.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report; which was concurred in, and the plat approved:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—The accompanying plat of Harry J. Milligan's subdivision of a part the southwest quarter of Section 31, Township 16, north of Range 4 east, Marion



county, Indiana, to be known as "Milligan's Park Lane Addition," was referred by the Board of Aldermen, at its last regular session, to me for examination, with instructions to make my report to the Council at the next meeting.

I desire to report that I have examined said plat, and recommend its approval.

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

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

To the Mayor and Common Council :

Gentlemen:—I have carefully examined the petition of Jas. H. Rouse and others, asking that an ordinance be drafted that will prevent soliciting patronage on the sidewalk in front of business houses on Illinois street, and find sufficient authority in existing ordinances to prevent the nuisance complained of; and the Superintendent of the Metropolitan Police Force has assured me that he will strictly enforce such provisions.

Respectfully submitted, WM. L. TAYLOR, City Attorney.

The City Clerk submitted the following report :

To the Mayor, Common Council and Board of Aldermen :

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

Richter & Twiname vs. Frank McWhinney, for.....\$42 70

Respectfully submitted, MICHAEL F. SHIELDS, City Clerk.

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

AYES, 12—viz: Councilmen Burns, Coy, Dell, Dunn, Herig, Mack, Markey, McClelland, McGroarty, Newland, Reynolds, and Waterman.

NAYS, 3—viz: Councilmen Cummings, Edenherter, and Thalman.

The City Clerk presented the following communication :

Indianapolis, April 18, 1887.

MICHAEL F. SHIELDS, Esq., City Clerk, Indianapolis, Ind :

Dear Sir:—Your favor of the 6th inst., communicating copy of resolution of City Council on the subject of advertising for proposals for construction of improvements to the south Illinois street tunnel, passed at the meeting of the Council held on the 4th inst., was duly received. I regret that this company can not comply with either the letter or the spirit of that resolution. Our reasons for this conclusion are expressed in my letter to the City Attorney of March 28, and that to the City Engineer of April 4, especially the former. While, for reasons heretofore given, this company must decline to let the contract for the building of the tunnel, or to undertake, itself, to build it, yet, if desired, it will cheerfully cause its Engineer to co operate with the City Engineer, and subordinate to his authority, supervise the putting in of such temporary supports during the progress of the work as shall furnish full protection against the weight of locomotives and cars crossing the tunnel during the progress of its construction or improvement. It will also arrange the changes in its track system for the purposes of reconstruction of the tunnel so as to cause the least possible delay or inconvenience to the contractor.

Very respectfully,

V. T. MALOTT, Vice President and Manager.

Councilman Thalman offered the following resolution relative to the above communication :

WHEREAS, The Indianapolis Union Railway Company, by its Vice President and Manager, V. T. Malott, did, on the 28th day of March, 1887, pay into the treasury of the City of Indianapolis, Indiana, the sum of \$30,000.00 to be used, by said city, in the construction of the proposed Illinois street tunnel, in said city; and

Whereas, The City Civil Engineer of said city, acting under the provisions of General Ordinance No 34, of 1886, as amended by General Ordinance No 50, of 1886, has prepared plans and specifications for the improvement of said tunnel, which said plans were approved by the Common Council of said city, on the 7th day of February, 1887, and by the Board of Aldermen on the 14th day of February, 1887; therefore, be it

*Resolved by the Common Council and Board of Aldermen of the City of Indianapolis,* That, when the said The Indianapolis Union Railway Company shall have, in writing, duly approved of all said plans and specifications, then the City Civil Engineer shall, and he is hereby, directed to invite proposals for constructing the Illinois street tunnel, according to the plans and specifications now on file in said City Civil Engineer's office, from such parties as, in his judgment, are competent to do said work, and that said Engineer be, and is hereby, authorized to award the contract on behalf of said city, subject to the approval of the Common Council and Board of Aldermen, to the best bidder; and that said Engineer be, and is hereby, directed to report his action in the matter, together with a contract and bond for said work, to said Common Council and Board of Aldermen for approval: *Provided, however,* That no contract shall be entered into, or proposal entertained, that would make the total cost of constructing said tunnel, together with all incidental expenses thereof, in excess of thirty thousand dollars.

*Resolved, further,* That the City Attorney of said city be, and is hereby, directed to prepare said contract and bond referred to.

And it was adopted, by the following vote:

AYES, 15—viz: Councilmen Burns, Coy, Dell, Dunn, Haugh, Herig, Mack, Markey, McClelland, McGroarty, Newland, Rooker, Smither, Thalman, and Waterman.

NAYS, 6—viz: Councilmen Cummings, Edenharter, Reinecke, Reynolds, Stuckmeyer, and Swain.

The City Clerk presented the following communication; which was read and received:

To the Common Council of the City of Indianapolis:

*Gentlemen:*—At a meeting of the property holders of that portion of Washington street between the streets of Delaware and Tennessee, held the 11th instant, at the Board of Trade Rooms, the undersigned were appointed a committee to represent said owners before the Common Council of the city.

We, therefore, on their behalf, respectfully request your honorable body to provide by ordinance for paving said portion of said street with the best quality of dressed Medina sand stone, from Orleans county, New York. We further request that said ordinance provides that said street shall be so graded that the gutters and curbing shall be as high as the necessary slope of the pavements on either side of each square will permit; and that the crown or center of the street, when the pavement shall have been laid, will be at least three inches lower than the top of the curb, and not more than twelve inches higher than the gutters.

That said ordinance shall further require that all necessary repairs or changes of water or gas mains or pipes, and repairs of sewer, and all connections with water or gas mains or with sewer, needed now or to be needed in the future, on the line of these squares, shall be made before or during the grading of said squares.

And further, that the blocks of stone shall be of the proper shape, laid in the most approved way on a prepared foundation of concrete and sand, the interstices filled with the best quality of paving cement poured in when at a temperature not below 300 degrees Fahrenheit. The whole to be done in the best manner, under the direction of the City Civil Engineer.



That the ordinance further provide that the cost of grading and paving from the curb to the portion of the street used by the Street Car Company, together with the cost of new curbing where needed, and the adjusting of the sidewalks to the new grade, be assessed to the property owners *pro rata*.

That the city assume payment for cost of that portion of the street bordered by alleys and other streets, and also of the portion occupied by the Citizens' Street Railwas Company, collecting the cost from said company, provided said company is liable therefor.

Respectfully submitted,  
 Silas T. Bowen, James H. Baldwin, V. T. Malott, James  
 Bradshaw, John S. Spann.

By consent, Councilman Thalman introduced the following entitled ordinance, which was read a first time and referred to the Committee on Streets and Alleys, City Attorney and City Civil Engineer, with instructions to report at the next regular meeting:

S. O. 69, 1887—An ordinance to provide for the re-grading and paving with Medina (New York) sand stone, the roadway, and curbing with stone the gutters, of Washington street, from the east line of Mississippi street to the west line of Alabama street, and requiring the Citizens' Street Railway Company to pay a portion of the cost thereof, as provided for in General Ordinance No. 4, 1884.

The Board of Health submitted a Mortality report for the quarter ending March 31, 1887; which was received.

#### 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, together with the City Attorney, to whom was referred the claim of A. H. Nordyke, asking to be paid \$250.00 damages for the loss of his horse, by reason of the alleged negligence of the city in allowing the culvert at the corner of Tennessee and Twelfth streets to become out of repair, report that we have made inquiries, and ascertain that his colored servant was racing the said horse against the horse of another man, and running at a break-neck rate of speed up Tennessee street, when suddenly turning on Twelfth street, his horse was injured, and but for the negligence of his servant, the accident would not have occurred. Therefore, we recommend that the claim be not allowed.

WM. L. TAYLOR, City Att'y.

Respectfully submitted,

R. McClelland,  
 A. L. Newland,  
 Committee on Accounts and Claims.

The Committee on Judiciary and City Attorney, through Councilman Rooker, submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen:*—Your Committee on Judiciary, together with the City Attorney, to whom was referred the claim of C. E. Geisendorff for the refunding of taxes doubly assessed on the south part of Lot 16, in Patterson, Ray & Fletcher's subdivison, report that we have examined the matter, and find that the facts stated in the petition are true, but that the six years Statute of Limitations has run against all of

the claim except \$28.00, which said sum we recommend be paid in full settlement of all of said claim, the county having already allowed its proportion of said claim.

Respectfully submitted,

WM. L. TAYLOR, City Att'y.

C. F. Rooker,  
M. M. Cummings,  
Geo. F. Edenharter,  
Committee on Judiciary.

The Committees on Judiciary, and Sewers and Drainage, and City Attorney, through Councilman Rooker, submitted the following majority and minority reports:

To the Mayor and Common Council:

*Gentlemen:*—The majority of your Judiciary and Sewer Committees, with the City Attorney, to whom was referred the claim of Murphy, Hibben & Co., for \$631.37, and of Byram, Cornelius & Co., for \$349.62, being the amount of damages claimed because of the overflow of water escaping from the sewer running east and west on Georgia street past their respective places of business, on the 6th day of August, 1886: It is charged that the sewer was insufficient in capacity to carry off the water, and in consequence the overflow occurred. The undersigned personally inspected the premises, and made a thorough and careful examination of each of the sewer connections, and report that the public sewer along Georgia street, at the time of the injury, was open and clear of obstructions, allowing the free flowing of water therein; that the private connections of each of the petitioner was made at about the same depth as that of the public sewer, and that neither of the petitioners had placed in their private sewer pipe any protection against the backing of water on their premises, such as a tide water trap or automatic head-gate which, if it had been done, would have thoroughly protected the petitioners and have prevented the injury complained of.

We believe it would be a dangerous precedent for the city to make in this case, for it to allow claims to parties who are injured from the overflow or back-water of sewers in times of freshets or floods, when such injury resulted from want of a proper head-gate or trap in their own private sewers. Therefore, we recommend that neither of said claims be allowed.

Respectfully submitted,

R. McClelland,  
of Committee on Sewers.

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

WM. L. TAYLOR, City Att'y.

The undersigned, member of your Judiciary Committee, makes the following minority report on the above claims of Murphy, Hibben & Co. and Byram, Cornelius & Co.: He says that, in his opinion, the said Georgia street sewer, being but two (2) feet in diameter, is not of sufficient capacity to carry off the water that, in times of freshet, is conducted to such sewer, and that by reason thereof the injury complained of resulted to the petitioners. Hence he recommends that the prayer of the petitioners be granted, and that the amounts claimed by them be allowed, to-wit: the sum of \$631.37 to Murphy, Hibben & Co., and the sum of \$349.62 to Byram, Cornelius & Co.

Respectfully submitted,

C. F. ROOKER,  
of Committee on Judiciary.

Councilman Cummings moved to lay the minority report on the table.

Which motion failed of adoption, by the following vote:

AYES, 4—viz: Councilmen McClelland, McGroarty, Smither, and Thalman.

NAYS, 15—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Mack, Newland, Reinecke, Reynolds, Stuckmeyer, Swain, and Waterman.

On motion by Councilman Haugh, the minority report was *non-concurred* in, by the following vote :

AYES, 14—viz: Councilmen Cummings, Dunn, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Reynolds, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 4—viz: Councilmen Burns, Herig, Reinecke, and Rooker.

On motion by Councilman Mack, the majority report was then concurred in, by the following vote :

AYES, 14—viz: Councilmen Cummings, Dunn, Haugh, Mack, Markey, McClelland, McGroarty, Newland, Reynolds, Smith-r, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 4—viz: Councilmen Burns, Herig, Reinecke, and Rooker.

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

To the Mayor and Common Council :

*Gentlemen:*—Your Committee on Water, to whom was referred the following motion: "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," recommend the removal be made.

Respectfully submitted,

D. F. Swain,  
C. McGroarty,  
Committee on Water.

REPORT FROM SELECT COMMITTEES.

The Building Committee, through Councilman Pearson, submitted the following report :

Indianapolis, April 18th, 1887.

To the Common Council and Board of Aldermen :

*Gentlemen:*—Having invited bids for the fresco painting of the walls of Tomlinson Hall, we received the following proposals, viz:

Frank Fertig.....	\$550 00
H. Ranje.....	400 00
G. R. Pressler.....	385 00

Mr. Pressler submitted a neatly drawn design, which we hand to the Clerk herewith, and submit the matter without recommendation.

2d. We further received bids for wire guards for the protection of the glass of the market under Tomlinson Hall. The bids of the Indianapolis Wire Works and of Hollenbeck & Miller, were both 10½ cents per square foot for No. 12 wire, with 1½ inch mesh. In order to decide whose bid to recommend for acceptance, lots were drawn, resulting in favor of the Indianapolis Wire Works. We therefore recommend that their bid be accepted.

Respectfully submitted,

C. S. Denny, Mayor,  
Thomas E. Endly,  
Isaac King,  
John R. Pearson,  
Building Committee.

On motion by Councilman Thalman, the contract for frescoing Tomlinson Hall, was awarded to G. R. Pressler, the lowest bidder, and to the Indianapolis Wire Works, for wire guards.



## 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, Monday evening, April 11th, 1887, adopted the following amendment to S. O. 168, 1886:

Amend S. O. 168, 1886, as follows: Strike out in the title the words and figures following: "An eighteen (18) inch Akron pipe," and insert in lieu thereof the words "a four foot circle brick." Also, strike out in Section one of said ordinance, after the word "River," the words "an eighteen (18) inch Akron pipe," and insert in lieu thereof the words "a four foot circle brick."

And then passed the ordinance as amended.

I submit the same for your consideration,

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

Councilman McClelland moved that the Common Council adhere to its former action, and *non-concur* in the adoption of the amendment.

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

AYES, 12—viz: Councilmen Burns, Coy, Dell, Haugh, Herig, Mack, Markey, McGroarty, Newland, Reinecke, Smither, and Stuckmeyer.

NAYS, 5—viz: Councilmen Dunn, McClelland, Reynolds, Thalman, and Waterman.

On motion by Councilman Herig, the amendment to the ordinance adopted by the Board of Aldermen, was then concurrently adopted, by the following vote :

AYES, 13—viz: Councilmen Burns, Coy, Cummings, Dell, Edenharter, Herig, Mack, Markey, McGroarty, Newland, Reinecke, Smither, and Stuckmeyer.

NAYS, 8—viz: Councilmen Dunn, Haugh, McClelland, Pearson, Reynolds, Swain, Thalman, and Waterman.

Councilman Thalman moved that the ordinance be referred to the City Attorney, to report on its legality.

Councilman Markey moved to lay the motion on the table.

Which failed of adoption, by the following vote :

AYES, 10—viz: Councilmen Burns, Coy, Edenharter, Herig, Mack, Markey, McGroarty, Newland, Reinecke, and Stuckmeyer.

NAYS, 11—viz: Councilmen Cummings, Dell, Dunn, Haugh, McClelland, Pearson, Reynolds, Smither, Swain, Thalman, and Waterman.

The motion offered by Councilman Thalman, was then adopted.

The following message was read, and the matter referred to the Committee on Streets and Alleys :

To the Mayor and Common Council :

*Gentlemen:*—The Board of Aldermen in regular session, held in the Aldermanic Chamber, on Monday evening, April 11th, 1887, adhered to its former action of accepting the following agreement :

“ 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 the cost of stone crossings on Alabama street, which will be laid as provided in Special Ordinance No. 44, 1887.

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

And also adopted the following motion relative thereto :

“ That the Committee on Contracts do not award any contracts to lay stone crossings on north Alabama street, but let the contract to improve the roadway between Morrison and Seventh streets, under Special Ordinance No. 44, 1887.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

The following messages were read, and the motions concurrently adopted :

To the Mayor and Common Council :

*Gentlemen:*—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, April 11th, 1887, adopted the following motion :

“ That the contract for the improvements provided for by S. O. 141, 1886, be not awarded until August, 1887.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

*Gentlemen:*—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, April 11th, 1887, adopted the following motions :

“ That Daniel Monninger be granted permission to lay a stone crossing in front of his property, No. 46 south Tennessee street; said work to be done at his own expense, under the direction of the City Civil Engineer.”

“ That Max Gundelfinger be, and he is hereby, granted permission to improve the sidewalk, by repairing brick walk and curb, on the front and side of his property, located at the corner of Washington and Missouri streets. Work to be done at his own expense, under the direction of the City Civil Engineer.”

I submit the same for your consideration.

For the Board of Aldermen :

JOSEPH T. FANNING, Clerk.

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Coy, which was referred to the Committee on Railroads :

G. O. 7, 1887—An ordinance authorizing Solomon Finklestein to lay a switch track across Phipps street, at a point about 125 feet west of Delaware street.

By Councilman Cummings:

G. O. 8, 1887—An ordinance to permit David Quaintance to occupy a stand over the east gutter of Meridian street, at the southeast corner of Meridian and Washington streets, in the City of Indianapolis, Indiana.

On motion by Councilman Cummings, the Rules were suspended for the purpose of placing the above entitled ordinance (G. O. 8, 1887), on its final passage, by the following vote:

AYES, 15—viz: Councilmen Burns, Coy, Cummings, Dunn, Edenharter, Herig, Mack, Markey, McGroarty, Newland, Pearson, Reynolds, Smither, Thalman, and Waterman.

NAYS, 2—viz: Councilmen Dell, and McClelland.

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

AYES, 14—viz: Councilmen Burns, Coy, Cummings, Dunn, Mack, Markey, McGroarty, Newland, Pearson, Reinecke, Reynolds, Smither, Swain, and Thalman.

NAYS, 3—viz: Councilmen Dell, McClelland, and Waterman.

By Councilman Markey, accompanied with petition:

G. O. 9, 1888—An ordinance granting permission to Hervey Bates, Jr., to lay a switch upon and across Iowa street and the Madison Road.

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

*Gentlemen:*—The undersigned petitioner respectfully petitions your honorable bodies for permission to lay a switch upon and across Iowa street and the Madison Road, from the Jeffersonville, Madison & Indianapolis Railroad, in conformity to a plat or profile which is filed herewith.

HERVEY BATES, JR.

On motion by Councilman Markey, the Rules were suspended for the purpose of placing the above entitled ordinance (G. O. 9, 1887), on its final passage, by the following vote:

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

NAYS—None.

By Councilman Swain:

G. O. 10, 1887—An ordinance regulating the standing of public vehicles on Circle street.



By Councilman Dell :

S. O. 70, 1887—An ordinance to provide for grading, paving with brick and curbing with stone the sidewalks of Cook street, from Georgia street, in Out-lot 85, to the C., H. & I. R. R. tracks.

By Councilman Herig, which was referred to the Committee on Public Light :

S. O. 71, 1887—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Roe street, between West and Sand streets.

By Councilman McClelland :

S. O. 72, 1887—An ordinance to provide for grading and paving with brick, the south sidewalk of Arch street, from Broadway street to Plum street.

By Councilman Reinecke :

S. O. 73, 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 Reynolds :

S. O. 74, 1887—An ordinance to provide for grading and paving with brick, the east sidewalk of Peru street, from Seventh street to Eighth street.

By Councilman Swain, accompanied with petition.

S. O. 75, 1887—An ordinance to provide for grading and paving with brick, the sidewalks of New Jersey street, from Home avenue to Seventh street.

*Indianapolis, July 23, 1886.*

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

*Gentlemen:*—The undersigned, owners of real estate fronting on north New Jersey street, between Home avenue and Seventh street, respectfully petition for the passage of an ordinance providing for the laying of a brick walk five feet in width on each side of the street.

A. F. Wyon, 728 north New Jersey street; V. K. Morris and R. M. Morris, A. C. L. Newby, Alice K. Levey, 747 north New Jersey; R. E. Poindexter, Annie E. Munson, 755 north New Jersey street; J. C. Adams, Lot 12, Holman's addition; M. M. Richardson, by D. H. R.; W. H. Talbott, agent; Bell Carroll, C. K. Wasson, Anna Cummings.

By Councilman Thalman, accompanied with petition :

S. O. 76, 1887—An ordinance to provide for grading and bowldering the north gutter of New York street, and curbing with stone the sidewalk thereof, from Meridian street to Illinois street, and widening the sidewalk to a width of twenty feet.

*Indianapolis, April 5, 1887.*

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

*Gentlemen:*—The undersigned, owner of real estate fronting on New York street,

between Meridian and Illinois streets, respectfully petition for the passage of an ordinance providing for widening the north sidewalk, and bowldering and curbing the north gutter, between the points named.

L. F. HODGES, owner of 195 feet.

By Councilman Markey, accompanied with petition; which, together with the ordinance, was referred to the Committee on Streets and Alleys, and City Attorney:

S. O. 77, 1887—An ordinance to repeal Special Ordinance No. 180, 1886, being an ordinance entitled "An ordinance to provide for grading and graveling the roadway, and paving with brick the sidewalks of Hendricks street, being the first street west of East street, from Nebraska street to Lincoln Lane."

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*—The undersigned would respectfully show your honorable bodies that on December 20th, 1886, the Council passed Special Ordinance No. 180, 1886, being an ordinance entitled "An ordinance to provide for grading and graveling the roadway, and paving with brick the sidewalks of Hendricks street, being the first street west of East street, from Nebraska street to Lincoln Lane," and on the following week, December 27th, the Board of Aldermen, by suspension of Rules, passed said ordinance wholly without petition, and against the wish of nearly every property owner on the line of improvement; that subsequent thereto, the contract was duly awarded to Fred. Gansberg for such improvement; that since that time the property holders along said street have filed their petition with the Board of Aldermen asking for the repeal of said ordinance, and your petitioners herewith file the written consent of the contractor for the repeal of the ordinance and surrender of the contract; and we respectfully ask, in connection with all the aforementioned petitioners, that said S. O. No. 180, be repealed, and we herewith submit such repealing ordinance, which we earnestly urge you to pass.

As an additional reason for the passage of the repealing ordinance, we will state that the city is the owner of a Park thirty feet wide, extending almost the entire length, in the center of said street, which, we insist, renders the city liable for one-half the total cost of such improvement.

Respectfully submitted,

John Coburn, 200 feet; Deloss Root, Administrator, 730 feet; Henry W. Bennett, 300 feet; G. Adolph Wurgler, Sr., 40 feet; The First National Bank of Indianapolis, by R. N. Lamb, President, 50 and 80 feet; P. Lieber, 40 feet; Peter Schoole, 80 feet.

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

*Gentlemen:*—Having learned that the contract for grading and paving the sidewalks on Hendricks street is unsatisfactory, and that the ordinance is claimed to be defective and illegal, and that probably it may involve a law suit, I having given bond to comply with the contract, do hereby state that I do not desire to go on with it, but if the city will release me, will not object to setting the contract aside, so that the same may be re-let, if that is desirable to the city. I have not begun or prepared for the work.

FRED. GANSBERG.

Attest: JOHN COBURN.

March 21, 1887.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the Street Commissioner be, and is hereby, instructed to clean up the gutter on Kentucky avenue, from South to Sharp street.

That the Street Commissioner be, and is hereby, instructed to lay a double stone curb on the west side of West street across Merrill street.

That the Street Commissioner be, and is hereby, instructed to clean the gutters on West street, from South street to Merrill street.

Councilman Cummings offered the following motion; which was adopted:

That the Street Commissioner move the pump on west Washington street, north side, just west of Mississippi street, and the hole filled up, before the new sidewalk be laid.

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

That the Street Commissioner be ordered to have a catch-basin or man hole constructed in the pipe sewer on west New York street, near the west side of Tennessee street, in New York street, and then have the sewer properly cleaned, so as to carry the waste water from the said streets.

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

That the Committee on Markets fix and have printed a set of Market Rules for the government of our public markets, in conformity to the laws governing the same, on large card-board, and in large sized type, so that they may be put up in said markets in various places, so that the patrons of said markets may see and comply with the same, and aid the Market Master in enforcing the same.

Councilman Cummings presented the following remonstrance; which was ordered filed with the ordinance—S. O. 62, 1887:

To the Common Council and Board of Aldermen of the

City of Indianapolis, Marion County, State of Indiana:

*Gentlemen:*—We, the undersigned citizens, and property owners of real estate on and along Potomac street, from Mississippi street west to Missouri street, humbly represent to your honors that we are opposed to the improvement of said street between the streets named, for the reason that it will not be of any benefit to the traveling public thereof; and further, that there is no travel on said street only by the coal operator located on the corner of Missouri street and said Potomac; and also that in traveling west on said street, you have to cross the railroad track to get to Missouri street, and on which there is no crossing, which makes it very dangerous.

Geo W. Stout & Bros., 16½ feet; Jacob Washtstetter, 22 feet; R. R. Miles, 30½ feet; Joine Griffith, 67½ feet; Charles Mayer, 67½ feet; Geo. F. McGinnis, Guardian of E. J. Riley's heirs, 33½ feet; James Trueblood, 33¾ feet; Robert George, 202½ feet; Mary A. Gilmore, by F. A. Maus, agent, 195 feet.

April 8, 1887.

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

Indianapolis April 18, 1887.

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

*Gentlemen:*—The undersigned, owners of real estate fronting on Washington, West and Potomac streets, between West and California and Market and Washington streets, respectfully petition for the passage of an ordinance providing for



the vacation of the alley immediately south of Potomac street, running west from West street to the first alley west of West street.

Equitable Trust Co., by J. H. Aldrich, agent, 202 feet on west Washington street; 195 feet on north West street; 65 feet on north West street; 240 feet on west Market street; F. M. Archdeacon, 67½ feet on west Washington street; Mary Lucy Johnson, 65 feet on north West street; 202½ feet on Potomac street; 50 feet on the east side of north West street; R. B. Emerson, 135 on west Market street.

Councilman Dunn offered the following motion; which was adopted:

That the conductors (or drivers, where there are no conductors), of the Citizens' Street Railway Company shall announce to passengers, in a distinct tone, the names of all streets crossed by said railway, as soon as the cars have approached said cross street, as provided by ordinance; and the Superintendent of the Metropolitan Police Force is hereby instructed to enforce the foregoing provision.

Councilman Edenharter offered the following motion; which was adopted:

That John Scheir be, and is hereby, granted permission to pave the sidewalk with brick, and curb the gutter on Spring street fronting his property, at his own expense, and under the direction of the City Civil Engineer.

Councilman Haugh offered the following motion; which was adopted:

That Peter J. Gall be allowed to lay a bowldered driveway on Fifth street, over his sidewalk to his stable; the work to be done under the direction of the City Civil Engineer.

Councilman Haugh presented the following remonstrance; which was ordered filed with the ordinance—S. O. 65, 1887:

*Indianapolis, April 16, 1887.*

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

*Gentlemen:*—The undersigned, owners of real estate fronting on Lockerbie street, between Liberty and Noble streets, respectfully remonstrate against the passage of an ordinance providing for the grading of the street and improving of sidewalks.

A. L. Krewson, H. W. Simon, G. W. Webber, O. S. Keely, 144 feet; F. Dannyer, Jos. Staub, Jas. Pierce.

Councilman McClelland offered the following motion; which was adopted:

That Frank Magel and Jacob Barr be allowed to pave with brick, at their own expense, the sidewalk opposite their property on the north side of Cherry street, between Ash and Oak streets, under the direction of the City Civil Engineer.

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

That the Street Commissioner be, and is hereby, ordered to lay double stone crossings across Prospect street at the intersection of north Linden street, west wide.

Councilman Pearson offered the following motion; which was adopted:

That John Rozier be permitted to lay a brick sidewalk in front of his property, Nos. 208 and 210 north Fayette street, at his own expense, under the direction of the City Civil Engineer.

Councilman Reinecke presented the following remonstrance; which was referred to the Committee on Contracts:

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen.*—The undersigned, owners of real estate fronting on Sanders street, between Wright and Shelby streets, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of Sanders street, from Wright street to Shelby street.

Snowder & Woodruff, by G. Adolph Wurgler, their agent; Anna M. Stilz.

Councilman Reinecke offered the following motion; which was adopted:

That Henry Severin be permitted to repair with flag stone, the sidewalk in front of his property on south Pennsylvania street, under the direction of the City Civil Engineer, at his own expense.

Councilman Reynolds offered the following motion; which was adopted:

WHEREAS, It is stated by reputable citizens that in certain sections of the city boys and others are employed by pound masters to let out of enclosures, and to drive out of herds properly herded, animals, for the purpose of impounding them; therefore

*Moved,* That the Board of Metropolitan Police be requested to investigate this matter, and to see that none but responsible and honest men are employed as pound masters, and that the matters herein above complained of shall be at once corrected.

Councilman Reynolds presented the following petition; which was referred to the City Attorney and City Civil Engineer:

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

*Gentlemen.*—The undersigned would respectfully represent and show to your honorable bodies that he is the owner of Lots forty-one, forty-two, forty-three, forty-four and forty-five, together amounting to five acres of land, in Fletcher's Brookside addition to the City of Indianapolis; that for many years these lots have been within the city limits, and he has paid taxes thereon; but that owing to the situation of said lots, he has not had, nor can he have for many years, any benefits from the city government, either from fire or Police protection, or in any other way; that said lands can not be utilized for any other than agricultural purposes, and the fact of its being within the city limits, and subject to city ordinances, he can not rent it for these purposes. He would therefore pray your honorable bodies to so modify the city boundaries as to exclude from the city all the lands now within the city limits lying south of Lilly street and east of Crown street Eureka avenue, and that your honorable bodies will take such steps as will dis-annex such territory. And as in duty bound, he will ever pray.

DANIEL MONNINGER.

Councilman Smither presented a petition signed by A. A. Scott and 270 other citizens and business firms, praying for an "every day market at the East Market, to be held every forenoon and all day Saturday;" which was referred to the Committee on Markets and City Attorney.

Councilman Stuckmeyer offered the following motion; which was adopted: 1

That the Citizens' Street Railway Company be instructed to run their cars on English avenue once every half hour, instead of once every hour, and the same to be enforced.

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

That the Street Commissioner be, and is hereby, instructed to clean the gutters of South street, from Virginia avenue to Noble street, and to fill the chuck-holes of the same street.

That the Street Commissioner be, and is hereby, instructed to raise the double stone crossing on the north side of South street across Virginia avenue.

Councilman Stuckmeyer offered the following motion; which was referred to the Committee on Public Light, with power to act:

That the City Civil Engineer be, and is hereby, instructed to dis-mantle the first lamp east of Pine street, on the north side of Harrison street, and re-mantle the first lamp on the south side of Harrison street east of Pine street.

Councilman Swain offered the following resolution; which was referred to the Committee on Railroads, and City Attorney:

WHEREAS, The Citizens' Street Railway Company, of this city, did, some years ago, remove from its cars conductors, much to the inconvenience of the traveling public; and

Whereas, The sundry complaints of the public at the unreasonable and unlawful demand that passengers shall deposit their fares in a box have been disregarded; therefore, be it

*Resolved*, That we recommend to the citizens patronizing said street railway, that on and after June 1st, 1887, that they do not, but do refuse to deposit their fares in a box, but on demand tender the same to the driver of the car. This appears to be the only way by which the public can in any forcible manner protest against this long-tolerated abuse, and force the railway company to supply conductors, or such appliances for the collecting of fares as are in use in other cities.

Councilman Swain offered the following motion; which was adopted:

That Elizabeth Talbott be, and is hereby, granted permission to pave with brick, the sidewalk in front of her property, viz: the east side of Talbott avenue, from Seventh street to the first street north, said street being the thirty (30) feet vacated off the north side of Lot 223, in Elizabeth Talbott's addition. Work to be done at her expense, under the direction of the City Civil Engineer, who is hereby directed to set the proper grade stakes.

Councilman Markey offered the following motion; which was adopted:

That Mr. P. Lieber be, and is hereby, granted the privilege to curb and bowlder the gutter in front of his property on Madison avenue, between Downey street and Nebraska street, at his own expense, and the City Civil Engineer be instructed to set the grade stakes.

Councilman Markey presented the following remonstrance; which was ordered filed:



Indianapolis, March 28, 1887.

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

*Gentlemen:*—The undersigned, owners of all the real estate fronting on Kennington street, between Yeiser street and the first alley north of Yeiser street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of Kennington street and sidewalks, from Yeiser street to the first alley north.

LOUIS MAAS,  
FRANK ELFF.

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

STATE OF INDIANA, *Marion County*, ss:

To the Honorable C. S. DENNY, Mayor, and the Common Council of the City of Indianapolis:

*Gentlemen:*—On the eleventh day of February, 1884, at a sale for taxes in the City of Indianapolis, the following real estate was duly advertised for sale, viz: The north one-half of Out-lot thirty-eight (38), R. B. & J. S. Duncan's addition to the City of Indianapolis. That said real estate was so advertised for sale for delinquent taxes, amounting to sixty dollars and ninety-nine cents (\$60.99), in the name of Laura V. H. Lynch, such taxes being for the years 1882 and 1883, and due the City of Indianapolis. That on said 11th day of February, 1884, said real estate was sold to your petitioner, by the Treasurer of said city, and petitioner paid said Treasurer the sum of sixty dollars and ninety-nine cents (\$60.99); that said Treasurer executed your petitioner a certificate of sale, which he now holds. Your petitioner now shows unto this honorable body that said real estate, at the time of said sale, was also duly listed and assessed to Jacob L. Greene, for said years 1882 and 1883; that said Greene had fully paid all the taxes thereon, and that there was no taxes delinquent on said 11th day of February, 1884, at the time said lot was sold, and that said sum of sixty dollars and ninety-nine cents (\$60.99) should be refunded to petitioner, with interest thereon, from said February 11th, 1884. Therefore, your petitioner prays that your honorable body may order and direct that a refunding order be issued herein for said taxes; and for this he ever prays.

JOS. A. MOORE, Petitioner.

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

*In the matter of opening an alley in the middle part of Out-lot 160, in the City of Indianapolis.*

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

*Gentlemen:*—Stoughton J. Fletcher and Francis M. Churchman, and Uriah Day, Caroline Day, John Day, Elizabeth McCoy and John Green, as heirs at law of G. H. Day, deceased, and Hilary Morris, as administrator of the estate of G. H. Day, deceased, for their joint and separate answer to the petition of Mary Leibrick, Maggie Leibrick and Tinnie Leibrick, presented to the said Mayor and Common Council on the 7th day of March, 1887, say that they have no knowledge whatever as to the place of residence of said petitioners in the past or at the present time; that they do not know what interest the said petitioners have and hold in said Out-lot 160; that all of said proceedings to appropriate ground and open said alley are substantially set forth on pages 92, 93, 105, 698, 721 and 735, of the printed Proceedings of your honorable bodies for the year 1885. That your respondents have no knowledge of the respective ages of the said petitioners, nor as to the time they received notice of the application to open said alley, if any. And these respondents further say that they believe, and charge the truth to be, that to take the part of said Out-lot No. 160 for the use of a public highway, as contemplated herein to be opened, would render the property of the petitioners, not taken, of more value than their said ground would be without the said alley being opened; that instead of said alley being only a benefit to one or two persons, it will really benefit all the property

owners of said Out-lot. These respondents further say that they have paid all the costs and benefits assessed against them, to-wit: \$70.00, and now have vested rights in said alley of which they can not be rightfully deprived; and they respectfully pray your honorable bodies to, in accordance with the Statute in such case provided, to cause said alley to be opened by a short day; and your respondents will ever pray, &c.

J. S. HARVEY,  
Attorney for respondents.

STATE OF INDIANA, *Marion County*, ss:

F. M. Churchman being sworn before me, a Notary Public of said County and State, says that the matters and things stated and set forth in the above and annexed answer or response, are true, as he verily believes, and further saith not.

F. M. CHURCHMAN.

Subscribed and sworn to before me, April 8, 1887.

Witness my hand and Notarial seal.  
[Seal.]

J. S. HARVEY,  
Notary Public.

Councilman Thalman offered the following motion; which was adopted:

That the Street Commissioner be directed to notify the street sprinkler that gets his supply of water from the main on the Circle, to remove the obstruction, it being so near the crossing as to become a nuisance.

Councilman Waterman presented the following petition; which was referred to the Committee on Markets:

*Indianapolis*, April 18th, 1887.

To the Mayor, Common Council and Board of Aldermen:

*Gentlemen:*— I rented the room in the southwest corner of the new City Hall building, paying the sum of three hundred dollars per year for the same. I did this with the understanding that I could conduct my business there from day to day, all the time during business hours. Since leasing the same, I have been ordered by the East Maaket Master to close my place of business at 11 o'clock, A. M., of each day. I can not do this and pay the rent, and make a living for my family. My room is all by itself, disconnected with the market space under the Hall I petition you for permission to conduct my business during business hours of each day.

Respectfully submitted, A. A. SCOTT.

On motion, the Common Council then adjourned.

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

Attest: MICHAEL F. SHIELDS, City Clerk.