

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 6, 1889.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, May 6th, A. D. 1889, 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 23 members, viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stackmeyer, Swain, Thalman, Trusler, and Wilson.

ABSENT, 2—viz: Councilmen Coy, and Markey.

The Proceedings of the Second Joint Convention; the adjourned session of the Common Council of April 8th, and the regular session held April 15th, 1889, 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 work were opened, read, and referred to the Committee on Contracts:

For constructing a brick sewer, three feet internal diameter, in and along Agnes street, from Michigan street to New York street; thence southwestwardly across private grounds to White River.

For constructing one twelve-hundred barrel cistern at or near the corner of Yandes and Tenth streets.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

To the Common Council and Board of Aldermen:

Gentlemen:—There was collected in the Mayor's Court in the month of April, 1889, the following amounts of fines and fees due to the city of Indianapolis, to-wit:

Marshal's fees.....	\$191 20
Mayor's fees.....	151 30
Fines in city cases.....	54 10
Total.....	\$396 60

I have paid said sum to the Treasurer, and filed his receipt therefor with the City Clerk. Respectfully submitted,

Indianapolis, April 6, 1889.

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 Cooper & Haywood, for grading and graveling Archer street and sidewalks from Michigan street to Miami street.

2,368.00 lineal feet, at \$1.74 cents.....	\$4120 32
33 00 extra yards of gravel, at \$1.00.....	33 00
To ditching at Miami street, for drainage.....	13 20
	<hr/>
	\$4166 52

A first and final estimate in behalf of George W. Buchanan, for grading and paving with brick the north sidewalk of Washington street, from Bloomington street to White River.

2109.88 lineal feet of paving with brick, at 42 cents.....	\$886 15
128.50 lineal feet of double walk-stone, at 60 cents.....	77 10
75.85 square yards of bowldering wings, at 57 cents.....	54 63
	<hr/>
	\$1017 88

A first and final estimate in behalf of James W. Hudson, for grading and paving with brick the north sidewalk of North street, from Tennessee street to the C., I. St. L. & C. R. R. tracks.

238.75 lineal feet, at 40 cents.....	\$95 50
--------------------------------------	---------

A first and final estimate in behalf of George W. Seibert & Co., for grading, bowldering and curbing the gutters of Huron street, from Noble street to Pine street.

511.50 lineal feet of bowldering, at 48 cents.....	\$245 52
532.00 lineal feet of curbing, at 40 cents.....	212 80
	<hr/>
	\$458 32

A first and final estimate in behalf of George W. Seibert & Co., for grading, bowldering and curbing the gutters of Huron street, from Dillon street to Grove street.

586.20 lineal feet of bowldering, at 44 cents.....	\$257 92
593.10 lineal feet of bowldering, at 39 cents.....	231 30
64.46 square yards of bowldered wings, at 55 cents.....	35 45
	<hr/>
	\$524 67

A first and final estimate in behalf of George W. Seibert & Co. for grading, bowldering and curbing the gutters of Vermont street, from Meridian street to Pennsylvania street.

840.30 lineal feet of bowldering, at 48 cents.....	\$403 34
737.80 lineal feet of curb, at 40 cents.....	295 13
240.80 lineal feet of curb reset, at 7 cents.....	16 85
13 60 lineal feet of double walk-stone, at 70 cents.....	9 52
41.29 square yards of bowldered wings, at 70 cents.....	28 90
45.00 square yards of bowldered relaid, at 35 cents.....	15 75
	<hr/>
	\$769 49

A first and final estimate in behalf of Indiana Bridge Co., of Muncie, Indiana, for constructing and erecting an iron bridge over Pleasant Run on Willow street, as per contract.....

\$2,045 60

A first and final estimate in behalf of Wrought Iron Bridge Co., of Canton, Ohio, for constructing and erecting an iron bridge over Pleasant Run in Garfield Park, as per contract.....\$1,591 10

Respectfully submitted,

A. P. SHAWVER, 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 Cooper and Haywood, for grading and graveling Archer street and sidewalks, from Michigan street to Miami 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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 George W. Buchanan, for grading and paving with brick, the north sidewalk of Washington street, from Bloomington street to White river, 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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 paving with brick, the north sidewalk of North street, from Tennessee street to the C., I. St. L. & C. R. R., 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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 George W. Seibert, for grading, bowldering and curbing the gutters of Huron street, from Noble street to Pine 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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. Seibert & Co., for grading, bowldering and curbing the gutters of Huron street, from Dillon street to Grove 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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 George W. Seibert & Co., for grading, bowldering and curbing the gutters of Vermont street, and widening the sidewalks thereof, from Meridian street to Pennsylvania 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, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The City Civil Engineer submitted the following reports; which were read and received :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.—Subject to your order of April 8, 1889, I herewith report an estimated cost, constructing of a levee on Fall Creek, from a point 200 feet east of Central avenue, to Tennessee street.

16,000 cubic yards of embankment, at 35 cents	\$5,600
2,200 cubic yards of gravel, at 35 cents.....	770
2 breakwaters, \$200 each.....	400
2 rip-raps, at \$250 each.....	500

\$7,270

Respectfully submitted,

A. P. SHAWVER, City Civil Engineer.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Subject to your order of April 8 and 22, directing me to prepare and submit an estimate for the construction of a stone wall on the north side of Pogue's Run, extending eighty or ninety feet west from Tennessee street.

The estimated cost for a proper stone wall at said point, is \$11.75 per lineal foot. The wall should extend down at least 170 feet from Tennessee street. Total estimated cost of 170 feet. \$1,997.50.

Respectfully submitted,

A. P. SHAWVER, City Civil Engineer.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith submit an itemized statement showing the amount of orders drawn upon the city treasury during the month of April, 1889, viz:

Board of Health.....	\$ 294 40
City Civil Engineer's Department.....	165 10
City Dispensary.....	322 55
City Hall.....	26 80
Hospital and Branch.....	1,512 79
Electric Light.....	1,000 00
Fire Department—pay-rolls.....	5,360 00
Fire Department—accounts.....	689 39
Gas.....	3,701 63
Garfield Park.....	1,434 30
Illinois street tunnel.....	50 00
Judgments and costs.....	80 75
Markets.....	109 50
Parks.....	177 35
Police.....	4,431 96
Public charity.....	50 00
Salary.....	6,163 08
Station House.....	247 68
Street Improvements.....	14 68
Street repairs—pay-rolls.....	3,855 89
Street repair—accounts.....	1,873 71
Taxes refunded.....	46 07
Tomlinson Hall—accounts.....	146 33
Tomlinson Hall—Janitors.....	108 50
Total.....	\$ 31,862 46

Respectfully submitted,

JNO. W. BOWLUS, City Clerk.

The City Attorney submitted the following report; which was referred to the Committee on Judiciary and City Attorney, with instructions to prepare all necessary blanks:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen: I submit the following report on sundry matters; first and chiefly with reference to the improvement act of March 8, 1889. I desire to say that upon an exhaustive study of said act I find it to be exceedingly involved and complicated, and far better suited to a city having a Board of Public Works than to the cities of Indiana under their present charters. The long time, hereinafter mentioned, required to pass the ordinance and award a contract before the work can begin, will hereafter necessitate either the institution of a Board of Public Works in this city, or the preparation and passage of street improvement ordinances in the fall and winter preparatory to work the succeeding summer. Two serious questions present themselves at the threshold of this case:

First, does this act repeal all former street improvement acts?

Second, can Indianapolis issue the bonds provided for in this act?

In the title of the act there is a repealing clause, but in the body of the act no repealing clause appears; therefore the former street improvement laws would not be repealed except by implication, and repeals by implication are not favored in law; on the contrary, they are much in disfavor. If an intention to construct two systems of street improvements be manifested in the latter law, the mere fact of similarity in provisions or possible inconvenience resulting therefrom would not be sufficient to repeal the former law. We have, as declared by the Supreme Court, two systems for the construction of gravel roads, each provided for by laws enacted at different periods, but each is held to provide a separate method for the construction and operation of said roads.

While there are similar provisions in the street improvement acts of 1889 and of 1867, with the supplemental acts of 1881 and 1885, I am of the opinion that there is no such repugnancy between the latter law and the former laws as to work a repeal of said former laws by implication. It is my judgment, that we have in Indiana two systems for street improvements, separate, complete, and distinct in themselves; the former is made up of the act of March 14, 1867, amended by the act of March 14, 1881, and supplemented by the act of April 15, 1885, which provide for improvement with or without petition, and the collection of the total cost thereof by estimate, and precept thereon issued in case of failure of any property holder to pay his respective assessment; that said former system is still in force is evinced by the last three different references thereto in the act of 1889. In support of this proposition I cite the case of *Robinson vs. Rippey et al*, 111 Ind. p. 112; also the case of *Board of Commissioners of Montgomery County vs. Fellen*, 111 Ind. p. 410; both decided by Judge Elliott in 1887.

The second point raised presents a very serious question. These bonds will necessarily rapidly multiply, and if they are city bonds proper this city can not issue them, for we are already slightly above our constitutional two per cent. limit. A somewhat similar question was presented to our Supreme Court in 1887, respecting the issuance of gravel road bonds by counties. It was there held that since gravel road bonds were to be paid out of a special fund, although they were issued by the county, still they were held to be improvement or gravel road bonds and not county bonds proper, and did not constitute an indebtedness of the county, nor were they within the inhabitation of Article 13 of our State Constitution.

I cite the cases of *Strieb vs. Cox*, 111 Ind. p. 299, and *Board of Commissioners of Montgomery County vs. Fullen*, *supra*.

Following the reasoning of said cases, I am of the opinion that the bonds provided for in the act under discussion, will not be considered bonds of the city, nor a charge upon the city, but will be held to be street improvement bonds, payable out of a certain designated fund, and their issuance will be legal and valid. While the late act has caused a vast amount of speculation and much discussion, and while there are many opinions to the effect that it is illegal and unconstitutional, and while there are other opinions that the former law has been repealed, and while the provisions of the late act are cumbersome and expensive, it is my judgment that the former street improvement act is still in force, that the late law is constitutional, and that the bonds therein provided for, will be legal and valid, and for the payment of which the city will not be liable. Acting upon this opinion and believing it is the duty of officers to get all the good possible out of this act, I proceed, under your instructions, to consider it in detail and present herewith, forms necessary for carrying into effect its provisions.

I first submit herewith a form of petition to be used by the property holders asking for improvement under this act and mark it Exhibit "A." Improvement ordinances hereunder can be passed by a two-thirds vote without petition.

I next submit a form of declaratory resolution and mark it Exhibit "B." This resolution should be passed before any action is taken on the ordinance providing for the improvement. After its passage it requires two weeks publication and ten days' notice, making twenty-four days in all, a form for which said notice I submit

herewith and mark it Exhibit "C." I call your attention to the further fact that there is no provision in this law indicating to whom these property holders shall present their objections when they meet as provided for in said notice; and since it would be asking too much of any committee of the Council to appear as frequently as would be necessary under this act, I recommend that the City Clerk or his deputy be instructed to appear with said property holders and receive their objections, if any they have, to any proposed improvement, and to submit the same to the Council.

I further submit herewith a form of ordinance for said proposed improvement, as described in said resolution, and mark it Exhibit "D." I recommend that in every case said ordinance providing for the improvement mentioned in said declaratory resolution, be submitted to the Council and placed on file, without reading, at the same time the resolution is submitted, for the reason that the resolution provides that a profile and specifications are on file in the office of the City Civil Engineer, and in this city no specifications are prepared, as a rule, until the ordinance is ready for introduction, and these specifications should, in every instance, be copied in the specification record by, and in the office of the City Civil Engineer, before said ordinance is presented to the Council, in order that the property holders, when notified to appear at the office of the City Clerk, pursuant to said resolution, may have knowledge of the character of the proposed improvement. After the passage of said ordinance, which contains an order to the Engineer to make the required publication for proposals to do the work therein mentioned, the Engineer will be required to give three weeks publication for bids, which should be submitted to the Council, or some designated authority, at its first meeting after the expiration of the notice. Thereupon the Council and Board can at once award the contract to the best bidder. It is not necessary that these bids should be submitted to the Council, they can be submitted to any officer or committee; and it would expedite matters if these bids were opened, classified, and examined by some officer or committee before the Council met, so that their report and a contract drawn up thereunder could be submitted to the Council, and thus save two weeks time.

The next step, after the work shall have been completed, will be the approval and measurement and the estimate thereof by the City Civil Engineer, who shall submit to the Council such estimate, containing six different facts very similar to the estimates now submitted under the old law. All of these forms I have prepared for the Engineer. Upon the filing of his report, as it is called, the city must then give two weeks' notice in two newspapers, representing the two leading political parties, of the time and place when a hearing can be had on such estimate or report. Here again, I call your attention to the fact that a committee to be appointed by your honorable bodies, must be present to hear complaints, and I recommend that you, at once, determine upon such committee. After said hearing, said committee must make a report to your honorable bodies, recommending the adoption or alteration of such report, and then you may adopt, alter, or amend such report and the assessments therein. The law permits any person, who feels aggrieved, to appear before said committee, or he can appear before the Common Council afterwards and make his objection to said report. Upon such report being made, if the Council and Board are satisfied with it, they approve the report, which now becomes an assessment. This assessment takes the place of, and is, in fact, the old form of estimate worked out in detail; when this estimate is approved it becomes a lien on the property, and property holders must at once appear and promise and agree in writing, to be filed with the City Clerk, and by him spread on record, that they will not make any objection to the illegality or irregularity of their assessments, and will pay the same, with interest at not to exceed six per cent. per annum. The time when this shall be done should be fixed by the city and all property holders, who within that time do not thus agree, will be required to pay their respective assessments at once without the benefit of the ten year provision, hereafter mentioned, and the contractor can at once collect said sum due him from them either by precept or foreclosure. All those who do thus agree shall be permitted to pay their respective assessments in ten equal annual installments. And here I call your attention to another important omission in this law; it provides that these several assessments shall each be split up into ten installments, and the

city shall cause these deferred assessments or installments to be placed upon the city tax duplicate and collect one installment each successive year, with six per cent. interest, payable semi-annually, charged to each respective installment. The law does not provide who shall do this work, and it will entail upon some one a great deal of work. I have prepared a form to be used in the duplicate for each and all of the ten years that said assessments will have to run.

Finally, the bonds are to be issued, and two kinds are provided for. *First*, bonds bearing interest not to exceed six per cent. per annum payable semi-annually, may be issued and sold in the open market. *Second*, bonds with similar provisions are to be issued directly to the contractor in full of the cost of the work; if the latter class are to be issued, then it is my judgment that you will be required to state in the advertisement for bids, or at least in the contract for the improvement that the contractor will be required to take bonds in payment for such cost. Both of these classes of bonds are issued in anticipation of the collection of said deferred assessments, and must be paid out of the special fund derived therefrom. You can issue one bond, or any number of bonds, on each separate improvement, but the bonds must be charged to that particular improvement alone. I would not advise the issuance of more than ten bonds (except in case of large improvements), for each improvement, making one bond due each year, to be paid out of the installment due that year; thus expense and trouble will be saved and in case of a small improvement one bond only might be issued. In no case can the par value of the bonds exceed the total cost of the improvement on account of which they are issued; they must be sold at not less than par and should be issued for the sum of the total assessments against property owned by persons who have, by the aforementioned agreement, obtained the benefit of said deferred assessments. These bonds should be ordered by an ordinance or resolution, which I will hereafter prepare, distinctly and clearly providing therefor, specifying the amount to be issued on account of each improvement, so that each bond can be fully authenticated and their validity may never be questioned. Each step provided by this said law should be strictly followed in every particular, for undoubtedly a large amount of these street improvement bonds will be issued.

I recommend that the Committee on Printing be instructed to have printed and bound for the City Clerk and City Civil Engineer all necessary forms herein mentioned. Under the present law, ordinances, and rules of your honorable bodies, unless the rules of your bodies shall be changed, or you have special meetings, it will require all the time between now and the first of September to award the contract for the improvement before work can begin under the provisions of this law.

There is no law that prohibits the passage of an ordinance on the same night of its introduction and since this law is so tedious I suggest the changing your rules so as to be able to pass an ordinance on the night of its introduction.

Second. I call your attention to another important matter.

On the 9th day of March last the General Assembly enacted a law making certain provisions respecting the legal advertising of cities and providing that certain advertisements might be made in daily newspapers. On the 11th day of March following, the same General Assembly enacted another law providing that in all cities having a population of ten thousand or more inhabitants, according to the last census, all legal advertising required by law, pertaining to affairs connected with the the city government, shall be made in a daily newspaper of general circulation in such city; that all notices for applications to retail spiritous, vinous, or malt liquors and all notices of the sale of real estate for delinquent taxes, where the applicant for such license resides in or the real estate to be sold is situate in such city, shall also be made in a daily newspaper of general circulation in said city. Such publication shall be one day each week for the number of weeks now required by law for such advertisements. There was no emergency clause to either of said acts, and the latter act mentioned takes precedence over all others; and the latter act will go into effect when the acts passed at the last General Assembly will go into effect, which, the Secretary of State informs me, will occur probably within two weeks. I advise you that it would not be safe for the city to fail to advertise, in a daily newspaper of the city, all ordinances requiring publication. I therefore re-

commend that the Printing Committee be instructed to at once secure bids for the city's legal advertising.

Third. With reference to the resolution instructing the Citizens' Street Railway Company to run cars on English avenue every fifteen minutes, I report that the city has the undoubted right to compel this to be done. The city has the undoubted power to regulate the time of running all cars on all street railway lines in the city, provided such regulations are reasonable. This is provided for in Section 4 of the Ordinance of January 18, 1-64. The Street Railway Company has been served with a copy of that resolution, but declared their inability to comply therewith.

Fourth. I submit herewith an ordinance regulating the doing of work on, or the occupation of, streets, avenues and alleys, in the city by corporations, firms, or individuals, claiming rights therein. It is intended to meet the requirements called for in the opinion submitted by Judge Howe, with reference to various corporations operating in the city.

Fifth. I present herewith an ordinance prohibiting the putting of advertisements, hand-bills, and dodgers on telegraph, telephone, electric light and fire-alarm poles and lamp posts and recommend its adoption. It is in fact, only supplemental to the State law, and to, an ordinance of the city.

Sixth. I report of two matters respecting the construction of the Natural Gas Ordinance:

1st. The collection of money in advance by the Consumers' Gas Trust Company, and

2d. As to the power of the Council to order mains to be extended on certain streets.

I report to you that, strictly construed, the Natural Gas Ordinance will not permit any natural gas company to collect gas bills other than a month at a time; as to the second question, I answer that the natural gas companies are required, under Sec. 13, of the original natural gas ordinance, to extend their mains within sixty days after being so ordered by the Common Council and Board of Aldermen; *provided*, owners or occupants of real estate along the line proposed to be extended, petition for it, and ten per cent. of the petitioners agree to become consumers of gas.

I have conferred with the Consumers' Gas Trust Company, and I submit herewith a communication from them, through their attorney, on this subject. They state to me that on account of their obligations outstanding, and their floating indebtedness, which has been very rapidly reduced in the last few months, from ninety thousand dollars to about forty thousand, they are unable, at the present time, to comply with the order of the Council; but at the very earliest time possible they will so comply with said order, in every particular and will lay said lines of pipe, and that they are anxious and willing to lay said pipes and make connection therewith. As to the twelve dollars advance collection, they state that this is collected in payment only of the cost of connection, and is really an advance loan from the property holder of that sum of money, for which they give credit on his gas bill.

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

Indianapolis, Ind., May 6, 1889.

MR. W. TAYLOR, City Attorney:

DEAR SIR—Your letter advising the Secretary of the Consumers' Gas Trust Co. that the Common Council and Board of Aldermen had passed a resolution, requiring said Company to make extensions of its mains upon certain streets designated in the resolution, was considered by the Board of Directors at its last meeting.

I am directed by the management to say in reply thereto that as soon as the Company is able, it will comply with the request contained in said resolution, and lay its mains on the streets designated by said resolution, and also upon such other streets of the City as are not yet supplied with natural gas. I assure you that there is no disposition on the part of the Company to evade any of the provisions of the existing ordinance.

The Company proposes to keep and perform all its obligations and duties to the citizens of Indianapolis to the full limit of its ability to do so.

Respectfully yours,

WM. P. FISHBACK,
Council for C. G. T. Co.

EXHIBIT "A."—PETITION.

Indianapolis, Ind..... 18....

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

Gentlemen :—We, the undersigned, owners of real estate, represented by the feet front abutting upon..... from to..... hereby petition your honorable bodies for the

..... and for an assessment for the whole cost of such improvement of such..... (except the proportion thereof occupied by street and alley crossings) against the abutting real estate, to be made and collected in ten annual installments; and in case a bond or bonds are issued in anticipation of the collection of said deferred installments thus petitioned for, then, that the interest on said bond or bonds be collected in ten installments. In consideration of having the right to pay, in installments, our said respective assessments, on account of said improvement, we, and each of us, further agree that we, and each of us, will not make any objection to the illegality or irregularity in the passage of such ordinance, or as to the said assessments, or the issuance of said bond or bonds; but will pay the said assessments, when due, with interest thereon, at six per cent. per annum, payable semi-annually, as shall, by ordinance or resolution of your honorable bodies be prescribed or required, all as provided for in an act of the General Assembly of Indiana, approved March 3, 1889.

Name of Owner.	No. of feet.	No. of lot.	Name of Subdivision.

EXHIBIT "B."—DECLARATORY RESOLUTION.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That it is deemed necessary to improve..... to by

..... in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal foot upon the real estate abutting on said..... (except the proportion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis); said assessments, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued in anticipation of the collection of said assessments, unless the property owners pay said assessments before said bond or bonds are issued, all as provided for in an act of the General Assembly of Indiana, approved March 8th, 1889 And that the City Clerk be and he is hereby ordered to give the required legal notice to property owners along the line of said proposed improvement and the time and place when and where objections can be made to the necessity for such improvement.

NOTICE OF PROPOSED STREET IMPROVEMENT.

OFFICE OF CITY CLERK, INDIANAPOLIS, INDIANA.

Notice is hereby given that the Common Council and Board of Aldermen of the city of Indianapolis, pursuant to the provisions of an act of the General Assembly, approved March 8, 1889, providing the mode and manner of making

street improvements, enforcing the payment of the costs thereof, and issuing street improvement bonds, as therein provided, etc., have duly passed the following resolutions, to wit :

EXHIBIT "C."

Notice is further hereby given, to the owners of all property along the line of said proposed improvement, to appear at room 4 in the office of the City Clerk, on the day of 18.. at 10 o'clock A. M. and there make their objections, if any they have, to the necessity for said proposed improvement.

EXHIBIT "D."—SPECIAL ORDINANCE No., 18.....

An ordinance to provide for
.....
.....
and the cost thereof.

SECTION 1. *Be it ordained by the Common Council and Board of Aldermen of the City of Indianapolis, That*
(Here insert full specifications.)

SECTION 2. The cost of improvement of said.....
(except the proportion thereof occupied by street and alley crossings) shall be assessed per lineal foot against the real estate abutting thereon; said assessments, if deferred, shall be paid in ten annual installments, to each of which shall be added interest at six per cent per annum, payable semi-annually from the date of final estimate hereon and collected as provided by law. A bond or bonds shall be issued in anticipation of the collection of said deferred assessment, unless the property owners pay their said assessments before said bond or bonds are issued, all as provided for in the act of the General Assembly of Indiana, approved March 8, 1889.

SECTION 3. The City Civil Engineer is hereby directed to set the proper grade stakes and also to advertise, by publication one day each week for three successive weeks, in the..... that sealed proposals for the execution of said work will be received by the Common Council at its meeting to be held on the day named in said advertisement.

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

Councilman Pearson offered the following motion; which was adopted :

That the Committee on Printing be instructed to receive bids from all the daily city papers, up to next Saturday, May 11, 1889, and report the same to this body for its action.

His Honor, the Mayor, presented the following communication; which was referred to the Committee on Public Property, with power to act :

Indianapolis, Ind., May 3, 1889.

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

Gentlemen: In view of the fact that a raised stage or sloping platform that can be readily taken down and replaced at any time, for the accommodation of choruses of singers, mass meetings, and other aggregations of persons, will be a valuable addition to Tomlinson Hall and something for which there is great need; and in view of the fact that said platform can be built for a nominal sum of money (\$350), we, the undersigned, for the Board of Directors of the May Musical Festival Association, do hereby petition you to have such platform erected, and we hereby agree to pay into the treasury of the city, for the use of the same during the week of the Festival, in addition to the sum already agreed upon for rent of Hall, the sum of one hundred dollars (\$100.)

Yours,

MAY MUSICAL FESTIVAL ASSOCIATION,

JAMES R. CARNAHAN, President.

H. C. ROGERS, Secretary.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements, through Councilman McClelland, submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The Board of Public Improvements, to whom was referred the following motion: That the street Commissioner be, and is hereby directed, to curb and bowlder the intersections of the gutters, on the southwest corner of Pine and Huron streets, to make the proper drainage of said gutters”

Recommend the work be done.

Respectfully submitted,

R. McClelland,
W. H. Wilson,
Board of Public Improvements.

The Board of Public Improvements, through Councilman McClelland, submitted the following report; which was read and received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in the Street Repairs Department for the month of April, together with total expenditures to May 1, 1889:

Pay-rolls.....	\$ 3,855 40
Blacksmithing.....	12 25
Bowlders.....	276 93
Broken stone.....	188 53
Castings.....	3 15
Fountain repairs.....	63 60
Freight on stone.....	389 90
Gravel, delivered on streets.....	488 28
Hardware.....	28 36
Miscellaneous.....	12 75
Rent.....	15 00
Sand.....	8 75
Sewer pipe.....	10 10
Stone crossings.....	159 39

Total expenditures for April, 1889..... \$ 5 512 44

Total expenditures per last report..... 13,939 11

Total expenditures to May 1st, 1889..... \$19,451 55

Respectfully submitted,

R. McClelland,
W. H. Wilson,
Board of Public Improvements.

D. DERUITER, Street Commissioner.”

The report of the Superintendent of the City Dispensary was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Finance, through Councilman Thalman, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your Committee on finance to whom was referred a report from the City Board of Health asking the appointment of three additional men. Respectfully report that in our opinion, this additional expense is, at present, unnecessary. We have conferred with the Police Commissioners and Superintendent of

Police, who have agreed to instruct the men of the force to make notes and report to Board of Health any matters that need their attention, and will assist them in every way they possibly can.

We would recommend that Prather & Hankel be appointed rental agents in place of William Hadley, deceased, provided they file a bond for \$200, and do the business on same terms as was done by Wm. Hadley.

Respectfully submitted,

Isaac Thalman,
John R. Pearson,
Edward Dunn,
C. H. Stuckmeyer,
Thomas Markey,
Committee on Finance.

On motion, a division of the above report was called for; which was ordered, and the first clause adopted, by the following vote:

AYES, 19—viz: Councilmen Burns, Dunn, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Trusler.

NAYS, 5—viz: Councilmen Cummings, Darnell, Davis, Elliott, and Wilson.

On motion, the second clause was then adopted.

The Committee on Public Health, through Councilman Markey, submitted the following report:

To the Mayor and Common Council:

Gentlemen:—Your committee to whom was referred a petition to investigate complaints arising from the presence of the cow pound located on Wabash street, would respectfully recommend that the same be abolished.

Respectfully submitted,

Thos. Markey,
Elton B. Elliott,
J. L. Gasper,
Committee on Public Property.

Councilman Thalman moved that the report be referred back to the Committee, with instructions that if abolished, to recommend some other place for a Pound.

Which motion was adopted.

The Committee on Public Property, through Councilman Davis, submitted the following report; which was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in Garfield Park, and recommend that the City Clerk be directed to draw his warrants upon the City Treasurer for the amounts herein named, to be paid out of the special appropriation made for Garfield Park.

Pay-roll.....	\$848 45
Izor Brothers, paints, etc	20 57
W. C. Smith, surveying.....	12 00
Wrought Iron Bridge Co., Canton, O., bridge.....	1,591 10
G. Ittenbach, & Co., stone posts.....	4 80
J. W. Buchanan, blacksmithing	75
J. L. Buckhart, shade trees.....	24 00
J. N. Cress, shade trees.....	4 50

Jenkins Nursery, Richmond, Ind., trees.....	\$	21 75
E. Y. Teas, shade trees.....		58 60
James Sanders, shade trees.....		57 00
John Coburn, freight.....		4 04

Total..... \$2,647 56

Respectfully submitted,

Wm. E. Davis,
W. M. Hicklin,
P. C. Trusler,
Committee on Public Property.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of J. E. Ludlum and others, asking for the vacation of twenty (20) feet on each side of Martindale avenue, from Seventh street to Eleventh street, formerly Anderson street, recommend that said petition be granted, and that the accompanying resolution be adopted. Respectfully submitted, Edward Dunn,
C. H. Stuckmeyer,
Elton B. Elliott,

Committee on Streets and Alleys.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the petition of J. E. Ludlum, and others, praying for the vacation of twenty (20) feet on each side of Martindale avenue, from the north line of Seventh street to the south line of Eleventh street, formerly Anderson street, so as to reduce said Martindale avenue to sixty (60) feet in width, 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; the 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 the 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 notices: *Provided,* That before the Clerk issue the said notices to the City Commissioners, a bond shall be filed with the City Clerk, to the approval of the Mayor, guaranteeing the payment of all costs and charges of said Commissioners in this matter.

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

AYES, 17—viz: Councilmen Burns, Dunn, Elliott, Finch, Gaul, Johnston, Kelley, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 6—viz: Councilmen Cummings, Darnell, Davis, Hicklin, Long, and Trusler.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of George Rech, and others, praying for the opening of Illinois street, from Arizona street to Grand Avenue, report recommending the prayer of the petitioners be granted, and the accompanying resolution adopted.

Respectfully submitted,

Edward Dunn,
Elton B. Elliott,
C. H. Stuckmeyer,
Committee on Streets and Alleys.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the petition of George Rech, Catharine Rech and others, praying for the opening and extension of Illinois street to a width of fifty (50) feet, from Arizona street to Grand avenue, as prayed for in said petition, dated March 9th, 1889, be referred to the Board of City Commissioners, with instructions to assess benefits and damages, and to make due report to the Common Council and Board of Aldermen; the City Commissioners to return all petitions and notices. The City Clerk is hereby instructed to issue the proper notices, and the Superintendent of the Metropolitan Police Force is hereby instructed to serve said notices on said City Commissioners and the property owners: *Provided*, That before the Clerk issue the said notices to the said City Commissioners, a bond shall be filed with the said City Clerk, to the approval of the Mayor, guaranteeing the payment of all costs and charges of said Commissioners in this matter.

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

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report; which was concurred in:

To the Mayor and Common Council:

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

1st. We recommend that the prayer of the petitioners, John Sullivan, Frank Messer, and others, atking for the vacation of that part of Catharine street, between Missouri street and Pogue's run, be not granted. The city has recently paid a very large sum of money to wall Pogue's run at this point, and it ought not now give away the street asked for.

2d. We recommend that the petition of W. W. Winslow, and others, asking for the vacation of five (5) feet on each side of Herbert street, between Meridian and Illinois streets, be not granted. The line of shade trees on the north side of the street would be thus be thrown in the middle of the sidewalk, and this is one of the objections to the vacation asked for.

Respectfully submitted,

Edward Dunn,
Elton B. Elliott,
E. H. Stuckmeyer,
Committee on Streets and Alleys.

The following report from the Rental Committee was read and received:

To the Mayor, Common Council and Board of Adlermen:

Gentlemen:—Your Rental Committee having charge of the renting of Tomlinson Hall, beg leave to make the following report of rents collected during the month of April, 1889, to-wit:

April 15th, Free Kindergarten	\$20 00
April 23d, Brotherhood L. E.....	50 00

Total	\$70 00
-------------	---------

Respectfully submitted,

G. S. WRIGHT,
WM. L. TAYLOR,
JNO. W. BOWLUS,
Rental Committee.

The Committee on Public Light, through Councilman Trusler, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom was referred motion to locate an electric light at the corner of East and Ohio streets, would recommend that the motion be adopted. Respectfully submitted,

P. C. Trusler,
Thomas Markey,
J. C. Finch,
Committee on Public Light.

REPORTS, ETC., FROM SPECIAL COMMITTEES.

Councilman Trusler submitted the following report, accompanied with resolution:

To the Mayor and Common Council:

Gentlemen:—Your Special Committee to whom was referred the resolution from the Board of Aldermen instructing the City Clerk to notify the Citizens' Street Railroad Company to comply with G. O. No. 1, 1888, would respectfully report:

That we do not find that it is the duty of the Common Council and Board of Aldermen to enforce city ordinances. We regard the many notifications to parties who are violating our city ordinances as not consistent with the dignity of this body, and recommend the passage of the following resolution as a substitute:

Resolved, That the constant violation of almost all of our city ordinances, and the indifference of the Metropolitan Police force to the enforcement of the same, calls for some action from this body.

Resolved, That the attention of the Board of Metropolitan Police be, and is hereby called to ordinances made for the government of the city, and that they are earnestly requested to see that all ordinances are strictly enforced, and that special attention be given to G. O. No. 1, 1888, to ordinances regulating the opening and tearing up of our streets by Gas or Water Co's, and to ordinances prohibiting the throwing of trash, garbage, etc., into the streets or alleys of the city.

Respectfully submitted,

P. C. Trusler,
Henry L. Smith,
P. J. Kelley,
Special Committee.

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

AYES, 22—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 2—viz: Councilmen Darnell, and Parkinson.

Councilman Thalman submitted the following report; which was adopted:

To the Mayor and Common Council:

Gentlemen:—Your Special Committee appointed to investigate as to the petition of property owners on Illinois street, desiring that permission be given the Citizens' Street Railroad Company to run cars by electricity on said street, respectfully report that we recommend against any extension of their charter by this Council. We are of the opinion, however, that permission should be given said company to test the practicability of the electric system, and recommend that an ordinance be prepared giving them such right on Illinois street, from the Union Railway Station to the Corporation Line north, but only during the continuance of their present charter.

Respectfully submitted,

Isaac Thalman,
John R. Pearson,
W. H. Hicklin,
Special Committee.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and 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 Monday evening, April 22d, 1889, adopted the following resolution:

Resolved, That the name of the street east of East street, now known as Gresham street, be changed to the name of Minnesota street.

I submit the same for your consideration.

For the Board of Aldermen:

MICHAEL W. TOOMEY, 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:

Councilman Thalman, on behalf of the Finance Committee, submitted the following entitled appropriation ordinances:

Ap. O. 26, 1889—An ordinance appropriating money for the payment of the salaries of the officers and members of the Fire and Police Departments; of the Committee Clerk; of the Janitor and Assistant Janitor of the City Hall; of the Janitor and Assistant Janitor of Tomlinson Hall, and of the East and West Market Masters. [Amount appropriated, \$10,975 33.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote:

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 27, 1889—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, \$1,562.57.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote:

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 28, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,390.92.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 29, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House. [Amount appropriated, \$185.45.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Ap. O. 30, 1889—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$11,140.16.]

Read the first and second times, ordered engrossed, read the third time and passed, by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

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 :

G. O. 16, 1889—An ordinance prohibiting advertising on telegraph, telephone, electric light, fire alarm telegraph poles or lamp posts, within the city.

By Councilman Hicklin, which was referred to the Committee on Judiciary, and City Attorney :

G. O. 17, 1889—An ordinance prohibiting merchants, store keepers and their employes and agents, from soliciting customers, and trying to induce persons to enter their places of business, on public streets and sidewalks, save and except the sidewalk immediately in front of their place of business, and prescribing penalties for the violation thereof.

By Councilman Pearson:

G. O. 18, 1889—An ordinance providing for the opening, classifying and reporting to the Common Council and Board of Aldermen of the City of Indianapolis, all proposals for the improvement of streets and alleys, or the building of sewers, improved or constructed pursuant to law.

By Councilman Thalman :

G. O. 19, 1889—An ordinance to amend Section eight of an ordinance entitled "An ordinance regulating the digging of trenches, and the making of other forms of excavations, in the streets, alleys, sidewalks and public places in the City of Indianapolis; and requiring certain persons to be duly licensed and under bonds before undertaking such work;" ordained and established April 23d, 1878.

Councilman Cummings offered the following resolution :

DECLARATORY RESOLUTION.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That it is deemed necessary to improve the roadway of Tennessee street, from the north line of Washington street to the north line of Ohio street, by widening the sidewalks to a width of twenty (20) feet, curbing the outer edges thereof, and paving the roadway with Asphaltic Sheet Pavement, in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal front foot upon the real estate abutting on said Tennessee street, except the proportion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis, and except such proportion thereof as eighteen (18) feet bears to the whole width of roadway, which proportion is to be charged against the Citizens' Street Railroad Company. Said assessments, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued in anticipation of the collection of said assessments, unless the property owners pay said assessments before said bond or bonds are issued, all as provided for in an Act of the General Assembly of Indiana, approved March 8th, 1889. And the City Clerk be, and he is hereby, ordered to give the required legal notice to property owners along the line of said proposed improvement, of the time and place when and where objections can be made to the necessity of such improvement.

And it was adopted by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Cummings offered the following resolution :

DECLARATORY RESOLUTION.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That it is deemed necessary to improve the roadway of Ohio street, from the west line of Tennessee street to the west line of Mississippi street, by widening the sidewalks to a width of twenty (20) feet, curbing the outer edges thereof, and paving the roadway with Asphaltic Sheet Pavement, in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal front foot upon the real estate abutting on said Ohio street, except the proportion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis, and except such proportion thereof as eighteen (18) feet bears to the whole width of roadway, which proportion is to be charged against the Citizens' Street Railroad Company. Said assessments, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued in anticipation of the collection of said assessments, unless the property owners pay said assessments before said bond or bonds are issued, all as provided for in an Act of the General Assembly of Indiana, approved March 8th, 1889. And the City Clerk be, and he is hereby, ordered to give the required legal notice to property owners along the line of said proposed improvement, and the time and place when and where objections can be made to the necessity of such improvement

And it was adopted by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Cummings offered the following resolution :

DECLARATORY RESOLUTION.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That it is deemed necessary to improve the roadway of Mississippi street, from the south line of Ohio street to the south line of Washington street, by widening the sidewalks to a width of twenty (20) feet, curbing the outer edges thereof, and paving the roadway with Asphaltic Sheet Pavement, in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal front foot upon the real estate abutting on said Mississippi street, except the proportion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis. Said assessments, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued in anticipation of the collection of said assessments, unless the property owners pay said assessments before said bond or bonds shall issue, all as provided for in Act of the General Assembly of Indiana, approved March 8th, 1889. And the City Clerk be, and he is hereby, ordered to give the required legal notice to property owners along the line of said proposed improvement, and the time and place when and where objections can be made to the necessity of such improvement.

And it was adopted by the following vote:

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Swain offered the following resolution :

DECLARATORY RESOLUTION.

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That it is deemed necessary to improve the roadway of Pennsylvania street, from the north line of First street to the south line of Seventh street, by paving the roadway with Asphaltic Sheet Pavement, in accordance with profile and specifications on file in the office of the City Civil Engineer. The total cost of said improvement shall be assessed per lineal front foot upon the real estate abutting on said Pennsylvania street, except the portion thereof occupied by street and alley crossings, which shall be assessed against the City of Indianapolis, and except such proportion thereof as eighteen (18) feet bears to the whole width of roadway, which proportion is to be charged to the Citizens' Street Railroad Company. Said assessment, if deferred, to be paid in ten annual installments. A bond or bonds shall be issued in anticipation of the collection of said assessments, unless the property owners pay said assessments before said bond or bonds are issued, all as provided for in an Act of the General Assembly of the State of Indiana, approved March 8th, 1889. And the City Clerk be, and he is hereby, ordered to give the required legal notice to property owners along the line of said proposed improvement of the time and place when and where objections can be made to the necessity of such improvement.

And it was adopted by the following vote :

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

The following entitled ordinances were introduced and ordered filed :

By Councilman Cummings :

- S. O. 49, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite Asphaltic Pavement, the roadway of Tennessee street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the north line of Washington street to the north line of Ohio street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884.
- S. O. 50, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite Asphaltic Pavement, the roadway of Ohio street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the west line of Tennessee street to the west line of Mississippi street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884.
- S. O. 51, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite Asphaltic Pavement, the roadway of Mississippi street, widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the south line of Ohio street to the south line of Washington street.
- S. O. 52, 1889—An ordinance to provide for grading, paving with Washington Standard Trinidad Asphalt Sheet Pavement, the roadway of Tennessee street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the north line of Ohio street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884.
- S. O. 53, 1889—An ordinance to provide for grading, paving with Washington Standard Trinidad Asphalt Pavement, the roadway of Ohio street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the west line of Tennessee street to the west line of Mississippi street; and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided in General Ordinance No. 4, 1884.
- S. O. 54, 1889—An ordinance to provide for grading, paving with Washington Standard Trinidad Asphalt Sheet Pavement, the roadway of Mississippi street, widening the sidewalks to a width of twenty feet, and curbing with stone the outer edges thereof, from the south line of Ohio street to the south line of Washington street.

The following entitled ordinances were introduced and read the first time :

By Councilman Elliott :

- S. O. 55, 1889—An ordinance to provide for grading and graveling Columbia avenue and sidewalks, from the State Ditch to the Belt Railroad.

By Councilman Gasper :

S. O. 56, 1889—An ordinance to provide for grading and bowldering the first alley east of Delaware street, from Massachusetts avenue to Vermont street.

By Councilman Markey:

S. O. 57, 1889—An ordinance to provide for grading and graveling Iowa street and sidewalks, from Chestnut street to East street.

The following entitled ordinances were introduced and ordered filed :

By Councilman Swain :

S. O. 58, 1889—An ordinance to provide for grading, paving with Filbert Vulcanite Asphaltic Pavement, the roadway of Pennsylvania street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884, from the north line of First street to the south line of Seventh street.

S. O. 59, 1889—An ordinance to provide for grading, paving with Washington Standard Trinidad Asphalt Sheet Pavement, the roadway of Pennsylvania street, bowldering between the rails of the tracks of the Citizens' Street Railroad, and requiring the Citizens' Street Railroad Company to pay a portion of the costs thereof, as provided for in General Ordinance No. 4, 1884, from the north line of First street to the south line of Seventh street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

Indianapolis, May 6th, 1889.

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

Gentlemen:—The undersigned, owners of real estate fronting on and in immediate neighborhood Walnut (or Beacon) street, between Bloomington and Decatur streets, in Indianola respectfully remonstrate against the grading and graveling of Walnut (or Beacon) street to a width of 60 feet, in accordance with contract awarded to J. S. Spaulding by the Common Council and Board of the City of Indianapolis under Special Ordinance, No. 105, of 1887. And the remonstrators further pray that the grading and graveling of said street be made to a width of 75 feet, in accordance with the plat of said street, see Record No. 1, page 105 of the County Recorder's Office of Marion County, Ind.

Mary Eliza Houston, Mary Amanda Pursel Moore, (married); Eliza Jane Randolph, Harriet Moore, Elizabeth Moore, Olive G. Eincitz Mary A. Pence, M. E. Rapert, A. H. Frank, Henry and Sarah Wishmire.

Councilman Cummings offered the following motion; which was adopted:

That a committee of three members be appointed to meet the representatives of the State Academy of Sciences at the Denison House on Friday evening, May 10, to consider the matter of the proposed meeting of the American Association for the Advancement of Sciences, to hold its session in this city in 1890.

His Honor, Mayor Denny, appointed as such Committee, Councilmen Cummings, Markey and Pearson.

Councilman Darnell offered the following motion ; which was referred to the Committee on Public Light :

Moved, That the City Clerk be and is hereby directed to notify the Brush Electric Light Company to erect two lights on Hall Place street, the same to be located by the City Civil Engineer.

Councilman Darnell offered the following resolution :

Resolved, That the Indianapolis Water Company be, and is hereby, directed to continue the laying of its mains on Tennessee street, from Williams, or Ninth street south to Seventh street, so as to make a complete circuit. As it now is, there is a dead end at Williams, or Ninth street.

And it was adopted by the following vote:

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Darnell offered the following resolution :

Resolved, That the Indianapolis Water Company be, and is hereby, directed to extend its mains in Seventh street from Mississippi street west to Howard street, and south in Howard street to Sixth street, and locate fire hydrants under direction of the Chief Fire Engineer, according to contract.

And it was adopted by the following vote:

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Darnell offered the following motion ; which was adopted :

WHEREAS, Certain street improvement ordinances were advertised, and bids received and rejected, on account of the uncertainty of the legality of such action, and all of such matters having been settled; therefore

Moved, That the City Civil Engineer be, and he is hereby, directed to re-advertise for proposals the following ordinances:

- S. O. 62, 1888—For grading and graveling the first alley south of Palmer street running through from Union street to Meridian street.
- S. O. 79, 1888—For grading and graveling Weghorst street and sidewalks, from East street to a point 208 feet west of the east line of Moore's addition.
- S. O. 89, 1888—For grading and paving with brick, the north sidewalk of Market street, from Highland street to Hanna street.
- S. O. 91, 1888—For grading and graveling the roadway and sidewalks of Reid street, bowldering the east gutter, and re-laying the bowlders in the west gutter, from Prospect street to Pleasant Run.
- S. O. 115, 1888—For grading and paving with brick, the north sidewalk of South street, from Missouri street to Kentucky avenue.
- S. O. 118, 1888—For grading and paving with brick, the west sidewalk of Archer street, from Michigan street to John street.

- S. O. 122, 1888—For grading and paving with brick, the sidewalks of Hoyt avenue, from Linden street to the first alley east of Spruce street.
- S. O. 124, 1888—For grading and paving with brick, the north sidewalk of Merrill street, from Madison avenue to Delaware street.
- S. O. 126, 1888—For grading and graveling the first alley east of Park avenue, from Lincoln avenue to Seventh street.
- S. O. 141, 1888—For re-grading and graveling the roadway of Michigan street, grading and bowldering the gutters and placing a gutter-stone therein, and widening the sidewalks thereof to a width of twenty-five (25) feet, from Meridian street to Pennsylvania street.

Councilman Davis presented the following petition, which was granted:

To the Common Council of the City of Indianapolis :

Gentlemen:—The undersigned would most respectfully ask your honorable body to instruct the City Civil Engineer to act in conjunction with the County Surveyor in making an estimate of the cost of filling and widening Michigan street, beginning at the east end of the bridge over White River, and running thence east over the low lands or river bottom. Said fill to be the width of sixty feet on the top surface, including the present roadway, and make report of the same at an early a day as practicable.

W. R. Evans, Jos. R. Evans, Geo. H. Evans, A. L.
Roache, D. W. Coffin, Jos. H. Clark, Ed. L. Mick,
W. E. Mick, Willis C. Vajen.

Councilman Davis offered the following motion ; which was adopted :

WHEREAS, It would be for the public good that Michigan street, between the old Mill Race and White River—now outside of the city limits—should be widened to the width of sixty feet at the top of the embankment; therefore

Moved, That the City Civil Engineer be instructed to act in conjunction with the County Surveyor, and measure and estimate the number of cubic yards of dirt required to so widen said embankment up to its present level, and report the same to the Council and Board of Aldermen for their information.

Councilman Davis offered the following resolution :

Resolved, That the Indianapolis Water Company be, and is hereby, directed to lay water mains in Indiana avenue, from Blake to Locke streets, and locate fire hydrants under the direction of the Chief Fire Engineer.

And it was adopted by the following vote :

A YES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Dunn offered the following motion ; which was adopted :

That the Indianapolis Water Company be, and are hereby, granted permission to grade and gravel Bright street and sidewalks, from its present southern terminus to within fifteen feet of the C., I., St. L. & C. R. R. switch track, this being a continuation of Bright street, through Out-lot No. 148. Said work to be done under the direction of the City Civil Engineer, all at the expense of said water works company.

Councilman Dunn offered the following resolution ; which was referred to the Committee on Water and City Attorney, to report next meeting :

WHEREAS, The running of the cars of the Citizens Street Railroad Company fills the air with dust, which causes great inconvenience and discomfort to the public generally and to the people along the line of its road in particular, and is injurious to health and property; therefore, be it

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the said Citizens' Street Railroad Company be ordered to provide sprinklers and to sprinkle between, and for a reasonable distance outside of the tracks along all its lines in this city, to a sufficient amount to prevent the flying of dust, until the 1st day of November next; the city to furnish the water, at convenient places from the hydrants or mains of the Indianapolis Water Company, free of cost to said railroad company.

Councilman Davis presented the following communication; which was read and received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We, the undersigned, owners of the real estate set opposite our respective names, in and near the City of Indianapolis, in consideration of the general benefit to the public, and to us individually, hereby give and grant to the City of Indianapolis, Indiana, the irrevocable permission to lay and construct a sewer from the intersection of New York and Agnes streets, in a southerly direction through the below-described real estate owned by us, to White River: That is to say, through part of Lot 13, Out-lot 149, Patterson et al. subdivision, owned by Brower and Love Brothers; Lot 19, Out-lot 149, Morton, Coffin & Wright's subdivision; parts of Lots 9, 10, 11 and 13, Patterson et al. subdivision 149, owned by Magdaline Maus; crossing old Mill Race, claimed by D. A. Richardson, et al; rear of Lot 21, Out-lot 149, Morton, Coffin & Wright's subdivision, owned by Daniel Burton. (Signed) Brower and Love Bros., Magdaline Maus, Daniel Burton, S. W. Patterson, part owner of said Mill Race.

Councilman Elliott offered the following motion; which was adopted:

That the Creamer & Scott Buggy Company be, and are hereby, granted permission to lay a natural gas main in and along Eighth street, from Peru street to their works, immediately east of the L. E. & W. R. R. tracks. Work to be done under the direction of the City Civil Engineer.

Councilman Elliott offered the following resolution:

Resolved, That the Consumers' Gas Trust Company be, and is hereby, ordered and directed to lay their mains in and along Seventh street, from Peru street to Beeler street; also, in and along Alvord street, from Seventh street to the Belt Railroad track; also, in and along Yand's street, from Malott avenue to the Belt Railroad track; also, in and along Columbia avenue, from Home avenue to the Belt Railroad track; also, lay a main in and along Alvord street, from Massachusetts avenue to Malott avenue, thence northeast on Malott avenue to Columbia avenue; thence north on Columbia avenue to Hill avenue; thence northeast on Hill avenue to Beeler street; also, lay a main in and along Brookside avenue, from Clifford avenue to Orange avenue. And the City Clerk is hereby directed to serve a copy of this resolution, duly attested, upon the President, or in his absence, upon any Director of said Gas Trust Company.

And it was adopted by the following vote:

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Elliott offered the following motion; which was adopted:

That the Committee on Public Light be, and are hereby, ordered to report on all matters referred to them from the First Ward, at the next meeting of this Council.

Councilman Finch offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, instructed to build a stone culvert over the branch on Randolph street near Ohio street.

Councilman Finch presented the following petition and motion; which were referred to the Committee on Streets and Alleys and City Attorney:

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

Gentlemen:—We the undersigned owners, and all of the owners, of the real estate fronting on Ohio street between Arsenal avenue and State street, in said city, respectfully petition your honorable bodies to raise the grade of said Ohio street between the streets above named, ten inches above the present grade as established in Level book 27, page 88, and in Profile book 6, page 29 in the Engineers office of said city; also, that the Street Commissioner, at the expense of the city, fill up said street with gravel to the grade thus asked to be established.

We hereby waive any and all claims to damages that may accrue on account of such change of grade and work petitioned for.

Henry G. Riger, 35 feet; Henry T. Nobling, 72 feet; Henry A. Mittag, 36 feet; James Dobson, 36 feet; H. W. Helm, 36 feet; J. L. Crandall, 140 feet; J. M. Hightshoe, 367 feet; Cooper & Haywood, 115 feet; Frances E. Good, 70 feet; J. W. Cooper, 36 feet; Jeannette Wolfram, 46 feet; Wilson Morrow, 36 feet; Wm Carlin, 38 feet; William L. Baker 37 feet; William Hall, 34 feet; Mary Hollaran, 36 feet; J. A. Dildine, 140 feet; G. W. Treehafer, 120 feet; Lillie Heitkam, 74 feet.

Moved, That the Street Commissioner be and is hereby instructed to do the work.

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

Indianapolis, Ind., April 15, 1889.

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

Gentlemen:—We, the undersigned, merchants of the City of Indianapolis, respectfully petition for the passage of an ordinance to prohibit merchants and other persons doing business in this city, from soliciting custom on any public street by agents, clerks and runners going out upon the streets and sidewalks away from their place of business, to solicit business by personally appealing to, and soliciting persons to visit and enter their places of business, for the purpose of selling them some article or articles of merchandise. That this practice is not only annoying to the public, but is a practice and custom to be discouraged and prohibited by all reputable business houses and business men. We therefore respectfully ask that the same be prohibited.

J. C. Sumerfield, Proprietor Occidental Clothing House; Fred. Barnard, Occidental Shoe Store; H. Newgard, 45 west Washington street; Vance, Hunter & Co., 39 west Washington street—and 34 others.

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

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

Gentlemen:—The undersigned would most respectfully request your honorable body to cause our signatures—appearing to a petition asking for an ordinance to prevent persons from soliciting trade upon the streets—to be erased. The animus of the petition being based upon a fight between clothing dealers; we do not wish to have anything to do with it.

Respectfully, H. BAEBERGER and NEW YORK HAT Co.

Councilman Long offered the following motion :

That the Chief Fire Engineer be requested to appoint John Allen to the position as fireman at Engine House No. 9, in place of Robert Braxton, deceased.

Councilman Elliott moved to lay the motion on the table.

Which was adopted, by the following vote:

AYES, 18—viz: Councilmen Burns, Cummings, Darnell, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Markey, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, and Wilson.

NAYS, 6—viz: Councilmen Davis, Dunn, Long, McClelland, Pearson, and Trusler.

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

AYES, 24—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Kelley offered the following motion :

That instead of adjourning this session of the Council, we take a recess till next Monday evening, for the purpose of considering improvement motions, resolutions and matters pertaining thereto.

Councilman Darnell moved to lay the motion on the table.

Which failed of adoption, by the following vote :

AYES, 9—viz: Councilmen Darnell, Dunn, Finch, Long, McClelland, Swain, Thalman, Trusler, and Wilson.

NAYS, 15—viz: Councilmen Burns, Cummings, Davis, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Markey, O'Connor, Parkinson, Pearson, Smith, and Stuckmeyer.

Councilman Thalman offered the following motion as a substitute to the motion offered by Councilman Kelley :

That all improvement ordinances now on file, be referred to the City Attorney and City Civil Engineer, with instructions to prepare them in a legal manner to be passed at the next meeting of the Council.

Which was adopted.

Councilman Kelley then moved that the Council adjourn, to meet next Monday evening, to consider Special Ordinances for street improvements.

Which was adopted.

Councilman Markey presented the following petition; which was referred to the Committee on Public Light:

Indianapolis, Ind., April 16, 1889.

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

Your petitioners respectfully pray that the system of electric lights be extended from the most practicable point to Southeast street, and thence along Southeast street to and into Garfield Park.

John Ebenhardt, Robert Keller, Charles R. Durbon,
F. W. Cook, Jacob Coffman—and 180 others.

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

WHEREAS, There is a controversy between certain owners of real estate on Hendricks street and the contractors of the street improvement, recently completed, in which it is claimed by said property holders that the ordinance for said improvement and the law of the state, both require the said owners of real estate on said street and the city to share in proper proportion in the expense of making said improvement, and the Engineer has estimated the entire expense against the owners of the real estate; therefore

Resolved, that the City Attorney be required to investigate the same report upon the liability of the owners of said real estate to pay for the entire improvement.

Councilman Markey offered the following resolution:

Resolved, That the Indianapolis Water Company be, and is hereby, instructed to lay water mains in and along Alabama street, from South street to McCarty street, and locate hydrants according to contract.

And it was adopted by the following vote:

AYES, 24—viz: Councilmen Burns Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman McClelland offered the following motion; which was adopted:

That F. L. Spahr be permitted to grade and pave with brick, also to curb with stone, the sidewalks in front of his property on Walnut street, between Noble and Liberty streets, at his own expense, and under the direction of the City Civil Engineer.

Councilman O'Connor presented the following proposal; which was referred to the Board of Public Improvements:

Indianapolis, May 6, 1889.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I propose to clean and haul away, all dirt and droppings on Washington street, from Mississippi street to Alabama street, for \$350 per month.

S. M. SMITH, 147 S. Noble St.

Councilman Parkinson offered the following motion ;* which was adopted :

That the Street Commissioner be, and is hereby, ordered to remove the bill-board on the corner of Washington and Missouri streets.

Councilman Pearson offered the following resolution :

STATEMENT.

I believe that the City of Indianapolis has outgrown the general charter act of 1867, and the question of devising means to improve our system of municipal government, is one that deserves the careful consideration of all good citizens. Legislative relief is now imperatively required, and the next General Assembly should give it, without fail. All measures suggested by the city's representatives were entirely ignored by the members from this county at the recent session. All the bills pertaining to this city's affairs that did receive their support, have proved abortive—unconstitutional and illegal. Hence, it is of the utmost importance that men should be selected to represent us in the next General Assembly who will place the interests of the people and the city above that of party.

Among the many laws that should be enacted for the benefit of the city, is one providing for the selection of a board to devise, superintend and control all public improvements. This board should be elected by the people, or appointed by the Mayor. Councilmen and Aldermen receiving but \$150.00 a year, can not be expected to devote the time necessary to properly do this part of the city's work. Responsibility should be centralized; therefore

Resolved, That we are in favor of electing men to the next General Assembly from Marion county who will devote their time and best efforts to the consideration and support of non-partizan laws for the benefit of the City of Indianapolis, and particularly a well-guarded bill creating a Board of Public Works.

And it was adopted by the following vote :

AYES, 15—viz: Councilmen Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Long, McClelland, Pearson, Smith, Swain, Thalman, Trusler, and Wilson.

NAYS, 9—viz: Councilmen Burns, Gaul, Hicklin, Johnston, Kelly, Markey, O'Connor, Parkinson, and Stuckmeyer.

Councilman Pearson offered the following motion ; which was adopted :

That the City Attorney be, and he is hereby, instructed to prepare and have introduced at the next meeting, an ordinance prohibiting the riding of bicycles on any sidewalk or walk through public parks.

Councilman Swain offered the following resolution :

Resolved, That the Indianapolis Water Company be, and is hereby, directed to extend its mains on Ruckle street, from Eighth street to Ninth street; one water-plug to be located under the direction of the Chief Fire Engineer.

And it was adopted by the following vote :

AYES, 21—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

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

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

Gentlemen: We, the undersigned, owners of real estate in the vicinity of abutting on the alley, hereinafter described, respectfully petition for the vacation of the alley running from Park avenue to the first alley east thereof, and laying between Lincoln avenue and Seventh street. Said alley is but seven (7) feet six (6) inches wide at Park avenue, and six (6) feet and nine (9) inches wide at the east end thereof, and is not wide enough for wide-track wagons to pass through, and is of no use whatever to the public and prevents the abutting property owners from taking down their fences; besides there is no alley running west of Park avenue with which this intersects, and consequently is of no public benefit.

Respectfully submitted,

Lucy A. Sewall, Susanna Goepfer, A. W. Coffin, G. W. Hamilton, B. Baker, W. J. R. Budd, L. C. Cline, C. Aneshaensel, Jr., Cyrus Smith, Charles Styer, J. D. George, Alb. C. Kuhn, H. S. Bennett, I. H. Wilson, John Woche, Chas. B. Funston, Edward Hawkins.

Councilman Thalman presented the following remonstrances; which were referred to the Committee on Railroads, and City Attorney:

To the City Councilmen and Board of Aldermen, City of Indianapolis :

Gentlemen:—The undersigned, residents and property owners on Delaware street, north of Massachusetts avenue, protest against, and object to, the granting of any franchise or right or license whatever, under general ordinance or otherwise, for the construction of an electrical or any other kind of street railway, on or along said north Delaware street, between Vermont street and Massachusetts avenue. The roadway is but forty feet wide, and the use of this one block for such railway, we believe, will be a great injury and detriment to the street, and we pray your honorable bodies not to grant the same.

J. T. Lecklider, J. L. Thompson, Wm. Terrell, A. B. Conduitt, C. Hatfield, P. A. Street, D. A. Goodin, Samuel Delzell, V. T. Malott, L. Abbett, President of Board of Trustees of Roberts Park M. E. Church; Eliza S. Yohn, Agent; Henry Jameson, David Macy, Marg't. E. Armentrout, Mrs. F. L. Lee, T. B. Harvey, Mrs. S. P. Grubb, L. S. Pierson, J. C. Adams, Thos. G. Alford, E. B. Porter, S. K. Fletcher, John Knight, F. P. Rusch, Jno. M. Gaston, C. Friedgen, Mason S. Rash, S. Baldwin, Kate Z. Vinnedge, A. B. Yohn.

To the City Councilmen and Board of Aldermen, City of Indianapolis, Ind :

Gentlemen:—The undersigned, residents and property owners on Vermont street, between Mississippi and Delaware streets, protest against, and object to, the granting of any franchise or right or license whatever, under general ordinance or otherwise, for the construction of any electrical or any other kind of street railway on or along said street, within the limit named, and pray your honorable bodies to not grant the same.

J. W. Sawyer, I. H. Roll, Wm. H. Morrison, Jos. Eastman, S. M. & M. E. Compton, Robt. M. Foster, Mary E. Yohn, Kate Z. Vinnedge, A. B. Yohn, L. D. Waterman, H. B. Coleman, Fred. Fahney, J. T. Lecklider, John C. Wright, Willis C. Vajen, John M. Butler, Trustee 2d Presbyterian Church; J. B. Mansur, John A. Bradshaw, Mrs. Reginald H. Hall, O. H. Abbett, Mrs. Elisa S. Yohn, Agent; T. O. Stillson.

Councilman Thalman offered the following motions; which were adopted :

That the Street Commissioner be directed to purchase lumber sufficient to put in good repair the sidewalks in front of Engine Houses, the firemen doing the work of relaying the same.

That the Committee on Public Health be directed to procure a horse for the use of the Board of Health, the one they have being disabled; or, if in their opinion, arrangements can be made with the officer using the horse to furnish and keep his own, they report to the Council on what terms.

That the Street Commissioner be directed to notify the Brush Electric Light Company to take down the tower at the corner of Pennsylvania and Washington streets within ten days.

Councilman Thalman offered the following resolution :

WHEREAS, It is provided by Section 3,052 of the Revised Statutes of 1881, that the City of Indianapolis "shall be divided by the Council into wards containing as nearly as possible an equal number of voters;" and whereas, It is provided by Section 3,224, that the various wards shall be divided into precincts for voting purposes at city elections, limited to 350 votes, as near as may be; and whereas, It is provided by Section 1 of the new election law, that voting precincts shall contain but 200 voters, which may or may not be held to apply to our coming city election; and whereas, Some wards now contain double as many voters as others, and most if not all of the voting precincts contain many more voters than either of the Statutes above referred to authorize; therefore

Resolved, That the question of redistricting the city into new wards and voting precincts, be referred to the Judiciary Committee and City Attorney for their opinion as to the necessity and advisability of such action, which shall be reported at the next regular meeting of the Council.

And it was adopted by the following vote :

AYES, 19—viz: Councilmen Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Hicklin, Johnston, Kellev, Long, McClelland, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 5—viz: Councilmen Burns, Gaul, Markey, O'Connor, and Parkinson.

Councilman Trusler presented the following petition; which was received :

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

Gentlemen:—The undersigned, owners of real estate fronting on Lexington avenue, between Dillon and Reid streets, respectfully petition for the passage of a resolution to provide for laying natural gas mains in and along Lexington avenue, from Dillon street to Reid street, as provided for in accordance with Section 13 of General Ordinance No. 14, 1887. Total number feet of mains required, ; Total number of feet of property line herein represented

Richard Leggo, 241 feet; T. F. Bassett, 55 feet; John Hamilton, 30 feet; Chas. H. Resener, 29½ feet; Jno. S. Spann & Co., 200 feet—and 23 others.

Councilman Trusler offered the following resolution :

WHEREAS, The owners and occupants on Lexington avenue have petitioned for the extension of natural gas mains along said street, from Dillon to Reid streets; and whereas, One tenth of the residents of said street are willing to use gas; and whereas, The mains of the Consumers' Gas Trust Company are contiguous to said street;

Resolved, That the Consumers' Gas Trust Company be hereby ordered to extend its mains in and along said Lexington avenue, from Dillon to Reid streets, within sixty days from the passage of this resolution, as required by ordinance.

And it was adopted by the following vote :

AYES, 23—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Finch, Gasper, Gaul, Hicklin, Kelley, Long, Markey, McClelland, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Trusler offered the following motion; which was adopted:

That the Street Commissioner be instructed to order the person or persons maintaining a fence in John street immediately north of Prospect street, to at once remove said fence, and other obstructions therein; and if the same is not done within ten days from such notice, said Street Commissioner is hereby ordered to do the same, and collect the cost thereof from the person or persons maintaining such obstruction and fences.

Councilman Trusler, from the Committee on Public Light, submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Light, to whom was referred S. O. 133, 1888, recommend that the same be passed.

Respectfully submitted,

P. C. Trusler,
Thomas Markey,
J. C. Finch,
Committee on Public Light.

Councilman Trusler offered the following motion; which was adopted:

That G. O. 14, 1889, prohibiting the playing of ball in the streets of the city, be now taken up and put upon its passage.

The following entitled ordinance was read the second time:

G. O. 14, 1889—An ordinance prohibiting the throwing or batting of balls along, upon or across the streets, alleys, sidewalks, public grounds and vacant grounds in the City of Indianapolis.

Councilman Thalman moved to amend the above entitled ordinance by striking out the words "or vacant grounds."

Which motion was adopted.

Councilman Hicklin moved that the above entitled ordinance be stricken from the files.

Which motion failed of adoption by the following vote:

AYES, 11—viz: Councilmen Burns, Cummings, Davis, Elliott, Finch, Gaul, Hicklin, Kelley, O'Connor, Parkinson, and Wilson.

NAYS, 12—viz: Councilmen Darnell, Dunn, Gasper, Long, McClelland, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Trusler.

Councilman Darnell excused for the balance of the session.

The motion to engross the ordinance—G. O. 14, 1889—as amended, failed of adoption, by the following vote:

AYES, 10—viz: Councilmen Dunn, Gasper, Long, McClelland, Pearson, Smith, Stuckmeyer, Swain, Thalman, and Trusler.

NAYS, 11—viz: Councilmen Burns, Cummings, Davis, Elliott, Finch, Gaul, Hicklin, Kelley, O Connor, Parkinson, and Wilson.

Councilman Wilson offered the following motion; which was adopted:

That the City Board of Health be, and are hereby, ordered to station a man at the west end of Darne l, Mayhew and Drake streets for thirty days, with power to arrest any and all persons found dumping garbage and dead dogs and cats—which is now a daily occurrence, to the detriment of the health of the citizens in that neighborhood.

Councilman Wilson offered the following motions; which were referred to the Committee on Public Light:

That the Citizens' Gas Light and Coke Co. be and are hereby ordered to reman-
tle gas posts now dismantled on Douglass street, between North street and Indiana
avenue.

That the Sun Vapor Light Co. be ordered to erect and maintain lamps on Drake
street, lamps to be located under direction of City Civil Engineer.

That the Sun Vapor Light Co. be ordered to erect and maintain lamps on Brett
street, lamps to be located under direction of City Civil Engineer.

Councilman Wilson offered the following resolution:

Resolved. That the Indianapolis Water Company be, and is hereby, directed to
lay a main in First street, from Indiana avenue to the Michigan Road, on north
West street, and in north West street from First street to Sixth street, and in Sixth
street to Howard street, and to locate fire hydrants under the direction of the Chief
Fire Engineer, according to contract.

And it was adopted by the following vote:

AYES, 20—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Finch,
Gasper, Gaul, Eicklin, Kelley, Long, McClelland, O'Connor, Parkinson, Pear-
son, Smith, Stuckmeyer, Swain, Trusler, and Wilson.

NAYS, 1—viz: Councilman Thalman.

His Honor, the Mayor, offered the following resolution:

WHEREAS, The "Indianapolis News," in a series of editorial articles published
in the month of March, referred to the Mayor, City Attorney, Chief Fire Engineer,
Superintendent of Police, Street Commissioner, members of the Board of Metropo-
litan Police Commissioners, and members of the Council and Board of Aldermen,
in various forms, as usurpers and law defyers, and by comparison placed these
officers on a level with bands of White Caps, Anarchists, burglars and criminals;
and, in a spirit of contemptible bull-doing referred said officers to certain criminal
provisions in void Statutes, threatening to have them brought into requisition
against said officers, if they should continue to uphold the lawful institutions of the
city, instead of surrendering them to unlawful boards, thereby making way for in-
numerable false arrests, confusing and demoralizing the public business, adding
largely to the public expenditures, and laying the city liable to large damages and
annoying suits; therefore

Resolved. That we regard the whole course of the "Indianapolis News," in refer-
ence to the foregoing matters, as contemptibly mean and malicious, and that it
deserves the censure of all good citizens.

Councilman Hicklin moved to lay the resolution on the table.

Which motion failed of adoption.

The resolution was then adopted by the following vote :

AYES, 14—viz: Councilmen Cummings, Davis, Dunn, Elliott, Finch, Long, McClelland, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

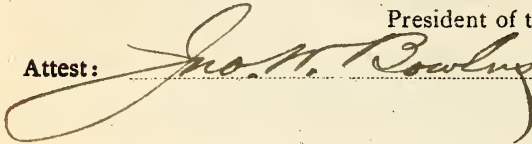
NAYS, 7—viz: Councilmen Burns, Gasper, Gaul, Hicklin, Kelley, O'Connor, and Parkin son.

On motion the Common Council then adjourned, at 12:25 o'clock, A. M.

 , Mayor,

President of the Common Council

Attest:

 , City Clerk.