

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—APRIL 20, 1881.

The Board of Aldermen of the City of Indianapolis met in the Aldermanic Chamber, on Wednesday evening, April 20th A. D. 1881, at half-past seven o'clock, in regular session.

PRESENT—His Honor, President Coburn, in the Chair, and Aldermen Drew, Hamilton, Layman, Mussman, Newman, Seibert and Tucker—8.

ABSENT—Aldermen Grubbs and Wood—2.

MESSAGES AND PAPERS FROM THE COMMON COUNCIL.

The following special message was read :

To the President and Members of the Board of Aldermen :

Gentlemen :—The Common Council, in regular session, held in the Council Chamber, Wednesday evening, April 13th, 1881, adhered to its former action in awarding the contract for the following street improvement :

“ For grading, bowldering the gutters, and curbing with stone, the sidewalks of Market street, from Missouri street to Blackford street.”

I submit the same for your consideration.

For the Common Council :

Jos. T. MAGNER, City Clerk.

Alderman Tucker moved that the Board of Aldermen adhere to its former action.

Which motion failed of adoption by the following vote :

AYES, 4—viz. Aldermen Hamilton, Layman Tucker and President Coburn.

NAYS, 4—viz. Aldermen Drew, Mussman, Newman and Seibert.

Alderman Seibert moved that the action of the Common Council be concurred in.

Which motion failed of adoption by the following vote :

AYES, 4—viz. Aldermen Drew, Mussman, Newman and Seibert.

NAYS, 4—viz. Aldermen Hamilton, Layman, Tucker and President Coburn.

The following special message was read :

To the President and Members of the Board of Aldermen :

Gentlemen:—The Common Council, in regular session, held in the Council Chamber, April 18th, 1881, adhered to its former action, relative to the placing the names of streets on the street corners, and requested that a committee of conference be appointed.

Councilman Van Vorhis, Bryce and White were appointed to act as the Council members of said committee :

I submit the same for your consideration.

For the Common Council :

Jos. T. MAGNER, City Clerk.

On motion the action of the Common Council was concurred in, and Aldermen Drew, Hamilton and Tucker were appointed to act as the Aldermanic members of said committee of conference.

The following message was read and received :

To the President and Members of the Board of Aldermen :

Gentlemen:—I herewith transmit to your honorable body certain papers, favorably passed upon by the Common Council, at its regular session, held on Monday evening, April 20th, 1881, for your action upon the same.

For the Common Council :

Jos. T. MAGNER, City Clerk.

The following report from the Committee on Contracts was read ; the action of the Common Council in concurring in the several recommendations and awarding the contracts (see pages 1049 and 1050, *ante*) was concurred in :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—The Committee on Contracts, to whom was referred certain proposals presented to the Common Council on Monday evening, April 4th, 1881, have examined the same, and find them to be as follows :

1st. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on California street, from Indiana avenue to First street.

No proposals were presented for above work, and your committee are informed by the Clerk that the Board of Aldermen have reconsidered their vote on the passage of the above entitled ordinance. We therefore recommend that no further action be taken at present.

2d. For grading and graveling the first alley north of Home avenue, from Park avenue to Broadway street.

Henry Clay, 29 cents per lineal foot front on each side.

John Schier, 27 cents per lineal foot front on each side.

J. T. Murphy, 25 cents per lineal foot front on each side.

R. H. Patterson, 23 cents per lineal foot front on each side.

Charles S. Roney, 19 cents per lineal foot front on each side.

Charles S. Roney being the lowest and best bidder, we recommend he be awarded the contract.

3d. For grading and graveling the west sidewalk of Shelby street, from Pleasant Run to the U. R. R. T. and S. Y. Co.'s tracks.

James Mahoney, 25 cents per lineal foot front.

C. T. Langhorne, 22 cents per lineal foot front.

Richter and Bro. & Henry Burke, 21 cents per lineal foot front.

John Schier, 18 cents per lineal foot front.

F. J. Blume, 17 cents per lineal foot front.

Michael Flaherty, 16 cents per lineal foot front.

Michael Flaherty being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and graveling the first alley west of Virginia avenue, from the first alley south of Dougherty street to Coburn street.

Henry Clay, 27 cents per lineal foot front on each side.

James Mahoney, 25 cents per lineal foot front on each side.

Michael Flaherty, 20 cents per lineal foot front on each side.

Richter and Bro. & Henry Burke, 18 cents per lineal foot front on each side.

C. T. Langhorne, 17 cents per lineal foot front on each side.

C. T. Langhorne being the lowest and best bidder, we recommend he be awarded the contract.

5th. For grading and paving with brick (where not already paved) the sidewalks of Plum street, from Massachusetts avenue to Christian avenue.

John A. Whitsit, 55 cents per lineal foot front on each side.

J. T. Murphy, 45 cents per lineal foot front on each side.

Twiname, Amos & Co. 42 cents per lineal foot front on each side.

John Schier, 42 cents per lineal foot front on each side.

F. J. Blume, 39 cents per lineal foot front on each side.

T. Hanway & Co., 39 cents per lineal foot front on each side.

C. S. Roney, 39 cents per lineal foot front on each side.

J. W. Smith, 37½ cents per lineal foot front on each side.

S. W. Patterson, 37 cents per lineal foot front on each side.

Samuel W. Patterson being the lowest and best bidder, we recommend he be awarded the contract.

Respectfully submitted,

Isaac Thalman,
James A. Pritchard,
E. H. Koller,
Committee on Contracts.

The following report from His Honor, the Mayor, was read and received:

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

Gentlemen:—The amount of Mayor's fees collected by me during the month of March, 1881, was \$160.40; the amount of policemen's witness fees, \$170.23; the amount due the City Treasury was \$6.35; and the amount due the Home for Friendless Women, collected in January, February and March, was \$299.20; being a total of \$636.18; which amounts I have paid to the City Treasurer, and filed his receipt with the City Clerk.

Respectfully submitted,

J. CAVEN, Mayor.

The following report from the City Attorney was read; and the favorable action of the Common Council thereon (see page 1051, *ante*) was concurred in:

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

Gentlemen:—I beg leave to report that the case of Ephraim M. Fowler vs. The City was tried in the Superior Court, and resulted in a finding and judgment against the city for \$420. This was an action based on a resolution of the Common Council, passed in January 1865, offering a reward of \$400 to persons enlisting in the service of the United States and causing themselves to be credited to the city. The plaintiff enlisted in February, 1865, and was credited to the city before her quota was full. On the day of his enlistment he made a demand for

his money, but was not paid. The court allows the principal of the claim and interest from the commencement of the action, June 1st, 1880, but refusing interest from the date of the first demand, thus saving the city from the payment of about \$400. The case has been prepared for an appeal, should you so direct. Under the decisions of the Supreme Court, should they be adhered to, I do not think the result would be changed.

In the case of Amelda K. Mortland, administratrix, vs. The City, the Superior Court in general term has affirmed the verdict of the special term, wherein the plaintiff recovered \$500, on account of an accident to Alex M. Mortland, deceased, caused by the alleged negligence of the city in failing to place proper railings along the West Michigan street fill.

There is another action pending, wherein the administratrix of Mr. Mortland's estate seeks to recover damages to the estate. I do not think the latter action can be maintained, but the defense will be attended with expense. Mrs. Mortland proposes that if the city will pay the judgment and interest in the first case, \$500, she will dismiss the other case. The judgment rendered in this case was certainly very low, under all the circumstances, and in view of the probability that the Supreme Court would affirm the judgment, I recommend that the proposed compromise be accepted.

I would further report that I have collected the sum of \$5.40 fines in cases No. 660 and 701 Marion Circuit Court, which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

The following report from the City Attorney was read; and the favorable action of the Common Council thereon (see page 1051, *ante*) was concurred in :

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

Gentlemen:—In accordance with your instructions, I have examined and herewith submit a report as to the security for the payment of the last instalment of rent for the Southern Park:

Since the making of the lease, the lessees, as also the surety, were adjudicated bankrupts; after which an action was commenced by the city to recover the possession of the park. Pending the action, a compromise was effected with Scott & Co., the lessees, by which they agreed to pay the \$200 due at the expiration of the lease one year in advance, the city to abate interest at 8 per cent.

The city has no security for the payment of the rent, except the personal obligation of the lessees. This is probably sufficient, as in the event of non-payment the city could sue for possession.

Respectfully,

JOHN A. HENRY, City Attorney.

Alderman Layman moved that the former action of the Board of Aldermen, in concurring in the action of the Common Council recommending that no appeal be taken in the case of John F. Redmond vs. The City be reconsidered, and that the first clause of the report of the City Attorney recommending an appeal (see page 1035, *ante*) be concurred in :

Which motion was adopted, and the action of the Board of Aldermen reconsidered by the following vote :

AYES, 8—viz. Aldermen Drew, Hamilton, Laymen, Mussman, Newman, Seibert Tucker and President Coburn.

NAYS—None.

The first clause of the report of the City Attorney (see page 1035, *ante*) was then concurred in.

Aldermen Drew was then excused for the remainder of the session.

The following report from the City Civil Engineer was read; and the action of the Common Council thereon (see page 1052, *ante*) was concurred in:

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

Gentlemen:—I present the following for your consideration and action thereon:

The improvement of South West street, by widening the sidewalks, necessitated the building of new culverts under the different railway tracks crossing said street. We therefore notified the different companies to construct said culverts, which all have done, except the Vandalia Company. It is necessary that said culverts should be built to prevent damage to the street and adjacent property by obstructed gutters.

Also, the bowldering of the gutters on Kentucky avenue, necessitated similar culverts under the C., I., St. L. & C. railroad companies tracks at the crossing of said avenue, of which due notice was given from this office, April 12th, 1881.

Respectfully submitted,

S. H. SHEARER, Ass't City Civil Engineer.

The following report from the City Civil Engineer was read; and the action of the Common Council in awarding the contracts and approving the bonds (see page 1052, *ante*) was concurred in:

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

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

Contract and bond of M. T. Clark, for erecting lamp-posts, lamps and fixtures (complete to burn gas, except service pipes) on Eddy street, from South street to Norwood street; seven lamp-posts to be erected on said line. Bond, \$250. Surety, Henry Wetzel.

Contract and bond of Charles S. Roney, for grading and graveling the first alley north of Home avenue, from Park avenue to Broadway street. Bond, \$300. Surety, Michael Faust.

Contract and bond of Charles S. Roney, for re-graveling Malott avenue, from Alvord street to Columbia avenue. Bond, \$1,000. Surety, Michael Faust.

Contract and bond of August Richter and Brother & Henry Burke, for grading and graveling the first alley west of Virginia avenue, from Buchanan street to Dougherty street. Bond, \$200. Surety, H. Horstmann.

Contract and bond of Michael Flaherty, for grading and graveling the west sidewalk of Shelby street, from Pleasant Run to the U. R. R. T. and S. Y. Co.'s tracks. Bond, \$500. Surety, George Løge.

Respectfully submitted,

R. M. PATTERSON, City Civil Engineer.

The Mortality report from the Board of Health (see page 1053, *ante*) was read and received.

The following report from the Finance Committee was read; and the favorable action of the Common Council thereon (see page 1055, *ante*) was concurred in:

Indianapolis, April 18th, 1881.

To His Honor, the Mayor, and Common Council of the City of Indianapolis:

Gentlemen.—Your Finance Committee, to whom was referred the reports of the City Clerk and Treasurer, for the month of March, beg leave to report that they have examined the same, found them correct and in proper form, showing a balance in hand of Treasurer of \$110,724.34.

Respectfully submitted,

Leon Kahn,
James T. Dowling,
M. H. McKay,
E. H. Kollar,
John R. Pearson,
Finance Committee.

The following report from the Judiciary Committee was read; and referred to the Aldermanic Committee on Judiciary:

Indianapolis, April 18th, 1881.

To the Mayor and Common Council:

Gentlemen.—Your Judiciary Committee, together with the City Attorney, to whom was referred certain papers, report thereon as follows:

First is the petition of James G. Douglass, showing that at tax sale on the 12th day of February, 1877, he purchased lot No. two (2) in Theise's subdivision, in square No. twenty-one (21) in Johnson's heirs' addition to the city, paying for the same the sum of sixty-two dollars and seventy-nine cents (\$62.79). The sale is claimed to be erroneous, from the fact of a misdescription of lot. It should have been lot two in Fiscus' subdivision of square twenty-one, in Johnson's heirs' addition. Your committee recommend that the sixty-two dollars and seventy-nine cents be refunded to petitioner, without interest, and that the tax be carried to the proper description.

The second is the petition of James G. Douglass, showing that at tax sale on the 11th day of February, 1879, he purchased from City Treasurer lot forty four in Drake & Mayhew's first addition, paying for the same the sum of thirty-two dollars and nine cents. The sale was erroneous on account of \$800 personal property and poll of M. K. Fatout, for the year 1876, which was paid prior to the sale, to-wit: on August 20th, 1877. Your committee recommend that the sum of thirty-two dollars and nine cents be refunded to the petitioner without interest, and the proper amount of tax due on the lot be carried to the same.

The third is the petition of the Keystone Loan Company, by I. L. Bloomer, attorney, showing that on the 12th day of February, 1879, it purchased at tax sale lot nine in Hendricks' subdivision of out lot ninety-nine, in city; sold for the years 1876, 1877 and 1878; that petitioner paid for the same the sum of \$14.53. The sale was erroneous from the fact that at tax sale on February 13th, 1878, this same lot was sold for taxes of same years, to-wit: the years 1876 and 1877. Your committee recommend that the sum of fourteen dollars and fifty-three cents be refunded to petitioner, without interest.

Respectfully submitted,

James A. Pritchard,
William C. Lamb,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

The following report from the Judiciary Committee was read; and referred to the Committee on Education; but later in the session the reference was reconsidered and the favorable action of the Common Council thereon (see page 1072, *ante*) was concurred in:

Indianapolis, April 18th, 1881.

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

Gentlemen:—Your Judiciary Committee and City Attorney, to whom was referred a communication of J. J. Bingham, Secretary of the Board of School Commissioners, asking for the approval of a deed of certain real estate, would report thereon, that as the matter of the disposal of said real estate rests entirely in the judgment and discretion of the Board of School Commissioners, we recommend that the deed be approved and that the Mayor be directed to execute the same in accordance with the wish of said Board.

Respectfully submitted,

James A. Pritchard,
James T. Dowling,
Judiciary Committee.

JOHN A. HENRY, City Attorney.

The following report from the Committee on Streets and Alleys was read:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of Wm. Gordon, and twelve others, praying to be caused to be laid out and opened West street, to the width of 100 feet, from First street to the canal, Have given the matter due consideration, and have procured a proposition from the President of the White River Gravel Road Company (who own, maintain and operate said street as a toll road, within the city limits), and we recommend that the city accept the proposition for the purchase of so much of said road as lies between First street and Sixth street, at \$1,000; and further recommend that the Committee on Accounts and Claims be directed to include the amount of \$1,000 in the next appropriation ordinance, for the purchase of said gravel road.

Respectfully submitted,

H. E. Drew,

Aldermanic Committee.

John T. Downey,

Wm. H. Morrison,

John A. Lang,

Council Committee.

Indianapolis, April 2d, 1881.

Mr. A. Caylor, Member of Council, Fourth Ward:

We will sell to the city that portion of the White River gravel road from First street to Sixth street for the sum of one thousand dollars, or all up to Twelfth street for nineteen hundred dollars (\$1,900).

JOHN ARMSTRONG,
President White River Gravel Company.

Alderman Mussman moved that action on the above report be postponed.

On motion by Alderman Tucker, the above motion was laid on the table, and on further motion the favorable action of the Common Council on the above report (see page 1055, *ante*) was concurred in.

The following motion was read:

That the Street Commissioner be instructed to place a load or more of gravel at each drinking fountain where not properly paved, as many of them are in such bad condition as to be inaccessible.

And the favorable action of the Common Council thereon (see page 1064, *ante*) was concurred in by the following vote:

SIG. 167.

AYES, 4—viz. Aldermen Mussman, Newman, Seibert and President Coburn.

NAYS, 3—viz. Aldermen Hamilton, Layman and Tucker.

The following motions (adopted by the Common Council—see page 1065, *ante*) were concurrently adopted :

That the City Marshal be, and is hereby, instructed to notify the owners or agents of property Nos. 78, 84 and 86 North New Jersey street, to repair the sidewalk in front of their premises; and, if the work is not done within ten days, the Street Commissioner is hereby ordered to do the same at the expense of the owners.

That John Rupp be, and is hereby, allowed to perform the work contemplated in S. O. 4, 1881, viz: "Grading, bowldering and curbing the west gutter of West street, from Kentucky avenue to a point one hundred feet south of Kentucky avenue," at his own expense, under the direction and supervision of the City Civil Engineer.

The following motion was read ; and the action of the Common Council thereon (see page 1065, *ante*) was concurred in :

That the Street Commissioner be directed to repair and fill the chuck-hole on Ray street, West Indianapolis, near the river.

The following petitions were read ; and the favorable action of the Common Council in extending the time on the contracts, as prayed for (see page 1066, *ante*), was concurred in :

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

Gentlemen.:—The undersigned, to whom was awarded the contract for bowldering and curbing the gutters of Ohio street, from Noble street to a point 222 feet east of Harvey street, respectfully ask for sixty days extension of time in which to complete their contract. In asking for such further time they say that they have used all usual diligence to perform the work, but on account of the unusual severity of the winter it was impossible.

MICHAEL FAUST & Co.

State of Indiana, Marion County, ss :

Michael Faust, of the firm of Michael Faust & Co., being duly sworn upon oath, says that the matters set forth in above petition are true.

MICHAEL FAUST.

Sworn to this 18th day of April, 1881.

[Seal.]

GEO. T. BREUNIG, Notary Public.

We have considered the above application and recommend that the prayer thereof be granted.

William H. Morrison,
Edward H. Dean,
Hiram Seibert,
Board of Public Improvements.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.:—On account of the extreme winter, the undersigned, contractor for bowldering and curbing the gutters of Ohio street, between East and Noble streets, has been unable to complete the above work. He therefore asks an extension of sixty days time to do the work.

MICHAEL FAUST.

State of Indiana, Marion County, ss :

Michael Faust, being duly sworn, says the above petition is true.

MICHAEL FAUST.

Sworn to this 18th day of April, 1881.

[Seal.]

GEO. T. BREUNIG, Notary Public.

We have considered the above petition, and recommend that the time be extended.

Wm. H. Morrison,
Edward H. Dean,
Board of Public Improvements.

The following resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the following named places be, and the same are hereby, designated as the places for holding the election in the several wards of the City of Indianapolis, at the coming city election, to be held on Tuesday, the 3d day of May, 1881:

First Ward—Southwest corner of Home avenue and Yandes street.

Second Ward—No. 9 Engine House, corner of Ash and Seventh streets.

Third Ward—Sixth street Engine House, between Illinois and Tennessee streets.

Fourth Ward—No. 253 Indiana avenue.

Fifth Ward—Southeast corner of Illinois and First streets.

Sixth Ward—Bacon's Block, on Fort Wayne avenue, between Pratt and St. Joseph streets.

Seventh Ward—No. 2 Engine House, on Massachusetts avenue.

Eighth Ward—Northeast corner of New York and Davidson streets.

Ninth Ward—No. 34 North New Jersey street.

Tenth Ward—No. 92 Massachusetts avenue.

Eleventh Ward—Fire Department Headquarters, corner New York street and Massachusetts avenue.

Twelfth Ward—No. 1 Engine House, on Indiana avenue.

Thirteenth Ward—Church on Blackford street, between Michigan and North streets.

Fourteenth Ward—Southwest corner of Michigan and Blake streets.

Fifteenth Ward—Southwest corner of Maryland and California streets.

Sixteenth Ward—No. 52 Kentucky avenue.

Seventeenth Ward—No. 26 East South street.

Eighteenth Ward—No. 2 Hook and Ladder House, on East South street.

Nineteenth Ward—Southwest corner of Noble and Georgia streets.

Twentieth Ward—Butler Mission Church, on Fletcher avenue.

Twenty-first Ward—No. 23 Prospect street.

Twenty-second Ward—Northwest corner of Virginia avenue and Bradshaw street.

Twenty-third Ward—At Schilling's Hall, on East McCarty street.

Twenty-fourth Ward—No. 17 East McCarty street.

Twenty-fifth Ward—Northwest corner of Ray and Maple streets.

The action of the Common Council in adopting the above resolution (see page 1070, *ante*) was concurred in by the following vote:

AYES, 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

The following resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the following named persons be, and are hereby, appointed as Inspectors and Judges of Election at the general city election to be held on Tuesday, the 3d day of May, 1881:

First Ward—John F. Haneman, Inspector; John E. Watts and Samuel I. Craig, Judges.

Second Ward—Samuel Merrill, Inspector; Richard Carr and Charles W. Bridges, Judges.

Third Ward—William A. Pattison, Inspector; Jacob R. Raynor and Robert McOuat, Judges.

Fourth Ward—Amos Clifford, Inspector; Abel E. Davis and Dennis Sullivan, Judges.

Fifth Ward—Wm. S. R. Tarkington, Inspector; Stephen K. Fletcher and John Darby, Judges.

Sixth Ward—James McMurray, Inspector; Riley Foster and Thomas J. Reiley, Judges.

Seventh Ward—Thomas D. Amos, Inspector; John Rheinschild and Chauncy Aldrich, Judges.

Eighth Ward—Henry C. Buddenbaum, Inspector; Henry C. Zimmerman and John Schier, Judges.

Ninth Ward—George Anderson, Inspector; Isaac Kahn and Felix Deitch, Judges.

Tenth Ward—Arthur L. Wight, Inspector; John Reynolds and Wilmer F. Christian, Judges.

Eleventh Ward—Harvey L. Carey, Inspector; James C. Yohn and Samuel Delzell, Judges.

Twelfth Ward—John A. McGaw, Inspector; Ambrose F. Shortridge and Edward L. Palmer, Judges.

Thirteenth Ward—Henry C. Cox, Inspector; John W. Smithers and Samuel E. Perkins, Judges.

Fourteenth Ward—Moses Broyles, Inspector; Samuel Keers and Daniel Burton, Judges.

Fifteenth Ward—Theodore Buchter, Inspector; George Walters and John Rupp, Judges.

Sixteenth Ward—Adam Scott, Inspector; Albert Byrkit and James Renihan, Judges.

Seventeenth Ward—Benjamin F. Hetherington, Inspector; James Cummins and John Maloney, Judges.

Eighteenth Ward—Joseph W. Marsee, Inspector; John Minteith and O. H. P. Abbott, Judges.

Nineteenth Ward—Gottlob C. Krug, Inspector; George W. Buchanan and Daniel A. Kirk, Judges.

Twentieth Ward—Joseph Morris, Inspector; Wesley M. Adams and Peter Spitzfadden, Judges.

Twenty-first Ward—William F. Browder, Inspector; Samuel S. Rhodes, and Dennis Sullivan, Judges.

Twenty-second Ward—Daniel A. Chenoweth, Inspector; Davis Milner and Benjamin C. Shaw, Judges.

Twenty-third Ward—Michael Steinhauer, Inspector; Charles H. Rockwell and John F. Logan, Judges.

Twenty-fourth Ward—Peter R. Stroup, Inspector; Thomas Fesler and Charles Schmidt, Judges.

Twenty-fifth Ward—John Sourbeer, Inspector; Charles Schrader and George A. Foster, Judges.

The action of the Common Council in adopting the above resolution (see page 1070 and 1071, *ante*) was concurred in by the following vote:

AYES 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

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

G. O. 10, 1881—An Ordinance to divide the City of Indianapolis into wards and Aldermanic districts, and to establish the boundaries of the same, under and by virtue of an act of the General Assembly of the State of Indiana.

G. O. 12, 1881—An Ordinance defining oleomargarine; regulating the sale thereof in the City of Indianapolis, and providing penalties.

Ap. O. 24, 1881—An Ordinance appropriating the sum of \$101.60 for the payment of judgment and interest in the case of John F. Redmond vs. the City of Indianapolis.

On motion by Alderman Layman the rules were suspended for the purpose of placing the above entitled ordinances (G. O. 10, 1881, and G. O. 12, 1881,) on their final passage by the following vote :

AYES 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

G. O. 10, 1881, was then read the second time; read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

G. O. 12, 1881, was then read the second time; read the third time, and passed by the following vote :

AYES, 7—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert, Tucker and President Coburn.

NAYS—None.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Markets and Public Property, through Alderman Tucker, submitted the following report :

To the President and Members of the Board of Aldermen :

Gentlemen:—Your Committees on Markets and Public Property, to whom the following resolution was referred :

Resolved, That the Committee on Public Property be directed to take steps for the immediate conversion of the "Tomlinson Estate property," belonging to the city, into cash, with a view to the speedy erection of public buildings for the use of citizens and city authorities, for *market purposes*, on the south half of square forty-three (43), Indianapolis—such "public buildings" in no event to exceed in cost the amount received from the sale of such property.

Would report: Recommend said resolution be adopted.

Respectfully submitted,

Wm. H. Tucker,

D. W. Grubbs,

Aldermanic Committee.

John R. Pearson,

W. E. Shilling,

Henry J. Mauer,

Council Committee.

The resolution as set forth in the above report; was read and adopted by the following vote :

AYES, 6—viz. Aldermen Hamilton, Layman, Mussman, Newman, Seibert and Tucker.

NAYS, 1—viz. President Coburn.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Hamilton presented the following remonstrance; which was referred to the Board of Public Improvements:

Indianapolis, Ind., March 15th, 1881.

To the Honorable, the City Council of Indianapolis:

The undersigned, petitioners, owners of real estate situated on Oak street, in the City of Indianapolis, would respectfully remonstrate against the passage of an ordinance, now pending before your honorable body, "to pave with brick the sidewalks of Oak street, from Massachusetts avenue to the first alley running east and west north of Cherry street," and would ask that if any improvement of the sidewalks is made that it be made by putting on a fresh coat of gravel.

Mary A. Coburn, 340 feet; T. W. Brandt, 120 feet;
James Carr [his \times mark], 160 feet; Hanah Call, 45
John Hanna, 37 feet; Mrs. Anna Lingenfelter, 70
feet; A. Ballard, 145 $\frac{3}{4}$ feet; Catherine Reece, 42
feet; H. P. Randall, 40 feet; H. Nicolai, 51 feet.

Alderman Hamilton presented the following communication; which was referred to the Committee on Public Property:

Indianapolis, Ind., April 19, 1881.

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

Gentlemen:—We are authorized to offer you the following proposition, to-wit: Twenty-three thousand dollars (\$23,000.00) cash, for what is known as number 34 East Washington street, being 18 feet 6 inches off of the east side of lot number 4, square number 56, in the City of Indianapolis, Indiana, belonging to the City of Indianapolis. Possession to be given upon the execution of deed and payment of the money.

Yours respectfully,

SAWYER & WASSON, Agents.

Alderman Hamilton offered the following motion; which was adopted:

That the Committee on Railroads, City Civil Engineer, and City Attorney be directed to report what, if any thing, can be done to give better protection to citizens from the running of trains at street crossings within the city.

Alderman Mussman offered the following motion; which was referred to the Committee on Railroads:

That the Judiciary Committee, with the City Attorney, be instructed to draw an ordinance regulating the crossing of streets by trains, and report at next meeting.

Alderman Tucker presented the following remonstrance; which was referred to the Board of Public Improvements:

To the President and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on Highland street, City of Indianapolis, respectfully remonstrate against the passage of S. O. 75 of 1879, for the improvement of said street. If said ordinance should be passed by your honorable body, the work would have to be done in accordance with the plan proposed by the Board of Public Improvements on the 6th of December, 1880, which changes the grade of said street from five to seven feet at the intersection on

crossing of Highland and Market street, which said grade as it now stands, was established as the grade of both Market and Highland streets at said point, when Market street was improved. And as the ordinance now pending for the improvement of Highland street was introduced by the City Civil Engineer (see proceedings of Council, Dec. 15, 1879), it will be seen that no one petitioned for it; nor has there been any petition from any party or parties asking a change of the grade on said street, and therefore there is no one responsible under the law for the damages which would be occasioned by said change, and the city would be left to pay all. So that we most earnestly remonstrate against the passage of said ordinance while matters stand in their present shape.

Respectfully,

James L. Mitchell,
J. L. Fisher.

On motion, the Board of Aldermen then adjourned.

H. Coburn , President.

Attest: *Geo. S. Brauning* , Clerk.