

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—AUGUST 15, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber on Monday evening, August 15th, A. D. 1881, at eight o'clock, in regular session.

PRESENT—Hon. Isaac Thalman, President *pro tem.* of the Common Council, in the chair, and 20 members, viz: Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

ABSENT—Councilmen Bryce, Cole, Dean, Fultz, and Yoke—5.

The Proceedings of the Common Council for the regular session held August 1st, 1881, and for the Board of Equalization, held August 1st, 1881, 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 making the below described street improvements, were received:

(S. O. 107, 1881)—For paving with wood blocks the roadway of Meridian street, and bowldering the wings of street and alley crossings thereof from New York street to St. Clair street.

(S. O. 108, 1881)—For paving with wood blocks the roadway of Meridian street and bowldering the wings of street and alley crossings thereof, from St. Clair street to Seventh street.

Councilman Morrison offered the following motion:

The specifications for the improvement of north Meridian street having not been printed until Wednesday evening, August 8th, 1881, and that some of our home contractors have not had sufficient time to get freight rates and the cost of material for said improvement; therefore,

Moved, That the City Clerk be, and is hereby, ordered to re-advertise for the improvement of north Meridian street, according to the plans and specifications now on file in the office of the City Civil Engineer, until Monday, August 22d, 1881, and that bids be received until 4 o'clock P. M. of said date.

Which was adopted by the following vote :

AYES, 10—viz. Councilmen Brundage, Cowie, Harrold, Knodell, Koller, Mauer, Morrison, Reichwein, Stout, and Ward.

NAYS, 5—viz. Councilmen Dowling, Egger, Pearson, Pritchard, and Thalman.

The proposals were then ordered returned to the contractors.

On motion by Councilman Thalman, the proposals were again received.

Councilman Ward moved to reconsider the vote by which the above motion, offered by Councilman Morrison, was adopted.

Which motion was adopted, and the action of the Common Council reconsidered by the following vote :

AYES, 16—viz. Councilmen Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Pearson, Pritchard, Reichwein, Thalman, Ward, and Weaver.

NAYS, 2—viz. Councilmen Morrison, and Stout.

Councilman Thalman then moved to lay Councilman Morrison's motion on the table.

Which motion was adopted.

The proposals for the improvement of Meridian street were then opened and read.

Councilman Pearson moved that when this Council adjourns, it adjourn to meet next Thursday evening.

Which motion was adopted.

Councilman Morrison moved that the proposals for the improvement of Meridian street be referred to the Committee on Contracts, Judiciary Committee and City Attorney, to report at the adjourned session on Thursday evening.

Which motion was adopted, and the proposals so referred.

Sealed proposals for making the below described street improvements, for building one 2,000-barrel cistern on Eddy street, between Merrill street and Pogue's Run, and for removing dead animals from the streets,

alleys and commons of the city of Indianapolis, for the term of one year from July 1st, 1881, were opened, read, and referred to the Committee on Contracts, to report at the adjourned session Thursday evening.

- (S. O. 82, 1880)—For grading and bowldering New Jersey street, and curbing with stone (except where already curbed), the outer edges of the sidewalks thereof, from Washington street to the south line of Lot No. 6, Yandes & Wilkin's subdivision of Square No. 62.
- (S. O. 74, 1881)—For erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Louisiana street, from Alabama street to East street.
- (S. O. 77, 1881)—For grading, bowldering and curbing the gutters of Vermont street, from Illinois street to the Canal, (except where already properly bowldered or curbed.)
- (S. O. 95, 1881)—For erecting lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Morris street, from Meridian street to Dakota street.
- (S. O. 96, 1881)—For grading and graveling Eddy street and sidewalks, from Norwood street to Merrill street.
- (S. O. 104, 1881)—For curbing the sidewalks, and bowldering the gutters of Lock-
erbie street, from East street to Liberty street.
- (S. O. 106, 1881)—For grading and bowldering the gutters of West street, from Washington street to Indiana avenue, where not already properly done.

Councilman Morrison moved to reject the proposals for the removal of dead animals, etc.

Which failed of adoption by the following vote :

AYES, 9—viz. Councilmen Bedford, Brundage, Cowie, Egger, Morrison, Pearson, Stout, Thalman, and Ward.

NAYS, 11—viz. Councilmen Caylor, Coy, Dowling, Harrold, Hartmann, Knodel, Koller, Mauer, Pritchard, Reichwein, and Weaver.

Councilman Morrison presented the following remonstrance and communication; which were referred to the Committee on Contracts :

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

Gentlemen:—The undersigned, owners of the real estate fronting on Vermont street, between Illinois street and the canal, respectfully remonstrate against the passage of an ordinance providing for the improvement of the same.

Wm. Geizendanner, 78 ft.; Mrs. Tudor, by Mrs. R. A. Dumont, 25 ft.; A. Bird, 35½ ft.; Annie J. Phelps, 33½ ft.; William Mansur, 135 ft.; Geo. Merritt, 165 ft.; Mrs Ann Allen, 44 ft.; Mrs Louise Pfafflin, 139 ft.; Maria Clark, 118 ft.; A. F. Shortridge, 28 ft.; N. T. Shortridge, 195 ft.; K. N. Fry, 195 ft.; Sarah Sinker, 29½ ft.; Cornelius King, 284 ft.; Kate Edmunds, 33½ ft.; Ed. L. Palmer, 67½.

Indianapolis, Ind., August 11th, 1881.

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

Gentlemen:—On behalf of the petitioners I will give the reason why they object to this improvement on Vermont street. First, it does not need it. All petitioners except Mr. Moore, Mr. Fahny and Mr. Saner are opposed to this improvement. When these gentlemen took possession of their property on this street, between Illinois and Tennessee streets, it was in good order. The water flowed west on the south side from Illinois street to Tennessee street, and on the north side to the Illinois street sewer. The owners of the property, without permission of the Council, on the north side, took away the bridge over the gutter, hauling gravel, dirt and wooden blocks, and filled up the gutter over two hundred feet from the alley west, preventing the water from either going into Illinois or Tennessee streets. Consequently, when the water falls it overflows the sidewalk and part of the street. Shortly after this work was done, or about the time it was finished, the Street Commissioner came and looked at the work. I did not hear what he said, but understood he ordered it taken away; but it was not removed, and remains a nuisance to this day. These gentlemen wanting their improvement now, went for the Councilman with a vengeance, telling him the improvement must be made.

Now these gentlemen can get a permit to do their work to abate their nuisance, if they will ask the Council, without calling on the balance of the petitioners, many of whom are ladies, not able to pay a dime at this time.

Respectfully, etc.,

A. F. SHORTRIDGE.

REPORT FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Thalman, submitted the following report; which was received, the several recommendations concurred in, and contracts awarded:

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

Gentlemen:—The Committee on Contracts, to whom was referred the following proposals, presented to Council August 1st, 1881, have examined the same and find them to be as follows, viz:

1st. For re-grading and re-bowderring Meridian street, from Washington street to Louisiana street.

John L. Hanna & Co., for re-grading, 75 cents; for re-bowderring, \$2.14; for gutter stones, 36 cents; for re-setting curb, 7 cents; all per lineal foot front on each side.

R. H. Patterson, for re-grading, 60 cents; for re-bowderring, \$2.10; for gutter stones, 35 cents; for re-setting curb, 15 cents; all per lineal foot front on each side.

John Stumph, for re-grading, 35 cents; for re-bowderring, and gutter stones, \$2.75½; for re-setting curb, 7 cents; all per lineal foot front on each side.

H. C. Roney, for re-grading, 85 cents; for re-bowderring, \$1.75; for gutter stones, 36 cents; for re-setting curb, 15 cents; all per lineal foot front on each side.

Richard Carr, for re-grading, 68 cents; for re-bowderring, \$1.98; for gutter stones, 30 cents; for re-setting curb, 7 cents; for straightening curb, 3½ cents; all per lineal foot front on each side.

Robert Kennington, \$2.85 per lineal foot front on each side for the work complete.

Dunning & Hudson, for re-grading, 45 cents; for re-bowderring, \$1.79; for gutter stones, 31 cents; for re-setting the curb, 5 cents; all per lineal foot front on each side.

Dunning & Hudson being the lowest and best bidders, we recommend they be awarded the contract.

2d. For grading, paving with brick, and curbing with stone the south sidewalk of Maryland street, from Missouri street to West street.

John L. Hanna & Co., 53 cents for curbing and 63 cents for paving per lineal foot front.

J. L. Spaulding, 45 cents for curbing and 55 cents for paving per lineal foot front.
H. C. Roney, 41 cents for curbing and 58 cents for paving per lineal foot front.

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

3d. For grading and graveling East Pearl street and sidewalks, from Benton street to Pine street.

R. P. Dunning, 95 cents per lineal foot front on each side.

Michael Foust, 73½ cents per lineal foot front on each side.

J. L. Spaulding, 72 cents per lineal foot front on each side.

James Mahoney, 70 cents per lineal foot front on each side.

James Mahoney being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and graveling the first alley north of Bates street, from Concordia street to Benton street.

Henry Clay, 39 cents per lineal foot front on each side.

J. L. Spaulding, 22 cents per lineal foot front on each side.

James Mahoney, 20 cents per lineal foot front on each side.

James Mahoney being the lowest and best bidder, we recommend he be awarded the contract.

5th. For erecting lamp posts, lamps and fixtures (complete to burn gas, except the service pipes), on Greer street, between Stevens street and Buchanan street.

For the above work no proposals were presented, and we recommend the City Civil Engineer be directed to re-advertise for proposals.

6th. For improving Fletcher avenue, from Cedar street to Dillon street, by grading and bowldering the gutters, widening and grading the sidewalks to the width of twenty feet, and curbing with stone the outer edges of the sidewalks.

John Stumph, for grading and bowldering, 66 cents; for widening the sidewalks, 7 cents; and for curbing, 49 cents per lineal foot front on each side

R. H. Patterson, for bowldering 72 cents and curbing 45 cents per lineal foot front on each side.

Fred. Gansberg, for bowldering 67 cents and curbing 44 cents per lineal foot front on each side.

James Mahoney, for bowldering 65 cents and curbing 45 cents per lineal foot front on each side.

Dunning & Hudson, for bowldering 63 cents and curbing 42 cents per lineal foot front on each side.

H. C. Roney, for bowldering 58 cents and curbing 42 cents per lineal foot front on each side.

August Richter, 97 cents per lineal foot front on each side for the work complete.

August Richter having failed to bid on each part of the work separately, we recommend the contract be awarded to Henry C. Roney.

7th. For improving New York street, from Delaware street to New Jersey street, by widening the sidewalks, curbing with stone the outer edges thereof, and bowldering the gutters.

John Stumph, for widening the sidewalks, 7 cents; for curbing, 49 cents, and for bowldering, 66 cents per lineal foot front on each side.

R. H. Patterson, 69 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.

James Mahoney, 68 cents per lineal foot front on each side for bowldering, and 45 cents per lineal foot front on each side for curbing.
 Fred Gansberg, 65 cents per lineal foot front on each side for bowldering, and 44 cents per lineal foot front on each side for curbing.
 Dunning & Hudson, 63 cents per lineal foot front on each side for bowldering, and 42 cents per lineal foot front on each side for curbing.
 H. C. Roney, 59 cents per lineal foot front on each side for bowldering and 42 cents per lineal foot front on each side for curbing.
 August Richter, \$1.00 per lineal foot front on each side for the work complete.
 August Richter being the lowest and best bidder, we recommend he be awarded the contract.

Isaac Thalman,
 E. H. Koller,
 Committee on Contracts.

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 Robert Kennington, for grading and graveling the first alley east of the intersection of South street and Virginia avenue, from South street to Virginia avenue:

337 lineal feet, at 25 cents	\$84 25
202½ square feet bowldering, at mouth of alley at South street	16 20
Total.	\$100 45

A first and final estimate in behalf of Michael Flaherty, for grading and graveling the first alley east of Pennsylvania street, from St. Joseph street to the first alley north of St. Joseph street:

314 lineal feet, at 20 cents	\$62 80
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A first and final estimate in behalf of Michael Flaherty, for grading and graveling the first alley north of St. Joseph street, from Pennsylvania street to Delaware street:

897½ lineal feet, at 22 cents	\$197 41
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A first and final estimate in behalf of John Stumph, for building one 2,000 barrel cistern, corner of Seventh and Howard streets:

1,995 53 barrels, at 49 cents..	\$977 80
Extra excavation, 110 yards, at 20 cents.....	22 80
Less twenty per cent. reserve	199 60

Amount allowed.....\$800 20

A first and final estimate in behalf of Henry Clay, for grading and graveling Baltimore avenue, from Hill avenue to the north corporate limits:

3,171 lineal feet, at 65 cents.....	\$2,061 16
130½ cubic yards excavating, a ditch, at 25 cents.....	32 50
Total	\$2,093 66

A first and final estimate in behalf of Charles S. Roney, for grading and graveling the first alley west of Alabama street, from Seventh street to the State Ditch:

2,826 $\frac{1}{2}$ lineal feet, at 30 cents.....	\$848 00
62 $\frac{2}{3}$ cubic yards extra excavation at Eighth street, at 25 cents,	15 56
Total	\$863 56

A first and final estimate in behalf of Henry C. Roney, for grading and graveling Chadwick street and sidewalks, from McCarty street to Catharine street:

790 $\frac{1}{2}$ lineal feet, at 49 cents.....	\$387 18
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A second and partial estimate in behalf of Anderson Bruner, for constructing a brick sewer in and along Washington street, from the east line of New Jersey street to, and connecting with, the Washington sewer, at the intersection of Pennsylvania street:

802 $\frac{1}{2}$ lineal feet, at \$11.00.....	\$8,827 50
3 manholes, at 40.00.....	120 00
3 catch-basins, at 80.00.....	240 00
	\$9,187 50
Less 15 per cent reserve.....	1,378 12

Amount allowed.....\$7,809 38

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Robert Kennington, for grading and graveling the first alley east of Virginia avenue, from South street to Virginia avenue, where not already properly improved, 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, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Michael Flaherty for grading and graveling the first alley east of Pennsylvania street, from St. Joseph street to the first alley north of St. Joseph 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, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Michael Flaherty, for grading and graveling the first alley north of St. Joseph street, from Pennsylvania street to Delaware street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

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 Henry Clay, for grading and graveling Baltimore avenue and sidewalks, from Hill avenue to the north corporate limits, 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, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

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 C. S. Roney, for grading and graveling the first alley west of Alabama street, from Seventh street to the State Ditch, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

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 Henry C. Roney, for grading and graveling Chadwick street and sidewalks, from McCarty street to Catharine 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, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

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 second and partial estimate in behalf of Anderson Bruner, for constructing a brick sewer in and along Washington street, from the west line of New Jersey street to, and connecting with, the Washington street sewer, at the intersection of 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, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, and Ward.

NAYS—None.

The City Civil Engineer submitted the following report; which was received :

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

Gentlemen:—According to your direction of August 1st, I have measured the city's portion of the west gutter of New Jersey street, at the first alley south of South street, and find the same to be seventeen lineal feet.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

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

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

Contract and bond of Henry C. Roney, for improving Fletcher avenue; from Cedar street to Dillon street, by grading and bowldering the gutters, widening and grading the sidewalks to the width of twenty feet, and curbing with stone the outer edges of the sidewalks. Bond, \$3,000. Surety, R. P. Dunning and C. S. Roney.

Contract and bond of Henry C. Roney, for grading and paving with brick, and curbing with stone the south sidewalk of Maryland street, from Missouri street to West street. Bond, \$1,000. Surety, C. S. Roney.

Contract and bond of August Richter, for improving New York street, from Delaware street to New Jersey street, by widening the sidewalks, curbing with stone the outer edges thereof, and bowldering the gutters. Bond, \$2,000. Surety, Henrich Burke.

Contract and bond of R. P. Dunning and James W. Hudson, for regrading and rebowldering Meridian street, from Washington street to Louisiana street. Bond, \$15,000. Surety, John Rupp and John Schier.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Clerk submitted the following report; which was received, and the official bonds severally approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith present the official bonds of the following officers elect, who have otherwise qualified by filing with me their certificates of election and oaths of office, viz:

JOSEPH T. MAGNER, City Clerk, penalty of bond, \$5,000; giving as security Vinson Carter and J. D. Condit.

MILLARD F. CONNETT, City Assessor, penalty of bond, \$5,000; giving as security, W. M. Adams and Wm. H. English.

ISAAC N. PATTISON, City Treasurer, penalty of bond, \$1,200,000; giving as security James A. Wildman, Peter M. Wright, R. F. Kennedy, F. A. W. Davis, A. D. Lynch, John L. Ketcham, Sidney M. Dyer, Issac Pattison, W. A. Ketcham, S. Loftin, Herman Lieber, John Clifford, W. A. Pattison, Charles Leonard, J. C. McCutcheon, John Landers, John H. Smith, John J. Cooper, Wm. Essman and Franklin Landers.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

The City Clerk submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

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

John L. Spaulding vs. Samuel F. Montague, for.....	\$8 47
Michael Flaherty vs. Hans C. Jensen, for	6 00
James Mahoney vs. M. E. Byrkit (christian name unknown), for....	20 68
Charles S. Roney vs. James H. Ruddell, for.....	59 00

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion, the above report was concurred in, and the precepts ordered to issue by the following vote:

AYES, 15—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Egger, Harold, Hartmann, Koller, Maurer, Pearson, Pritchard, Reichwein, Stout, and Ward.

NAYS, 1—viz. Councilman Thalman.

The City Clerk presented the following resignation; which was received, and the resignation accepted:

Indianapolis, August 15, 1881.

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

I hereby very respectfully resign my position as Weigh-Master and Wood-Measurer, at the West Market, in this city. I will try to guard the scales as well as I can for the interest of the city, until a successor may take possession.

Thankful for past favors, I am, very respectfully,

MASTER DASHIELL.

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

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

Gentlemen:—I herewith submit and ask leave to introduce, at the request of the Board of Aldermen, an ordinance in reference to the movement of trains at street crossings within the city.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

The following entitled ordinance, presented with the above report, was read the first time:

G. O. 41, 1881—An Ordinance to prevent railroad companies, or the owners of private side-tracks from blockading the streets and alleys of the city, by allowing locomotive engines and cars to stand or remain thereon, and prescribing penalties for the violation thereof.

William Hadley, rental agent, presened the following report; which was received:

Indianapolis, August 15th, 1881.

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

Gentlemen:—I herewith submit a report of the collections of the rents for the month of July, 1881, with the Treasurer's receipt therefor:

Received of Mrs. R. W. Cain, 30 east Ohio street.....	\$15 00
Received of Theodore Zumbush, 23 west Ohio street.....	35 00
Received of Mary A. Dyer, 113 north Illinois street.....	25 00
Received of H. C. Overman, 115 north Illinois street.....	25 00
Received of W. H. Mahone, 117 north Illinois street.....	25 00
Total receipts.....	\$125 00
Less 3½ per cent. commission	4 37½
	\$117 63

Respectfully submitted,

WILLIAM HADLEY, Agent.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the following report; which was received:

Report of Deaths in the City of Indianapolis, from the 31st day of July, to the 15th day of August, 1881—inclusive.

Under 1 year.....	28
1 to 2 years.....	8
2 to 5 ".....	4
5 to 10 ".....	2
10 to 15 ".....	0
15 to 20 ".....	5
20 to 25 ".....	12
25 to 30 ".....	7
30 to 40 ".....	2
40 to 50 ".....	4
50 to 60 ".....	5

60 to 70 years.....	3
70 to 80 ".....	3
80 to 90 ".....	3
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	0
Total.....	86

Respectfully, E. S. ELDER, M. D., President.
W. E. JEFFRIES, M. D., Secretary.

The Board of Health submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—The Board of Health makes a report on the following motion, to us referred:

"That the Board of Health be, and is hereby, requested to investigate and abate the nuisance caused by the standing of water at the head of Meek street, north side, at the intersection of Dillon street, south of the Junction railroad."

The above pond has been examined by the sanitary officer, and he reports that the same has been drained so far as practicable, and that the only means of abating the nuisance is to fill up the pond. The Board of Health would therefore recommend that your honorable bodies order this pond filled as soon as possible.

Very respectfully,

E. S. Elder,
W. E. Jeffries,
Wm. J. Elstun,
Board of Health.

The Board of Health submitted the following report:

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

Gentlemen:—The Board of Health, at a meeting held August 12th, 1881, after hearing a report from Councilmen Coy and Knodle [The above Councilmen were present and represented citizens, and on their own account entered complaint against the slaughtering house and grease rendering establishment of Dr. M. H. Wright, alleging that it is a nuisance, and asking this board to make a report to the Council on the subject.] the following notice was ordered sent to the proprietor of the said establishment, and that a copy of the said notice be reported to the Council at next regular meeting:

"Dr. M. H. Wright:

Sir:—Complaints have recently been made to this board by citizens and business men that your slaughtering and grease rendering establishment, on the land of the Stockyard Company, is not being conducted in accordance with the ordinance governing the same; and that it is at present a nuisance, on account of offensive odors emanating from the same; that dead animals, in such a state of decomposition as to be an offensive nuisance and deliterious to the health of citizens in the vicinity, are being rendered there, in violation of the ordinance under which you are operating. You are hereby notified to immediately proceed to correct the management of your establishment as to bring it within the ordinance."

E. S. Elder, M. D., Pres.,
W. E. Jeffries, M. D., Sec.,
W. J. Elstun, M. D.,
Board of Health.

Councilman Morrison moved to refer the above report to a special committee of three.

On motion by Councilman Cowie, action on the above report, was temporarily postponed until the Committee on Public Health submitted their report.

REPORTS, ETC., FROM STANDING COMMITTEES.

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

To the Mayor and Common Council:

23 *Gentlemen*:—Your Committee on Finance having received the accompanying petition from W. G. Wasson, City Treasurer, recommend that he be authorized to collect the taxes according to said petition.

Respectfully submitted, John R. Pearson,
Isaac Thalman,
E. H. Koller,
B. Ward,
Frederick Hartmann,
Committee.

Councilman Pearson presented the following communication:

Indianapolis, July 28th, 1881.

To the Members of the Finance Committee, City of Indianapolis:

Gentlemen:—On or before the last day for receiving current taxes, General Coburn requested me to make out his tax receipts and hold for him, to avoid the penalties and costs. I promised him in good faith I would do so, but, owing to the rush of business at that time, his case was overlooked, and his taxes went delinquent through no fault of his.

I would therefore most respectfully ask the honorable Committee of Finance to authorize me to receive the taxes of General Coburn for the year 1880 as current:

Very respectfully,

WM. G. WASSON, Treasurer of City of Indianapolis.

Which report was concurred in by the following vote:

AYES, 12—viz. Councilmen Bedford, Cowie, Dowling, Egger, Hartmann, Knodel, Koller, Pearson, Reichwein, Stout, Thalman, and Ward.

NAYS, 7—viz. Councilmen Brundage, Caylor, Coy, Harrold, Mauer, Morrison, and Pritchard.

The Finance Committee, through Councilman Pearson, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Finance, to whom was referred the reports of City Treasurer, City Clerk, and Chief Fire Engineer for the month of July, 1881, would report, we have compared the same with the books of said officers and found the reports made to your honorable body to be in form and accurate. We therefore recommend approval of the same.

Respectfully submitted, John R. Pearson,
Isaac Thalman,
B. Ward,
E. H. Koller,
F. Hartmann,
Committee.

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

Indianapolis, August 15th, 1881.

To the Mayor and Common Council:

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

The first is the petition of E. B. Hutchison, showing that on the 10th day of February, 1880, he purchased a tax certificate on the north half of lot 3, square 28, in L. D. Johnson's subdivision of Johnson's heirs addition, for which he paid the sum of \$27.58. He says the above sale was erroneous, from the fact that the property described was absorbed in Gerrand's subdivision of square 28. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the \$27.58, with interest from the date of purchase, be refunded to petitioner.

The second is the petition of M. L. McWhinney, showing that on the 9th day of February, 1880, he purchased tax certificate on 35 feet south of 68 feet north ends of lots 7 and 8, square 3, Harris' subdivision of out-lot 157, for which he paid the sum of \$45.27, sold in the name of Amelia Chism. The above sale was erroneous, as the same property was charged double on duplicate, being in name of M. A. Tahoev, also. The City Treasurer informed your committee that the facts stated in the petition are true.

Your committee, therefore, recommend that the sum of \$45.27, with interest from date of purchase, be refunded to petitioner.

The third is the petition of J. W. Hadley, showing that on the 13th day of February, 1880, he purchased a tax certificate on lot 25, out-lot 105, sold in name of Thomas Walsh, for which he paid \$21.09. The sale was erroneous, from the fact that the description should be 25 feet north side of lot 25, Merrill's subdivision of out-lot 105. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$21.09, with interest from date of purchase, be refunded to petitioner.

The fourth is the petition of Hiram Cohen, showing that on the 10th day of February, 1880, he purchased a tax certificate on lot 282, Fletcher's et al. subdivisions of out-lot 98, sold in the name of E. T., S. K., S. A., and A. E. Fletcher, for which he paid \$11.45. The sale was erroneous, as the same property was charged double on duplicate, in name of Fletcher S. Hines, also. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$11.45, with interest from date of purchase, be refunded to petitioner.

The fifth is the petition of G. R. Fries, showing that on the 13th day of February, 1880, he purchased tax certificate on lot 436, Fletcher's et al. subdivision of out-lot 98, for which he paid the sum of \$30.12, sold in name of William Teal. The sale was erroneous, from the fact that the same property was charged double on duplicate, in name of M. A. Birer, also, and paid in that name. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$30.12, with interest from date of purchase, be refunded to petitioner.

The sixth is the petition of James G. Douglass, showing that on the 12th day of February, 1879, he purchased a tax certificate on lot 40, Blake's subdivision of out lot 169, in name of Jas. H. Perry, for which he paid the sum of \$50.30. The sale was erroneous, for the reason that the delinquency against the lot had been paid previous to the sale, and still carried against the lot. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$50.30, with interest from date of purchase, be refunded to petitioner.

The seventh is the petition of J. A. Moore, showing that on the 29th day of January, 1881, he paid taxes for 1880, on lot No. 7, Seidensticker's subdivision of out-lot 15, in name of Jacob L. Green. Upon examination it was found that there was an overcharge in computing the tax of \$5.30. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$5.30 be refunded to petitioner.

The eighth is the petition of Frank McWhinney, showing: 1st. That on 19th day of August, 1880, he purchased tax certificate on lot No. 37, Kapp & Frank's subdivision, B. F. Morris' addition, for which he paid \$3.52. Sale was void, from the fact the description should have been lot 37, Kapp & Frank's south addition.

2d. That on 11th day of February, 1880, 20 4-12 feet on Louisiana street, west of 63 8-12 feet, east end, lot 6, in square 87, sold in name of Frank McWhinney, for the sum of \$126.17. The sale was void, for the reason the property was double on duplicate, being in name of George P. Bissell, trustee, and the taxes paid.

3d. Purchased lot 5, G. G. & H.'s subdivision, D. T.'s addition, on October 29th, 1879, for the sum of \$10 97, sold in name of McWhinney, and is double, in name of G. Dollman, and taxes paid.

4th. That on August 19th, 1880, petitioner purchased $\frac{1}{2}$ acre east of 52-100 acres, west side of lot 21, Cross' addition, for which he paid the sum of \$15 32. The sale was erroneous, for the reason that the property described was absorbed in the laying out of the lots.

5th. That on 11th day of February, 1880, petitioner purchased (except 30 feet south of 156 feet north end of) lot 130, in McKernan & Pierce's subdivision of out-lots 121-8, and paid the sum of \$14.70, and since paid taxes of 1880, \$6.42.

Petitioner asks that these five several sums of money be refunded. The City Treasurer informed your committee that the facts stated in all items of petition are true.

Your committee, therefore, recommend that the several sums mentioned in items 1, 2, 3, and 4 of this report, be refunded, with interest; but that the \$14.70, and \$6.42, mentioned in item 5, be not refunded, as there is no reason stated in petition showing why it should be.

The 9th is the petition of J. H. Vajen, showing that on the 19th day of April, 1880, he paid the City Treasurer the sum of \$12.78, being the city taxes for 1876, 1877, 1878, and 1879, on lot 94, in Patterson's addition to Indianapolis, in name of Martha Yard. The above property was sold for the taxes of aforesaid years, on 10th day of February, 1880, to M. L. McWhinney. The property was not marked sold on the duplicate. The payment of the tax was therefore erroneous, for the reason that the city had already received the tax by sale. The City Treasurer informed your committee that the facts stated in petition are true.

Your committee, therefore, recommend that the sum of \$12.78 be refunded to petitioner.

The tenth is the petition of the Indianapolis Oil Tank Line Company, by E. L. Williams, asking the vacation of an alley in the Indianapolis, Cincinnati and Lawrenceburg Railroad Company's addition, and subdivision of out-lot 90.

We recommend that the petition be referred to the Committee on Streets and Alleys.

The eleventh is the petition of Michael T. Morarity, showing that in 1878 one Joshua R. McKibben was the owner, in fee, of a certain five acre tract of land in D. I. & C. Railroad Co.'s addition to Indianapolis. Said McKibben failed to pay his taxes, and on the 13th day of February, 1878, the property was sold at tax sale, the petitioner, Michael T. Morarity, being the purchaser. He bid the sum of \$246 99. Of this sum was \$89.60 for general city purposes, the rate being \$1.12. As holder of tax certificate he paid city taxes on same real estate: For 1878, \$75.60; for 1879, \$56.73; for 1880, \$55.64.

The several sums paid as city taxes, in excess of township taxes, for same years, was:

For 1877.....	\$63 20
For 1878.....	43 40
For 1879.....	37 82
For 1880.....	42 12
Total.....	\$186 24

The tax law of 1877 provides that lands lying within the limits of any city, and used only for agricultural purposes, &c., should not be taxed for general city purposes at a higher rate than was assessed against lands in outside townships for township purposes.

By act of March 21st, 1879, it is provided that lands containing five acres, lying within the limits of any city, and not platted as city property, and not used for other than agricultural purposes, should not be taxed for general city purposes at a higher rate than the aggregate township tax in township wherein said tract may be located.

As already stated, the petitioner alleges that he has paid in the aggregate \$186.54 to city, as general city taxes, in excess of the township taxes for same years, and therefore asks that said sum of \$186.54 be refunded to him.

Three good reasons may be assigned why prayer of petitioner should not be granted:

1st. The State law provides that where there is a piece of land, five acres in size, used for agricultural purposes, "and not platted as city property," the rate of taxation in city shall not be higher than rate in township. The petitioner states in his petition that the ground upon which he has paid these excessive taxes is "lot No. —, D. I. & C. Railroad Co.'s addition to the City of Indianapolis," showing that the real estate in question has been platted for city purposes. It is, therefore, subject to same rate of taxation imposed upon other city property. It follows, therefore, that petitioner has paid the true and correct amount of taxes due upon the real estate in question.

2d. Whether this be true or not, the petitioner is not the party to complain. This is the right of McKibben, the owner of the property. The petitioner bought the property at tax sale, and has received just what he bought, to-wit: a *tax certificate*.

3d. The third and last reason we will assign is, that the payment by petitioner of the several sums of taxes were all *voluntary*, and can not be recovered at law. He paid them in the spring, when the Treasurer could not have sold for taxes.

Your committee recommend that the prayer of petition be not granted.

The twelfth is the petition of Henry Emrich, showing that he is the guardian of George A. Drechsel, a minor, and that the minor's estate consists of money. Petitioner says that for year 1880 he put in the personal estate of said minor along with his own, and paid taxes thereon. Of course, in his assessment return for taxes, making oath that it was all his property. Petitioner further says, that Geo. Drechsel's property was assessed in his own name and the taxes, amounting to \$19.00, were paid by the minor. Petitioner now asks that the sum of \$19.00 be refunded to him.

Your committee recommend that the prayer of petition be not granted.

Respectfully submitted,

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

JOHN A. HENRY, City Attorney.

The Committee on Printing, through Councilman Bedford, submitted the following report:

Indianapolis, August 15th, 1881.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Printing, to whom was referred the following motion from the Board of Aldermen in reference to the City Clerk advertising for proposals for advertising, publishing delinquent list, and for posting bills, for the City of Indianapolis for the year ending with August 1st, 1882, would report that we have investigated the same, and are of the opinion that the present contracts are very low, and, in all probability, lower than could be secured if the work was to be re-let. We would therefore recommend that the contracts for advertising, publishing the delinquent list, and for posting bills, be continued for one year, said contracts to end with August 1st, 1882.

Respectfully submitted,

C. T. Bedford,
Edgar Brundage,
Committee on Printing.

On motion, the above report was not concurred in.

Councilman Thalman offered the following motion ; which was adopted:

That the Committee on Printing be directed to advertise and receive proposals for doing the city advertising, publishing the delinquent list, and bill posting, for the ensuing year.

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

Indianapolis, August 15th, 1881.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Health, to whom was referred the complaint of Board of Health in reference to the gutter in front of the New York Furniture Factory, on Pennsylvania street, near South street, would report that we are of the opinion that the same is a nuisance, and would recommend that there be an ordinance introduced to bowlder the same.

Respectfully submitted,

C. T. Bedford,
Phil. Reichwein,
Sim. Coy,
Committee on Public Health.

The Committee on Public Health, through Councilman Bedford, submitted the following report with the following communication :

To the Mayor and Common Council:

Gentlemen:—Your Committee of Public Health, to whom was referred the petition of Birk & Miller and others, in reference to the fact that certain parties have erected a tank house near stock yards, and are now carrying on the business of rendering up dead hogs, etc., into grease and fertilizing material, etc., setting forth that the same is contrary to the ordinance, and also that the same is a nuisance, and to the great injury of the public health of the city and citizens thereof, would respectfully report that we have investigated the same, and are of the opinion that the parties complained of are confining themselves within the bounds of their ordinance. As to the nuisance part, we think there is not sufficient grounds for complaint. We would recommend :

1st. The city owns the Sellers Farm, and has dedicated the same to the establishment of obnoxious trades thereon.

2d. In 1878 an ordinance was passed fully regulating all noxious trades in relation to dead animal matter.

3d. In 1881 the Council granted M. H. Wright and others privileges to carry on such business on grounds owned by the Union Stock Yards Company, much nearer the city limits.

We therefore recommend that the ordinance of 1878, confining such business to the Sellers Farm, be repealed, that competition be made fair.

Respectfully submitted,

C. T. Bedford,
Phil. Reichwein,
Sim. Coy,
Committee on Public Health.

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

Gentlemen:—We, the undersigned, doing business at the Stock Yards, having heard of and read the petition of Birk & Miller, and others, asking for the removal of the packing and grease rendering establishment lately erected by M. H. Wright and others, do hereby enter our protest for the several reasons hereinafter mentioned.

1st. The establishment built by M. H. Wright was put up in the interest of, and for the protection of, our large and growing business, which heretofore has suffered largely at the hands of Birk & Miller, they being the only buyers of dead animals, compelling us to take little or nothing for the stock of this kind; causing shippers to go to Chicago, Cincinnati and other points, where they were always sure of getting a fair price for any and all dead stock.

2d. The establishment built by said Wright and others is intended further to protect the interest of the Stock Yard Company and the commission men doing business here, by killing and packing the large number of crippled and broken down hogs that are very hard to get rid of in the fall and winter season, and that can not be handled to any advantage by any other establishment, on account of the long distance to haul them. This class of stock is handled at Chicago right in the yards, and, as we must compete with the aforesaid market, we are compelled to adopt such measures as will promote the best interest of the shippers, to whom we must cater, and who is not slow to take advantage of the market offering the most inducements, and *no one thing* has greater weight with this class of men than the price he gets for his dead and crippled stock. Heretofore all the injured and crippled hogs have been sold to butchers at a merely nominal figure, and have been used by the people of Indianapolis, when in reality said crippled hogs were not fit to be killed and sold to the citizens to be consumed as fresh pork. The new packing house will do away in a large measure with the consumption of diseased meat in the City of Indianapolis.

3d. The City of Indianapolis has five hundred thousand dollars interest in the Belt Railroad and Stock Yard Company, and, as the success of the aforesaid Stock Yard Company is largely dependent upon our efforts, the City Council can not afford to throw any obstacle in our way that has a tendency to add to the amount of business transacted here, and *this rendering and packing house is necessary and essential* to our welfare, and that of every person interested in any way in the stock business in or at the City of Indianapolis.

4th. Our arrangements are such with M. H. Wright that we have at all times the making of the price to be paid to our customers for the dead and crippled stock, thereby insuring the protection of the men on whom we are dependent for our business, and for our future trade.

5th. There is positively nothing about the aforesaid packing and rendering house that is in the least objectionable, it being kept as clean as is any pork house in the city, and there is *positively no odor* arising from it at any time, or in any way.

6th. The petition headed by Birk & Miller is the result of malice at their inability to still hold the monopoly which has heretofore made them so much money, and at the same time worked so much against the increase and development of our business, to which we devote our earnest and best efforts.

7th. Messrs. Birk & Miller have always left the dead hogs on the unloading platform in the sun until they became a nuisance to every one doing business at the Stock Yards, and we can now have them removed as soon as they are unloaded, thereby rendering our business more pleasant and agreeable; we can, further, have the hogs weighed, and thereby render a more satisfactory account to our customers and shippers.

8th. Messrs. Birk & Miller have openly stated that M. H. Wright and others had no right to start in opposition to them, and that they, Birk & Miller, would spend ten thousand dollars to defeat and break up the aforesaid Wright and others.

We do not propose to further worry your honorable body by giving reasons why this packing and rendering house should be left alone, as you can readily see by a proper investigation of the matter that it is no nuisance; that it is essential to our future prosperity, and to the prosperity of our enterprise, in which the City of Indianapolis is largely interested; was built in accordance with an ordinance granting certain rights and privileges to M. H. Wright, which rights and privileges have in no instance been overstepped; and we are certain M. H. Wright will comply with all the requirements of the law, and the ordinance regulating all such places.

All of which is most respectfully submitted.

(Signed)

BELT RAILROAD AND STOCK YARD COMPANY,
A. DOWNING, General Manager.

Bernhizer & Palmston, Frank Reynolds, M. Sells & Co., Fort De & George, Middlesworth & Graybill, W. H. Coburn, P. H. Flaherty, Alexander & Kahn, Jas. L. Donaldson, M. C. Shortridge & Co., A. Baker & Co., E. Nichols, J. H. Donaldson, F. M. Malone & Co., Fred. Weelbury, John Mitchell, J. B. Walker, W. S. Jordan, Wm. A. Zion, Jeff. Caldwell, McKee & Co., George W. Jenks, Joseph T. Fanning, Henry W. Kapples, W. D. Ernst, Louis Schouacker, Nettie P. Johnson, H. G. Downing, John J. Haughton.

Councilman Knodel presented the following protest:

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

Gentlemen:—The undersigned, your petitioners, earnestly ask you to remove to the Sellers Farm, or some other place, the establishment maintained by M. H. Wright. This establishment is a nuisance, and is both injurious and annoying.

Michael Walch, E. K. Morris, Peter Naughton, Wm. Delacy, Daniel Bernd, Peter Bernd, George C. Doremus, C. Hardin, Thomas Madden, L. W. Ott, Henry W. Langenberg, William Nephaus, Chas. H. Broich, H. Wernging, A. M. Preston, Thos. Albertsmeier, H. Altmann, J. A. Buchanan, Chas. Wagner, S. R. Danner, George Dixon, Chas. F. Danner, H. Colman, W. Reck, J. Fulkur, P. Leck, James Smith, Chas. Ott, S. Johnston, Wm. Dwire, R. Redding, Sam Banister, W. Frink, A. Fletcher, Al. Paddock, F. Reisner, Joe Wagner, A. Shyroek, P. Hervy, S. Colter, F. R. Bosch, R. A. Schlicht, Michael Hamill, L. Hervy.

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

Gentlemen:—Your petitioners, whose names are signed to this paper, ask you to remove the establishment now conducted by M. H. Wright. The same is a nuisance to us, and injurious to both health and property. It smells bad, very bad. Will you take it further away from us?

Gus. Ernst, Christ. Waland, Peter Kratzch, Otto Ault,
Fred Meyer, Chas. W. Dauer, C. Doenges, M. Hofmann, Wm. H. Sherer.

On motion by Councilman Dowling, the above papers, and the whole subject, was referred to the Committees on Judiciary and Public Health.

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

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

Gentlemen:—Your Committee on Public Light, to whom was referred the propositions of the Brush Electric Light and Power Company, and also sundry other motions and papers, beg leave to report as follows:

In reference to the electric light, we submit the accompanying communication from the company, withdrawing all former propositions, and submit the accompanying ordinance, which we ask your honorable body to pass. The ordinance only asks for permission to use the streets for the term of five years, without any supposition or guarantee on the part of the city that the city will contract for the light. The rights of the city are most carefully guarded in the matter of placing the streets in good condition, and we furthermore guard the interests of the city by placing an article in the ordinance plainly forbidding any construction to be placed on the wording of the ordinance that would give the Brush Electric Light and Power Company any exclusive rights or privileges. We therefore recommend that the ordinance as presented be passed by this Council.

Your Committee had referred back to them their recommendation of the placing of two additional lamps on West street, and the erection of two lamps on Merrill street, at the crossing of the J., M. & I. Railroad. We again renew our recommendation of the placing of the lamps on said streets, and recommend the following lamps be dismantled, to enable the foregoing lamps to be placed as indicated above. One in front of 203 Massachusetts avenue, said lamp-post to be removed; one lamp on west side of Central avenue, between Lincoln avenue and the first alley north; one lamp on south side of Seventh street, first lamp west of College avenue.

Respectfully submitted,

H. B. Stout,
Jas. T. Dowling,
Committee on Public Light.

Councilman Dowling presented the following proposition:

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

Gentlemen:—The Indianapolis Brush Electric Light and Power Company respectfully withdraw so much of any and all propositions heretofore submitted to you for lighting the city as proposes or requires any contract on the part of the city to take or pay for light, and only ask that you pass an ordinance, well guarding the interests of the city, and giving to us such privileges and use of the streets and alleys and public grounds as may be required for the erection of the necessary towers, masts, or posts, for the suspension of wires and lights.

Respectfully submitted,

THE INDIANAPOLIS BRUSH ELECTRIC LIGHT AND POWER COMPANY,
By JOHN CAVEN, President.

The following entitled ordinance, presented with the foregoing report of the Committee on Public Light, was read the first time :

G. O. 42, 1881—An Ordinance investing the Indianapolis Brush Electric Light and Power Company with the privilege of erecting and maintaining Towers and Masts, or Posts, necessary for the purpose of supplying Indianapolis and its inhabitants with Electric Light and Power.

Councilman Dowling moved that the rules be suspended for the purpose of placing G. O. 42, 1881, on its final passage.

Which motion was adopted, and the rules suspended by the following vote :

AYES, 19—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harfold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

NAYS, 1—viz. Councilman Morrison.

G. O. 42, 1881, was then read the second time.

Councilman Pritchard moved that the above ordinance be amended, by adding to the last line of Section one, the words "and the location of said Masts or Towers, and Posts, to be designated by the Common Council and Board of Aldermen."

Which motion was adopted, and the ordinance so amended.

Councilman Morrison moved that the ordinance be printed, and made special order for next Thursday night.

Which motion failed of adoption.

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

AYES, 19—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Dowling, Egger, Harrold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

NAYS, 1—viz. Councilman Morrison.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and, on motion, the Common Council receded from their former action :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Wednesday evening, August 3d, 1881, failed to concur in your action of August 1st, 1881, in adopting the following motion :

"That the Street Commissioner be, and is hereby, directed to cut the Canadian thistles on College avenue, between Seventh and Eighth streets, east side."

I submit the above for your consideration.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

Councilman Dowling, being paired with Councilman Pritchard, asked to be excused.

Which request was granted.

The following message was read :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in adjourned session, held Wednesday evening, August 3d, 1881, in the Aldermanic Chamber, failed to pass the following entitled ordinances, thereby non-concurring in your action :

"S. O. 36, 1881—An Ordinance for the erection of lamp-posts, etc, on Dillon street, between Prospect street and Elm street."

"S. O. 99, 1881—An Ordinance for the erection of lamp-posts, etc., on Hosbrook street, from Grove street to Elk street."

"S. O. 104, 1880—An Ordinance for the erection of lamp-posts, etc., on California street, between Indiana avenue and First street."

"S. O. 113, 1880—An Ordinance for the erection of lamp-posts, etc., on Broadway street, between Seventh and Tenth streets."

I submit the same for your consideration.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

On motion, the Common Council receded from their former action in passing the foregoing entitled ordinances ; and, on motion by Councilman Pearson, the ordinances were stricken from the files.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in adjourned session, held Wednesday evening, August 3d, 1881, adopted the following motion :

"That this Board will not pass upon any further appropriation ordinances, except regular salary ordinances, until estimates for the fiscal year for the several departments shall have been reported to this Board and adopted."

I submit the same for your consideration.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

The following message was read ; and, on motion, the action of the Board of Aldermen was concurred in :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in adjourned session, held in the Aldermanic Chamber, Wednesday evening, August 3d, 1881, concurred in your action in

adopting the report of the Committee on Public Health in relation to the water supply and the extension of a filtering galley, with the following recommendation: "That the galley be extended so as to avoid the necessity of connecting with the river, which we think objectionable."

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and the motion concurrently adopted:

To the Mayor and Common Council:

Gentlemen:—At the meeting of the Board of Aldermen, held August 1st, 1881, the following motion was offered and adopted, viz:

"That whenever the Street Commissioner finds the crossings of railroads out of repair, he shall notify such road through the City Attorney, who shall warn said road that repairs must be made within thirty days after notice has been served, or suit will be instituted by the city."

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and the ordinance was referred to the Judiciary Committee, with instructions to report a codified ordinance:

To the Mayor and Common Council:

Gentlemen:—At the session of the Board of Aldermen held August 1st, 1881, said body adopted the following motion, viz:

"The City Council is respectfully requested to forward the ordinance pending before that body, providing for the impounding of horses, etc."

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

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

To the Mayor and Common Council:

Gentlemen:—At the session of the Board of Aldermen held August 1st, 1881, said body amended the following motion (adopted by your honorable body July 25th, 1881) by striking out all after the words, "Fifteen days":

"That the City Marshal be, and is hereby, instructed to again notify the officers of the P., C. & St. L and the C., H. & D. Railways to repair and replank their crossing of the tracks of said railroads at their intersection with Noble street, within fifteen days; and, if not done in said time, said work be done by the Street Commissioner, at the expense of said railway companies."

The above motion, as amended, was then adopted.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its session held August 1st, 1881, amended the following motion (adopted by your honorable body July 25th, 1881) by striking out all after the words "said street," and then added the following words, "Within thirty days from date of notice":

"That the City Marshal be, and is hereby, directed, to notify the P., C. & St. L. and the C., H. & D. Railway Companies to plank their track, according to the term of their charter, on Grant street, at the intersection of their tracks and said street; and, if not done within twenty days from the date of notice, the Street Commissioner is hereby instructed and directed to do the same at the expense of said companies."

The above motion, as amended, was then adopted.

For the Board of Aldermen:

GEO. T. BREUNIG

I.

APPROPRIATION ORDINANCES.

Councilman Cowie introduced the following entitled ordinance, which was read the first time:

Ap. O. 52, 1881—An Ordinance appropriating the sum of Five Thousand Dollars on account of the Street Repairs Department of the city of Indianapolis.

Councilman Cowie moved to suspend the rules for the purpose of placing Ap. O. 52, 1881, on its final passage.

Which motion was adopted, and the rules suspended by the following vote:

AYES, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Egger, Harold, Hartmann, Knodel, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

NAYS—None.

Ap. O. 52, 1881, was then read the second time.

Councilman Thalman moved to amend the above ordinance by inserting five hundred dollars for the use of the Chief Fire Engineer, to be expended by him under the direction of the Fire Board.

Which amendment was adopted.

The ordinance, as amended, was then ordered engrossed, and read the third time.

Ap. O. 52, 1881—An Ordinance appropriating the sum of Five Thousand Dollars on account of the Street Repairs Department, and Five Hundred Dollars in favor of the Chief Fire Engineer of the city of Indianapolis.

And it was passed by the following vote:

AYES, 19—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Egger, Harold, Hartmann, Knodel, Koller, Mauer, Morrison, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

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 Bedford:

S. O. 136, 1881—An Ordinance to provide for grading and paving with brick, and curbing with stone, the east sidewalk of Pine street, from St. Clair street to the first alley south.

The above entitled ordinance was accompanied by the following petition:

Indianapolis, July 4th, 1881.

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

Gentlemen:—The undersigned, owners of real estate fronting on north Pine street, from St. Clair street to the first alley south, respectfully petition for the passage of an ordinance to provide for paving with brick and curbing with stone the outer edges of the sidewalks.

And your petitioner will ever pray, etc.

CATHARINE REINKEN.

By Councilman Coy:

S. O. 137, 1881—An Ordinance to provide for grading, bowldering and curbing, the east gutter of Pennsylvania street, from South street to Gardor street.

By Councilman Mauer:

S. O. 138, 1881—An Ordinance to provide for grading and paving with brick, and curbing with stone, the south sidewalk of New York street, from Bright street to the Mill Race.

By Councilman Mauer:

S. O. 139, 1881—An Ordinance to provide for grading and paving with brick, and curbing with stone, the north sidewalk of New York street, from Bright street to the Mill Race.

By Councilman Morrison:

G. O. 43, 1881—An Ordinance to provide for the licensing of Public Inns, Taverns, Hotels, and other places kept for public entertainment; also, all shops or other places kept for the sale of articles to be used in and upon the premises, and prescribing penalties for the violation thereof.

By Councilman Morrison:

G. O. 44, 1881—An Ordinance to provide for the licensing of all places where tables, alleys, machines and devices of any kind for sports or games are kept for pay or hire, within the city of Indianapolis, and providing a penalty for the violation thereof.

Councilman Morrison offered the following motion; which was adopted:

That all ordinances now on file providing for the licensing of certain business being G. Os. No. 38, 43 and 44, 1881, be referred to the Finance Committee, Committee on Judiciary and City Attorney, with direction to report at the next regular meeting of the Council, whether or not such ordinances are authorized by the charter, and with authority to report such amendments thereto as they deem proper.

By Councilman Koller :

S. O. 140, 1881—An Ordinance to provide for grading and graveling New York street and sidewalks, from Pine street to Harvey street.

By Councilman Pritchard :

S. O. 141, 1881—An Ordinance to provide for building a brick sewer in, and along, the first alley east of Meridian street, to, and connecting with, the Georgia street sewer, and providing for the assessment and collection of the cost thereof.

The above entitled ordinance was accompanied by the following petition :

Indianapolis, August 13th, 1881.

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

Gentlemen:—The undersigned, owners of real estate fronting on the first alley east of Meridian street, between Maryland and Georgia streets, respectfully petition for the passage of an ordinance providing for a two (2) foot brick sewer in and along said alley, from Maryland street to, and connecting with, the Georgia street sewer at said alley.

Jason S. Carey, Murphy & Holliday, J. B. Suitt.

By Councilman Stout :

G. O. 45, 1881—An Ordinance to require a license to be paid by persons licensed to sell intoxicating liquors in the city of Indianapolis, under the provisions of any law of the State of Indiana, and prescribing penalties for the violation thereof.

On motion, the above ordinance was referred to the Committees on Finance and Judiciary, and City Attorney, to report at next regular meeting.

By Councilman Ward :

S. O. 142, 1881—An Ordinance to provide for grading and paving with brick (where not already properly paved), the north sidewalk of St. Marys street, from Delaware street to Alabama street.

The above entitled ordinance was accompanied by the following petition :

Indianapolis, August 15th, 1881.

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

Gentlemen:—The undersigned, owners of real estate fronting on St. Marys street, between Delaware street and Alabama street, respectfully petition for the passage of an ordinance providing for the grading and paving with good, hard paving

brick the sidewalk on the north side of St. Marys street, between Delaware and Alabama streets, except where the same is now so paved, and allowing credit to the owners of the property where the same is now so paved.

And your petitioners will ever pray, etc.

L. Alward, F. W. Schulmeyer, Mrs. E. A. Wilmington,
W. C. Newcomb, Fred Mangold, A. E. Fletcher,
J. Grime, E. W. Halford, Jno. P. Cuese.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bedford presented the following remonstrance; which was referred to the Board of Public Improvements, with the ordinance S. O. 114, 1881:

Indianapolis, August 12, 1881.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Broadway street, between Christian avenue and St. Clair street, respectfully remonstrate against the passage of an ordinance providing for the grading and paving the sidewalk on the west side of Broadway street, between the above named streets.

A. W. and N. J. Parrish, 120 ft.; Margaret Everson,
80 ft.; Rebecca Davis, 120 ft.; G. D. Green, 49 ft.;
Elizabeth A. Parker, 70 ft.; A. C. Goodman, by W.
A. Bradshaw, agt., 120 ft.; Elizabeth A. Wiley, 80
ft.; C. A. Wilder, agt. R. C., 80 ft.

The persons signing this remonstrance represent (719) seven hundred and nineteen feet of ground fronting on Broadway, situated between St. Clair street and Christian avenue, while the petitioners for the grading and paving said street represent 280 feet. All we ask is, "let the majority rule."

Very respectfully.

Councilman Coy offered the following motion; which was adopted:

That the German Reform Church be granted permission to hold a pic-nic at the Southern Park, on Thursday, August 25th, 1881.

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

That the Street Commissioner be, and is hereby, directed to cut down and remove two shade trees from in front of No. 413 East Washington street.

Councilman Hartmann presented the following petition; which was received:

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

Gentlemen:—The undersigned, owners the real estate fronting on Bates street between Noble and Grant streets, respectfully petition for the passage of an ordinance providing for grading and paving with brick the sidewalks of said Bates street to a width of seven feet.

And your petitioners will ever pray, etc.

Joseph Behringer, Albert J. Groenwalt, John Moran,
James McGinnis, Thomas Tallentire, James Wat-
son, Wm. H. Kurman.

Councilman Knodel presented the following remonstrance; which was referred to the Board of Public Improvements, with the ordinance S. O. 117, 1881:

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

Gentlemen:—The undersigned, owners of real estate fronting on Meridian street, between McCarty and Morris streets, respectfully remonstrate against the passage of S. O. 117, 1881, providing for bowldering and curbing the west gutter of Meridian street, between the points named, unless the gutter on the east side of said street be curbed and bowldered at the same time, so that the street will be complete.

A. Ahlders, James Kelly, Eva Katharina, Frank Stein, Leop. Spitznagel, George Ohleyer, Michael Hofmann, John Myers, Charles Schwicher, Charles Wagner, John Wagner, Fred Klare, Mary Ferriter, Herman Hoerst, Mary Harper, John Schmitt, John Feil, Henry Gimber, J. Marguis, Ch. Drewes, Christ. Kerkhoff, T. W. Harper, Engel Klein, M. Clune.

Councilman Knodel offered the following motion; which was adopted:

That Geo. W. Stubbs be, and is hereby, granted permission to pave with brick the sidewalks in front of his property, No. 477 south Meridian street, at his own expense, and according to grade stakes to be set by the City Civil Engineer.

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

That the Street Commissioner be, and is hereby, instructed to clean the gutters on Union street, between Hanway and Hill streets.

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

That the Street Commissioner be, and is hereby, directed to clean the gutters on New York street, from Noble street to Pine street.

That the Street Commissioner be, and is hereby, directed to place double stone crossing on north side of Washington street, across Highland street and Arsenal avenue.

Councilman Morrison offered the following motion; which was adopted:

That the water plug now located on or near the corner of Indiana avenue and Michigan street, on the south side of Michigan street, be removed to some more suitable location; and that the Committee on Water have full power to act and order said removal.

Councilman Pearson presented the following petition; which was referred to the Judiciary Committee and City Attorney, to report next Thursday evening:

Indianapolis, August 1st, 1881.

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

Gentlemen:—Your petitioner, Catherine Ruschaupt, would respectfully represent that she is the owner of thirty (30) feet off of the north side of lot 19 and twenty feet off of south side of lot 18, in Haugh & Churchman's subdivision of lot 3, St. Clair's addition to the City of Indianapolis, Marion County, Indiana; that there is of record in the Recorder's office of Marion county what purports to be an assessment for benefits against such real estate for the sum of \$131.25 for the opening of Second street; that the said assessment, and all the assessments of benefits for the opening of said street, have been declared illegal, null and void by the judgment of the Superior Court of Marion county, because of a failure of the Council to comply with the provisions of the statute in the laying out and opening of said street; that said assessment has never been satisfied of record and remains a lien and cloud upon petitioner's title; that she desires to make a loan and secure the same upon said real estate, and therefore desires to have the same satisfied Wherefor, she asks that you will instruct the Mayor, in the name of the city, to satisfy said lien of record in the Recorder's office, and thereby remove the cloud from petitioner's title.

And your petitioner will ever pray.

CATHERINE E. RUSCHHAUPT.

Councilman Pritchard presented the following remonstrance; which was received, and ordered filed with the ordinance :

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

Gentlemen:—We, the undersigned, owners of real estate fronting on the east side of south Pennsylvania street, between South street and Garden street, in the City of Indianapolis, do most respectfully, but earnestly object to and remonstrate against the passage of special ordinance No. 120, 1881, or any other ordinance, for bowldering the gutter on the east side of said south Pennsylvania street, between South and Garden streets, as said improvement is entirely unnecessary.

Anna Vetter, 90 ft.; A. Burdsal, 108 ft.; Browning & Sloan, 25 ft.

Councilman Pritchard offered the following motion; which was adopted :

That the City Civil Engineer be, and is hereby, instructed to order the contractor on contract for improving south Meridian street, to repair all stone crossings, and place new crossings where there are none, both east and west and north and south, between Washington street and Louisiana street.

Councilman Pritchard offered the following resolution :

Be it resolved by the Common Council and Board of Aldermen, That no person or corporation shall be given permission to lay either gas or water mains, or connections thereto, in and along north Meridian street, between New York street and Seventh street, after the completion of the new cedar pavement.

We therefore urgently request all persons and corporations to lay all need mains along and across said street, and to make all needed gas and water connections with mains now laid, at once.

And it was adopted by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Caylor, Cowie, Coy, Egger, Harold, Hartmann, Knodel, Koller, Mauer, Pearson, Pritchard, Reichwein, Stout, Thalman, Ward, and Weaver.

NAYS, 1—viz. Councilman Morrison.

Councilman Pritchard offered the following motion ; which was referred to the Committee on Bridges :

WHEREAS, The old wooden bridge across the canal near Sixth street, on the line of north West street and Armstrong pike, recently purchased by the city, is rotten, and in a very dangerous condition ; therefore,

Moved, That the Street Comissioner be directed to build a new iron bridge across canal at north West street crossing.

Councilman Pritchard offered the following motion :

That the Inland Whaling Association be granted privilege to exhibit one whale within city limits for one week from this date, on payment of the sum of fifteen dollars to City Treasurer.

It being now eleven o'clock, Councilman Pearson moved that the time be extended.

During the progress of the roll-call, Councilman Morrison raised the point of order that, it being now passed eleven o'clock, according to the rules, the Common Council stands adjourned.

The Chair ruled that the point of order was well taken, and the Common Council was declared adjourned.

ISAAC THALMAN, President *pro tem*.

Attest: JOS. T. MAGNER, City Clerk.