

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—JULY 24, 1882.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, July 24th, A. D. 1882, at eight o'clock, in regular session.

PRESENT—Hon. James T. Layman, President of the Board of Aldermen, in the Chair, and Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, and Tucker—8.

ABSENT—Aldermen Drew, and Wood—2.

The following special message was read, and the Board of Aldermen receded from their former action; and, on further motion by Alderman Rorison, further action was postponed:

To the President and Members of the Board of Aldermen:

Gentlemen:—The Common Council of the city of Indianapolis, met in the Council Chamber, Monday evening, July 17th, 1882, non-concurred in your action appointing J. E. Twiname and J. G. Pendergast as Inspectors for the improvement of north Meridian street, but adhered to their former action in appointing J. E. Twiname and J. H. Forrest.

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

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, Monday evening, July 17th, 1882, adhered to their former action in recommending that the Street Commissioner be instructed to repair the west sidewalk of Tennessee street, from Indiana avenue to Vermont street, with the proviso that the expense does not exceed seven dollars, thereby non-concurring in your action recommending the property owners to do the work.

I submit the same for your consideration.

For the Common Council:

JOS. T. MAGNER, City Clerk.

Alderman Seibert moved to lay the above matter on the table.

Which failed of adoption by the following vote:

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AYES, 4—viz. Aldermen Mussmann, Seibert, Tucker, and President Layman.

NAYS, 4—viz. Aldermen DeRuiter, Hamilton, Newman, and Rorison.

The Council action was then not concurred in.

On motion by Alderman Hamilton, the above action was reconsidered by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, and Rorison.

NAYS, 3—viz. Aldermen Seibert, Tucker, and President Layman.

Alderman Rorison then moved that the matter be referred to the Committee on Streets and Alleys; which failed of adoption.

Alderman Seibert moved that the matter be referred to a special committee, with the City Attorney and City Civil Engineer.

Which motion was adopted, and Aldermen Hamilton, Rorison and Newman appointed by the Chair to act as members of such committee.

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, July 17th, 1882, for your action upon the same.

For the Common Council :

Jos. T. MAGNER, City Clerk.

The following report from His Honor, the Mayor, (see page 174, *ante*), was read and received:

Indianapolis, Ind., July 17th, 1882.

To the Common Council and Board of Aldermen :

Gentlemen:—I report collections for the month of June, as follows :

Policemen's witness fees.....	\$173 25
Mayor's fees.....	154 50
Fines.....	22 44
Total	\$350 19

Which amount I have this day paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully,

D. W. GRUBBS, Mayor.

The following report from the City Civil Engineer was read; and the favorable action of the Common Council thereon (see page 176, *ante*), was concurred in:

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 Indianapolis Stove Company, for erecting

two lamp-posts, lamps and fixtures, complete to burn gas, except service pipes, on West street, between Georgia street and Kentucky avenue.

1,669 $\frac{4}{12}$ lineal feet, at \$19.69 per lamp-post, and 2.26 cents per lineal foot front, \$39.38.

A first and final estimate in behalf of Indianapolis Stove Company, for erecting eight lamp-posts, lamps and fixtures, complete to burn gas, except service pipes, on Hoyt avenue, between Dillon and Linden streets.

2,082 lineal feet, at \$19.69 per lamp-post, and 7.56 cents per lineal foot front, \$157.52.

A first and final estimate in behalf of Indianapolis Stove Company, for erecting eight lamp-posts, lamps and fixtures, complete to burn gas, except service pipes, on Woodlawn avenue, between Dillon and Linden streets.

1,966 lineal feet, at \$19.69 per lamp-post, and 8 cents per lineal foot front each side, \$157.52.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution (adopted by the Common Council—see page 176, *ante*), 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 Indianapolis Stove Company, for erecting lamp-posts, lamps, and fixtures, complete to burn gas, except service pipes, on West street, between Georgia street and Kentucky avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was concurrently adopted by the following vote :

AYES, 7—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison Seibert, and President Layman.

NAYS, 1—viz. Alderman Tucker.

The following estimate resolution (adopted by the Common Council—see page 176, *ante*), 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 Indianapolis Stove Company, for erecting lamp-posts, lamps and fixtures, complete to burn gas, except service pipes, on Hoyt avenue, between Dillon and Linden streets, 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 concurrently adopted by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert and President Layman.

NAYS, 1—viz. Alderman Tucker.

The following estimate resolution (adopted by the Common Council—see page 177, *ante*) 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 Indianapolis Stove Company, for erecting lamp-posts, lamps and fixtures, complete to burn gas, except service pipes, on Woodlawn avenue, between Dilion and Linden streets, 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 concurrently adopted by the following vote :

AYES, 7—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, and President Layman.

NAYS, 1—viz. Alderman Tucker.

The following report from the City Clerk was read:

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 precepts, to-wit :

James Mahoney vs. Isaiah J. and L. E. Shafer, for.....	\$73 50
James Mahoney vs. Benjamin F. Peters, for.....	10 08
James Mahoney vs. James F. Orichton.....	10 08

And recommend you order the precepts to issue.

JOS. T. MAGNER, City Clerk.

On motion, the favorable action of the Comon Council on the above report (see page 177, *ante*), was concurred in, and the precepts ordered to issue by the following vote:

AYES, 7—viz. Aldermen DeRuiter, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS, 1—viz. Alderman Hamilton.

The report of the Board of Public Improvements and Street Commissioner, showing expenses in the Street Department for the month of June, 1882 (see page 178, *ante*), was read and received.

The reports of the Board of Health, showing the deaths from the 15th day of June, 1882, to the 30th day of June, 1882, and from the 30th day of June, 1882, to the 15th day of July, 1882, (see page 179, *ante*), were read and received.

The following clause from the report of the Board of Health (see page 180, *ante*), was read, and referred to the Committee on Streets & Alleys and Sewers & Drainage, with power to act jointly with the Board of Public Improvements:

4th. The Board also recommend that the following streets and alleys be improved as a sanitary measure, as they cannot be put in a good sanitary condition without such improvements :

By Dr. Elder—That gutters on Broadway street, between Cherry and Arch streets, be cleaned.

By Dr. Runnels—That the gutters on Meridian street, between St. Clair and First streets be cleaned. Also, south side of North street, from West street to California street. This cannot be put in good condition without bowldering and curbing. Also, the same on North street, from Tennessee to Mississippi street, and on the north side of same street from Mississippi street west to I., C. & I. R. R.

The Report of the City Commissioners on the vacation of the first alley east of Mississippi street, from Twelfth street to the first alley south (see pages 181 and 182, *ante*), was read, and the favorable action of the Common Council thereon (see page 181, *ante*), was concurred in.

The following resolution (adopted by the Common Council—see page 182, *ante*), was read:

Resolved, That the report of the City Commissioners in the matter of the petition for the vacation of a certain alley running from Twelfth street to the first alley south—being the first alley east of Mississippi street—be, and the same is hereby, in all things accepted, adopted and approved; and that, in accordance with said report, the first alley east of Mississippi street, from Twelfth street to the first alley south thereof, be, and the same is hereby vacated.

And that the petitioners be, and they are hereby, required to pay to the City Treasurer, within twenty days from the adoption of this resolution, the sum of sixty-three dollars (\$63.00), the amount of the expenses reported by the Commissioners as taxed in this matter; and that said petitioners also be, and are hereby, required to procure and have recorded in the office of the Recorder of Marion County, the proper certified copies of proceedings and maps, as required by law, at their own expense; and that until such expenses are paid, and proceedings and maps recorded, as aforesaid, said alley shall not be closed or used otherwise than as now.

And it was concurrently adopted by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The report of the City Commissioners in the matter of the opening of east Ohio street, from Hanna street to the first alley west of Hanna street, (see pages 183 and 184, *ante*), was read, and the favorable action of the Common Council thereon concurred in.

The following resolution (adopted by the Common Council—see page 185, *ante*) was read:

Resolved, That the report of the City Commissioners in the matter of the petition for the opening of east Ohio street, from Hanna street to the first alley west of Hanna street, a distance of 177 feet, to a width of sixty (60) feet, including the alley, be, and the same is hereby, in all things accepted and approved; that the benefits assessed and damages awarded by said Commissioners be, and the same is hereby, approved; that the real estate therein described for the opening of said street be, and the same is hereby, appropriated; that the City Clerk be, and he is hereby, directed to certify to the City Treasurer so much of said report as assesses benefits and awards damages upon real estate, giving the description thereof; and that the City Treasurer be, and he is hereby, directed to make tender of such damages to the parties entitled thereto, and proceed to collect said benefits according to law.

And it was concurrently adopted by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The report of the City Commissioners in the matter of the widening of Central avenue, from the north side of St. Marys street to the State Ditch, (see pages 186, 187, 188 and 189, *ante*), was read, and the favorable action of the Common Council thereon concurred in.

The following resolution (adopted by the Common Council—see page 189, *ante*), was read:

Resolved, That the report of the City Commissioners, in the matter of the petition for the widening of Central avenue, from the north side of St. Mary's street to the north side of Eighth street, to a width of sixty-five (65) feet, and from the north side of Eighth street to the State Ditch to a width of sixty (60) feet, be, and the same is hereby, in all things accepted and approved; that the benefits assessed and damages awarded by said commissioners be, and the same is hereby, approved, and that the real estate therein described, for the widening of said street, between the points named and to the respective widths set forth above, be, and the same is hereby, appropriated.

And it was concurrently adopted by the following vote :

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following report from the Committee on Public Light, was read, and the favorable action of the Common Council thereon (see pages 199 and 200, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—Your Committee on Public Light have had under consideration the question of making a new contract with the Indianapolis Gas Company to furnish light for the year beginning August 1st, 1882, and terminating July 31st, 1883. In view of the fact that the present contract has, so far as we can learn, been satisfactory to the citizens generally, your committee recommend a continuance of the same contract for the coming year, and we herewith transmit said contract for your consideration, and which we recommend be accepted, and the Mayor be authorized to execute the same.

Peter F. Bryce,
James T. Dowling,
H. B. Stout,
Committee on Public Light.

The following contract, submitted with the above report, was read, and the favorable action of the Common Council thereon (see pages 200, 201 and 202, *ante*), was concurred in:

THIS AGREEMENT, made this day of July, 1882, by and between the city of Indianapolis, party of the first part, and the Indianapolis Gas Light and Coke Company, party of the second part, witnesseth that,

WHEREAS, on the 22d day of July, 1876, said parties entered into a contract in writing whereby the party of the second part undertook and agreed, for a period of five years from August 1st, 1876, to furnish gas to light the public lamps of said city upon the terms therein stated, and,

Whereas, on the 2d day of August, 1878, the same parties made a provisional agreement for the furnishing of gas by the party of the second part to the party of the first part, which contract expired August 1st, 1879, and,

Whereas, on the 24th day of July, 1879, the same parties made another provisional contract for the furnishing of gas by the party of the second part to the party of the first part, which contract expired July 31st, 1880, and,

Whereas, the same parties made another provisional contract for the furnishing of gas by the party of the second part to the party of the first part, on the 2d day of August, 1880, which contract expired on the 1st day of August, 1881, and,

Whereas, on the 8th day of July, 1881, said parties made another provisional contract for the furnishing of gas by the party of the second part to the party of the first part, which contract will expire on the 31st day of July, 1882.

Now, therefore, the parties hereto make this provisional agreement for the term of one year from the first day of August, 1882, to-wit:

The said party of the second part agrees to furnish gas to the said party of the first part, of the quality and kind provided for in the third section of the ordinance of the Common Council of said city, ordained March 19th, 1866, for twenty-four hundred and fifty-nine (2459) lamps, all of which are now in a serviceable condition in and upon the streets of said city; said lamps to be lighted according to time tables to be furnished by said city, which tables shall provide for twenty-five hundred (2,500) hours per year for each and every lamp, and the burners thereof shall be of a capacity of not less than four cubic feet per hour for each and every lamp. Said party of the second part also agrees, at proper and regular times, to light and extinguish said lamps according to the schedule furnished by said party of the first part, to keep said lamps clean and in repair, and, if said party of the second part shall neglect to keep the same clean and in repair, the said party of the first part shall have the right to do so and deduct the cost thereof from any sum due said Gas Company. It is further agreed, that the party of the first part shall have the right to deduct from any amount due the said party of the second part the sum of fifteen (15) cents for each and every post for each and every night that it is not lighted and kept lighted during the time provided in the time table; *Provided*, That this provision shall not apply to cases of failure to light and keep lighted that are caused by frost, over which said party of the second part has no control, but said party of the second part agrees to use the utmost reasonable dispatch in thawing out such posts.

The city and her officers shall have the right, at any time, to test both the quality of the gas furnished and the capacity of the burners on the street lamps. The aforesaid twenty-four hundred and fifty-nine posts (2,459) shall be such as shall be selected and designated by the proper committee, or committees, of the Common Council and Board of Aldermen, and a representative committee of said Gas Company. And the said party of the second part also agrees to furnish gas for all offices occupied by city officers, for all engine houses, for the Council Chamber, for all tunnels, bridges and station houses, and all other places where gas is required for the use of said city in her corporate capacity, at the price of two dollars per thousand cubic feet.

In consideration of the foregoing agreements of said party of the second part, the said party of the first part agrees to pay said party of the second part for each and every street lamp of said city, to which gas is supplied, the sum of twenty-five (\$25) dollars per annum, or the sum of sixty-one thousand, four hundred and seventy-five (\$61,475) dollars for said two thousand, four hundred and fifty-nine (2,459) posts.

Said sum to be full compensation for all gas furnished, and for cleaning, lighting and keeping in repair and order for service such lamps and posts as above undertaken and agreed by the party of the second part. And the party of the first part does further agree to pay for gas furnished said city in her corporate capacity, except street lamps, the price of two dollars per thousand cubic feet, as above mentioned.

The compensation herein agreed to be paid, shall be paid by the party of the first part in equal monthly instalments at the end of each and every month, and city warrants and orders shall be received at par in such payments. And the party of the first part further agrees with the party of the second part, that, during the continuance of this contract, all fines and damages collected by said city from persons for breaking or damaging said street lamps or posts, shall be paid, when collected, to said party of the second part.

And said party of the second part also agrees that, if the city should, at any time, require a greater number of lamp posts lighted than above mentioned, the said party of the second part will furnish gas and light and keep the same in repair in the same manner as the said twenty-four hundred and fifty-nine (2,459) lamps above mentioned, and at the same rate; *Provided*, that when new posts shall be erected along lines where new mains are to be laid, then such work shall be performed according to the terms and requirements of section six (6) of said Gas Company's charter of March 19th, 1866. And said party of the second part does further agree to dismantle any gas lamps now erected, and re-light in lieu thereof any lamp posts now erected, or that may hereafter be erected, upon the lines of existing mains, when so ordered by the Common Council and Board of Aldermen, during the existence of the present contract, and due notice being given by the City Civil Engineer, without any cost to said city.

It is mutually agreed by and between the parties hereto, that, should the Common Council and Board of Aldermen deem it advisable to make a test of the utility of the so-called Electric Light at any time during the existence of this contract, the party of the first part may, upon giving at least one week's notice to the party of the second part, discontinue the use of any number of lamps, not exceeding three hundred; the said lamps so discontinued are all to be embraced in one district or portion of said city; and, during the time said lamps are not in use, no charge shall be made therefor, and a reduction in proportion to the price herein provided for shall be made from the bills rendered said city for the time said lamps remain unlighted; and should the party of the first part desire to have said lamps re-lighted, the party of the second part agrees to re-light the same within forty-eight hours after notice so to do.

It is hereby further mutually agreed that, should the Common Council and Board of Aldermen deem it advisable to adopt the so-called Electric Light for street lighting, the party of the first part may rescind this contract by giving at least ninety days' notice to the party of the second part, and from and after such rescission, and the expiration of said notice, this contract shall be null and void.

This contract shall take effect from, and including, the first day of August, 1882, and be and remain in force for the period of one year. After the expiration of the term of this contract, or after its termination by notice as herein provided, the parties hereto are to be remitted to whatever rights they, or either of them, may have under the contract of March 19th, 1866, the same as if this contract, or any other modifying contract, had not been made.

In witness whereof, the parties hereto, by their proper officers, have hereunto signed their corporate names and caused their corporate seals to be affixed.

The following report from the Committee on Streets and Alleys, and the resolution accompanying the same, (see pages 204 and 205, *ante*), was read, and action thereon postponed until a proper bond for the payment of costs, was filed:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of B. A. Richardson, D. M. Osburn and N. and G. Ohmer, asking for the opening and extension of the first alley west of Yandes street, from Home avenue to the first alley north of Home avenue, have examined the same, and recommend the prayer of the petitioners be granted, and that the accompanying resolution relative thereto be adopted.

Respectfully submitted,

George Weaver,
Sim. Coy,
B. W. Cole,
Committee on Streets and Alleys.

Resolved, That the petition of B. A. Richardson, D. M. Osburn and N. and G. Ohmer, praying for the laying out and opening of the first alley west of Yandes street, from Home avenue to the first alley north of Home avenue, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purposes of such opening and extension, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners and property owners.

The following report from the Committee on Streets and Alleys, and the resolution accompanying the same, (see page 205, *ante*), was read, and action thereon postponed until a proper bond for the payment of costs, was filed:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of Mrs. E. J. Moffatt and others, asking for the opening and extension of Greenwood street, from the first alley south of Ninth street north to Ninth street, through the north part of block 27, Johnson's heirs addition;

Would report that we have examined said locality and find that Greenwood street is properly opened and laid out, both above and below the point mentioned, and we believe that the prayer of the petitioners should be granted. Therefore, we recommend the accompanying resolution relative thereto be adopted.

Respectfully submitted,

George Weaver,
Sim. Coy,
B. W. Cole,
Committee on Streets and Alleys.

Resolved That the petition of E. J. Moffatt, A. L. Wright, trustee, G. K. Pope, and Maggie W. Weaver, praying for the laying out and opening of Greenwood street, from Ninth street to the first alley south of Ninth street, through part of block 27, Johnson's heirs addition, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report; and that for the purpose of such opening and extension, the Common Council and Board of Aldermen do propose to appropriate such real estate and property as may be necessary therefor.

The said Commissioners are instructed to return, as part of their report, all petitions and notices.

The City Clerk is hereby directed to issue, and the City Marshal to serve the proper notices upon the Commissioners and property owners.

The following report from the Committee on Streets and Alleys, and the resolution accompanying the same, (see page 206, *ante*), was read,

and action thereon postponed until a proper bond for the payment of costs, was filed:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of W. H. Howson and others, asking for the vacation of fifteen feet off the north side of Beacon street, east of Bloomington street, recommend the prayer of the petitioners be granted, and the accompanying resolution relative thereto be adopted.

Respectfully submitted,

George Weaver,
B. W. Cole,
Sim. Coy,

Committee on Streets and Alleys.

Resolved, That the petition of W. H. Howson and others, praying for the vacation of fifteen (15) feet of the north side of Walnut (or Beacon) street, running east and west on the south side of a piece of land, 23 by 83 feet, northeast corner of Walnut (or Beacon) street and Ray (or Bloomington) street, owned by W. H. Howson, in block 12, west of White River, be referred to the City Commissioners, with instructions to determine what persons, if any, will be benefitted thereby, and to assess benefits to persons or property affected thereby. The said Commissioners are instructed to return, as part of their report, all petitions and notices. The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners, and the petitioners are hereby required to serve the proper notices upon all interested parties, as may be designated by the City Commissioners.

The following motions (adopted by the Common Council—see pages 212, 214, 215, 218 and 219, *ante*), were read and concurrently adopted:

That the Street Commissioner be instructed to repair the first alley south of Christian avenue, from Park avenue to a distance of eighty feet west, as the same has already been improved by the property owners.

That the City Marshal notify the owners of property No. 10 or 12 South Illinois street to trim the lower limbs of the shade trees in such manner that they will not obstruct the travel of top buggies underneath the same.

That the Street Commissioner be, and is hereby, directed to fill up the sidewalks on Morris street, where they are washed out, just east of the bridge over White River, and that he have power to act, as the places are dangerous.

That the Street Commissioner be, and is hereby, requested to repair the bridge over Pagues Run, on Ray street, and that he have power to act, as the bridge is dangerous.

That the Street Commissioner be directed to lower the culvert in the alley situated in the center of the West Market, so that the water may be allowed to run off; as it is, the water banks up, causing serious inconvenience to the Marketers.

That the City Marshal be, and is hereby, directed to notify the owners of property on East Washington street, on the south side the second lot east of Pine street, to fill up the low sink hole on said lot, where stagnant water stands, within five days from receipt of notice, and if not done within five days, that the Street Commissioner fill the same, and collect from the property owners, and upon their refusal to pay, to bring suit for collection within thirty days; further, that the Street Commissioner report to this Council, at our next meeting, if the work has been done.

That Wm. F. Reasner be authorized to construct a bowldered driveway across the south side of East Washington street, east of the Michigan road, in front of his business place, at his own expense, in conformity to ordinance and under the direction of the City Civil Engineer.

That the City Marshal be, and is hereby, instructed to notify the owners of ground adjacent to an alley—the same being the first alley south of Wilkinson street, and east of Meridian street—to remove any and all obstructions therein, within the next ten days.

That the Street Commissioner be, and is hereby, directed to clean gutters on New Jersey street, between Washington and Ohio streets.

That the Street Commissioner be, and is hereby, authorized to purchase the rejected white cedar blocks, (at a price not to exceed 20 cents per square yard), from the contractor on north Meridian street, and use them in repairing Delaware street, between St. Clair and Seventh streets.

That the Street Commissioner be instructed to finish the wooden bridge on Seventh and Sheldon streets ditch.

The following motion (adopted by the Common Council—see page 212, *ante*), was read and concurrently adopted, and Aldermen Wood, Rorison and Newman appointed by the Chair to act as the members of such committee.

That a committee of three, together with the City Civil Engineer and Street Commissioner, and a like committee from the Board of Aldermen, be appointed to examine and report what is best to do in reference to replacing the bridge across Pleasant run at Spruce street.

The following petition was read, and the favorable action of the Common Council thereon (see page 212, *ante*), was concurred in:

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

Gentlemen:—The undersigned would respectfully represent to your honorable body that a stream called Pleasant run meanders through the Southeast Addition, laid out and sold by Hubbard, McCarty and Martindale, and that the undersigned is the owner of many lots in said Southeast Addition, bordering or near said creek, and that he and other members of his family and friends are greatly damaged by persons unlawfully and feloniously entering into said creek and taking from the banks and lots of ground, bowlders, sand and gravel, undermining the banks, widening the creek, undermining houses and one improved street, to-wit, the south end of Laurel, so that, for the fear that the said street will be entirely destroyed, the lots fronting on said street are measurably unsalable, which also are owned by the undersigned. For the proper protection of the streets and lots which have been and are being feloniously hauled away, and for those properties which are being injured as above, I ask that a policeman be instructed to look after said matter, and bring before a just tribunal such miscreant.

WILLIAM S. HUBBARD.

The following resolution (adopted by the Common Council—see page 214, *ante*) was read:

Resolved, That the owners of the following described real estate, to-wit, lots 45, 46 and 47, Martindale and Stilz's addition of the city of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stag-

nant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof; and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same;" and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; provided, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

And it was concurrently adopted by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorson, Seibert, Tucker, and President Layman.

NAYS—None.

The following report from the Committee on Water, and the resolution accompanying the same (see page 219, *ante*), was read and referred to the Committees on Water and Finance:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Water, to whom was referred the accompanying resolution, would report in favor of its passage.

Respectfully submitted,

B. Ward,
E. H. Dean,
F. Hartmann,
Committee on Water.

Resolved by the Common Council and Board of Aldermen, That the Indianapolis Water Company be, and it is hereby, required to extend its line of water mains from the corner of Home avenue, in and along Park avenue to Eighth street; thence east on Eighth street to Broadway street; thence north on Broadway street to Ninth street; thence east on Ninth street to and connecting with the main on College avenue. Said mains to be laid as soon after the first day of January, 1883, as practicable, and before May first, 1883, and locate hydrants along said extension, not to exceed one for every five hundred feet; all to be done under the direction of the Chief Fire Engineer; and the City Clerk is hereby directed to notify said Water Company of the action had hereon.

The following motion (adopted by the Common Council—see page 219, *ante*), was read and referred to the Committee on Public Light:

To replace the gas lamp lately removed on Bellefontaine avenue, between Eighth and Ninth streets, on the east side.

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

G. O. 36, 1882—An Ordinance to amend Sections 22, 23 and 24 of an ordinance entitled "An ordinance relative to the streets, alleys, sidewalks and public places of the city of Indianapolis; restraining the making of excavations therein, or in lands adjacent thereto; prohibiting the placing of unauthorized obstructions in or upon the same; securing the public in the free and safe use thereof; revising and re-enacting ordinance provisions now in force, and prescribing penalties for violations of its regulations and requirements;" ordained September 2d, 1878.

- G. O. 61, 1882—An ordinance to amend Section one (1) of an ordinance entitled "An ordinance requiring the Cleveland, Columbus, Cincinnati and Indianapolis, and the Wabash, St. Louis and Pacific Railway Companies, in the city of Indianapolis, to erect and maintain safety-gates for the protection of the public, at the crossing of Massachusetts avenue and said companies' tracks;" ordained June 26th, 1882, and adding provisions as to the Indiana, Bloomington and Western Railway Company.
- S. O. 57, 1882—An Ordinance to provide for grading, paving with brick and curbing with stone (where not already done), the sidewalks of Blake street, from the National Road to Indiana avenue, except the west sidewalk, from said National Road to the first alley south of New York street.
- S. O. 64, 1882—An ordinance to provide for grading and paving with brick where not already done, the north sidewalk of St. Clair street, from Park avenue to Massachusetts avenue.
- S. O. 65, 1882—An ordinance to provide for grading and paving with brick, where not already done, the north sidewalk of Arch street, from Park avenue to Plum street.
- S. O. 66, 1882—An ordinance to provide for grading and paving with brick, and curbing with stone, the west sidewalk of Pine street, from St. Clair street to the first alley south of St. Clair street.
- S. O. 82, 1882—An Ordinance to provide for re-grading and graveling the roadway of Delaware street, bowldering the gutters, and placing a gutter stone therein, from the north side of Massachusetts avenue to the north side of St. Clair street.
- S. O. 83, 1882—An Ordinance to provide for grading and graveling the first alley south of Fletcher avenue, from Linden street to Laurel street.
- S. O. 84, 1882—An Ordinance to provide for grading and graveling the first alley south of English avenue, from Linden street to Laurel street.
- S. O. 86, 1882—An ordinance to provide for regrading and bowldering the roadway of Tennessee street, and curbing the gutters thereof, where not already curbed, from the north line of Georgia street to the Union Railway tracks.
- S. O. 87, 1882—An ordinance to provide for grading and graveling Vermont street and sidewalks, from Agnes street to the Mill Race.
- S. O. 89, 1882—An Ordinance to provide for grading and graveling the first alley south of Christian avenue, from Park avenue to Broadway street.
- S. O. 91, 1882.—An ordinance to provide for grading and graveling the east sidewalk of Shelby street, from a point 623 feet south of Willow street to Pleasant Run.
- S. O. 92, 1882.—An ordinance to provide for grading, and paving with brick, the north sidewalk of Michigan street, from East street to Liberty street.
- S. O. 94, 1882.—An ordinance to provide for regrading and bowldering the roadway of Indiana avenue, from Illinois street to Michigan street.
- S. O. 95, 1882.—An ordinance to provide for grading and bowldering the first alley south of Pogue's Run, from East street to New Jersey street.
- S. O. 96, 1882.—An ordinance to provide for grading and graveling the first alley north of Home avenue, from Broadway street to College avenue.

- S. O. 98, 1882.—An ordinance to provide for grading, paving with brick and curbing with stone, the south sidewalk of North street, from Pennsylvania street to the first alley west of Pennsylvania street.
- S. O. 99, 1882.—An ordinance to provide for grading, and paving with brick, the north sidewalk of St. Joseph street, from Alabama street to Delaware street, where not already done.
- S. O. 100, 1882.—An Ordinance to provide for grading and graveling the first alley east of Bieler street, from Hill avenue to Lincoln avenue.
- S. O. 101, 1882.—An ordinance to provide for grading, bowldering the gutters curbing and widening the sidewalks of Indiana avenue, from Illinois street to Michigan street (where not already properly done).
- S. O. 103, 1882.—An Ordinance to provide for grading and paving with brick the sidewalks of Georgia street, from Delaware street to Pennsylvania street.
- S. O. 104, 1882.—An ordinance to provide for grading and repaving the east sidewalk of Illinois street (where not already properly done), from Washington street to Louisiana street.
- S. O. 105, 1882.—An ordinance to provide for grading, bowldering the gutters, and curbing the sidewalks of Alabama street (where not already done), between New York and North streets.
- S. O. 106, 1882.—An ordinance to provide for grading and graveling Minnesota street and sidewalks, from Madison avenue to East street.
- S. O. 107, 1882.—An ordinance to provide for grading, bowldering and curbing the gutters of Maryland street (where not already done), from Mississippi street to Tennessee street.
- S. O. 108, 1882.—An ordinance to provide for regrading and bowldering the roadway of Illinois street, from Washington street to the south line of South street.
- S. O. 110, 1882.—An ordinance to provide for grading and paving the north sidewalk of the National Road (where not already paved), from Blackford street to the first alley west of Blackford street.

On motion by Alderman Rorison, the rules were suspended for the purpose of placing S. O. 64, 65, 66, 83, 84, 89, 91, 95, 98, 101, 105 and 110, 1882, on their final passage, by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 105, 1882, was then read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 64, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 65, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 66, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 83, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 84, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 89, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 91, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 95, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 98, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 110, 1882, was read the second and third times, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

S. O. 101, 1882, was read the second time.

Alderman DeRuiter offered the following amendment to the ordinance, which was adopted:

To amend S. O. No. 101, by striking out the words "widening the sidewalks to the width of 20 feet."

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

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

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 the following paper favorably passed upon by the Common Council, at its special session, held Wednesday evening, July 19th, 1882, 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, and the favorable action of the Common Council thereon (see pages 222, 223 and 224, *ante*), was concurred in:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen.—The Committee on Contracts, to whom was referred sundry proposals presented to Council July 17th, 1882, have examined the same, and find them to be as follows, viz:

1st. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except service pipes) on Wabash street, between Delaware and Pennsylvania streets; lamp frames to be according to plans and specifications on file in the office of the City Civil Engineer.

Aneshaensel & Strong, \$26.00 each.

W. J. Freaney, \$18.50 each.

W. J. Freaney being the lowest and best bidder, we recommend he be awarded the contract.

2d. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except service pipes), on Spann avenue, between Dillon and Linden streets; lamp frames to be according to plans and specifications on file in the office of the City Civil Engineer.

Aneshaensel & Strong, \$26.00 each.

There being but one bid, and we deeming it too high, we recommend the contract be not awarded, and that the Engineer be directed to re-advertise for bids for same.

3d. For erecting lamp-posts, lamps and fixtures (complete to burn gas, except service pipes), on Meridian street, between Kansas and Arizona streets; lamp frames to be according to plans and specifications on file in the office of the City Civil Engineer.

Aneshaensel & Strong, \$26.00 each.

W. J. Freaney, \$18.50 each.

W. J. Freaney being the lowest and best bidder, we recommend he be awarded the contract.

4th. For grading and paving with brick the sidewalks of Mississippi street, from Second street to Seventh street (where not already properly paved.)

James W. Hudson, 52 cents per lineal foot front on each side.

John Schier, 51 cents per lineal foot front on each side.

C. S. Roney, 49 cents per lineal foot front on each side.

H. C. Roney, 47 cents per lineal foot front on each side.

Robert P. Dunning, 44 cents per lineal foot front on each side.

R. P. Dunning being the lowest and best bidder, we recommend he be awarded the contract.

5th. For grading and graveling Pleasant street and sidewalks, from Linden street to Reid street.

R. P. Dunning, \$1.15 per lineal foot front on each side.

James Mahoney, \$1.10 per lineal foot front on each side.

H. C. Roney, 89 cents per lineal foot front on each side.

Henry Clay, 89 cents per lineal foot front on each side.

Fred. Gansberg, 85 cents per lineal foot front on each side.

Robert Kennington, 85 cents per lineal foot front on each side.

There being tie bid, and believing same reasonable, we recommend the contract be awarded to Fred. Gansberg.

6th. For grading and paving with brick (where not already done), the sidewalks of Stevens street, from East street to Virginia avenue.

John Schier, 39 cents per lineal foot front on each side.

James Mahoney, 36 cents per lineal foot front on each side.

C. S. Roney, 35 cents per lineal foot front on each side.

Henry C. Roney, 34 cents per lineal foot front on each side.

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

7th. For grading and paving with bricks the sidewalks of McCarty street, from East street to Virginia avenue.

James W. Hudson, 52 cents per lineal foot front on each side.

August Richter, 51 cents per lineal foot front on each side.

John Schier, 49 cents per lineal foot front on each side.

James Mahoney, 49 cents per lineal foot front on each side.

Henry C. Roney, 43 cents per lineal foot front on each side.

Charles S. Roney, 43 cents per lineal foot front on each side.

There being tie bid, and believing the same reasonable, we recommend the contract be awarded to Charles S. Roney.

8th. For re-graveling the roadway of Indiana avenue, between Fall Creek and White River bridges, according to plans and specifications on file in the office of the City Civil Engineer.

James Mahoney, 49½ cents per cubic yard.

H. C. Roney, 49 cents per cubic yard.

August Richter, 47½ cents per cubic yard.

R. P. Dunning, 45 cents per cubic yard.

Robert Kennington, 40 cents per cubic yard.
 Samuel W. Patterson, 39 cents per cubic yard.

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

9th. For grading and paving with brick, and curbing with stone, the west sidewalk of West street, from Third street to McIntyre street.

John L. Spaulding, 47 cents per lineal foot front for curbing, and 58 cents per lineal foot front for paving.

John Schier 53 cents per lineal foot front for curbing, and 51 cents per lineal foot front for paving

James W. Hudson, 42 cents per lineal foot front for curbing, and 53 cents per lineal foot front for paving.

C. S. Roney, 45 cents per lineal foot front for curbing, and 48 cents per lineal foot front for paving.

H. C. Roney, 44 cents per lineal foot front for curbing, and 47 cents per lineal foot front for paving.

Robert P. Dunning, 43 cents per lineal foot front for curbing, and 47 cents per lineal foot front for paving.

R. P. Dunning being the lowest and best bidder, we recommend he be awarded the contract.

10th. For grading and graveling the roadway of West street, from First street to McIntyre street.

James W. Hudson, \$1.22 per lineal foot front on each side.

S. W. Patterson, \$1.09 per lineal foot front on each side.

James Mahoney, 99 cents per lineal foot front on each side.

C. S. Roney, 90 cents per lineal foot front on each side.

H. C. Roney, 79 cents per lineal foot front on each side.

R. P. Dunning, 73 cents per lineal foot front on each side.

Henry Clay, 72 cents per lineal foot front on each side.

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

11th. For grading and graveling Pratt street, from Tennessee street to Mississippi street.

S. W. Patterson, 75 cents per lineal foot front on each side.

R. P. Dunning, 59 cents per lineal foot front on each side.

H. C. Roney, 55 cents per lineal foot front on each side.

James Mahoney, 54 cents per lineal foot front on each side.

J. L. Spaulding, 49 cents per lineal foot front on each side.

J. L. Spaulding being the lowest and best bidder, we recommend he be awarded the contract.

12th. For grading and paving with brick, the west sidewalk of Mississippi street, from First street to Second street.

Houston Solomon, 73 cents per lineal foot front.

J. L. Spaulding, 68 cents per lineal foot front.

James W. Hudson, 59 cents per lineal foot front.

John Schier, 58 cents per lineal foot front.

C. S. Roney, 56 cents per lineal foot front.

R. P. Dunning, 55 cents per lineal foot front.

H. C. Roney, 55 cents per lineal foot front.

August Richter, 53 cents per lineal foot front.

August Richter being the lowest and best bidder, we recommend he be awarded the contract.

13th. For grading and paving with brick, the south sidewalk of New York street, from Missouri street to West street.

Houston Solomon, 74½ cents per lineal foot front.

J. L. Spaulding, 68 cents per lineal foot front.

- James W. Hudson, 59 cents per lineal foot front.
- John Schier, 58 cents per lineal foot front.
- C. S. Roney, 56 cents per lineal foot front.
- James Mahoney, 56 cents per lineal foot front.
- H. C. Roney, 55 cents per lineal foot front.
- August Richter, 50 cents per lineal foot front.

August Richter being the lowest and best bidder, we recommend he be awarded the contract.

14th. For grading and paving with brick, the south sidewalk of Vermont street, from West street to Blackford street.

- Houston Solomon, 71 cents per lineal foot front.
- J. L. Spaulding, 58 cents per lineal foot front.
- C. S. Roney, 53 cents per lineal foot front.
- John Schier, 52 cents per lineal foot front.
- James W. Hudson, 52 cents per lineal foot front.
- James Mahoney, 49 cents per lineal foot front.
- Henry C. Roney, 48 cents per lineal foot front.

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

Respectfully submitted,

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

Alderman Seibert presented the following bond, which was referred to the Committee on Streets and Alleys, with the resolution ordering the vacation:

WE, the undersigned acknowledge ourselves bound to the City of Indianapolis, as principal and surety respectively, to pay all sums awarded as benefits or damages by reason of the vacation of Frank & Seider's subdivision of in the city of Indianapolis, Marion county, Ind., as prayed for in the petition of Bernard Backmann, and others, and for the payment of the costs of such vacation.

BERNARD BACKMANN,
FRANZ KOSTERS.

STATE OF INDIANA, *Marion County*, ss:

We, Bernard Backmann and Franz Koters, make oath that we are worth, each, two thousand dollars in real estate, in the city of Indianapolis, Marion county, Ind., over and above our indebtedness.

BERNARD BACKMANN,
FRANZ KOSTERS.

Subscribed and sworn to before me, this 15th day of July, 1882.

[Seal.]

PHIL. RAPPAPORT, Notary Public.

The Board of Health submitted the following report:

Indianapolis, July 24th, 1882.

To the Honorable Board of Aldermen for the City of Indianapolis:

Gentlemen:—The Board of Health, to whom was referred the communication of Chas. E. Kreglo, July 7th, 1882, would respectfully report that we have *personally* examined into the matter set forth in said communication, and find the statements contained therein, referring to Green Lawn Cemetery, *absolutely correct*.

We were informed by the Assistant Sexton, that they were now, and had for some time, been using for burial purposes, ground that, to their certain knowledge, had been used for the same purpose at least *twice* before; and that in excavating a grave, it was almost *always* the case that at least *two*, and frequently *three* sets of buried remains would be met with; and that in *all* cases where the coffins were not

comparatively *new*, they simply spread the different sets of remains over the bottom of the grave, and placed the new coffin upon top of them. The city has no grounds within the enclosure, that have not been buried in one or more times. For the last few weeks a part of a carriage drive has been appropriated, but it will last only a few days. There are a few abandoned lots that are offered for sale, but none have yet been bought. They would probably accommodate 100 graves, all told. Should these be bought, the space would only suffice for a temporary expedient. There are many other unpleasant facts in connection with the subject, to which we will not allude.

In view of the lamentable condition of affairs alluded to above, it hardly seems necessary for us to recommend that the city authorities at once proceed to interdict future interments in Green Lawn, and to procure grounds upon which to locate a new cemetery. It only remains for us to say that these grounds should be naturally adapted for the purpose. They should be *near* enough the city to reduce the cost of funerals to as moderate a figure as possible. They should be *far* enough away from the city to insure against encroachment by buildings or manufactories, for the next century. They should be amply large, to allow dividing into many lots, to be sold to private parties and corporations, and yet the city reserve enough for her own use for a great many years. The utmost promptness and care should be exercised, else the city will be injured in name and purse. We shall be happy at any time to assist you to the extent of our ability.

Very respectfully, your ob'dt. servant,

E. S. ELDER, M. D.,
Sec'y. Board of Health.

On motion by Alderman Rorison, a special committee was appointed, (consisting of Aldermen Rorison, Seibert and Mussmann,) to act with a like committee from the Common Council, to confer with the Board of Health as to the matter contained in the foregoing report.

Alderman Seibert, from the Committee on Streets and Alleys, submitted the following report; which was received:

To the President and Members of the Board of Aldermen:

Gentlemen:—Having failed to secure a meeting of the members of the committees to whom they were referred, I herewith return the papers referred to said committees, that you may take such action thereon as you may think best, that the public may not suffer through our neglect.

HIRAM SEIBERT.

On motion by Alderman Seibert, the report of the Board of Public Improvements, as to sundry motions (see pages 112, 113, 114, 115, 116 and 117, *ante*), was read, and the action of the Common Council concurred in.

Alderman Seibert, from the Committee on Streets & Alleys and Sewers & Drainage, submitted the following report; which was concurred in:

Indianapolis, June 27th, 1882.

At a meeting of the Board of Aldermen of the city of Indianapolis, held on the 26th day of June, 1882, the following report was referred to the Committee on Streets and Alleys.

GEO. T. BREUNIG, Clerk

To the Mayor and Common Council:

Gentlemen:—The Board of Public Improvements, to whom was referred the fol-

lowing motion: "That the Street Commissioner is hereby directed to place stone crossings at the intersection of Pine street and English avenue," recommend the work be done. ♡

Edward H. Dean,
John R. Cowie,
Wm. H. Morrison,
Board of Public Improvements.

Recommend that it be concurred in.

HIRAM SEIBERT.

The following entitled ordinance, presented with the above report, was read the second and third times:

S. O. 71, 1882—An ordinance to provide for grading and graveling the second alley north of Christian avenue, from Bellefontaine avenue to Peru street.

And it was passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following entitled ordinance was read the second time, and referred to the Committee on Streets and Alleys, with instructions to make a report:

S. O. 72, 1882—An ordinance to provide for grading and graveling Hill avenue and sidewalks, from Baltimore avenue to Brinkman street.

Later in the session, on motion by Alderman Rorison, the above action was reconsidered by the following vote:

AYES, 5—viz. Aldermen DeRuiter, Mussmann, Newman, Rorison, and Seibert.

NAYS, 2—viz. Alderman Hamilton, and President Layman.

S. O. 72, 1882, was then read the third time, and passed by the following vote:

AYES, 8—viz. Aldermen DeRuiter, Hamilton, Mussmann, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS—None.

The following entitled ordinance was read the second time:

S. O. 88, 1882—An Ordinance to provide for grading and graveling Highland street, and paving with brick and curbing with stone, the sidewalks, from the north line of Washington street to the south side of Ohio street.

Alderman Seibert, Chairman of the Committee on Streets and Alleys, made the following report:

To the President and Members of the Board of Aldermen:

Gentlemen:—A member of the committee to whom was referred an ordinance for the improvement of Highland street, having examined the premises, I am of the opinion that improvement of said street, in accordance with the plan proposed, is impracticable, and would result in great damage to property owners east of said improvement; and until some provision is made for the large amount of surface water that would accumulate east of Highland street, the improvement should not be made.

HIRAM SEIBERT.

Alderman Rorison submitted the following report:

To the President and Board of Aldermen :

Gentlemen:—Your Committees on Streets and Alleys, and Judiciary, to whom was referred Special Ordinance No. 88, for the improvement of Highland street, from Washington street to Ohio street, together with other papers relating thereto, have had the matter under consideration, and find that said ordinance was introduced in the Common Council by the Committee on Streets and Alleys of said body, and that the same is in accordance with a petition signed by Fred'k. Ostermeyer and others, property owners on the line of the proposed improvement, asking that an ordinance then pending be amended as set out in said petition, and that the ordinance now under consideration embodies said amendment.

Your committee are of opinion that should said ordinance be passed as it now stands, and as it passed the Council, that no damage could result to the city therefrom, from suits or otherwise, and they respectfully recommend that said ordinance be passed:

Respectfully submitted.

Brainard Rorison,
W. H. Tucker,
John Newman,
Committee on Judiciary.

Alderman Tucker moved to refer the whole matter to a special committee.

Alderman Rorison moved to refer the ordinance to the City Commissioners, with instructions to make an examination, and report to the Common Council.

On motion by Alderman Hamilton, the ordinance was referred back to the Committee on Streets and Alleys, and Judiciary, with the City Attorney and City Civil Engineer, with instructions to prepare an ordinance that may be satisfactory, and, if possible, make a unanimous report.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Rorison offered the following resolution:

Resolved, That it is the sense of this Board, that the City Hall and Market House provided for by ordinance heretofore passed, shall not, under any circumstances, cost to exceed the amount named under said ordinance, to-wit: \$150,000; and that the members of the Board of Commissioners be, and are hereby, instructed not to

let any contract for any part of the work until good and sufficient bonds have been given by all contractors, so that the total cost will be limited to the sum above named.

Resolved, That the said ordinance should be repealed on or before March 1st, 1883, if prior to that date anything shall occur that will make it appear necessary to draw anything from the general tax fund other than an amount equal to the proceeds of what is known as the special license tax, as heretofore provided.

And it was adopted by the following vote:

AYES, 6—viz. Aldermen DeRuiter, Newman, Rorison, Seibert, Tucker, and President Layman.

NAYS, 2—viz. Aldermen Hamilton and Mussmann.

Alderman Tucker offered the following motion; which was adopted:

That the City Attorney be, and is hereby, requested to report to this Board at our next meeting, whether the five charges made in the public press, against the right of the city, building the City Hall, are legal facts. The charges are herewith attached; further, that they each be reported upon separately:

- “1. That the Board of Aldermen is not legally constituted.
2. That the present membership of the Common Council is such that that body has not the right to make or ratify levies.
3. That the ordinance is illegal, because it anticipates the revenue.
4. That the ordinance is illegal, because there is no money in the treasury.
5. That the law does not authorize a joint commission of members of the Council and Board of Aldermen.”

The first two objections are made on the ground that some of the members are not freeholders.

Alderman Hamilton offered the following motion; which failed of adoption;

That a driven well be placed at the southwest corner of Massachusetts avenue and St. Clair street.

Alderman Rorison presented the following remonstrances:

Indianapolis, July 21st, 1882.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Indiana avenue, between Illinois and Michigan streets, respectfully remonstrate against the passage of an ordinance providing for the re-grading and bowldering of the roadway of Indiana avenue from Illinois to Michigan streets, No. 94, and respectfully ask the Common Council and Board of Aldermen to pass an ordinance re-grading the street, and bowldering the gutters, and curbing the sidewalks, where it is necessary, or so much a modification of Special Ordinance No. 101, as introduced by W. H. Morrison, as not to increase the width of the sidewalks,

D. King, 93 feet; N. M. King, 64 feet; Louise Pfafflin, 120 feet; Joseph Gardner, 27 feet; Fred. Polster, 20 feet; P. H. Fitzgerald, 79½ feet; Mary Beoderick, by Jas. Renihan, 40 feet; John Teneyck, 28 feet.

Indianapolis, July 21st, 1882.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owners of real estate fronting on Indiana avenue, between Illinois and Michigan streets, respectfully remonstrate against the passage of an ordinance providing for the re-grading and bowldering of the roadway of Indiana avenue, from Illinois street to Michigan street, No. 94, and respectfully ask the Common Council and Board of Aldermen to pass an ordinance re-grading the street and bowldering the gutters, and curbing the sidewalks, where it is necessary, or a modification of Special Ordinance No. 101, introduced by W. H. Morrison, so that the sidewalks are not increased in width.

Cornelius D. Browder, Jos. V. McKernan, agent for J. H. McKernan's heirs, 120.2 feet; Anna E. Lintner, Clara Rau, Geo. Knodle, 39 feet; M. A. Callinan, 55 feet; Jas. M. Tomlinson, 82 feet; Ike Whelan, D. J. Callinan, 55 feet; E. C. Knodle, Ann Knodle.

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William Pfafflin, 88 feet; George Stumph, per H. S., agent, 90 feet; L. Schurr, 41½ feet; David G. Anderson and Sarah P. Buchanan, 32 feet; David Kregelo, 71 feet; W. H. Hildebrand, 24 feet; Mrs. Elizabeth Smither; Mrs. Maggie Gordon, 158¼ feet; Geo. Merritt, about 110 feet; S. K. Fletcher, 41½ feet.

Alderman Tucker offered the following motions; which were severally adopted:

That the Committee on Public Property be, and are hereby, requested to either *close up* the gates of Military Park, and forbid the public from the further use of said grounds, or else put some man in charge of the Park that will take care of the city's property, and keep the weeds cut down, and prevent the destruction of the seats and benches, and other property of said park.

That the City Attorney be, and is hereby, directed to prepare an ordinance, and to present the same to the Council for their action, levying a special tax of \$35.00 per year on each and every street car used in the city for the hauling of passengers from place to place, and that such amounts go into the general funds.

Alderman Tucker offered the following resolution;

Resolved, That this Board of Aldermen will not entertain any propositions from any party or parties as regards the selling of the grounds known as Garfield Park, or any part of the same, or for using any part of the grounds for other than public purposes.

And it was adopted by the following vote:

AYES, 4—viz. Aldermen Mussmann, Newman, Seibert, and Tucker.

NAYS, 3—viz. Aldermen Hamilton, Rorison, and President Layman.

Alderman Seibert offered the following motion; which was adopted;

That the City Attorney prepare an ordinance, and present the same to the City Council, providing how and in what manner collections shall be made, or penalties enforced, against the owners of property where repairs have been made by the Street Commissioner by the order of Council and Board of Aldermen.

Alderman Hamilton presented the following protest; which was received:

I object to the ordinance providing for a Public Hall and Market House, on the east Market Space, at an *estimated* cost of \$150,000, for the reasons that the debt of the city is now at the utmost limit allowed by law; that such proposed building cannot be completed *without increasing taxation*, and the bulk of it upon the real estate; that the city needs sewers, a Hospital building and good streets, much more than this proposed City Hall. Further, that offices, comfortable and convenient in every respect, for the public and the occupants, are provided by the county, for less than cost of light, fuel and water; and a *Market House*, suitable for all public necessities, and one that will be an ornament and a credit, can be built from the 'Tomlinson Fund.' I deem it inexpedient to create this debt, *without the means provided to pay it.*

F. W. HAMILTON.

On motion, the Board of Aldermen then adjourned.

JAMES T. LAYMAN, President.

Attest: GEO. T. BREUNIG, Clerk.