

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—JANUARY 19, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, January 19th, A. D. 1885, at seven o'clock, in regular session.

PRESENT—Hon. John L. McMaster, Mayor, and *ex officio* President of the Common Council, in the Chair, and 19 members, viz: Councilmen Benjamin, Coy, Curry, Dowling, Edenharter, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Trusler, Wharton, and Wolf.

ABSENT, 6—viz. Councilmen Cowie, Downey, Doyle, Gallahue, Moran, and Sheppard.

The Proceedings of the Common Council for the regular session, held January 5th, 1885, 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 constructing combination bridges over Pogue's Run, on Eddy street, and over the Canal, on Sixth street, according to plans and specifications on file in the office of the City Civil Engineer, were received, opened, read, and referred to the Committee on Contracts.

REPORTS FROM COMMITTEE ON CONTRACTS.

The Committee on Contracts, through Councilman Newcomb, submitted the following report; which was concurred in, and contracts severally awarded as recommended:

To the Mayor and Common Council:

Gentlemen.—Your Committee on Contracts, to whom was referred the proposals for street improvements received January 5th, 1885, have examined the same, and find them to be as follows, viz:

1st. For grading and graveling the first alley north of Bates street, from Dillon street to Leota street.

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|------------------------|--|
| David A. Haywood..... | 33 cents per lineal foot front on each side. |
| J. D. Hoss & Co..... | 30 cents per lineal foot front on each side. |
| J. L. Spaulding..... | 29 cents per lineal foot front on each side. |
| Richter & Twiname..... | 29 cents per lineal foot front on each side. |

Fulmer & Seibert..... 29 cents per lineal foot front on each side.
 R. P. Dunning..... 27 cents per lineal foot front on each side.

There being a remonstrance of seventeen-eighteenths of the property on said alley, we deem it best to refuse to award the contract for improving said alley at this time.

2d. For grading and graveling the first alley west of West street, from Michigan street to North street.

J. D. Hoss & Co..... 17 cents per lineal foot front on each side.
 Fulmer & Seibert..... 16 cents per lineal foot front on each side.
 D. A. Haywood..... 16 cents per lineal foot front on each side.
 R. P. Dunning..... 15 cents per lineal foot front on each side.
 Richter & Twiname..... 15 cents per lineal foot front on each side.
 J. L. Spaulding... .. 14 cents per lineal foot front on each side.
 H. C. Roney 14 cents per lineal foot front on each side.

Being a tie bid, and the same being low, recommend the contract be awarded to H. C. Roney.

3d. For grading and graveling the first alley south of North street, from West street to California street.

Richter & Twiname 18 cents per lineal foot front on each side; re-laying bowlders, 25 cents per square yard; walk-stones, 15 cents per foot.

J. D. Hoss & Co., 15 cents per lineal foot front on each side.

David A. Haywood, 15 cents per lineal foot front on each side; re-laying bowlders, 30 cents per square yard.

R. P. Dunning, 15 cents per lineal foot front on each side; re-laying bowlders and walk-stone, \$3.00.

J. L. Spaulding..... 14 cents per lineal foot front on each side.

H. C. Roney 14 cents per lineal foot front on each side.

Fulmer & Seibert..... 13 cents per lineal foot front on each side.

Fulmer & Seibert being the lowest and best bidders, recommend they be awarded the contract.

4th. For grading and paving with brick, the sidewalks of California street, from Pratt street to First street.

R. P. Dunning..... 35 cents per lineal foot front on each side.

Richter & Twiname.... 35 cents per lineal foot front on each side.

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

D. A. Haywood..... 34 cents per lineal foot front on each side.

J. L. Spaulding..... 32½ cents per lineal foot front on each side.

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

5th. For grading and graveling Orange street and sidewalks, from Spruce street to Red street.

J. L. Spaulding.....\$1 20 per lineal foot front on each side.

D. A. Haywood..... 1 18 per lineal foot front on each side.

R. P. Dunning..... 87 per lineal foot front on each side.

Geo. W. Seibert, Sr..... 79 per lineal foot front on each side.

Fred. Gansberg..... 63 per lineal foot front on each side.

Richter & Twiname..... 62 per lineal foot front on each side.

Fulmer & Seibert..... 60 per lineal foot front on each side.

Fulmer & Seibert being the lowest and best bidders, recommend they be awarded the contract.

Respectfully submitted,

W. C. Newcomb,
 Philip J. Doyle,
 M. M. Reynolds,
 Committee on Contracts.

Councilman Newcomb, in behalf of the same Committee, submitted the following report; which was concurred in, and the contracts severally awarded as recommended:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Contracts, to whom was referred the proposals for constructing an iron bridge, with stone abutments, over Pogue's Run on East street, have examined the same, and find them to be as follows, viz:

For constructing Stone Abutments.

Thos. Cummings, dry excavation, per cubic yard, 35 cents; wet excavation, per cubic yard, \$1 00; piling, per lineal foot, 60 cents; sheet piling, per thousand feet, \$28.50; foundation timber, per thousand feet, \$28.50; masonry, per cubic yard, \$8.00.

Richter & Twiname, dry excavation, per cubic yard, 35 cents; wet excavation, per cubic yard, 95 cents; piling, per lineal foot, 55 cents; sheet piling, per thousand feet, \$27.50; foundation timber, per thousand feet, \$27.50; masonry, per cubic yard, \$8.00.

B. Schweitzer, dry excavation, per cubic yard, 40 cents; wet excavation, per cubic yard, 75 cents; piling, per lineal foot, 45 cents; sheet piling, per thousand feet, \$40 00; foundation timber, per thousand feet, \$27.00; masonry, per cubic yard, \$7.00.

Blank bid, dry excavation, per cubic yard, 30 cents; wet excavation, per cubic yard, 75 cents; piling, per lineal foot, 45 cents; sheet piling, per thousand feet, \$16.00; foundation timber, per thousand feet, \$20.00; masonry, per cubic yard, \$7.00.

Henry Helm & Son, dry excavation, per cubic yard, 18 cents; wet excavation, per cubic yard, 50 cents; piling, per lineal foot, 20 cents; sheet piling, per thousand feet, \$45.00; foundation timber, 12 feet, 12 by 12, 21 cents per lineal foot; 8 feet, 6 by 12, 11 cents per lineal foot; masonry, per cubic yard, \$6.90.

Joshua Staples, dry excavation, per cubic yard, 50 cents; wet excavation, per cubic yard, \$1 00; piling, per lineal foot, 60 cents; sheet piling, per thousand feet, \$26.00; foundation timber, per thousand feet, \$20 00; masonry, per cubic yard, \$6 80.

H. Mille: & Co, dry excavation, per cubic yard, 28 cents; wet excavation, per cubic yard, 68 cents; piling, per lineal foot, 37 cents; sheet piling, per thousand feet, \$26.00; foundation timber, per thousand feet, \$20.00; masonry, per cubic yard, \$6.75.

H. C Steeg & Co., dry excavation, per cubic yard, 30 cents; wet excavation, per cubic yard, 75 cents; piling per cubic foot, 30 cents; sheet piling, per thousand feet, \$25.00; foundation timber, per cubic foot, 25 cents; masonry, per cubic yard, \$6 30.

Torr Bros., dry excavation, per cubic yard, 24 cents; wet excavation, per cubic yard, 38 cents; piling, per lineal foot, 35 cents; sheet piling, per thousand feet, \$18.50; foundation timber, per thousand feet, \$18.50; masonry, per cubic yard, \$6.30.

John A. Whitsit, dry excavation, per cubic yard, 15 cents; wet excavation, per cubic yard, 47 cents; piling, per lineal foot, 30 cents; sheet piling, per thousand feet, \$25 00; foundation timber, per thousand feet, \$19.35; masonry, per cubic yard, \$6.23.

For constructing Iron Bridge, complete.

| | |
|--|-------------|
| Henry Stacy, for Stacy Bridge, Roof and Truss Co | \$10,750 00 |
| The Massillon Bridge Co..... | 5,590 00 |
| S. H. Goodman, for Indianapolis Bridge Co..... | 4,251 60 |

John A. Whitsit being the lowest and best bidder for the erection of the stone abutments, and the Indianapolis Bridge Co. being the lowest and best bidder for the iron bridge, we recommend that they be awarded the contracts.

Respectfully submitted,
 W. C. Newcomb,
 M. M. Reynolds,
 Committee on Contracts.

The following contracts and bonds were submitted and approved:

Contract and bond of the Indianapolis Bridge Co., for constructing the East street bridge over Pogue's Run, in the penal sum of nine thousand dollars, with Edward H. Lamme and A. L. Roache as sureties; and contract and bond of John A. Whitsit, for constructing stone abutments of the East street bridge over Pogue's Run, in the penal sum of nine thousand six hundred and sixteen dollars, with Henry C. Adams as surety.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following petition, accompanied with motion; which was received, and motion adopted:

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

Gentlemen:—We, the undersigned, citizens and property holders residing on Railroad street, between Ohio and Market streets, would respectfully represent to your honorable body, the following; That on the 3d day of October, 1883, an ordinance was passed to grade and gravel Railroad street, from Ohio to Market street, which reads as follows:

“Beginning at the south line of Ohio street, and running to station 4, plus 76 feet to the north line of Market street, on a descending grade of .20 of a foot per hundred feet, and graveled to a width of thirty feet, and to a depth of fifteen (15) inches in the center, sloping to five inches at the sides with the best quality of raked River or Fall Creek gravel. All work to be done to the satisfaction of the City Civil Engineer.”

The contractor has carried out the ordinance according to contract, and we, the undersigned, have paid our assessments. We now present to your honorable body that we have no benefit from the improvement made, for the following reason: That the Railroad company or companies, have up to this date, neglected and refused to improve their part of said street crossed by them with railway tracks, neither graded, graveled nor planked the space between the railroad bars; by not doing so, have shut out all travel by vehicles of every description, and compelled them to pass through the alleys from Spring street, tearing up alleys and pavements in terrible manner, and causing great inconvenience and depreciating the value of the property of the undersigned property holders on said street.

We therefore respectfully request your honorable body to take such action as you may deem fit, to compel said Railroad companies to make such improvements as are necessary, according to ordinance made and provided, to make travel possible on said street to Market street; for ever pray the undersigned.

Francis Metzler, Ch. Koelling, Wm. Buschmann, Henry Reidemann, Philippene Hartmann, Bella Kahn.

That the Street Commissioner be, and he is hereby, instructed to notify the C., C. & I.; W., St. L. & P., and the I., B. & W. Railroad Companies to open the drains and gutters so as to afford a free passage for the water under their tracks where they cross Railroad street; and to plank the crossings so as to permit the passage of vehicles; and that if not done within ten days from the service of said notice, the city will do said work, and collect the cost thereof from them. And the Street Commissioner is ordered to proceed to do said work if not done by said companies in said time.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and the estimate (presented therewith) approved:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report a first and final estimate in behalf of George W. Seibert, Jr., for grading, bowldering the gutters, and curbing the sidewalks of Mississippi street, from Maryland street to Washington street.

| | |
|---|----------|
| 844 ⁸⁰ / ₁₀₀ lineal feet bowldering, at 58 cents..... | \$489 98 |
| 59:20 lineal feet curbing, at 39 cents..... | 230 57 |
| 87.10 square yards bowldering wings, at 58 cents..... | 50 52 |
| 4 square yards re-bowldering, at 25 cents .. | 1 00 |
| | \$772 07 |

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 George W. Seibert, Jr., for grading, bowldering the gutters, and curbing the sidewalks of Mississippi street, from Maryland street to Washington 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, 17—viz. Councilmen Benjamin, Curry, Dowling, Edenharter, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, Wharton, and Wolf.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contracts concurred in, and the 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 grading and paving with brick, the south sidewalk of North street, from Wood street and Indiana avenue. Bond \$800.00; surety R. P. Dunning.

Contract and bond of R. P. Dunning for grading Hall Place street, from Seventh street to Eighth street. Bond \$600.00; surety H. C. Roney.

Contract and bond of R. P. Dunning for grading and paving with brick, the south sidewalk of Indiana avenue from West street to Blake street. Bond \$1,500.00; surety H. C. Roney.

Contracts and bonds of Richter & Twiname for grading and paving with brick, the west sidewalk of College avenue from Lincoln avenue to Seventh street. Bond \$500.00; surety Peter Fritz.

Also, for repaving the sidewalks of Massachusetts avenue from Delaware street to North street. Bond \$2 500.00; surety Peter Fritz.

Also, grading and bowldering the first alley east of Alabama street, from Washington street to Pearl street. Bond \$400.00; surety Peter Fritz.

Contracts and bonds of Hanway & Cooper for grading and bowldering the first alley west of Illinois street, from Maryland street to Kentucky avenue. Bond \$500.00; surety Fred. Knefler.

Also, for bowldering and curbing the gutters of Fort Wayne avenue, from Pennsylvania street to New Jersey street. Bond \$6000 00; sureties Fred. Knefler and John S. Berrybill.

Contract and bond of J. D. Hoss & Co. for grading and graveling the first alley south of Seventh street, from Delaware street to Alabama street. Bond \$500.00; surety Geo. W. Seibert, Sr.

Contract and bond of Henry C. Roney for grading and paving with brick, the north sidewalk of Seventh street from Central avenue to the W. St. L. & P. R. R. Bond \$1,700.00; surety Fred. Gansberg.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

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

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith report the contract and bond of Augustus Bruner for constructing the Geisendorff street sewer Bond \$20,000 00; sureties Anderson Bruner, Anna M. Bruner, James Loucks, Ovid B. Jamison and John M. Judah.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report, accompanied with agreement; which was received, and agreement approved:

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

Gentlemen:—By section 1 of G. O. No. 50, 1884, relative to the construction of a bridge over Pogue's Run at East street, the City Civil Engineer was directed to confer with the Chief Engineers of the C., St. L. & P. R. R. Co., and the C., H. & I. R. R. Co., to the end that the bridges mentioned in said ordinance might be constructed, as far as practicable, to conform to each other, so that they might be used with the least possible inconvenience and danger. As mentioned in the preamble of said ordinance, the two Engineers above mentioned had previously agreed with the City Civil Engineer to pay for the construction of so much of said city bridge as would be used by said companies respectively. I desire to report that I have held the conferences as contemplated in said ordinance, and have made the plans of said East street bridge accordingly. I have also reduced to writing the substance of the agreement made between the above mentioned Engineers and myself, in reference to the distribution of the cost of constructing said bridge. By the terms of said agreement, the R. R. Co's are permitted to rest one track stringer of their bridge on the last girder of the City's bridge, where said girder rests on the north abutment, and in consideration therefor, the City is permitted to rest the east tier of floor beams on the last girder of the R. R. Co's bridge; and further, the R. R. Co's agree to construct all the masonry necessary for the City's bridge east of the east line of East street, thereby reducing the length of the south abutment of the City's bridge from 24 to 30 feet, which under the circumstances, in my opinion is a fair adjustment of the proportionate cost of constructing the East street bridge.

I submit herewith the agreement, as entered into between the Engineers of the two R. R. Co's and myself, and ask your approval of my action.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

WHEREAS, By the terms of G. O. No. 50, 1884, the C., St. L. & P. R. R. Co., and the C., H. & I. R. R. Co., agreed to pay for the construction of so much of said City's bridge over Pogue's Run at East street as would be used by said Companies, respectively. And, whereas, by the proposed plans of the City for her bridge across Pogue's Run at East, and of the Railroad Companies above mentioned, for their bridge over Pogue's Run east of East street, the said Railroad Companies will not use any of the superstructure of the City's bridge except to frame one track stringer into the east girder of the City's bridge; therefore the Railroad Companies above mentioned, by their Chief Engineers, have agreed with the City Civil Engineer of the City of Indianapolis to allow the floor beams of the City's bridge

framed into the last girder of the R. R. Co's bridge. And, further, to construct at their expense, the stone abutments as contemplated by their plans, to the east line of East street on both sides of said Run.

M. J. BECKER, Ch'f Eng. C., St. L. & P. R. R.

JOS. RAMSEY, JR., Ch'f Eng. C., H. & I. R. R.

S. H. SHEARER, City Civil Engineer.

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 improvement assessments, by precepts, to wit:

| | |
|---|--------|
| James Mahoney vs. Patrick Doyle, for | \$7 60 |
| James Mahoney vs. Christian F. Moeller, for | 7 60 |
| James Mahoney vs. M. E. & J. F. V. McFarland, (christian names unknown), for | 7 60 |
| James Mahoney vs. Gotlieb Kramer, for..... | 7 60 |

Respectfully submitted, GEO. T. BREUNIG, City Clerk.

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

AYES, 13—viz. Councilmen Benjamin, Curry, Dowling, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, and Wolf.

NAYS, 3—viz. Councilmen Edenharter, Thalman, and Wharton.

The City Clerk submitted the following report; which was referred to the Finance Committee:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith submit my report of orders drawn on the City Treasurer during the year 1884; also, a tabular statement of the bonded indebtedness of the City of Indianapolis, and an interest coupon statement, showing the amount of interest payable each year.

Respectfully submitted, GEO. T. BREUNIG, City Clerk.

Statement of Orders drawn on the City Treasury during the year 1884.

| | |
|--|-------------|
| Board of Health..... | \$ 522 00 |
| Bridges. | 6,711 44 |
| City Assessor's Department. | 4,406 35 |
| City Civil Engineer's Department..... | 2,100 20 |
| City Dispensary..... | 3,460 86 |
| City Hall..... | 2,764 76 |
| City Hospital and Branch | 15,129 52 |
| City Hospital additions. | 27,456 55 |
| City Treasurer's percentage. | 5,479 33 |
| Cemeteries | 117 54 |
| Cisterns..... | 4,481 21 |
| Fire Department—Salary of officers and members.. | \$59,622 00 |
| “ “ Repairs, fuel, feed, &c., &c..... | 14,547 19 |
| | <hr/> |
| | 74,169 19 |
| Fountains and driven wells..... | 30 75 |
| Gas, | 65,939 37 |
| Incidentals..... | 2,220 65 |
| Interest on bonds..... | 132,993 75 |
| Judgments and costs..... | 1,865 86 |
| Markets..... | 588 20 |

Interest-Coupon Statement.

| KIND OF BONDS. | WHERE PAYABLE. | When Payable. | No. of C. upon. | Coupon Value. | Amount Payable. | TOTALS. |
|----------------------------|------------------------------|---------------|-----------------|---------------|-----------------|--------------|
| I. C. & D. R. R. Co..... | City Treasury, Indianapolis. | January 1st. | 90 | \$30 00 | \$ 2,700 00 | |
| Series "A" | Winslow, Lanier & Co. N. Y. | January 1st. | 300 | 36 50 | 10,950 00 | |
| Series "B" | " " " " | January 1st. | 300 | 36 50 | 10,950 00 | |
| Southern Park Purchase | " " " " | January 1st. | 219 | 18 25 | 3,996 75 | |
| Series "C" | " " " " | January 1st. | 300 | 36 50 | 10,950 00 | |
| Series "D" | " " " " | January 1st. | 200 | 36 50 | 7,300 00 | |
| Fire Department | " " " " | January 1st. | 14 | 18 25 | 255 50 | |
| Fire Department | " " " " | January 1st. | 9 | 36 50 | 328 50 | |
| Series "E" | " " " " | January 1st. | 8 | 36 50 | 292 00 | |
| U. R. R. T. & S. Y. Co.*.. | " " " " | January 1st. | 500 | 30 00 | 15,000 00 | \$ 62,722 75 |
| Ind'polis & Vin. R. R. Co. | City Treasury, Indianapolis. | April 1st. | 120 | 30 00 | 3,600 00 | |
| Junction R. R. Co..... | " " " " | April 1st. | 100 | 30 00 | 3,000 00 | |
| Sellers' Farm Purchase. | Winslow, Lanier & Co., N. Y. | April 1st. | 21 | 40 00 | 840 00 | 7,440 00 |
| Series "A" | Winslow, Lanier & Co., N. Y. | July 1st. | 300 | 36 50 | 10,950 00 | |
| Series "B" | " " " " | July 1st. | 300 | 36 50 | 10,950 00 | |
| Southern Park Purchase | " " " " | July 1st. | 219 | 18 25 | 3,996 75 | |
| Series "C" | " " " " | July 1st. | 300 | 36 50 | 10,950 00 | |
| Series "D" | " " " " | July 1st. | 200 | 36 50 | 7,300 00 | |
| Fire Department | " " " " | July 1st. | 14 | 18 25 | 255 50 | |
| Fire Department | " " " " | July 1st. | 9 | 36 50 | 328 50 | |
| Series "E" | " " " " | July 1st. | 8 | 36 50 | 292 00 | |
| U. R. R. T. & S. Y. Co.*.. | " " " " | July 1st. | 500 | 30 00 | 15,000 00 | |
| Patterson Levee | " " " " | July 1st. | 5 | 60 00 | 300 00 | 60,322 75 |
| Sellers' Farm Purchase. | Winslow, Lanier & Co., N. Y. | October 1st. | 21 | 40 00 | 840 00 | 840 00 |
| Grand Total..... | | | | | | \$131,325 50 |

*These bonds were issued in aid of the "Union Railroad Transfer and Stock-Yards Company," and were exchanged for an equal amount of the bonds of said company.

The principal of the said company's bonds, and the interest-coupons attached thereto, mature and become payable one month prior to the principal and coupons of the city bonds.

Temporary Loan of 1884.

Issued November 15, 1884, due March 15, 1885 \$100,000 00

The City Treasurer submitted the following report; which was referred to the Finance Committee:

Report of I. N. PATTISON, City Treasurer, for the year ending December 31st, 1884.

RECEIPTS

| | |
|---|------------|
| From auction licenses.. .. | \$ 255 00 |
| From benefits. | 5,576 57 |
| From coal licenses. | 280 00 |
| From clinic tickets and pay patients .. | 715 38 |
| From dog licenses. | 2,673 75 |
| From dray licenses | 271 45 |
| From express licenses..... | 643 40 |
| From fines and fees. | 5,723 23 |
| From hack licenses. | 294 00 |
| From huckster licenses | 1,364 00 |
| From liquor licenses..... | 17,552 98 |
| From Market-masters' fees..... | 4,134 95 |
| From market rents..... | 1,388 00 |
| From peddlers licenses..... | 537 00 |
| From promiscuous..... | 131,068 10 |

| | |
|--|---------------------|
| From sale of old material..... | \$ 903 30 |
| From Sellers Farm rent..... | 500 00 |
| From show licenses..... | 1,146 41 |
| From tapping sewers..... | 51 00 |
| From taxes current..... | 548,315 12 |
| From tax sales current..... | 3,867 14 |
| From tax sales delinquent..... | 4,784 57 |
| From taxes delinquent..... | 31,379 65 |
| From vault cleaners' licenses..... | 895 00 |
| From City Hall Fund, to correct error..... | 130 00 |
| Total..... | \$763,950 00 |
| Balance on hand January 1st, 1885..... | 73,897 55 |
| | <u>\$837,847 55</u> |

DISBURSEMENTS.

| | |
|--|---------------------|
| For Board of Health..... | \$ 522 00 |
| For bridges..... | 6,711 24 |
| For Cemeteries..... | 117 54 |
| For Cisterns..... | 4,481 21 |
| For City Assessor's department..... | 4,406 35 |
| For City Civil Engineer's department..... | 2,062 20 |
| For City Dispensary..... | 3,459 86 |
| For City Hall..... | 3,344 76 |
| For City Hospital and Branch..... | 42,651 53 |
| For elections..... | 74 00 |
| For Fire Department..... | 75,157 15 |
| For fountains and driven wells..... | 30 75 |
| For gas..... | 65,939 37 |
| For incidentals..... | 2,220 65 |
| For interest on bonds..... | 132,993 75 |
| For judgments and cost..... | 1,813 86 |
| For markets..... | 588 20 |
| For Market-Masters' fees..... | 2,491 80 |
| For parks..... | 1,848 64 |
| For per centag..... | 5,479 33 |
| For Pogue's Run..... | 3,450 28 |
| For police..... | 54,499 60 |
| For printing..... | 5,840 09 |
| For salary..... | 24,5 3 50 |
| For school fund..... | 113,937 61 |
| For sewers..... | 7,410 55 |
| For sinking fund..... | 15,683 49 |
| For Station Houses..... | 3,564 32 |
| For street improvements..... | 20,112 40 |
| For street openings and vacations..... | 887 35 |
| For street repairs..... | 43,200 85 |
| For taxes refunded..... | 1,226 12 |
| For time warrant of 1883..... | 71,213 31 |
| For water rent..... | 29,650 71 |
| For additional City Hall Fund transferred from General Fund..... | 17,381 14 |
| Total..... | \$768,975 71 |
| Balance on hand January 1st, 1885..... | 68,871 84 |
| | <u>\$837,847 55</u> |

TOMLINSON ESTATE.

Receipts.

| | |
|--|--------------|
| Balance on hand January 1st, 1884..... | \$ 65,979 96 |
| Rents..... | 909 11 |
| | <hr/> |
| | \$ 66 889 07 |
| | <hr/> |

Disbursements.

| | |
|--|--------------|
| Repairs, plans, &c..... | \$ 1,987 29 |
| Balance on hand January 1st, 1885..... | 64,901 78 |
| | <hr/> |
| | \$ 66,889 07 |
| | <hr/> |

ADDITIONAL CITY HALL FUND.

| | |
|--|--------------|
| Balance on hand January 1st, 1884..... | \$ 28,368 80 |
| Transferred from General Fund | 17,381 14 |
| | <hr/> |
| | \$ 45,749 94 |
| | <hr/> |
| Balance on hand January 1st, 1885..... | \$ 45,749 94 |

SINKING FUND.

| | |
|--|--------------|
| Balance on hand January 1st, 1884..... | \$ 15,162 42 |
| From taxes for the year from General Fund..... | 15,683 49 |
| | <hr/> |
| | \$ 30,845 91 |
| | <hr/> |
| Balance on hand January 1st, 1885..... | \$ 30,845 91 |

Respectfully submitted,

I. N. PATISON, City Treasurer.

To GEO. T. BREUNIG, City Clerk.

The City Attorney submitted the following report; which was referred to the Committee on Public Property;

To the Mayor and Common Council:

Gentlemen:—At the request of citizens living in the vicinity of the lot known as the "Park," between Noble and Liberty streets, heretofore used by the city as a place for storing lumber, tools &c., I agreed to call the attention of your honorable body to the fact that certain parties are willing to pay the city a small sum for a quit claim deed for her rights therein, in order to change the character of the use to which said lot is being put, and to ask that a committee be appointed to confer with said parties, looking to such purchase.

Respectfully submitted,

C. S. DENNY, City Attorney.

The Street Commissioner submitted the following report; which was received:

To the Mayor and Common Council:

Gentlemen:—I served notice, prepared by the City Attorney, on the Eagle Machine Works, and all others concerned in the building occupied by it, to remove the obstructions under said building from the bed of Pogue's Run within sixty days, and have filed said notice and proof of service thereof in my office.

Respectfully submitted,

C. S. RONEY, Street Commissioner.

Councilman Benjamin submitted the annual report of the Fire Board and Chief Fire Engineer of the City of Indianapolis, for the year ending December 31st, 1884; which was referred to the Committee on Printing, with instructions to investigate as to the cost of printing the report in pamphlet form.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements submitted the following report; which was received, and the extension of time granted;

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We would most respectfully ask an extension of time—sixty days—for completing our contract for grading and graveling M'nerva street and sidewalks, from New York street to its southern terminus. We have the contract about completed, but will not be able to get gravel for completing same on account of high water within time given.

S. W. & R. H. PATTERSON.

Recommend time be extended.

M. M. Reynolds,

R. H. Rees,

Board of Public Improvements.

The Board of Health presented the Mortality report for two weeks, ending January 15th, 1885, showing 56 deaths; which was received.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Finance, through Councilman Thalman, submitted the following report; which was received:

To the Honorable City Council:

Gentlemen:—Your Committee on Finance respectfully report the following expenses for the year 1884:

| | |
|---|------------|
| Board of Health..... | \$ 522 00 |
| Bridges..... | 6,711 44 |
| City Assessor's Department..... | 4,406 35 |
| City Civil Engineer's Department..... | 2,100 20 |
| City Dispensary..... | 3,460 86 |
| City Hall (rents for city offices, &c.)..... | 2,764 76 |
| City Hospital and Pest House..... | 15,129 52 |
| City Hospital Addition..... | 27,456 55 |
| City Treasurer's percentage..... | 5,479 33 |
| Cisterns..... | 4,481 21 |
| Cemeteries..... | 117 54 |
| Fire Department..... | 74,169 19 |
| Fountains..... | 30 75 |
| Gas..... | 65,939 37 |
| Incidental expenses..... | 2,220 65 |
| Interest (including Belt Railroad bond interest)..... | 132,993 75 |
| Judgments and costs..... | 1,865 86 |
| Markets..... | 588 20 |
| Market-Master's fees..... | 2,491 80 |
| Parks..... | 1,848 64 |
| Police..... | 55,101 73 |
| Pogue's Run..... | 3,629 03 |
| Printing..... | 5,840 29 |
| Salaries..... | 23,503 50 |
| Sewers..... | 7,411 25 |
| Station Houses..... | 3,531 82 |
| Street improvements, &c..... | 20,146 05 |
| Streets openings and vacations..... | 857 35 |
| Street repairs and cleaning..... | 42,979 25 |
| Taxes refunded..... | 1,221 88 |
| Water rent..... | 29,650 71 |

\$548,650 83

REVENUE FOR 1884.

| | |
|--|--------------|
| Tax duplicate of 1883 | \$479 250 00 |
| Incidentals. (including Belt Railroad interest)..... | 59 000 00 |
| Poll tax..... | 5,000 00 |
| | <hr/> |
| | \$543,250 00 |

The Hospital improvement of \$27,456.00, adds quite a figure in this years' expenses, otherwise we would be considerable inside of our revenue. We are convinced that a 90 cent levy, with care and economy, will be sufficient to meet all necessary requirements. There has, however, been a constant growing increase in the cost of water rent and gas, which, in our opinion, can be checked for several years to come, without creating great inconvenience to any one.

We would recommend that a resolution be passed, and strictly adhered to, that no further extension of water mains nor erection of lamp-posts, be ordered during the year 1885. We would also recommend that a rule be established, that no street improvement ordinance be passed without a petition accompanying it from the resident property owners owning at least one-half of the number of lineal feet along the line of the contemplated improvement. This would prevent a great many ordinances from being pushed through, and save the city a large amount.

Respectfully submitted,
 Isaac Thalman,
 John R. Pearson,
 Committee on Finance.

I concur in the above report, with the exception of the recommendation as to no further extension of mains and erection of lamp-posts. JULIUS F. REINECKE.

The Committee on Markets, through Councilman Wharton, presented the following petition with report, accompanied by resolution:

Indianapolis, January 19th, 1885.

To the Common Council and Board of Aldermen :

Gentlemen:—Your petitioner represents and shows to your honorable bodies that he is a regular attendant of the East Market, and has occupied Stall No. 6 in Market House in retailing meat, for nearly three years last past,

Petitioner further shows that all leases thereon had expired, and he was paying the rent by the week to the Market Master.

Further, that one David Umpstetter made demand of the Market Master, as your petitioner is informed, that he should offer for sale or lease to the highest bidder, for the unexpired market year, Stall No. 6 in Market House. That thereupon the East Market Master did, upon Thursday, the 15th of the present month, notify all parties that he would at 12 o'clock noon upon said day, offer to the highest bidder said Stall 6 for the unexpired market year.

That at the time mentioned, said Umpstetter and your petitioner, and other market men, were present ready and willing to make bids upon said stall. That about as the Market Master was ready, and made the statement that he was ready to offer said Stall. The said Umpstetter, in the hearing of your petitioner, notified the Market Master that he must not offer said Stall for sale at that time, as he would not bid, gave as a reason, that "he had too many enemies present," and thereupon left the Market House.

The Market Master thereupon informed the parties present that he would not offer said Stall until said Umpstetter was ready to bid. Thereupon, as your petitioner is informed, said Umpstetter employed George W. Spahr, as his attorney, to secure said Stall for him in some other manner than in bidding for it.

That said Umpstetter and his attorney, ignoring both the Market Master and the Committee on Markets, went to the Treasurer's office on Friday evening, January 16, 1885, a little before closing time, and tendered to Frank Blanchard, Deputy Treasurer, the sum of \$6 88, and demanded an order from him on the City Clerk, to issue to him a license for Stall No. 6, in Market House, until June 30, 1885.

The said Blanchard, supposing everything was regular, did so, and upon his order issued the license. Your petitioner is further informed that said Umpstetter said, before he employed said attorney, that he would bid the sum of eleven dollars for said Stall for the term from now until June 30th, 1885. Your petitioner further shows, that he has always been ready, and is ready now, to make a better bid than Umpstetter offered to make.

Wherefore your petitioner, in justice to himself and the City Treasury, asks your honorable bodies to revoke said license so secretly obtained, and in defiance to your Market Master and your Committee on Markets.

He further asks, that after so revoking said license, you will direct the Market Master and Committee on Markets, after due notice given, to offer either at public or private sale, said Stall No. 6, to the highest and best bidder, for the term of the unexpired market year, ending June 30th, 1885.

Witness my hand this January 19th, 1885.

ED. W. COOK.

I hereby certify that the facts stated in the foregoing petition are true.

W. H. PRITCHARD, Market Master.

To the Mayor and Common Council:

Gentlemen:—Your Committee on Markets, report that they have investigated the facts stated in the petition of E. W. Cook, concerning stall No. 6 in the East Market House, and find them all true. A license obtained in such a manner, is not only a fraud upon the city treasury but a wrong to other good citizens seeking a chance to buy stalls in the market. We are firmly of the opinion that said license to stall six should be revoked, under Section 6, of the Market Ordinance of May 4th, 1864. We recommend the resolution accompanying this report be passed.

Respectfully submitted,

J. W. Wharton,
Wm. Curry,
Committee on Markets.

WHEREAS, David Umpstetter, when he had an opportunity to bid for stall No. 6, in East Market House, in competition with other bidders, refused to do so, plainly for the reason that he would have to bid more than he thought the stall was worth;

And Whereas, he secretly, in violation of all precedents and ordinances, and in defiance of the Market Master and Market Committee, and to the injury of the city treasury, obtained a license to stall six; therefore,

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the market license to stall No. six, in the East Market House, issued by the City Clerk to David Umpstetter, on Friday evening, January 16th, 1885, be, and the same is hereby, revoked.

Resolved, further, that the Market Master and Committee on Markets lease said stall six at private sale, to the highest and best bidder, after giving due notice, in accordance with the opinion of the City Attorney.

Which resolution was adopted, by the following vote:

AYES, 17—viz Councilmen Benjamin, Curry, Dowling, Edenharter, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Thalman, Trusler, Wharton, and Wolf.

NAYS—None.

Later in the session Councilman Spahr requested that his vote be recorded in the affirmative, on the above resolution.

Which request was granted.

Councilman Spahr moved that the action on the above resolution be reconsidered.

Councilman Curry moved to lay the above motion on the table; which was adopted, by the following vote:

AYES, 11--viz. Councilmen Coy, Curry, Dowling, Haugh, Mack, Pearson, Rees, Smither, Thalman, Trusler, and Wharton.

NAYS, 8--viz. Councilmen Benjamin, Edenharter, McClelland, Newcomb, Reinecke, Reynolds, Spahr, and Wolf.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read and received:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session held in the Aldermanic Chamber, Monday evening, January 12th, 1885, received the following report:

To the Honorable Members of the Common Council and Board of Aldermen:

Gentlemen:—We would respectfully communicate to your honorable bodies that at a meeting of the Board of Health held on January 1st, 1885, we have organized by electing E. J. Brennan, M. D., President, and W. Wands, M. D., Secretary of our Board; Geo. O. Griffin was elected Clerk in charge of the office; Samuel Barker inspector of meats, and Geo. F. Newcomb inspector of premises; S. E. Earp, M. D., was elected chemist.

Very respectfully,

W. WANDS, M. D., Sec'y,"
Per "G."

I submit the same for your information.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

The following message was read, and the matter was laid on the table:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, January 12th, 1885, adhered to their former action, recommending that \$38.13 be paid to Henry Hahn, instead of \$7.00, as heretofore recommended and appropriated by both bodies.

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

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

S. O. 1, 1885—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Michigan street, between Noble and Pine streets.

By Councilman Reinecke:

S. O. 2, 1885—An ordinance to provide for grading and paving with brick, the sidewalks of Greer street, from McCarty street to Buchanan street.

By Councilman Wolf:

S. O. 3, 1885—An ordinance to provide for grading, bowldering and curbing the east gutter of Madison avenue, from the north line of Downey street to Nebraska street.

S. O. 4, 1885—An ordinance providing for the construction of a brick sewer in and along McCarty street, from Delaware street to Madison avenue, connecting with the sewer now in said Madison avenue.

By Councilman Newcomb, which was referred to the Committee on Sewers and Drainage:

S. O. 5, 1885—An ordinance providing for the construction of a brick sewer in and along Delaware street, from St. Mary street to North street, connecting with the sewer now in said Delaware street terminating at said North street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following motion; which was referred to the Finance Committee:

That a Committee of five be appointed to see what can be done to lessen the expenses of the city government.

Councilman Coy offered the following motion; which was adopted:

That the City Civil Engineer be, and is hereby, directed to re-advertise for bids for grading and bowldering the roadway of Alabama street, from Pogue's Run to the C. I., St L. & C. R. R. tracks.

Councilman Coy presented the following application; which was granted:

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

Gentlemen:—The undersigned respectfully makes application to sell at auction in the City of Indianapolis, such license to be issued for one or more quarters of a year.
Respectfully,
C. H. SPARKS.

Councilman Edenharter offered the following resolution; which was referred to the Committee on Water:

Resolved, That the Indianapolis Water Company be, and are hereby, directed to lay water mains on Highland street, between Market and Ohio streets.

Councilman Haugh presented a petition of physicians, asking for the appointment of certain doctors upon the consulting staff of the City Hospital, accompanied with an "Appeal from the action of the Hospital Board."

Councilman Smither presented a petition of physicians and surgeons, as to the same subject-matter, accompanied with a protest as to the action of the Hospital Board in appointing the consulting staff of the City Hospital.

Councilman Haugh offered the following motion:

That a Committee of five be appointed to inquire into the matter of the City Hospital, and report to this Council what further legislation, if any, is necessary.

Councilman Thalman offered the following motion as a substitute for the above:

That the matter be referred to the Hospital Board and Superintendent, with power to act; and that it is the sense of this Council that all the Medical Schools should be treated with that courtesy due every citizen to a Public Hospital; and that the said Board and Superintendent, so far as is to the good working interest of the Hospital, give the parties a careful consideration and representation.

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

AYES, 11—viz. Councilmen Benjamin, Coy, Dowling, Haugh, Mack, McClelland, Reinecke, Smither, Spahr, Trusler, and Wolf.

NAYS, 6—viz. Councilmen Edenharter, Pearson, Rees, Reynolds, Thalman, and Wharton.

Councilmen Curry and Newcomb were excused from voting on the above matter.

Councilman Thalman moved that action be postponed until the next meeting.

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

AYES, 11—viz. Councilmen Benjamin, Coy, Dowling, Haugh, Mack, McClelland, Rees, Reinecke, Smither, Spahr, and Wolf.

NAYS, 8—viz. Councilmen Curry, Edenharter, Newcomb, Pearson, Reynolds, Thalman, Trusler, and Wharton.

On motion by Councilman Thalman, the petitions and protests were ordered not printed in the Proceedings.

Councilman Haugh's motion was then adopted, and the Chair appointed Councilmen Haugh, Newcomb, Mack, Smither and Rees to act as the members of such committee.

Councilman Haugh presented the following petition; which was referred to the Committee on Sewers and Drainage:

Indianapolis, Dec. 20, 1884.

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

Gentlemen:—The undersigned, owners of real estate fronting on New Jersey street, between Washington and New York streets, respectfully petition for the passage of an ordinance providing for the construction of a brick sewer in and along New Jersey street, between the points named; said sewer to be paid for out of the Sewer Fund. Jno. M. Gaston, 67½ feet; A. Kipp, 34 feet; Henry Sev-

erin, 67½ feet; Mrs. Joseph Langbein, 195 feet; Chas. Anderson, 28 feet; John Anderson, 30 feet; James Anderson, 52 feet; H. Riemenschneider, 20 feet; A. D. Gall heirs; E. H. Koller, 195 feet; John F. Tapping, 30 feet; J. C. Hirschman, 40 feet; Mrs. Margaret Long, 80 feet; Konrad Schueszler, 32 feet; Mrs. Mary Bly, 32 feet; Mrs. Sarah Roop, 80 feet; Frederick Thoms, 40 feet; F. J. Rapp, Trustee, 67½ feet; C. Seibert, 40 feet.

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

That the Street Commissioner be, and is hereby, directed to lay stone crossings at the east side of Pennsylvania street, across Merrill street.

That the Street Commissioner be, and is hereby, directed to lay stone crossings at the south side of Merrill street, across Union street and Madison avenue.

Councilman Mack offered the following motion; which was adopted:

That the first lamp-post north of McCarty street, on the east side of Illinois street, be dismantled; and the first one north of Morris street, on the east side of Meridian street, be re-mantled and re-lighted.

Councilman Mack offered the following resolution; which was referred to the Committee on Water:

Resolved, That the Indianapolis Water Company be directed to lay water mains on Union street, from McCarty street to Hill street.

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

That the Street Commissioner be instructed to put down a double stone crossing across Pennsylvania street, on the north side of Second street.

Councilman Rees presented the following petition, accompanied with motion; which were referred to the Board of Public Improvements:

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

Gentlemen:—The undersigned, property holders and business men, most respectfully petition your honorable bodies for a double flag stone crossing across west Washington street, at the intersection of and on the west side of Osage street.

E. Williamson, Julius Adler, F. Stout & Son, Gus. Frevort, Chas. Maguire, S. O. Kaufman, S. S. Rhodes, Thos. W. Pottage, Romon Oehler, M. D. Kaufman, J. A. Weakley, John Schulte, Geo. A. Hug & Co. L. Wiegand, Louis Greiner, P. O. Keeffe, S. K. Hammerly, John Kistner, Felix Keenan, J. A. Shaw, J. N. Morlan, La. Catt, N. Hyde, John Bush, James L. Taylor, H. H. Poulter, Richard Haden.

That the prayer of the petitioners be granted, and that the work be done as named in the petition, under the direction of the City Civil Engineer.

Councilman Rees offered the following motion; which was adopted:

That the City Civil Engineer be, and he is hereby, authorized to remove the first lamp-post on the south side of market street, (immediately west of Illinois street) to the southwest corner of Market street and the first alley west of Illinois street.

Councilman Reinecke offered the following resolution; which was referred to the Committee on Water and Chief Fire Engineer:

Resolved, That the Indianapolis Water Company be, and is hereby, directed to extend its lines of water mains on Dougherty street, from Virginia avenue to East street, and to locate one hydrant for every 500 feet of pipe so extended; all to be done under the direction of the City Fire Engineer, and that the City Clerk is hereby directed to notify said company of this action.

Councilman Spahr offered the following motion:

That Messrs. Rees, Haugh and Edenharter be appointed a committee to investigate the matter of the petition of Ed. W. Cook and Market Master Pritchard, and the manner of conducting the affairs of the East Market, and report to this Council at the next meeting.

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

AYES, 16—viz. Councilmen Coy, Curry, Dowling, Edenharter, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Thalman, Trusler, and Wharton.

NAYS, 2—viz. Councilmen Spahr, and Wolf.

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

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

Gentlemen:—Some time ago I fell on one of the sidewalks of your city, by reason of a defect in the sidewalk, and broke by leg at five places. I claim that the injury was caused without any contributory negligence on my part, and a suit is now pending for damages sustained by reason of such injury. But rather than encounter the law's delay, and the expense of a protracted litigation, I will accept in full satisfaction of my said claim for damages, the sum of five hundred dollars, and dismiss said suit at the costs of defendant.

FRANCIS M. WRIGHT.

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

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

Gentlemen;—Your petitioner, Merrick E. Vinton, would respectfully represent and show, that during the year 1875 he, in connection with one James H. Ruddall, was the owner of one hundred feet off the west side of Lot six (6), in Davidson-addition. That in September, 1875, said Ruddall deeded to him his undivided interest in said lot; and shortly thereafter, in September, 1875, your petitioner deeded the entire of said lot to one Lindley Vinton. Both of the deeds were duly recorded at the time, in the office of the Recorder of Marion County; but by some mistake or inadvertance, of the particulars of which your petitioner is not advised, said real estate was thenceforward carried on the tax duplicate of the City of Indianapolis, in the name of Ruddall & Vinton. The proper change having been made in the County Treasurer's office, and it being in the county assessed to said Lindley Vinton. That said Lindley Vinton continued to be the owner of said property, and in actual possession thereof, and erected buildings thereon, which possession continued until in the year 1883, when said real estate was by said Lindley Vinton conveyed for full consideration paid, to your petitioner, and your petitioner then and thereby acquired said title. That while said real estate was so held by said Lindley Vinton by recorded title, and while he was in the possession thereof, certain proceedings were had before the City Commissioners upon petitions of certain property holders, to assess the benefits and damages occasioned by the opening of Hanna street. That said City Commissioners required of the City Clerk, among other things, that a

notice should issue, and required him to issue a notice to said Ruddall and Vinton as the owners of said portion of said lot; and thereupon said City Clerk issued notice to the City Marshal, directing him to notify said James H. Ruddall and Merrick E. Vinton of the pendency of said proceedings; and thereupon said City Marshal, as appears from the record, served the same upon said James H. Ruddall by copy upon his agent, and upon your petitioner, by publication, your petitioner being then a resident of the City of St. Paul, in Minnesota. And thereupon, under such notice, the said Commissioners proceeded to, and did assess benefits against said Ruddall and Vinton to said lot, in the sum of \$100.00, and so reported the same to your honorable body; and their report was thereupon approved, and the City Treasurer directed to collect said \$100.00; and said City Treasurer now claims that the same is a valid and subsisting lien upon said real estate, and is threatening to collect the same.

Your petitioner shows as aforesaid, that at the time when said proceedings were had, said notices were issued and served, neither said James H. Ruddall nor said Merrick E. Vinton had any interest whatever, whether legal or equitable, in said real estate; and said notice to them was for that reason void and of no effect, and can not constitute the foundation of any lien. Nevertheless, he says by reason of the same appearing of record in the office of the Recorder of Marion County, and of the City Treasurer of said city, a cloud is cast upon the title of your petitioner to said real estate.

Your petitioner shows, that inasmuch as it is apparent that the alleged claim is of no legal validity, and should be released, he prefers to bring the matter to your attention, rather than to institute a suit to quiet title. He therefore prays that the proper city officers shall be directed to enter upon the records in the Recorder's office and in the City Treasurer's office, that said alleged lien is of no legal force or validity whatever; and your petitioner will ever pray, &c.

Jan. 19th, 1885.

MERRICK E. VINTON,
By Claypool & Ketcham.

Councilman Thalman offered the following motion; which was adopted:

That Robert Jolly have permission to pave with brick the pavement on both sides of his premises, situated on the point between Washington street and National Road west of Blackford street; said work to be done at his own expense. Also that the City Engineer be hereby directed to set the grade stakes.

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

That the Street Commissioner proceed to open Shelby street to a uniform width in accordance with the proceedings had, and in conformity to the report of the City Commissioners heretofore made in the matter of widening and straightening the lines of said street, from the southern terminus of Virginia avenue to the south Corporation line.

Councilman Pearson offered the following motion; which was adopted:

That all motions regarding stone-crossings during the year 1885, be referred to the Board of Public Improvements without debate.

On motion, the Common Council then adjourned.

JOHN L. McMASTER, Mayor,
President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.