

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—OCTOBER 5, 1885.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, October 5th, A. D. 1885, at half-past seven o'clock, in regular session.

PRESENT—Hon. John L. McMaster, Mayor, and, *ex officio*, President of the Common Council, in the Chair, and 18 members, viz: Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mack, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wharton.

ABSENT, 7—viz Councilmen Cowie, Dowling, Downey, Doyle, Edendarter, Moran, and Wolf.

The Proceedings of the Common Council for the regular session, held September 21st, 1885, and the special session, held September 28th, 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 scraping and painting the Iron Bridges of the City, were opened, read, and referred to the Committee on Contracts.

REPORTS, ETC., FROM CITY OFFICERS.

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

to the Mayor, Common Council and Board of Aldermen:

Gentlemen:—I herewith report the following estimates of work done according to contract:

A first and final estimate in behalf of Richter & Twiname, for grading, bowldering and curbing the gutters of Pine street, and paving with brick the sidewalks hereof, from Washington street to the C., I., St. L. & C. Railroad tracks.

2,574.65 lineal feet of bowldering, at 28 cents.....	\$ 720 92
2,977.75 lineal feet of curbing, at 38 cents.....	1,131 55
2,597.15 lineal feet of paving, at 27 cents.....	701 20
495.60 lineal feet of double walk-stone, at 60 cents.....	297 36
35.00 lineal feet of curb re-set, at 7 cents.....	2 45
34.00 lineal feet of 12-inch sewer pipe, at 75 cents.....	25 50
562.70 square yards of bowldered wings, at 50 cents.....	381 35

\$3,260 33

A first and partial estimate in behalf of Thomas Cummings, for building a stone wall on the north bank of Pogue's Run, from Tennessee street to the first alley east of Tennessee street.

174.78 cubic yards of masonry, at \$4.35.....	\$760 29
935 cubic feet of timber, at 13 cents.....	93 50
	<hr/>
	\$853 79

A first and final estimate in behalf of S. W. & R. H. Patterson, for grading and graveling the first alley north of Washington street, from State street to the first alley east of Arsenal avenue.

1,126 lineal feet, at 24 cents.....	\$270 24
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A fourth and partial estimate in behalf of Fulmer & Seibert, for improving the State Ditch.

15,000 cubic yards of excavation, at 16 cents.....	\$2,400 00
Park avenue bridge, 50 feet; Broadway street bridge, 50 feet; College avenue bridge, 60 feet; Ash street bridge, 50 feet.	
210.00 lineal feet of bridging, at \$3.75.....	787 50
	<hr/>
	\$3,187 50
Less 10 per cent.....	318 75
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Amount allowed.....	\$2,868 75

A first and partial estimate in behalf of Fulmer & Seibert, for constructing a brick sewer in and along Massachusetts avenue, from Alabama street to Bellefontaine street.

1,200 lineal feet of a 4-foot sewer, at \$3.87.....	\$4,644 00
4 man-holes, at \$32.00.....	128 00
1 catch-basin, at \$58.00.....	58 00
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	\$4,830 00
Less 10 per cent.....	483 00
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Amount allowed.....	\$4,347 00

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 Richter & Twiname, for grading, bowldering and curbing the gutters of Pine street, and paving with brick the sidewalks thereof, from Washington street to the C., I., St. L. & C. Railroad tracks, 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, 14—viz. Councilmen Coy, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of S. W. & R. H. Patterson, for grading and graveling the first alley north of Washington street, from State street to the first alley east of Arsenal 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 adopted by the following vote:

AYES, 14—viz. Councilmen Coy, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Rees, Reinecke, Reynolds, Smither, Spahr, Thalman, and Wharton.

NAYS—None.

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

To the Mayor, Common Council and Board of Aldermen:

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

Contract and bond of D. A. Haywood, for paving with brick the north sidewalk of Massachusetts avenue (where not already properly paved with brick), from Delaware street to Pennsylvania street. Bond, \$300.00; surety, Fred. Gansberg.

Contract and bond of Richter & Twiname, for grading, bowldering and curbing the north gutter of New York street, from Delaware street to Pennsylvania street. Bond, \$500.00; surety, Fred. Gansberg.

Contract and bond of Richter & Twiname, for grading and bowldering the first alley north of New York street, from Tennessee street to the first alley east of Tennessee street. Bond, \$400.00; surety, Fred. Gansberg.

Contract and bond of R. P. Dunning, for graveling the roadway of Hall Place street, from Seventh street to Eighth street. Bond, \$400.00; surety, Jas. W. Hudson.

Contract and bond of Hanway & Cooper, for grading and graveling the first alley west of West street, from Pratt street to First street. Bond, \$400.00; surety, John S. Berryhill

Contract and bond of Hanway & Cooper, for grading and graveling the first alley north of Eighth street, from the first alley west of Illinois street to the second alley west of Illinois street. Bond, \$400.00; surety, John S. Berryhill.

Respectfully submitted, S. H. SHEARER, City Civil Engineer.

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 an itemized statement, showing the amount of orders drawn on the city treasury during the month of September, 1885, viz:

Board of Health.....	\$ 207 60
Bridges.....	570 73
City Assessor's Department.....	245 30
City Civil Engineer's Department.....	212 70
City Dispensary.....	261 73
City Hall.....	7 25
City Hospital and Branch.....	1,184 61
City Treasurer's per centage.....	159 60
Fire Department.....	7,044 02
Gas.....	5,548 12
Incidentals.....	152 10
Interest on bonds.....	58,758 10

Judgments and costs.....	\$	71	50
Market-Masters' fees.....		315	21
Parks.....		136	85
Police.....		4,464	29
Printing.....		492	17
Salary.....		144	75
Station House.....		152	90
Street improvements.....		1,166	16
Street repairs.....		3,422	13
Water rent.....		7,886	67
	\$	92,604	49
School fund.....	\$	439	40
Sewer fund.....		199	73
Sinking fund.....		59	92
		699	05
SPECIAL FUNDS.			
Special sewers.....	\$	3,254	70
Tomlinson Estate Fund, for Market House and Public Hall..		17,529	00
Tomlinson Estate Fund, for repairs, &c		16	50
		20,800	20
Grand total.....		\$114,103	74

Respectfully submitted,

GEO. T. BREUNIG, City Clerk.

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

Report of I. N. PATTISON, City Treasurer, for the month of September, 1885.

RECEIPTS.

From auction licenses.....	\$	100	00
From coal licenses.....		28	00
From dray licenses.....		14	00
From express licenses.....		63	50
From fines and fees.....		423	80
From hack licenses.....		10	00
From huckster licenses.....		90	00
From liquor licenses.....		2,288	00
From Market-masters' fees.....		506	45
From market rents.....		20	00
From peddlers' licenses.....		33	00
From promiscuous.....		144	00
From show licenses.....		255	00
From tapping sewers.....		5	00
From taxes delinquent.....		3,027	83
Total.....	\$	6,918	58
Balance on hand September 1st, 1885.....		127,700	56
		\$134,619	14

DISBURSEMENTS.

For Board of Health.....	\$	200	60
For bridges.....		570	73
For City Assessor's department.....		245	30
For City Civil Engineer's department.....		195	45
For City Dispensary.....		324	39
For City Hall.....		7	25
For City Hospital and Branch.....		1,188	44

For Fire Department.....	\$ 7,245 86
For gas.....	5,548 12
For incidentals.....	122 10
For interest on bonds.....	58,775 16
For judgments and costs.....	30 00
For Market-Masters' fees.....	315 21
For parks.....	136 85
For per centage.....	159 60
For police.....	4,570 79
For printing.....	34 80
For salary.....	182 25
For sewer fund.....	199 73
For sinking fund.....	59 92
For Station House.....	140 42
For street improvements.....	772 07
For street repairs.....	3,422 96
For water rent.....	7,886 67
Total.....	\$ 92,329 67
Balance on hand October 1, 1885.....	42,289 47
	<u><u>\$134,619 14</u></u>

TOMLINSON ESTATE.
Receipts.

Balance on hand September 1st, 1885.....	\$ 53,753 22
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Disbursements.

Market House and Public Hall, &c.....	\$ 17,545 50
Balance on hand October 1st, 1885.....	36,207 72
	<u><u>\$ 53,753 22</u></u>

ADDITIONAL CITY HALL FUND.

Balance on hand September 1st, 1885.....	\$ 63,878 92
Balance on hand October 1st, 1885.....	\$ 63,878 92

SEWER FUND.
Receipts.

Balance on hand September 1st, 1885.....	\$ 37,721 81
From August taxes.....	199 73
	<u><u>\$ 37,921 54</u></u>

Disbursements.

Balance on hand October 1st, 1885.....	\$ 34,666 84
Special Sewer.....	3,254 70
	<u><u>\$ 37,921 54</u></u>

SINKING FUND.

Balance on hand September 1st, 1885.....	\$ 46,326 99
From August taxes.....	59 92
	<u><u>\$ 46,386 91</u></u>
Balance on hand October 1st, 1885.....	\$ 46,386 91

Respectfully submitted,

I. N. PATTISON, City Treasurer.

To GEORGE T. BREUNIG, City Clerk.

The City Clerk submitted the following report:

To the Mayor and Common Council:

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

Richter & Twiname vs. August Leo, for.....\$11 05

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

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

AYES, 15—viz. Councilmen Curry, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Rees, Reynolds, Sheppard, Smither, Spahr, Thalman, Trusler, and Wharton.

NAYS, 2—viz. Councilmen Coy, and Reinecke.

The City Attorney submitted the following report; which was received, and an appeal ordered:

To the Common Council and Board of Aldermen:

Gentlemen.—The General Term of the Superior Court has affirmed the judgment of Special Term in the case of Patsey Patterson vs. The City, the result in which case I reported April 20. There was no opinion delivered by the court in the case. I recommend an appeal to the Supreme Court.

Respectfully submitted, C. S. DENNY, City Attorney.

The Rental Agent submitted the following report; which was received:

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

Gentlemen.—I herewith report collections of rents of Tomlinson Estate, as follows:

Mrs. W. H. Mahan, No. 117 north Illinois street.....	\$ 25 00
Mrs. Hannah Overman, No. 115 north Illinois street.....	25 00
Dr. Campbell, No. 17, Indiana avenue.....	15 00

\$65 00

Less commission, 3½ per cent.

2 25

\$62 75

Respectfully submitted,

Oct. 5th 1885.

WM. HADLEY, Agent.

The Chief Fire Engineer submitted his third quarterly report of the cash receipts and disbursements, from January 1st, to October 1st, 1885; which was read and received.

The Superintendents of the City Hospital and City Dispensary submitted their reports for September, 1885; which were read and received.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements and Street Commissioner, through Councilman Reynolds, submitted the following report; which was received:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We herewith report expenditures in the Street Repair Department, for the month of September, together with total expenditures to October 1st, 1885:

Pay-rolls.....	\$ 2,615 93
Blacksmithing.....	81 75
Boulders.....	57 00
Freight on lumber.....	57 50
Freight on stone.....	80 50
Gravel.....	66 96
Hardware.....	22 60
Hauling lumber.....	24 00
Lumber.....	331 14
Sand.....	46 65
Stone crossings.....	38 60
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Total expenditures for September.....	\$ 3,422 63
Total expenditures per last report.....	18,657 96
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Expenditures to October 1st, 1885.....	<u>\$22,080 59</u>

Respectfully submitted, M. M. Reynolds,
Wm. Curry,
Board of Public Improvements.

C. S. RONEY, Street Commissioner.

Councilman Reynolds, in behalf of the Board of Public Improvements, presented the following petition; which was 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 the east sidewalk of Shelby street, for the reason there has been some delay in getting the property holders to set their fences, &c., back off the line of the street.

SAMUEL HANWAY,
For Hanway & Cooper.

Subscribed and sworn to before me this 5th day of September, 1885.

[Seal.]

WM. C. PHIPPS, Notary Public.

Recommend time be extended.

M. M. Reynolds,
Wm. Curry,
Board of Public Improvements.

The Board of Health presented their Mortality report; which was read and received.

REPORTS, ETC., FROM STANDING COMMITTEES.

Councilman McClelland, in behalf of the Committee on Accounts and Claims, presented a claim of the "Sun Vapor Light Company, \$69.60;" which was referred to the Committee on Public Light and City Civil Engineer.

The Judiciary Committee, through Councilman Newcomb, submitted the following report; which was received:

To the Council and Board of Aldermen:

Gentlemen:—Your Judiciary Committee, to whom was referred G. O. 36, of 1885, have had the same under consideration, and recommend the passage of the ordi-

nance, with an amendment to the second Section, as follows: "And that he or she is a resident of said city."

Respectfully submitted,

W. C. Newcomb,
P. M. Gallahue,
Committee on Judiciary.

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

To the Mayor and Common Council:

Gentlemen:—Your Committee to whom was referred the ordinance placing a lamp-post between St. Joseph and St. Mary streets; one on Pratt street, between Delaware; one on Gregg street, between New Jersey and East streets, recommend the same be done.

Respectfully submitted,

P. M. Gallahue,
T. F. Smither,
Fred. J. Mack,
Committee on Public Light.

The Committee on Public Property submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Public Property, to whom was referred the following:

"To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, September 14th, 1885, concurred in the report of a certain Special Committee, recommending the following proposition of the Indianapolis Fertilizer Company be accepted; that the Sellers Farm be advertised for rent to the highest bidder, and the City Civil Engineer be instructed to visit said Farm and make an estimate of the cost of making proper and necessary break-waters, &c., to protect said Farm.

'Indianapolis, Ind., August 18th, 1885.

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

Gentlemen:—Owing to some dissatisfaction among the members of your honorable body, with regard to our proposition to erect a break-water and mattrass on the White River front of the Sellers Farm, we will so modify our bid of April 20th, 1885, as to leave out the contract mentioned, and will pay the city (\$500) five hundred dollars in cash for a receipt in full for all claims for rent against us up to September 1st, 1885, the city then to be free to let the contract for the work to the lowest bidder. Trusting this may meet your approval, we are respectfully, &c.,

INDIANAPOLIS FERTILIZER Co.,
Per G. Wieslogel, Treas'r."

Recommend that we concur in the action of the Board of Aldermen.

Respectfully submitted,

Fred. J. Mack,
Theo. F. Smither,
Wm. Curry,
Committee on Public Property.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of August Richter and others, asking for the opening out and extension of the first alley west of Shelby street, from its present northern terminus through Lot number one, Dougherty's subdivision of Out-lot 99 to Coburn street, recom-

and the prayer of the petitioners be granted, and that the accompanying resolution, relative thereto, be adopted.

Respectfully submitted,

M. M. Reynolds,
Julius F. Reinecke,
Committee on Streets and Alleys.

Resolved, That the petition of August Richter, W. H. Carle and others, praying for the opening and extension of the first alley west of Shelby street, from its present northern terminus through Lot number one, Dougherty's subdivision of Out-lot 99, to Coburn street, be referred to the City Commissioners, with instructions to assess benefits and damages, and to make due report to the Common Council and Board of Aldermen; the Commissioners to return all petitions and notices. The City Clerk is hereby required to issue the proper notices, and the Superintendent of the Metropolitan Police is hereby directed to serve the notices upon the City Commissioners and property owners.

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

AYES, 15—viz. Councilmen Coy, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Rees, Reinecke, Reynolds, Sheppard, Smither, Spahr, Thalman, and Wharton.

NAYS—None.

The Committee on Water, through Councilman Reynolds, submitted the following report:

At the meeting of the Common Council of the City of Indianapolis, held September 21st, 1885, the following motions and resolutions were referred to the Committee on Water, and your Committee on Water offer the following report:

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

Gentlemen:—We, the undersigned, hereby pray your honorable bodies to require the Indianapolis Water Company to lay a water main on Delaware street, from Seventh to Eighth street.

Austin F. Denny, H. H. Coburn, A. S. Benson, W. H. Kendelberger, John T. Wilson, Jno. B. Gough, W. J. Richards, Chas. Rouser, J. W. Harper."

"*Moved* by the Common Council of the City of Indianapolis, the Board of Aldermen of said city concurring, That the Indianapolis Water Company be, and is hereby, required to lay a water main in Delaware street, from Seventh street to Eighth street."

Recommend the motion be adopted.

"That the Street Commissioner, under the direction of the City Civil Engineer, be directed to remove the water fountain at the corner of East street and Virginia avenue, sixty feet further north on the east side of East street, in order to clear the street crossings of teams that congregate at the fountain for water."

Recommend the motion be adopted.

"That the Indianapolis Water Company be instructed to lay water mains on North street, from Pine street to Norman street."

Recommend the motion be adopted.

"That the Indianapolis Water Company be, and is hereby, directed to lay water mains in Park avenue, from St. Clair street to Cherry street."

Recommend the motion be adopted.

"*Resolved*, That the Water Works Company be, and are hereby, directed to lay water mains on Ash street, from the first alley north of Christian avenue to Home avenue."

Recommend the resolution be adopted.

M. M. Reynolds,
W. C. Newcomb,
Committee on Water.

Councilman Coy moved to non-concur in the second clause; which failed of adoption.

The report was then concurred in.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, September 28th, 1885, non-concurred in your action awarding the contract to Kelly, Jones & Co. for furnishing steam heating apparatus for the City Hospital.

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

The following message was read, and on motion by Councilman Coy the Common Council concurred in the action of the Board:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, September 28th, 1885, amended the resolution fixing the voting precinct at the coming election, by inserting in the second Precinct of the Eighteenth Ward, "Engine House on east South street," instead of "147 Virginia avenue."

The resolution, as amended, was then adopted.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

Councilman Thalman moved to reconsider the above action; which was laid on the table, on motion by Councilman Pearson.

The following message was read:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, September 28th, 1885, amended your resolution ordering five hundred Vieira Street Guides, so as to read two hundred and fifty street guides, and as amended, the resolution was adopted.

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

On motion by Councilman Pearson, the foregoing matter was referred to the Committee on Public Light, and City Civil Engineer, to consult with a like committee from the Board of Aldermen, by the following vote:

AYES, 10—viz. Councilmen Coy, Gallahue, Moran, Newcomb, Pearson, Reinecke, Reynolds, Spahr, Thalman, and Trusler.

NAYS, 8—viz. Councilmen Benjamin, Haugh, Mack, McClelland, Rees, Sheppard, Smither, and Wharton.

The following message was read, and the petition granted without stating price; work to be done at petitioners' expense, and under the direction of the City Civil Engineer:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, September 28th, 1885, granted the prayer of the following petition:

“*Indianapolis, Ind.*, Sept. 26th, 1885.”

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

Gentlemen:—We, the undersigned, representing all the property holders on the east side of Bellefontaine street, between Eighth and Ninth streets, respectfully petition your honorable body to grant a permit for laying a sidewalk of brick from Eighth to Ninth streets, along the east side of Bellefontaine street; said work to be done by the same party that has the contract for laying brick walk on Eighth street, from Central avenue to the I., P. & C. Railway track, and at the same price, viz: 83½ cents per lineal foot; the work to be done at our own expense, and under the direction of the City Civil Engineer.

A. G. Fosdyke, 120 feet; Jos. Ludlum, by A. G. Fosdyke, 41 feet; M. E. Fosdyke, by A. G. Fosdyke, 41 feet; Sarah J. Dell, by W. H. A. Dell, 151 feet; Jas. Madison, 41 feet; John L. Krim, 41 feet; Homer S. Lathrop, 41 feet; J. D. Campbell.”

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

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

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, September 28th, 1885, adopted the following motion:

“That the Street Commissioner be directed to contract for the necessary street-paving of the approaches to the State Fair grounds for the present week, and that the same be paid for out of the General Fund, not to exceed \$100.00.”

I submit the same for your consideration.

For the Board of Aldermen:

FRANK W. RIPLEY, Clerk.

APPROPRIATION ORDINANCES.

This being the regular appropriation night, the following entitled Appropriation Ordinances were introduced and placed upon their final passage, without a suspension of the rules.

The Chief Fire Engineer introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time:

Ap. O. 48, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Fire Department. [Amount appropriated, \$1,640.81.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mac Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smith Spahr, Thalman, and Wharton.

NAYS, 1—viz. Councilman Trusler.

The Hospital Board introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time:

Ap. O. 49, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the City Hospital and Branch. [Amount appropriated, \$1,406.73.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mac Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smith Spahr, Thalman, and Wharton.

NAYS, 1—Councilman Trusler.

By the Committee on Accounts and Claims, through Councilman McClelland, the following entitled ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 50, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$36,088.61.]

And it was passed by the following vote:

AYES, 17—viz. Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mac Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smith Spahr, Thalman, and Wharton.

NAYS, 1—viz. Councilman Trusler.

By the City Clerk, on behalf of the Police Commissioners, the following entitled ordinance was introduced, read the first and second times:

Ap. O. 51, 1885—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of Station House.

On motion by Councilman Pearson, the claim of "L. A. Greiner \$20.00," was stricken from the ordinance.

On motion by Councilman Thalman, the further claims of "L. A. Greiner, \$29.25," was referred to the Committee on Accounts and Claims.

The ordinance was then ordered engrossed, read the third time (amount appropriated \$227.62), and it was passed, by the following vote:

AYES, 17—viz. Councilmen Benjamin, Coy, Curry, Gallahue, Haugh, Mac Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Sheppard, Smith Spahr, Thalman, and Wharton.

NAYS, 1—viz. Councilman Trusler.

By consent, Councilman Thalman offered the following motion; which was adopted:

That the City Clerk be requested to notify the Police Board that under the contract with Dr. Pritchard, all horses belonging to the city, including the horses in the Police Department, are to receive his attention, and that employing some one else, is a useless expense to the city.

Councilman Pearson introduced the following entitled ordinance, which he read the first time:

O. 103, 1885—An ordinance to provide for grading and paving with brick, the west sidewalk of Blackford street, from Michigan street to Vermont street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

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

That the City Civil Engineer be, and is hereby, directed to advertise for bids for building a seven (7) foot stone wall on the east bank of Pogue's Run, from Garden street one hundred and fifty (150) feet south.

Councilman Haugh offered the following motion; which was adopted:

That whereas, the property owners of the lot running from Michigan street to the south, to the first alley north, on Alabama street, having failed to fix the sidewalk in front of said property, after having repeatedly by this Council been ordered to do so, that the Street Commissioner be, and is hereby, ordered to proceed within the next ten days to do the work as originally ordered by this Council, and charge the same to the property owners.

Councilman Haugh offered the following motions; which were referred to the Committee on Water:

That the City Civil Engineer be, and is hereby, directed to advertise for sealed proposals for the erection of a drinking fountain on the north east corner of Bates and Noble streets; work to be done under his direction.

That the Street Commissioner be instructed to remove the old fountain from the corner of Shelby and Prospect streets, to the northeast corner of Bates and Noble streets.

Councilman McClelland presented the following remonstrances; which were filed with the ordinances, S. O's. 99 and 100, 1885:

To the Honorable, the Common Council of the City of Indianapolis:

Gentlemen.—We, the following citizen free-holders of real estate in and along John street, do respectfully protest against the ordinance looking to the improvement, at our expense, of John street sidewalks, from Massachusetts avenue to Hanna street; and we further respectfully petition your honorable body to refrain from passing the same at this time. Some of us have already paid one assessment this year, namely, for gas, on John street, and do not feel able to bear the additional expense to which this ordinance, if passed, would put us. Further, we respectfully suggest that a portion of the walk referred to above, is in tolerable condition already, and the remainder is never so bad in the worst weather but we, the property owners, are willing to cheerfully endure it.

Charles Dehne, 216 feet; Mary Miller, 37 feet; John G. Stumph, 32 feet; Joseph Riegger, 36 feet; E. B. Jones, 72 feet; E. L. Marble, 32 feet; L. M. Hanna, 216 feet; James W. White, 40 feet; Pat. Carr, 36 feet; Mrs. Ward, 36 feet; Michael White, 36 feet; Michael Russe, 36 feet; William Pendergast, 36 feet; R. H.

Gustin, 36 feet; C. Neumann, 36 feet; Aug. Aldag, 36 feet; Elizabeth Canby, 36 feet; G. D. Amos, 36 feet; Henry Geisel, 119 feet; George W. Stumph, 111 feet; Albert Thayer, 210 feet; D. C. & H. W. Brown, 214 feet; Elizabeth Denny, by Austin F. Denny, her Att'y. in fact, 72 feet.

Indianapolis, Oct.*2, 1885.

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—The undersigned, owners of real estate fronting on North street, between Noble and Pine streets, respectfully remonstrate against the passage of an ordinance providing for the grading and paving with brick the north sidewalk of said street, between the points named, being S. O. 100, 1885. The said ordinance was introduced without consulting the property holders; the improvement is not needed, and most of the property holders are too poor to pay for it.

J. M. Bruner, 145 feet; First Baptist Church, by J. F. Pratt, Chairman Board of Trustees, 100 feet; C. S. Hubbard, by W. E. Mick & Co., agents, 25 feet; John A. Deery, 107 feet; John A. D. Mueller, 150 feet; Herman Wedenhamp, 25 feet; Deliscus Lingenfelter, 48 feet. Whole amount of feet, 665; we fail to find the owner of the remaining 65 feet.

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

That the Street Commissioner be directed to fill the chuck-holes on North street, from Mississippi to Missouri streets, with gravel or broken stone.

That the Street Commissioner be directed to repair Washington street, between Illinois and Missouri streets, using bowlders where they have been removed.

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

That the City Civil Engineer be instructed to direct the Vapor Light Company to place and light a lamp on Bismarck street, between Virginia avenue and Sullivan street.

Councilman Reinecke offered the following motion; which was adopted :

That the Street Commissioner be instructed to direct the property holders on the southwest side of Virginia avenue to raise the sidewalk in front of their property, from Merrill street to the first alley south of Merrill street.

Councilman Smither offered the following motion; which was referred to the Committee on Water:

That the City Civil Engineer be, and is hereby, directed to advertise for sealed proposals for the erection of a drinking fountain on the southeast corner of St. Clair street and Indiana avenue; work to be done under his direction.

Councilman Spahr offered the following motion; which was adopted :

That W. B. Barry and Charles F. Sales be, and are hereby granted permission to grade and gravel the alley along the side of their property, being the first alley north of Butler street, running from College avenue to the first alley west of College avenue; work to be done at their own expense, and according to grade stakes to be set by the City Civil Engineer, and to his entire satisfaction.

Councilman Spahr was excused for the remainder of this session.

Councilman Benjamin, for Councilman Spahr, presented the following petition; which was referred to the Judiciary Committee:

Indianapolis, Ind., Sept. 26th, 1885.

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

Gentlemen.—We, C. A., J. I. and G. I. Ferguson and H. T. and Sallie E. Reed, own, in fee-simple, 126 $\frac{5}{100}$ feet of the west end of the north half of Block 14, in St. Clair's addition to this city. Title to it is vested in us by warranty deed recorded in B. 75, page 115, and by inheritance on March 30, 1884, the date on which Eleonora Ferguson died, and of whom we are the sole heirs. See B. 14, page 234.

Upon careful investigation, we find no record that any part of said property has been dedicated to or claimed by the city; we also find that a former owner, to have easier access to his place, moved the north fence 16 $\frac{1}{2}$ feet south of the north line. The fence has never been replaced, and this, until recently, has misled his heirs and assigns as to the true north line. Taxes have been regularly assessed and collected upon all of said ground; the present valuation is about \$4,000.00, and no allowance made for the 16 $\frac{1}{2}$ foot strip, which is now used as a part of Seventh street. For a fair compensation we will quit-claim this strip to the city, and therefore ask that a committee be appointed to confer with Hugh T. Reed to arrange terms for settlement.

Very respectfully,

Salle E. Reed, H. T. Reed, G. A. Ferguson, J. I. Ferguson,
son, G. I. Ferguson.

Councilman Thalman presented the following petition; which was granted:

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

Gentlemen.—The undersigned respectfully asks your consent to erect poles to sustain their wires, on Maryland, Georgia and South streets and intervening alleys, from and between Alabama and Missouri streets; on Alabama, Delaware, Pennsylvania, Meridian, Illinois, Tennessee and Missouri streets and intervening alleys, from and between Washington and South streets; on Alabama and Delaware streets and intervening alleys, from and between Washington street and Massachusetts avenue, and on Massachusetts avenue, from Pennsylvania street to East street; on Illinois, Tennessee and Missouri streets and intervening alleys, from and between Washington street and Indiana avenue, and on Indiana avenue, from and between Illinois and West streets.

Respectfully submitted,

INDIANAPOLIS BRUSH ELECTRIC LIGHT AND POWER Co.,
Per JOHN CAVEN, President."

Councilman Thalman offered the following motion; which was adopted:

That the City Attorney be requested to report to this Council, as early as possible, whether the Council and Board of Aldermen have the power to compel the Union Railroad Company and Cincinnati & Indianapolis Railroad Company to lower their tracks on Virginia avenue; and if so, to report the steps to be taken to compel them to do so.

Councilman Trusler offered the following motion; which was adopted:

That the City Clerk be, and is hereby, instructed to sell the wagon and horse now used by the Board of Health.

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

That the Street Commissioner be instructed to clean the gutters on Smithson street, between Laurel and Spruce streets.

That the Street Commissioner be instructed to clean the first alley south of Spann avenue, between Dillon and Linden streets.

Councilman Trusler offered the following motion; which was referred to the Committee on Public Property, to report at the next meeting:

That the City Clerk be instructed to notify the Park Policemen that their services will be dispensed with from and after November 1st.

Councilman Rees requested that his vote be recorded in the affirmative, on the passage of G. O. 34, 1885, at the last regular meeting (see page 589); which request was granted.

Councilman Rees moved a reconsideration of the vote on the passage of the ordinance.

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

AYES, 12—viz. Councilmen Benjamin, Coy, Mack, Moran, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Thalman, and Wharton.

NAYS, 6—viz. Councilmen Curry, Gallahue, Haugh, McClelland, Sheppard, and Trusler.

The following entitled ordinance was then taken up and read the third time:

G. O. 34, 1885—An ordinance prohibiting the peddling of fruit on certain streets in the City of Indianapolis, and repealing all ordinances coming in conflict therewith.

And it was passed by the following vote:

AYES, 13—viz. Councilmen Benjamin, Coy, Haugh, Mack, Moran, Newcomb, Pearson, Rees, Reinecke, Reynolds, Smither, Thalman, and Wharton.

NAYS, 5—viz. Councilmen Curry, Gallahue, McClelland, Sheppard, and Trusler.

The following entitled ordinance was read the second time, ordered engrossed, and read the third time:

G. O. 36, 1885—An ordinance regulating the use of the streets and other public places by persons who are engaged in the business of blacking boots and selling newspapers, &c.

And it was passed by the following vote:

AYES, 15—viz. Councilmen Benjamin, Gallahue, Haugh, Mack, Moran, McClelland, Newcomb, Pearson, Rees, Reinecke, Reynolds, Sheppard, Smither, Thalman, and Wharton.

NAYS, 2—viz. Councilmen Coy, and Trusler.

On motion the Common Council then adjourned.

JOHN L. McMASTER, Mayor,

President of the Common Council.

Attest: GEO. T. BREUNIG, City Clerk.