

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—JULY 7, 1886.

The Common Council of the City of Indianapolis, met in the Council Chamber, Wednesday evening, July 7th, A. D. 1886, at eight o'clock, pursuant to adjournment.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 25 members, viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Edenbarter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT—None.

The Proceedings of the Common Council for the special session held June 9th, 1886; the adjourned session held June 14th, 1886, and the regular session held June 21st, 1886, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

OPENING AND REFERRING SEALED PROPOSALS FOR PUBLIC IMPROVEMENTS.

Sealed proposals for making the below described improvements, were opened, read, and referred to the Committee on Contracts:

(S. O. 117, 1885)—For grading and bowldering the first alley north of Vermont street, from Illinois street to Tennessee street.

(S. O. 40, 1886)—For re-grading and paving with stone the roadway, and curbing the gutters of Washington street, from Tennessee street to Delaware street, and requiring the Citizens' Street Railway Company to pay a portion of the cost thereof, as provided for in G. O. 4, 1884.

(S. O. 82, 1886)—For the erection of one lamp-post, lamp and fixtures (complete to burn gas except the service pipes), on the south side of Second street, between Delaware and Pennsylvania streets.

(S. O. 84, 1886)—For the erection of one lamp-post, lamp and fixtures, (complete to burn gas, except the service pipes), on Bellefontaine avenue, between Christian avenue and Cherry street.

(S. O. 91, 1886)—For grading and graveling Reid street and sidewalks, from the C., I., St. L. & C. R. R. tracks to Washington street.

(S. O. 92, 1886)—For grading and paving with brick, the south sidewalk of Market street, from West street to Blackford street.

(S. O. 93, 1886)—For grading and graveling State avenue and sidewalks, from Washington street to Michigan street.

(S. O. 95, 1886)—For grading and graveling Reid street and sidewalks, from Woodlawn avenue to the C., I., St. L. & C. R. R. tracks.

(S. O. 109, 1886)—For the construction of a brick sewer three and one-half feet internal diameter in and along New Jersey street, from New York street to and connecting with Washington street sewer.

(S. O. 62, 1886)—For the construction of a brick sewer four (4) feet internal diameter in and along Washington street, from Mississippi street to Missouri street.

COMMUNICATIONS, ETC., FROM THE MAYOR.

The following communication, submitted by His Honor, the Mayor, was read and received:

Indianapolis, Ind., July 7, 1886.

To the Common Council and Board of Aldermen :

Gentlemen:—On the 29th ult., Cas. Byfield, Trustee, paid the sum of \$850.00 on account of the Pattison deficit, and to-day he paid the further sum of \$14,212.64 on the same account. I credited said amounts on the written guaranty of N. S. Byram and others, and paid the money over to the County Treasurer, for the use of the city, having the same credited to the Additional City Hall Fund.

Respectfully submitted, C. S. DENNY, Mayor.

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 and paving with brick the north sidewalk of St. Joseph street, from Pennsylvania street to the first alley east of Pennsylvania street.

210 lineal feet, at 36 cents.....\$75 60

A first and final estimate in behalf of Geo. W. Buchanan, for grading and graveling Tenth street and sidewalks, from Central avenue to Greenwood street.

3,946 lineal feet, at 40 cents.....\$1,578 40

37 extra yards of gravel, at 60 cents..... 22 20

extra grading gatters at street crossings..... 11 00

\$1,611 60

A first and final estimate in behalf of Lemuel Eaglan, for grading and graveling the first alley south of New York street, from Blake street to Minerva street.

552 lineal feet, at 19 cents.....\$104 88

A first and final estimate in behalf of Fred. Gansberg, for grading and graveling the first alley south of Stevens street, from Water street to Virginia avenue.

415 lineal feet, at 20 cents.....\$83 00

A first and final estimate in behalf of Fulmer & Seibert, for grading and graveling McGinnis street, from McCarty street to Ray street.

1,594.40 lineal feet, at 45 cents.....\$717 48

A first and final estimate in behalf of Joseph Bernauer, for grading and paving with brick, the sidewalks of Olive street, from Prospect street to Orange street.

1,711.40 lineal feet, at 33 cents.....	\$564 77
30.80 lineal feet double walk-stone, at 60 cents.....	18 48
11.97 square yards of bowldered wings, at 60 cents.....	7 18
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	\$590 43

A first and final estimate in behalf of Richter & Twiname, for grading and paving with brick the east sidewalk of Pine street, from Market street to Washington street.

369.50 lineal feet, at 29 cents.....	\$107 15
25.50 square yards of brick re-laid, at 25 cents.....	6 37
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	\$113 52

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick the sidewalks of Seventh street, from Mississippi street to the C., I., St. L. & C. R. R.

614.80 lineal feet, at 28 cents.....	\$172 14
7.57 square yards of bowldering, at 60 cents.....	4 56
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	\$176 70

A first and final estimate in behalf of R. P. Dunning, for grading and graveling Patterson street and sidewalks, from Vermont street to the first alley north of Vermont street.

318.00 lineal feet, at 45 cents.....	\$123 10
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A first and final estimate in behalf of R. P. Dunning, for grading and paving with brick the north sidewalk of Christian aveau, from Bellefontaine avenue to the Wabash R. R.

406.50 lineal feet, at 28 cents.....	\$113 77
85 lineal feet of double walk-stone, at 55 cents.....	46 75
53.61 square yards of bowldered wings, at 52 cents.....	27 88
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	\$188 40

A first and final estimate in behalf of R. P. Dunning, for grading and graveling the first alley south of Second street, from Illinois street to Superior street.

448 lineal feet, at 21 cents.....	\$94 08
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A first and final estimate in behalf of J. L. Spaulding, for grading and graveling the first alley north of Pratt street, from Illinois street to the first alley west of Illinois street.

390 lineal feet, at 15 cents.....	\$58 50
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A first and final estimate in behalf of David A. Haywood, for grading and paving with brick the west sidewalk of Peru street, from Seventh street to Eighth street.

603 lineal feet, at 34½ cents.....	\$208 06
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A first and final estimate in behalf of David A. Haywood, for grading and paving with brick the south sidewalk of Brookside avenue, from Omer street to the first alley east of Omer street.

449 lineal feet, at 37 cents.....	\$166 13
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A first and final estimate in behalf of J. W. Cooper & Co., for grading and graveling the first alley east of Virginia avenue, from Huron street to Noble street.

756 lineal feet, at 29 cents.....	\$219 17
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A first and final estimate in behalf of Robert Kennington, for grading and graveling Herbert street and sidewalks, from Tennessee street to Mississippi street.

751 lineal feet, at 35 cents.....	\$262 85
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A first and final estimate in behalf of Fulmer & Seibert, for grading and graveling the first alley south of McCarty street, from Greer street to Beaty street.

623 lineal feet, at 13 cents.....	\$81 07
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A first and final estimate in behalf of S. Hoover, for grading and graveling the first alley east of Alabama street, from Seventh street to the State Ditch.

2,718 lineal feet, at 23 cents.....\$638 34

A first and final estimate in behalf of Richter & Twiname, for grading and graveling the first alley east of Park avenue, from Christian avenue to Butler street.

805 lineal feet, at 24 cents.....\$193 20

Respectfully submitted,

S. H. SHERER, 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 and paving with brick the north sidewalk of St. Joseph street, from Pennsylvania street to the first alley west of Pennsylvania street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 George W. Buchanan, for grading and graveling Tenth street and sidewalks, from Central avenue to Greenwood 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Lemuel Eaglen, for grading and graveling the first alley south of New York street, from Blake street to Minerva 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Fred. Gansberg, for grading and graveling the first alley south of Stevens street, from Water street to Virginia 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Fulmer & Seibert, for grading and graveling McGinnis street and sidewalks, from McCarty street to Ray 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Joseph Bernauer, for grading and paving with brick the sidewalks of Olive street, from Prospect street to Orange 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Richter & Twiname, for grading and paving with brick the east sidewalk of Pine street, from Market 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

The following estimate resolution was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for grading and paving with brick the sidewalks of Seventh street, from Mississippi street to the C., I., St. L. & C. R. R., 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 R. P. Dunning, for grading and graveling Patterson street and sidewalks, from Vermont street to the first alley north of Vermont 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 R. P. Dunning, for grading and paving with brick the north sidewalk of Christian avenue, from Bellefontaine avenue to the Wabash Railroad, 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 R. P. Dunning, for grading and graveling the first alley south of Second street, from Illinois street to Superior 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 J. L. Spaulding, for grading and graveling the first alley north of Pratt street, from Illinois street to the first alley west of Illinois 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 David A. Haywood, for grading and paving with brick the west sidewalk of Peru street, from Seventh street to Eighth 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 amounts set opposite their respective names.

And it was adopted by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Maakey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 David A. Haywood, for grading and paving with brick the south side of Brookside avenue, from Omer street to the first alley east of Omer 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 J. W. Cooper & Co., for grading and graveling the first alley east of Virginia avenue, from Huron street to Noble 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Robert Kennington, for grading and graveling Herbert street and sidewalks, from Tennessee street to Mississippi 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Fulmer & Seibert, for grading and graveling the first alley south of McCarty street, from Greer street to Beaty 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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

And it was adopted by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Marker, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Richter & Twiname, for grading and graveling the first alley east of Park avenue, from Christian avenue to Butler 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, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Haugh, Herig, Howes, Markey, McClelland, McGroarty, Newland, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

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 Robert Kennington, for grading and graveling the second alley west of the intersection of Massachusetts avenue and Noble street, from Massachusetts avenue to Noble street. Bond, \$500.00; surety, Wm. K. Sproule.

Contract and bond of Michael Higgins, for grading and graveling the first alley east of Alabama street, from McCarty street to Merrill street.

Bond, \$300.00; surety, Wm. Curry.

Contract and bond of J. L. Spaulding, for grading, bowldering and curbing the north gutter of Second street, from Meridian street to the first alley east of Meridian street. Bond, \$300.00; surety, R. P. Dunning.

Contract and bond of Fulmer & Seibert, for grading and graveling the first alley west of Park avenue, from a point 168 feet south of Eleventh street to Tenth street. Bond, \$300.00; surety, Hiram Seibert.

Contract and bond of Fulmer & Seibert, for grading and graveling the first alley south of Huron street, from Noble street to Pine street.

Bond, \$300.00; surety, Hiram Seibert.

Contract and bond of J. L. Spaulding, for grading and paving with brick the sidewalks of John street, from Massachusetts avenue to Hanna street.

Bond, \$1,500; surety, L. A. Fulmer.

Contract and bond of J. L. Spaulding, for grading and graveling the first alley west of California street, from Maryland street to Chesapeake street.

Bond, \$300.00; surety, L. A. Fulmer.

Contract and bond of J. W. Cooper & Co., for re-grading and bowldering the roadway of Wabash street, curbing with stone and paving with brick the sidewalks thereof, from Delaware street to Alabama street.

Bond, \$1,000.00; surety, L. A. Fulmer.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Attorney and City Civil Engineer submitted the following report:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, members of the Special Boundary Committee, would call your attention to the fact that no action has been taken upon the petition and resolution prepared by us some months since for the dis-annexation of certain territory on the outskirts of this city. In said petition were described all of the subdivisions in what is known as Dunlap's addition to the City of Indianapolis, being eight in number. Since the preparation of said petition, it seems to have been agreed that all of Dunlap's addition should remain in the city. Furthermore, the Council, at its last regular meeting, instructed the City Attorney to prepare a petition for the dis-annexation of what is known as Post's Guardian's subdivision, lying north of Twelfth street. A portion also of the territory lying between White River and the Mill Race, has been dis-annexed since the preparation of said petition.

With these conflicting petitions, we are unable to proceed further, without instructions from your honorable bodies. Therefore we respectfully ask such instructions, and will cheerfully obey them

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

S. H. SHEARER, City Civil Engineer.

On motion by Councilman Thalman, the above report was referred to the Special Committee on Boundaries, to investigate and report back such petitions and papers to dis-annex such territory as they may deem proper.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Since the last regular meeting of the Council, the following matters have been disposed of:

1st. I presented to the Board of County Commissioners of Marion county, Indiana, at their regular session on June 21st, 1886, the petition of the members of the Common Council and Board of Aldermen, praying for the annexation of twelve different pieces of unplatted territory to this city, together with the resolution accompanying the same, as shown in the printed Proceedings of the Common Council for April 19th, 1886, as found on pages 305 to 310, inclusive.

I also presented the requisite evidence to sustain the said petition, and after due consideration by said board, said board, on June 22d, ordered that all of said territory as described and set forth as above stated, should be annexed to, and become a part of the City of Indianapolis, which said order was duly spread of record, and contained a direction to the Auditor to prepare and deliver to the Recorder a certified copy of the said order. This said order and certified copy as delivered to said Recorder, completes the process of annexation of said territory, which is now a part of the City of Indianapolis.

2d. The suit of Francis M. Churchman vs. The City of Indianapolis, was an action brought for re-payment of street assessment arising out of the opening of Second street, some years ago. On December 22d, 1885, the court below, in Special Term, gave judgment against the city for \$976.50. By the instruction of your honorable

bodies, this case was appealed to the General Term, and on June 28th, 1886, was reversed, and the court gave judgment in favor of the city. This will probably be the last of the cases brought because of such street openings, as the court practically decides all the questions growing out of that heretofore very expensive improvement to the city.

3d. Is the case of Thomas Wren vs. The City of Indianapolis, the Board of Aldermen and Common Council, et al. This was an action that has been pending, in one way and another, in the courts for a great many years. The Supreme Court, by its decision in this case, in effect ordered that if such could be done, a mandate issue compelling a measurement and estimate of work done by the plaintiff during the year 1866 on south Tennessee street, between Garden and McCarty streets. An order of this kind, if possible of execution, would cause a re-assessment of benefits against the property all along said street. The amount claimed by Wren, including interest, amounts to something over \$15,000. Judge Taylor decides, after trial of said cause, that no measurement sufficiently accurate, can be made on which to base an estimate, and refuses a writ of mandate, and renders judgment in favor of the city.

4th. On Friday last, Judge Walker allowed the claim of Cas. Byfield, Trustee for the city, amounting to \$56,850.50, against the United States Encaustic Tile Company, and ordered Mothershead, Receiver, to immediately pay a dividend of twenty-five per cent to the creditors of that company. This will yield to the city, on the \$18,000 guarantee given by Pattison's bondsmen, the sum of \$14,212.64.

5th. In accordance with the instructions of your honorable bodies, made the first of the year, I have examined the records in the Recorder's office of this county, relative to mortgages and transfers made to and by the sureties on the bond of Hiram W. Miller, Treasurer for the city. I find several mortgages and transfers for a small sum by the said sureties. In addition to these, I find a few involving a larger sum of money. The only mortgage that could be of any considerable importance, is that of John J. Cooper to Franklin Landers, Trustee, given January 12th, 1886, indemnifying the sureties on said bond from any loss that may accrue by reason of the failure of said Cooper to make settlement with the State as Treasurer thereof. I further find that Frank Emerick, on March 3d, 1886, executed to Chas. E. Coffin, Trustee, to re convey to Emerick and wife, several pieces of real estate; and on the same day Coffin re-conveyed to Emerick and wife the same real estate. There was no consideration for this transfer. In addition to this, Emerick, on March 1st, mortgaged to Henry J. Mauer several pieces of real estate to secure a loan of \$2,500.00.

Since the first of January, more real estate and mortgages have moved to the said sureties than have moved from them, so that on the face of the records, said official bond seems to be as good, if not better, than when executed.

I instructed Mr. Miller, the first of the year, to have the sureties on said bond acknowledge the execution thereof; but up to date three only have so acknowledged it.

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

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

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 June, 1886, viz:

Board of Health.....	\$	208	15
Bridges.....		498	71
City Civil Engineer's Department.....		294	86
City Dispensary.....		331	73
City Hall.....		126	25
City Hospital and Branch.....		1,420	96
City Hospital and Branch—steam-heating, per contract.....		1,500	00
Fire Department—pay-rolls.....		5,285	00
Fire Department—accounts.....		921	64

Gas.....	\$ 6,007 88
Incidentals.—City Hall.....	102 35
Incidentals—on account of Market House and Public Hall.....	123 05
Interest on bonds.....	500 00
Markets.....	2 50
Market-Masters' fees.....	251 79
Parks.....	126 00
Police.....	4,389 96
Printing.....	745 08
Salary.....	153 08
Station House.....	160 30
Street Improvements.....	398 18
Street Openings and Vacations.....	162 00
Street repairs—pay-rolls.....	3,157 10
Street repair—accounts.....	865 27
Taxes refunded.....	468 66
Water rent.....	8,039 73
Tomlinson Hall Janitor and Assistants.....	121 05
Tomlinson Hall furniture.....	3,237 60
	<hr/>
	\$ 39,598 88

SPECIAL FUNDS.

From Tomlinson Estate Fund—repairs to estate.....	\$ 7 10
Market House and Public Hall,.....	13,149 74
	<hr/>
	13,156 84
	<hr/>
Total.....	\$ 52,765 72

Respectfully submitted, MICHAEL F. SHIELDS, City Clerk.

The Treasurer for the City submitted the following report; which was received:

Receipts and Disbursements on account of the City of Indianapolis, for the month of June, 1886.

Balance June 1.....	\$224,808 49
To collections on tax duplicate.....	8,729 78
To collections, miscellaneous funds.....	17,843 50
	<hr/>
	\$251,381 77
By redemption of city orders.....	49,324 81
	<hr/>
Balance.....	*\$202,056 96

* The above is the *apparent* balance; the real balance to the credit of the city is less \$60,264.25, on account of semi-annual interest paid July 1, in New York, and for which I will credit myself on July report.

Respectfully submitted,
HIRAM W. MILLER, Treasurer for City.

The Street Commissioner submitted the following report; which was concurred in, and the Street Commissioner instructed to put in a catch-basin, as recommended in the first clause:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—On June 21st, the following matters were referred to me:

1st. To investigate and suggest a remedy for conveying the water from the east side of Illinois street, between Market and Washington streets. Recommend that a catch-basin be put in at the first alley north of Washington street.

2d. Is with reference to the alley between Coburn and Dougherty streets, from East street to Wright street.

I find that this alley was improved several years ago, and at present is below grade, and in a very bad condition. I do not think that when a street or alley has been used and worn out, that it would be proper for me to re-build the same and pay for it out of the Street Repairs fund. I am of the opinion that this alley should be improved under ordinance, at the expense of the property owners. Such recommendation was made by the Board of Public Improvements in 1885.

Respectfully submitted, C. S. RONEY, Street Commissioner.

The Chief Fire Engineer submitted his report of the cash receipts and disbursements, and the amount paid for supplies, from January 1st, 1886; which was received.

The Superintendent of the City Hospital submitted his report for June, 1886; which was received.

The Superintendent of the City Dispensary submitted his report for June, 1886; which was received.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Public Improvements and Street Commissioner, through Councilman Herig, 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 June, together with the total expenditure to July 1st, 1886:

Pay-rolls.....	\$ 3,157 10	
Blacksmithing.....	28 80	
Boulders.....	75 50	
Castings for sewers.....	65 13	
Cement.....	12 75	
Fountain repairs.....	9 55	
Freight on lumber.....	35 16	
Gravel.....	109 60	
Hardware.....	60 22	
Lumber.....	432 36	
Rent, Lumber Yard.....	9 00	
Sewer pipe.....	27 55	
	<hr/>	
Total expenditure for June, 1886.....		\$ 4,022 72
Total expenditures per last report.....		12,182 48
		<hr/>
Expenditures to July 1st, 1886.....		\$16,205 20
		<hr/>

Respectfully submitted,

John H. Herig,
C. H. Stuckmeyer,
R. McClelland,
Board of Public Improvements.

C. S. RONEY, Street Commissioner.

The Board of Health submitted the Mortality report from January 1st to July 1st, 1886.

The Board of City Commissioners submitted the following report; which was referred to the Committee on Streets and Alleys:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen.—The undersigned, City Commissioners, respectfully report in the case of the petition of H. T. Brant et al., to open to a regular width of ten feet the first alley north of McCarty street, from the first alley west of New Jersey street to the first alley east of Alabama street :

1st. We met in pursuance of notice of the City Clerk, on the 6th day of May, 1886, and proceeded at once to view the alley, and found that an alley was already opened, and had been for years, though not platted, nor not all of the ground dedicated by deed—some of the lots running back from McCarty street 148 feet, and some 143 feet.

The petition for the alley is to locate it 148 feet north of McCarty street. We find that this would take five feet off of the property on the north side of the alley; and to make the alley ten feet wide, would disturb a line of lots that are regular in depth 107 feet. We therefore report against granting the prayer of the petition; but we would recommend to your favorable consideration the dedication of an alley (where it is now opened of irregular width), about 143 feet north of McCarty street.

The irregularities in the alley have been made by some of the deeds running back to an alley fifteen feet; some to an alley twelve feet, and some to an alley ten feet. The south line of the alley is thus made irregular; but an alley ten feet wide might be located without interfering with any buildings of value, but not in accordance with the petition, for then it would remove the south line of the alley five feet north of its present location, and would interfere with the buildings on the north line of the alley.

Respectfully submitted,

Wm. Hadley,
Joseph T. Magner,
James Renihan,
City Commissioners.

The Committee on Markets and Councilman Cummings, through Councilman McGroarty, submitted the following report:

To the Mayor and Common Council:

Gentlemen.—Your Committee to whom was referred the following motion, would respectfully report :

“*Moved*, That the Mayor appoint a Special Committee of three members, to examine fully into the matter as to whether such as bull meat, boar meat, crippled, or any bad meat, or butterine, oleomargarine and other unwholesome food are sold or allowed to be offered for sale in our markets, and to have power to send for persons and papers to help them to arrive at the facts, and to report to this Council two weeks from this date, the truth or falsity of the same.”

That they have examined a considerable number of witnesses, and notwithstanding the report of the Board of Health, are compelled to say that the charges that bull meat, boar meat, crippled meat, and meats of poor quality, and unfit for the best quality of food, butterine and oleomargarine, are sold and offered for sale upon the markets in this city, contrary to the ordinances prohibiting and regulating the manner of the sales thereof, are true. That the rumor of the sale of bad meats and oleomargarine for butter, and without any distinguishing mark, are well founded, and that meats far from being first-class, are sold habitually upon the markets. That in fact the sales of inferior meats have reached such a point that butchers selling first class meats have been driven entirely off the markets, and no longer try to compete with those yet selling there. That the meats now commonly sold upon the markets, cost at least fifty per cent less than the best qualities of meats.

Your committee would further report that instances in which the Health officers have allowed unwholesome meats and bull meat to be sold and pass uncondemned, while knowing its character, have come to their knowledge. That competent butchers all claim to be able to recognize bull meat, and to tell the same upon examination; that the Health officers alone claim to be unable to detect this meat on sight upon the markets. That in the light of the investigation, your committee is

compelled to say that the Health officer who has the inspection of meats in his charge, is either grossly incompetent, or willfully permits the ordinances of the city to be flagrantly violated. That this investigation has shown that the markets have become an outlet and escape for all the poor and unwholesome meats in the city.

While your committee does not understand that the motion of reference herein makes it part of its duty to provide and recommend ways and means of improvement, it can not refrain from recommending that the amendment now pending before this Council, by which the appointment of the Health officers is placed in the hands of this Council itself, should pass, in order that the Council may thereby see that hereafter a competent man fills the office of Meat Inspector upon the markets.

Respectfully submitted,

Cornelius McGroarty,
Joseph H. Howes,
Theo. F. Smither,
Market Committee.

M. M. CUMMINGS.

Councilman Pearson moved that the report be adopted.

Councilman Edenharter moved to lay that motion on the table.

Which failed of adoption, by the following vote:

AYES, 11—viz: Councilmen Benjamin, Burns, Coy, Dell, Dunn, Edenharter, Mack, Markey, Newland, Reinecke, and Waterman.

NAYS, 12—viz: Councilmen Cummings, Haugh, Herig, McClelland, McGroarty, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, and Thalman.

Councilman Swain was excused from voting upon the above.

Councilman Edenharter offered the following amendment to Councilman Pearson's motion:

Moved to amend by referring the report back to the Committee which made the same, with instructions to prepare charges against the Health Board and its officers and Market Master, based upon their report.

Which was adopted.

And the original motion, as amended, was then adopted.

The Committee on Public Property, through Councilman Mack, submitted the following report; which was adopted:

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

Gentlemen:—Your Committee on Public Property, to whom was referred the communication from W. H. Tucker, Commissioner of Garfield Park, relative to improving of said Park, and appointing additional members forming a Board of Commissioners, &c., make the following report:

Recommend, in addition to the present Commissioner, that the members of the Committees on Public Property of the Council and Board of Aldermen, and City Civil Engineer, be appointed on said board. We further recommend that the City Civil Engineer be directed to carry out his instructions for advertising for proposals to construct a bridge and rip-rap wall in said Park; and that he further advertise for proposals for re-fencing the Park, and said proposals to state a price per lineal

foot, for iron, wire or lumber fence, complete. We would further recommend that the Street Commissioner be directed to have said Park cleaned up.

Respectfully submitted,

Fred. J. Mack,
Isaac Thalman,
Edward Dunn,
Committee on Public Property.

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report; which was received:

To the Common Council and Board of Aldermen:

Gentlemen:—The undersigned, Committee on Streets and Alleys, together with the Mayor and City Attorney, to whom was referred the communication of the Citizens' Co-operative Telephone Company, beg leave to report that they have had two meetings to consider the same, and inform your honorable bodies that at the first of said meetings, held on June 30th, Hon. John Caven, President, and Jacob L. Bieler, a Director of said company, appeared before your committee on behalf of the company, and instructed us to say to you that said company would not accept the provisions of the ordinance granting said company the right to erect and maintain telephone lines and an Exchange in this city, as provided for in G. O. No. 22, 1886. They furthermore informed your committee, however, that if Section nine, which contains the service line features, is repealed, and if that part of Section ten, which contains the provision for the forfeiture of their franchise and property if they should sell, assign or transfer the same, or use any other telephone, etc., was stricken out of the ordinance, that then in that event, said company would accept said ordinance as thus amended. They further ask that the following clause in Section 14, be stricken out, viz: "And the charge for service in private houses shall be \$1.50 per month."

We have thought best to prepare, and have prepared, for your consideration, in view of all the facts, an ordinance providing for the repealing of said Section nine, and amending Sections ten and fourteen; also, another ordinance providing for the repeal of the entire ordinance.

We are of the opinion that if the ordinance we have prepared to repeal Section 9, and to amend Sections 10 and 14, of said G. O. 22, is passed, and the remaining part of said ordinance is to stand, and is accepted and acted upon by said Citizens' Co-operative Telephone Company, then in that event, the streets and alleys should be clear of the Central Union Telephone lines and poles in order to give the former company an opportunity of erecting its lines and poles. We do not believe it practicable, if possible, to have both lines of wire and poles on the streets and alleys at the same time.

Respectfully submitted,

C. S. DENNY, Mayor.

WILLIAM L. TAYLOR, City Attorney.

Edward Dunn,
Julius F. Reinecke,
John H. Herig,
Committee on Streets and Alleys.

The following entitled ordinances, introduced by the above Committee, were read the first time:

G. O. 44, 1886—An ordinance to amend Sections five, eight, ten, eleven and fourteen and to repeal Sections four and nine, of General Ordinance No. 22, 1886, entitled "An ordinance granting the Citizens' Co-operative Telephone Company permission to use the streets and alleys of the City of Indianapolis in constructing, operating and maintaining lines of telephones in said city;" ordained and established on the 24th day of May, 1886.

G. O. 45, 1886—An ordinance to repeal G. O. No. 22, 1886, entitled "An ordinance granting the Citizens' Co-operative Telephone Company permission to use the streets and alleys of the City of Indianapolis in constructing, operating and maintaining lines of telephones in said city."

On motion by Councilman Pearson, the Rules were suspended for the purpose of placing G. O. 44, 1886, of the foregoing entitled ordinances, upon its final passage, by the following vote :

AYES, 17—viz: Councilmen Cummings, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Newland, Pearson, Reinecke, Reynolds, Rooker, Smith, Smither, Swain, Thalman, and Waterman.

NAYS, 8—viz: Councilmen Benjamin, Burns, Coy, Dell, Markey, McClelland, McGroarty, and Stuckmeyer.

The ordinance was then read the second time.

On motion by Councilman Thalman, the ordinance was referred back to the Committee, with instructions to report at the next meeting.

Councilman Pearson moved that when the Common Council adjourns, it adjourn to meet next Monday evening, at eight o'clock.

Which motion was adopted.

The Committee on Streets and Alleys, through Councilman Dunn, submitted the following report and resolution:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the petition of B. W. Hartly, John Eberhart and others, for the opening and extension of Lincoln Lane, from its eastern terminus to Shelby street, recommend the prayers of the petitioners be granted, and that the accompanying resolution, relative thereto, be adopted.

Respectfully submitted,

Edward Dunn,
Julius F. Reinecke,
John H. Herig,
Committee on Streets and Alleys.

Resolved, That the petition of B. W. Hartly, John Eberhart and others, praying for the opening and extension of Lincoln Lane, from its eastern terminus to Shelby 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 Metropolitan Police is hereby directed to serve the notices upon the City Commissioners and property holders.

The report was received, and the resolution adopted, by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

The same Committee submitted the following report; which was adopted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, Committee on Streets and Alleys, together with the City Attorney, to whom was referred the plat of the Mansur & Wright subdivision to Lots 1, 2, 3, 4, 6, 7 and 8, in Isaac Harris' subdivision to Square 4, in

Harris' addition in Out-lot 157, in the City of Indianapolis, report that we have considered the same, have examined the territory therein embraced, and recommend that said plat be approved.

Respectfully submitted,

WE. L. TAYLOR, City Attorney.

Edward Dunn,
Julius F. Reinecke,
John H. Herig,
Committee on Streets and Alleys.

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 Board of Public Improvements, through Councilman Herig, introduced the following entitled ordinance, which was read the first and second times, ordered engrossed, and read the third time:

Ap. O. 36, 1886—An ordinance appropriating the sum of Ten Thousand (\$10,000.00) Dollars, on account of the Street Repair Department of the City of Indianapolis.

And it was passed by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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

Ap. O. 37, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis on account of the Fire Department. [Amount appropriated, \$1,003.49.]

And it was passed by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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. 38, 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, \$1,071.86.]

And it was passed by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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. 39, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$12,675.55.]

And it was passed by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

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

Ap. O. 40, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Station House. [Amount appropriated, \$141.47.]

And it was passed by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Newland, Pearson, Reynolds, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

It now being near eleven o'clock, Councilman Coy moved that Rule 61 be suspended, and the time of the session extended.

Which failed, by the following vote:

AYES, 13—viz: Councilmen Burns, Coy, Dell, Dunn, Edenharter, Haugh, Howes, Mack, Markey, Newland, Reinecke, Stuckmeyer, and Thalman.

NAYS, 12—viz: Councilmen Benjamin, Cummings, Herig, McClelland, McGroarty, Pearson, Reynolds, Rooker, Smith, Smither, Swain, and Waterman.

Councilman Thalman offered the following motion:

"That the Building Committee be directed to cancel all the insurance on the City Hall building."

Pending action on the above, it being now eleven o'clock, by virtue of Rule 61:

"The Council shall not, without a suspension of the rules by a two-thirds vote, sit later on any evening than eleven o'clock."

The Common Council was declared adjourned.

C. S. DENNY, Mayor,
President of the Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.