

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—DECEMBER 6, 1886.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, December 6th, A. D. 1886, at 7:30 o'clock, in regular session.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council in the Chair, and 23 members, viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

ABSENT, 2—viz: Councilmen Newland, and Reynolds.

The Proceedings of the Common Council for the regular session held November 15th, 1886, having been printed and placed on the desks of the Councilmen, said Journals were approved as published.

REPORTS, ETC., FROM COMMITTEE ON CONTRACTS.

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

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Contracts, to whom was referred the proposals received November 15, have examined the same, and find them to be as follows:

For grading and paving with brick, the south sidewalk of Fifth street, from Pennsylvania street to Delaware street.

J. L. Spaulding.....	39 cents per lineal foot front.
Richter & Twiname.....	39 cents per lineal foot front.
Geo. W. Buchanan.....	36 cents per lineal foot front.

Geo. W. Buchanan being the lowest and best bidder, recommend he be awarded the contract.

Respectfully submitted,

Frank M. Dell,
John H. Herig,
Committee on Contracts.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, submitted the following report; which was read and received:

Indianapolis, Ind., Dec. 6, 1886.

To the Common Council and Board of Aldermen:

Gentlemen:—I herewith report the amount of fees and fines due the city, collected by me for the month of November, 1886, as follows:

Marshal's fees.....	\$217 50
Mayor's fees.....	170 20
Fines due the city.....	21 80
Total.....	\$409 50

I have paid said fines and fees to the County Treasurer, for the use of the city, and filed his receipt therefor with the City Clerk.

Respectfully submitted, C. S. DENNY, Mayor.

His Honor, the Mayor, submitted the following communication; which was read, and the recommendation approved:

Indianapolis, Ind., Dec. 6, 1886.

To the Common Council and Board of Aldermen:

Gentlemen:—There still remain undisposed of, two pieces of the Tomlinson real estate, beside the Dispensary property. The Rental Agent has a chance to sell the piece on Indiana avenue, or a portion of it, and has also had bids within \$500.00 of the appraised value for the Illinois tenement row. He thinks the Indiana avenue lot ought to be subdivided into three or four lots, and that then an appraisement of the separate lots, and also a new appraisement of the Illinois street row should be made. It is likely a new appraisement will have to be made before a good title can be passed any way, as it has now been five years since the last one was made.

As the lines of the avenue lot are not definitely known, I suggest that the City Civil Engineer be directed to prepare an accurate plat of the same, and that the Rental Agent then prepare and present for approval a plat of the ground, so dividing it as to bring the largest price.

Respectfully submitted, C. S. DENNY, Mayor.

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 Freaney Brothers, for erecting two lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Mississippi street, between Merrill and Garden streets, at \$21.00 each.

794 lineal feet, at 5½ cents.....\$42 00

A first and final estimate in behalf of Freaney Brothers, for erecting two lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Ward street, between Merrill and Garden streets, at \$21.00 each.

820 lineal feet, at 5½ cents.....\$42 00

A first and final estimate in behalf of H. C. Roney, for grading and paving with brick, the north sidewalk of Malott avenue, from Yandes street to the first alley west of Yandes street.

189.33 lineal feet, at 41 cents.\$77 63

A first and final estimate in behalf of Michael Higgins, for re-grading and graveling the roadway of California street, from Washington street to Market street.

828 lineal feet, at 31 cents.....\$256 67

A first and final estimate in behalf of J. W. Cooper & Co., for grading and graveling the first alley east of Highland street, from Ohio street to the first alley south of Ohio street.

526.50 lineal feet, at 20 cents.....\$105 30

A first and final estimate in behalf of James W. Hudson, for grading and bowldering the first alley east of the intersection of Clifford avenue and Pendleton Pike, from Clifford avenue to Pendleton Pike.

471 lineal feet, at 45 cents.....\$214 20

A first and final estimate in behalf of Joseph Bernauer, for grading and paving with brick, the sidewalks of Wright street, from Buchanan street to Coburn street.

904.80 lineal feet, at 33 cents.....\$298 58

232 30 lineal feet of double walk-stone, at 60 cents..... 139 38

104 22 square yards of bowldered wings, at 63 cents..... 65 65

\$503 61

A first and final estimate in behalf of Robert Kennington, for grading, bowldering and curbing the gutters of South street, from Delaware street to New Jersey street.

1,678.40 feet of bowldering, at 62 cents.....\$1,040 91

1,759.90 lineal feet of curb, at 41 cents..... 721 58

69.15 square yards of bowldered wings, at 60 cents..... 41 50

\$1,803 99

A first and final estimate in behalf of Fulmer & Seibert, for grading and graveling Superior street and sidewalks, from Pratt street to Second street.

1,949 lineal feet, at 20 cents.....\$398 80

A first and final estimate in behalf of Fulmer & Seibert, for constructing a brick sewer, two and one-half feet internal diameter, in and along Delaware street, from St. Mary street to and connecting with the sewer at North street.

2,035.45 lineal feet, at \$3.24.....\$6,594 85

10 catch-basins, at \$58.00 each..... 580 00

7 man-holes, at \$33.00 each..... 231 00

\$7,405 85

Total city proportion.....\$4,018 98

10 per cent reserve..... 401 89

Amount allowed.....\$3,617 09

A first and final estimate in behalf of Richter & Twiname, for grading, bowldering and curbing the gutters of East street, from South street to the C., H. & I. R. R. tracks.

2,381.80 lineal feet of bowldering, at 63 cents.....\$1,500 79

2,366.20 lineal feet of curbing, at 42 cents..... 993 85

135.20 lineal feet of double walk-stone, at 60 cents..... 81 12

238.10 lineal feet of curb re-set, at 7 cents..... 16 66

219.16 square yards of bowldered wings, at 63 cents..... 138 07

28 square yards of bowlders re-laid, at 25 cents..... 7 00

\$2,737 40

A first and final estimate in behalf of Henry C. Roney, for constructing one 1000-barrel cistern on Dorman street, at or near Campbell street.

993 barrels, at 75 cents.....\$:44 75

Less 10 per cent reserve..... 74 47

Amount allowed in this estimate.....\$670 28

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 Freaney Brothers, for erecting two lamp posts, lamps and fixtures (complete to burn gas, except the service pipes), on Mississippi street, between Merrill and Garden streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-
ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke,
Rooker, 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 Freaney Brothers, for erecting two lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Willard street, between Merrill and Garden streets, be, and the same is hereby, adopted as the estimate of the Common Council and Board 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-
ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke,
Rooker, 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 H. C. Roney, for grad-
ing and paving with brick, the north sidewalk of Malott avenue, from Yandes
street to the first alley west of Yandes 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-
ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke,
Rooker, 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 Michael Higgins for re-
grading and graveling the roadway of California street, from Washington street
to Market street, be, and the same is hereby, adopted as the estimate of the Com-
mon Council and Board of Aldermen of said city, and that the prop rty owners are
hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote:

AYES, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rooker, 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 Highland street, from Ohio street to the first alley south of Ohio 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rooker, 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 James W. Hudson, for grading and bowldering the first alley east of the intersection of Clifford avenue and Pendleton Pike, from Clifford avenue to Pendleton Pike, 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rooker, 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 Wright street, from Buchanan street to Coburn 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rooker, 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, bowldering and curbing the gutters of South street, from Delaware street to New Jersey 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearsou, Reinecke, Rooker, 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 Superior street and sidewalks, from Pratt street to Second 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rookee, 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 constructing a brick sewer, two and one-half feet internal diameter, in and along Delaware street, from St. Mary street to and connecting with the sewer at North 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Rooker, 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, bowldering and curbing the gutters of East street, from South street to the C., H. & I. R. 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, 19—viz: Councilmen Benjamin, Burns, Cummings, Dell, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, McClelland, McGroarty, Pearson, Reinecke, Booker, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

The City Civil Engineer submitted the following contracts and bonds. The bonds were approved and the contracts severally awarded :

To the Common Council and Board of Aldermen :

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

Contract and bond of Fulmer & Seibert, for grading and graveling Williams street and sidewalks, from State street to Arsenal avenue.

Bond, \$800.00; surety, James W. Hudson.

Contract and bond of J. L. Fisher, for grading and graveling East street and sidewalks, from Minnesota street to the Belt R. R.

Bond, \$6,000.00; surety, John M. McCullum.

Contract and bond of James W. Hudson, for grading and graveling Missouri street and sidewalks, from Louisiana street to Merrill street.

Bond, \$3,000.00; surety, L. A. Fulmer.

Contract and bond of D. A. Haywood, for grading and graveling the first alley west of Meridian street, from Eighth street to Eleventh street.

Bond, \$1,000.00; surety, James W. Hudson.

Contract and bond of R. P. Dunning, for grading and graveling the first alley east of College avenue, from Eighth street to Ninth street.

Bond, \$300.00; surety, James W. Hudson.

Contract and bond of R. P. Dunning, for grading and paving with brick, the sidewalks of Yandes street, from Lincoln Lane to Seventh street.

Bond, \$600.00; surety, James W. Hudson.

Contract and bond of Henry C. Roney, for grading and paving with brick, the north sidewalk of Hill avenue, from Beeler street to Newman street.

Bond, \$400.00; surety, J. D. Hoss.

Contract and bond of Henry C. Roney, for grading and paving with brick, the sidewalks of Morris street, from Meridian street to Chestnut street.

Bond, \$400.00; surety, J. D. Hoss.

Contract and bond of David A. Haywood, for grading and bowldering the first alley south of Fletcher avenue, from Dillon street to Linden street.

Bond, \$2,000.00; surety, Robert Kennington.

Contract and bond of J. L. Spaulding, for grading and paving with brick, the south sidewalk of Vermont street, from Mississippi street to Ellsworth street, where not already done. Bond, \$200.00; surety, R. P. Dunning.

Contract and bond of Richter & Twiname, for grading and paving with brick, the sidewalks of Tennessee street, from Twelfth street to Thirteenth street.

Bond, \$400.00; surety, A. L. Fulmer.

Contract and bond of Richter & Twiname, for grading and paving with brick, the east sidewalk of Meridian street, from Morris street to the first alley north of Palmer street. Bond, \$2,000.00; surety, L. A. Fulmer.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Clerk submitted the following report; which was read and 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 November, 1886, viz :

Board of Health.....	\$227	75
Bridges	159	09
City Civil Engineer's Department.....	285	50
City Dispensary.....	293	05
City Hall.....	50	75
City Hospital and Branch.....	1,686	11
Fire Department—pay-rolls.....	5,285	00
Fire Department—accounts.....	1,629	64
Gas.....	5,821	84
Incidentals.....	50	00
Redemption of temporary loan of April 1st, 1886.....	70,000	00
Exchange.....	70	00
Judgments and costs.....	138	65
Markets.....	75	00
Market-Masters' fees	245	91
Parks.....	532	50
Police.....	4,469	76
Printing.....	22	00
Salary.....	153	08
Sewers.....	1,301	50
Station House.....	171	75
Street Improvements.....	471	34
Street openings and vacations.....	192	00
Street repairs—pay roll.....	2,126	85
Street repair—accounts.....	192	72
Taxes refunded.....	36	30
Tomlinson Hall Janitors.....	217	25
Tomlinson Hall accounts.....	52	17
	\$	95,957 51

SPECIAL FUNDS.

Tomlinson Estate Fund.....	\$	52	50
New Market House.....	8,780	28	8,832 78
			<u>\$104,790 29</u>

Respectfully submitted, MICHAEL F. SHIELDS, City Clerk.

The City Clerk submitted the following report :

To the Mayor, Common Council and Board of Aldermen :

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

Joseph Bernauer vs. Solen L. Ryan, for.....	\$12	21
Richter & Twiname vs. Sarah Sinker, for.....	17	11
Richter & Twiname vs. Allice K. Griffith, for.....	27	08
Fred. Ganesberg vs. W. A. Van Buren, for.....	54	00

Respectfully submitted,
Dec. 6th, 1886. MICHAEL F. SHIELDS, City Clerk.

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

AYES, 19—viz: Councilmen Benjamin, Burns, Coy, Dell, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, and Waterman.

NAYS, 2—viz: Councilmen Cummings, and Thalman.

The Chief Fire Engineer submitted the following communication ; which was read :

Indianapolis, Ind., Dec. 6, 1886.

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

Gentlemen:—I would respectfully state that two (2) of our Hose Reel Companies are in need of hose, as those now in use are hardly able to withstand domestic pressure, and are consequently dangerous at the time of fire. I therefore ask that I be authorized to purchase fifteen hundred (1,500) feet at once, as it will require some time before we can get them, if ordered now.

Respectfully submitted,
J. H. WEBSTER, Chief Fire Engineer.

On motion by Councilman Benjamin, the purchase was ordered

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

To the Mayor, Common Council and Board of Aldermen :

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

1st. The suit of Elizabeth Moore vs. The City, in which she claimed five thousand (5,000) dollars damages for injuries received, being the breaking of her arm and the bruising of her shoulder, by reason of a fall over obstructions on the sidewalk on east St. Clair street. This is the second time I have tried this case, and a verdict has been rendered the second time in favor of the city. In this case the jury returned a verdict against the contractors, Jugnclaus & Schumacher, for the sum of two hundred and fifty (250) dollars.

2d. The case of Henry Paul vs. The City. This was an action for damages in the sum of three thousand (3,000) dollars, for injuries received by said Paul, as he alleges, by breaking his arm on an accumulation of ice and snow at the corner of Pearl street and the alley immediately south of the Court House. The jury in this case returned a verdict for the city.

3d. The case of Anastasia Brown vs. The City. This suit was brought on behalf of the Little Sisters of the Poor, alleging damages to real estate owned by them, by reason of the opening of Vermont street, in the years 1869-70. Damages in the sum of two thousand (2,000) dollars was demanded. On the call of the cause for trial upon the issues made, the plaintiff dismissed her action at her cost.

Respectfully submitted,
WM. L. TAYLOR, City Attorney.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Board of Health submitted the Mortality report for the last half of November ; which was read and received.

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 month of November, together with total expenditures to December 1, 1886:

Pay-rolls.....	\$ 2,127 25
Blacksmithing.....	11 35
Bowlders.....	39 50
Brick.....	17 50
Castings for sewers.....	13 65

Cement.....	\$ 15 00
Freight on stone.....	50 40
Gravel.....	11 12
Hardware.....	16 40
Miscellaneous.....	1 50
Sand.....	5 50
Sewer pipe.....	10 80
<hr/>	
Total expenditure for November, 1886	\$ 2,319 97
Expenditures per last report.....	33,101 85
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Expenditures to December 1st, 1886.....	\$35,421 82

Respectfully submitted,

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

C. S. RONEY, Street Commissioner.

REPORTS, ETC., FROM STANDING COMMITTEES.

Councilman Thalman, in behalf of the Finance Committee, offered the following resolution :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That a certain concurrent resolution adopted by said Council on the 15th day of November, and by the Board of Aldermen on the 22d day of November, 1886, providing for a temporary loan of one hundred thousand dollars, with which to pay the principal and interest of the temporary loan of April 1, 1886, be, and the same is hereby annulled, said loan having been fully paid off by the Treasurer, without having borrowed any money under the authority of said resolution.

And it was adopted, by the following vote:

AYES, 22—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Edenhar-ter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.
NAYS—None.

Councilman Thalman, in behalf of the same Committee, submitted the following report : which was adopted :

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—Your Committee on Finance respectfully report that the one hundred thousand dollar temporary loan made in April last, has been paid by the Treasurer out of monies on hand in the treasury, but which can only be spared for a short time. We find that a six months loan can not be made on as favorable terms as for one year, and in our opinion would only have to be renewed at the expiration of six months. We recommend that you authorize a loan of \$70,000.00 to be made for one year, at a rate of interest not exceeding 5 per cent per annum.

Respectfully submitted,

Isaac Thalman,
John R. Pearson,
Julius F. Reinecke,
Henry L. Smith,
Joseph H. Howes,
Committee on Finance.

Councilman Thalman, in behalf of the Finance Committee, submitted the following resolution ; which was read :

WHEREAS, The City of Indianapolis is in present need of funds to meet its current running expenses, as well as funds to meet the interest on its obligations falling due January 1st, 1887; And whereas, It has therefore become necessary to provide for such present necessities by making a temporary loan in anticipation of the city's current year's revenues; therefore, be it

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That a temporary loan of seventy thousand dollars (\$70,000 00) be, and the same is hereby, authorized and ordered, to be negotiated as follows: The Finance Committees of said bodies shall negotiate said loan at a rate of interest not exceeding five (5) per cent per annum from date until paid, and that for a term not exceeding one year from the date of such loan, the interest to be made payable as may be most beneficial to the city.

Resolved, further, That the Mayor and City Clerk be, and they are hereby, authorized and directed to execute the proper time warrants or obligations of the city for the amount of said loan, as directed by the said Finance Committees, and for the payment of said obligations the faith of the City of Indianapolis is hereby irrevocably pledged.

And it was adopted, by the following vote:

AYES, 21—viz: Councilmen Benjamin, Burns, Coy, Dell, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Reinecke, Rooker, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS, 1—viz: Councilman Cummings.

Councilman Pearson, in behalf of the Building Committee, submitted the following estimate :

Indianapolis, Dec. 6th, 1886.

CITY OF INDIANAPOLIS,

To John A. Buchanan,

Dr.

To building new Market House according to contract of July 13, 1886...\$29,225 00

The character of the ground required an extra depth of foundation, but as the stone work now shows less above the ground than the plans indicate, there is no extra amount of stone masonry, but in the brick work. It was ordered July 20, 1886, to insert twenty small doors on the sides, which required extra door sills. The grade also made it necessary to have additional steps on the front. The amount of extra work will therefore be as follows, viz:

136 cubic yards of excavation, at 40 cents.....	\$ 54 00
Extra re-filling the trenches.....	2 50
20 door sills, 3½ feet, 70 feet, at \$1.75.....	122 50
27 feet front steps, at \$1.75.....	47 25
21,057 bricks, measured, at \$10.50.....	221 10
20 oak doors, including oak frames, hardware and painting.....	400 00

\$847 75

Deduct—524 square feet rock facing, at 40 cents.....\$209 60

60 lineal feet bevel course, at 75 cents 45 00

254 60

Extra work.....

\$593 15

Tctal.....

\$29,818 15

Received by estimate of August 2, 1886..... \$1,710 00

Received by estimate of September 6, 1886..... 4,725 00

Received by estimate of October 4, 1886 6,390 00

Received by estimate of November 1, 1886 8,496 00

21,321 00

Balance.....

\$ 8,497 15

City of Indianapolis pay to John A. Buchanan the balance of eight thousand four hundred ninety-seven dollars and fifteen cents.

D. A. BOHLEN, Architect.

Which was received, and the estimate (being the fifth and final) was allowed, by the following vote:

AYES, 16—viz: Councilmen Burns, Cummings, Dell, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Swain, Thalman, and Waterman.

NAYS, 6—viz: Councilmen Benjamin, Edenharter, Rooker, Smith, Smither, and Stuckmeyer.

Councilman Benjamin, in behalf of the Special Fire Committee, submitted the following report:

To the Members of the Common Council:

Gentlemen:—Your Special Fire Committee, to whom was referred G. O. No. 30, 1886, providing for the appointment of a Building Inspector, &c., beg leave to report that they have carefully considered the same. We recommend that Section 12 be completed by filling in the following fees, to-wit: For any work costing \$500 or less, 50 cents; \$500 to \$1,000, \$1.00; \$1,000 to \$1,500, \$1.50; \$1,500 to \$2,000, \$2.00; \$2,000 to \$3,000, \$3.00; \$3,000 to \$5,000, \$4.00; \$5,000 to \$10,000, \$5.00; and for each additional \$1,000, 50 cents.

We also recommend that Section 15 be completed by inserting "fifteen hundred" before the word "dollars;" and when so amended, that the ordinance pass.

Respectfully submitted,

F. E. Benjamin,
M. M. Cummings,
John H. Herig,
A. L. Newland,
Fred. J. Mack,
Special Fire Committee.

Which, on motion by Councilman Thalman, was received, and ordered filed with the ordinance.

Councilman Dunn, in behalf of the Committee on Streets and Alleys, submitted the following reports; which were concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred sundry matters, report as follows:

1st. We recommend that Special Ordinance No. 166, 1866, being an ordinance to grade and gravel the first alley east of Meridian street, from Fifth street to the first alley north of Fifth street, be passed.

2d. The petition of Louis Maas, Frank Elff and others, praying for the vacation of Tutewiler street, from Yeiser street north to the first alley north of Yeiser street, has been withdrawn by the petitioners; therefore we recommend that no action be had in the matter.

Respectfully submitted,

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

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred Special Ordinance No. 163, 1886, an ordinance to provide for grading and paving with brick, the north sidewalk of Woodlawn avenue, from Spruce street to Reid street, together with the remonstrance and petition, have examined the same, and recommend said ordinance be not passed.

Respectfully submitted,

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

Councilman Dunn, on behalf of the same Committee, offered the following resolution; which was read:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the report of the City Commissioners in the matter of the petition of Joseph V. McKernan et al., praying for the vacation of the alley between Lots 127 and 128, and Lot 129, all in Out-lot 128, in said city, and to appropriate ground to extend said alley straight to Ann street, be, and the same is hereby, in all things accepted, adopted and approved; and that in accordance with said report, the said alley, being about sixty (60) feet in length and ten (10) feet in width, and being in the rear of said Lots 128 and 129, be, and the same is hereby vacated; and that an equivalent strip of ground ten (10) feet in width and extending from the south line of said Lot 127 north to Ann street, be, and the same is hereby appropriated.

Resolved, further, That the said petitioners be, and they are hereby, required to pay to the County Treasurer, for the city, within twenty (20) days from the adoption of this resolution, the sum of fifty (50) dollars, the amount of expenses reported by the said Commissioners as taxed in this matter; and that said petitioners be, and they are hereby, required to procure and have recorded in the Recorder's office of Marion county, Indiana, the proper certified copies of proceedings and plat, as required by law, at their own expense; and that until such expenses are paid, and proceedings and plat are recorded as aforesaid, said alley shall not be vacated or said strip of ground appropriated or otherwise used than as now.

And it was adopted, by the following vote:

AYES, 23—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Reynolds, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

The City Clerk presented the following communication from the Indianapolis Water Company:

Indianapolis, Nov. 29, 1886.

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

Gentlemen:—I have the honor to acknowledge the receipt of General Ordinance No. 47, 1886, fixing forty-five dollars (\$45) per annum to be paid this company for fire hydrants, and making drinking fountains free, for a term of three (3) years.

As citizens and tax payers, the Water Company Directors cordially approve of your efforts to economize in the expenses of the city management, but regret that the pecuniary condition of the Water Company absolutely requires a greater compensation than that fixed in your ordinance for the service you ask. The reduction required by the ordinance would greatly embarrass the company, and is far below the average price paid by other cities for the same service. Therefore, I am instructed by the Board of Directors of the company to respectfully decline the acceptance of your ordinance.

I present herewith a copy of an agreement made by the Joint Committee on Water and the Water Company, as a fair and just contract between the city and company. Trusting it will receive your approval, I have the honor to be

Your obedient servant, T. A. MORRIS,
President Indianapolis Water Company.

Councilman Thalman moved that the above communication, together with the contract alluded to, be referred to the Mayor, City Attorney, Committee on Water and Committee on Judiciary, and that the contract be not printed.

Which motion was adopted.

Councilman Rooker presented the following communication :

Indianapolis, November 29, 1886.

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

Gentlemen:—I respectfully tender to the city, free of charge, the use of my lots, in any number desired (choice out of two hundred or more), in different parts of the city, for cow pounds, say for one year; the city to erect pounds at once, and faithfully enforce the ordinance bearing upon the subject. I ask no abatement of taxes, and I place no restriction whatever upon the removal at any time of any buildings or fences the city may see fit to erect; nor do I ask or expect any compensation, other than that which every citizen will reap in the removal of fences, with the added beauty to the city, not to speak of values thereby enhanced. If this cow ordinance be enforced, our city will be vastly benefited at home and abroad, if its well-shaded and attractive streets and lawns are permitted to be thrown open, as is the case in really live and progressive places like Minneapolis, Detroit, Cleveland, Buffalo and Washington, not omitting the village of Richmond, Wayne county, Indiana, where such a thing as cattle pasturing upon the streets, lawns and flower beds, is not tolerated for an instant.

HENRY D. PIERCE.

Which was read and received, and the proposition contained therein was accepted, by the following vote :

AYES, 15—viz: Councilmen Benjamin, Cummings, Dell, Dunn, Haugh, Herig, McClelland, McGroarty, Pearson, Rooker, Smith, Smither, Swain, Thalman, and Waterman.

NAYS, 8—viz: Councilmen Burns, Coy, Edenharter, Howes, Mack, Markey, Reinecke, and Stuckmeyer.

By consent, Councilman Rooker was excused for the balance of the session.

Councilman Cummings presented the following; which was received :

To the Mayor and Common Council:

Gentlemen:—Your Special Committee on Conference in relation to the applications of Stout & Bannister and Burgess, to be allowed to erect lines of wire connecting their respective offices, report that after consultation, recommend that the Board of Aldermen recede from their former action, and that said applications be granted.

M. M. CUMMINGS.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read :

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, at its regular session held November 22d, 1886, adopted the following motion :

“That Thomas Russell be allowed to pave with brick, the sidewalks in front of his premises, No. 319 south Meridian street, at his own expense. The work to be done under the direction of the City Civil Engineer.”

I submit the same for your consideration.

Dec. 6, 1886.

JOSEPH T. FANNING, Clerk.

And the action of the Board was concurred in.

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

Ap. O. 65, 1886—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, \$1,643.84.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, 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. 66, 1886—An ordinance appropriating money for the payment of [sundry claims against the City of Indianapolis on account of the Fire Department. [Amount appropriated, \$851.00.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, 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. 67, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis. [Amount appropriated, \$34,712.22.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, 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. 68, 1886—An ordinance appropriating money for the payment of sundry claims against the City of Indianapolis, on account of the Station House. [Amount appropriated, \$278.65.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

By the Finance Committee, through Councilman Thalman, the following ordinance was introduced, read the first and second times, ordered engrossed, and read the third time :

Ap. O. 69, 1886—An ordinance appropriating money for the payment of the compensation of the members of the Common Council and Board of Aldermen; of the City officers; of the County Auditor and the Treasurer for the city; of the officers and members of the Fire and Police Departments; of the Committee Clerk, the City Janitor and the Janitor, and Assistant Janitors of Tomlinson Hall, of the City of Indianapolis. [Amount appropriated, \$12,081.10.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

By the Finance Committee, through Councilman Thalman, the following ordinance was introduced, read the first and second times, ordered engrossed, and read the third time:

Ap. O. 70, 1886—An ordinance supplemental to an ordinance entitled "An ordinance appropriating the sum of one hundred and two thousand six hundred and sixty-six dollars and sixty-seven cents, to pay the temporary loan of April 1st, 1886;" ordained November 22d, 1886, correcting an error in said ordinance. [Amount appropriated, \$226.33.]

And it was passed by the following vote:

AYES, 20—viz: Councilmen Benjamin, Burns, Coy, Cummings, Dunn, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinance was introduced and read the first time, and referred to the Committee on Public Light:

By Councilman Dell:

S. O. 186, 1886—An ordinance to provide for the erection of lamp-posts, lamps and fixtures (complete to burn gas, except the service pipes), on Summit street, between Washington street and a point 740 feet south of Washington street.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Benjamin offered the following motion; which was adopted :

That John Strable be, and is hereby, granted permission to erect a gas lamp in front of No. 87 south Illinois street; lamp, fixtures and gas, at his own expense.

By consent, Councilman Benjamin was excused for the balance of the session.

Councilman Burns offered the following motion; which was adopted :

That the City Civil Engineer be instructed to direct the contractor to lay stone crossings on all street and alley crossings, in the contract for paving with brick the north sidewalk of Washington street, from Bloomington street to Belmont avenue.

Councilman Dell offered the following resolution; which was referred to the Special Fire Committee and the Chief Fire Engineer :

Resolved, That the Chief of the Fire Department and the Committee on Fire be, and are hereby, directed to locate a fire cistern at or near the corner of Deloss and Reid streets, and that the City Civil Engineer is hereby directed to advertise for the building of a 2000-barrel cistern at the above location.

Councilman Dell offered the following motion; which was adopted :

That the Citizens' Street Railroad Company be notified to fill between their tracks on east Washington street, from Noble to State streets, with broken stone.

Councilman Dunn offered the following motion; which was referred to the Special Fire Committee and the Chief Fire Engineer :

That the City Civil Engineer be, and he is hereby, directed to advertise for the construction of a 2000-barrel cistern on Bright street, between Vermont and Michigan streets.

Councilman Herig presented the following communication; which was received :

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

Gentlemen.—The estimate of grading and graveling south Tennessee street that is kept back from me; twenty years ago the Council stopped me in my work, and I could not finish it. They have sold my property for taxes also, for paving and grading the sidewalk. I would ask to have this estimate without prejudice against the balance.

THOMAS WREN.

Councilman Mack offered the following resolution :

Resolved, That the Citizens' Street Railway Company be requested to extend their lines on south Meridian street from Morris street to Palmer street or Belt R. R.

And it was adopted by the following vote :

AYES, 19—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Haugh, Herig, Howes, Mack, Markey, McClelland, McGroarty, Reinecke, Smith, Smither, Stuckmeyer, Swain, and Waterman.

NAYS, 2—viz: Councilmen Pearson, and Thalman.

It being now near eleven o'clock, Councilman Edenharter moved that Rule 61: "*That the Common Council shall not, without a suspension of the Rules by a two-thirds vote, sit later on any evening than eleven o'clock,*" be suspended.

The question being "*Shall Rule 61 be suspended?*"

Those voting in the affirmative were:

Councilmen Burns, Coy, Dell, Dunn, Edenharter, Haugh, Howes, Mack, Markey, McClelland, Pearson, Smither, Stuckmeyer, Swain, and Thalman—15.

Those voting in the negative were:

Councilmen Cummings, Herig, McGroarty, Reinecke, Smith, and Waterman—6.

And the Rule was declared suspended.

Councilman Markey offered the following motion:

That J. L. Spaulding be allowed an extension of time for the improvement of Morris street, between Madison avenue and the J., M. & I. R. R. tracks, sixty days.

Which was adopted, by the following vote:

AYES, 15—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenharter, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Stuckmeyer, Swain, and Thalman.

NAYS, 6—viz. Councilmen Haugh, Herig, Reinecke, Smith, Smither, and Waterman.

Councilman Markey offered the following resolution; which was referred to the Committee on Streets and Alleys:

Resolved, That there be paid out of the city treasury the expenses of the City Commissioners, amounting to thirty dollars, incurred in opening to a uniform width of ten (10) 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, which opening was provided for by resolution adopted in Council September 20th, 1886, and concurrently adopted in the Board of Aldermen September 28th, 1886: *Provided*, That the petitioners be, and they are hereby, required to procure and have recorded in the office of the Recorder of Marion county, Indiana, the proper certified copies of proceedings and plat, as required by law, at their own expense.

Councilman Swain, in behalf of Councilman Rooker, offered the following motion; which was adopted:

That the City Attorney examine into and report to this Council at its next meeting, what action ought to be taken to require the Citizens' Street Railway Company to complete the tracks and run cars from First to Twelfth streets, on north Mississippi street.

Councilman Smith offered the following motion; which was adopted:

That the City Civil Engineer be instructed to direct the Street Commissioner to lay single stone crossings across all the alleys between New Jersey and East streets, on North street, where brick pavement has just been finished.

Councilmad Smither offered the following resolution:

WHEREAS, The Board of Commissioners of Marion county, and the Trustee of Center Township, said county, agree to bear one-half the expense of improving Indiana avenue, from Fall Creek bridge to White River, if the city will bear the other half of such expense, and since said improvement is much needed; now therefore

Resolved, That there be donated by the city, one-half of such expense, such half not to exceed three hundred dollars (\$300.00), to be expended under the direction of the City Street Commissioner, in making such improvement: *Provided*, That this is given as a donation, and the city hereby affirms that all of said road is outside of the city limits of this city.

And it was adopted, by the following vote:

AYES, 11—viz: Councilmen Burns, Coy, Dell, Edenharter, Haugh, Howes, Mack, Markey, Pearson, Smither, and Waterman.

NAYS, 10—viz: Councilmen Commings, Dunn, Herig, McClelland, McGroarty Reinecke, Smith, Stuckmeyer, Swain, and Thalman.

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

Resolved, That the Indianapolis Water Company be, and are hereby, directed to lay water mains in and along Bellefontaine avenue, between Christian and Home avenues; hydrants to be located under direction of the Chief Fire Engineer.

Councilman Swain presented the following petition; which was referred to the Committee on Water:

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

Gentlemen:—Your petitioners respectfully show that in the year 1885, your respective bodies provided for the laying of water mains on Central avenue, between Christian avenue and Eighth street; that said work was begun and pipes were laid from Christian avenue to Butler street, and from Seventh street to Eighth street, but no water pipes were laid between Butler and Seventh streets, thereby depriving the residents between Butler and Seventh streets of the use of hydrant water.

Your petitioners are property owners and residents on Central avenue, between Butler street and Seventh street, and desire that water connections may be made between said streets on Central avenue, whereby they may have the privilege of the use of hydrant water. And they pray that suitable water mains may be laid along said Central avenue as designated, at the earliest practicable day.

B. F. & E. J. C. Witt, W. S. Budd, O. S. Gillette, W. S. Gillette, C. A. Dryer, Levi Ritter, W. S. Rawls, A. W. Peterson, K. L. Dorsey, R. L. Dorsey, Abram Wagner, A. Burdsal, James P. Baker, Robert N. Lamb.

Councilman Swain offered the following motions ; which were adopted :

That the permission given the Central Union Telephone Company of this city, some months ago, be construed to require said company to return such instruments where removed from former patrons, in every case where so requested; and in the event said company has removed wires used by such patrons, when replaced, such wires shall not be construed to be "new wires;" any refusal on said company's part to so return any instruments where formerly used, when requested, shall be construed as a refusal to "work" under the aforesaid permission, and such refusal shall be deemed good and sufficient reason for a withdrawal of such permission to operate a telephone service in this city.

Councilman Swain presented the following petition, accompanied with plat; which was referred to the Committee on Streets and Alleys :

Indianapolis, Dec. 6, 1886.

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

Gentlemen.—The undersigned owners of real estate fronting on Pennsylvania, Seventh and Delaware streets, between Pennsylvania and Delaware and Fifth and Seventh streets, respectfully petition for the passage of an ordinance providing for vacating the alley starting at Seventh street, between Pennsylvania and Delaware streets, and extending south from said Seventh street one hundred and thirty-five (135) feet, and there stopping, abutting against the lot of Margaret B. Caldwell.

It is respectfully represented that said alley has never been used by the public; that it has no outlet, and that inasmuch as the realty on both sides of said alley is owned by one of your petitioners, could not possibly serve any other. A true plat of the said alley, together with the contiguous square and streets, is hereto attached, and made a part of this petition.

Very respectfully,

William J. Richards, M. B. Caldwell, C. N. Spencer.

Councilman Swain presented the following petition ; which was granted :

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

Gentlemen.—The undersigned, Robert N. Lamb, Receiver of A. & J. C. S. Harrison, respectfully show that said Harrisons are the owners in fee-simple of Lot 5, Parker's subdivision of Lots 1 to 8, in Butler's North Addition to Indianapolis, which lot is situate on Peru street, in this city; that said Harrisons procured title to said lot through the foreclosure of a mortgage executed July 20, 1871, and duly recorded in Mortgage Record 17, page 307, which mortgage was foreclosed in December, 1876, in the Superior Court of this county, in cause No. 16115, wherein A. & J. C. S. Harrison were plaintiffs, and Anna Noland et al., were defendants; that said Harrisons, on the 14th of March, 1878, procured a Sheriff's deed for said lot, which was duly recorded in Town Lot Record No. 113, page 493, in the Recorder's office of Marion county, Indiana.

Petitioner further alleges that such proceedings were had during the year 1875, by the Common Council of Indianapolis, by which Peru street, between Lincoln avenue and Seventh street, was opened and widened; that 15 feet off of the west end of said lot was taken for the street, and in addition to this, benefits to the amount of \$134.00 was assessed against said lot. Petitioner alleges that the holder of said mortgage in 1875, had no notice whatever of the said proceedings to open and widen said Peru street, as is shown by the record of this body, and that by virtue of this fact, the said sum of \$134.00 as a lien upon said lot, is null and void, and is merely a cloud upon the title.

Your petitioner, in order to avoid litigation and expense, offered to pay the sum of \$15.00 to secure the release of said lien, and he asks that you direct and authorize the proper officers to cancel the same upon the payment of said sum of \$15.00.

ROBERT N. LAMB, Receiver
of A. & J. C. S. Harrison.

I have examined this matter, and recommend that the proposition be accepted.

WM. L. TAYLOR, City Attorney.

Councilman Thalman offered the following motions; which were adopted:

That the Mayor and City Clerk be authorized to receive deeds for three full lots in Greenlawn Cemetery, at fifteen dollars each, and, if title is found good, that the sums be inserted in next appropriation ordinance.

That Messrs. M. Huey & Son be allowed to string wires to make telephone connections.

Councilman Thalman presented the following petition; which was granted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned respectfully petitions your honorable body for permission to take out a theatrical license, under the provisions of G. O. 63, 1883, said G. O. 63, 1883, having been amended by G. O. 72, 1884, so as to prohibit the City Clerk from issuing a theatrical license without permission of the Common Council and Board of Aldermen.

The license to be issued for the Criterion Theater (formerly the Zoo). There will be no liquors of any kind sold in connection with this theater.

THOS. E. PHILIPS.

Councilman Thalman presented the following petition; which was referred to the Committee on Accounts and Claims, and the City Attorney:

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

Gentlemen:—Your petitioner, John E. Collins, would respectfully give your honorable bodies to understand and be informed that he is now, and has been for many years, a citizen and tax payer of said city, and from December 17, 1878, to June 30, 1885, he was engaged in the vault-cleaning business in said city, and that said city, by its Common Council and Board of Aldermen, ordained and established by ordinances that every person engaged in said business should procure from said city a license or permit, for which the person so engaged or desiring to engage in said business was, by said ordinances, required to pay the sums of money from time to time fixed by said ordinances, and enforced the provisions of said ordinances requiring such license or permit by severe penalties of fine and imprisonment; that so much of said ordinances as required persons engaged in said business to pay such license fees, and the penalties attached for failing to procure such license, was and is illegal and void for the reason that said city had no power to pass or enforce such ordinances. Such action was and is "ultra vires." Under fear and threat of prosecution for failure to pay the sum demanded, and procure such license from said city, your petitioner was compelled to and did, from time to time, pay said city as and for license fees, for authority to carry on said business of vault cleaning in said city, the several sums at the several times following, viz:

From December 17, 1878, to June 30, 1879.....	\$ 35 00
From May 1, 1881, to June 30, 1881.....	10 00
From July 1, 1881, to June 30, 1882.....	50 00
From August 31, 1882, to June 30, 1883.....	50 00
From July 1, 1883, to June 30, 1884.....	50 00
From July 24, 1884, to June 30, 1885.....	50 00
From July 24, 1884, to June 30, 1885.....	15 00

Total.....\$260 00

In view of the facts your petitioner would respectfully ask your honorable

bodies to return to him the above money so paid as aforesaid. It is his, and the city ought not, in law or morals, to withhold it.

Respectfully submitted,

JOHN E. COLLINS.

PENDING ORDINANCES.

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

S. O. 183, 1886—An ordinance to provide for grading and bowldering Maryland street, from Alabama street to New Jersey street.

And it was passed by the following vote :

AYES, 20—viz: Councilmen Burns, Coy, Cummings, Dell, Dunn, Edenhartes, Haugh, Howes, Mack, Markey, McClelland, McGroarty, Pearson, Reinecke, Smith, Smither, Stuckmeyer, Swain, Thalman, and Waterman.

NAYS—None.

On motion, the Common Council then adjourned.

C. S. DENNY, Mayor,

President of the Common Council.

Attest: MICHAEL F. SHIELDS, City Clerk.