

PROCEEDINGS OF BOARD OF ALDERMEN.

REGULAR SESSION—SEPTEMBER 24, 1888.

The Board of Aldermen of the City of Indianapolis, met in the Aldermanic Chamber, Monday evening, September 24th, A. D. 1888, at eight o'clock, in regular session.

PRESENT—Hon. Granville S. Wright, President of the Board of Aldermen, in the Chair, and Aldermen Clark, Laut, Rail, Reinecke, Reynolds, Smith, Taylor, and Tousey—9.

ABSENT, 1—viz: Alderman Connett.

The Proceedings of the Board of Aldermen for the regular session held September 10th, 1888, having been printed and placed on the desks of the Aldermen, said Journals were approved as published.

MESSAGES AND PAPERS FROM THE COMMON-COUNCIL.

The following message was read and received:

to the President and Members of the Board of Aldermen:

Gentlemen:—I submit herewith the following paper for your consideration, favorably passed upon by the Common Council, at an regular session, held September 17th, 1888.

For the Common Council:

JNO. W. BOWLUS, City Clerk.

The report from His Honor, the Mayor, showing the amount of fines and fees collected during the month of August, 1888, (see page 617, *ante*), was read and received.

The report from the Chief Fire Engineer, reporting in service additional fire hyarants (see page 624, *ante*), was read and received.

The report from the Committee on Streets and Alleys, and the following accompanying resolution (see page 631, *ante*), was read, and referred to the Committee on Streets and Alleys:

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the petition of Mary C. Leser, Abraham Richart, George C. Eberhard and others, praying for the vacation of the alley 7.58 feet wide, extending from Morris street to the first alley south of Morris street, between West and Dakota streets, be referred to the Board of City Commissioners, together with the plat accompanying the same, with instructions to assess benefits and damages caused by such vacation, and to make due report to the Common Council and Board of Aldermen, the said Board of City Commissioners to return all plats, petitions and notices. The City Clerk is hereby required to issue, and the Superintendent of the Metropolitan Police Force

to serve, the proper notices on said Commissioners and interested property owners *Provided*, That before the City Clerk issues the said notice to the said Commissioners, a bond shall be filed with the said City Clerk, to the approval of the Mayor, guaranteeing the payment of fifty dollars (\$50.00) to the city, in addition to the payment of all costs and charges of said City Commissioners in this matter.

The following entitled ordinance (passed by the Common Council) was read the first time, and referred to the City Civil Engineer and the Committee on Public Light:

G. O. 44, 1888—An ordinance authorizing the construction, and regulating the operation and maintainance of incandescent electric lighting plants, in the City of Indianapolis.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Committee on Streets and Alleys, through Alderman Tousey, submitted the following report; which was concurred in, and the contract and bond approved:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the contract and bond of Cooper & Haywood, for grading and graveling Archer street and sidewalks, from Michigan street to Miami street, have had the same under consideration, and recommend that the action of the Council on said contract be concurred in, and the bond approved,

Respectfully submitted,

Will. E. Tousey,
J. H. Taylor,
Julius F. Reinecke,
Committee on Streets and Alleys.

The Committee on Streets and Alleys, through Alderman Tousey, submitted the following report; which was concurred in:

To the President and Members of the Board of Aldermen:

Gentlemen:—Your Committee on Streets and Alleys, to whom was referred the following ordinances, to-wit: S. O. 43, 1888; S. O. 53, 1887; S. O. 62, 1888; S. O. 67, 1887; S. O.'s 69, 70, 71, 81, 82, 96, 97, and 105, 1888; S. O.'s 105 and 106, 1887; S. O.'s 106, 107 and 109, 1888, have had the same under consideration, and recommend their passage.

Respectfully submitted,

Will. E. Tousey,
J. H. Taylor,
Julius F. Reinecke,
Committee on Streets and Alleys.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Alderman Smith offered the following motion; which was adopted:

That the Legislative Committee of this body consist of five members, of which the President of this body be Chairman.

Whereupon the President appointed as such committee, Aldermen Smith, Rail, Reynolds and Reinecke.

PENDING ORDINANCES.

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

S. O. 53, 1887—An ordinance to provide for grading and graveling the first alley west of West street, from St. Clair street to Pratt street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 67, 1887—An ordinance to provide for grading and paving with brick, the east sidewalk of West street, from Second street to Fourth street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following entitled ordinances were read the second time, and referred back to the Committee on Streets and Alleys :

S. O. 105, 1887—An ordinance to provide for grading and graveling the roadway, and paving with brick the sidewalks (where not already paved), of Beacon street, from Bloomington street to the Belt Railway tracks.

S. O. 106, 1887—An ordinance to provide for grading and graveling the roadway, and paving with brick the sidewalks of Decatur street, from Washington street to Beacon street.

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

S. O. 43, 1888—An ordinance to provide for grading and graveling Jefferson avenue and sidewalks, from Clifford avenue to Brookside avenue.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 62, 1888—An ordinance to provide for grading and graveling the first alley south of Palmer street, running from Union street to Meridian street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 69, 1888—An ordinance to provide for repealing S. O. 129, 1887.

And it was passed by the following vote:

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 70, 1888—An ordinance to provide for grading, bowldering and curbing the gutters of New York street, and widening the sidewalks thereof, from Meridian street to Pennsylvania street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 71, 1888—An ordinance to provide for grading and bowldering the gutters of Vermont street, and widening the sidewalks thereof, from Meridian street to Pennsylvania street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 81, 1888—An ordinance to provide for grading, bowldering and curbing the gutters, and widening the sidewalks of Huron street, from Noble street to Pine street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 82, 1888—An ordinance to provide for grading, bowldering and curbing the gutters of Huron street, and widening the sidewalks thereof, from Dillon street to Grove street.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following intitled ordinance was read the second time, and then read the third time :

S. O. 96, 1888—An ordinance to provide for grading and paving with brick, the east sidewalk of Blackford street, from New York street to North street, where not already paved.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 97, 1888—An ordinance to provide for grading, bowldering and curbing the gutters of Peru street, from Home avenue to Christian avenue.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 105, 1888—An ordinance to provide for grading and paving with brick, the west sidewalk of Meridian street, from Kansas street to Arizona street.

And it was passed by the following vote :

NAYS, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 106, 1888—An ordinance to provide for grading and paving with brick, the south sidewalk of Gregg street, from East street to Park avenue, where not already done.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

S. O. 107, 1888—An ordinance to provide for grading and paving with brick, the north sidewalk of North street, from Tennessee street to the C., I., St. L. & C. R. R. tracks, where not already done.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

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

R
S, O. 109, 1888—An ordinance to provide for re-grading and graveling the roadway of Michigan street, grading and bowldering the gutters and placing a gutter stone therein, and widening the sidewalks thereof to a width of twenty-five feet, from Meridian street to Pennsylvania street, and repealing Special Ordinance No. 40, 1888.

And it was passed by the following vote :

AYES, 8—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Taylor, Tousey, and President Wright.

NAYS—None.

The following message was read and received :

To the President and Members of the Board of Aldermen :

Gentlemen.—I submit herewith the following papers for your consideration, favorably passed upon by the Common Council, at a special session held this evening, September 24th, 1888.

For the Common Council:

JNO. W. BOWLUS, City Clerk.

The report of the City Civil Engineer, accompanied with estimate, (see page, *ante*), was read, and the favorable action of the Common Council thereon, was concurred in.

The following estimate resolution (see page, *ante*), was read :

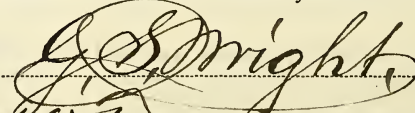
Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick (where not already done,) and curbing with stone the sidewalks of Vermont street, from East street to Noble 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.

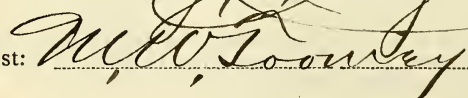
And it was concurrently adopted by the following vote:

AYES, 7—viz: Aldermen Clark, Rail, Reinecke, Reynolds, Smith, Tousey, and President Wright.

NAYS—None.

On motion, the Board of Aldermen then adjourned.

 , President.

Attest:  , Clerk.

PROCEEDINGS OF COMMON COUNCIL.

ADJOURNED SESSION—SEPTEMBER 24, 1888.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, September 24th, A. D. 1888, at 7:30 o'clock, in adjourned session, pursuant to adjournment.

PRESENT—Hon. Caleb S. Denny, Mayor, and *ex officio* President of the Common Council, in the Chair, and 20 members, viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

ABSENT, 5—viz: Councilmen Coy, Finch, Markey, McClelland, and Pearson.

COMMUNICATIONS, ETC., FROM THE MAYOR.

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

Indianapolis, Ind., Sept. 24, 1888.

To the Common Council and Board of Aldermen:

Gentlemen:—On the 22d inst., the Broad Ripple Natural Gas Company presented to me for approval, a new bond in the penal sum of fifty thousand dollars, some of the sureties on the original bond of the company having made request of its Directors to be released from future liability, as I understood. The new bond is executed by the company as principal, and the following named persons as sureties, each of said sureties limiting his liability to five thousand dollars, viz: Omar Hollingsworth, Frank. A. Maus, Omar B. Boardman, William Hild, Knight & Jillson, Sterling R. Holt, Charles Scholl, J. M. Westcott, Augustus Bruner, Burton J. Westcott, Jacob J. Traub and Magdalena Maus.

Deeming the bond sufficient, I this day approved the same, and filed it with the City Clerk.

Respectfully submitted,

C. S. DENNY, Mayor.

REPORTS, ETC., FROM CITY OFFICERS.

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

To the Mayor, Common Council and Board of Aldermen:

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

A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick, and curbing with stone the sidewalks of Vermont street (where not already done), from East street to Noble street.

1,220.30 lineal feet of curbing, at 40 cents.....	\$488 12
1,162.50 lineal feet of brick pavement, at 36 cents.....	418 50
23.70 lineal feet of double walk-stone, at 70 cents.....	16 59
17.26 square yards of bowldering, at 70 cents.....	12 09

\$935 30

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 J. L. Spaulding, for grading and paving with brick (where not already done,) and curbing with stone the sidewalks of Vermont street, from East 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, 20—viz: Councilmen Burns, Cummings, Darnell, Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

REPORTS FROM SPECIAL COMMITTEES.

The following report from the City Attorney was read and received :

To the Mayor and Common Council :

Gentlemen:—Under your instructions, I herewith submit the opinion of Judge Taylor, of the Superior Court, stating his opinion as to the right of any company to operate an electric or cable road in this city.

Respectfully submitted,

WM. L. TAYLOR, City Attorney.

HON. W. L. TAYLOR :

You request me to state points held by me in the case of Citizens' Street Railroad Co. vs. The City of Indianapolis et al., which was an application for an injunction.

Since the hearing and decision, a considerable time has elapsed, and I have thought very little about the case, or the questions involved, and can state my rulings from memory only. According to my recollection, they were these :

First—That the ordinance grant by the municipal authority of the City of Indianapolis to the street railroad company to occupy the streets of the city, was a contract, and that by the acceptance of it by the company, its building of tracks, and operating them, the expenditure of money, etc., the company had acquired a right in the streets occupied by it that could not be taken from it, nor interiered with by grants to other street railway companies by said municipality.

Second—And if mistaken as to its being a contract, and viewing the ordinance grant as a license merely, the same result would follow as to streets occupied and used by the company under the grant.

Third—That the right granted to the street railroad company by the ordinance grant in the streets of the city, can only be taken from the company by forfeiture incurred by the company in the manner provided by the ordinance.

And I stated further, that I entertained serious doubts as to the authority under the Statute to create a street railroad corporation to operate either by cable or by electricity; that the terms of the Statute were not broad enough to admit of such a cons ruction, and that if I was correct in that view, the Council could not lawfully give the power to such a street corporation to occupy and use any of the streets of the city with either cable or electric lines.

Very respectfully,

N. B. TAYLOR.

Councilman Finch offered the following majority report :

To the Mayor and Common Council :

Gentlemen:—The undersigned, a majority of your Special Committee to whom was referred General Ordinance No. 26, 1888, commonly known as "The McNeal Electric Street Railway Ordinance," report that since it appears from the opinion of Judge Taylor, of the Superior Court, in the case of the Citizens' Street Railway Company vs. The Indianapolis Cable Street Railway Company, recently decided that, in his opinion, the charter of the city does not permit the City Council to grant any company the right to operate a cable or electric street railway in this city, therefore we recommend that said ordinance be not passed until further legislation shall have been secured; and therefore, however desirable it might be to have competition and an electric road in the city, we believe that the decision of the court in the case mentioned, should be respected, and therefore recommend that said ordinance be not passed.

Respectfully submitted,

J. C. FINCH,
P. J. KELLEY,
Special Committee.

Councilman Dunn offered the following minority report :

To the Mayor and Common Council :

Gentlemen:—The undersigned, member of your Special Committee to whom was referred General Ordinance No. 26, 1888, commonly known as "The McNeal Electric Street Railway Ordinance," reports that he recommends Section 4 of said ordinance be amended so as to read as follows :

"SECTION 4. The motive power of said street railway shall be electricity only : *Provided, however,* That in no case shall any system of over-head wires, or any system requiring the use of poles on the streets, be adopted or used in the operation of any street railway line herein granted. The cars shall be of the most modern and improved pattern; and each car and each train of cars shall be provided with a conductor, whose duty it shall be to look after the safety of passengers and pedestrians, to collect fares, and to announce all street crossings as they are approached."

And when so amended, I recommend said ordinance be passed.

Respectfully submitted,

EDWARD DUNN,
of the Special Committee.

Councilman Finch moved that the minority report be laid on the table.

Which motion failed of adoption, by the following vote :

AYES, 6—viz: Councilmen Burns, Darnell, Elliott, Finch, Kelley, and Pearson.

NAYS, 16—viz: Councilmen Cummings, Davis, Dunn, Gasper, Gaul, Hicklin, Johnston, Long, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

Councilman Thalman moved the previous question.

Which motion was adopted, and the previous question ordered.

The minority report, as submitted by Councilman Dunn, was then adopted, by the following vote :

AYES, 16—viz: Councilmen Cummings, Davis, Dunn, Gasper, Gaul, Hicklin, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 6—viz: Councilmen Burns, Darnell, Elliott, Finch, Johnston, and Kelley.

Councilman Finch moved that the Council do now adjourn.

Which motion failed of adoption, by the following vote :

AYES, 19—viz: Councilmen Cummings, Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 3—viz: Councilmen Burns, Darnell, and Finch.

On motion by Councilman Cummings, the following entitled ordinance was then taken up for the purpose of placing it upon its final passage :

G. O. 26, 1888—An ordinance authorizing the construction, extension and operation of a certain street railway in and upon the streets and alleys of the City of Indianapolis.

The above entitled ordinance, as reported, was then passed, by the following vote :

AYES, 15—viz: Councilmen Cummings, Davis, Dunn, Gasper, Gaul, Hicklin, Long, O'Connor, Parkinson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS, 7—viz: Councilmen Burns, Darnell, Elliott, Finch, Johnston, Kelley, and Pearson.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

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

By Councilman Elliott, which was referred to the Committee on Railroads, to report at the next meeting :

G. O. 45, 1888—An ordinance granting the right to the Louisville, New Albany & Chicago Railway Company to cross and use certain streets and alleys in the City of Indianapolis.

By Councilman Pearson, which was referred to the Committee on Railroads :

G. O. 46, 1888—An ordinance authorizing the Louisville, New Albany & Chicago Railway Company within and through the City of Indianapolis.

By Councilman Elliott:

S. O. 123, 1888—An ordinance to provide for grading and graveling the roadway and east sidewalk of Alvord street, from Malott avenue to Home avenue.

By Councilman Hicklin :

S. O. 124, 1888—An ordinance to provide for grading and paving with brick, the north sidewalk of Merrill street, from Madison avenue to Delaware street.

By Councilman Parkinson :

S. O. 125, 1888—An ordinance to provide for grading and paving with brick, the sidewalks of Henry street, from Mississippi street to Missouri street.

By Councilman Swain :

S. O. 126, 1888—An ordinance to provide for grading and graveling the first alley east of Park avenue, from Lincoln avenue to Seventh street.

By Councilman Trusler :

S. O. 127, 1888—An ordinance to provide for grading and graveling Frank street and sidewalks, from Jefferson street to Prospect street.

By Councilman Thalman, from the Committee on Finance :

Ap. O. 57, 1888—An ordinance appropriating eight hundred and forty (\$840.00) dollars, to pay interest maturing October 1st, 1888.

Read the second time, ordered engrossed, read the third time and passed, by the following vote :

AYES, 19—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Gaul offered the following motions; which were referred to the Committee on Public Light :

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Chadwick street, between McCarty street and Ray street, under direction of the City Civil Engineer.

That the Sun Vapor Light Company be, and is hereby, directed to place five vapor lights on Greenwood street, between Ninth street and Eleventh street; also, to place six vapor lights on Ninth street, east of the L. E. & W. R. R. tracks; also, to place four vapor lights on Lincoln avenue, between Peru street and Columbia avenue.

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Tennessee street, between Ray street and Morris street, under the direction of the City Civil Engineer.

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Grant street, between West street and Sand street, under the direction of the City Civil Engineer.

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Church street, between Ray street and Morris street, under the direction of the City Civil Engineer.

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Carloss street, between Ray street and Morris street, under the direction of the City Civil Engineer.

That the Brush Electric Light Company be, and is hereby, directed to erect an electric light on Roe street, between West street and Sand street, under the direction of the City Civil Engineer.

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

That the Street Commissioner be, and is hereby, directed to repair the wash-out on the sidewalk on Morris street, near White River bridge.

That the Street Commissioner be, and is hereby, directed to fill all chuck-holes in West street, from Merrill street to Morris street.

That the Street Commissioner be, and is hereby, directed to lay a double stone crossing on the west side of West street across Wilkins street.

That the Street Commissioner be, and is hereby, directed to clean the gutters on Missouri street, from Merrill street to Ray street.

That the Street Commissioner be, and is hereby, directed to clean the gutters on Carloss street, from Ray street to Morris street.

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

That the Street Commissioner be, and is hereby, instructed to bowlder the three alley crossings in the west sidewalk of Union street, between Morris and Wilcox streets, the same to correspond with the alley crossing in the sidewalk north of Wilcox street.

Councilman Johnston presented the following petition; which was referred to the Committee on Streets and Alleys, and City Civil Engineer:

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

Gentlemen:—I herewith present a plat of the following described real estate, to-wit: "Part of the southwest quarter of the northwest quarter, and part of the northwest quarter of the southwest quarter of Section thirteen (13), Township fifteen (15), Range three (3) east, in Marion county, State of Indiana; beginning thirty (30) feet east of the southeast corner of Palmer and Union streets; thence running east five hundred and seventy-one (571) feet and five (5) inches; thence south five hundred and seventy nine (579) feet and six (6) inches to a point two hundred and fifty-six (256) feet and seven (7) inches west of the west line of Madison avenue; thence west five hundred and seventy-one (571) feet and five (5) inches; thence north five hundred and seventy-nine (579) feet and six (6) inches to the place of beginning"—said plat known as W. H. Fenneman's Addition, for the purpose of getting your approval thereto, in accordance with the provisions of the Statute of the State of Indiana, approved April 8, 1885, and found in the Acts of the regular and special sessions, 1885, at page 150.

Respectfully submitted,

W. H. FENNEMAN.

Councilman Kelley offered the following motion; which was referred to the Board of Public Improvements, with power to act:

That the Street Commissioner be directed to dump enough gravel on the south end of the alley running north and south between Greer and Beaty streets to make the same in good condition, as it has been imperfectly graded, and has become a nuisance to property holders on the alley.

Councilman Kelley presented the following petition; which was referred to the Committee on Public Light:

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen:—We, the undersigned, owners of real estate and residents of that part of the twenty-second Ward between Shelby street on the east, East street on the west, Coburn street on the north and Raymond street on the south, respectfully petition your honorable bodies for the lighting with electric lights the above described part of the twenty-second Ward, now without light.

Respectfully,
Frank. Steinberger, Geo. M. Gimbel, Reinhold Manke,
Ernest Schmidt, Chas. Schmidt—and 42 others

Councilman Kelley presented the following petition:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—We, the undersigned, property owners on Virginia avenue, between McCarty and Bradshaw streets (on both sides of said avenue,) respectfully petition your honorable bodies for the laying of a double stone crossing across Virginia avenue at the crossing of the first alley south of McCarty street.

Wm. F. Iske, Christian Iske, John H. Johnston, C. H. Schrader, C. F. Schrader—and 9 others.

We, the undersigned, tenants doing business in said locality, also petition your honorable bodies for the said crossing.

C. H. Heine, L. B. Davis, M. J. Leek—and 6 others.

Councilman Kelley offered the following motion :

That the Street Commissioner be directed to lay a double stone crossing at the first alley crossing Virginia avenue between McCarty and Bismarck streets.

Councilman Thalman moved as a substitute, that the matter be referred to the Board of Public Improvements, with power to act.

Councilman Trusler moved to lay the motion offered by Councilman Thalman, on the table.

Which motion was adopted, by the following vote :

AYES, 13—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Gaul, Hicklin, Kelley, Long, O'Connor, Parkinson, Pearson, and Trusler.

NAYS, 5—viz: Councilmen Johnston, Smith, Stuckmeyer, Swain, and Thalman.

The motion as offered by Councilman Kelley, was then adopted.

Councilman Long offered the following motions ; which were adopted :

That the Street Commissioner be ordered to fill the chuch-holes with gravel on Ohio street, from Delaware street to Noble street ; also, the chuck-holes on New Jersey street, from New York street to Washington street.

That the Street Commissioner be instructed to notify the property owners adjacent thereto, to raise the north sidewalk of Ohio street, from Clinton street to East street, according to stakes to be set by the City Civil Engineer ; and in case the same is not done, said Street Commissioner is instructed to do said work, and collect the cost thereof from the property holders.

Councilman O'Counor offered the following motion ; which was referred to the Committee on Public Light :

That the City Civil Engineer be, and is hereby, instructed to direct the Sun Vapor Light Company to erect six (6) street lamps on Cruse street, between Michigan avenue and the C., St. L. & P. R. R. Also, to erect six (6) street lamps on Michigan avenue, between Cruse and Oriental streets.

Councilman O'Connor offered the following motion ; which was adopted:

That the Cincinnati, Indianapolis, St. Louis & Chicago Railway Company be, and are hereby ordered and directed to plank the crossing of their track on the first alley south of Bate- street, between Dillon and Leota streets ; and that the City Clerk be instructed to notify said company of the passage of this motion.

Councilman Parkinson offered the following motion ; which was adopted:

That the City Civil Engineer and Committee on Streets and Alleys be directed to advertise for sealed proposals for the erection of a drinking fountain at or near the southeast corner of Mississippi and Maryland streets.

Councilman Stuckmeyer offered the following motion; which was adopted:

That the Street Commissioner be, and is hereby, directed to raise the gutters of Lord street, between Benton and Ittenbaugh streets, and to cut down the crown of Pine street, between Lord street and the Big Four Railroad, and also to put in gutter pipe under said railroad to the drain in Louisiana street.

Councilman Swain offered the following motion; which was adopted:

That W. L. Heiskell be permitted to disconnect artificial gas service with dismantled lamp-post on the north side of Seventh street, between Central avenue and the first alley east, and connect the same with natural gas service, for the purpose of maintaining a torch on such post. All work to be done and lighting the same at his own expense.

Councilman Swain presented the following petition and motion; which petition was received, and the motion adopted:

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—The undersigned, owner of Lot No. 7, in Lucian Hadyen's second subdivision of a part of Block 18, in Johnson's heirs' addition to the city, fronting on Broadway, asks permission to build a bridge across the State Ditch, which runs diagonally through said lot, and to wall up the sides of said Ditch with plank, so as to permit passage from one end of her lot to another; all to be done so as not to lessen the capacity or change the course of said Ditch, and to be done to the satisfaction of the Street Commissioner, and at my own expense.

Respectfully submitted,

HELEN M. VAN DAKE.

Moved, That the above said petition be granted, and the work be done under the direction of the City Civil Engineer.

Councilman Swain presented the following petition; which was ordered filed with ordinance:

Indianapolis, Sept. 20, 1888.

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

Gentlemen:—The undersigned, owners of real estate fronting on Park avenue and Broadway street, between Lincoln avenue and Seventh street, respectfully petition for the passage of an ordinance providing for the grading and graveling of the alley from Seventh street to Lincoln avenue, between Broadway and Park avenue.

A. W. Coffin, 50 feet; C. Aneshaensel, Jr., 70 feet; J. Stevenson, 56 feet; D. C. Child, 50 feet—and 5 others.

Councilman Thalman offered the following resolution:

WHEREAS, Many of the streets of the city have been opened by the several Natural Gas Companies, for the purpose of laying gas mains, etc., and have not been restored and replaced in proper manner, as required by the intent of the Natural Gas Ordinance; and

Whereas, The agents and contractors of the Consumers' Gas Trust Company have not only been careless and negligent in the prosecution of their work, but have refused to obey the orders of the City Civil Engineer in regard to the manner of laying and testing pipe and re-filling trenches, and have threatened the Engineer's inspectors with violence on attempting to discharge their duties; and

Whereas, The City Civil Engineer has personally, and through his inspectors, notified said gas companies, their contractors and agents, to prosecute their work in a proper manner, and has in writing notified the Consumers' Gas Trust Company of the carelessness and negligence of its contractors, and also the Common Council and Board of Aldermen; and

Whereas, The Mayor has held, in a recent decision, that for the purpose of compelling said companies to speedily replace and restore the streets, etc., in a proper manner and reasonable time, the penal provisions of the present ordinances are of little avail, if not practically nugatory, and therefore further legislation is necessary; therefore

Resolved, That all natural gas companies are hereby ordered and directed to at once re-fill all trenches, repair and restore all streets, avenues or alleys, where opened by them, in a good, safe and proper condition, and to test all pipe now laid by them and not having been tested, and to replace all bowlders and cross-walks, and re-fill all sunken trenches, and do all work necessary to restore the streets, avenues and alleys in as good condition as the same were in before being disturbed by them.

Resolved, further, That the City Civil Engineer is hereby ordered and directed to notify all natural gas companies to at once re-fill all trenches, and repair and replace and restore, all streets, alleys and avenues where opened by them, in a good, safe and proper condition, and to test all pipes now laid by them and not having been tested, and to replace all bowlders and cross-walks, and re-fill all sunken trenches, and do all work necessary to restore the streets, avenues and alleys in as good condition as the same were in before being disturbed by them. And if said gas companies do not immediately comply with said order, said Engineer is hereby authorized, empowered and directed, to stop all further trenching, excavating or pipe-laying, by any or all of said companies failing to comply with said order, until all streets, avenues or alleys are restored to the satisfaction of said Engineer. And in the event of any company's failure to restore any street, avenue or alley, after being so stopped by the Engineer, the Street Commissioner is hereby ordered and directed to do said work, and collect the costs thereof from such company so failing to restore said streets. And the City Civil Engineer is hereby authorized and ordered to call to his aid such assistance as shall be necessary to enforce the provisions of this resolution.

Resolved, further, That the City Attorney is hereby directed to institute the necessary legal proceedings to compel obedience to this resolution; and that the City Clerk is hereby directed to transmit a copy of this resolution to each of the natural gas companies.

And it was adopted by the following vote:

AYES, 19—viz: Councilmen Burns, Cummings, Davis, Dunn, Elliott, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

Councilman Trusler presented the following petition; which was ordered filed with ordinance:

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

Gentlemen:—The undersigned, owners of real estate fronting on Frank street, between Jefferson and Prospect streets, respectfully petition for the passage of an ordinance providing for grading and graveling Frank street and sidewalks, from Jefferson street to Prospect street.

Samuel Delzell, 160 feet; Mary C. Dippel, 65 feet;
Hedwig Dippel, 40 feet.

Councilman Wilson offered the following motion; which was adopted:

SIG. 67.

That the Street Commissioner be directed to ascertain what arrangements can be made for a right-of-way to the cotton mill through the private grounds belonging to D. A. Richardson and Franklin Landers; and if satisfactory arrangements can be made, to estimate the cost of making the roadway. Such an arrangement will save the cost of a new bridge over the Mill Race, the old one being in a tumble-down condition.

On motion by Councilman Pearson, the Rental Committee was authorized to advertise for the leasing of Sellers Farm for three and five years.

PENDING ORDINANCES.

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

S. O. 78, 1888—An ordinance to provide for grading and graveling Barth avenue and sidewalks, from Orange street to Roll street.

And it was passed by the following vote:

AYES, 18—viz: Councilmen Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

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

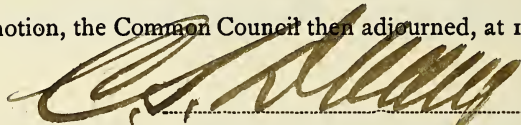
S O. 79, 1888—An ordinance to provide for grading and graveling Weghorst street and sidewalks, from East street to a point 208 feet west of the east line of Moore's addition.

And it was passed by the following vote:

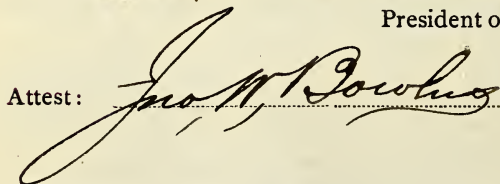
AYES, 18—viz: Councilmen Davis, Dunn, Elliott, Gasper, Gaul, Hicklin, Johnston, Kelley, Long, O'Connor, Parkinson, Pearson, Smith, Stuckmeyer, Swain, Thalman, Trusler, and Wilson.

NAYS—None.

On motion, the Common Council then adjourned, at 10:30 o'clock, P. M.

 _____, Mayor,

President of the Common Council.

Attest:  _____, City Clerk.