

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Wednesday, May 31st, 1875—7½ o'clock P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members:

Councilmen Adams, Albershardt, Bollman, Buehrig, Curran, Darnell, Difley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalmann, Ward and Webster—23.

Absent—Councilmen Craft, McGill and Stuckmeyer—3.

The proceedings of the regular session, held May 24th, and the adjourned session, held May 26th, 1875, were read and approved.

A sealed proposal for building the abutments to the Virginia avenue viaduct was received, opened, read, and, on motion by Mr. Geiger, rejected.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—I hereby report the following estimates of work done:

A second and final estimate allowed Frederick Gansberg, for grading and graveling Leota street and sidewalks, from Michigan road to English avenue.

East side of Michigan road to Bates street—
814.8 lineal feet, at 38c \$309 57

West side of Michigan road to Bates street—
811.10 lineal feet, at 62c..... 503 33

From north side of Bates street to north side of English avenue—
2,083.5 lineal feet, at 73c. 1,520 95

Total estimate \$2,333 85
Less former payment..... 1,071 32

Present payment..... \$1,262 53

Also, a first and final estimate allowed O. W. Kelly, for grading and graveling Michigan street, excluding the sidewalks, from Fall Creek to White river bridge—

3,462.8 lineal feet, at \$1.75 \$6,059 90

Also, a first and final estimate allowed Shirgert and Goldwait, for grading the first alley north of McCarty street, running between Virginia avenue and Water street—

791.6 lineal feet, at 21½c..... \$170 19

Also, a first and final estimate allowed August Richter, for building stone abutments for an iron bridge over Pleasant Run, at the crossing of Reed street—

225.09 cubic yards of masonry, at \$5.75	\$1,294 27
12.200 feet foundation timber, at \$1.90 per 100.	231 80
969.6 cubic yards excavation, at 30 cents	290 88
307 cubic yards embankment, at 28 cents.	85 96
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Total estimate	\$1,902 91

Also, a first and partial estimate allowed William Petrie, for building stone abutments at Fifth street, where the Canal crosses the same—

90.7 cubic yards masonry, at \$5 80.	\$526.06
126.9 cubic yards excavation, at 45 cents.	57 10
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Total estimate	\$583 16

Also, a first and final estimate allowed Defrees, Morris & Co., for putting temporary drain in Michigan street, between Randolph street and State avenue—

727½ lineal feet, at \$2	\$1,455 00
Excavating ditch at south end of same	7 00
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Total estimate	\$1,462 00

Also, a first and final estimate allowed Frederick Richter, for building stone abutments for a bridge over Pogue's Run, at the crossing of Archer street—

128.20 cubic yards masonry, at \$5.75	\$737 15
11,245.3 feet foundation timber, at \$1.90 per 100.	213 66
198 cubic yards embankment, at 28 cents	55 44
471 cubic yards excavation, at 28 cents.	131 88
Moving bridge over Pogue's Run on Clifford avenue, and placing same on the said stone abutments.	200 00
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Total estimate.	\$1,338 13

A first and partial estimate allowed Denis Keating, for building well at the corner of John and Archer streets. \$500 00
 Less 30 per cent 150 00

Present payment.	\$350 00
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Also, a first and final estimate allowed John J. Palmer, for grading and graveling Fifth street and sidewalks, from the western terminus of the improved portion of said street to the Central Canal—

1,376.4 lineal feet, at 78c \$1,073 59

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing second and final estimate allowed Frederick Gansberg, for grading and graveling Leota street and sidewalks, from Michigan road to English avenue, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Darnell, Diffley, Geiger, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—21.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed O. W. Kelly, for grading and graveling Michigan street, excluding the sidewalks, from Fall Creek to White River bridge, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Darnell, Diffley, Geiger, Hall, Hook, Kahn, Kenzel, Laughlin,

Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—21.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Sheigert and Goldwait, for grading the first alley north of McCarty street, running between Virginia avenue and Water street, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Darnell, Diffley, Geiger, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—21.

Negative—None.

Also the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed John J. Palmer for grading and graveling Fifth street and sidewalks, from the northern terminus of the improved portion of said street to the Central Canal, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Darnell, Diffley, Geiger, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—21.

Negative—None.

Also, the following report:

INDIANAPOLIS, May 31, 1875.

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

Gentlemen:—West Michigan street is improved, and is twenty-two feet wide. The bridge on this street, crossing White river, is thirty feet in width. This leaves a hole on each side of the street four feet wide in its approach to said bridge, as is shown in the accompanying sketch.

This is very dangerous to travel, and in my opinion said street should be widened so as to correspond with the width of said bridge, commencing at a point about 114 feet east of said bridge, as shown in sketch herewith.

The total cost of this improvement will be about \$75, which will include placing cinders to protect the embankment a length of sixteen feet on each side.

I recommend that said improvement be ordered immediately, so as to provide against accidents, which will undoubtedly occur should the said street be allowed to remain in its present condition.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, May 29, 1875.

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

Gentlemen:—The City Engineer, who was requested to examine the grade of the locality at the corner of Elizabeth and Agnes streets, with a view to the prevention of the overflow of water into the residences in said locality, has the honor to report that he has examined the same, and find the street and sidewalk on the south side of Elizabeth street, and also the street and sidewalk on the east side of Agnes street, to have settled considerably below their original grade; that the gutters on said streets have been almost filled up with an accumulation of dirt; and that the property on the line of the streets named is much lower than the sidewalks. Hence, from the causes just named, arises the overflow of water in this locality.

To remove this evil, it will be necessary to raise the sidewalks to their proper grade, have the gutters properly cleaned out, and two foot bridges

built at the corners of Agnes and West North streets. This, in his opinion, is all that will be necessary to carry off the flow of water in the above mentioned streets.

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 26, 1875.

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

Gentlemen:—The City Lamp Lighter reports several gas posts out of order and needing repairs, which needs immediate attention.

I know nothing of the duties of the office of Gas Inspector, as the gentleman who held that office has failed to turn to me any books or records by which I could be guided in the proper discharge of the duties connected with that department.

I therefore recommend that the above matter be referred to your Committee on Gas Light, in connection with myself, with power to act.

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was referred to the Committee on Gas Light.

The City Attorney submitted the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen:—There are four suits pending in the Marion Superior Court against the City, to wit: Stoughton J. Fletcher *vs.* City, Isaac N. Phipps *vs.* City, J. M. Ridenour *vs.* City, and Martha Ridenour *vs.* City. These suits are appeals from assessments of benefits and damages made by the City Commissioners, by reason of the proposed opening of Hanna street, from Clifford avenue to Washington street.

1st. From inquiry made in reference to the matter, I am convinced that if these suits are prosecuted to a judgment, the damages will be largely increased.

2d. It is very doubtful, under the circumstances, whether the city could compel their adjudication in the appellate court, because the Council, on the 14th of September, 1874, passed a resolution approving of, and concurring in, the report of the Commissioners assessing the benefits and damages. That afterwards, on the 9th of November, 1874, the Council passed an order amending and setting aside the concurrence and approval made on the 14th of September. The appeals were taken on the 24th of September, and the parties averse to the city now plead the last order of the Council in abatement of the proceedings.

The parties to these suits agree that they will proceed no further with litigation if the city will agree to let the order of the Court be made that these proceedings abate at the costs of the city.

I am satisfied that, under the recent act of the General Assembly of the State of Indiana, Hanna street can be opened with far less cost to the city, and with greater satisfaction to the property holders, than to proceed with these suits. I therefore recommend that you authorize these suits to be settled as indicated in this communication.

Respectfully submitted,

CAS. BYFIELD, City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—There is a suit pending in the Hendricks Circuit Court, to wit, The Indianapolis and Brownsburgh Turnpike Co. vs. City of Indianapolis. This suit involves the question of the amount of damages arising from the condemnation by the city of a portion of the company's road, and will be tried by jury of said county. I suggest that it would be to the interest of the city to employ local counsel to assist me in the trial of said cause in Hendricks county.

Respectfully submitted,

CAS BYFIELD, City Attorney.

Which was concurred in.

Mr. Thalman offered the following motion :

Moved, That the City Attorney be authorized to draw a warrant on the City Treasurer for a sufficient amount to tender witnesses to attend the trial at Danville of the Indianapolis and Brownsburgh Gravel Road Co. vs. The City of Indianapolis.

Which was adopted.

The City Attorney submitted the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—I herewith return the appraisement of structures, buildings and improvements on the Siebert lot, made by Andrew Wallace, Esq. In my opinion, under the contract made with David Siebert and wife, the city has a clear right of recovery for the appraised value of said structures, buildings and improvements, and would suggest that the Council direct suit to be instituted therefor, unless the same is paid within a reasonable time.

Respectfully submitted,

CAS BYFIELD City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—In reference to lowering the tracks of the I. C. & L. R. R. Co., I submit the following :

That on the 8th of February, 1875, this Council ordered the City Marshal to notify said Company to lower their tracks ; that on the 15th of May following the City Marshal served notice on said Company to lower their tracks within thirty days from the date of the service of said notice, and if not done within that time the city would proceed to lower them.

I am of the opinion that good faith requires the city to wait until the expiration of the thirty days given by the notice, and if the Company does not by that time comply with the order, the city ought to proceed either by man-

date to compel the Company to lower her tracks, or order the Marshal or Street Commissioner to lower them.

Respectfully submitted,

CAS BYFIELD, City Attorney.

Which was concurred in.

The City Clerk submitted the following report :

OFFICE OF CITY CLERK, }
INDIANAPOLIS, May 31, 1875. }

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

Gentlemen :—The City Clerk respectfully reports the following affidavits now on file in his office for the collection of street assessment by precept, to wit :

Davis and Muse vs. Gustavus H. Voss, for	\$110 60
Davis and Muse vs. Wm. A. Thompson, for	110 60

And recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

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

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—23.

Negative—None.

The City Clerk presented the following communication :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—As I can not attend to the duties of City Commissioner without interfering with my private business, I am compelled to decline the office.

Very respectfully,

DAVID GIBSON.

Which was received, and the City Clerk instructed to notify the Judge of the Marion Civil Circuit Court of the declination.

The Board of Health submitted the following report :

INDIANAPOLIS, May 31, 1875.

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

Report of deaths in the city of Indianapolis from 6 o'clock, P. M., on the 22d day of May, to 6 o'clock, P. M., on the 29th day of May, 1875.

Under 1 year	.....	5
1 to 2 years	.....	1
2 to 3 "	.....	0
3 to 4 "	.....	4
4 to 5 "	.....	0
5 to 10 "	.....	3
10 to 20 "	.....	2
20 to 30 "	.....	5
30 to 40 "	.....	5
40 to 50 "	.....	3
50 to 60 "	.....	3
60 to 70 "	.....	1
70 to 80 "	.....	1
80 to 90 "	.....	0
90 to 100 "	.....	0
Above 100 "	.....	0
Unknown	.....	0
Total		33

J. S. ATHON, M. D.,
President Board of Health.

A. STRATFORD, M. D.,
Secretary Board of Health.

Which was received.

Also the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen :—The Board of Health would respectfully call your attention to the fact that horses infected with glanders are frequently watered at the

public fountains of the city; and as it has long been a well known fact to medical men that glanders, and the infectious and contagious diseases can be, and are, transmitted from the inferior animals to man, and cases of such transmission are known to have occurred in this city; therefore, we do not consider it transcending our duties to recommend to your honorable body to pass an ordinance, whereby all persons shall, under penalty of fine or imprisonment, or both, be prohibited from allowing animals known to be afflicted with such infectious or contagious diseases, to drink from the public fountains.

2d. We would also recommend the appointment of a stock and meat inspector. In order that the people of this city may be, as far as possible, protected against purchasing and eating unwholesome and diseased meats, we would urge the necessity of appointing a competent person, whose duty it shall be to inspect all cattle, hogs and sheep, intended for consumption as food by our citizens, and report for prosecution any person who may be guilty of exposing for sale any diseased or unwholesome meat. This need is immediate, as we have reason to believe that meat unfit for food has been sold in this city.

3d. As a sanitary measure especially affecting the health and comfort of sickly children during the summer months, we would respectfully urge the necessity of opening for the public use the parks which are now closed. With proper restrictions for the protection of improvements, the opening of the closed parks will certainly be conducive to the general health of the city.

4th. We would also recommend the filling, by the Street Commissioner, that part of Sullivan street from Bismarck street to Bradshaw street, which is a filthy pond, and, as we are informed, the street from some technical point cannot be improved.

Respectfully submitted,

C. E. WRIGHT,

J. S. ATHON,

A. STRATFORD,

Board of Health.

The first and second paragraphs were referred to the Committee on Revision of Ordinances, the third paragraph was referred to the Committee on Parks, and the fourth paragraph was referred to the Committee on Streets and Alleys.

The Mayor presented the following invitation :

INDIANAPOLIS, May 28, 1875.

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

Gentlemen :—You are respectfully invited to attend the excursion of the "Emmett Guards" to Louisville, Ky., June 9, 1875.

[Signed]

CAPT. BARRY,

And all the members of the Company.

Which was received and accepted.

The Mayor submitted the following report :

INDIANAPOLIS, May 31, 1875.

To the Common Council of the City of Indianapolis :

Gentlemen :—Your Committee, to whom was referred the petition of the officers and directors of the Indianapolis Home for Friendless Women, would respectfully report :

That on the 26th of February, 1873, the General Assembly of the State of Indiana passed an act requiring the Treasurer of said city to pay to said Home for Friendless Women all fines collected by said city for violations of certain ordinances therein stated ; that afterwards said Home for Friendless Women instituted suit to compel the city to pay out such fines as had been collected since the passage of said act ; that said suit has been determined on appeal to the General Term of the Superior Court adversely to the city, and as we are informed the Judges of said Court expressed some doubt as to the constitutionality of said act of the General Assembly.

The question involved in the suit is of great interest to the city, as it determines whether she shall be divested of a great part of her revenue derived from fines for violation of her ordinances, and involves the whole question whether the city has exclusive control of her revenues, or whether they may be diverted at the will of the Legislature ; and we believe that the question ought to be determined by the Court of last resort in this State.

We therefore recommend that the Council order the City Attorney to appeal said cause to the Supreme Court.

Respectfully submitted,

JOHN CAVEN, Mayor.

CAS BYFIELD, City Attorney.

Which was concurred in.

Mr. Kahn, from the Committee on Contracts, submitted the following report :

INDIANAPOLIS, May 26, 1875.

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

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

FIRST.

For paving with brick the north sidewalk on Washington street, from Noble street to the Corporation line east, where not already paved, the following proposals were presented :

Joseph Hanna—

Eighty cents per lineal foot front.

Mart. Anderson—

Eighty-five cents per lineal foot front.

John Schier—

Seventy-five cents per lineal foot front.

Strong and Hanna—

Eighty cents per lineal foot front.

M. A. Huffington—

Eighty cents per lineal foot front.

Oliver English—

Seventy-eight cents per lineal foot front.

Heverling, Baird & Co.—

Eighty-four cents per lineal foot front.

Bernard Hammill—

Seventy-seven cents per lineal foot front.

Michael Faust—

Seventy-two cents per lineal foot front.

Murphy and Hanway—

Seventy cents per lineal foot front.

Murphy and Hanway, being the lowest and best bidders, we recommend that they be awarded the contract.

SECOND.

For grading and graveling the alley between Delaware and Alabama streets, from Home avenue to the first alley south of Sixth street, the following proposals were presented :

Irving and Hanna—

Ninety cents per lineal foot front on each side.

John Welsh—

Sixty-seven cents per lineal foot front on each side.

Campbell and Garner—

Sixty-three cents per lineal foot front on each side.

M. A. Huffington—

Sixty-two and a half cents per lineal foot front on each side.

Heverling, Baird & Co.—

Sixty-two cents per lineal foot front on each side.

John Green—

Sixty-one cents per lineal foot front on each side.

Samuel Hanway—

Sixty cents per lineal foot front on each side.

Strong and Hanna—

Eighty cents per lineal foot front on each side.

Samuel J. Smock—

Sixty cents per lineal foot front on each side.

Defrees, Morris & Co.—

Fifty eight cents per lineal foot front on each side.

Michael Faust—

Fifty-eight cents per lineal foot front on each side.

Joseph Hanna—

Fifty-eight cents per lineal foot front on each side.

R. H. Patterson—

Fifty-seven cents per lineal foot front on each side.

J. J. Palmer—

Fifty five cents per lineal foot front on each side.

Henry Clay—

Fifty-three cents per lineal foot front on each side.

Patterson & Dunning—

Fifty-one cents per lineal foot front on each side.

James Mahony—

Forty-eight and a half cents per lineal foot front on each side.

Elliott & Morrison—

Forty-seven cents per lineal foot front on each side.

Mart. Anderson—

Forty-two and a half cents per lineal foot front on each side.

Bernard Hammill—

Forty-one cents per lineal foot front on each side.

Bernard Hammill, being the lowest and best bidder, we recommend that he be awarded the contract.

THIRD.

For grading and graveling Twelfth street and sidewalks, and taking up and re-laying the Citizens' Street Railway track, the following proposals were presented:

Irving and Hanna—

Two dollars and twenty-four cents per lineal foot front on each side of the line improved.

Heverling, Baird & Co.—

One dollar and eighty-three cents per lineal foot front on each side of the line improved.

Henry Sellers—

One dollar and eighty cents per lineal foot front on each side of the line improved.

James Mahony—

One dollar and seventy-five cents per lineal foot front on each side of the line improved.

R. H. Patterson—

One dollar and seventy-four cents per lineal foot front on each side of the line improved.

Mart. Anderson—

One dollar and fifty cents per lineal foot front on each side of the line improved.

Patterson & Dunning—

One dollar and forty-nine cents per lineal foot front on each side of the line improved.

Michael Faust—

One dollar and thirty-four cents per lineal foot front on each side of the line improved.

Strong & Hanna—

One dollar and twenty-seven cents per lineal foot front on each side of the line improved.

Joseph Hanna—

One dollar and fifteen cents per lineal foot on each side of the line improved.

Bernard Hammell—

One dollar and twelve cents per lineal foot front on each side of the line improved.

Defrees, Morris & Co.—

For grading and graveling the street, one dollar and ninety-seven cents per lineal foot front on each side, and for taking up and relaying the railway track eighty-five cents, and to furnish new lumber twenty-five cents per hundred feet, board measure.

Elliott & Morrison—

For grading and graveling the street, one dollar and twenty-three cents per lineal foot front on each side, and for taking up and relaying the railway track twenty cents per lineal foot run.

Samuel J. Smock—

For grading & graveling the street, one dollar and twenty-two cents per lineal foot front on each side, and for taking up and relaying the railway track seventy-five cents per lineal foot run.

John J. Palmer—

For grading and graveling the street, ninety-eight cents per lineal foot front on each side, and for taking up and relaying the railway track sixteen cents per lineal foot.

If John J. Palmer will take up and relay the railway track for the sum of sixteen cents per lineal foot run, or eight cents per lineal foot front on each side, your Committee recommend that he be awarded the contract, as he at those figures will be the lowest and best bidder for said work.

Respectfully submitted,

LEON KAHN,

P. H. CURRAN,

Committee on Contracts.

Mr. Kahn presented the following communication:

INDIANAPOLIS, May 31, 1875.

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

Gentlemen:—For the reasons stated in the opinion of our attorney, which we submit herewith, we pray your honorable body to rescind the action taken upon my bid, proposing to pave the north sidewalk of Washington street.

Respectfully,

MURPHY & HANWAY.

INDIANAPOLIS, May 31, 1875.

J. T. MURPHY, Esq.—*Dear Sir*: I am of the opinion that you cannot safely take the contract for paving north sidewalk of Washington street, from Noble street to the corporation line east, for two reasons:

1st. Because there has not been a proper declaration by the Common Council of forfeiture of the contract heretofore awarded.

2d. Because, under the ruling of our Supreme Court in Ruterbaugh vs. City of Logansport, there has not been a proper and sufficient advertisement.

I advise, therefore, that you petition the Common Council to decline to enter into a contract under your bid.

Respectfully,

B. K. ELLIOTT.

Which was received.

The second and third paragraphs were concurred in, and contracts awarded.

Mr. Kahn moved to postpone action on the first paragraph, that the contract of Henry C. Roney, entered into July 7, 1873, for paving the north sidewalk of Washington street, from Noble street to east corporation line, where not already paved, be and the same is hereby declared forfeited, and that the City Civil Engineer be directed to re-advertise for proposals for doing such work.

Which motion was adopted.

Mr. Kahn submitted the following report :

INDIANAPOLIS, May 26, 1875.

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

Gentlemen : Your Committee on Contracts to whom was referred sundry proposals and plans for the erection of an Iron Bridge over Pleasant Run at the crossing of Reid street, have examined the same and find them to be as follows, to-wit:

T. B. White & Sons—

Forty-two dollars and seventy-five cents per lineal foot.

Wrought Iron Bridge Co., of Canton, Ohio—

For High Truss forty-two dollars and forty cents per lineal foot.

For Low Truss forty dollars and ninety cents per lineal foot.

Indiana Bridge, Roof & Belt Co.—

Forty-two dollars and seventy cents per lineal foot.

Indiana Bridge Co.—

Thirty-six dollars and eighty cents per lineal foot.

Your Committee recommend that the contract be awarded to the Wrought Iron Bridge Company of Canton, Ohio, for a High Truss Bridge at forty-two dollars and forty cents per lineal foot, believing that they are the lowest bidders for the best bridge.

Respectfully submitted,

LEON KAHN,

P. H. CURRAN,

Committee on Contracts.

Mr. Madden moved to refer the report back to the committee.

Mr. Thalman offered the following as a substitute to Mr. Madden's motion:

Moved, That the contract be awarded to the Indianapolis Bridge Company, who are the lowest bidders, providing they guarantee the same to stand the test required by the advertisement.

Which was accepted by Mr. Madden.

Mr. Reed offered the following motion :

Moved, That all present bids be rejected, and advertisements be made for bids for the building of truss bridge and arch bridge.

Which motion was laid on the table by the following vote:

Affirmative—Councilmen Adams, Bollman, Buehrig, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kenzel, Laughlin, Madden, Ransdell, Reasner, Schmidt, Stratford, Thalman, Ward and Webster—19.

Negative—Councilmen Albershardt, Curran, Kahn and Reed—4

Mr. Kahn moved to amend Mr. Thalman's motion by requiring said bridge company to give bond guaranteeing the bridge for a term of five years.

Which amendment was accepted by Mr. Thalman.

Mr. Thalman's motion as amended was then adopted by the following vote:

Affirmative—Councilmen Adams, Bollman, Buehrig, Darnell, Diffley, Gimber, Hall, Hook, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Thalman, Ward and Webster—18.

Negative—Councilmen Albershardt, Curran, Geiger, Kahn and Stratford—5.

Mr. Kahn submitted the following report :

INDIANAPOLIS, May 31, 1875.

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

Gentlemen: your Committee on Contracts to whom were referred the bids for grading and graveling Randolph street, from New York to Michigan street, have examined the same and find them to be as follows, to-wit:

John J. Palmer—

One dollar and fifty-five cents per lineal foot on each side.

Hersting, Baird & Co.—

One dollar and seventy-nine cents per front foot on each side.

M. A. Huffington—

One dollar and fifty cents per front foot on each side.

Christian H. Jarvis—

One dollar and fifty cents per foot on each side of the line improved.

Davis & Muse—

One dollar and fifty one cents per foot on each side of the street.

Geo. W. Seibert—

One dollar and forty four cents per foot on each side.

Richard Carr—

One dollar and thirty-five cents per foot on each side.

B. H. Patterson—

One dollar and forty-nine cents per foot on each side.

Patterson & Dunning—

One dollar and thirty one cents per foot on each side.

Joseph Hanna—

One dollar and thirty-five cents per foot on each side.

Mann & Buchanan—

One dollar and twenty-eight cents per foot on each side.

Fred Gansberg—

One dollar and twenty-five cents per front foot on each side.

Samuel Hanway—

One dollar and twenty-five cents per front foot on each side.

John Greene—

One dollar and twenty-four cents per front foot on each side.

James Mahoney—

One dollar and twenty cents per front foot on each side.

Mart Anderson—

One dollar and twenty-four cents on each side.

Michael Faust—

One dollar and twenty cents per front foot on each side.

Strong & Hanna—

One dollar and twenty-five cents per foot on each side.

Defrees, Morris & Co.—

One dollar and twenty-eight cents per foot on each side.

Bernard Hammill—

One dollar and twelve cents per front foot on each side.

Bernard Hammill being the lowest and best bidder, we recommend that he be awarded the contract.

Respectfully submitted,

LEON KAHN,

P. H. CURRAN,

Committee on Contracts.

Mr. Kahn presented the following :

Be it remembered, That, at a special meeting of the Board of Managers of the Indiana Reformatory Institution for Women and Girls held at the office of the Governor on Saturday, May 29, 1875, at two o'clock p. m., present Messrs. J. Henry Kappes and John A. Finch, Managers, and Samuel R. Downey, Secretary, and notice having been communicated to Franklin G. Armstrong, Manager, the following proceedings were had :

It being shown to the Board of Managers that the Common Council of the City of Indianapolis has ordered the improvement of Randolph street to the width of sixty feet and it appearing that the State has not, nor has the Board of Managers of the Reformatory Institution, made any donation of land for said street, it is therefore ordered by the Board of Managers that the street be permitted to be opened to the width of sixty feet, of which thirty-five feet may be of the grounds set apart by the State for the Reformatory.

J. HENRY KAPPES,

President of the Board.

Attest: SAMUEL R. DOWNEY,

Secretary.

The action of the Board of Managers above set forth is approved.

T. A. HENDRICKS,

Governor.

Which was accepted and ratified.

The report was then concurred in and contract awarded.

By consent, Mr. Darnell offered the following motion :

Moved, That the City Clerk be, and is hereby ordered to give the proper notice of an election to be held June 12, 1875, for the purpose of election of three School Commissioners in the districts, namely—fifth, sixth and ninth districts, at the school houses in the various districts.

Which was adopted. •

ORDINANCES ON FIRST READING.

Mr. Adams presented the following petition :

INDIANAPOLIS, May 27, 1875.

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

Gentlemen :—The undersigned, owners of the real estate fronting on College avenue, between Christian avenue and Butler street, respectfully petition your honorable body to pass an ordinance providing for the curbing the sidewalk with limestone of a suitable size, all that part of said College avenue lying between the first and second alleys north of Christian avenue and on the east side of said College avenue.

And your petitioners will ever pray, etc.

B. W. Cole, 25 feet, Elizabeth Cole, 26 feet, R. Aldrich, 33 feet, Cynthia Aldrich, 33 feet, Mary Carpenter, 46 feet, W. T. Nesbit, 43 feet, F. N. Scott, 35 feet.

All property included in above signed for, excepting two lots of forty feet each, one owned by a non-resident and the other by an estate.

Which was received.

Mr. Adams introduced special ordinance No. 77, 1875, entitled :

An ordinance to provide for curbing the east sidewalk of College avenue, between the first and second alleys north of Christian avenue.

Which was read the first time.

Mr. Adams introduced general ordinance No. 32, 1875, entitled :

An ordinance prohibiting persons from watering diseased horses, cows, and

other animals, at any well or public drinking fountain of the city of Indianapolis.

Which was referred to the Committee on the Revision of Ordinances.

Mr. Geiger introduced special ordinance No. 78, 1875, entitled:

An ordinance to provide for the erection of lamp-posts, lamps and fixtures, on Wood street, between Michigan and North streets.

Which was read the first time.

Mr. Gimber introduced general ordinance No. 33, 1875, entitled :

An ordinance appropriating eighteen hundred dollars for payment of the Assistant Civil Engineer.

Which was read the first time.

On motion by Mr. Gimber, the rules were suspended by unanimous consent, for the purpose of placing the above entitled ordinance on its passage.

General ordinance No. 33, 1875,

Was read the second time.

Mr. Geiger moved to amend by striking out "\$1,800," and inserting "\$1,500."

Mr. Hall moved to make it "\$1,200."

Which was not adopted.

Mr. Geiger's amendment was adopted by the following vote :

Affirmative—Councilmen Adams, Bollman, Curran, Darnell,

Diffley, Geiger, Hall, Hook, Kahn, Kenzel, Madden, Ransdell, Reasner, Reed, Schmidt, Thalman, Ward and Webster—18.

Negative—Councilmen Albershardt, Buehrig, Gimber, Laughlin and Stratford—5.

The ordinance as amended was ordered engrossed, and read the third time, and passed by the following vote:

Affirmative—Councilmen Adams, Albershardt, Bollman, Beuh-
rig, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn,
Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt,
Stratford, Thalman, Ward and Webster—23.

Negative—None.

Mr. Hall introduced general ordinance No. 34, 1875, entitled:

An ordinance prohibiting grocers and others from selling their goods by liquid measure, and providing that they shall sell by weight.

Which was read the first time.

Mr. Madden introduced general ordinance No. 35, 1875, entitled:

An ordinance in relation to bids for public works.

Which was read the first time.

Dr. Ward introduced special ordinance No. 79, 1875, entitled:

An ordinance to provide for the erection of lamp-posts, lamps and fixtures on St. Clair street, between Pennsylvania and Meridian streets.

Which was read the first time and referred to the Committee on Gas Light.

Mr. Kahn presented the following communication :

INDIANAPOLIS, May 24, 1875.

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

¶ *Gentlemen* : We the undersigned citizens and taxpayers ask your honorable body to instruct the Gas Inspector to remove or cause to be removed the first lamp-post on the east side of Noble street, beyond New York street (North), to a point about twenty-five feet further north so as the light strikes the alley running east to Railroad street and Lockerbie street on the west, also the next lamp-post on the west side of Noble street to a point about forty-five feet north so as the light of it strikes the alley east from Noble street to Railroad street and west to Liberty street.

Respectfully submitted,

FERDINAND DIETZ,
T. W. SIMON.

Which was received.

Also, the following motion :

Moved, That the petition be referred to the City Civil Engineer, with power to act in the premises, what in his judgment may be necessary for the proper lighting of said street.

Which was adopted.

On motion by Mr. Geiger, the Council adjourned.

JOHN CAVEN, *Mayor*.

ATTEST :

BENJ. C. WRIGHT, *City Clerk*.