

PROCEEDINGS
OF THE
COMMON COUNCIL.
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, December 13th, 1875—7 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, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—26.

Absent—None.

The proceedings of the regular session, held December 6th, 1875, were read and approved.

Sealed proposals for grading and graveling Walnut street and sidewalks from Mississippi to Missouri streets, were received, opened, read and referred to the Committee on Contracts.

Sealed proposals for deepening the State Ditch about five feet, commencing at or near the intersection of Tenth street and Hill avenue, and extending far enough west to give the water a free outlet into Fall Creek, were received, opened and read.

Mr. Gimber moved to reject the above proposals.

Action on Mr. Gimber's motion was postponed.

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

INDIANAPOLIS, December 13, 1875.

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

Gentlemen.:—Your Committee on Contracts, to whom was referred certain proposals submitted to Council Dec. 6th, 1875, for constructing a brick sewer in and along Clifford avenue and Archer street, from Malotte avenue to Pagues Run, would respectfully report that the following persons submitted proposals as follows, to wit :

John Greene, \$3.75 per lineal foot run for sewer $3\frac{1}{2}$ feet in diameter, and \$3.25 per lineal foot run for sewer 3 feet in diameter. No bids for manholes, catch basins and house connections.

Bruner & Riner, \$3.70 per lineal foot run for sewer $3\frac{1}{2}$ feet in diameter, \$3.30 per lineal foot run for sewer 3 feet in diameter; manholes complete, \$20.00; catch basins complete, \$60.00.

Joseph Hanna, \$3.30 per lineal foot run for sewer $3\frac{1}{2}$ feet in diameter, \$2.95 per lineal foot run for sewer 3 feet in diameter; catch basins complete, \$50.00 each; manholes complete, \$15.00 each.

Bailey & Keely, \$2.85 per lineal foot run for the sewer; manholes, \$17.00 each; catch basins, \$45.00 each: house connections, 75 cents each.

John L. Hanna, in Archer street, from Pagues Run to Clifford avenue, for \$3.50 per lineal foot run; manholes \$15.00, catch basins, \$30.00, and house connections 50 cents each.

John L. Hanna, in Clifford avenue from Archer street to Malotte avenue, for \$2.90 per lineal foot run; catch basins, \$25.00; manholes, \$13.00; and house connections 50 cents each.

C. E. Whitsit, \$2.90 per lineal foot run for 3½ foot sewer, \$2.60 per lineal foot run for 3 foot sewer; manholes \$15.00 each, catch basins \$60.00 each, and house connections 75 cents each.

C. E. Whitsit being the lowest and best bidder, your committee recommend that he be awarded the contract.

Respectfully submitted,

LEON KAHN,
ROBT. C. MCGILL,
P. H. CURRAN,
Committee on Contracts.

Dr. Stratford moved to lay the report on the table for the present.

Which motion to lay on the table was adopted by the following vote:

Affirmative—Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, Reasner, Stratford, Stuckmeyer and Thalman—14.

Negative—Councilmen Adams, Craft, Darnell, Hall, Hook, Kahn, McGill, Ransdell, Reed, Schmidt, Ward and Webster—12.

On motion, the matter of rejecting the State Ditch proposals was taken up.

Mr. Adams moved as a substitute to Mr. Gimber's motion that the proposals be referred to the City Civil Engineer, to report the cost of such work.

Which was adopted.

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

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—Your Committee on Contracts, to which was referred certain proposals submitted to Council November 29th, 1875, for constructing a two-foot cement

pipe, glazed earthenware or brick sewer in and along Potomac street or West Court street, from the first alley east of California street to Missouri street, and connecting with the sewer in said Missouri street, respectfully report that the following persons submitted proposals as follows, to wit :

Frank Boyd, cement pipe sewer, \$3.87 per foot ; Akron pipe sewer, \$4.00 per foot ; brick sewer, \$4.20 per foot. No bid for manholes and catch basins.

Joseph Hanna, cement pipe sewer, \$3.00 per lineal foot ; glazed earthen ware sewer, \$3.20 per lineal foot ; brick sewer, \$3.23 per lineal foot ; catch basins, \$75.00 manholes, \$25.00.

O. W. Kelly, brick sewer, \$2.95 per lineal foot. No bid for cement pipe, glazed pipe, catch basins and manholes.

John L. Hanna, brick sewer (one ring), \$2.70 per lineal foot ; glazed pipe sewer \$3.25 per lineal foot . catch basins, \$40.00 each complete ; manholes, \$25.00 each ; house connections for brick sewer, 50 cents each ; house connections for pipe sewer, 75 cents each.

Bruner & Riner, \$2.50 per lineal foot run for the sewer. No bid for manholes and catch basins.

As the lowest bidder is somewhat irregular in his bid, we recommend that the work be readvertised.

Respectfully submitted,

LEON KAHN,

P. H. CURRAN,

ROBT. C. MCGILL,

Committee on Contracts.

Which was concurred in.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS December 13, 1875.

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

Gentlemen :—I was directed to estimate the cost to the city for changing the channel of Fall Creek--

1st. Of the city purchasing the ground required for the same of S. J. Patterson at

\$1,000 per acre, estimating the same at a price not to exceed 30 cents per cubic yard.

2d. Of the expense to the city as per S. J. Smock's proposition of his purchasing the ground and building the embankments necessary to proposed change for the sum of 50 cents per cubic yard, would report as follows :

To change and straighten the channel, the city will be required to buy of S. J. Patterson 27½ acres of ground at \$1,000 per acre, making a cost of \$27,250.00. The south embankment 40 feet wide will contain 31,403 cubic yards. The building of the same at 30 cents per cubic yard will cost \$9,420.90, making a total cost under the first proposition of \$36,670.90. The cost of building the embankment as per S. J. Smock's proposition will be 31,403 cubic yards at 50 cents, \$15,701.50. The difference between the first and second propositions being \$20,969.40.

In order to protect Michigan street, which has been recently repaired at a cost of \$3,567.40, it will be necessary to take some immediate steps for repairing the south bank of Fall creek, and if your honorable body reject the foregoing proposition of Messers .Patterson & Smock, I would recommend to refer the matter of repairing and strengthening the present embankments to your Committee on Streets and Alleys, in connection with myself, with a view to have said work done at once.

SECOND.

In compliance with your orders, I have made temporary arrangements on Randolph street to let the accumulated water escape from the Reformatory grounds.

Some measures must be taken at once towards a permanent improvement at this point, as well as repairing the wooden culvert under the south side of Michigan street, otherwise the damage by another rise in Crooked Creek will be much greater than it is at present.

If your honorable body cannot suggest anything better, I would recommend that the matter be referred to the proper committee to see what is best to be done in the premises.

Respectfully submitted.

BERNHARD H. DIETZ,
City Civil Engineer.

The first section of the report was referred to the Committee on Streets and Alleys and City Civil Engineer, and the second section was referred to the Committee on Sewers.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

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

A first and partial estimate allowed Bruner & Riner, for building a brick sewer 4

feet in diameter in and along Massachusetts avenue, from Pennsylvania street to the south side of Vermont street—

503.10 lineal feet at \$5.40.....	\$2,720 70
Less 15 per cent.....	408 70
	<hr/>
Present payment.....	\$2,312 00

Also, a second, corrected and final estimate allowed Frank Eppert, for grading and graveling the first alley west of Meridian street, between McCarty and Ray street—

1668 lineal feet at 17 cents.....	\$283 56
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Also, a first and final estimate allowed Bernard Hammill, for grading and bouldering Market street, curbing the sidewalks and paving the same where not already paved, from Illinois to Tennessee street—

690 lineal feet bouldering and curbing at \$2.57.....	\$1,773 30
150 lineal feet bouldering at \$2.07.....	310 50
41.3 lineal feet curbing at 50 cents.....	20 65
452 square yards paving at 60 cents.....	271 20
Bouldering and flagging alley crossing.....	13 00
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Total payment.....	\$2,388 65

Also, a third and final estimate allowed E. H. Roney, for grading, graveling, curbing, paving and bouldering the gutters on Market street, from Alabama to Noble street—

3659.2 lineal feet curbing at 46½ cents.....	\$1,701 52
1739.4 lineal feet bouldering gutters at 60 cents.....	1,043 64
421.08 square yards bouldering street and alley crossings at 68 cents.....	286 33
463.4 lineal feet paving at 59 cents.....	273 40
1420 cubic yards screened gravel at \$1.15.....	1,633 00
3440.9 lineal feet sand at 20 cents.....	688 18
1788.1 lineal feet bouldering gutters at 68 cents.....	1,215 90
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Total.....	\$6,841 97
Less former payment.....	5,030 84
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Present payment.....	\$1,811 13

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimates allowed Bruner & Riner for building a brick sewer 4 feet in diameter, in and along Massachusetts avenue, from Pennsylvania street to the south side of Vermont 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, Albershradt, Bollman, Buehrig, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—26.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second, corrected and final estimate allowed Frank Eppert for grading and graveling the first alley west of Meridian street, between McCarty and Ray streets, 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, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—26.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Bernard Hammill for grading and bowldering Market street, curbing the sidewalks and paving the same where not already paved, from Illinois to Tennessee streets, 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, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—26.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing third and final estimate allowed E H Roney for grading, graveling, curbing, paving and bowldering the gutters on Market street, from Alabama to Noble streets, 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, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—26.

Negative—None.

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

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—Your Committee on Contracts, to whom was re-committed their report presented to the Council in reference to the bids for the construction of sewers along Georgia street, from the Illinois street sewer to the first alley east on Meridian street, and along Madison avenue from the south side of Yeizer street, to and

connecting with the Ray street sewer, would beg leave to report that on account of the irregularities of some of the bidders.

We recomend that the work be re-advertised.

Respectfully submitted,

LEON KAHN,
ROBT. C. MCGILL,
P. H. CURRAN,
Committee on Contracts.

Which was concurred in.

The City Clerk submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

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

John J. Palmer vs. Bridget Macauley, for.....\$105 80

And respectfully recommend that you order the precept to issue.

BENJ. C. WRIGHT,
City Clerk.

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

Affirmative—Councilmen Adams, Albershardt, Bollman, Buehrig, Craft, Curran, Darnell, Diffley, Geiger, Gimber, Hall, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—25.

Negative—None.

The City Attorney submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—I return the communication of J C Talbott, Bishop of Indiana, which has been referred to me for my opinion.

I am quite clear that the property therein referred to is not exempt from municipal taxation. The statute provides that "every building erected for religious worship, and the pews and furniture within the same, and the lands wherein such building is situated, not exceeding ten acres," shall be exempt. 1 G & H, 69, Acts 1872, p. 58.

Vacant ground owned by religious corporations, is neither within the letter nor the spirit of the statute. See *Orr vs. Baker*, 4 (Fourth,) Ind. 86. *City of Indianapolis vs. Grand Master*, 25 Ind. 518.

Respectfully submitted,

CAS. BYFIELD,

City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—In reference to the petition of Henrietta Parker and others, asking the removal of the track of the Rolling Mill Company on South Tennessee street, I have to report that after a careful examination of the records of the Council, I find that no authority has ever been given to said company to lay its tracks on South Tennessee street. I find that on 27th June, 1857, the Council passed an ordinance granting Richard A. Douglass right to construct a track on south-west bank of Pogues Run or on the east bank of the Canal.

I am informed by the parties that the present track of the Rolling Mill Company has occupied said street for a number of years, without any objection from the city or the citizens. This fact, however, comes to me only from the parties, and not from the records.

I am of the opinion that if this Council should grant the right of way to the Rolling Mill Company to use said street for the purposes of laying their track thereon, the using of said street for such purpose would be an additional servitude not contemplated in the construction of streets for public highways, and the owners of the abutting property would have a right of action against the Rolling Mill Company for whatever damages would accrue to their property on account of this additional use of the street.

I do not think the Common Council has the power to grant to a private corporation the right to use the streets of the city in any manner that will interfere with their use as public highways, or damage the owners of abutting property.

In view of the fact that in the present case, the said street has been used for a number of years by the Rolling Mill Company, for the purpose of laying its track thereon, without complaint on the part of the owners of abutting property.

I suggest that the Council leave the parties to adjust their rights between themselves.

Respectfully submitted,

CAS. BYFIELD.

City Attorney.

Which was concurred in.

The Board of Health submitted the following report :

INDIANAPOLIS, December 13, 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 4th day of December, to 6 o'clock P. M. on the 11th day of December, 1875.

Under 1 year.....	8
1 to 2 years.....	0
2 to 3 ".....	2
3 to 4 ".....	0
4 to 5 ".....	0
5 to 10 ".....	5
10 to 20 ".....	1
20 to 30 ".....	4
30 to 40 ".....	4
40 to 50 ".....	5
50 to 60 ".....	2
60 to 70 ".....	0
70 to 80 ".....	2
80 to 90 ".....	0
90 to 100 ".....	0
Above 100 ".....	0
Unknown ".....	0
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Total.....	33

C. E. WRIGHT, M. D.,

President Board of Health.

A. STRATFORD, M. D.,

Secretary Board of Health.

Which was received.

The City Commissioners submitted the following report .

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—The undersigned respectfully show to your honorable body—

1st. That they were duly appointed by the Judge of the Marion Civil Circuit Court to act as Commissioners to assess damages and benefits "accruing to the owners of lands and lots through which any street is proposed to be constructed or altered, or any building appropriated, or through which any creek or other water course is proposed to be straightened, or of which the course is proposed to be altered."

2d. That they did, as required by law, take and subscribe the oath and affirmation by law required.

3d. That they were and are duly qualified to act as such Commissioners, and do possess lawful authority to assess benefits and damages.

SECOND.

Your Commissioners do further report—

1st. That on the 17th day of November, 1875, they met at the City Clerk's office pursuant to the notice hereto annexed, marked exhibit "A." Then adjourned to the Committee Clerk's room.

2d. That they did, at the time and place aforesaid, enter upon the consideration of the matter of opening Court street, from East street to Noble street, more fully described in the petition to us referred and hereto annexed, marked exhibit "B."

3d. That they did enquire into the matter of the service of notices upon property owners, and do herewith report said notices, with the Marshal's endorsement of service thereon.

4th. That the following named persons appeared in answer to said notices, viz : Henry Reinkin, Chas. Prange, Chas. W. Nicholai, Chris. Gumph, Tobias Bender, Valentine Schaaf, E. C. Brundage, Philip Reichwine, Jas. M. Tomlinson, W. F. Bird, Chas. Dehne, Catherine Buchanan per son James, Isaac Hodson, Chas. Kute-meyer, Fred Blake, Wm. H. English, Isaac Kahn, Joshua W. Langsdale, E. Mueller, S. M. Seibert, Henry Ruske, E. Smith, Conrad Mueller, Chris. Weigman, Jas. Hall and W. P. Noble.

THIRD.

The said Commissioners do further report—

That they did, at the time aforesaid, examine the real estate proposed to be appropriated, and did at the time and place indicated hear evidence

touching the questions before them, and did also view the premises and that they did estimate—

- 1st. The value of the land and property to be appropriated for said improvement.
- 2d. What part thereof, if any, ought to be borne by the city.
- 3d. What real estate, if any, would be benefited by the improvement.

FOURTH

Your Commissioners do further report—

- 1st. That the value of the land to be appropriated is in the aggregate six thousand, seven hundred and six dollars (\$6,706.00).
- 2d. That the city should pay no part thereof.

That we do assess benefits as follows upon the following described real estate:

BENEFITS TO BE COLLECTED.

Germania Building and Savings Loan Associatson No. 2, lot 7, out lot 26..	
Germania Building and Savings Loan Association No. 2, 15½ feet north side lot 8, out lot 26	\$500 00
Henry Reinkin, west half east half lot 2, out lot 26.....	117 00
Reinhold Mueller, east half east half lot 2, out lot 26.....	117 00
Henry Ruschaupt heirs, 20 feet west side lot 3, out lot 26.....	146 00
Isaac N. Patterson, 19 feet west of 20 feet east side lot 3, out lot 26.....	133 00
Samuel M. Brown, east third lot 3, out lot 26.....	140 00
Wards & Hanson, 30 feet west side lot 4, out lot 26.....	232 20
Wards & Hanson, 20 feet east side lot 4, out lot 26.....	154 80
Patrick Shea, lot 5, out lot 26.....	387 00
Henry Burke, lot 5, out lot 63.....	155 00
John Hauck, lot 6, out lot 63.....	155 00
Fred Keegel's Heirs, lot 7, out lot 63.....	155 00
Alexander Hitchcock's heirs, lot 8, out lot 63.....	116 00
S. M. Seibert, lot 6, out lot 64.....	128 00
Mary J. Kinsler, lot 7, out lot 64.....	155 00
John C. Wright, west half lot 8, out lot 64.....	78 00
Aug. Jackman, east half lot 8, out lot 64.....	78 00
Catharine Buchanan, lot 9, out lot 64.....	136 00
Fred Blake, Little's sub. lot 6, out lot 65, Little's sub.....	78 00
Wm. S. Smith, lot 1, out lot 26.....	78 00
John Greim, west half lot 2, out lot 26.....	233 00
Chas. Prange, 18 feet west side lot 10, out lot 64.....	70 00
Francis M. Beck, 16 10-12 feet east side lot 10, out lot 64.....	97 00
Geo. W. New, 25x218 4-12 feet southeast corner out lot 64.....	176 00
Chas. W. Nicholai, 25x184 feet southwest corner out lot 65.....	176 00

Wm. H. English, 140 feet on Washington by 131 feet north southeast corner out lot 65, and 77x174 feet north side south half out lot 65.....	899 00
Henry A. Ruske, lot 5, out lot 64.....	99 00
Louisa Mueller, lot 4, out lot 64	144 00
Daniel Thayer's heirs, lot 3, out lot 64.....	144 00
Valentine Schaaf, lot 2, out lot 64.....	144 00
Chas. Kuetemeyer, lot 1, out lot 64.....	155 00
Geo. G. Gabbart, 36 feet east of 14 from Market street, northwest corner out lot 64.....	200 00
John W. Muir, 25 feet on Market, northeast corner out lot 64.....	116 50
John W. Muir, 14 feet on Market, northwest corner out lot 65.....	65 50
Chris. Weigman, 100 feet north end lot 4, out lot 26.....	300 00
Adam Irick, 100 feet north end lot 6, out lot 26.....	300 00
Elizabeth Reed, 70 feet south end lot 4, out lot 63, Wilson's sub.....	38 00
Chas. Dehne, 24 feet south ends lots 1, 2 and 3, out lot 63.....	110 00
	\$6,706 00

That we do assess damages as follows, to-wit, upon the following described real estate :

John C. Wright, 5 feet off north end west half lot 8, out lot 64.....	\$19 00
Aug. Jackman, 5 feet off north end east half lot 8, out lot 64.....	19 00
Catharine Buchanan, 5 feet off north end lot 9, out lot 64.....	38 00
Chas. Prange, 15 feet off north end of 18 feet west side lot 10, out lot 64...	50 00
Francis Beck, 15 feet off north end of 16 10-12 feet east side lot 10, out lot 64	50 00
Geo. W. New, 25 feet off north end of 218x25, southeast corner out lot 64..	110 00
Wm. H. English, triangle base 56, per 25 feet, hypotenuse 62½ feet in northwest corner of 77x174 feet north side south half out lot 65.....	400 00
Chas. W. Murry's heirs, lot 7, out lot 65, Little's sub.....	1,800 00
Isaac Kahn, 18 feet off south side of 25 feet north of 10 feet south side lot 8, out lot 26.....	2,500 00
Chris Weigman, 28 feet off south end of 100 feet north end lot 4, out lot 26	300 00
Chas. Dehne, 3 feet off south side of 24 feet south ends lots 1, 2 and 3, out lot 63	210 00
Elizabeth Reed, 3 feet off south end of 70 feet south end lot 4, out lot 63..	20 00
Henry Burke, 5 feet off north end lot 5, out lot 63.....	35 00
John Hauck, 5 feet off north end lot 6, out lot 63.....	35 00
Fred Keegel's heirs, 5 feet off north end lot 7, out lot 63.....	35 00
Alexander Hitchcock's heirs, 5 feet off north end lot 8, out lot 63.....	100 00
Henry A. Ruske, 3 feet off south end lot 5, out lot 64.....	75 00
Louise Mueller, 3 feet off south end lot 4, out lot 64	24 00
Daniel Thayer's heirs, 2 feet off south end lot 3, out lot 64.....	24 00
Valentine Schaaf, 3 feet off south end lot 2, out lot 65.....	24 00
Chas. Kuetemeyer, 3 feet off south end lot 2, out lot 64.....	24 00

Geo. G. Gabbert, triangle 33 feet base, 16½ per, 38½ hypotenuse, southeast corner of 36 feet on Market by 186½ feet east of 14 feet northwest corner out lot 56.....	200 00
John W. Muir, 8 feet south end of 25x205 northeast corner out lot 64.....	50 00
S. M. Seibert, 5 feet off north end lot 6, out lot 64.....	125 00
Mary J. Kinsler, 5 feet off north end lot 7, out lot 64	38 00
Unknown, commencing 184 feet north from Washington street, 25 feet west of the west side, 36 11-12x25 feet northwest corner out lot 65.....	100 00
Adam Irick, 28 feet off south end of 100 feet north end lot 6, out lot 26.....	300 00
Chas. W. Nicholai, triangle 3 feet base, 2 feet per, 3 7-12 hypotenuse, northwest corner of 25x184 feet southwest corner out lot 65.....	1 00
	\$6,706 00

That [the benefits aforesaid are such as each of the persons respectively would receive.

That the damages are such as each of said persons to whom damages are awarded, would sustain.

The persons whose benefits exceed damages, and the amounts of the excess, are shown in table "A," and those whose damages exceed benefits are shown in table "B," showing in the one table the benefits in excess of the damages, and in the other the excess of the damages over and above the benefits:

TABLE "A."

Benefits to be collected.

Germania Building, Savings and Loan Association.....	\$500 00
Eliza Reed	18 00
Wm. S. Smith.....	78 00
John Grimes.....	233 00
Chas. Prange.....	20 00
F. M. Beck.....	47 00
Geo. W. New.....	66 00
Chas. W. Nicholai.....	175 00
Wm. H. English.....	499 00
Henry A. Ruske	24 00
Louisa Mueller	120 00
Daniel Thayer's heirs.....	120 00
Valentine Schoaf.....	120 00
Chas. Kutemeyer.....	131 00
John W. Muir.....	132 00
Henry Reinkin.....	117 00
Reinhold Mueller.....	117 00
Henry Ruschaupt's heirs.....	146 00
Isaac W. Patterson.....	133 00
Samuel M. Brown.....	140 00

Wards & Hanson	387 00
Patrick Shea	387 00
Henry Burke.....	120 00
John Hauck.....	120 00
Fred Keegel's heirs.....	120 00
Alexander Hitchcock's heirs.....	16 00
S. M. Seibert.....	3 00
Mary S. Kinsler.....	117 00
John C. Wright.....	59 00
Aug. Jackman.....	59 00
Catharine Buchanan.....	98 00
Fred Blake.....	78 00
Amount.....	<u>\$4,500 00</u>

TABLE "B."

Damages to be paid.

Isaac Kahn.....	\$2,500 00
Chas. Dehne.....	100 00
Chas. W. Murry's heirs.....	1,800 00
Unknown.....	100 00
Amount.....	<u>\$4,500 00</u>

Your Commissioners do therefore recommend that the said Court street be opened as prayed, and that the damages and benefits assessed be paid and collected according to law.

Respectfully,

WILLIAM MANSUR,

JOHN L. AVERY,

J. S. HILDEBRAND,

R. H. PATTERSON,

GEO. W. HILL,

Commissioners.

Which was received and ordered printed in the minutes.

The City Commissioners submitted a report in the matter of opening and extending John street; also, a report in the matter of opening an alley about 120 feet north of Washington street, between Noble street and first alley east of Liberty street, which reports were received, but not ordered printed in the minutes, as the Commissioners recommend not to open said street and alley, on account of the excess of damages over and above benefits.

The Chief Fire Engineer presented the following communication:

INDIANAPOLIS December 13, 1875.

M. G. Fitchey Esq., Chief Fire Engineer :

Dear Sir :—The following new and additional fire plugs have been set, connected, the water turned on, and are now ready for use for fire protection :

December 9, 1875, 1 on Arsenal avenue, corner Market street.

December 11, 1875, 1 on Arsenal avenue, corner Vermont street.

This is all the fire plugs located to date, and all you have ordered have now been set. There is, I believe, over forty plugs yet to locate. I will take it as a favor if you will locate them as soon as possible, as I want to put them in. Please give this your immediate attention, and if necessary, call the Fire Committee and the Water Works Committee of the Council to your aid in making the locations.

Very respectfully,

JOHN R. EDDER,
President Water Works Co.

Which was referred to the Committee on Water Works and Chief Fire Engineer.

Mr. Gimber presented new bond of the Indianapolis Bridge Co., for building iron bridge over Pogues Run and Clifford avenue.

Which was approved.

INTRODUCTION OF ORDINANCES.

Mr. Darnell introduced general ordinance No. 96, 1875, entitled :

An ordinance prohibiting any Councilman from collecting money, and imposing on the City Treasurer the duty, and requiring Councilmen who become apprised that money is due the city to notify the Treasurer thereof.

Which was read the first time.

Mr. Kahn introduced special ordinance No. 231, 1875, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures on Michigan street, from New Jersey to Noble streets.

Which was read the first time.

Mr. Schmidt introduced general ordinance No. 97, 1875, entitled :

An ordinance to provide for building a brick sewer three feet in diameter in and along Ohio street, from Illinois street to and connecting with the Pennsylvania street sewer.

Which was read the first time.

Mr. Thalman introduced special ordinance No. 232, 1875, entitled :

An ordinance to provide for grading and paving with brick the north sidewalk of Washington street, between the old White River bridge and a point 300 feet west, or so far as the road is owned by the city.

Which was read the first time.

By consent, Mr. Craft offered the following motion :

Moved, That Johnston Bros. be and are hereby granted permission to pave and curb in front of their new residences on North Pennsylvania street, between Walnut and St. Clair street, the same to be done at their own expense and under the direction of the Civil Engineer, who is hereby ordered to set the grade stakes.

Which was adopted.

By consent, Mr. Albershardt offered the following motion :

Moved, That the Street Commissioner be and is hereby instructed to put down a flag stone crossing on west side of Pennsylvania street and Ohio street; also, on the north side of Ohio street and Pennsylvania street.

Which was referred to the Committee on Streets and Alleys.

By consent, Mr. Ransdell offered the following motion :

Moved, That Charles W. Moody have permission to move two frame houses from the corner of New York street and Indiana avenue, west on New York street to Mississippi street, south on Mississippi street to Merrill street, east on Merrill street to Tennessee street, south on Tennessee street to McCarty street, west on McCarty street to east side Pogues Run.

Which was adopted.

Mr. Madden moved that special order be taken up, and reports from the Special Investigation Committee, on charges preferred against Councilman Hall, be now heard.

Which was adopted.

Mr. Adams submitted the following majority report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—The undersigned, members of the select committee appointed to investigate the charges preferred against Councilman Marshal E. Hall, by Robt. C. McGill and Thomas Madden, would report the following in connection with the same :

After a careful and exhaustive examination covering several days, and due consideration of the testimony presented thereat, we are of the opinion that there is not sufficient evidence going to show that Marshal E Hall intended to defraud the city or is guilty of malfeasance in office to justify a trial before the Council.

There was no evidence sustaining specifications one to six inclusive.

Specifications seven and eight charged the said Hall with collecting rents from lessees of Sellers Farm, as Chairman of Committee on said Farm. That said Hall did collect such rent was conclusive, as the evidence showed, at the request and direction of Henry W. Tutewiler, City Treasurer, who gave him the leases and bonds of parties leasing said farm, with instructions as above, and the said Tutewiler City Treasurer, is responsible for all moneys collected as rent for Sellers Farm to the Common Council, under the provisions of motion passed May 27th, 1875, directing the City Treasurer to collect and receive said rents, etc.

Thus believing, your Committee feel it a duty to report, while there was no evidence tending to show that Marshal E. Hall did not intend to pay the money he collected into the City Treasury, the evidence was positive that he retained in his possession moneys which he knew belonged to the city of Indianapolis for a longer period of time than was necessary to pay the same into the Treasury, and the fact that other city officers may have done the same does not excuse or exculpate him

Your Committee are of the opinion that this Council should at once stop such unwarrantable conduct, and pass a vote of censure against the said Marshal E. Hall for not promptly paying into the Treasury all moneys he may have collected belonging to the city, and for his loose manner of transacting his official business.

Respectfully submitted.

C. F. DARNELL,

J. C. ADAMS.

Mr. Madden submitted the following minority report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—As a member of a special committee to whom was referred the charges and accompanying specifications against Marshal E. Hall, a member of this Council, with instructions to examine into the same, I respectfully submit the following report .

In my opinion, the evidence adduced before said committee shows that there was not only good grounds for such accusation, but that positive evidence was presented which justified the presentation of additional charges and specifications, all going to show that the said Marshal E. Hall, while a member of this Council, was guilty of malfeasance in office, and I do hereby, as one of said committee, present the subjoined charges with specifications to this Council, that said Marshal E. Hall shall be put on trial thereon :

CHARGE FIRST.

That said Marshal E. Hall, while a member of the City Council of Indianapolis, and one of its committees, has been guilty of assuming to certify to the correctness of claims against said city, and of gross negligence and carelessness while exercising the assumed power, by certifying improper claims for allowance to said Council.

SPECIFICATION FIRST.

That said Hall did, on the — day of —, 1875, certify as correct to said Council, over his own signature, a certain claim of George Woodfill for the sum of \$30.00, for building and erecting a shed for the city steam road roller, and that afterwards on the — day of —, 1875, did certify as correct to said Council another bill for the sum of \$40.00 for the same work. This the said Hall did in the absence of any authority from the said Council to certify claims for such work, and in open violation of the well established rule of said Council, that the majority alone of any committee of said Council shall certify to the correctness of any work done to the knowledge of any such committee.

CHARGE SECOND.

That said Marshal E. Hall, while a member of the City Council of Indianapolis, was guilty of malfeasance in office in collecting and appropriating the money and property of the city to his own use, and also of usurping and exercising powers and duties which he had no right to exercise, but which are especially delegated to and should have been exercised by another city officer.

SPECIFICATION FIRST.

That said Hall did on several occasions, as hereinafter set forth in other specifica-

tions, collect from certain renters on the Sellers Farm sums of money belonging to said city as rent due from such renters, which, by order of the Common Council of said city, made on the 3d day of May, 1875, the City Treasurer was alone authorized to collect, which money the said Hall claimed to collect by virtue of his being Chairman of the Committee on Sellers Farm, and which moneys the said Hall kept and used for his own use until the commencement of the investigation ordered by said Council on the 6th day of December, 1875.

SPECIFICATION SECOND.

That said Hall did, on the — day of August, 1875, take and appropriate to his own use a quantity of brick from the East Market place, the property of the city, and for which he has not accounted.

SPECIFICATION THIRD.

That said Hall did, on the 14th day of August, 1875, unlawfully collect from the Indiana Fertilizing Company and appropriate the same to his own use, the sum of \$125.00, which money belonged to the city of Indianapolis as rent due from Sellers Farm.

SPECIFICATION FOURTH.

That the said Hall did, on the 8th day of November, 1875, unlawfully collect and appropriate to his own use the sum of \$125.00 from the Indianapolis Fertilizing Company, which money belonged to the city of Indianapolis as rent due from the Sellers Farm.

SPECIFICATION FIFTH.

That said Hall did, on the 19th day of July, 1875, unlawfully collect and appropriate to his own use the sum of \$90.00 from the Indiana Fertilizing Company, which money belonged to the city of Indianapolis as rent due from the Sellers Farm.

SPECIFICATION SIXTH.

That said Hall did, on the 6th day of September, 1875, unlawfully collect from the Indiana Fertilizing Company and appropriate to his own use the sum of \$90.00, which money belonged to the city of Indianapolis, due as rent from the Sellers Farm.

SPECIFICATION SEVENTH.

That said Hall did, on the 17th day of October, 1875, unlawfully collect and appropriate to his own use from Laney & Company the sum of \$37.50, which money belonged to the city of Indianapolis as rent due from the Sellers Farm.

SPECIFICATION EIGHTH.

That said Hall did, on the 2d day of November, 1875, collect from Laney & Company and appropriate to his own use the sum of \$37.50, which money belonged to the city of Indianapolis as rent due from the Sellers Farm.

SPECIFICATION NINTH.

That said Hall, on the 8th day of December, 1875, came before the special committee appointed to investigate charges preferred against him on the 6th day of December, 1875, and acknowledged the collection of the money referred to in specification seven (7) and eight(8) of the charges then under investigation and which are identical with specifications numbered three (3) and four (4) preceding, which sum of money amounted to \$250 and which amount was tendered to said committee and by them refused, thus attempting to create the impression that the sum of \$250 was all the money he had collected as rent due from the Sellers Farm. That on the day following the making of said tender by said Hall, Thomas Madden, Chairman of such committee of investigation, proceeded to the Sellers Farm and to other places, and obtained proofs of the collection by said Hall of other amounts as rent due the city from the Sellers Farm, which amounts are set forth in specifications numbered 5, 6, 7 and 8 of these charges. That on the 11th day of December, 1875, the (2d) second day following the obtaining of such by said Madden, the said Hall came before said committee and made virtue of necessity, and knowing the existence of such proofs, did make confession of the unlawful collection for his own use, of the moneys set forth in specifications 5, 6, 7 and 8 of these charges, and I therefore recommend that said Marshall E. Hall be put upon his trial on these charges.

The undersigned will further say, that during the session of such committee of investigation, much important evidence going to show the guilt of the accused and the untruthfulness of the newly found theory of the said Hall, was acting as the agent of the only officer authorized to collect rents due from the Sellers Farm was excluded by the majority of said committee over the objections of the undersigned.

In conclusion, the undersigned would say, that justice in the good name of our city, demands that the Council shall refuse to accept the report of the majority of such committee and refer the charges in this report to another committee for full investigation and report.

Respectfully submitted,

THOMAS MADDEN.

Mr. Laughlin moved to reject the majority report.

Which motion was adopted by the following vote:

Affirmative—Councilmen Albershardt, Bollman, Buehrig, Curran,

Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Stratford, Stuckmeyer and Ward—15.

Negative—Councilmen Adams, Craft, Darnell, Hook, Kahn, Ransdell, Reed, Schmidt, Thalman and Webster—10.

On motion by Mr. Geiger, the minority report was then concurred in.

By consent, Dr. Stratford, from the Special Committee on the Butterfield defalcation case, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—The undersigned, members of the Special Committee appointed to investigate and report upon the settlement with the Butterfield sureties, would report the following facts in the case, viz :

City Attorney Elliott reported November 29, 1869, recommending a Special Committee to settle with bondsmen of C. S. Butterfield, and Dr. J. H. Woodburn, Austin H. Brown and Erie Locke were appointed such committee, which committee reported December 20, 1869, recommending a settlement at \$2,500.00, divided as follows : Jas. G. Douglas to pay \$1,000.00, S. A. Butterfield to pay \$1,200.00, and Charles Richman to pay \$300.00, the same to be settled by notes payable in one, two and three years from the dates thereof, and to bear 6 per cent. interest; which report was adopted by the Council, and the settlement ordered to be so made.

The payments on said notes have been as follows, viz :

	Principal.	Interest.
May 1, 1871, Butterfield paid.....	\$400 00	\$23 33
November 4, 1872, Butterfield paid.....	400 00	48 00
January 2, 1873, Butterfield paid.....	400 00	72 00
February 19, 1873, Richman paid.....	300 00	54 00
August 27, 1873, Douglas paid	333 33	73 32
	\$1,833 33	\$270 65

Leaving yet unpaid two notes of J. G. Douglas of \$333.33 each, with the accrued interest thereon, which said notes have been due and collectable, one since December, 1871, and one since December, 1872, and which notes are in the hands of the Treasurer, and which, we are informed by the Treasurer, will be paid on or before January 1st, 1876, without suit being commenced on them.

In conclusion, we would recommend that unless they are so paid, that the City Attorney be instructed to commence suit after the date fixed, viz: January 1, 1876.

Respectfully,

I. W. STRATFORD,

H. GIMBER,

W. H. CRAFT,

Special Committee of Investigation.

Which was concurred in.

REPORTS FROM COMMITTEES.

Mr. Geiger, from the Committee on Finance, submitted the following report:

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—Your Committee on Finance herewith return the reports of the City Treasurer made to the Council on November 8th and December 6th 1875. They have examined the same and find them correct.

Respectfully submitted,

G. W. GEIGER,

D. M. RANSELL,

ENOS B. REED,

I. W. STRATFORD,

LEON KAHN,

Committee on Finance.

Which was concurred in.

Mr. Adams, from the Committee on Judiciary, submitted the following report:

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—Your Committee, to whom was referred the claim and papers in the case of Thomas Wren, would offer the following report:

We understand the Finance Committee have given considerable time and attention to the above claim, had meetings, examined witnesses and after a full and thorough investigation have agreed upon a report, and as our committee would have to go over the same ground and enquiry as the Committee on Finance, and probably arrive at the same conclusion, we therefore recommend your honorable body to request the Finance Committee to present to the Council any report they may have agreed upon, for your consideration.

Respectfully submitted,

J. C. ADAMS,

H. S. ALBERSHARDT,

J. J. DIFFLEY,

Committee on Judiciary.

Which was received.

Mr. Geiger, from the Committee on Fire Department, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—We, your Committee on Fire Department, respectfully report as follows on the motions hereto attached, which were referred to us by your honorable body.

FIRST.

On the motion of Mr. Schmidt, "That the City Civil Engineer examine all fire cisterns, and report to the Council," we recommend that the matter be referred to the Civil Engineer.

SECOND.

On the motion of Mr. Schmidt in regard to connecting the headquarters of Fire Department with the sewer, we recommend that the motion be passed, and that the City Civil Engineer be directed to superintend the work.

Respectfully submitted,

GEO. W. GEIGER,

W. H. CRAFT,

G. KENZEL,

Committee on Fire Department.

Which was concurred in.

Mr. Darnell, from the Committee on Gas Light, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—Your Committee on Gas Light, to which was referred sundry papers and ordinances, beg leave to submit the following report, viz :

First is an ordinance providing for the erection of lamp posts, lamps and fixtures on Market street, between Arsenal avenue and State street.

Your Committee recommend that the above entitled ordinance be stricken from the files.

Second is an ordinance for the erection of lamp posts, lamps and fixtures, on Market street between Delaware and Alabama streets.

Your Committee recommend the passage of the above entitled ordinance.

Third is a motion directing the City Civil Engineer to take up and re-locate lamp post at the corner of East and Pearl streets.

Your Committee recommend that the Engineer carry out the provisions of the above motion.

Fourth is a motion directing the City Civil Engineer to remove the lamp post on the south east corner of Court and New Jersey streets 15 feet north of its present location, to place it on the corner of Court street.

Your Committee recommend that the Engineer carry out the provision of the above motion.

Fifth is a motion directing the City Civil Engineer to erect a gas lamp on the east side of Meridian street and immediately south of the Union Railway tracks.

Your Committee recommend that the Engineer carry out the provisions of the above motion.

Sixth is a communication from L. I. Mossler & Bro., and John Huegle, asking the Council to have a lamp post erected on the south west corner of Pennsylvania and Washington streets.

Your Committee believing it would be a public benefit, recommend that the City Civil Engineer be directed to have one erected at said corner.

Respectfully submitted,

C. F. DARNELL,

JNO. J. DIFFLEY,

P. H. CURRAN,

Committee on Gas.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—Your Committee on Gas, to whom was referred motion of Councilman Reed, instructing said Committee to confer with the Indianapolis Gas Light and Coke Company, to obtain proposals for furnishing gas in the city street lamps every night, from twilight until daylight (3,200 hours each year), would respectfully report as follows on said Company's proposals, which are also submitted herewith :

The proposal to furnish gas for one year at \$33.00 per post would, if accepted, require an increase of \$25,000.00 per year in the cost of gas, which at present is \$66,000.00.

The proposal for a term of five (5) years at \$32.00 per post would cause but little less expense per year than the proposal for one year.

The proposal for a term of years ending in 1886, at \$35.00 per post, was before your honorable body some weeks ago, and rejected.

In view of the great increase in cost of gas that would be caused by the acceptance of either of these proposals, your Committee recommend the postponement of any increase in the amount of gas for the use of the city in the city street lamps until spring of next year.

Your committee would recommend as an experiment, which we look favorably upon, that the City Civil Engineer be instructed to stop the use of gas in say ten (10)

street lamp posts along railroad lines, and light the same with a first class fire test oil, said lamps to be burned all night.

Respectfully submitted,

C. F. DARNELL,
P. H. CURRAN,
JOHN J. DIFFLEY,
Committee on Gas.

Also, the following propositions :

(No. 1.)

INDIANAPOLIS, December 8, 1875.

To the Committee on Gas Light :

Gentlemen.—At the request of Mr C. F. Darnell your Chairman, the Indianapolis Gas Light and Coke Company submits a proposal as a basis of contract for supplying the public lamps of the city with gas, upon an increased *time table*, to-wit:

The Gas Company will enter into a contract with the city for the term of one year from January 1st 1876, to supply her public lamps with gas on a *time table* of three thousand two hundred (3,200) hours per annum, each lamp having a regulated burner attached, tested to a capacity of four cubic feet per hour, for the sum of thirty three (\$33.00) dollars, per post yearly, payable monthly.

(No. 2.)

INDIANAPOLIS, December 8, 1875.

To the Committee on Gas Light :

Gentlemen.—At the request of Mr. C. F. Darnell, your Chairman, the Indianapolis Gas Light and Coke Company submits a proposal as a bases of contract for supplying the public lamps of the city with gas upon an increased *time table* as follows, to wit:

The Gas Company will enter into a contract with the city for the period of five years from January 1st, 1876, to supply her public lamps with gas on a *time table* of thirty-two hundred hours (3200) per annum, each lamp to have a burner attached tested to the capacity of four cubic feet per hour, for the sum of thirty-two (\$32.00) dollars per post yearly, payable proportionately monthly.

(No. 3.)

INDIANAPOLIS, December 8, 1875,

To the Committee on Gas Light:

Gentlemen.—The Inianapolis Gas Light and Coke Company respectfully submit, with other proposals, their proposal submitted some months ago, viz;

The Gas Company will contract with the City for the unexpired period of their charter, ending March 1886, as follows, to-wit:

For the sum of thirty five dollars per post per annum, the Company will furnish gas through a four foot burner, upon a time table of 3200 hours per annum, will light, extinguish, clean and keep said public lamps in good repair, will also furnish the necessary materials and tools for keeping them in repair: *Provided*, said lamps are put in good condition before being received by the Company.

Which report was concurred in.

No action had on the proposals.

Also, the following report :

INDIANAPOLIS, November 22, 1875.

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

Gentlemen :—Your Committee on Gas and Civil Engineer, to whom was referred the report of the Committee on Contracts, relative to the award of lighting the city street lamps, report that we have examined the bids and find them to be as reported by the Committee on Contracts.

Your Committee recommend that the contract for lighting the lamps be awarded to the lowest bidders, to wit :

West section, David Rinkle, at 19½ cents per lamp and post per month.

Northeast section, John A. Vinnedge, at 19½ cents per lamp and post per month.

Southeast section, J. H. Lehr, at 18½ cents per lamp and post per month.

Your Committee also recommend that the aforesaid parties enter upon their duties of lighting lamps on the night of December 11th, 1875, and they are hereby required to file their bond for approval by the Council on or before December 6th, 1875, and be it further recommended that in case of failure of the aforesaid parties to fulfill their contract, they shall only have three days notice of the forfeiture of their contract. Also, the members of the Police Force are hereby required to report each morning to the Chief of Police, and he to report to the Engineer the number of lamps, if any, not lighted, in any of the various districts of said city.

Your Committee have thoroughly examined the plan of H. F. Albershardt, for lighting lamps, and find it defective in this : Mr. Albershardt's recommendation is—

To employ 26 men at \$15.00 per month.....	\$390
And 2 men at 40 per month.....	80
	<hr/>
Making the total cost per month.....	\$470

The above estimate is very low, but the work cannot be done for the amount.

First—There are 2,745 lamps in the city, and each man would be required to light about 102 lamps, and in the opinion of the Engineer that cannot be done and carried out as it should be.

Second—The greatest number of lamps that can be lighted in the required time according to our opinion, is 90, and would require 31 men instead of 26. Therefore, your Committee find that the award of 19½ cents per month is the best, as will be seen by the following table:

ALBERSHARDT'S PLAN.

31 men at \$15.00 per month.....	\$465 00
2 men at \$40.00 per month	80 00
	<hr/>
	\$545 00

COMMITTEE'S REPORT.

2745 at 19½ cents	\$535 27
Making a saving per month of.....	\$9 73

Your committee therefore recommend that the plan of H. F. Albershardt be not adopted.

Also, your Committee further recommend that the Civil Engineer be directed to take up and store away in some convenient place all dead posts.

Respectfully submitted.

C. F. DARNELL,
P. H. CURRAN,
JNO. J. DIFFLEY,
Committee on Gas.

Mr. Reed, from the Joint Committee on Gas Light and Board of Police, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen:—Your Joint Committee of the Police Board and Committee on Gas Light, to whom was referred the ordinance empowering the Police Force to light the public lamps of the city, beg leave to report that they have considered the subject and are of the opinion that under proper rules and regulations, the lighting the street lamps by the police is entirely feasible, and that it would save the city thousands of dollars and insure a more thorough lighting of the street lamps of the city.

ENOS B. REED,
C. F. DARNELL,
J. J. Diffley,
ROBT. C. MCGILL.

Mr. Diffley, from the same Joint Committee, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—Your Committee, in connection with the Police Board, would report that in their opinion, the amount to be saved by having the city police light and extinguish the lamps, would not justify the increased outlay of \$24,000 to \$25,000 that would be necessary to secure the lighting of the lamps during the entire night.

At the present schedule of hours used in lighting and extinguishing said lamps, varying during each month from one hour of light to ten hours of light we believe it would be entirely impracticable and somewhat dangerous to the utility of the police force, to require said force to do the lighting and extinguishing of the lamps.

I. W. STRATFORD,
P. H. CURRAN,
Police Board.
J. J. DIFFLEY,
Committee on Gas.

Mr. Thaman offered the following motion:

Moved, That the whole matter be referred to the Committee on Gas and Police Board, with instructions to report some plan for lighting the lamps by the City Police.

Which was adopted.

Mr. Gimber, from the Committee on Streets and Alleys, submitted the following report :

INDIANAPOLIS, November 15, 1875.

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

Gentlemen :—Your Committee on Streets and Alleys, to whom was referred sundry papers, beg leave to submit the following report, viz .

FIRST.

An ordinance with remonstrance against the same, providing for grading and graveling Norwood street and north sidewalk, from Illinois to Tennessee street, was to us referred, and after examination of the facts, your committee recommend that said ordinance be stricken from the files.

SECOND.

An ordinance with remonstrance against the same, providing for grading and graveling Alvord street between Malotte avenue and Home avenue, was to us referred, and after examination your Committee report in favor of the remonstrants and recommend that said ordinance be stricken from the files.

THIRD.

An ordinance and remonstrance against same, providing for grading and graveling the alley between Fayette street and Canal, and running from Walnut to St. Clair street, was to us referred.

Your Committee would report in favor of the remonstrance and recommend that the ordinance be stricken from the files.

FOURTH.

A remonstrance from J. H. McKernan, et al. relative to the opening of Catherine street, was to us referred.

Your Committee refer said paper back to Council recommending its reference to the Committee on Opening Streets and Alleys.

FIFTH.

A motion offered by Councilman Curran was to us referred, directing the Street Commissioner to repair the sidewalks on east side of East street from Washington to Georgia street.

Your Committee report adverse to the passage of said motion.

SIXTH.

A motion offered by Councilman Thalman was to us referred, directing the Street Commissioner to fill the chuck holes with broken stone in the Delaware street block pavement.

Your Committee also report against the passage of this motion.

SEVENTH.

A motion offered by Councilman Adams directing the Street Commissioner to gravel the street and alley crossings on College avenue, was referred to your Committee, and we report against the passage of said motion.

EIGHTH.

A motion offered by Councilman Schmidt, directing City Civil Engineer to set the proper grade stakes on Cruse street between Market and Washington streets, and and also directing the Street Commissioner to grade the same, and use dirt in filling ditch on the same street, was to us referred, and your Committee report in favor of the passage of said motion.

NINTH.

A motion was offered by Councilman Albershardt and referred to us, directing the City Civil Engineer to contract with some one to curb the city's portion of Winston street lately improved.

Your Committee find that said work is now under contract.

Respectfully submitted,

H. GIMBER,

W. F. REASNER

ISAAC THALMAN.

Committee on Streets and Alleys.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred for grading and paving the sidewalks of Court street, between Alabama and New Jersey streets, beg leave to submit the following report, viz :

FIRST.

An ordinance, with a remonstrance against the same, for grading and paving the sidewalks of Court street, between Alabama and New Jersey streets.

Your Committee is in favor of remonstrance.

SECOND.

A remonstrance from Andrew Wallace, by the request of all the property holders between Alabama and New Jersey streets, for the improvement of Market street, between Alabama and Noble streets.

Your Committee would refer said remonstrance to the City Civil Engineer.

THIRD.

A motion, offered by Councilman Albershardt, was to us referred, directing the Street Commissioner to put down a flagstone crossing on Delaware street, at the intersection of north Delaware street and Washington street; also, at the west crossing Liberty street and Washington street.

Your Committee report in favor of the same.

FOURTH.

A motion offered by Councilman Stratford, was to us referred, directing the Street Commissioner to put down a stone crossing across Virginia avenue at the intersection of Prospect street; also, that the Street Commissioner construct a wooden culvert over the east gutter of Shelby street, at the intersection of Orange street.

Your Committee report in favor of the same.

FIFTH.

A motion offered by Councilman Madden, was to us referred, directing the Street Commissioner to place a stone crossing on the west side of Delaware street, at the intersection of Virginia avenue.

Your Committee report in favor of the same.

SIXTH.

A motion offered by Councilman Darnell was to us referred directing the Street Commissioner to lay a single row of stone across Illinois street on the north side of Tinker street; also across Tinker street on Illinois street, to connect with the east sidewalks of said Illinois street.

Your Committee report in favor of this motion.

SEVENTH.

A motion offered by Councilman Buehrig was to us referred directing the Street Commissioner to boulder the alley back of the Central Tower on Maryland street, and the City Civil Engineer is hereby directed to set the grade stakes.

Your Committee report in favor of same.

EIGHTH.

A motion offered by Councilman Hook was to us referred, directing the Street

Commissioner to fill with gravel the holes at the south end of the first alley east of Columbia avenue between Hill and Lincoln avenues.

Your Committee report not in favor of same.

Respectfully submitted,

HENRY GIMBER,

W. F. REASNER,

ISAAC THALMAN,

Committee on Streets and Alleys.

The first and second sections were concurred in.

The third section was concurred in by the following vote :

Affirmative—Councilmen Albershardt, Bollman, Craft, Darnell, Gimber, Hall, Kahn, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—15.

Negative—Councilmen Adams, Buehrig, Curran, Diffley, Geiger, Hook, Kenzel, Laughlin, Madden, McGill, and Ransdell, —11.

The fourth section was taken up.

The question being on the adoption of the clause in reference to stone crossing on Prospect street, those who voted in the affirmative were :

Councilmen Adams, Albershardt, Bollman, Darnell, Gimber, Hook, Kenzel, Madden, Reasner, Schmidt, Stratford, Stuckmeyer and Thalman—13.

Those who voted in the negative were :

Councilmen Buehrig, Craft, Curran, Diffley, Geiger, Hall, Kahn, Laughlin, McGill, Ransdell, Reed, Ward and Webster—13.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the clause referred to was not concurred in.

The clause in section four, in reference to culvert on Shelby street was concurred in.

The fifth section was concurred in by the following vote :

Affirmative—Councilmen Albershardt, Bollman, Buehrig, Craft, Darnell, Gimber, Hall, Madden, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman and Ward—15.

Negative—Councilmen Adams, Curran, Diffley, Geiger, Hook, Kahn, Kenzel, Laughlin, McGill, Ransdell and Webster—11.

Mr. Buehrig moved to reconsider the vote by which the first clause of section four failed to pass.

Mr. Curran moved to lay Mr. Buehrig's motion on the table.

The question being on Mr. Curran's motion, those who voted in the affirmative were :

Councilmen Craft, Curran, Darnell, Diffley, Geiger, Hall, Kahn, Laughlin, McGill, Ransdell, Reed, Ward and Webster—13.

Those who voted in the negative were :

Councilmen Adams, Albershardt, Bollman, Buehrig, Gimber, Hook, Kenzel, Madden, Reasner, Schmidt, Stratford, Stuckmeyer and Thalman—13.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So Mr. Curran's motion was not adopted.

The question being on Mr. Buehrig's motion to reconsider, those who voted in the affirmative were :

Councilmen Adams, Albershardt, Bollman, Buehrig, Gimber, Hook, Kenzel, Madden, Reasner, Schmidt, Stratford, Stuckmeyer and Thalman—13.

Those who voted in the negative were :

Councilmen Craft, Curran, Darnell, Diffley, Geiger, Hall, Kahn, Laughlin, McGill, Ransdell, Reed, Ward and Webster—13.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So Mr. Buehrig's motion was not adopted.

The sixth section was then taken up.

The question being on the concurrence in the sixth section, those who voted in the affirmative were :

Councilmen Adams, Craft, Darnell, Hall, Hook, Reasner, Schmidt and Thalman—8.

Those who voted in the negative were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reed, Stratford, Stuckmeyer, Ward and Webster—18.

So the sixth section was not concurred in.

The seventh and eighth sections were concurred in.

Mr. Madden demanded a call of the house.

The roll was called which showed all members present.

Dr. Ward, from the Committee on Benevolence and Hospitals, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen :—Your Committee to whom was referred sundry papers from his honor, the Mayor, the County Commissioners, the Managers of the Home of the Friendless Women, and the officers of the Society of the Good Shepherd, who are also the

the proprietors of a home; said papers being in regard to the distribution of female prisoners between the two homes, would respectfully report that in as much as all of a certain class of fines collected by the Mayor, by a decision of the Courts, now go to the support of the home in the north part of the city, and as in consideration of receiving said fines, female prisoners are kept free of cost in said home, in our opinion, they should continue to be sent there unless the higher Courts should reverse the decision of the lower.

SECOND.

A motion offered by Mr. Reed declaring it inexpedient at this time to fill the place on the Board of Health made vacant by the death of Dr. Athon, was referred to your Committee; as the health of the city is good and the remaining members, Drs. Wright and Stratford, are willing to do the work required, we would therefore recommend the adoption of Mr. Reed's motion.

THIRD.

A bill amounting to sixty-five (\$65) dollars from Dr. Collings for attending a case of small-pox on West Washington street, was referred to your Committee. The payment of said bill is recommended by the Secretary of the Board of Health, but the recommendation was not signed by the President of the Board, as the city has an agreement with Dr. Fletcher, Superintendent of Bobbs Dispensary for attending such cases, and as the Doctor states he was not called on to attend said case, in fact, did not hear of the case till afterward, we report adverse to the payment of said bill.

Respectfully submitted,

B. WARD,

H. F. ALBERSHARDT,

ROBT. C. MCGILL,

Committee on Benevolence and Hospitals.

The first and second sections were concurred in.

Dr. Stratford moved to recommit the third section.

The question being on Dr. Stratford motion, those who voted in the affirmative were :

Councilmen Bollman, Buehrig, Duffley, Gimber, Hook, Kenzel, Laughlin, Madden, Reasner, Reed, Stratford, Stuckmeyer and Thalman—13.

Those who voted in the negative were :

Councilmen Adams, Albershardt, Craft, Curran, Darnell, Geiger, Hall, Kahn, McGill, Ransdell, Schmidt, Ward and Webster—13.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So Dr. Stratford's motion was not adopted.

The third section of the report was then concurred in.

Mr. Reed, from the Board of Police, submitted the following report :

INDIANAPOLIS, December 13, 1875.

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

Gentlemen—The Board of Police, to whom was referred the matter of equipping the police force with belts and maces, would respectfully report that the subject is now under consideration, the Board being unanimous in the opinion that they should be so equipped, but divided as to whether it shall be at their own or the city's expense. The Board would ask for further time before making a definite report.

James B. Dickey, policeman of Southern Park, in obedience to order of Council, has been discharged, said discharge to take effect on the 15th of December, 1875.

ENOS B. REED,
I. W. STRATFORD,
ROBT. C. MCGILL.

Board of Police.

Which was concurred in.

Mr. Adams moved that the report from the Committee on Judiciary, submitted during the evening, be taken up and concurred in.

Which motion was adopted and the report concurred in.

Dr. Stratford, as a question of privilege, offered the following motion :

Moved, That the City Civil Engineer be and is hereby directed to contract

with good responsible persons, at the best rates possible, for covering that portion of Kentucky avenue sewer with cinders at White river which is unprotected from the weather and in danger of being destroyed by freezing.

Which was referred to the City Civil Engineer with instructions to advertise for proposals for doing such work.

The Mayor appointed Councilmen Reed, Diffley and Kahn as the Special Committee to investigate the charges preferred against Councilman Hall, in Mr. Madden's minority report.

Mr. Madden offered the following as a substitute to the Mayor's appointment :

Moved, That the charges be referred to a special committee composed of Mr. Geiger, Dr. Ward and Mr. Diffley.

Mr. Thalman moved to adjourn.

Which motion failed to pass by the following vote :

Affirmative—Councilmen Adams, Craft, Darnell, Hall, Hook, Kahn, Ransdell, Schmidt, Thalman, Ward and Webster—11.

Negative—Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Reed, Stratford and Stuckmeyer—15.

Mr. Craft arose to a point of order, claiming that Mr. Madden's motion was out of order in assuming to take the power out of the hands of the Mayor to appoint select or special committees.

Dr. Stratford offered the following motion as substitute :

Moved, That the special Committee consist of Messrs. Diffley, Kahn and Geiger.

Dr. Stratford moved the main question on his motion.

The question being shall the main question be now put, those who voted in the affirmative were :

Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley,

Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Stratford and Stuckmeyer—13.

Those who voted in the negative were :

Councilmen Adams, Craft, Darnell, Geiger, Hall, Hook, Kahn, Ransdell, Reed, Schmidt, Thalman, Ward and Webster—13.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the main question was not ordered.

Mr. Ransdell moved to adjourn.

Which motion failed to pass by the following vote :

Affirmative—Councilmen Adams, Craft, Darnell, Hall, Hook, Kahn, Ransdell, Reed, Schmidt, Thalman, Ward and Webster—12.

Negative—Councilmen Albershardt, Bollman, Buehrig, Curran, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, McGill, Reasner, Stratford and Stuckmeyer—14.

The Mayor decided that under the rules and ordinances governing the Council, the Council had the power to appoint its special or select committees.

Mr. Geiger moved to reconsider the vote by which Mr. Madden's minority report was concurred in.

Eleven o'clock having arrived, the hour fixed by ordinance for adjournment, the Mayor decided the Council adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk