

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, March 20th, 1876—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, Darnell, Diffley, Geiger, Gimber, Hook, Kahn, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer, Thalman, Ward and Webster—24.

Absent—Councilmen Curran and Hall—2.

The proceedings of the regular session held March 13th, 1876, were read, and on motion, the following correction was made :

On page 1656, the action on the motion offered by Mr. Gimber,

which reads, "which was adopted," was corrected so as to read, "which was referred to the Committee on Fire Department."

The proceedings were then approved.

Bids for grading and graveling Peru street, and paving with brick the sidewalks thereof, from Lincoln avenue to Seventh or Tinker street, were received, opened, read and referred to the Committee on Contracts.

The Committee on Contracts, submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

Gentlemen.—The Committee on Contracts, to which was referred the proposals presented to Council March 13, 1876, providing for grading and paving the sidewalks of Liberty street, from Washington street to Lockerbie street, report that they have examined the same, and find them to be as follows, to-wit :

James Muse, 45 cents per foot front on each side.

James H. Smith, 39½ cents per foot front on each side.

Samuel Heveling, 39 cents per foot front on each side.

E. B. Elliott, 38 cents per foot front on each side.

Bernard Hammill, 38 cents per foot front on each side.

Wm. T. Holmes, 38 cents per foot front on each side.

E. H. Roney, 37 cents per foot front on each side.

Jacob Bly, 34½ cents per foot front on each side.

James W. Hudson, 33 cents per foot front on each side.

John Schier, 32½ cents per foot front on each side.

Henry C. Roney, 32 cents per foot front on each side.

Jesse T. Murphy, 32 cents per foot front on each side.

Henry C. Roney being the lowest and best bidder, we recommend that he be awarded the contract.

Respectfully submitted.

LEON KAHN,
ROBT. C. MCGILL,
Committee on Contracts.

Which was concurred in and contract awarded.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, March 20, 1876.

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 the Indiana Cement Pipe Co., for constructing an oval cement pipe sewer, 20x30 inches in diameter, equal to two-foot 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—

607.5 lineal feet at \$2.25..... \$1,366 87

Respectfully submitted.

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, offered the following resolution :

Resolved, That the foregoing first and partial estimate allowed the Indiana Cement Pipe Co., for constructing an oval cement pipe sewer, 20x30 inches in diameter, equal to two-foot 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, 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 and the estimate allowed by the following vote :

Affirmative—Councilmen Albershardt, Bollman, Craft, Darnell, Diffley, Geiger, Gimber, Hook, Kahn, Kenzel, Laughlin, Madden, Rausdell, Schmidt, Stuckmeyer, Thalman and Webster—17.

Negative—None.

The City Clerk submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

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

Frederick Gansberg vs. Julia L. Fitzgerald for.....	\$26 10
Henry C. Roney vs. Georgiana Thesdore et al. for.....	25 89

And respectfully recommend that you order the precepts to issue.

BENJ. C. WRIGHT,
City Clerk.

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

Affirmative—Councilmen Albershardt, Bollman, Craft, Darnell, Diffley, Geiger, Gimber, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Schmidt, Stuckmeyer, Thalman and Webster—17.

[Negative—None.

The City Attorney submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

Gentlemen :—There is now pending before the Commissioners of this county a petition, asking them to incorporate as a town what is known as Woodruff Place.

I appeared and resisted the petition, and had the same continued until the next term of the Commissioners, upon the agreement that I would suggest to the Council to appoint a committee to confer with the owners of the property, and see if an agreement can be made with them to annex the same to the city.

I think it highly important that Woodruff Place should be under the jurisdiction of the city, and would recommend the appointment of committee to confer with the owners thereof, and see if some arrangement can be made to annex to the city.

Respectfully submitted,

CAS. BYFIELD,
City Attorney.

Which was concurred in, and the Committee on Judiciary was

instructed to act with the City Attorney in carrying out, if possible, the recommendation contained in the foregoing report.

The City Clerk presented the following communication from the County Clerk :

STATE OF INDIANA, MARION COUNTY, SS :

Be it remembered, that heretofore, to-wit: at a term of the Marion Civil Circuit Court of the county of Marion, State of Indiana, begun, holden and continued at the Court House in the city of Indianapolis, on the 11th day of March, 1876, the same being the 24th judicial day of the February term, A. D. 1876, of the said Marion Civil Circuit Court, before the Honorable Livingston Howland, President Judge of Nineteenth Judicial Circuit in the State of Indiana, and sole Judge of the Marion Civil Circuit Court, the following proceedings were had in the cause of appointment of City Commissioners :

It is ordered by the Court that William Mansur, John L. Avery, George W. Hill, Jacob S. Hildebrand and Robert H. Patterson be and they are hereby appointed City Commissioners for the city of Indianapolis, under and by virtue of the provision of the act of the General Assembly, approved March, 1875, to serve for the term of one year from the 1st of March, 1876, and until their successors are appointed and qualified.

And it is further ordered that the Clerk of the Court transmit a copy of this order and appointment, under the seal of this Court, to the City Council of the city of Indianapolis.

STATE OF INDIANA, COUNTY OF MARION, SS :

Marion Civil Circuit Court.

I, Austin H. Brown, Clerk of the Marion Civil Circuit Court of the county of Marion, in the State of Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings and judgment of said Court, in the above entitled cause, on the day and year first aforesaid, as appear of record in my office.

In witness whereof, I hereunto subscribe my name and hereto affix the seal of the said Marion Civil Circuit Court, at my office in the city of Indianapolis, this 14th day of March, A. D. 1876.

AUSTIN H. BROWN,

Clerk of Marion Civil Circuit Court.

By R. M. SMOCK, Deputy.

Which was received, and the City Clerk directed to notify the parties of their appointment.

His Honor, the Mayor, submitted the following report :

INDIANAPOLIS, March 20, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—The amount of fines collected by me during the month of February, 1876, is \$98.95, as will appear from detailed statement herewith attached, and which amount I have paid to the City Treasurer, as shown by his duplicate receipt hereto attached.

Respectfully submitted,

JOHN CAVEN,
Mayor.

FORFEITURES collected by John Caven, Mayor of the city of Indianapolis, during the month of February, 1876, due the City Treasury :

Docket 25, No. 1178.....	\$5 00
Docket 26, No. 51.....	5 00
Docket 26, No. 247.....	4 60
Docket 26, No. 268.....	3 60
Docket 26, No. 257.....	3 00
Docket 26, No. 276.....	3 00
Docket 26, No. 278.....	2 00
Docket 26, No. 286.....	2 70
Docket 26, No. 297.....	5 00
Docket 26, No. 298.....	5 00
Docket 26, No. 304.....	3 00
Docket 26, No. 314.....	3 00
Docket 26, No. 315.....	2 00
Docket 26, No. 332.....	3 00
Docket 26, No. 337.....	2 70
Docket 26, No. 348.....	90
Docket 26, No. 351.....	2 70
Docket 26, No. 352.....	2 75
Docket 26, No. 358.....	3 00
Docket 26, No. 362.....	1 00
Docket 26, No. 368.....	4 70
Docket 26, No. 373.....	19 60
Docket 26, No. 374.....	3 00
Docket 26, No. 382.....	3 00
Docket 26, No. 386.....	3 00
Docket 26, No. 343.....	2 70
	\$98 95

I certify the foregoing to be true and correct to the best of my knowledge and belief.

J. CAVEN,
Mayor.

No. 966.

INDIANAPOLIS, March 20, 1876.

Received of John Cavin ninety-eight 95-100 Dollars, on account of fines in city cases in month of February.

\$98.95.

HENRY W. TUTEWILER, City Treasurer.

Which was concurred in.

The Board of Health submitted the following report :

INDIANAPOLIS, March 20, 1876.

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 11th day of March, to 6 o'clock P. M. on the 18th day of March, 1876.

Under 1 year.....	6
1 to 2 years.....	0
2 to 3 ".....	1
3 to 4 ".....	0
4 to 5 ".....	0
5 to 10 ".....	0
10 to 20 ".....	2
20 to 30 ".....	5
30 to 40 ".....	7
40 to 50 ".....	2
50 to 60 ".....	3
60 to 70 ".....	4
70 to 80 ".....	1
80 to 90 ".....	1
90 to 100 ".....	0
Above 100 ".....	0
Unknown ".....	0
Total.....	32

C. E. WRIGHT, M. D.,

President Board of Health.

A. STRATFORD, M. D.,

Secretary Board of Health.

Which was received.

The Chief Fire Engineer submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

Gentlemen :—I would report that, in accordance with your instructions, I have contracted for one thousand feet of hose, which will soon be in service, the same to cost \$1.00 per foot.

I would also report that our experience at recent fires has demonstrated that the number of feet of serviceable hose is inadequate to meet the requirement of a certain

fire protection. At the fire of last week at the Sarvern Wheel Works, several lengths of hose bursted, throwing two of our engines wholly out of service at said fire.

I would therefore recommend that you take steps at once to order from three to five thousand feet of new hose.

Respectfully submitted,

M. G. FITCHEY,
Chief Fire Engineer.

Dr. Stratford moved to refer the report to the Committee on Fire Department, with instructsons to advertise for bids.

Mr. Adams offered the following as a substitute to Dr. Stratford's motion :

Moved, That the Chief Fire Engineer be and is hereby directed to advertise for proposals for furnishing the city with 3,000 feet of hose, the same to be of best quality.

Which was adopted.

NEW BUSINESS.

Mr. Craft offered the following motion :

Moved, That the City Marshal be and is hereby instructed to notify the C., H. & I. Railroad to plank their tracks at the crossing of New Jersey street, from the creek to the brick sidewalk south, and if the same is not done within ten days, the Street Commissioner is ordered to do the work and collect off of the said company.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That W. R. Mitchell & Co. be and are hereby granted an auctioneer license for three months, at rooms No. 44 and 46 East Washington street.

Which was adopted.

Mr. Geiger presented the following communication :

INDIANAPOLIS, March 20, 1876.

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

I propose to furnish, for the different fire engine houses of the city, 100 of Stockwell's self-lighting gas burners, price \$1.00 each.

Respectfully,

N. A. TRUEBLOOD.

Which was referred to the Committee on Public Buildings.

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

INDIANAPOLIS, March 20, 1876.

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

Gentlemen :—Your Committee on Finance beg leave to return herewith the report of the City Treasurer for the respective months of December, 1875, and January and February, 1876, said reports having been carefully examined and found correct.

Respectfully submitted,

GEO. W. GEIGER,

D. M. RANSDALL,

LEON KAHN,

Committee on Finance.

Which report was concurred in.

Mr. Gimber moved to reconsider the vote by which the contract was awarded to George W. Seibert, for grading and graveling Madison avenue, and paving the sidewalks with brick to a width of nine feet, from Delaware to Nebraska streets.

Which motion was lost by the following vote :

Affirmative—Councilmen Bollman, Gimber, Laughlin, Madden, Reasner, Schmidt, Stratford and Stuckmeyer—8.

Negative—Councilmen Adams, Albershardt, Craft, Darnell, Diffley, Geiger, Hook, Kahn, Kenzel, McGill, Ransdell, Reed, Thalman and Webster—14.

Councilman Buehrig was excused from voting.

Mr. Gimber offered the following resolution :

Whereas, It appears to the satisfaction of the Common Council of the city of Indianapolis that the following named lots or parcels of land adjoining said city have been platted and laid off into lots, and a record of the same has been made in the recorder's office of Marion county, State of Indiana, to-wit :

Spann & Co.'s Second Woodlawn, being a subdivision of part of the southwest quarter, section 7, town 15, north range 4 east, into three hundred and twenty lots (320), numbered from 265 to 584, as recorded in Plat Book No. 7, page 119, described as follows : Commencing the northeast corner of said quarter section, thence south along the center of Reid street 1300 feet to the center of Lexington avenue, thence west along said avenue 1369 feet to Linden street, thence north along said street 1300 feet to English avenue, thence east along said avenue 1369 feet to the place of beginning.

P. G. C. Hunt's Southeast Addition, being a subdivision of part of the southwest quarter of section 18, town 15, range 4 east, and recorded in Plat Book No. 4, page 166, and described as follows : Beginning on the north line of said quarter section at a point 521 feet 7 inches west of the northeast corner of said quarter section, thence west 804 feet 5 inches to a point on the north line of said quarter section, thence south 460 feet 10 inches, thence east 804 feet 5 inches, thence north 459 feet 9 inches to the place of beginning.

Michael Criqui's Southeast Add., being a subdivision of 9 acres in the west half southwest quarter, section 18, town 15, range 4 east, and recorded in Plat Book 6, page 172, described as follows. Beginning at a point where Arlington avenue intersects Shelby street, thence east 848 57-100 feet, thence south along the center of Abigail street 462 feet, thence west 848 57-100 feet to Shelby street, thence north 462 feet to the place of beginning.

George Louthain's sub. of lots 1, 2, 3 and west half 4, in O'Neal & Adams' addition, and recorded in Plat Book 6, page 61, described as follows: Beginning at the intersection of LeGrand avenue and Shelby street, thence north along said Shelby street 389.4 feet, thence east 1366 feet, thence south 389.4 feet, thence west 1366 feet to the place of beginning.

Benj. S. Green's Southeast Add., being a subdivision of block 17, in O'Neal & Wingate's Add., and recorded in Plat Book 6, page 96, described as follows : Commence at the intersection of Shelby street and LeGrand avenue, south along said Shelby street 400 feet to Colgrove avenue, thence east along Colgrove avenue 415 feet, thence north 400 feet, thence west along LeGrand avenue 415 feet to the place of beginning.

Smith & Logan's Addition, being a subdivision of 9 1-10 acres in the southeast corner, east half, southwest quarter, section 13, town 15, north range 3 east, and recorded in Plat Book 6, page 72, described as follows : Commence at the intersec-

tion of Madison, Jeffersonville & Indianapolis Railroad and Plymouth street, thence east 611 feet to Japan street, thence south 605 feet to Chestnut street, thence west along Chestnut street 474 feet, thence in a northwesterly direction along Madison, Jeffersonville & Indianapolis Railroad to the place of beginning.

Herman H. Schroer's Addition, being a subdivision of 27 90-100 acres in section 13, town 15, range 3 east, and recorded in Plat Book 6, page 183, described as follows: Being all that part of the east half of the southwest quarter, section 13, town 15, range 3 east, which lies on the west side of the center of the Madison, Jeffersonville & Indianapolis Railroad, and east of the center of the Madison State Road, including a re-subdivision of block 3, said Schroer's addition, subdivided by Frank & Seiders, recorded in Plat Book 6, page 21; also a re-subdivision of block 1, said Schroer's addition, by Webb & Howland, and recorded in Plat Book 4, page 295; also a re-subdivision of lot 2, in said Schroer's add, subdivided by Thos. Webb et al. and recorded in Plat Book 7, page 21.

James Frank's South Meridian Street Addition, being a subdivision of part northwest quarter, section 13, town 15, range 3 east, and recorded in Plat Book 7, page 10, described as follows: Commence at a point 20 rods north of the southwest corner of northwest quarter, section 13, town 15, range 3 east, thence north on South Meridian street 15 rods, thence east along Palmer street 30 rods, thence south 15 rods, thence west 30 rods to the place of beginning.

John J. Cooper's South Meridian Street Addition, being a subdivision of part of northwest quarter of southeast quarter of part of southwest quarter of northwest quarter section 13, town 15, range 3 east, and recorded in Plat Book 7, page 19, described as follows: Commence northwest corner of southwest quarter, thence east along Grand avenue 660 feet, thence south 198 feet, thence west 660 feet, thence north 198 feet to the place of beginning; also, commence at the southwest corner of northwest quarter, thence north 165 feet, thence east 528 feet, thence south 165 feet, thence west 528 feet to the place of beginning.

William Hanneman's South Addition, being a subdivision of part northeast quarter section 14, town 15, range 3 east, recorded in Plat Book 6, page 1, described as follows: Commence southeast corner of said quarter section, thence north 500 feet, thence west 470 feet to the Central Canal, thence in a southerly direction 520 feet, thence east to the place of beginning.

Kappes & Naltner's South Meridian Street Addition, being a subdivision of part of north half of southeast quarter section 14, town 15, range 3 east, recorded in Plat Book 6, page 152, described as follows: Commence at the northeast corner said quarter section, thence south along South Meridian 965 feet, thence west 325 feet, thence north 965 feet, thence east 325 feet to the place of beginning.

Whereas, The Common Council desires, in pursuance of the 84th section of the city charter to extend the corporate limits of said city, over said laid off and platted lots of land, therefore,

Resolved, That the foregoing named and described lots of land be and they are hereby annexed to the city of Indianapolis, and the boundary of said city is hereby

extended so as to include said lots, which shall hereafter form part of said city and be within the jurisdiction of the same, and shall constitute a part of the Sixth (6), Seventh (7), Eighth (8) and Thirteenth (13) Wards to which they are contiguous.

Resolved, That the City Clerk is hereby directed to file immediately a certified copy of these preambles and resolutions, for record, in the Recorder's office of Marion county.

At the request of Councilman, I have examined the plats of ground in the foregoing, and find them all contiguous to territory already annexed, and if they should be annexed would tend to straighten and make more uniform the southern boundary.

WILLIAM HADLEY, City Assessor.

Which was adopted by the following vote :

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

Negative—None.

Mr. Madden presented the following communication :

INDIANAPOLIS, March 15, 1876.

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

We the undersigned, owners and residents of property fronting on Madison avenue, between Delaware street and Nebraska street, most respectfully ask and petition your honorable body to cancel the contract awarded to Geo. W. Seibert, for grading and graveling the same, and strike the ordinance from the files.

In lieu of said ordinance we hereby petition your honorable body to pass ordinance providing for the macadamizing, grading, curbing and laying of gutters anew on said street, and widening the sidewalks so that the street shall be but forty five (45) feet between curbs.

And your petitioners will ever pray, etc.

Ballweg & Co., 231 ft.; Wm. H. Scherer, 42 ft.; Mrs. Suller, 30 ft.; Western Furniture Co., T. Sanders, Pres., 231 ft.; T. Sanders, 41 ft.; Henry Sponsel, 42 ft.; P. Leiber, 41 ft.; P. Leiber & Co., 310 ft.; J. Wittlinger, 110 ft.; Peter Balz, 73 ft.; Horviz Schmidt, 35 ft.; Fritz Pury, 42 ft.; John Grosch, 41 ft.; George Beyrsdorfer, 45 ft. Total 1,454 ft.

Which was referred to the Councilmen of the Sixth and Seventh Wards.

Also, by consent, introduced special ordinance No. 26, 1876, entitled :

An ordinance to provide for grading, macadamizing, curbing the gutters and laying gutter stones on Madison avenue, between Delaware and Nebraska streets.

Which was read the first time.

Dr. Hook offered the following motion :

Moved, That C. A. Smith have permission to move a house from corner Massachusetts avenue and East street to California street and Market street, provided there are no bridges to cross.

Which was adopted.

Mr. Kahn presented the following remonstrance :

INDIANAPOLIS, March 15, 1876.

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

Gentlemen :—We the undersigned, property owners on Michigan street, between Massachusetts avenue and Noble street, do most respectfully remonstrate against the curbing and paving of the sidewalks of said street.

Jos. K. English, 186 ft.; Conrad P. Schneider, 125 ft.;
Marion Muller, 322 ft.; Nancy Harlan, 120 ft.; F.
A. Lehr, 150 ft.; G. Goseping, 46 ft.; M. Hartman,
36 ft.; Little Sisters of the Poor, 123 ft.; Anthony F.
Wiese, 125 ft.; Louisa Colley, 210 ft.; S. Huggins,
195 ft., George W. Stilwell, 36 ft.; Peter L. Bray,
125 ft.; Cassius Cornelius, 36 ft.

Which, together with the ordinance, was referred to the Committee on Streets and Alleys.

Mr. Reasner presented the following petition :

INDIANAPOLIS March 20, 1876.

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

Gentlemen :—The undersigned respectfully asks of your honorable body for permission, under the direction of the City Civil Engineer, to re-turn the curb, and

pave with boulders across the sidewalk on the south side of Washington street, at the entrance to my private avenue, running from Washington street south to Williams street, between Arsenal avenue and Oriental street.

Very respectfully,

R. McKIM.

On motion, the prayer of the petitioner was granted on condition that the work should be done at his own expence.

Mr. Reed presented the following communication :

INDIANAPOLIS, March 20, 1876.

Hon. John Caven, Mayor :

Dear Sir :—I respectfully decline the appointment of Work House Commissioner. The demands on my time I find to be such as to preclude my giving the business the attention it will require.

Very respectfully yours,

A. L. ROACHE.

On motion of Mr. Reed, the resignation of Judge Roache was accepted.

Mr. Reed moved that the Council now proceed to the election of a member of the Board of Managers of the City Work House, to fill the vacancy occasioned by the resignation of Hon. A. L. Roache.

Which was adopted.

Nominations for said office being in order—

Mr. Gimber nominated Thomas. H. Sharpe ;

Mr. Reed nominated Andrew Wallace ;

Mr. Schmidt nominated Arthur L. Wright.

His Honor, the Mayor, appointed as tellers Messrs. Schmidt and Madden.

A ballot was then had with the following result :

Mr. Sharpe received 16 votes ;

Mr. Wallace received 4 votes ;

Mr. Wright received 4 votes.

Total number of votes cast, 24 ; necessary to choice, 13.

Thomas H. Sharpe having received a majority of all the votes cast, was declared duly elected as member of the Board of Managers of the City Work House for the unexpired term of Judge Roache, resigned.

The City Clerk was directed to notify Mr. Sharpe of his election as member of said Board.

Mr. Schmidt offered the following motion :

Moved, That the Street Commissioner is hereby directed to raise the stone crossing on the corners of Pennsylvania and Ohio streets ; also on the corners of East and Market streets.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved, That the Committee on Public Buildings is hereby directed to purchase two locomotive head lights, and have them placed in the East End Market ; also to have the gas shut off from said Market House. These lights to be kept in order by the Market Master.

Which was referred to the Committee on Gas Light.

Dr. Stratford presented the following claim :

INDIANAPOLIS, March 20, 1876.

City of Indianapolis to Fred Niemeyer, Dr.

To 500 loads of gravel used on Prospect street, at 15 cents per load, \$75.00.

Which was referred to the Committee on Accounts and Claims.

Dr. Stratford offered the following motion :

Moved, That Jacob Mattern be and is hereby granted permission to grade the sidewalk in front of his property on Reid street from Prospect street to Woodlawn avenue, and the City Civil Engineer is hereby directed to set the grade stakes, provided it does not materially interfere with said Reid street.

Which was adopted.

Mr. Stuckmeyer offered the following motion :

Moved, That the City Marshal be instructed to notify the property owners to open the alley east of East street, running from McCarty street south to the first alley north of Buchanan street.

Which was adopted.

Mr. Thalman offered the following motion :

Moved, That Mr. Smock be instructed to proceed with his work on the Fall Creek levee, sufficiently to protect what work he has already done, said work to be done under the direction of the Civil Engineer, who is hereby directed to set the grade stakes.

Which was referred to the City Civil Engineer, with power to act.

Also, the following motion :

Whereas, The Citizens' Street Railway Company have failed to comply with the order of this Council to repair the street between their track on Washington street, between Illinois street and White River bridge; therefore,

Moved, That the Street Commissioner be directed to do said work, and collect the cost of doing same from said company.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be and is hereby directed to remove the embankment in front of the glass factory on Kentucky avenue.

Which was adopted.

Dr. Ward offered the following motion :

Moved, That the Street Commissioner be and is hereby instructed, under the direction of the City Civil Engineer, to grade and gravel that part of Plum street and the west sidewalk thereof, recently widened by order of Council, between Ash street and the first alley north.

Which was referred to the Committee on Streets and Alleys and City Civil Engineer, with power to act.

Mr. Adams presented the following remonstrance :

INDIANAPOLIS, March 20, 1876.

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

We the undersigned, property holders on Ellis street, between Maryland and Georgia streets, hereby protest against the ordinance passed for the improvement of said street, Monday, March the 13th, 1876.

Witness our hands,

I. S. Cary, 6 lots, 180 ft.; John Rupp, 3 lots, 90 ft.; A. H. Minter, 180 ft.; David McVea, 60 ft.; George Buchter, 2 lots, 60 ft.; Fred J. Lang, 30 ft. Total, 600 ft.

Which was received.

Mr. Adams moved to reconsider the vote by which special ordinance No. 226, 1876, entitled, "An ordinance to provide for grading and graveling Ellis street, and paving with brick and curbing with stone the sidewalks thereof, between Maryland and Georgia streets," was passed March 13th, 1876.

Which motion to reconsider was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Craft, Darnell, Diffley, Geiger, Gimber, Hook, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—20.

Negative—Councilmen Albershardt and Bollman—2.

By consent, Mr. Diffley offered the following amendment to the above entitled ordinance:

Amend ordinance "for improvement of Ellis street, between Maryland and Georgia streets," by striking out all that relates to paving and curbing, the sidewalks and substituting "the sidewalks to be graveled to a depth of eight (8) inches with the same kind of gravel as used on the street.

Which amendment was adopted by unanimous consent.

The ordinance as amended was then passed by the following vote:

Affirmative—Councilmen Albershardt, Bollman, Buehrig, Craft, Darnell, Diffley, Geiger, Gimber, Kenzel, Laughlin, Madden, Ransdell, Reasner, Reed, Schmidt, Stratford, Thalman, Ward and Webster—20.

Negative—Councilmen Adams and Hook—2.

Dr. Stratford offered the following motion:

Moved, That the Street Commissioner be and is hereby directed to notify the Citizens' Street Railway Company to fill between their tracks on Virginia avenue cinders or good gravel, within ten days, and on their failure to do so, he proceed immediately thereafter to do the work, at the expense of said company.

Which was adopted.

Mr. Albershardt offered the following motion:

Moved, That Conrad Schussler have permission to put in a coal vault under the pavement in front of his property, No. 93 North New Jersey street; also that he be permitted to have a four foot basement stairway put in on said pavement, at his own expense.

Which was adopted.

Also, the following motion:

Moved, That the motion passed by Council on last Monday night, "directing that all ordinances or parts of ordinances looking to the erection of lamp posts, be post-

poned until such time as the city shall have made a better and a cheaper contract for lighting those already erected," be and the same is hereby reconsidered.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Albershardt, Bollman, Craft, Darnell, Diffley, Geiger, Hook, Kahn, Kenzel, Laughlin, McGill, Ransdell, Reasner, Reed, Schmidt, Stratford, Stuckmeyer and Ward—19.

Negative—Councilmen Buehrig, Gimber, Madden, Thalman and Webster—5.

Also, the following motion :

Moved, That the City Civil Engineer be and he is hereby instructed to advertise for proposals to erect drinking fountains at the following named places :

One at the northeast corner of Arsenal avenue and Washington street.

One at or near the corner of Delaware and south streets.

One at or near the corner of College avenue and Tinker street.

One on Shelby street, at the intersection of Virginia avenue and Dillon street.

One on the southeast corner of Mississippi and First streets.

One at the corner of New York and Blake streets.

One on Fort Wayne avenue between St. Joe and St. Mary streets.

And report said proposals to this Council on the second Monday in April.

Which was referred to the Committee on Water Works.

Mr. Albershardt presented the following petition:

INDIANAPOLIS, March 17, 1876.

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

Gentlemen:—The undersigned, owners, residents and lessees of property upon the east side of Pennsylvania street, respectfully petition your honorable body to cause to be constructed a double line of crossing stones upon east line of Pennsylvania street where the same intersects Ohio street and Massachusetts avenue, believing that such improvement will contribute to our comfort and prosperity in our business.

And your petitioners will ever pray, etc.,

M. M. Defrees, John M. Moody, W. C. Mason, Chambers & Baggerly, Bleibel & Griffith, B. F. Hill, E. L. Aughinbaugh.

Also, the following motion :

Moved, That the Street Commissioner be and is hereby ordered to perform the work as prayed for in the above petition.

Which petition and motion were referred to the Committee on Streets and Alleys.

Mr. Buehrig offered the following motion :

Moved, That Thomas Stonestreet and Frank Pearson be granted permission to erect a lamp post at No. 117 South Illinois street, at their own expense.

Which was adopted.

Also, the following motion :

Moved, That Marshal Manning, of the Union depot, be entitled to a copy of the charter and ordinances for reference.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be and is hereby instructed to advertise for a drinking fountain at the southwest corner of Kentucky avenue and West streets.

Which was referred to the Committee on Water Works.

By consent, Dr. Stratford submitted the following report :

INDIANAPOLIS, March 4, 1876.

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

Gentlemen:—Your Committee, to which was referred the plans and specifications for a City Work House, which were presented to you January 10th, 1876, by Hubner & Bunting, — Parsons, J. W. King and — Cookingham, met this day at the Central Station.

Present—John Caven, Mayor and President of the Board of Directors, B. C. Shaw, John W. Murphy and A. L. Roache, members of the Board, and Robt. C. McGill and I. W. Srratford, of the Board of Police.

After examining all the plans in detail, unanimously agreed that none of them could be adopted with benefit to the city.

On motion of Mr. Murphy, we recommend all plans be rejected.

Edwin May having been invited at a previous meeting to present a plan which he agreed to do without cost to the city, your Committee recommend that Mr. May's plan, which is herewith presented with specifications, be adopted by the Common Council.

Mr. May assures us that the building can be erected by his plans, except the cell work, for the amount appropriated, \$10,000. He also agrees to superintend the building for two hundred and fifty dollars.

Your Committee would further recommend that you appoint a special committee of three members to confer with the J., M. & I. Railroad Co., for the purpose of ascertaining on what terms they will lay a side track at the grounds, and allow cars switched on the same from other roads.

J. CAVEN,
J. W. MURPHY,
B. S. SHAW,
ENOS B. REED,
ROBT. C. MCGILL,
I. W. STRATFORD.

Which report was concurred in by the following vote:

Affirmative—Councilmen Adams, Bollman, Buehrig, Craft, Diffley, Geiger, Hook, Kenzel, Laughlin, Madden, McGill, Ransdell, Reasner, Reed, Stratford and Stuckmeyer—16.

Negative—Councilmen Albershardt, Darnell, Kahn, Schmidt, Thalman, Ward and Webster—7.

Mr. Craft offered the following motion:

Moved, That the part of the report referring to the railroad switch be referred to the Board of Work House Commissioners.

Which was adopted.

Mr. Reed, Chairman of the Police Board, by consent submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

Gentlemen :—The Board of Police would respectfully report progress in the matter of reducing the force in accordance with the ordinance of May 18, 1874. This will cause the discharge of twenty-five policemen, reducing the force to 66, which will include the Chief, captains, sergeants, station house keepers, turnkeys and cook, reducing the number of actual patrolmen to fifty-three for a city of 110,000 souls.

Although your Board, at its adjourned session to-morrow, design reducing the force as ordered, it cannot but express the opinion that said reduction is impolitic, and would be detrimental to the interests of the city. Let it once be known that the city of Indianapolis is policed by but fifty-three patrolmen, and the city would soon be flooded by burglars and thieves, who, in a single night, by means of the incendiary's torch, could destroy property and commit deprecations that, in a money point of view, would far exceed the amount paid the twenty-five policemen it is proposed to discharge for a long term of years.

By comparison with other cities; it will be seen that Indianapolis has a smaller number of policemen, in proportion to the inhabitants, than probably any other city in the Union. Cincinnati with its 216,000 inhabitants, has 331 policemen : Chicago with its 300,000 citizens has a police force of 590 odd ; New Orleans with a census of 203,000, has 470 policemen ; Boston, with its 242,000, has 700 guardians of the day and night ; New York, with its million of souls, has 2,560 policemen ; Philadelphia with a population of 750,000, is policed by 1,292 knights of the mace ; St. Louis, which claims a population of 490,000, has 467 policemen ; while sweet-scented Brooklin, with its 485,000 Christian men, women and children, foots the bills of 592 gentlemen wearing brass coats and blue buttons.

It will be noticed by this brief resume that to every hundred thousand souls there are at least one hundred policemen. But Indianapolis, the great railroad center of the Union, etc., this superb city of concentric circles, which is constantly lengthening its status and increasing its borders, increasing at the rate of ten thousand a year, with its one hundred and ten thousand inhabitants, is only to have fifty-three patrolmen to guard and watch over its vast territory, its many thoroughfares and its scores of palatial structures.

Your Board, being seriously impressed with the belief that when the vote so unanimously passed on last Monday night, ordering the Police Board to reduce the force in conformity to the ordinance passed May 18, 1874, the honorable members did not know what they were voting for, your Board included, would respectfully

ask for a reconsideration of the vote by which such order was adopted, believing as they do that the police force as at present constituted is none too large for the necessities of our growing city.

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

Which was received.

Dr. Stratford moved to reconsider the vote by which the motion of Mr. Madden's was adopted last Monday night, and which motion is referred to in the foregoing report.

The ayes and noes being demanded, those who voted in the affirmative were :

Councilmen Buehrig, Diffley, Gimber, McGill, Reasner, Reed, Stratford and Stuckmeyer—8.

Those who voted in the negative were :

Councilmen Adams, Albershardt, Bollman, Craft, Darnell, Geiger, Hook, Kahn, Kenzel, Laughlin, Madden, Ransdell, Schmidt, Thalman, Ward and Webster—16.

So the motion was not adopted.

Dr. Stratford offered the following motion :

Moved, That the part of Mr. Madden's motion which looks to the reduction of the police force. except the additional 10 men, be and the same is hereby rescinded.

Mr. Thalman moved to lay the motion on the table.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Albershardt, Craft, Darnell, Geiger, Hook, Kahn, Madden, Ransdell, Reed, Schmidt, Thalman, Ward and Webster—14.

Negative—Councilmen Bollman, Buehrig, Diffley, Gimber, Kenzel, Laughlin, McGill, Reasner, Stratford and Stuckmeyer—10.

SPECIAL ORDER.

The special order being the consideration of general ordinance No. 9, 1876—

Mr. Reed, Chairman of the Committee on Revision of Ordinances, submitted the following report :

INDIANAPOLIS, March 20, 1876.

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

Gentlemen :—Your Committee on Revision of Ordinances would beg leave to report that they have had the proposed new gas ordinance, with proposed amendments, under consideration, and arrived at the following conclusions :

That in the amendment to the original ordinance proposed by the Judiciary Committee, providing that not less than three miles be laid each year after the first year, "two miles" be substituted for "three," and recommend the passage of the remaining proposed amendments of said Committee.

They also recommend the passage of Councilman Ransdell's proposed amendment provided the stock of said company shall be fixed at \$100,000 instead of \$200,000, and provided further that in addition to the words, "that said company shall cause to be executed a bond payable to the city of Indianapolis, with good and sufficient freehold security, to the satisfaction of the Common Council of said city, binding itself and sureties in the sum of \$100,000 not to sell or dispose of the privileges granted hereinto, nor consolidate with, nor purchase the rights of said Indianapolis Gas Light and Coke Co.," shall be added, "and provided further that in case of the violation of any of the privileges of this agreement or contract, all rights herein granted shall be declared and are forfeited, in the discretion of the City Council.

Your Committee are of the opinion that the above restrictions are ample and sufficient to insure the faithful fulfillment of their contract on the part of the proposed new gas company, and that the proposed amendments of Councilman Thalman and Madden are contained therein so far as would be just and equitable to both the company and the city.

Signed,

ENOS B. REED,
GEO. W. GEIGER,
F. M. HOOK,

Committee on Revision of Ordinances.

Which was received.

The following is the ordinance with the proposed amendments, as reported by the said Committee on Revision of Ordinances :

An ordinance investing Robert Dickson and his associates and their assigns with the privilege of furnishing gas to the city of Indianapolis, and the inhabitants thereof, upon certain conditions therein named.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis, That Robert Dickson, his associates and their assigns, are hereby invested with the privilege of using the streets, lanes, alleys, and public grounds of said city for the purpose of laying down in said streets, etc., pipes for the conveyance of gas in and through the said city, for the use of said city and its inhabitants: Provided, That said Robert Dickson and his associates, shall within thirty days hereafter, organize themselves into a joint stock company under the law of the State of Indiana, with sufficient capital stock, not less than \$100,000 actually subscribed and secured, to fully carry out the intent and meaning of this ordinance, which is declared to be to supply the entire city and the inhabitants thereof with gas to the extent and as fully and completely as is now or may hereafter be done by the Indianapolis Gas Light and Coke Company, and such company shall, by its Board of Directors, on their records, to be certified to the Mayor of the city, agree and bind itself, within thirty days hereafter, to accept the conditions set forth in this ordinance: Provided further, That two-thirds of the directors of such company shall consist of residents of the city of Indianapolis: And provided further, That the said company shall cause to be executed a bond, payable to the city of Indianapolis, with good and sufficient freehold security to the satisfaction of the Common Council of said city, binding itself and sureties in the sum of one hundred thousand dollars not to sell or dispose of the privilege granted hereinto, nor consolidate with, nor purchase the works of said Indianapolis Gas Light and Coke Company: And further provided, That in case of the violation of any of the provisions of this agreement, all rights herein granted shall be, in the discretion of the City Council, declared forfeited, and that they will, as soon as possible, commence the erection of necessary buildings and works of capacity sufficient to supply the city and inhabitants with gas, and proceed without delay to carry out in good faith the full intent of this grant, and shall have laid ten miles of mains in said city within eighteen months from the date of the passage of this ordinance, and shall, whenever persons who will guarantee to said company to use as many as fifteen burners upon any square or in any building or buildings, on any square adjacent to mains already laid, said company shall lay mains on said street and furnish gas to such persons so guaranteeing the use of the same: Provided, said company shall not be required to lay more than five miles of mains in any one year after the first ten miles are laid: Provided further, That nothing in this grant shall be so construed as to bind the city to use any of the gas used by said company in its street lamps, public buildings or offices.*

SEC. 2. The price at which said company shall furnish the city and inhabitants with gas shall not exceed the following rates : Two dollars (\$2.00) for each thousand cubic feet, exclusive of government tax: *Provided, The city of Indianapolis shall not be liable in any manner for royalty or other charges by reason of any*

patent upon the gas manufactured and furnished by said company, and the said company shall execute an indemnifying bond to said city, conditioned that the city shall not be compelled to pay any such royalty or charges.

SEC. 3. The gas sold by said company shall be free from all non-inflammable poisonous qualities, and in all other respects of the highest standard purity, and not less than twelve candle illuminating power, and the same shall be supplied promptly and in sufficient quantity by said company to all paying consumers thereof, and to all persons applying therefor, on or adjacent to any street or alley along which the mains of said company shall have been extended. And said company shall, upon application in writing, promptly lay all necessary service pipes in or across any street, alley, gutter or sidewalk. And said company shall make no charge for any meter, nor for the rent of same; nor shall any charge be made for service pipe laid in any street, gutter or sidewalk, nor for laying said pipe, nor for properly repairing all streets, gutters or sidewalks thereafter, or for tapping any mains. And furthermore, said company shall not charge more for making any connection between its pipes and those of any person applying for gas, nor for the setting of any meter, than the actual cost of doing the same. All gas sold shall be accurately measured by said company at its own expense and without any charge direct or indirect to any consumer thereof. Such company shall furnish all facilities in its possession to any agent that may be appointed by the Common Council to test the accuracy of meters or the purity of gas and illuminating properties.

SEC. 4. If said company shall fail in good faith to comply with any of the provisions of this ordinance, or shall violate any of said provisions, then, and in such case, they shall forfeit all the rights and privileges under said contract, and the Common Council may, at any time thereafter, repeal the same, said failure to be determined by judicial decision.

SEC. 5. That whenever the company, as aforesaid, proposes to open any street, lane or alley, etc., for the purpose of laying down gas pipes, they shall give to the Street Commissioner three days notice thereof, and shall not, during the progress of their work, unnecessarily obstruct the passage of such street, lane or alley, etc., and further, they shall, within a reasonable time, repair such portion of any street, lane or alley, etc., as they may have broken up, in such manner as shall be acceptable to the Street Commissioner; the said gas pipes shall not interfere with the drainage of said city, by the necessary construction of sewers or other underground fixtures for the conveyance of water for the supply of said city, and when it shall be necessary, such company shall remove the gas pipes at their own expense: *Provided*, The said company shall be responsible for all damages that may occur by reason of accidents in the opening and digging of trenches for the laying of mains and other work.

SEC. 6. That said company and every person acting in their employment who shall dig any trench in any public street, sidewalk or alley of such city for the purpose of laying, taking up or repairing any gas pipe, or for any lawful purpose, shall fill the same again as early as practicable as the adjoining part of the street. And if the place at which such trench was dug shall subsequently sink or get out

of repair in consequence of such digging and filling, the company or person having dug the same shall repair it forthwith; and for a neglect so to do, said company shall be liable for all costs of putting such place in good repair, to be collected in an action of debt, and the company shall be liable for any damages to any person or property resulting from any neglect or fault of themselves or their employes; and should the city be sued therefor, said company shall be notified of such suit, and thereupon it shall be the duty of such company to defend the same; and should a judgment be recovered against the city, the city shall recover the amount with all costs from the company, and the record of such judgment against the city shall be final and conclusive evidence in the cause.

SEC. 7. This ordinance shall be in force from and after filing with the Mayor of the city of the certified copy from the records of the Board of Directors of such company, accepting the terms and conditions herein set forth, and it is hereby made the duty of the Mayor to make proclamation of such acceptance, accompanying such publication with a copy of this ordinance.

Mr. Thalman moved to take up the ordinance and adopt the same by sections.

Which motion was adopted.

Section 1 was then read.

Whereupon Mr. Kahn offered the following amendment :

Cause to be executed bonds to the city of Indianapolis, with good and sufficient freehold security, to the satisfaction of the Common Council of said city, binding itself and sureties in the sum of one hundred thousand dollars, that they will continue to furnish the city and its inhabitants with gas as provided for in this ordinance for a period of at least ten years, distinctly and apart from any other gas company, and that they will not sell or consolidate with the Indianapolis Gas Light and Coke Company, and that said amount of one hundred thousand dollars shall be considered as liquidated damages if they fail to comply with any and all provisions of this ordinance, such failure to be determined by judicial decision.

On motion of Mr. Thalman, the words, "as soon as possible," were stricken out, and the words, "within sixty days," were inserted in lieu thereof.

Dr. Ward offered the following amendment :

And said company shall extend their mains along any street contiguous to where their mains are already laid, within ninety days after being so ordered by resolution

of the Common Council : *Provided*, the Council shall not order a greater number of miles in any one year than is required by this ordinance.

Which was adopted.

Mr. Thalman moved to amend where the same reads, " provided said company shall not be required to lay more than five miles of mains in any one year after the first ten miles are laid, by striking out "five" and inserting " three."

Dr. Stratford moved to lay the motion on the table.

Which motion was lost by the following vote :

Affirmative—Councilmen Albershardt, Craft, Hook, Kahn, Laughlin, Madden, Ransdell, Reasner and Stratford—9.

Negative—Councilmen Adams, Bollman, Buehrig, Darnell, Diffley, Geiger, Gimber, Kenzel, McGill, Reed, Schmidt, Stuckmeyer, Thalman, Ward and Webster—15.

Mr. Thalman moved the previous question on the adoption of his amendment.

The ayes and noes being demanded, those who voted in the affirmative were :

Councilmen Bollman, Buehrig, Craft, Darnell, Diffley, Gimber, Kenzel, McGill, Schmidt, Stuckmeyer, Thalman and Webster—12.

Those who voted in the negative were :

Councilmen Adams, Albershardt, Geiger, Hook, Kahn, Laughlin, Madden, Ransdell, Reasner, Reed, Stratford and Ward—12.

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

So the motion was not adopted.

Dr. Stratford offered the following amendment :

Four miles of which shall be located on the three principal avenues of the city, namely, Massachusetts avenue, Indiana avenue, Virginia avenue and South Meridian street.

Mr. Ransdell offered the following amendment :

Amend section 2: *Provided*, City warrants shall be received at par in payment of all gas furnished the city by said company, and that the Common Council at all times shall have the right to regulate the time of lighting and extinguishing the street lamps, and otherwise determining the quantity of gas to be consumed by the city.

Also, the following amendment :

Amend section six, after the word "debt:" And the city may cause the work to be done and retain the amount of the cost of the same out of any moneys due the said company.

Mr. Kahn moved that where the words "Street Commissioner" occur to insert in lieu thereof the words "City Civil Engineer."

Mr. Geiger moved that the ordinance and amendments now offered be printed in the proceedings of the Common Council, of this session, and that the same be made a special order for next Monday night.

Which motion was adopted.

Mr. Madden, by consent, offered the following motion :

Moved, That the City Attorney be granted the privilege of interchanging copies of the charter and ordinances with the City Attorneys of other cities of this State, promore than ten copies be allowed him for this purpose.

Which was adopted.

On motion, the Council adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk.