

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, June 5th, 1876—7½ o'clock P. M. }

The Common Council met in regular session.

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

Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Absent—Councilmen Diffley, Schmidt and Thomas—3.

The proceedings of the regular session held May 29th, and the adjourned session held June 1st, 1876, were read and approved.

Sealed proposals for repairing the Sellers Farm road were received, opened, read and referred to the Committee on Contracts.

Mr. Craft moved to reconsider the vote by which special ordinance No. 174, 1875, entitled, "An ordinance to provide for grading and graveling the first alley east of East street, running from McCarty street to the second alley north of McCarty street," was passed June 1st, 1876.

Which motion to reconsider was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Morse, Pouder, Ransdell, Reed, Thalman, Webster, Wright, Arthur L. and Wright, William G.—17.

Negative—Councilmen McGill, McGinty, Steinhauer and Stratford—4.

Mr. Craft presented the following remonstrance :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—The undersigned, owners of real estate fronting on the first alley east of East street, running from McCarty street north to the second alley north, respectfully remonstrate against the grading and graveling of said alley, and pray that they may have the opportunity of being heard before the Committee on Streets and Alleys, and presenting a history of the case, believing they can satisfy them that the recommendation for the passage of the ordinance was the result of a misapprehension of the former Chairman of the Committee on Streets and Alleys, as shown by the certificate of Samuel Keely, then a sanitary policeman, which certificate and the remonstrance of more than two-thirds of the property owners on said alley was presented to the Council, while there never has been and is not at this time but two, and they owning but seventy-four feet, that desire the work done.

Your remonstrants would further state that most of them are unable to meet their present tax liability to the city and are not able to bear an additional burden for this unnecessary improvement, being dependent upon their daily labor for the support of their families. They therefore most respectfully ask your honorable body to reconsider the vote on the passage of the ordinance.

And they will ever pray, etc.,

John Maurer, 34 ft.; Catherina Maurer 34 ft.; Ann E. Johnstone, 32 $\frac{2}{3}$ ft.; Christian Wands, 32 $\frac{2}{3}$ ft.; Maria Schnell, 34 ft.; Suls Metker, 34 ft.; William Bramer, 34 ft. 9 in.; John Hugo, 64 ft.; Catharina Hugo, 64 ft.; Maria A. Thompson, 32 $\frac{2}{3}$ ft.; Samuel P. Daniels, 110 ft.; Mary Daniels, 42 ft.

Mr. Buehrig moved to refer the whole subject to the Board of Health, with instructions to report next Monday night.

Mr. Poudier moved to amend by adding the Committee on Streets and Alleys.

Which amendment was adopted.

Mr. Buehrig's motion as amended was adopted.

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

INDIANAPOLIS, June 5, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—The Committee on Contracts, to which was referred the proposals submitted to Council May 29th, 1876, for "grading and paving with brick the east sidewalk of Kentucky avenue from south side of Georgia street to South street," have examined the same and find them to be as follows, to-wit :

S. W. Patterson and R. P. Dunning, 61 cents per lineal foot front.

Wm. L. White, 55 cents per lineal foot front.

Jas. W. Hudson, 54 cents per lineal foot front.

Geo. W. Buchanan, 54 cents per lineal foot front.

Henry C. Roney, 53 cents per lineal foot front.

James Mahoney, 52 cents per lineal foot front.

E. B. Elliott, 52 cents per lineal foot front.

John Schier, 49½ cents per lineal foot front.

John Schier being the lowest and best bidder, your Committee recommend that he be awarded the contract.

Respectfully submitted,

J. W. BUGBEE,

ROBT. C. MCGILL,

Committee on Contracts.

Which was concurred in and contract awarded.

By consent, Mr. W. G. Wright offered the following motion :

Moved, That the bids for improving Orange street between Shelby and Spruce streets be rejected, as the improving of the sidewalks was omitted in the ordinance.

Which was adopted.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, June 5, 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 C. E. Whitsit, for constructing a brick sewer in and along Clifford avenue and Archer street, from Malotte avenue to Pogues Run—

1130 lineal feet at \$2.90.....	\$3,277 00
6 manholes at \$15.00.....	90 00
	<hr/>
Total	\$3,367 00
Less 15 per cent.....	505 00
	<hr/>
Present payment	\$2,862 00

A first and final estimate allowed James Mahoney, for graveling the approaches to the iron bridge on Noble street, over the I., C. & L. R. R. Co.'s tracks—

216.58 cubic yards at 64 cents.....	\$138 61
-------------------------------------	----------

Also, a first and final estimate allowed William Morrison, for grading and graveling the first alley north of Christian avenue, running east and west from Bellefontaine street to Peru street—

650 lineal feet at 17½ cents.....	\$113 75
-----------------------------------	----------

Also, a second and final estimate allowed Irwin & Hanna, for grading and graveling Everson street and sidewalks from Prospect to Orange streets—

1710 lineal feet at 57 cents.....	\$974 70
Less former payment	495 90
	<hr/>
Present payment.....	\$478 80

Also, a second and final estimate allowed Henry C. Roney, for grading and paving with brick the sidewalks on Liberty street from Washington to Lockerbie streets—

2695.73 lineal feet at 32 cents.....	\$862 63
16.9 lineal feet curbing at 50 cents.....	8 45
Total.....	\$871 08
Less former payment.....	721 12
Present payment	\$149 96

Also, a second and final estimate allowed Geo. Wm. Seibert, for grading and graveling Madison avenue and paving with brick the sidewalks, from Delaware to Nebraska streets—

2796.26 lineal feet at 53 cents	\$1,482 01
1571.59 lineal feet at 60 cents.....	942 95
3830.14 lineal feet at 66 cents.....	2,527 89
147.25 cubic yards gravel at 80 cents..	117 80
62.04 square yards bouldering at 70 cents.....	43 42
25 cubic yards embankment at 50 cents	12 50
4 joints sewer pipe (including laying) at \$2.50	10 00
Total	\$5,136 57
Less former payment	3,267 33
	\$1,869 24

Respectfully submitted.

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Wm. Morrison, for grading and graveling the first alley north of Christian avenue, running east and west from Bellefontaine street to Peru 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty,

Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright Arthur L. and Wright, William G.—23.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second and final estimate allowed Irwin & Hanna, for grading and graveling Eversom street and sidewalks from Prospect to Orange 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second and final estimate allowed Henry C. Roney, for grading and paving with brick the sidewalks on Liberty street, from Washington to Lockerbie 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second and final estimate allowed Geo. Wm. Seibert, for grading and graveling Madison avenue and paving with brick the sidewalks, from Delaware to Nebraska 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poudler, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Also, the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—I have on two previous occasions reported the necessity of protecting the centre pier of the Indiana avenue bridge over Fall Creek. Upon recent examination I find the pier has settled to some extent, and I would urge that the Street Commissioner be directed to provide the necessary protection without delay.

I would also recommend that the Street Commissioner be instructed to take immediate steps for the protection of the two centre piers of the Washington street bridge over White River.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in, and Street Commissioner directed to carry out the recommendations of the Engineer.

Also, the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—I respectfully report for your approval the following contract and

bond: Contract and bond of William L. White, for grading and paving with brick the west sidewalk on West street from Merrill to McCarty streets.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which report was concurred in and bond approved.

The City Clerk submitted the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—I hereby report the following affidavit now on file in my office for the collection of street assessments, to wit :

James Muse vs. Charles Helwig for \$38 97

And respectfully recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouders, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Also, the following report :

INDIANAPOLIS, June 2, 1876,

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

Gentlemen :—I respectfully report that I have certified to the City Treasurer the transcript of the report (as to the assessment of benefits and damages) of the Commissioners in the matter of condemning for the purpose of a street the gravel road owned by the Central Plank Road Company, from a point three hundred feet

west of the Washington street bridge across White River to the western boundary line of the city.

Respectfully submitted.

BENJ. C. WRIGHT,
City Clerk.

Which was approved.

The City Attorney submitted the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—In the matter of the assessment of benefits accruing to property upon the line of Railroad street by reason of the removal of the tracks of the I., P. & C. Railroad Company, I would report that in my opinion the city cannot assess and collect such benefits by any legal process.

R. O. HAWKINS,
City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—In the matter of relieving the owners of certain property upon Madison avenue from the assessment for constructing a sewer from Yeizer street to Ray street, which was referred to this Committee at the last regular meeting of Council, we would report that the city has the power to relieve such persons as are not benefitted by said sewer, and should the Council determine to so relieve such persons, we would recommend that the Civil Engineer be instructed to report to the Council the names of all property owners upon the line of said sewer, together with the number of feet fronting on said sewer owned by each, and the amount of the sewer assessment against each, and when such report is received the Council pass an ordinance for the relief of such persons, providing that the City Clerk shall issue city warrants to them for the amount of the assessment upon their producing to him the receipt of the contractor showing that they have paid their said assessment.

J. C. ADAMS,
D. M. RANSDELL,
Committee on Judiciary.

R. O. HAWKINS,
City Attorney.

Which was concurred in, and City Attorney instructed to prepare necessary ordinance.

The City Assessor presented the following communication :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—The 24th section of the City Charter requires that I should deliver to the City Clerk a list of the taxable property, real and personal, on the 1st Monday in June of each year, unless otherwise directed by your honorable body. The work was delayed three months in its commencement, by a decision of the City Attorney, fixing the time on April 1st, instead of January 1st. In accordance with his directions, I brought the transfers up to April 1st and made a list of the real estate as owned on April 1st, and since that time have been pushing the work as rapidly as possible, but shall not be able to complete the work in less than sixty days from the present time, and, in order to legalize the taxes, would ask your honorable body to pass a resolution extending the time of making the return to the 2d Monday in August.

Respectfully,

WILLIAM HADLEY,

City Assessor.

Which was received.

Mr. Ransdell offered the following motion :

Moved, That the City Assessor be allowed sixty days further time to complete the assessment return for 1876.

Which was adopted.

The City Marshal submitted the following report :

INDIANAPOLIS, June 2, 1876.

To the City Marshal :

On examination of the County Records I find that the widow of Robt. Hanna holds a life interest in 10 acres, which includes 5 feet of the above named alley as far as the west line of lot 39, Hanna's heirs' sub. This will enable you to open said alley to that point to a width of 10 feet, while from the said west line of said lot 39, the alley can be opened its full width of 15 feet to Archer street.

Respectfully,

BERNHARD H. DEITZ,

City Civil Engineer.

INDIANAPOLIS, June 5, 1876.

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

Gentlemen:—I would respectfully report to you that I have served the notice on George F. Adams, ordering him to open the alley now occupied by him as a lumber yard, the aforesaid being the first alley north of John street, between the C., C., C. & I. R. R., and Archer street. Mr. Adams is under the impression that it can not be opened legally; I would respectfully refer the matter, with the City Civil Engineer's report, back to your honorable body for further instructions.

Yours, respectfully,

ELI THOMPSON,
City Marshal.

Which was referred to the City Attorney.

The Board of Health submitted the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen:—We call your attention to the condition of affairs on the corner of Lexington avenue and Linden street.

There is a pond in this locality, lying partly in the street and partly on private property, which, in our opinion, is injurious to the health of the neighborhood.

Respectfully submitted,

J. W. MARSEE,
Secretary Board of Health.

Which was referred to the Committee on Streets and Alleys with instructions to report the necessary resolutions.

Also, the following report :

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

INDIANAPOLIS, May 15, 1876.

Report of deaths in the City of Indianapolis from 6 o'clock P. M., on the 27th day of May, to 6 o'clock P. M. on the 3d day of June, 1876.

Under 1 year.....	8
1 to 2 years.....	1
2 to 3 ".....	0
3 to 4 ".....	0
4 to 5 ".....	0

5 to 10 years.....	2
10 to 20 “	4
20 to 30 “	3
30 to 40 “	3
40 to 50 “	3
50 to 60 “	2
60 to 70 “	2
70 to 80 “	0
80 to 90 “	1
90 to 100 “	0
Above 100 “	0
Unknown “	0
Total.....	27

J. W. MARSEE,

Secretary Board of Health, pro tem.

F. M. HOOK, M. D.,
President Board of Health.

Which was received.

The Street Commissioner submitted the following report:

INDIANAPOLIS, June 5, 1876.

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

Gentlemen:—I have the honor to submit the following report of work done in my department since May 10th, 1876:

Examined South Illinois street between Maryland street and the Railroad tracks' where the sewer has been built, and find that the blocks have not been placed to conform with the grade of the street.

Examined the bridge on Michigan street, crossing the race, as ordered, and repaired the same.

Examined bridge on Virginia avenue, crossing Pogues Run, repaired the same, which, in my opinion, will only be safe for three or four months.

Completed and opened the tunnel.

Repaired the roads in old cemetery.

Placed twenty-four (24) new foot bridges at different street crossings.

Repaired and re-set seventy-eight (78) wooden and iron foot bridges.

Built culvert on Ninth street, near Newman.

Built culvert on Madison avenue and Dunlap.

Repaired six (6) bridges on Canal.

Repaired nine (9) bridges on Pogues Run.

Taken up and relaid the boulders on Massachusetts avenue from Pennsylvania to East street.

Repaired bouldering on South Delaware street, from Washington street to Virginia avenue.

Cleaned seventy-six (76) squares of street.

Repaired fifteen (15) squares with gravel and cinders.

Pay rolls for the month ending June 3d, 1876.....	\$2,419 85
Henry Schoendorff, for gravel.....	26 50
Indianapolis Rolling Mill, cinders.....	12 50
H. C. Roney, raising catch basins.....	6 00
Noelke & Co., blacksmithing	23 38
Clemens Vonnegut, hardware.....	69 58
Thomas Berry, boulders.....	58 50
	<hr/>
Total	\$2,616 31
Balance on hand.....	\$1,207 19

Respectfully submitted,

LEANDER A. FULMER,

Street Commissioner.

Which was approved.

The City Commissioners submitted the following report:

INDIANAPOLIS, June 5, 1876.

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

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

1st. That they were duly appointed by the Judge of the 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 12th day of May, 1876, they met at the City Clerk’s room, pursuant to the notice hereto annexed, marked exhibit “A.”

2d. That they did, at the time and place aforesaid, enter upon the consideration of the matter of opening an alley twenty feet wide, running in a northly direction, from Second street, to connect with an alley already opened running in a southerly direction from Fifth street, more fully described in the petition to us referred, and hereto annexed, marked exhibit "B."

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

4th. That the following named persons appeared in answer to said notices, viz: S. and E. W. Tout, S. Kaufman, Anna E. Davis by her husband, H. C. Holloway, Jas. A. Treadwell.

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 in said notice, 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, two thousand, four hundred and fifty-four dollars, (\$2,454.00).

2d. That the city should pay no part thereof.

That we do assess benefits as follows upon the following described real estate of the following named persons, viz:

Fred Goepper, B. & G. sub, St. Clair's add, lot 3.....	\$432 00
G. A. Wells, 82½ feet x 187' southwest corner St. Clair's add, lot 5.....	247 50
Geo. H. Chapman, St. Clair's add, 120 feet on Meridian street by 190 feet north of 83 feet southwest corner lot 5.....	360 00
S. and E. W. Tout, St. Clair's add, 120' on Meridian street by 185 feet southwest corner lot 4.....	190 50
Fred Ruschaupt, B. & G. sub, 10 feet on Pennsylvania street x 187 feet north of Second street, lot 4.....	30 00
Jas. B. Dickson, B. & G. sub, 66' on Pennsylvania street by 187' 10 feet north of Second street, lot 4.....	198 00
C. C. and Lucy L. Hines, St. Clair's add, 67' on Tennessee street x 187' 76 feet north of Second street, lot 5.....	201 00

Mary Y. Moore, 137' on Pennsylvania street by 185 feet south of 64½ feet northeast corner lot 5 St. Clair's add	411 00
R. M. Sweetser, St. Clair's add, 64½ feet on Pennsylvania street x 185' northeast corner lot 5.....	193 50
Hermann Martin, St. Clair's add, 63½' on Pennsylvania street x 185' southeast corner lot 4.....	190 50

And which is of the value of two thousand, four hundred and fifty-four dollars, (2,454.00).

That we do assess damages as follows, to-wit, upon a parcel of ground owned by the following named persons and described as follows :

Fred Geopper, 10 feet off the east end lot 3, B. & G. sub, St. Clair's add..	\$432 00
G. A. Wells, 10 feet of east end of a lot 82½' x 197 feet southwest corner St. Clair's add, lot 5.....	247 50
Geo. H. Chapman, 10 feet off of a lot 120' on Meridian street by 196' north of 83' southwest corner lot 5, St. Clair's add	360 00
S. and E. W. Tout, 10 feet off east end of 63½' on Meridian street by 196' north of 83' southwest corner lot 4, St. Clair's add.....	190 50
Hermann Martins, 10' off of north end of 63½ feet on Pennsylvania street by 195' southeast corner lot 4, St. Clair's add.....	190 50
Rebecca Sweetser, 10' off of west end of 64½ feet on Pennsylvania street by 195' northeast corner lot 5, St. Clair's add.....	193 50
Mary Y. Moore, 10 feet off of west end of 137' on Pennsylvania street x 195' south of 64½' northeast corner lot 5, St. Clair's add.....	411 00
C. C. & L. F. Hines, 10' off of west end of 67' on Pennsylvania street x 195', 76' north of Second street, lot 5, St. Clair's add.....	201 00
Jas. B. Dickson, 10' off of west end 66' on Pennsylvania street x 197', 10' north of Second street, lot 4, B. & G. sub, St. Clair's add	198 00
Fred Ruschaupt, 10' off of west end of 10' on Pennsylvania street x 197' north of Second street, lot 4, B. & G. sub, St. Clair's add.....	30 00

And which is of the value of two thousand, four hundred and fifty-four dollars, (2,454.00).

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

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

The benefits and damages in each case being equal.

Your Commissioners do, therefore, recommend that the said alley, from Second street to Fifth street, between Pennsylvania street and Meridian street, be opened as prayed.

Respectfully,

GEO. W. HILL,
 I. S. HILDEBRAND,
 R. H. PATTERSON,
 WILLIAM MANSUR,
 Commissioners.

Which was received.

Also, the following report :

INDIANAPOLIS, June 3, 1876.

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 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 26th day of April, 1876, they met at the City Clerk's room pursuant to the notice hereto annexed, marked exhibit “A.” They then adjourned to April 27th.

2d. That they did, at the time and place aforesaid, enter upon the consideration of the matter of opening and straightening Blackford street from Indiana avenue to North street, more fully described in the petition to us referred and hereto annexed, marked exhibit “B.”

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

4th. That the following named persons appeared in answer to said notices, viz : Joseph Allen, S. A. Fletcher by Geo. Anderson, Smith Craft, Hezekiah Goe, Parmelia Sanborn by her husband, Lewis Ferdinand, Eliza E. Nicholson per S. Meredith, Samuel Meredith, Wm. Bell, Susan K. Blacklege by her husband, Michael Hurley, John Larkin, Ann W. Manning, Joseph Madden, Daniel Maloney, Eliza Love, C. W. Carleton, John Miller, David King, Chas. N. Lee per P. H. Rozier, Aaron Rozier, Lewis Lebrich, Josiah Webb, Thos. J. Breedlove, Jas. C. Thomas, W. C. Thompson, Wm. Manning, Geo. Merritt, Jas. Proctor.

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 in said notice, 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 benefitted by the improvement.

FOURTH.

Your Commissioners do further report—

1st. That the value of the land to be appropriated is in the aggregate one hundred and eighty dollars (\$180.00).

2d. That the city should pay no part thereof.

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

Susan K. Blackledge, lot S, Ray's sub, out-lot 159, for the strip of Blackford street adjoining said lot S, vacated by straightening of Blackford street...	\$125 00
Sarah B. Gilbert, Wiley's sub, 52 and 53, out-lot 161.....	55 00

That we do assess damages as follows, to-wit, upon a parcel of ground owned by the following named persons, and described as follows, viz: .

Milly Chism or Wiley's heirs or others owners, for a strip 3½ ft. wide south end 2' 4" north end off the west side of a lot 40' x 196', in the southwest corner out lot 160	\$150 00
Vestal & Payne, fer strip 24" south side 1' 11½" north side off the west end of a lot 50'x84' south of Blackford street, in out lot 160	5 00
David King, triangle strip 1' 11½" wide at south end, running to a point on Indiana avenue, off the west side of a lot 84' wide by 322' long, of the northwest corner out lot 160..	25 00

And which is of the value of one hundred and eighty dollars (\$180.00).

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

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

The persons whose benefitts exceed damages and the amount 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.

Susan B. Blackledge.....	\$125 00
Sarah B. Gilbert	55 00
Amount.....	<u>180 00</u>

TABLE "B."

Damages to be paid.

Milly Chism or others.....	\$150 00
David King.....	25 00
Vestal & Payne.....	5 00
Amount.....	<hr/> \$180 00

Your Commissioners have based their estimates of benefits and damages in this case upon their recognition of the action of the former Board of Commissioners, and have acted from the lines of said street established by them, and do concur in the action of said former Board.

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

Respectfully,

GEO. W. HILL,
J. S. HILDEBRAND,
R. H. PATTERSON,
WILLIAM MANSUR,
Commissioners.

Which was received.

Also, the following report:

INDIANAPOLIS, June 5, 1876.

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 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 4th day of May, 1876, they met at the City Clerk's room, pursuant to the notice hereto annexed, marked exhibit "A."

2d. That they did, at the time and place aforesaid, enter upon the consideration of the matter of extending Winston street from its northern terminus to St. Clair street, more fully described in the petition to us referred, and hereto annexed, marked exhibit "B."

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

4th. That the following named persons appeared in answer to said notices, viz: Levi Marshal, Robert McClellan, Wm. H. Vincent, Timothy Sullivan, Fred Schuler, Aug. Schmitt, Chas. G. Teine, Fred Homuth, Lewis Ostermier, Charles Smith, Peter Schafer, Wm. Schultmier by Chas. Smith.

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 in said notice, 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, should be borne by the city.
- 3d. What real estate, if any, would be benefitted by the improvement.

FOURTH.

Your Commissioners do further report—

1st. That the value of the land to be appropriated is in the aggregate nine hundred dollars (\$900.00).

2d. That the city should pay no part thereof.

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

Chas. Lauer, Nobles sub, 29 $\frac{1}{2}$ ' north side lot 348, out lot 45.....	\$12 00
John Jordan, Noble's sub, 29 $\frac{1}{2}$ ' south side lot 348, out lot 45.....	9 00
John McGinnis, Noble's sub, lot 347, out lot 45.....	7 00
Mary J. Strawbridge, Noble's sub, lot 346, out lot 45.....	7 00

Wm. H. Vincent, Noble's sub, lot 345, out lot 45	7 00
Levi Marshal, Noble's sub, lot 344, out lot 45.....	5 00
Hannah J. Gresh, Noble's sub, lor 343, out lot 45.....	5 00
James and Bridget Gorman, Noble's sub, lot 342, out lot 45.....	5 00
Hugh Riley, Noble's sub, north half lot 341, out lot 45.....	3 00
Thos. Splann, Noble's sub, south half lot 341, out lot 45.....	3 00
Ashford Lingenfelter, Noble's sub, lot 340, out lot 45.....	5 00
Ashford Lingenfelter, Noble's sub, lot 339, out lot 45	5 00
John Strange, Noble's sub, lot 338, out lot 45.....	5 00
Wm. Roberts, Noble's sub, lot 337, out lot 45.....	5 00
Fred Ossenforth, Noble's sub. lot 336, out lot 45.....	3 00
Fred Kalb, Nobles sub, lot 335, out lot 45.....	3 00
Geo. Crombick, Noble's sub, north half lot 334, out lot 45.....	2 00
E. J. Beerbour, Noble's sub, south half lot 334, out lot 45.....	2 00
Jacob N. Bruner, Noble's sub, lot 333, out lot 45.....	2 00
Sidell Schuler, Bradshaw's sub, lot 40, out lot 45.....	2 00
Owens, Laner & Dyre Manufacturing Co., Bradshaw's sub, lot 41, out lot 45	2 00
Geo. B. Loomis, Bradshaw's sub, lot 42, out lot 45.....	2 00
John Strange, Bradshaw's sub. lot 43, out lot 45.....	2 00
John Strange, Bradshaw's sub, lot 44, out lot 45.....	3 00
John Strange, Bradshaw's sub, lot 45, out lot 45.....	7 00
Germania Building and Savings Association, Biddle's sub, lot 1, out lot 45	6 00
Germania Building and Savings Association, Biddle's sub, lot 2, out lot 45	6 00
Tim. Sullivan, Biddle's sub. lot 3, out lot 45.....	6 00
Tim. Sullivan, Biddle's sub, lot 4, out lot 45.....	6 00
Robert McClellan, Biddle's sub, lot 5, out lot 45.....	6 00
Jas. Breen, Biddle's sub, lot 6, out lot 45.....	11 00
Louis Deflaux. Biddle's sub, lot 7, out lot 45.....	11 00
Eugene McSweeney, Biddle's sub, lot 8, out lot 45.....	11 00
Catharine Crull, Biddle's sub, south half lot 9, out lot 45	6 00
Catharine W. Weber, Biddle's sub, north half lot 9, out lot 45..	6 00
Owen Burns, Biddle's sub, lot 10, out lot 45.....	12 00
Henry Reinkin, P. & I. R. R. Co. sub, lot 16, out lot 43.....	700 00

\$900 00

Henry Reinkin taking the ground vacated by said straightening Winston street.

That we do assess damages as follows, to-wit upon a parcel of ground owned by Aug. Schmidt, and described as follows;

P. & I. R. R. Co. sub, 20 2-10 ft off east side lots 17, 18 and 19, out lot 43, and which is of the value of nine hundred dollars..... \$900 00

That the benefits aforesaid are such as each of the persons 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.

Chas. Lauer	\$12 00
John Jordan.....	9 00
John McGinnis....	7 00
Mary J. Strawbridge.....	7 00
Wm. H. Vincent	7 00
Levi Marshall.....	5 00
Hannah J. Gresh.....	5 00
James and Bridget Gorman.....	5 00
Hugh Riley.....	3 00
Thos. Splann	3 00
Ashford Lingenfelter.....	10 00
John Strange	17 00
Wm. Roberts	5 00
Fred. Ossenforth.....	3 00
Fred Kalb.....	3 00
Geo. Crombick.....	2 00
E. J. Beerbour.....	2 00
Jacob N. Bruner.....	2 00
Siddell Schuler.....	2 00
Owens, Laner & Dyer Manufacturing Co.....	2 00
Geo. B. Loomis.....	2 00
Germania Building and Savings Association.....	12 00
Tim Sullivan	12 00
Robert McClellan.....	6 00
Jas. Breen.....	11 00
Louis Deflaux.....	11 00
Eugene McSweeney.....	11 00
Catharine Crull	6 00
Catharine W. Weber.....	6 00
Owen Burns	12 00
Henry Reinkin.....	700 00
<hr/>	
Total amount	\$900 00

TABLE “B.”

Damages to be paid.

Aug. Schmidt.....	\$900 00
-------------------	----------

Your Commissioners do thersfore recommend that the said Winston street be

extended as prayed, and that the damages and benefits assessed be paid and collected according to law.

Respectfully,

J. S. HILDEBRAND,
R. H. PATTERSON,
G. W. HILL,
WILLIAM MANSUR,
Commissioners.

Which was received.

The Mayor submitted the following report and exhibit :

INDIANAPOLIS, June 5, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—I would respectfully report that the Citizens' Gas Light and Coke Company have complied with section seven of an ordinance ordained by this Council April 3, 1876, entitled, "An Ordinance investing Robert Dickson and his associates, etc.," by filing with me on the 1st day of May, 1876, the certified copy of the record required, and that in compliance with said section seven I made proclamation of such acceptance, and such proclamation accompanied by a copy of the ordinance was published in the Indianapolis Daily Sentinel of May 23d and 30th, 1876, and in the Taglicher Telegraph of May 24th and 31st 1876, which certified record marked "A," with my indorsement of filing with me, and also a printed copy of said proclamation, taken from the Sentinel, are made exhibits, and herewith filed as part of this report.

Respectfully submitted,

J. CAVEN,
Mayor.

The Honorable John Caven, Mayor of Indianapolis :

At a meeting of the Board of Directors of the Citizens' Gas Light and Coke Company of Indianapolis, Indiana, held in the City of Indianapolis on the 1st day of May, 1876, the following resolution was offered and in due form adopted, as appears of record on the books of said Company, to-wit :

"*Resolved*, That the Citizens' Gas Light and Coke Company, of Indianapolis, Indiana, hereby tenders her acceptance of, and agrees to accept the provisions and conditions of an ordinance passed by the Common Council of the City of Indianapolis on the third day of April, 1876, and granting to Robert Dickson, his associates and assigns, the privilege of using the streets, lanes, alleys and public grounds of said city for the purpose of laying down in said streets, lanes, etc., pipes for the conveyance of gas in and through said city, for the use of said city and its inhabitants. And the President and Secretary of said Company are hereby authorized to certify such acceptance to the Mayor of said city, as in the said ordinance is provided."

We hereby certify that the foregoing is a true copy from the Record books of the Citizens' Gas Light and Coke Company, of Indianapolis, Indiana.

Witness our hands and the seal of said Company, this 1st day of May, 1876.

C. E. MERRIFIELD,
President.

WILLIAM S. BARKLEY,
Secretary.

[SEAL.]

Filed with me May 1, 1876.

JOHN CAVEN,
Mayor.

PROCLAMATION BY THE MAYOR OF INDIANAPOLIS, AND GAS
ORDINANCE.

WHEREAS, On the 3d day of April, 1876, the Common Council of the city of Indianapolis ordained an ordinance entitled, "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," and

WHEREAS, By section 7 of said ordinance it is ordained as follows: Section 7. This ordinance shall be in force from and after filing with the Mayor of the city the certified copy from the record of the Board of Directors of said 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, and

WHEREAS, On the first day of May, 1876, said Company filed with me a certified copy from the records of the Board of Directors of said Company, accepting the terms and conditions of said ordinance, which certified copy is in the words following, to-wit:

To the Honorable John Caven, Mayor of the City of Indianapolis:

At a meeting of the Citizens' Gas Light and Coke Company of Indianapolis, held in the city of Indianapolis on the 1st day of May, 1876, the following resolution was offered, and in due form adopted, as appears of record on the books of said Company, to-wit:

Resolved, That the Citizens' Gas Light and Coke Company, of Indianapolis, Indiana, hereby tenders her acceptance of an ordinance passed by the Common Council of the City of Indianapolis, on the 3d day of April, 1876, and granting Robert Dickson and his associates and their assigns the privilege of using the streets, lanes, alleys and public grounds of said city for the purpose of laying down in said streets, lanes, etc., pipes for the conveyance of gas in and through said city for the use of said city, as in the said ordinance provided.

We hereby certify that the foregoing is a true copy from the record books of the Citizens' Gas Light and Coke Company of Indianapolis, Indiana.

Witness our hands and the seal of said Company, this 1st day of May, 1876.

C. E. MERRIFIELD,
President.

WILLIAM S. BARKLEY,
Secretary.

Now, therefore, in compliance with the duty imposed on me by section 7 of said ordinance, I hereby make proclamation that the Citizens' Gas Light and Coke Company have accepted the terms and conditions in said ordinance set forth, and that said ordinance (a copy of which accompanies and is made part of this proclamation) is now and has been in force from and after the first day of May, 1876.

Witness my signature and the seal of the city of Indianapolis, this 22d day of May, 1876.

J. CAVEN,
Mayor.

THE GAS ORDINANCE.

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 the 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 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: and 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 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. 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 within sixty days 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 pipe in said city within eighteen months from the date of the passage of this ordinance, and shall, whenever persons who guarantee to said company 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 three 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), or 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. City warrants shall be received at par in payment for all gas furnished the city by said company, and 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 used by the city.

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 sixteen 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 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. And said company shall, upon application in writing, promptly lay all necessary service pipe 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 on any street, gutter or sidewalk, nor for laying said pipe, nor for properly repairing all streets, gutters or sidewalks thereafter. nor for tapping any main. 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 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, propose to open any street, lane or alley, etc., for the laying down gas pipes, they shall give to the City Civil Engineer three days' notice thereof, and shall not, during the progress of the 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 may be acceptable to the City Civil Engineer; 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*, that 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 cost of putting such place in good repair, to be collected in an action of 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; and the said 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 publications with a copy of this ordinance.

Which was approved.

His Honor presented the following petition :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—Your petitioner respectfully sheweth :—

That on the 25th day of July, 1864, Stoughton A. Fletcher, Sr., and Julia A. Fletcher, his wife, of Marion county, Indiana, conveyed and warranted to the city of Indianapolis, for the nominal sum of one dollar, the following described real estate situate in Marion county, Indiana, to-wit: Lots numbered 49, 50, 51, 52, 53, 54, 55, 56, 57, 64, 65, 66, 67, 68, 69, 70, 71 and 72, being part of Wm. Y. Wiley's subdivision of 25 acres off of the north end of the east half of the northeast quarter of section twenty-three, township fifteen, range three east, and upon the following conditions, to-wit: The same to be held in trust for the use and erection thereon of a Home of Refuge and Reform for abandoned females, both prostitutes and those given to intoxication, and the same was to revert to the donor or his heirs, should the same be directed to a use inconsistent therewith.

And further, that said city, in pursuance of said trust, proceeded to the partial erection of the building in the trust contemplated, but as circumstances fell out, the Common Council of said city were of the opinion that the object of said trust could be better consummated by a re-conveyance of said real estate to said Fletcher and with the approval of said Fletcher, by resolution of said Council adopted October 27, 1869, and October 31, 1870, ordered the Mayor and City Attorney to make out and deliver to said Fletcher a deed for said real estate, for the consideration and upon the condition that suitable buildings for the purpose contemplated in the original donation should be, within a reasonable time, erected thereon, and as such House of Refuge and Reform be forever maintained, into which shall be taken, free of charge, one-half of all proper applicants for admission, and should said Fletcher convey said real estate to other parties, the foregoing stipulation was to be embraced in such conveyance, and executed in-spirit and good faith.

And further, that on the 21st day of January, 1871, Daniel Macauley, Mayor, and Jonathan S. Harvey, City Attorney, executed and delivered to said Stoughton A. Fletcher, Sr., a quit-claim deed for said premises, upon the conditions prescribed by said Council, and on the 25th day of March, 1871, said Fletcher executed a deed to said premises to the Sisters of the Good Shepherd, upon the conditions prescribed, and that both of said deeds have been lost or mislaid and have not been recorded, but fortunately, Mayor Caven had taken and preserved literal copies of the same.

Your petitioner therefore prays that you will authorize and direct the execution of a deed to replace the one previously executed, and lost. And will ever pray.

Respectfully,

AUG. BESSONIES, V. G.

Which was received, and the Mayor and City Attorney authorized to execute the proper deeds.

Mr. Craft offered the following motion:

Moved, That as Mr. J. M. Sutton declines to serve as inspector of Elections for the First District, that Robert M. Stewart be and is hereby appointed to fill the vacancy.

Which was adopted.

Mr. Ransdell offered the following motion :

Moved, That John Tarlton be appointed Inspector of Elections in the Second School District, vice Wm. Coughlen, resigned.

Which was adopted.

INTRODUCTION OF ORDINANCES.

Mr. Adams presented the following petition :

INDIANAPOLIS, April 27, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on first alley north of Christian avenue, between College avenue and Ash street, respectfully petition for the passage of an ordinance providing for the grading and graveling of the same.

And your petitioners will ever pray, etc.,

M. N. MCKAY, 135 ft.

O. W. RILEY, 60 ft.

Which was received.

Mr. Adams introduced special ordinance No. 51, 1876, entitled :

An ordinance providing for grading and graveling the first alley north of Christian avenue, running from College avenue to Ash street.

Which was read the first time.

Mr. Izor introduced special ordinance No. 52, 1876, entitled :

An ordinance to provide for grading and graveling St. Clair street and sidewalks from the west side of the western portion of Dorman street to Archer street, and repealing ordinance No. 9, 1876, for improving said street, passed March 13, 1876.

Which was read the first time.

Dr. Stratford introduced special ordinance No. 53, 1876, entitled :

An ordinance to provide for grading and graveling the first alley east of East street, from Dougherty street to the first alley north of Buchanan street.

Which was read the first time.

Mr. A. L. Wright introduced general ordinance No. 35, 1876, entitled :

An ordinance authorizing the issue of city warrants, and for their negotiation and sale by the City Treasurer, to the amount of fifty-five thousand dollars.

Which was read the first time.

Mr. W. G. Wright introduced special ordinance No. 54, 1876, entitled :

An ordinance to provide for grading and graveling Orange street and sidewalks from Shelby to Spruce streets, and for repealing special ordinance No. 158, 1875, providing for the improvement of said street, passed March 13, 1876.

Which was read the first time.

APPROPRIATION ORDINANCES.

Mr. Thalman introduced appropriation ordinance No. 24, 1876, entitled :

An ordinance appropriating money for the use of the Street Commissioner.

Which was read the first time.

Mr. Reed introduced appropriation ordinance No. 25, 1876, entitled :

An ordinance appropriating money on account of printing, stationery, etc., for the month of May, 1876.

Which was read the first time.

Mr. Byram introduced appropriation ordinance No. 26, 1876, entitled :

An ordinance appropriating money on account of Station House for the month of May, 1876.

Which was read the first time.

Mr. Ransdell introduced appropriation ordinance No. 27, 1876, entitled :

An ordinance appropriating money on account of City Hospital and Branch for the month of May, 1876.

Which was read the first time.

Mr. Webster introduced appropriation ordinance No. 28, 1876, entitled :

An ordinance appropriating money on account of the May election of 1876.

Which was read the first time.

Also, appropriation ordinance No. 29, 1876, entitled :

An ordinance appropriating money to pay sundry claims against the city of Indianapolis for the month of May, 1876.

Which was read the first time.

Mr. Adams introduced general ordinance No. 36, 1876, entitled :

An ordinance to relieve certain property owners on Madison avenue from the assessment upon their property for the purpose of constructing a sewer from Yeizer street to Ray street, and appropriating money for the payment of the same.

Which was read the first time.

Appropriation ordinance No. 24, 1876, was read the second time and ordered engrossed.

Appropriation ordinance No. 25, 1876, was read the second time and ordered engrossed.

Appropriation ordinance No. 26, 1876, was read the second time and ordered engrossed.

Appropriation ordinance No. 27, 1876, was read the second time and ordered engrossed.

Appropriation ordinance No. 28, 1876, entitled :

An ordinance appropriating money on account of the May election in 1876.

Was read the second time.

Mr. Ransdell moved to amend the ordinance by allowing the members of the Election Boards \$3.50 each.

Mr. Laughlin moved as substitute to allow \$5.00 for services on Election Board.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Morse, McGill, McGinty, Ransdell, Reed, Steinhauer, Thalman, Webster, Wright Arthur L. and Wright William G.—19.

Negative—Councilman Laughlin, Pouders, Reasner and Stratford—4.

Mr. Ransdell's amendment was then adopted.

The ordinance was then ordered engrossed.

Appropriation ordinance No. 29, 1876,

An ordinance appropriating money to pay sundry claims against the city.

Was read the second time.

Mr. Craft moved to amend by inserting \$18.00 in favor of J. J. Cameron, for 8 days services as sanitary officer.

Which amendment was adopted.

Dr. Stratiord moved to amend by inserting \$24.10 in favor of M. M. Burns, for constructing a water gate at the railroad bridge at the South Park.

Mr. Pouder moved to refer the claim to the Committee on Accounts and Claims.

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

Which motion to lay on the table failed to pass by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Kenzel, Laughlin, McGill, McGinty, Reasner, Reed, Steinhauer, and Stratford—11.

Negative—Councilmen Byram, Case, Craft, Darnell, Izor, Morse, Pouder, Ransdell, Thalman, Webster, Wright, Arthur L. and Wright, William G.—12.

M. Craft moved to amend Mr. Pouder's motion by instructing the Committee on Accounts and Claims to report special ordinance next Mondy if the claim be found correct.

Which amendment was adopted.

Mr. Pouder's motion was then adopted by the following vote:

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, Morse, Pouder, Ransdell, Reasner, Webster and Wright, Arthur L—13.

Negative—Councilmen Buehrig, Kenzel, Laughlin McGill, McGinty, Steinhauer, Stratford, Thalman, and Wright, William G.—10.

The ordinance was then engrossed.

General ordinance, No. 36, 1876, entitled :

An ordinance to relieve certain property owners on Madison avenue from the assessment upon their property for the purpose of constructing a sewer from Yeizer street to Ray street, and appropriating money for the payment of the same.

Was read the second time.

Dr. Stratford moved to amend by inserting the names, C. E. & M. Morairty, James Frank, Lizetta Werbe, Catharine Bull, Thos. F. Ryan, Max Schiller, Mary Kropp, Christ. Thompson, Peter Mueller, Fred. Brink, Peter Zimmer, Victor Plogsterth Fred. Dietz and Margaret McCarty.

Mr. Craft moved to lay Dr. Stratford's amendment on the table.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, Morse, McGill, Pouder, Ransdell, Reasner, Reed, Thalman, Webster, and Wright, Arthur L.—16.

Negative—Councilmen Buehrig, Kenzel, Laughlin, McGinty, Steinhauer, Stratford, and Wright, William G.—7.

The ordinance was then ordered engrossed.

Appropriation ordinance No. 24, 1876, was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright Arthur L. and Wright, William G.—23.

Negative—None.

Appropriation ordinance No. 25, 1876, was read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poulder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Appropriation ordinance No. 26, 1876, was read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poulder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Appropriation ordinance No. 27, 1876, was read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poulder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Appropriation ordinance No. 28, 1876, was read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poulder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Appropriation ordinance No. 29, 1876, was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poudier, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

General ordinance No. 36, 1876, was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Poudier, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—23.

Negative—None.

Mr. A. L. Wright moved to suspend the rules for the purpose of taking up and placing on its passage general ordinance No. 35, 1876.

Which motion failed to pass by the following vote :

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, Morse, McGill, Poudier, Ransdell, Reed, Steinhauer, Thalman, Webster, Wright Arthur L. and Wright, William G.—17.

Negative—Councilmen Buehrig, Kenzel, Laughlin, McGinty, Reasner and Stratford—6.

SPECIAL ORDERS.

The proposition of the Cleveland, Columbus, Cincinnati and Indianapolis Railroad Co., and the Indianapolis, Peru and Chicago Railroad Co., submitted to Council April 10, 1876, and made the special order for this evening, was taken up.

Mr. Craft offered the following resolution :

Resolved, That the proposition of the C., C., C. & I. Railway and the I., P. & C. Railway, be and same is hereby accepted, and the Mayor is authorized to sign the same on behalf of the city, and the City Clerk is hereby instructed to draw three six per cent. warrants of five thousand dollars each, payable in two, three and four years from date, in favor of the C., C., C. & I. Railway Company.

Mr. Thalman offered the following amendment :

That the City Clerk be directed not to draw the warrants until the railroad companies fulfill their part of the contract.

Which amendment was accepted by Mr. Craft.

Mr. Craft's resolution as amended was then adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright Arthur L. and Wright William G.—21.

Negative—Councilman Laughlin—1.

Mr. Darnell moved to reconsider the vote by which the motion failed to pass to suspend the rules for the purpose of passing general ordinance No. 35, 1876.

Which motion to reconsider was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—22.

Negative—None.

Mr. A. L. Wright renewed his motion to suspend the rules for the purpose above indicated.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—22.

Negative—None.

General ordinance No. 35, 1876, entitled :

An ordinance authorizing the issue of city warrants, and for their negotiation and sale by the City Treasurer, to the amount of fifty-five thousand dollars.

Was read the second time.

Dr. Stratford moved to strike out 8 per cent. and insert 7 3-10 per cent.

Which motion was not adopted.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—22.

Negative—None.

On motion by Mr. Craft, the proposition of the Indianapolis Gas Light and Coke Co. was postponed until next Monday night, and made the special order for that evening.

By consent, the following papers were presented :

Mr. Thalman offered the following motion :

Moved, That a committee of three, consisting of Messrs. Morse, Ransdell and McGill, be appointed to investigate the immediate necessity of protecting the west

bank of White River in Indianola with rip-rap; also, that the Engineer be directed to ascertain what the work can be contracted at per yard, and the probable cost of the whole work; also, that said committee be directed to confer with the County Commissioners in regard to their paying half the expense, the committee and Engineer to report next Monday night, if possible.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That Robert Locey be and is hereby appointed Commissioner of Northern Park as the timber is being destroyed.

Which was adopted.

Mr. Adams offered the following motion :

Moved, That the City Attorney be and is hereby directed to employ additional legal assistance and counsel in the case of Kennedy, trustee, vs. The City, now pending in the United States Circuit Court.

Which was adopted.

Mr. Ransdell offered the following motion :

Moved, That a Special Committee consisting of Messrs. Darnell, Reasner and Morse, be directed to confer with Mr. S. J. Patterson in regard to the purchase of the eleven acres of land to build embankments and straighten the channel of Fall creek, and the withdrawal of suits for damages now pending, and that they report to this Council without delay.

Which was adopted.

Mr. Buehrig offered the following motion :

Moved, That Dickson Bro's & Co. be and they are hereby permitted to extend a water pipe over the sidewalk in front of their place of business, No. 114 and 116 South Delaware street, and maintain a water fountain in connection therewith. They are also granted permission to extend a sign board under said water pipe.

Which was referred to the Committee on Water Works, with power to act.

Mr. Buehrig offered the following motion :

Moved, That the expense of supplying the police force with belts and maces be paid for by the city, and the same to remain the property of the city.

Which was referred to the Board of Police.

Mr. Darnell offered the following motion :

Moved, That the Street Commissioner be and is hereby ordered to raise the boulders on Washington Street from the west side of Illinois street to the east side of Pennsylvania street, on each side of street railroad track, also between rails, the same to be raised to a level with iron.

Which was referred to the Committee on Streets and Alleys.

Mr. Reed offered the following resolution :

WHEREAS, The Police Board have seen proper to remove the policeman from Military Park without giving notice thereof to the Park Commissioner thereby, leaving Military Park unprotected,

Resolved, That the Park Commissioner be and is hereby empowered to appoint Francis Otwell as special policeman of said Park, to receive the pay of a regular policeman, and that the Police Board be required to confer special powers upon said Otwell.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, McGill, McGinty, Ransdell, Reasner, Reed, Steinhauer, Stratford, Thalman and Wright, William G.—17.

Negative—Councilmen Byram, Darnell, Morse, Ponder, Webster and Wright, Arthur L.—6.

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

INDIANAPOLIS, June 5, 1876.

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

Gentlemen.—Your Committee on Streets and Alleys respectfully report on matters referred to them as follows :

First—We recommend that ordinances No's. 28 and 29, for improving Linden street be passed and herewith return the same to be placed on file in their regular order.

Second—Is a motion that the Street Commissioner be directed to grade and gravel the point of ground owned by the city at the intersection of Massachusetts avenue and Clifford street. We recommend it be so done, and that the Engineer be directed to set grade stakes.

Third—Our attention has been called to an obstruction being built in the shape of a bay-window to a house, corner of Illinois and Fourth streets, taking up the sidewalk almost entirely. We recommend that the City Marshal notify the owner to at once remove the same.

Respectfully submitted,

ISAAC THALMAN,

A. IZOR,

W. F. REASNER.

Committee on Streets and Alleys.

The first and second clauses were concurred in.

The third clause was concurred in by the following vote :

Affirmative—Councilmen Buehrig, Byram, Craft, Izor, Kenzel, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reasner, Reed, Steinhauer, Thalman, Webster, Wright, Arthur L. and Wright, William G.—18.

Negative—Councilmen Adams, Bugbee, Case, Darnell and Stratford—5.

Mr. Reed, from the Committee on Printing, etc., submitted the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—Your Committee on Printing would beg leave to report that they have had the matter of the city printing under consideration and have especially and particularly examined the bids for the city advertising, the bidders embracing the Sentinel, the News and the Herald. The Sentinel proposes to advertise at 16½ cents per square; the News at 20 cents per square, ordinary display, or 3½ cents per line, perfectly solid; the Herald at 20 cents per square. The bid of the Sentinel on the tax duplicate list is 24 cents per description; that of the News 25 cents. The

News also proposes to do the entire advertising of the city, delinquent list included, for one year for \$1,800, which would no doubt be a saving from the rates of last year, but would be a greater sum than the printing would come to at the Sentinel Co's figures, providing the same amount of work was done this year as last.

Believing the Sentinel to be the lowest and the best bidder, your Committee would respectfully recommend that the city's advertising be awarded to the Sentinel Company.

In the matter of job work and stationery, your Committee would ask for further time in order to give the bids a more thorough examination.

Respectfully submitted,

ENOS B. REED,
J. C. ADAMS,
ROBT. C. MCGILL,
Committee on Printing and Stationery.

Which was concurred in.

Mr. Buehrig, from the Committee on Parks, submitted the following report :

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—Your Committee on Parks to whom was referred a motion to have Circle Park opened and gravel sidewalks across the same, report that the expense was limited to \$100. Gravel walks and proper steps or gates could not be put in for that amount, further, the matter was at one time referred to the City Attorney, who gave it as his opinion that the city had no right to do so unless by consent of the State officers' who alone it appears have control of said Park. We would recommend that consent of the State officers' be procured and good brick walks be put down instead of gravel, and proper steps or gates erected.

Respectfully submitted,

WM. BUEHRIG,
ISAAC THALMAN,
T. J. MORSE.

Committee on Parks.

Mr. Craft moved that the report be received, and that the Committee be instructed to consult with the State officers, in regard to obtaining their consent to open said park, and also to present an estimate of the cost of the contemplated improvement at such park.

Which motion was adopted.

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

INDIANAPOLIS, June 5, 1876.

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

Gentlemen :—Your Committee on Gas, to whom was referred special ordinance No. 47, 1876, to provide for the erection of lamp posts, etc., on Oriental street, between Washington street and Michigan road, would respectfully report in favor of the passage of the ordinance. An ordinance for improving the said street has been passed, and we recommend the passage of this ordinance at once, in order that the work may be done before the contract is let for improving said street.

Respectfully submitted,

ALBERT IZOR,

MARTIN MCGINTY.

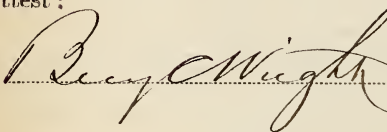
Committee on Gas.

Which was concurred in.

On motion, the Council adjourned.

..... Mayor.

Attest :

..... Clerk.