

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, July 17th, 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Poudet, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—23.

Absent—Councilmen Bugbee, Diffley and McGill.—3.

The proceedings of the regular session, held July 10th, 1876, were read and approved.

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

Indianapolis, July 10, 1876.

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

Gentlemen :—Your Committee on Contracts, to which was referred the proposals, submitted to Council July 3, 1876, have examined the same, and find them to be as follows, to-wit :

First. For grading and graveling Thomas street and sidewalks, between West and Dakota streets—

E. B. Elliott, 59 cents per lineal foot front on each side.

B. Hammill, 59 cents per lineal foot front on each side.

Wm. L. White, 57½ cents per lineal foot front on each side.

James Muse, 57 cents per lineal foot front on each side.

J. Mahoney, 49½ cents per lineal foot front on each side.

H. Seibert, 45 cents per lineal foot front on each side.

John Greene, 45 cents per lineal foot front on each side.

George Wm. Seibert, 43½ cents per lineal foot front on each side.

Fred Gansberg, 43 cents per lineal foot front on each side.

J. Garner & Co., 43 cents per lineal foot front on each side.

Henry Clay, 42 cents per lineal foot front on each side.

Irwin & Hanna, 39 cents per lineal foot front on each side.

Shepherd & Patterson, 38 cents per lineal foot front on each side.

Hudson & Richardson, 35 cents per lineal foot front on each side.

John Flaherty, 33 cents per lineal foot front on each side.

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

Second. For re-bowldering Potomac alley, between Meridian and Illinois streets—

Wm. L. White, 50 cents per lineal foot front on each side.

James Mahoney, 38 cents per lineal foot front on each side.

B. Hammill, 31 cents per lineal foot front on each side.

- A. Douglas, 30 cents per lineal foot front on each side.
- H. Seibert, 30 cents per lineal foot front on each side.
- J. Bernauer, 23 cents per lineal foot front on each side.
- Patterson & Dunning, 23 cents per lineal foot front on each side.
- Geo. Wm. Seibert, 23 cents per lineal foot front on each side.
- Hudson & Richardson, 23 cents per lineal foot front on each side.‡
- Henry C. Roney, 22 cents per lineal foot front on each side.

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

Third. For grading and bowldering the gutter on Park avenue, between Home and Lincoln avenues—

- James Muse, 75 cents per lineal foot front on each side.
- Irwin & Hanna, 59 cents per lineal foot front on each side
- F. Gansberg, 55 cents per lineal foot front on each side.
- E. B. Elliott, 54 cents per lineal foot front on each side.
- Wm. L. White, 54 cents per lineal foot front on each side.
- B. Hammill, 54 cents per lineal foot front on each side.
- Hudson & Richardson, 49 cents per lineal foot front on each side.
- J. Mahoney, 48 cents per lineal foot front on each side.
- George Wm. Seibert, 45 cents per lineal foot front on each side.
- S. J. Smock, 44 cents per lineal foot front on each side.
- Henry C. Roney, 39 cents per lineal foot front on each side.

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

Fourth. For curbing with stone the south side of Merrill street, between East and New Jersey streets—

- F. Gansberg, 50 cents per lineal foot front.
- Wm. L. White, 47 cents per lineal foot front.
- Hudson & Richardson, 45 cents per lineal foot front.
- Henry C. Roney, 43 cents per lineal foot front.

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

Fifth. For grading and graveling the west side of Missouri street, between Vermont street and Indiana avenue—

B. Hammill, 37 cents per lineal foot on said street.

J. Garner & Co., 34 cents per lineal foot on west side.

Henry Clay, 16 cents per foot on each side.

E. B. Elliott, 31 cents per lineal foot on west side.

J. Greene, 27 cents per lineal foot on west side.

George Wm. Seibert, 27 cents per lineal foot on west side.

Wm. L. White, 27 cents per front foot.

Irwin & Hanna, 26 cents per lineal foot.

Shepherd & Patterson, 26 cents per lineal foot.

H. Seibert, 26 cents per lineal foot along the line improved.

James Muse, 13 cents per foot on each side of said street.

James Mahoney, 24 cents per lineal foot front on the line improved.

James Mahoney being the lowest and best bidder, your committee recommend that he be awarded the contract.

Respectfully submitted,

J. W. BUGBEE,

D. M. RANSELL,

Committee on Contracts.

Which was concurred in, and contracts awarded.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—Your Committee on Contracts, to which was referred the proposals, presented to the Council July 10th, 1876, have examined the same, and find them to be as follows, to wit :

First. For grading and graveling the first alley west of Blake street, running from North to Elizabeth streets—

E. B. Elliott, 17 cents per lineal foot front on each side.

Henry Clay, 16 cents per lineal foot front on each side.

Patterson & Dunning, 15 cents per lineal foot on each side.

James Muse, 15 cents per lineal foot front on each side.

John Greene, 14 cents per lineal foot front on each side.

James Mahoney, 14 cents per lineal foot front on each side.

Wm. L. White, 13½ cents per lineal foot front on each side.

Garner & Co., 13 cents per lineal foot front on each side.

Irvin & Hanna, 12½ cents per lineal foot front on each side.

Irving & Hanna being the lowest and best bidders, your committee recommend that they be awarded the contract.

Second. For grading and graveling the first alley north of South street, from the first alley west of Noble street to the first alley east of East street:

Hudson & Richardson, 30 cents per front foot each side where 10 feet wide.

“ “ 32 cents per front foot each side where 12 feet wide.

Garner & Co., 22 cents per front foot each side where 10 feet wide.

“ “ 24 cents per front foot each side where 12 feet wide.

Wm. L. White, 17 cents per front foot each side where 10 feet wide.

“ “ 25 cents per front foot each side where 12 feet wide.

C. McFarland, 19 cents per front foot each side where 10 feet wide.

“ “ 22 cents per front foot each side where 12 feet wide.

James Mahoney, 15 cents per front foot each side where 10 feet wide.

“ “ 20 cents per front foot each side where 12 feet wide.

George Wm. Seibert, 15 cents per front foot each side where 10 feet wide.

“ “ 18 cents per front foot each side where 12 feet wide.

James Muse, 13 cents per front foot each side where 10 feet wide.

“ “ 17 cents per front foot each side where 12 feet wide.

James Muse being the lowest and best bidder, your committee recommend that he be awarded the contract.

Third. For grading and graveling the alley running east and west from Dillon to Linden streets, between English and Spann avenues—

Garner & Co., 20 cents per lineal foot front on each side.

Hudson & Richardson, 19 cents per lineal foot front on each side.

Wm. L. White, 17 cents per lineal foot front on each side.

H. Seibert, 16 cents per lineal foot front on each side.

C. McFarland, 16 cents per lineal foot front on each side.

Irwin & Hanna, 15½ cents per lineal foot front on each side.

John Greene, 15 cents per lineal foot front on each side.

J. Mahoney, 14½ cents per lineal foot front on each side.

E. B. Elliott, 14 cents per lineal foot front on each side.

Holtz & Hennessee, 14 cents per lineal foot front on each side.

George Wm. Seibert, 13 cents per lineal foot front on each side.

George Wm. Seibert being the lowest and best bidder, your committee recommend that he be awarded the contract.

Fourth. For grading and bowldering the south gutter to a width of seven feet and curbing the outside edge of the south sidewalk of Clifford avenue, between the west line of the United States arsenal grounds and Woodruff Place—

George Wm. Seibert, \$1.50 per front foot for bowldering and curbing.

Wm. L. White, \$1.23 per front foot for bowldering and curbing.

Henry C. Roney, 93 cents per front foot for bowldering and curbing.

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

Fifth. For grading and graveling Linden street and sidewalks, between Huron and Pleasant streets—

Wm. L. White, 69½ cents per lineal foot front on each side.

Hudson & Richardson, 60 cents per lineal foot front on each side.

James Muse 55 cents per lineal foot front on each side.

J. Bernauer, 54 cents per lineal foot front on each side.

Holtz & Hennessee, 49 cents per lineal foot front on each side.

John Greene, 49 cents per lineal foot front on each side.

Hiram Seibert, 48 cents per lineal foot front on each side.

James Mahoney, 48 cents per lineal foot front on each side.

E. B. Elliott, 48 cents per lineal foot front on each side.

Garner & Co., 48 cents per lineal foot front on each side.

Irwin & Hanna, 48 cents per lineal foot front on each side.

F. Gansberg, 45 cents per lineal foot front on each side.

George Wm. Seibert, 44 cents per lineal foot front on each side.

George Wm. Seibert being the lowest and best bidder, your committee recommend that he be awarded the contract.

Sixth; For grading and graveling the alley between Lexington avenue and Pleasant street, running east and west from Dillon to Linden streets—

Hudson & Richardson, 27 cents per lineal foot front on each side.

C. McFarland, 20 cents per lineal foot front on each side.

Garner & Co., 18½ cents per lineal foot front on each side.

Wm. L. White, 15½ cents per lineal foot front on each side.

E. B. Elliott, 15 cents per lineal foot front on each side.

H. Seibert, 15 cents per lineal foot front on each side.

John Greene, 14 cents per lineal foot front on each side.

J. Mahoney, 13½ cents per lineal foot front on each side.

Irwin & Hanna, 13½ cents per lineal foot front on each side.

George Wm. Seibert, 13 cents per lineal foot front on each side.

Holtz & Hennessee, 12 cents per lineal foot front on each side.

Holtz & Hennessee being the lowest and best bidders, your committee recommend that they be awarded the contract.

Respectfully submitted,

J. W. BUGBEE,

D. M. RANSDELL,

Committee on Contracts.

Which was concurred in, and the contracts awarded.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, July 17, 1876.

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

In compliance with orders of the Council, of date March 1, 1875, I report a seventh corrected and final estimate allowed J. B. Smith, for grading and paving with wooden block pavement, and curbing the outside edges of the sidewalks with stone, Meridian street, from New York to Tinker or Seventh streets.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing seventh corrected and final estimate allowed James B. Smith for grading and paving with wooden block pavement, and curbing the outside edges of the sidewalks with stone, Meridian street, from New York to Tinker or Seventh 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following report :

Indianapolis, July 17, 1876.

To the Finance Committee of the Common Council of the City of Indianapolis:

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

A first and partial estimate allowed Irwin & Hanna for grading and graveling Greenwood street and sidewalks from Ninth to Tenth streets—

829.6 lineal feet at 51 cents.....\$423.04

Also, a first and partial estimate allowed William Sonnefield for grading and graveling the alley between Huron and Elm streets, from Cedar to Grove streets.

1,360 lineal feet at 17 cents.....\$231.20

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate allowed Irwin & Hanna for grading and graveling Greenwood street and sidewalks from Ninth to Tenth 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed William Sonnefield, for grading and graveling the alley between Huron and Elm streets, from Cedar to Grove 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reas-

ener, Reed, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—I herewith report the following contracts and bonds for your approval :

Contract and bond of William Neal for grading and graveling Camp street and sidewalks from First street to St. Clair street.

Contract and bond of James Mahoney for grading and graveling the alley between Washington and Market streets, running from Arsenal avenue west to the east line of J. M. Ridenour's homestead, thence north to Market street.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was received, contracts concurred in, and bonds approved.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—In view of the fact that the city is soon to be divided into sewer districts, for the purpose of assessing more equitably those who are benefited by the construction of sewers in the respective districts, I would call the attention of your honorable body to the urgent necessity of securing the proper levels of every gutter and water course in the city, and acquiring a knowledge of the points into which said gutters and water courses are drained ; and also of taking levels of other streets upon which there are no grades established as yet, in order to utilize and properly apply the benefits of the sewer-district plan.

I am also obliged to establish new bench marks in many places where the old ones have been destroyed. This must be done at once, whether the sewer-district plan is carried into effect or not.

I am also obliged to establish a new base for the purpose of properly draining the southern section of the city, for the reason that the present base,

which is located at the mouth of the Kentucky avenue sewer, is much more elevated than the ground south of that point. This fact shows the necessity of making a new starting point, which should be located at or adjacent to Sellers' farm, from which levels could be run to the city. This matter is of great importance to the whole city, and the work of leveling should be commenced at once, though in performing said work I will need the aid of another assistant engineer and two men for about five months, which additional force I trust your honorable body will allow me.

I am drafting a gutter map, showing the points into which each gutter is drained, which will be a valuable aid in carrying out the provisions of the sewer-district ordinance. The map cannot be completed, however, until the levels above referred to are taken.

SECOND.

I would recommend and urge that the Indianapolis Water Works Co. and Indianapolis Gas Light and Coke Co. be requested to furnish the City Civil Engineer's office with a chart, showing the location of their pipes throughout the city, so that proper calculations may be made in crossing them with sewers. This is a matter of much importance, and I trust it may receive your immediate attention.

THIRD.

I would recommend that the Street Commissioner be instructed to change the grade of the drain pipes along Christian avenue from Peru street east to and connecting with Archer street sewer, so that the water may be diverted from the Railroad street sewer, thereby decreasing the amount of water flowing into the latter named sewer.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The first clause was concurred in, and the Engineer authorized to employ the additional help asked for.

In regard to the second clause, Mr. Thalman offered the following motion :

Moved, That the Indianapolis Water Works Company and the Indianapolis

Gas Light and Coke Company be requested to furnish the charts referred to in the report of the City Civil Engineer.

Which was adopted.

The third clause was concurred in.

The City Clerk presented the following preamble and resolution :

WHEREAS, On the 29th day of March, 1875, two certain precepts were ordered to issue against E. M. Kemper in the sum of \$31.60 each, for grading and graveling Eighth street and sidewalks, from Peru R. R. to Hill avenue ; said amounts being unpaid and due to Messrs. Davis & Muse, and

WHEREAS, The affidavits upon which said precepts were ordered to issue are erroneous in this, to-wit: Lots 9 and 10 are assessed as being in "S. A. Fletcher's North-east Addittion," when they are in the "Indianapolis Car Company's Addition to the city of Indianapolis." Now, therefore,

Be it Resolved, That the vote by which said precepts were ordered to issue, and all action had on said precepts, be and is hereby reconsidered and annulled, and said Davis and Muse are hereby granted permission to file new affidavits for the collection of such assessments.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—21.

Negative—None.

Also, the following report :

Indianapolis, July 17, 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 improvements and sewes assessments by precept, to wit:

Bruner & Riner vs. James B. Dickson, for	\$99 00
Hiram C. Luce vs. John S. Carpenter, for	6 25
Samuel P. Strong vs. Charlotte Guffin, for	103 95

Samuel P. Strong vs. Joseph Pool, for	75	82
Samuel P. Strong vs. Lotta Guffin, for...	100	61
Samuel P. Strong vs. James P. Graham, for.....	104	46
Samuel P. Strong vs. Sidney H. Johnson, for...	101	25
Samuel P. Strong vs. Deloss Root, for.....	107	80
Samuel P. Strong vs. Stoughton A. Fletcher, Jr., for.....	107	80
Samuel P. Strong vs. Gilbert W. Davis, for.	107	80
Samuel P. Strong vs. Eliza V. Lippincott, for	103	18
Samuel J. Smock vs. E. B. Willa ^{ms} (christian name unknown) for...	55	65
Davis & Muse vs. Elizabeth M. Kerper, for.....	31	60
Davis & Muse vs. Elizabeth M. Kerper, for.....	31	60
James W. Hudson vs. Caroline M. and W. Sellers for.....	32	34

And respectfully recommend that you order the precepts to issue.

BENJ. C. WRIGHT,
City Clerk.

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

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—21.

Negative—None.

Also, the following report :

Indianapolis, July 17, 1876.

To His Honor, John Caven, Mayor of the City of Indianapolis :

Gentlemen :—I respectfully report that on the 12th day of July, 1876, I certified to the City Treasurer the transcript of the report of the City Commissioners as to the assessment of benefits and damages in the matter of laying out and opening an alley through out-lot No. 93, from the first alley east of East street to the west line of out-lot No. 92.

Respectfully submitted,
BENJ. C. WRIGHT,
City Clerk.

Which was approved.

Also, the following report :

Indianapolis, July 17, 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 of the City Commissioners as to the assessment of benefits and damages in the matter of laying out and opening Court street from East street to Noble street to a width of twenty-eight feet.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Which was approved.

The City Treasurer submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—I have the honor to report that on Thursday, July 13, 1876, I tendered to the President of the Central Plank Road Company the sum of sixteen hundred and forty dollars (\$1,640), that being the amount of damages awarded said company by the City Commissioners for a portion of road owned by said company immediately west of the White River bridge, and condemned by said commissioners for the purposes of a street; and I further report that the President of said road company refused to receive said damages, and that tender of the same was made within the time required by law.

Respectfully submitted,

H. W. TUTEWILER,

Treasurer.

Which was approved.

The City Attorney submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—According to your instruction at the last meeting of Council, I herewith submit to you an ordinance in relation to the payment of damages by the City Treasurer for the condemnation of real estate, and I would

recommend that it be passed at once, as in my opinion it will save the city considerable litigation and from any liability to pay damages twice.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was concurred in.

The City Attorney introduced general ordinance No. 41, 1876, entitled :

An ordinance in relation to the payment of damages by the City Treasurer for the condemnation of real estate.

Which was read the first time.

The City Attorney submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—In the matter of the motion introduced at the last meeting of the Council instructing the Market Master to accept bills paid for repairs on the East Market in payment for stalls when the same are certified to by the Committee on Markets, I would report that it is my opinion the Council have the power to direct the Market Master to receive such bills in payment of their stall rents.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was concurred in.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—In compliance with the motion adopted by your honorable body at its last session, I have examined the question as to the power of the city to require the Street Railway Company to lower their tracks to the grade of the street, and to repair the streets between the tracks, and would report that sections five and six of the original ordinance granting the company permission to use the streets, requires it to improve the street occupied by the tracks and two feet on each side of the rails, and to remove and relay at its

own expense the tracks when required to do so. And in November, 1857, the ordinance was amended so as to suspend the operation of these sections until January 1, 1878. However, the first section of the ordinance of November, 1867, provides that the tracks of any such railway shall not be elevated above the surface of the streets, and the same shall be so laid as to conform to the established grade of the streets of said city, and in such manner as to be no impediment to the ordinary use of the streets of the city, and the passage of wagons, carriages and other vehicles upon and along and across the said tracks at any point and in all directions, with suitable bridges at all gutters so as to permit the free and unimpeded flow of water in and along said gutters: This ordinance of 1867 does in terms relieve the street railway company from the expense of taking up and relaying tracks and from the obligation of improving between the rails and two feet upon each side of the same, but it does not relieve the company from the obligation to repair. A release from the obligation to improve would not relieve it from the obligation to repair. In one case, an entire change of the street has been made by establishing or changing the grade, or by making a new improvement, and in the other case, it is where the company makes use of the street put in repair and in good order, either at the expense of the city or property owners. I think the railway company, when they enter upon and occupy a street that is in repair and in good order, for the purpose of using the same, are bound to keep the portion of the street occupied by them in a state of repair corresponding with the remaining portion of the street.

The streets are for the use of the public, and a corporation that is licensed to use them is bound, so far as consistent with the use to which they put them, to maintain the part thus used by it in ordinary and reasonable repair. This I think is the law, independent of any express contract or statute on the subject; and there is nothing in the ordinances of the city relieving the Citizens Street Railway from this obligation.

Therefore I am of the opinion that it is the duty of the Street Railway Company, when they enter upon a street for the purpose of laying tracks upon it, to lay the tracks so as to conform with the grade of the street, and to repair all wear and injury caused to the street by the use of the same by the said company. If the space between the tracks is so worn by the use made of it by the company as to cause it to become lower than the adjacent portions of the street, so as to incommode travel, it is the duty of the company to so repair the streets as to make them correspond with the other portions of the street. If they have in constructing or laying their tracks upon any street, placed the same above the grade of the street, so as to incommode travel upon the same, it is their duty to relay it so as to conform with the grade of the street. The proper mode of procedure would be for the Council to order

notice to be served upon the company requiring them to do the repairing needed, and upon their failure to do so within a reasonable time, then for the city to order the work to be done by the city authorities, and collect the cost of the same from the company.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was concurred in.

The Chief Fire Engineer submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—I would recommend your honorable body to take such action as may be necessary to have built fire cisterns at the following named points, as the property in the immediate neighborhood is without adequate fire protection.

Twelve hundred barrel fire cisterns at points named below : One at the corner of College avenue and Twelfth or Reagan street ; one at the corner of Dakota and Morris streets, and one at the intersection of Laurel and Orange streets.]

Respectfully submitted,

W. O. SHERWOOD,

Chief Fire Engineer.

Which was concurred in.

The Board of Health submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—We desire to call your attention to certain tenements owned by the city on Illinois street, between Ohio street and the first alley north, said tenements being a portion of the Tomlinson estate. These houses have no proper drainage, the waste water running into the privies. These privies have several times overflowed into the livery stable of Scudder Bros., immediately in the rear.

We recommend that said premises be drained, either into the Illinois street sewer, or into a branch sewer in the first alley north of Ohio street. In the latter case the drain must pass through lots belonging to Mr. Tomlinson ; or

the drain might connect, if permission were obtained, with that in the rear of the three tenements north of those owned by the city, and so reach the alley before mentioned.

F. M. HOOK,
S. A. ELBERT,
J. W. MARSEE,
Board of Health.

Which was referred to the Committee on Public Buildings.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—The Board of Health have inquired into the surroundings of Hose Reel Co. No. 8, on East Washington street, in this city, and find that this company occupies a small room, partitioned off in a livery stable, which surrounds the quarters on three sides; that the washings from the stalls, and liquid manure, accumulates under the floor of the room which the men occupy, and in which they are compelled to sleep; that the place is poorly ventilated, the men being compelled to breathe air poisoned by the horses confined in said stable; that the health of the men suffers in consequence, several of them being constantly sick.

We recommend that steps be taken to move the company to other quarters without delay, the city, in our opinion, having no more right than any citizen to jeopardize the health of men in its employ.

Respectfully submitted,

F. M. HOOK,
S. A. ELBERT,
J. W. MARSEE,
Board of Health.

Which was received.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—The Board of Health have examined the proposed line of sewer from the City Hospital to Fall creek, in said city, and recommend that the proposed improvement be immediately made: *Provided*, that only the waste water, and that used for scrubbing, etc., be drained into said sewer,

and that the offal, excrement, urine, and other diseased and poisonous matter, be prevented from entering said creek, since the water supply for the city is obtained partially from this source. This waste water now accumulates in stagnant pools on the surface of the ground, and relief is imperatively demanded.

Respectfully submitted,

F. W. HOOK,
S. A. ELBERT,
J. W. MARSEE,
Board of Health.

Which was referred to the Hospital Board.

Also, the following report :

Indianapolis, July 17, 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 8th day of July, to 6 o'clock P. M., on the 15th day of July, 1876.

Under 1 year	27
1 to 2 years.....	3
2 to 3 "	2
3 to 4 "	0
4 to 5 "	0
5 to 10 "	1
10 to 20 "	1
20 to 30 "	7
30 to 40 "	3
40 to 50 "	1
50 to 60 "	1
60 to 70 "	0
70 to 80 "	0
80 to 90 "	0
90 " 100 "	0
Above 100 "	0
Unknown	4
Total.....	<u>50</u>

Respectfully submitted,

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

J. W. MARSEE,
Secretary Board of Health, pro tem.

Which was received.

The City Attorney and Mayor submitted the following joint report :

Indianapolis, July 10, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—We herewith submit for your approval a contract between the Indianapolis Gas Light and Coke Company and the city, which we have prepared, and would recommend that the Mayor be instructed to execute the same on behalf of the city.

Respectfully submitted,

R. O. HAWKINS,
City Attorney.

JOHN CAVEN,
Mayor.

Also, the following contract :

This agreement, made and entered into between the Indianapolis Gas Light and Coke Company, of the first part, and the City of Indianapolis of the second part, witnesseth :

The party of the first part, its successors and assigns, in consideration of the covenants and agreements of the party of the second part, hereinafter set forth, does covenant and agree with the said party of the second part as follows :

That the party of the first part, its successors and assigns, will furnish gas of the quality and kind provided for in the third section of the ordinance enacted March 19, 1866, for all the street lamps of said City of Indianapolis, now erected and in use, or which may hereafter be erected and put in use by said city, upon time tables to be furnished by said city, and which tables shall require and provide for thirty-two hundred hours each year, for each and every street lamp, and the burners thereof shall be of the capacity of not less than four cubic feet per hour for each and every lamp, and the said party of the first part, its successors and assigns, does also agree to properly, and at proper and regular times, light and extinguish lamps, to keep them clean and in repair, and to keep all posts in repair and in such order as shall make them serviceable and fit for use, to provide all materials, employ and pay all persons required to do such work properly, hereby undertaking and agreeing that the said city shall in no wise be put to any expense whatsoever for keeping the lamps, posts, pipes and all appurtenances thereof in order and repair, but that all such expenses shall be paid and borne by the party of the first part, its successors and assigns.

That the party of the first part, its successors or assigns, will furnish gas for all offices occupied by city officers, for all engine houses, for the council chamber, for all tunnels, bridges station houses, and all other places where gas is required for the use of the city in her corporate capacity, at the price of two dollars and fifty cents per thousand cubic feet, meter measurement. That the said party of the first part, its successors or assigns, will allow all private consumers, who shall pay their gas bills at the office of the company, on or before the tenth day of each and every month, a reduction of fifty cents on each thousand cubic feet of gas; but in all cases where such consumers do not pay their bills for gas, within the time above specified, the price shall in every such case be three dollars per thousand cubic feet, as specified in the ordinance of March 19, 1866.

The gas, which the one party agrees to take and the other party to furnish, shall, both that furnished to the city and to private consumers, be of the quality, in every respect, described in said ordinance of March 19, 1866; and the party of the first part, its successors or assigns, further agree that in event of a general reduction in the price of gas being made by them to all private consumers below two dollars and fifty cents per thousand cubic feet, during the continuance of this contract, then, and in that event, the same reduction shall be made to the city, in all gas paid for by metre measurement, but this provision shall not apply to gas consumed or furnished for the street lamps.

And the said party of the first part, its successors or assigns, also agree that in case they shall fail or neglect to keep the said street lamps and posts clean and in repair, as provided in this contract, then the said city shall have the right to cause said cleaning or repairing to be done, and deduct the cost of the same from any sum of money due from her to the said party of the first part, its successors or assigns.

And the said party of the first part, its successors or assigns, further agree that the said city shall have the right to deduct from any amount due to them from said city, the sum of fifteen cents for each and every night for each and every post that is not lighted and kept so lighted during the time required by the time tables; *provided*, that such sum shall not be retained except upon proof of such failure to light being duly made.

And the said party of the first part also agrees to purchase of the said city all the materials, fixtures and tools that she now has on hand for use in repairing and lighting the street lamps, the same to be purchased at their market value.

And the said party of the first part also agrees that the said city, through her properly authorized officers, shall at all times have the right to test both

the quality of the gas furnished and the capacity of the burners upon the street lamps.

In consideration of the aforesaid promises, covenants and agreements of the party of the first part, the said City of Indianapolis does undertake and agree with said party of the first part, its successors or assigns, as follows: That the city will pay to the said party of the first part, its successors and assigns, for each and every street lamp of said city to which gas is supplied, the sum of twenty-nine dollars per annum; said sum to be full compensation for all gas furnished, and for cleaning, lighting, keeping in repair and in order for service such lamps and posts as above undertaken and agreed by the party of the first part, and the city does further agree to pay for gas furnished said city in her corporate capacity, except street lamps, the price of two dollars and fifty cents per hundred feet as above mentioned. The compensation herein agreed to be paid shall be paid by the party of the second part at the end of each and every month, and city warrants or orders shall be received at par in such payments.

And the said city further agrees with the said party of the first part, its successors and assigns, that during the continuance of this contract all fines and damages collected by said city from persons for breaking or damaging said street lamps or posts, shall be paid when collected to the said party of the first part.

This contract shall be in full force and operation for the period of five years from the first day of August, 1876: *Provided*, that said city shall have the right to renew and continue the same for the further period of five years from the first day of August, 1881, if she shall so elect.

It is further stipulated and agreed that nothing in this contract shall alter, modify, annul, or suspend the provisions of the contract at this time existing between the said party of the first part and the said City of Indianapolis as evidenced by the ordinance of the Common Council of March 19, 1866, except so far as may be necessary to give effect to the provisions of this contract, and when this contract shall terminate, either by expiration of the time limited, or by the failure or refusal of the city to perform its part thereof, then the said contract of March 19, 1866, shall stand and continue for the unexpired term thereof to be the contract between the parties hereto as well touching the gas furnished to said city as that furnished private consumers, and in all respects as though this contract had not been made.

In witness whereof the parties have caused their corporate names and seals to be affixed by their proper officers this — day of —, 1876.

Mr. Reed moved that the contract be read and acted upon section by section.

Which was adopted.

The first section was read.

Mr. Thalman moved to strike out 3,200 hours and insert 2,000.

Which substitute, on motion by Mr. Buehrig, was laid on the table by the following vote :

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Craft, Izor, Kenzel, Laughlin, McGinty, Ransdell, Reed, Schmidt, Stein-hauer, Stratford, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—Councilmen Darnell, Morse, Pouder, Reasener and Thalman.—5.

On motion by Mr. Laughlin the first section was then approved.

The second section was read.

Mr. Thalman moved to strike out the clause allowing a reduction of fifty cents per 1,000 cubic feet of gas to private consumers, provided such private consumers pay their gas bills on or before the tenth day of each month.

On motion by Mr. Thomas the above motion was laid on the table by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Izor, Laughlin, Reasener, Schmidt, Stein-hauer, Stratford, Thomas, Webster, Wright, Arthur L., and Wright, William G.—14.

Negative—Councilmen Buchrig, Darnell, Kenzel, Morse, McGinty, Ransdell, Reed, Pouder and Thalman.—9.

The second section was then approved.

The third section was read and approved.

The fourth section was read and approved.

The fifth section was read and approved.

The sixth section was read and approved.

The seventh section was read and approved.

The eighth section was read and approved.

The ninth section was read and approved.

The tenth section was read and approved.

The eleventh section was read.

Mr. Reed moved to strike out all after the words " It is further stipulated and agreed " and insert the following as a substitute :

"That this agreement take the place and be in lieu of the present contract which the Gas Company has with the city, dated March 19, 1866."

Mr. Thomas moved to lay the substitute on the table.

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

Affirmative—Councilmen Buehrig, Byram, Craft, Kenzel, Laughlin, McGinty, Steinhauer, Stratford, Thomas, Webster, Wright, Arthur L., and Wright, William G.—12.

Negative—Councilmen Adams, Case, Darnell, Izor, Morse, Poud-
der, Ransdell, Reasener, Reed, Schmidt, and Thalman.—11.

Mr. Laughlin moved that the eleventh section be approved.

Which was adopted by the following vote :

Affirmative—Councilmen Buehrig, Byram, Craft, Kenzel, Laugh-
lin, McGinty, Steinhauer, Stratford, Thomas, Webster, Wright,
Arthur L., and Wright, William G.—12.

Negative—Councilmen Adams, Case, Darnell, Izor, Morse, Pou-
der, Ransdell, Reasener, Reed, Schmidt, and Thalman.—11.

Mr. Thalman moved that the contract be rejected.

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

Affirmative—Councilmen Buehrig, Byram, Case, Craft, Izor,
Kenzel, Laughlin, McGinty, Poud-
der, Steinhauer, Stratford, Thomas,
Webster, Wright, Arthur L., and Wright, William G.—15.

Negative—Councilmen Adams, Darnell, Morse, Ransdell, Reas-
ener, Reed, Schmidt and Thalman.—8.

Dr. Stratford moved that the contract be accepted.

Which motion was adopted and the contract be accepted by the
following vote :

Affirmative—Councilmen Buehrig, Byram, Craft, Kenzel, Laugh-
lin, McGinty, Steinhauer, Stratford, Thomas, Webster, Wright, Ar-
thur L., and Wright, William G.—12.

Negative—Councilmen Adams, Case, Darnell, Izor, Morse, Pou-
der, Ransdell, Reasener, Reed, Schmidt, and Thalman.—11.

The Superintendent of the City Hospital submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen:—The following report of the City Hospital and Branch, for the week ending Saturday, July 8, 1876, (including July 1, 1876) is respectfully submitted.

NO. OF BEDS IN HOSPITAL—80.	Saturday.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	Total Adults.	Total Infants.	Total.
	JULY -----	1	2	3	4	5	6	7	8		
Number of Patients at last report—adults -----	80	80	79	81	72	67	61	63	80	--	
Number of Patients at last reports—infants -----	11	11	11	11	12	12	12	12	--	11	91
Received New Patients—adults -----	1	1	4	--	--	3	3	6	19	--	
Births, or received—infants -----	--	--	--	1	1	1	1	--	--	4	23
Discharged—adults -----	2	1	2	9	5	9	1	4	33	--	
Discharged—infants... -----	--	--	--	--	1	1	1	--	--	3	36
Died—adults -----	--	1	--	--	--	--	--	--	1	--	
Died—infants -----	--	--	--	--	--	--	--	--	--	--	1
Number of Patients remaining—adults -----	80	79	81	72	67	61	63	65	65	--	
Number of Patients remaining—infants -----	11	11	11	12	12	12	12	11	--	12	77
Number of Patients in Branch—adults -----	--	--	--	--	--	--	--	1	1	--	
Number of Patients in Branch—infants -----	--	--	--	--	--	--	--	--	--	--	1
Aggregate of number of days of Patients in Hospital—adults -----	82	81	83	81	72	70	64	69	602	--	
Aggregate of number of days of Patients in Hospital—infants -----	11	11	11	12	13	13	13	12	--	85	687

Respectfully submitted,

F. J. VAN VORHIS,

Superintendent.

Which was received.

The Superintendent of the City Hospital also submitted the following report :

Indianapolis, July 17, 1876.

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

The following report of the City Hospital and Branch for the week ending Saturday, July 15, 1876, is respectfully submitted :

NO. OF BEDS IN HOSPITAL.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	Total Adults.	Total Infants.	Total.
	JULY.....	9	10	11	12	13	14	15		
Number of Patients at last report—adults.....	65	65	68	70	64	65	66	65	..	
Number of Patients at last reports—infants.....	12	11	11	11	9	8	7	.....	12	77
Received New Patients—adults.....	1	5	2	...	3	4	2	17	...	
Births, or Received—infants.....	...	...	...	...	...	...	...	...	...	17
Discharged—adults.....	...	2	...	6	2	3	3	16	...	
Discharged—infants.....	...	...	...	1	1	1	1	.....	4	20
Died—adults.....	1	...	...	...	...	...	...	1	...	
Died—infants.....	1	...	...	1	...	...	...	.....	2	3
Number of Patients remaining—adults.....	65	68	70	64	65	66	65	65	...	
Number of Patients remaining—infants.....	11	11	11	9	8	7	6	.....	6	71
Number of Patients in Branch—adults.....	1	1	1	1	1	1	1	.....	...
Number of Patients in Branch—infants.....	...	...	...	...	...	...	...	.....	...	1
Aggregate of number of days of Patients in Hos- pital—adults.....	66	70	70	70	67	69	68	470	...	
Aggregate of number of days of Patients in Hos- pital—infants..	12	11	11	11	9	8	7	.....	69	539

Respectfully submitted,

F. J. VAN VORHIS,

Superintendent.

Which was received.

INTRODUCTION OF ORDINANCES.

Mr. Adams introduced special ordinance No. 75, 1876, entitled :

An ordinance to provide for grading and paving with brick the north side-walk on St. Clair street, between New Jersey and East streets.

Which was read the first time.

Mr. Buehrig introduced special ordinance No. 76, 1876, entitled :

An ordinance to provide for grading and graveling Palmer street and sidewalks, from the Bluff road or Meridian street, to Union street.

Which was read the first time.

Mr. Byram introduced general ordinance No. 42, 1876, entitled :
An ordinance protecting public morality, decency and order.

Which was read the first time.

Mr. Craft presented the following communication :

Indianapolis, July 17, 1876.

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

Gentlemen:—The undersigned member of the Common Council from the First Ward, to whom was referred the petition of Thomas A. Goodwin in regard to the condition of East street, between North and St. Clair streets, have considered the same, examined the ground, and find it even worse than represented in the said petition. We would, therefore, introduce the following ordinance, and recommend its passage.

Respectfully submitted,

W. H. CRAFT.

Which was received.

Mr. Craft introduced special ordinance No. 77, 1876, entitled :
An ordinance to provide for grading, graveling, bowldering and curbing East street, between Massachusetts avenue and St. Clair street.

Which was read the first time.

Mr. Morse introduced general ordinance No. 43, 1876, entitled :
An ordinance prescribing certain regulations relative to the sale and purchase of provisions, produce, and other articles, at any market in the City of Indianapolis.

Which was read the first time.

Mr. McGinty introduced special ordinance No. 78, 1876, entitled :

An ordinance to provide for grading and graveling the first alley west of Tennessee street, from McCarty street to Ray street.

Which was read the first time.

Mr. Pouder introduced general ordinance No. 44, 1876, entitled :

An ordinance fixing the boundaries of the wards of the city of Indianapolis, and repealing certain ordinances therein named.

Which was read the first time.

Mr. Ransdell presented the following petition :

Indianapolis, July 17, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on West Ohio street, between Illinois street and Tennessee street, respectfully petition for the passage of an ordinance providing for curbing the sidewalks with stone, and bowldering the gutters on both sides of Ohio street, and between the streets named, except that portion on the South side of said Ohio street already curbed, viz : extending from Illinois street to the first alley west, and being in front of the business block and residence of Doctor Thompson, said ordinance to provide, however, for the bowldering of the gutter on said portion of said street.

And your petitioners will ever pray, etc.

James G. Douglass, 66 ft.; George Knodle, 38 ft.

Which was received.

Mr. Ransdell introduced special ordinance No. 79, 1876, entitled :

An ordinance to provide for bowldering and curbing the gutter on Ohio street, between Illinois and Tennessee streets.

Which was read the first time.

Also, the following petition :

Indianapolis, July 17, 1876.

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

Gentlemen :—The undersigned, owners of property on the south side of

Maryland street, between Illinois and Tennessee streets, respectfully petition for the passage of an ordinance providing for bowldering the south gutter of said street, between said points, and curbing the outside edge of the sidewalk where not already curbed.

And your petitioners will ever pray, etc.

Chamber of Commerce, 67½ ft.; Henry C. Wilson,
101.8 ft.

Which was received.

Also, special ordinance No. 80, 1876, entitled :

An ordinance to provide for grading, bowldering and curbing the gutter on the south side of Maryland street, between Illinois and Tennessee streets.

Which was read the first time.

Also, the following petition :

Indianapolis, July 17, 1876.

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

Gentlemen :—The undersigned, owning the majority of property on the east side of Tennessee street, between Maryland and Chesapeake streets, respectfully petitions for the passage of an ordinance providing for bowldering the gutter and curbing the outside edge of the sidewalk, where not already curbed, between said points.

And your petitioners will ever pray, etc.

CHAMBER OF COMMERCE,

By H. C. WILSON, President.

Which was received.

Also, special ordinance No. 81, 1876, entitled :

An ordinance to provide for grading, bowldering and curbing the gutter, where not already curbed, on the east side of Tennessee street, between Maryland and Chesapeake streets.

Which was read the first time

Mr. Thalman introduced special ordinance No. 82, 1876, entitled :

An ordinance to provide for grading and graveling the first alley west of Mississippi street, between Market and Ohio streets.

Which was read the first time.

His Honor, the Mayor, presented the following communication or address :

GENTLEMEN OF THE COMMON COUNCIL :

The depressed condition of business at other points has had the effect to bring here large numbers of laborers and mechanics in search of employment, until there is now an excess, and some are now in want. What caused this condition of general depression will not now be considered, nor any remote remedy. Some better remedy, however, should be found than to throw the poor and laboring classes of the whole country out of employment.

The city has been called upon to furnish labor by ordering improvements made, the expense of which falls upon individual property owners, but shifting the burden to return in a short time upon the tax payers; and we are employing large numbers in cleaning the streets, a considerable portion of which is not urgently needed. There should surely be a better remedy for hard times than to spend what we have for labor not needed instead of economizing and reducing taxes to the lowest limit, having full value for every dollar. We inaugurate a system of increased taxation in the nature of a forced contribution to pay for work not needed. It is taking from one to relieve another. This can not be permanent nor even of long continuance. One portion of community can not long maintain themselves and also a large number of others. All who are able must maintain themselves.

The times are exceptional and require thought and action, and the question is, what can we as citizens and as a Council do to benefit our city and maintain its prosperity ?

I know there are some who think the future possibilities and probabilities of this city have been overestimated; but when the simple facts are recited of our local advantages, they are so great that to those who have not considered them they no doubt seem like exaggeration. Those who are hopeful of the future can at least safely point to the past. Let the doubting but reflect what our city was twenty, years ago, and what it is to-day, and then say if the most sanguine prophets did not fall far short of the truth, and whether the most exaggerated expectations have not been far more than realized. This is not the result of accident or of a forced process which can not be maintained, but is built upon the solid

bed-rock of facts, causes and local advantages which can be demonstrated by the inexorable logic of mathematics, and, although but partially comprehended, have asserted themselves by their intrinsic force all the time far in advance of the expectations of the most sanguine.

1. We are the center of a railroad system with not more than one or two equals in the world, Indiana standing first in railroads and telegraphs, having a larger proportion of these compared with population than any civil or political division on the globe. These railroads penetrate eighty-seven counties out of ninety-two in the state.

2. We are the political, social, and commercial capital of a state containing two millions of people. In 1870 in population we ranked as the twenty-seventh city. To-day we rank seventeenth, having passed and left behind two rivals each year.

3. In the production of wheat we are the second in the Union, and in proportion to territory very far the first.

4. In the production of corn we are third, and in proportion to territory we are second.

5. In farm products and machinery we are four and five, and in proportion to territory we are almost second, and are annually producing more labor-saving machinery than all Asia with 800,000,000. With 2,000,000 population we produce food sufficient to feed 5,000,000. Were a famine to occur in Ohio, we could receive her entire population as guests, and feed them and have to spare. Indiana can produce food sufficient for the combined population of the states of New York, Massachusetts, Pennsylvania, Ohio, and Illinois, in addition to our own.

We possess in almost inexhaustible quantities the best of timber—walnut, hickory, ash, etc. Also, building stone, clay for pottery, fire brick, the finest queens-ware clay, cement, lithographic stone, etc., as also large deposits of excellent iron ore.

We have another source of wealth far greater than all, that seems to be scarcely appreciated. Indiana may become one of the greatest manufacturing states in the world. We have the prime essential base of all manufacturing elements in our inexhaustible beds of coal; much of it, that known as the block coal, having no superior anywhere. The coal area in Indiana is about 6,500 square miles, and equal to more than one-half the coal area of Great Britain, and one-twentieth that of the United States. Taking the coal veins shown to exist by the official geological survey, and leaving out all thin veins, estimating only those of three feet and over in thickness, and within workable depth, and then deducting one-half of what remains

for loss and waste, and there is left 1,812,096,000,000 cubic feet of coal. Seventy pounds is the legal weight of a bushel of coal in this state. The average weight of a cubic foot of Indiana coal is about eighty pounds. This would give 2,071,966,757,143 bushels. Estimating it to be worth one cent per bushel in the mine, its value would be \$20,719,667,571, a sum sufficient to buy all the real and personal property in the United States at its assessed value in 1870, and then leave enough to pay the national debt three times over; a sum sufficient to build a narrow-gauge road, costing \$10,000 per mile, 2,071,966 miles in length, or eighty-three times around the world.

Estimated at one cent per bushel in the mine, the coal in Vermillion county would be worth \$487,500,000; enough to build 487 narrow-gauge roads to Indianapolis, costing \$1,000,000 each. Greene county could build 338 such roads, Sullivan county 1,166, Parke county 440, Daviess 874, Martin 109, Clay county 564.

Professor Cox states that the price of coal at Middlesborough, the capital of the Cleveland iron district, in the north of England, in 1873, was \$5.50 per ton. The English ton is 2,240 pounds, equal to 32 bushels of our measure, and this would be $17\frac{1}{2}$ cents per bushel, Indiana measure, and is double the cost in this city; so that on the question of cheap fuel we can compete with English manufacturers. At 10 cents per bushel in the market, the value of the coal of Indiana would be \$207,196,675,710, or $14\frac{1}{2}$ times the assessed value of all the property of the United States in 1870.

Should a contract be made to deliver all this coal at Indianapolis at ten cents per bushel, and the contract completed and pay day come, and the purchaser had at his disposal all the national bank notes and greenbacks in the United States, he would only be able to pay one dollar of each \$296, or about one-third of one per cent., and were he to mortgage and pledge all the real and personal property in the United States for the balance, near ninety per cent. of the debt would be still unsecured.

The coal, if sold at ten cents per bushel, would pay the national debt one hundred times; would buy all the real and personal property in Indiana near three hundred times. The coal in Sullivan county, estimated at one cent per bushel in the mines, is nearly double the assessed value of all the property in the State of Indiana, as reported in the United States census for 1870.

Were this coal consumed in manufacturing, and a profit of one cent per bushel made and deposited in the state treasury, the amount would be \$20,719,667,571, equal to one and a half times all the property in the United States in 1870.

Mining one hundred bushels per day each, it would employ the entire male population of the State between twenty-one and forty-five for one hundred and eighty

years, and their wages at three cents per bushel would be \$62,159,002,714, or ninety-three times the value of all the property in the State of Indiana.

If loaded on railroad cars of ten tons, or 250 bushels each, 8,287,867,028 cars would be required; and if the cars were each thirty feet long, would make a train near forty-seven millions of miles in length, or 1,880 times around the world; and were the train to run night and day without stopping for a moment, the last car would be two hundred and sixty-eight years arriving at the starting point.

This mode of illustration has been adopted, believing it would more readily bring to the comprehension of those who have not considered the subject of the immensity of our resources.

The civilized, progressive nations are those where manufactures are largely developed. It is the manufacturing nations that become rich and great, and it appears that when raw material and fuel have to be brought together experience has demonstrated that everything must be brought to the fuel or motive power. Take England, for example. High authority has said "that the commerce of England, until the rise of the trading and maritime power of the United States, had long been without a parallel," and yet she has scarcely any raw material but her coal. Her iron ores are of lean quality, and she imports largely, and yet she has long been supplying herself and much of the world with iron, exporting in 1872 \$180,000,000 in value. Without a pound of cotton, in 1872 she imported of the raw material to the value of \$266,903,350, herself consumed to the extent of nearly one-half of the import, and then exported and sold abroad to the amount of \$400,826,755, making a profit of \$133,917,425. Carrying the cotton from the fields of the southern United States to her coal, and then carrying the manufactured goods back across the ocean to clothe the laborer that raised the cotton, and making enormous profits, importing at the same time food for her laborers, importing in the year 1872 corn and flour alone to the amount of \$256,444,180. After buying abroad and retaining for home consumption she sends abroad to sell manufactured goods to the amount of \$1,572,944,170 in a single year, an amount equal to one-third the entire manufactures of the United States. An able writer says: "Great Britain is the most dependent country on the face of the globe. She depends upon foreign nations for the bulk of her food and raw material, and then depends upon foreign countries for a market." Her exports have doubled in the last thirteen years, consisting almost entirely of manufactured articles, everything else being less than one-sixth the whole, and not more than one-third obtained from her own resources. Bigelow, in his work on the tariff question, says: "When we consider that England draws her material strength from her commerce, and that her manufactures almost entirely sustain that commerce, we see at once the ground of her anxiety," etc. The United

States consumes about one-fourth of England's exports. For her manufactures the English Parliament have legislated, and her ministers have labored and thought, and her armies have fought. She has supported a large, extravagant, non-producing aristocracy, and an expensive royalty, and a state church, and a large standing army, and has fought many and long and costly wars, imported her food and raw material, and yet grown great and rich and powerful; one of the leading nations of the world in every respect, all growing out of her manufactures, and they based upon her coal. Without coal England never would have approached her present power and importance. The American Encyclopedia states: "The aggregate steam-power of Great Britain in 1860 was 38,635,214 horse power, equal to the productive laboring force of 400,000,000 of men, or twice the power of the adult working population of the globe. Nothing more striking or instructive in regard to the value of coal when utilized by our industrial community could be stated than this fact." Producing in 1860 in manufactures alone, in which one-tenth of her population were engaged, twenty times the productive force of her entire population, if all were able-bodied adults; and since that time the consumption of coal has increased five-fold, and with improved machinery the productive force, we may well suppose, has increased in even a greater ratio. This dependent nation, with scarcely anything within herself but her coal, producing no gold or cotton, carries raw material from other countries to her coal, which is working for her equal to hundreds of millions of men. We are the greatest cotton and gold-producing country in the world, and yet we are unable to maintain a gold circulation, and this great nation is unable to redeem its promises to pay; how to return to specie payments being the great problem of the day, baffling the wisest statesmen. England is drawing gold from us in every ship that sails, and accumulating it in her bank vaults by the ton. We send our gold to England almost to the last dollar to buy that of which we have the raw material in exhaustless abundance, while she has it not at all. We send to her hundreds of millions to buy that which, in a normal condition, we should make cheaper and better, and we should be the seller and her the buyer.

Were we to manufacture for ourselves that which we could to the greatest advantage, we could retain our gold at home, for we see that manufacturing centers gather in the gold of the world, and the vast accumulations show they must be making great gains and profits. Rich in gold-producing we are poor in gold, demonstrating that manufacturing must be more profitable than mining gold, for the manufacturing nation accumulates gold while the mining nation does not. With the most prodigal manufacturing advantages we allow ourselves to be excelled and become tributary to those who have scarcely any. England without cotton or gold the United States, the land of gold and cotton—the United States drained of gold to buy cotton from England.

With vast fertile plains, millions of acres uncultivated, capable of feeding the world; our mountains filled with golden ore; our hills with coal and iron; a country capable of producing in exhaustless abundance everything that human heart can wish; yet throughout the land are thousands of willing but idle and suffering people. Surely this is abnormal; this idleness should be turned into a productive industry, so directed as to produce and distribute that which would supply this want and relieve this suffering.

The coal mined in the world in 1872 was 227,768,000 tons. In Great Britain in 1873, 128,680,131; in the United States, 45,309,980 tons, or 50 per cent. more than Great Britain used thirty years ago. At this rate Indiana could supply the world for over three hundred years; supply Great Britain for five hundred years, and the United States for fifteen hundred and twenty-five years. Many of the English coal shafts are over two thousand feet in depth. Massachusetts carries coal, ore, leather, cotton and food long distances, and then carries her wares long distances to market. If each female in the United States was to wear one cheap calico dress, it would take all the print mills in Massachusetts a year to fill the order, and \$20,000,000 to pay the bill, and yet Massachusetts carries thousands of bales of cotton through this city to her mills, and sends back to Indiana vast quantities of the cloth for sale.

The great manufacturing city of Pittsburg, out of about 200,000 tons of iron ore used in a year, used but about 5,000 tons of Pennsylvania ore, carrying through this city thousands of tons from the Iron Mountains of Missouri, over the superior coal of Indiana, and then sends nails and wrought and cast iron in large quantities to this city for sale.

By the use of fuel, mechanical power is substituted for human labor—the inert mineral for human muscle. Certain “units of work,” or “man power,” have been adopted by mechanics and engineers.

Supposing a miner to mine four tons per day, then a pound of coal will yield 388 times the manual labor required to mine it; eighteen pounds of coal is equal to the labor of an able-bodied man for eight hours, and two bushels of coal, costing twenty cents in our market, will yield as much motive power as the hard labor of a man for a week. Communities without motive power grow rich as they produce by manual labor, but where fuel exists the fuel will perform hundreds of times the labor required to produce it. Take one acre of Sullivan county coal: at one hundred bushels per day it would take a miner fifteen years, and yet the coal when mined would afford a power equal to the continuous labor of one man for over 5,600 years. The coal in Sullivan county alone is equal to the laboring power of one million of men for 1,555 years, and the coal of the state to the labor of 26,000,000

of men for over 1,000 years. What vast forces, what a mighty, willing servant is slumbering in our 6,500 square miles of coal, awaiting the touch of the miner's pick!

The estimated gold production of the world for the past five years is \$118,000,000 per year.

The coal mines of Indiana could yield this value at the market at low rates, and maintain it for 1,750 years.

The foregoing are mere estimates of value at the mines or the raw coal at the market, while there is yet to be estimated the immense amount of labor to be employed in using it, and the enormous values of manufactured goods produced, of which power the coal is the indispensable base. Imagine the machinery, the tools, the locomotives, the railroad iron, the wares and merchandise which could be produced by the consumption of this vast body of coal, the motive power it would yield, and the labor it would employ, and then we begin to comprehend its immense value and importance. Indeed, it is beyond computation. Edward I and Queen Elizabeth issued proclamations forbidding the use of stone-coal in the city of London during the sitting of Parliament, lest the health of the knights of the shire should suffer during their residence in the metropolis; and another, writing in 1649, says:

“It was not many years since the famous city of London petitioned the Parliament of England against two offensive commodities which were likely to come into great use and esteem, and that was Newcastle coals, in regard of their stench, etc., and hops, in regard they would spoyle the taste of drinck and endanger the people.”

This stone which was rejected afterwards became the head of the corner. The earliest employment in England of coal for making iron was in 1713. The historian Macaulay says that prior to 1677 works for the manufacture of iron had long existed in England, “but had not prospered, and had been regarded with no favorable eye by the government and by the public.” “It was not then the practice to employ coal for smelting ore, and the rapid consumption of wood excited the alarm of politicians.” That as late as 1685 not more than 10,000 tons of iron were cast annually in England, while at the date of his writing, about 1865, 800,000 tons are annually produced; that in 1677 one-half of all the coal raised from the pits was consumed in London, and writers of that date did not expect to be believed when they stated that 350,000 tons were brought to the Thames in 1685, and then goes on to say that in 1865 3,500,000 tons per year are required for the city of London, and that a moderate estimate for the whole kingdom would be 20,000,000 tons. The amount raised in 1872 was 128,680,131, an increase in seven years of 640 per cent.

We see then that England had her day of small beginnings, and her wonderful growth since the uses and value of coal began to be comprehended.

In 1649 the people of London petitioned Parliament against the use of coal, and two crowned heads proclaimed against it as a nuisance, and prohibited its use; and to-day England's prosperity, her wealth and power, her national importance, indeed her existence, almost, depend upon her coal. In 1590 there were but four persons in the city of London with an income of over \$2,000 per annum, and when, in consequence of a treaty in 1665 money was to be remitted to Frankfort and Hamburg, Hume says that the whole trade of England could not supply above \$125,000 per month, or equal to \$1,500,000 per year—or not more than the revenues from taxation of Indianapolis and Marion county for one year.

A later writer, Mr. McCulloch, in "Statistics of the British Empire," as far back as 1848, says: "It is hardly possible to exaggerate the advantages England derives from her vast beds of coal. Our coal mines are the principal source and foundation of our manufacturing and commercial prosperity. Since the invention of the steam engine coal has become of the highest importance as a moving power and no nation, however favorably situated in other respects, not plentifully supplied with this mineral, need hope to rival those that are, in most branches of industry. Our coal mines have conferred a thousandfold more real advantage on us than we have derived from the conquest of the Mogul empire, or than we could have reaped from the dominion of Mexico and Peru. They have supplied our manufacturers and artisans with a power of unbounded energy and easy control, and they have enabled them to overcome difficulties insurmountable by those to whom nature has been less liberal of her choicest gifts."

Tacitus, writing more than sixteen hundred years ago, says that in the year A. D. 61 London was "a city very much frequented by an abundance of merchants and ships that enter its ports."

In 1141 London was a city of 40,000. When over 1,000 years old it was less than half as large as Indianapolis. In 1841 it was 1,652,902, showing an average increase of about 2,000 per annum for seven hundred years. In 1801 the population was 958,860; from 1801 to 1811 the increase was about 18,000 per year; 1811 to 1821, 24,000; 1821 to 1831, 27,600; 1831 to 1841, 29,300; 1841 to 1851, 41,381; 1851 to 1861, 121,585 per year. The increase in the ten years from 1851 to 1861 was equal to more than 50 per cent. of its entire previous growth, and was 256,990 more than the entire growth from the year 61 to the year 1801, a period of 1,740 years, and the increase in architecture and improvements and wealth was in still greater proportion—all this enormous growth based upon her commerce—that commerce the outgrowth of her manufactures, and that manufactures based upon her

coal; take that away and the grand fabric would never have arisen. From 1861 to 1871 the increase was 146,304 per year, or 1,462,998 in ten years, or nearly half as much as in the previous 1,800 years. London used 4,000,000 tons of coal in the first seven months of 1874.

Philadelphia is the second largest manufacturing city in the world, and the largest in the United States. In 1820 it had 10,000 more people than Indianapolis has now. In 1850 the amount of her manufactures was \$64,114,112, and her population 408,702. In 1870 her manufactures amounted to \$322,004,517, and her population to 674,022, and had nearly twice as many dwellings as New York.

The great cities of St. Louis, Chicago, Cincinnati, and Cleveland owe their wonderful growth and prosperity to their manufactures, and this all the time in exact proportion to the increased use of coal. In 1860 the value of manufactured products in Cincinnati was \$46,995,662; in 1870, \$143,486,675—an increase of over 200 per cent. in ten years.

Indianapolis manufactured in 1874 one-half as much as Philadelphia did in 1850. In 1685 the historian did not expect to be believed when saying that 350,000 tons of coal were consumed in London; in 1874, 306,980 tons were consumed in this city. Population in the United States in the last hundred years has increased sixteen and one-fourth fold, and manufactories have increased 210 fold. Manufacturing has increased thirteen times as fast as population. Indianapolis manufactured in 1874 \$12,000,000 more in value than were manufactured in the whole United States in the year 1776.

The earliest mention of coal in Indiana was on the occasion of the peace of 1763. Colonel Craghan was sent by the British government to explore the country adjacent to the Ohio river, and to conciliate the Indian nations. He was captured by a party of Indians and carried up the Wabash river. At a point near where Covington now stands he states "that on the south side of the Ouabache runs a high bank in which are several fine coal mines."

In Indiana there was in 1870 8,015,369 acres of unimproved land, sufficient to support 6,000,000 of people. In Marion county there are 88,000 acres of fertile land never touched by the plow; nearly enough, if properly cultivated, to feed the people of this city.

All New England raises but little more than one peck of wheat to the inhabitant. The estimated amount required for each individual is $5\frac{3}{4}$ bushels. The state of New York buys millions of bushels every year for her own consumption from the west. Maryland and Delaware only supply themselves. Pennsylvania sometimes has a little to sell.

In 1870, Indiana produced fourteen bushels to each inhabitant, enough to feed her own people and 16,500,000 bushels to sell.

If Old and New England States can carry their raw material and fuel and food long distances, and then carry their manufactures long distances to market, Indiana, with far greater advantages, with inexhaustible stores of the raw material, and fuel under our feet, and vast supplies of food to sell, with a market all around, and easy transportation in every direction, we ought to be able not only to compete but to far excel; and I feel safe in saying that in a few years we will, and we will look back and wonder how we were blinded so long to our advantages, and permitted ourselves so long to be drained of our means to build up distant states, and buy from them to the extent of millions that which we could produce cheaper and better at home.

The construction of a railroad around this city is important. The blockade of our streets has long been a great inconvenience, and a remedy must be found. To bridge or tunnel is very expensive and not at all satisfactory. A road running from the Lafayette on the north of the city eastwardly, and around to the Bloomington and Western, would be about twelve miles in length, and measuring each side would make twenty-four miles of railroad frontage around the city, exceedingly desirable for locations for manufactures. Coal, ore and heavy raw material could be delivered at the furnace door, and the manufactured articles carried away, reducing the expense of hauling to the minimum.

Experience has demonstrated that certain improvements had better be made by private enterprise. Certain local improvements, however, seem to fall within the province of cities themselves—as harbors, docks, etc. Suppose Indianapolis were surrounded by a navigable water, into which poured eleven navigable rivers, navigable to every county in the state, and to every state in the Union, to every fertile valley, to every hillside with its exhaustless mines, to every quarry of stone and forest of timber, and, in addition, this surrounding water was especially adapted for the location of innumerable manufactories, would it be deemed an improper expense for the city to improve such harbor? What that harbor would be to the city in the water, that road might be to us. The stock yards would come before the road was finished, and grain elevators would be built. Its peculiar advantages would invite the location of manufactures, and these would furnish a demand and a market for fuel and farm products, thus building up state industries to aid us further in furnishing a market in turn for the manufactured wares. The Sullivan coal road would soon be built, perhaps finished first. I think, however, I might safely say if the circular road were an assured fact that it would at once decide the coal road as an assured fact. The pit value of 300 acres of coal would build it, and

Sullivan county has 275,000 acres, worth at one-half cent per bushel royalty, \$583,297,000, enough to build six hundred roads to this city.

Six hundred thousand cars pass through this city yearly. Passing outside the city they might run at greater speed, and tolls might be charged which would, in all probability, be sufficient to pay expenses and interest on the cost. By building a depot at each intersection, and a union freight depot in the city, we would attain the maximum benefits of railroads with the minimum of disadvantage.

The following table, I feel safe in saying, will leave a good margin on the safe side:

Cost of double track with third rail for narrow-gauge connections, and six locomotives.....	\$600,000
Annual interest at 7:30.....	43,800
Receipts—	
125,000 loaded cars per annum at 75c.....	93,750
65,000 empty cars per annum at 35c.....	22,750
Total	\$116,500
Expenses one-half of gross income.....	\$ 58,250
Interest.....	43,800
Total	\$102,950
	<hr/>
	\$14,450

Thus paying interest and expenses from the first, and an accumulation of over \$14,000 for a sinking fund, and it may be supposed that the reinvestment of this amount and the increased profits of the road would in twenty years redeem the bonds. I entertain no doubt but that in five years this estimate of business and number of cars will be double.

The great sources of national wealth are agriculture, commerce and manufactures. The prime condition for the last is a cheap supply of raw material, ready access to market, and cheap and easy means of transportation. Indianapolis has what is seldom found, a combination of all these.

Manufactures have generally fallen off everywhere, and in many places never to resume. Competition has been going on, and will; human wants are as many and as great as they ever have been. The law of imperative demand exists, and hence the law of supply must exist. Panics always develop manufacturing centers, and the reason is plain why they should. When manufacturing rallies again capital and enterprise, with keenly and freshly sharpened experience, will seek cen-

tral, prosperous points, and local advantages will be critically weighed and measured, and will determine the question of new location; and, hence, now is the time to demonstrate that we possess these local advantages.

The great reduction in prices will no doubt continue, but as they will adjust their relation, and at home among ourselves less wages will buy as much as higher wages formerly would, for we buy for less as well as sell for less, while the reduction will enable us to compete with the foreign manufacturer as we never have done. Lower prices is a protective and in many cases a prohibitory tariff, and the victorious contestant of the foreign rival, and the result will be a building up of home manufactures—more home labor, less importation, and less foreign debt.

Our Indiana coal is very superior for the manufacture of Bessemer steel, having no equal, and the last few years has developed a wonderful growth in the manufacture of this steel, and in a short time steel railroad bars will alone be used. Our coals are the Titans thrust out of sight into a cavern of the earth, yet "producing" the "substance of hoary steel."

Five or six hundred thousand dollars put into circulation this fall to buy iron from our own mills, ties from our own forests, to put the pick and shovel to work in the hands of hundreds of laborers, would put life and hopefulness into everything about us.

A loan for the purpose could only be made on petition of a majority of the resident freeholders of the city. It seems to be, then, peculiarly the time to strike for our advantages. With every desirable thing about us—a vast, fertile territory—a great net work of railroads over level lands, and capable of easy draft and great speed, producing food and the necessaries, and most of the luxuries, of life in great abundance.

Beneath the fertile soil inexhaustible mines of coal and other wealth-producing mineral, and the rest is with ourselves. What could we ask of heaven that has not given us? The magic touch of capital, enterprise and energy will start the miner's pick, the engine, the loom, and the forge, and make the wilderness to blossom as the rose. To the determined will nothing that is desirable is impossible. Let us not lie still, but up and put our shoulder to the wheel; not wait for the slow coming of events, but boldly create, order, direct and compel them, and in a few years our city will be girt about with a cordon of industries like the pillar of cloud by day and the pillar of fire by night, telling us the angel of prosperity is going before us and leading us on.

As there is now great need of employment by laboring men, and money can be loaned at low rates of interest, perhaps as low as 6 per cent., I have thought it well

to present to the Council the question of the construction of this road. Should it be found that it would relieve our streets, saving bridges and tunnels; that it would immediately pay interest on the investment and for all time offer valuable inducements to capital and enterprise to locate manufactures here; whether it should be built would be well worthy our serious consideration, and I would recommend that the matter be referred to a committee to inquire and report.

Respectfully submitted.

J. CAVEN, Mayor.

Which was ordered printed in the minutes.

Mr. Thalman offered the following motion :

Moved, That the communication be referred to the Committee on Printing with instructions to have the same printed in pamphlet form in such numbers as they may deem proper, also to consult with the Board of Trade and State Geologist as to what number they could properly distribute.

Which was adopted.

By consent, Mr. Schmidt presented the following report :

Indianapolis, July 10, 1876.

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

Gentlemen :—Your Committee on Tunnels respectfully report to grant the petition of Henry Guetig and others, to close up the foot ways of the South Illinois street tunnel, and that the City Civil Engineer is hereby directed to make contract with some responsible person to arch with brick the (four) entrances with the grade of the street.

Also, that the Street Commissioner take in charge gas pipe, fixtures, head-lights and other materials, which are of some value to the city.

Respectfully submitted,

FRED. SCHMIDT,
GEORGE KENZEL,
WM. F. REASENER,

Committee on Tunnels.

Which was concurred in.

Dr. Stratford moved that the rules be suspended for the purpose of allowing each member to introduce one paper or call up one

matter, to include ordinances on their second and third readings.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Mr. Adams offered the following motion :

Moved, That the City Civil Engineer be and is hereby directed to have a man hole put in at the north end of the old cement pipe sewer in Illinois street, and have the same cleaned out and otherwise rendered serviceable.

Which was adopted.

Mr. Thomas, in behalf of Mr. Buehrig, offered the following motion :

Resolved, That the owners of the following described real estate, to-wit: Fifty (50) feet on the west side of Delaware street, from a point 47 feet north of Georgia street, in squares 77 and 98 of the city of Indianapolis, be, and they are hereby required to fill or drain the same, as in the opinion of this Council there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and the inhabitants thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the draining and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said excavation as provided in said ordinance; provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Mr. Byram offered the following resolution :

Resolved, That the owners of the following described real estate to-wit : Lot No. 25, square No. 2, in Wiley & Martin's North-west Addition to the City of Indianapolis, be, and they are hereby required to fill or drain the same, as in the opinion of this Council there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance, provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate as assessed upon the tax duplicates for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Mr. Ransdell offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit : Lots No. 1 and 2 in Ray's sub-division of out-lot No. 160, north-west corner of

Ellen and North streets, of the city of Indianapolis, be, and they are hereby required to fill or drain the same, as in the opinion of this Council there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the draining and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same;" and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance, provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Dr. Stratford offered the following resolution :

Resolved, That the owners of the following described real estate to-wit: Lots No. 87, 88, 89 and 90 (on Woodlawn avenue), and Nos. 75, 76 and 77 (on Pleasant street) in Fletcher's Woodlawn Addition (south-east) to the city of Indianapolis, be, and they are hereby required to fill or drain the same, as, in the opinion of the Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled : "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Mr. W. G. Wright offered the following resolution :

Resolved, That the owners of the following described real estate to-wit : Lot No. 272 in Stone, Wit, Hoyt & Fletcher's sub division of out-lot No. 98, of the city of Indianapolis, be, and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, " An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

Mr. Byram offered the following motion ;

Moved, That the Street Commissioner be and is hereby instructed to fill

up the hole at the intersection of Fayette and Second streets, and to put in a wooden foot bridge at the crossing. Said work to be done immediately.

Which was adopted.

Mr. Case offered the following motion :

Moved, That the City Clerk be and is hereby instructed to issue an order for seventy-three dollars (\$73.00) to D. D. Long, in case of damages assessed in opening the alley through square 93, and that the same be placed in the next appropriation ordinance.

Which was referred to the Committee on Accounts and Claims.

Mr. Craft called up special ordinance No. 56, 1876, entitled :

An ordinance to provide for grading and graveling the first alley west of Noble street between Ohio and Miami streets.

Which was read the second time and engrossed, and read the third time and placed on its passage.

Those who voted in the affirmative were :

Councilmen Case, Craft, Izor, Pouder, Ransdell, Reasener, Reed, Steinhauer, Stratford, Thomas, Wright, Arthur L., and Wright, William G.—12.

Those who voted in the negative were :

Councilmen Adams, Byram, Darnell, Kenzel, Laughlin, Morse, McGinty, Schmidt, Thalman and Webster.—10.

It requiring 18 votes the ordinance failed to pass.

Mr. Darnell offered the following motion :

Moved, That the Street Commissioner be and is hereby ordered to clean up Wabash street on the north side of the east market space, between Alabama and Delaware streets, as the same is in a filthy condition ; also the Commissioner to fill in with good river or creek gravel.

Which was referred to the Committee on Streets and Alleys.

Mr. Izor offered the following motion :

Moved, That the Committee on Water Works examine the fountain at the corner of St. Clair and Massachusetts avenue and have it repaired, as it is of no use in its present condition.

Which was adopted.

Mr. Kenzel offered the following motion :

Moved, That the Street Commissioner be and is hereby directed to fill, with Rolling Mill cinder the gutter on the south side on McCarty street, between Tennessee and Meridian streets, so as to keep it from washing out.

Which was referred to the Committee on Streets and Alleys.

Mr. Laughlin called up special ordinance No. 49, 1876, entitled :

An ordinance to grade and gravel Japan or East street, from Morris to Nebraska streets, and the sidewalks thereon, where not already graded and graveled.

Which was read the second time and engrossed.

Mr. Morse presented the following petition and motion :

Indianapolis, July 17, 1876.

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

Gentlemen :—The undersigned would respectfully ask permission to grade and pave with stone the gutter on West street, in front of lots 53 and 54, in Blackford's sub division, and that the City Engineer set the stakes for the same.

GEO. MERRITT.

Moved, That the prayers of the petitioner be granted, and the Civil Engineer directed to set the grade stakes ; said work to be done at his own expense. Also, that the Street Commissioner be directed to bowlder across the alley between said lots.

Which motion was adopted.

Mr. McGinty called up special ordinance No. 58, 1876, entitled :
An ordinance provide for grading and graveling the first alley west of West street, running north and south from Merrill to Grant streets.

Which was read the second time and engrossed.

Mr. Poudier offered the following motion :

Moved, That S. A. Fletcher be and is hereby granted permission to grade and pave the sidewalk in front of his block of residences, on the north side of North street, between Alabama and New Jersey streets, the same to be at his own expense, and under the direction of the Civil Engineer, who is hereby directed to set the proper grade stakes.

Which was adopted.

Mr. Ransdell submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—The City Hospital Board would respectfully recommend that the City Civil Engineer be instructed to advertise for sealed proposals for building a sewer from the City Hospital to Fall Creek, said bids to state price respectively of a fifteen and eighteen inch and a two foot sewer, of brick, cement, earthenware or stoneware pipe.

Respectfully submitted,

D. M. RANSELL,
ISAAC THALMAN,
J. J. DIFFLEY,

Hospital Board.

Which was referred to the Committee on Sewers, with instructions to report next Monday night.

By consent, Mr. Ransdell offered the following motion :

Moved, That that part of the address of the Mayor referring to the Belt railroad, be referred to the Committee on Railroads, with instructions to report as soon as practicable.

Which was adopted.

Mr. Reasener called up special ordinance No. 56, 1876, entitled :

An ordinance to provide for grading and graveling the alley between South and Rockwood streets, running from East street to the first alley east.

Was read the second time and engrossed.

Mr. Reed offered the following resolution :

WHEREAS, The city seems to be, at the present time, a prey to thieves and burglars, and the dwellings of our citizens are visited almost nightly by these bold and daring depredators, and the present number of the police force seems to be inadequate to prevent or detect these midnight prowlers, it is hereby

Provided, That twenty-four additional patrolmen be added to the force by the Police Board, as soon after the passage of this resolution as possible.

Which was referred to the Police Board.

Mr. Schmidt offered the following motion :

Moved, That the City Civil Engineer is hereby directed to advertise for bids for a 1,000 barrel cistern to be located corner of Arsenal avenue and East Washington street.

Which was referred to the Fire Board.

Mr. Stienhauer called up 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.

Was read the second time.

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

Indianapolis, July 17, 1876.

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

Gentlemen :—Your Committee on Streets and Alleys, to whom was referred sundry papers, respectfully report on the same, as follows :

First. Is a petition in regard to gutter on Reed street, near Woodlawn avenue. We recommend that the Street Commissioner be directed to give it his attention, and if the pipe immediately south of Woodlawn avenue is not of sufficient capacity to let the water through, that he put in another.

Second. Is a recommendation from the Civil Engineer, that an additional culvert be put in at the west side of Kennington street, at the crossing of Yeiser. We recommend that the work be ordered done.

Third. Is an ordinance to grade and gravel Catherine street and sidewalk. We recommend it be stricken from the files.

Fourth. Is an ordinance to grade and pave the south sidewalk on Maryland street, between Pennsylvania and the first alley east. We recommend that the ordinance be passed.

Fifth. Is an ordinance to grade and gravel Orange street and sidewalks, from Shelby to Spruce streets. We recommend that this ordinance be passed.

Sixth. Oliver Healy petitions to raise the grade of an alley between Wright and McKernan and between Buchanan and Dougherty streets. A few loads of gravel in the center of said alley will remedy the evil. We recommend that the Street Commissioner give it his attention.

Seventh. Is a report from the Board of Health in regard to the condition of Sullivan street. There is a great nuisance existing between Bismarck and Buchanan streets on said Sullivan street. This is the street where an alley runs alongside for half a square of the street. As the city would have to pay for improving that part, we recommend that the Civil Engineer be directed to draft an ordinance to only grade said street, which will abate the nuisance and put the matter in a healthy condition, and give the people in the vicinity all summer to wrangle about vacating the alley, which has occupied the attention of the Council and City Commissioner for the past five or six years.

Eighth. Is a motion that the Street Commissioner be directed to boulder and flag the crossing on Washington street crossing of Cruse street. We recommend it be done.

Ninth. Is a petition from property owners, near the crossing of Catherine street and Pogue's Run, stating that the creek was washing away their lots. We recommend that the Street Commissioner be directed to place there any surplus earth or street scrapings that he may have to haul away in that vicinity, provided the parties interested will at their own expense place some kind of protection there to hold the earth after it is put there.

Tenth. Is an ordinance for bowldering Oriental street, between Washing-

ton street and Michigan road, also remonstrance against the same. As the street needs improving, we recommend that the ordinance be placed upon its passage.

Eleventh. Is a motion that the Street Commissioner be directed to repair East Washington street with broken limestone. We recommend that the Street Commissioner be directed to repair where needed.

Twelfth. Is a motion to repair Tennessee street, between New York and First streets. We recommend that the Street Commissioner be directed to repair such places, where badly needed, in said street.

Thirteenth. Is a motion regarding the street railroad track at and near the crossing of Washington and Pennsylvania streets. We recommend that the Street Commissioner give the company notice to immediately lower their track to conform to the grade of the street, as is required by their charter.

Respectfully submitted,

ISAAC THALMAN,

ALBERT IZOR,

W. F. REASENER,

Committee on Streets and Alleys.

Which was concurred in.

Mr. Thomas offered the following motion :

Moved, That no ordinance for the improvement of streets and alleys in this city be entertained by this Council unless petitioned for by at least three-fourths of the resident property owners along the line of such street or alley.

Which was declared out of order.

Mr. Webster offered the following motion :

Moved, That the Committee on Public Buildings be authorized and are hereby directed to advertise for plans and specifications for an extension to the Central Station House, as per recommendation of the Board of Health on June 12, 1876.

Which was referred to the Police Board.

Mr. A. L. Wright offered the following motion :

Moved, That the Street Commissioner be and he is hereby directed to bring to the proper grade the gutter on the south side of North street, between Tennessee and Illinois streets; also, the gutter on the east side of Pennsylvania street, from Washington to Court street; also, the sidewalk on the east side of Delaware street, from Market to Wabash; all to be done according to the stakes set by the Civil Engineer.

Which was adopted.

Mr. W. G. Wright called up 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 second time, and engrossed.

Also, special ordinance No. 64, 1876, entitled :

An ordinance to provide for grading and graveling the alley between Pleasant street and Woodlawn avenue, from Olive to Linden streets.

Which was read the second time and ordered engrossed.

Mr. Adams called up special ordinance No. 33, 1876, entitled :

An ordinance to provide for grading and graveling Clark street and sidewalks, from Hill avenue to Valley drive.

Which was read the second time and engrossed.

Mr. Thalman moved to reconsider the vote by which special ordinance No. 55, 1876, failed to pass.

Which motion to reconsider was adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed,

Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Dr. Stratford called up 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.

Which was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—Councilman Laughlin.—1.

The following ordinances, which had previously been engrossed, were read the third time and placed on their passage.

Special ordinance No. 33, 1876, entitled :

An ordinance to provide for grading and graveling Clark street and sidewalks, from Hill avenue to Valley Drive.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 49, 1876, entitled :

An ordinance to provide for grading and graveling Japan or East street, from Morris to Nebraska streets, and the sidewalks thereon, where not already graded and graveled.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

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.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

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.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Stein-

hauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 55, 1876, entitled :

An ordinance to provide for grading and graveling the first alley west of Noble street, between Ohio and Miami streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 56, 1876, entitled :

An ordinance to provide for grading and graveling the alley between South and Rockwood streets, running from East street to the first alley east.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 58, 1876, entitled :

An ordinance to provide for grading and graveling the first alley west of West street, running north and south from Merrill to Grant streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 64, 1876, entitled :

An ordinance to provide for grading and graveling the alley between Pleasant street and Woodlawn avenue, from Olive to Linden streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Kenzel, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

By consent, Mr. Byram offered the following motion :

Moved, That a committee of three, with the Mayor, be appointed to confer with the County Commissioners in relation to securing quarters for the city officers in the court house.

Which was adopted, and the Chair appointed as such special committee Councilmen Byram, Case and Laughlin.

By consent, Dr. Stratford offered the following motion :

Moved, That the chair appoint a committee of three to devise the best means of obtaining a correct census of the city at an early day, and report to the Council in two weeks.

Which was adopted, and Councilmen Stratford, Webster and Craft were appointed as such special committee.

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

Moved, That Davis and Reganold be and are hereby granted permission to remove their blacksmith shop from Virginia avenue, between Buchanan and Dougherty streets, to the corner of Prospect street and Virginia avenue.

Which was adopted.

By consent, Mr. Thalman offered the following petition :

Indianapolis, July 12, 1876.

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

Gentlemen :—We, the undersigned, property holders on the east side of Blackford street, between Washington street and the west arm of the canal, respectfully request your honorable body to direct the City Civil Engineer to prepare and report an estimate in favor of Macauley and Stone for curbing with stone and paving with brick the above named sidewalk; such estimate to be made on a basis of 25 per cent. less than the original contract price, which estimate said contractors have agreed to accept as a full and final settlement for such work.

By giving this your earliest attention, you will oblige

I. A. TENNEYCK,
R. F. TENNEYCK.

Which was received, and Engineer instructed to prepare such estimate.

On motion the Council adjourned.

J. C. Boren Mayor.

Attest :

Benj. M. Hughes City Clerk.