

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, July 31th, 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, Bugbee, Buehrig, Byram, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—23.

Absent—Councilmen Kenzel, McGill and Thomas.—3.

The proceedings of the regular session, held July 24th, 1876, were read and approved.

Sealed proposals for constructing several public cisterns were received, opened, read, and referred to the Committee on Contracts.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, July 31, 1876.

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

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

A third and partial estimate allowed C. E. Whitsit for constructing a sewer in and along Clifford avenue and Archer street, from Malotte avenue to Pogues Run—

| | |
|---|------------|
| 774.80 lineal feet, 3 feet diameter at \$2.60..... | \$2,014 48 |
| 2166 lineal feet, 3½ feet diameter, at 2.90 | 6,281 40 |
| 17 man-holes, at \$15.00. | 255 00 |
| 12 catch-basins, at \$16.00..... | 720 00 |
| 67 feet 15 inch pipe (extra) at \$1.25... . | 83 75 |
| 25 feet pipe taken up and repaired, at 25 cents... .. | 6 25 |
| Working brick connection at Christian avenue..... | 4 00 |
| Working sewer connection through bridge abutment and laying stone wall..... | 15 00 |
| | <hr/> |
| | \$9,379 88 |
| Less 2½ per cent..... | 232 88 |
| | <hr/> |
| | \$9,147 00 |
| Less former payment..... | 5,317 00 |
| | <hr/> |
| Present payment..... | \$3,830 00 |

Also, a first and final estimate allowed McCauley & Stone for grading, paving and curbing the east sidewalk of Blackford street, from Washington street to west arm of the canal, said estimate made in obedience to the order of the Common Council, July 17th, 1876—

| | |
|--|----------|
| 464 lineal feet paving, at 48 cents..... | \$222 72 |
| 513.3 lineal feet curbing, at 63 cents..... | 323 37 |
| 40.1 cubic yards bowldering, at 79 cents. | 31 67 |
| 135.6 lineal feet flagging, at 62 cents.... | 84 07 |
| | <hr/> |
| Total..... | \$661 83 |
| By order of Common Council, less 25 per cent.... | 165 45 |
| | <hr/> |
| Payment .. . | \$496 38 |

Also, a fifth and final estimate allowed Bruner & Riner for building a brick sewer in and along Massachusetts avenue, from Pennsylvania street to the south side of Vermont street—

| | |
|--------------------------------------|------------|
| 1,471 8 lineal feet, at \$5.40... .. | \$7,947 72 |
| 11 catch-basins, at \$75.00 | 825 00 |
| 4 man-holes, at \$25.00 | 100 00 |
| | <hr/> |
| | \$8,872 72 |
| Less former payments..... | 8,429 00 |
| | <hr/> |
| Present payment..... | \$443 72 |

Also, a first and final estimate allowed J. G. Sickler & Co., for grading and graveling the first alley east of East street, from Stevens to Merrill streets—

| | |
|---|---------|
| 498 lineal feet, at 12½ cents | \$62 25 |
| 10 yards filling on alley crossing, at 10 cents | 1 00 |
| | <hr/> |
| Total payment. | \$63 25 |

Also, a first and partial estimate allowed Michael Faust for grading and graveling Pennsylvania street from Tinker or Seventh street to the north end of said street—

| | |
|--------------------------------------|----------|
| 1,980 lineal feet, at 43½ cents..... | \$861 30 |
|--------------------------------------|----------|

Also, a first and final estimate allowed Wm. Morrison for grading and graveling the alley between Ash and Bellefontaine streets, running from Home avenue to first alley north of Christian avenue—

| | |
|-------------------------------------|----------|
| 1,440 lineal feet, at 17 cents..... | \$244 80 |
|-------------------------------------|----------|

Also, a first and partial estimate allowed John L. Hanna for building a wooden bridge over the State ditch on Central avenue—

| | |
|--|----------|
| 10,000 feet of lumber, at \$14.50..... | \$145 00 |
|--|----------|

Also, a first and final estimate allowed James Garner & Co. for grading and graveling the alley running north and south through out-lot 33, between Walnut and St. Clair streets—

| | |
|-----------------------------------|----------|
| 810 lineal feet, at 34 cents..... | \$275 40 |
|-----------------------------------|----------|

Also, a first and final estimate allowed Fred Gansberg for repairing Sellers Farm road—

1,460 cubic yards, at 33 cents.... \$481 80

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Macauley and Stone for grading, paving and curbing the east sidewalk of Blackford street from Washington street to the west arm of the canal, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing fifth and final estimate allowed Bruner & Riner for building a brick sewer in and along Massachusetts avenue from Pennsylvania street to the south side of Vermont 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 Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, 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 J. G. Sickler & Co., for grading and graveling the first alley east of East street from Stevens to Merrill 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 Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate allowed Michael Foust for grading and graveling Pennsylvania street from Tinker or Seventh street to the north end of said 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 Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, 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 Wm. Morrison for grading and graveling the alley between Ash and Bellefontaine streets, running from Home avenue to first alley north of Christian avenue, be and the same is hereby adopted as the estimate of this Council, and that the

property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following estimate resolution :

Resolved, That that the foregoing first and final estimate allowed James Garner & Co., for grading and graveling the alley running north and south through out-lot 33, between Walnut and St. Clair 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 Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Also, the following report :

Indianapolis, July 31, 1876.

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

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

Contract and bond of E. B. Elliott for grading and paving in and around the East Market House.

Contract and bond of Henry C. Roney for grading and bowldering the

south gutter, and curbing the outside edge of the south sidewalk of Clifford avenue, between the U. S. Arsenal grounds and Woodruff Place.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

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

The City Clerk submitted the following report :

Indianapolis, July 31, 1876.

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

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

| | |
|--|---------|
| Henry Sellers vs. Jennie S. Norwood, for..... | \$ 6 60 |
| Henry Sellers vs. Jennie S. Norwood, for..... | 6 60 |
| Geo. Wm. Seibert vs. Lizetta Werbe, for..... | 39 11 |
| Geo. Wm. Seibert vs. William H. and Mary Scherer, for..... | 38 80 |
| Indiana Cement Pipe Co. vs. Wm. Sheets's heirs, for..... | 75 93 |
| Indiana Cement Pipe Co. vs. Wm. Sheet's heirs, for..... | 75 93 |

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 Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—21.

Negative—None.

Also, the following report :

Indianapolis, July 31, 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 an alley twenty feet in width, between Meridian and Pennsylvania streets, running from Second street north, to connect with an alley already opened, running from Fifth street south.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Which was approved.

Also, the following report:

Indianapolis, July 31, 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, opening and extending Winston street forty feet in width from the northern terminus of Winston street to St. Clair street.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Which was approved.

The City Attorney submitted the following report:

Indianapolis, July 31, 1876.

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

Gentlemen:—In accordance with your request that I should report whether or not the City Council have the power to pass an ordinance creating the office of Market Master for the west market, I would report that the regulation of the city markets and the appointment of market masters is entirely within the power of the Council, and I am of opinion that the Council can pass an ordinance, or amend the existing ordinances, so as to provide for a Market Master at the west market.

R. O. HAWKINS,

City Attorney.

Which was approved.

Also, the following report :

Indianapolis, July 31, 1876.

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

Gentlemen :—In compliance with your request that I should report whether or not the City Council have the power to regulate the levy and assessment of taxes in the city for school purposes, I would report that the act of the legislature, approved March 3, 1871, (see Revised Charters and Ordinances, page 113), provides for the election of boards of school commissioners in all cities having 30,000 or more inhabitants, and it is made their duty to organize by electing a president, secretary and treasurer. The said board is authorized to levy all taxes for the support of the schools within such city; *Provided*, That the levy shall not exceed twenty five cents on the one hundred dollars, for building supplies, etc., and not to exceed twenty-five cents on one hundred dollars for paying teachers. Section 5 of the act provides that the tax levies ordered by the board shall be certified by its president and secretary to the City Clerk, who shall cause the same to be placed on the tax duplicate against all property assessed for city taxes. And that the City Treasurer shall collect the sum as other city taxes are collected, and shall once in each month pay over all such taxes so collected to the treasurer of the board of school commissioners of said city. Section 8 repeals all laws in conflict with it, so far as the same is applicable to cities of thirty thousand or more inhabitants.

As we have a Board of School Commissioners duly elected and organized under that law, I am of the opinion that the Common Council have no power to regulate the levy and assessment of taxes for school purposes, but that such levy and assessment is under the control of the Board of School Commissioners, subject only to the restrictions provided in said law.

Respectfully submitted,

R. O. HAWKINS,
City Attorney.

Which was approved.

The City Treasurer submitted the following report :

Indianapolis, July 31, 1876.

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

Gentlemen :—I have the honor to submit the following report of Receipts and Disbursements of the Tomlinson estate for the year ending June 30, 1876.

RECEIPTS.

| | |
|--|-------------------|
| Balance on hand July 1, 1875..... | \$4,242 80 |
| From rents—32 E. Washington street..... | 2 000 00 |
| “ 32 E. Ohio street..... | 330 00 |
| “ 113 N. Illinois street | 450 00 |
| “ 115 do. | 430 00 |
| “ 117 do. | 280 00 |
| “ 23 W. Ohio street | 470 00 |
| “ 27 do | 180 00 |
| “ 21 Indiana avenue.... | 228 00 |
| “ 30 E. Ohio street.... | 105 00 |
| “ 17 Indiana avenue.... | 100 00 |
| From semi-annual dividend, Savings Bank, July 1875 | 123 94 |
| “ “ “ “ January 1876..... | 198 28 |
| Total..... | \$9,320 02 |

DISBURSEMENTS.

| | |
|---|-------------------|
| Repairs as per vouchers on file.. | \$ 38 50 |
| Insurance, as per vouchers on file..... | 133 05 |
| Commission, as per vouchers on file..... | 244 76 |
| Balance on hand..... | 8,903 71 |
| Total..... | \$9,320 02 |

Respectfully submitted,

H. W. TUTEWILER,

Treasurer.

Which was approved.

The Board of Health submitted the following report:

Report of deaths in the city of Indianapolis from 6 o'clock p. m., on the 22d of July, to 6 o'clock p. m., on the 29th day of July, 1876.

| | |
|--------------------|----|
| Under 1 year | 16 |
| 1 to 2 years..... | 3 |
| 2 to 3 “ | 1 |
| 3 to 4 “ | 0 |
| 4 to 5 “ | 0 |
| 5 to 10 “ | 0 |
| 10 to 20 “ | 1 |
| 20 to 30 “ | 3 |

| | |
|---------------------|-----------|
| 30 to 40 years..... | 2 |
| 40 to 50 "..... | 1 |
| 50 to 60 "..... | 0 |
| 60 to 70 "..... | 1 |
| 70 to 80 "..... | 0 |
| 80 to 90 "..... | 0 |
| 90 " 100 "..... | 0 |
| Above 100 "..... | 0 |
| Unknown..... | 1 |
| Total..... | <u>29</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 Mayor presented the following communication :

Indianapolis, July 31, 1876;

To the Hon. the Mayor of the City of Indianapolis :

SIR:—I have the honor to call your attention to the open sewer crossing Arsenal avenue, on the south side of the Arsenal grounds; also crossing Michigan street, passing from there through the Arsenal grounds. This open sewer, receiving the sewerage from the Reformatory and other places, is an unmitigated nuisance. The health of the command at this Arsenal requires that this nuisance should be abated, and I respectfully call your attention to the same, and would be obliged if you will refer the subject to the City Council with favorable recommendation. It has been the policy of the Government to favor the improvement of the streets adjoining the Arsenal grounds; the amount for the ensuing year for this purpose amounts to something over \$4,000. In return it would seem proper for the city to abate nuisances of the kind referred to without alluding to the right of the city to turn its sewerage into the Arsenal grounds, as was done in this case.

Very respectfully,

Your obedient servant,

ISAAC ARNOLD, JR.,
Captain of Ordnance, Commanding.

Which was referred to the Committee on Sewers and City Civil Engineer.

Also, the following communication :

Indianapolis, July 31, 1876.

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

Gentlemen :—We the Committee of the Indiana Amateur Press Association, respectfully ask of your honorable body the use of the City Council Chamber during the afternoon of August 25, 1876, for a semi-annual meeting of said association, to be held at this city at that time.

WILL. R. PERRIN,
LIVINGSTON D. WELLS,
Committee.

Which was received and prayer of petitioners granted.

Dr. Stratford submitted the following report :

Indianapolis, July 31, 1876.

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

Gentlemen :—I desire to make the following report on the South Park :

I have an opportunity to make an agreement with responsible parties who wish the use of the track for training purposes. They will, provided the Street Commissioner, or some other person directed by the city, will put in the trussel work at the bridge at the northwest side of the track, do the rest of the repairing, and keep the same in repair, and pay a man placed in the Park by the city to look after the city's interest, twenty-five dollars per month, or pay that amount to the city, to be used as its officers see fit. I recommend that such arrangements be made, as it will relieve the city from all expense on account of South Park, and still retain all privileges of using the Park for picnics, or for stock belonging to the Fire Department.

Respectfully submitted,

I. W. STRATFORD,
Commissioner South Park.

Which was referred to the Committee on Parks and City Attorney.

INTRODUCTION OF ORDINANCES.

Mr. Adams presented the following petition :

Indianapolis, July 31, 1876.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Broadway street, between Lincoln avenue and Seventh street, respectfully petition for the passage of an ordinance providing for grading of same, according to stakes to be set by the City Civil Engineer, and thirty (30) feet of the central portion be graveled with good screened river gravel to the depth of one foot in the center, and sloping to the depth of six inches on either side, and that eight feet of the inner portion of the sidewalks be filled or graveled with river gravel to the depth of six inches, and the remaining seven feet in width on the outer portion of said sidewalks be filled with loam or soil from other parts of said street, and that the outer edges of the sidewalks, from Lincoln avenue to the first alley north of Lincoln avenue, embracing about one-half the square, be curbed with Flat Rock Stone, eighteen inches in width, four inches in thickness, and not less than four feet in length, and that all forest trees in the center of said street, between the outer lines of the curbs and on the inner one-half of the sidewalks thereof, be removed therefrom, if desired by the property holders, and that all other trees be left thereon and preserved, except such as the property holders on the same shall desire removed from the front of their several lots.

SAMUEL MERRILL,
GEO. E. TOWNLEY,
OVID BUTLER.

Which was received.

Mr. Adams introduced special ordinance No. 89, 1876, entitled :

An ordinance to provide for grading and graveling Broadway street between Lincoln avenue and Seventh street.

Which was read the first time.

Mr. Byram introduced appropriation ordinance No. 37, 1876, entitled :

An ordinance appropriating money for the Home for Friendless Women.

Which was read the first time.

Also, the following petition :

Indianapolis, July 31, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Illinois and St. Clair streets, between Pratt and St. Clair streets and Meridian and St. Clair streets, respectfully petition for the passage of an ordinance providing for the grading and graveling of the first alley north of St. Clair street, running east and west from Illinois street to Severn alley. To be graded with river or creek gravel.

And your petitioners will ever pray, etc.

Alex. Heron, 90 feet; James N. Mayhew, 40 feet;
Thos. Cottrell, 210 feet; Wm. Coughlen, 40 feet.

Which was received.

Also, special ordinance No. 90, 1876, entitled :

An ordinance to provide for grading and graveling the first alley north of St. Clair street, running east and west from Illinois street to Severn alley.

Which was read the first time.

On motion by Mr. Schmidt, special ordinance No. 87, 1876, introduced July 24, 1876, was taken up and stricken from the files.

Mr. Schmidt introduced special ordinance No. 91, 1876, entitled :

An ordinance to provide for grading and graveling Highland street, between Washington and Market streets.

Which was read the first time.

Also, special ordinance No. 92, 1876, entitled :

An ordinance to provide for grading and graveling Highland street, between Market and Ohio streets.

Which was read the first time.

Dr. Stratford introduced special ordinance No. 93, 1876, entitled :

And ordinance to provide for grading and paving with brick the north sidewalk of Virginia avenue from the first alley east of Cedar street to the east line of lot No. 225.

Which was read the first time

Mr. A. L. Wright presented the following petition :

Indianapolis, July 31, 1876.

To Mayor and Common Council of the City of Indianapolis :

Gentlemen :—The undersigned, owners of the real estate fronting on the first alley north of North street, between Massachusetts avenue and Liberty street, respectfully petition for the passage of an ordinance providing for the grading and graveling of said alley between the points named.

And your petitioner will ever pray, etc.

AUGUST SCHMIDT.

Which was received.

Also, special ordinance No. 94, 1876, entitled :

An ordinance to provide for grading and graveling the first alley north of North street, between Massachusetts avenue and Liberty street.

Which was read the first time.

SPECIAL ORDER.

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.

Was read the second time.

Mr. Adams moved to amend the boundaries of the Eighth Ward by inserting, " and Lexington avenue," in its proper place.

Which amendment was adopted.

The ordinance was then ordered engrossed by the following vote :

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

Negative—Councilmen Buehrig, Diffley, Laughlin, McGinty, Reasener and Stratford.—6.

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.

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

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

Negative—Councilmen Buehrig, Diffley, Laughlin, McGinty, Reasener and Stratford.—6.

ROLL CALL.

Mr. Adams presented the following remonstrance :

Indianapolis, July 25, 1876.

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

Gentlemen :—The undersigned, owning ground on the northeast corner of East Market and Highland streets, in the city of Indianapolis, and on the line of the improvements proposed by ordinances introduced by councilman Schmidt on the evening of the 24th July, 1876, would respectfully show your honorable body that the grade of that portion of Market street and sidewalks lying between the old east corporation line and Arsenal avenue, has already been established by the city, and that that portion of the street and side-

walks has already been well improved; the work on that portion of it lying between Highland street and Arsenal avenue having been improved within the last three years; and that all that portion of the street and sidewalks lying between the old corporation line east and Arsenal avenue, need nothing done with them further than to have the dirt hauled away which the city left in laying the cement pipes. (And as the city requires of others that they leave the streets in as good condition as they find them upon commencing public improvements, will she not do the same by her citizens, and not require them to pay for a needless improvement in order to have loose dirt hauled away?)

Therefore I respectfully remonstrate against any change in the grade of street or sidewalks on East Market street in front of my property, and against the proposed improvement of said street. And as East Ohio street is not improved up to Highland street, I would respectfully remonstrate against the proposed improvement of Highland street at this time; and especially against that portion of it lying between East Market and East Ohio streets.

I have the honor to be,

Your obedient servant,

JAMES L. MITCHELL.

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

Mr. A. L. Wright presented the following remonstrance :

Indianapolis, July 22, 1876.

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

Gentlemen :—When I signed the petition of Mr. Ridenour and others, for the grading and graveling of Market street, I understood that the amount of the improvement that has been made so far should be deducted from the whole expenses of the contemplated improvement, and the balance to be paid, equally divided so much per foot, by all the property holders of Market street between Noble and Arsenal avenue.

If, as some men think, the amount of the accomplished improvement should be deducted from the share of those only who paid for them, I wish to withdraw my signature, and so would probably most all the property holders on Market street.

Yours, most respectfully,

CLEMENS VONNEGUT.

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

Mr. Adams presented the following communication :

Indianapolis, July 11, 1876.

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

Gentlemen :—One day last week I suffered quite a loss under the following circumstances: The city, either by her employees or contractors, was engaged in changing or filling up up the footway used in connection with the tunnel at the west end of the Union Depot; that while so engaged a large opening was left exposed without any protection whatever; that while so open and exposed a team of horses and hack by me owned fell therein, seriously breaking and damaging the hack and injuring the horses; the damage to the hack is the sum of three hundred dollars, to the horses and harness two hundred dollars. With a view to settlement of the claim for damages without suit, I respectfully request that you have the facts investigated, as I am disposed to settle without litigation if it can be avoided. I claim that the injury was sustained without fault on my part, and was occasioned by reason of the fault and negligence of the city and her employees or contractors in leaving open and exposed a dangerous place into which horses and wagons might be precipitated and damaged.

S. H. JOHNSON.

Which was referred to the Committee on Accounts and Claims and City Attorney.

Mr. Buehrig presented the following remonstrance :

Indianapolis, July 31, 1876.

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

Gentlemen :—We the undersigned, owners of lots abutting on the first alley west of Tennessee street, between McCarty and Ray streets, do respectfully remonstrate against the grading and graveling of said alley, for the following reasons:

There is no necessity for the work at present, the alley being dry and in very good condition without it.

It is used but very little, being almost a private alley, and is of no convenience to the public generally, as little or no travel goes through it.

Many of us are not at work, have not been for some time, and can not get

money enough to pay our taxes for the present year, and if the improvement is made it will impose a burden on us which we are unable to carry, and will compel us to allow our property to be sold to pay for it.

We are owners of the greater part of the property adjoining the proposed improvements, and we respectfully submit that it is not our desire to have the work done now, for the reasons named—all being resident owners on the line of the alley with one exception.

Respectfully submitted,

J. Abbett, 30 feet; H. A. Heist, cor. Tennessee and McCarty sts., per H. Lukenbach, Agt.; Ernestina Vollmar, 60 feet; Patrick Whaulihan, 30 feet; Dennis Haley, 30 feet; Wm. Earls, 30 feet; Thos. Kennedy, 30 feet; Mary Brown, 30 feet; Felix Keenan, 30 feet; Bernard Keenan, per F. Keenan, 60 feet; the Fox heirs, (not able to pay) lot 24, 30 feet; Isaac Smith, 30 feet; Cath. Wholihan, 30 feet; Thomas Sayers, 30 feet; August Schmidt, George Smith, Lemuel Roberts.

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

Also, the following resolution:

Resolved, That the owners of the following described real estate to-wit: The west half of Nathan B. Palmer's heirs addition on South Meridian street north of Palmer street, 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Poudler, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—23.

Negative—None.

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

Resolved, That the owners of the following described real estate, to-wit: Lot No. 12 in Wm. Mankedick's sub-division of out-lot No. 3, in the south addition 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Poudler, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—23.

Negative—None.

Mr. Case offered the following resolution :

Resolved, That the owners of the following described real estate to-wit, Klingensmith's subdivision 4, square 1, out-lot No. 128; also lot No. 153

Spann's first 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, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouders, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.
—23.

Negative—None.

Mr. Craft offered the following motion :

Moved, That the City Marshal notify the Street Railway Company to lower their track on Washington street, between Delaware and Illinois streets, so as to conform to the grade of said street; and in case the same it not done within ten days, that the Street Commissioner be and is hereby instructed to do the work and collect the cost of same from the said company.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That the City Civil Engineer be, and is hereby ordered to make a survey of the Patterson levee, and report to this Council, on next Monday evening, how much money it will take to finish the same.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and is hereby ordered to notify the Street Railroad Company to lower their tracks on Tinker street, between Alabama and Pennsylvania streets, or fill up the same with good river or creek gravel; and if the same is not done within ten days after notification, the Street Commissioner to do the same, and keep an accurate account of the same, and charge the same to the above company.

Which was adopted.

Mr. Izor offered the following motion :

Moved, That the Street Commissioner be, and is hereby instructed to pave the small place on Davidson street, adjoining the Ninth District School property, formerly an alley, but now adjoining the school property—the alley being vacated.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and he is hereby instructed to repair the gutter on Massachusetts avenue from St. Clair street north on east side a sufficient distance to drain the stagnant pools of water in that location.

Which was adopted.

Mr. McGinty presented the following petition :

Indianapolis, July 31, 1876.

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

Gentlemen:—We the undersigned, property holders of South Missouri street, do most respectfully petition your honorable body not to grant the right of way, temporary or permanent, to any railroad or railroads down Missouri street, as we all are very much opposed to the same being laid down on our street, and protest, and petition against it.

Yours respectfully,

Mrs. D. G. Wilson, 107 feet; John McCarty Wilson,
guardian for James Greer, 180 feet; Roger Parry

130 feet; James W. Dixon, 150 feet; Mrs. Ann Smith, 25 feet; Mrs. H. Carr, 50 feet; Johnston Wallace and Andrew Wallace, 120 feet; William Wallace, 25 feet; Geo. Thompson, 50 feet; Mrs. Mary Logan, 120 feet; Mrs. M'Gill, 30 feet; A. Wiegand, 300 feet; W. W. Smith, 240 feet; Mrs. S. B. Morrison, 100 feet; Mrs. Hannah Morley, 60 feet; Isaac Clines, 30 feet; Thomas Pursell, 30 feet; Cornelius Kelley, 30 feet; John Russell, 30 feet; Albert Taggert, 30 feet; Dennis Griffin, 50 feet; Mrs. Ann Burns, 45 feet; Patrick Barry, 101 feet; William Burns, 291 feet; Patrick Carney, 30 feet.

Which was referred to the Committee on Railroads.

Mr. Ransdell offered the following motion :

Moved, That the Committee on Finance be directed to inquire into and report to this Council, at the next regular meeting, the entire indebtedness of the city on the 15th day of May, 1876, on account of bonds.

Outstanding city orders.

Appropriations by Council—not paid.

Liability of city under contracts not completed.

Judgments against the city.

All other indebtedness within their knowledge.

Which was adopted.

Also, the following petition :

Indianapolis, July 31, 1876.

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

We, the undersigned, property owners west of White River, humbly petition for a protection of the property along the river bank, from the Washington street bridge to the corporate limit, by grading the same off, and rip-raping with iron clinkers or rubble stone.

The high water of last year cut into portions below the new junction of

Fall creek from twenty to forty feet, and another flood must certainly damage us beyond the possibility of protection.

W. C. Holmes, James C. Ferguson, V. K. Morris,
John C. S. Harrison, and 22 others.

Which was referred to a Special Committee consisting of Messrs. Morse, McGill, and Ransdell, City Civil Engineer and City Attorney.

Mr. Reasener offered the following motion :

Moved, That the City Marshal be and is hereby directed to notify the property holders on the first alley north of South street, between East and the first alley east of East street, to move in their fences, under the direction of the City Engineer, so that the contractor can go ahead and grade and gravel said alley.

Which was adopted.

Also, the following petition :

Indianapolis, July 31, 1876.

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

Gentlemen :—Your petitioners, Theo. Bock and G. Lang, respectfully ask that the tax paid for city taxes for the year 1875, in the name of Lang & Bock, amounting to \$13.13—G. Lang for \$0.80 and Theo. Bock for \$0.87—be refunded, as your petitioners' property on which assessments were made was not situate within this city.

THEO. BOCK,
G. LANG.

Which was referred to the Committee on Accounts and Claims.

Mr. Reed offered the following motion :

Moved, That Abraham Bird be granted permission to bowlder the first alley north of Ohio street, between Ohio and New York streets, running east to Bird street; also to curb with stone in front of his property on Illinois street. Said work to be done at his own expense and under the direction of the City Civil

Engineer, who is hereby directed to set the grade stakes; the work to be done within 60 days.

Which was adopted.

Mr. Stienhauer presented the following petition:

Indianapolis, July 31, 1876.

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

Gentlemen :—Your petitioners pray your honorable body to cause to be laid out, opened, and extended, Dunlop street to a width of sixty (60) feet, and running from Madison avenue, in a western direction, to Chestnut street.

A plat of such proposed street is herewith filed and made part of this petition.

Respectfully, &c.

Jacob Witlinger, Thos. B. Dawson, Peter Balz, W.
Carothers, H. Clearwater, and 32 others.

Which was referred to the Committee on Opening and Laying Out of Streets and Alleys.

Mr. Webster offered the following motion:

Moved, That the Street Commissioner be, and is hereby instructed, to improve that part of Plum street lying between Arch street and the first alley north of Arch street, said work to be done under the direction of the City Civil Engineer.

Which was adopted.

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

Moved, That R. N. Smith be granted a license to sell at auction, at No. 60 North Illinois street, subject to the ordinances of the city governing the same.

Which was adopted.

Also, the following petition:

Indianapolis, July 31, 1876.

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

Gentlemen :—Your honorable body is hereby respectfully requested to replace my stock of city orders, and those of others who may desire it, by one or more large warrants, so as to enable them to negotiate them in the East. I hold about \$15,000 worth of such small city orders, too small to be taken by Eastern capitalists, and am in need of the money that was promised to be paid by said orders, and expected shortly after the 3d Monday in April of this year.

Your honorable body may arrange said change so as not to incur one cent additional expense for the city; for instance, by issuing a separate voucher for the interest, accrued till now, payable on the 3d Monday of April, 1877, without interest.

Hoping that your honorable body will favor my request, I will ever pray.

CLEMENS VONNEGUT.

Which was referred to the Committee on Finance.

Mr. Izor offered the following motion :

Moved, That the Market Master be granted the privilege to extend the market wagons south from Market street on the east side of Delaware and the west side of Alabama streets, as the present demands are so great for room that he can not accommodate their wants.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That the assessment made against Herman Unverzant by the City Commissioners in the opening of Mississippi street, from Tinker to Twelfth streets, as benefits to said Unverzant, be revoked. The city took a piece of ground 60 feet wide, 415 feet long, and charged him \$110.00. He therefore asks to be released from the payment of the above sum.

Which was referred to the Committee on Accounts and Claims.

By consent, Mr. Adams submitted the following report :

Indianapolis, July 31, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—Your Committee on Judiciary, to whom was referred the petition of the Manhattan Marble Works, asking your honorable body to relieve their capital stock from assessment, claiming that their stock has been assessed for 1875 at 50 cents on the dollar, whereas it was worth nothing, and had no market value. All the property they owned was three thousand dollars in personal property, returned. Your committee, after a careful examination of the facts as set forth in the communication of the above company, are of the opinion that the assessor has placed too high a valuation upon the stock of the Manhattan Marble Company, and recommend the City Assessor to assess their capital stock at 10 cents on the dollar, that being the market value of the same.

Respectfully submitted,

J. C. ADAMS,

D. M. RANSDELL,

J. J. DIFFLEY,

Committee on Judiciary.

R. O. HAWKINS,

City Attorney.

Which was concurred in.

By consent, Mr. A. L. Wright, from the Committee on Finance, submitted the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—Your committee and the City Attorney, to whom was referred the petitions of Frederick Brink and others, asking to be relieved from the assessment heretofore made upon their property for the construction of the Madison avenue sewer, would report that they have given the matter some attention, and while the assessment no doubt is something of a hardship upon some of the petitioners, still in view of the fact that the city has already relieved all the property owners from the assessment against their property who could not tap the sewer, and in view of the fact that the granting of the prayer of the petitions would cause an expense of something near two thousand dollars to the city, which the City Treasury at this time is not in a situation to pay, and as the sewer was ordered to be built by a former City Council, upon the basis and supposition that one dollar and fifty cents per foot front would be collected from the property owners upon the line thereof,

and as no steps were taken by the property owners before the work was commenced to contest the justice of the assessment in the courts, your committee are of the opinion that the prayer of the said petitions should not be allowed.

Respectfully submitted,

A. L. WRIGHT,

N. S. BYRAM,

J. THOMAS,

Com. on Finance.

R. O. HAWKINS,

City Attorney.

Dr. Stratford, from same Committee, submitted the following minority report :

Indianapolis, July 31, 1876.

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

Gentlemen :—The undersigned, a minority of the Finance Committee, desire to make the following report on the petition of Frederick Brink and others, asking to be released from assessments for building Madison avenue sewer. We recommend that the prayer of the petitioners be granted, for the following reasons: Nine-tenths of the property owners frequently, both during pendency and during the construction, remonstrated against the work being done at their expense, as they did not desire to tap it. We believe it too great a hardship to take the hard-earned money of poor persons (who, many of them, are out of work) to pay for work that does not benefit them one cent, and which they never asked for, but always opposed.

Respectfully submitted,

I. W. STRATFORD,

J. C. LAUGHLIN,

Committee on Finance.

Mr. Buehrig moved to concur in the minority report.

Which was adopted, and minority report concurred in by the following vote :

Affirmative—Councilmen Adams, Buehrig, Case, Craft, Darnell, Diffley, Izor, Laughlin, Morse, McGinty, Pouder, Reasener, Reed, Schmidt, Steinhauer, Stratford, and Wright, William G.—17.

Negative—Councilmen Bugbee, Byram, Ransdell, Thalman, Webster and Wright, Arthur L.—6.

ORDINANCES ON FIRST READING.

The following ordinances were read the second time and ordered engrossed :

Special ordinance No. 211, 1875.

“ “ 18, 1876.

“ “ 19, 1876.

“ “ 50, 1876.

“ “ 51, 1876.

“ “ 52, 1876.

“ “ 57, 1876.

“ “ 59, 1876.

“ “ 65, 1876.

“ “ 68, 1876.

Special ordinance No. 61, 1876, entitled :

An ordinance to provide for constructing a cement pipe sewer in and along Potomac or West Court street, running from California street to the first alley west of West street, and connecting with sewer at said last named point.

Was read the second time.

Mr. Darnell moved to amend by inserting the following: Said sewer to be constructed of cement pipe or glazed earthenware pipe, 20x30 inches, internal diameter, or of brick, 2 feet, internal diameter.

Which amendment was adopted.

The ordinance, as amended, was then ordered engrossed.

Special ordinance No. 139, 1875, entitled :

An ordinance to bowlder the gutter and curb the sidewalks of Alabama street, between Washington and North streets.

Was taken up and stricken from the files.

Special ordinance No. 184, 1875, entitled :

An ordinance to grade and gravel Catharine street and sidewalks, from Pogues Run to Tennessee street.

Was taken up and stricken from the files.

Special ordinance No. 222, 1875, entitled :

An ordinance to grade and gravel Garden street and sidewalks, from Tennessee to Illinois streets.

Was taken up and stricken from the files.

Mr. Thalman moved that the general ordinances be made the special order for next Monday night.

Which motion was adopted.

ORDINANCES ON THIRD READING.

Special ordinance No. 18, 1876, entitled :

An ordinance to provide for grading and graveling Omar street, and paving with brick the sidewalks thereof, from Brookside avenue to the first alley east of Brookside avenue.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Poudler, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 19, 1876, entitled :

An ordinance to provide for grading and graveling the first alley east of the intersection of Clifford avenue and Pendleton pike, from Clifford avenue to the first alley north of Clifford avenue.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 45, 1876, entitled :

An ordinance to provide for grading and paving with bowlders Oriental street, between Washington street and Michigan road.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 51, 1876, entitled :

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

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 59, 1876, entitled :

An ordinance to provide for grading and graveling Deloss street and sidewalks, from Oregon or Nebraska street to Brook street.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 61, 1876, entitled :

An ordinance to provide for constructing a cement pipe, glazed earthenware pipe or brick sewer, in and along Potomac or West Court street, running from California street to the first alley west of West street, and connecting with the sewer at said last named point.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 65, 1876, entitled :

An ordinance to provide for grading and graveling the west half of the first alley north of Home avenue, between Delaware and Alabama streets, running east and west.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt,

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

Negative—None.

Special ordinance No. 68, 1876, entitled :

An ordinance to provide for grading Sullivan street, between Bismarck and Buchanan streets.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 50, 1876, entitled :

An ordinance to provide for grading and graveling the first alley south of Prospect street, from Everson to Read streets.

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

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Special ordinance No. 211, 1875, entitled :

An ordinance to provide for grading and paving with brick the south sidewalk of Maryland street, between Pennsylvania street and the first alley east of said street.

Was read the third time.

The question being on its passage, those who voted in the affirmative were :

Councilmen Adams, Bugbee, Byram, Case, Darnell, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman and William G. Wright—16.

Those who voted in the negative were :

Councilmen Craft, Webster, and Arthur L. Wright—3.

It requiring 18 votes, the ordinance failed to pass.

Special ordinances No. 52 and 57, 1876, were read the third time and postponed.

Mr. Schmidt asked permission to withdraw his name from the report of the Committee on Sewers, submitted to Council July 24, 1876, and printed on page 465.

Which request was granted.

On motion the Council adjourned.

J. Warren Mayor.

Attest :

Benjamin Wright City Clerk.