

PROCEEDINGS  
OF THE  
COMMON COUNCIL.  

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, August 21st, 1876—7 ½ o'clock P. M.* }

The Common Council met as a Board of Equalization, pursuant to the following notice :

*Indianapolis, August 7, 1876.*

Notice is hereby given to tax-payers that in pursuance of the provisions of section 59 of the city charter, the Common Council, together with the City Clerk and City Assessor, will meet at the Council Chamber, in the city of Indianapolis, on Monday evening, August 21, 1876, as a Board of Equalization, to hear and decide complaints, if their be any, and equalize the appraisements for the year 1876, as right and justice may require.

By order of the Common Council.

BENJ. C. WRIGHT,  
City Clerk.

Present—His Honor, the Mayor, John Caven, in the Chair, Wm. Hadley, City Assessor, Benj. C. Wright, City Clerk, and the following members :

Councilmen Adams, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Absent—Councilmen Buehrig, Byram, Diffley, McGill, Pouder, Steinhauer and Stratford—7.

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

*Moved,* That a special Committee of five be appointed who shall meet as a Board of Equalization, commencing August 22, at 10 o'clock A. M., and meet from day to day for ten days.

Which was adopted, and the Chair appointed as such special committee Councilmen A. L. Wright, Ransdell, Bugbee, Stratford, and Kenzel.

The City Clerk then proceeded to call the wards in their order, commencing with the First Ward, that the Council might hear any complaints in relation to the assessment of 1876.

Mr. Bugbee presented the following complaint :

*Indianapolis, August 21, 1876.*

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

*Gentlemen:*—The undersigned respectfully shows to your honorable body that he is the owner of part of lot No. 12, in square No 66, in the city of Indianapolis.

That the improvement on same is assessed by the City Assessor at \$14,000, and the undersigned paid taxes for the same at that assessment for the year 1875. That the said assessment was and is at least \$4,000 above the true amount it should have been assessed at.

That said improvement cost the undersigned only \$10,000 twenty-two years ago, when same were made, and no addition has been made to enhance th value, and no more than necessary repairs.

That the excess paid by him for taxes on all over \$10,000 ought to be refunded to him, and he respectfully asks that you direct the sum of sixty dollars to be refunded to him as being in excess of the true rate of assessment and levy on said improvements.

The undersigned shows that a like mistake was made in the assessment for State and county purposes for said year of 1875, and the Board of Commissioners of Marion county, Indiana, at their last session, made the correction, reducing said assessment to \$10,000, and refunded the amount paid on the assessment over that sum.

C. A. ELLIOTT.

Which was referred to the special committee as appointed above.

There being no other complaints, the Board of Equalization adjourned to meet Monday evening, September 4th, 1876.

The Common Council met in regular session.

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

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

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

The proceedings of the regular session, held August 14th, 1876, were read and approved.

Sealed proposals for building a public cistern at the corner of Washington street and Arsenal avenue, were received, opened, read, and referred to the Committee on Contracts.

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

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—Your Committee on Contracts, to which was referred sundry proposals, presented to Council, August 14th, 1876, have examined the same and find them to be as follows, to-wit:

First. For building a wooden bridge over the State Ditch on Ruckle street—

Edwin M. Byrkit, dry excavation, 18 cents per cubic yard.

“ “ wet excavation, 75 cents per cubic yard.

“ “ refilling, 15 cents per cubic yard.

“ “ oak lumber, \$20.00 per 1,000 feet.

“ “ pine lumber, \$18.50 per 1,000 feet.

James Parker, dry excavation, 30 cents per cubic yard.

“ “ wet excavation, 70 cents per cubic yard.

“ “ filling, 20 cents per cubic yard.

“ “ oak lumber, \$1.80 per 100 feet, board measure.

“ “ pine lumber, \$1.40 per 100 feet, board measure.

John L. Hanna, dry excavation, 20 cents per cubic yard.

“ “ wet excavation, 70 cents per cubic yard.

“ “ refilling, 15 cents per cubic yard.

“ “ pine lumber, \$15.00 per 1,000 feet.

“ “ oak lumber, \$16.00 per 1,000 feet.

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

Second. For constructing an 18 inch brick, cement-pipe, or stoneware-pipe sewer, from the City Hospital to Fall Creek—

Irwin & Hanna, stoneware pipe, \$1.36 per lineal foot.

“ “ cement pipe, \$1.27 per lineal foot.

Bailey & Keely, brick sewer, 85 cents per lineal foot run.

“ “ one catch-basin, 4½x9 feet, complete for \$35.00.

“ “ man-holes, \$15.00 each, complete.

“ “ 8 inch stoneware pipe, 55 cents per foot.

“ “ 6 inch stoneware pipe, 45 cents per foot.

Bailey & Keely, stoneware pipe, \$1.35 per lineal foot run.

“ “ one catch-basin for \$35.00.

Bailey & Keely, man-holes for \$15.00 each.

- " " 8 inch pipe, 55 cents per foot.
- " " 6 inch pipe, 45 cents per foot.

Henry Clay, brick sewer, \$1.00 per lineal foot run.

- " " cement pipe, \$1.40 per lineal foot run.
- " " stoneware pipe, \$1.40 per lineal foot run.
- " " 8 inch pipe, 60 cents per lineal foot run.
- " " man-holes, \$12.00 each.
- " " catch-basins, \$30.00 each.

O. W. Kelly, brick sewer, \$1.05 per foot.

- " " earthenware pipe, \$1.35 per lineal foot.
- " " cement pipe, \$3.89 per lineal foot.
- " " catch-basins, \$45.00.
- " " man-holes, \$15.00 each.
- " " 6 inch pipe, 50 cents per foot.
- " " 8 inch pipe, 60 cents per foot.

Indiana Cement Pipe Co., cement pipe, 80 cents per foot.

- " " " catch-basins, \$35.00.
- " " " man-holes, \$15.00.
- " " " 8 inch pipe, 35 cents per foot.
- " " " 6 inch pipe, 28 cents per foot.

A. Bruner & Co., brick sewer, 80 cents per lineal foot.

- " " cement pipe, 90 cents per lineal foot.
- " " stoneware pipe, \$1.05 per lineal foot.
- " " man-holes, each complete, \$15.00.
- " " catch-basin, complete, \$35.00.
- " " 8-inch stoneware pipe, 35 cents per lineal foot.
- " " 6-inch stoneware pipe, 30 cents per lineal foot.

Jesse S. Whitsit, brick sewer, 93 cents per lineal foot.

- " " glazed earthen pipe, \$1.17 per lineal foot.
- " " 8-inch pipe, 50 cents per lineal foot.
- " " 6-inch pipe, 45 cents per lineal foot.
- " " catch-basins, \$30.00 each.
- " " man-holes, \$12.00 each.

Jas. Garner & Co., brick sewer, 59 cents per lineal foot.

- " " catch-basins, \$50.00 each.
- " " man-holes, \$15.00 each.
- " " 6-inch stone pipe, 49 cents per lineal foot.
- " " 8-inch stone pipe, 54 cents per lineal foot.

- John L. Hanna, brick sewer, 60 cents per lineal foot run.
- “ “ glazed pipe, \$1.25 per lineal foot.
- “ “ catch-basin, \$35.00 each.
- “ “ man-holes, \$18.00 each.
- “ “ 6-inch pipe, 30 cents per lineal foot.
- “ “ 8-inch pipe, 40 cents per lineal foot.

John L. Hanna, being the lowest and best bidder for a brick sewer, your committee recommend he be awarded the contract.

J. W. BUGBEE,  
D. M. RANSDELL,  
Committee on Contracts.

Which was concurred in, and the contract awarded.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—I hereby report the following estimateas for work done :

A first and final estimate allowed James Hudson for raising, paving with brick and curbing the west sidewalk of Illinois street, from Michigan street to Indiana avenue—

711.65 lineal feet of curbing, at 43 cents....	\$306 00
231.5 lineal feet of paving (with new brick) at 45 cents....	104 17
356.35 lineal feet of paving (with old brick) at 25 cents....	89 08
Total .....	<u>\$499 25</u>

Also, a first and final estimate allowed Irwin & Hanna for grading and graveling the first alley west of Blake street, running from North to Elizabeth streets—

960 lineal feet at 12½ cents.....	\$120 00
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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 James Hudson for raising, paving with brick and curbing the west sidewalk of Illinois street from Michigan street to Indiana 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 Adams, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate allowed Irwin & Hanna for grading and graveling the first alley west of Blake street, running from North to Elizabeth 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, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Also, the following report :

Indianapolis, August 21, 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 James Garner & Co., for grading and graveling the first alley west of Noble street, between Ohio and Miami streets.

Contract and bond of Henry Clay, for grading and graveling the alley between Pleasant street and Woodlawn avenue, from Olive to Linden streets.

Contract and bond of James Mahoney, for grading and graveling the first alley west of West street, running north and south from Merrill to Grant street.

Contract and bond of James Mahoney, for grading and graveling the first alley east of East street, from McCarty street to the 2d alley north of McCarty street.

Contract and bond of Study & Elliott for grading and graveling Clark street and sidewalks, from Hill avenue to Valley Drive.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was received, contracts concurred in, and bonds approved, except the contract and bond of Study & Elliott for improving Clark street, which, on motion of Mr. Adams, was rejected.

Mr. Schmidt presented the contract and bond of J. H. Chamberlain for building No. 8 Hose Reel House.

Which was referred to the Fire Board, with instructions to report the same back to Council.

Mr. Schmidt presented the contracts and bonds of John L. Hanna for building the Hospital sewer and the wooden bridge over the State Ditch on Ruckle street.

Which were concurred in, and bonds approved.

The City Clerk submitted the following report:

*Indianapolis, August 21, 1876.*

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

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



John L. Hanna vs. Dorman N. Davidson for....	\$35 00
Irwin & Hanna vs. Wm. W. Northrop for....	12 53
Irwin & Hanna vs. Wm. W. Northrop for.....	19 17

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, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

The Board of Health submitted the following report :

*Indianapolis, August 21, 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 12th day of August, to 6 o'clock P. M., on the 19th day of August, 1876.

Under 1 year .....	15
1 to 2 years.....	5
2 to 3 " .....	1
3 to 4 " .....	0
4 to 5 " .....	0
5 to 10 " .....	1
10 to 20 " .....	1
20 to 30 " .....	5
30 to 40 " .....	3
40 to 50 " .....	3
50 to 60 " .....	1
60 to 70 " .....	0
70 to 80 " .....	2
80 to 90 " .....	0

90 to 100 years .....	0
Above 100 " .....	0
Unknown .....	1
Total.....	<u>38</u>

Respectfully submitted,

J. W. MARSEE,

Secretary Board of Health, pro tem.

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

Which was received.

His Honor, the Mayor, submitted the following report :

*Indianapolis, August 21, 1876.*

To the Common Council of the City of Indianapolis :

*Gentlemen:*—The amount of fines collected by me during the month of July, 1876, is \$135.50, which amount I have paid the City Treasurer, as appears by his duplicate receipt filed herewith.

Respectfully submitted,

JOHN CAVEN,  
Mayor.

Which was approved.

Mr. Craft introduced to the Mayor and Council, J. B. Shultz, Mayor, and Councilmen Brown, Tucker and Messinger of Logansport, who were welcomed by Mayor Caven, and a short recess had to enable the members of the Council to form the acquaintance of the visitors.

After the recess, the Council was called to order.

#### INTRODUCTION OF ORDINANCES.

Mr. Bugbee presented the following petition :

*Indianapolis, August 9, 1876.*

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

*Gentlemen:*—The undersigned, owners of real estate fronting on alleys be-

tween Meridian and Pennsylvania streets and Second and Fifth streets, respectfully petition for the passage of an ordinance providing for the grading and graveling of the alley between the above named streets, with good river gravel, to the depth of not less than ten inches. And your petitioners will ever pray, etc.

M. J. Osgood, Geo. F. McGinnis, Anna D. Davis,  
by E. Davis, B. F. Haugh, J. H. Ruddell, Geo. H.  
Chapman, Hermann Marteus, Rebecca M. Sweetser,  
Jackson Landers.

Which was received.

Mr. Bugbee introduced special ordinance No. 103, 1876, entitled :

An ordinance to provide for grading and graveling the first alley east of Meridian street, between Second and Fifth streets, except eighty feet in rear of Mr. Johnson's residence, which has been graveled.

Which was read the first time.

Also, special ordinance No. 104, 1876, entitled :

An ordinance to provide for grading and graveling the first alley north of Second street, running from Pennsylvania street to the first alley east.

Which was read the first time.

Also, special ordinance No. 105, 1876, entitled :

An ordinance to provide for grading and graveling the first alley south of Fifth street, running from Pennsylvania street west to alley.

Which was read the first time.

#### ROLL CALL.

Mr. Adams presented the following petition :

*Indianapolis, August 21, 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 and opened, Dillon street, to the width of sixty feet, and running from

the first alley north of Deloss street, at the intersection of Cedar street with Dillon street, in a northerly direction to the Michigan Road.

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

Respectfully,

W. H. ENGLISH,  
JOHN S. SPANN & CO.

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

Also, the following petition :

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—Your petitioner would respectfully ask your honorable body to re-convey to her the tract of land deeded to the city for the purposes of a Public Park, by deed dated July 8th, 1873, and recorded in the Recorder's Office of Marion county, Book "W. W.," page 629, a copy of which is filed herewith, marked "A," the conditions of which are, that the city will improve such land for a public park within three years from the date thereof, which the city has failed and refused to do.

I therefore ask that you re-convey the land to me at once.

And your petitioner will ever pray, etc.

Respectfully,

MARY FLEMING.

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

Also, the following motion :

*Moved*, That Dr. W. V. Hawk be and is hereby granted permission to grade his sidewalk in front of his property on Central avenue, and the City Civil Engineer is hereby directed to set the grade stakes for the above named work.

Which was adopted.

Also, the following motion :

*Moved,* That the action of the Council with reference to the improvement of the alley running from Clifford avenue to Pendleton Pike (the first alley east of Peru R. R.), be and is hereby rescinded.

Which was adopted.

Also, the following resolution :

*Resolved,* That the owners of the following described real estate to wit: Lots Nos. one (1) and ten (10), South Brookside 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 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, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Mr. Thomas offered the following resolution :

*Resolved,* That the owners of the following described real estate, to wit: Lot No. 16, and north half of Lot No. 15, in out-lot No. 16, Stumph's sub-division 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 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, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Mr. Buehrig offered the following motion :

*Moved*, That the City Civil Engineer notify the Gas Company to put up the lamp post taken down while building the Moore block on South Pennsylvania street, and locate the same at the corner of the alley.

Which was adopted.

Mr. Bugbee offered the following motion :

*Moved*, That Amos Marshall be permitted to move a frame stable from the corner of Park avenue and Cherry street to the southwest corner of Christian avenue and Peru street.

Which was adopted.

Mr. Craft presented the following petition :

*Indianapolis, August 11, 1876.*

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

*Gentlemen* :—Your petitioners, the Atlantic and Pacific Telegraph Company, respectfully ask permission to erect a line of telegraph poles from the western boundary of the city, on the south side of the National road and Wash-

ington st., to Tennessee st.; thence on north side of Washington st. to Michigan road, and thence to the city boundary. Also one pole on M-ridian st., in front of No. 14. We grant the fire alarm the joint use of all crossing poles. The above mentioned poles are to be straight and well dressed.

Yours respectfully,

D. DOREN,

Sup't of Construction A. & P. Telegraph Co.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance :

*Indianapolis, August 8, 1876.*

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

*Gentlemen* :—The undersigned citizens and tax-payers of said city respectfully remonstrate against the improvement of the alley known as the "first alley north of North st., running from Alabama to Delaware st.," as we do not believe the same is needing improvement, and especially these close times; and we, as residents in the vicinity who will be required to pay for said improvements if made, respectfully remonstrate against the same.

Very respectfully,

Minnie B. Powell, J. Henry Kappes, R. L. Talbot,  
John S. Spann, per J. M. Spann.

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

Also, the following petition :

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—The undersigned would respectfully represent that several years ago Ingram Fletcher, Esqr., donated to the endowment fund of the Indiana Asbury University four lots, to wit: Nos. 143, 144, 145, 146, in Ingram Fletcher's third addition to the city of Indianapolis. For a few years past said lots have appeared on the city duplicate, and have once or twice been offered for sale for delinquent taxes, though omitted from the State and county duplicate.

The Asbury University exists under special charter substantially, if not identically, like that of the Northwestern Christian University. It is doing substantially the same kind of work, furnishing gratuitous education to all

who apply, without regard to age, sex or religious distinctions. I therefore respectfully petition that the past assessments upon said lots be remitted, and that they be put on the same footing as to city taxes as the property belonging to the Northwestern Christian University.

Respectfully,

T. A. GOODWIN.

Which was referred to the City Attorney and City Assessor.

Also, the following motion :

*Moved*, That the Chief Fire Engineer be empowered to have the lot on which the No. 8 Hose Reel House is to be built, properly graded, in order to make it accessible when the building is finished, and the Civil Engineer is hereby instructed to set the proper grade stakes.

Which was adopted.

Mr. Darnell offered the following motion :

*Moved*, That Charles Adams be, and is hereby granted, permission to move a frame house from St. Joseph street, between Meridian and Illinois streets, to the corner of Third and Howard streets.

Which was adopted.

Also, the following motion :

*Moved*, That Frederick Ruschaupt be relieved of the assessment against his property on account of the sewer in Second street, he being the owner of 210 feet frontage on Second street, by 10 feet deep, and assessed at \$1 50 per front foot on Second street.

Which was referred to the Committee on Accounts and Claims.

Mr. Kenzel presented the following petition :

*Indianapolis*, August 21, 1876.

To Mayor and Common Council of the City of Indianapolis :

*Gentlemen* :—The undersigned, property owners, would respectfully petition your honorable body to grant them permission to pave with brick the full



width of the sidewalk on the west side of South Meridian street, between Morris and Kansas streets, except such portions as are already paved; the said work to be done at their own expense, and to the satisfaction of the City Civil Engineer. And your petitioners will ever pray, etc.

H. H. Langenberg, 153 feet; John Gimber, 30 feet;  
Jacob Cabalzar, 30 feet.

Which was received and prayer of petitioners granted.

Also, the following motion:

*Moved*, That H. H. Langenberg have permission to pave with brick the sidewalk in front of his property on Morris street, said work to be done at his own expense, and that the City Civil Engineer be hereby instructed to set the grade stakes for the same.

Which was adopted.

Mr. Laughlin presented the following petition:

*Indianapolis*, August 11, 1876.

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

*Gentlemen*:—The undersigned, property holders and citizens of this city, respectfully spread this petition before your honorable body, trusting that you will consider and take action on it, to-wit:

The alley running north and south from Dunlop to Downey streets, also the alley from Kennington street to Madison avenue, are in such a bad condition that it is almost an impossibility to pass the aforesaid alleys, especially in rainy weather, as one of the street contractors used the good soil of these alleys for street improvements. These alleys are used very frequently, and therefore your petitioners respectfully beg your honorable body to have said alleys graded and graveled.

Hoping and trusting that you may realize our desires, we are,

Very respectfully yours,

PETER BALZ,  
HENRY BAAS,  
TOB. HESS.

Which was received.

Mr. Morse presented the following communication:

Indianapolis, August 21, 1876.

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

*Gentlemen*:—The undersigned, your petitioners and citizens of that part of the city of Indianapolis known as Indianola, and desiring more ample police protection from said city for their lives, peace and prosperity, would respectfully represent to your honorable body and say: That as there is but one policeman doing duty at night in said Indianola, on a beat about one mile in length from West street, on a circuit of and about the squares to the corporation line; that such is not ample for the needs of said locality; that for a great portion of the night different parts of Indianola are left entirely unguarded, and ruffians and thieves take advantage thereof to prey upon the citizens and their property; that when the patrolman is at one end of his beat, leaving the other unguarded, disturbances and depredations are of frequent occurrence, which, by the addition of another patrolman, might and could be prevented.

The undersigned respectfully call your attention to their present urgent requirements, here imperfectly outlined, and ask an immediate investigation of the emergency for additional security. And they further suggest as a suitable person to clothe with the responsibilities of a policeman to meet the aforesaid requirements, and as one suitable to all concerned, and the unanimous choice of your petitioners, the name of Henry Ware, a citizen of said Indianola.

And your petitioners will ever pray, etc.

A. J. Smith, Charles Kahl, Wm. Harrison, Joseph Marreth, John Swarts, John Adams, Nathan Brooks, George Ferree, Thomas Holloway, John Gardner, I. D. Hockersmith, W. R. Wartman, Wm. H. Rhoades, John M. Rhoades, Joseph M. Drummond, Radson S. Day, John Peters, H. F. Alexander, George Anderson, Thomas Cochran, and Andrew Grimes.

Which was referred to the Police Board.

Mr. McGinty offered the following motion:

*Moved*, That the City Civil Engineer's report concerning the washing away of the people's property by the overflow of Pogue's Run, in 1875, between Merrill and Catharine streets, on South Missouri street, be concurred in, and the work pushed on without delay, for the owners are very anxious to see that lovely spot replaced once more.

Which motion, together with the Engineer's report, was referred to the Committee on Judiciary and City Attorney, to ascertain whether the city is liable for damages. etc.

Also, the following motion :

*Moved*, That the City Marshal be directed to notify the owner of the Cleaveland Block, at the corner of Tennessee street and Kentucky avenue, to remove all the rubbish of stone left along the whole length of the building on Tennessee street, for it is a great annoyance to the neighbors and property owners in that vicinity.

Which was adopted.

Also, the following remonstrance :

*Indianapolis*, August 21, 1876.

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

*Gentlemen*:—We, the undersigned, owners of lots abutting on the alley between Grant and Merrill streets, which we understand is about to be graded and graveled from the first alley west of West street to Acorn street, do remonstrate against the improvement, for the reason that the majority of us are out of work and unable to meet our current taxes without having this additional burden imposed on us; if done, it will compel us to allow our property to be sold, and make extra charges in the way of costs and penalty, which we can not afford to pay. The alley is not used by the public, not more than three teams having gone through it in the last six months. It is perfectly dry and does not need the improvement. We are owners of the larger portion of ground fronting on the proposed improvement, and would again respectfully call your attention to the fact that we *can not* afford to pay for it if done.

E. Jensen, 30 feet; Fred Neffle, sr., 60 feet; Ellen Ivory, 30 feet; James Dowling, 30 feet; Ella Delaney, 30 feet; Mrs. Thomas Sweeney, 30 feet; H. R. Allen, 30 feet; J. H. McKernan, 150 feet.

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

By consent, Mr. Pouder introduced special ordinance No. 106, 1876, entitled :

An ordinance to provide for grading and graveling Wabash street, bowlder the gutters and pave and curb the sidewalks thereof from Delaware street to Alabamastreet.

Which was read the first time.

Mr. Pouder presented the following :

I make a motion of inquiry as to the time of the Gas Company lighting and extinguishing street lamps. I was coming down East street last week at two o'clock in the morning, and the lamp lighter was extinguishing the lamps. I hear complaints of street lamps on Arsenal avenue not being lit until late at night.

Which was referred to the Committee on Gas Light, and City Civil Engineer for investigation.

Mr. Reed offered the following motion :

*Moved*, That C. E. Whitsit be, and is hereby allowed the balance due him on the contract for the building of the Archer street and Clifford avenue sewer, as per the estimate of the City Civil Engineer, \$232.88, on condition that he file an indemnifying bond with the City Clerk, thereby securing the city against loss by reason of any repairs that may be needed to keep Clifford avenue and Archer street in proper repair; and the Committee on Accounts and Claims are hereby instructed to insert the same in the next appropriation ordinance.

Which was adopted.

Mr. Schmidt presented the following petition :

*Indianapolis, August 13, 1876.*

To the Committee on Markets :

*Gentlemen* :—We the undersigned, petition your honorable body to remove one Joseph Rochild, a vender in notions at the northeast corner of the East Market, on the following reasons, which are well taken, and sufficient proof can be given by the undersigned, namely :

1st. The said Rochild is a *nuisance* in the manner in which he conducts his business.

2d. He, Rochild, is continually quarreling and creating a disturbance, not

only with his customers, but those who occupy stands, stalls and benches in his immediate vicinity.

3d. And the manner he, Rochild, has of conducting business is a detriment to our trade, causing large crowds to collect in and around our place of business, which has a tendency to drive or force our regular customers away. Hence we, the undersigned, ask relief in the removal of said Rochild.

Sanford Caylor, J. Caylor, Eli Gerger, Cheap John, John Harts, Miss Hall, Will. Schuester, Peter Donald, G. B. Fillet, A. Combs, C. Schwab, T. B. Brown, S. Brown, C. W. Forbes, and 42 others.

Which was referred to the Committee on Markets.

Also, the following motion :

*Moved*, That the Street Commissioner is hereby directed to scrape and take away the dirt on the East and West Market spaces, on each and every market day.

Which was adopted.

Mr. Craft moved to reconsider the vote by which the above motion was adopted.

Which motion to reconsider was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reed, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—Councilmen Darnell, Reasener and Schmidt—3.

The motion was then referred to the Committee on Markets.

Dr. Stratford presented the following petition :

*Indianapolis*, August 12, 1876.

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

*Gentlemen* :—Your petitioners would respectfully represent to your honorable body that they are subject to great inconvenience, and to an immediate

and continued source of disease arising from and produced by the malarial exhalations from the large pond in the vicinity of Shelby street, between Coburn and Orange streets; being situated on the lands, or lots, of David Munson and others, in the city of Indianapolis, Ind. Your petitioners ask your honorable body to take such immediate action as will remove said pond at the earliest possible moment, and your petitioners will ever pray, etc.

George Byerdorfer, William Mankedick, John M  
Loucks, S. L. Bryan, H. Wilson, J. H. Brown,  
and forty others.

Mr. Thalman moved to refer to the City Civil Engineer to report an estimate of cost of drain pipe to drain off the water.

Dr. Stratford moved as a substitute to direct the Engineer to advertise for bids for putting in a drain pipe in Sanders street to run the water off.

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

Which motion failed to pass by the following vote :

Affirmative—Councilmen Bugbee, Craft, Izor, Morse, Pouder, Ransdell, Reed, Thalman, Thomas, Webster, and Wright, Arthur L.—11.

Negative—Councilmen Adams, Buehrig, Case, Darnell, Kenzel, Laughlin, McGinty, Reasener, Schmidt, Steinhauer, Stratford and Wright, William G.—12.

Dr. Stratford's substitute was then adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Kenzel, Laughlin, McGinty, Reasener, Steinhauer, Stratford and Wright, William G.—13.

Negative—Councilmen Izor, Morse, Pouder, Ransdell, Reed, Schmidt, Thalman, Thomas, Webster, and Wright, Arthur L.—10.

Mr. Thalman offered the following motion :

*Moved,* That Fletcher & Sharpe have permission to put in a coal vault on Pearl street, in the rear of their bank building, the same to be done in full compliance with the ordinance governing the putting in of vaults, and tearing up of streets and alleys.

Which was adopted.

Also, the following motion :

*Moved,* That John Humphrey has permission; to put in a well and sink in front of his property, corner Indiana avenue and Ellen street; the same to be done in accordance with an ordinance governing such permits.

Which was adopted.

Also, the following motion :

*Moved,* That the Gas Company be directed to light the lamp post in front of the city building in common with the lighting and extinguishing of other posts.

Which was adopted.

Also, the following petition :

*Indianapolis,* August 21, 1876.

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

*Gentlemen* :—I would respectfully ask your permission to erect a coffee stand on the West Market space. I will make it so it can be removed at any time by order of the Council, should you conclude to erect a market house on said ground.

H. B. WARD.

Which was referred to the Committee on Markets.

Mr. Thomas offered the following motion :

*Moved,* That the Board of Health be requested to examine the premises at southwest corner of South and Meridian streets, and report to this Council.

cil what measures are necessary to suppress the intolerable stench issuing from said premises.

Which was adopted.

Also, the following motion :

*Moved*, That the Street Commissioner be, and is hereby instructed to tear down the stone arch over Pogues Run on the line of Catharine street, and preserve the stone for future use of the city.

Which was referred to the Committee on Bridges.

Mr. Webster offered the following reslution :

*Resolved*, That the salary of M. M. Burns, who is in charge and performing labor at the Southern Park, pursuant to a resolution of this Council, under the direction of the Park Commissioner, be, and the same is hereby fixed at the sum of three hundred dollars per year, payable monthly, until the further order of this Council. That this sum be allowed him from the time he took charge and begun working n said Park, which was June 1, 1876, by order of this Council, deducting any and all allowances heretofore made him for such services, rendered since that time.

Which was referred to the Committee on Parks.

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

*Moved*, That the City Civil Engineer be directed to repotr to this Council at our next regular meeting the number of public street lamps in the city of Indianapolis that can be discontinued by reason of not being in compliance with the second section of an ordinance entitled, "An ordinance for the erection of public lamps," etc., passed May 31, 1869.

Which was adopted.

Also, the following motion :

*Moved*, That the Street Commissioner be instructed to build a brick sink on Ft. Wayne avenue, to receive the surplus water from the Drinking Fountain recently erected on that avenue between St. Joseph and St. Mary streets.

Which was adopted.



Mr. Ransdell moved to suspend the rules for the purpose of taking up special ordinances on second and third reading and placing them on their final passage. }

Which motion was adopted by the following vote :

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

Negative—Councilmen Stratford and Webster—2.

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

Special ordinance No.	76,	1876.
“	“	77, 1876.
“	“	79, 1876.
“	“	80, 1876.
“	“	81, 1876.
“	“	83, 1876.
“	“	89, 1876.

Special ordinance No. 52, 1876, entitled :

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

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Special ordinance No. 57, 1876, entitled:

An ordinance to provide for grading and graveling Ray street and sidewalks from the west line of Tennessee street to the east line of West street, and repealing a certain ordinance herein named.

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Special ordinance No. 76, 1876, entitled:

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

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

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.

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener,

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

Negative—None.

Special ordinance No. 79, 1876, entitled :

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

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

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.

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Special ordinance No. 81, 1876, entitled :

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

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Poudier, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Special ordinance No. 83, 1876, entitled :

An ordinance to provide for grading and graveling Oak street, between Cherry street and the first alley north of Cherry street.

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Poudier, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Special ordinance No. 89, 1876, entitled :

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

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Izor, Kenzel, Laughlin, Morse, McGinty, Poudier, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

#### REPORTS FROM COMMITTEES.

Mr. Webster, from the Committee on Accounts and Claims, submitted the following report :

Indianapolis, August 7, 1876.

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

*Gentlemen* :—Your Committee on Accounts and Claims to which was referred the communication from Harrison H. Hancock, asking the Council to refund \$104.00 paid by said Hancock for licenses to peddle fruits, etc., have examined the same, and believing that the city is under no legal obligation to refund the money so paid, report against said petition and recommend that it be not allowed.

Second—Is a communication from S. H. Johnson asking the city to pay him the sum of \$500 alleged damages to said Johnson's horse and hack, on account of falling into the opening at the foot-way of the South Illinois street tunnel. Your committee believe that said Johnson has no claim on the city, and therefore recommend that the same be not allowed.

Respectfully submitted,

GEO. C. WEBSTER,

WM. F. REASNER,

W. G. WRIGHT,

Committee on Accounts and Claims.

Which was concurred in.

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

Indianapolis, August 21, 1876.

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

*Gentlemen* :—Your Committee on Finance, to whom was referred the report of the City Clerk for the year ending May 15, 1876, respectfully report that they have examined the same and find it a correct report of the Orders issued by him during the year.

We also find that said report includes an Order issued to the City School Trustees for School Funds for the year ending May 13, 1875, amounting to \$233,258.75. This item does not belong to the transactions of the fiscal year covered by this report, but was of necessity included because the settlement was made with the Trustees and the order issued after the close of the report for the preceeding year.

Total amount of Orders issued as per report .....	\$1,404,777 81
School Fund Order for previous year. ....	233,258 75
Balance .....	\$1,171,519 06

Respectfully submitted,

A. L. WRIGHT,  
N. S. BYRAM,  
I. W. STRATFORD,  
J. C. LAUGHLIN,  
Com. on Finance.

Which was concurred in.

Also, the following report :

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—The Committee on Finance and City Attorney, to whom was referred the petition of Wm. H. McClintock to be relieved from an assessment of taxes, would report that they have investigated the facts in the case, and are of the opinion that the prayer of the petition should not be granted, for the reason that it is only one of many cases which often arise, and grow out of sales of real estate and the failure of purchasers to comply with their contracts.

A. L. WRIGHT,  
N. S. BYRAM,  
J. W. STRATFORD,  
J. C. LAUGHLIN,

R. O. HAWKINS,  
City Attorney.

Which was concurred in.

Also, the following report :

*Indianapolis, August 21, 1876.*

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

*Gentlemen* :—Your Committee on Finance, to whom was referred the petition of C. Vonnegut, asking that certain city orders held by him be taken up by the city, and in lieu of the same one order be issued to him equal in amount to the principal on the several orders surrendered by him, and that an additional order be issued to him, payable May 1, 1877, without interest, for the amount of accrued interest on the orders surrendered, would re-

spectfully recommend that the prayer of the petitioner be granted, provided the orders were all issued before the 17th of April, 1876, and are presented in amounts of not less than \$500.00 at a time. We recommend that the City Clerk be authorized to receive and cancel the surrendered orders and issue in lieu one order equal in amount to the principal of the several orders surrendered and canceled; and also a non-interest bearing order, payable May 1, 1877, for the accrued interest on the same to date of surrender.

Respectfully submitted,

A. L. WRIGHT,  
N. S. BRYAM,  
I. W. STRATFORD,  
Committee on Finance.

Which was concurred in.

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

*Indianapolis, August 21, 1876.*

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

*Gentlemen*:—Your Committee on Gas, to whom was referred the communication of Thos. Cottrell and James O. Ives & Co., respectfully report recommending that the City Civil Engineer be directed to cause the removal of the first lamp post on the north side of Washington street, west of Illinois street, east to northwest corner of Washington and Illinois streets, and that he be also directed to have the lamps on Illinois street, between Washington and Market, changed so as to comply with the second section of an ordinance passed May 31, 1869, entitled, "An ordinance regulating the erection of public lamps," etc.

Respectfully submitted,

ALBERT IZOR,  
A. L. WRIGHT,  
MARTIN MCGINTY,  
Committee on Gas.

Which was concurred in.

Mr. Craft, Chairman Fire Board, submitted the following report:

*Indianapolis, August 14, 1876.*

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

*Gentlemen*:—The undersigned, members of the Fire Board, to which was referred the report of the Chief Fire Engineer, made to this Council on last

Monday night, would state that we have given the matter therein contained due and careful consideration, and would recommend as follows, to-wit:

1st. In the matter of Hose, we would recommend that the Chief Fire Engineer be, and is hereby authorized and instructed to purchase 2,000 feet of White Anchor Hose from the Akron Rubber Company, if the same can be bought at the price last paid, viz, \$1.00 per foot, and under the same guarantee and security.

2d. In regard to the Cistern and Fire Alarm Box at the intersection of Shelby and Beecher streets, we would recommend that the City Civil Engineer be instructed to advertise for a 1,200 barrel cistern at that point, and the Chief Fire Engineer be instructed to locate a fire alarm box in the same locality.

Respectfully submitted,

W. H. CRAFT,

J. C. ADAMS,

J. L. CASE,

Fire Board.

Which was concurred in.

On motion the Council adjourned.

J. H. Green Mayor.

Attest:

Benj. Wright City Clerk.