

PROCEEDINGS  
OF THE  
COMMON COUNCIL.  
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Monday, September 11th, 1876—7 ½ o'clock P. M.* }

The Common Council met, pursuant to adjournment, as a Board of Equalization.

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, Byram, Craft, Darnell, Izor, Kenzel, McGinty, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—16.

Absent—Councilmen Buehrig, Case, Diffley, Laughlin, Morse, McGill, Pouder, Ransdell, Reasener and Thomas—10.

Their being no business to transact, the Board adjourned until next Monday night.

The Common Council met in regular session.

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

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

Absent—Councilmen Diffley, Laughlin and Morse—3.

The proceedings of the regular session, held September 4th, 1876, were read and approved.

Sealed proposals for grading and graveling Oak street, between Cherry street and the first alley north of Cherry street; also, for grading, bowldering, and curbing the gutter, where not already curbed, on the east side of Tennessee street, between Maryland and Chesapeake streets; also, for grading, bowldering and curbing the gutter on the south side of Maryland street, between Illinois and Tennessee streets; also, for bowldering and curbing the gutters on Ohio street, between Illinois and Tennessee streets; also, for grading, graveling, bowldering and curbing East street, between Massachusetts avenue and St. Clair street; also, for grading and graveling Ray street and sidewalks, from the west line of Tennessee street to the east line of West street; also, for grading and graveling Palmer street and sidewalks, from the Bluff Road or Meridian street to Union street; also, for grading and graveling St. Clair street and sidewalks, from the west side of the western

portion of Dorman street to Archer street; also, for grading and graveling Broadway street, between Lincoln avenue and Seventh street, were received, opened, read, and referred to the Committee on Contracts.

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

*Indianapolis,* September 11, 1876.

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

*Gentlemen* :—Your Committee on Contracts, to whom was referred the proposals presented to Council September 4th, 1876, for building a fire cistern at the corner of Shelby and Beecher streets, have examined the same and find them to be as follows, to-wit:

Henry C. Roney, 48 cents per barrel.

Wm. L. White, 42 cents per barrel.

A Bruner & Co., 40 cents per barrel.

Johnson & Christerson, 35 cents per barrel.

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

Respectfully submitted,

J. W. BUGBEE,

ROB'T C. MCGILL,

D. M. RANSELL,

Committee on Contracts.

Which was concurred in, and the contract awarded.

By consent, Mr. Steinhauer, from the Committee on Public Building, submitted the following report:

*Indianapolis,* September 11, 1876.

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

*Gentlemen* :—The Committee on Public Buildings, to whom the letting of the new addition to the City Station House has been directed by the Council, report the proposals received as follows:

For the entire completion, less the cast and wrought iron work—

Joseph L. Middlebrook, \$4,073.00

John A. Buchanan, \$3,900.00.

August Richter & Bro., \$4,150.00.

B. R. Freber, \$3,684.00.

Messrs. Hyland & Keeley, \$4,050.00.

Thomas Cummings, \$3,765.00.

For the cast and wrought iron work, Messrs. Haugh & Co., \$4,635 00.

Awarded to Haugh & Co.....\$4,635 00

Awarded to Cummings. .... 3,765 00

Total.....\$8,400 00

This covers all expense complete, as per plans and specifications herewith submitted.

Respectfully submitted,

MICHAEL STEINHAUER,

W. G. WRIGHT,

WM. BUEHRIG,

Committee on Public Buildings.

Which was concurred in, and the bonds of the above named contractors approved.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen:*—I herewith report the following estimates for work done :

A first and final estimate allowed Holtz & Hennessee for grading and graveling the alley between Lexington avenue and Pleasant street, from Dillon to Linden streets—

1,992 lineal feet at 12 cents.....\$239 04

Also, a first and final estimate allowed James Mahoney for grading and graveling the first alley west of West street, from Merrill to Grant streets—  
 496 lineal feet at 12 cents. ....\$59 52

Also, a first and final estimate allowed Henry C. Roney for curbing with stone the south side of Merrill street, between East and New Jersey streets—  
 273 lineal feet at 43 cents... ..\$117 39

Also, a first and final estimate allowed J. G. Sickler & Co. for grading and graveling the alley running north and south from Washington to Maryland streets, and between West and California streets—  
 780 lineal feet at 13½ cents.....\$105 30

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 Holtz & Hennessie for grading and graveling the alley between Lexington avenue and Pleasant streets, from Dillon to Linden streets, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate allowed Jas. Mahoney for grading and graveling the first alley west of West street, from Merrill to Grant streets, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate allowed Henry C. Roney for curbing with stone the south side of Merrill street, between East and New Jersey streets, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

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 alley running north and south from Washington to Maryland streets, between West and California streets, be, and the

same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following report :

*Indianapolis, September 11, 1876.*

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

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

Contract and bond of August Verhofstad for grading and graveling the first alley south of Prospect street, from Everson to Reid streets.

Contract and bond of Patterson & Dunning for grading and paving with bowlders Oriental street, between Washington street and Michigan Road.

Contract and bond of A. Bruner & Co. for building a brick sewer in and along Potomac or West Court street, from California street to the first alley west of West street.

Contract and bond of Wm. Morrison for grading and graveling the first alley north of Home avenue, between Delaware and Alabama streets.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was received, contracts concurred in, and bonds approved, except the contract and bond of Wm. Morrison, which was referred to the Committee on Streets and Alleys, with instructions to report next Monday night.

The City Clerk submitted the following report :

*Indianapolis, September 11, 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 assessment, by precept, to-wit:

James B. Smith vs. Robert B. Duncan, for.....\$606 98

And respectfully recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

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

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

Negative—None.

Also, the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—The City Clerk herewith reports the following affidavit now on file in his office for the collection of street assessment by precept, to-wit:

George Wm. Seibert vs. Lizetta Werbe for.. ..\$35 21

And respectfully recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

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



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

Negative—None.

Also, the following report :

*Indianapolis, September 11, 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 straightening Blackford street from Indiana avenue to North street.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Which was approved.

The City Attorney submitted the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—I would report that since the last meeting of the Council the case of J. George Stiliz et al. vs. The City, in which the plaintiffs sought to enjoin the city from annexing certain territory to the corporation, has been decided by the Superior Court in general term in favor of the city.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was received.

The Board of Health submitted the following report :

*Indianapolis, September 11, 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 2d day of September, to 6 o'clock P. M., on the 9th day of September, 1876.

Under 1 year .....	11
1 to 2 years.....	3
2 to 3 " .....	3
3 to 4 " .....	1
4 to 5 " .....	1
5 to 10 " .....	2
10 to 20 " .....	1
20 to 30 " .....	5
30 to 40 " .....	1
40 to 50 " .....	2
50 to 60 " .....	0
60 to 70 " .....	0
70 to 80 " .....	1
80 to 90 " .....	0
90 to 100 " .....	0
Above 100 " .....	0
Unknown .....	3
Total.....	<u>34</u>

Respectfully submitted,

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

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

Which was received.

INTRODUCTION OF ORDINANCES.

Mr. Bugbee introduced special ordinance No. 109, 1876, entitled:

An ordinance to provide for grading and graveling the first alley east of Bellefontaine street, between Home avenue and the first alley north of Christian avenue.

Which was read the first time.

Also, special ordinance No. 110, 1876, entitled:

An ordinance to provide for grading and graveling the first alley east of Plum street, between Christian avenue and Oak street.

Which was read the first time.

Mr. Ransdell moved that the subject of fixing the tax levy for 1876 be postponed, and be made the special order for next Monday night.

Which motion was adopted.

ROLL CALL.

Mr. Adams presented the following petition :

*Indianapolis, September 11, 1876.*

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

*Gentlemen:*—The undersigned, John R. Marot, respectfully represents to your honorable body, that on the — day of —, 1875, he was, and still is, the owner of certain real estate, to-wit: Lots 41 and 42 of Duncan's addition to the city of Indianapolis, on Delaware street, north of Lincoln avenue. That upon the opening of Second street between Meridian and Pennsylvania streets, the City Commissioners assessed against said two lots \$45.00. That there was no proposal or intention to assess said lots, or either of them, before the Commissioners made such assessment. Neither did the City Clerk issue any notice to him, nor was any notice served upon him of the time or place of the meeting of such Commissioners, nor did he have any notice or knowledge thereof before or at the time of their meeting.

He further shows your honorable body that at the said time he was, and has been for the past thirteen years, and still is, a citizen of the city of Indianapolis. That the opening and laying out of said Second street between Meridian and Pennsylvania streets has not and can not benefit his said lots 41 and 42, in Duncan's addition. That said assessment is illegal and unjust and burdensome to him.

He further shows that the City Treasurer has notified him that unless said assessment is promptly paid, that steps will be taken to collect the same by law.

He therefore prays your honorable body to declare said assessment void, and release him from the payment of the same, and every part thereof.

Respectfully submitted,

JNO. R. MAROT.

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

Also, the following remonstrance :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—The undersigned, owners in common of the unsold portion of the property known as the Spann & Co.'s Woodlawn Addition to the City of Indianapolis, respectfully represent :

That we are informed that there is pending before your honorable body an ordinance providing for constructing a brick sewer in and along English avenue from Reed to Laurel street, thence south along Laurel street through our said addition and beyond. If it be the intention of the Council to tax any part of the cost of making said sewer upon the abutting property, then we respectfully and very earnestly remonstrate against the same, for the following reasons :

1. It is the wrong line for the sewer ; that south on Reid street being the shortest and altogether the better line, in our judgment. On the Reed street line the water coming from the east can be carried off with just the same efficiency, and there are more improvements to be benefited by it.

2. On the Laurel street line there are almost no improvements, and none in prospect at present. Besides which, it would throw an undue part of the cost upon us and our associates.

3. But we remonstrate against either line at the expense of the property owners, for the good and sufficient reason that it is made for the public benefit, not for ours ; but to carry off water thrown upon us from outside the city, and no private owner ought to be subjected to the cost of making a public work for the public benefit. Some incidental future benefit might arise to us, but we do not wish to pay for it so far in advance.

4. We call the particular attention of your honorable body to the fact we graded and graveled Laurel street at our own expense, including the streets and alleys, before it was annexed to the city ; and it would be rank injustice for the city now to destroy that work and tax us for the sewer in addition. Reed street, on the contrary, is only part improved, and there would be much less of loss there in this respect.

That the sewer ought to be made is patent to everybody, but it ought to be made on Reid street, and at the public expense. The water that falls upon our addition is provided for by our streets and alleys, which we have constructed at a cost of more than fourteen thousand (\$14,000) dollars.

Respectfully submitted,

JOHN S. SPANN & CO.

Dr. Stratford presented the following remonstrance :

*Indianapolis, September 7, 1876.*

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on Laurel and Spruce streets, between English avenue and Pleasant Run. and on English avenue, between Reed and Laurel streets, respectfully remonstrate against the passage of an ordinance providing for the building of a sewer on the above described streets.

And your petitioners will ever pray, etc.,

D. B. Hosbrook, 180 feet; John S. Spann, et. al., 2,390 feet; C. H. Albertsmeyer, 180 feet; H. Mount, 187 feet; C. H. Rosebrock, 187 feet; William Mohs, 138 feet; C. R. Loucks, 66 feet; Fred E. Heckard, 33 feet; Dennis Sullivan, 66 feet; Wm. Muntz, 66 feet; Mrs. M. Klein, 28 feet; Frederick Andler, 28 feet; Michael Stoll, 28 feet; Charles Dedert, 1,388 feet; Henry Peters, 33 feet, George Meier, 138 feet; Victoria E. Fifer, 187 feet; William Siry, 187 feet; Hester Faries, 40 feet; H. Seibert, 187 feet; Christian Petersen, 33 feet; L. Peter Hansen, 69 feet; Joseph Allerdice, 187 feet; D. M. Ley, 66 feet; John Gustin, 187 feet; Fred Linder, 66 feet; Trustees of German M. E. Church, George A. Albreht, Treasurer, Gustave G. Stark, President, 188 feet.

Which were referred to the Committee on Sewers, with the ordinance.

Mr. Adams offered the following motion :

*Moved*, That W. C. Shortrige be and is hereby granted permission to grade and gravel the alley in the rear of his premises on Pennsylvania street, the same to be done at his own expense, and to be completed within sixty days, and the City Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Also, the following communication :

Indianapolis, September 11, 1876.

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

*Gentlemen* :—On account of the demand of my business upon my time and attention, I hereby tender my resignation as a member of the Board of Fire Commissioners.

Respectfully,

J. C. ADAMS,

Which was referred to the Fire Board.

Also, the following motion :

*Moved*, That L. D. Hull be and is hereby granted permission to grade and gravel the alley adjoining his property on Brookside avenue, lot 16 in A. E. Fletcher's First Addition to the city of Indianapolis, the same to be done at his own expense and to be completed within ninety days, and the City Civil Engineer is hereby directed to set the grade stakes.

Mr. Thalman moved to amend by adding the following proviso, viz: " Provided he grade and gravel the full width of the alley and not less than a half a square in length."

Which amendment was adopted.

The motion as amended was then adopted.

Mr. Buehrig offered the following motion :

*Moved*, That the Street Commissioner be and is hereby ordered to fill up the chuck-holes on Union street, between Merrill and Morris streets.

Mr. Craft moved to refer to the Committee on Streets and Alleys.

Which motion to refer was laid on the table.

Mr. Buehrig's motion was then adopted.

Mr. Bugbee offered the following motion :

*Moved*, That H. C. Long have permission to plank a crossing twelve feet wide across the sidewalk in front of his property on Malotte avenue.

Which was adopted.

Also, the following communication :

*Indianapolis, August 24, 1876.*

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

*Gentlemen* :—The following is a true and correct statement of the doings of the Trustees of the Second Church of the Evangelical Association of North America, No. 59, northeast corner of Peru street and Christian avenue, Indianapolis, Ind., as their church record will show :

The church lot was bought by their first trustees, viz : John Fuchs, J. M. Gomer, M Hachn, J. Schaub, and C. Helwig, on the second (2d) day of October, 1871, for the sum of \$1,400. (See their deed).

Immediately said church commenced with preparing and building a frame church on their lot, which building was completed and dedicated on the 12th day of May, 1872, and has been occupied ever since as their house of worship.

Since we have learned recently, with regret, that we as a church are to be taxed on said property for the year 1872, we would earnestly petition the proper authorities not to burden us with said tax.

CH. FRITSCHÉ,  
CHRIST NEERMANN,  
JOHN SCHAUB,

Board of Trustees at present.

Which was referred to the City Assessor.

Mr. Craft offered the following resolution :

*Resolved*, That the Common Council of the City of Indianapolis deem it expedient that a line of street railway should be constructed along Market street from the Circle east to Arsenal avenue; thence north on Arsenal avenue to Michigan street; thence east on Michigan street to Keystone street; thence north on Keystone street to Clifford avenue; thence west on Clifford avenue to Massachusetts avenue; thence southwest on Massachusetts avenue to New Jersey street; thence south on New Jersey street to Market street.

And therefore the Citizens Street Railway Company are hereby ordered and directed to proceed to construct a street railway on and along said streets as above set forth, together with all necessary turnouts, switches, etc., and that said railway be constructed in accordance with the ordinances now in force governing such railway company.

Which was referred to the Committee on Railroads.

Also, the following remonstrance :

Indianapolis, September 11, 1876.

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

*Gentlemen*:—Your petitioners, who are resident tax payers of the city of Indianapolis, have seen the petition submitted to your honorable body by the projectors of the Belt Railway and Stock Yard Companies. While we would gladly see such undertakings as are proposed carried out in a legitimate way by the parties who are to own and be directly benefited by such an undertaking, and while we recognize in the fullest extent the benefits that might result to the city and the projectors of such an enterprise, we can not but view with alarm the proposition as it is now submitted for your consideration; and we beg leave to suggest some of the reasons that operate on us to induce us to protest, as we do most earnestly, against the acceptance by yourselves of the proposition submitted to you.

We protest against the proposed action because—

1. We do not conceive it to be within the power of the city to take the steps asked.
2. That in the present condition of the finances of the city it is unwise to undertake such a step.
3. That even if the steps proposed were lawful, and the finances of the city were in a flourishing condition, that any such step would be a dangerous departure from the previous practice of the city.

We do not think it within the power of the city to take the steps asked, for the reasons—

First. That we understand that such a step will increase the indebtedness of the city beyond the limit provided by law, and this we can not but believe is illegal, notwithstanding the opinions of counsel learned in the law to the contrary.

Second. That the proposition, stripped of all legal verbiage, is a naked proposition that the city of Indianapolis shall endorse for certain private parties, for private ends, to the extent of a half million dollars; and we do not conceive that this is altered by the fact that it is proposed to secure the city against loss by reason of such endorsement.

We do not think it a wise or safe policy for a city heavily encumbered and oppressed by debt, as is our city at present, to incur obligations which may, notwithstanding all possible guarantees, result in the debt becoming an absolute obligation of the city. If such should ever prove to be the case, and in order to save the city against ultimate loss, it should become necessary for the city to foreclose its mortgage and become the absolute owner of the property for which assistance is asked, we can not but feel assured that the



result of such action would be disastrous, by introducing into city politics that which might, and probably would, become a fruitful source of corruption. One great objection urged at the present time against the better class of citizens taking part in municipal politics is, that while the honest man can see in it nothing but labor and trouble, without any adequate recompense, either in power or profit, it offers to the class of the community that is not troubled with scruples of honesty, a ready field of unlawful gains; and if this is to be increased by the ownership and control of private property, in the dishonest management of which there might and probably would be a large pecuniary interest, the result on public morals and city politics is unpleasant to contemplate.

But even if these objections should appear to your honorable body to be fanciful and unreasonable, we insist that the commencement of the practice of endorsing by the city for private undertakings, would be in the last degree dangerous and unwise.

We would in this connection call your attention to the vast number of machine shops, foundries, and various kinds of manufacturing establishments now lying idle within the city by reason of a lack of capital, that would gladly start work and give employment to numbers of hands and add to the productive capital of the city if they could only, by the kind assistance of the city, procure a loan on bonds of the city, themselves agreeing to guarantee the city against loss. All of these could readily offer the same kind of inducements offered by the present applicant, if not of as desirable quality. The door once opened, we are unable to see where your honorable body could with propriety draw the line against the eager crowds of hungry borrowers that would besiege the doors of your Council Chamber—some of them less, some more fertile in expedients than the present applicants.

We do not see where the city can consistently draw the line, if it once opens the doors, unless it should resolve itself into a general banking and guarantee business; and we therefore earnestly ask that before granting the assistance asked you may carefully examine the proposition from every possible stand point, and against any such action by your honorable body as asked, we do most earnestly remonstrate.

And your petitioners will ever pray, etc.

EDWARD & HENRY SCHURMANN,

By CHARLES POST, Guardian.

CLEMENS VONNEGUT,

ALPHONS VORSTER.

Which was referred to the Committee on Railroads.

Also, the following motion :

*Moved*, That the Street Commissioner be and is hereby instructed to put down a stone crossing across New York street on Massachusetts avenue. The same to be done under the direction of the City Civil Engineer.

Which was referred to the Committee on Streets and Alleys.

Mr. Izor offered the following motion :

*Moved*, That the Street Commissioner be instructed to repair that portion of Washington street at the crossing of Noble street ; also, place a flag-stone crossing at Washington street on the west side of Noble street.

Which was referred to the Committee on Streets and Alleys.

Mr. Kenzel offered the following motion :

*Moved*, That the City Civil Engineer be and is hereby directed to examine the sewer drain in and along McCauley street, from West street to Pogue's Run, and report its condition at the next meeting of the Council.

Which was adopted.

Also, the following motion :

*Moved*, That the Street Commissioner pave the city's portion on the corner of Meridian and Morris streets, where the same is now being improved by the property owners.

Which was referred to the Committee on Streets and Alleys.

Also, the following petition :

*Indianapolis*, August 8, 1876.

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

*Gentlemen* :—The undersigned, owners of real estate fronting on Maple street, between McCarty and Ray streets, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with

brick the east sidewalk of the above named street, between the points named.

And your petitioners will ever pray,

B. F. Wilson, 30 feet; Charles Schneider, 30 feet;  
Hugh Sweeney, 30 feet; M. J. Laport, 30 feet; P.  
Healy, 110 feet; Dennis McCue, 30 feet; M.  
Clune, 30 feet; Samuel Hice.

Which was received.

Mr. McGill offered the following motion :

*Moved.* That the Street Commissioner be and is hereby instructed to remove the stumps out of the west end of the alley running east and west in block No. 74.

Which was adopted.

Also, the following motion :

*Moved,* That the Street Commissioner be and is hereby instructed to repair the gutter in front of Rentsch's grocery on Illinois street, between Louisiana and South streets.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

*Moved,* That the Street Commissioner clean the gutters so the water will run off of State street; also, on Ray street in West Indianapolis.

Which was referred to the Committee on Streets and Alleys.

Mr. McGinty offered the following motion :

*Moved,* That the Street Commissioner be directed to clean the gutters on south Tennessee street, from McCarty to Ray streets. The west gutter is in a filthy condition. I think the gentlemen's appearance would be very acceptable all over the south side.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

*Moved*, That the Street Commissioner clean the gutters on Morris street west of Pennsylvania street ; also, on Meridian street south of Pogues Run.

Which was referred to the Committee on Streets and Alleys.

Mr. Poudier offered the following motion :

*Moved*, That the Street Commissioner be instructed to fill up the chuck-holes on New Jersey street, between Ohio and New York streets, with gravel or cinders.

Which was referred to the Committee on Streets and Alleys.

Mr. Ransdell offered the following petition and resolution :

*Indianapolis*, September 11, 1876.

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

*Gentlemen* :—The Terre Haute & Indianapolis Railroad Company desire your honorable body to grant them permission to run a telegraph wire and put up the necessary poles for the same on Walnut street, from the I. C. & L. Railroad Company's track to the alley between Alabama and New Jersey streets (now known as Tremont street), in out-lot 39 ; thence north on said Tremont street to the south half of lot 4 in said out-lot. In putting up poles for said line the streets and sidewalks shall be left in as good a condition as heretofore.

For the above privilege we will ever pray, etc.

Respectfully submitted,

JOSHUA STAPLES,

Gen'l Superintendent.

*Resolved*, That the Terre Haute & Indianapolis Railroad Company be granted the right to erect and maintain a telegraph line, and erect and maintain the necessary poles therefor, on and along Walnut street from the I. C. & L. Railroad Company's track to the alley between Alabama and New Jersey streets (now known as Tremont street) in out-lot 39 ; thence north on said Tremont street to the south half of lot 4 in said out-lot. *Provided*, That in putting up poles the streets and sidewalks shall be left in as good condition as before the erection of said poles, and that said poles shall not be

placed in the street or gutters so as to obstruct travel or the flow of water in the gutters, and that this grant may be rescinded at any time at the pleasure of this Council.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

*Moved*, That B. F. Riley have permission to grade and bowlder the gutter in front of his property on Michigan street, at the corner of Indiana avenue, at his own expense, and under the direction of the Civil Engineer—the same to be done within twenty days.

Which was adopted.

Mr. Reed offered the following motion :

*Moved*, That the flag-staff in the Circle be repaired, under the direction of the Street Commissioner, in time to present a sightly appearance by the 20th inst., the day of the soldiers reunion in this city.

Which was adopted.

Also, the following remonstrance :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—The undersigned, owners of the real estate fronting on Second street, between West street and Central Canal, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said street and sidewalks between West street and Central Canal.

And your petitioners will ever pray, etc.

JACOB HOFMAN, 120 feet.

ABRAHAM CARMAN, 120 feet.

THOMAS REEVES.

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

Also, the following motion :

*Moved*, That the Committee on Printing be and are hereby instructed to have the Council Proceedings for 1875 indexed, the work to be given to the lowest and best bidder, to be done under the direction of the City Clerk.

Which was adopted.

Mr. Schmidt offered the following motion :

*Moved*, That R. A. Miller be and he is hereby granted permission to repair the pavement in front of his premises, No. 268 East Washington street, said work to be done under direction of the Civil Engineer, and at said Miller's own expense; to be done within thirty days.

Which was adopted.

Also, the following motion :

*Moved*, That the City Civil Engineer advertise for bids for an iron bridge over Fogues Run on East Ohio street. The bridge is dangerous, and should be attended to immediately, before the city will have to pay damages.

Which was referred to the Committee on Bridges, and City Engineer.

Also, the following motion :

*Moved*, That the Street Commissioner is hereby notified to rebowlder the gutter in front of the Journal building. Also to rebowlder the gutter on Peru street, between East Market and Ohio streets, on the west side.

Which was referred to the Committee on Streets and Alleys.

Also, the following resolution :

*Resolved*, That the City Attorney be and is hereby directed to contract with M. M. Burns (present resideht at the South Park), at a price not to exceed twenty-five (\$25.00) dollars per month, from the time he moved in and took possession of said park, and to specify in the contract that he shall give his entire time at work and taking care of the park, and that the said \$25.00 shall be full compensation for work done—such contract to be for the period of one year.

Mr. Craft moved to refer to the Committee on Parks.

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

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

Affirmative—Councilmen Adams, Bugbee, Darnell, Izor, Kenzel, McGill, McGinty, Ransdell, Reed, Schmidt, Steinhauer, Stratford; Webster and Wright, William G.—14.

Negative—Councilmen Byram, Case, Craft, Thalman, Thomas and Wright, Arthur L.—6.

Mr. Adams offered the following amendment :

*Moved*, That the motion be amended so as to read "twenty-five dollars per month from April first to October first, and from October first to April first he shall receive the sum of fifteen dollars per month."

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, Ransdell, Reed, Steinhauer, Thomas, Wright, Arthur L., and Wright, William G.—14.

Negative—Councilmen McGill, McGinty, Schmidt, Stratford, Thalman and Webster—6.

The resolution, as amended, was then adopted by the following vote :

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

Negative—Councilman Thalman—1.

Mr. Steinhauer offered the following motion :

*Moved*, That the City Civil Engineer be and is hereby instructed to establish the corners of square 101, in order to settle dispute regarding the boundaries of the same.

Which was adopted.

Also, the following resolution :

*Resolved*, That the owners of the following described real estate, to-wit: Lots numbered 87, 88, 89, 91, 92 and 93, in Yeiser's 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 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, Bugbee, Byram, Case, Craft, Darnell, Izor, Kanzel, McGill, McGinty, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

Dr. Stratford offered the following motion :

*Moved*, That the Street Commissioner be directed to fill the low place in the alley running east and west between Dougherty and Buchanan streets, near the intersection of Wright street, which is no more than fifty feet.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :



*Moved,* That the Street Commissioner be directed to fill the holes on Elm street, between Pine and Cedar streets, with good creek gravel.

Which was referred to the Committee on Streets and Alleys.

Mr. Thalman presented the contract and bond of Johnson & Christerson for building a cistern at the corner of Beecher and Shelby streets.

Which was concurred in, and bond approved.

Mr. Thalman offered the following motion :

*Moved,* That a drinking fountain be erected on the corner of Indiana avenue and California street.

Which was referred to the Committee on Water Works.

Mr. Thomas offered the following motion :

*Moved,* That the Street Commissioner be instructed to fill the chuck-holes on South Meridian street, from McCarty to Morris street, with coarse river gravel.

Also, to thoroughly examine South street from Illinois to Delaware street, and report to this Council what had best be done to make that street passable the coming winter.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

*Moved,* That the Committee on Parks ask of the State authorities the use of the vacant ground north of the Blind Asylum for the use of the soldiers at their reunion in this city on the 20th and 21st of this month.

Which was adopted.

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

*Moved,* That the Street Commissioner be directed to fill the holes on Prospect street with good creek gravel.

Which was referred to the Committee on Streets and Alleys.

By consent, Mr. Craft, from the Committee on Railroads, submitted the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—Your Committee on Railroads, to whom was referred the petition of G. H. Voss, asking the right and privilege to run a railroad switch across Wabash alley or street, where the I. C. & L. Railroad crosses the said alley or street at the canal on Missouri street, have examined into the matter and believe the privilege asked for should be granted, and therefore recommend the adoption of the following resolution. It will be necessary to move the lamp-post now situated at the corner of said alley or street and Missouri street, about four feet east. We recommend that the City Civil Engineer be instructed to notify the Indianapolis Gaslight and Coke Company to remove said lamp-post, the expense of removing said post to be paid by the petitioner, G. H. Voss.

Respectfully submitted,

J. L. CASE,

W. H. CRAFT,

Committee on Railroads.

Which was concurred in.

Also, the following resolution :

*Resolved*, That G. H. Voss be, and he is, hereby granted permission to lay down and use a railroad track or switch across Wabash alley or street, at a point where the I. C. & L. Railroad Co.'s tracks cross said Wabash street or alley on Missouri street; said Voss to comply with the laws in relation to the laying down and maintenance of railroad tracks and switches, the Council reserving the right at any time to reconsider and annul the permission hereby granted.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Bugbee, Byram, Case, Craft, Darnell, Izor, Kenzel, McGill, McGinty, Ransdell, Reed, Schmidt,

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

Negative—None.

REPORTS FROM COMMITTEES.

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

*Indianapolis*, September 11, 1876.

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

*Gentlemen* :—Your Committee on Finance, to whom was referred the communication of the School Board, embodying the resolution of said board fixing the levy for school purposes for the year 1876, would report that they have consulted the City Attorney, and are advised that the Council have no authority in the matter, and that the School Board have the power to fix the amount of the levy for school purposes, and upon their reporting the same to the city officers it becomes their duty to place the same upon the duplicate and collect the same, and the Council have no voice in the matter.

We would therefore recommend that the resolution be referred to the City Clerk for his action in the matter.

Respectfully submitted,

A. L. WRIGHT,  
N. S. BYRAM,  
J. THOMAS,  
Com. on Finance.

Which was approved.

Mr. Adams, from Committee on Judiciary, submitted the following report :

*Indianapolis*, September 11, 1876.

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

*Gentlemen* :—Your Committee on Judiciary, to whom was referred the communication of Hon. Cass Byfield, asking your honorable body to pay him the sum of nineteen hundred dollars for legal services rendered the city in prosecuting cases before the City Court, wherein the defendants have worked out the amount of their fines and costs upon the streets of the city, claiming

hat the city has received value received from the prisoners in the labor rendered upon the streets.

Your committee would report against the prayer of the petitioner, as the question involved is purely a legal one, and has never been adjudicated. There is a case in appeal before the Supreme Court in which the same questions are involved that appear in Mr. Byfield's claim. We therefore recommend your honorable body not to allow the above claim.

Respectfully submitted,

J. C. ADAMS.

D. M. RANSELL.

Committee on Judiciary.

Which was approved.

Dr. Stratford, from the Committee on Sewers, submitted the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—Your Committee on Sewers, to whom was referred the petition of Lampard & Sindlinger, asking for a final estimate on Illinois street sewer, would recommend that if the street is repaired to the satisfaction of the Street Commissioner, and if the sewer and catch-basins are in condition satisfactory to the City Civil Engineer, that he be directed to allow the estimate in his next report, and the amount placed in the next appropriation ordinance.

Respectfully submitted,

I. W. STRATFORD,

WM. G. WRIGHT,

F. SCHMIDT,

Committee on Sewers.

Which was concurred in.

Mr. Craft, from the Committee on Railroads, submitted the following report :

*Indianapolis, September 11, 1876.*

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

*Gentlemen* :—The undersigned, members of the Committee on Railroads, to whom was referred the petition of the Dardanella Emigration Society,

would report that we have called upon the railroad authorities, and after they had fully deliberated upon the matter, submitted a proposition, which is made a part of this report. We also laid the matter before the County Commissioners, and we were informed by them that they had no authority of law for an appropriation for such purpose. The amount necessary to furnish the transportation asked for would be about eight hundred dollars, and as we are informed by the City Attorney that the Council has no right by law to make appropriations for such purpose, we make no recommendations.

Respectfully submitted,

J. L. CASE,

W. H. CRAFT,

Committee on Railroads.

TERRE HAUTE & INDIANAPOLIS RAILROAD,  
(VANDALIA LINE), and  
INDIANAPOLIS & ST. LOUIS RAILROAD.  
Indianapolis, September 4, 1876.

Harry Craft, Esq., Committee on Railroad Transportation for Dardanelle Emigration Society:

*Dear Sir* :—I am authorized by the managers of the above lines to inform you that we will furnish transportation for the Dardanelle Emigration Society from Indianapolis to Russellville, Ark., (which is on the opposite side of the river from Dardanelle), for sixteen dollars and seventy-five cents (\$16.75) per capita for all persons over twelve years of age, and half the above amount for those under twelve and over five years; all under five years of age free. The above does not include freight.

The passengers go upon passenger trains.

Yours truly,

ROBT. EMMETT,

E. P. A.

Which was received.

Mr. Thalman offered the following motion:

*Moved*, That the report be received, and that the Committee on Railroads be authorized to contract with the railroad company to pay an amount not exceeding three hundred and fifty dollars; provided not less than 65 persons make up the party.

Which was laid on the table.

By consent, Mr. Craft offered the following motion :

*Moved*, That the Civil Engineer be, and is, hereby instructed to make an estimate for work done by Mr. John Green, at the crossing of Wisconsin and Missouri streets, under his contract on said Wisconsin street, and report to this Council on next Monday night.

Which was adopted.

On motion, the Council adjourned.

..... *J. Green* Mayor.

Attest :

..... *Benj. Wright* City Clerk.