

PROCEEDINGS
OF THE
COMMON COUNCIL.
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, October 23d, 1876—7 o'clock P. M. }

The Common Council met in regular session.

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

Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—21.

Absent—Councilman Byram, Diffley, McGill, Pouder and Steinhauer—5.

The proceedings of the adjourned session, held October 12th, and the regular session, held October 16th, 1876, were read and approved.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, October 23, 1876.

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

Gentlemen :—I would report that the gravel has worn away from around several fire cisterns in the city, and I would recommend that the Street Commissioner be instructed to place gravel around the tops of said cisterns, where needed, to protect the walls of the same.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following report :

Indianapolis, October 23, 1876.

To the Common Council of the City of Indianapolis :

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

A first and final estimate allowed William Morrison for grading and graveling the west half of the first alley north of Home avenue, running east and west between Delaware and Alabama streets—

390 lineal feet at 11 cents..... \$42 90

Also, a first and final estimate allowed James McB. Shepherd for grading and graveling Palmer street and sidewalks, from the Bluff road or Meridian street to Union street—

826 lineal feet at 28 cents..... \$231 28

210 lineal feet drain ditch at 10 cents..... 21 00

Total.. \$252 28

Also, a first and partial estimate allowed A. Bruner & Co. for building a brick sewer in and along Sanders street, from Shelby street to a point 400 feet west—

405.4 lineal feet at 85 cents..	\$344 59
2 man-holes at \$15.00.....	30 00
Total..	\$374 59
Less 5 per cent.....	18 70
Present payment.....	\$355 89

Also, a second and final estimate allowed Fred Gansberg for grading and graveling Orange street and sidewalks, from Shelby to Spruce streets—

3,053 lineal feet at 53 cents.....	\$1,620 74
9 yards extra gravel at 50 cents.....	4 50
Total....	\$1,625 24
Less former payment.....	1,087 38
Present payment.....	537 86

Also, a first and final estimate allowed August Verhofstad & Co. for grading and graveling the first alley east of Yandes street, from Home to Lincoln avenues—

1,490 lineal feet at 19 cents.....	\$283 10
------------------------------------	----------

Also, a second and partial estimate allowed Johnson & Christerson for building a fire cistern at the corner of Beecher and Shelby streets—

1,063.15 barrels at 35 cents.....	\$372 10
Less 30 per cent.....	111 63
	<u>\$260 47</u>
Less former payment.....	200 00
Present payment	\$ 60 47

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 William Morrison for grading and graveling the west half of the first alley north of

Home avenue, running east and west between Delaware and Alabama 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, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed James McB. Shepherd for grading and graveling Palmer street and sidewalks, from the Bluff road or Meridian street to Union street, be, and the same is, hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Fred Gansberg for grading and graveling Orange street and sidewalks, from Shelby to Spruce 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, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed August Verhofstad & Co. for grading and graveling the first alley east of Yandes street, from Home to Lincoln avenues, 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, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—None.

The City Clerk submitted the following report :

Indianapolis, October 23, 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 assessments, by precept, to-wit :

Henry Clay vs. Anna E. Hawk for.....	\$4 60
Henry Clay vs. Michael A. Toohey for... ..	4 60
Henry Clay vs. Ellen Matthews for.....	4 60
Henry Clay vs. John B. Schwin for.....	8 51
Henry Clay vs. C. C. Morris (christian name unknown) for.....	4 60

And respectfully recommend that you order the precept to issue.

Respectfully submitted,

BENJ. C. WRIGHT,
City Clerk.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—18.

Negative—None.

The City Attorney submitted the following report :

Indianapolis, October 23, 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 Fredricka Byers vs. The City has been tried in the Superior Court, and has resulted in a verdict in favor of the city. This was a suit for damages by reason of alleged injuries received by the plaintiff by falling upon obstructions upon the Liberty street bridge.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was approved.

His Honor, the Mayor, submitted the following report :

Indianapolis, October 23, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—The amount of fines collected by me during the months of July, August and September, 1876, due the Home for Friendless Women, is \$260.25, and the amount collected during the month of September due the City Treasury is \$62.30, which amount I have paid the City Treasurer, as will appear by his duplicate receipt filed herewith.

Respectfully submitted,

JOHN CAVEN,

Mayor.

Which was approved.

Also, the following communication :

Indianapolis, October 23, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—I would respectfully report that on the 17th day of October, 1876, the Union Railroad Transfer and Stock Yard Company filed with me a certified copy of a resolution, adopted by the Board of Directors of said company, accepting the terms and conditions set forth in an ordinance, entitled : "An ordinance providing for the issuing of certain bonds in aid of the Union Railroad Transfer and Stock Yard Company, and prescribing the conditions upon which such bonds are issued and delivered," ordained by the Common Council October 16th, 1876, which certified copy, with my indorsement of the time of filing with me, is herewith submitted.

Respectfully submitted,

JOHN CAVEN,

Mayor.

Since the foregoing report was prepared, the Supreme Court has rendered a decision embracing the question of the powers of the Council to annex other conditions than those specified in the statutes. This decision is probably very important, and its full effect should be promptly ascertained. I would recommend that the City Attorney and Judiciary Committee be instructed to inquire and report.

Respectfully submitted,

JOHN CAVEN,

Mayor.

Which was received.

Also, the following communication :

Indianapolis, October 17, 1876.

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

Gentlemen :—This is to certify that the following is a true copy of a resolution adopted by the Board of Directors of the Union Railroad Transfer and Stock Yard Company, at a meeting of the said Board of Directors, held on Tuesday the 17th day of October, 1876, and that the said resolution is duly entered on the Record Book of said company :

"*Resolved*, That this Board of Directors agree to, and do hereby, accept the terms and conditions set forth in an ordinance entitled, 'An ordinance providing for the issuing of certain bonds in aid of the Union Railroad Transfer

and Stock Yard Company, and prescribing the condition upon which such bonds are issued and delivered,' ordained and established by the Common Council of the city of Indianapolis, at a regular meeting of said Council, held on the 16th day October, 1876.

HORACE SCOTT,
Vice President.

Attest:

E. F. CLAYPOOL,

[SEAL].

Secretary.

I, John Caven, Mayor of Indianapolis, hereby certify that the within acceptance was filed with me, October 17, 1876. JOHN CAVEN, Mayor.

Which was received.

Mr. Craft moved to reconsider the vote by which general ordinance No. 51, 1876, entitled, "An ordinance providing for the issuing of certain bonds in aid of the Union Railroad Transfer and Stock Yard Company, and prescribing the conditions upon which such bonds are issued and delivered," was passed October 16th, 1876.

Which motion was adopted, and the passage of the ordinance reconsidered by the following vote:

Affirmative—Councilmen Adams, Bugbee, Craft, Darnell, Laughlin, Morse, Ransdell, Thalman, Wright, Arthur L., and Wright, William G.—10.

Negative—Councilmen Buehrig, Case, Izor, Kenzel, McGinty, Reed, Schmidt, Stratford and Webster—9.

Mr. Thomas was excused from voting on the subject.

Mr. Craft offered the following motion:

Moved, That the Belt Railroad ordinance be, and the same is, hereby referred to the Committee on Judiciary and City Attorney, with instructions to report at our next regular meeting in regard to the several provisions of the said ordinance as to whether the said ordinance is binding upon the rail

road company, and if thought advisable they are authorized to solicit the opinions of some other competent attorneys.

Which motion was adopted.

INTRODUCTION OF ORDINANCES.

Mr. Craft introduced appropriation ordinance No. 60, 1876, entitled :

An ordinance appropriating money for the use of the Chief Fire Engineer.

Which was read the first time.

Mr. Craft moved to suspend the rules for the purpose of taking up the above entitled ordinance and placing it upon its final passage.

Which motion was adopted by the following vote :

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

Negative—None.

Appropriation ordinance No. 60, 1876,

Was then read the second time and ordered engrossed, and read the third time and passed by the following vote :

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

Negative—None.

ROLL CALL.

Mr. Adams offered the following motion :

Moved, That the city Marshal be, and is, hereby empowered to hire an additional man to assist in serving the notices in the matter of opening and extending Dunlop street.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be, and is, hereby directed to set the line and grade stakes for the alley between Meridian and Pennsylvania streets, running north from Second street to Fifth street.

Which was adopted.

Also, the following petition :

Indianapolis, October 23, 1876.

STATE OF INDIANA, }
MARION COUNTY. } ss :

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

Gentlemen :—Your petitioner would respectfully represent to your honorable body that heretofore, to-wit : On or about the 3d day of January, A. D., 1876, he contracted with the said city for the widening and deepening of the State Ditch from the intersection of Hill avenue and Tenth street, in said city, to the north line of the State Fair Grounds. By the provision of said contract your petitioner was to have all the materials coming out of said ditch. So much of said contract as referred to that portion of the ditch east of Central avenue was afterwards rescinded by the contracting parties. But your petitioner would represent that as to the material coming out of that portion of said ditch lying within the limits of the State Fair Grounds he was prevented from removing from said State Fair Grounds by order of the State Board, which orders and notices are filed herewith and made a part hereof. That said materials so enjoined were reasonably worth the sum of five hundred dollars. Your petitioner would further represent that by order of the City Civil Engineer he filled and covered over the tunnel at the intersection of Alabama street and the State Ditch, four hundred and ninety (490)

loads of dirt, which work was reasonably worth sixty-nine dollars. Wherefore, your petitioner would pray that he be allowed by said city the sum of five hundred and sixty-nine dollars for the materials that he was prohibited from removing from the State Fair Grounds and for the covering of said tunnel as aforesaid.

JAMES MUSE.

INDIANA STATE BOARD OF AGRICULTURE, }
Indianapolis, January 17, 1876. }

To the Superintendent of the Indiana State Fair Grounds :

You are hereby notified, by order of the Executive Committee of the Indiana State Board of Agriculture, to notify those parties at once to stop hauling gravel from said ground, and to further see that the gates are locked against them to-morrow morning.

Very respectfully,

ALEX. HERON,

Secretary.

Indianapolis, January 29, 1876.

To James Muse, Contractor :

On behalf, and by authority of the State Board of Agriculture you are hereby notified that the said Board claims *all* the material taken from what is known as the State Ditch within the State Fair Grounds, *including* the sand and gravel deposited on the grounds of the Board opposite the Exposition Building.

Very respectfully,

ALEX. HERON,

Secretary.

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

Also, the following report and resolution :

Indianapolis, October 23, 1876.

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

Gentlemen :—In pursuance to a call of His Honor, the Mayor, the members of this and former Councils met in the City Building on October 8th, preparatory to attending the funeral of Patrick H. Curran, a member of the last City Council from the Eighth Ward. At said meeting a committee was appointed to draft resolutions of respect to the memory of Mr. Curran, with

instructions to report at the next meeting of the Common Council, which report we herewith present :

WHEREAS, Death has laid his hand on Patrick H. Curran, a friend and ex-member of the Common Council of the City of Indianapolis; therefore,

Resolved, By the members of this and former Council, that we fully recognize the good qualities and merits of our deceased friend and brother, Councilman Patrick H. Curran, and deplore his sudden death, and place upon record the following as our appreciation of his public services and private character :

He was an honorable man, a good citizen, and a painstaking and useful member of the City Council; a staunch friend, and a kind and affectionate husband, father and son.

Your committee would recommend that the City Clerk be directed to send a copy of these resolutions to the bereaved family of the deceased, carrying therewith the assurance of our sympathy and respect for them in this, their hour of affliction.

Respectfully submitted,

J. C. ADAMS.

J. J. DIFFLEY,

N. S. BYRAM,

GEO. W. GEIGER,

R. C. J. PENDLETON.

Committee.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That Alphons Vorster be, and is, hereby granted permission to grade and gravel North Illinois street, north of Twelfth street, to the State Ditch, under the direction of the City Civil Engineer and at his own expense.

Which was adopted.

Mr. Laughlin presented the following petition :

Indianapolis, October 23, 1876.

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

Gentlemen :—We, the subscribers, respectfully petition for the privilege of extending our switch on the south side of our elevator, No. 99 South Dela-

aware street, west about fifty (50) feet, for the purpose of switching unloaded cars on to an adjoining track south, we agreeing to put in the necessary drain tile in the gutter and make the street level and in perfect repair at our own expense. Also, not to leave a car standing in the street at any time, and also to vacate or take up said track or switch whenever the same shall be found prejudicial to public interest.

Yours, very truly,

BENNETT, MOORE & CO.

Also, the following motion :

Moved, That the prayer of the petitioners be granted, and the City Attorney be, and is, hereby instructed to report an ordinance for the same on next Monday night.

Which petition and motion were referred to the Committee on Streets and Alleys, with instructions to report next Monday night.

Mr. Morse offered the following motion :

Moved, That S. J. Patterson be allowed to grade and gravel Davis street and sidewalks, from Wilson street to the east line of lot No. 1, Patterson's Addition, at his own expense. The City Civil Engineer be, and is, hereby directed to set the grade stakes. Said work to be done within ninety days from date.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be, and is, hereby instructed to solicit and receive bids for building a stone abutment on the west side of Pogues' Run, at the crossing of Ray street, and for repairing the stone abutment at same place on the east side, and hand said bids to the Committee on Bridges by Thursday, October 26, 4 o'clock P. M., said committee being authorized to award the contract to the lowest and best bidder.

Which was adopted.

Mr. McGinty offered the following motion :

Moved, That the Street Commissioner be, and is, hereby directed to clean the gutters on West street, from Merrill to Morris streets.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Judiciary and City Attorney be, and is, hereby directed to report on what action, if any, concerning the peoples' property that was washed away by the overflow of Pogues' Run in 1875, situated between Merrill and Catharine streets.

Which was adopted.

Mr. Reed presented the following remonstrance :

Indianapolis, October 16, 1876.

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

Gentlemen :—We, the undersigned, property owners between Walnut and St. Clair street, and between the canal and Fayette street, do remonstrate against the improvement of said alley for the following reasons :

First. The one half of us are unable to pay last year's taxes.

Second. It is unnecessary work, for the alley is clean and causes no nuisance whatsoever.

Third. If the improvement should go ahead, it would cause us to lose our property. Therefore, we hope your honorable body will take it into consideration, and feel for our distressed condition.

Respectfully submitted,

Michael Griffin, 75 feet; Patrick Foley, 75 feet
Widow McQuade, 35 feet; Patrick Fitzgerald, 35
feet; Widow Hildebrand, 35 feet; William Burns,
35 feet; James Duffy, 150 feet; Patrick Griffin,
75 feet; Widow Crowley, 35 feet.

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

Mr. Schmidt presented the following petition :

Indianapolis, October 23, 1876.

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

Gentlemen :—Your petitioner, to whom was awarded the contract for paving the north sidewalk of Washington street from East to Noble streets, would state to your honorable body that Wm. H. English, Esq., has notified your petitioner that the Council had, during last year, granted him permission to pave the sidewalk in front of his property at his own expense; and he further notified your petitioner not to proceed with said improvement in front of his (said English's) property; and in case said improvement was made that he would bring suit against your petitioner for damages. And further, the City Civil Engineer notifies your petitioner that he will not give an estimate until the work on the entire line is completed. As your petitioner desires to avoid litigation and costs attending the same, he asks that your honorable body take such action in this matter as will protect him in carrying out his said contract with the city.

JOHN SCHIER.

Which was referred to the City Attorney.

Also, the following motion:

Moved, That the Street Commissioner be, and is, hereby directed to improve the Nicholson pavement on East Market street, between Pennsylvania and Delaware street.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion:

Moved, That the Street Commissioner be, and is, hereby instructed to fill up the chuck-holes on North New Jersey street, between East Market and Ohio streets, with gravel.

Which was referred to the Committee on Streets and Alleys.

Mr. Thalman offered the following motion:

Moved, That the Street Commissioner be directed to make the floor of the north bridge over the arm of the canal on Washington street safe by replanking it.

Which was adopted.

Also, the following motion :

Moved, That the City Treasurer be, and is, hereby directed to tender the amounts assessed as benefits to property owners on Blackford street, in opening and widening said street between North street and Indiana avenue.

Which was adopted.

Mr. Thomas offered the following motion :

Moved, That the Street Commissioner be instructed to replace the bowlders taken up in front of Mr. Maloney's property on South Illinois street, near the bridge.

Which was referred to the Committee on Streets and Alleys.

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

Moved, That the Street Commissioner be, and he is, hereby directed to put down stone crossings at the crossings of East and Walnut streets.

Which was laid on the table.

Dr. Stratford offered the following motion :

Moved, That the City Civil Engineer be directed to advertise for bids for an iron bridge over Pogues Run, at the crossing of Virginia avenue.

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

Mr. Craft offered the following motion :

Moved, That the Committee on Printing be and are hereby instructed to have one hundred copies of the Rules of the Council printed and placed in the hands of the City Clerk for distribution to the members of the Council and city officers.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and is, hereby instructed to put down stone crossings on Massachusetts avenue, across Delaware street, on east side.

Which was referred to the Committee on Streets and Alleys.

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

Moved, That in all cases where permission has been granted private parties to improve the streets, alleys or sidewalks, and the same shall not be completed within ninety days from this date, said permission shall be, and the same is hereby rescinded.

Which was adopted.

Mr. Craft moved to suspend the rules to take up and place upon its passage appropriation ordinance No. 57, 1876.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Reed, Schmidt, Thalman, Thomas, Wright, Arthur L., and Wright, William G.—18.

Negative—Councilmen Stratford and Webster—2.

Appropriation ordinance No. 57, 1876, entitled :

An ordinance appropriating money for the payment of a certain claim against the city of Indianapolis, on account of the No. 8 Hose Reel House.

Was read the second time and engrossed.

Appropriation ordinance No. 57, 1876,

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener Reed,

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

Negative—Councilman Webster—1.

Mr. Craft offered the following motion :

Moved, That the Street Commissioner be, and is, hereby instructed to put down a plank crossing over the gutter in front of No. 8 Reel House, the same to be done under the direction of the Civil Engineer.

Mr. Darnell moved to amend by instructing the Street Commissioner to use the culvert or crossing now in use in front of the building occupied by the No. 8 Hose Reel House.

Which amendment was adopted.

The motion as amended was then adopted.

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

Indianapolis, October 23, 1876.

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

Gentlemen :—Your Committee on Accounts and Claims, to which was referred sundry petitions, etc., have examined the same and report as follows :

First—Is a petition from Wm. J. Gillespie, stating that, in making out his assessment list, he made an error of \$3,000, and asks your honorable body to refund the tax on said \$3,000. Mr. Gillespie having made a mistake simply in the law and not in fact, he can not claim as matter of right to have the correction made, but it would be in the power of the Common Council to permit such correction to be made, and it is for your honorable body to decide whether it is not your duty to permit such correction or rebate. We therefore submit the matter without any recommendation.

Second—Is a petition from William F. Slater, in which he represents that in the year 1872, in the month of January, he was listed for city taxes; that about April 1st he moved to Illinois. He again returned to Indianapolis and was listed for taxes in April, 1875, and upon paying such tax, he found that the tax of 1872, with penalty and interest, was charged against him. The

petitioner asks your honorable body to relieve him from the tax of 1872, as he lost his residence early in the year. Your committee knows no reason why the prayer of the petitioner should be granted, and therefore recommend it be not granted.

Third.—Is a petition from John E. Foudray, John H. Vajen and Dan Martin, claiming damages on account of the change of the channel of Fall Creek, which petition your committee recommend be referred to the Committee on Judiciary and City Attorney.

Fourth—Is a petition from John G. Blake, asking payment for a horse which was injured (and afterwards died) on the Delaware street bridge. Your committee recommend that the petition be referred to the above named committee.

Fifth—Is a petition from S. J. Mitchell, asking payment for damages of horse, having been injured, as he alleges, through the negligence of the city's agents. Your committee recommend that the petition be referred to the above named committee.

Sixth—Is a motion that F. Rauschaupt be relieved of the assessment against his property on account of the Second street sewer. Your committee recommend that the subject be referred to the Committee on Judiciary for their consideration and report at an early day.

Respectfully submitted,

GEO. C. WEBSTER,

W. G. WRIGHT,

WM. F. REASENER,

Committee on Accounts and Claims.

Which was concurred in.

On motion, the Council adjourned.

J. Bowen Mayor.

Attest:

Benjamin Wright City Clerk.