

PROCEEDINGS  
OF THE  
COMMON COUNCIL.  
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Monday, April 9th, 1877—7½ o'clock P. M.* }

The Common Council met in regular session.

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

Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Absent—Councilman Kenzel, Pouder, and Reed—3.

The proceedings of the regular session, held April 2d, and the adjourned session, held April 4th, 1877, were read and approved.

## REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report:

*Indianapolis, April 9, 1877.*

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 James Garner for grading and graveling the first alley north of North street, between Delaware and Hudson streets—  
 390 lineal feet at 14 cents. . . . . \$54 60  
 1 extra load of gravel on crossing at 65 cents. . . . . 65  
 Total. . . . . \$55 25

Also, a first and final estimate allowed William Morrison for grading and graveling the first alley south of Fifth street, from Pennsylvania street west to alley—

368.4 lineal feet at 13 cents. . . . . \$47 89

Also, a first and partial estimate allowed Andrew J. Sloan for grading and graveling the first alley east of Dillon street, from English to Lexington avenues—

1000 lineal feet at 15 cents. . . . . \$150 00

Also, a third and final estimate allowed Bruner & Riner for building a brick sewer in and along Georgia street, from Illinois street to the first alley east of Meridian street—

763 5 lineal feet at \$2.10. . . . . \$1,603 35  
 5 man-holes at \$20.00. . . . . 100 00  
 2 catch-basins at \$60 00 . . . . . 120 00  
 655 feet of sheeting at \$2.40 per 100 feet. . . . . 15 72

Total. . . . . \$1,839 07  
 Less former payments. . . . . 1,732 00

Less over pay on Pennsylvania street sewer. . . . . 43 08

Balance due. . . . . \$63 99

Also, a fifth corrected and final estimate allowed Bruner & Riner for building a brick sewer in and along Pennsylvania street, from Home avenue to

Second street, thence west in and along Second street to and connecting with the sewer in said Second street at the intersection of Meridian street—

|                                    |                   |
|------------------------------------|-------------------|
| 1312 41 lineal feet at \$3 70..... | \$4,855 92        |
| 7 man-holes at \$23.00.....        | 161 00            |
| 6 catch-basins at \$70.00.....     | 420 00            |
| <b>Total.....</b>                  | <b>\$5,436 92</b> |
| Former payments.....               | 5,480 00          |
| <b>Over pay.....</b>               | <b>\$43 08</b>    |

The above over pay has been deducted from the amount due Bruner & Riner on final estimate on the Georgia street sewer.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was approved.

Also, the following estimate resolution :

*Resolved,* That the foregoing first and final estimate allowed James Garner for grading and graveling the first alley north of North street, between Delaware and Hudson 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 Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Schmidt, Stratford, Therman, Thomas, Webster, and Wright, William G.—16.

Negative—None.

Also, the following estimate resolution :

*Resolved,* That the foregoing first and final estimate allowed William Morrison for grading and graveling the first alley south of Fifth street, from Pennsylvania street west to alley, 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 Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Schmidt, Stratford, Thaman, Thomas, Webster, and Wright, William G.—16.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and partial estimate allowed Andrew J. Sloan for grading and graveling the first alley east of Dillon street, from English to Lexington 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 Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Schmidt, Stratford, Thaman, Thomas, Webster, and Wright, William G.—16.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing third and final estimate allowed Bruner & Riner for building a brick sewer in and along Georgia street, from Illinois street to the first aley east of Meridian 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 Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Schmidt, Stratford, Thaman, Thomas, Webster, and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing fifth corrected and final estimate allowed Bruner & Riner for building a brick sewer in and along Pennsylvania street, from Home avenue to Second street, thence west in and along Second street to and connecting with the sewer in said Second street at the intersection of Meridian 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 Bugbee, Byram, Case, Craft, Darnell, Duffley, Izor, Morse, McGill, McGinty, Schmidt, Stratford, Thalmann, Thomas, Webster, and Wright, William G.—16.

Negative—None.

Also, the following report :

*Indianapolis*, April 9, 1877.

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

*Gentlemen* :—I was directed to examine the first alley east of Summit street, near the P. C. & St. L. R. R. track, and report the best plan of draining a pond of water located on the line of said alley. I have examined the point referred to, and would recommend that the Street Commissioner be instructed to put in a wooden culvert 10x14 inches in the clear, and 135 feet long, in and along Maryland street from the alley to Summit street, and connecting with drainage pipe running into a sewer.

SECOND.

I would report the contract and bond of John Greene for grading and graveling the first alley east of East street, from McCarty street to the first alley north of Buchanan street.

Bond, \$100.00. Bondsman, John Welsh.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The first section was concurred in, the second section was concurred in, and the bond approved.

The City Clerk submitted the following report :

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—In obedience to your instructions I employed the County Surveyor to establish the quarter-section line running north and south through section 13, township 15, range 3 east. Said survey has been made, and a plat showing the line, etc., filed in my office. I recommend that said plat or drawing be referred to the City Civil Engineer for further action.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Which was concurred in, and the Civil Engineer instructed to have the street opened.

The City Attorney submitted the following report :

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—I would report that since the last meeting of Council the case of William J. Cunningham vs. The City has been tried in the Superior Court and resulted in a verdict in favor of the city. It was a suit brought for damages sustained by plaintiff in falling upon the sidewalk in December last.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Which was received.

#### INTRODUCTION OF ORDINANCES.

By consent, Mr. Darnell offered the following report :

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—Your Special Committee, appointed to investigate the Sellers

Farm, would report that we have visited the farm and examined the same, and found that a very radical change is necessary in the mode and manner of conducting the business upon the same. We have prepared an ordinance upon the subject, that we think will in a measure remedy the evil, and we recommend that it be passed.

Respectfully submitted,

C. F. DARNELL,

J. L. CASE,

Special Committee.

R. O. HAWKINS,

City Attorney.

Mr. Darnell introduced general ordinance No. 11, 1877, entitled :

An ordinance in relation to the Sellers Farm, and prescribing certain penalties.

Which was read the first time.

On motion by Mr. Darnell, the above subject was made the special order for Monday evening, April 23, 1877.

Mr. Thalman introduced appropriation ordinance No. 26, 1877, entitled :

An ordinance appropriating money on account of the Street Repair Department of the city of Indianapolis.

Which was read the first time.

Mr. Thalman moved to suspend the rules for the purpose of placing the above entitled ordinance on its passage.

Mr. Byram stated that he wished to introduce an ordinance and have it placed on its passage, and asked to have it included in Mr Thalman's motion.

Which request was granted.

Mr. Byram introduced general ordinance No. 12, 1877, entitled :

An ordinance to amend section 7 of an ordinance regulating the erection of public lamps, and providing for lighting the streets and alleys of the city of Indianapolis with gas, ordained May 31, 1869.

Which was read the first time.

A vote was then had on the motion to suspend the rules.

Which motion failed to pass.

Mr. Thalman moved to suspend the rules to take up and place on its passage appropriation ordinance No. 26, 1877.

Which motion to suspend the rules was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, and Wright, William G.—20.

Negative—None.

Appropriation ordinance No. 26, 1877, entitled :

An ordinance appropriating money on account of the Street Repair Department of the city of Indianapolis,

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—21.

Negative—None.



Mr. Byram moved to suspend the rules to take up and place on its passage general ordinance No. 12, 1877.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—Councilmen Reasener and Schmidt—2.

General ordinance No. 12, 1877, entitled :

An ordinance to amend section 7 of an ordinance regulating the erection of public lamps, and providing for lighting the streets and alleys of the city of Indianapolis with gas, ordained May 31, 1869,

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L. and Wright, William G.—18.

Negative—Councilmen Reasener and Schmidt—2.

The City Attorney submitted the following report :

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—I would report that the Trustees of the Belt Railroad bonds have reported the following named persons as security upon their bonds to the city, to-wit: W. R. McKean, M. A. Downing, Horace Scott, Nicholas McCarty, John C. S. Harrison, E. F. Claypool. I would report that I have prepared a form of bond to be executed, and I would recommend that the

matter be referred to the Finance Committee, to report upon the bond and security.

Respectfully submitted,

R. O. HAWKINS,  
City Attorney.

Which was concurred in.

Mr. McGinty moved to suspend the rules for the purpose of taking up and placing on its passage special ordinance No. 9, 1877.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—21.

Negative—None.

Special ordinance No. 9, 1877, entitled :

An ordinance to provide for grading and graveling Church street and sidewalks, between Ray and Morris streets.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Morse, McGill, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

#### ROLL CALL.

Mr. Adams presented the following communication :

*Indianapolis, April 9, 1877.*

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

*Gentlemen:*—I beg leave to call your attention to the fact that on the 27th of October, 1875, I recovered judgment against the city for \$200 00. I afterwards presented to the proper authorities the certificate of Mr. Brown, the Clerk of the Court, to that effect. The account was approved by the City Attorney, and a warrant ordered to issue on it, but by some oversight the warrant was ordered to issue for the principal of the judgment without any interest. By operation of law the judgment bears interest at the rate of six per cent., and the interest, amounting to seventeen dollars and forty-three cents (\$17.43), ought to be included in the warrant, or a new warrant for that amount issued.

I pray that you may direct a warrant to issue for that amount in my favor, and the City Treasurer be directed to pay it.

Respectfully submitted,

WM. A. KETCHAM.

The facts stated in this petition are true, and I would recommend that the Committee on Accounts and Claims be instructed to allow the same, and include it in the next appropriation ordinance.

R. O. HAWKINS,

City Attorney.

Which was received, and the amount ordered inserted in the next appropriation ordinance.

Also, the following communication :

*Indianapolis, April 9, 1877.*

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

*Gentlemen:*—The undersigned, street sprinklers of the City of Indianapolis, would respectfully represent that they are unjustly taxed by the Water Works Company for the use of the water plugs for street sprinkling purposes. The price, twenty dollars per month, is exorbitant, and in view of the hard times and depressed condition of the business and financial interests of the country, we are unable to make contracts at living figures, and would most earnestly request your honorable body to endeavor to secure such a readjustment of the

water rates with the Water Works Company as will be in just proportion to the general reduction in all other values and interests.

Frederick J. Meyer, Fred. Fehring, Chas. Schering,  
Fred. Kiel, Conrad Rust, F. A. Miller, — — —,  
Carl Kerkhoff, Charles Bertrand, Conrad Claffey,  
C. G. Haag, C. Shover.

Which was referred to the Committee on Water Works, with instructions to report in two weeks.

Mr. Buehrig presented the following petition :

*Indianapolis, April 7, 1877.*

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

*Gentlemen* :—We the undersigned, citizens and tax payers, owning the property adjoining the alley just west of Meridian street, running from McNabb street to South street, wishing to grade so much of said alley as is in the rear of our lots, known as the Centennial Block; we therefore ask your honorable body to give us the permission to do so, and order the Civil Engineer to give us the proper grade; said work to be done in 60 days.

FERDINAND DEITZ,  
PETER SPITZFADEN,  
ALBERT REISENER,  
CHARLES KUHN.

Which was received, and prayer of petitioners granted.

Mr. Buehrig offered the following motion :

*Moved*, That Messrs. Baumhard & Scheeler have permission to remove the frame house of Mrs. Bach from Louisiana street, between Illinois and Meridian, to Tinker street.

Which was adopted.

Also, the following motion :

*Moved*, That the Committee on Markets be instructed to inquire whether the Market Master can order coffee stands to be opened at certain hours ;

also how much he is allowed to charge for rent of the same, and to report next Monday night.

Which was referred to the Committee on Markets.

Mr. Byram offered the following motion :

*Moved*, That the Street Commissioner be, and is, hereby instructed to remove the debris from the late Academy of Music, situate on the corner of Ohio and Illinois streets, and if possible collect the cost of the removal of the same from the person or persons owning said property.

Which was adopted.

Also, the following motion :

*Moved*, That the Committee on Accounts and Claims be requested to meet and report a general appropriation ordinance on the 23d instant, and that the city officers be directed to report all claims for allowance to them in time to be included in said ordinance.

Which was adopted.

Mr. Darnell offered the following motion :

*Moved*, That the Civil Engineer be and is hereby ordered to draw up twenty-five maps, one for each ward, to be posted up on the day of election, so as to define the boundaries of each ward ; each map to contain one ward only, including the outside corporation line where the ward bounds.

Which was adopted.

Mr. Izor offered the following motion :

*Moved*, That the City Marshal be instructed to have made immediately the required number of ballot boxes to supply the new Wards.

Which was adopted.

Mr. Morse presented the following remonstrance :

Indianapolis, April 7, 1877.

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

*Gentlemen*:—The undersigned, owners of the real estate fronting on Blake and Minerva streets, between Michigan and New York streets, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of the alley in rear of said street.

And your petitioner will ever pray, etc.

James Weller 70 feet; Gotthart Dockot 66½ feet;  
 William L. Harper, 39 feet; Amos Weymouth  
 35 feet; Mrs. H. Church 35 feet; Adaline C.  
 Railsback 35 feet; Mary A. Oval 35 feet; Jno.  
 W. Whitehead 35 feet; George Potts 35 feet;  
 T. G. White 35 feet; Robert Fulton 35 feet;  
 Dr. Schofield 35 feet; John Balfour 34 feet;  
 James Barnett 34 feet; Sophia Dockot 32 feet;  
 Charles Gillespie 35 feet; Neal Dugan 35 feet;  
 John Joyce 35 feet; B. F. Riley 72 feet; W. W.  
 Elliott 50 feet; Fred. W. Wachs 70 feet;  
 J. H. Eymann 35 feet; J. C. Conner 35 feet;  
 Wm. Weller 35 feet; Richard O'Mara 35 feet;  
 Cris. H. Lintner 35 feet; L Hopson 35 feet;  
 Chas. Welling 35 feet; Jas. McDonald 52; M.  
 C. Bishop 35 feet; Jas. O'Mara 35 feet; John  
 Smith 35 feet.

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

Mr. Ransdell offered the following motion:

*Moved*, That the Street Commissioner be instructed to put down a flag-stone crossing on the east side of Indiana avenue across New York street.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion:

*Moved*, That the Street Commissioner be instructed to put down a flag-stone crossing on the north side of North street across Illinois street.

Which was referred to the Committee on Streets and Alleys.

Mr. Schmidt offered the following motion :

*Moved*, That Johnston Bros. and C. Hammond, Nos. 62 and 64 East Washington street, have the consent of this Council to raise the flag-stone pavement in front of the above numbers, at their own expense and under direction of the Civil Engineer.

Which was adopted.

Also, the following motion :

*Moved*, That the Committee on Railroads report to this Council on next Monday night what, if anything has been done by the C. C. C. & I., and the I. P. & C. Railway Co.'s towards carrying out of the terms of the ordinance looking to a consolidation of the tracks of the said roads within the city.

Which was adopted.

Also, the following motion :

*Moved*, That the Civil Engineer be, and is, hereby directed to advertise for a 1,000 barrel cistern at the corner of Vermont street and Arsenal avenue.

Which was referred to the Fire Board.

Dr. Stratford offered the following motion :

*Moved*, That there be a committee of three appointed by the Chair to ascertain on what terms suitable ground can be procured for a Market House south of the Union Tracks.

Which was adopted.

The Chair appointed as such committee Councilmen Stratford, Case, and Steinhauer.

Mr. Thomas presented the following remonstrance :

*Indianapolis*, April 9, 1877.

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

*Gentlemen* :—We the undersigned, property holders and business men, owning property and doing business on the east side of Illinois street, between

Maryland and Louisiana streets, do most respectfully remonstrate against the passage of an ordinance by your honorable body allowing and providing for the erection of an outside stairway on the building situated on the northeast corner of Illinois and Louisiana streets, and now occupied by Mr. Ryan as a drug store; and we respectfully suggest as a reason therefor, that said stairway would take up three or four feet of the sidewalk, which at present is not any too wide; and in view of the fact that at that point the Illinois street tunnel occupies most of said Illinois street, there is now no room to spare for any such obstruction. And we believe that a stairway erected there would be a great detriment to our property and business; and in view of said premises, and the fact that there is now a good entrance to said building on Louisiana street, we respectfully ask your honorable body not to pass such an ordinance.

And your remonstrants will ever pray, etc.,

PETER KRETCH,  
HENRY SEVERIN,  
FRED. OSTERMEYER,  
JNO. G. KISTNER,  
And 17 others.

Which was referred to the Committee on Public Buildings.

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

*Moved,* That the City Engineer furnish a new map of the city for the Council Chamber, showing the corporation lines of the city boundary lines of the several Wards and Aldermanic Districts as well as the fire limits.

Which was adopted.

Mr. W. G. Wright presented the following petition :

*Indianapolis,* April 9, 1877.

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

*Gentlemen* :—The undersigned, on behalf of himself and wife and his infant children, to-wit: J. George Stilz, William F. Stilz, Charles B. Stilz, Elizabeth Stilz, Anna M. Stilz, Julia Francis Stilz, George A. Stilz, and Caroline C. Stilz; also Anna Maria Stilz, his wife, would respectfully represent that the city authorities have assumed to assess certain taxes in behalf of said city against his said wife and the infant children aforesaid, on a certain forty acre tract



of land which it is pretended was annexed about the month of February, 1876, to said city of Indianapolis, and which said annexation is and was irregular and void. That said land is used for farming purposes alone, and for no other purpose whatever. That said land was assessed for the year 1876 under the assessment laws existing prior to the passage of the act entitled, "An act exempting certain lands therein described from taxation for general city or town purposes," approved March 13, 1877, which said act last aforesaid is hereto attached and made part of this petition. That said land is more particularly described as all that part of the west half of the northeast quarter of section 13, township 15 north of range 3 east, except 40 acres taken off the southwest part of same, sold to Harry Wighorst, lying in the county of Marion and state of Indiana. That said land has never been laid off or platted as city property, and has been used solely for agricultural purposes. That said taxes have not been paid for 1876. Wherefore said petitioner protests that said land is not liable to taxation for city purposes, by reason that said land is not and has not been legally annexed to said city, and at most only liable to taxation as provided by said act, approved March 13, 1877, and he prays that the same may be exempted from taxation for city purposes for the year 1876, and that the City Treasurer be instructed to erase the same from his tax duplicate; and if, in your opinion, said land is liable to taxation, that you instruct said City Treasurer to re-assess the same as provided in the act last aforesaid.

And as in duty bound your petitioner will ever pray, etc.

J. GEORGE STILZ,

For himself, wife and children.

ENROLLED ACT 210, SENATE OF INDIANA.

AN ACT exempting certain lands therein described from taxation for general city or town purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That lands not platted as city or town property, used solely for agricultural purposes, or are wholly unimproved, and lying within the limits of any city or town of this State, where such lands have not been in any way dedicated for corporation purposes, shall not be listed or taxed for general city or town purposes, to any greater per centage on the appraised value than lands in the township outside of the corporation are taxed for township purposes.

SEC. 2. That all articles used for the purpose of farming on said lands, shall not be taxed for general, city, or town purposes, to any greater per cent

on appraised value than other personal property in the same township outside of said corporation is taxed for township purposes.

SEC. 3. It is hereby declared that an emergency exists for the immediate taking effect of this act. It shall therefore be in force from and after its passage.

Approved March 13, 1877.

JAMES D. WILLIAMS,  
Governor.

CERTIFICATE.

STATE OF INDIANA,                    }  
OFFICE OF THE SECRETARY ON STATE, } SS:

I, John E. Neff, Secretary of State of the State of Indiana, do hereby certify that the foregoing is a full, true and complete copy of enrolled Senate act No. 210, approved March 13, 1877, as taken from the original now on file in this office.

In witness whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 20th day of March, A. D. 1877.

JOHN E. NEFF,  
Secretary of State.

Which was referred to the Committee on Judiciary.

Mr. Reasener offered the following motion :

*Moved,* That the Street Commissioner be, and is, hereby instructed to notify Sanford Wilson and August Aldag to bowlder and flag the alley crossing between their property on East Washington street, between Oriental street and the intersection of Michigan Road, within ten days, and if not done in ten days that the Street Commissioner do it at their expense.

Which was adopted.

Mr. Izor offered the following motion :

*Moved,* That the City Civil Engineer be instructed to have the cistern top lowered on North, near Winston street, as it is about 10 inches to a foot above the grade.

Which was referred to the Fire Board.

## REPORTS FROM COMMITTEES.

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

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—Your Committee on Contracts, to whom was referred sundry proposals presented to Council Monday evening, April 2, 1877, have examined the same, and find them to be as follows, to-wit :

First. For grading and graveling Potomac or West Court street and sidewalks between West and California streets—

Samuel J. Smock, 38 cents per lineal foot front on each side.

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

James Garner & Co., 32 cents per lineal foot front on each side.

James Mahoney, 29½ cents per lineal foot front on each side.

James McB. Shepherd, 27 cents per lineal foot front on each side.

Richard Carr, 27 cents per lineal foot front on each side.

John Flaherty, 25 cents per lineal foot front on each side.

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

Second. For building a 1,000 barrel fire cistern at the corner of William and Mississippi streets—

W. Scott & Co., \$630.00 for cistern complete.

John S. Whitsit, 47 cents per barrel.

James E. Twiname, 45 cents per barrel.

Wm. L. White, 43 cents per barrel.

Richard Carr, 40 cents per barrel.

A. Bruner & Co., 39 cents per barrel.

D. A. Haywood, 39 cents per barrel.

S. A. Leonerd and J. Hanna, 38 cents per barrel, counting 32 gallons per barrel, and the city to retain 20 per cent. of the cost until the cistern be accepted.

John Schier, 38 cents per barrel.

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

Respectfully submitted,

J. W. BUGBEE,  
ROBT C. MCGILL,  
D. M. RANSELL,  
Committee on Contracts.

Which was concurred in, and contracts awarded.

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

*Indianapolis, April 9, 1877.*

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

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

First—An ordinance to grade and gravel the first alley west of Ash street, from the second alley north of Christian avenue.

Second—An ordinance to grade and cover with broken stone West street, from Kentucky avenue to Maryland street.

Third—An ordinance to grade and gravel Bright street, from New York street to its southern terminus.

Fourth—An ordinance to grade and pave with brick the south sidewalk of Washington street, from Missouri to West streets.

Against all of which there are heavy remonstrances from property owners We recommend the above named ordinances be stricken from the file.

Fifth—Is an ordinance to grade and gravel North Delaware street, from Washington street to Massachusetts avenue.

We recommend this ordinance be stricken from the file, as a better and more permanent improvement should be made on this street. We would recommend it be bowldered.

Sixth—Is an ordinance to improve Clifford avenue, from Massachusetts avenue to Pagues Run, with petition.

We recommend this ordinance be passed.

Seventh—Is an ordinance to improve the first alley east of Wright street, from McCarty street to alley south.

We recommend this ordinance be passed.

Eighth—Is a remonstrance against concurring in report of Commissioners to open Dunlop street.

We recommend in favor of remonstrants, and that no further action be taken.

Ninth—Is a motion to repair North Tennessee street.

As the expense would be too great, we recommend the motion be not adopted.

Ten, Eleven, Twelve and Thirteen—Are motions for stone crossings on Massachusetts avenue, St. Clair street, Ohio street, and Meridian street.

We recommend that the motions be not adopted, but that the Street Commissioner put the crossings in good repair.

Fourteenth—Is a motion that the Street Commissioner raise the grade of the road to Pest House.

We recommend that the Street Commissioner be directed to fill the low places in said road with street scrapings.

Fifteenth—Is a motion to fill chuck-holes in the first alley east of Virginia avenue, running south from Elm street. Also, first alley south of Huron street running east from Pine street.

We recommend that the Street Commissioner be directed to do the work.

Sixteenth—Is a motion that the Marshall cause Coffin & Co. to remove an obstruction from Kingan street.

As the obstruction interferes with the peace and comfort of no one, we recommend no action be taken.

Seventeenth—Is an ordinance to improve Alabama street, from North to St. Clair streets.

The street no doubt needs improving, but as most all the property owners remonstrate, we recommend the ordinance be stricken from the file.

Eighteenth—Is a motion that the City Marshal cause to be removed the telegraph poles on Court street.

We do not think their removal necessary, but recommend that the Street Commissioner fix the gutters so that the posts will not interfere with the drainage.

Nineteenth—Is an ordinance to grade and gravel Second street and sidewalks from West street to the canal.

As there is no petition, but a heavy remonstrance against the improvement, we recommend the ordinance be stricken from the file.

Twentieth—Is a motion that a sewer pipe be put in on First street, from Fayette to Tennessee streets.

As the motion contemplates the work done at the expense of the city, we recommend that it be not concurred in.

Twenty-first—Is a motion that the Civil Engineer be directed to contract for bowldering the city's portion of the Market place instead of graveling it.

We recommend that the matter be concurred in, and that the City Civil Engineer so contract, at a price not exceeding 60 cents per yard for bowldering and grading.

Respectfully submitted,

ISAAC THALMAN,  
ALBERT IZOR,  
WM. F. REASENER,  
Committee on Streets and Alleys.

Which was concurred in, and the recommendations adopted.

Mr. Darnell, from Special Committee, submitted the following report:

*Indianapolis, April 9, 1877.*

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

*Gentlemen:*—Your committee to whom was referred the petition of Ingram Fletcher, asking for the vacation of certain platted ground belonging to him, would report that we have examined the same and recommend that the prayer of the petition be granted, and that the City Attorney be instructed to prepare the proper order of vacation to be entered upon the city records.

Respectfully submitted,

C. F. DARNELL,  
JOHN THOMAS,  
J. J. DIFFLEY,  
Committee.

Which was concurred in.

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

Indianapolis, April 2, 1877.

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

*Gentlemen* :—Your committee have examined the “ DePalos Pressure Moderator and Gas Saver ” machine, and find that it gives good satisfaction, paying for itself in a short time in the percentage saved on gas bills.

We placed one of the machines in the City Hall in January last, and the result may be seen by comparing the consumption of gas during the months of January, February, and March of last year, and during the same months of this year.

|                           |              |                           |              |
|---------------------------|--------------|---------------------------|--------------|
| January, 1876, . . . . .  | 18,100 feet. | January, 1877, . . . . .  | 16,500 feet. |
| February, 1876, . . . . . | 13,200 feet. | February, 1877, . . . . . | 9,800 feet.  |
| March, 1876, . . . . .    | 13,500 feet. | March, 1877, . . . . .    | 9,500 feet.  |
| Total, . . . . .          | 44,800 feet. | Total, . . . . .          | 35,800 feet. |

This shows a saving of 9,000 feet, which is almost equal to the whole consumption for last month.

The difference in consumption of gas in January and February is accounted for in the fact of the machine not being put on until the 20th of the month.

Respectfully submitted,

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

Which was received.

Mr. Buehrig offered the following motion :

*Moved*, That the report of the committee be received, and that the Council decline to purchase the machine.

Mr. Adams offered the following motion as a substitute to the above motion :

*Moved*, That the Committee on Gas be and is hereby directed to purchase one gas regulator for the use of the station house.

Which substitute was not adopted.

Mr. Buehrig's motion was then adopted.

Mr. W. G. Wright, from Committee on Revision of Ordinances, submitted the following report :

*Indianapolis*, February 26, 1877.

To the Honorable Members of the Board of Police of the city of Indianapolis :

*Gentlemen* :—Your Committee on the Revision of Ordinances, to whom was referred General Ordinance No. 5, introduced by Councilman Stratford, entitled "An ordinance amendatory to an ordinance entitled 'An ordinance to establish public stands for licensed hacks, carriages, express wagons or other vehicles kept or used for the purpose of transporting passengers, freight or other articles to and from points within the city of Indianapolis for pay and hire, and to regulate the licensing of such vehicles, and the amount to be charged by the owners thereof for transferring passengers and their baggage, and prohibiting minors from driving any such, unless specially permitted,'" would respectfully submit the following report thereon:

The effect of this amendatory ordinance would be to amend section three of the above described ordinance, which fixes the amount of license paid by owners of hacks, carriages, express wagons, drays, etc., kept at public stands for the conveyance of passengers and freight within the city limits. For the use of such vehicles a license is now paid, ranging from \$15 per year for hacks to \$5 per year for drays; the amount fixed by this amendatory ordinance ranges from \$10 per year for hacks to \$5 per year for drays—the reduction being about 35 per cent. of the amount now paid for hacks and express wagons. The amount paid for drays is not changed, but is still below the sum required for express wagons. Your committee believe this reduction a just and reasonable one, and recommend the passage of the ordinance as introduced.

Respectfully submitted,

J. J. DIFFLEY,  
WM. G. WRIGHT,  
J. W. BUGBEE

Committee.

Which was received.

Mr. Craft, chairman of the Fire Board, submitted the following report :

*Indianapolis*, April 9, 1877.

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

*Gentlemen* :—We, the undersigned, members of the Fire Board, to which



was referred the motion of Mr. Reed in regard to the sprinkling of the streets by the fire department, have had the same under consideration, and would report the same back and recommend that it lay upon the table for the following reasons :

First. The Fire Department was organized and is supported by a tax upon all the people for the purpose of preventing and extinguishing fires, and any other use to which the equipments of the department should be put would greatly damage the hose, and endanger its usefulness for the purposes for which it was intended.

Second. As soon as the original motion was passed, the Chief was overwhelmed with applications from taxpayers in all parts of the city that the streets in their immediate vicinity might be sprinkled, and recognizing the right of all taxpayers, regardless of locality, to the relief proposed, and finding the whole department inadequate to a full, fair and impartial sprinkling, the motion could not be fully carried out, and therefore not undertaken.

Third. As a great many poor men make a living out of their street sprinkling business, and as they have invested all their means in apparatus for the purpose, we think the city would be doing them a great wrong in entering into competition with them.

Finally. Believing that the department should always be ready and in good condition for fires, and believing that diverting it to any other use would impair and endanger its usefulness, and believing that what is paid for by a tax upon the whole people should not be used for the comfort of the few, and believing that the laboring man, the street sprinkler, should have a chance, we have made the above recommendation.

Respectfully submitted,

W. H. CRAFT,

J. L. CASE,

Fire Board.

Which was concurred in.

#### ORDINANCES ON SECOND AND THIRD READING.

General ordinance No. 5, 1877, entitled :

An ordinance amendatory to an ordinance entitled, " An ordinance to establish public stands for licensed hacks, carriages, express wagons, or other vehicles, kept or used for the purpose of transporting passengers, freight or other articles to and from points within the city of Indianapolis, for pay and hire, and to regulate the licensing of such vehicles and the amount to

be charged by the owners thereof for transporting passengers and their baggage, and prohibiting minors from driving any such unless specially permitted."

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Byram, Case, Craft, Darnell, Izor, Morse, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, and Wright, William G.—19.

Negative—Councilman Wright, Arthur L.—1.

General ordinance No. 6, 1877, entitled :

An ordinance to amend section twenty (20) of an ordinance entitled, "An ordinance regulating the markets within the city of Indianapolis, defining the duties of Market Master, and prescribing certain rules and regulations relative to the sale provisions, produce, and other articles in the markets and other portions of said city," ordained November 30th, 1863.

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

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

Negative—None.

Special ordinance No. 5, 1877, entitled :

An ordinance to provide for grading and graveling the first alley west of Japan or East street, from Yeiser street to the first alley north of Yeiser street.

Was read the second time and engrossed.

Special ordinance No. 8, 1877, entitled :

An ordinance to provide for grading and paving with brick the west sidewalk on Mississippi street, between Tinker and Twelfth streets.

Was read the second time.

Mr. Ransdell moved to amend by striking out the words "Twelfth street" and inserting in lieu thereof "Herbert street."

Which amendment was adopted.

Mr. Darnell moved to amend by providing that the sidewalk be paved to a width of seven feet instead of eight feet.

Which amendment was adopted.

The ordinance, as amended, was ordered engrossed.

Special ordinance No. 139, 1876, entitled :

An ordinance to provide for grading and paving with brick the east sidewalk of Pendleton Pike, between Clifford avenue and Orange street.

Was read the second time and engrossed.

Special ordinance No. 132, 1876, entitled :

An ordinance providing for grading and graveling of the alley between Broadway street and College avenue, and running from Butler street to Home avenue.

Was read the second time, and engrossed.

Special ordinance No. 126, 1876, entitled :

An ordinance to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service pipe on Bellefontaine street, between Home avenue and Tinker street.

Was read the second time and engrossed.

Special ordinance No. 127, 1876, entitled :

An ordinance to provide for the erection of lamp-posts, lamps and fixtures, complete to burn gas, except the service pipe on Peru street, between Home avenue and Tinker street.

Was read the second time and engrossed.

Special ordinance No. 39, 1876, entitled :

An ordinance to provide for bowldering and curbing Wabash street, and paving with brick the sidewalk thereof, between Delaware and Pennsylvania streets.

Was read the second time and engrossed.

Special ordinance No. 123, 1876, entitled :

An ordinance to provide for grading and graveling California street and sidewalks, from Washington to Maryland streets.

Was read the second time and engrossed.

Special ordinance No. 135, 1876, entitled :

An ordinance to provide for grading and graveling the alley between Olive and Linden streets, running from Orange to Willow streets.

Was read the second time and engrossed.

Special ordinance No. 133, 1876, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Pearl street, between Tennessee and Mississippi streets.

Was read the second time and engrossed.

Special ordinance No. 126, 1876, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Bellefontaine street, between Home avenue and Tinker street.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Darnell, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, and Wright, William G—14.

Negative—Councilmen Byram, Craft, Morse, Webster, and Wright, Arthur L.—5.

Special ordinance No. 137, 1876, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Peru street, between Home avenue and Tinker street.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, and Wright, William G.—16.

Negative—Councilmen Byram, Morse, and Wright, Arthur L.—3.

Special ordinance No. 39, 1876, entitled :

An ordinance to provide for bowldering and curbing Wabash street, paving with brick the sidewalks thereof, between Delaware and Pennsylvania streets.

Was read the third time.

The question being on the passage of the ordinance,

Those who voted in the affirmative were :

Councilmen Buehrig, Bugbee, Craft, Darnell, McGinty, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, and Wright, William G.—12.

Those who voted in the negative were :

Councilmen Adams, Byram, Case, Morse, Ransdell, Webster, and Wright, Arthur L.—7.

So the ordinance failed to pass, it requiring 18 votes, and under the rules of Council the ordinance was declared stricken from the files.

Mr. Schmidt moved to reconsider the vote just had, and that the ordinance be referred to the Committee on Streets and Alleys, for examination and report.

Which motion was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, and Wright, William G.—15.

Negative—Councilmen Byram, Morse, Webster, and Wright, Arthur L.—4.

Special ordinance No. 133, 1876, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Pearl street, between Tennessee and Mississippi streets.

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

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Darnell, Morse, McGinty, Ransdell, Reasener, Schmidt, Steinhauer, Stratford, Thalman, Thomas, and Wright, William G.—15.

