

# PROCEEDINGS

OF THE

# COMMON COUNCIL.

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## REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL, }  
*Monday, June 11th, 1877—7½ o'clock P. M.* }

The Common Council of the City of Indianapolis met in regular session.

PRESENT :

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

Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—24.

Absent—None.

The proceedings of the regular session, held June 4, 1877, were read and approved.

## REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

*Indianapolis*, June 11, 1877.

To the Mayor and Common Council :

*Gentlemen* :—I was directed to examine the drainage on Market street, from Mississippi street to the railroad, and report if any improvement can be made without building a sewer.

I have examined said point, and would report as follows : Market street is a main drainage for North Tennessee street; but as Market street, between Tennessee and Mississippi streets, has been vacated for use of the new State House, a radical change in the drainage will become necessary when said street is finally closed. In view of this, I would recommend, for the present, that the Street Commissioner be instructed to clean the gutters on Market street, from Tennessee street to the railroad, and to put a drainage pipe twenty-five or thirty feet long, in the south gutter of said Market street, west of Mississippi street, said pipe to connect with one already down and receiving water from the north gutter. I would, also, recommend that the work above referred to be done under the direction of the City Civil Engineer.

It has been customary to light the fourteen lamps in Military Park from the first of May to the first of November. The gas consumed in these lamps are paid for by metre measurement, the cost of which, last year, amounted to about one hundred and thirty five dollars. As the season is somewhat advanced, and the lamps are not yet lighted, I would respectfully ask if I shall still discontinue their use or order them to be lighted ?

Respectfully submitted,

BERNHARD H. DIETZ,  
City Civil Engineer.

The Market street drainage matter was concurred in.

With regard to the lighting of Military Park, on motion of Councilman Izor, it was ordered that oil lamps should be substituted for gas burners for said purpose ; that such oil lamps be procured under and by virtue of the motion adopted by the Common Council [see page 98] and Board of Aldermen [see page 65] at their last sessions ; and that when the park lamps shall have been changed

as above, the park policeman, or other person in charge of said park, shall attend to and light such lamps.

The City Clerk submitted the following report; which was received:

*Indianapolis*, June 11, 1877.

To the Common Council and Board of Aldermen of the City of Indianapolis:

*Gentlemen*:—I report that on the 7th day of June, 1877, I transmitted to the City Commissioners the petition of W. W. Butterfield for laying out and opening an alley, in a width of twelve (12) feet, running from St. Clair street, from the southeast corner of lot number eight (8), in Abraham Bird's subdivision of out lot number one hundred and seventy-eight (178); thence due north, across the east end of said lot, and continuing on, across the east ends of lots numbers seven (7), six (6), and south half of lot five (5), to intersect the west end of Arch street, in the city of Indianapolis; also, the resolution of your honorable body concerning the same; and that I issued notice to the said Commissioners, according to law, and also to the owners of property.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

The City Commissioners submitted the following report; which was received:

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

*Gentlemen*:—The undersigned respectfully show to your honorable body:

FIRST.

1st. That they were duly appointed by the judge of Circuit Court, to act as Commissioners to assess damages and benefits, "accruing to the owners of lands and lots through which any street is proposed to be constructed or altered, or any building appropriated, or through which any creek or other water course is proposed to be straightened, or of which the course is proposed to be altered."

2d. That they did, as required by law, take and subscribe the oath and affirmation by law required.

3d. That they were, and are, duly qualified to act as such Commissioners, and do possess lawful authority to assess benefits and damages.

## SECOND.

Your Commissioners do further report—

1st. That on the 7th day of June, 1877, they met at City Clerk's office, pursuant to the notice hereto annexed, marked exhibit "A."

2d. That they did, at the time and place aforesaid, enter upon the consideration of the matter of opening an alley from St. Clair street north, to west end of Arch street, more fully described in the petition to us referred, and hereto annexed, marked exhibit "B."

3d. That they did inquire into the matter of the service of notice upon property owners, and do herewith report said notice, with the Marshal's endorsement of service thereon.

4th. That the following named persons appeared in answer to said notice, viz.: Emily S. Pinney, (by W. V. Hawk); W. W. Butterfield (by Darnell); Vitor C. Adams (per her husband).

## THIRD.

The said Commissioners do further report that they did, at the time aforesaid, examine the real estate proposed to be appropriated, and did, at the time and place indicated in said notice, hear evidence touching the questions before them, and did also view the premises, and that they did estimate—

1st. The value of the land and property to be appropriated for said improvement.

2d. What part thereof, if any, ought to be borne by the city.

3d. What real estate, if any, would be benefited by the improvement.

## FOURTH.

Your Commissioners do further report—

1st. That the value of the land to be appropriated is, in the aggregate seven hundred and one (701) dollars.

2d. That the city should pay no part thereof.

That we do assess benefits as follows, upon the following described real estate of the following named persons:

Emily Pinney—lot 8, and 23 feet off of south side of lot 7, Bird's subdivision of outlot 178, \$120.00.

W. W. Butterfield—23 feet north side lot 7, and 34 feet 6 inches off of south side of lot 6, Bird's subdivision outlot 178, \$491.00.

F. Fiscus—11 feet 6 inches south side off of north side of lot 6, and 18 feet off of south side lot 5, Bird's subdivision outlot 178, \$50.00.

Viletta Adams—lot 22 Young's subdivision outlot 181, \$40.00.

That we do assess damages as follows, to-wit:

Upon a parcel of ground owned by the following named persons, and described as follows:

Emily Pinney—12 feet off of east end of lot 8, and 23 feet south side of lot 7, Bird's subdivision outlot 178, \$456.00.

W. W. Butterfield—12 feet off of east end of 23 feet north side of lot 7, and 34 feet 6 inches off of south side of lot 6, Bird's subdivision outlot 178, \$175.00.

F. Fiscus—12 feet off of east end of 11 feet 6 inches of north side of lot 6, and 18 feet off of south side of lot 5, Bird's subdivision of outlot 178, \$50.00.

Viletta Adams—A piece of ground about 4 feet by 6 feet, situated on the east end of 11 feet 6 inches off of north side of lot 6, Bird's subdivision of outlot 178, now occupied by a privy, \$20.00.

And which is of the value of the sum of seven hundred and one (701) dollars.

That the benefits aforesaid are such as each of the persons respectively would receive.

That the damages are such as each of said persons, to whom damages are awarded, would sustain.

The persons whose benefits exceed damages, and the amounts of the excess, are shown in table "A"; and those whose damages exceed benefits are shown in table "B"; showing in the one table the benefits in excess of the damages, and in the other the excess of the damages over and above the benefits.

TABLE "A."

Benefits to be collected—	
W. W. Butterfield .....	\$316 00
Viletta Adams.....	20 00
	<hr/>
Amount .....	\$336 00

TABLE "B."

Damages to be paid—	
Emily Finney. ....	\$336 00

Your Commissioners do therefore recommend that the said alley be opened as prayed; and the damages and benefits assessed be paid and collected according to law.

Respectfully,

GEO. W. HILL,  
JOHN L. AVERY,  
WILLIAM MANSUR,  
R. H. PATTERSON,  
City Commissioners.

The Board of Health presented the following report; which was received:

Report of deaths in the City of Indianapolis from 6 o'clock P. M., on the 2d day of June, 1877, to 6 o'clock P. M., on the 9th day of June, 1877:

Under 1 year .....	1
1 to 2 years.....	0
2 to 3 " .....	1
3 to 4 " .....	1
4 to 5 " .....	1
5 to 10 " .....	1
10 to 20 " .....	1
20 to 30 " .....	1
30 to 40 " .....	4
40 to 50 " .....	2
50 to 60 " .....	3
60 to 70 " .....	1
70 to 80 " .....	0
80 to 90 " .....	0
90 to 100 " .....	0
Above 100 years.....	0
Unknown .....	0
Total.....	21

Respectfully submitted,

H. JAMESON, M. D.,  
Secretary and Registrar.

The Commissioner of the Southern Park submitted the following report; which, on motion of Councilman Thomas, was received,

and laid on the table until special committee on Southside Market should report:

To the Mayor and Common Council:

*Gentlemen*:—The undersigned, Commissioner of the Southern Park, desires to make the following report:

1st. The grounds at this time are in good condition, with the exception of the race track, which cannot be repaired without more expense than would be justifiable. The fence needs some repairs.

The present occupant, M. M. Burns, has done a great deal of work in the year past. The underbrush and briars have all been destroyed, and the old logs all removed, a water-gate built at the railroad bridge, and one, almost done, at the opening above.

Under a resolution passed about one year ago, I could have expended \$20 per month, but I did not think advisable.

I would recommend that the Council and Board of Aldermen appropriate one hundred dollars, to be used in repairing the fences and in making a water-gate at the east side—this appropriation only to be made in case the Council thinks best not to dispose of the grounds. In the latter event, I would recommend that M. M. Burns be allowed to remain on the premises until the 1st of March, 1878, without pay, allowing him the privilege of making what he can out of the pasture, but to reserve plenty for the horses of the Fire Department, and to attend to them as heretofore. He has a garden spot there that is worth something to him, and the first of March is the best time to make a change, if any is necessary.

But I would further, and more especially recommend, that an effort be made to sell the grounds, and apply the proceeds to the purchase of grounds more easy of access. I am of the opinion that grounds can be had near the center of the south part of the city, sufficient to combine both a small park and a market-place, or the grounds might be exchanged for other suitable grounds within the city, for the purpose above-named.

I would suggest that this report be referred to the special committee that has in charge the location of a market-place south of the railroads (which I believe is composed of Messrs. Byram, Steinhauer, and Thomas), with instructions to examine the grounds, and report what is best to do in the premises.

Respectfully submitted,

I. W. STRATFORD,

Commissioner of Southern Park.

The Mayor presented the following communication ; which was received :

To the Common Council of the City of Indianapolis :

*Gentlemen* :—The amount of fines due the City Treasury, collected by me during May, 1877, due the City Treasury is \$42.66, which amount I have paid the City Treasury, as will appear from duplicate receipt filed herewith.

Respectfully submitted,

JOHN CAVEN,  
Mayor.

The Mayor submitted the following recommendations ; which were received :

To the Common Council of the City of Indianapolis :

*Gentlemen* :—A considerable number of laboring men in this city are now out of employment, and, as a necessary consequence, there is some suffering. The manufactories of Indianapolis are now employing more men than at any former period. The surplus of laborers grows out of this circumstance: that so many, thrown out of employment at other places, congregate here, attracted by the growth and prosperity of the city. It is a common thing, in the Police Court, in the morning, to find ten to thirty, who have come the day before from all parts of the country—from New York to California—from north, south, east, and west, and from every city in the Union—and who say they could find no work, and came here in search for it. The effect of this influx is to throw some of our own men out of employment. After remaining here a while, they claim to be residents, and demand work and aid. This the city cannot give, and, besides, it is no time to pay men for unprofitable employment ; it is peculiarly a time when every dollar spent, and every stroke of labor, should produce. We cannot long rob Peter to pay Paul.

If one-half of those who have come here, in the last six months, in search of work, would leave, we would have employment for the rest. With 88,000 acres of fertile and uncultivated lands in Marion county, and 8,000,000 acres in the State, never touched by the plow, we should have no idle or hungry people. The uncultivated land in this county would employ 4,000 farmers, and in the State 400,000. If men are idle and hungry, and fertile, uncultivated lands lying all around by the millions of acres, the simple remedy, at least in theory, would be turn this idleness to industry by cultivating that soil, producing food for themselves, and change want into plenty. These idle men, however, do not own the land, and have no implements or supplies—no



means of removing and supporting themselves, even temporarily. To find employment, then, in agriculture, they would have to seek it as employes among the farmers of the State. If there is no demand for such labor, then this supposed outlet does not exist; and, if it does, the question is, how to bring the supply and demand, the labor and the laborer, together? Men of families, and without means, say they cannot go. Young men are loth to start out to seek it, not knowing where to go—wandering about, they are in danger of being regarded as tramps and suspicious characters. The harvest will soon be here, and promises well. There are, no doubt, hundreds of young men, without families, and married persons without children, who could leave at once, if they only knew just where to go.

Might it not be well to appoint a committee of the Council, or of the workingmen themselves, to advertise in the weekly papers, as they have a large circulation among the farmers, that any one wishing to employ a laborer should correspond with this committee, and those wishing labor should leave their names and address with the committee, and, when a laborer was wanted, he could be sent at once to his destination.

Respectfully submitted,

J. CAVEN, Mayor.

On motion of Councilman Cochran, the Mayor was requested to appoint a committee of three Councilmen, whose duty it should be to devise ways and means to make the above recommendations effective; said special committee to select a committee from the workingmen, to whom the applications for laborers should be made, etc.

His Honor, later in the evening, appointed Councilmen Reed, Bugbee, and Reading, as such select committee.

#### MESSAGES FROM THE BOARD OF ALDERMEN.

The following message was received from the Board of Aldermen:

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

*Gentlemen*:—At an adjourned session of the Board of Aldermen of said city, held Wednesday evening, June 6th, 1877, concurrent action was had upon the following papers transmitted from your honorable body:

Report from City Civil Engineer, allowing a first and final estimate in favor of John Low, for grading and graveling Second street and sidewalks, between Meridian and Illinois streets; also, a first and final estimate in favor of John Greene, for grading and graveling the first alley east of East street, between McCarty street and the first alley north of Buchanan street; also, the resolutions adopting said estimates.

Report from City Civil Engineer, reporting contract and bond of John Greene, for grading and graveling the first alley east of Alvord street, between Home and Malotte avenues.

Report from City Civil Engineer, recommending that the Street Commissioner be instructed to make weekly reports of number and locations of foot bridges, culverts, street-crossings, sewers, and drains, constructed by him that such may be entered of record and platted in office of said City Civil Engineer.

Report from the City Civil Engineer, recommending a plan for the drainage of the south end of Douglass street.

Report from the City Attorney, reporting that the claim of Scott & Mathews, for stone used in the construction of the No. 8 hose-reel house, had been settled.

Report from the City Attorney, as to a favorable decision by the Supreme Court of the case of J. George Stilz et al. vs. The City; also, of a favorable jury verdict in the case of John Donahue vs. The City.

Report from the City Attorney, that he had procured and filed abstracts of title of all the city's real estate.

Report from City Treasurer, showing the receipts and disbursements from May 16th to May 31st, 1877, inclusive.

Report from City Clerk, showing amount of orders drawn on City Treasurer, from May 16th to May 31st, 1877, inclusive.

Report from City Clerk, reporting official bond of Dr. Wm. H. Davis, as Superintendent of City Hospital and Branch, and of J. B. Hampton, as Market Master at East Market.

Report from City Clerk, reporting the filing with him of affidavits of Richard Carr against John Robinson and Adam Scott, for collection of street assessments by precept.

Communication from City Assessor, asking for further time in which to return assessment list.

Report from Council Committee on Streets and Alleys, in relation to sundry papers to them referred.

Motion, adopting oil lamps in engine and hose-reel houses; procuring gates for entrances to Illinois street tunnel, and discontinuing use of gas in same; and instructing City Clerk to advertise for bids for oil lamps, to be used in the engine and hose-reel houses.

Resolution, amending the resolution providing for the appointment of inspectors and judges for the School Commissioner election, to be held June 9, 1877.

Motion, reconsidering the vote by which general ordinance No. 20, 1877, was passed, and requesting the City Clerk to replace the same on Council files.

Motion, instructing the City Civil Engineer to report whether any improvement can be made in the drainage of West Market street, between Mississippi street and the railroad track.

Motion, instructing the Street Commissioner to cut a ditch from Douglass to Bright street.

Motion, instructing the Street Commissioner to clean the gutters on McCarty street, from West street to Pogue's Run.

Motion, permitting A. W. McOuat to relay the flagging in rear of Schraeder's store, at his own expense, etc.

Motion, authorizing the Council Committee on Parks to grant picnic parties the use of Southern Park during interims of meetings of said Council.

[The above motion was adopted, after being amended so as to place the granting of such privilege in the hands of the Commissioner of the Southern Park.]

The following ordinances, transmitted from the Common Council, were passed:

Appropriation ordinance No. 37, appropriating money on account of City Hospital and Branch.

Appropriation ordinance No. 38, appropriating money on account of general election, held May 1, 1877.

Appropriation ordinance No. 39, appropriating money to pay sundry claims against the city.

Appropriation ordinance No. 40, appropriating money on account of the Fire Department.

Appropriation ordinance No. 41, appropriating money on account of Printing, etc.

Appropriation ordinance No. 42, appropriating money on account of Station Houses.

Appropriation ordinance No. 43, appropriating money on account of the Street-Repair Department of the City of Indianapolis.

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."

Special ordinance No. 10, 1877, entitled "An ordinance to provide for the grading and graveling of the first alley north of English avenue, between Cedar and Dillon streets."

Special ordinance No. 16, 1877, entitled "An ordinance to provide for grading and graveling Carlos street and sidewalks, from Ray street to Morris street."

Respectfully submitted,

GEO. T. BREUNIG,  
Clerk of Board of Aldermen.

Councilman Reed moved to concur in the Board's amendment of the Southern Park motion; which motion was declared lost on a *viva voce* vote.

Councilman Reed then demanded a call of the "ayes and noes" on his motion to concur; and the said amendment was concurred in by the following vote (Councilman Steinhauer being excused from voting):

Affirmative—Councilmen Bagby, Brown, Bugbee, Case, Marsee, Morse, McGinty, Pouder, Reed, Stoner, Walker, and Watts—12.

Negative—Councilmen Byram, Cochran, Dill, Izor, Layman, Reading, Thomas, Tucker, Wood, Wright, A. L., Wright, W. G.  
—11.

The following message was also received:

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

*Gentlemen:*—At an adjourned session of the Board of Aldermen, held Wednesday evening, June 6th, 1877, the following reports from the Aldermanic Committees on Finance and Printing were submitted and concurred in.

Respectfully submitted,

GEO. T. BREUNIG,  
Clerk of Board of Aldermen.

## PAPERS FROM BOARD OF ALDERMEN—ACTION UPON.

The report from the Committee on Finance, recommending such modification in general ordinance No. 21, 1877, as would permit the funding of city orders outstanding on first of May, 1877, and the use of moneys now in city treasury for payment of current expenses of city, with the making of occasional and exigent temporary loans, and referring said ordinance back to the Common Council, in order that suggested amendments to same might be made [see Proceedings of Board of Aldermen, June 6, 1877, page 70], was taken up.

On motion of Councilman Byram, the Council determined to adhere to its action, in the passage of said general ordinance No. 21, 1877 [see Proceedings, May 28, 1877, page 66], and in the adoption of the resolution providing for payment of outstanding city orders [see Proceedings, same date, page 67]; and the City Clerk was instructed to return said ordinance and resolution to the Board of Aldermen for their concurrence in the action of the Common Council.

The report from the Board Committee on Printing, etc., recommending the publishing of two hundred copies of the Proceedings of the Board of Aldermen [see Proceedings of Board of Aldermen, June 6, 1877, page 71], was, on motion of Councilman Reed, referred back to said Board, with the request that such report be amended by reducing the number of copies to be published to "one hundred."

## INTRODUCTION OF ORDINANCES.

Councilman Layman, from the Committee on Accounts and Claims, by consent, introduced

Appropriation ordinance No. 43, 1877, entitled

An ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in favor of Irwin and Hanna.

On motion of Councilman Layman, the rules were suspended, for the purpose of reading the above entitled ordinance the second and third times, and placing same on its passage now, by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—24.

Negative—None.

Appropriation ordinance No. 44, 1877, was then read the second time, ordered to be engrossed, read the third time, and passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—24.

Negative—None.

Councilman Marsee introduced the following general ordinance ; which was read the first time, and then, on his motion, referred to the Committee on Streets and Alleys, with the City Civil Engineer and City Attorney :

General ordinance No. 25, 1877, entitled

An ordinance providing for the repairing and cleaning of Streets, Alleys, Sidewalks, Gutters, etc., under contracts to be made by the Common Council and Board of Aldermen of the City of Indianapolis.

## ROLL CALL.

Councilman Brown presented the following certificate; which, on motion, was referred to the Committee on Judiciary:

No. 20—*Second Series.* IMPROVEMENT OF NEW JERSEY ST. \$1.00

*City of Indianapolis, Sept. 29, 1851.*

*The Treasurer of the City of Indianapolis will receive this Certificate of DAVID SEIBERT, or bearer, for the sum of One Dollar, in payment of any City taxes for general purposes that may be assessed on 97½ feet of Lot number 6, in Square number 60, on said street, being for advances for improvement thereof.*

*By order of the City Council.*

D. V. CULLEY, *Prest.*

DANIEL B. CULLEY, *Sec'y.*

Councilman Izor offered the following motion; which, on motion of Councilman A. L. Wright, was referred to the City Civil Engineer, with power to act:

*Moved,* That George Woodfill be granted permission to grade, and pave with brick, the sidewalks on East Michigan street, between Noble and Liberty streets, the work to be done under direction of the City Civil Engineer, at the expense of the property owners, and to be completed in sixty days.

Councilman Layman offered the following motion; which, on motion by Councilman Byram, was referred to the Committee on Streets and Alleys:

*Moved,* That the Street Commissioner be, and is hereby, instructed to fill up the chuck holes in Fort Wayne avenue, between Pennsylvania street and New Jersey street, with raked gravel.

Councilman McGinty offered the following motion; which was adopted:

*Moved*, That the Street Commissioner be, and is hereby, directed to clean the gutters on Tennessee street, between Ray and McCarty streets. There is a pool of stagnant water, adjacent to McCarty street, on the west side of Tennessee, which is injurious to the health of the citizens in that vicinity.

Councilman Pouder offered the following motion; which, on motion of Councilman Izor, was referred to the Committee on Streets and Alleys:

*Moved*, That the Street Commissioner be hereby instructed to take up the brick pavement and curb, at the intersection of the recently-opened Court street with East, Liberty and Noble streets, and re-set the curb, and make other necessary repairs; said work to be done under the directions of the City Civil Engineer.

Also, the following motions; which were adopted:

*Moved*, That the City Civil Engineer be, and is hereby, instructed to notify the Indianapolis Water Works Company to remove the fire plug on East street, at the new opening of Court street.

*Moved*, That the Street Commissioner be instructed to improve the gutter in front of the James House, on North Alabama street, and north to Wabash street, and haul off the dirt scraped up in the street in front of said property.

Councilman Reading offered the following motion; which was adopted, and referred to the City Civil Engineer, with power to act:

*Moved*, That the State Officers have permission to bowlder the gutter in front of State office building, on west side of Tennessee street, from Washington street to Pearl street; the same to be done at the expense of the State of Indiana, and within sixty days. The City Civil Engineer is hereby directed to set the grade stakes.

Councilman Tucker presented the following proposal; and moved to refer same to a special committee, to be appointed by the Chair:



To the Honorable Mayor and Common Council :

*Gentlemen* :—I most respectfully make the following proposition :

To lease the grounds known as Southside or Southern Park, for dairy purposes, for a term of five years ; for which I will pay, or cause to be paid, to the City of Indianapolis \$400 per year.

If this proposition meets your favorable consideration, I shall be pleased to meet a committee, appointed by you in behalf of the city, to make and draw up the necessary contract.

Most respectfully submitted for your honorable consideration.

N. M. RICHARDSON,  
453 Virginia avenue.

The Mayor appointed Councilmen Thomas, A. L. Wright, and McGinty, as such special committee.

Councilman Wood offered the following motions ; which were adopted :

*Moved*, That the Street Commissioner be, and is hereby, instructed to lower the grade of Pearl street, from the west end of A. A. Helfer's lot to Tennessee street, so as to run the water into Tennessee street, and that permission, be granted to A. A. Helfer to grade and bowlder around his own building ; the City Civil Engineer to set stakes for same.

*Moved*, That the Street Commissioner be, and is hereby, instructed to notify the Vandalia Railroad Company to clean out the culvert under their tracks, so as to drain off the water between Georgia street and the said tracks.

Councilman W. G. Wright offered the following motion ; which, on motion of Councilman Byram, was referred to the Committee on Streets and Alleys :

*Moved*, That the Street Commissioner be, and is hereby, ordered to clean the gutters, scrape the streets, and fill the chuck holes with gravel, on Virginia avenue, from the Union Railway crossing to the southern terminus of said avenue.

Councilman Cochran offered the following motion ; which, at his suggestion, was referred to the Committee on Streets and Alleys, with power to act :

*Moved*, That the Street Commissioner be, and is hereby, directed to repair Christian avenue, between College avenue and Ash street.

Also, the following resolution :

*Resolved*, That any architect, to whom shall hereafter be awarded a contract to furnish plans and specifications for any public building, or addition or repairs to public buildings, that will in any way change the original plans, shall be required to file a complete copy of the plans of such building, addition, or change with the City Civil Engineer; said plans to be made the size required by said engineer, and without any cost or charge to the city.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—24.

Negative—None.

Councilman Layman submitted the claim of Dodd & McKinney for city's portion of pavement in front of Court House, and for re-setting old curb; which, on motion of Councilman Marsee, was referred to the Committee on Accounts and Claims, with the City Civil Engineer and City Attorney.

#### CALL OF COMMITTEES.

Councilman Watts, from the Committee on Streets and Alleys, submitted the following report; which, on motion of Councilman Marsee, was laid on the table for the present:

*Indianapolis*, June 11, 1877.

To the Mayor and Common Council :

*Gentlemen* :—In reference to the petition of Josh. Zimmerman, asking permission to build two vaults on Tennessee street, just north of Washington street, we would report as follows :

We have investigated the matter, and find that the proposed vaults are for the storage of gasoline and manufacture of gas for lighting the Metropolitan Theater. While there is nothing improper in constructing vaults beneath the sidewalk, the use to which these are to be put may be questionable, and we desire to refer the matter back to the Council, that it may exercise its own discretion in regard to said petition.

JAMES E. WATTS,  
JAMES T. LAYMAN,  
GEO. P. WOOD,

Committee on Streets and Alleys.

BERNHARD H. DIETZ,  
City Civil Engineer.

Councilman Layman, from the committee consisting of the Committee on Accounts and Claims and the City Attorney, submitted the following report; which was concurred in:

*Indianapolis, June 4, 1877.*

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

*Gentlemen:*—Your Committee on Accounts and Claims, and the City Attorney, to whom was referred the petition of Sophia Smith, asking to be relieved of certain taxes, would report that the petition does not describe the property, or state that any tax has been paid, or for what year it is claimed that the tax should be refunded.

We would, therefore, recommend that the same be not allowed until a more specific petition shall be presented.

Respectfully submitted,

JAMES T. LAYMAN,  
JOHN THOMAS,  
JAMES E. WATTS,

Committee on Accounts and Claims.

R. O. HAWKINS,  
City Attorney.

Councilman A. L. Wright, from the Committee on Finance, submitted the following report; which was concurred in:

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

*Gentlemen:*—Your committee on Finance and the City Assessor, to whom was referred the petition of Bridget Gorman, for the refunding of \$7, under

the law exempting widows' property from taxation, have examined the same, and find the law exempts her from paying on \$500 worth of property, and recommend that the prayer of the petitioner be granted, and that the Committee on Accounts and Claims insert her claim, for that amount, in the next appropriation ordinance.

A. L. WRIGHT,  
N. S. BYRAM,  
J. THOMAS,  
J. B. DILL,  
MARTIN MCGINTY,  
Committee on Finance.

WILLIAM HADLEY,  
City Assessor.

Councilman Brown, from the Committee on Sewers, submitted the following report; which was concurred in :

To the Mayor and Common Council :

*Gentlemen* :—Your committee, to whom was referred the petition of V. Chambers, asking permission to tap the sewer on Clifford avenue and Archer street, recommend that such permission be granted.

M. L. BROWN,  
J. L. CASE,  
JAMES E. WATTS,  
Committee on Sewers.

Councilman Izor, from the Committee on Gas Light, presented the following communication; which, on motion of Councilman Byram, was received :

*Indianapolis*, June 4, 1877.

To the Honorable Mayor and Council :

*Gentlemen* :—The De Palos Gas-Saver, or Moderator, having been on the gas meter at City Hall Building (per order of the Gas Committee) since January last, and saving, in gas consumed, a larger per cent. than was claimed for same when attached, as per statement given below, we ask your honorable body to reimburse us to the amount only of what the machine has saved the city and what would have otherwise been paid to the gas company; on payment of said amount, the machine to become the property of the city.

*Amount of gas consumed, with and without Saver, during months of February, March, April and May, 1876 and 1877.*

WITHOUT SAVER—1876.

February.....	13,600 feet
March.....	13,500 "
April.....	14,400 "
	41,500 feet

WITH SAVER—1877.

February.....	9,800 feet
March.....	9,500 "
April.....	11,300 "
	30,600 feet

Saving 10,900 feet gas in three months, or an average of 28 per cent. Amount of gas consumed in four months with Saver, 48,300 feet; without Saver, the amount of gas consumed would have been 65,600 feet, at 28 per cent. (the average per cent. savings), the savings amount to 18,368 feet, at \$2.50 per 1,000 cubic feet, \$45.92—being amount money actually saved by the machine during the past four months.

Trusting your honorable body will take favorable action on the above, we remain, gentlemen,

Yours, respectfully,

WEITZEL & MARPLE.

Councilman Tucker, from Committee on Parks, reported that the claim of Michael Hammill, as set forth on page 68, *post*, had been examined by said committee, and recommended that the amount called for in bill be paid.

On motion, the report of said committee was concurred in, and the claim referred to the Committee on Accounts and Claims, to be inserted in next appropriation ordinance.

Councilman Walker, from the Committee on Benevolence and Hospitals, submitted the following report; which was received:

Indianapolis, June 11, 1877.

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

*Gentlemen* :—The Committee on Benevolence and Hospitals, to whom was referred the proposition of Drs. Boynton and Buck, to render the necessary medical and surgical aid to the poor of the city, furnishing medicines, etc., for whatever compensation the city may conclude to give, would report that we have carefully considered the matter, and would recommend that said proposition be not accepted; but recommend that Dr. Wm. B. Fletcher be continued as Superintendent of the City Dispensary for the year commencing March 1st, 1877, and ending March 1st, 1878; and that two thousand dollars be appropriated for defraying the expenses of said Dispensary for year commencing and ending as above described.

And would further recommend that the remainder of the two thousand dollars (\$638.58 having been already appropriated for the months of March, April and May) be appropriated monthly, payable to the Superintendent of the City Dispensary, and that said superintendent be required to make monthly reports to the Common Council, showing the number of visits made, and such other information as he may be able to present. Also, to report expenditures for each month, and to keep and file away all vouchers for supplies, etc., furnished said Dispensary.

Respectfully submitted,

I. C. WALKER,  
J. W. BUGBEE,  
ROBERT B. BAGBY,

Committee on Benevolence and Hospitals.

Councilman Cochran presented the following memorial; which was received:

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

*Gentlemen* :—We, whose names are hereunto subscribed, would most respectfully represent to your honorable body, that we are informed that your committee, to whom was referred the proposition of Drs. Boynton & Buck—the only proposition made to your honorable body—to furnish medical attendance and supplies to the poor of the City of Indianapolis for such compensation as your honorable body, after due consideration, might see fit to allow for the ensuing fiscal year, have entirely ignored the said proposition, and reported in favor of contracting with a party who made no application or proposition in reference to the matter, and who had repeatedly declared he did not want, and would not accept, any contract to supply medical attendance and medicines as aforesaid.

We, therefore, most respectfully represent to your honorable body, that the best interests of the city, and of the poor, in this respect, will be best subserved should your honorable body postpone further action on the report of the said committee until the proposition of the aforesaid Boynton & Buck can receive a fair and thorough discussion; or, at least, that no contract for furnishing attendance and medicines should be entered into with any other person than said Boynton & Buck, unless upon better terms than offered by them in their proposition, herein-above referred to.

We have the honor to remain, gentlemen, your most obedient servants,

GEO. T. BATEMAN,  
WM. H. H. MACCURDY,  
L. C. WILEY,  
W. A. EMSLY,  
F. M. HOOK,  
CHAS. E. REYNOLDS,  
JOS. R. PERRY.

The report of the Committee on Benevolence and Hospitals, as set forth above, was then taken up, and concurred in.

Councilman W. G. Wright, from the Committee on Sellers Farm, submitted the following report; which was concurred in:

To the Mayor and Common Council:

*Gentlemen*:—Your committee, to whom was referred the proposition of the Indiana Fertilizer Company, to rent the farm for a period of five years, submit the following lease, and recommend its approval.

W. G. WRIGHT,  
M. L. BROWN,  
M. POUDEK,  
Committee on Sellers' Farm.

The draft of the proposed lease is as follows:

*This Indenture Witnesseth*, That the City of Indianapolis has this day demised and leased to The Indiana Fertilizer Company the following premises, in the State of Indiana, and Marion county, to-wit:

The south half ( $\frac{1}{2}$ ) of the northwest quarter ( $\frac{1}{4}$ ), and the southwest quarter ( $\frac{1}{4}$ ) of section twenty-two (22), township fifteen (15), north of range three (3) east; and, also, the northwest quarter ( $\frac{1}{4}$ ) of section twenty-seven (27), town-

ship fifteen (15), north of range three (3) east; west of White River, containing in all 223½ acres, and known as the "Sellers' Farm;" together with all the rights, privileges, and appurtenances to the same belonging, subject to all the conditions herein contained: *To have and to hold* the same for and during the term of five (5) years from the first day of March, 1877.

And the said The Indiana Fertilizer Company hereby agrees to pay, as rent for said premises, the sum of one thousand dollars per year, payable quarterly on the first days of July, October, January and April of each year, without relief from valuation or appraisement laws.

*It is expressly understood and agreed,* That this lease is made subject to all the rights that any of the present occupants of the said premises have, excepting that the said The Indiana Fertilizer Company is to have, from and after this date, the right to collect and receive all rents that may become due from any such occupants to the city.

And the said The Indiana Fertilizer Company further agree that, during the continuance of this lease, they will sublet to and allow any and all persons or corporations to occupy any unoccupied part of the said premises, for the purposes of rendering up dead animals, manufacturing soap, fertilizing material, or anything of that kind or nature. And the said The Indiana Fertilizer Company agrees not to charge any such person or corporation any greater sum for the said use of the said premises than is now charged for like privileges by the city.

*And it is also understood and agreed,* That the City Dead-Animal Man, or any person or persons to whom the city may award any contract in relation to the dead animals of the city, shall have the same rights and privileges upon the said premises that the persons now having the dead animal contract with the city.

*And it is further understood and agreed,* That the said City of Indianapolis waives none of her rights to establish and enforce any and all sanitary measures and ordinances that she may deem proper. And the said City of Indianapolis reserves the right to ordain and establish any and all ordinances for the sanitary government of said premises hereby leased; and, also, the right, at any time, by her officers, to enter upon and examine the premises, and order any and all changes in the management thereof, that may, in the opinion of her health officers, be necessary for the health of the city and better sanitary condition of the said premises. But said Fertilizer Company shall not be held liable for any violations of any such ordinance or order committed by any of her sub-lessees.

And the said The Indiana Fertilizer Company further agree to build and keep in good repair all of the fences on the said premises, and also to keep



in good repair all of the buildings and improvements thereon belonging to the City of Indianapolis; the said Fertilizer Company to have the right to use all the down timber and young saplings on the said premises that may be necessary in building and repairing the fences. But no other timber upon the said premises is to be cut or used without the consent of the Common Council and Board of Aldermen of the said City of Indianapolis.

And at the expiration of this lease, or on failure to pay rent when the same is due, or on failure to comply with any of the conditions or stipulations of this lease, the same shall terminate at once, without notice, and the said City of Indianapolis, or her assigns, may enter upon and take possession of said premises, and expel the occupant thereof, without, in any wise, being a trespasser. And the failure of the said city, or her assigns, to take possession of said premises at the time aforesaid, shall not estop her from afterwards asserting said rights; and the occupation of said premises by the said tenant, after the expiration of said lease or forfeiture thereof, shall give her no rights as a tenant, but she may be expelled at any time without notice.

In the event the said City of Indianapolis should sell or dispose of the leased premises, or any part thereof, during the term of this lease, then the said The Indiana Fertilizer Company agree to deliver possession of the same, upon reasonable notice being given them by the City; and after the expiration of said notice and time, this lease shall fully end and be terminated as to the part sold, and the rent shall be abated for such part sold according to the present rate of rental by the City to lessees.

*In witness whereof*, The said City of Indianapolis, by John Caven, Mayor, and The Indiana Fertilizer Company, by \_\_\_\_\_, have hereunto affixed their names and seals, this — day of \_\_\_\_\_, 1877.

JOHN CAVEN, Mayor.

THE STATE OF INDIANA, *Marion County, ss*:—Before me, the undersigned, a Notary Public in and for said county and State, this — day of \_\_\_\_\_, 1877, personally appeared The City of Indianapolis, by John Caven, Mayor, and The Indiana Fertilizer Company, by \_\_\_\_\_, and acknowledged the execution of the within lease.

Witness my hand and seal, this — day of \_\_\_\_\_, 1877.

\_\_\_\_\_, Notary Public.

Councilman Reed, chairman of Committee on Printing, Stationery, and Advertising, asked for instructions with regard to the giving of city advertising to any other newspaper than the one holding contract for such advertising.

On motion of Councilman Marsee, the Council ordered that no city advertising be done except by virtue of requisitions duly approved by Committee on Printing, etc.

Councilman Marsee called up the report from the Committee on Streets and Alleys, which had been laid on the table by his motion. He then moved that the report of said committee be received, and that the prayer of the petitioner be *not* granted; which motion was adopted.

PENDING ORDINANCES.

Councilman Pouder called up special ordinance No. 71, 1876, entitled

An ordinance to provide for grading, curbing, and bowldering the gutters, and graveling the street and sidewalks, on Court street, between East and Noble streets;

Upon which, by consent, the rules were suspended, and said ordinance was read the second time, ordered to be engrossed, read the third time, and passed by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Wood called up special ordinance No. 6, 1877, entitled

An ordinance to provide for grading and graveling Maryland street and sidewalks, from Helen street to White River;

Which was read the third time, and passed by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reading, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Brown called up general ordinance No. 23, 1877, entitled

An ordinance repealing section one (1) of an ordinance entitled, "An ordinance creating a Board of Police, and authorizing such Board to appoint all officers and members of the Police of the city, and empowering such Board to remove from office, for cause, any officer or member of such Police; ordained February 19th, 1866."

Which Councilman Marsee moved to strike from the files.

Councilman A. L. Wright moved to lay Councilman Marsee's motion on the table; on which a call of the "ayes and noes" was demanded, and the motion "to lay on the table" was defeated by the following vote :

Affirmative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Steinhauer, Tucker, Watts, Wood, Wright, A. L., and Wright, W. G.—11.

Negative—Councilman Bagby, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, and Walker—12.

The question now being on the original motion, a call of the "ayes and noes" were demanded, and general ordinance No. 23, 1877, was ordered to be stricken from the files by the following vote :

Affirmative—Councilmen Bagby, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, and Walker—12.

Negative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Steinhauer, Tucker, Watts, Wood, Wright, A. L., and Wright, W. G.—11.

Councilman Layman called up general ordinance No. 24, 1877, entitled

An ordinance to amend section two (2) of an ordinance entitled, "An ordinance reorganizing the Fire Department; ordained May 15th, 1876."

Which Councilman Marsee moved to strike from the files.

Councilman A. L. Wright moved to lay Councilman Marsee's motion on the table; on which a call of the "ayes and noes" were demanded, and the motion "to lay on the table" was defeated by the following vote:

Affirmative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Steinhauer, Tucker, Wood, Wright, A. L., and Wright, W. G.—10.

Negative—Councilmen Bagby, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, Walker, and Watts—13.

The question now being on the original motion, a call of the "ayes and noes" were demanded, and general ordinance No. 24, 1877, was stricken from the files by the following vote:

Affirmative—Councilmen Bagby, Dill, Izor, Marsee, Morse, McGinty, Pouder, Reading, Reed, Stoner, Thomas, Walker, and Watts—13.

Negative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Steinhauer, Tucker, Wood, Wright, A. L., and Wright, W. G.—10.

RELIEF TO UNEMPLOYED WORKINGMEN.

Councilman Reed stated that he noticed Hon. W. H. English, chairman of the late joint convention of the Citizens' Advisory Committee [see list in Proceedings of Third Joint Convention, page 60] and a committee of the unemployed workingmen, held on 5th instant, was present; and, on his motion, Mr. English was called upon for a report of said convention's proceedings, which was given to the following effect:

To the Board of Aldermen and Common Council of the City of Indianapolis:

*Gentlemen:*—At a joint meeting of your honorable bodies, held in the Council Chamber on the evening of June 1, on a petition of the unemployed workingmen of the City of Indianapolis, we, the undersigned, were appointed a committee, in the language of your convention, to devise ways and means of affording relief in this present emergency in which a large number of workingmen find themselves without money and without work.

We would respectfully report that we have received notice of our appointment on such committee, and that while we would gladly do anything in our power to relieve the want and suffering of the unemployed in our midst, yet we could do nothing by authority, except as the means were supplied by your honorable bodies. That the Board of Aldermen and Common Council are composed of thirty-five of our most competent business men, and whatever duty they could authorize us to perform in the premises could be performed as efficiently and more legally by a committee of your own body.

We are creditably informed that, within a few days, the Belt Railroad Company will be ready to commence work on an extended scale in the construction of their road and buildings, which will require all classes of laborers and mechanics. One of the greatest inducements to aid furnished by the city to that enterprise was the pledge given that the workingmen of this city should have the preference in employment, and we are very confident the pledges given our people will be fulfilled. We, therefore, refer the whole subject back to your honorable bodies, with full faith

and confidence that you will be willing and competent to furnish any relief that would be within our power to give.

The following resolutions were unanimously adopted :

*Resolved*, That high taxation is particularly oppressive to small property holders of limited incomes, and prevents men of capital from engaging in the erection of buildings, or in manufacturing, or in any of the other branches of business that give profitable employment to labor; therefore, we respectfully recommend to the Common Council strict economy in the administration of city affairs, and especially in the expenditure of the people's money in the payment of high salaries to officers, or exorbitant sums to corporations, thus better enabling the Council to keep taxation within reasonable and lawful limits, and at the same time to pass such measures for public improvements as are legitimate, actually needed, and most likely to give employment to unemployed labor.

*Resolved*, That as street improvements are paid for by the owners of the adjoining property, and not out of the general tax fund, we respectfully suggest that the Council pass all ordinances for street improvement where it is asked for by a majority of the adjoining property holders, or where such improvements would be clearly of public utility, thus increasing the number of employed laborers.

*Resolved*, That there are large tracts of first-rate farming land near the city limits that have been laid off into streets, alleys and lots, but are unused and yielding nothing to the support of the human family, although, if properly cultivated, would more than support all the unemployed in the city; therefore we respectfully suggest that the proper authorities lend every facility to the vacation of streets and alleys and plats of these additions, to the end that the land may be brought into cultivation and more laborers given employment.

*Resolved*, That, whereas, a lien of \$500,000 has been placed upon all the property in this city, whether owned by rich or poor, to aid a corporation in the construction of certain railways, stock yards, and buildings; and, whereas, one of the principal inducements held out for the creation of this enormous debt was that it would give employment to our unemployed citizens; and, whereas, a much larger force can be employed than now are in the construction of said works; therefore, we respectfully recommend that the Common Council request the Belt Railway Company to employ five hundred more men, but only our own citizens who have no other means of support, and men of families rather than single men; and, as complaints are made by workingmen that the work is not now so given out, we suggest whether it would not be better to give employment to those who are recommended by a committee chosen by the workingmen themselves.

*Resolved*, That in our opinion the demand for labor in this city is not sufficient to employ all the laborers now here, and is not likely to be for some years to come; and, therefore, the only permanent remedy for existing evils is to provide for the withdrawal of a reasonable number of laborers from this field. We believe that if a few hundred could find employment elsewhere, there would be sufficient demand for labor here to employ the rest. Any other remedy is only temporary, and, comparatively, of but little importance. As the labor supply in other cities seems to be in excess of the demand, it would seem to follow that a removal from this city to another might not much benefit those who would be willing to so remove. This, however, would not be true as to a removal to the country. The pending war and other causes have made farming particularly desirable, as all farm products command good prices. There is no such thing as glutting the demand for farm labor as long as there are untold millions of uncultivated lands and remunerative prices for farm products. Neither is it necessary to go out of Indiana, although it would be better to go away from the immediate vicinity of large cities. We therefore recommend that encouragement and aid, as far as possible, in the way of transportation, be given to such of our worthy unemployed citizens as may desire to remove to other points of this State, and that a fund for that purpose should be raised by private subscription or otherwise.

On motion, the above report was received, and, at the suggestion of Mr. English, the Citizens' Advisory Committee was then discharged.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest:

BENJ. C. WRIGHT, City Clerk.