

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }  
*Monday, June 18th, 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, Reading, Reed, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—22.

Absent—Councilmen Pouder and Steinhauer—2.

The proceedings of the regular session, held June 11, 1877, were read and approved.

Sealed proposals for grading and graveling California street and sidewalks, from Washington street to Maryland street; also, for grading and graveling Herbert street and sidewalks between Illinois and Meridian streets; also, for grading and paving the west sidewalk on Mississippi street, between Tinker and Herbert streets, were received, opened, read, and referred to the Committee on Contracts.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which, on motion, was referred to the Fire Board and the City Attorney:

*Indianapolis, June 18, 1877.*

To the Mayor and Common Council:

*Gentlemen*:—I would respectfully report to you the condition of the fire cistern at the corner of Decotah and Morris streets, and ask what steps shall be taken relative thereto.

The contractor, William L. White, has received a partial estimate on said cistern, but, it having failed to hold water when tested, I have refused to report a final estimate thereon. The Chief Fire Engineer recently notified me that the cistern was still leaking, and said it was important that it should be put in good condition. I notified the contractor twice, by letter, to make the necessary repairs, but, so far, he has failed to do so. Inasmuch as there is expressed need of the cistern, it is important that some means be taken to repair it; and, as there is still due the contractor \$135.57, this might be applied to putting it in good shape.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The same officer submitted the following report; which, on motion, was referred to the Fire Board, the Committee on Water Works, and the City Attorney:

*Indianapolis, June 18, 1877.*

To the Mayor and Common Council:

*Gentlemen*:—I was directed to furnish an estimate of the cost of connecting the several drinking fountains with the nearest fire-plugs adjacent to them.

I have taken the necessary measurements, and examined into the details of the cost of such work, and find the whole, when completed, will cost about six hundred dollars. If you should see proper to do this work, and should advertise for proposals, the actual cost will not exceed the above estimate, and, possibly, may fall below it.

Respectfully submitted,

BERNHARD H. DIETZ,  
City Civil Engineer.

The City Attorney submitted the following report; which, on motion, was received:

*Indianapolis, June 18, 1877.*

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

*Gentlemen*:—I was instructed to furnish an opinion as to the existence of any contract between the city and the Water Works Company, whereby the city is bound to lease any or all of the fire plugs now erected; and if any such contract exists, what steps are necessary to annul the same.

I have examined the matter, and would report that there is no direct contract between the city and the Water Works Company upon the subject, that I have been able to find.

In October, 1871, shortly after the company had completed their works, the Common Council appointed a special committee, who, together with the City Attorney and Fire Engineer, were instructed to prepare a contract with the company to furnish water for fire purposes for one year, provided the company should change the single plugs to double ones whenever needed. That committee reported a contract to the Council, for their approval, on the 24th day of April, 1872; but the same was never executed, as the Council, by a vote, laid the same, together with the report of the committee, on the table.

The charter of the Water Works Company, granted by the city, provides, in section three, that "The company shall supply to the city, upon the several streets and avenues in which pipes and conduits are laid, and in such cisterns and localities off the same as the city may conduct the same to, such quantity of water as may be required by the City Council for public use or drainage and fire purposes; and, to that end, said company shall erect and attach as many hydrants or fire plugs as the City Council may direct, and, from the same, the city may draw all water necessary for the prevention and extinguishment of fires, and washing, cleaning, cooling, flushing, or sprinkling the streets, pavements, gutters, alleys, sewers, and public grounds; and the

city may attach to each hydrant a cock, faucet, or nozzle, from which water may be drawn by the citizens," etc., etc. And said section further provides "That the company shall furnish water to the city upon such terms and conditions as may be agreed upon between the City Council and the company. The company shall have the right to charge the city and the citizens thereof, for such water as may be supplied, as much as the average price paid by other cities of the United States and citizens thereof of like population that are supplied with as efficient water works, unless a less price may be agreed upon, but the company may not demand or charge a greater price." And there is the further provision that, in case of disagreement, the matter of rates may be arbitrated, and that rates may be readjusted as often as once a year; but it provides that, in no event, shall the city be charged more than fifty dollars per annum for each hydrant or fire plug.

In 1872, the company presented their first bill to Council, and it was referred to a special committee, who reported July 8th of that year, and they recommended the payment of certain parts of it, including \$50 per year for hydrants or fire plugs; and, since that time, that amount, I believe, has been allowed for all fire plugs or hydrants.

In March, 1874, the company made certain propositions to the Council looking to the laying of additional mains and enlarging their works. That proposition was referred to the Committee on Water Works, who reported that they could not agree, and, therefore, reported the whole matter back to the Council; and, on the 15th of June, 1874, a resolution was passed by the Common Council, which provided that, in consideration of the company increasing the capacity of their works and laying twenty miles of additional mains as directed, and attach, at her own expense, three hundred and sixty-five additional fire plugs to those now in use, the city obligated herself to accept said three hundred and sixty-five additional fire-plugs, for fire purposes, and pay, as rent for the use of each of them, for fire purposes, the sum of \$50 per annum under the same rules and conditions as is provided in the original ordinance.

The foregoing is, in brief, all the agreement that exists between the city and the company upon this subject.

And, as the charter of the company and the proceedings of the Council do not fix or declare what length of time the city will use any specified number of hydrants, I am of the opinion that neither the provisions of the company's charter, nor the subsequent actions of the Council, can be construed to mean, or be, an obligation on the part of the city to forever use and pay for all that have been or may be erected; and, therefore, I think the city is not obligated to use any specified number of fire plugs for any particular



time, but that the Common Council and Board of Aldermen have the right and power to designate what number they will use, and the city would be bound to pay only for those so used.

As to the three hundred and sixty-five plugs, provided for in the resolution of June 15th, 1874, I am of the opinion that the city is bound to pay \$50 per annum for all of them that she uses, unless a smaller sum should be agreed upon by the city and company, or be fixed by arbitration.

As to those that have been erected under the charter, the city is bound to pay, for all such as she may determine to use, whatever sum may be agreed upon between the city and the company, and, if an agreement can not be made, then the matter would have to be arbitrated under the provisions of the charter of the company.

Respectfully submitted,

R. O. HAWKINS,  
City Attorney.

The same officer submitted the following report; which, on motion, was referred to the Committee on Judiciary and the City Attorney:

*Indianapolis, June 18, 1877.*

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

*Gentlemen*:—In the year 1875, the city, in the opening of Second street, between Meridian and Pennsylvania streets, condemned and appropriated fifty feet of a sixty foot lot belonging to Frederick Ruschaupt, and, in so doing, awarded and paid him the sum of sixty-six hundred dollars damages.

I am informed that Mr. Simon Yandes is the holder of a mortgage upon said lot, which mortgage was given before such condemnation, and to secure notes amounting to about five thousand dollars, which notes are now due and unpaid, and Mr. Ruschaupt is unable, at this time, to pay them. Mr. Yandes intends to enforce the lien of his mortgage, and has requested me to call the attention of your honorable bodies to the facts in the case. Mr. Ruschaupt has made several propositions to secure the claim either to Mr. Yandes or the city.

I would recommend that the matter be referred to some regular or special committee, to investigate and report what, if any, action the city should take in the premises.

Respectfully submitted,

R. O. HAWKINS,  
City Attorney.

The same officer submitted the following report ; which was received :

*Indianapolis, June 18, 1877.*

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

*Gentlemen* :—I would report that, in the case of The Indianapolis Gas-Light and Coke Company vs. The City, pending in the Superior Court, the plaintiff has made an affidavit for change of venue from this county, and the Court has ordered the case transferred to Johnson county, for trial.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

The following report from the City Commissioners was received and concurred in :

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

*Gentlemen* :—The undersigned, City Commissioners, would respectfully report to your honorable body :

That they have met, as notified by the City Clerk, in the case of opening Vermont street, from first alley east of Douglass street (the present terminus of the western end of Vermont street), west to Blake street, and after hearing many witnesses in relation to the matter, and viewing the premises, we are of the opinion, in view of the stringency in money matters at present, and, also, the large number of remonstrants against the opening of Vermont street at this time, that the proposed opening of Vermont street ought to be abandoned until the property-holders interested in said opening are better able to pay for said opening. Therefore, your Commissioners do respectfully report to you this their opinion, and will await your further direction in the case.

Respectfully,

GEO. W. HILL,

J. S. HILDEBRAND,

R. H. PATTERSON,

JOHN L. AVERY,

WILLIAM MANSUR,

City Commissioners.

June 15, 1877.

The City Clerk presented the following remonstrance ; which was received :

*Indianapolis, April 21, 1877.*

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

*Gentlemen:*—The undersigned, owners of the real estate fronting on Vermont street and vicinity, between West street and Bright street, respectfully remonstrate against the passage of an ordinance providing for the opening of Vermont street through to Blake street, for the reason that, when Louisa A. Wright and John C. Wright platted their subdivision of part of out lot No. 151, April 15, 1873, they should have given the right of way through to Blake street; and, further, we do not believe it will be of any benefit to our property.

And your petitioners will ever pray, etc.,

Chas. N. Lee, Joseph Fitzgerald, John W. Barth,  
 J. B. Hampton, G. W. Bender, C. J. R. Robinson,  
 G. W. Barth, W. E. Featherston, T. B. for  
 Margaret Messick, Mrs. Sarah Roback, Jacob  
 Rhinehole, and 50 others.

The following report was received from the Board of Health:

Report of deaths in the City of Indianapolis from 6 o'clock P. M., on the 10th day of June, 1877, to 6 o'clock P. M., on the 17th day of June, 1877:

Under 1 year .....	9
1 to 2 years.....	2
2 to 3 " .....	1
3 to 4 " .....	0
4 to 5 " .....	0
5 to 10 " .....	0
10 to 20 " .....	1
20 to 30 " .....	3
30 to 40 " .....	3
40 to 50 " .....	4
50 to 60 " .....	2
60 to 70 " .....	0
70 to 80 " .....	3
80 to 90 " .....	0
90 to 100 " .....	0
Above 100 years.....	0
Unknown .....	1
<b>Total</b> .....	<b>29</b>

Respectfully submitted,

H. JAMESON, M. D.,

Secretary and Registrar.

## 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, held Wednesday evening, June 13th, 1877, concurrent action was had upon the following papers transmitted from your honorable body :

Report from City Civil Engineer, recommending a plan for the drainage of West Market street, from Mississippi street to the railroad track.

Report from City Clerk, relative to his proceedings in the matter of laying out and opening an alley, running north from St. Clair street to the west end of Arch street.

Report from the Committee on Finance and City Assessor, in the matter of the petition of Bridget Gorman, asking the refunding of taxes under the Widows' Exemption Act.

Report from the Committee on Sewers, recommending that permission be granted V. Chambers to tap the Clifford avenue and Archer street sewer.

Resolution, requiring architects having in charge the construction of public buildings to furnish a copy of the plans, etc.

Motion, instructing the Street Commissioner to improve the gutter in front of the James House, on North Alabama street, and to haul off the dirt scraped up in front of said property.

Report of Special Committee, appointed to confer with the Gas and Water-Works Companies, in reference to a possible reduction of amounts now payable to said companies, for gas and water furnished for city use.

Motion, requesting the City Attorney to furnish an opinion as to the existence of any contract between the city and Water-Works Company, whereby the city is bound to lease any or all of the fire-plugs now erected ; and, if any such contract exists, what steps are necessary to annul the same.

Motion, requesting the City Civil Engineer to furnish an estimate of the cost of connecting the several drinking-fountains with the nearest fire-plugs adjacent to them.

Resolution, instructing the City Treasurer to give the immediate proper notice that he will redeem all City Orders outstanding on the 1st day of May, 1877, with moneys now in the City Treasury.



Special ordinance No. 71, 1877—"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."

Special ordinance No. 6, 1877—"An ordinance to provide for grading and graveling Maryland street and sidewalks, from Helen street, west, to White River."

Appropriation ordinance No. 36—"An ordinance appropriating money on account of City Dispensary."

Appropriation ordinance No. 44, 1877—"An ordinance appropriating money for the payment of a certain claim against the City of Indianapolis, in favor of Irwin & Hanna."

General ordinance No. 21, 1877—"An ordinance providing for a Temporary Loan of three hundred thousand dollars, to defray the current expenses of the city for the present fiscal year."

Respectfully submitted,

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

The following message was also received :

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

*Gentlemen* :—At a meeting of the Board of Aldermen, held Wednesday evening, June 13th, 1877, special ordinance No. 14, 1877, providing for the improvement of Clifford avenue, between Massachusetts avenue and Pogues Run, passed by your honorable body May 7th, 1877, and referred to the Aldermanic Committee on Streets and Alleys, on May 23d, 1877, was reported on by said committee, recommending that said ordinance be amended by striking out the words "Pogues Run" and inserting the words "northwest corner of the United States Arsenal Grounds."

The reason the committee gave for recommending such an amendment is, that some six or seven hundred feet of the ground, along the proposed improvement, is owned by the U. S. Government, and the commander of the U. S. Arsenal reported that there was no money to pay the portion of the improvement along their ground.

The ordinance was then amended and passed in accordance with the commendation of the committee.

I herewith submit the ordinance, as amended and passed, for your action upon the same.

Respectfully submitted,

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

Special ordinance No. 14, 1877, amended as follows, to-wit :

An ordinance to provide for the improvement of Clifford avenue, between Massachusetts avenue and the northwest corner of the United States Arsenal Grounds, by grading and graveling the street with good screened or raked gravel, and bowldering the gutters to a width of seven (7) feet,

Was taken up, and said ordinance, as amended, was ordained and established by the concurrent action of the Common Council.

His Honor, the Mayor, presented the following communication ; which, on motion, was received, and the City Clerk instructed to comply with request preferred in same :

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

*Gentlemen* :—I have been requested by the Hon. Byron H. Dyson, Mayor of the city of Anderson, and by councilmen of said last named city, to present their compliments to you, and request you for a copy of your City Ordinances, etc., in order to enable them to get up a "Code" for their little, but flourishing city, and whatever may be the cost of the copy sent them, they will remit you for the same.

I am, gentlemen, very respectfully, your obedient servant, etc.,

PETER H. LEMON,

For the Mayor, etc., of City of Anderson.

June 18, 1877.

The Mayor, also, presented the following communication ; which, on motion of Councilman Byram, was received :

FIRST NATIONAL BANK, }  
Indianapolis, Ind., June 18, 1876. }

To the Hon. Mayor and Councils of the City of Indianapolis :

*Gentlemen* :—Should the city wish to fund her outstanding orders, or any part thereof, in thirty-year 6 per cent. bonds, this Bank will agree to take the same at par—provided this offer is accepted at the present session of the Common Council.

Very respectfully,

WM. H. ENGLISH,  
President.

On motion of Councilman Reed, the above communication was referred to the Committee on Finance, with instructions to report forthwith.

## INTRODUCTION OF ORDINANCES.

Councilman Bugbee introduced special ordinance No 20, 1877, entitled

An ordinance to provide for grading and graveling Bellefontaine avenue, and paving with brick the sidewalks thereof, from Lincoln avenue to Tinker or Seventh street,

Which was read the first time.

Councilman Byram introduced general ordinance No. 26, 1877, entitled

An ordinance to prohibit the use of false or incorrect scales, weights, or measures,

Which was read the first time.

Councilman McGinty introduced general ordinance No. 27, 1877, entitled

An ordinance requiring a flagman to be stationed at the intersection of Georgia and Missouri streets,

Which was read the first time, and, on his motion, was referred to the Committee on Railroads.

Councilman Byram moved to suspend the rules, and to now take up, read the second and third times, and place on its final passage general ordinance No. 26, 1877; which motion was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Izor, Layman, Marsee, Morse, McGinty, Reading, Reed,

Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—21.

Negative—None.

General ordinance No. 26, 1877, was then taken up, 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, Izor, Layman, Marsee, Morse, McGinty, Reading, Reed, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—20.

Negative—None.

#### ROLL CALL.

Councilman Brown offered the following motions ; which were adopted :

*Moved*, That the City Council accept a donation of five of Merrill's patent air-valve pumps, to be erected at the expense of the owner.

*Moved*, That the Street Commissioner be, and is hereby, instructed to gravel the alley-crossing on west side of Linden street, between Prospect and Orange streets.

Also, the following petition ; which was received, prayer of petition granted, and invitation accepted :

*Indianapolis*, June 18, 1877.

To the Honorable, the Common Council of Indianapolis :

*Gentlemen* :—Your petitioner would respectfully ask the privilege of erecting a temporary board shanty on West Market square, for the purpose of testing Reec's Patent Compound Fire Extinguisher, on the afternoon of Friday next.

Your honorable body is further respectfully requested to be present, and witness the exhibition at that time.

Respectfully submitted,

L. B. WILSON.



Councilman Bugbee offered the following motions; which were adopted:

*Moved*, That the City Civil Engineer be, and is hereby, instructed to re-advertise for bids for the erection of lamp-posts on Bellefontaine avenue and Peru street, from Home avenue to Seventh street.

*Moved*, That the Street Commissioner be, and is hereby, instructed to notify the Indianapolis, Peru & Chicago Railway Company to plank said road, at the crossings of Home and Lincoln avenues.

Councilman Byram offered the following motion; which was adopted:

*Moved*. That the City Marshal be, and is hereby, directed to notify the Citizens' Street Railroad Company to comply with an order heretofore passed by this Council, in reference to filling between the tracks of their road on North Illinois street.

Councilman Izor offered the following motion; which was adopted

*Moved*, That the City Attorney be authorized to employ other attorneys, to assist in the trial of the case of the Gas Company vs. The City, and that he be authorized to expend the money necessary to procure the attendance of witnesses, and to enable him to properly defend said case.

Councilman Marsee offered the following motion; which was adopted:

*Moved*, That the City Civil Engineer be directed to examine the Washington street sewer, from Pennsylvania street to Kentucky avenue, and report the condition of the same.

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

*Moved*, That the Street Commissioner be, and is hereby, directed to fill the chuck-holes on Bright street, between New York street and Engle & Drew's coal yard.

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

*Moved*, That the City Marshal be, and is hereby, directed to notify the property owners at the intersection of McCarty and Ann streets to fill the pond of stagnated water within ten days; and, in case they should refuse, the Street Commissioner is instructed to fill said pond, and charge it to the property owners.

Councilman Reading offered the following motion; which, on motion of Councilman A. L. Wright, was referred to the Committee on Gas Light;

*Moved*, That Mr. Weinberger be, and is hereby, permitted to move his private lamp-post, on Louisiana street, between Illinois and Meridian streets, to a point about twelve feet farther west, provided, the same be done at his own expense, and that he repair the street and put the same in as good condition as before excavating.

Councilman Reed offered the following motion; which was adopted:

*Moved*, That Mr. A. Abromet be granted permission to repair the flagging in front of the *Ætna* Building, on North Pennsylvania street, near Washington street, east side; said work to be done within the next thirty days, at his own expense, and according to the grade stakes set by the City Engineer.

Councilman Stoner presented the following petition; which, on motion, was referred to the Committee on Finance, and the City Assessor:

*Indianapolis, June 18, 1877.*

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

*Gentlemen*:—The undersigned, a resident of the City of Indianapolis, who is now and has been a widow since the year 1874, respectfully represents to your honorable body, that she is the owner of certain real estate, situate on Park avenue, 50x40 feet, and being a part of lot No. 67, out-lot No. 181; that said property is worth less than \$1,000; that she is informed and believes that she is entitled to an exemption of the tax on \$500 valuation, for each of

the years 1875 and 1876; and that she paid the full amount of the tax assessed against her for said years, not knowing at the time, that she was entitled to an exemption.

She, therefore, petitions your honorable body to refund the amounts erroneously paid, as follows:

Tax on \$500, for 1875, at a levy of \$1.50 on the \$100.....	\$ 7 50
Tax on \$500, for 1876, at a levy of \$1.40 on the \$100.....	7 00
Total tax erroneously paid .....	\$14 50

And your petitioner will ever pray, etc.,

CHRISTINE PFEIFER.

Also, the following remonstrance; which, on motion of Councilman A. L. Wright, was referred, together with the report of the City Commissioners on said matter, to the Committee on Streets and Alleys:

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

*Gentlemen:*—The undersigned, owners of the real estate fronting on East street and Park avenue, between St. Clair street and the first alley north of St. Clair street, respectfully remonstrate against the adoption of the report providing for the opening of an alley, of the width of twelve (12) feet, beginning at St. Clair street, at the southeast corner of lot number eight (8), in Abraham Bird's subdivision of out-lot one hundred and seventy-eight (178), in the City of Indianapolis; running thence due north, across the east end of said lot, and continuing on across the east end of lots number seven (7), six (6), and the south one-half of lot number five (5), to intersect the west end of Arch street.

And your remonstrants will ever pray, etc.

Emily Pinney 69 feet; Vilete C. Adams 120 feet;  
Alexander Adams, her husband; Susannah Fiscus 28 feet; Francis M. Fiscus; and Ann Eliza Crigler 28 feet.

Also, the following motion:

*Moved,* That the vote by which general ordinance No. 23, 1877, was stricken from the files on last Monday night, be reconsidered, in order that the same may be amended and passed.

Councilman Marsee moved that the above motion "lay on the table"; upon which, Councilman A. L. Wright demanded the "ayes and noes," and, such call being had, the motion "to lay on the table" was adopted by the following vote:

Affirmative—Councilmen Bagby, Case, Dill, Izor, Marsee, Morse, McGinty, Reading, Reed, Thomas, Watts, and Wright, W. G.—12.

Negative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Stoner, Tucker, Walker, Wood, and Wright, A. L.—10.

Also, the following motion:

*Moved*, That the vote by which general ordinance No. 24, 1877, was stricken from the files on last Monday night, be reconsidered, in order that the same may be amended and passed.

Councilman Marsee moved that the above motion "lay on the table"; upon which, Councilman A. L. Wright demanded the ayes and noes," and, such call being had, the motion "to lay on the table" was adopted by the following vote:

Affirmative—Councilmen Bagby, Case, Dill, Izor, Marsee, Morse, McGinty, Reading, Reed, Thomas, Wright, W. G., and Mayor Caven—12.

Negative—Councilmen Brown, Bugbee, Byram, Cochran, Layman, Stoner, Tucker, Walker, Watts, Wood and Wright, A. L.—11.

Councilman Tucker offered the following motion; which was adopted:

*Moved*, Whereas the expenditures for the Public Parks are paid by the city; therefore, the management of the same shall be under the control of the Committee on Parks.

Councilman Walker presented the following petition; which, on motion, was referred to the Committee on Streets and Alleys:



Indianapolis, June 18, 1877.

To his Honor, Mayor Caven, and Gentlemen of the City Council :

*Gentlemen* :—Some years since an ordinance was passed over a remonstrance of every front foot on the three squares of Delaware street, from Washington to New York street, against taking up one of the best graveled streets in our city, with bowldered gutters, and to improve the same with wood blocks, called Nicholson pavement.

We pray your honorable body to place the three squares in as good condition as you found the street when you broke it up. We paid your assessment, which was oppressive, being nine dollars a front foot. We pray you will replace said street, for the three squares, with gravel, at the city's expense, as we paid for a finished street as much so as any bowldered street in our city, which you are every day keeping in repair at the expense of the city. All above the three squares named they petitioned for the Nicholson—all south of New York street, on Delaware, remonstrated against taking up so good a street.

Grant the petition, and we will ever pray.

ANDREW WALLACE,  
ANDREW WALLACE,  
Trustee I. O. O. F. lot.  
WILLIAM SMITH.

Councilman Wood offered the following motion; which was adopted :

*Moved*, That the Street Commissioner be, and is hereby, instructed to white-wash the walls of tunnel on South Illinois street.

Councilman Byram, as a question of privilege, was permitted to offer the following resolutions :

*Resolved*, That the place of holding the special election in the 16th Ward, on Wednesday, June 20, 1877, be fixed at the northeast corner of Kentucky avenue and Tennessee street.

*Resolved*, That Eugene Saulcy be appointed inspector, and W. J. Astley and James Rennihan as judges of the special election, to be held in the 16th Ward, on Wednesday, the 20th day of June.

Which was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Reading, Reed, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

Councilman Dill presented the following petition ; which, on motion, was referred to the Committee on Laying out and Opening Streets and Alleys :

Mr. Dill :

*Dear Sir* :—I take the liberty of showing to you how this plat of ground is laid out.

This individual, on the corner of Walnut, and his friend, have purchased these four lots fronting on Missouri street, taking in, with two of those lots, the alley to the rear of those on Walnut. This friend of his sold one of his two to another individual, leaving them to quarrel for six years for missing ground, as they say. This third person thinks he will quarrel no longer; he takes it out of the alley at the rear of those lots fronting on St. Clair, which is needed to be a public alley, and by all means to be left full width.

JAS. DUFFY.

Councilman Dill introduced appropriation ordinance No. 45, 1877, entitled

An ordinance appropriating money for the payment of judgment and costs in the suit of Johnson & Christerson vs. The City of Indianapolis,

Which was read the first time.

Councilman Dill moved to suspend the rules, for the purpose of now reading the above ordinance the second and third times, and placing same on its final passage ; which motion was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Reading, Reed, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

Appropriation ordinance No. 45, 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, Reading, Reed, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—22.

Negative—None.

#### CALL OF COMMITTEES.

Councilman Watts, from the Committee on Streets and Alleys, submitted the following report; which was concurred in :

*Indianapolis, June 18, 1877.*

To the Mayor and Members of the Common Council :

*Gentlemen* :—Your Committee on Streets and Alleys, to whom was referred the petition of Andrew Wallace in relation to the graveling of Wabash street, and the report of this committee in relation thereto, made to Council June 4th, 1877, and referred back to said Committee, with instructions, respectfully report the following ordinance, and recommend its passage.

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

Committee on Streets and Alleys.

Also, introduced special ordinance No. 21, 1877, entitled

An ordinance to provide for spreading pit sand on Wabash street, between Alabama and Delaware streets,

Which was read the first time.

Also, the following report; which was concurred in :

*Indianapolis, June 18, 1877.*

To the Mayor and Members of the Common Council :

*Gentlemen* :—Your Committee on Streets and Alleys, City Attorney, and City Civil Engineer, to whom was referred general ordinance No. 25, 1877, entitled "An ordinance providing for the repairing and cleaning of streets, alleys, sidewalks, gutters, etc., under contract to be made by the Common Council and Board of Aldermen of the City of Indianapolis," would report

that we have had said ordinance under careful consideration, and respectfully report against its passage, for the reason that the same is inexpedient and impracticable at this time.

Said ordinance is herewith returned.

Respectfully submitted,

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

Committee on Streets and Alleys.

R. O. HAWKINS,  
 City Attorney.

B. H. DIETZ,  
 City Civil Engineer.

Also, the following report; which was concurred in:

*Indianapolis, June 18, 1877.*

To the Mayor and Members of the Common Council:

*Gentlemen*:—Your Committee on Streets and Alleys, to whom was referred the motion in relation to the compensation of laborers and teams employed by the Street Commissioner, would recommend that the same be amended as follows:

That the Street Commissioner be, and he is hereby, instructed to pay the following wages to men and teams in the employ of the City of Indianapolis, pertaining to his department, to-wit:

Two-horse teams, with drivers.....	\$2 50	per day
One-horse teams, with drivers... ..	2 00	"
Bowldering men.....	2 00	"
Carpenters....	1 50	"
Sewer men, two at.....	1 75	"
Sewer man, one at.....	1 50	"
Laboring men on streets .....	1 15	"
Foreman of bowldering men.....	2 25	"
Foreman of carpenters .....	1 75	"
Foreman of sewer men. ... ..	2 25	"
Foreman of chain-gang .....	2 00	"
Foreman of dirt and gravel teams.....	1 75	"
Foreman of laboring men on streets.....	1 75	"

Respectfully submitted,

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

Committee on Streets and Alleys.



Also, the following report ; which was concurred in :

*Indianapolis, June 18, 1877.*

To the Mayor and Members of the Common Council :

*Gentlemen* :—Your Committee on Streets and Alleys to whom was referred the motion of Councilman Watts, directing the Street Commissioner to fill with gravel the chuck-holes on Indiana avenue, from West street to Fall Creek ; also, the motion of Councilman Dill, directing the Street Commissioner to fill up the chuck-holes on Indiana avenue from Illinois street to the Canal bridge at Michigan street, would recommend that said motions be amended, by inserting “ at a cost not to exceed two hundred dollars for the entire work ;” and, when so amended, we recommend their adoption.

Respectfully,

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

Committee on Streets and Alleys.

Also, the following report ; which was concurred in by paragraphs, except the last one ; which, on motion of Councilman A. L. Wright, was amended by limiting the expenditure to \$200 :

*Indianapolis, June 18, 1877.*

To the Mayor and Members of the Common Council :

*Gentlemen* :—Your Committee on Streets and Alleys, to whom was referred the following motions, have examined the same, and recommend their adoption, to-wit :

The motion to instruct the Street Commissioner to curb the city's portion of the sidewalk on Illinois street in front of Charles Mayer's property.

Also, the motion directing the Street Commissioner to raise the gutters' and protect the same with cinders, on Olive street, between Orange street and Pleasant Run.

Also, the motion instructing the Street Commissioner to fill up the chuck-holes in Fort Wayne avenue, between Pennsylvania and New Jersey streets, with raked gravel.

Also, the motion instructing the Street Commissioner 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 direction of the City Civil Engineer.

Also, the motion directing the Street Commissioner 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.

Respectfully,

JAS. E. WATTS,  
 JAMES T. LAYMAN,  
 GEO. P. WOOD,  
 Committee on Streets and Alleys.

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, to whom was referred the proposition of First National Bank of Indianapolis, to take at par any thirty-year 6 per cent. Bonds the city may wish to fund, would respectfully report, recommending that the offer be not accepted, the Council and Board of Aldermen having decided not to fund any portion of the present indebtedness; and for the further reason that better offers have been received for twenty-year 6 per cent. Bonds.

Respectfully submitted,

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

Councilman Reed, from the Committee on Printing, Stationery, and Advertising, submitted the following report:

To the Mayor and Common Council:

*Gentlemen*:—Your Committee on Printing would beg leave to report that they have opened and examined sundry bids for printing and stationery, but are unprepared to make a report thereon. The bids vary materially, and a large number of the articles bid on will not be needed. We now propose that the City Clerk shall make out a list of such printing, stationery, etc., as will be needed by the different departments and officers for the ensuing year, and that copies of the list shall be furnished to each bidder, so that he may bid advisedly thereon.

In regard to the advertising of the city, your committee have received but three bids—from the Sentinel, News, and Journal.

The former proposes to publish said advertising for 14½ cents per square, and the delinquent list at 18 cents per description.

The News makes the following propositions :

NEWS OFFICE,  
Indianapolis, June 12th, 1877. }

Gentlemen of the Printing Committee of the Common Council :

The following is the bid of the Indianapolis News for the city advertising and delinquent tax list, pursuant to the advertisement of the City Clerk, published in the Sentinel June 5th, 1877 :

The News will do all the city advertising for eighteen (18) cents per square. It will publish the delinquent tax list for eighteen (18) cents per description.

Or, it will contract, if desired, to do the entire advertising of the city, including the delinquent tax list, for one year, for the sum of eighteen hundred dollars (\$1,800), payable in equal monthly installments.

One year ago the News offered to do this work for \$2,000, payable monthly. The bid was refused. The city paid for advertising, during the year, \$857.62, and for the delinquent tax list \$1,397.52—5,823 descriptions at 24 cents each—making a total of \$2,255.14 paid out, or \$255.14 more than the News' bid. The delinquent list, this year, is likely to exceed the last one, while the advertising will not be less. By accepting the bid in gross the city is certain to save \$455.14 over last year, and will probably save something more than by having the work done by the square or description. That was the experience last year.

The News has a much larger circulation than any city daily, and advertisements in it will be worth that much more. The work, if given to the News, will be done faithfully in every respect.

JOHN H. HOLLIDAY,  
Proprietor.

The Journal offers as follows :

To the Committee on Printing of the Common Council :

*Gentlemen:*—I will do all the advertising required by the City of Indianapolis for the next year, in the Indianapolis Journal, and receive, in full as pay therefor, five per cent. less than the lowest bid you may have received for the same, or that may be received under the advertisement made for bids

on the same. This to include all advertisements in either daily or weekly paper, and the delinquent list.

June 13th, 1877.

E. B. MARTINDALE,  
Prop'r Journal.

Your committee believing the Journal, represented by Judge Martindale, to be the lowest and best bidder, would respectfully recommend that his bid of five per cent. below the lowest bidder—which would be the News' bid of \$1,800 for all advertising and delinquent list—making the Journal's bid \$1,710 therefor—be accepted as the lowest and best bid, believing that thereby a great saving will be secured to the city.

ENOS B. REED,  
T. C. READING,  
J. W. BUGBEE,  
Committee on Printing, etc.

The Journal was awarded the advertising, and the matter referred to the City Attorney to prepare the proper contract.

Councilman Thomas, from the select committee on lease of the Southern Park, submitted the following report; which was concurred in:

*Indianapolis, June 18, 1877.*

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

*Gentlemen:*—Your committee, to whom was referred the proposition of N. M. Richardson to rent the Southern Park, have had the same under consideration, and would report against the acceptance of the same, for the reason that the compensation is not sufficient.

Respectfully submitted,

J. THOMAS,  
W. G. WRIGHT,  
MARTIN MCGINTY,  
Special Committee.

#### CALL OF BOARDS.

Councilman Brown, from Board of Police, submitted the following report; which was received, and the accompanying official bond was duly approved:



To the Mayor and Common Council and Board of Aldermen :

*Gentlemen* :—We herewith report the following inventory of property on hand at the Central and Sixth street Station-Houses.

We, also, report the Bond of John Minor, City Jailor, Sixth street Station-House, with C. Eden and Wm. Gulliver as sureties, and recommend its approval.

W. D. WILES,  
M. L. BROWN,  
J. W. BUGBEE,  
Board of Police.

Councilman Case, from the Fire Board, submitted the following report; which was concurred in :

*Indianapolis*, June 18, 1877.

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

*Gentlemen* :—The Fire Board, to whom was referred a motion, instructing the City Civil Engineer to notify the Water-Works Company to remove the fire-plug at the corner of Massachusetts avenue and New York street, in front of the headquarters of the Fire Department, and place the same thirty feet west of where it now stands, respectfully report in favor of moving said plug thirty or forty feet, as Chief may think best.

R. S. FOSTER,  
J. L. CASE,  
JAMES T. LAYMAN,  
Fire Board.

Also, the following report; which was concurred in :

To his Honor, the Mayor, the Common Council, and Board of Aldermen :

*Gentlemen* :—The Fire Board, to whom was referred the annual report of the Chief Fire Engineer, beg leave to report that we have examined the same and found it correct, and recommend that it be accepted; and that it be printed either in pamphlet form, or together with the annual reports of other city officers.

All of which is respectfully submitted,

R. S. FOSTER,  
J. L. CASE,  
JAMES T. LAYMAN,  
Fire Board.

Councilman Byram presented the following petition; which, on motion, was referred to the Committee on Finance and the City Assessor:

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

*Gentlemen*:—Your petitioner, Rachel Fetchner, respectfully represents, that her husband, Gottlieb Fetchner, died about thirteen years ago, the owner in fee of n.  $\frac{1}{2}$  of lot 11, in outlot 30, in the city of Indianapolis, and leaving your petitioner, his widow, with three children, his heirs; that she has occupied said property ever since; that said property is assessed for taxation at \$900. That she still remains the widow of said decedent; that said property, or a large portion thereof, is exempt from taxation, and has, ever since his death, been taxed in the name of said decedent, while she has paid the taxes from year to year; that on the 19th of March, 1877, she paid to the Treasurer of said city, in full of city taxes assessed against said property for the year 1876, the sum of \$12.60, without regard to exemption. The Treasurer's receipt is attached hereto.

Wherefore, she prays that said may be refunded to her, or so much thereof as paid on property exempt from taxation.

This is all the property of which decedent died seized.

And your petitioner will ever pray, etc.,

RACHEL FETCHNER.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest:

BENJ. C. WRIGHT, City Clerk.