

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, June 25th, 1877—7½ o'clock P. M. }

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

Gottlieb Sindlinger, duly elected as Councilman from the Sixteenth Ward, at a special election held Wednesday, June 20th, 1877, and who had filed his certificate of election and oath of office with the City Clerk, appeared and took his seat.

PRESENT :

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

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

Absent—Councilmen Bugbee, Case, and Morse—3.

The proceedings of the regular session, held June 18, 1877, were read and approved.

Sealed proposals for grading and graveling the first alley west of Japan, or East street, from Yeiser street to the first alley north of Yeiser street; also, for grading and graveling the first alley north of English avenue, between Cedar and Dillon streets; also, for grading and graveling Carlos street and sidewalks, from Ray street to Morris street, were received, opened, read, and referred to the Committee on Contracts.

REPORT FROM COMMITTEE ON CONTRACTS.

Councilman Brown, from Committee on Contracts, submitted the following report; which was concurred in, and the contracts were severally awarded:

Indianapolis, June 25, 1877.

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

Gentlemen:—Your Committee on Contracts, to whom were referred sundry proposals, presented to the Council June 18th, 1877, have examined the same, and find them to be as follows:

First. For grading and graveling Herbert street and sidewalks, between Illinois and Meridian streets—

J. J. Palmer, 80 cents per lineal foot front on each side.

James Mahoney, 70 cents per lineal foot front on each side.

Richard Carr, 69 cents per lineal foot front on each side.

John Greene, 67½ cents per lineal foot front on each side.

Henry Clay, 65 cents per lineal foot front on each side.

Irwin & Hanna, 64 cents per lineal foot front on each side.

Samuel J. Smock, 58 cents per lineal foot front on each side.

E. B. Elliott, 56 cents per lineal foot front on each side.

McKnight & Co, 49 cents per lineal foot front on each side.

S. W. Patterson, 38 cents per lineal foot front on each side.

R. H. Patterson, 37 cents per lineal foot front on each side.

John Low, 34 cents per lineal foot front on each side.

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

Second. For grading and graveling California street and sidewalks, from Washington street to Maryland street—

R. H. Patterson, 59 cents per lineal foot front on each side.
 J. J. Palmer, 38 cents per lineal foot front on each side.
 E. B. Elliott, 36 cents per lineal foot front on each side.
 Irwin & Hanna, 35 cents per lineal foot front on each side.
 Richard Carr, 29 cents per lineal foot front on each side.
 S. W. Patterson, 28 cents per lineal foot front on each side.
 John Greene, 25 cents per lineal foot front on each side.
 William Murphy, 24½ cents per lineal foot front on each side.
 James Mahoney, 23 cents per lineal foot front on each side.
 Fred. Gansberg, 21 cents per lineal foot front on each side.

Fred. Gansberg, being the lowest and best bidder, your Committee recommend that he be awarded the contract.

Third. For grading, and paving with brick, the west sidewalk on Mississippi street, between Tinker and Herbert streets—

Henry Clay, 42 cents per lineal foot front.
 S. J. Smock, 35 cents per lineal foot front.
 John Greene, 35 cents per lineal foot front.
 James W. Hudson, 30 cents per lineal foot front.
 James Mahoney, 29½ cents per lineal foot front.
 H. C. Roney, 29 cents per lineal foot front.
 E. B. Elliott, 28 cents per lineal foot front.
 McKnight & Co., 27½ cents per lineal foot front.
 John Schier, 27 cents per lineal foot front.

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

Respectfully submitted,

M. L. BROWN,
 T. C. READING,
 Committee on Contracts.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was concurred in:

Indianapolis, June 25, 1877.

To the Mayor and Common Council:

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

A first and final estimate allowed Henry C. Roney, for building a wooden bridge over Pogues Run, at the crossing of Ray street:

14,501 feet pine lumber at \$18.....	\$261 01
7,834 feet oak lumber at \$18 50.....	144 92
36 yards gravel at 60 cents.....	21 60
16 feet cement pipe at \$1.50.....	24 00
Total	\$451 53.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

The above estimate was allowed by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Cochran, Izor, Layman, Marsee, McGinty, Pouder, Reading, Sindlinger, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—19.

Negative—None.

The City Treasurer submitted the following ; which was received and approved :

Indianapolis, Ind, June 25, 1877.

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

Gentlemen :—I would report that, in pursuance of the resolution of your honorable bodies, I have advertised notice, for three days, in the Indianapolis Daily Sentinel, that I was prepared to redeem all outstanding city orders, and that said orders would cease to draw interest after June 18th, 1877; and I herewith file the duly authenticated proof of publication of the said notice.

Respectfully submitted,

HENRY W. TUTEWILER,

City Treasurer.

NOTICE.

OFFICE OF CITY TREASURER, }
181 East Washington Street, }
Indianapolis, Ind., June 14, 1877. }

Notice is hereby given to all parties holding City Orders, that I am prepared to redeem the same on presentation at this office, and that said orders will

cease to draw interest after June 18, 1877, as per section 2 of "An act in relation to orders issued by cities upon their treasurers, and providing for the presentation, redemption and order of payment of same," approved March 11, 1875.

The above notice is given in accordance with a resolution adopted by the Common Council May 28, 1877, and concurred in by the Board of Aldermen June 13, 1877.

HENRY W. TUTEWILER,
City Treasurer.

STATE OF INDIANA, }
Marion County, } ss.

Personally appeared before the undersigned W. H. Read, book-keeper of the Indianapolis Daily Sentinel, a public newspaper of general circulation, printed and published in Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was duly published in said paper for three days, the first of which publication was on the 15th day of June, 1877, the last on the 18th day of June, 1877.

W. H. READ.

Subscribed and sworn to before me this 21st day of June, 1877.

E. H. WELLS,
Notary Public.

Received fifty cents for proof of publication and notary fee.

E. H. WELLS.

The City Clerk submitted the following report; which was concurred in:

Indianapolis, June 25, 1877.

To the Mayor and Common Council:

Gentlemen:—I respectfully report the following affidavit, now on file in my office, for the collection of street assessment by precept, to-wit: Macauley & Stone vs. Indianapolis Water Works Co., for \$89.91, and respectfully recommend that you order the precept to issue.

BENJ. C. WRIGHT,
City Clerk.

The precept was ordered to be issued by the following vote:

Affirmative—Councilmen Bagby, Brown, Byram, Cochran, Izor, Layman, Marsee, McGinty, Pouder, Reading, Sindlinger, Stoner,

Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—19.

Negative—None.

Mr. William Show, late Market Master, presented the following report; which, on motion of Councilman A. L. Wright, was referred to the Committee on Markets:

Indianapolis, June 25, 1877.

To the Mayor and Common Council:

Genilemen:—I would respectfully submit as my final report as Market Master for the year just ended for moneys collected by me and received by the City Treasurer. The total amount received for rents in the East Market is \$3,795.90, in full to date, of which I hold the City Treasurer's receipt.

Respectfully submitted,

WM. SHOW,
Ex-Market Master.

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 17th day of June, 1877, to 6 o'clock P. M., on the 23d day of June, 1877:

Under 1 year	16
1 to 2 years	4
2 to 3 "	1
3 to 4 "	0
4 to 5 "	1
5 to 10 "	2
10 to 20 "	0
20 to 30 "	2
30 to 40 "	2
40 to 50 "	1
50 to 60 "	1
60 to 70 "	0
70 to 80 "	2
80 to 90 "	0
90 to 100 "	0

Above 100 years.....	0
Unknown	0
Total.....	<u>32</u>

Respectfully submitted,

T. N. BRYAN, President.

WILLIAM WANDS,

H. JAMESON, Secretary.

MESSAGES FROM THE BOARD OF ALDERMEN.

The following message was received :

To the Mayor and Common Council :

Gentlemen :—At an adjourned session of the Board of Aldermen, held June 20th, 1877, concurrent action was had upon the following papers transmitted from your honorable body :

Opinion of the City Attorney, relative to lease and use of all the fire-plugs heretofore located.

Report from the City Attorney, stating that a change of venue had been granted in the suit of the Indianapolis Gas-Light and Coke Co. vs. The City.

Report of City Commissioners, in the matter of laying out and opening West Vermont street, from first alley east of Douglass street to Blake street.

Report of Board of Police, covering inventory of property on hand at Station Houses, and transmitting official bond of John Minor, city jailor at Sixth street Station House.

Report from the Fire Board, recommending the adoption of the motion providing for the removal and re-setting of fire-plug near the Fire Department headquarters.

Report from the Fire Board, recommending the publishing of the annual report of the Chief Fire Engineer.

Report from Committee on Streets and Alleys, relative to wages of Street Commissioner's employes.

Report from Committee on Streets and Alleys, relative to repair of Indiana avenue.

Report from Committee on Streets and Alleys, relative to certain motions to it referred.

Motion, instructing the Street Commissioner to gravel the alley-crossing on west side of Linden street, between Prospect and Orange streets.

Motion, placing the management of the parks under the control of the Committee on Parks.

Motion, instructing the Street Commissioner to whitewash the walls of the South Illinois street tunnel.

General ordinance No. 26, 1877, "An ordinance to prohibit the use of false or incorrect scales, weights, or measures."

Appropriation ordinance No. 45, 1877, "An ordinance appropriating money for the payment of judgment and costs in suit of Johnson and Christerson vs. The City of Indianapolis."

Respectfully submitted,

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

Also, the following message ; which was received :

To the Mayor and Common Council :

Gentlemen :—At an adjourned session of the Board of Aldermen, held Wednesday evening, June 20th, 1877, the motion, authorizing the City Attorney to employ other attorneys to assist in the trial of the case of the Gas Co. 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, was, on motion of Alderman Newcomb, amended by striking out the word "attorneys," and inserting the word "attorney." Said motion, as amended, was then adopted.

I herewith transmit, for your consideration and action upon the same, the following reports from the Aldermanic Committees on Finance, on Benevolence and Hospitals, and on Parks; which were concurred in by the Board of Aldermen.

Respectfully submitted,

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

On motion, the first paragraph in the message was concurred in.

PAPERS FROM BOARD OF ALDERMEN—ACTION UPON.

The report from the Aldermanic Committee on Finance, recommending the passage of a resolution contemplating the employ-

ment of two or more experts to examine the books of the City Treasurer and City Clerk [see Proceedings of Board of Aldermen, page 91], was read, and, on motion of Councilman Byram, referred to the Committee on Finance.

The report from the Aldermanic Committee on Benevolence and Hospitals, recommending the Common Council to prepare and enact an ordinance for the purpose of letting to the lowest and best bidder the contract for furnishing medical and surgical assistance and supplies to the poor of the city [see Proceedings of Board of Aldermen, page 92], was read.

On motion of Councilman Walker, the Common Council refused to concur in the recommendation of the Board of Aldermen, and determined to adhere to its former action [see pages 130-1, *post*], providing for the continuance and maintenance of the City Dispensary.

The report from the Aldermanic Committee on Parks, recommending (1) the limited burning of gas for the purpose of lighting Military Park; (2) concurring in the action of the Common Council, investing the Council committee with the sole right and privilege of granting picnic parties the use of Southern Park; (3) recommending that the Council committee be authorized and instructed to rent or lease the Southern Park, as soon as possible, to some responsible party [see Proceedings of Board of Aldermen, page 91], was read.

On motion, the second clause of the above report was received.

And, on motion of Councilman Steinhauer, the first and third clauses were referred to the Committee on Parks.

Councilman Reed rose to a question of privilege; and, on his motion, the vote by which the city advertising was awarded the Indianapolis Journal was re-considered by the following vote :

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

Negative—None.

On motion of Councilman Reed, the Committee on Printing, Stationery, and Advertising, were then directed to re-advertise for proposals for doing the city advertising, with instructions to not consider or accept any bid for such work that may contain the proposition to make a percentage rebate from other bids offered for same.

INTRODUCTION OF ORDINANCES.

Councilman Byram introduced appropriation ordinance No. 46, 1877, entitled

An ordinance appropriating money for the payment of the Salaries and Compensation of City Officers and Employes,

Which was read the first time.

On motion of Councilman Byram, the rules were then suspended, for the purpose of now reading the second time, engrossing, reading the third time, and passing the above entitled ordinance; which motion was adopted by the following vote :

Affirmative—Councilmen Bagby, Brown, Byram, Cochran, Izor, Layman, Marsee, McGinty, Pouder, Reading, Reed, Sindlinger,

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

Negative—None.

Appropriation ordinance No. 46, 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, Byram, Cochran, Dill, Izor, Layman, Marsee, McGinty, Pouder, Reading, Sindlinger, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—21.

Negative—None.

ROLL CALL.

Councilman Brown offered the following motion ; which was adopted :

Moved, That Fred. Gansberg be, and is hereby, granted ninety days' extension of time, for completion of his contract for improving Japan or East street, between Morris and Nebraska streets, on gaining the consent of his bondsmen.

Also, the following motion :

Moved, That the action of the Council, at last meeting, in limiting the cost of improving Virginia avenue, from the Union railway crossing to the southern terminus of said avenue, to \$200, be, and the same is hereby reconsidered.

Which was adopted by the following vote :

Affirmative—Councilmen Brown, Cochran, Izor, Marsee, McGinty, Reed, Steinhauer, Stoner, Tucker, Watts, Wood, and Wright, W. G.—12.

Negative—Councilmen Bagby, Byram, Dill, Layman, Pouder, Reading, Sindlinger, Thomas, Walker, and Wright, A. L.—10.

Councilman Brown then moved that the outlay for said repairs be limited to \$400; Councilman Walker moved that said outlay be limited to \$300; and Councilman Thomas moved that said outlay be limited to \$250.

The chair stated that the question would first be on the adoption or rejection of Councilman Thomas' amendment [under Rule 14].

Councilman Steinhauer demanded the "ayes and noes"; which, being had, the said amendment was adopted by the following vote:

Affirmative—Councilmen Bagby, Byram, Dill, Izor, Layman, Pouder, Reed, Thomas, Walker, Watts, Wood, Wright, A. L., and Mayor Caven—12.

Negative—Councilmen Brown, Cochran, Marsee, McGinty, Reading, Sindlinger, Steinhauer, Stoner, Tucker, Wood, and Wright, W. G.—11.

The above verbal motion, as amended, was then voted upon, and failed of adoption by a *viva voce* vote; on which, Councilman Bagby demanded another vote by "ayes and noes," and the amended motion then prevailed by the following vote:

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

Negative—None.

Councilman Byram offered the following motions; which were adopted:

Moved, That the City Marshal be, and is hereby, directed to notify Giles S. Bradley, agent of Robert Connely, to repair the sidewalk in front of said Connely's property on North street, between Delaware and Alabama streets.

Moved, That the City Clerk be, and he is hereby, directed to advertise for proposals to attach the several drinking fountains, heretofore erected by the city, to the nearest fire-plugs thereto adjacent.

Councilman Cochran offered the following motion; which was adopted:

Moved, That the Street Commissioner be, and is hereby, instructed to open the sewer pipe on Central avenue, near Eighth street.

Councilman Dill offered the following motions; which, on motion, were severally laid on the table:

Moved, That the Street Commissioner be, and is hereby, instructed to put down a stone-crossing at the intersection of Indiana avenue and New York street, on east side.

Moved, That the action of the Council, limiting appropriation to \$200, for the improvement of Indiana avenue, from Illinois street to Michigan street, from North street to the terminus of Indiana avenue, be, and is hereby, re-considered.

Councilman Izor offered the following motions; which were severally adopted:

Moved, That the Chief of Police be instructed to see that the ordinance relative to licensing dogs be strictly enforced.

Moved, That George Woodfill be granted permission to grade, and pave with brick, the south sidewalk of Michigan street, from Noble street east to the I. P. & C. R. R. tracks, the work to be done at the expense of the property owners, the City Civil Engineer to set the grade stakes, and work to be done in sixty days.

Moved, That George Russ be granted permission to grade, and pave with brick, the sidewalk on the west side of Randolph street, in front of his property, fronting the Female Reformatory, for the distance of eighty feet; the

City Civil Engineer to set the grade stakes, the work to be done at the expense of the property-owners, and completed within thirty days.

Moved, That Dr. Van Vorhis be requested to furnish this Council an annual report of the workings of the City Hospital during the year of his Superintendency, in readiness for printing.

Moved, That the estimate of the City Civil Engineer for grading and graveling Potomac or West Court street and sidewalks, between West and California streets, in favor of John Flaherty, be taken up, and that it be allowed.

The estimate referred to in last motion was then re-allowed by the following vote :

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

Negative—None.

Councilman McGinty offered the following motions; which were adopted :

Moved, That J. W. Richardson be granted thirty days' extension, to finish graveling Church street. The time limited terminates the 9th of July. It is impossible for him to finish it, on account of the high water in the river. Therefore he hopes your honorable body will grant him the time above mentioned—J. W. Hudson, Bondsman.

Moved, That the Street Commissioner be directed to notify the property owners on the west side of Illinois street, between Norwood and Merrill streets, to repair their brick sidewalk.

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

Indianapolis, June 25, 1877.

To the Mayor and Members of the Council :

Gentlemen :—Your petitioner would respectfully represent that she is a widow, and is the owner of the west half of lot No. 66, outlot 89, appraised at \$600 by the City Assessor, and having paid the taxes in full for 1875, not

knowing of an exemption, I, therefore, ask your honorable body to refund to me the amount of \$7.50, the amount to which I am entitled, for which I would ever pray.

JENNETT PULLEN.

I certify that the above is a widow.

MILTON POWDER.

Councilman Steinhauer offered the following resolution :

Resolved, That the owners of the following described real estate, to wit: lot number sixty-seven (67), in Yeizer's addition to the city of Indianapolis, be, and they are hereby required to fill or drain the same, as, in the opinion of this Council and Board of Aldermen there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and the inhabitants thereof; and that the Street Commissioner be, and he is hereby, requested to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled, "An ordinance providing for the draining and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said excavation as provided in said ordinance; provided that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

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

Indianapolis, June 25, 1877.

To the Honorable Mayor and Council of the City Indianapolis :

I, the undersigned, Henry Boecher, at No. 422 South Meridian street, of this city, do hereby petition your honorable body to order the refunding of taxes for which, in my estimation, I am overcharged.

My lot No. 15, out-lot 121, with improvement, is appraised at \$4,000, while the county appraiser, Mr. Brouse, has appraised it at about \$2,500. I refer to Mr. Hadley, Assessor, who promised to appraised it again.

I hope so much more for a favorable reception of this petition as my business has been prostrated since more than a year, and I have several times been subjected to diseases, and am still in debt to the physician for about one hundred dollars.

I will try my best to be be thankful, and will ever pray.

Yours most respectfully,

HENRY BOECHER.

By C. VONNEGUT.

Councilman Tucker offered the following motion; which was adopted:

Moved, That the City Clerk advertise for bids for lighting Military Park from July 1, 1877, till November 20, 1877, with coal oil lamps or gas, parties contracting to furnish fixtures, and to keep the same in repair; also, for lighting the tunnel.

Also, 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, directed to fill the chuck-holes on South street, between East and Noble streets.

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

Indianapolis, April 17, 1877.

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

Gentlemen:—The undersigned, owners of the real estate fronting on Delaware street, between Court street and Washington street, respectfully petition for the passage of an ordinance providing for the laying of a flag-stone walk and crossings, beginning opposite No. 20½ North Delaware street and running

east across Delaware street to the west entrance to the Court House Square.

And your petitioners will ever pray, etc.,

John Niklaus, Ad. Hereth, Robt. E. Smith, Louis Lang, J. Geo. Hereth, P. Bohrmann, A. H. Turner, Fred. Knefler, J. G. Golladay, Paul Ladow, Justin A. Kellogg, J. George Stiliz, Thomas J. Barlow, W. J. McCullough, F. M. Rottler.

Councilman Wood 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, instructed to fill chuck-hole on Washington street, between Ray and State streets.

Councilman A. L. Wright offered the following motions; which were adopted:

Moved, That the Street Commissioner be instructed to notify the Citizens' Street Railway Company to repair the street between their tracks, on Massachusetts avenue, between Pennsylvania and Alabama streets.

Moved, That James C. Yohn have permission to re-pave with brick, the sidewalk in front of his property on Meridian street, east side, between Washington street and the first alley north of Washington street; said work to be done at his own expense, within thirty days, and under the directions of the City Civil Engineer.

Councilman Reed introduced general ordinance No. 28, 1877, entitled

An ordinance amending an ordinance entitled "An ordinance providing for the compensation of the officers of the City of Indianapolis, and the officers and members of the Police and Fire Departments of said city, for the fiscal year ending May 15th, 1878; ordained and established May 30th, 1877,"

Which was read the first time.

CALL OF COMMITTEES.

Councilman A. L. Wright, from the committee consisting of the Committee on Finance and the City Assessor, submitted the following report; which was concurred in by paragraphs:

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

Gentlemen:—The Committee on Finance and the City Assessor, to whom were referred sundry communications, respectfully submit the following report:

1st—Is the petition of Christine Pfeifer, asking for the refunding of the sum of \$14.50, under the widows' exemption act.

We have examined the same, and recommend that the prayer of the petitioner be granted.

2d—Is the petition of Thomas Cottrell, asking that the taxes he paid, by mistake, on lot 42, in out-lot 103, be refunded to him, and collected from the owners of said property.

We have examined said petition, but find no authority of law for granting the petition, and recommend that it be not granted.

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

The same gentleman, from the Committee on Finance, submitted the following report; which was concurred in by paragraphs:

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

Gentlemen:—Your Committee on Finance, to whom was referred the petition of Lizzie E. Miller, asking that the taxes she paid for 1873 and 1874, on the west half of 65 feet off the east end of lot 12, in square 36, be credited to 32½ feet of the east side of lot 12, in square 36, would respectfully report that the Council have no authority to grant the prayer of the petition.

2d. Your committee recommend that the City Treasurer be instructed to receive from David Seibert the street improvement warrants held by him, and credit the same according to the agreement therein expressed.

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

Councilman Byram, from the Committee on Judiciary, submitted the following report; which was concurred in:

Indianapolis, June 25, 1877.

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

Gentlemen:—Your Committee on Judiciary, to whom was referred the report of the City Attorney, in relation to the claim of Simon Yandes upon certain real estate belonging to Frederick Ruschaupt, which was appropriated by the city in the opening of Second street, from Pennsylvania street to Meridian street, would report that we have examined the matter, and find that the city condemned and appropriated fifty feet of a sixty-foot lot, belonging to Mr. Ruschaupt; that Mr. Simon Yandes now holds a mortgage upon said lot, to secure certain notes, amounting to about five thousand dollars; said notes are now due, and Ruschaupt is unable to pay the same; that the city has paid Mr. Ruschaupt, as damages for the appropriation, the sum of sixty-six hundred dollars.

We are informed that Mr. Ruschaupt is willing and ready to execute and deliver to Mr. Yandes, or the city, additional security upon other property, to secure the claim. As the city has already paid Mr. Ruschaupt the full amount of his damages, without any knowledge of the existence of the Yandes mortgage, and as the city is not liable for the amount of the same (the only liability, if any exists, being the right of Yandes to purchase and sell the real estate) we are of the opinion that it is Mr. Yandes' duty to secure from Mr. Ruschaupt the additional security before mentioned, and to exhaust that before the city is called upon to pay any further damages.

Respectfully submitted,

N. S. BYRAM,
ROBT. B. BAGBY,
Committee on Judiciary.

ORDINANCES ON THIRD READING.

Councilman A. L. Wright called up general ordinance No. 20, 1877, entitled

An ordinance transferring the money now in the City Treasury, belonging to the Sinking Fund, to the General Fund, and providing that all money hereafter collected on account of the Sinking Fund shall be placed to the credit of the General Fund;

And said ordinance was read the third time, and passed by the following vote :

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

Negative—None.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

Attest :

BENJ. C. WRIGHT, City Clerk.