

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, July 24th, 1876—7½ o'clock P. M. }

The Common Council met in regular session.

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

Councilmen Adams, Buehrig, Byram, Case, Craft, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—21.

Absent—Councilmen Bugbee, Diffley, Kenzel, Reasener and Thomas.—5.

The proceedings of the regular session, held July 17th, 1876, were read and approved.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, July, 24 1876.

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

Gentlemen:—I would respectfully report that I have prepared a revised time-table for lighting and extinguishing the public lamps for the present year, on the basis of 3,200 hours, as follows :

January.....	377 hours, 45 minutes.
February...	330 " — "
March.....	281 " — "
April.....	233 " 15 "
May.....	190 " 15 "
June	158 " 40 "
July.....	158 " 30 "
August....	200 " 40 "
September....	216 " 40 "
October...	299 " — "
November.....	359 " 30 "
December.....	394 " 45 "
	— —
Total.....	3,200 00

The time-table is calculated so as to have the lamps lighted and extinguished at the time specified ; the lamp-lighters commencing from 30 to 40 minutes earlier, according to the length of their respective routes.

It will be observed that no provision is made in the table for lighting certain nights when the moon is at its full ; but to provide for the lighting on such nights in the event of rainy or cloudy weather, I have arranged with the Gas Company to light the lamps on order, and the amount of hours burning to be deducted from other nights, as may be deemed advisable, thereby giving no increase or decrease in the total number of hours named in the contract.

SECOND.

I would recommend that the Marshal be instructed to serve notices at once

upon the following parties to plank their tracks to the full width of the sidewalk at the crossing of the east sidewalk on Kentucky avenue :

Indianapolis & Terre Haute R. R. Co., Indianapolis, Cincinnati & Lafayette R. R. Co., Indianapolis & Vincennes R. R. Co., and Kingan & Co. (private switch).

Also, that the Marshal be instructed to notify the Indianapolis, Cincinnati & Lafayette R. R. Co. and Kingan & Co. to place a culvert under their tracks in the east gutter on Kentucky avenue, to allow the water to run through into the catch-basin.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following report :

Indianapolis, July 24, 1876.

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

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

A first and final estimate allowed John Schier for grading and paving with brick the east sidewalk of Kentucky avenue, from the south side of Georgia street to South street—

1,072 9 lineal feet at 49½ cents.....	\$531 08
31.1 cubic yards gravel at 65 cents ...	20 21
59 lineal feet grading at 5 cents.....	2 95
Laying pipe.....	60
Total... ..	<u>\$554 84</u>

Also, a first and partial estimate allowed John L. Hanna for building a two-foot brick sewer on St. Clair street—

490 4 lineal feet at 85 cents.....	\$416 84
3 manholes at \$6.00 each. ...	18 00
50 feet one-foot pipe (extra) at \$1 15.....	57 50
4 brick water-schutes at \$1.50 each.....	6 00
1 brick arch (extra).....	5 00
3 catch-basins at \$20.00.....	60 00
Total... ..	<u>\$563 34</u>
Less amount kept back.....	33 34
Present payment.....	<u>\$530 00</u>

Also, a first and final estimate allowed Henry Clay for grading and graveling Ash street, and paving with brick the sidewalks thereof, from Lincoln avenue to Seventh street—

1,219.8 lineal feet at \$1.02.....\$1,244 06

Also, a second and final estimate allowed Irwin & Hanna for grading and graveling Greenwood street and sidewalks, from Ninth to Tenth streets—

1,205.33 lineal feet at 51 cents.....\$614 71

Less former payment..... 423 04

Present payment.....\$191 67

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed John Schier for grading and paving with brick the east sidewalk of Kentucky avenue, from the south side of Georgia street to South street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Case, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Poudner, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Henry Clay for grading and graveling Ash street and paving with brick the sidewalks thereof from Lincoln avenue to Seventh street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Case, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second and final estimate allowed Irwin & Hannan for grading and graveling Greenwood street and sidewalks, from Ninth to Tenth streets, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Case, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—None.

Also, the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—Herewith I report for your approval the following contracts and bonds :

Contract and bond of George Wm. Seibert for grading and graveling the alley running east and west from Dillon to Linden streets, between English and Spann avenues.

Contract and bond of George Wm. Seibert for grading and graveling Linden street and sidewalks, between Huron and Pleasant streets.

Contract and bond of Irwin & Hanna for grading and graveling the first alley west of Blake street, running from North to Elizabeth streets.

Contract and bond of James Muse for grading and graveling the first alley north of South street, from the first alley west of Noble street to the first alley east of East street.

Contract and bond of Holtz & Hennessee for grading and graveling the alley between Lexington avenue and Pleasant street, running east and west from Dillon to Linden streets.

Contract and bond of Henry C. Roney for grading and bowldering the gutters on Park avenue, between Home and Lincoln avenues.

Contract and bond of Henry C. Roney for re-bowldering Potomac alley, between Meridian and Illinois streets.

Contract and bond of James Mahoney for grading and graveling the west side of Missouri street, from Vermont street to Indiana avenue.

Contract and bond of John Flaherty for grading and graveling Thomas street and sidewalks, between West and Decota streets.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was received, contracts concurred in, and bonds approved.

The City Clerk submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen:—The City Clerk respectfully report the following affidavits now on file in his office for the collection of street and sewer assessments, by precept, to-wit:

Wm. L. White vs. Fannie Hollywood, for..... \$13 50
Bruner & Riner vs. J. H. Pierce et al. (christian name unknown)..... 24 62

And respectfully recommend that you order the precepts to issue.

BENJ. C. WRIGHT,

City Clerk.

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

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell,

Reed, Schmidt, Steinhauer, Stratford, Thalmann, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

The Hospital Board submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—The Hospital Board submits the following contracts and bonds for supplies for city hospital and branch, for the year ending July 1st, 1877 :

Contract and bond of Daniel H. Fatout for furnishing milk.

Contract and bond of Elijah Hedges for undertaking.

Contract and bond of De Puy & Jenks for furnishing block coal and coke.

Contract and bond of Cobb & Branham for furnishing anthracite coal.

And respectfully ask your approval of the same.

D. M. RANSELL,
ISAAC THALMAN,
Hospital Board.

Which was concurred in, and bonds approved.

The Board of Health submitted the following report :

Indianapolis, July 22, 1876.

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

Report of deaths in the city of Indianapolis from 6 o'clock P. M., on the 15th of July, to 6 o'clock P. M., on the 22th day of July, 1876.

Under 1 year	18
1 to 2 years.....	10
2 to 3 "	0
3 to 4 "	1
4 to 5 "	0
5 to 10 "	2
10 to 20 "	2
20 to 30 "	4
30 to 40 "	2
40 to 50 "	2

50 to 60 years.....	1
60 to 70 "	1
70 to 80 "	0
80 to 90 "	0
90 "100 "	0
Above 100 "	0
Unknown	1
Total.....	<u>44</u>

Respectfully submitted,

F. M. HOOK, M. D.,
President Board of Health.

J. W. MARSEE,
Secretary Board of Health, pro tem.

Which was received.

The City Clerk presented the following communication :

Indianapolis, July 24, 1876.

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

I hereby request you, very respectfully, to withdraw your request on the Board of School Commissioners to pay the expenses of the late election of three School Commissioners. It always heretofore has been customary with your honorable body to pay such expenses by your City Treasurer, and a change of this rule would involve unnecessary labor and loss of time. The city will have to pay it anyway, whether it be disbursed by the City Treasurer or by the Treasurer of the School Board. I hope your honorable body will grant my request, and I will ever pray, etc.

Yours, very respectfully,

CLEMENS VONEGUT,
Treasurer of the Board of School Commissioners of Indianapolis, Ind.

Which was received, and City Clerk instructed to incorporate such claims in the next general appropriation ordinance.

His Honor, the Mayor, submitted the following report :

Indianapolis, July 24, 1876.

To the Common Council of the City of Indianapolis:

The amount of fines collected by me during the month of June due the City Treasurer is \$140.50, and the amount collected during the months of

April, May and June due the Home for Friendless Women is \$547.90, which amounts I have paid the City Treasurer, as shown by duplicate receipt filed herewith.

Respectfully submitted,

JOHN CAVEN,

Mayor.

FORFEITURES COLLECTED BY JOHN CAVIN, MAYOR OF THE CITY OF INDIANAPOLIS,
DURING THE MONTHS OF APRIL, MAY AND JUNE, 1876, DUE
THE HOME FOR FRIENDLESS WOMEN.

Docket 26, page 323.	\$ 5 00
" " 517.....	50 00
" " 518.....	60 00
" " 515.....	49 20
" " 516.....	60 00
" " 519.....	50 00
" " 526.....	11 05
" " 553.	30 00
" " 576.....	2 95
" " 578.....	4 45
" " 574.....	45
" " 580.....	5 00
" " 583.....	3 70
" " 611.	3 00
" " 682.....	3 00
" " 687.	5 00
" " 688.....	5 20
" " 703.	75
" " 712.....	1 20
" " 718.	5 00
" " 738.....	5 85
" " 524.....	50 00
" " 766.....	20 00
" " 767.....	15 00
" " 768.....	10 00
" " 770.	10 00
" " 774.	4 50
" " 780.	2 95
" " 781.	5 00
" " 783.....	5 00
" " 826.	5 00
" " 827.	5 00

Docket 26, page 828.....	5 00
“ “ 847.....	1 95
“ “ 848.....	1 95
“ “ 880.....	10 00
“ “ 887.....	14 80
“ “ 907.....	10 00
“ “ 912.....	5 00
“ “ 945.....	5 00
“ “ 952.....	95
Total.....	\$547 90

I certify the above account to be full, true and complete, to the best of my knowledge and belief.

JOHN CAVEN,
Mayor.

Which was received, and so much of the report as refers to the fines collected for the Home of Friendless Women, was referred to the Committee on Accounts and Claims, with instructions to include such amount in next general appropriation ordinance.

The Mayor stated that the contract with the Indianapolis Gas Light and Coke Company had been signed by said company and himself.

INTRODUCTION OF ORDINANCES.

Mr. Adams presented the following petition :

Indianapolis, July 12, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting Oak street, between Cherry street and first alley north, respectfully petition for the passage of an ordinance providing for the grading and graveling of the same at your earliest convenience, as in its present condition it is but a pond of water and a cesspool of disease, and in fact a common nuisance.

And your petitioners will ever pray, etc.

Mrs. Caroline Pence, Jas. Ripley, Mrs. M. E. Goodman, Hannah Fall, T. C. Horton.

Which was received.

Mr. Adams introduced special ordinance No. 83, 1876, entitled :

An ordinance to provide for grading and graveling Oak street, between Cherry street and the first alley north of Cherry street.

Which was read the first time.

Mr. Byram introduced general ordinance No. 45, 1876, entitled :

An ordinance to prevent communication with the inmates and prisoners at the Home for Friendless Women, without the consent of the person in charge of the said Home.

Which was read the first time

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

Which motion failed to pass by the following vote :

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Darnell, Izor, Laughlin, Morse, McGinty, Pouder, Ransdell, Steinhauer, Thalman, Webster, Wright, Arthur L., and Wright, William G.
—16.

Negative—Councilmen McGill, Reed, Schmidt and Stratford.
—4.

Mr. Ransdell presented the following petition :

Indianapolis, July 21, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Third street, between the canal and West street, respectfully petition for an ordinance providing for the grading and graveling of Third street and both sidewalks on same, between the Canal and West street.

And your petitioners will ever pray, etc.

John C. Wright, guardian Fred. H. Wiley, 283 feet.

Which was received.

Mr. Ransdell introduced special ordinance No. 84, 1876, entitled :

An ordinance to provide for grading and graveling Third street and sidewalks between the Central Canal and West street.

Which was read the first time.

Also, the following petition :

Indianapolis, July 21, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Leland street, between Indiana avenue and Eutaw street, respectfully petition for the passage of an ordinance providing for the grading and graveling of Leland street and both sidewalks on same, between Indiana avenue and Eutaw street.

And your petitioners will ever pray, etc.,

John C. Wright, guardian Fred. H. Wiley, 120 feet;
Christian Meyers, 120 feet.

Which was received.

Also, special ordinance No. 85, 1876, entitled :

An ordinance to provide for grading and graveling Leland street and sidewalks between Indiana avenue and Eutaw street.

Which was read the first time.

Mr. Schmidt presented the following petition :

Indianapolis, June 3, 1876.

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

Gentlemen :—The undersigned property owners, fronting on East Market street, would represent that said Market street, between Noble street and Arsenal avenue, is in a very bad state of repair. The portion between Noble street and Pogues Run, not having been repaired for many years, and the floods of last year having washed off most of the little gravel remaining, it is without grade or gravel. That portion east of Pogues Run, by reason of digging up three times for sewers and for gas pipes, added to effect of floods, by reason of insufficiency of sewers to carry off the water, in several places carrying all the gravel off, and also, by reason of the grade having been

originally made in sections, to suit the views of private parties when extended through, it presents obstacles to the free drainage of the street of the large amount of surface water that must ever accumulate on that street, notwithstanding the sewer, to the great detriment of a large majority fronting on both sides of said street.

We therefore pray your honorable body to have such change made in the grade as to make a uniform descent from Arsenal avenue west to Pogues Run, so that the water will flow freely from the point to the point named. That portion between Noble street and Pogues Run to be graded so that the water will flow freely in the gutters east to Pogues Run, and that the whole street be so graded and graveled, with good river gravel, and the gutters bowldered the proper width as to make a good permanent street. By reason of damages to parties of said street by washing off of gravel once paid for by us, and also the grade injured by same cause, and that improperly laid by former engineers shall be deducted from the estimated cost of the whole, and we, your petitioners, assessed with the balance.

However much we might desire to postpone this much needed work until such time as it might be more convenient for us to pay, we are constrained to make the effort immediately, that we may contribute our share in aid of those needing and asking work, and hope we may be met in the same spirit by your honorable body, and as such petitioners we will ever pray.

J. M. Ridenour, 425 feet; Francis Smith, 238 feet; Fred. Knefler, 316 feet; C. and H. Latham, 295 feet; I. N. Phipps, 315 feet; Clemens Vonnegut, 100 feet; Geo. W. Huston, per R., 120 feet; Chas. Aldag, 130 feet; C. Zimmerman, 144 feet; Edward C. Hugar, 200 feet; Heirs of Wm. B. Dickson, 222 feet; Thomas M. Dickson, 40 feet; Wm. Kothe; Henry Bauer, 37 feet; Cabinet Makers' Union, 145 feet; Albert Reisner, 100 feet; Frederick Ostermayer, 187 feet.

Which was received.

Mr. Schmidt introduced special ordinance No. 86, 1876, entitled:

An ordinance to provide for grading and graveled, bowldering the gutters, and grading, paving and curbing the sidewalks thereon (where not improved) of East Market street, between Noble street and Arsenal avenue.

Which was read the first time.

Also, the following petition :

Indianapolis, July 22, 1876.

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

Gentlemen :—The undersigned would respectfully represent that, as a petition will be presented for the improvement of Market street which is eminently proper to be done, the improvement of Highland street is, in proportion to its length, equally needed. We therefore pray your honorable body to order the proper grading and graveling, with good river gravel, the said Highland street from Washington street north to its intersection with Ohio street; said grade to conform to that proposed for Market street, where the said Market and Highland streets intersect.

And we, your petitioners, will ever represent and pray,

Fred Knefler, 333 feet; N. R. Ruckle. 120 feet;
Frederick Ostermayer, 237 feet.

Which was received.

Also, special ordinance No. 87, 1876, entitled :

An ordinance to provide for grading and graveling, bowldering the gutters, and paving and curbing the sidewalks thereon, of Highland street, from Washington to Ohio streets.

Which was read the first time.

Mr. A. L. Wright presented the following petition :

Indianapolis, July 22, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on the first alley north of North street, between Delaware street and Alabama street, respectfully petition for the passage of an ordinance providing for the grading and graveling of the first alley north of North street, between Delaware street and Alabama street.

And your petitioners will ever pray, etc.

Chas. F Meyer, for Mrs. Catharine Meyer, 195 feet;
his
Oliver X Mosby.
mark.

Which was received.

Mr. A. L. Wright introduced special ordinance No. 88, 1876, entitled :

An ordinance to provide for grading and graveling the first alley north of North street, between Delaware and Alabama streets.

Which was read the first time.

Mr. Adams offered the following motion :

Moved, That the City Civil Engineer be, and is hereby directed to advertise for proposals for the construction of a wooden bridge on Ruckle street, at the crossing of the State Ditch.

Which was adopted.

Also, the following motion :

Moved, That the City Engineer be, and is hereby directed to re-advertise for the improvement of the first alley east of Yandes street, between Home avenue and Lincoln street.

Which was adopted.

Also, the following petition :

Indianapolis, July 22, 1876:

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

Gentlemen :—Your petitioner would represent that he has been erroneously assessed for taxes for city purposes to the amount of \$4,000, and without setting forth more fully the facts in said erroneous assessment, would ask that the matter be referred to the Committee on Finance and City Attorney, to report thereon the result of their investigation. Your petitioner asks that the amount of tax paid by him be refunded, and for other and proper relief.

Respectfully,

WM. H. McCLINTOCK.

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

Also, the following communication :

Indianapolis, July 24, 1876.

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

Gentlemen :—If the city will cut off the stream called Silver Drop and turn it into Fall Creek at Elisha Howland's, we will deepen the State Ditch from the Peru R. R. to Hill avenue on the east, and to Brinkman street on the north. The same to be done under direction of the City Engineer.

S. A. JR., & INGRAM FLETCHER.

Which was referred to the Committee on Sewers and City Civil Engineer.

Mr. Buehrig offered the following motion :

Moved, That the property holders of the Centennial Block, on South Meridian street, between McNabb and South streets, be permitted to pave the sidewalk in front of said block at their own expense. The stakes to be given by the City Civil Engineer. Said work to be done within sixty days.

Which was adopted.

Mr. Buehrig presented a claim in favor of John S. Spann, Superintendent of University Square, for work done at said square.

Which was referred to the Committee on Accounts and Claims, with instructions to incorporate such claim in the next general appropriation ordinance.

Mr. Byram offered the following motion :

Moved, That — Labardh be permitted to grade and gravel the sidewalk in front of his property on Second street, and the City Civil Engineer is hereby directed to give grade stakes. Said work to be done within thirty days.

Which was adopted.

Also, the following report :

Indianapolis, July 24, 1876.

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

Gentlemen:—The undersigned would respectfully report the collection of five dollars and forty cents for boarding United Prisoners at the Central Station house, for which amount the City Treasurer's receipt is herewith filed.

Respectfully submitted,

N. S. BYRAM,

Pres. Board of Police.

Which was approved.

Also, the following report:

Indianapolis, July 24, 1876.

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

Gentlemen:—The undersigned Board of Police, to whom was referred the motion of Councilman Webster, in reference to the Committee of Public Buildings advertising for plans and specifications for an extension to the station house, have had the matter under consideration, and recommend that said motion be adopted.

Respectfully submitted,

N. S. BYRAM,

MICHAEL STEINHAUER,

GEO. C. WEBSTER.

Board of Police.

Which was concurred in, and the motion referred to adopted.

Mr. Craft offered the following motion:

Moved, That the Street Commissioner be, and is hereby instructed to rebowlder the south gutter on Washington street from Delaware street to Virginia avenue, and a part of the gutter on Virginia avenue between Washington and Maryland streets, under the direction of the City Civil Engineer. Said work to be done as soon as possible.

Which was adopted.

Mr. Darnell offered the following motion:

Moved, That the Street Commissioner be, and is hereby ordered to notify the President of the Street Railway Company to fill up the track between rails

from First street to Tinker, with good river or creek gravel, and if not done within ten days the Street Commissioner to do the same, and charge the same to the above company.

Which was adopted.

Also, the following resolution:

WHEREAS, On the day of July, 1876, a certain precept was ordered to issue against Charles Helwig, in the sum of thirty-eight dollars and ninety-seven cents, for grading and graveling Columbia street and sidewalk from New York to Vermont street; said amount being unpaid and due James Muse.

WHEREAS, the affidavit upon which said precept was ordered to issue was erroneous in this, to-wit: That 50 feet of the west end of lots five and six, in square No. 30, in the city of Indianapolis, said parts of lots having a frontage of 135 feet on the line of improvement, when in fact it has but a frontage of 125 feet on the line of improvement; now, therefore, be it

Resolved, That the vote by which said precept was ordered to issue, and all action had on said precept be and is hereby reconsidered and annulled, and said James Muse is hereby granted permission to file new affidavits for the collection of such assessment.

Which was adopted by the following vote:

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

Negative—None.

Mr. Izor offered the following motion:

Moved, That the Street Commissioner be and is hereby instructed to deepen the gutters on St. Clair, Charles and Winston streets, leading into the St. Clair street sewer, and the City Civil Engineer instructed to give necessary stakes.

Which was adopted.

Also, the following communication :

Indianapolis, July 22, 1876.

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

The undersigned would respectfully represent to your honorable body that they are the owners of all the lots of ground fronting on Michigan street, between State avenue and Randolph street, and directly opposite Woodruff Place. All of which ground was purchased by us at large cost, and subdivided with a view to its improvement by virtue of its location. Along the northern boundry of which, and in Michigan street, ran a stream known as Crooked Creek. At the instance of parties interested in Woodruff Place, your Council ordered the improvement of that portion of Michigan street; which improvement caused an embankment of some ten feet high to be made, thus filling up the channel of said creek, and diverting its waters, forcing new channels, and the general overflow of our said grounds, against which we protested and enjoined. To get rid of our injunction, your Committee on streets ordered a wooden culvert, or drain, to be made under the sidewalk of Michigan street, to carry off the water. We protested at the time said drain was put in, that it was not sufficient, which was proven by the first large rain. It is now caved in and filled up; all the water now passing over our private grounds. Added to this, the State reformatory for women and girls, situated near said creek, and just east of our said grounds, have sewered their entire premises into said creek; thus spreading the said offensive sewerage over our premises before it has had time to become absorbed by the earth in running a greater distance under ground. We consented to the vacation of our Injunction aforesaid, under the promise that a proper and sufficient sewer should be built by the city, and thereby relieve a large, growing and valuable interest. Such promise has not been kept; great damage is being done us from day to day, which we shall claim from the date of the obstruction and diversion of said creek, and the deposits caused by said State reformatory.

Being desirous of improving our property so as to make it available and habitable, we hereby give notice that we intend to proceed with our improvements on said ground, holding the city liable to us for any damages to such improvements, by reason of the water of said creek or the deposits it bears.

And ever memorialize your honorable body.

J. M. RIDENOUR.

JOSEPH BECKER.

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

Mr. McGill offered the following motion :

Moved, That the Street Commissioner be directed to put in a wooden culvert over the east gutter of West street, between the railroad track and the sidewalk, on Georgia street.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be, and is hereby directed to advertise for bids for the construction of a bridge over Pogues Run, at the intersection of Willard and Merrill streets.

Which was referred to the Committee on Bridges.

Also, the following communication :

Indianapolis, July 21, 1876.

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

Gentlemen :—The undersigned, contractors for the sewer on Illinois street, respectfully show to your honorable body that we have finished said sewer according to contract, and placed the street in repair some time since, and ask your honorable body to grant us payment of same, there being held back per centage. We desire to dissolve partnership and settle our matters. We therefore pray that you will refer this matter to the Committee on Sewers and Engineer, with instructions to examine as to the finish of said sewer, and if it be satisfactory, grant us the remainder due us.

Respectfully,

LAMPARD & SINDLINGER.

Which was referred to the Committee on Sewers.

Also, the following report :

Indianapolis, July 17, 1876.

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

Gentlemen :—Your committee to whom were referred the Petition of Edward and Sarah Gilbert, in relation to the assessment of benefit against them for the opening of Blackford street, would report that they are informed by one of the City Commissioners that in assessing the said benefits they made

a mistake in the ownership of two lots, supposing them both to belong to the said petitioners, whereas, in fact but one of them belonged to said petitioners, and the other belong to another person, and also that the owners of said lots had been duly notified of the pendency of the proceedings. That such benefits were by them assessed against the proper property, but the mistake was made in the name of the owners. Your Committee would, therefore, recommend that the resolution by which the report of the Commissioners was adopted be reconsidered, and the same be referred back to them to correct the mistake.

Respectfully submitted,

ROB'T C. MCGILL,

ENOS B. REED,

MICHAEL STEINHAUER,

Committee on Opening Streets and Alleys.

R. O. HAWKINS,

City Attorney.

Which was concurred in, and the resolution submitted to Council July 3, 1876, was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Byram, Case, Craft, Darnell, Izor, Laughlin, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Steinhauer, Stratford, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—Councilman Thalman.—1.

Mr. McGinty offered the following motion :

Moved, That the City Civil Engineer be directed to examine the point on Pogues Run, near the Catherine Street Bridge, where the lots have been washed away by floods, and ascertain if the channel can not be so changed as to throw the volume of water on the east side, to prevent the west bank from further washing.

Which was adopted.

Mr. Ransdell presented the following report :

Indianapolis, July 22, 1876.

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

The following report of the City Hospital and Branch for the week ending Saturday, July 22, 1876, is respectfully submitted :

NO. OF BEDS IN HOSPITAL—80.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	Total Adults.	Total Infants.	Total.
JULY.....	16	17	18	19	20	21	22			
Number of Patients at last report—adults.....	65	65	64	70	69	69	68	65	..	
Number of Patients at last reports—infants.....	6	6	6	5	5	5	5	.....	6	71
Received New Patients—adults.....	2	...	7	5	2	2	1	19	...	
Births, or Received—infants.....	...	...	...	1	...	...	...	...	...	20
Discharged—adults.....	2	1	1	6	2	3	1	16	...	
Discharged—infants.....	...	...	1	...	...	...	...	...	1	17
Died—adults.....	...	...	...	...	...	...	...	...	...
Died—infants.....	...	...	...	1	...	...	...	...	...	1
Number of Patients remaining—adults.....	65	64	70	69	69	68	68	68	...	
Number of Patients remaining—infants.....	6	6	5	5	5	5	5	.....	5	73
Number of Patients in Branch—adults.....	1	1	1	1	1	1	1	1	...	
Number of Patients in Branch—infants.....	...	...	...	...	...	...	...	...	...	1
Aggregate of number of days of Patients in Hos- pital—adults.....	67	65	71	75	71	71	70	490	...	
Aggregate of number of days of Patients in Hos- pital—infants.....	6	6	6	5	6	5	5	.....	39	529

Respectfully submitted,

F. J. VAN VORHIS,

Superintendent.

Which was received.

Mr. Reed presented the following communication :

Indianapolis, July 14, 1876.

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

Gentlemen:—Harrison H. Hancock, citizen of the city of Indianapolis, State of Indiana, respectfully presents the following petition to your honorable board of Common Council, and says: That he has followed the calling of a street hawker or seller, and offering for sale in the streets of the city of Indianapolis, fruit and vegetables, for more than five years last past, and that during and extending over all of said time, to-wit: From the 3d day of October, 1871, up to the present time, he has been obliged and compelled to take out and pay for a hawkers or street pedlers lincense, to sell fruit and

vegetables from wagons in the streets of said city, by the City Clerk of said city demanded and compelled to pay, by the said Clerk, from time as follows, to wit: From the 3d day of October, 1871, and ending and including March 29th, 1875, as per bill of particulars herewith filed and made part of this petition, and marked exhibit A. That said license so paid by your petitioner to the said Clerk of said city, amounts to the sum of one hundred and four dollars, and that they were all wrongfully and unlawfully, and not demanded by any statute standing on the law books of the State of Indiana, or by any city ordinance of said city. That said Clerk well knew that the payment of and for said license was uncalled for; but by threats and assistance of the police of said city, saying they would arrest and cause this petitioner to pay heavy fines for selling without said license. And your petitioner says, being obliged to support himself and mother, and protect his property, to-wit, horses and wagons, from being lost and consumed in the payment of fines and costs, he was compelled to pay the said city, by the hand of said Clerk, the said sums of money for the said license, to-wit, the full sum of one hundred and four dollars. Wherefore, in view of said facts, your petitioner respectfully prays your honorable board to cause a bill to be drawn in favor of your petitioner herein, directed to the Treasurer, ordering him to pay to the petitioner herein, Harrison H. Hancock, the sum of one hundred and four (104) dollars, with interest from the date of payments to said city as aforesaid.

And for all other proper relief will ever pray.

City of Indianapolis to Harrison H. Hancock, debtor.

October 3, 1871, to fruit and vegetable license, street peddlers, from wagon No. 152, one week.....	\$3 00
April 18, 1872, to fruit and vegetable license, street peddlers, from wagon No. 215, one week	3 00
March 7, 1873, to fruit and vegetable license, street peddlers, from wagon No. 155, one week.....	3 00
June 2, 1873, to fruit and vegetable license, street peddlers, from wagon No. 174, one week.....	3 00
September 3, 1873, to fruit and vegetable license, street peddlers, from wagon No. 80, one week.....	3 00
June 6, 1874, to fruit and vegetable license, street peddlers, from wagon No. 198, one week.....	3 00
June 6, 1874, to fruit and vegetable license, street peddlers, from wagon No. 198, one week	3 00
June 8, 1874, to fruit and vegetable license, street peddlers, from wagon No. 16, one week..	3 00

July 10, 1873, to fruit and vegetable license, street peddlers, from wagon No. 8, six months.	16 00
July 19, 1873, to fruit and vegetable license, street peddlers, from wagon No. 33, 6 months.	16 00
March 19, 1874, to fruit and vegetable license, street peddlers, from wagon No. 218, six months.	16 00
April 23, 1874, to fruit and vegetable license, street peddlers, from wagon No. 244, six months.	16 00
March 29, 1875, to fruit and vegetable license, street peddlers, from wagon No. 268, six months.	16 00
Total	\$104 00

HARRISON H. HANCOCK.

B. F. WATTS, Attorney for Petitioner.

State of Indiana, Marion County, ss:

Harison H. Hancock swears the above account true in substance and in fact, before the undersigned this 14th day of July, 1876.

B. F. WATTS, Notary Public.

Which was referred to the Committee on Accounts and Claims and City Attorney.

Also, the following communication :

Indianapolis, July 17, 1876.

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

Gentlemen :—We, the undersigned, respectfully represent to your honorable body that we are crediably informed, and know, that the present Market Master, Wm. Show, is not a proper person to perform the duties of said office. That the said Show is direlect in the discharge of his official duties in these, the following, to-wit:

First. Allowing meat and vegetables to be sold at wholesale prices before and during market hours, thereby prohibiting the public from having the benefit of having the first choice of goods brought to the Market for sale; thereby compelling the public to take up with the culled market truck.

Second. That the said Market Master is unfaithful to the duties of said office because he is under the influence of liquors, and in a state of intoxication, most of the time; and from said cause, and while under the influence of liquors, sells, and causes to be sold, stands to persons, and privileges are given to persons that are wholly in his interest, thereby controlling the mar-

ket sales and the prices of said market, thereby oppressing the common people that attend the said Market for the purpose of buying, and who are compelled to pay market men prices which are higher than producers' prices.

Third. That the said Market Master is unfaithful to the duties of said office because he does neglect to keep the Market Place in a suitable condition for market people to sell their goods in.

All of which is respectfully submitted to your honorable body for investigation, and proof thereof. We humbly pray the honorable body of the Common Council to remove the said Market Master, Wm. Show, and appoint a more suitable person to grace the interests of the city and the public.

Geo. T. Hall, Chas. Howard, W. G. Merryman, Wm. Hack, Martin Myers, C. W. Bradshaw, William Dewees and twenty-eight others.

Mr. Reed moved that a special committee of three be appointed to investigate the charges, and to report in two weeks from tonight.

Which was adopted, and the Chair appointed as such special committee Councilmen Reed, A. L. Wright, and Buehrig.

Also, the following motion :

Moved, That the Street Commissioner be, and is, hereby instructed to pave the city's portion of the point at the south-east corner of Indiana avenue and Tennessee street, in accordance with the stakes set by the Civil Engineer.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved, That Ben. Gardner have permission to pave the sidewalk in front of his building on corner of Indiana avenue and Tennessee street within the next thirty days, according to the stakes set by the Civil Engineer.

Which was adopted.

Mr. Schmidt offered the following motion :

Moved, That the Market Master be, and is, hereby directed to extend the market wagons east and west on Market street.

Which was referred to the Committee on Markets.

Also, the following motion :

Moved, That the resident on the west side of Hanna street, between Market and Ohio streets, be permitted to cut down the trees in the center of said street, provided they remove the stumps and rubbish at their own expense and complete the work within thirty days, and if not done in the time specified, the Street Commissioner to do the work.

Which was adopted.

Mr. Steinhauer presented the following remonstrance :

Indianapolis, July 24, 1876.

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

Gentlemen :—We, the undersigned, owner of real estate adjoining the first alley east of Madison avenue, running from Downey to Yeiser streets, respectfully remonstrate against the passage of an ordinance to grade and gravel said alley. The grade of said alley is such that the same is always in good condition. Heavy rains, etc, effect it but little. It is always in a passable condition.

And your remonstrants will ever pray, etc.

L. Mueller, 87 feet; George {Beyrsdorfer, 45 feet; Casper Doenger, 130 feet; Ignatius Brown, 135 feet.

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

Also, the following remonstrance :

Indianapolis, July 17, 1876.

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

Gentlemen :—We, the undersigned, owners of real estate adjoining the alley running from Madison avenue to Kennington street, being the alley dividing Yeiser & Dunlop's Addition to the City of Indianapolis, respectfully remonstrate against the passage of an ordinance to grade and gravel said alley.

The condition of said alley is such that it requires no improvement at present.

And your remonstrants will ever pray, etc.

James Frank, 35 feet; Peter Rasmussen, 25 feet;
Elisabeth Krafthoefler, 140 feet; Barbara Sponzel,
140 feet; Sarah Hansen, 45 feet.

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

Indianapolis, July 24, 1876.

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

Gentlemen :—We, the undersigned, owners of real estate adjoining the alley running from Dunlop to Downey streets, being the first alley east of Madison avenue, respectfully remonstrate against the passage of an ordinance to grade and gravel said alley. The condition of said alley is such that it requires no improvement at present.

And your remonstrants will ever pray, etc.

Peter Rasmussen, 130 feet; Elisabeth Krafthoefler,
43½ feet; Barbara Sponzel, 36¾ feet; Kasper
Hess, 44 feet; Elizabeth Hess, 44 feet.

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

Dr. Stratford offered the following motion :

Moved, That the Mayor be directed to obtain the opinion of the Attorney General of Indiana, on the legality of the Treasurer's per cent. as charged in his report, and report the same to this Council at an early day.

Which was adopted.

Mr. Thalman presented the following communication :

Indianapolis, July 24, 1876.

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

Gentlemen :—We, the undersigned, resident property owners of Indianola, respectfully petition your honorable body to place a fire alarm box on the

corner of Ray and Plum streets. We have no protection in that way whatever, and hope your honorable body will grant our request.

Respectfully,

Anthony E natz, 180 feet; D. G. Vollmer, 150 feet;
O. S. Baxter, 200 feet; Robert F. H. Kellb, 66
feet.

W. O. SHERWOOD,

Chief Fire Engineer.

Which was referred to the Fire Board.

Also, the following motion :

Moved, That the Street Commissioner be directed to notify the owner of the first vacant lot east of West street, on Washington street, to immediately put down the pavement that was taken up some time ago. If said order is not complied with within ten days, that the Street Commissioner cause said work to be done, and collect the expense from said property owner.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be directed to put in an additional drain pipe on the south side of Market street, near Missouri street, to relieve the property owners on Mississippi street from overflow.

Which was adopted.

Also, the following motion :

Moved, That the City Attorney be requested to report to this Council as early as practicable whether or not the City Council have the power to regulate the assessment for levying a tax for school purposes.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be instructed to put in repair the drinking fountain at the corner of West and Washington streets.

Which was adopted.

Mr. A. L. Wright presented the following remonstrance :

Indianapolis, July 13, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Alabama street, between New York street and Massachusetts avenue, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of Alabama street, bowldering the gutters and curbing the sidewalks between the above named points.

And your remonstrants will ever pray, etc.

T. G. Alford, 58 feet; Mrs. Mary A. Coburn, per H. Coburn, 92 feet; Aaron & W. F. Clem, 107 feet; H. F. Barnes by F. A. Bryan, with power of Att'y, 67½ feet; Mariel H. Holbrook, per John A. Fergusson, Adm'r, 67½ feet; John W. Holland, 28 feet; Henry Tutewiler, 154 feet; Jennie S. Bryan, 45 feet.

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

Mr. A. L. Wright moved to reconsider the vote by which Dr. Stratford's motion was adopted, directing the Mayor to obtain the opinion of the State Attorney General in regard to the City Treasurer's percentage.

On motion by Mr. Schmidt, the previous question was ordered.

Mr. Wright's motion to reconsider was then adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Morse, Poudier, Ransdell, Reed, Schmidt, Steinhauer, Thalmann, Webster, Wright, Arthur L., and Wright, William G.—16.

Negative—Councilmen Buehrig, Laughlin, McGill, McGinty and Stratford.—5.

Mr. Adams moved to refer the motion to the City Attorney with instructions to obtain the opinion of General B. Harrison on the subject.

Mr. Ransdell moved as a substitute to lay Dr. Stratford's motion on the table.

Which motion to lay on the table was adopted by the following vote :

Affirmative—Councilmen Byram, Case, Craft, Darnell, Izor, Pouders, Ransdell, Reed, Schmidt, Steinhauer, Thalman, Webster, Wright, Arthur L., and Wright, William G.—14.

Negative—Councilmen Adams, Buehrig, Laughlin, Morse, McGill, McGinty and Stratford.—7.

Mr. Craft offered the following motion :

Moved, That the Civil Engineer be, and is hereby instructed to repair, or have repaired, the drinking fountain at the corner of New Jersey street and Massachusetts avenue.

Which was adopted.

Mr. Ransdell offered the following motion :

Moved, That the City Attorney be directed to report to this Council whether or not the City Council have the power to pass an ordinance creating the office of Market Master for the west market.

Which was adopted.

REPORTS FROM COMMITTEES.

Mr. A. L. Wright, from the Committee on Finance, submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—Your Committee on Finance, to whom was referred the petition of George W. McClure, asking the city to refund to him a portion of the penalty and interest paid on the taxes of 1871, 2, 3, 4 and 5, on lots 85 and 86, Crane's north addition to the city of Indianapolis, would respectfully report that they have examined the same, and that the penalty and interest charged and collected by the city, is required by section 44 of the city charter; and would, therefore, recommend that the prayer of the petition be not granted.

Respectfully submitted,

A. L. WRIGHT,
N. S. BYRAM,
J. THOMAS,
J. C. LAUGHLIN,
Com. on Finance.

Which was concurred in.

Dr. Stratford, from Committee on Sewers, submitted the following report :

Indianapolis, July 24, 1876.

To Mayor and Common Council of the City of Indianapolis :

Gentlemen :—Your Committee on Sewers, to which was referred sundry motions and ordinances, and also the motion of Dr. Stratford, directing the Committee on Sewers and City Civil Engineer to examine all the proposed sewers and report the necessity of building any of them, together with the propable cost of the same.

First. The petition of Messrs English and Spann, in reference to the drainage of the territory in the Vicinity of Deloss street, English avenue; Cedar street, Dillon street and Spann avenue. We would recommend that a sewer be built in and along English avenue and Laurel street to Pleasant Run, as recommended by the City Civil Engineer. Which can be done with little or no cost to the city. We also recommend that the Engineer be directed to prepare an ordinance and submit it to the Council at the next meeting.

Second. The proposed sewer on Washington street from Pennsylvania to Noble street. We would recommend that it be built from Pennsylvania street to New Jersey street, for the following reasons :

The work can be done at a very low figure, and at small expense to the city; the assessment will fall on persons abundantly able to bear the expense.

The work must be done at an early day. The construction of such necessary work at this time will afford employment to many needy workmen. Also for the reason that New Jersey street, from Washington street to the R. R. track cannot be improved until said sewer is made. The sewer can be built at a cost of about \$12,000.

Third. The proposed sewer in and along New Jersey street, from Washington to Ohio streets. We would recommend that it be built for the same reasons mentioned of the Washington street sewer. The cost of this will be to the city about \$4,000.

Respectfully submitted,

I. W. STRATFORD,
WM. G. WRIGHT,
F. SCHMIDT,
Committee on Sewers.

The first clause was concurred.

The second and third clauses were received.

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

Indianapolis, July 10, 1876.

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

Gentlemen :—Your Committee on Revision of Ordinances to whom was referred an ordinance entitled, "An ordinance to amend section twelve (12) of an ordinance entitled 'An ordinance authorizing the construction and extension, and operation of certain passenger railroads in and upon the streets of the city of Indianapolis,' ordained and established on the 18th day of January, 1864," with instructions to report at this meeting of the Council, (July 10th, 1876) would respectfully submit the following :

We find the ordinance to be in letter and spirit the same as the ordinance which it is proposed to be amendatory of, excepting the twelfth regulation of section one, which provides for the preventing of cars, and animals used in transporting street-cars, from standing on streets crossing and intersections thereof, and also provides a penal clause, which the old ordinance did not contain. Your committee believe that these additions to the old ordinance will in no way interfere with the just rights of the Street Car Co., and are necessary for the convenience of the public, and to make the regulations of the old ordinance effective.

We therefore recommend the passage of the ordinance to us referred, and herewith returned.

Respectfully submitted,

J. J. DIFFLEY,

W. G. WRIGHT,

Committee on Revision of Ordinances.

R. O. HAWKINS,

City Attorney.

Which was concurred in.

Mr. Craft, Chairman Fire Board, submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—The undersigned, members of the Fire Board, to which was referred the motion of Mr. Diffley, in regard to the driven well and the cistern at the intersection of Washington street and Kentucky avenue, would recommend that the driven well be removed, and the public cistern be repaired under the direction of the Civil Engineer.

Respectfully submitted,

W. H. CRAFT,

J. C. ADAMS,

J. L. CASE,

Fire Board.

Which was concurred in.

Also, the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—The Fire Board, to which was referred the motion in regard to the erection of a Hose Reel House on the city's lot on east Washington street, together with the report of the Board of Health in regard to the unhealthy condition of No. 8 Hose Company, would report that we have fully consider the matters therein contained, and present plans and specifications for a Hose Reel House adopted by the Board, and would recommend that

the City Clerk be instructed to advertise for bids on said plans, the Council reserving the right to reject any and all bids.

Respectfully submitted,

W. H. CRAFT,

J. C. ADAMS,

J. L. CASE,

Fire Board.

Which was concurred in by the following vote :

Affirmative—Councilmen Adams, Case, Craft, Izor, Morse, McGinty, Pouder, Reed, Schmidt, Steinhauer, Thalman and Wright, William G.—12.

Negative—Councilmen Buehrig, Byram, Darnell, Laughlin, McGill, Ransdell, Stratford, Webster and Wright, Arthur L.—9.

Mr. Adams, from Committee on Judiciary, submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—Your Committee on Judiciary to whom was referred the petition of the Trustees of the North Western Christian University, asking the city to exempt the real estate of the above named college from taxation, setting forth in their communication, that the legislature of 1843 granted the University a special charter, which expressly provides that the property of the above institution shall be relieved of taxation.

Your committee would report that the facts as set forth in the above communication are substantially correct, and that the North Western Christian University was organized under a special charter, which exempts its property from taxation. We therefore recommend that the City Assessor be directed to relieve the property of the University from assessment for taxation.

Respectfully submitted,

J. C. ADAMS.

D. M. RANSELL.

Committee on Judiciary.

R. O. HAWKINS,

City Attorney.

Which was referred back to the committee for further investigation.

Mr. Thalman moved that general ordinance No. 44, 1876, entitled, "An ordinance fixing the boundaries of the wards of the City of Indianapolis, and repealing certain ordinance therein named," be made the special order for next Monday night.

Which was adopted.

Mr. Adams, from Committee on Judiciary, submitted the following report :

Indianapolis, July 24, 1876.

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

Gentlemen :—Your Committee on Judiciary, to whom was referred sundry papers, would offer the following report :

First. I. L. Frankem presents a bill for plumbing and general work done on the property known as the Tomlinson Estate, which your committee would report back and recommend it be sent to the Committee on Accounts and Claims and Committee on Public Buildings.

Second. Christopher Hilgenberg sets forth in a communication to the Council that he bought a certain parcel of ground on Indiana avenue and Elizabeth street, at City Treasurer's sale for street improvement, for which ground he paid the Treasurer the sum of \$149.85. He believing and understanding that the lot he bought had a front of 50 feet on Indiana avenue and 224 feet deep, when in fact the piece of ground he bought only contained 17 inches of said lot or parcel of ground as aforesaid, the balance of the lot he suppose he was buying was appropriated by the Council on the 7th day of April, 1873, for the purpose of opening a street 50 feet wide, running from Indiana avenue to Elizabeth street. He therefore asks your honorable body to refund him the amount of \$149.85, and other and proper relief.

Your committee are of the opinion that the city is in no wise liable for any damage or loss that Mr. Hilgenberg may be subjected to by aforesaid purchase for street improvement, as a party buying property at any judicial sale assumes all the responsibility and risk.

Third. James T. Dickson and Fred. Rauschaupt petition the Council to relieve them from assessment for the construction of the Second street sewer. In their communication they set forth that they were formerly the owners of

the south-east corner of lot four, in Butsch & Geopper's subdivision of St. Clair's addition, thence north 60 feet, thence west to the west line of said lot four, thence south to south-west corner of said lot four, to place of beginning. That in October last, the city of Indianapolis condemned 50 feet from the south end of said lot for the purpose of opening Second street, from Pennsylvania to Meridian street, leaving only ten feet of ground fronting on Pennsylvania street, and running back to an alley to a depth of 215 feet, thus leaving them with a parcel of ground that is comparatively worthless.

Their grievance, as set forth, is that they are now assessed for the construction of the Pennsylvania and Second street sewer on their Second street frontage at the rate of \$1.50 per foot, whereas they are not benefitted by the reason of their lot being so narrow that they can never build on a 10 foot lot. Assuming that the assessment is not equitable, just, or fair, and praying your honorable body to grant them proper relief by relieving them from their sewer tax.

Your committee would report that the facts are as represented by the petitioners, and the assessment rendered against the above property appear to be a hardship. The proceedings seem to be legal and proper, and they have no legal claims upon the city for exemption from the payment of the assesment. We would therefore report the whole matter back to the Council for their judgment and action.

Fourth. The State Board of Agriculture petitions your honorable body to repair all damage done to their grounds by the reason of the deepening and widening of the State Ditch, where the same is within the ground of the State Board. And in the event of the Council's repairing all damage, and agreeing to the terms of the State Board, as set forth in their above referred to communication, the State Board agrees to waive all proceedings instituted against the city by the State Board of Agriculture on account of widening and deepening of the State Ditch.

Your committee would recommend that the city instruct the contractor who had the contract for the improvement of the State Ditch to repair all damages occuring to the bridges across the State Ditch within the grounds of the State Fair Ground by reason of his unskillful work.

In regard to the other propositions embodied in the communication of the State Board, your committee would recommend that action be postponed until the questions that henter into the ownership of the State Ditch be settled by the discussion of the case now pending before the U. S. Circuit Court in which the rights of the city in the matter of Missouri street shall be determined.

Fifth. Louis Bradhoff sets forth in a communication to the Council that

on the night of May 6th, 1876, he was driving his hack on North Illinois street, at the corner of First street he run into a rut or gully and in consequence of which his hack was badly broken and damaged to the amount of fifteen dollars, which sum he prays your Council to pay him.

Your committee would report that in their judgment the city is not liable as. from the statement set forth in the petition of Mr. Bradhoff, the rut or gully was not caused by the city or any acts of its agents.

Respectfully submitted,

J. C. ADAMS,

J. J. DIFFLEY,

D. M. RANSELL,

Committee on Judiciary.

R. O. HAWKINS,

City Attorney.

The first, second, fourth and fifth clauses were concurred in.

In regard to the third clause, Mr. Adams moved that the parties named be relieved from such sewer assessments.

Which motion was not adopted.

Also, the following report :

Indianapolis, July 24, 1876

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

Gentlemen :—Your Committee on Judiciary, to whom was referred the petition of the Trustees of the Indianapolis Social Turnverein, asking the Council to relieve their institution from taxation.

In their communication the facts are set forth that the ground on which their institution was located, is owned by Mr. Andrew Wallace, who pays taxes on the real estate, lot 10, square 63; and the trustees pray your honorable body to release them from the assessment on the school house.

If their school, or institution, is as they claim, purely educational in its character, it comes under the provision of law which exempts school property from taxation, and the Common Council has exempted the above institution from taxation as far back as 1869. Your committee would recommend the improvements that are used for educational purposes, on lot 10, square

63, be relieved from taxation, and the City Assessor is hereby directed to correct the assessment on the above described lot.

Respectfully submitted,

J. C. ADAMS.

D. M. RANSELL.

J. J. DIFFLEY,

R. O. HAWKINS,

City Attorney.

Which was concurred in.

Mr. Byram, from Special Committee, submitted the following report.

Indianapolis, July 24, 1876.

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

Gentlemen:—Your Special Committee, to whom was referred the report of the Committee on the Revision of Ordinances made on general ordinance No. 30, of 1876, have had the same under consideration, and after careful examination of said ordinance and report, respectfully report for your action the enclosed revised ordinance, and recommend its passage.

Respectfully submitted,

N. S. BYRAM.

W. H. CRAFT.

D. M. RANSELL.

Special Committee.

Which was received and the ordinance placed on file.

Dr. Stratford, from the Committee on Sewers, submitted the following report:

Indianapolis, July 24, 1876.

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

Gentlemen:—Your Committee on Sewers, to which was referred the report of the Hospital Board, recommending that the City Civil Engineer advertise for bids for a sewer from the Hospital to Fall Creek, would recommend that

the sewer be built not more than eighteen inches in diameter, of cement pipe, stone ware pipe or brick. •

Respectfully submitted,

I. W. STRATFORD,
WM. G. WRIGHT,
F. SCHMIDT,

Committee on Sewers.

Which was concurred in, and the Engineer instructed to advertise for bid.

On motion the Council adjourned.

J. Loren Mayor.

Attest :

Benj. Wright City Clerk.