

PROCEEDINGS
OF THE
COMMON COUNCIL.
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, October 2d, 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, Difle, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Webster and Wright, William G.—20.

Absent—Councilmen Bugbee, McGill, Pouder, Stratford, Thomas and Wright, Arthur L.—6.

The proceedings of the regular session, held September 25th, 1876, were read and approved.

Sealed proposals for grading and graveling the first alley east of East street, running north and south from McCarty street to the first alley north of Buchanan street, were received, opened, read and referred to the Committee on Contracts.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, October 2, 1876.

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

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

A first and partial estimate allowed Fred Gansberg for grading and graveling Orange street and sidewalks, from Shelby to Spruce streets—

2,051.8 lineal feet at 53 cents.....\$1,087 38

Also, a first and final estimate allowed Henry Clay for grading and graveling the alley between Pleasant street and Woodlawn avenue, from Olive to Linden streets—

1,112 lineal feet at 11½ cents.....\$127 88

Also, a first and final estimate allowed James Mahoney for grading and graveling the first alley east of East street, from McCarty street to the first alley north of McCarty street—

827 5 lineal feet at 15 cents... \$124 14

Also, a first and final estimate allowed John Flaherty for grading and graveling Thomas street and sidewalks, between West and Dakota streets—

1,330 lineal feet at 33 cents.....\$438 90
8 cubic yards gravel at 75 cents..... 6 00

Total..\$444 90

Also, a third and partial estimate allowed James Muse for deepening the State Ditch—

1,460 lineal feet at 75 cents.....	\$1,095 00
731 lineal feet at 85 cents.....	621 35
Cleaning out culvert at Alabama street crossing.....	10 00
Total.....	\$1,726 35
Less former payments.....	870 00
Present payment.....	\$ 856 35

Also, a first and final estimate allowed James W. Hudson for grading, bowldering and curbing the gutter on the south side of Maryland street, between Illinois and Tennessee streets—

420 lineal feet bowldering at 49 cents.....	\$205 80
21.9 square yards bowldering, (alley crossing) at 49 cents.....	10 73
149.5 lineal feet curbing at 39 cents....	58 30
Total... ..	\$274 83

Also, a third and partial estimate allowed Michael Faust for grading and graveling Pennsylvania street, from Tinker or Seventh street to the north end of said street—

5,224.4 lineal feet at 43½ cents.....	\$2,272 61
Less former payments.....	1,474 21
Present payment.....	\$ 798 40

Also, a first and final estimate allowed Patterson & Dunning for grading and paving with bowlders Oriental street, between Washington street and the Michigan Road—

1,200 lineal feet at 59 cents.....	\$708 00
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Also, a sixth and final estimate allowed Lampard & Sindlinger for building a brick sewer in and along Illinois street, from Maryland street to and connecting with the South street sewer—

1,522.3 lineal feet of sewer at \$4 25.....	\$6,469 77
9 man-holes at \$35.00.....	315 00
2 catch-basins at \$85.00.....	170 00
2,555 feet sheeting at \$2.50 per 100 feet.....	63 87
26 house connections at \$1.00.....	26 00
192 old pipe taken out, and putting in new 15 inch pipe connection at \$2.00.....	384 00

32 feet 12-inch pipe, same as above, at \$1.50.....	48 00
1 man-hole in old sewer connection.	46 50
Connecting old pipe sewer with new brick sewer.....	51 00
Extra work in protecting walls of tunnel.....	36 50
4 new traps on old catch-basins at \$6 00..	24 00
Building one elbow to catch-basin corner South and Illinois streets	3 00
Total.	<u>\$7,637 64</u>
Less 6 man-hole tops furnished by the city.....	70 08
	<u>\$7,567 56</u>
Less former payments.....	7,189 00
Balance	<u>\$ 378 56</u>

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate allowed Fred Gansberg for grading and graveling Orange street and sidewalks, from Shelby to Spruce 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Therman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Henry Clay for grading and graveling the alley between Pleasant street and Woodlawn avenue, from Olive to Linden 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Jas. Mahoney for grading and graveling the first alley east of East street, from McCarty street to the second alley north of McCarty 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed John Flaherty for grading and graveling Thomas street and sidewalks, between West and Decota 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed James W. Hudson for grading, bowldering and curbing the gutter on the south side of Maryland street, between Illinois and Tennessee 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Réasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing third and partial estimate allowed Michael Foust for grading and graveling Pennsylvania street, from Tinker or Seventh street to the north end of said 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Patterson & Dunning for grading and paving with bowlders Oriental street, between Washington street and the Michigan Road, 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, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Reasener, Schmidt, Thalman, Webster and Wright, William G.—15.

Negative—None.

Also, the following report :

Indianapolis, October 2, 1876.

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

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

Contract and bond of George W. Buchanan for grading and graveling Potomac or West Court streets and sidewalks, between West and California streets.

Contract and bond of John Schier for curbing the outside edges of the sidewalks on Broadway street, from Lincoln avenue to the first alley north.

Contract and bond of James W. Hudson for bowldering and curbing the gutters on Ohio street, between Illinois and Tennessee streets.

Contract and bond of James W. Hudson for grading, graveling, bowldering and curbing East street, from Massachusetts avenue to St. Clair street.

Contract and bond of Wm. Neal for grading and graveling Broadway street, between Lincoln avenue and Seventh street.

Contract and bond of James Mahoney for grading and graveling the first alley west of Mississippi street, from Market street to its northern terminus.

Contract and bond of James Greene for grading and graveling Leland street and sidewalks, between Indiana avenue and Eutaw street.

Contract and bond of James McB. Shepherd for grading and graveling Ray street and sidewalks, from the west line of Tennessee street to the east line of West street.

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

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

Mr. Darnell presented the contract and bond of Wm. Morrison for grading and graveling the first alley north of St. Clair street, running east and west from Illinois street to Severin alley.

Which was concurred in, and bond approved.

The City Clerk submitted the following report :

Indianapolis, October 2, 1876.

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

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

Henry C. Roney vs. Isaiah Mansur for.....	\$55 90
James Muse vs. Wm. H. Henschen for....	7 82
James Muse vs. Wm. H. Henschen for.....	3 23
James Muse vs. Wm. H. Henschen for....	3 51
James Muse vs. Wm. H. Henschen for.....	10 79
George Wm. Seibert vs. James Dougherty for.....	3 90
George Wm. Seibert vs. James Dougherty for.....	3 90
George Wm. Seibert vs. James Dougherty for.....	3 90
George Wm. Seibert vs. Margaret A. Hand for.....	13 08
George Wm. Seibert vs. A. C. Hand, (christian name unknown) for..	13 08

And respectfully recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

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

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Schmidt, Thalman, Webster and Wright, William G.—16.

Negative—None.

The Street Commissioner submitted the following report :

Indianapolis, October 2, 1876.

Proposition to the Mayor and Common Council of the City of Indianapolis :

Gentlemen :—I have the honor to submit the following report of work done in my department since September 4, 1876 :

Taken up and relaid the bowlders on 13 squares of street.

Filled the chuch-holes with gravel on 41 squares of street.

Repaired and reset 117 bridges and culverts.

Placed 36 new foot bridges and 19 new culverts on different street crossings.

Bowldered the gutter in front of fountain on the corner of South and Delaware street; also, at the corner of Virginia avenue and Dillon street.

Changed the grade of the sewer on Christian avenue so as to run the water into the Archer street sewer.

Made sewer connection from the Tomlinson property to the Illinois street sewer.

In repairing Virginia avenue, from Maryland to Louisiana streets, I find 179 yards belonging to the Water Works Company, which I have repaired at a cost of 20 cents per yard—\$35.80.

Pay roll for the month of ending October 2, 1876.....	\$3,301 29
King & Knight, blacksmithing.....	15 32
J. L. Scanlon, 3 car-loads stone.....	46 00
A. F. Rafert, sand.....	13 20
Hilderbrand & Co., hardware.....	4 00
J. L. Scanlon, stone.....	68 54
Fred Gansberg, sand... ..	50 00
James Muse, gravel.....	31 80
H. Seibert & Co., gravel	23 50
J. A. McClain, lumber.....	148 16
Henry Clay, sand.....	20 00
Total.....	<u>\$3,721 81</u>

Respectfully submitted,

LEANDER A. FULMER,

Street Commissioner.

Which was approved, and the Committee on Accounts and Claims instructed to deduct from the Water Works Company the amount named in the above report, out of their next allowance.

The Superintendent City Hospital submitted the following report :

Indianapolis, October 1, 1876.

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

Gentlemen :—I would respectfully report that I have, up to date, collected from pay patients in hospital, and have paid to the City Treasurer as shown by the duplicate receipt herewith submitted, the sum of eighty-two dollars, (\$82).

Respectfully submitted,

F. J. VAN VORHIS,

Superintendent.

Which was received.

Also, the following report :

*Monthly Report of Expenditures of the City Hospital and Branch, ending
September 30, 1876.*

Indianapolis, October 2, 1876.

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

F. J. VanVorhis, Superintendent and postage	\$94 13
Edward A. Brown and wife, Steward and Matron.....	37 50
Henry Anderson, wife and son, cooks.....	36 00
L. L. Johnson, Janitor	20 00
John McGinnis, nurse ..	20 00
John Butterworth, nurse	20 00
Lucy Replogle, nurse	15 00
Nancy Dorsey, laundress ..	14 00
Clara Pain, laundress.....	14 00
Jennie Armstrong, laundress .	12 00
Jennie Smith, laundress ..	12 00
Lucy Blagrave, ironer... ..	12 00
Emma Shrigley, nurse.....	12 00
Belle Howard, nurse	12 00
Sarah Buckingham, cook	12 00

Mrs. S. B. Nobb, chambermaid	12 00
Perry Evans, laborer	8 00
Jennie Jones, dining-room girl.	4 00
Parrott, Nickum & Co., crackers	4 88
Swing & Woollen, flour and feed.	24 75
W. A. & I. N. Patterson, drugs and window-glass.	40 91
Eli Lilly, Drugs.	23 87
Browning & Sloan, Drugs and instruments.	14 83
G. K. Root, coal	2 75
J. C. Thomas, brick and stone work and plastering	21 25
L. Eagle, stone and sand.	25 00
Gordon & Hess, dry goods.	28 80
James A. Ross, hardware	32 72
Oliver Wright, carpenter work.	30 50
G. F. Adams, stoves and fixtures.	185 53
E. J. Knowlton, bath-tubs	38 00
J. L. Hanna, filters and repairing cisterns.	51 00
Robertson & Perry, groceries (wholesale)	96 53
A. Sammons, four bbls. plaster	13 00
O. K. Coe, repairing gravel roof (recoating).	39 70
Stevens & Mayne, butter, cheese, etc.	63 76
D. H. Fatout, milk for August and September.	96 90
E. Hedges, conveying patients and undertaking	32 55
J. S. Wood, groceries	80 13
C. Butsch, ice	33 15
DePuy & Jenks, coal.	21 41
James E. Watts, groceries	49 40
Charles Kuhn; meat.	87 41
	\$1,505 38
Cash collected and paid to City Treasurer.	82 00
Total expenditures.	\$1,423 38

RECAPITULATION.

Total expenditures for the month.	\$1,421 38
Aggregate number of days for which subsistence, etc., was furnished for patients	1,698 00
Aggregate expense per capita per diem	83

Respectfully submitted,

F. J. VAN VORHIS,
Superintendent.

Which was received.

Also, the following report :

Indianapolis, October 2, 1876.

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

The following report of the City Hospital and Branch for the month ending September 30, 1876, is respectfully submitted :

NO. OF BEDS IN HOSPITAL—86.					Total Adults.	Total Infants.	Total.
	First Week.	Second Week.	Third Week.	Fourth Week.			
Number of Patients at last report—adults.....	51	55	54	47	50	51	.....
Number of Patients at last report—infants.....	7	7	6	3	2	.....	7
Received New Patients—adults.....	7	20	20	20	14	81	.....
Births, or Received—infants.....	1	1	1	.....	.....	.....	3
Discharged—adults.....	3	20	25	17	12	77	.....
Discharged—infants.....	.....	2	3	2	.....	.....	7
Died—adults.....	.....	1	2	.....	2	5	.....
Died—infants.....	1	.....	.....	.....	.....	.....	1
Number of Patients remaining—adults.....	55	54	47	50	50	50	.....
Number of Patients remaining—infants.....	7	6	3	2	2	.....	2
Number of Patients in Branch—adults.....	.....	.....	.....	.....	.....	.....	.....
Number of Patients in Branch—infants.....	.....	.....	.....	.....	.....	.....	.....
Aggregate No. of Patients in Hospital—adults...	111	409	356	334	357	1567	.....
Aggregate No. of Patients in Hospital—infants...	14	48	35	14	14	.....	125
							1692

Respectfully submitted,

F. J. VAN VORHIS,

Superintendent.

Which was received.

The Board of Health submitted the following report :

Indianapolis, October 2, 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 23d day of September, to 6 o'clock P. M., on the 30th day of September, 1876.

Under 1 year	7
1 to 2 years.....	7
2 to 3 "	0
3 to 4 "	2
4 to 5 "	1
5 to 10 "	2
10 to 20 "	3

20 to 30 years.....	3
30 to 40 ".....	0
40 to 50 ".....	3
50 to 60 ".....	3
60 to 70 ".....	2
70 to 80 ".....	1
80 to 90 ".....	0
90 to 100 ".....	0
Above 100 ".....	0
Unknown.....	0
Total.....	<u>34</u>

Respectfully submitted,

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

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

Which was received.

INTRODUCTION OF ORDINANCES.

Mr. Byram introduced general ordinance No. 52, 1876, entitled :

An ordinance to protect the Court House fence.

Which was read the first time.

Also, general ordinance No. 53, 1876, entitled :

An ordinance defining profanity and prohibiting the same.

Which was read the first time.

APPROPRIATION ORDINANCES.

Mr. Byram introduced appropriation ordinance No. 52, 1876, entitled :

An ordinance appropriating money on account of Station Houses for the month of September, 1876.

Which was read the first time.

Also, appropriation ordinance No. 53, 1876, entitled :

An ordinance appropriating money to pay extra policemen.

Which was read the first time.

Mr. Ransdell introduced appropriation ordinance No. 54, 1876, entitled :

An ordinance appropriating money on account of City Hospital and Branch for the month of September, 1876.

Which was read the first time.

Mr. Reed introduced appropriation ordinance No. 55, 1876, entitled :

An ordinance appropriating money on account of printing, etc., for the month of September, 1876.

Which was read the first time.

Mr. Webster introduced appropriation ordinance No. 56, 1876, entitled :

An ordinance appropriating money to pay sundry claims against the city of Indianapolis for the month of September, 1876.

Which was read the first time.

Appropriation ordinance No. 52, 1876,

Was read the second time and engrossed.

Appropriation ordinance No. 53, 1876,

Was read the second time and engrossed.

Appropriation ordinance No. 54, 1876,

Was read the second time and engrossed.

Appropriation ordinance No. 55, 1876,

Was read the second time and engrossed.

Appropriation ordinance No. 56, 1876,

Was read the second time.

Mr. Craft moved to suspend the rules to permit an amendment to be offered to the above ordinance.

Which motion to suspend the rules failed to pass by the following vote :

Affirmative—Councilmen Adams, Case, Craft, Darnell, Izor, Kenzel, McGinty, Reasener and Wright, William G.—9.

Negative—Councilmen Byram, Laughlin, Morse, Ransdell, Reed, Schmidt, Thalman and Webster—8.

The ordinance was then ordered engrossed.

Mr. Craft introduced appropriation ordinance No. 57, 1876, entitled :

An ordinance appropriating money for the payment of a certain claim against the city of Indianapolis on account of the No. 8 Hose reel House.

Which was read the first and second times.

Mr. Craft moved that the ordinance be engrossed.

Which motion failed to pass by the following vote :

Affirmative—Councilmen Adams, Case, Craft, Darnell, Izor, McGinty, Steinhauer and Wright, William G.—8.

Negative—Councilmen Byram, Kenzel, Laughlin, Morse, Ransdell, Reasener, Reed, Schmidt, Thalman and Webster—10.

Appropriation ordinances No. 52, 53, 54, 55 and 56, 1876, were read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Webster and Wright, William G.—18.

Negative—None.

Mr. Byram moved to suspend the rules for the purpose of placing on its final passage general ordinance No. 52, 1876.

Which motion failed to pass by the following vote :

Affirmative—Councilmen Byram, Case, Kenzel, Laughlin, Morse, McGinty, Ransdell, Schmidt, Steinhauer, Thalman, Webster and Wright, William G.—12.

Negative—Councilmen Craft, Darnell, Izor, Reasener and Reed—5.

ROLL CALL.

Mr. Adams offered the following motion :

Moved, That Jason S. Carey be and is hereby granted permission to grade, and pave with brick, in front of his property on West street, from Chesapeake street to Georgia street, the same to be completed within ninety days, and at his own expense, and the engineer is hereby directed to set the stakes.

Which was adopted.

Also, the following motion :

Moved, That the City Treasurer be and is hereby directed to postpone further proceedings in the matter of opening Rohampton street, until further ordered by this Council.

Which was adopted.

Also, the following petition :

Indianapolis, October 2, 1876.

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

Gentlemen :—Whereas I am the contractor for widening and deepening the State ditch ; and as I was to have all the sand and gravel that might come out of the ditch, and by that I was induced to do the work at a much lower price, and as the State Board claims that the city has no right to contract the sand and gravel, as it belongs to the State board, and they have prevented me from getting it as my contract calls for, by keeping their gates locked ; and they have used all of it that was inside of their premises. Now I would respectfully ask your honorable body to take immediate action in this matter, that my rights may be protected according to our contract.

Yours, etc.,

JAMES MUSE.

Which was referred to the Committee on Accounts and Claims.

Mr. Byram presented the following communication :

Indianapolis, October 2, 1876.

To the Common Council of the City of Indianapolis :

Gentlemen :—It will be remembered by your honorable body that at our request we were allowed the services of an extra patrolman until October 1 ; but we find that the labor devolving upon the sanitary officers is in no respect diminished, and in our opinion the same necessity for additional help exists now as in warmer weather. We therefore request that the services of officer Vance be retained until such time as in the opinion of the Police Board and Board of Health his services can be profitably dispensed with.

Respectfully submitted,

F. M. HOOK,

S. A. ELBERT,

J. W. MARSEE,

Board of Health.

Which was referred to the Police Board.

Mr. Case offered the following motion :

Moved, That the Street Commissioner be and is hereby instructed to bowlder the sidewalk over the first alley west of Noble street, running from South street north.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be and is hereby instructed to place a wooden culvert across Bates street, at the crossing of Cady.

Which was adopted.

Mr. Craft presented the following petition :

Indianapolis, October 2, 1876. :

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

Gentlemen:—The undersigned petitioned, about eight months ago, your honorable body in reference to certain matters relating to his real estate. The petition was referred to the committee on opening streets and alleys. Nothing has been done in the matter by said committee since, and as your petitioner is informed, the said committee will not report upon anything referred to it during the coming winter. Your petitioner desiring to have his petition acted upon, he now respectfully requests your honorable body to take it out of the hands of the committee on opening streets and alleys, and to refer it to some other committee which is more willing to pay some regard to the wishes of a citizen.

Respectfully,

CHRIST. GAMPF,
by PHIL. RAPPAPORT,
his Attorney.

Which was received, and the committee instructed to report next Monday night,

Also, the following motion :

Moved, That the Committee on opening of Streets and Alleys be and is hereby instructed to report back the plat and papers in the case of opening, extending and widening John street, from Massachusetts avenue to Peru street, at our next meeting.

Which was referred to the committee named, with instructions to report as soon as possible.

Mr. Darnell offered the following motion :

Moved, That Herbert Neff be and is hereby granted permission to block or bowlder a crossing on the east sidewalk of North Illinois street, between Fifth and Sixth streets, at his own expense, and under direction of the City Civil Engineer.

Which was adopted.

Mr. Laughlin presented the following petition :

Indianapolis, September 25, 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 east of Wright street, between Wright street and McKernan street, respectfully petition for the passage of an ordinance providing for the grading and graveling of the first alley east of Wright street, running north and south from Daugherty street to the first alley south of Coburn street.

And your petitioners will ever pray, etc.

P. F. Doyle, Ernst E. Wiekenhøfer, G. A. Wurgler,
Davis Milner.

Which was received.

Also, the following motion :

Moved, That the contractor on Japan street be and is hereby released from his contract, and the City Engineer is hereby instructed to readvertise for bids for the same, and the work to be done within thirty days.

Which was adopted.

Mr. Ransdell presented the following remonstrance :

Indianapolis, September, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Tennessee street, between St. Clair street and Pratt street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling the alley running east and west between St. Clair street and Pratt street, and between Tennessee and Illinois streets, through out-lot 170, believ-

ing it would be an unnecessary improvement, as the alley is now in good condition.

And your petitioners will ever pray, etc.

Samuel Delzell, 195 feet; J. A. Crossland, 195 feet;
J. T. Kinsler, 195 feet.

Which was received, and on motion the ordinance referred to in above remonstrance was taken up and stricken from the files.

Mr. Reasener presented the following remonstrance :

Indianapolis, September 28, 1876.

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

Gentlemen :—We, the property holders on Lexington and Hoyt avenues, do most earnestly protest against the grading of the alley lying between said streets above mentioned, and running from Dillon street to Linden street, for the reasons that it is unnecessary, and we do not feel able to pay for said grading. We therefore beg the council to indefinitely postpone the grading of said alley, or until the majority of the property holders shall beg them so to do.

Hannah Hall, A. Warren, M. Richter, John Wise,
W. H. Orbison, Mary E. May, J. H. Shrewsbury,
J. V. Storey, and thirteen others.

Which was received.

Mr. Reed presented the following petition :

Indianapolis, October 2, 1876.

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

Gentlemen :—The undersigned respectfully petitions your honorable body to grant him a license as auctioneer in the city of Indianapolis, for the term of three months, upon payment of the fees prescribed by law.

FRANK WINCHELL.

Which was received and prayer of petitioner granted.

Also, the following motion :

Moved, That Harvey Bates, jr., be and is hereby permitted to grade, and pave with brick, the north side of the sidewalk on Home avenue, beginning

at Delaware street, and running east 200 feet to the first alley, according to the grade stakes set by the civil engineer; the work to be done within the next sixty days, at his own expense.

Which was adopted.

Mr. Schmidt offered the following motion :

Moved, That the Street Commissioner pave the north-east corner of Massachusetts avenue and Pennsylvania street with brick, so as to complete the work already ordered.

Which was adopted.

Mr. Steinhauer presented the following remonstrance :

Indianapolis, September 30, 1876.

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

Gentlemen :—The undersigned, owners of real estate fronting on McCarty street, between Alabama street and New Jersey street, respectfully remonstrate against the passage of an ordinance providing for the grading, paving and curbing the north side of McCarty street, between Alabama and New Jersey street, respectfully remonstrate against the passage of an ordinance providing for the grading, paving and curbing the north side of McCarty street, between Alabama and New Jersey street.

And your petitioners will ever pray, etc.

J. W. Chuer, 40 feet; Thomas Landers, 32 feet;
C. B. Robinson, 200 feet; A. Seidensticker, 30
feet; J. Henry Ballman, 90 feet.

Which was received, and on motion the ordinance referred to was taken up and stricken from the files.

Also, the following motion :

Moved, That W. H. Brown and David Hutchison be granted permission to pave with brick the sidewalk in front of their property on McCarty Street, and that the engineer be required to set the grade stakes; the work to be done in thirty days, at their own expense.

Which was adopted.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lot No. 60, in out-lot No. 108, on the south side of Morris street, between Madison avenue and East street, of the city of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of this council, 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 required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for 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 hole or 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 Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Webster, and Wright, William G.
—18.

Negative—None.

Mr. Webster offered the following motion :

Moved, That N. S. Bryam and E. G. Cornelius have permission to grade and gravel, at their own expense, that portion of the first alley west of Illinois that passes through their property, between William street and the first street north of the said William street, the same to be done under the supervision of the City Civil Engineer, and to be done within sixty days.

Which was adopted.

Mr. W. G. Wright offered the following resolution :

Resolved, That the owners of the following described real estate to wit: Lots Nos. ten (10) and eleven (11), forty-five (45), sixteen (16) and fifty-nine (59,) on Olive street, in Fletcher's Woodlawn 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, 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 of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled: "An ordinance providing for the drainage 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 hole or 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 Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Webster, and Wright, William G.—18.

Negative—None.

REPORTS FROM COMMITTEES.

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

Indianapolis, October 2, 1876.

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

Gentlemen:—Your committee on Streets and Alleys, to whom was referred a proposition from Parks & Segner to sell the city one or more of their road machines, respectfully report that we have examined the working of the machine, and consider it a very useful article to the Street Commissioner. We recommend that at this time only one machine, costing \$85.00, be purchased, and that the Street Commissioner be authorized to contract for the same.

Your Committee on Streets and Alleys would also recommend that the ordinance referred to us for grading and graveling the alley between Home avenue and Lincoln street, from Delaware street to the first alley east of Delaware street, be passed. We return the same to be placed on its passage.

Respectfully submitted,

ISAAC THALMAN,

ALBERT IZOR,

W. F. REASNER,

Committee on Streets and Alleys.

Which was concurred in.

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

Indianapolis, September 27, 1876.

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

Gentlemen :—Your committee to whom was referred the ordinance to aid the Union Railroad Transfer and Stock Yard Company, would report that we have examined the ordinance, and also the several motions and amendments that were submitted at the last meeting of the Council, and would recommend the following amendments to the ordinance, to-wit : That section 2 be amended by inserting at line 20 the following clause : "And after the said trustee shall have certified to the Common Council that a sum equal to six hundred thousand dollars has been actually expended by said company in the construction and equipment of said railroad and stock yards, and that the work has been done in a good and workman-like manner."

And your committee would further recommend that said section 2 be amended by inserting at line 38 the following clause : "The title to said road-bed, rolling stock and stock yard lands to be clear and unincumbered."

And your committee would also recommend that a new section be inserted or added to the ordinance in substance as follows : "And the said Union Railroad Transfer and Stock Yard Company shall extend to all persons doing business on or along the line of said railroad full facilities to connect switches with said road, and shall carry and transport freight to and from such switches at the same rates per car as charged by said company for transporting through freight of a like class and character over said road."

And your committee would also report that they have carefully examined the several amendments and motions made at the last meeting of the Council in reference to the employment of none but residents of the city in the construction of the said railroad and stock yards, and we found the matter a

difficult one, as it will be almost impossible to insert any clause upon the subject in the ordinance, that would be binding upon the company, that would not at the same time embarrass the company in constructing the road and involve them in legal difficulties in the issuing and negotiating their bonds; and we herewith submit the personal communication of the gentlemen connected with the said company, setting forth what they propose to do, and will do, upon this subject, and we therefore recommend that the said communication of the gentlemen be received and made a part of the records of the Council, and that no clause upon the subject be inserted in the ordinance.

We would also say, that after a somewhat careful examination and discussion of the ordinance, we believe that with the amendments recommended in this report incorporated into it, it will then fully protect and guard the interests of the city in the premises.

Respectfully submitted,

J. C. ADAMS.

J. J. DIFFLEY,

D. M. RANSDELL.

Committee on Judiciary.

R. O. HAWKINS,

City Attorney.

JOHN CAVEN,

Mayor.

Which was received.

By consent, Mr. Adams offered the following motion :

Moved, That the Transfer and Stock Yards Co. be, and are, hereby requested to submit to this Council a detailed estimate by their Engineer, as to the probable cost of said road and tracks, and the amount of money to be expended in their construction.

Which was adopted.

Mr. Ransdell, from Committee on Water Works, submitted the following report :

Indianapolis, October 2, 1876.

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

Gentlemen:—Your Committee on Water Works to whom was referred the motion to locate a drinking fountain on the corner of Indiana avenue and

California street, would respectfully report against the adoption of said motion.

Respectfully submitted,

D. M. RANSELL,

W. H. CRAFT,

J. J. DIFFLEY,

Committee.

Which was concurred in.

Mr. Morse, from the Committee on Bridges, submitted the following report :

Indianapolis, October 2, 1876.

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

Gentlemen :—Your Committee on Bridges, to whom was referred a motion that a new iron bridge be advertised for to cross Pogue's Run on Ohio street, recommend that the motion be not concurred in, but that the Street Commissioner be directed to repair the old bridge by putting in new timbers where needed. A small expenditure will make this bridge safe and passable for several years.

Respectfully submitted,

T. J. MORSE.

ISAAC THALMAN,

Committee on Bridges.

Which was concurred in.

Mr. Case, from the Committee on Railroads, submitted the following report :

Indianapolis, September 18, 1876.

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

Gentlemen :—The undersigned, members of the Committee on Railroads, to which was referred the resolution ordering the Street Railway to lay down and operate a line commencing at the Circle and running along Market street to Arsenal avenue, thence along Arsenal avenue to Michigan street, thence east on Michigan street to Keystone avenue, thence north on Keystone avenue to Clifford avenue, thence west on Clifford avenue to Massachusetts avenue, thence south-west on Massachusetts avenue to New Jersey street, thence south on New Jersey street to Market street, would report that we have considered the matter, and believing that said line is required

and should be built, we recommend that the said resolution be passed and the proper notices be served upon the said Citizens' Railway Company by the City Clerk.

Respectfully submitted,

J. L. CASE,

W. H. CRAFT,

Committee on Railroads.

Which was concurred in.

The resolution was then adopted by the following vote :

Affirmative—Councilmen Adams, Byram, Case, Craft, Darnell, Izor, Kenzel, Laughlin, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Webster, and Wright, William G.—18.

Negative—None.

Mr. Thalman, from the Committee on Parks, submitted the following report :

Indianapolis, September 11, 1876.

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

Gentlemen:—Your Committee on Parks, and City Attorney to whom was referred the petition of Mary Fleming, asking that certain lands heretofore conveyed by her to the city, by deeds dated July 8, 1873, be reconveyed to her on account of the failure of the city to comply with certain conditions of the deed from her to the city, would report that they have examined the matter, and find that in the deed from said Mary Fleming to the city there is the following conditions, to-wit: "This land is donated on condition that the ground be improved within three (3) years from this day, and when improved the fence on the west and north-west lines to be built without expense to Mary Fleming, said land to be used and improved by said city as a public park," and that the said land has never been improved, nor fenced, nor used by the city as a park, and that more than three years have elapsed since the execution of the said deed by said Mary Fleming, and therefore the city has forfeited her right to said land, and that in our opinion the said Mary Fleming could recover the same in an action against the city. We

would therefore recommend that the Mayor be directed to execute for and on behalf of the city a quit-claim deed to said lands to said Mary Fleming.

Respectfully submitted,

WM. BUEHRIG,
ISAAC THATMAN,
T. J. MORSE,
Committee on Parks.

R. O. HAWKINS,
City Attorney.

Which was concurred in by the following vote :

Affirmative—Councilmen Buehrig, Craft, Kenzel, Laughlin, Morse, McGinty, Reed, Steinhauer, Thalman, Webster, and Wright, William G.—11.

Negative—Councilmen Adams, Byram, Case, Darnell, Izor, Ransdell, Reasener and Schmidt—8.

Mr. Byram, from the Police Board, submitted the following report :

Indianapolis, September 11, 1876.

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

Gentlemen:—The undersigned, to whom was referred the petition of sundry citizen of Indianola, asking that an additional policeman be appointed and detailed for that portion of the city of Indianapolis, have had the matter under consideration and are of the opinion that the prayer of the petitioners should not be granted.

Respectfully submitted,

N. S. BYRAM,
MICHAEL STEINHAUER,
GEO. C. WEBSTER,
Board of Police.

Which was concurred in.

By consent, Mr. Ransdell offered the following motion :

October 2, 1876.]

COMMON COUNCIL.

765

Moved, That the Civil Engineer be directed to advertise for a wooden bridge over the mill race near the dam.

Which was referred to the Committee on Streets and Alleys.

On motion, the Council adjourned.

J. Loren Mayor.

Attest:

Benjamin Wight City Clerk.