

PROCEEDINGS
OF THE
COMMON COUNCIL.
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, February 19th, 1877—7 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 Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Absent—Councilmen Adams, Buehrig, Kenzel, Morse, and McGill—5.

The proceedings of the regular session, held February 12th, 1877, were read and approved.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

Indianapolis, February 19, 1877.

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

Gentlemen :—I would recommend that the new gas company be requested to furnish the City Civil Engineer with a plat of its intended line of gas mains before beginning the work of excavating. It is important that a record of the gas and water mains be kept in this office in order to locate the responsibility for any neglect in repairing streets or alleys wherein excavations may have been made.

Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

Also, the following report :

Indianapolis, February 19, 1877.

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

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

A second and partial estimate allowed 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—

2,865 lineal feet at 38 cents.	\$ 1,088 70
46 loads of cinders, including rip-rap, at 80 cents.....	36 80
6 yards of extra gravel at 60 cents.....	3 60
311.1 yards extra embankment at bridge at 40 cents.	124 40
Total.....	\$1,253 54
Less former payment.....	673 36
Present payment.....	\$580 18

Also, a first and final estimate allowed Wm. Morrison for grading and paving with brick the east sidewalk on Maple street, from McCarty to Ray streets—

818.33 lineal feet of 27 cents.....	...\$220 95
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Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Which was concurred in.

Also, the following estimate resolution :

Resolved, That the foregoing second and partial estimate allowed 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, 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 Bugbee, Case, Craft, Darnell, Diffley, Izor, McGinty, Ransdell, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, and Wright, William G.—15.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate allowed Wm. Morrison for paving with brick the east sidewalk on Maple street, from McCarty to Ray 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 Bugbee, Case, Craft, Darnell, Diffley, Izor, McGinty, Ransdell, Reed, Schmidt, Stratford, Thalman, Thomas, Webster, Wright, William G.—15.

Negative—None.

The City Treasurer submitted the following report or communication :

Indianapolis, February 19, 1877.

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

Gentlemen :—The unprecedented tax sale of last week will necessitate the making of a new index for the City Treasurer's office, and when that is done it should embrace everything on the books extending back fifteen or twenty

years. I have had the present index rebound until they are about worn out, and as they are a very important part of the record of the office, and are in constant use by parties preparing abstracts. It is to the interest of the city that they be complete in every particular.

Respectfully submitted,

HENRY W. TUTEWILER,

City Treasurer.

Mr. Craft moved that the subject be referred to a special committee of three for examination; such committee to report at the next meeting of the Council.

Which motion was adopted.

The Chair appointed as such committee Councilmen Craft, A. L. Wright. and Dr. Stratford.

The City Marshal submitted the following report :

Indianapolis, February 19, 1877.

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

Gentlemen :—I would report that I have served the notice upon Thomas Cottrell and John Khight that the city would vacate and surrender the lease held by her from them, as directed at the last meeting of the Council; that I served the said notice by delivering a copy thereof to each of said persons upon the 14th day of February, 1877, and they accepted the said service.

Respectfully submitted,

ELI THOMPSON,

City Marshal.

Which was approved.

His Honor, the Mayor, presented the following report :

Indianapolis, February 19, 1877.

To the Common Council of the City of Indianapolis :

Gentlemen :—The amount of fines collected by me during the month of

January, 1877, due the City Treasurer, is \$38.65; which amount I have paid the City Treasurer, as will appear by his duplicate receipt filed herewith.

Respectfully submitted,

JOHN CAVEN,

Mayor.

Which was approved.

His Honor, the Mayor, presented the following proposition :

Indianapolis, February 16, 1877.

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

Gentlemen :—The undersigned for and on behalf of the heirs of Philip Sweetzer, propose, for the sum of fifty dollars, to convey to the city lot 67 in the new part of the old grave yard, according to the plat recorded in the Clerk's Office of Marion county, Indiana.

Respectfully,

JAMES N. SWEETZER.

Which was referred to the special committee on that subject.

Also, the following communication :

Indianapolis, February 12, 1877.

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

Gentlemen :—In compliance with instructions recieved from the Irish Delegate Assembly of this city, who are now arranging for the proper celebration of St. Patrick's Day, March 17, 1877, I extend to you a most cordial and welcome invitation to be present on that occasion, both in the parade and at the meeting which takes place immediately after the parade is over, in the afternoon. You will be provided seats on the rostrum of the Masonic Hall, (where, I believe, the meeting will be held) during the exercises. Several prominent gentlemen will address the meeting, and it is presumed His Honor, Mayor Caven, will preside.

Should you accept, we will try to provide you with all necessary comforts possible.

I am, honorable sirs,

Yours, most respectfully,

M. F. WALL,

Chairman of Committee on Invitation.

Which was received, and the invitation accepted.

INTRODUCTION OF ORDINANCES.

Mr. Darnell introduced special ordinance No. 8, 1877, entitled:
An ordinance to provide for grading and paving with brick the west sidewalk on Mississippi street, between Tinker and Twelfth streets.

Which was read the first time.

ROLL CALL.

Mr. Bugbee presented the following petition :

Indianapolis, February 16, 1877.

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

Gentlemen :—Your petitioner respectfully represents to your honorable body that he is the owner of the lots in the plat of ground known as "Fales & French," and "Marott's" addition to the city, and bounded as follows, to-wit :

On the north by Blackmore street.

On the south by Long Branch street.

On the east by Hill and Baltimore avenues.

On the west by Bismark or Harrison avenue.

And request that you pass an order vacating the streets and alleys within said boundaries, and allow him to enclose the said land with a fence in order to put the same under cultivation ; the said blocks being now subdivided into 114 lots.

INGRAM FLETCHER.

Mr. Darnel moved to refer to a special committee of three.

Which motion was adopted.

The Chair appointed as such committee Councilmen Darnell, Thomas, and Diffley.

Mr. Bugbee offered the following motion :

Moved, That S. & B. F. Morris have permission to curb the outside edge of sidewalk and bowlder the gutters in front of their property on Malott avenue, between Columbia avenue and Sewing Machine Company Factory; said work to be done within 60 days from date. Stakes to be set by City Civil Engineer.

Which was adopted.

Mr. Case presented the following petition :

Indianapolis, February 19, 1877.

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

Gentlemen :—I have a request to make in regard to a tree that stands in Olive alley, near lot No. 48, about eighteen inches from west side of said lot and sixty feet from Spann avenue. It is a medium sized sugar tree; I wish to retain it as a shade tree. If you should deem it proper to grant the above request you will confer a great favor.

Yours truly,

JOHN KING.

Which was granted, and Engineer authorized to instruct the contractor not to interfere with the tree.

Mr. Craft offered the following motion :

Moved, That Elizabeth Talbott be, and is, hereby given permission to relay the pavement in front of her property on Washington street, between Meridian and Pennsylvania streets; the same to be done under the direction of the Civil Engineer, and at her own expense.

Which was adopted.

Also, the following motion :

Moved, That Albert S. Newby be, and is, hereby granted permission to move a one-story frame house from the corner of Mississippi and Michigan streets to the corner of the first alley west of Howard street on Seventh street. To be moved north on Mississippi street, west on Sixth to Howard street, north on Howard to Seventh street, and west on Seventh street to place of location.

Which was adopted.

Mr. Darnell offered the following motion :

Moved, That the Committee on Laying Out and Opening of Streets and Alleys be, and are, hereby ordered to report to this Council on next Monday night in reference to an alley in the rear of James Tarleton's residence on North Illinois street, between Eleventh and Twelfth streets.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and is, hereby ordered to take up and relay the blocks in front of the driveway of the No. 5 Engine House, as the same has settled down until it is in a bad condition.

Which was adopted.

Mr. Reed offered the following motion :

Moved, That during the prevalence of high winds throughout the remainder of February and March, a detail of men from the different fire engine companies be, and are, hereby instructed to sprinkle the main thoroughfares of the city as far as practicable from the water plugs, under the direction of the Chief Fire Engineer and assistants; said work to be done daily between the hours of six and eight o'clock, A. M.

Which was adopted.

Also, the following motion :

Moved, That August Delafield be, and is, hereby granted license as an auctioneer to sell furniture and household goods, at 165 West Washington street, for a period of six months.

Which was adopted.

Mr. Schmidt offered the following motion :

Moved, That the City Civil Engineer be, and is, hereby directed to put in a sink at the water fountain on the corner of Arsenal avenue and Washington street.

Which was adopted.

Mr. Thalman offered the following motion :

Moved, That F. Whithoff have permission to clean out and put in a pump in the old city well, on the corner of St. Clair street and Indiana avenue.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be directed to turn on the water in the drinking fountains belonging to the city.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be directed to put in a sink at the drinking fountain on the corner of New York and Blake streets.

Which was adopted.

Also, the following motion :

Moved, That the Street Commission be directed to repair the gutter, (and protect with cinders) crossing Brook and Torbett streets.

Which was adopted.

Mr. Thomas offered the following motion :

Moved, That the Street Commissioner be, and is, hereby directed to repair the bowldering in front of No. 4 Engine House, by raising the same to level of door sill, or planking same.

Which was adopted.

Mr. W. G. Wright presented the following petition :

Indianapolis, June 6, 1876.

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

Gentlemen :—The undersigned, owners of the real estate fronting on Sanders street, between Shelby street and its western terminus, respectfully pe-

tition for the narrowing of said Sanders street its whole present length, from a width of eighty feet, now existing, to that of sixty feet, and the vacating of ten feet on each side to the respective owners on the north and south sides of said Sanders street. Your petitioners comprise all the owners of said real estate fronting on said street.

And your petitioners will ever pray, etc.

John B. Stumph, lot No. 5, Birkmeyer's addition, 455 feet; George M. Wagner, lot No. 12, Munson's subdivision, out-lot No. —, Birkmeyer's addition, 182½ feet; David Munson, block A, lot 18 and lot 17, (including in all) 455 feet; J. George Stilz, lot No. 4, Birkmeyer's addition, 484 feet; J. C. Woodruff, McKee's subdivision of part of lot 2 and lot 3, 700 feet; Father Fitzpatrick, Pastor St. Patrick's R. C. Church, Bro. Justin, Director St. Joseph's Institute, part of lots 1 and 2, 510 feet.

Which was referred to the Committee on Opening and Laying Out of Streets and Alleys.

Mr. Darnell offered the following resolution :

WHEREAS, The tract of land known as the Circle Park and University Park, situated in the City of Indianapolis, and owned by the State of Indiana; and

WHEREAS, The City of Indianapolis has been, for many years, expending money in the care and improving of said tracts of land; therefore,

Resolved, That the City Council of the City of Indianapolis hereby request the General Assembly of the State of Indiana, now in session, to pass such a joint resolution as will empower the City of Indianapolis, by her Common Council, to open and use the said Circle and University Square as public parks by the inhabitants of the city.

Which was adopted by the following vote :

Affirmative—Councilmen Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, McGinty, Poudler, Ransdell, Reasener, Reed, Schmidt,

Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

REPORTS FROM COMMITTEES.

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

Indianapolis, February 19, 1877.

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

Gentlemen :—Your Committee on Streets and Alleys, to whom was referred sundry papers, report as follows :

First—Is a motion directing your committee to select a proper name for one of the two Deloss streets, (there being two of same name now in the city). We would recommend that the one situated in Drake & Mayhew's addition, running from Brook street east, be changed to " DARNELL " street, which name we consider neat, popular, and highly proper.

We would further recommend that the diagonal half-square running from Indiana avenue to Torbett street, making a continuation of Torbett street to Indiana avenue. Also, that if the above report is concurred in, that the City Clerk be directed to notify the Civil Engineer and City Assessor to change the plats accordingly.

Second—A motion was also referred (with power to act) in regard to protecting the embankment on Ray street at Pogues' Run, and filling the alley abutting on said street at that point. We directed the Engineer to cause the embankment to be protected with cinders, and against the filling of the alley, as the fill should be made at the expense of the property owners adjoining, and not by the city.

Third—Is an ordinance to pave Washington street, between Alabama and New Jersey streets. We find most of the sidewalk in good order; a few places need repairing badly. We would therefore recommend that the ordinance be stricken from the files, and the Street Commissioner be directed to give the property owners in front of whose property repairs are needed, Notice as defined in ordinance passed August 14, 1876, to repair the same within ten days, and if not complied with within that time that he cause the work to be done, and collect cost of same from the owners of the property

adjoining such repairs. Also, that the Street Commissioner notify the property owners near the alley crossing said square to remove the stumps protruding from four to six inches above the sidewalk, or cause them to be leveled with the grade of the brick.

Fourth—Is a motion to bowlder and flag the two alley crossings on Mississippi street, between Washington and Market streets. We would report against flagging, but recommend the one crossing that has been bowldered be repaired, and the other bowldered.

Respectfully submitted,

ISAAC THALMAN,

ALBERT IZOR,

WM. F. REASENER,

Committee on Streets and Alleys.

Which was concurred in, and approved.

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

Indianapolis, February 19, 1877.

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

Gentlemen:—Your committee, to whom was referred the petition of John M. Judah for refunding \$48.88 city taxes for 1875, charged against lots 45 and 46 in Butler's Grove addition to the city of Indianapolis, would respectfully report that the legality of the taxes on those lots have been fully considered by the Committee on Judiciary and City Attorney, who united in a report that the lots were, by virtue of the charter granted the Northwestern Christian University, exempt from city taxation.

We therefore recommend that the Committee on Accounts and Claims be instructed to include the amount in the next appropriation ordinance.

Respectfully submitted,

A. L. WRIGHT,

N. S. BYRAM,

JOHN THOMAS,

I. W. STRATFORD,

Committee on Finance.

Which was concurred in.

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

Indianapolis, February 12, 1877.

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

Gentlemen :—The undersigned, Board of Police, in accordance with a motion passed on the 1st day of January, 1877, have had an inventory made of all the property belonging to the city under their control, and have filed the same with the City Clerk.

Respectfully submitted,

N. S. BYRAM,

MICHAEL STEINHAUER,

GEO. C. WEBSTER,

Board of Police.

Which was received.

Also, the following report :

Indianapolis, February 19, 1877.

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

Gentlemen :—The undersigned, President of the Board of Police, would report that he has sold a lot of old iron from the Station Houses for the sum of \$29.80. Also, a lot of unclaimed goods at the Central Station House for the sum of \$21.97, for which sums I herewith file the receipts of the City Treasurer.

Respectfully submitted,

N. S. BYRAM,

Pres. Board of Police.

Which was approved.

Mr. W. G. Wright presented the following communication :

Indianapolis, February 19, 1877.

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

Gentlemen :—We, the undersigned, Executive Committee of the Amateur Press Association, do respectfully ask of your honorable body the use of the Council Chamber of said city during the afternoon of Thursday, the 22d of

February, for the purpose of holding the semi-annual meeting of said association.

WILL. R. PERRIN,
OSCAR L. HUEY,
GEO. B. CONWAY,
F. S. HERRETH,
LIVINGSTON D. WELLS,
Committee.

Which was received, and the request granted.

Mr. A. L. Wright offered the following motion :

Moved, That the property owners on the alley between Meridian and Pennsylvania street, and between St. Joseph street and the first alley south of St. Joseph street, be permitted to grade and gravel said alley in rear of their property, and that the Engineer be instructed to set the grade stakes ; work to be done within ninety days.

Which was adopted.

Dr. Stratford introduced general ordinance No. 5, 1877, entitled :

An ordinance amendatory to an ordinance entitled, "An ordinance to establish public stands for licensed hacks, carriages, express wagons, or other vehicles, kept or used for the purpose of transporting passengers, freight or other articles to and from points within the city of Indianapolis, for pay and hire ; and to regulate the licenseing of such vehicles, and the amount to be charged by the owners thereof, for transporting passengers and their baggage, and prohibiting minors from driving any such unless especially permitted.

Which was read the first time, and referred to the Committee on Revision of Ordinances.

ORDINANCES ON SECOND AND THIRD READING.

Mr. Darnell presented the following petition :

Indianapolis, February 8, 1877.

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

Gentlemen :—We, the undersigned, would respectfully urge upon your honorable body the necessity of passing the ordinance, now pending, for the improvement of Second street, between Meridian and Pennsylvania streets. We have paid the amounts set opposite our names in the opening of Second street, and as a matter of justice, and a means of safety in case of fire, whereby ready access could be had to this portion of the city, the improvement should be made, and we hope there will be no delay in the passage of the ordinance.

A. L. Roach, \$365.00; Wm. S. Hubbard, \$275.00;
G. A. Wells, \$105.00; Ebenezer Sharpe, \$175.00;
A. E. Fletcher, \$175.00; George H. Chapman,
\$100.00; O. B. Hord, \$40.00; E. B. Martindale,
\$120.00; Jos. A. Moore, \$350.00; Kate H. Root,
\$120.00; Geo. T. Evans, \$20.00; R. L. McQuat,
\$80.00; W. W. Johnston, \$250.00; Nathan M.
Neeld, \$100.00; George F. McGinnis.

Which was received.

Special ordinance No. 131, 1876, entitled :

An ordinance to provide for grading and graveling Second street and sidewalks, (where not already improved) between Meridian and Pennsylvania streets.

Was taken up and read the third time.

The question being on the passage of the ordinance, those who voted in the affirmative were :

Councilmen Bugbee, Case, Craft, Darnell, Diffey, Izor, McGinty, Poudier, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, and Wright, William G.—16.

Those who voted in the negative were :

Councilmen Byram, Thomas, Webster, and Wright, Arthur L.

So the ordinance failed to pass, and under the rules of the Council was stricken from the files ; it requiring a two-third vote of the Councilmen elect to pass the same.

Mr. Darnell moved to reconsider the vote by which the ordinance failed to pass.

Mr. Byram moved to lay Mr. Darnell's motion on the table.

Which motion was not adopted.

Mr. Darnell's motion was then adopted, and the vote on the passage of the ordinance reconsidered by the following vote :

Affirmative—Councilmen Bugbee, Case, Craft, Darnell, Diffley, Izor, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinauer, Stratford, Thalman, and Wright, William G.—16.

Negative—Councilmen Byram, Thomas, Webster, and Wright, Arthur L.—4.

On motion, the Council adjourned.

J. E. Egan Mayor.

Attest :

Benjamin Wright City Clerk.