

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Monday, April 16th, 1877—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, Bugbee, Byram, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—25.

The proceedings of the regular session, held April 9th, 1877, were read and approved.

Sealed proposals for grading and graveling Second street and sidewalks, where not already improved, between Meridian and Pennsylvania streets, were received, opened, read and referred to the Committee on Contracts.

Mr. Bugbee, from the Committee on Contracts, submitted the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—On the 8th of January, 1877, there was referred to your committee a communication from James Mahoney, in which the said Mahoney asks to be relieved from a contract awarded him for the improvement of the first alley east of Alvord street, between Home and Malott avenues, he having bid for the work under the impression that the alley was fifteen feet wide, whereas it was found to be twenty-five feet.

We would recommend that the prayer of the petitioner be granted, and the Civil Engineer instructed to re-advertise the work.

Respectfully submitted,

J. W. BUGBEE,  
ROBT C. MCGILL,  
D. M. RANSELL,  
Committee on Contracts.

Which was concurred in.

#### REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—I herewith report the following contracts and bonds:

Contract and bond of John Flaherty for grading and graveling Potomac or West Court street and sidewalks, between West and California streets.

Bond, \$200 00. Bondsman, James Mahoney.

Contract and bond of John Schier, for building a fire cistern at the corner of Williams and Mississippi streets.

Bond, \$1,000.00. Bondsman, Fred. Gansberg.

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

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

Also, the following report :

*Indianapolis*, April 16, 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 final estimate allowed A. Bruner & Co. for building a brick sewer in and along Potomac or West Court street, from California street to the first alley west of West street—

193 lineal feet at \$1.40.....	\$270 20
1 man-hole at \$20.00.....	20 00
Total.....	\$290 20
Less former payment.....	266 00
Balance due.....	\$24 20

Also, a second and final estimate allowed A. Bruner & Co. for building a brick sewer in and along Sanders street, from Shelby street to point west—

405.4 lineal feet at 85 cents.....	\$344 59
2 man-holes at \$15.00.....	30 00
Total....	\$374 59
Less former payment.....	355 89
Balance due.....	\$18 70

Also, a second and final estimate allowed Andrew J. Sloan for grading and graveling the first alley east of Dillon street, from English to Lexington avenues—

2046 lineal feet at 16 cents.....	\$306 90
Less former payment ...	150 00
Balance due.....	\$156 90

Also, a first and partial estimate allowed James Mahoney for improving Wabash street, between Delaware and Alabama streets—

432 lineal feet curbing at 40 cents . . . . .	\$172 80
466.6 square yards bowldering (gutter) at 60 cents . . . . .	279 96
Total . . . . .	<u>\$452 76</u>

Also, the following fire cisterns having been tested and reported on favorably by the Chief Fire Engineer, I report estimates as follows :

A second and final estimate allowed John Schier for building fire cistern No. 39, corner of Ray and Tennessee streets—

1068 95 barrels 48½ cents . . . . .	\$518 44
Less former payment . . . . .	362 91
Balance due . . . . .	<u>\$155 53</u>

Also, a second and final estimate allowed Wm. L. White for building fire cistern No. 136, at corner of Laurel and Orange streets—

1124.37 barrels at 37 cents . . . . .	\$416 01
Less former payments . . . . .	291 21
Balance due . . . . .	<u>\$124 80</u>

Also, a second and final estimate allowed James Garner & Co. for building fire cistern No. 140, corner Washington street and Arsenal avenue—

968.58 barrels at 40 cents . . . . .	\$394 63
Less former payments . . . . .	276 00
Balance due . . . . .	<u>\$118 43</u>

Also, a first and final estimate allowed James Garner for grading and graveling the alley between College avenue and Broadway streets, running from Home to Lincoln avenues—

1510 lineal feet at 14½ cents . . . . .	\$218 95
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Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was approved.

Also, the following estimate resolution :

*Resolved*, That the foregoing second and final estimate allowed A. Bruner & Co. for building a brick sewer in and along Potomac or West Court street, from California street to the first alley west 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 Adams, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Thalman, Thomas, Webster, and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing second and final estimate allowed Andrew J. Sloan for grading and graveling the first alley east of Dillon street, from English to Lexington avenues, 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, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Thalman, Thomas, Webster, and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and partial estimate allowed James Mahoney for improving Wabash street, between Delaware and Alabama 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, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Thalman, Thomas, Webster, and Wright, William G.—19.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate allowed James Garner for grading and graveling the alley between College avenue and Broadway street, running from Home to Lincoln avenues, 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, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reed, Schmidt, Thalman, Thomas, Webster, and Wright, William G—19.

Negative—None.

The City Clerk submitted the following report :

*Indianapolis*, April 16, 1877.

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

*Gentlemen*.:—I respectfully report the following affidavits now on file in my office for the collection of street assessments, by precept, to-wit :

James W. Hudson vs. The First United Presbyterian Church, W. M. Ewing, J. P. Anderson, and Jeff. Caldwell, Trustees.....	\$124 84
Thomas Wren vs. Owen Burns for.....	48 14
Thomas Wren vs. Bridget and Riley Keif for.....	4 61

The contractors claim that they have made repeated demands for the amounts due them, but have been unable to collect the same.

Respectfully submitted,

BENJ. C. WRIGHT,  
City Clerk.

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

Affirmative—Councilmen Adams, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Thomas, Webster, and Wright, William G.—21.

Negative—None.

The City Clerk submitted the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—I respectfully report that on the 11th day of April, 1877, I transmitted to the City Commissioners the petition of W. W. Butterfield and others in the matter of laying out and opening an alley twelve (12) feet in width, beginning at the southeast corner of lot number eight (8) of A. Bird's addition to the city of Indianapolis, and running due north to intersect the west end of Arch street, and resolution of your honorable body concerning the same, and that I issued notice to the said Commissioners according to law, and also to the owners of property.

Respectfully submitted,

BENJ. C. WRIGHT,  
City Clerk.

Which was received.

The City Commissioners submitted the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—Your Commissioners would respectfully report to your honorable body that the petition in the case of opening an alley twelve feet wide,

beginning at St. Clair street, at the southeast corner of lot number eight (8) of A. Bird's addition, and running due north to intersect the west end of Arch street, is erroneous, there being no such addition as therein described in the city of Indianapolis.

Respectfully submitted,

GEO. W. HILL,  
JOHN L. AVERY,  
J. S. HILDEBRAND,  
R. H. PATTERSON,  
City Commissioners.

Which was received.

The Chief Fire Engineer presented the following communication :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—You are cordially invited to participate in a parade of the Fire Department, to be given on Wednesday afternoon next, at two o'clock. The said parade to start from the Department Headquarters, corner Massachusetts avenue and New York street.

Respectfully submitted,

W. O. SHERWOOD,  
Chief Fire Engineer.

Which was received, and the invitation accepted.

The Board of Health submitted the following communication :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—From repeated visits to the Sellers Farm, we have become convinced that the greater part of the offensive odor arises from the drying of "fertilizers," either in the open air or without sufficient provision for the burning or other disposition of the gases arising therefrom.

We therefore recommend such an addition to the ordinance for the gov-

ernment of the Sellers Farm, now pending, as will prevent any future annoyance from this source.

Respectfully submitted,

F. M. HOOK,  
S. A. ELBERT,  
J. W. MARSEE,  
Board of Health.

Which was referred to the Special Committee on Sellers Farm, together with the ordinance on that subject.

Also, the following report :

Report of deaths in the city of Indianapolis from 6 o'clock p. m., on the 31st day of March, 1877, to 6 o'clock p. m., on the 7th day of April, 1877 :

Under 1 year	4
1 to 2 years	4
2 to 3 "	2
3 to 4 "	1
4 to 5 "	0
5 to 10 "	2
10 to 20 "	0
20 to 30 "	3
30 to 40 "	1
40 to 50 "	0
50 to 60 "	3
60 to 70 "	0
70 to 80 "	2
80 to 90 "	2
90 to 100 "	0
Above 100 years	0
Unknown	2
Total	<hr/> 26

Respectfully submitted,

J. W. MARSEE,  
Secretary Board of Health.

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

Which was received.

## INTRODUCTION OF ORDINANCES.

Mr. Craft introduced general ordinance No. 13, 1877, entitled :

An ordinance defining sundry offenses, and prescribing punishment therefor.

Which was read the first time.

Mr. Craft moved that the rules be suspended for the purpose of reading the above entitled ordinance the second and third times, and placing the same on its passage.

Which motion to suspend the rules was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—22.

Negative—None.

General ordinance No. 13, 1877, entitled :

An ordinance defining sundry offenses, and prescribing punishment therefor.

Was read the second time and engrossed, and read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McGill, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—23.

Negative—None.

Mr. Darnell introduced special ordinance No. 15, 1877, entitled :

An ordinance to provide for grading and graveling Herbert street and sidewalks, between Illinois and Meridian streets.

Which was read the first time.

Mr. Darnell introduced general ordinance No. 14, 1877, entitled :

An ordinance to amend sections one and three of an ordinance entitled "An ordinance providing for the management of the City Hospital of the city of Indianapolis, and repealing an ordinance entitled, 'an ordinance providing for the management of the City Hospital of the city of Indianapolis, ordained and established May 25, 1871,' ordained and established the 22d day of May, 1876."

Which was read the first time.

Mr. McGinty presented the following petition :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—We the undersigned, owners of the real estate fronting on Carlos street, between Ray and Morris streets, respectfully petition your honorable body to pass an ordinance to grade and gravel said Carlos street, between said Morris and Ray streets. The distance to be graded and graveled being about 1776 feet.

And your petitioners will ever pray, etc.

H. Campbell 37 feet; Wm. Beaver 30 feet; John Keating 30 feet; James Branyan 30 feet; Jno. Mountain 30 feet; J. M. Bidy 30 feet; Louis Haff 30 feet; Nick. McCarty, for himself and the other owners, 1,174 feet 6 inches.

Which was received.

Mr. McGinty introduced special ordinance No. 16, 1877, entitled :

An ordinance to provide for grading and graveling Carlos street and sidewalks from Ray to Morris streets.

Which was read the first time.

Mr. Poudier introduced special ordinance No. 17, 1877, entitled :

An ordinance to provide for grading and graveling the first alley east of New Jersey street, between Washington and Market streets.

Which was read the first time.

Mr. Schmidt introduced special ordinance No. 18, 1877, entitled :

An ordinance to provide for grading and bowldering Delaware street, from Washington street to the north line of Massachusetts avenue.

Which was read the first time.

By consent, Mr. A. L. Wright presented the following petition :

*Indianapolis, April 16, 1877.*

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

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

And as in duty bound your petitioner will ever pray, etc.

W. W. BUTTERFIELD,  
No. 413 North East street.

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

Mr. McGill, from the Committee on Opening and Laying Out of Streets and Alleys, submitted the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—Your Committee on Opening and Laying Out of Streets and Alleys, to whom was referred the petition of W. W. Butterfield, praying for

the opening and laying out of an alley twelve feet in width, beginning at St. Clair street, at the southeast corner of lot No. 8 of Bird's subdivision of out-lot No. 178, in said city; thence running north across the east end of said lot, and lots Nos. 7 and 6, and the south half of lot No. 5, in the same subdivision, to intersect the west end of Arch street—would respectfully report that we have examined the same, and recommend that the prayer of the petitioner be granted, and herewith present the following resolution and recommend its adoption.

Respectfully submitted,

ROBT. C. MCGILL.  
MICHAEL STEINHAUER,  
ENOS B. REED.

Committee.

Which was concurred in.

Also, the following resolution :

*Resolved*, That the petition of W. W. Butterfield, praying for the laying out and opening of an alley of the width of twelve (12) feet, beginning at St. Clair street, at the southeast corner of lot number eight (8), in Abraham Bird's subdivision of out-lot number one hundred and seventy-eight (178), in the city of Indianapolis; running thence due north across the east end of said lot, and continuing on across the east end of lots number seven (7), six (6), and the south one-half of lot number five (5), to intersect the west end of Arch street, be referred to the Commissioners, with instructions to assess benefits and damages, and to make due report, and that for the purpose of opening and laying out such alley as aforesaid, the Common Council do propose to appropriate such real estate and property as may be necessary therefor.

The said Commissioners are instructed to return, as part of their report, all petitions and notices.

The City Clerk is hereby directed to issue, and the City Marshal to serve, the proper notices upon the Commissioners and property owners.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Buehrig, Bugbee, Case, Craft, Darnell, Diffley, Izor, Kenzel, Morse, McCill, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Thomas, Webster, Wright, Arthur L., and Wright, William G.—24.

Negative—None.

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

Indianapolis, April 16, 1877.

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

*Gentlemen* :—Your Committee on Finance would report that John Caven, Enos B. Reed, and Daniel M. Ransdell, the Trustees in the Belt Road matter, have executed and delivered to us their bonds, each in the sum of \$50,000, with Wm. R. McKeen, M. A. Downing, E. F. Claypool, Horace Scott, Nicholas McCarty, and John C. S. Harrison as sureties. We have examined the same, and are of the opinion that the said bonds are correctly prepared, and that the security is ample.

Respectfully submitted,

A. L. WRIGHT,  
N. S. BYRAM,  
I. W. STRATFORD,  
JOHN THOMAS,  
Committee on Finance.

Which was concurred in.

Also, the following bonds :

*Know all Men by these Presents*, That we, John Caven as principal, and Wm. R. McKeen, M. A. Downing, E. F. Claypool, Horace Scott, Nicholas McCarty, and John C. S. Harrison, as sureties, are jointly and severally held and firmly bound unto The City of Indianapolis in the penal sum of Fifty Thousand Dollars, for the payment of which well and truly to be made, without relief from valuation or appraisement laws, we bind ourselves, or heirs, executors and administrators.

Witness our hands and seals this 13th day of April, 1877.

The conditions of this obligation are such, that whereas, the said John Caven was appointed by the Common Council of the City of Indianapolis to act as a Trustee for said City, under and by virtue of the provisions of an ordinance entitled, "An ordinance providing for the issuing of certain bonds in aid of The Union Railroad Transfer and Stock Yard Company, and prescribing the conditions upon which such bonds are issued and delivered," ordained and established October 16, 1876. And whereas, under and pursuant to the provisions of said ordinance, bonds of the said City to the amount

of Five Hundred Thousand Dollars, dated January 1, 1877, and payable to The Union Railroad Transfer and Stock Yard Company, or order, twenty years after date, with interest at the rate of six per cent. per annum, payable semi-annually, as evidenced by coupons attached thereto, have been deposited with said John Caven, together with Enos B. Reed and Daniel M. Ransdell, as Trustees in trust, to be by them held until the work proposed to be done by the said The Union Railroad Transfer and Stock Yard Company shall have been fully and faithfully completed according to the stipulations and conditions of the said ordinance, and until all of the conditions and terms of said ordinance to be kept and performed by said The Union Railroad Transfer and Stock Yard Company have been fully and finally complied with, and when said conditions, terms and stipulations have been so complied with and said work so completed in manner and form as required by said ordinance, and said The Union Railroad Transfer and Stock Yard Company shall have properly executed and delivered to said Trustees her bonds, secured by first mortgage in manner and form as by said ordinance required, then said City bonds to be delivered to said Company under the conditions and terms and in the manner and form as required by said ordinance.

Now, if the said John Caven shall well and truly keep, execute and perform all of his duties as Trustee as aforesaid, and in the execution of his said trust and in all things comply with and carry out the terms and provisions of the said ordinance, and require a full and faithful compliance with the same upon the part of the said The Union Railroad Transfer and Stock Yard Company before any of the said City bonds shall be delivered to her, and faithfully account to said City for all bonds of said City and of said Company that shall come to him as such Trustee, or as one of such Trustees; then this obligation shall be null and void, otherwise to be and remain in full force and effect.

JOHN CAVEN,	[SEAL.]
WILLIAM R. McKEEN,	[SEAL.]
M. A. DOWNING,	[SEAL.]
E. F. CLAYPOOL,	[SEAL.]
HORACE SCOTT,	[SEAL.]
NICHOLAS McCARTY,	[SEAL.]
JOHN C. S. HARRISON.	[SEAL.]

*Know all Men by these Presents,* That we, Enos B. Reed as principal, and Wm. R. McKeen, M. A. Downing, E. F. Claypool, Horace Scott, Nicholas McCarty, and John C. S. Harrison, as sureties, are jointly and severally held

and firmly bound unto the City of Indianapolis in the penal sum of Fifty Thousand Dollars, for the payment of which well and truly to be made, without relief from valuation or appraisement laws, we bind ourselves, our heirs, executors, and administrators.

Witness our hands and seals this 13th day of April, 1877.

The conditions of this obligation are such, that whereas, the said Enos B. Reed was, on the 5th day of March, 1877, elected and appointed by the Common Council of the City of Indianapolis to act as a Trustee for said city, under and by virtue of the provisions of an ordinance entitled, "An ordinance providing for the issuing of certain bonds in aid of the Union Railroad Transfer and Stock Yard Company, and prescribing the conditions upon which said bond are issued and delivered," ordained and established October 16, 1876. And whereas, under and pursuant to the provisions of said ordinance bonds of said City to the amount of Five Hundred Thousand Dollars, dated January 1, 1877, and payable to the Union Railroad Transfer and Stock Yard Company, or order, twenty years after date, with interest at the rate of six per cent. per annum, payable semi-annually as evidenced by coupons attached thereto, have been deposited with said Enos B. Reed, together with John Caven and Daniel M. Ransdell, as Trustees in trust, to be by them held until the work proposed to be done by the said The Union Railroad Transfer and Stock Yard Company shall have been fully and faithfully completed, according to the stipulations and conditions of the said ordinance, and until all of the conditions and terms of said ordinance, to be kept and performed by said Union Railroad Transfer and Stock Yard Company, have been fully and finally complied with; and when said conditions, terms, and stipulations have been so complied with, and said work so completed, in manner and form as required by said ordinance, and said Union Railroad Transfer and Stock Yard Company shall have properly executed and delivered to said Trustees her bonds, secured by first mortgage in manner and form as said ordinance required, then said city bonds to be delivered to said company under the conditions and terms, and in the manner and form as required by said ordinance.

Now, if the said Enos B. Reed shall well and truly keep, execute and perform all his duties as Trustee, as aforesaid, and in the execution of his said trust, and in all things comply with and carry out the terms and provisions of the said ordinance, and require a full and faithful compliance with the same upon the part of the said Union Railroad Transfer and Stock Yard Company, before any of the said city bonds shall be delivered to her, and faithfully account to said city for all bonds of said city and of said company that shall come to him as such Trustee, or as one of such Trustees, then this

obligation shall be null and void, otherwise to be and remain in full force and effect.

ENOS B REED, [SEAL.]  
WILLIAM R. McKEEN, [SEAL.]  
M. A. DOWNING, [SEAL.]  
E. F. CLAYPOOL, [SEAL.]  
HORACE SCOTT, [SEAL.]  
NICHOLAS McCARTY, [SEAL.]  
JOHN C. S. HARRISON. [SEAL.]

*Know all Men by these Presents*, That we, Daniel M. Ransdell as principal, and William R. McKeen, M. A. Downing, E. F. Claypool, Horace Scott, Nicholas McCarty, and John C. S. Harrison, as sureties, are jointly and severally held and firmly bound unto The City of Indianapolis in the penal sum of Fifty Thousand Dollars, for the payment of which well and truly to be made, without relief from valuation or appraisal laws, we bind ourselves, our heirs, executors and administrators.

Witness our hands and seals this 13th day of April, 1877.

The conditions of this obligation are such that, whereas the said Daniel M. Ransdell was on the fifth day of March, 1877, elected and appointed by the Common Council of the City of Indianapolis, to act as a Trustee for said City under and by virtue of the provisions of an ordinance entitled, "An ordinance providing for the issuing of certain bonds in aid of The Union Railroad Transfer and Stock Yard Company, and prescribing the conditions upon which such bonds are issued and delivered," ordained and established October 16, 1876. And whereas, under and pursuant to the provisions of said ordinance, bonds of the said City to the amount of Five Hundred Thousand Dollars, dated January 1, 1877, and payable to The Union Railroad Transfer and Stock Yard Company, or order, twenty years after date, with interest at the rate of six per cent. per annum, payable semi-annually, as evidenced by coupons attached thereto, have been deposited with said Daniel M. Ransdell, together with Enos B. Reed and John Caven, as Trustees in trust, to be by them held until the work proposed to be done by the said The Union Railroad Transfer and Stock Yard Company shall have been fully and faithfully completed according to the stipulations and conditions of the said ordinance, and until all of the conditions and terms of said ordinance to be kept and performed by said The Union Railroad Transfer and Stock Yard Company have been fully and finally complied with, and the said conditions, terms and stipulations have been so complied with, and said work so completed in manner and form as required by said ordinance, and said The Union Rail-

road Transfer and Stock Yard Company shall have properly executed and delivered to said Trustees her bonds, secured by first mortgage, in manner and form as by said ordinance required; then said City bonds to be delivered to said Company, under the conditions and terms, and in the manner and form as required by said ordinance.

Now, if the said Daniel M. Ransdell shall well and truly keep, execute and perform all of his duties as Trustee as aforesaid, and in the execution of his said trust, and in all things comply with and carry out the terms and provisions of the said ordinance, and require a full and faithful compliance with the same upon the part of the said The Union Railroad Transfer and Stock Yard Company before any of the said City bonds shall be delivered to her, and faithfully account to said City for all bonds of said City and of said Company that shall come to him as such Trustee, or as one of such Trustees; then this obligation shall be null and void, otherwise to be and remain in full force and effect.

DANIEL M. RANSELL,	[SEAL.]
WILLIAM R. MCKEEN,	[SEAL.]
M. A. DOWNING,	[SEAL.]
E. F. CLAYPOOL,	[SEAL.]
HORACE SCOTT,	[SEAL.]
NICHOLAS McCARTY,	[SEAL.]
JOHN C. S. HARRISON.	[SEAL.]

Which bonds were approved.

SPECIAL ORDER.

Mr. Izor, from the Committee on Gas Light, submitted the following report:

*Indianapolis*, April 16, 1877.

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

*Gentlemen*:—Your Committee on Gas, to whom was referred the petition of the Citizens Gas Light and Coke Company, asking that the provisions of their charter be amended so as to allow them to give the bond of their company, secured by mortgage upon all their works, mains, etc., for one hundred thousand dollars, instead of a bond for said sum secured by freehold security, would report that we have given the matter some attention and examination, and that it will be impossible for the company to give the bond as required by the present charter for the reason that the obligations of the bond

are such that responsible business men would not sign it for the reason that there is no way in which they could control it, and because the bond runs for an indefinite time. The company have proposed to your committee that they will, in addition to the one hundred thousand dollar bond secured by a mortgage, as aforesaid, give the city a freehold bond of ten thousand dollars to secure and indemnify the city against any loss, damage, or expense that may be caused by their excavating in the streets in laying mains, and, also, in repairing of streets caused by any such excavation. We would also report that the officers of said company have reported to us that they have a capital of two hundred thousand dollars subscribed, of which sixty-five thousand dollars has been paid in, and the balance is being paid in instalments, as required, upon demand; that their works for the manufacture of gas are nearly completed, the machinery is all manufactured and ready to place in the building; that they propose, if the city grants the prayer of the petition, to at once begin the laying of ten miles of mains that shall be all laid and ready to manufacture gas by the 15th of July next; that all the pipes are ready for shipment to this city as soon as this question is settled; that the contract for this work has been made, and the company have the means at their command to pay for the same as fast as it is finished; that when said ten miles of mains are laid and the works completed, they will have invested over two hundred and forty thousand dollars, and that in doing said work they will employ about three hundred men in this city; that they are now contemplating laying an additional ten miles of mains this season if they can get the relief asked for, which would necessitate the employment of a large force of men during the entire summer. When the first ten miles of mains are laid there will be an incumbrance of one hundred thousand dollars upon their property, which will be a first mortgage, and the mortgage of the city would be the second mortgage upon the property. And, as the bond is to secure the city and prevent a consolidation of the company with the old company, and to insure the furnishing of gas at the rate of two dollars per one thousand feet, any consolidation or violation of the conditions of the bond would not affect the lien of the city, and any sale or consolidation would have to be made subject to such mortgage.

A petition has been presented to your committee, signed by some four thousand persons, asking that the prayer of the petition be granted, and we herewith present the same to the Council with this report, and we also herewith present the statement of the Secretary of the company as to its financial condition.

Your committee have reported the above facts, believing that after the Council are acquainted with the standing of the company, and the facts in the matter, they are competent to judge whether or not the prayer of the

petition should be granted, and they therefore submit the foregoing without any recommendation as to what the action of the Council should be.

Respectfully submitted,

ALBERT IZOR,  
A. L. WRIGHT,  
MARTIN MCGINTY,  
Committee on Gas.

R. O. HAWKINS,  
City Attorney.

Also, the following petition :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—The undersigned, citizens of Indianapolis, being desirous that The Citizens' Gas Light and Coke Company should be allowed to build and complete its Works, respectfully petition your honorable body to so amend the Charter of said Citizens' Gas Light and Coke Company, that the bond of the Company be received in lieu of the present prohibitory requirement with mortgage covering the land and improvements of said Company, and the mains to be put down in the streets.

DAVID MACY,  
W. H. MORRISON,  
F. A. W. DAVIS,  
JOHN L. KETCHAM,  
JOHN C. NEW,  
W. H. ENGLISH,  
And hundreds of others.

Also, the following statement :

*Indianapolis, April 16, 1877.*

Albert Izor, Chairman, and Gentlemen of the Gas Committee, City Council :

In answer to your request for a statement showing something of the financial condition of the Citizens Gas Light and Coke Company, and of the prospects of the Company in the prosecution of its Works to completion and operation, we respectfully say :

First. The Company has subscriptions to its capital stock of over Two Hundred Thousand Dollars. About Sixty-five Thousand Dollars of this amount has been paid, and the balance due on stock subscriptions is being paid in on demand, as the expenses incurred by the Company require its use.

Second. A contract has been entered into between the Company and responsible parties, for the erection and completion of the Company's Works, of a capacity sufficient to supply three hundred thousand cubic feet of gas per diem, and including ten miles of mains, and all machinery and appliances of the best quality and construction, and service pipes, metres and connections complete and ready to supply gas to consumers.

Under this contract the gasometer and buildings of the Company have been completed and paid for; the machinery is ready for shipment and setting up, and the contractors now wish to begin laying mains in the streets.

Under this contract the Company has the means to make payments for the work as it progresses, and including the proceeds of a bonded indebtedness of one hundred thousand dollars to make full payment for the whole work when completed, and the balance to become due on real estate.

CITIZRNS' GAS LIGHT & COKE CO.,

By W. S. BARKLEY, Sec'y.

Upon motion the report from the committee was received.

Mr. Reed introduced general ordinance No. 15, 1877, entitled :

An ordinance to amend the first section of an ordinance entitled, " An ordinance investing Robert Dickson and his associates and their assigns with the privilege of furnishing gas to the City of Indianapolis and the inhabitants thereof, upon certain conditions therein named.

Which was read the first time.

Mr. Diffley moved to suspend the rules for the purpose of reading the above entitled ordinance the second and third time, and placing the same on its passage.

Mr. Thomas moved to lay Mr. Diffley's motion on the table.

Which motion to lay on the table failed to pass by the following vote :

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, McGill, Steinhauer, Stratford, Thomas, Webster, and Wright, William G.—10.

Negative—Councilmen Adams, Darnell, Diffley, Izor, Kenzel, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, and Wright, Arthur L.—14.

The question being on Mr. Diffley's motion to suspend the rules,

Those who voted in the affirmative were :

Councilmen Adams, Darnell, Diffley, Izor, Kenzel, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, and Wright, A. L.—14.

Those who voted in the negative were :

Councilmen Buehrig, Bugbee, Case, Craft, McGill, Steinhauer, Stratford, Thomas, and Wright, William G.—10.

So the motion failed to pass, it requiring 18 votes.

Mr. Darnell moved that when the Council adjourn it adjourn to meet Tuesday evening, 17th inst., for the purpose of placing the above ordinance on its passage.

Mr. Thomas moved to amend by postponing the ordinance three weeks.

Which amendment was not adopted.

Mr. Thomas moved to postpone the ordinance for one week from Wednesday night.

Which motion was laid on the table.

Dr. Stratford moved as a substitute that when the Council adjourn it adjourn to meet Friday evening next, for the consideration of the above ordinance.

Which substitute, on motion by Mr. Schmidt, was laid upon the table by the following vote :

Affirmative—Councilmen Adams, Darnell, Diffley, Izor, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, Thalman, and Wright, Arthur L.—13.

Negative—Councilmen Buehrig, Bugbee, Case, Craft, Kenzel, McGill, Steinhauer, Stratford, Thomas, Webster, and Wright, William G.—11.

Mr. Steinhauer moved to amend Mr. Darnell's motion by substituting the word "Wednesday" in lieu of "Tuesday."

Which amendment was adopted.

Mr. Darnell's motion, as amended, was then adopted.

Mr. Thalman offered the following motion :

*Moved,* That the ordinance be referred to the City Attorney, with instructions to carefully examine, and report to this Council if any changes are made from the original ordinance, except the relief from the \$100,000 bond—if so, what they are.

Mr. Thomas offered the following amendment to Mr. Thalman's motion :

*Moved,* To amend by further instructing the City Attorney to examine and report as to whether the Citizens' Gas Light and Coke Company have complied with their charter up to this date, and the names of the Directors and stock-holders of the company.

On motion, the previous question was ordered.

Mr. Thomas' amendment was adopted.

Mr. Thalman's motion, as amended, was then adopted.

Mr. Reed moved to add to the City Attorney the Committee on Gas Light.

Mr. Craft moved to substitute the Committee on Judiciary for the Committee on Gas Light.

Mr. Darnell moved to lay the substitute on the table.

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

Affirmative—Councilmen Adams, Byram, Darnell, Diffley, Izor, Morse, McGinty, Pouder, Ransdell, Reasener, Reed, Schmidt, and Thalman—13.

Negative—Councilmen Buehrig, Bugbee, Case, Craft, Kenzel, McGill, Steinhauer, Stratford, Thomas, Webster, and Wright, William G.—11.

Mr. Reed's motion was then adopted.

Mr. Darnell moved that the roll be called, and each member be allowed to introduce one paper regardless of character.

Which motion was adopted.

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

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—Your Committee on Judiciary, to whom was referred the petition of George Tousey, President of Indiana National Bank, asking the Council to refund to said bank the sum of five hundred and twenty-five dollars, being the city tax on 22 9-12 feet of W. S. of lot 11, square 57, for the year 1875, which tax was (as claimed in the petition,) erroneously assessed. The above property was bought by said bank out of, and at this time constitutes a part of their capital stock, viz : five hundred thousand dollars, (\$500,000.) The petition further sets forth that the bank is taxed on its stock, and on its real estate \$35,000, whereas the real estate constitute a part of the stock of the corporation, and the said bank is really paying tax on \$535,000, being \$35,000 more taxable property than they really possess.

Upon inquiry into the above statement we find the facts to be substantially as set forth in the petition of the bank; and, as it has always been the policy of the city to correct assessments when the same have been proven to

be erroneous, or property assessed the same year twice for current taxes, and in this instance it appears the city received tax on thirty-five thousand dollars (\$35,000) twice. Your committee would, therefore, recommend the sum of five hundred and twenty-five dollars (\$525) be refunded to the Indiana National Bank, and the amount be inserted in the next regular appropriation ordinance.

Respectfully submitted,

J. C. ADAMS,  
D. M. RANDELL,  
J. J. DIFFLEY,

Committee on Judiciary.

R. O. HAWKINS,

City Attorney.

Mr. Adams submitted the following appendix to the above report:

*Provided*, That the said Indiana National Bank make affidavit that the said real estate was purchased out of their capital stock.

Which was adopted.

The report was concurred in.

Mr. Bugbee presented the following petition :

*Indianapolis*, April 16, 1877.

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

*Gentlemen* :—Your petitioner, Edward R. Bladen, respectfully petitions you to release all back tax, and delinquencies and penalties thereto attached in consequence of such delinquencies, on the west half of the east half of lot No. 18, Butler's north addition to College Corner, Indianapolis, for the reason that such delinquencies did not arise from any fault or negligence on the part of your petitioner. In order to bring this matter clearly before you, your petitioner does respectfully invite your attention to the fact that no such conveyance was ever made or appears of record in the Recorder's Office of Marion county, Indiana, as the west half of the east half of said lot No. 18, nor was their ever such division made in said lot. The records show that it was always conveyed as a whole (lot No. 18, etc.) until 1872, when it was divided into the east half and the west half of lot No. 18, etc., and always since

1872, in which this delinquency is, the east half has been conveyed and re-conveyed as a whole of east half of said lot 18, as the records will show.

George G. McChesney to Geo. M. Sweetzer; October 5, 1872; book 60, page 500; east half of lot No. 18, Butler's north addition to College Corner, Indianapolis.

Geo. M. Sweetzer to C. V. McChesney; October 5, 1872; book 60, page 499; same east half of lot 18.

C. V. McChesney to Sarah G. McChesney; December 12, 1872; book 64, page 284; same east half of lot 18.

Sarah G. McChesney to Edward R. Bladen; August 9, 1873; book 72, page 484; same east half of lot 18.

Edward R. Bladen to Riley Sanders and Perry Sanders; September 19, 1873; book 84, page 626; same east half of lot 18.

Riley Sanders and Perry Sanders and wife to Laura B. Warner; July 23, 1874; book 84, page 627; same east half of lot 18.

Laura B. Warner to Oliver S. Keely and Daniel Keely; January 22, 1876; book 95; same east half of lot 18.

Thus you will observe that all conveyances made show no subdivision as the east half of the east half or west half of east half of said lot. E. R. Bladen's (your petitioner) interest was such that he called to pay tax on the east half of said lot 18, in the years 1875, 1876, 1877. The first time he called at the Treasurer's Office to pay the taxes, 1875, the Treasurer could only find the east half of the east half assessed, and that in the name of L. B. Warner, to whom said entire east half of said lot 18 was conveyed July 23, 1874; nor did the Treasurer's books show any part of the east half taxed in the name of Sanders, to whom the entire east half of said lot was conveyed September 19, 1873; nor could he find any part of said lot taxed in the name of Edward R. Bladen, to whom the same was conveyed August 9, 1873. Your petitioner then believing that the receipt given by the City Treasurer showed an error in the description, and not in amount due on the whole of the east half, paid the same, believing all the tax on the said east half was paid. In 1876, your petitioner, in due time, came up to pay off all assessments against his lot for the previous year, when again he could find nothing more assessed against said lot than what was shown as the east half of the east half. Still believing the error was in the description only, and was not in the amount due on all of the east half, likewise paid the same. In 1877 your petitioner again came up to pay off all taxes against the said east half of said lot 18, when he found the same assessed in the name of Daniel Keeley, as the east half of the east half. Knowing that the Kee-

leys had bought the whole of the east half of said lot 18, still believed that the Treasurer's books showed an error in description, and not an error in the amount due on the whole of east half of said lot 18, and so paid the amount due thereon, and took his receipt for the same. After the last payment your petitioner was informed that the west half of the east half of said lot was delinquent for taxes due on said west half of east half of said lot 18, for two or three years past, in the name of Mary G. McChesney.

You will observe that Mary G. McChesney never owned any part of said lot except as a whole of the east half of said lot, and that when she conveyed the same she conveyed the same as a whole, August 9, 1873. Wherefore, your petitioner, ignorant of the fact that any part of the east half of said lot 18, was taxed or assessed in the name of Mary G. McChesney, and believing that he exercised all due diligence in the premises, respectfully prays that you release said delinquencies and penalties, deeming the same to be just and equitable, and your petitioner would show that he is a non-resident, and that whatever your honors do in the premises he believes will be right, and will thankfully accept.

EDWARD R. BLADEN.

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

By consent, Mr. Adams offered the following communication :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—The undersigned, owners of the building in which are now located the city offices, etc., known as the "City Hall," respectfully suggest that the city take possession of the two rooms upon the ground floor of said building, at a yearly rental of \_\_\_\_\_ dollars per year for each room, payable quarterly.

This suggestion is made so that the city can have all the offices within the same building, and enable the officers to transact their business one with another and with the public without inconvenience.

Respectfully,

COTTRELL & KNIGHT.

Which was referred to the Court House Committee.

Mr. Kenzel presented the following petition :

*Indianapolis, April 9, 1877.*

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

*Gentlemen* :—The undersigned, property holders fronting on Kingan street or otherwise interested, respectfully petition your honorable body to cause said Kingan street to be vacated, running from West street to White river. Said street lies on the north side of Coffin's Pork House, and is always obstructed to passengers.

And your petitioners will ever pray,

Thomas H. Tobin, John W. Jones, Mrs. Sarah Kenney, Chris. Waterman, Elizabeth Schloser, and nine others.

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

Mr. McGinty presented the following petition :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—Your petitioners, residing in the vicinity of South West street respectfully state that on and near West street, south of Kentucky avenue, and in the streets and vacant spaces in that vicinity, the public peace is continually disturbed by the actions of unruly boys, aged from about five to fifteen years, who play ball, shinny, hide-and-seek, and other games, accompanied with loud noises and swearing, to the great inconvenience and disturbance of the residents and property holders of the neighborhood.

We therefore petition your honorable body to make some ordinance or other provision whereby in some manner to have this nuisance abated, and insure the quiet and comfort of orderly citizens.

John Rupp, Jacob Schmitt, Fred. Gaul, Jno. W. Jones, Thos. Stotles, William Dwyer, John Eberhart, John Buchler, P. C. Webyill, William Allen, William Asten, and 30 others.

Which was referred to the Police Board.

Mr. Pouder offered the following motion :

*Moved,* That the Street Commissioner be instructed to notify the Market Master at the West Market to at once clean up and remove the rubbish at said Market place, and if the same is not done by next Saturday then that the Street Commissioner be instructed to do and collect the cost of the same from such Market Master.

Which was adopted.

Mr. Ransdell presented the following petition :

*Indianapolis, April 16, 1877.*

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

*Gentlemen :—*The undersigned, owners of the real estate fronting on the same, and others who are citizens of the city of Indianapolis, respectfully petition for the passage of an ordinance providing for the opening of an alley through lots numbered ten, eleven and twelve in square number sixty-six, in the city of Indianapolis, the east line of said alley to be one hundred and twenty feet west of the west line of Meridian street, and the west line thereof to be one hundred and thirty feet from the west line of said Meridian street. Said alley to be ten feet wide, and extend from Pearl street south to Maryland street, in said city.

And your petitioners will ever pray, etc.,

Merrick E. Vinton, T. C. Vinton by M. E. Vinton,  
J. H. Ruddell, Mary H. Ruddell per J. H. Ruddell, L. W. Hasselman.

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

Mr. Reed offered the following resolution :

WHEREAS, The streets of the city are mostly without designation, so that neither strangers nor citizens are able to distinguish or call many of them by name, thereby causing great trouble and inquiry, and the waste, in many instances, of precious time;

*Resolved,* That the city contract with Mr. J. B. Vieria for — of his patent street signs, of the character and pattern now on exhibition in the Council

Chamber, at the rate of \$1 per sign, to be put in place at such locations as may be designated by the Committee on Streets and Alleys in connection with the City Civil Engineer.

Which was referred to the Committee on Streets and Alleys.

Mr. Steinhauer offered the following motion :

*Moved*, That the Street Commissioner be, and he is, hereby instructed to lay down a flag-stone crossing across Washington street, running north from a point between lots 2 and 3 in square 63; provided the property holders furnish the stone for said crossing.

Which was referred to the Committee on Streets and Alleys.

Dr. Stratford, from Special Committee, made the following report :

*Indianapolis, April 16, 1877.*

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

*Gentlemen* :—Your committee, to whom was referred the motion of Dr. Stratford to ascertain on what terms suitable ground can be had for a market place south of the Union Railroad Tracks, do make the following report :

We have examined several tracts of ground, and considering the location, being easy of access, being easily graded, and also relieving the public streets from obstructions, we are of the opinion that the old Ketcham Homestead, located on the south side of Merrill street, between New Jersey and Alabama streets, 400x287 feet, is the best proposition, and recommend that the Council authorize the committee and City Attorney to close the contract with them, and the Committee on Accounts and Claims to place the amount in the next appropriation ordinance; provided, the parties selling the same accept in payment therefor the ordinary warrants of the city.

Respectfully submitted,

I. W. STRATFORD,  
MICHAEL STEINHAUER,  
J. L. CASE,

Special Committee.

Dr. Stratford also submitted the following proposition :

Indianapolis, April 16, 1877.

Messrs. Stratford, Steinhauser, and Case :

Gentlemen :—I propose to sell to the City of Indianapolis the real estate owned by me, fronting on Merrill street, two hundred and eighty-seven and a half (287½) feet, running back four hundred and five (405) feet, for thirty-eight thousand dollars (\$38,000).

Respectfully submitted,

JANE M. KETCHAM.

On motion by Mr. McGill, the above subject was made the special order for Wednesday evening, 18th inst.

On motion, the Council adjourned.

J. L. Owen Mayor.

Attest :

B. McGill City Clerk.