

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL, }
Monday, May 21st, 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 Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—23.

Absent—Councilmen Reading—1.

The proceedings of the regular session, held May 14, 1877, were read and approved.

His Honor, the Mayor, then announced his appointment of the following Standing Committees for the ensuing year :

Contracts—J. W. Bugbee, M. L. Brown, Thos. C. Reading.

Judiciary—N. S. Byram, J. W. Bugbee, R. B. Bagby.

Streets and Alleys—John Thomas, J. T. Layman, Geo. P. Wood.

Accounts and Claims—J. T. Layman, John Thomas, Jas. E. Watts.

Finance—Arthur L. Wright, N. S. Byram, John Thomas, J. B. Dill, Martin McGinty.

Sewers—M. L. Brown, John L. Case, J. E. Watts.

Water Works—John L. Marsee, Geo. P. Wood, Thos. J. Morse.

Bridges—Thomas J. Morse, Wm. M. Cochran, Martin McGinty.

Gas Light—Albert Izor, Wm. H. Tucker, Thomas C. Reading.

Railroads—John L. Case, Michael Steinhauer, A. L. Wright.

Revision of Ordinances—J. B. Dill, N. S. Byram, I. C. Walker.

Schools—Robert B. Bagby, A. L. Wright, Wm. H. Tucker, Thos. C. Reading, Wm. G. Wright.

Markets—Milton Pouder, Wm. M. Cochran, Albert Izor.

Parks—Wm. H. Tucker, E. B. Reed, Michael Steinhauer.

Public Buildings—Wm. M. Cochran, N. S. Byram, J. B. Dill.

Benevolence and Hospitals—Isaac C. Walker, Joseph W. Bugbee, R. B. Bagby.

Tunnels—George P. Wood, Albert Izor, John L. Marsee.

Road Roller—Martin McGinty, John L. Marsee, Milton Pouder.

Opening Streets and Alleys—Michael Steinhauer, Wm. G. Wright, A. L. Stoner.

Supplies—A. L. Stoner, Thos. J. Morse, I. C. Walker.

Sellers Farm—Wm. G. Wright, Milton Pouder, M. L. Brown.

Printing and Stationery—E. B. Reed, Jas. E. Watts, Thomas E. Reading.

His Honor, the Mayor, also presented the following communication ; which was received :

MAYOR'S COURT,
INDIANAPOLIS, May 21, 1877. }

To the Common Council of the City of Indianapolis :

Gentlemen :—The amount of fines collected by me, during the month of April, 1877, due the City Treasury, is \$25; which amount I have paid to the City Treasurer, and file, herewith, his duplicate receipt therefor.

Respectfully submitted,

JOHN CAVEN,
Mayor.

REPORTS FROM CITY OFFICERS.

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

OFFICE OF CITY CIVIL ENGINEER, }
Indianapolis, May 21, 1877. }

To the Common Council and Board of Aldermen :

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

A second and partial estimate allowed James Mahoney for improving Wabash street, between Alabama and Delaware streets—

1776.6 square yards bowldering, at 60 cents	\$1,065 96
435 lineal feet curbing, at 40 cents	174 00
232.49 cubic yards gravel, at 76 cents	176 69
Total	\$1,416 65
Less former payment	452 77
Present payment	\$963 89

Also, a first and final estimate allowed John Flaherty, for grading and graveling the first alley north of Second street, from Pennsylvania street to the first alley west—

386.8 lineal feet, at 12½ cents	\$48 35
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Respectfully submitted,

BERNHARD H. DIETZ,
City Civil Engineer.

Also, the following estimate resolution :

Resolved, by the Common Council and Board of Aldermen, That the foregoing second and partial estimate allowed James Mahoney, for improving Wabash street, between Alabama and Delaware streets, be, and the same is hereby

adopted as the estimate of the Common Council and Board of Aldermen, 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 Bagby, Brown, Bugbee, Byram, Case, Cochran, Izor, Layman, Marsee, Morse, McGinty, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—20.

Negative—None.

Also, the following estimate resolution :

Resolved by the Common Council and Board of Aldermen, That the foregoing first and final estimate allowed John Flaherty, for grading and graveling the first alley north of Second street, from Pennsylvania street to the first alley west, be and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen, 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 Bagby, Brown, Bugbee, Byram, Case, Cochran, Izor, Layman, Marsee, Morse, McGinty, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—20.

Negative—None.

The City Attorney submitted the following opinion ; which was concurred in :

OFFICE OF THE CITY ATTORNEY, }
INDIANAPOLIS, May 21, 1877. }

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

Gentlemen :—I would report that in the year 1875, the city, in the opening of Peru street, condemned and appropriated fifteen feet off of the entire east side of lot number 5, in Samuel Hanway's subdivision of lots 9 and 10 in Ovid Butler's subdivision of part of the southeast quarter of section 36, town-

ship 16, north of range 3, as recorded in Plat Book No. 3, page 194. That at the time of such condemnation and appropriation, said lot was owned by one Rufus Nutting, Jr.; that the City Commissioners assessed his damages at the sum of \$600; which sum was paid to said Nutting. That Samuel Hanway holds, and is now foreclosing, a mortgage upon said lot, which mortgage was executed and a valid lien upon the same at the time of the condemnation of the above described portion by the city. The city is liable to Mr. Hanway for whatever damages he has sustained by such condemnation; that is, the difference between the value of the lot as it now is and the amount of his claim against the original lot. Mr. Nutting is insolvent, and is not a resident of this State at this time.

There are two ways by which the city might settle the matter: by paying Mr. Hanway the amount of said difference in value, or by bidding the remainder of said lot in for the amount of the claim against it.

The lot is a vacant and unimproved one, and property which it would be very hard for the city to dispose of. The amount of the claim is \$828.75, and the remaining part of said lot is worth, as I am informed by the Councilman from the First Ward, about \$350 cash; so that the amount of Hanway's damages would be \$478.75.

I would, therefore, recommend that I be instructed to settle the matter upon that basis, and that said sum be paid to Mr. Hanway; and also that it be included in the next appropriation ordinance.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Also, the following report; which was received:

OFFICE OF THE CITY ATTORNEY. }
Indianapolis, May 21, 1877 }

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

Gentlemen:—I would report that the suit of Bernhard Hammill against the City, for work done upon South Meridian street, has been dismissed by the plaintiff, at his cost.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

The City Treasurer submitted his annual report; which was received, and ordered to be printed in the minutes:

Report of the Treasurer of the City of Indianapolis, showing Receipts and Disbursements for the year ending May 15th, 1877.

RECEIPTS.

Balance on hand May 12, 1876,.....	\$40,431 57
From current tax collected,.....	634,228 89
From delinquent tax collected,.....	159,677 56
From tax sales,.....	76,641 67
From express licences,.....	946 00
From hack licenses,.....	784 00
From dray licenses,.....	216 00
From peddler licenses,.....	495 00
From dog licenses,.....	1,673 25
From show licenses,.....	330 00
From Market rents,.....	3,795 90
From fines and fees,.....	2,140 32
From auction licenses,.....	130 00
From tapping sewers,.....	360 00
From loans,.....	90,855 10
From benefits,.....	10,152 42
From printing on precepts,.....	595 00
From sinking fund,.....	29,000 00
From promiscuous sources,.....	3,235 54
Total,.....	<u>\$1,055,688 22</u>

DISBURSEMENTS.

Assistant City Assessors,.....	\$3,498 17
Board of Health,.....	685 37
Bonds (temporary loans),.....	95,000 00
Bridges,.....	4,810 37
City Commissioners,.....	626 62
Civil Engineer's Department.....	6,189 77
Costs,.....	1,891 89
Cisterns,.....	2,557 34
Damages,.....	8,720 83
Elections,.....	405 79
Fire Department,.....	84,733 37
Fountains,.....	1,502 06

Fuel,.....	\$188 24
Gas,.....	37,661 50
Gas fixtures,.....	506 15
Gravel road,.....	1,875 37
Home for Friendless Women,.....	1,357 65
Hospitals,.....	14,602 54
Ice,.....	114 05
Interest on orders (Vonnegut),.....	744 40
Interest on bonds,.....	103,084 50
Insurance,.....	180 00
Incidentals,.....	1,698 71
Lamp lighting,.....	1,551 30
Levee,.....	8,928 70
Markets,.....	258 69
Nuisances,.....	537 47
New engine-house,.....	1,238 77
Office fixtures,.....	392 53
Police,.....	47,373 19
Posting bills,.....	312 25
Percentage,.....	17,339 08
Parks,.....	1,548 33
Printing,.....	7,182 80
Public buildings,.....	5,008 20
Refunding sewer assessments,.....	2,641 20
Rents,.....	1,812 78
Real estate,.....	540 04
Street repairs,.....	48,702 69
Salary,.....	15,204 06
Street improvements,.....	6,710 68
School Board,.....	166,303 00
Sinking Fund,.....	27,355 85
Sewers,.....	9,217 30
State Ditch,.....	867 75
Steam fire-engine,.....	3,000 00
Station House,.....	7,534 48
Tomlinson estate,.....	547 86
Tomlinson annuity,.....	7,000 00
Tunnels,.....	170 18
Transfers,.....	540 44

COMMON COUNCIL.

[Regular Session

Taxes refunded,.....	\$1,226 48
Water rent,.....	13,559 18
Balance on hand May 15, 1877,.....	278,248 30
Total,.....	\$1,055,688 22

The balance on hand consists of the following:

Sinking Fund,.....	\$59,001 57
Interest fund,.....	112,107 45
General purposes,.....	107,139 28
	<u>\$278,248.30</u>

HENRY W. TUTEWILER, City Treasurer.

To BENJ. C. WRIGHT, City Clerk.

Indianapolis, May 21, 1877.

The City Clerk submitted his annual report; which was received, and ordered to be printed in the minutes:

Amount of Orders drawn on the City Treasurer during the fiscal year ending May 15th, 1877.

NATURE OF CLAIM.	AMOUNT.
School fund,.....	\$166,503 00
Sinking fund, used in purchasing \$29,000 of Temporary Loan Warrants,	27,355 85
City orders re-issued (one order issued to C. Vonnegut, in lieu of a number of orders surrendered by him, and cancelled as per order of Council, August 21, 1876)	14,190 93
Interest on above orders,.....	744 40
Home for Friendless Women (fines collected by the Mayor),.....	1,357 65
Board of Health,.....	818 00
Bridges, ..	3,252 29
City Assessor's assistants,.....	4,035 50
City Civil Engineer's Department,.....	7,052 51
City Commissioners,.....	628 00
City Dispensary,.....	2,900 00
City Hospital and Branch,.....	17,294 97
City Treasurer's percentage, balance for fiscal year ending in May, 1876,	11,100 24
City Treasurer's percentage, partial payment for fiscal year ending in May, 1877,	10,545 00
Cisterns,	2,783 02
Costs,.....	2,335 63

Damages,.....	\$15,128 55
Elections,	408 75
Engine-house,	1,250 00
Fire Department, salary of officers and members, repairs, supplies, and hose,.....	97,982 24
Fountains,.....	2,067 79
Fuel (City Building),.....	287 81
Gas,	79,567 26
Gas fixtures and repairs,.....	972 82
Gravel roads,	4,375 00
Ice,	214 19
Incidentals,.....	1,583 61
Insurance,	280 00
Interest on bonds,.....	108,014 50
Interest on college fund mortgage,.....	70 00
Levee,.....	10,154 75
Lighting and extinguishing public street-lamps,.....	1,836 78
Markets,	296 87
Nuisances,	700 00
Office fixtures,.....	365 52
Police, salary of officers and members,.....	55,334 87
Police, extra,.....	1,300 92
Posting bills,.....	275 00
Printing, stationery, and advertising,.....	8,080 66
Public buildings,.....	12,092 51
Public parks,.....	1,717 29
Real estate,.....	540 00
Refunding sewer assessments,.....	3,695 02
Refunding taxes,.....	1,454 79
Rent,.....	2,000 00
Salary,	16,450 48
Sewers,.....	18,910 02
State Ditch,.....	856 35
Station House,.....	8,632 17
Steam fire-engine,.....	3,000 00
Street improvement,.....	7,782 05
Street repairs,.....	50,890 86
Temporary Loan Warrants,.....	95,000 00
Tomlinson annuity,.....	7,000 00

Tomlinson estate repairs,.....	\$544 43
Transfers,.....	548 30
Tunnels,	382 35
Water rents,.....	28,865 47
Total,.....	\$918,750 97

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.

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

Indianapolis, May 21, 1877.

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

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

John Greene vs. Agedius Naltner, for.....	\$34 87
John Greene vs. Agedius Naltner, for... ..	34 87
John Greene vs. Agedius Naltner, for.....	34 87
John Greene vs. Agedius Naltner, for.....	34 87
John Greene vs. Agedius Naltner, for....	34 87
John Greene vs. Agedius Naltner, for.. .	34 87
John Greene vs. Agedius Naltner, for	41 62
Bruner & Riner vs. Frederick Ruschaupt, for.	70 00

And respectfully recommend that you order the precepts to issue.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk,

The precepts were ordered to issue, by the following vote :

Affirmative—Councilmen Brown, Bugbee, Byram, Case, Cochran, Izor, Layman, Marsee, Morse, McGinty, Reed, Stoner, Thomas, Tucker, Walker, Wood, Wright, A. L., and Wright, W. G.—18.

Negative—None.

The Street Commissioner submitted his annual report; which was received:

Indianapolis, May 21, 1877.

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

Gentlemen:—I respectfully submit for your consideration and approval, a full, complete, and final report, of the street-repair department, for the fiscal year ending May 15, 1877:

I have expended the sum of \$50,890 86 [see Table 1], and have still on hand the sum of \$2,708.90 of the amount appropriated.

TABLE I—EXPENDITURES.

Pay Rolls.....	\$40,658 86
Amount expended for lumber.....	3,094 21
Amount expended for gravel and sand	1,741 79
Amount expended for hardware.....	815 61
Amount expended for bowlders	971 42
Amount expended for sundries.....	3,608 97
Total	\$50,890 86

[Sundries include blacksmithing and tool sharpening; cinders and spoils, of which I have used a large amount in building protection to Washington street and Morris street bridges over White river; the cement and brick used in building catch-basins and repairing of sidewalks; one road roller and scraper, and several other articles.]

I would also state that I have collected and paid into the city treasury, the sum of fifty-two dollars. There is about forty dollars due the city, and uncollected, which I will collect, and make returns as soon as collected.

I have also repaired the streets torn up by the Water Works Company; which amounts to \$154,90, and has been deducted out of their appropriation.

There is also due the city \$100 for repair of the streets between the tracks of the Street Railway Company. I have turned the account over to the City Attorney for collection, and they have promised to pay the same this week.

There was also appropriated and expended the sum of \$600, in completing the East Market street sewer.

There was also appropriated the sum of \$1,000 for the repairing of Virginia avenue bridge and others; of which I have expended the sum of \$978.03 [see Table 2]:

TABLE 2—EXPENDITURES.

Amount appropriated	\$1,000 00
Pay Roll.....	\$205 00
Peter Routier, lumber.....	687 50
T. J. Howard, lumber.....	85 53
Balance on hand.....	21 97
	\$1,000 00

There was appropriated the sum of \$10,289.07, for building Fall Creek levee; of which I have expended the sum of \$10,154.75 [see Table 3], leaving a balance of \$134.32 not consumed.

TABLE 3—EXPENDITURES.

Amount appropriated.	\$10,289 07
Pay Roll.....	\$10,114 75
R. R. Rouse, driven well....	15 00
George W. Buchanan, for use of tools.....	25 00
	\$10,154 75
Total expenditures.....	\$10,154 75
Balance not consumed	134 32
	\$10,289 07

INVENTORY OF TOOLS AND MATERIALS.

74 hoes, 59 mattocks and picks, 18 shovels, 5 wheelbarrows, 3 hammers, 7 axes, 11 stone hammers, 1 tool cart, 11 crowbars, 2 jack-screws, 2 grindstones, 6 hand-saws, 1 boring machine, 2 tool chests and tools, 3 road scrapers, 1 tool cart, 5,850 feet oak lumber, 10 kegs nails, 12 foot-bridges, 1 sewer wagon-bed.

Respectfully submitted,

LEANDER A. FULMER,
Street Commissioner.

Also, the following report; which was received:

Indianapolis, May 21, 1877.

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

Gentlemen:—I have the honor to submit the following report of work done in my department for the six weeks ending May 15th, 1877:

Repaired the following streets with gravel:—

South street, from Illinois to West street;

West street, from Market to Vermont street;

New York street, from West to Bright street;

Cherry street, from Ft. Wayne avenue to Ash street ;
 Alvord street, from Clifford avenue to Malott avenue ;
 College avenue, from Butler to Tinker street ;
 St. Joseph street, from Ft. Wayne avenue to Pennsylvania street ;
 At the intersection of Ash street and Lincoln avenue ;
 At the intersection of Bellefontaine street and Lincoln avenue.

Repaired bowldered streets as follows :—

Maryland street, from Delaware to Pennsylvania street ;
 Massachusetts avenue, from Delaware to Pennsylvania street ;
 South East street, from Merrill to McCarty street ;
 At the intersection of Washington street and Arsenal avenue.

Repaired and reset 109 bridges and culverts ;

Placed 59 new foot-bridges and culverts over different street crossings ;

Cleaned 190 squares of street.

In repairing the bowlders on west side of Circle street, I find 26 yards ; on Maryland street, between Delaware and Pennsylvania streets, 88 yards ; and on Massachusetts avenue, between Pennsylvania and Delaware streets, 132 yards, chargeable to the Water Works Company ; which I have repaired at a cost of 20 cents per yard. Total, 246 yards, at 20 cents per yard. . . . \$49 20

EXPENDITURES.

Pay Roll.....	\$6,888 82
King & Knight, blacksmiths...	22 07
Clemens Vonnegut, hardware..	96 12
Coburn & Jones, lumber....	156 50
G. H. Shover, blacksmithing.....	28 57
Fred Gansberg, gravel....	21 44
Aaron Grube, lumber....	255 89
C. F. Lutz, gravel.....	5 20
Seibert & Carr, gravel.....	130 10
R. C. Losey, gravel... ..	18 75
H. B. Mears, lumber	198 47
Granville S. Wright, notary fees.....	5 00
George T. Breunig, notary fees.....	76 50
Samuel Patterson, gravel.....	168 70
Henry C. Adams, lumber.....	28 83
Martin Parker, blacksmithing.....	3 40

C. H. Jarvis, sand delivered	37 00
John Ott, gravel.....	15 45
P. E. Everett, repairing street fountains.....	26 36
R. S. Foster, cement	25 50
J. J. Scanlin, stone crossings.....	69 44
D. A. Haywood, laying stone crossings.....	54 75
M. M. Hook, gravel.....	29 25
Robert Bailey, sand delivered.....	95 00
Allisonville Gravel Road, toll	8 00
Carry McFarland, bowlders.....	71 75
Martin Parker, blacksmithing.....	3 60
John Lay, gravel delivered.....	144 00
Hartman & Drier, blacksmithing	5 65
C. R. Gilbert, blacksmithing	1 10
D. Root, catch-basin rings and covers	13 92
Hildebrand & King, lumber.....	44 73
John Keenan, gravel delivered.....	174 00
Vajan & New, hardware	19 50
McDonough & Townsend, cement pipe.....	1 65
John Scheir, sand.....	5 00
Total.....	\$8,950 01

Respectfully submitted,

LEANDER A. FULMER,
Street Commissioner.

PAPERS FROM BOARD OF ALDERMEN, AND ACTION UPON.

The City Clerk submitted the following message, as Clerk *pro tem.* of the Board of Aldermen; which was received:

Indianapolis, May 21, 1877.

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

Gentlemen:—I herewith transmit the following papers, as passed upon by the Board of Aldermen, for your action upon same:

General ordinance No. 19, 1877, as amended by the said Board, by striking out section two (2) of that ordinance as passed by your body.

Alderman Wallace was appointed by President Newcomb, as member of the joint special committee to confer with Gas and Water Works Companies, relative to a compromise in contracts between the city and said companies.

Respectfully submitted,

BENJ. C. WRIGHT, City Clerk.
And Clerk *pro tem.* of Board of Aldermen.

General ordinance No. 19, 1877, as amended by the Board of Aldermen, was then taken up.

On motion of Councilman Reed, section two of said general ordinance, as engrossed and passed by the Common Council, May 14, 1877, and which had been stricken out by the Board of Aldermen, was read.

Councilman A. L. Wright moved that the vote by which general ordinance No. 19, 1877, was passed by the Common Council be reconsidered; which motion to re-consider was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Lyman, Marsee, Morse, McGinty, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

Councilman Byram moved that the vote ordering the engrossment of said ordinance, be also re-considered; which motion to re-consider was adopted by the following vote:

Affirmative—Councilmen Bagby, Brown, Bugbee, Byram, Case, Cochran, Dill, Izor, Layman, Marsee, Morse, McGinty, Pouder, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—23.

Negative—None.

On motion of Councilman Byram, general ordinance No. 19, 1877, was then laid over for one week, and made the special order for the regular session, to be held Monday evening, May 28th, 1877.

President Newcomb's appointment of Alderman William Wallace as a member of the joint special committee to confer with the Gas and Water Works Companies, relative to compromising in their contracts with the city, was concurred in.

The Mayor presented the following petition; which was referred to the Committee on Railroads:

Indianapolis, May 18, 1877.

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

Gentlemen:—The undersigned respectfully asks permission to lay down a temporary switch, running south from the southern terminus of a switch owned by the Indianapolis Hominy Mill Company, along the west side of Madison Road, for a distance of about 200 feet; said switch to be used about sixty days, and then removed.

I respectfully request your honorable body to give this matter your immediate attention.

Respectfully,

AEGIDIUS NALTNER.

By consent, Councilman McGinty offered the following resolution:

WHEREAS, A vacancy exists in the office of Councilman for the Sixteenth Ward; therefore, be it

Resolved, by the Common Council and Board of Aldermen, That a special election be held in said ward on the 20th day of June, 1877, for the purpose of electing one Councilman for the Sixteenth Ward, and that the City Clerk be instructed to give the proper notice to the Marshal, and that the Marshal be instructed to give the proper notices for such election.

Which was adopted by the following vote:

Affirmative—Councilmen Bagby, Bugbee, Byram, Cochran, Dill, Izor, Marsee, Morse, McGinty, Pouders, Reed, Steinhauer, Stoner, Thomas, Tucker, Walker, Watts, Wood, Wright, A. L., and Wright, W. G.—20.

Negative—Councilmen Brown, Case, and Layman—3.

ROLL CALL.

Councilman Case offered the following motion ; which was adopted :

Moved (the Board of Aldermen concurring), That the City Clerk and Committee on Printing be, and are hereby, instructed to have prepared two hundred cards, with the names of the several committees printed thereon, for distribution.

Councilman Cochran offered the following motion ; which was adopted :

Moved (the Board of Aldermen concurring), That the Street Commissioner be directed to abate the nuisance at the west end of Irwin street, by leveling and covering up, in some suitable manner, the garbage deposited in said street.

Also, the following motion ; which was adopted :

Moved, That the Police Force be directed to enforce the ordinance against depositing garbage within the city limits.

Councilman Dill presented the following petition ; which, on motion of Councilman Byram, was referred to the Committee on Streets and Alleys :

Indianapolis, May 21, 1877.

To the Honorable Common Council of Indianapolis :

*Gentlemen :—*I hereby ask permission to build two vaults on Tennessee street, just north of Washington : one to be six feet square, the other to be five feet in diameter ; to be used by Simon McCarty of the Metropolitan, both to be built under direction of City Civil Engineer.

Respectfully yours,

JOSH. ZIMMERMAN.

Also, the following motion ; which, on motion of Councilman Morse, was referred to the Committee on Streets and Alleys, and the City Civil Engineer :

Moved, That the Street Commissioner be and is hereby instructed to fill up the chuck-holes on Indiana avenue, from Illinois street to the canal bridge, at Michigan street.

Councilman Izor presented the following petition; which, on motion of Councilman A. L. Wright, was referred to the Committee on Sewers and the City Civil Engineer:

Indianapolis, May 12, 1877.

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

Gentlemen:—The undersigned would represent to your honorable bodies that the creek, known as Crooked Creek, passing west through the grounds of the State used by the Female Reformatory, thence west, formerly ran in a portion of Michigan street, opposite south end of Woodruff Place. In the improvement of said street the city filled the channel of so much as was in the street. On protest of Ridenour, Becker, Rickard, and others, the city officers agreed to relieve private property from the overflow, by constructing a sewer in the street. Instead of this, they placed a wooden box under south sidewalk of Michigan street, which in a few days, caved in, and all the water has since flowed promiscuously over the private lands adjoining. Into this creek the sewerage of the State Reformatory is discharged constantly; and it is so near the source of the offensive supply that, when thus exposed, it makes residence in the neighborhood intolerable, and is of such detriment to the property over which it flows as to make it valueless for any purpose. The ground was all platted into lots, and would have been improved before this, but for the action of the city and the conditions herein referred to.

We, therefore, pray your honorable bodies to order the construction of a sewer in the center of Michigan street, from said State Reformatory, west, to State avenue, and thence south, on State avenue, to the ditch made by Col. Sturm, where it may have a temporary out-let. It would be better, however, to continue the sewer in Michigan street to Pogue's Run, which would *complete* the work that must be finally accomplished. The necessity is so great, and the damages continuous, that delay will only increase the liability of the city. The Mayor was served with written notice, at the time, that if the property owners referred to were not relieved, they would be compelled to seek protection in all ways left to us.

Feeling that justice will be done by responding to this, our appeal, that all proper relief will be afforded, your petitioners will ever pray.

J. M. RIDENOUR.
JOSEPH BECKER.
HENRY RICKARD.
A. G. FETTIBONE.

Councilman Morse presented the following petition :

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

Gentlemen :—Your petitioners would respectfully represent to your honors, that "The Belt Railroad Company" is violating its contract with the City of Indianapolis in the following particulars, to-wit :

First. Said company has violated its contract with said city by letting the contract of the masonry of the bridge across White River to a non-resident, when good, responsible resident citizens made bids, offering to do the work cheaper than said work was let to said non-resident.

Second. Said contract provides that said contractor shall employ only resident citizens to perform the labor on said road, while, in truth and in fact, all of said laborers working upon said bridge, except two, are non-residents of the City of Indianapolis, and are residents of Louisville and other places, while good, skilled laborers of this city are going about the streets, begging for work and for bread, and their families actually suffering.

Wherefore, your petitioners ask that said Belt Railroad Company may be compelled to comply with said contract, by discharging said non-residents, and giving resident citizens employment upon said road.

And for this your petitioners will ever pray.

John Garden, D. S. Golding, M. A. McDonald, C. H. Smith, Mark Walsh, John McFarlane, M. Reddington, Robert Fulton, William Arthur, Robert Jefferson, John J. Pierce, C. F. Darnell, and 243 others.

On motion of Councilman Pouder, the preceding petition was ordered to be referred to a special committee ; and the Chair appointed Councilmen Morse, Thomas, and Case as such special committee.

Councilman Morse also offered the following motion ; which was adopted :

Moved, That the City Civil Engineer be, and is, hereby instructed to examine the drainage at the south end of Douglass street, and report to this Council the best and cheapest plan for preventing the accumulation of water at said point.

Councilman McGinty offered the following motion ; which was adopted :

Moved (the Board of Aldermen concurring), That the Street Commissioner be, and is hereby, directed to clean the gutters on Tennessee street, between Ray and McCarty streets.

Councilman Pouder offered the following motion ; which was adopted :

Moved, That Henry C. Roney have thirty days additional time to complete his contract for building a wooden bridge over Pogue's Run at crossing of Ray street.

Councilman Reed offered the following motion :

Moved, That John B. Smith have permission to make a sink-hole in alley between First and Second streets and Fayette street and Michigan road, for the purpose of carrying off the surplus water from his premises.

On motion of Councilman Byram, the preceding motion was amended by placing the proposed work under the supervision of the City Civil Engineer ; and then, as amended, Councilman Reed's motion was adopted.

Councilman Steinhauer offered the following motion ; which was referred to the Fire Board and the City Attorney :

Moved, That Glazier & Morris be, and are hereby, allowed to use the fire plug in front of their building on South Pennsylvania street, for sprinkling the street.

Councilman Thomas offered the following motion ; which was adopted :

Moved (the Board of Aldermen concurring), That Fred Brocking have permission to grade and gravel the sidewalk along the line of his property on the corner of Illinois and Ray streets, and that the Civil Engineer be directed to set the grade stakes ; said work to be done at his own expense, and to be completed in 60 days.

Councilman Reed was granted leave of absence.

Councilman Watts offered the following motion ; which, on motion of Councilman Izor, was referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be ordered to fill with gravel the chuck-holes on Indiana avenue, from West street to Fall Creek.

Councilman Wood offered the following motion ; which, on motion of Councilman Byram, was referred to the Committee on Streets and Alleys :

Moved, That the Street Commissioner be, and is hereby, directed to fill the chuck-holes on Georgia street, between Missouri and West streets.

Also, the following motion ; which was adopted :

Moved, That the Street Commissioner be directed to notify owners of the the premises known as Braden's Block, on Washington street, between West and California streets, to repair sidewalk in front of said premises. If not done within thirty days, the Street Commissioner be, and is hereby, directed to do such work, in accordance with ordinance on that subject, passed August 14th, 1876.

Councilman W. G. Wright submitted the following proposal from the Indiana Fertilizing Company ; which, on motion of Councilman Pouder, was referred to the Committee on Sellers Farm :

To the Hon. W. G. Wright and others :

Gentlemen :—I have the honor to make the following proposition to your honorable body, on behalf of the Indiana Fertilizer Company :

1st. In view that the major part of the Sellers Farm is lying idle, growing up in weeds and brush, doing no one any good, and going to ruin generally ; and as parties are continually carting away wood, timber, etc., we propose,

2d. That the Indiana Fertilizer Company lease the entire Sellers Farm for five years, at a rental of one thousand dollars per year, payable semi-annually.

3d. Those parties holding leases from the city shall not be disturbed, upon their paying their rents to said Fertilizer Company.

4th. The Indiana Fertilizer Company to act as the city's agents, collecting and paying the rent, to improve the farm, and to yield any part thereof, not occupied by their factory, to any parties, for manufacturing purposes, that may be designated by your honorable body.

5th. The Fertilizer Company to have the right to farm the entire unoccupied part of Sellers Farm, using the fallen timber and young saplings for fencing the same, at their own expense.

Hoping your honorable board may see proper to grant our petition, we remain your obedient servants,

THE INDIANA FERTILIZER COMPANY,
By T. B. WISELOGLE, Supt.

Councilman Marsee offered the following motion; which, at his suggestion, was referred to the Committee on Printing, Stationery, etc.:

Moved, That the Secretary of the Board of Health be authorized to have five hundred copies of the mortality report of last year printed.

CALL OF COMMITTEES.

Councilman Izor, from the Committee on Gas Light, returned the communication of Weitzel & Marple, relative to the De Palos Moderator or Gas Saver [printed *in extenso* in Proceedings of Common Council, April 23, 1877, page 1407], and verbally stated his committee could see no necessity to make a written report under the reference.

PENDING ORDINANCES.

Councilman Wood called up special ordinance No. 123, 1876 [read second time and engrossed April 9, 1877].

Special ordinance No. 123, 1876, entitled

An ordinance to provide for grading and graveling California street and sidewalks, from Washington street to Maryland street,

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

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

Negative—None.

Councilman Thomas called up special ordinance No. 134, 1876 [read second time and engrossed, April 30, 1877].

Special ordinance No. 134, 1876, entitled

An ordinance to provide for grading and graveling Pearl street, between Tennessee and Mississippi streets,

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

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

Negative—None.

On motion of Councilman Morse, the Common Council then adjourned.

JOHN CAVEN, Mayor.

Attest :

BENJ. C. WRIGHT, City Clerk.