

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, September 29, 1873, 7½ o'clock, P. M. }

The Common Council met in regular session.

Present—His Honor the Mayor, James L. Mitchell, in the Chair, and the following members :

Councilmen Adams, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thallman, Twiname, Ward and Woodburn—23.

Absent—Councilmen Anderson, Hardesty and Pendleton—3.

The proceedings of the regular session held September 22, were read and approved.

Sealed proposals for building stone abutments for bridge over the canal on Blackford street, and sundry other improvements, were received, opened and read, and referred to the Committee on Contracts.

Mr. Kahn, from the Committee on Contracts, made the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Your Committee on Contracts, to whom was referred a proposal from D. Coulter & Co. for the erection of lamp posts on certain streets, as follows, to wit :

Chestnut street, from Madison avenue to Morris street,
On Second street, from Illinois to Tennessee streets,
On Delaware street, between Morrison and Tinker streets,
On Broadway street, from Cherry to St. Clair streets,
On Union street, from Morris to Hanway streets,

At \$29.50 per lamp and post complete, except the service pipe. Deeming the bid low enough, we would recommend that they be awarded the contract for the erection of said lamp posts.

Respectfully submitted,

LEON KAHN,
W. H. CRAFT,

Com. on Contracts.

Which was concurred in and the contract awarded.

REPORT FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—I hereby report the following estimates for work done :
A first and final estimate allowed James Mahoney for grading and graveling California street and sidewalks from St. Clair to First streets; 1,740.66 feet, at 88 cents per foot.....\$1531 78
Also, a first and final estimate allowed Augustus Bruner for grading Wabash street, or alley, from New Jersey to Alabama streets; 840 lineal feet, at 43 cents per foot..... 361 20

A second and final estimate allowed I. & A. Bruner for building a public cistern near the intersection of College avenue and Tinker or Seventh street; capacity of cistern 898.3 barrels, at 62 cents per barrel..... 556 95
 Less former payment..... 473 42

Present payment..... \$83 53

A first and final estimate allowed B. F. Gridley for laying a cement pipe on the east side of Delaware street from Wyoming street to the Ray street sewer; 650 lineal feet of pipe, at \$2.40 per foot..... 1560 00

Also, a first and final estimate allowed Bruner & Riner for building a section of brick sewer in the canal at the crossing of Washington street; 126.5 lineal feet of sewer, at \$16 per foot..... 2024 00
 100 cubic yards of stone masonry, at \$5 per yard..... 500 00
 136.2 lineal feet of pipe, at \$1.60 per foot..... 217 92

Total estimate.....\$2741 92

Also, a first and partial estimate allowed C. S. Roney for building a public cistern at the intersection of Western and Christian avenues; capacity of cistern 752.23 barrels, at 69 cents per barrel..... 519 03
 Less 15 per cent..... 77 85

Present payment..... \$441 18

Also, a second and final estimate allowed Bruner & Riner for laying a cement pipe on Bellefontaine street and Christian avenue; 2,214.50 lineal feet of pipe, at \$2.10 per foot..... 4650 45
 132 lineal feet of 15 inch pipe, at \$1.60 per foot..... 211 20
 64½ lineal feet of 12 inch pipe, at \$1.30 per foot..... 83 85
 3 manholes, at \$45 each..... 135 00

Total estimate.....\$5080 50

Less former payment..... 2499 00

Present payment.....\$2581 50

Also, a first and partial estimate allowed the same parties for building a sewer on Railroad street; 2,277 lineal feet of sewer, at \$2.50 per foot..... 5692 50
 Less 15 per cent..... 853 87

Present payment.....\$4838 63

Also, a first and partial estimate allowed Patterson & Dunning for grading and graveling Fourth street and sidewalks from Illinois to the east line of Howard street; 2,136 lineal feet, at \$1.21 per foot..... 2584 56

Also, a third and final estimate allowed Bruner & Riner on account of the Pine street sewer; 861.25 lineal feet of sewer, at \$3.75 per foot..... 3229 69
8 catch basins, at \$1.20 each..... 960 00
3 manholes, at \$45 each..... 135 00

Total.....\$4324 69
Less former payments..... 4151 70

Present payment..... \$172 99

Also, a first and partial estimate allowed Joseph Kruger for building a public cistern near the intersection of Dillon and Huron streets; capacity of cistern 635 barrels, at 70 cents per barrel..... 444 50
Less 15 per cent..... 66 67

Present payment..... \$377 83

Also, a first and final estimate allowed James Mahoney for grading and graveling the first alley north of Forest avenue from Harrison to Cedar streets; 1125.82 lineal feet, at 35 cents per foot..... 394 04

Also, a first and final estimate allowed Richard Carr for grading and graveling Beaty street and sidewalks from McCarty to Buchanan streets; 1,572 lineal feet, at \$1.20 per foot..... 1886 40

Also, a first and final estimate allowed Hiram Seibert for grading and graveling Dunlop street and sidewalks from East street to the Madison road; 2,614 lineal feet, at \$1.68 per foot..... 4391 52

Also, a second and partial estimate allowed Jesse S. Whitsitt for grading and paving, with wooden blocks, College avenue from the south line of Bolton or Ninth street to the south line of Tenth street; 7,912.6 square yards of pavement, at \$1.57 per yard.....12422 78
Less a former payment..... 8593 55

Present payment.....\$3829 23

Also, a first and final estimate allowed Michael Foust for grading and graveling the first alley south of Pognes Run, running east and west from New Jersey to East streets; 840 lineal feet, at 55 cents per foot..... 462 00

Also, a first and final estimate allowed John Schier for grading and paving the west sidewalk on Noble street from Louisiana to South streets; 388.42 feet, at 72 cents per foot..... 279 66

Also, a second and partial estimate allowed Cummins & Petrie for building stone arches over Pogues Run at Michigan street; 397.75 cubic yards stone masonry, at \$6.25 per yard..... 2485 94
 14,454 feet of timber, at \$2 per 100 feet B. M..... 289 08
 743 cubic yards excavation, at 25 cents per yard 185 75
 235 cubic yards embankment, at 25 cents per yard..... 58 75

Total estimate.....\$3019 52

Less a former payment.....\$1073 75

Less 15 per cent 452 92

Present payment.....\$1492 85

Respectfully submitted,

JAMES W. BROWN,
 City Civil Engineer.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The Civil Engineer respectfully reports to the Common Council:

FIRST.

Contract and bond of Bernard Hammill, for grading and graveling Bicking street and sidewalks from Delaware to High streets.

SECOND.

Contract and bond of James W. Hudson, for putting stone flag crossing on Indiana avenue at the crossing of West street; also, on New York street at the crossing of Blackford street.

THIRD.

Contract and bond of James Mahoney, for grading and graveling the alley running north and south from Market to Wabash streets, through the south part of square No. 44.

FOURTH.

Contract and bond of August Richter, for grading and graveling Olive street and sidewalks from Prospect street two squares south of said street.

FIFTH.

Henry B. Cross has failed to come forward and sign his contracts and bonds for grading and paving, with brick, the west sidewalk on Tennessee street from North to First streets; and, also, for grading and paving, with brick, the sidewalks on Alabama street from Fort Wayne avenue to the State Fair grounds; and, also, for paving, with brick, the west sidewalk on East street from St. Clair to Gregg street where not already paved.

SIXTH.

First and final estimate allowed James Mahoney for grading and graveling California street and sidewalks from St. Clair to First streets.

SEVENTH.

First and final estimate allowed Augustus Bruner for grading and graveling Wabash street or alley from New Jersey to Alabama streets.

EIGHTH.

First and partial estimate allowed Patterson & Dunning for grading and graveling Fourth street and sidewalks from Illinois to the east line of Howard street.

NINTH.

First and final estimate allowed James Mahoney for grading and graveling the first alley north of Forest avenue from Harrison to Cedar streets.

TENTH.

First and final estimate allowed Richard Carr for grading and graveling Beatty street and sidewalks from McCarty to Buchanan streets.

ELEVENTH.

First and final estimate allowed Hiram Seibert for grading and graveling Dunlop street and sidewalks from East street to the Madison road.

TWELFTH.

Second and partial estimate allowed Jesse S. Whitsitt for grading and paving, with wooden blocks, College avenue from the south line of Bolton or Ninth street to the south line of Tenth street.

THIRTEENTH.

First and final estimate allowed Michael Foust for grading and graveling the first alley south of Pogues Run, running east and west from New Jersey to East streets.

FOURTEENTH.

First and final estimate allowed John Schier for grading and paving the west sidewalk on Noble street from Louisiana to South streets.

FIFTEENTH.

Second and corrected estimate allowed Patterson & Dunning for grading and graveling second street and sidewalks from Tennessee street to the Central canal.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of John Schier for grading and paving the west sidewalk on Noble street, from

Louisiana to South street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of Michael Foust for grading and graveling the first alley south of Pogue's run, running east and west, from New Jersey to East 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name, Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and partial estimate of Jesse S. Whitsitt for grading and paving with wooden blocks College avenue, from the south line of Bolton or Ninth street to the south line of Tenth 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kalin, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of Hiram Seibert for grading and graveling Dunlop street and sidewalks from East street to the Madison road, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name, Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and graveling the first alley north of Forest avenue, from Harrison to Cedar 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck,

Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name, Ward and Woodburn—20.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing second and corrected estimate of Patterson & Dunning for grading and graveling Second street and sidewalks from Tennessee street to the central canal, 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name Ward and Woodburn—20.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing first and partial estimate of Patterson & Dunning for grading and graveling Fourth street and sidewalks from Illinois street to the east line of Howard 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twi-name Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of August Bruner for grading and graveling Wabash street, or alley, from New Jersey to Alabama 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—20.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and graveling California street and sidewalks from St. Clair to First 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, Batty, Bigham, Brown, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—20.

Negative—None.

The City Attorney submitted the following report :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—I have examined the questions presented by the resolution concerning the payment of the claim of Samuel Lefever, contractor, for grading and graveling Summit street.

The resolution proposes to assume the payment of the cost of grading and graveling the street because the contractor has been enjoined from completing his contract.

I am of opinion that the city is not legally liable to pay the contractor; but after the matter had been—if that should be the result—finally determined against the city and the contractor, it will then be time to consider this question. If the city should assume the payment then, even although she should be successful in the pending litigation, the property holders whose property is immediately benefited will be relieved from the expense.

If the city should be successful, and such I think will certainly be the result, then the contractor can complete his work and recover his money, and could also recover whatever direct damages the injunction, should it be dissolved, may have occasioned.

There are other reasons which incline me to the opinion that it would not be expedient to adopt the resolution, but it would require more time to state them in detail than is proper in an opinion such as the present.

I am of opinion, therefore, that the resolution ought not to pass.

Respectfully,

BYRON K. ELLIOTT,
City Attorney.

Which was concurred in.

The Civil Engineer submitted the following report :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Some persons having contracts for curbing and paving the sidewalks have not done the work strictly according to the contract. It does not seem advisable to have the pavement taken up and relaid, nor do I feel authorized to give a full estimate. I would ask that the Committee on Contracts be authorized to make a settlement with these parties.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in.

The City Clerk submitted the following report:

INDIANAPOLIS, September 29, 1873.

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

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

Patterson & Dunning vs. Green Burrow, for \$56.93½.

James Mahoney vs. John Treter, for \$241.00.

I would respectfully recommend that you order the precepts to issue.

JOHN R. CLINTON,
City Clerk.

Which was concurred in and precepts ordered to issue.

The City Marshal submitted the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—I would respectfully report that I have served the following notices since my last report:

Property owners in relation to the opening and extending of Winston street from its present northern terminus to St. Clair street.

Property owners interested in the extension of Poplar street from its present eastern terminus to Delaware street.

Property owners interested in the matter of widening New Jersey street between Forest Home avenue and Tinker or Seventh street.

Property owners in relation to opening and extending Columbia street from its present eastern terminus in a uniform width through out-lot 8, and part of out-lot 5, west of White river.

Property owners interested in opening an alley fifteen feet wide through a part of out-lot 104.

Property owners interested in the opening of Rathborn street.

Property owners interested in the opening of an alley in out-lot number 72.

The Pittsburg, Columbus & St. Louis Railroad Company, and the Cincinnati, Hamilton & Indianapolis Railroad Company to plank the first alley crossing east of Oriental street, running from Willard street to Michigan avenue, at the crossing of said tracks.

Indianapolis, Cincinnati & LaFayette Railway Company to plank their crossings on Alabama street, on the inside of their tracks, and two feet on the outside.

Cleveland, Columbus, Cincinnati & Indianapolis, and the Pittsburg, Cincinnati & St. Louis, and the Union Railroad Company to plank their tracks on the inside, and two feet on the outside of the tracks on New Jersey street.

Cleveland, Columbus, Cincinnati & Indianapolis Railroad Company, the Pittsburg, Cincinnati & St. Louis Railroad Company, and the Indianapolis, Cincinnati & LaFayette Railroad Company to have the crossings on Virginia avenue planked between the rails and two feet on each side.

I have also notified the builders and contractors, as many as was in my power, the past week, to use no more of the street than the ordinance regulating building improvements allowed. Also, to keep the gutters and sidewalks cleared.

Respectfully submitted,

WILLIAM C. WEST,
City Marshal.

Which was received.

The Board of Health submitted the following report :

Gentlemen—The Board of Health would respectfully submit the following weekly mortality report for the week ending September 29, 1873 :

Under 1 year.....	6
From 1 to 2 years.....	1
From 2 to 5 years.....	3
From 5 to 10 years.....	2
From 10 to 15 years.....	2
From 15 to 20 years.....	1
From 20 to 25 years.....	3
From 25 to 30 years.....	2
From 30 to 40 years.....	1
From 40 to 50 years.....	1
From 50 to 60 years.....	2
From 60 to 70 years.....	0
From 70 to 80 years.....	2
From 80 to 90 years.....	0
From 90 to 100 years.....	1
100 and upwards.....	0
Unknown.....	0
Total.....	27

Respectfully submitted,

S. A. ELBERT, M. D., Pres't.

W. WANDS, M. D. Secretary.

Which was received.

His Honor, the Mayor, presented the following :

INDIANA STATE BOARD OF AGRICULTURE, }
Indianapolis, Sept. 29, 1873. }

To Hon. James L. Mitchell, Mayor of city of Indianapolis :

DEAR SIR—I have the honor to transmit to you a copy of a resolution passed by the Indiana State Board of Agriculture at its afternoon session to-day.

“*Resolved*, That the honorable City Council of Indianapolis be respectfully requested to fix a day, during the present or succeeding week, where all the people of this capital city shall be specially expected to visit the grounds of the State Fair and Exposition, and that the day so fixed shall be regarded, so far as consistent with the business interests of the city, as a public holiday.

“*Resolved*, That the Secretary be requested to communicate the above resolution to the Mayor and Council of Indianapolis without delay.”

Very respectfully,

ALEX. HERRON, Sec'y.

Which was accepted, and on motion by Mr. Gibson, Friday, October 3, 1873, was set apart for a general holiday, and that the Common Council and city officers visit the Exposition in a body.

By consent Mr. Thalman offered the following motion :

Moved, That Patterson & Dunning be granted thirty days further time on their contract for grading and graveling Rhode Island street.

Which was adopted.

Mr. Brown presented the following communication from the School Board :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The Board of School Commissioners of the city of Indianapolis represents to your honorable body that, in order to supply the demand for school accommodations or sittings, it authorized the erection of three eight-room brick school houses and four-room additions to the Fourth and Ninth District school houses. The cost of these improvements, including payments upon the lots on which they are being erected, with the out-houses, fences, etc., and the furniture and stoves for the same, will amount to about \$115,000. The additions to the Fourth and Ninth houses are about finished, and the other buildings are in such a state of progress that they will be ready for use at an early day. The school year commenced on the 8th day of September, and the pay of teachers to and including the month of March will average about \$8,000 per month—making

\$56,000. The pay of officers, janitors, and other employes from July 1st to and including March will amount to about \$12,000. The current expenses not included in the foregoing, such as repairs, cleaning school houses, fuel, gas, new furniture, stationery, books, apparatus, etc., for the same period will amount to about \$10,000. These sums will make a total outlay of about \$193,000 up to the first of April next.

At the commencement of the school fiscal year, July 1, the Board had in its treasury, in round figures, \$90,000. Since then the Board has disbursed, on the contracts for new buildings, for purchase of lots, for repairs and renovation of school houses, salaries of officers, wages of janitors, and incidentals, \$70,000, leaving a balance now in the treasury of about \$20,000, which belongs to the tuition fund, and must be applied on the payment of teachers, and for no other purpose.

The Board, when it authorized the building of the three new school houses and the two additions, anticipated the necessity of making a temporary loan to meet its disbursements until the city tax levy for 1873, payable on or before the third Monday of March next, should be received; and this it would have been able to do if it had not been for the financial embarrassments which extend over the country, making such loans exceedingly difficult to negotiate, if not impossible. In this emergency, which the Board must meet and overcome—for the schools must not be closed, and the improvements in progress cannot be stopped without great loss—after a full consideration of the situation, and with the approval of our financiers, the Board determined to issue warrants, in the aggregate not to exceed the sum of \$75,000, to bear ten per cent interest, payable on or before the first day of April next, in denominations of ten, twenty, fifty, and one hundred dollars, provided your honorable body—to give them credit and make them equal to bank currency—will pass an ordinance directing and authorizing the City Treasurer to receive them in payment for school taxes, for an amount not exceeding the sum named, to wit, \$75,000. If the City Council will so order, the action will relieve the Board from its embarrassment, enable it to finish the school buildings now in progress, and meet all its accruing obligations.

To show that this request is reasonable, the Board further represents to your honorable body that the tax levied for school purposes for 1873 is 35 cents on the \$100, and as the city taxables foot up near sixty-two millions of dollars, this levy will yield a school revenue of about \$216,000. It will be seen, by these figures, that the Board only asks your honorable body to direct the City Treasurer to receive these warrants in payment of school taxes to the amount of about one-third of the school revenue upon the city tax duplicate for this year.

To give an idea of the magnitude of the school interests of the city, the Board would state that the grounds and school buildings in its possession, including the school houses being erected, at a fair esti-

mate. are valued at \$636,000, and the public library school furniture, fixtures, apparatus, etc., at \$55,000 more, making a total of \$691,000.

The Board further represents to your honorable body that the annual increase of school children, based upon the enumeration of school children for a number of years, will require each year additional school accommodations equal to four eight-room school houses. Besides there are a large number of children attending private, or independent schools, who are entitled to public school accommodations; and there are, also, a large number of children upon the streets who do not attend either public or private schools, growing up in ignorance without even the rudiments of education.

The public schools of our city stand as high in reputation as those of any Western city, if not higher, and of the many advantages that Indianapolis presents, not one is more attractive than our admirable school system.

The Board further represents to your honorable body that with the aid it asks you to grant, it will be enabled to go on without embarrassment, and as the assistance prayed for will not increase the public burdens, but merely anticipate a portion of the revenues the Board will derive from city taxes for school purposes, it respectfully asks you to grant the relief for which it prays.

For and in behalf of the Board of School Commissioners of the city of Indianapolis.

T. B. ELLIOTT, President.

J. J. BINGHAM, Secretary.

Which was received.

Mr. Brown introduced General Ordinance No. 70, 1873, entitled:

An ordinance to aid the Board of School Commissioners of the city of Indianapolis to pay its current expenditures.

Which was read the first time, and under a suspension of the rules, read the second and third times, and passed by the following vote:

Affirmative—Councilmen Adams, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—22.

Negative—None.

By consent Mr. Shepherd presented the following petition :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on the first alley east of Helen street, between Maryland street and Georgia street, respectfully petition your honorable body to pass an ordinance providing for the vacation of the first alley east of Helen street, running north and south, from Maryland to Georgia streets, in out-lots one hundred and thirty-eight and one hundred and thirty-nine.

Respectfully submitted,

KINGAN & CO.
I. S. LONG.

Which was referred to the Committee on Streets and Alleys.

Mr. Kahn, from the Committee on Contracts, made the following report :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The Committee on Contracts, to whom was referred sundry bids for building a well for fire purposes, have examined the same and find them to be as follows, to wit :

First—George Proyer, \$998.00 for building a well to hold enough water to supply one steam fire engine, to be twelve feet in diameter in the clear, and nine (9) inch brick wall, and arched over.

Second—Bruner & Riner (\$985.00) nine hundred and eighty-five dollars, with same conditions as other bidder.

By special request of the Committee on Fire Department we make this early report, and would recommend that Bruner & Riner be awarded the contract, they being the lowest and best bidders.

Respectfully submitted.

LEON KAHN,
W. H. CRAFT,
Com. on Contracts.

Which was concurred in by the following vote :

Affirmative—Councilmen Adams, Bollman, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Thallman, Twiname and Ward—13.

Negative—Councilmen Bigham, Brown, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford and Woodburn—9.

ORDINANCES ON FIRST READING.

Mr. Adams introduced Special Ordinance No. 341, 1873, entitled :

An ordinance to provide for the erection of lamp posts, etc., on New Jersey street between St. Mary's and Morrison streets.

Which was read the first time and referred to the Committee on Gas.

Mr. Brown introduced General Ordinance No. 71, 1873, entitled :

An ordinance authorizing the issue of ten per cent. warrants for the purpose of taking up other city warrants, and to meet the obligations of the city of Indianapolis, and also authorizing a cancellation of a part of the issue of eight per cent. warrants not sold heretofore ordered to be issued and sold.

Which was read the first time.

Mr. Kennington introduced General Ordinance No. 72, 1873, entitled :

An ordinance to provide for the construction of a sewer in Yeizer street and Madison avenue, and to assess a part of the cost thereof against the property owners upon and along the line thereof.

Which was read the first time.

Mr. Kennington introduced General Ordinance No. 73, 1873, entitled :

An ordinance authorizing McDouough & Townsend to lay down a railroad track across Alabama street, between the Union Railway Company's tracks and Maryland street.

Which was read the first time.

Mr. Pressly presented the following petition :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—We, the property holders fronting on Noble street, on parts of lots 5 and 6, in out-lot 88, petition your honorable body to take the proper steps to make the alley in the rear of our property a public alley. Said alley is now open, and has been for several years, but is liable to be closed at any time, and we ask that an ordinance be passed making said alley a public alley ten feet wide. And your petitioners will ever pray.

MICHAEL LAWLESS,
HENRY HORSTMAN,
MICHAEL GALLIVEN,
MARY GRIFFIN,
I., C. & L. R. R.

By S. LOVE, Agent.

Which was referred to the Committee on Streets and Alleys.

Mr. Pressly presented the following communication :

U. S. SIGNAL OFFICE,
SUMMIT OF PIKE'S PEAK, COLORADO TERRITORY, }
14,216 FEET ABOVE SEA LEVEL.

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

Gentlemen—The undersigned, members of the U. S. Signal Corps, have the honor to respectfully request the pleasure of your company at the opening of Summit Station, Saturday, October 11, 1873.

GEO. BOEHMER, Observer in charge.

L. E. SEBREE, Assistant.

J. H. SMITH, “

L. A. LEMMAN, “

E. W. BOUTELLE, “

Which was received and invitation accepted.

Mr. Pressly introduced Special Ordinance No. 342, 1873, entitled :

An ordinance to provide for the erection of lamp posts, etc., on New York street, between Liberty and Winston streets.

Which was read the first time and referred to the Committee on Gas.

Dr. Ward introduced Special Ordinance No. 343, 1873, entitled:

An ordinance to provide for grading and paving with brick the south sidewalk of Fort Wayne avenue from Pennsylvania street to New Jersey street, and to curb the same with stone, and to repeal an ordinance heretofore passed for the improvement of said sidewalk.

Which was read the first time.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—For and on behalf of the Board of Managers of the Indiana Reformatory Institution for Women and Girls, I have the honor respectfully to request that the City Fire Alarm Telegraph, extending to the United States Arsenal on the eastern side of the city, may be so arranged as to attach to the Reformatory building, and that an alarm box may be placed therein, and that the proper order of the City Council may be made therefor.

Very respectfully,

Your obedient servant,

S. A. FLETCHER, JR.,

Prest. Board of Managers.

Which was received, and on motion of Dr. Woodburn, the Chief Fire Engineer was instructed to have the work done *provided* the Board of Managers pay for said box and appurtenances thereto.

REPORTS FROM COMMITTEES.

Mr. Bigham, from the Committee on Streets and Alleys, made the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Your Committee on Streets and Alleys would suggest to your honorable body, that in view of the stringency of the money market, whether it would not be to the interest of the city, and also to the property holders, to declare all contracts forfeited not com-

menced and to be completed by the first day of October, 1873, and have the same readvertised in March and April, 1874. Your committee believe that the Council should concur in the report.

Respectfully submitted,

H. S. BIGHAM,
J. T. PRESSLY,
Com. on Streets and Alleys.

Which on motion by Mr. Bollman was laid on the table by the following vote :

Affirmative—Councilmen Bollman, Craft, Darnell, Gibson, Kennington, McLaughlin, Peck, Reagan, Shepherd, Stratford and Thalman—12.

Negative — Councilmen Adams, Bigham, Brown, Kahn, Pressly, Rush, Sherwood, Twiname, Ward and Woodburn—10.

Mr. Bigham from same committee also submitted the following report :

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred sundry ordinances now pending for passage before your honorable body, have examined the same, and would recommend that action on all of said ordinances be postponed until March, 1874, or until the work now under contract is completed and the stringency in the money market is over, as there is now pending over one hundred contracts yet to be completed.

Respectfully submitted,

H. S. BIGHAM,
J. T. PRESSLY,
Com. on Streets and Alleys.

The question being shall the report be concurred in, the ayes and noes were demanded.

Those who voted in the affirmative were,

Councilmen Bigham, Brown, Craft, Gimber, Kahn, Pressly, Reagan, Rush, Sherwood, Twiname and Woodburn—11.

Those who voted in the negative were,

Councilmen Adams, Bollman, Darnell, Gibson, Kennington, McLaughlin, Peck, Shepherd, Stratford, Thalman and Ward—11.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the report was not concurred in.

Mr. Bigham from the same Committee also submitted the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred sundry petitions and remonstrances, have examined the same and would report as follows, to wit:

FIRST.

A remonstrance was referred to your committee, signed by John A. Weber and others, remonstrating against the passage of an ordinance for grading and graveling Alvord street, and paving the east sidewalk with brick from lot 61 to Malott avenue. Your committee would report in favor of the prayer of the remonstrants, and recommend that the proposed improvement be postponed until next spring, and herewith report back the ordinance.

SECOND.

A remonstrance was also referred to your committee from the owners of the real estate fronting on Mississippi street, between Pratt and First streets, and Tennessee and east side of Mississippi streets, remonstrating against the passage of an ordinance providing for the paving of the east sidewalk on Mississippi street, between Pratt and First streets. Your committee would recommend that the above improvement be postponed until next spring.

THIRD.

Two communications were referred to your committee from Samuel Love, asking permission to improve in front of his property on

Rockwood street. As the said street is now under contract, your committee or Council have no authority to give him such privilege, and that Mr. Samuel Love will have to pay the contractor as other property holders on said street when the work is completed.

FOURTH.

A remonstrance was also referred to your committee, signed by George W. Stonestreet and others, remonstrating against the paving, curbing, etc., of the sidewalks on McCarty street from Delaware to East streets. Your committee recommend that the above work be postponed until next spring, and herewith report back the ordinance.

FIFTH.

A motion was also referred to your committee directing the City Civil Engineer to contract with John J. Palmer for repairing the block pavement at the crossing of South and Illinois streets on the west side. We would recommend that the Street Commissioner be directed to have the said pavement repaired.

SIXTH.

A motion was also referred directing the Street Commissioner to fill up the hole at the corner of Sixth street and the Lafayette railroad track. Your committee would report that if said street needs repairs, let the Councilmen from said ward have an ordinance passed to do so.

SEVENTH.

A remonstrance was also referred to your committee with the ordinance to grade and gravel the first alley east of Delaware street from Merrill to Wyoming streets. We recommend that the prayer of the remonstrants be granted, and that said improvement be postponed until spring.

EIGHTH.

A remonstrance was also referred to your committee against the grading and graveling of the first alley west of East street from McCarty to Coburn streets. We would report in favor of postponing said improvement until next spring.

NINTH.

An ordinance and remonstrance was also referred to your committee for grading and graveling Pratt street and paving the sidewalks from Delaware street to Fort Wayne avenue. We would recommend that the above improvement be postponed until next spring.

TENTH.

A remonstrance was also referred to your committee, signed by W. M. Carothers, Warren Tate and others, against the improvement of the first alley south of Yeiser street, commencing at the Madison road and extending east to Japan street. Your committee would recommend that this improvement be postponed until spring.

ELEVENTH.

A petition was also referred to your committee, signed by Peter Spitsfadden, Thomas Greaney, Pat. Greaney and others, asking the Council to pass an ordinance for grading and graveling the alley or street in front of their property on the west side of Delaware street between South and Merrill streets. Your committee recommend that no ordinance be passed for this improvement at this time.

TWELFTH.

A petition was also referred to your committee, signed by Barnabas Coffin, asking Council to vacate the first alley west of West street and between Kingan and Rockwood streets; also Kingan street from the first alley west of West street to White River. Your committee would report in favor of vacating said street and alley on condition that no remonstrance is presented against the said vacations and the petitioner give the proper notice at his own expense.

THIRTEENTH.

A petition was also referred to your committee, signed by George Steidel, E. W. Pierson, F. W. Simon and others, asking the Council to pass an ordinance for grading and paving, with brick, the west sidewalk on Noble street from Wabash to Michigan street. Your committee would recommend that this improvement be postponed until next spring.

FOURTEENTH.

A petition was also referred to your committee, signed by F. M. Hook, J. A. Shearer and others, asking the Council to improve and widen the alley between Yandes and Columbia streets. Your committee would recommend that this improvement be postponed with the balance.

FIFTEENTH.

A remonstrance was also referred to your committee, signed by Adam Helm, John Kneip and others, remonstrating against the improvement by grading and paving, with brick, the west sidewalk on Liberty street, and also against the improvement of the alley in the rear of said sidewalk from North to Michigan streets. Your committee would report in favor of the remonstrants in this case, and that said work be postponed until next spring.

SIXTEENTH.

A petition was also referred to your committee, signed by Peter Balz, John Young, Philip Gunther and others, asking Council to declare the contract forfeited for the improvement of Dunlop street and sidewalks from Japan street to the Madison road. As an extension of said contract has been granted to said contractor, on the 22d day of September, 1873, we herewith report back the petition and recommend that the property holders pay the assessment against the lots improved on the line of said street, when the estimate is approved by the Council.

Respectfully submitted,

H. S. BIGHAM,
J. T. PRESSLY,

Com. on Streets and Alleys.

Which was concurred in with the exception of the first and fourteenth paragraphs, which were not concurred in.

Mr. Brown, from the Committee on Finance, made the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The Committee on Finance would respectfully report that of the \$150,000 of 8 per cent. warrants ordered to be issued and sold, the City Treasurer has been able to sell but \$50,000, leaving \$100,000 unsold, which unsold warrants should be cancelled.

Your committee would further report that the proceeds of the 7-30 bonds sold and delivered September 1, 1873, amounted to \$303,877.00. The Treasurer has applied these funds to payments as follows:

Two years bonds, series "E".....	\$100,000 00
Interest, six months, on bonds, series "E".....	4,000 00
Interest, six months, on bonds, series "F".....	4,000 00
Eight per cent. warrants issued June 16, 1873.....	125,000 00
Interest on same.....	2,144 55
Ten per cent. warrants issued July 18, 1873.....	60,000 00
Interest on same.....	623 96
Sundry notes for purchase of lots.....	2,623 24
Total.....	298,391 75
Leaving a balance of.....	5,475 25

The Council has recently made allowances amounting to over \$72,000. Of these there has been paid out of proceeds of \$50,000 8 per cent. warrants sold as aforesaid, and out of balance of proceeds of bonds sold \$5,475.25. Total, \$55,475.25; leaving \$16,524.75 of city orders issued in payment of current expenses outstanding, to take up which there is no money in the treasury, nor likely to be any until the taxes are collected. Your committee therefore believe the adoption of the accompanying ordinance is the best means of relief that can be afforded under the circumstances.

Should the City Treasurer raise money upon city warrants the city could make cash payments. But this has been found impracticable at the present time in the face of the financial condition of the whole country.

Respectfully submitted,

AUSTIN H. BROWN,
J. H. WOODBURN,
DAVID GIBSON,
H. S. BIGHAM,
LEON KAHN,

Finance Committee.

Which was concurred in.

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

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—Your Judiciary Committee, to whom was referred a communication from Valentine Foland claiming damages from the overflow of his lot by water, and claiming damages from said overflow, would report that if said Foland would fill up his lot to the

proper grade he could prevent being flooded by water, which we would advise him to do, and that in our opinion he has no claim for damages against the city.

Respectfully submitted,

J. C. ADAMS,

JNO. H. BATTY.

Committee on Judiciary.

I concur.

B. K. ELLIOTT,

City Attorney.

Which was concurred in.

Mr. Sherwood, from the Committee on Sewers, made the following report:

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Your Committee on Sewers, to whom was referred a motion directing the City Civil Engineer to have a catch basin built at the intersection of the alley running east and west, and north and south through out-lot 20, would respectfully report in favor of the Civil Engineer having said catch basin built.

L. Q. SHERWOOD,

J. C. ADAMS,

H. S. BIGHAM,

Committee on Sewers.

Which was concurred in.

Mr. Gibson, from the Committee on Railroads, made the following report:

INDIANAPOLIS, September 29, 1873.

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

Gentleman—Your Committee on Railroads, to whom was referred a petition from McDonough & Townsend asking permission to run a railway track across Alabama street between the Union Railway Company's tracks and Maryland street herewith report an ordinance giving them that privilege.

Respectfully submitted,

DAVID GIBSON,

ROBERT KENNINGTON,

LEON KAHN,

Com on Railroads.

Which was concurred in by the following vote:

Affirmative—Councilmen Adams, Bigham, Craft, Darnell, Gibson, Kahn, Kennington, McLaughlin, Peck, Pressly, Shepherd, Thalman, Twiname and Ward—14.

Negative—Councilmen Bollman, Brown, Gimber, Reagan, Rush, Sherwood, Stratford and Woodburn—8.

Mr. Bollman presented the following remonstrance:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on Alabama street and vicinity, between the Union Railway Company's tracks and Maryland street, respectfully remonstrate against the passage of an ordinance providing for the laying of a railroad track across Alabama street by D. B. McDonough & Co.

And your remonstrants will ever pray, etc.

E. H. KOLLER,
WM. DELL,
And six others.

Mr. Gibson, from the Committee on Railroads, made the following report:

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Your Committee on Railroads, to whom was referred the petition of Cox, Foster & Co., with an ordinance granting the right of way to lay railway track across First street along side of outlot No. 32, have considered the same and recommend that the prayer of the petitioner be not granted for the reason that the L., C. & L. Railroad are charging two dollars per car to other roads for delivering or loading on tracks in the vicinity, which is double what it should be. That it is not good policy for the city to allow the extension of Railroad tracks on her streets to tax the business of her citizens at exorbitant prices. We therefore recommend that the ordinance be stricken from the files.

Respectfully submitted,

LEON KAHN,
ROBERT KENNINGTON,
Committee on Railroads.

The question being shall the report be concurred in, those who voted in the affirmative were,

Councilmen Gibson, Kennington, Rush, Sherwood and Twine—5.

Those who voted in the negative were,

Councilmen Adams, Bigham, Bollman, Brown, Craft, Darnell, Gimber, Kahn, McLaughlin, Peck, Pressly, Reagan, Shepherd, Stratford, Thalman, Ward and Woodburn—17.

So the report was not concurred in.

Mr. Peck, from the Committee on Public Buildings, made the following report:

INDIANAPOLIS, September 22. 1873.

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

Gentlemen—Your Committee on Public Buildings, to whom was referred a motion to have the City Council Chamber cleaned and repainted, would report the expense of doing the said work will be about five hundred dollars.

Yours respectfully,

THOS. H. S. PECK,
LEON KAHN,
Com. on Public Buildings.

Which on motion by Mr. Gibson, was indefinitely postponed.

Mr. Brown presented the following remonstrance:

INDIANAPOLIS, September 29, 1873.

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

Gentlemen—The undersigned, property owners living on Madison avenue and Chestnut street, would respectfully represent to your honorable body that the Jeffersonville Railroad Company are now laying an additional track along side of the present track, between McCarty street and the south corporate line, and that the track is being laid or has been laid without the Common Council having granted said Company the right to lay the same across the streets and alleys.

The undersigned hereby remonstrate against granting such right to cross Morris, Ray or McCarty street, or Madison avenue, believing that it must be injurious to their property and to the free crossing of the streets, and therefore ask your honorable body to have the same taken up.

JOHN S. RUSSELL,
WM. HAND,

And 17 others.

Which was received.

Also, the following resolution :

Resolved, That the City Marshal is hereby directed to give five days' notice to the Jeffersonville Railroad Company to remove the additional railroad track laid down, or in course of being laid down, across Morris and Ray streets and Madison avenue, said track having been laid down without any grant or right of way over said streets having been given by the Common Council of the city.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thallman, Twiname, Ward and Woodburn—21.

Negative—None.

On motion the Council adjourned.

JAMES L. MITCHELL,

MAYOR.

ATTEST :

JOHN R. CLINTON,

City Clerk.