

PROCEEDINGS  
OF THE  
COMMON COUNCIL.  
REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Monday, February 12th, 1877—7 o'clock P. M.* }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members:

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

Absent—Councilmen Adams, Byram, and Duffley—3.

The proceedings of the regular session, held February 5th, 1877, were read and approved.

On motion, by Mr. Darnell, Mr. Byram was excused.

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

*Indianapolis, February 12, 1877*

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

*Gentlemen* :—Your Committee on Contracts to which was referred the bids for furnishing coal for use in City Building have examined the same, and find them to be as follows, to-wit :

M. A. Johnson, Brazil Block,  $11\frac{1}{2}$  cents per bushel.  
Pittsburgh, second pool 17 cents per bushel.  
Anthracite, \$7.50 per ton.

Merrifield, Miller & Co., Best Indiana Block,  $11\frac{1}{2}$  cents per bushel.  
Anthracite, \$7.45 cents per ton.

Cobb & Branham, best Block, 10 65-100 cents per bushel.  
best quality gas coke,  $10\frac{1}{2}$  cents per bushel.  
best quality crushed coke,  $12\frac{1}{2}$  cents per bushel.  
best Wilkesbarre Anthracite, \$7.00 per ton.

Messrs. Cobb & Branham being the lowest and best bidder, your committee recommend that they be awarded the contract for furnishing coal and anthracite ; such contract to be in force until the first of May, 1877.

Respectfully submitted,

J. W. BUGBEE,  
ROBT C. MCGILL,  
Committee on Contracts.

Which was concurred in, and the contract awarded.

#### REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—The following motion was referred to me: "That the City Civil Engineer be directed to cause to be built a catch-basin at the intersection of the first alley south of Merrill street with Virginia avenue." I

have examined the point and find that a catch-basin is needed badly to shut off the disagreeable odors coming along the sewer from the South street sewer. I would, therefore, recommend that the motion be adopted

Respectfully submitted,

BERNHARD H. DIETZ,

City Civil Engineer.

Which was concurred in.

Dr. Stratford moved that the motion be adopted, and the City Civil Engineer be instructed to have the catch-basin built.

Which motion was adopted.

The City Attorney submitted the following report :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—I desire to call your attention to the case of The City vs. The Brownsburg Gravel Road Company, now pending in the Circuit Court. This is a case where the city condemned and appropriated so much of the Brownsburg Gravel Road as is situated between Fall Creek and the bridge over White River at the end of Indiana avenue. The Commissioners allowed them the sum of \$600 damages, and the company appealed to the Circuit Court. The case will be for trial at the present term. It is a case where I am of the opinion the company will recover a judgment against the city. Parties representing the company have intimated to me that they would like to settle the case, and as it is one which I think ought to be settled I would recommend that a special committee be appointed to investigate the matter, or that it be referred to some regular committee to report what, if anything, should be done in the matter.

Respectfully submitted,

R. O. HAWKINS,

City Attorney.

Mr. Thalman offered the following motion :

*Moved*, That the report be concurred in, a committee appointed to ascertain what proposition the company has to make, and also that the City Attorney be authorized to employ an assistant counsel to defend the case.

Which was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Thalman, Bugbee and McGill.

The City Attorney submitted the following report :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—I was instructed to report what number of public hydrants the city is legally bound to pay for, and what price she is legally bound to pay for each of said hydrants. I would respectfully report that the charter of the company provides that they shall be paid as much as the average price paid by other cities of the United States of like population, unless a less price shall be agreed upon ; but the company shall not charge a greater price. In case the company and city fail to agree, then it shall be settled by five disinterested persons, non-residents of the city, two to be chosen by the company and two by the city, and those four shall choose the fifth, and either the city or the company may demand a readjustment of rates, either by agreement or arbitration, at any time after one year from the last adjustment ; but in no event shall the city pay more than fifty dollars per annum for each hydrant or fire plug.

On the fifteenth of June, 1874, the Common Council passed a resolution whereby they agreed, in consideration of the company increasing their machinery and laying twenty miles additional pipes, the city would accept three hundred and sixty-five additional hydrants, and pay as rent therefor fifty dollars per annum for each, under the same rules and same conditions as provided in the original ordinance.

I am of the opinion that under the original ordinance, and the resolution of June 15, 1874, the city would be liable to pay fifty dollars per annum for all the hydrants used by the city until a readjustment shall be had, as provided in the ordinance above referred to. I am also of the opinion that all the hydrants in the city are subject to the rules and provisions of the ordinance in the matter of rates, and may be readjusted in the manner prescribed by the ordinance.

There is nothing in the original ordinance or charter of the Water Works Company, nor in the resolution of June 15, 1874, that would require the city to use and pay for all the hydrants now erected in the city, and I have not

been able to find any record of any action of the Council that stipulates or requires any particular number shall be used for any specified time.

Respectfully submitted,

R. O. HAWKINS,  
City Attorney

Which was concurred in.

Also, the following report :

*Indianapolis*, February 12, 1877.

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

*Gentlemen* :—I was instructed to take the proper steps to cancel the lease now held by the city from Cottrell & Knight, the same to take effect as soon as the rooms in the new Court House were ready to be occupied. I would report that I have examined the lease and find that it provides that the city may cancel the same at any time after giving Cottrell & Knight one year's notice of such intention, and after one year from the date of the receipt of such notice by them the city shall be released from any further liability to pay rent.

I herewith present a resolution upon the subject which I think necessary to be passed by the Council in order to give Cottrell & Knight the notice required by the lease and I would recommend its passage, and that the Marshal report his action in the matter to the Council.

Respectfully submitted,

R. O. HAWKINS,  
City Attorney.

Which was concurred in.

Also, the following resolution :

*Resolved*, That the City Marshal be instructed to notify Thomas Cottrell and John Knight that from and after one year from the 14th day of February, 1877, the City of Indianapolis will surrender possession and cancel the lease held by her upon the following described premises in Indianapolis, Marion county, Indiana, to-wit: "All that part of the building situate upon lot No. 3, square No. 62 in said city, which is above the first story thereof, being all the upper stories of the said building, which premises are now held by said city under a lease from said Thomas Cottrell and John Knight, dated February 19, 1870;" which lease provides that said city may terminate the same at any time after giving one year's notice of such intention; and that

after the expiration of one year from the receipt of such notice said city shall be absolved and released from any and all liability to pay rent.

Which was adopted by the following vote :

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Morse, McGill, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

The City Clerk submitted the following report :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—I herewith submit a statement showing the amount of Orders issued during the month of January, 1877.

Respectfully submitted,

BENJ. C. WRIGHT,

City Clerk.

Amount of Orders issued during the month of January, 1877 :

NATURE OF CLAIM.

Interest on bonds . . . . .	\$47,430 75
Bridges . . . . .	856 03
City Assessor, assistants . . . . .	78 00
City Civil Engineer Department . . . . .	522 79
City Hospital and Branch . . . . .	1,390 47
Cisterns . . . . .	284 45
Costs . . . . .	137 50
Damages . . . . .	6,090 00
Fire Department (salary of officers and members, and expenses). . . . .	6,851 26
Fountains . . . . .	17 05
Gas . . . . .	7,044 75
Gas Repairs . . . . .	3 75
Ice . . . . .	39 00
Incidental . . . . .	59 25
Nuisances . . . . .	175 00

Parks .....	\$55 66
Police.....	4,555 86
Posting Bills. ....	14 00
Printing, Stationery and Advertising.....	415 75
Public Buildings.....	2,128 69
Refunding Sewer Assessments.....	261 50
Salary.....	4,024 75
Street Improvements.....	1,096 53
Street Repairs.....	1,445 04
Station Houses.....	698 95
Taxes Refunded.....	979 40
Treasurer's Percentage.....	4,545 00
Total.....	\$91,201 18

Which was referred to the Committee on Finance.

The City Treasurer submitted the following report :

Report of the City Treasurer, showing Receipts and Disbursements from  
November 1st, 1876, to January 31st, 1877, inclusive :

#### RECEIPTS.

Balance on hand Nov. 1, 1876. ....	\$31,441 46
Received from tax duplicates.....	79,476 29
Received from loans.....	38,987 39
Received from other sources.....	3,532 00
Total.....	\$153,428 14

#### DISBURSEMENT.

Assistant City Assessor.....	\$552 92
Assistant Civil Engineer.....	578 14
Board of Health.....	205 02
Bill-posting. ....	14 00
Bridges .....	835 72
Bonds and interest.....	47,430 75
Costs.....	379 91
Cisterns.....	365 48
Damages .....	190 08
Elections.....	36 71
Fountains.....	361 69

Fire Department.....	\$15,147 64
Home of Friendless Women....	260 25
Hospital ...	1,161 50
Ice.....	39 65
Incidental.....	541 44
Levee.....	1,135 66
Lamp lighting .....	309 43
Markets.....	16 42
Nuisances.....	176 22
Engine Houses ....	89 80
Office fixtures.....	6 78
Parks.....	381 25
Printing....	1,127 74
Police.....	8,588 88
Public buildings.....	325 00
Rent.....	276 08
Steam Engine.....	3,000 00
Station Houses.....	734 65
State Ditch.....	461 52
Sewers.....	662 90
Street repairs.....	7,949 75
Salary ....	2,996 56
Street improvement....	1,412 45
School Board.....	11,625 45
Refunding sewer assessment. ....	340 33
Treasurer's per cent.....	4,545 00
Tomlinson Estate.....	3,809 14
Transfers.....	162 99
Taxes refunded.....	968 90
Tunnels.....	48 91
Balance on hand January 31st, 1877.....	34,275 43
	<hr/>
	\$153,428 14

The balance on hand at close of this report is disposed of by law and by ordinances of the Common Council as follows:

School Board.....	\$16,097 89
Sinking fund.....	5,848 88
Balance to interest fund.....	12,328 66
	<hr/>
	\$34,275 43

ADDENDUM :

City Orders outstanding, not paid for want of funds, January 1,	
1877.....	345,928 28
City Orders issued during January, 1877, as per report of Clerk..	91,201 18
	<hr/>
	\$437,129 46
City Orders redeemed during January, 1877.....	\$77,421 59
	<hr/>
City Orders outstanding, not paid for want of funds, February 1,	
1877.....	\$359,707 87

All Orders redeemed were received in payment of taxes, except in cases of bonds and interest, School Board, Tomlinson Estate, Treasurer's per cent., and Steam Engine.

HENRY W. TUTEWILER,  
City Treasurer.

To BENJ. C. WRIGHT,  
City Clerk.

*Indianapolis, February 12, 1877.*

Which was referred to the Committee on Finance.

The City Clerk presented the following communication :

*Indianapolis, February 7, 1877.*

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

*Gentlemen* :—The published Council proceedings states that a proposition from Weitzle & Marple to furnish the city with gas moderator or gas saver, was referred to the Committee on Gas.

I respectfully ask your honorable body to direct the same committee to test the merits of Stacey's Automatic Gas Regulator, and compare the same with the De Falos Gas Moderator as a gas saver or regulator, and report results.

Respectfully yours,  
JOHN KNIGHT,  
Gen'l Agent for Stacey's Automatic Gas Regulator.

Which was referred to the Committee on Gas Light.

The Chair presented the following communication and invitation :

ROOMS OF THE INDIANA HISTORICAL SOCIETY, }  
*Indianapolis*, February 12, 1877. }

To the Hon. John Caven, Mayor of Indianapolis:

*Sir*:—Please lay the enclosed invitation before the honorable City Council and the Officers of the city government, and oblige,

Yours, very respectfully,

W. H. H. TERRELL,  
 Ch'n Committee on Invitation.

By invitation of the Indiana Historical Society, Prof. Cox will deliver his elaborate lecture on *The Archæology of Indiana*, embracing Pre-Historic Man and Indian Antiquities, at the United States Court Room, in the Post Office Building, on Wednesday evening next. The place of meeting is central, and of easy access. Seats free. As State Geologist, Prof. Cox has had unlimited facilities for investigating the interesting subject of his lecture, and our citizens will be served with a rare intellectual and historical feast on the occasion.

All are cordially invited.

Which was received and accepted.

#### INTRODUCTION OF ORDINANCES.

Mr. McGill introduced special ordinance No. 1, 1877, entitled:

An ordinance to provide for grading and paving with brick the south sidewalk on Maryland street, between Missouri and West streets.

Which was read the first time.

Also, special ordinance No. 2, 1877, entitled:

An ordinance to provide for grading and paving with brick the north sidewalk on Louisiana street, between Tennessee and West streets.

Which was read the first time.

Also, special ordinance No. 3, 1877, entitled:

An ordinance to provide for grading and paving with brick the south sidewalk on Kentucky avenue, between West and Merrill streets.

Which was read the first time.

Mr. Schmidt introduced special ordinance No. 4, 1877, entitled :

An ordinance to provide for repaving the north sidewalk on Washington street, between Alabama and New Jersey streets.

Which was read the first time, and referred to the Committee on Streets and Alleys.

Mr. Steinhauer introduced special ordinance No. 5, 1877, entitled :

An ordinance to provide for grading and graveling the first alley west of Japan or East street, from Yiezer street to the first alley north of Yiezer street.

Which was read the first time.

Mr. Thalman presented the following petition :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—We the undersigned, property owners on Maryland street, respectfully petition your honorable body to pass an ordinance to grade and gravel Maryland street and sidewalks, from Helen street west to White River.

Respectfully,

KINGAN & CO.,  
EDWARD KING.

Which was received.

Also, special ordinance No. 6, 1877, entitled :

An ordinance to provide for grading and graveling Maryland street and sidewalks, from Helen street west to White River.

Which was read the first time.

Also, the following petition :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—The undersigned respectfully represent to your honorable

body that they are lessees of about two acres of land lying at the south end of Bright street, in this city. The city has a drain or water-way from New York street south through the west side of said land, which cuts off all other ways of access or egress except the said Bright street, which terminates at north side of said land. Bright street north of New York street is graded and graveled, while the portion south of New York street, about one-half square in length, is in such condition that it is almost impassable, and is ruining the carts and wagons, the mules and horses of your subscribers, and has an injurious effect upon the tempers of our drivers and other employees.

We therefore respectfully ask your honorable body to grade and grave said street from New York street to its south end. We are aware that some of the property holders along said street object to having it improved, and on that account we have abstained from asking it done until now, and have done what we reasonably could to keep it open, having at one time put on said street one hundred cart loads of cinders, which we hauled from the Novelty Iron Works at our own expense, and since, at various times, have placed cinders and coke screenings on said street; but as the property holders object to this, we urgently pray that your honorable body will give us the necessary relief.

And your petitioners will ever pray, etc.

ENGLE & DREW.

Which was received.

Also, special ordinance No. 7, 1877, entitled :

An ordinance to provide for grading and graveled Bright street and sidewalks, from New York street to the first alley south.

Which was read the first time.

Mr. Webster introduced appropriation ordinance No. 14, 1877, entitled :

An ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Which was read the first time.

Mr. Webster moved to suspend the rules for the purpose of placing the above entitled ordinance on its passage.

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

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Morse, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—19.

Negative—Councilman McGill—1.

Appropriation ordinance No. 14, 1877,

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

Affirmative—Councilmen Buehrig, Bugbee, Case, Craft, Darnell, Izor, Kenzel, Moise, McGill, McGinty, Ransdell, Reasener, Reed, Schmidt, Steinhauer, Stratford, Thalman, Webster, Wright, Arthur L., and Wright, William G.—20.

Negative—None.

#### ROLL CALL.

Mr. Buehrig presented the following petition:

*Indianapolis, February 12, 1877.*

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

STATE OF INDIANA,                    }  
  } ss:  
  } MARION COUNTY,

J. W. Leoper being duly sworn, upon his oath says: That he now is, and in the year 1868 was, a resident of the city of Indianapolis, Marion county, Indiana; that in said year he made out the tax assessment list for one Herman Sturm, who then owned property in said city, subject to municipal taxation in the sum of one thousand four hundred and eighty dollars (\$1,480), but who was temporarily absent from said city at the time when said lists are made made out, and had requested this deponent to make out said list, and

sign his name thereto, which he, deponent, did, as aforesaid, signing his name to said list as follows, to wit: "Herman Sturm, by J. W. Leoper." But deponent says, that by some error unknown to him, said tax assessment list was entered up in and under the name of "J. W. Leoper & Co.," and said property was taxed accordingly to this deponent; when in truth and in fact it should have been entered up and assessed in the name of said Herman Sturm, he being the sole owner of said property specified in said list, (this deponent having no interest whatever therein,) and the tax thereon should have been assessed against said Sturm instead of this deponent.

And deponent further says that said tax still remains unpaid and is entered and assessed against him as delinquent.

Deponent further, on oath says, that he has at all times paid all tax that has been properly assessed against him, and that he paid all such taxes for said year of 1868, a receipt in full of which is hereto attached and made a part of this affidavit; that it is wrongful and oppressive for said tax as aforesaid to be assessed against him, and he asks that the same be removed from being a charge against him, and for all proper and necessary relief therefrom.

JACOB W. LEOPER.

Subscribed and sworn to this 28th day of March, 1876.

RICHARD H. BEAL,  
Notary Public.

Which was referred to the Committee on Judiciary and City Attorney.

Mr. Bugbee presented the following report :

*Indianapolis*, February 12, 1877.

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

*Gentlemen*:—Report of the City Dispensary for the month of January, 1877:

Number of visits north of Washington street. . . . .	175
Number of visits south of Washington street. . . . .	211
Number of visits to Station House. . . . .	60
Total number of visits. . . . .	446
Number of Prescriptions filled at the Dispensary. . . . .	1,225
Number of Patients prescribed for at Dispensary. . . . .	404

Number of Surgical Operations.....	15
Number of Births.....	4
Number of Deaths .....	2

Respectfully submitted,

W. B. FLETCHER,

Sup't City Dispensary.

Which was received.

Also, the following communication :

*Indianapolis, February 12, 1877.*

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

*Gentlemen* :—In submitting the report of the City Dispensary for the month of January, we would request an addition of three hundred dollars over the ordinary appropriation of eight hundred dollars, because the newly organized Board, in July, donated only five hundred dollars, which amounted to four hundred and fifty dollars in currency. The county, under the new Board of Commissioners, has determined to have a medical staff of its own. But as they were owing one quarterly donation when they changed, the Dispensary was left without the usual funds.

Mr. Churchman, of Fletcher's Bank, and Mr. Davis, of Indiana Banking Company, have kindly loaned the Dispensary the requisite aid to keep up the work until the regular donation from the city should give relief. Besides this, some two hundred dollars have been received by donations from citizens. In the future, should there be no epidemic or unusual amount of disease, eight hundred dollars per quarter will be sufficient to pay the expenses of the Dispensary.

Respectfully submitted,

W. B. FLETCHER,

Sup't City Dispensary.

Dr. Stratford moved to refer the communication to the Committee on Benevolence, with instructions to confer with the County Commissioners and ascertain what donation the County Commissioners propose to make.

Which motion was adopted.

On motion, by Mr. Darnell, the subject was made the special order for next Monday night.

Mr. Case offered the following motion :

*Moved*, That the City Marshal be, and he is hereby directed to notify the Indianapolis, Peru & Chicago Railroad Company to place new plank (where the same is necessary) at the crossing of the said Railroad Company's tracks at East street.

Which was adopted.

Mr. Darnell presented the following petition :

*Indianapolis*, February 12, 1877.

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

*Gentlemen* :—The undersigned would respectfully represent to your honorable body, that while he was Street Commissioner he was directed by an order of the Common Council to construct an arch under the Canal where Pogue's Run intersects the same, and in order to do the work it became necessary to cut the bank of the Canal and empty the water therefrom. For this act he was enjoined and sued for damages by the Central Canal Company in the Marion Circuit Court. One suit was brought against your petitioner and the city of Indianapolis, at December term, 1870, of said Court; and another against the petitioner *alone*, by the same plaintiff, at the March term, 1868, of said Court. In both suits judgments were rendered for costs. The City Attorney reported, September 24, 1872, in favor of the city's paying the costs, and an order was drawn upon an allowance made, and the costs paid in one case only, viz: the one in which the city was made a party. Your petitioner supposed, until a few days since, that all the costs in both cases had been paid, but found that the costs in the last named case were unpaid, and held as a lien upon his property, and being desirous of making a loan was compelled to pay the same himself in order to free his property from all liens.

The amount paid was \$20.35, which he respectfully prays the Common Council to allow him, as the costs were the result of his act in carrying out the orders of the Common Council, and in which he had no personal interest.

AUGUST RICHTER.

The facts as stated above, so far as they refer to the records of the courts, are known by me to be true.

AUSTIN H. BROWN,  
Clerk.

I, J. S. Harvey, was City Attorney when the matters above stated occurred, and I know that the city ought to have paid the costs which were charged against Mr. Richter.

J. S. HARVEY,  
Late City Attorney.

Which was referred to the Committee on Judiciary and City Attorney.

Also, the following petition :

*Indianapolis, February 9, 1877.*

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

*Gentlemen* :—The undersigned, petitioners and citizens, respectfully ask your honorable body to make an order instructing the Commissioner of Circle Park, A. C. Remy, Esq., to plant in said Park as many additional trees as he may deem necessary.

And your petitioners will ever pry, etc.

WM. C. MORIARTY,  
JAS. R. HAUGH,  
T. H. BUTLER.

Which was referred to the Committee on Parks.

Mr. Darnell offered the following motion :

*Moved*, That the City Civil Engineer be, and is hereby ordered to repair the Howland levee, in rear of the Edge Tool Works, as the same is washed in three or four places.

Which was referred to the Street Commissioner.

Also, the following motion :

*Moved*, That the Committee on Streets and Alleys be, and are hereby ordered to select some proper name for one of the Deloss streets, as there is two streets in this city by the name of Deloss.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

*Moved*, That C. B. Hueston be, and is hereby allowed to pay his assessment on the North Illinois street sewer, less the cost and interest on the same. The said property is located on the corner of Illinois and St. Joe streets.

Mr. Thalman moved to refer to the Committee on Judiciary and City Attorney.

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

Which motion to lay on the table was not adopted.

Mr. Thalman's motion to refer was then adopted.

Mr. Kenzel offered the following motion :

*Moved*, That the City Civil Engineer be, and is hereby authorized to advertise for proposals for building a wooden bridge on Ray street, across Pogue's Run, according to plans and specifications to be furnished by the City Civil Engineer.

Which was adopted.

Also, the following motion :

*Moved*, That the City Civil Engineer be, and is hereby ordered to protect the embankments of Ray street, where the same connects with Pogue's Run.

Which was referred to the Committee on Streets and Alleys, and City Civil Engineer, with power to act.

Mr. Morse offered the following motion :

*Moved*, That the Street Commissioner be directed to bowlder and flag the two alley crossings on the west side of Mississippi street, between Washington and Market streets.

Which was referred to the Committee on Streets and Alleys.

Mr. McGinty offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby directed to dump or place about two or three loads of cinder or gravel at the intersection of Chesapeake and West streets, because it is undoubtedly needed.

Which was adopted.

Mr. Pouder offered the following motion :

*Moved*, That the Street Commissioner be instructed to notify Thomas Jordan to repave the sidewalk in front of his residence, 138 North East street, at once.

Which was adopted.

Mr. Ransdell offered the following motion :

*Moved*, That John W. Murphy have permission to move a two-story frame house from No. 160 North Meridian street, to the corner of New Jersey and Sixth streets.

Which was adopted.

Also, the following motion :

*Moved*, That J. S. Woods, John E. Clelland, and Mrs. Cox have permission to pave the sidewalk in front of their property on St. Clair street, between Meridian and Illinois streets; the same to be done at their own expense, and under the direction of the City Civil Engineer, to be done within thirty days.

Which was adopted.

Also, the following motion :

*Moved*, That Ingram Fletcher be permitted to extend his private sewer sixty feet east on St. Clair street, between Meridian and Illinois streets

Which was adopted.

Also, the following motion :

*Moved*, That the Street Commissioner be instructed to put down a stone flag crossing on the north side of St. Clair street, across Illinois street.

Which was referred to the Committee on Streets and Alleys.

Mr. Reed offered the following motion :

*Moved*, That William Baird be granted permission to move his frame cooper shop from the corner of Maryland and Helen streets to the corner of Blackford and Pearl streets, a distance of one-half square.

Which was adopted.

Mr. Schmidt offered the following motion :

*Moved*, That the Civil Engineer be instructed to examine Washington street and report at what points, if any, the street railroad track is above the grade of the street.

Which was adopted.

Mr. Steinhauer offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby instructed to bowlder the crossing of the alley on the west side of Virginia avenue, between Louisiana and South streets.

Mr. Darnell moved to refer to the Committee on Streets and Alleys.

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

Which motion to lay on the table was adopted.

Mr. Steinhauer's motion was then adopted.

Dr. Stratford presented the following petition :

*Indianapolis*, February 12, 1877.

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

*Gentlemen* :—We, the undersigned property owners, do hereby certify that the property owned by Mrs. Mary A. White, a widow, lot 411, Hosbrook street,

in Fletcher, Stone, and others, subdivision, is not worth \$1,000, and claims the widow's exemption for 1875. The property is worth, to the best of our knowledge, from \$800 to \$900.

THOMAS NOCK,  
CHARLES LOHMAN.

*Moved*, That Mrs. Mary A. White be allowed a rebate of taxes on her property for such amount as is equitable and just.

Which was referred to the Committee on Accounts and Claims, and City Assessor.

Also, the following motion :

*Moved*, That the City Civil Engineer, City Assessor and City Attorney are hereby directed to examine the plat of Japan street, and if found to be fifty feet wide, to instruct the City Marshal to immediately open the same to the proper width ; and if found to be less than fifty feet, that the Civil Engineer readvertise the work of grading and graveling the street.

Which was adopted.

Also, the following motion :

*Moved*, That the Commissioner of the South Park, and the Committee on Parks be given permission to sell such material therein as is useless there.

Which was referred to the Committee on Parks.

Mr. Thalman offered the following motion :

*Moved*, That J. L. Spaulding be permitted to grade and gravel the sidewalk in front of his property on Drake street, in Indianola, and that the City Engineer be directed to set the grade stakes.

Which was adopted.

Also, the following motion :

*Moved*, That the Civil Engineer be directed to set the grade stakes for the grade of Maryland and Helen streets, at the crossing of said streets.

Which was adopted.

Also, the following motion :

*Moved*, That Kingan & Co. have permission to grade and gravel Helen street and sidewalks, from Maryland street to about 300 feet south, said work to be done at their own expense, and to the full width of the street, under the direction of the Civil Engineer.

Which was adopted.

Mr. Thomas offered the following motion :

*Moved*, That the Street Commissioner be, and is hereby instructed to lay a flag-stone crossing across Georgia street, on west side of South Meridian street.

Which was referred to the Committee on Streets and Alleys.

Mr. Webster offered the following motion :

*Moved*, That the City Treasurer be ordered to pay August Smith nine hundred dollars, due him as damages in opening Winston street, as decided by the City Commissioners.

Which was referred to the Committee on Accounts and Claims, and City Attorney.

Mr. A. L. Wright presented the following petition :

*Indianapolis*, February 12, 1877.

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

*Gentlemen* :—We would respectfully petition your honorable body to authorize the City Treasurer to pay over to the estate of William Y. Wiley, deceased, the sum of one hundred and fifty dollars (\$150), which he now holds as being the amount of damages awarded on part of the remainder of the 31 by 196 feet off the southwest corner of out-lot No. 160, by the opening and widening of Blackford street to Indiana avenue.

We would respectfully report to your honorable body that we have paid the taxes, both municipal and state, on the above piece of property, since 1857—about twenty years—and that we have tax title deeds from city and county to the said property, dated December 16, 1861.

We further report to your honorable body that the property was precepted and sold for sidewalk and street improvements, March 25, 1875, and that we now are the holders and owners of the city certificate for deed upon the presentation and surrender of said certificate.

We further report that we have paid into the city treasury for taxes on the above property since 1857, the sum of \$176, to which add \$44 for precept certificate for street and sidewalk improvements, and you have \$220.

In view of the facts as set forth in the above paper, we most respectfully petition your honorable body to authorize the City Treasurer to pay over to the undersigned this sum of \$150, awarded as damages on said lot.

The title to the property is in our name, as the tax books show, for nearly twenty years. The opening and widening of the street has almost entirely destroyed the lot, leaving only a strip of ground 11 by 196 feet.

We respectfully ask your honorable body to grant the petition as set forth in this statement.

And we will ever pray, etc.

JOHN C. WRIGHT,  
Adm'r of the estate of W. Y. Wiley, dec'd.

Which was referred to the City Attorney.

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

*Moved*, That the City Marshal, when notified by the City Attorney, City Assessor and Civil Engineer that Japan street is 50 feet wide, to immediately notify owners of property obstructing the same to remove such obstructions within ten days; and on failure to do so, that he (the Marshal) cause the same to be removed at their expense.

Which was adopted.

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

*Indianapolis*, February 12, 1877.

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

*Gentlemen* :—Your committee to whom was referred the motions of Mr. Adams, Dr. Stratford, and Mr. Thalman upon the subject of the present condition of the water-plugs in the city, and the stipulations of the contract with the Water Works Company in relation thereto, would report that we have

examined the matter and find that during the recent cold weather at least forty-six of the public fire or water plugs were frozen, and not in such a condition that they could be used in case of fire. We would also report that it is the duty of the Water Works Company, under their contract with the city, to have and keep their works and hydrants at all times in fit condition for use, and the city can not be compelled to pay for hydrants that are frozen and in such a condition that they can not be used.

And your committee would further report that under the provisions of the charter granted to the Water Works Company by the city, the company is required to provide works with a maximum capacity of at least six million gallons, liquid measure, daily, and maintain the same in such condition as to be capable of throwing eight streams at once, one hundred feet vertically through one-inch nozzle, and to apply the same in extinguishment of fires, under such regulations as the Common Council shall prescribe, etc. If the Water Works Company fail to comply with these provisions or any of them, then the city would not be bound to comply with the provisions of the charter upon her part.

Respectfully submitted,

D. M. RANSELL,

W. H. CRAFT,

Committee on Water Works.

R O. HAWKINS,

City Attorney.

Which was received and concurred in.

On motion, the report of the Committee on Water Works, presented to Council January 22, 1877, in relation to the Water Works Company, was taken up.

Mr. Craft offered the following motion :

*Moved*, That the City Attorney notify the Water Works Company that the City Council demands a readjustment in regard to the rates on the price of fire hydrants.

Mr. Thalman moved as a substitute to refer the subject to the Committee on Water Works and City Attorney, with instructions to confer with the Water Works Company and ascertain whether

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the said company will agree to a readjustment of water rates for fire hydrants, without calling in outside arbitrators.

Which substitute was adopted.

On motion, the Council adjourned.

*J. E. Egan* Mayor.

Attest :

*Benj. M. Wright* City Clerk.