

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, May 26, 1873, 7½ o'clock, P. M.* }

The Common Council met in regular session.

Present—His Honor, the Mayor, Jas. L. Mitchell, in the chair,  
and the following members:

Councilmen Adams, Anderson, Bigham, Bollman, Brown, Craft,  
Gibson, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush,  
Shepherd, Sherwood, Thalman, Ward and Woodburn, 18—and  
the following new members elect, who, having filed their certifi-  
cates of election and oath of office with the City Clerk in accord-  
ance with the provisions of the city charter, appeared and took  
their seats, to-wit:

From the Tenth Ward—John H. Batty and James E. Twi-  
name.

From the Eleventh Ward—T. H. S. Peck and Calvin F. Dar-nell.

From the Twelfth Ward—Henry Gimber and Wm. McLaughlin.

From the Thirteenth Ward—R. C. J. Pendleton and I. W. Stratford.

The proceedings of the regular session, held May 19th, 1873, were read and approved.

Sealed proposals for removing dead animals, etc., were received, opened, read and, on motion by Mr. Gibson, rejected.

Sealed proposals for building a sewer in State ditch at crossing of Alabama street, were received, opened, read and referred to the Committee on Sewers and Civil Engineer.

Sealed proposals for grading and graveling the road on Sellers' farm were received, opened, read and referred to the Committee on Contracts, with instructions to report at once.

Sealed proposals for repairing and repainting the fence around Military Park, and for erecting lamp-posts, etc., on certain streets, were received, opened, read and referred to the Committee on Contracts.

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

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for building cisterns, would respectfully report the following as being the lowest and best bidders, and would recommend that you award the contracts:

FIRST.

One 800 barrel cistern, at or near the corner of Delaware and Bicking sts., for the sum of 61 cents per barrel, to Augustus Bruner.

SECOND.

One 600 barrel cistern, at or near the corner of Bates street and corporation line, for the sum of 62 cents per barrel, to Augustus Bruner.

THIRD.

One 600 barrel cistern, at or near the corner of Yandes street and Home avenue, for the sum of 62 cents per barrel, to Joseph Kruger.

FOURTH.

One 600 barrel cistern, at or near the corner of West and First streets, for the sum of 62 cents per barrel, to Joseph Kruger.

Respectfully submitted,

LEON KAHN.  
W. H. CRAFT,  
M. C. ANDERSON,  
Com. on Contracts.

Which was concurred in and the contracts awarded.

Also, the following report :

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your Committee on Contracts to whom was referred sundry proposals for street improvements, have examined the same, and find them to be as follows, to-wit:

FIRST.

For grading and paving with wooden block pavement the alley through square 66, running from Pearl to Maryland street, the following proposal only was presented:

John J. Palmer, Ballard Lock Block, 6 inches in size, at \$2.45 per square yard.

John J. Palmer being the lowest and only bidder, we would recommend that he be awarded the contract.

SECOND.

For grading and graveling Patterson street and sidewalks, from North to Elizabeth street, the following proposals were presented:

James Mahoney, \$1.12 per lineal foot front on each side.

Samuel Hanway, 80 cents per lineal foot front on each side of the line improved.

Samuel W. Patterson, 70 cents per lineal foot front on each side of the line improved.

Samuel W. Patterson being the lowest and best bidder, we would recommend that he be awarded the contract.

#### THIRD.

For grading and paving with brick the south sidewalk on Michigan street from Mississippi street to Indiana avenue, the following proposals were presented :

Henry C. Roney, paving 70 cents per lineal foot front; flagging 58 cts. per single row; bowldering 75 cents per superficial yard.

Oliver, English & Co., paving 80 cents per lineal foot front.

Andrew Douglass, paving 64 cents per lineal foot front; flagging 60 cents per lineal foot single row; bowldering 70 cents per superficial yard.

John Schier, paving 69 cents per lineal foot front; flagging 60 cents per lineal foot, single row; bowldering 71 cents per superficial yard.

Sam. J. Smock, paving 65 cents per lineal foot front; flagging 58 cents per lineal foot, run single row; bowldering 69 cents per square yard.

Samuel J. Smock being the lowest and best bidder, we would recommend that he be awarded the contract.

#### FOURTH.

For grading and graveling Wallace street and sidewalks, from Nebraska street to Yeiser street, the following proposals were presented :

Hiram Seibert \$1.56 per lineal foot front on each side of the line improved.

James Mahoney \$1.45 per lineal foot front on each side of the line improved.

James Mahoney being the lowest and best bidder, we would recommend that he be awarded the contract.

#### FIFTH.

For graveling Brooks street and sidewalks from the old corporation line to a point 300 feet north thereof, only one proposal was presented, and that was from James Mahoney, at \$1.25 per lineal foot front on each side of the line improved, which we deem too high, and would recommend that the same be readvertised.

#### SIXTH.

For grading and paving with brick the west sidewalk on California street from Michigan to North street, the following proposals were presented :

Henry C. Roney, paving 65 cents per lineal foot front; curbing 58 cts. per lineal foot run; flagging 56 cents per lineal foot, single row; bowldering 75 cents per superficial yard.

Bernard Hammill, paving 59 cents per lineal foot front. No proposal made for curbing, flagging or bowldering.

Augustus Brunner, paving 66 cents per lineal foot front; curbing 60 cents per lineal foot run; flagging 58 cents per lineal foot single row; Bowldering 75 cents per superficial yard.

Oliver, English & Co., paving 77 cents per lineal foot front. No proposal made for curbing, flagging or bowldering.

Andrew Douglass, paving 62 cents per lineal foot front; curbing 65 cents per lineal foot run; bowldering 70 cents per superficial yard; flagging 60 cts. per lineal foot, single row.

John Schier, 61 cents per lineal foot front; curbing 71 cents per lineal foot front; flagging 61 cents per lineal foot front; bowldering 62 cents per superficial yard.

John Shier being the lowest and best bidder, we would recommend that he be awarded the contract.

#### SEVENTH.

For grading and graveling Market street and sidewalks, from Highland st. to Arsenal avenue, the following proposals were presented:

James Mahoney, \$1.40 per lineal foot front on each side of the line improved.

Augustus Brunner, \$1.37 per lineal foot front on each side of the line improved.

John L. Hanna, \$1.20 per lineal foot front on each side of the line improved.

John Green, \$1.08 per lineal foot front on each side of the line improved.

John Green being the lowest and best bidder, we would recommend that he be awarded the contract.

#### EIGHTH.

For grading and graveling the first alley north of Ohio street, running east and west from Liberty to East street, the following proposals were presented:

Samuel J. Smock, 63 cents per lineal foot front on each side of the line improved.

James Mahoney, 50 cents per lineal foot front on each side of the line improved.

Henry C. Roney, 47 cents per lineal foot front on each side of the line to be improved.

Augustus Bruner, 40 cents per lineal foot on each side of the line to be improved.

Samuel Hanway, 38 cents per lineal foot front on each side of the line to be improved.

Samuel Hanway being the lowest and best bidder, we would recommend that he be awarded the contract.

## NINTH.

For grading and paving with brick the west sidewalk of Union street from Madison avenue to Hanway st., the following proposals were presented:

Augustus Bruner, paving 65 cents per lineal foot front.

Samuel J. Smock, paving 60 cents per lineal foot front.

Henry C. Roney, paving 54 cents per lineal foot front.

Andrew Douglass, paving 59 cents per lineal foot front.

Bernard Hamill, paving 52 cents per lineal foot front.

Oliver, English & Co., paving 70 cents per lineal foot front.

John Schier, paving 52 cents per lineal foot front.

John Schier being the lowest and best bidder, we would recommend that he be awarded the contract.

## TENTH.

For grading and graveling Wabash street and sidewalks from Alabama to New Jersey street, the following proposals were presented:

Samuel J. Smock, 75 cents per lineal foot front on each side of the line improved.

Henry C. Roney, 62 cents per lineal foot front on each side of the line improved.

Jno. Green, 53 cents per lineal foot front on each side of the line improved.

James Mahoney, 52 cents per lineal foot front on each side of the line improved.

Samuel Hanway, 45 cents per lineal foot front on each side of the line improved.

Augustus Bruner, 43 cents per lineal foot front on each side of the line improved.

Augustus Bruner being the lowest and best bidder, we would recommend that he be awarded the contract.

## ELEVENTH.

For grading and graveling the alley running north and south from Vermont to Michigan street, and between Delaware and Pennsylvania street, the following proposals were presented:

Augustus Bruner, 50 cents per lineal foot front on each side of the line improved.

James Mahoney, 52 cents per lineal foot front on each side of the line improved.

Samuel Hanway, 50 cents per lineal foot front on each side of the line improved.

Bernard Hamill, 49 cents per lineal foot front on each side of the line improved.

Bernard Hamill being the lowest and best bidder, we would recommend that he be awarded the contract.

Respectfully submitted,

LEON KAHN,  
W. H. CRAFT.  
M. C. ANDERSON.

Committee on Contracts.

Which was concurred in and contracts awarded, except the 4th paragraph, which was not concurred in.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—I hereby report the following work finished according to contract:

J. J. Palmer, second partial estimate, for grading, curbing and paving with wooden block pavement North Delaware street from the south line of Saint Clair street to the south line of Tinker street:

6285.21 square yards of pavement at \$2.18.....	\$13,701 75
2659.31 lineal feet of curbing at 61 5 10 cts. per foot.....	1,662 07
Total.....	<u>\$15,363 82</u>
Deduct former payment.....	5,487 31
Present payment.....	<u>\$9,876 51</u>

Also, Patterson & Dunning, for grading, paving with brick and curbing with stone the east sidewalk on Alabama street from Pogue's Run to Louisiana street:

307 feet of brick paving at \$1.17 per foot.....	\$359 19
227 ft. 10 inches of curbing at 57 cents per foot.....	129 87
Total estimate.....	<u>\$489 06</u>

Also, Patterson & Dunning, for grading and paving with brick the south sidewalk on Pratt street from Delaware to Pennsylvania street:

381 feet of paving at 47 cents per foot.....	\$179 07
24 feet of stone crossings at \$1.00 per foot.....	24 00
16 square yards of bowldering at 72 cents per yard.....	11 52
Total estimate.....	<u>\$214 59</u>

Also, James Mahoney, for grading and graveling the alley running from Harrison to Lord street:

Length on east side.....	122 ft. 4 in.
Length on west side.....	122 ft. 4 in.

Total length.....	244 ft. 8 in.
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At 35 cents per lineal foot.....	\$85 63
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Also, same, for grading East Grant street and sidewalks and graveling the east sidewalk from Michigan avenue, or Road, to Bates street:

809 ft. 10 inches on west side at 30 cents.....	\$242 95
800 ft. 10 inches on east side at 56 cents.....	448 45

Total ..	\$691 40
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Also, J. B. Smith, first partial estimate, for grading, curbing and paving with wooden block pavement Tennessee street from the north side of Indiana avenue to the north line of First street:

4166 square yards pavement at \$1 64 per yard.....	\$6,832 24
1502 feet of curbing at 61 cents.....	916 22

Total estimate.....	\$7,748 46
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Also, James Mahoney, for grading and graveling the first alley east of Maxwell street, running north and south from Elizabeth to North street:

Length on east side.....	480 ft.
Length on west side.....	480 ft.

Total length.....	960 ft.
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At 27 cents per lineal foot.....	\$259 20
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Also, Bernard Hamill, second partial estimate, for curbing with stone the outside edges of the sidewalks on Pennsylvania street from Washington to North street:

1404.75 feet of curb at 50 cents.....	\$702 45
Deduct former payment.....	231 58

Present payment.....	\$470 87
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Respectfully submitted,

R. M. PATTERSON, (late) Civil Engineer.

Which was concurred in.



The City Clerk submitted the following report :

OFFICE OF CITY CLERK, }  
INDIANAPOLIS, May 26, 1873. }

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

GENTLEMEN:—The City Clerk respectfully reports :

FIRST.

Second and partial estimate of John J. Palmer for grading, curbing and paving with wooden block pavement North Delaware street from the south line of St. Clair street to the south line of Tinker street.

SECOND.

First and final estimate of Patterson & Dunning for grading, paving with brick and curbing with stone the east sidewalk on Alabama st. from Pogue's Run to Louisiana street.

THIRD.

First and final estimate of Patterson & Dunning for grading and paving with brick the south sidewalk on Pratt street from Delaware to Pennsylvania street.

FOURTH.

First and final estimate of James Mahoney for grading and graveling the alley running from Harrison to Lord street.

FIFTH.

First and final estimate of James Mahoney for grading East Grant street and sidewalks and graveling the east sidewalk from Michigan ave., or Road, to Bates street.

SIXTH.

First and partial estimate of J. B. Smith for grading, curbing and paving with wooden block pavement Tennessee street from the north side of Indiana avenue to the north line of First street.

SEVENTH.

First and final estimate of James Mahoney for grading and graveling the first alley east of Maxwell street, running north and south from Elizabeth to North street.

EIGHTH.

Second and partial estimate of Bernard Hamill for curbing with stone the

outside edges of the sidewalks on Pennsylvania street from Washington to North streets.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in.

Also, the following estimate resolution :

*Resolved,* That the foregoing second and partial estimate allowed John J. Palmer for grading, curbing and paving with wooden block pavement Delaware street, from the south line of St. Clair to the south line of Tinker st., be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby notified to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved,* That the foregoing first and final estimate of Patterson & Dunning, for grading, paving with brick and curbing with stone, the east sidewalk of Alabama street, from Pogue's Run to Louisiana 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of Patterson & Dunning for grading and paving with brick the south sidewalk on Pratt street, from Delaware to Pennsylvania 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of James Mahoney for grading and graveling the alley running from Harrison to Lord, and between Benton and Cady street, in out-lot 91, 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of James Mahoney for grading east Grant st. and sidewalks, and graveling the east sidewalk from the Michigan road or avenue to Bates 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahu, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and partial estimate of J. B. Smith for grading, curbing and paving with wooden block pavement Tennessee street, from the north side of Indiana avenue to the north line of 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of James Mahoney for grading and graveling the first alley east of Maxwell street, running north and south from Elizabeth to North 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Also, the following estimate resolution :

*Resolved*, That the foregoing second and partial estimate of Bernard Hamill for curbing with stone the outside edges of the sidewalks on Pennsylvania street, from Washington to North 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, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

The City Clerk submitted the following report :

INDIANAPOLIS, May 26, 1873.

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

The City Clerk would respectfully report to the Council :

1st. Contract and bond of Jacob Rubush for grading and graveling Eutaw street and sidewalks from Paca street to the old corporation line.

2d. Contract and bond of Jacob Rubush for grading and graveling Pratt street and sidewalks from West to Paca street.

3d. Contract and bond of Andrew Douglass for grading and paving with brick the east sidewalk on Alabama street from Washington to Market sts.

4th. Contract and bond of John L. Hanna for grading and graveling Archer street and sidewalks from Michigan street to Clifford avenue.

5th. Contract and bond of John L. Hanna for grading and graveling the first alley east of New Jersey street, running from Merrill to McCarty st.

6th. Contract and bond of John J. Palmer for grading and paving with wooden block pavement the alley running north and south through Square 66, from Maryland to Pearl street.

7th. Contract and bond of Samuel Hanway for grading and graveling the first alley north of Ohio street, running east and west from Liberty to East street.

8th. Contract and bond of Henry C. Roney for grading and paving with brick the north sidewalk on North street, from Indiana avenue to Blake st.

9th. Contract and bond of Hiram Seibert for grading and graveling Dunlop street and sidewalks from Japan street to the Madison Road.

10th. Contract and bond of James W. Hudson for grading and paving with brick the east sidewalk on Tennessee street, from Maryland to Merrill street.

11th. Contract and bond of John Schier for grading and graveling Lock-  
erbie street and sidewalks from Liberty to Noble street

12th. Contract and bond of John Schier for grading and paving with brick and curbing with stone the outside edge of the sidewalk on Maryland street from Alabama street to Virginia avenue.

13th. Contract and bond of James W. Hudson for grading and paving with brick the west sidewalk on Russell avenue from Illinois to Meridian st.

14th. Contract and bond of James Mahoney for grading and graveling the first alley east of East street, running from Georgia to Louisiana street.

15th. Contract and bond of Augustus Bruner for grading and graveling Wabash street and sidewalks from Alabama to New Jersey street.

16th. Contract and bond of James W. Hudson for grading and bowldering the alley running north and south from the first alley north of Washington street to Ohio street, through Squares 54 and 47.

Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, and the bonds approved.

Also, the following report :

OFFICE OF CITY CLERK, }  
INDIANAPOLIS, May 26, 1873. }

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

GENTLEMEN:—The City Clerk would respectfully report the following affidavit, now on file in his office, for the collection of street assessment by precept, to wit: Patterson & Dunning vs. Ellen Smith, for \$46.87½, and respectfully recommend that you order the precept to issue.

Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, and the precept ordered to issue.

The City Sewer Engineer submitted the following report :

INDIANAPOLIS, May 14, 1873.

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

GENTLEMEN:—Some time ago the Council ordered a catch-basin built on the north-west corner of Market and Illinois street. The work has been done by R. M. Riner, at a cost of \$100.

A catch-basin has been built, by order of the Council, in an alley in out-lot 101, by Jesse Whitsit, at a cost of \$100.

Respectfully yours,

J. W. BROWN, Sewer Engineer.

Which was concurred in.

The City Attorney submitted the following report :

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Several years ago the city obtained judgment against Jeremiah Skeen and others, as sureties on a bond given by them to the city. Among these sureties was James P. Drake.

I ascertained, a short time since, that Drake had some interest in two small lots in the addition west of White river. This interest was somewhat uncertain, and I therefore made a compromise, receiving two hundred dollars on said judgment, and agreeing to release the lien of said judgment on

the said lots. I ask your honorable body to approve my action, and herewith submit a check for two hundred dollars.

Respectfully,

B. K. ELLIOTT, City Attorney.

Which was concurred in.

Also the following report :

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—I have examined the question involved in the resolution directing the Clerk to advertise for proposals for constructing a road on the Sellers farm.

I have ascertained from the Civil Engineer that the work proposed to be done is upon land owned by the city and known as the Sellers farm, and I am of opinion that the Council have power to do the proposed work, as it is upon land owned by the city.

Respectfully,

B. K. ELLIOTT, City Attorney.

Which was concurred in.

The Gas Inspector presented the following communication :

INDIANAPOLIS, May 26, 1873.

To the Committee on Gas, acting for the Common Council of the City of Indianapolis :

GENTLEMEN:—Will you ask the Council, in their order directing me to advertise for proposals to light the city lamps for the ensuing year, to make the following specifications, to-wit :

1. To divide the city into four sections by the lines of Pennsylvania street north and south, and Ohio street east and west, to be known as the north-west (N. W.), south-west (S. W.), south-east (S. E.) and north-east (N. E.) sections.

2. The bids may be for one or more of these sections, stating the price per lamp at which the bidder proposes to light and extinguish said lamps, according to the time table to be furnished each month by the Inspector, and to keep such lamps cleaned, and that portion of the fixtures which are above ground, in good repair.

3. All new lamps which may be added to the section, to be lighted, cleaned and repaired at the same rate.



4. The contract to be for one year, but the price stated to be the price per month.

R. T. BROWN, City Gas Inspector.

Which was referred to the Committee on Gas Light.

The Board of Health submitted the following report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—The Board of Health would respectfully submit the following weekly mortality report for the week ending 26th of May, 1873:

Under 1 year.....	3
From 1 to 2 years.....	0
From 2 to 5 years.....	1
From 5 to 10 years.....	1
From 10 to 15 years.....	2
From 15 to 20 years.....	1
From 20 to 25 years.....	1
From 25 to 30 years.....	1
From 30 to 40 years.....	2
From 40 to 50 years.....	2
From 50 to 60 years.....	1
From 60 to 70 years.....	0
From 70 to 80 years.....	1
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	0
Total .....	16

Respectfully submitted,

S. A. ELBERT, M. D., President.

W. WANDS, M. D., Secretary.

Which was received.

The City Assessor submitted the following:

INDIANAPOLIS, May 26, 1873:

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

GENTLEMEN:—I hereby appoint and ask your honorable to confirm Charles S. Wright as deputy City Assessor, to serve in the place of E. B. Cole resigned.

Respectfully submitted.

WM. HADLEY, City Assessor.

Which was concurred in, and the appointment confirmed by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—In accordance with an order from your honorable body I hereby submit plats of the Fall Creek and Indianapolis Gravel Road, or so much thereof as is within the corporate limits of the city.

Also, the Indianapolis and Southport Gravel Road.

Also, the extension of a street from the west line of the State Fair Grounds to Illinois street.

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was received.

By consent, Mr. Sherwood presented the following:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—The National Agricultural Congress is to hold its Third Annual Meeting in your city on Wednesday next, May 28th, 1873. This organization is composed of delegates from the various States of the Union and representatives from all the agricultural interests in the United States. It is expected that this meeting will be unusually large and interesting. The Congress has been induced to hold the present meeting in your city at the instance of many citizens of the State and of the agricultural interests generally. The authorities of the cities of Nashville, Tenn, and St. Louis, Mo., each took a great interest in the meeting of the Congress in their cities.

It has been suggested that the fact of the meeting need only be suggested to you to insure the necessary steps which has and should ever be characteristic of the great and growing city of Indiana—Indianapolis. Upon the above

suggestion, therefore, the undersigned Committee of Arrangements, on behalf of the State Board of Agriculture, would respectfully suggest that you take such steps as will insure, at least, a welcome and appreciation in behalf of Indianapolis towards a body of men representing the corner stone of our nation's industry. With the hope that you may take such steps as are within your power, and calculated to insure the success and add to the interest of the meeting, we are, respectfully, yours, &c.,

F. BASLER,  
ALEX. HERRON,  
Committee.

Which was received.

Also the following motion :

*Moved*, That His Honor, the Mayor, appoint a Special Committee to act with the National Agricultural Congress in regard to their meeting on the 28th of May.

Which was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Sherwood, Rush, Pressly, Brown and Pendleton.

By consent, Mr. Gibson offered the following resolution :

*Resolved*, That the plat reported by the Civil Engineer relative to the Indianapolis and Fall Creek Gravel Road, in accordance with a resolution adopted at the last session, be, together with a copy of said resolution, referred to the City Commissioners to assess damages and benefits according to law, and the said Commissioners are notified that the Common Council propose to condemn for the purposes of a street so much of said Gravel Road as lies within the corporate limits of said city, and the City Clerk is hereby instructed to issue the proper notices.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

On motion by Mr. Pressly, the members from the new wards, in accordance with the provisions of the city charter, drew lots for the long and short terms of office, which resulted as follows :

For the 10th Ward—Mr. Twiname drew for two years, Mr. Batty for one year.

For the 11th Ward—Mr. Darnell drew for two years, Mr. Peck for one year.

For the 12th Ward—Mr. McLaughlin drew for two years, Mr. Gimber for one year.

For the 13th Ward—Mr. Stratford drew for two years, Mr. Pendleton for one year.

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

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your Committee on Contracts to whom was referred the several bids for the improvement of the road on the Sellers' farm, would report the same to be as follows :

1st. R. M. Riner 19 cents for grading, 19 cents for filling and 74 cents for graveling, per cubic yard.

2d. David Johnson 19 cents for grading, 19 cents for filling and 80 cents for graveling.

3d. John L. Hanna 17 cents for grading, 17 cents for filling and 73 cents for graveling.

Mr. Hanna having come down, we recommend that he be awarded the contract.

Respectfully submitted,

LEON KAHN,  
W. H. CRAFT,  
M. C. ANDERSON,  
Committee on Contracts.

Which was concurred in, and the contract awarded.

## ORDINANCES ON FIRST READING.

Mr. Craft introduced general ordinance No. 30, 1873, entitled:

An ordinance to amend section one of an ordinance entitled "An ordinance to provide for the compensation of city officers and members of the Police Force and Fire Department for the fiscal year ending May 15, 1874," and providing for the appointment of a Committee Clerk and prescribing his duties.

Which was read the first time.

Mr. Craft moved to suspend the rules for the purpose of reading the second and third times and passing the above entitled ordinance; also for passing B. Coffin's railroad switch ordinance.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—22.

Negative—Councilmen Brown, Kennington, Reagan and Stratford—4.

General ordinance No. 30, 1873, was then read the second time.

On motion by Dr. Woodburn, the blank in the ordinance was filled by inserting "two years."

Mr. Brown moved to strike out all that pertains to the creation of the office of Committee Clerk.

Which was not adopted.

The ordinance was then read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Mc-

Laughlin, Peck, Pendleton, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative—Councilmen Brown, Kennington and Shepherd—3.

General ordinance No. 22, 1873, entitled :

An ordinance authorizing B. Coffin to construct a certain railroad track,

Was taken up.

Mr. Shepherd, from the Special Committee, submitted the following report :

INDIANAPOLIS, May 26, 1873.

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

The Select Committee on that subject, beg leave to report an amendment to section one of an ordinance authorizing Barnabas Coffin to construct a certain railroad track, containing a correct description of the route of such proposed railroad, which description conforms to the accompanying plat.

JAMES McB. SHEPHERD,  
AUSTIN H. BROWN,  
Select Committee.

I concur in the above report.

WM. HADLEY, City Assessor.

Which was concurred in.

Also the following amendment :

Commence upon Kentucky avenue at a point west of the north-west corner of lot 9, in Simon Yandes' subdivision of lot 19 of Echerts heirs' subdivision of out-lot 131, connecting at said point with the track of the White River Rolling Mill, or with the track of the Indianapolis and Vincennes R. R. Co. near the same point, and thence running in a southerly direction across Merrill street near its intersection with Kentucky avenue, on to and through lot 89 in Yandes' subdivision of out-lot 130, crossing Sand street at a point south of said lot 89, thence south, bearing east through the west part of out-lot 130, re-crossing Sand street at a point where it intersects the west bank of White River, thence in a south-easterly direction across McCarty street where it intersects White River, thence along the river bank crossing Root street at a point north of lot 58 in Yandes' subdivision of out-lot 129, and crossing

Kingan street at a point south of lot 59 in the same subdivision, thence south-westerly along the river bank onto and through lot 81, in Simon Yandes' subdivision of said out lot 129, intersecting Dacotah street at a point on the west side of said lot 81, thence south along Dacotah st. to the old corporation line, and thence continued directly south along the extension of Dacotah street to a point opposite the north-west corner of lot 41 in the Peru and Indianapolis Railroad Co.'s addition to the city of Indianapolis.

Which was adopted, and ordinance so amended.

Mr. Reagan moved that B. Coffin be not allowed to run his track across Merrill street.

Which motion was laid on the table.

The ordinance as amended was then ordered engrossed.

The ordinance was then read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—26.

Negative—None.

Mr. Thalman moved that the Council now proceed to ballot for the election of a Committee Clerk.

Which motion was adopted.

Mr. Thalman nominated John G. Waters.

His Honor, the Mayor, appointed as tellers Councilmen Thalman and Brown.

A ballot was then had which resulted in the election of Capt. John G. Waters.

Mr. Bigham presented the following petition :

INDIANAPOLIS, May 19, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the second alley north of Market street running east and west between Ohio and Market streets, and between Winston and Highland streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the same. And your petitioners will ever pray, &c.

Charles Zabel and John W. Dickson.

Which was received.

Mr. Bigham introduced special ordinance No. 144, 1873, entitled :

An ordinance to grade and gravel the second alley north of Market street running east and west from Winston to Highland street.

Which was read the first time.

Mr. Rush introduced general ordinance No. 31, 1873, entitled :

An ordinance relative to the allowance and payment of claims.

Which was read the first time.

Dr. Ward presented the following petition :

INDIANAPOLIS, May 8, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on New Jersey street, between Home avenue and the north line of Allen and Root's addition, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the street and sidewalks between the points named. And your petitioners will ever pray, &c.

J. E. Ludlum, R. H. Patterson, Joseph Emry, H. H.  
Fulton, and 19 others.

Which was received.



Also special ordinance No. 145, 1873, entitled :

An ordinance to grade and gravel North New Jersey street and sidewalks between Home avenue and the south side of the State Fair Grounds.

Which was read the first time.

Mr. Shepherd introduced special ordinance No. 146, 1873, entitled :

An ordinance to light with gas Kentucky avenue from South street to White River.

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

Also special ordinance No. 147, 1873, entitled :

An ordinance to grade and pave with bricks and curb with stone the south sidewalk on Washington street from the western arm of the Canal to White River.

Which was read the first time.

Also special ordinance No. 148, 1873, entitled :

An ordinance to grade, pave with brick and curb with stone the south sidewalk on West Maryland street, between Tennessee and Missouri streets.

Which was read the first time.

Also special ordinance No. 149, 1873, entitled :

An ordinance to grade, pave with brick curb with stone the east sidewalk on West street, between Washington and Maryland streets.

Which was read the first time.

Mr. Kennington presented the following petition :

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on South Delaware street, from South street to Madison avenue, respectfully petition

your honorable body to pass an ordinance providing for the bowldering the gutter and curbing the sidewalk on the east side of the above named street. And your petitioners will ever pray, &c.

Wm Schweineberger, Robt. Kennington, J. D. Mugge,  
C. Hilgemeiar and 12 others.

Which was received.

Also special ordinance No. 150, 1873, entitled :

An ordinance to grade and bowlder the gutter on the east side of Delaware street and for curbing with stone the east sidewalk, from South to Bicking street.

Which was read the first time.

Mr. Batty presented the following petition :

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—The undersigned, property owners on College avenue, respectfully petition your honorable body to pass an ordinance for the putting down a Lefler stone pavement on the sidewalks of said avenue, five feet in width, from Tinker street to the corporation line north, and also for curbing, viz., a pine board 3 inches by 20 wide.

H. C. Guffin, George W. Spahr, J. H. Ruddell, James  
Dougherty, and 18 others.

Which was received.

Also special ordinance No. 151, 1873, entitled :

An ordinance to grade, pave with Lefler paving stone, and curbing with wooden curb, the sidewalks of College avenue, between 7th or Tinker street and the corporation line north.

Which was read the first time.

Also special ordinance No. 152, 1873, entitled :

An ordinance to light with gas College avenue from Tinker street to the corporation line north.

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

## REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your Committee on Streets and Alleys, to whom was referred ordinance No. 50, with a remonstrance, respectfully report that in our opinion the ordinance should pass as originally intended.

Respectfully submitted,

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

Which was concurred in.

Also the following report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your committee have examined the proceedings in the matter of the vacation of a twenty foot alley lying between lots 113, 129, 130, 146 and 147, in Ingram Fletcher's 3rd and 4th addition of the city of Indianapolis as petitioned for by the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company and others, and report in favor of adopting the accompanying order of vacation.

Respectfully submitted,

H. S. BIGHAM,  
E. J. HARDESTY,  
JOHN T. PRESSLY,  
Com. on Sts. and Alleys.

## ORDER OF VACATION.

Whereas, at a meeting of the Common Council of the city of Indianapolis, held at their Council Chamber in said city March 3, 1873, Mr. Wiles, a representative from the 2nd ward, presented the following petition, to-wit:

INDIANAPOLIS, Feb. 27, 1873.

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

GENTLEMEN:—We, the undersigned property owners and parties subscribed, respectfully petition your honorable body to vacate the twenty (20) foot alley lying between lots numbered 113, 129, 130, 146 and 147, in Ingram Fletcher's third and fourth addition, to the city of Indianapolis and the right of way of the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company from Beeler Street to Orange Avenue, as per plat filed herewith. The object of said vacation being as follows: To provide the necessary width of ground and right of way for the construction, grading, laying down and operating one additional railway tract from Brightwood to the city of Indianapolis, of which the ground herein prayed for to be vacated is a continuous and connected right of way between Brightwood and the city of Indianapolis, for the purpose hereinbefore named.

Cleveland, Columbus, Cincinnati and Indianapolis Railway  
Company, by G. M. Beach.

The Sewing Machine Cabinet Company, by S. Morris, Pres't.

Chester G. Bartholomew.

Bennet F. Morris.

STATE OF INDIANA. }  
COUNTY OF MARION. } Sct.

Before me, Sam'l S. Anderson, a Notary Public in and for said county, the 5th day of May A. D. 1873, appeared Chester G. Bartholomew and Bennet F. Morris, and acknowledged the signing of the annexed petition for the uses and purposes therein set forth. Before me also came the Cleveland, Columbus, Cincinnati and Indianapolis Railway, by G. M. Beach, her Agent, and the Sewing Machine Cabinet Company, by S. Morris, the President thereof, and acknowledged the signing of the same for the uses and purposes aforesaid, and for and on behalf of said Corporations. In witness whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

SAM'L S. ANDERSON, Not. Pub. [Seal.]

Which petition was on the said 3rd day of March, 1873, referred to the committee on streets and alleys. And whereas, notice of the pendency of the foregoing petition and of the time for the action of the Common Council thereon was duly given by publication in the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in Indianapolis, Indiana; which notice and proof of publication thereof were duly filed in the office of the City Clerk on the 5th day of May, 1873, in the words and figures following, to-wit:

NOTICE OF VACATION OF ALLEY.

To M. A. H. Tevis and all others concerned:

Notice is hereby given that the undersigned have filed before the Common

Council of the city of Indianapolis, Indiana, a petition for the vacation of an alley twenty (20) feet wide, extending between Beeler street and Orange Avenue, bounded on the north by lots 113, 129, 130, 146 and 147 in Ingram Fletcher's 3rd and 4th additions, to the city of Indianapolis, Marion County, Indiana; on the south by the right of way of the undersigned railway company. And said petition will be presented to said council at the first regular meeting after twenty days from this date or as soon thereafter as the Council will hear the same.

Chester G. Bartholomew,  
Sewing Machine Cabinet Company,  
Cleveland, Columbus, Cincinnati and Indianapolis Railway  
Company, petitioners.

STATE OF INDIANA, }  
Marion County. } SS:

Personally appeared before the undersigned, Henry A. Loudon, clerk for Indianapolis Journal Company, publishers of the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the city of Indianapolis, in the county aforesaid, who being duly sworn upon his oath says, that the notice, of which the attached is a true copy, was duly published in said paper for three weeks successively; the first of which publications was made on the 14th and the last on the 28th day of March, 1873.

HENRY A. LOUDON.

Subscribed and sworn before me the 25th day of April, 1873.

DAVIS MILNER, Not. Pub. [Seal.]

And whereas said notice as by law required was duly posted along the line of the said alley mentioned in said petition, which notice and the proof of the posting thereof, as aforesaid, was duly filed in the office of the City Clerk on the 5th day of May, 1873, in the words and figures following, to-wit:

NOTICE OF VACATION OF ALLEY.

To Mr. A. H. Tevis and all others concerned:

Notice is hereby given that the undersigned have filed before the Common Council of the city of Indianapolis a petition for the vacation of an alley twenty (20) feet wide, extending between Beeler street and Orange Avenue, bounded on the north by lots 113, 129, 130, 146 and 147 in Ingram Fletcher's 3rd and 4th additions, to the city of Indianapolis, Marion County, Ind., and on the south by the right-of way of the undersigned railway company. And said petition will be presented to the Council at the first regular meeting after twenty (20) days from this date or as soon thereafter as the Council will hear the same.

Chester G. Bartholomew.  
Sewing Machine Cabinet Company.  
Cleveland, Columbus, Cincinnati and Indianapolis Railway  
Company.

STATE OF INDIANA, }  
 Marion County. } SS:

G. M. Beach being first duly sworn on his oath says, that heretofore on the 10th day of March, 1873, three copies of the notice on the reverse hereof written were duly posted in three public places in the immediate neighborhood of the alley to which the petition of vacation relates.

G. M. BEACH.

Subscribed and sworn to this 5th day of May, 1873.

S. S. ANDERSON, Not. Pub. (Seal.)

And whereas, the consent in writing to the vacation of the said alley specified in said petition as aforesaid, has been duly signed and acknowledged by the owners of all the lots abutting on the said alley on the north and by the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company, the owner of the land abutting on said alley on the south, the same being owned by them as a right of way, which written consent was filed in the office of the City Clerk, May, 5, 1873, and is in the words and figures following, to-wit:

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

GENTLEMEN:—We the undersigned property owners and parties interested, respectfully petition your honorable body to vacate the twenty foot alley lying between lots numbered 113, 129, 130, 146 and 147 in Ingram Fletcher's 3rd and 4th additions to the city of Indianapolis, and the right of way of the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company from Beeler street to Orange Avenue, as per plat filed herewith. The object of said vacation being as follows: To provide the necessary width of ground and right of way for the construction, grading, laying down and operating one additional railway track from Brightwood to the city of Indianapolis, of which the ground herein prayed for to be vacated forms one continuous and connected right of way between Brightwood and the city of Indianapolis, for the purposes heretofore named.

Cleveland, Columbus, Cincinnati and Indianapolis Railway  
 Company, by G. M. Beach.

Sewing Machine Cabinet Company, by S. Morris, Treas.

Chester G. Bartholomew.

Bennett F. Morris.

STATE OF INDIANA, }  
 Marion County. } SS:

Before me, Sam'l S. Anderson a notary for and in said county, this 5th day of May, 1873, appeared Bennett F. Morris and Chester G. Bartholomew and acknowledged the signing of the annexed petition, for the uses and purposes therein set forth. Before me also came The Cleveland Columbus, Cincinnati<sup>1</sup> and Indianapolis Railway Company, by G. Beach, her agent, and the Sewing

Machine Cabinet Company, by S. Morris, the president thereof, and acknowledged the signing of the same for the uses and purposes as aforesaid and for and on behalf of said corporations. In witness whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

SAM'L S. ANDERSON, Not. Pub. (Seal.)

And whereas the ownership of the said parties in said land has not been denied, and the committee on streets and alleys to whom the foregoing petition, notices, proofs and proceedings were referred have duly examined the same, and after full knowledge of the premises have reported favorably thereon and recommended the vacation of the same.

Now therefore, it is by the Mayor and Common Council of the said city of Indianapolis, ordered, that the twenty foot alley lying between Beeler Street and Orange Avenue and bounded on the north by lots 113, 129, 130, 146 and 147 in Ingram Fletcher's 3rd and 4th additions to the city of Indianapolis and on the south by the said railway company, as described in the petition and plat filed with these proceedings, be and the same is hereby vacated as the same now appears from the recorded plat, between the points named. And that said railway company may use the same for the uses and purposes in the petition set forth.

Which was concurred in, and the order of vacation adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Sherwood, Thalman, Twiname, Ward and Woodburn—22.

Negative—Councilmen Brown, Kennington, Shepherd, and Stratford—4.

Also the following report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—1. Your Committee, to whom was referred a motion directing the Street Commissioner to place a wooden culvert across the gutter on the east side of Noble street where New York street crosses said street would report against building a culvert across said gutter, but that the Street Commissioner bowlder the same to a width of nine feet.

2. A motion was also referred to your committee directing the Street Commissioner to remove the stone and clean up Georgia street from Illinois to Tennessee street. We recommend that the Street Commissioner carry out said motion.

3. Sundry motions were referred to your committee directing the City Clerk to advertise for sundry stone crossings at different points, and as your committee believe a saving of not less than thirty-three per cent. could be made by letting them out by contract, that the City Clerk advertise for proposals to build them.

4. A remonstrance was referred to your committee, signed by John Brown and others, against improving the first alley south of Buchanan street running from East to Wright street, but as your committee believe said alley should be improved, we would recommend that the said ordinance be passed for the said improvement.

5. A motion was referred to your committee directing the Street Commissioner to open an alley running north and south through out-lot 72, between Market and Washington streets, and Cruse street and the old corporation line, would report in favor of directing the Street Commissioner to open the said alley.

6. An ordinance was referred to your committee for grading and graveling the first alley south of Meek street, running east and west from Benton to Cady street, together with a remonstrance from the property holders opposing said improvement, we would recommend that the said ordinance be stricken from the files.

7. A remonstrance was also referred to your committee from Governor Thomas A. Hendricks opposing the vacation of an alley running across lots 25 and 26, in out-lot 170, as a legal question is involved in regard to the vacation of said alley. We would recommend that said remonstrance be referred to the City Attorney for his opinion.

8. A remonstrance was referred to your committee, signed by Thomas Chapman and Gilbert Summers, remonstrating against the passage of an ordinance for grading and paving with brick the east sidewalk on California street from Indiana avenue to St. Clair street—as said sidewalk is now in good condition, we would recommend that said ordinance be stricken from the files.

9. A remonstrance was referred to your committee, signed by Peter Balz and others, remonstrating against the improvement of Wallace and Downey streets with screened river gravel and substituting in lieu thereof good river or creek gravel. Your committee believe that good river or creek gravel would be much cheaper and good enough, would recommend that the said



ordinances already passed be repealed, and ordinances for said improvements with good river or creek gravel be introduced.

10. A petition was referred to your committee, signed by Fred. W. Fout, George T. Breunig and others, asking an extension of Broadway street from Christian to Massachusetts avenue, would report in favor of opening said street between the limits proposed, on condition that the property holders pay all the damages.

11. An ordinance was also referred to your committee for grading and graveling the second alley north of St. Clair street, between New Jersey st. and Park avenue; also a remonstrance against said improvement, signed by James W. Smither and J. C. Burton. Your committee, believing said improvement is necessary, herewith report back the ordinance and remonstrance and recommend that the ordinance be passed.

12. A petition and ordinance was also referred to your committee to grade and pave with brick the south sidewalk on Fort Wayne avenue from Pennsylvania to New Jersey street; we herewith report back the ordinance and petition, and recommend that the ordinance be passed.

13. An ordinance was also referred to your committee to grade and pave with brick the west sidewalk of Fort Wayne avenue or Western avenue from the south line of Talbott's addition to the north line of Root & Allen's addition. We herewith report back the ordinance and recommend its passage.

14. An ordinance was also referred to your committee for the erection of lamp-posts lamps and fixtures on Pratt street from Meridian to Pennsylvania street. We herewith report the ordinance back and recommend its passage.

Respectfully submitted,

H. S. BIGHAM,  
E. J. HARDESTY  
JOHN T. PRESSLY,  
Com. on Sts. and Alleys.

Which was concurred in, except the 14th paragraph, which was stricken out.

Mr. Bigham offered the following order of vacation :

Whereas, it being properly shown that due and proper notice of the application to vacate a certain alley hereinafter described has been duly given, which notices and proof are herewith filed; and whereas said application was duly examined by the Committee on Streets and Alleys and a report in favor of vacating such alley made May 5th, 1873; therefore,

*Resolved*, That the prayer of the petition of John Malony, filed April 28th 1873, be granted, and that four feet of the south side of the alley running along the north side of lot eighteen (18) of Russell's subdivision of out-lot twenty-six (26), in the city of Indianapolis, be vacated.

STATE OF INDIANA, } SS:  
Marion County, }

Augustus L. Spencer being duly sworn, on his oath says, that on the 9th day of May, 1873, he posted up notices at three places, to-wit. One near the corner of Illinois street, on the alley adjoining lot 18 in Russell's sub-division of out-lot number 26 in the city of Indianapolis, one in the center of the alley, and one near the end of said lot, all on the north side of said alley, of which the notice hereto attached is a true copy.

AUGUSTUS S. SPENCER.

Subscribed and sworn before me this 26th day of May, 1873.

CHARLES FISHER, Justice of the Peace.

NOTICE OF VACATION.

Notice is hereby given of the pendency before the Common Council of the city of Indianapolis, of a petition asking for the vacation of four (4) feet of the south side of the alley running east and west along the north side of lot 18, in Russell's sub-division of out-lot No. 26, in the said city of Indianapolis. Said petition will be taken up for final action at the meeting of the Common Council, to be held on the 26th day of May, 1873, or as soon thereafter as the same can be heard.

JOHN R. GLINTON, City Clerk.

STATE OF INDIANA, } SS:  
Marion County, }

Personally appeared before the undersigned F. A. Smith, cashier of the Indiana State Sentinel, a public weekly newspaper of general circulation, printed and published in Indianapolis, in the county aforesaid, who being duly sworn, upon his oath said that the notice, of which the attached is a true copy, was duly published in said paper for three weeks successively, the first of which publication was on the 29th day of April, 1873.

F. A. SMITH.

Subscribed and sworn before me this 26th day of May.

W. C. MORIARTY, Notary Public.

NOTICE OF VACATION.

Notice is hereby given of the pendency before the Common Council of the city of Indianapolis, of a petition asking for the vacation of four (4) feet of the south side of the alley running east and west along the north side of lot 18,

in Russell's sub-division of out-lot No. 26, in the said city of Indianapolis. Said petition will be taken up for final action at the meeting of the Common Council, to be held on the 26th day of May, 1873, or as soon thereafter as the same can be heard.

JOHN R. CLINTON, City Clerk.

Received, May 26th, 1873, of John Moloney, six dollars, in full for publishing the above notice.

SENTINEL COMPANY.

By Moriarty.

Mr. Brown presented the following remonstrance :

INDIANAPOLIS, May 26, 1873.

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

The undersigned hereby remonstrates against vacating the alley petitioned for by John Maloney, in Russell's heirs subdivision of out lot 26.

MARGARET R. BROWN,

By Austin H. Brown, her Atty. in fact.

On motion the whole matter was referred to the City Attorney.

Dr. Woodburn offered the following motion :

*Moved*, That the City Attorney be required to prepare new blanks for contracts and bonds, to be so worded as to relieve the members of Council from personal responsibility.

Which was adopted.

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

INDIANAPOLIS, May 26, 1873.

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

The Committee on Finance, to whom was referred the petition of Rosa Wichman, report that there is no authority in law for refunding taxes paid in the manner stated in said petition, and that the petitioner has, therefore, no claim upon the Common Council. Her remedy is to collect from the party for whom she erroneously paid the taxes the amount so paid. The fact that such payment was made in error does not release the city's claim for taxes on other property, nor can the City Treasurer apply money paid on one

piece of property to the payment of taxes on another, by transfer, after receipts are passed and property returned delinquent.

AUSTIN H. BROWN,

J. H. WOODBURN,

DAVID GIBSON,

LEON KAHN

H. S. BIGHAM,

Com. on Finance.

I concur in the above report.

WM. HADLEY, City Assessor.

Which was concurred in.

Also the following report:

INDIANAPOLIS, May 26, 1873.

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

The Committee on Finance, to whom was referred the petition of Henrietta Martindale, would report that the facts are as stated in her petition, viz.: that she was assessed for taxation for 1872 and 1873 with an improvement on lot 23 in out-lot 100, whereas there never has been any improvement on said lot. We therefore recommend that the taxes paid on such supposed improvement, amounting to \$15.05 cents, be refunded the petitioner, and that said amount be embraced in the next ordinance to be presented allowing claims.

AUSTIN H. BROWN,

J. H. WOODBURN,

DAVID GIBSON,

LEON KAHN,

H. S. BIGHAM,

Com. on Finance.

I concur in the above report.

WM. HADLEY, City Assessor.

Which was concurred in.

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

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—Your committee to whom was referred the communication of the sewer engineer concerning the sewer in Potomac alley, respectfully report:

That they made a careful examination of the premises and found that it would be not expedient to proceed with the work, without leaving in the sheeting and braces, and therefore arranged with the contractor to allow the sheeting and braces to remain. This will cause the contractor about one hundred dollars extra expense, of which your committee deemed it proper to agree to pay thirty-five dollars; and in consideration of which the contractor agreed to leave in all braces and sheeting, and do all other things necessary to protect the adjacent property from her harm.

Respectfully,

L. Q. SHERWOOD,

H. S. BIGHAM,

J. C. ADAMS,

Com. on Sewers.

Which was concurred in.

¶ Mr. Craft, from the Committee on Fire Department, made the following report:

INDIANAPOLIS, May 62, 1873.

To the Mayor and Members of the Common Council of the city of Indianapolis:

GENTLEMEN:—We, the undersigned members of the committee on fire department, to which was referred the bids on hose, submitted at the last meeting of the council, would report that we have carefully considered the bids and the samples of hose, and are clearly of the opinion that the test hose and bid of Mooney, Taylor & Smith are the best, and would recommend that the contract for 2000 feet of test hose, made by N. Y. Belting and Packing Co., be awarded them at their bid, viz: One dollar and fifteen cents per foot. Also we would recommend that the contract for a large bell for Massachusetts Avenue House, be awarded to the Buckeye Bell Foundary of Cincinnati, the said company being the lowest on the same by forty-five cents per pound.

W. H. CRAFT,

DAVID GIBSON,

Com. on Fire Department.

CHARLES RICHMANN,

Chief Fire Engineer.

Mr. Kennington, from the same committee, submitted the following minority report:

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—One of your committee begs leave to dissent from so much of the majority report as relates to the furnishing of the city with hose, as

your minority of committee is of the opinion that the Hide, Leather and Belting Co. is the cheapest and best bidder, and would recommend that the contract be awarded to the Hide, Leather and Belting Co. I concur in the remainder of the report.

Respectfully submitted,

ROBERT KENNINGTON.

After considerable debate the minority report was concurred in, and the contract so awarded by the following vote:

Affirmative—Councilmen Anderson, Bigham, Bollman, Brown, Darnell, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Rush, Shepherd, Sherwood and Stratford—18.

Negative—Councilmen Adams, Batty, Craft, Gibson, Thalman, Twiname, Ward and Woodburn—8.

On motion the Council adjourned.

JAMES L. MITCHELL, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.