

PROCEEDINGS

OF THE

COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday August 11, 1873, 7½ o'clock, P. M. }

The Common Council met in regular session.

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

Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—24.

Absent—Councilmen Craft and Reagan—2.

The proceedings of the regular session held August 4th, 1873, were read and approved.

Sealed proposals for improving sundry streets, sidewalks, etc., were received, opened, read and referred to the Committee on Contracts.

On motion, Dr. Woodburn was granted leave of absence.

His Honor the Mayor, presented the following :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—To fill vacancies on committees occasioned by resignations filed by Messrs. Brown, Woodburn, Hardesty, Anderson and Shepherd, the following named Councilmen are duly appointed on the following committees :

On Judiciary—J. C. Adams, Chairman, John H. Batty, R. C. J. Pendleton.

On Revision of Ordinances—C. F. Darnell.

On Schools—J. W. Stratford, Chairman.

On Markets—Wm. McLaughlin.

On Public Buildings—T. H. S. Peck, Chairman, Henry Gimber.

On Tunnels—J. E. Twiname.

Respectfully submitted,

J. S. MITCHELL,
Mayor.

REPORT FROM THE COMMITTEE ON CONTRACTS.

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

INDIANAPOLIS, August 11, 1873.

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

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

FIRST.

For putting in a cement pipe sewer on the east side of Delaware street from Wyoming street, to connect with the Ray street sewer, the following proposals were presented :

W. C. Swain \$2 90 per lineal foot run.

Bruner & Riner, \$2 60 per lineal foot run. Manholes \$45 each.

J. B. Gridley, \$2 40 per lineal foot run; (this price includes the attachment of forty feet of eighteen inch pipe, and sixty feet of twelve inch pipe, and one manhole with catch basin and cap.)

J. B. Gridley being the lowest bidder we would recommend that he be awarded the contract.

SECOND.

For grading and graveling North New Jersey street and sidewalks between Home avenue and the south side of the State Fair Grounds, only one proposal was presented, and that by Samuel J. Smock, at \$1 50 per lineal foot front on each side, which your committee deem too high, and therefore recommend that the same be readvertised.

THIRD.

For grading and bowldering the gutters and curbing with stone the sidewalks on Park avenue from Christian to Forest avenue, the following proposals were presented :

John L. Hanna, curbing 70 cents per lineal foot front, on each side of the line improved.

Bowldering the gutters, 70 cents per lineal foot front on each side of the line improved.

Andrew Douglass, curbing 62 cents per lineal foot front on each side of the line improved.

Bowldering, 60 cents per lineal foot front on each side of the line improved.

Andrew Douglass being the lowest and best bidder we would recommend that he be awarded the contract.

FOURTH.

For grading, paving with Lefler paving stone and curbing with wooden curbing, the sidewalks on College avenue from Seventh or Tinker street, and the corporation line north, the following proposals were presented :

Macauley & Stone, 60 cents per front foot for grading on each side.

Curbing, 21 cents per front foot on each side.

Paving with Lefler paving stone, 28½ cents per square foot.

John A. Whitsett, curbing per lineal foot front on each side 15 cents. Paving with Lefler paving stone, 42 cents per square foot, including grading.

Macauley & Stone being the lowest and best bidders we would recommend that they be awarded the contract.

FIFTH.

For grading and graveling Fourth street and sidewalks from the west side of Illinois street to the central canal, the following proposals were presented :

James Mahoney, \$1.36 per lineal foot front on each side of the line improved.

Patterson & Dunning, \$1.21 per lineal foot front on each side of the line improved, they being the lowest and best bidders we would recommend that they be awarded the contract.

SIXTH.

For grading and graveling Missouri street and sidewalks from McCarty to Ray street, the following proposals were presented :

David Johnson \$1.15 cents per lineal foot on each side of the line improved.

Michael Foust, 85 cents per lineal foot front on each side of the line improved.

Michael Foust being the lowest and best bidder we would recommend that he be awarded the contract.

SEVENTH.

For grading and graveling the first alley south of Pogue's run running east and west from New Jersey to East street the following proposal was presented :

Michael Foust, 55 cents per lineal foot run on each side of the line improved.

Michael Foust being the lowest bidder we would recommend that he be awarded the contract.

EIGHTH.

For grading and graveling the alley running east and west through square number 20, and between New Jersey and East street, no proposals were presented. We therefore recommend that this work be readvertised.

NINTH.

For grading and graveling Olive street and sidewalks from Prospect street two squares south of said street, only one proposal was presented, and that was by August Richter, which your committee deem too high, the same being 90 cents per lineal foot front on each side of the line improved. We therefore recommend that the same be readvertised.

TENTH.

For grading and graveling the first alley north of North street, between Pennsylvania street and Fort Wayne avenue no proposals were presented. We therefore recommend that the same be readvertised.

ELEVENTH.

For grading and graveling the first alley north of Market street between Market and Ohio streets, and running east and west from Winston street to the old corporation line east, only one proposal was presented and that by James Mahoney, 75 cents per lineal foot front, where the alley is fifteen feet wide, and \$1.25 where the alley is twenty feet in width. As there was only one proposal we desire that said alley be readvertised.

TWELFTH.

For grading and paving with brick, and curbing with stone the south sidewalk on Washington street, from the western arm of the canal to White river, the following proposals were presented:

Samuel LeFevre, paving \$1.55 per lineal foot front. Curbing 65 cents per lineal foot front. Bowldering 85 cents per square yard. Flagging 55 cents per lineal foot run, single row.

Andrew Douglass, paving \$1.45 per lineal foot front. Curbing, 62 cents per lineal foot front. Bowldering 70 cents per square yard. Flagging 55 cents per lineal foot run, single row.

Andrew Douglass being the lowest and best bidder we would recommend that he be awarded the contract.

THIRTEENTH.

For grading and paving with brick and curbing with stone the south sidewalk on Maryland street from Tennessee to Missouri street the following proposals were presented:

Samuel LeFevre, paving 70 cents per lineal foot front. Curbing 60 cents per lineal foot front. Bowldering 85 cents per square yard. Flagging, single row, 55 cents.

Bernard Hammill, paving, 72 cents per lineal foot front. Curbing 60 cents per lineal foot front. Bowldering 75 cents per square yard. Flagging 50 cents per lineal foot run, single row.

Andrew Douglass, paving 65 cents per lineal foot front. Curbing 62 cents per lineal foot front. Bowldering 70 cents per square yard. Flagging, single row, 50 cents.

Andrew Douglass being the lowest and best bidder we would recommend that he be awarded the contract.

FOURTEENTH.

For grading and graveling English avenue and sidewalks from Dillon street to the corporation line east, only one proposal was presented, and that by James Mahoney, at \$1.30 per lineal foot front on each side of the line improved, which we think too high. We therefore believe the same should be readvertised.

FIFTEENTH.

For grading and paving with brick and curbing with stone the east sidewalk on West street from Washington to Maryland street, the following proposals were presented :

Samuel LeFevre, paving 70 cents per lineal foot front. Curbing 60 cents per lineal foot front. Bowldering 85 cents per square yard. Flagging, single row, 55 cents per lineal foot run.

Andrew Douglass, paving 65 cents per lineal foot front. Curbing 62 cents per lineal foot front. Bowldering 70 cents per square yard. Flagging 50 cents per lineal foot run, single row.

Andrew Douglass being the lowest and best bidder we would recommend that he be awarded the contract.

Respectfully submitted,

LEON KAHN,
M. C. ANDERSON,
Com. on Contracts.

Which was concurred in, and contracts awarded.

Also, the following report:

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—Your Committee on Contracts, to whom was referred sundry proposals for the removal of slops and garbage from the city, have awarded the contract to George Morris for one year, he agreeing to pay to the city the sum of one hundred dollars for said privilege, \$50 down, and the balance in one year. We herewith present his contract and bond for your approval, he giving as security John R. Elder, Esq., and would recommend that the same be approved.

Respectfully submitted,

LEON KAHN,
M. C. ANDERSON.
Committee on Contracts.

Which was concurred in, and bond approved.

On motion, the City Clerk was instructed to give notice through the papers, of the awarding of the contract, etc.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—In answer to several enquiries and orders of the Council, I would report that the best that can be done with the pond at the north end of Winston street, will be to fill it.

The bad drainage on Tennessee street near Ray street can be remedied by deepening the gutters leading into the canal, or by a pipe drain connecting with the Ray street sewer.

Some time since the C., H. & I. R. R. Co. was ordered to build a culvert under their tracks at the north end of Cook street. The Company has put in a small box culvert on the west side of the street which is too small and too high to answer the purpose. A larger drain should be built on the east side of the street. Some of the lots near the intersection of Cook street and the railroad are below high water in Pogue's run, and should be filled to protect them from overflow.

In consequence of the large amount of work being done by the city I find it impossible to give that attention to the work during its progress that is desirable. All my time is taken up in preparing plans and profiles, setting stakes for the contractors, and in measuring the work and making estimates after the work is done. I would recommend that the Council elect a Superintendent of Public Works, whose duty shall be to inspect all work being done as often as may be necessary during the progress of the work. In many cases it is impossible to tell after the work has been done whether it is done according to contract or not. It is not necessary that the Superintendent be employed all the time, or even half of the time, but only when the amount of work would justify it.

The Street R. R. tracks on St. Joseph street at the crossing of Meridian street will have to be removed to-morrow in order to lay the block pavement. As the Company refuse to move it, some action of the Council will be necessary.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The contractor has commenced work on Market street, and some provision must be made for Phipps' Branch, which crosses the street three times. I would recommend that a pipe or brick drain be laid on the south side of the street, from where the branch crosses the first time to where it crosses the last time, thus avoiding the three crossings. Also a deep gutter on a portion of the street.

Respectfully submitted,

JAS. W. BROWN,
City Civil Engineer.

Which was concurred in.

Also, the following motion :

Moved, That the Street Commissioner be directed to lower or take up and relay the Street Railway track at the crossing of St. Joseph and Meridian streets, so as to conform to the grade of the wooden block pavement—the same to be done in such manner as will occasion the least delay and interruption to the running of the street cars.

Which was adopted.

Also, the following report :

INDIANAPOLIS, August 11, 1873.

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

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

A first and final estimate allowed James Mahoney for grading and graveling the alley running north and south from Market to Ohio street, between Winston street and the corporation line, 366 lin. ft., 12 4-12 ft. wide, at 75 cents.....				\$274 50
312 lin. ft. 40 ft. wide, at \$2.00.....				624 00
269 " 20 " " 1.00.....				269 00
Total estimate.....				1,167 50

Also, a third partial estimate allowed J. B. Smith for grading, curbing and paving on North Meridian street from the south line of New York street to the north line of Pratt street, 17,939.30 sq. yds. pavement, at \$1.57½..... 28,254 40
 5,040 lin. ft. curbing, at 58 cents..... 2,923 20

Total estimate..... 31,177 60
 Deduct former estimate..... 17,798 68

Present payment..... 13,378 92

Also, a third partial estimate allowed Jesse S. Whitsitt for grading, curbing, paving, etc., on North Tennessee st., from the north line of First street to the south line of Seventh street. 12,626.92 sq. yds. pavement, at \$1.55..... 19,571 72
 5,289.70 lin. ft. of curbing, at 60 cents..... 3,173 82
 537.24 “ brick pavement, at 66 cents..... 354 57

Total estimate..... 23,100 11
 Deduct former estimate..... 12,034 55

Present payment..... 11,065 56

Also, a first and final estimate allowed Henry C. Roney for grading and paving the south sidewalk on Michigan street, from Indiana avenue to Blackford street, 1,181.28 lin. ft. pavement, at 61 cents..... 720 58
 252.5 lin. ft. of flagging, at 55 cents..... 138 87
 81.9 sq. yds. bowldering, at 75 cents..... 61 42

Total estimate..... 920 87

Respectfully submitted,

JAS. W. BROWN,
 City Civil Engineer.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, August 11, 1873.

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

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

FIRST.

Contract and bond of Patterson & Dunning for grading and graveling Fourth street and sidewalks from the west side of Illinois street to the central canal.

SECOND.

Contract and bond of Bruner & Riner for building an arch in Missouri street and stone protection walls where the same crosses Washington street.

THIRD.

Contract and bond of Messrs. Macauley & Stone for grading and paving with brick and Lefler paving stone, and curbing the outside edge of the sidewalk with stone Blackford street from Washington to New York street.

FOURTH.

Contract and bond of Oliver English for grading, graveling and paving with brick Morrison street and sidewalks from Delaware to Alabama street.

FIFTH.

Contract and bond of Oliver English for extending the brick pavement on Tennessee street from Indiana avenue to First street.

SIXTH.

Third and partial estimate allowed Jesse S. Whitsett for grading, paving, etc., on North Tennessee street from the north line of First street to the south line of Seventh street.

SEVENTH.

Third and partial estimate allowed J. B. Smith for grading, paving and curbing North Meridian street from the south line of New York street to the north line of Pratt street.

EIGHTH.

First and final estimate allowed James Mahoney for grading and graveling the alley running north and south from Market to Ohio street.

NINTH.

First and final estimate allowed Henry C. Roney, for grading and paving with brick the south sidewalk on Michigan street from Indiana avenue to Blackford street.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in, and the bonds approved.

Also, the following estimate resolution:

Resolved, That the foregoing first and final estimate of Henry C. Roney for grading and paving with brick the south sidewalk on Michigan street, from Indiana avenue to Blackford street be, and the same is hereby adopted as the estimate of the 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, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—21.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of James Mahony for grading and graveling the alley running north and south from Market to Ohio 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, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Sherwood, Stratford, Thalman, Twiname, and Ward—21.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing third partial estimate of J. B. Smith for grading, curbing and paving North Meridian street from the south line of New York street to the north line of Pratt 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, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Sherwood, Stratford, Thalman, Twiname, and Ward—21.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing third and partial estimate of Jesse S. Whitsitt, for grading, paving, etc., on North Tennessee street from the north line of First street to the south line of Seventh 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, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—21.

Negative—None.

On motion by Mr. Kahn, the Civil Engineer was directed to notify the proper officers of the C. H. & I. R. R. Co., to construct a culvert under their track at Cook street, of sufficient capacity to carry off the water, etc.

His Honor the Mayor, submitted the following report :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—I have the honor to report to your honorable body that I have paid into the city treasury, as forfeitures to the city for violations of ordinances for the month of July, 1873, the sum of \$383.65, as will more fully appear by vouchers filed herewith.

Respectfully,

JAS. L. MITCHELL,
Mayor.

Which was received.

The City Clerk submitted the following report :

INDIANAPOLIS, August 11, 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:

James W. Hudson vs. Jane Griffith, for \$46.80.

And would respectfully recommend that you order the precept to
to issue.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

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

The Board of Health submitted the following report :

INDIANAPOLIS, August 11, 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 August 11th,
1873 :

Under 1 year.....	12
From 1 to 2 years.....	2
From 2 to 5 years.....	3
From 5 to 10 years.....	1
From 10 to 15 years.....	3
From 15 to 20 years.....	1
From 20 to 25 years.....	0
From 25 to 30 years.....	5
From 30 to 40 years.....	9
From 40 to 50 years.....	2
From 50 to 60 years.....	3
From 60 to 70 years.....	4
From 70 to 80 years.....	1
From 80 to 90 years.....	1
From 90 to 100 years.....	1
100 and upwards.....	0
Unknown.....	0
Total.....	48

Respectfully submitted,

W. WANDS, M. D. Secretary.

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

Which was received.

Also, the following report:

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We have examined the water running from Wm. Russell's bath house into the gutters, and find it not injurious to the public health, providing the gutters are kept clean.

And in connection with this we would call your immediate attention to the ponds and vacant lots where there is filthy water standing, and is injurious to the public health, the Board having no power to abate the same.

Respectfully submitted,

W. WANDS,
Sec'y Board of Health.

Which was concurred in.

The Street Commissioner submitted the following report:

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—In obedience to your orders I beg leave to submit the following report of work done by me during the four weeks last past.

New foot bridges have been placed as follows:

Three on Madison avenue and Yeiser street.
Two on Agnes and New York streets.
Two on South and Tennessee streets.
One on Michigan and Illinois streets.
Three on Christian avenue and Peru street.
Two on East Washington street.
Three on Mississippi and Third streets.
One on Davidson and Ohio streets.
One on Market and Davidson streets.
Two on Lockerbie and Liberty streets.
Total twenty.

New culverts have been placed as follows:

One on west side of Tennessee and McCarty streets.
One on east side of Meridian and Georgia streets.
One on Yeiser street and Madison avenue.
One on Bates and Benton streets.

One on south side of South street, between Delaware and Alabama streets.

One on west side of Virginia avenue and Bismarck street.

One on west side of Virginia avenue and Bradshaw street.

Two on West New York and Agnes streets.

One on south side Washington and Cady streets.

One on Tinker street and canal.

One on Tinker street, between Missouri and Mississippi streets.

One on east side of Davidson and Ohio streets.

Two on East Market street at crossing of Davidson street.

One on Benton street near Bobb street.

One on south side Market street across first alley east of Alabama street.

One on Minerva street at first alley north of New York street.

One on Noble street at crossing of Walnut street.

Two on west side of New Jersey street, between Washington and Maryland streets.

One on South West street near Root street.

Total twenty-two.

One hundred and twenty-two (122) foot bridges and culverts have been repaired.

I have had an average force of sixty-five (65) men, and have had employed from twenty-four to twenty-seven teams in different parts of the city which have cleaned the usual amount of streets and alleys and have delivered on the streets nine hundred and seventy-six (976) loads of gravel, and one hundred and twenty-five loads of cinders.

I have put in five hundred feet of cement pipe, ranging in size from twelve to twenty-four inches, two-thirds of which is of the latter class.

I have paid for lumber, tools, hardware, etc., one thousand five hundred and seventy-three (1,573) dollars.

Whole amount paid for work as per pay roll, five thousand six hundred and seventy-three dollars and nine cents.

Before closing my report I wish to say that on examination I am convinced that the bridges over Pogue's run on New Jersey, Pennsylvania and Delaware streets are in a dangerous condition and should receive the immediate attention of the Council committee on bridges. The one on Washington street and canal is in as dangerous condition as the former.

All of which is respectfully submitted.

THOMAS WILES,
Street Commissioner.

Which was received.

ORDINANCES ON FIRST READING.

Mr. Adams presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We the undersigned, property holders on Alvord street, Indianapolis, respectfully petition your honorable body to authorize said street to be graded and graveled, and the east sidewalk paved with brick, from the north line of lot No. 61 on said street to Malott avenue.

And your petitioners will ever pray, etc.

WM. T. BUCK,
S. FOUTS,
M. MURRY,
LOUIS EMONS.

Which was received.

Also, Special Ordinance No. 285, 1873, entitled :

An Ordinance to grade and gravel Alvord street, and pave the east sidewalk, from the north line of lot No. 61, on Alvord street, to Malott avenue.

Which was read the first time.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on Pratt street, between Delaware street and Fort Wayne avenue, respectfully petition your honorable body to pass an ordinance providing for the grading and graveled of Pratt street, exclusive of the sidewalks, between the above mentioned points, and that the side-

walks thereof be paved with brick, to the width of seven feet, and the crossings of streets and alleys properly flagged and bowldered.

And your petitioners will ever pray, etc.

CATHARINE HOFFMAN,
F. W. HAMILTON,
JACOB BECKER,
C. F. RAFERT.

Which was received.

Also, Special Ordinance No. 286, 1873, entitled :

An Ordinance to grade and gravel Pratt street, and pave the sidewalks, from Delaware street to Fort Wayne avenue.

Which was read the first time.

Also, Special Ordinance No. 287, 1873, entitled :

An Ordinance to grade and pave with bricks the north sidewalk of Fort Wayne avenue, from New Jersey street to St. Mary street.

Which was read the first time.

Mr. Bigham introduced Special Ordinance No. 288, 1873, entitled :

An Ordinance to grade and gravel the first alley east of Virginia avenue, running from Pine street south to the first alley running east and west.

Which was read the first time.

Also, Special Ordinance No. 289, 1873, entitled :

An Ordinance to grade and gravel the north sidewalk on Prospect street, from Virginia avenue to Reid street, or the east corporation line.

Which was read the first time.

Also, Special Ordinance No. 290, 1873, entitled :

An Ordinance to grade and pave the south sidewalk of Market street, from Noble street to the old corporation line east.

Which was read the first time.

Mr. Gimber presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on the alley lying between Illinois and Maple streets, and running north and south from McCarty to Ray street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling thereof with good river gravel.

And your petitioners will ever pray, etc.

JULIUS JONES,
W. A. COCHRAN,
R. HAMLIN,
And 25 others.

Which was received.

Also, Special Ordinance No. 291, 1873, entitled :

An Ordinance to grade and gravel the alley lying between Illinois and Maple streets, and running north and south, from McCarty street to Ray street.

Which was read the first time.

Also, Special Ordinance No. 292, 1873, entitled :

An Ordinance to grade and gravel Eddy street and sidewalks, from Merrill street to Norwood street.

Which was read the first time.

Mr. Kennington introduced Special Ordinance No. 293, 1873, entitled :

An Ordinance to grade and gravel the first alley south of Yeiser street, running from Madison avenue to Japan street.

Which was read the first time.

Mr. McLaughlin introduced Special Ordinance No. 294, 1873, entitled :

An Ordinance to grade and gravel the first alley west of West street, running from McCarty street to Rose street.

Which was read the first time.

Mr. Pendleton presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of real estate fronting on Prospect street, south side, between Virginia avenue and Reid street, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick the south sidewalk of Prospect street, between Virginia avenue and Reid street, pavement to be eight feet wide, and leaving a sufficient space between the pavement and the gutter to place a nice sod or lawn of grass, something like Delaware street.

And your petitioners will ever pray, etc.

ANDREW PATTERSON.

F. MOUNT.

ALEX. WANDS.

And 15 others.

Which was received.

Also, Special Ordinance No. 295, 1873, entitled :

An Ordinance to grade and pave the south sidewalk on Prospect street, from Virginia avenue to Reid street.

Which was read the first time.

Mr. Thalman presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We, the property owners on Illinois and Maple streets, south of Ray, in the City of Indianapolis, would most respectfully ask and pray that the alley between Illinois and Maple streets, running south to Wilkins street, be graded and graveled, as the health of your petitioners require.

Hoping this will meet your approbation and receive the prompt attention of your honorable body, we are very

Respectfully yours,

E. H. JOHNSON,
J. H. TUTTLE,
W. H. H. JOHNSON,
And 7 others.

Which was received.

Also, Special Ordinance No. 296, 1873, entitled :

An Ordinance to grade and gravel the first alley west of Illinois street, running from Ray street to Wilkins street.

Which was read the first time.

Also, General Ordinance No. 58, 1873, entitled :

An Ordinance to restrain the use of street sprinklers and public fire plugs during times of fire.

Which was read the first time.

Mr. Stratford introduced Special Ordinance No. 297, 1873 entitled :

An Ordinance to provide for constructing a sewer in and along Virginia avenue, from South street to Prospect street.

Which was read the first time.

Mr. Kennington moved to suspend the rules for the purpose of taking up ordinances on second and third reading.

Which motion was not adopted.

ROLL CALL.

Mr. Adams offered the following motion :

Moved, That the Street Commissioner be directed to put in a culvert across St. Clair street at the intersection of Massachusetts avenue.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved, That Thomas D. Amos be allowed to bowlder the sidewalk in front of his stable on Liberty street, above North.

Which was adopted.

Also, the following motion :

Moved, That a wooden bridge be erected across Pogue's run at the intersection of Archer street, and that the engineer be directed to advertise for proposals for constructing said bridge.

Which was referred to the Committee on Bridges.

Mr. Anderson offered the following motion :

Moved, That M. C. Wellman be allowed to put the names of streets on the glass of all corner lamps in the city, where not already so lettered, at 24 cents per name.

Which was adopted :

Mr. Batty offered the following motion :

Moved, That the City Attorney be requested to examine the records and ascertain, if possible, in what manner the Water Works Company became the owners of the State Ditch, (if they be the owners, as claimed,) and that he report the result of his investigations at his earliest convenience.

Which was adopted.

Mr. Bigham offered the following motion :

Moved, That the City Attorney be, and is hereby instructed to bring an action for damages against O. H. P. Bly for failure to finish his contract for paving East Market street, from Noble street to the corporation line east.

Which was adopted.

Also, the following motion :

Moved, That the City Street Commissioner be and is hereby directed to place the pipe recommended by Civil Engineer on Market street.

Which was adopted.

Also, the following motion :

Moved, That F. Wm. Reasner have permission to grade in the rear of his premises on East Washington street.

Which was laid on the table.

Also, the following motion :

Moved, That Myers & Miller have permission to place a coal scale on McCarty street, near East street.

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

Mr. Bollman offered the following motion :

Moved, That the City Civil Engineer advertise for proposals for bowldering the portion of the East Market square used for market purposes, and also the space used for wood market purposes on the south side.

Which was adopted.

Mr. Brown presented the following communication :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—I have appointed Thomas M. G. Chill to superintend the working of the prisoners on the chain gang, and respectfully ask you to confer police powers for that purpose.

Respectfully submitted,

THOMAS WILES,
Street Com'r.

Which was referred to the Board of Police.

Also, the following communication :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We, the undersigned, Trustees of the Good Shepherd's Society, or Home for Friendless Women, do hereby apply for our *pro rata* of the fines, given our Society by a law passed on the 26th day of last March, and to be in force from said date.

When the bill was before the Senate, the author thereof, Hon. Dr. Thompson, our Senator, assured one of the undersigned Trustees that the Good Shepherd's Society would be entitled to her *pro rata* of the fines by being incorporated. As our Society has long since complied with that provision of the law, we now apply to your Honorable Board for our share of said fines, and hoping for a favorable decision remain

Yours respectfully,

MOTHER MARY OF ST. ANSELM, President.
SISTER MARY OF ST. VESULA, Secretary.
AUG. BESSONIES, Treasurer.

Which was referred to the Committee on Benevolence and Hospitals.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: N. B. Palmer's addition to the City of Indianapolis, be, and they are hereby required to fill or drain a pond lying alongside of the Bluff Road or South Meridian street, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 23, 1866, entitled, "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—Councilmen Gibson—1.

Also, the following motion :

Moved, That the Street Commissioner is hereby directed to place a tile drain pipe in the west roadway of the Illinois street Tunnel, and to spike down an oak floor in said roadway in place of the wooden blocks, the material to be not less than three inches in thickness; the whole work to be done at once, under the direction of, and according to plans to be furnished by the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer shall direct the Street Commissioner to have culverts of greater dimensions constructed across Madison avenue, near the Jeffersonville Railroad, and under the said railroad south of said avenue.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned respectfully represents that he owns the whole of the ground on both sides of High street, between Coburn street and the first alley north of and parallel with Coburn street, and respectfully asks that he be permitted to make the improvement on High street between the points above named under direction of the City Engineer, as are contemplated in an ordinance now pending before your honorable body, being numbered.

W. H. L. NOBLE.

Which was received and prayer of petitioner granted, the work to be done within sixty days.

Mr. Darnell presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned respectfully petition your honorable body to open a street from North Illinois street, in Drake's addition to Meridian street in St. Clair's addition in said city of Indianapolis, through the north half of lot 12, in St. Clair's addition on the line dividing the property of William Henderson and John D. Condit, taking a portion of the property of each as follows : fifteen feet off the property of said Henderson adjoining his south line, and five feet off the property of the said Condit, adjoining his north line, making the street twenty feet wide, and extending said street westward from the west line of St. Clair's addition, through lot one in square twenty, of Drake's addition to the city of Indianapolis, with the same direc-

tion, width and bearing, to Illinois street, through the property owned by B. F. Witt or his wife.

M. GARVER,
J. L. McCORMICK.
S. COMER,
And 22 others.

Which was referred to the City Commissioners.

Also, the following motion :

Moved, That Henderson avenue, from Tinker to Twelfth street, hereafter shall be known and called Illinois street, and to be a continuation of the same.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer advertise for proposals for stone crossings over the street, and iron crossings over the gutters, such as is put down over the gutters on Tennessee street, on Illinois street from Second to Tinker street.

Which was adopted.

Also, the following motion :

Moved, That the City Marshal be instructed to open Mississippi street, between Seventh and Twelfth streets, as per report of the City Commissioners.

Which was adopted.

Also, the following motion :

Moved, That the City Fire Engineer have strips of tin, three inches in width and of sufficient length to have painted thereon where the keys to the fire boxes can be found, and fasten said strips over the boxes.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be directed to put wooden foot-crossings on all the crossings on Mississippi street, from First street to Tinker street.

Which was adopted.

Also, the following motion :

Moved, That Charles W. Stagg have permission to pave with wooden block or bowlders, the crossing in front of his lot, in order that he can get into his lot, the sidewalk now being graded and graveled.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be required to report to the Council every Monday night, how many men and teams he has in his employ, and where he has done the work.

Which was laid on the table.

Mr. Gibson offered the following motion :

Moved, That the City Civil Engineer measure and report to this Council the length of main track, also, the length of side tracks of each of the railroads in the corporate limits within the city of Indianapolis.

Which was adopted.

Also, the following motion :

Moved, That John G. Waters have permission to widen his sidewalk and bowlder the gutter, nine feet in width, in front of the south half of lot 2, in square 49, and the Civil Engineer is hereby directed to set the grade stakes, the same to be done within ninety days.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be and is hereby directed to employ a competent person to superintend contracted work for the city, and see that the same is done according to specifications, the said superintendent to act under the direction and control of said City Civil Engineer.

Which was adopted.

Also, the following motion :

WHEREAS, The curbing on West street from Washington street to Indiana avenue is not set according to specifications, having no sand under the same, and being already out of line, and leaning over on both sides ; therefore,

Moved, That the City Civil Engineer be and is hereby directed to have the same taken up by the contractor or contractors, and reset in a proper and workmanlike manner.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be and is hereby directed to survey the best route through the Sellers farm a wagon road, and estimate the cost of making the same with coarse gravel.

Which was adopted.

Also, the following remonstrance :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on the north side of Indiana avenue, between St. Clair street and Fall Creek, respectfully remonstrate against the passage of an ordinance providing for the paving and curbing of said north side of Indiana avenue from St. Clair street to Fall Creek. Part of the said walks

have been graveled by your petitioners, and others promised to gravel at once, and we respectfully ask that our remonstrance be heard.

And your remonstrants will ever pray, etc.

JOHN C. WRIGHT,
S. H. GREEN,
C. HELD,

And 6 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on Paca street, between Indiana avenue and Utah street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveled of said street. The street is now being graded by your petitioners, and they ask that nothing further be done at present.

And your petitioners will ever pray, etc.

JOHN C. WRIGHT,
FR. WITTEROFT,
PETER RACKER.

Which was referred to the Committee on Streets and Alleys.

Mr. Gimber offered the following motion :

Moved, That the Civil Engineer advertise for proposals for building a sewer in the canal across Kansas street, the same size as the sewer on Maryland street. Proposals to be received next Monday night.

Which was adopted.

Mr. Hardesty offered the following motion :

Moved, That the Street Commissioner be, and is hereby, directed to put in a catch basin on the west side of Union street, between

McCarty street and Ray street, at the terminus of the sewer now under construction, to connect with Ray street sewer.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be directed to have the brick pavement taken up on the west side of Union street, in front of the Sixth Ward school house, and require the contractor to place under said brick pavement, eight inches of fine sand, as required by the contract for such work.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer be and is hereby directed to advertise for bids to lay down two rows of flag stone crossings at the four crossings of McCarty and Union streets, said flag stone crossings to be bowldered between the rows and two feet on either side of said flag stones.

Which was adopted.

Also, the following motion :

Moved, That the remainder of the work to be done on the airy at the mouth of the sidewalk of the tunnel, at the north-east corner of Illinois and Louisiana street be completed at once, and that the Councilman from the said ward be authorized to have the same done at once and present the bill for payment to this Council.

Mr. Thalman moved to amend the motion by saying "that the bill be presented to the property owners for payment."

Which amendment was adopted.

The motion as amended was then adopted.

Mr. Kahn offered the following motion :

Moved, That the Civil Engineer be and is hereby directed to prepare a plat of Michigan street as is proposed to be opened from Winston street to Arsenal avenue.

Which was adopted.

Mr. Kennington presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on Poplar street, between Union street and Delaware street, respectfully petition your honorable body to pass an ordinance providing for the opening of the above named street, from Chestnut street to Delaware street.

And your petitioners will ever pray, etc.

ROBERT KENNINGTON,
J. P. DARNALL,
ED. HANNAN.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We understand some one has called for an ordinance to bowlder Maryland street, between Delaware and Alabama streets. You are aware there has been a larger amount of improvement ordered this year than any previous year. We have just paid for curbing and paving the sidewalks on said square. This square is seldom traveled. We pray the Council will not order this improvement this year.

ANDREW WALLACE.
THOS. RICHARDS,
PERCY HOSBROOK.
WM. DELL,

And 3 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following resolution:

Resolved, That the fire engines to be tested as per resolution of the Council, on the 15th of September next, shall be subjected to the fullest tests of legitimate fire duty, and to that end it is understood that each competitor may select two tests up to six each if any desire that many. That each test be worked not less than forty to sixty minutes, and longer if the committee desire it. That the best engine shall be purchased by the Council, provided it comes up to specifications in points of workmanship and style of finish. That the committee in determining which is best shall consider:

First—Simplicity of construction, and easy management by an ordinary engineer. Also, weight of engine and easy handling.

Second—The amount of water thrown in proportion to running expenses, including fuel and lubricating material. Also, distance thrown, showing power of engine.

Third—Liability to get out of order and facility for repairs.

Fourth—Kind and quantity of fuel required to keep steam up to capacity shown on trial.

Which was referred to a Special Committee consisting of all the members of the Council.

Mr. Peck presented the following remonstrance:

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, a majority of the owners of the real estate fronting on First street, between Illinois and Tennessee streets, respectfully remonstrate against the passage of an ordinance providing for paving with brick the sidewalk on the north side of First street, between Illinois and Tennessee streets, and curbing the outside edge of the same with stone.

The said walk is in good condition, it having been graded and graveled not long ago, and we request that further improvement be postponed, at least until next season.

And your remonstrants will ever pray, etc.

JAMES KIRLIN,
J. B. REYNOLDS,
JOHN McNEALY.

Which was referred to the Committee on Streets and Alleys.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—Your petitioner prays your honorable body to grant him the privilege of grading and paving the sidewalk with brick in front of his premises on Second street, between Illinois and Meridian streets, under the direction of the Civil Engineer.

DELOSS ROOT.

Which was received.

Also, the following motion :

Moved, That D. Root be allowed to grade and pave the sidewalk in front of his property on Second street, the same to be completed in 60 days, and the City Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Mr. Pendleton presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned petitioner respectfully represents to your honorable body that upon the 17th day of March, 1873, he with eight other persons owning property in out-lot one hundred and eight (108) filed a remonstrance against the passage of any ordinance providing for the vacation of certain alleys in Caven's subdivision of parts of out-lots 107 and 108, as prayed for in a petition of Ignatius Brown, James Frank, and Wm. Ketcham, then pending. That said remonstrance will appear on the record of your regular session of Monday, March 17, 1873. That said remonstrance has never been amended or withdrawn by or with the consent of the undersigned, and no one has ever been authorized by him to alter, amend or withdraw said remonstrance.

And whereas your honorable body did at the last regular meeting, to wit, July 28, 1873, on the recommendation of the Committee on Streets and Alleys, pass an order for vacation of all said alleys in accordance with the petition of said Brown, Frank and Ketcham, passing over entirely or ignoring the said remonstrance of the undersigned and eight others, and their rights as property holders and citizens. That the undersigned owns all the ground on and adjoining the south side of the alley from which by your order twenty (20) feet thereof is vacated for the sole benefit of private individual interest. That upon the north side of said alley the said Brown, Frank and Ketcham own in the Caven subdivision 450 feet of ground, and upon the south side of said alley and adjoining to said Caven subdivision and the alley the undersigned owns 630 feet of ground, to whom the permanent vacation of any part of said alley will be great injustice and damage.

Believing your honorable body passed the order referred to under a misapprehension of the facts, the undersigned respectfully requests a reconsideration of your vote, and a reference of the whole matter to your City Attorney for a report of the facts and the law in the premises.

And your petitioner will ever pray, etc.

W. H. L. NOBLE.

Which was referred to the City Attorney.

Mr. Pressly offered the following motion :

Moved, That the City Marshal notify Boyle, Cox & Co. to remove the fence in Georgia street, between East and Noble streets, and on their failure to do so to file against them for blockading said street, for obstructing said street.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer contract with some suitable person to put in a 12 inch cement pipe on East street, to carry off the water running down Louisiana street gutter, the same to be carried to the South street sewer.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and is hereby directed to have all of the weeds in the old Seventh Ward school house yard cut and hauled outside of the city limits.

Also, that the Board of Health be requested to thoroughly disinfect the out-house on said school property, as the scent from those out-buildings has not the fragrance of the rose.

Which was adopted.

Mr. Pressly presented a claim from Peter Early, claiming damages on account of overflow of his premises, etc.

Which was referred to the Committee on Judiciary.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We the undersigned, expressmen and other citizens of Indianapolis, do hereby petition your most honorable body that you do repeal all ordinances restricting the liberties of expressmen of the city, and requiring them, while waiting for employment, to stand their horses and wagons ONLY in certain localities. Or that licenses be granted to said expressmen free of charge.

A. H. DICKEY,
JAS. O'CONNELL,
JOHN P. GIBBIN,
And 138 others.

Which was referred to the Committee on Revision of Ordinances.

Mr. Shepherd offered the following motion :

Moved, That the Gas Inspector be ordered to repair the lamp in front of the western engine house.

Which was adopted.

Also, the following motion :

Moved, That Patrick Haley be allowed to pave with stone the sidewalk in front of his property on South Tennessee street and Garden street, and that the grade stakes be set by the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be allowed to contract with Sam'l Lefever for the bowldering and flagging of the street and alley crossings on the west side of Tennessee street, as the same was overlooked in the improvement ordinance.

Which was adopted.

Also, the following motion :

Moved, That the City Clerk be ordered to advertise for proposals for building a stone arch bridge, at the crossing of Pogues Run on Illinois street, the full width thereof.

Which was referred to the Committee on Bridges.

Mr. Shepherd offered the following :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen--I prefer the following charges against John Ross, City Sexton, as follows, to-wit: For being drunk in the old city cemetery, and unfit for duty, and being fined by the Mayor to the amount of ten dollars and costs, in all amounting to about nineteen dollars, he pleading guilty to the charge.

Respectfully submitted,

JAMES McB. SHEPHERD.

Resolved, That the office is hereby declared vacant held by one, John Ross, as City Sexton, and that the Council now proceed to the election of some suitable and sober man to fill the said position.

Mr. Thalman moved to lay the resolution on the table, and that the matter be referred to a special committee of three for investigation, with instructions to report at the next regular meeting.

Which motion was not adopted.

Mr. Shepherd's resolution was then adopted by the following vote :

Affirmative — Councilmen Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Shepherd, Stratford and Twiname—16.

Negative—Councilmen Adams, Gibson, Kahn, Rush, Sherwood, Thalman and Ward—7.

Dr. Stratford offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lots Nos. 28 and 29, in Bradshaw's subdivision of out-lot No. 100, of the City of Indianapolis, be and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled: "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to wit: No. 32, in Greene & Waters subdivision of out-lot No. 101, of the city of Indianapolis be and they are hereby required to fill or drain the same, as in the opinion of this Council there is a hole or excavation thereon, in which water has or may become stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled: "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, That the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to wit: Lots No. 45 and 46 in Bradshaw's subdivision of out-lot No. 100 of the City of Indianapolis be and they are hereby required to fill or drain the same as in the opinion of this Council there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and he is hereby required to notify the owners thereof as provided by an ordinance passed April 28, 1866, entitled : "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure of the owners thereof to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the the same the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, That the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon, the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lot No. 322, in out-lot No. 97, of the City of Indianapolis, be, and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled : "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and

prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill up or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lots Nos. 27, 28, 29, 30 and 31, in Baty's subdivision of outlot No. 100, of the City of Indianapolis, be, and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled: "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill up or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative — Councilmen Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Ken-

ington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to wit : Lots Nos. 6, 8, 9, 10, 11, 12, 15, 16, 17 and 18, in Baty's subdivision of out-lot No. 100 of the city of Indianapolis be and they are hereby required to fill or drain the same as in the opinion of this Council there is a hole or excavation thereon in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be and is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled : "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance ; *Provided*, That the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

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

Negative—None.

Also, the following motion :

Moved, That the owner of lot No. 337 out-lot 97, be notified to cut off the top and large limbs, or cut down the tree in front of said lot, as it is endangering lives and property.

Which was adopted.

Mr. Thalman offered the following motion :

Moved, That the Committee on Contracts be requested to have a sign painted on tin zinc or sheet iron, and placed at each entrance of the tunnel, warning persons of the penalty for creating a nuisance in the same.

Which was adopted.

Also, the following motion :

Moved, That the east sidewalk on Blackford street, between Washington and New York street be widened to a width of seven feet, and that the Civil Engineer be directed to set the stakes at once, so the contractor can proceed with the work of paving and curbing.

Which was adopted.

Also, the following motion :

Moved, That Dr. Davis have authority to contract for removing the old Pest House to the place designated in the general plans.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Revision of Ordinances, with the City Attorney, be directed to prepare an ordinance to prohibit the blowing of steam whistles inside of the corporation.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Ordinances be directed to revise the ordinance regulating the sealing of weights and measures, as instructed by the former Council, and report the same at the earliest date possible.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and is hereby notified that no bills for castings for foot crossings will be allowed unless the same has been weighed by him, and a statement of the same furnished the committee.

Which was adopted.

Also, the following motion :

Moved, That the Indianapolis & Cincinnati Railroad Company be, and is hereby required to lower the track of the switch or side track running from the Indianapolis & Cincinnati Railroad Co.'s main track to Geisendorff's mill, where said side track or switch crosses West street, so that such track shall properly conform to the grade of such street, and that the Marshal be directed to serve the proper notice of this order upon the said Railroad Company.

Which was adopted.

Also, the following motion :

Moved, That the Civil Engineer be directed to advertise for proposals for bowldering and flagging the crossings of Indiana avenue at the crossing of West street. Also, New York street at the crossing of Blackford street, north and east sides of Blackford street.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner put a cement pipe in the gutter on New York street and the race, on the north side.

Which was referred to the Committee on Streets and Alleys.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We, the undersigned, property owners on West street between Washington street and Indiana avenue, respectfully repre-

sent that a brick sidewalk on the east side of West street, between the above named streets is more suitable and more durable than imitation stone, and can be laid at nearly two-thirds less expense. They further represent that a large majority of the property owners on said street are poor and can not pay the expense of an imitation stonewalk without great distress to them. We further represent that quite a number of the owners of property on said street and side have already laid according to grade brick sidewalks in front of their property. We therefore pray your honorable body to allow the property holders or the contractor to lay the above sidewalk eight feet wide with brick.

For this your petitioners will continue to pray.

SIMEON GOWINGS,

ELI THOMPSON,

ALEX. JAMESON,

And 6 others.

Also, the following motion :

Moved, That the above petition be referred to the City Attorney, requesting him to report at next meeting of the Council if such change can be made without violating the ordinance.

Which was adopted.

Mr. Twiname offered the following motion :

..... That the Street Commissioner be directed to clean out and open the gutter on Lincoln avenue from Barras to Beeler street or Martindale avenue.

Which was referred to the Board of Health.

Also, the following motion :

..... That the Street Commissioner be directed to fill up the mud holes on Linden street, at the intersection of Delaware street.

Which was referred to the Board of Health.

Dr. Ward presented the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, residents of the First and Second Wards, in the City of Indianapolis, respectfully petition your honorable body to pass an ordinance providing for the filling up, by the owners thereof, of the old gravel pit, situated immediately west of the track of the Indianapolis, Peru and Chicago Railroad, and between North and St. Clair streets, for the reason that it is made the receptacle of all manner of filth, which has become so offensive as to be detrimental to the health of the inhabitants of all that portion of the city.

And your petitioners will ever pray, etc.

CHAS. F. WISHMEIER.
CHARLES GROSE,
CHRIS. F. WISHMEIER,
And 127 others.

Which was received.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—Your petitioner respectfully shows that on the 20th day of November, 1871, he obtained a permit to build a house on part of lots 19, 20 and 21, in out-lot 177, in said city. That because of the cold and inclement weather he did not and could not build said house until the summer of 1872. That he was taxed for said house for the year 1872, and before said house was built. That it was not completed so that it could be occupied until the 1st of August, 1872. He therefore asks your honorable body to refund the taxes, to wit: ten dollars and fifty cents so erroneously collected from him.

And your petitioner will ever pray.

LOUIS NIES.

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

Also, the following motion :

Moved, That John Joachim be permitted to erect a wooden awning in front of his meat shop, 117 Ft. Wayne avenue, provided said awning be erected in such a manner as not to interfere with the sidewalk.

Which was adopted.

Also, the following communication :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The Trustees of the City Hospital beg leave to call the attention of your honorable body to the following repairs and improvements, absolutely necessary to the further successful conduct of the Hospital :

The whole building requires reroofing—the brick portion with tin or gravel, and the wooden with shingles. The walls of the frame building require repairing inside and outside, the plastering being broken in many places.

About one-half of the furniture and furnishing is worn out, and should be replaced by new.

New privies are required, the old vaults being filled.

The present location being bad in every particular, and the buildings being illy adapted for a hospital, not only in regard to room, but also arrangement and convenience for the proper care of the sick, we furthermore earnestly advise that a site for a hospital, as near as possible the centre of population, be now purchased, and that so much of the grounds as are not occupied by the hospital buildings be sold, and the proceeds be applied to the new purchase, and the remaining portion expended in the erection of a new hospital.

Respectfully submitted,

THEOPHILUS PARVIN,
P. H. JAMESON,
R. N. TODD,
Trustees City Hospital.

Which was referred to the Committee on Benevolence and Hospitals.

Also, the following petition :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—We, the undersigned, residents and owners of property on Winston street, would respectfully petition your honorable body to open and extend Winston street on a direct line north from its present northern terminus to St. Clair street in a width of forty (40) feet.

And your petitioners will ever pray, etc.

CHARLES SAND,
LEVI MARSHALL,
JOHN L. MONROE,
And 26 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—The undersigned, owners of property bordering on North Alabama street, between Fort Wayne avenue and Tinker street, respectfully but earnestly remonstrate against curbing the sidewalks of that part of said street with stone, believing the same to be uncalled for, unnecessary, and oppressive. Wherefore we respectfully ask your honorable body to refuse to pass the ordinance for that purpose lately introduced, and to strike said ordinance from your files.

R. B. DUNCAN,
CONRAD BAKER,
T. A. MORRIS,
And 10 others.

Which was referred to the Committee on Streets and Alleys.

His Honor the Mayor, offered the following motion :

Moved, That the Committee on Public Buildings be instructed to have placed in the Council Chamber a letter box for the reception of orders from Councilmen and other notices directed to the Street Commissioner.

Which was adopted.

Also, the following report:

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred sundry motions, etc., would respectfully report:

FIRST.

A motion was introduced by Councilman Ward directing the Street Commissioner to raise the curb and pavement, repair the gutters, and remove the stone flagging over the gutters, and replace them with iron crossings, on the north-east corner of St. Clair and Pennsylvania streets. We would recommend that the said motions be adopted, and the Street Commissioner instructed to carry out the provisions thereof.

SECOND.

A motion was also referred to your Committee, offered by Mr. Shepherd, directing the Street Commissioner to repair the bowldered gutter on Kentucky avenue, east side, from Maryland street to Washington street, so as to carry out the water. We would also, recommend that the Street Commissioner carry out the provisions of the said motion.

THIRD.

A motion was also referred to your Committee, introduced by Mr. Stratford, Councilman from the 13th Ward, to give John Rotherth permission to erect a pair scales on Pine street, near Virginia avenue. Your Committee are in favor of the passage of said motion, provided that he does not blockade the street in the erection of said scales, and agrees to remove them at any time when directed to do so by an order of the Common Council.

FOURTH.

A motion was also referred to your Committee, introduced by Mr. Twiname, to allow Messrs. Hewston & Northrop permission to extend the wooden sewer eighty feet east on Market street, along the line of their property. We respectfully report in favor of granting them

the privilege asked for, on condition that the same is done under the direction of the Civil Engineer.

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, August 11, 1873.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred sundry papers, would respectfully report :

FIRST.

A remonstrance was referred to your committee from George A. Rebb, George W. Baxter, and two others, property holders on Olive street, remonstrating against the improvement of said street below Willow street, unless there is a petition from the property holders for the improvement of said street. Your committee would recommend that the improvement of said Olive street be postponed until next year, and that the ordinance already passed be repealed.

SECOND.

A petition was referred to your committee signed by Samuel Davis and fifteen other citizens, asking the Council to order the removal of the stagnant water, by a proper drain constructed for that purpose, and asking that the sidewalk on the north side of said Prospect street may be graded and graveled from Virginia avenue to Reid street or the east corporation line. Your committee would recommend that the Street Commissioner be directed to clean out the gutters and open the culvert, and herewith introduce an ordinance for the improvement of said sidewalk.

THIRD.

A communication was referred to your committee from Messrs. Butsch & Dickson, stating that they had leased the property known as the Bellefontaine Railroad gravel pit, and intended to use the same as a coal yard, and desire immediately to erect thereon several railroad tracks on trustle work for the use of dump cars, and stating that the said gravel pit being

low ground, has been used by the citizens as a receptacle of all kinds of offal, and by the city as a drainage pond for number of squares in all directions, and asking the Council to take such steps as will tend to the immediate and effectual removal of the water complained of, and as the Civil Engineer has reported that there is no drainage except down Railroad street, and in order to remedy the evil complained of, we would recommend that the Committee on Contracts be authorized to contract with Messrs. Brunner and Riner, or some other responsible contractors, for putting down a pipe drain for the extension of a brick sewer 2½ feet in diameter, at a cost not to exceed \$2.50 per foot, down said Railroad street to Ohio street, to connect with a sewer from Ohio street to Pogues Run.

FOURTH.

A remonstrance was also referred to your committee from Christian J. Karle, Human Teepe and others, property holders in the vicinity of the first alley east of Virginia avenue, between Pine street and the first alley south of Pine street, against grading and bowldering said alley, but that they have no objections to having the same graded and graveled, and herewith report an ordinance for grading and graveled said alley, and recommend that all ordinances heretofore introduced or pending for said improvement be stricken from the files.

FIFTH.

A remonstrance was referred to your committee from Geo. Davidson and others, remonstrating against the passage of an ordinance for the improvement of the alley running east and west from Wright street to Virginia avenue. As the said alley should be improved, we herewith report back the remonstrance, and recommend that the ordinance be passed.

SIXTH.

Two ordinances were referred to your committee for the improvement of East street from Washington street to Massachusetts avenue, one for paving the same with Nicholson pavement, and the other providing for grading graveled, curbing the outside edges of the sidewalks with stone, and bowldering the gutters. As the property holders, by remonstrance, oppose the Nicholson pavement, we would recommend that the ordinance for grading, graveled, curbing and bowldering the gutters be passed, and the ordinance for block pavement be stricken from the files, and herewith report the same back to the Council.

Respectfully submitted,

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

Which was concurred in.

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

INDIANAPOLIS, August 11, 1873.

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

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

FIRST.

A remonstrance was referred to your committee signed by Casper Hoffman, Israel Traub and five others, resident property holders on Alabama street between Fort Wayne avenue and Morrison street, remonstrating against the widening of said Alabama street between the points named as prayed for by a petition now on file in the office of the City Clerk, your committee would report against the widening of the said street unless the property holders benefitted agree to pay all damages.

SECOND.

A petition was also referred to your committee signed by James Frank, W. A. Ketcham and Ignatius Brown, owners of the real estate fronting on Davis street between Bicking street and the second alley south of Bicking street in Brown, Frank and Ketcham's subdivision of out-lots 107 and 108, petitioning the Council to pass an ordinance providing for the extension and opening of said street sixty feet wide, southerly on a direct line from its present southern terminus at said alley to Coburn street, we would recommend that the above petition be referred to the City Commissioners, and that the City Clerk give the notice required.

THIRD.

A remonstrance was also referred to your committee from M. Engass and others remonstrating against the improvement of Wallace street from Dunlap to Yeiser street. As said work is at present under contract, we herewith return the remonstrance, and recommend that it be laid on the table.

FOURTH.

A petition was also referred to your committee from L. G. Hay, H. C. Martin and others, property holders on Bellefontaine street, to open and extend said Bellefontaine street from its southern termi-

nus to Massachusetts avenue. Your committee report in favor of granting the prayer of the said petitioners on condition only that they agree to pay all damages.

FIFTH.

A remonstrance was also referred to your committee, H. J. Ryan and W. H. Wayne remonstrating against the improvement of Sullivan street from Buchanan to Bismark street. As there is no immediate necessity for the improvement of said street we would recommend that the prayer of the remonstrants be granted, and if an ordinance is pending that it be stricken from the files.

SIXTH.

A remonstrance and ordinance was referred to your committee signed by John W. Holland, D. A. Richardson and Eliza Blake, remonstrating against the improvement of Walnut street and sidewalks from Tennessee to Mississippi street. As your committee are of opinion that said street should be improved as contemplated by the ordinance referred, we herewith report back the remonstrance and ordinance, and recommend that the ordinance be passed.

SEVENTH.

A petition was referred to your committee signed by J. J. Bingham, Secretary of the Board of School Commissioners of the City of Indianapolis asking the Council to vacate the first alley north of Vermont street, between Davidson and Railroad street, and between lots No. 174 and 175 of Noble's subdivision of out-lot No. 55, for school purposes. Your committee would report in favor of said vacation provided the property holders adjoining make no objection and the School Board give the proper notices, etc., in such cases.

Respectfully submitted,

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

Which was concurred in.

Also, the following report and order of vacation :

INDIANAPOLIS, August 11, 1873.

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

Gentlemen—Your Committee on Streets and Alleys, to whom was referred a petition signed by Edward King, Esq., Mrs. Sarah Snyder

and the Indianapolis & St. Louis Railroad by Edward King, Esq., Secretary of said Indianapolis & St. Louis Railroad Company, asking for the vacation of a twelve (12) foot alley lying between lots one hundred and twenty-nine (129) and one hundred and thirty (130) in Noble's subdivision of part of out-lots forty-five (45), fifty (50), fifty-five (55), fifty-six (56) and sixty-one (61). Also, a twelve foot alley lying between lots number one hundred and thirty (130) and one hundred and thirty-one (131) in the aforesaid subdivision, each of said alleys extending between Railroad and Peru street as per plat filed by the said petitioners.

We therefore recommend that the prayer of the petitioners be granted, and said alleys as described in said petition be vacated and report the following vacation therein.

Respectfully submitted,

H. S. BIGHAM,
E. J. HARDESTY,
JOHN T. PRESSLY,
Com. on Streets 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 on the 9th day of June, 1873, Mr. Adams presented the following petition, to wit:

INDIANAPOLIS, June 9, 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 a twelve foot alley lying between lots one hundred and twenty-nine (129), and one hundred and thirty (130), in Noble's heirs subdivision of a part of out-lots Nos. 45, 50, 55, 56 and 61, and also a twelve foot alley lying between lots number one hundred and thirty (130,) and one hundred and thirty-one (131,) in the aforesaid subdivision—each alley extending between Railroad street and Peru street, in the city of Indianapolis, as per plat herewith filed.

EDWARD KING,
SARAH SNYDAM,
THE IND'PLS & ST. L. R. R.,
By E. KING, Secretary.

And Whereas, notice of the pendency of the following petition and of the time of 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, as aforesaid, were duly filed in the office of the City Clerk on the 29th day of June, 1873, in the words and figures following, to wit:

STATE OF INDIANA, }
 MARION COUNTY, } ss:

Personally appeared before the undersigned, V. Rockhold, Clerk Indianapolis Journal Co., 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 saith 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 13th day of June, 1873, and the last on the 27th day of June, 1873.

Subscribed and sworn to before me, this 10th day of July, 1873.

S. S. ANDERSON,
 Notary Public.

And whereas, said notice, as by law required, was duly posted along the line of said alleys proposed to be vacated, and which notice and proof of the posting thereof was duly filed in the office of the City Clerk on the 29th day of June, 1873, in the words and figures following, to-wit:

NOTICE OF VACATION OF ALLEYS.

To whom it may concern :

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 twelve (12) feet wide, extending between Railroad street and Peru street, bounded on the north by lot one hundred and thirty-one (131,) and on the south by lot one hundred and thirty (130,) in Noble's heirs subdivision of parts of out-lots Nos. 45, 50, 55, 56 and 61, in the City of Indianapolis; and also of an alley twelve (12) feet wide, extending between Railroad street and Peru street aforesaid, and bounded on the north by lot one hundred and thirty (130,) and on the south by lot one hundred and twenty-nine (129,) in the aforesaid subdivision; and that 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.

EDWARD KING,
 SARAH SNYDAM,
 THE IND'PLS & ST. L. R. R. CO.,
 By E. KING, Secretary.

STATE OF INDIANA, }
 MARION COUNTY, } ss.

G. M. Beach, being first duly sworn, on his oath says: That three copies of the notice on the reverse hereof written, were this day by him

duly posted in three public places in the immediate neighborhood of the alleys to which the petition of vacation relates.

G. M. BEACH.

Subscribed and sworn to before me this 9th day of June, 1873.

SAM'L E. FRAZEE,
Notary Public.

And no person or persons appearing to object to the vacation of said alleys, as described in the said petition of Edward King et al., and it appearing to the satisfaction of the Common Council that the prayer of the petitioners should be granted, it is therefore ordered and decreed by the Common Council of the City of Indianapolis that the said alleys be vacated.

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

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname and Ward—21.

Negative—Councilmen Gibson—1.

Mr. Kennington moved to suspend the rules for the purpose of taking up ordinances on second reading.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Shepherd, Stratford, Twiname and Ward—18.

Negative—Councilmen Gibson, McLaughlin, Rush, Sherwood and Thalman—5.

General Ordinance No. 41, 1873, entitled :

An Ordinance authorizing Butchers of meat for markets to construct substantial houses for slaughtering animals, etc.

Was taken up and postponed for one month.

On motion, the Council adjourned.

JAMES L. MITCHELL,

MAYOR.

ATTEST :

JOHN R. CLINTON,

City Clerk.