

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
THURSDAY, MARCH 24TH, 1870, 7 O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,  
and the following members :

Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Ken-  
nington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms,  
Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Kahn and Weaver—2.

CALL OF THE ROLL.

Mr. Brown presented the following petition :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned, owners of lots and residents thereon, on  
Maryland street, north side, between Tennessee and Mississippi streets, re-  
spectfully petition your honorable body to order the laying of a brick pave-

ment on the said square, to-wit: on Maryland street, north side, from Mississippi to Tennessee street. The said pavement to be laid with hard brick, nine feet wide from the line of the lots; the said pavement to be laid by contract, to the lowest bidder, and the property to be assessed for the improvement. The undersigned also petition your honorable body to order a crossing of stone flagging across the alley on the said square.

Respectfully submitted,

J. J. BINGHAM,  
A. ABROMET.

Which was received.

Mr. Brown presented the following petition:

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned, gardeners visiting and selling their products at the markets and to the citizens of Indianapolis, respectfully petition your honorable body to repeal that part of the Market ordinance which prevents them from selling their products to citizens outside of the market, or to groceries and provision dealers, during market hours.

Said parts of the ordinance are very frequently extremely disadvantageous to the producers, compelling them to stay for hours, before they can dispose of their products. They are a restriction of the freedom of trade, by which the consumers are in no way benefitted, as our own experience and that of the citizens frequenting markets justifies us in asserting. We therefore ask its repeal.

Respectfully submitted,

AUGUST A'BRUKT,  
WM. MINKNER,  
GEORGE KNAUER,  
JOHN TROST,  
And 8 others.

Which was referred to the Committee on Revision of Ordinances.

Mr. Brown presented the following petition:

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN.—Your petitioners, residing upon and owning real estate fronting on East Washington and East Market streets, in the new addition to the city, request your honorable body to take the legal steps to ascertain and fix the proper grade and levels of said streets, east of the former city limits. The request is made that we may know where and how to locate fences, buildings and other improvements.

Respectfully submitted,

WILLIAM P. FISHBACK,  
JOHN W. RAY,  
I. N. PHIPPS,  
W. H. LATHAM,  
And 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Brown introduced Special ordinance No. 44, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Severn alley, from Maryland to Georgia streets.

Which was read the first time.

Mr. Brown offered the following motion :

That the City Clerk furnish the City Attorney any bond or bonds in his possession, given by any officer or individual stockholder of the Junction Railroad, guaranteeing the building of machine shops in this city, and that the City Attorney bring suit on the same, at the earliest possible moment, if he finds any of the conditions of such bond have not been complied with.

Which was adopted.

Mr. Brown offered the following resolution :

*Resolved*, That a select committee be appointed by the Mayor, with instructions to prepare and have published, at the city's expense, a pamphlet setting forth the advantages of Indianapolis as a manufacturing city, and that such report contain all the available statistics on the subject, and in order to obtain the same, such committee be authorized to employ, at a reasonable expense, one or more persons to assist in preparing the report. That when such report is ready, such number of copies of the same as the Council may order be printed, and furnished our business men and citizens for general circulation.

The question being on the adoption of the resolution.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Harrison, Heckman, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Wiles and Woodburn—13.

Negative—none.

So the resolution was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Brown, Wiles and Locke.

Mr. Brown offered the following motion :

That the City Attorney be directed to prepare and report an ordinance prohibiting the working on the streets of city prisoners, or so-called chain gangs, by the Street Commissioner or other city officer.

Which was adopted.

Mr. Cottrell introduced Special ordinance No. 45, 1870, entitled :

AN ORDINANCE to provide for grading and paving with brick the east sidewalk of Alabama street, from Washington street to the Union Railway Track.

Which was read the first time.

Mr. Cottrell introduced Special ordinance No. 46, 1870, entitled :

AN ORDINANCE to provide for grading and paving with brick the west sidewalk of New Jersey street; from Washington street to South street.

Which was read the first time.

Mr. Cottrell offerered the following motion :

That the City Marshal be instructed to notify *all* the Railroad Companies, that they must not permit any railroad car or locomotive to stand on any street or alley crossing.

Which was adopted.

Mr. Harrison presented the following petition :

INDIANAPOLIS, March 4, 1870.

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

GENTLEMEN:—The undersigned respectfully petition your honorable body to enact an ordinance to grade and gravel the sidewalk on the east side of Western Avenue, between the intersection of St. Mary street with said avenue and College Home Avenue, within the corporate limits of said city.

We are owners of property fronting on said sidewalk, between the points named.

Respectfully submitted,

T. J. TRUSLER,  
T. A. BLAND,  
R. T. BROWN,  
W. C. SMOCK,  
And 5 others.

Which was received.

Mr. Harrison introduced Special ordinance No. 47, 1870, entitled :



AN ORDINANCE to provide for grading and graveling the east sidewalk of Western Avenue, between the intersection of St. Mary's street with said Avenue, and College Home Avenue.

Which was read the first time.

Mr. Harrison offered the following motion :

That permission be and the same is hereby granted to Adam Knauf, to grade and gravel the sidewalk in front of his property on Massachusetts avenue, (lot No. 20, out lot No. 46, in Goldsberry's addition to the city of Indianapolis,) between Noble and Liberty streets, the same to be done at his own expense, and in accordance with grade stakes to be set by the City Civil Engineer. Said work to be done in ninety days.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, Mar. 24, 1870.

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

GENTLEMEN:—We the undersigned, property holders of Benton street, want Benton street and sidewalks graveled and gutters covered, from Bates street to Washington.

Respectfully submitted,

JAMES Y. MARDICK,  
JAMES STEPHENS  
J. W. REYNOLDS,  
E. P. STEDMAN,  
And 6 others.

Which was received.

Mr. Heckman introduced Special ordinance No. 48, 1870, entitled :

AN ORDINANCE to provide for grading, graveling and curbing, with white oak plank, the sidewalks of Benton street, between Maryland and Bates streets.

Which was read the first time.

Mr. Heckman presented the following petition :

INDIANAPOLIS, Mar. 24, 1870.

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

GENTLEMEN:—Your petitioners, residing upon and owning real estate on East Washington street, East Market street, Arsenal avenue and Blake street, believing that the future interests of the new addition to the city, and the interests of any future additions that may be made in the southeastern tracts adjoining the present limits, require such action, hereby petition your

honorable body to take the proper measures for opening Arsenal avenue south, across East Washington street, to Michigan avenue, with a view to its future extension indefinitely south, as city limits be extended.

Respectfully submitted,

WALTER W. ANGUS,  
W. H. LATHAM,  
I. N. PHIPPS,  
CLEMENS VONNEGUT,  
And 20 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman presented the following petition :

INDIANAPOLIS, Mar. 24, 1870.

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

GENTLEMEN:—The undersigned, property holders in the vicinity of Liberty street at the crossing of the Union Railway Company's track, respectfully petition your honorable body to pass an ordinance to have a flagman stationed at said point, and, as in duty bound, your petitioners will ever pray.

Respectfully submitted,

E. RENARD,  
J. A. BUDDENBAUM,  
G. C. KING,  
S. DEARINGER,  
And 13 others.

Which was referred to the Committee on Railroads.

Mr. Heckman presented the following petition :

INDIANAPOLIS, MARCH 24, 1870.

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

*a* GENTLEMEN:—The undersigned, owners of the real estate fronting on the alley and adjacent thereto, between out lots 74 and 75, and from the Central Railroad Company's track to Meek street, in the Indiana Central Railroad Company's sub-division, to pass an order to open an alley from the Central Railroad Company's track to Meek street, the same to be a continuation of the alley from the Michigan road through to the Central Railroad track, running between out lots 74 and 75, and, as in duty bound, your petitioners will ever pray.

Respectfully submitted,

JOHN HEIM,  
CHARLES ZABEL,  
WILLIAM COLLINS,  
DANIEL CONNOR,  
And 8 others.

Which was referred to Committee on Streets and Alleys.

Mr. Heckman presented the following petition :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Buchanan street, between East street and Virginia Avenue, respectfully petition your honorable body to pass an ordinance providing for the vacation of ten feet in front of lots 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, in out lot 100, so that the said street between East and Greer, will be 50 instead of 60 feet, thereby making said Buchanan street fifty feet in width from Virginia Avenue to East street.

Respectfully submitted,

PETER DENNIS,  
J. H. McKERNAN,  
PATRICK STUNDON.  
And 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman presented the following petition :

INDIANAPOLIS, March 24, 1870

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

GENTLEMEN:—John R. Heim proposes to grade, gravel and curb the south sidewalk on the National Road, or Washington street, from where the Michigan road intersects the National road, as far as his property extends, according to the grade and stakes of the Civil Engineer.

Also—To grade, gravel and curb the east sidewalk on the Michigan road, from Washington street or National road east, as far as his property extends.

Respectfully submitted,

JOHN R. HEIM.

Which was granted.

Mr. Kennington presented the following remonstrance :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—We, the undersigned citizens, residing on South Tennessee street would respectfully remonstrate against putting in any Railroad switches on said street, as it endangers the lives of our children and obstructs the travel on said street, and do hope your honorable body will not permit such switches to be put in on our street, after compelling us to pay for it and thus deprive us of the use of the same.

Respectfully submitted,

PETER DEALANY,  
B. GELSCHNES,  
D. FLEIG,  
JOHN VOLLMAR,  
And 12 others.

Which was referred to the Committee on Railroads.



Mr. Kennington presented the following petition :

INDIANAPOLIS, Mar 24, 1870.

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

GENTLEMEN:—We, the undersigned, hackmen and expressmen, make it a business to meet arriving trains at the Union Depot for the purpose of accommodating passengers, and as we make this our legitimate business, do beg a repeal of an ordinance prohibiting the standing of hacks and other vehicles, and soliciting of passengers, on any other street than McNabb street.

Respectfully submitted,

JOHN HUMPHREY,  
JAMES RENIHAN,  
PATRICK HURLEY,  
DAVID PIERSON,  
And 24 others.

Which was received.

Mr. Shepherd introduced Special ordinance No. 49, 1870, entitled :

AN ORDINANCE to provide for grading and graveling the west alley running north and south through out lot 121, between Norwood and McCarty street.

Which was read the first time.

Mr. Shepherd introduced Special ordinance No. 50, 1870, entitled :

AN ORDINANCE to provide for grading and paving with brick, the north sidewalk on Maryland street, between Tennessee and Mississippi street.

Which was read the first time.

Mr. Thalman presented the following communication :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The Cleveland Fire Alarm Company, propose to attach to the present Fire Alarm Boxes now in use in the city, their Automatic instrument and inside door, patented July 13, 1869, and February 1, 1870, for the sum of fifty (\$50) dollars each, one half to be paid on the completion of the work, if the instruments are found perform all right, and are as we recommend them, and the balance to be paid in three months from the completion of said work, providing the instruments continue to work all right, and prove to be as recommended by us. And we will agree to furnish all extra instruments that may be needed by the city, or private individuals, for the sum of one hundred (\$100) dollars each.

Respectfully submitted,

CLEVELAND FIRE ALARM CO.,

By J. B. FRANZ, Agent.



Which was referred to the Special Committee on Fire Alarm, etc., with instructions to procure the services of some practical telegrapher.

Mr. Thalman offered the following motion :

That Samuel Taggart be allowed to pave with brick, in front of his residence on North Mississippi street, between Ohio and New York streets, said work to be done at his own expense, and within ninety days, under the supervision of the Civil Engineer.

Which was adopted.

Mr. Thalman introduced General ordinance No. 12, 1870, entitled :

AN ORDINANCE regulating the placing and maintaining of sign-boards and signs, on, or near buildings, in the city of Indianapolis.

Which was read the first time.

Mr. Thoms introduced Special ordinance No. 51, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Wabash street and sidewalks between New Jersey and East streets.

Which was read the first time.

Mr. Thoms offered the following motions :

That the Street Commissioner be directed to repair East street between Market and Ohio streets.

Also—That the Street Commissioner repair Ohio street between Liberty and Noble.

Which were adopted.

Mr. Thoms presented the following petition :

INDIANAPOLIS, March 24, 1870

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

GENTLEMEN:—We, the undersigned, owners of property on East and Liberty streets, between Pogue's Run and Georgia streets, respectfully petition your honorable body, to pass an order to vacate the first alley south of Pogue's Run, running east and west, through block 85, from East to Liberty streets

Respectfully submitted,

FR. THOMS,  
CHRISTIAN SPIGEL,  
And 4 others.

a.

Which was referred to the Committee on Streets and Alleys.

Mr. Thoms introduced Special Appropriation ordinance No. 14, 1870, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first time.

Mr. Wiles presented the following petition:

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned, property holders on New Jerrey street, from Massachusetts to Fort Wayne Avenue, respectfully petition your honorable body to pass an ordinance for the improvement of said street, between the points named as follows:

Boulder the gutters to a width of 9 feet; boulder between the tracks of the Lstreet Railway Company; gravel with screened, washed river gravel between the gutters, to a depth of 15 inches outside of Railroad track, on each side to a depth of 6 inches on the outside of the buoldered gutter.

Respectfully submitted,

D. POWELL,  
E. BLISS,  
J. E. LUDLUM,  
JAS. G. FEATHERSTON,  
And 26 others.

Which was received.

Mr. Wiles introduced Special ordinance No. 52, 1870, entitled:

AN ORDINANCE to provide for grading and bouldering New Jersey street from the south side of Massachusetts Avenue to the south side of Fort Wayne Avenue.

Which was read the first time.

Mr. Wiles offered the following motion:

That the property owners on St. Mary's street, have permission to grade and gravel said street, from Delaware to Alabama street, the same to be graded according to stakes set by the Civil Engineer, and the street to be graveled with good river or creek gravel, to a width of twenty feet in the center, and to a depth of fifteen inches in the center, and sloping to five inches at the sides. The sidewalks to be graveled with the same kind of gravel to a depth of eight inches, the same to be done within ninety days, and the Civil Engineer is hereby directed to set the grade stakes.

Which was adopted.

Mr. Wiles presented the following remonstrance :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned, property holders on Davidson street, between North street and the north point of Davidson street, for the improvement of said Davidson street as described, would remonstrate against such improvement for the following reasons :

1. Because there is no necessity for such improvement, as the street is in good fix and passable for anybody.
2. The neighborhood is healthy, if the water standing in the gravel pit was removed.
3. The west lot from North street to the point on Davidson street, is not worth as much as the improvement of said street would come to.
4. That about three-fourths of the territory belong to these remonstrants.

Respectfully submitted,

HENRY BŒDEKER,  
C. F. WISHMIER.

Which was referred to the Committee on Streets and Alleys, along with the ordinance providing for said improvement.

Dr. Woodburn offered the following motion :

That the Committee on Printing and Stationery be instructed to use the old furniture and fixtures, in furnishing the new Council Chamber, Police Court Room and City Offices, as far as practicable.

Which was adopted.

Dr. Woodburn introduced General ordinance No. 13, 1870, entitled :

AN ORDINANCE relative to explosive and inflammable oils.

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

Dr. Woodburn introduced Special ordinance No. 53, 1870, entitled :

AN ORDINANCE to provide for grading and paving with brick, the sidewalks of Mississippi street, between Ohio street and Indiana Avenue.

Which was read the first time.

Dr. Woodburn introduced Special ordinance No. 54, 1870, entitled:

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Ohio street between Mississippi and Tennessee streets.

Which was read the first time.

Mr. Woodburn introduced Special Appropriation ordinance No. 15, 1870, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the city of Indianapolis.

Which was read the first time.

Mr. Woodburn offered the following motion:

That the Committee on Gas Light and the City Attorney, and the City Gas Inspector, be instructed to report an ordinance assessing the gas used in street lighting, against the property on the squares fronting the same.

Mr. Thoms moved to refer to Committee on Gas.

Mr. Locke moved to lay the whole matter on the table.

Dr. Woodburn called for the ayes and noes.

The question being to lay on the table.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Shepherd, Thalman, Whitsit and Wiles—12.

Those who voted in the negative were Councilman Newman, Pyle, Thoms and Weaver—4

So the motion to lay on the table was adopted.

By consent Dr. Woodburn presented the following:

RECAPITULATION OF THE WEEKLY REPORT OF THE CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL ENDING MARCH 18, 1870.

Number of patients in Hospital at last report .....	44
Number of patients received in Hospital since last report .....	5
Number of patients born in Hospital since last report .....	1
Number of patients discharged from Hospital since last report .....	6
Number of patients died in Hospital since last report .....	0
Number of patients remaining in Hospital at present report .....	44



Which was received.

His Honor, the Mayor, presented the following petition :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—Your petitioner, the I. C. and L. RR. Co., respectfully request authority to place six telegraph poles on the north side of Market street, between the Canal and the east side of Tennessee street, on which to place a wire to connect the main wire of her Railroad telegraph line, with a contemplated telegraph office in Gallup's block.

Respectfully submitted,

I. C. and L. RR. CO.,

By HARRY HALL, *Asst. Supt.*

Which was received.

Also the following motion :

That the I. C. and L. RR. Co., be allowed to erect and maintain, for telegraphic purposes, six telegraph poles, on the the north side of Market street between the Centarl Canal and Tennessee street, such poles to be erected under the supervision and to the satisfaction of the City Civil Engineer.

Which was adopted.

Mr. Gimber introduced Special ordinance No. 55, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Wilkens street and sidewalks, from Tennessee to Chestnut street.

Which was read the first time.

Mr. Gimber introduced Special ordinance No. 56, 1870, entitled :

AN ORDINANCE to provide for grading and graveling West street and sidewalks, from the south line of Root street to the Corporation line south.

Which was read the first time.

Mr. Harrison presented the following petition :

INDIANAPOLIS, March 24, 1870.

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

GENTLEMEN:—The undersigned respectfully petition your honorable body, to rescind the resolution to open Gregg street from the first alley east of East street, to Jackson street, passed November 22, 1869. We ask said resolution rescinded for the following reasons :

We are property holders interested, and were not notified of any meeting of the City Commissioners to assess damages and benefits, and we do not believe that the benefits we would derive from the opening of said street, would justify the payment of the amounts assessed against us.

Respectfully submitted,

D. H. OLIVER,  
JOHN L. AVERY,  
M. BURTON,  
MARY AUSTIN,  
LOUIS MIER,  
S. H. JOHNSON.

Which was referred to the City Clerk, with instructions to report an ordinance for the the amount of damages sustained by the opening of said street.

Mr. Marsee moved that the rules be suspended for the purpose of reading Special Appropriation ordinance No. 15, 1870, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims against the city of Indianapolis.

The second and third times, and placing the same on its passage.

The question being on the suspension of the rules.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Harrison, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Whitsit, Wiles and Woodburn—12.

Those who voted in the negative were Councilmen Gimber, Kennington and Shepherd—3.

So the rules were suspended.

The ordinance was read the second time.

Mr. Kennington moved to amend by inserting \$932 22 in favor of Michael Maloney, in payment for lot appropriated by the city in the excavation of Pogue's Run.

Which was adopted.

Dr. Woodburn offered the following motion:

The City Clerk shall not issue the warrant to Malony, till the proper deed for the lot shall be submitted to the City Attorney for his approval.

Which was adopted.

The ordinance was then ordered engrossed, and read the third time, and placed upon its passage.

The question being on the passage of the ordinance.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—none.

So the ordinance passed.

On motion the Council adjourned, to meet Saturday, March 26, 1870, at 7 o'clock P. M.

*Daniel Macauley*

DANIEL MACAULEY, *Mayor.*

ATTEST:

*D. M. Russell*

~~D. M. RUSSELL~~, *City Clerk.*