

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF COMMON COUNCIL }
OF THE CITY OF INDIANAPOLIS, }
Monday, May 29, 1871, 7½ 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 Batty, Bigham, Brown, Cottrell, Craft, Gimber,
Heckman, Kennington, Marsee, Newman, Reagan, Thalman,
Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilman Locke.

The proceedings of the regular session, held May 22, 1871,
were read and approved.

Sealed proposals were opened and read by the Clerk and referred to the Committee on Printing.

The Civil Engineer made the following report :

INDIANAPOLIS, May 29, 1871.

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

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

Samuel Hanway & Co., for grading and graveling the first alley north of Massachusetts avenue, running from Plum to Oak streets.

Length on north side..... 80 ft.

Length on south side..... 80 ft.

Total length.....160 ft.

At 22 cents per lineal foot..... \$35 00

Also, Dewey and Twinane, for building six cisterns, containing 3,870 barrels, at 58 cents per barrel..... 2,244 58

Deduct former payment..... 1,813 33

Present payment..... \$431 25

Respectfully submitted,

R. M. PATTERSON,

Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, May 29, 1871.

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

The City Clerk respectfully reports to City Council :

FIRST.

First and final estimate allowed James Mahoney, for grading and graveling Walnut street and sidewalks, from Liberty to Noble street.

SECOND.

First and final estimates allowed James W. White, for planting and boxing shade trees on Walnut street from Massachusetts avenue to Pennsylvania street—on Broadway street, from Christian avenue to St. Clair street—on East street, from St. Clair to Cherry street.

THIRD.

First and partial estimates allowed allowed Hampton Clarke for planting and boxing shade trees on Tennessee street from Ohio to Seventh street—on Mississippi street, from Ohio to Seventh street.

FOURTH.

First and final estimate allowed Hanway & Co., for grading and graveling the first alley north of Massachusetts avenue, running from Plum to Oak street.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was concurred in.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed Jas. Mahoney, for grading and graveling Walnut street and sidewalks, from Liberty to Noble streets, 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 Batty, Bigham, Brown. Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Negative—none.

Also the following resolution :

Resolved, That the foregoing first and final estimates allowed Hampton Clarke, for planting and boxing shade trees on Tennessee street from Ohio to Seventh streets, on Mississippi street from Ohio to Seventh streets, be and the same 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 Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Negative—none.

Also the following resolution :

Resolved, That the foregoing first and final estimates allowed James W. White, for planting and boxing shade trees on Walnut street from Massachusetts avenue to Pennsylvania streets, on Broadway street from Christian avenue to St. Clair streets, and on East street from St. Clair to Cherry streets, be and the same are 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 Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman Thoms, Whitsit, Wiles and Woodburn—16.

Negative—none.

The City Clerk made the following report :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—The City Clerk would respectfully report that there

is on file in his office affidavits for the collection of street assessment by precept as follows:

Thomas Hutchins vs. David Stevenson, for.....	\$ 2 00
“ “ “ Ophelia Learned, “	3 00
“ “ “ Abraham Bird, “	22 00
D. Root & Co. vs. Winslow S. Pierce, “	14 31
“ “ “ Julius W. Davis, “	8 16
“ “ “ The Junction Railroad Co., for.....	10 59
“ “ “ John Hollowell, for.....	5 24
“ “ “ Eli C. Green, “	5 62
“ “ “ H. L. Wright, “	2 64
“ “ “ Johanna Hinds, “	7 18
Patterson and Dunning vs. Amanda F. Jenkins, for.....	72 04
S. J. and R. H. Patterson vs. Anna W. Dewey, for.....	59 90
S. J. and R. H. Patterson vs. Elizabeth K. Stevens, for.....	61 66

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

JOHN R. CLINTON,

City Clerk.

Which was concurred in.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, May 29, 1871

To the Mayor and Common Council of the City Indianapolis:

GENTLEMEN—The Chief Fire Engineer to whom was referred a motion, directing him to examine and report whether the Water Works Company have located the Fire Plugs, as directed by Council, &c.

Would report that I have made said examination and find that so far as Fire Plugs have been located, by the company they have exceeded the orders of Council, as follows :

- One at or near the south-west corner of Circle and Market street.
- One on Market street, between Missouri and West streets.
- One at the corner of North and Mississippi streets.
- One on Court street, between Pennsylvania and Delaware streets.
- One on corner of Tennessee street and Kentucky avenue.
- One on the corner of Maryland and Illinois streets.

One on the corner of Delaware and Maryland streets.

One on Virginia avenue, between Washington and Maryland streets.

One on the corner of Mississippi and Washington streets.

One on the corner of Washington and West streets.

By reference to the Council Proceedings of August 1870, you will find a report from the Committee on Water Works, designating the plan for locating Fire Plugs, and you will also find that those mentioned in this report, were not erected in accordance with the report of the Committee.

Yours Respectfully,

DAN. GLAZIER,

Chief Fire Engineer.

Which was received.

The Sewerage Engineer made the following report :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—Some time since the Council directed me to report as to the practicability of draining Pogue's Run into the Vermont street, Washington street and South street Sewers. According to the plan furnished by Mr. Lane, and adopted by the Council, the Vermont street sewer was not designed to take any water from the Run. The South street sewer will probably be taxed to its full capacity without receiving anything from this source. The main sewer will intersect the Run on Winston street, and is large enough at that point to pass all the water at ordinary times, but at the time of a freshet would not pass one-eighth part of the creek.

Respectfully submitted,

J. W. BROWN.

Which was concurred in.

The Street Commissioner made the following report :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—At the last meeting of your honorable body I was

instructed to build a pound for the use of the City Marshall on the City Park, lying between Noble and Liberty streets. But as I was not informed whether to build a tight or open fence, or whether it was the desire of the Council to have the park all fenced in. I would respectfully ask for further instructions.

I would respectfully suggest that a permanent pound be built on said park, and that it be fenced with six foot tight fence.

Most Respectfully,

A. BRUNER,

Street Commissioner.

Which was concurred in, and Street Commissioner instructed to act in accordance with his report.

Dr. Woodburn moved to reconsider the vote taken at last meeting of Council, on the passage of special ordinance No. 26—1871, entitled :

An ordinance to provide for grading and bowldering Louisiana street between Illinois and Tennessee streets, and for curbing the north sidewalk thereof with stone.

The question being on the motion to reconsider, those who voted in the affirmative were :

Councilmen Batty, Bigham, Brown, Cottrell, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman, Thoms, and Whitsit—12.

Those who voted in the negative were :

Councilmen Craft, Newman, Weaver, Wiles, and Woodburn—5.

So the motion to reconsider was adopted.

By unanimous consent the rules were suspended for the purpose of taking up ordinances on third reading.

Special ordinance No. 26—1871, entitled :

An ordinance to provide for grading and bowldering Louisiana street between Illinois and Tennessee streets, and for curbing the north sidewalk thereof with stone.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman, Thoms, Weaver and Whitsit—12.

Negative—Councilmen Craft, Newman, Wiles and Woodburn—4.

Special ordinance No. 21—1871, entitled :

An ordinance to provide for grading and paving with brick the sidewalks of North Meridian street between First and Tinker streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, craft, Gimber, Heckman, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilmen Cottrell and Kennington—2.

Special ordinance No. 28—1871, entitled :

An ordinance to provide for grading and graveling Ash street and sidewalks from Christian Avenue to Forest Home avenue.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodborn—15.

Negative—Councilmen Cottrell and Kennington—2.

Special ordinance No. 24—1871, entitled:

An ordinance to provide for grading and graveling Dougherty street and sidewalks from Wright street to Virginia avenue.

Was read the third time and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilmen Cottrell and Kennington—2.

Special ordinance No. 50, 1871, entitled:

An ordinance to provide for lighting with gas Military Park.

Was read the third time, and on motion, referred to the Committee on Gas Light.

Special ordinances No. 47, 1871, entitled:

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Buchanan street from East street to Virginia avenue.

Was read the third time and placed upon its passage.

The question being shall the ordinance pass? those who voted in the affirmative were:

Councilmen Batty, Bigham, Heckman, Kennington, Marsee, Weaver, Whitsit, Wiles and Woodburn—9.

Those who voted in the negative were:

Councilmen Brown, Cottrell, Craft, Gimber, Newman, Reagan, Thalman and Thoms—8.

So the ordinance failed to pass, it requiring a two-thirds vote on account of not being petitioned for.

General ordinance No. 69, 1870, entitled :

An ordinance to protect the public against injury from obstructions in or on the streets, sidewalks, alleys and other exposed places in the City of Indianapolis, and to regulate the use thereof.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

General ordinance No. 20, 1871, entitled :

An ordinance authorizing the appointment of an additional Lieutenant of Police and a Sergeant of Police.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

General ordinance No. 65, 1870, entitled :

An ordinance to protect the hose belonging to the Fire Department of the City of Indianapolis.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

General ordinance No. 64, 1870, entitled :

An ordinance making an appropriation therein named.

Was called up, and on motion, stricken from the files.

By unanimous consent, the rules were suspended for the purpose of taking up general ordinance No. 5, 1870, entitled :

An ordinance relative to omnibus runners at the Union Depot, and the general protection and convenience of travelers in the city.

And reading the same the second and third times and placing it on its passage.

The ordinance was read the second time and amended by striking out the original section 5, and granting general police powers to said Depot Marshals, &c.

Mr. Thoms offered the following amendment :

Moved, That the sounding of the gong and bell inside the Union Depot is prohibited.

Which was adopted.

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

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Heckman, Marsee, Newman, Thoms, Whitsit and Wiles—10.

Negative—Councilmen Cottrell, Gimber, Kennington, Reagan, Thalman, Weaver and Woodburn—7.

On motion, the special order for the evening, viz : the consideration of the proposals for building White River Bridge was taken up and referred to a select committee, composed of Councilmen Wiles, Marsee, Brown and Batty.

On motion the rules were suspended for the purpose of calling the roll of members for the presentation of papers &c.

Mr. Batty introduced general ordinance No. 22—1871, entitled:

An ordinance to amend an ordinance entitled: An ordinance regulating the markets within the city of Indianapolis, and defining the duties of Market Master. Ordained Nov. 30, 1863.

Which was read for the first time.

Mr. Batty offered the following motion:

Moved, That the Market Master postpone the sale of stalls in the Market Houses from the first market morning in June to the last market morning in June.

Which was adopted.

Mr. Batty offered the following motion:

Moved, That the Mayor issue his proclamation to the owners of shade trees along the streets to have the same trimmed to the height of ten feet between the sidewalk and the lowest limb of said trees, and unless the same be done within thirty days from the issuing of his proclamation the Street Commissioner shall cause the same to be done at the expense of the owners.

Which was referred to the Committee on Parks.

Mr. Batty offered the following motion:

Moved, That the City Mashall be instructed to have the streets in the new additions properly numbered at a cost not to exceed 25 cents per number, the same to be paid for by the property owners.

Which was adopted.

Mr. Batty offered the following motion :

Moved, That the Commissioners of Marion County be allowed to drive across the sidewalks around the Court House, in such places as they may desire, first removing the bricks from such places, and they shall during all the time keep the sidewalks in good order.

Which was adopted.

Mr. Bigham presented the following petition :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—We the undersigned citizens and owners of property in the vicinity of a Stave Factory located on Davidson street, between Ohio and Market streets, do respectfully represent to your honorable body that said Stave Factory is unsafe, and the property in said vicinity is in constant danger of being destroyed by fire, &c We cannot get any insurance on our property at anything like reasonable rates, and therefore we would pray your honorable body to investigate the matter and give us such relief as the circumstances demand, and we will ever pray, &c.

LUDWIG MEYER,

L. SMITH,

STEPHEN HUTH,

And three others.

Which was referred to a select committee composed of Councilmen Bigham, Weaver, Thoms, City Attorney and Chief Fire Engineer.

Mr. Bigham presented the following petition :

INDIANAPOLIS, May 20, 1871.

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

GENTLEMEN—A petition was presented to your honorable body sometime ago asking your body to either arch over or fill up the ditch, cut from St. Clair street on Railroad street to Market street, to carry off the water collecting in the neighborhood of St. Clair street

and Massachusetts avenue, and as said ditch has never accomplished the object intended, and failed to carry off the water, and as it is a useless and unnecessary expense to the city in bridging the same, and so forth I would respectfully request that you either arch it over or fill it up as prayed for in a petition from the property holders along the line of said ditch, as the condition it is now and has always been it a great nuisance and too bad to be borne, and as in duty bound your petitioners will ever pray.

Respectfully submitted for the petitioners,

GEORGE H. BRINKMEYER.

Which was referred to the Committee on Streets and Alleys and Civil Engineer.

Mr. Bigham introduced general ordinance No. 23—1871, entitled :

An ordinance repealing part of section 10 of an ordinance entitled :
Markets and Market Masters. Approved Nov. 30, 1863.

Which was read the first time.

Mr. Brown offered the following motion :

Moved, That the City Civil Engineer report a partial estimate on the contract for paving and curbing of the north sidewalk of Georgia street, between Meridian and Pennsylvania streets.

Which was adopted.

Mr. Cottrell presented the following agreement :

Whereas, The Common Council of the City of Indianapolis have passed an "Ordinance appropriating five thousand dollars (5,000) to the Indianapolis Agricultural, Mechanical and Horticultural Association," to-wit :

Ordinance No. 20, passed and approved May 25, A. D. 1871.

And Whereas, The said Association impliedly agree with individual members of the Common Council to protect the city in the matter of the appropriation made by the passage of the said ordinance, and as

the provisions contained in the ordinance aforesaid do not appear to be sufficiently explicit, and in order to a full and perfect understanding as between the Common Council of said city and the said association. It is hereby agreed by the said association, and made a part of their record, to-wit:

That the said association agree and their "Board of Directors" do bind themselves in case the said lands mentioned in the said ordinance No. 20, shall at any time be sold during the next ensuing twenty years from the 25th day of May, A. D. 1871, then the said association agree to refund to the said city the five thousand dollars so appropriated, and the said city shall be entitled to receive the same, and it is further agreed and provided that should the said city be compelled to institute suit in order to make the collection of the said five thousand dollars, then in that case the City of Indianapolis shall be entitled to recover the said five thousand dollars so appropriated by the said ordinance, together with six per cent. interest from the date of payment as provided in the said ordinance.

All of which agreement the Indianapolis Agricultural, Mechanical and Horticultural Association hereunto subscribe in good faith to keep and perform the same.

IND'P'LIS A., M. AND H. ASSOCIATION,

By order of the Board of Directors,

JOHN FISHBACK,

President.

Attest:

W. H. LOOMIS, *Secretary.*

OFFICE OF THE INDIANAPOLIS AGRICULTURAL, }
MECHANICAL AND HORTICULTURAL ASSOCIATION, }
May 27, 1871. }

I hereby certify the foregoing agreement was passed at a regular meeting of the "Board of Directors" of the I. A., M. and H. Association and ordered to be spread upon the records of the association.

And I do further certify that this association is a joint stock association, organized under the General Laws of the State of Indiana, and that their articles of association are matters of record, and that the same are recorded in "Miscellaneous Record No. one (1) bearing date March 28, 1870, in the office of the Recorder of Marion County, Indiana.

Done this 27th day of May, A. D 1871.

W. M. LOOMIS,

Secretary.

INDIANAPOLIS, MARION COUNTY, }
STATE OF INDIANA. }

Personally appeared before me a Justice of Peace in and for Marion County, State of Indiana, W. H. Loomis, and makes oath to the matters and things herein contained.

CHARLES FISHER,

Justice of Peace.

Also the following motion :

Moved, that the agreement herewith presented by the Indianapolis Agricultural, Mechanical and Horticultural Association, be, and the same is hereby accepted as in compliance with the terms of the ordinance No. 20, appropriating five thousand dollars to the said Association, passed and approved May 25th, 1871.

Which on motion were referred to the City Attorney with instructions to confer with said association, and make such changes as will make the agreement binding for all time to come.

Mr. Cottrell presented the following remonstrance :

INDIANAPOLIS, May 26, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Vermont street, between Indiana avenue and Blackford street, respectfully remonstrate against the awarding of the contract for paving with Lefler Stone the north sidewalk on Vermont street, from Indiana avenue to Blackford street, and your remonstrants will ever pray, &c.

W. B. CHAMBERLIN,

J. L. SAILORS,

M. GATES,

And six others.

Which was referred to the Committee on Streets and Alleys.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, May 25, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on East street, between Pogue's Run and Virginia avenue, respectfully petition your honorable body to pass an ordinance providing for the re-gravling East street, between Washington street and Virginia avenue, with good pit gravel, the same to be done under the direction and to the satisfaction of the City Civil Engineer, and that the tracks of the I. P. and C. Railroad Company be raised to the proper grade, and unless they are raised your petitioners would derive no benefit to the street or property holders, and your petitioners will ever pray, &c.

H. SEIBERT,
S. LOVE,
GEO. W. HILL,
And eleven others.

Which was referred to the Committee on Streets and Alleys.

Mr. Cottrell offered the following motion :

Moved, That William Rehling, be permitted to grade and pave the sidewalk and gutter in front of his property on Delaware street, between South and Merrill streets, provided the same be done within sixty days, and the Civil Engineer is hereby directed to set the proper grade stakes.

Which was adopted.

Mr. Cottrell introduced General ordinance No. 24—1871, entitled :

An ordinance relative to placing a flagman on the north side of the Railroad tracks where the same crosses New Jersey street.

Which was read for the first time.

Mr. Cottrell offered the following resolution :

Resolved, That the "Citizens Street Railroad Company" be and are hereby directed to remove their tracks from the sidewalk on the corner of Illinois and Tinker streets, and corner of Western and Christian avenues, and should said Railroad Company fail to remove said tracks within sixty days from and after the passage of this resolution, then the City Attorney is hereby instructed to commence legal proceedings to compel them to remove the same.

Which was adopted by the following vote :

Affirmative—Councilmen Bigham, Brown, Cottrell, Craft, Gimber, Kennington, Marsee, Reagan, Thalman, Thoms, Weaver and Woodburn—12.

Ngative—Councilmen Newman, Whitsitt and Wiles—3.

Mr. Craft presented the following petition :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—The undersigned your petitioner represents he is unable to work, and being desirous of making a livelihood honorably asks your honorable body to grant him permission to erect a refreshment stand in one of the "outer" or garden stalls of the east Market House. Said stand to be located on the south side of the said Market House.

LOUIS STEINMARK,

Per Baker & Bernhamer,

His Attorneys.

I would respectfully ask that the above be granted.

J. J. WENNER,

Wood Measurer East Market.

Which was referred to the Committee on Markets.

Mr. Craft presented the following petition :

INDIANAPOLIS, May 25, 1871.

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

GENTLEMEN—We the owners and occupants of four-fifths of the lots laid out on out-lot No. 174 in said city, respectfully ask your honorable body to open the first alley running north and south through said block, east of St. Clair street, and your petitioners will ever pray.

JANE LOWMAN,
ELIZA LOWMAN,
WM. LOWMAN,
And two others.

Which was referred to the Committee on Streets and Alleys.

Mr. Craft presented the following remonstrance :

INDIANAPOLIS, May 23, 1871.

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 New York street, between Massachusetts avenue and East street, respectfully remonstrate against the passage of an ordinance providing for the grading and paving with brick the north sidewalk of New York street, between Massachusetts avenue and East street, for the reason that the sidewalk is now in good condition and the proposed improvement is not asked for, nor desired by the property holders on the said line of the proposed improvement.

H. C. HOLBROOK,
THOS. E. HOLBROOK,
JAMES KRAMER,
And twelve other s

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

Mr. Craft offered the following motion :

Moved, That the Police force of the city be instructed to enforce the ordinance against ball playing upon the streets of the city.

Which was adopted.

Mr. Gimber offered the following motion :

Moved, That Mrs. Wagner be allowed the privilege of paving with brick, the sidewalk in front of her property on Meridian and Ray streets, the same to be done at her own expense, and to the satisfaction of the City Engineer, and that the Civil Engineer be directed to set the grade stakes.

Which was adopted.

Mr. Kennington offered the following motion :

Moved, That the City Marshall be instructed to notify the Railroad Company or others who have placed obstructions in the street running north and south through square 96, from South street to Pogues Run, in the shape of railroad bumpers or posts, that they be required to remove the same immediately, and in case of failure to remove such obstructions within five days the City Marshal is hereby instructed to have the same removed.

Which was adopted.

Mr. Kennington offered the following motion :

Moved, That the Street Commissioner be directed to put down three wooden foot bridges and one culvert on the crossing of Union and Morris streets.

Which was adopted.

Also the following motion :

Moved, That the City Attorney in conjunction with such counsel as he may select, immediately commence suit against the Central Canal Company or their successors, for the purpose of setting aside their franchise or pretended right to so much of said Canal as lies

between Market street and the southern corporation line of the City of Indianapolis.

Which was adopted.

Mr. Marsee offered the following motion :

Moved, That the City Marshal be directed to notify the Indianapolis, Peru and Chicago Railroad Company to raise their tracks to the proper grade where the same crosses south East street, within thirty days from the date of receiving this notice.

Which was adopted.

Mr. Newman offered the following motion :

Moved, That the Water Works Company cause water pipes to be laid on Pennsylvania street, not less than six inches in diameter from New York street to St. Joseph street, and locate a hydrant on the corner of North Pennsylvania and Michigan streets.

Which was referred to the Committee on Water Works.

Mr. Reagan offered the following motion :

Moved, That the City Clerk be directed to advertise for sealed proposals for building a stone culvert on the west side of Tennessee and Louisiana streets, and that City Attorney bring suit against all the Railroad Companies that occupy the said streets. Also for preventing the free flow of water through the said culvert, in violation of the ordinance of the Lafayette and Cincinnati Company, section one, page 271.

Which was referred to the Committee on Railroads.

Mr. Reagan offered the following motion :

Moved, That the Street Commissioner be ordered to notify the Vincennes Railroad Company to plank between the rails on the east side of West street on Kentucky avenue. In case of failure of said Railroad Company to comply with the said order, the Street Com-

missioner be, and is hereby ordered to do the said work within ten (10) days from this date and collect the costs for doing the same from the said company.

Which was adopted.

Mr. Thalman offered the following motion :

Moved, That the Street Commissioner be, and he is hereby instructed to immediately employ a sufficient force and proceed at once to lower the grade and track of the Indianapolis, Cincinnati and Lafayette Railroad Company, through said City of Indianapolis, under the direction of the City Engineer, so that the same shall conform to the grade of the streets of the city, and make report to the council a true report of the cost of lowering said grade and track, in order that an account thereof may be presented to and collected of said Railroad Company.

Mr. Wiles moved to amend by instructing the Street Commissioner to first give the Railroad Company thirty days notice. Which was adopted.

The motion, as amended, was adopted.

Mr. Thalman presented the following communication :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—In response to the wishes of the workingmen a series of Saturday Night Concerts will be arranged, commencing promptly at 7 $\frac{1}{4}$ P. M., and continuing two hours. The first of the series will be given on Saturday Evening next. To keep these concerts in active operation until October the 6th, including one on the evening of the 4th of July will necessitate the giving of twenty concerts, which at an average expense of \$35.00 nightly amounts to \$700.00. It is proposed that of this amount the city pay one-half, and the citizen the remainder. In Columbus, Ohio, Cincinnati, Ohio, and in Washington, D. C., special municipal appropriations are made each season, and in Cincinnati two bands have weekly contracts at higher prices than we ask, for a term too far beyond the one proposed, and without

any expense to the public except in trivial *addenda* of increased taxation. This plan would have been adopted here, but for the fact that that our parks are all in the north side of town, and therefore it was thought that local opposition might defeat any appropriation sought for if all were asked. The citizens of the west end almost unaided, gave the entire series last season at their own expense to audiences composed of residents in all of the corporate limits of the city from the extreme north, south and east, persons came and went away delighted, while the residents in the vicinity of our parks will be personally solicited to subscribe.

Which was referred to the Committee on Parks.

Mr. Thalman offered the following motion :

Moved, That the Committee on Contracts be instructed to require a guarantee and security from the party receiving the contract for paving with the Lefler Stone, the sidewalks on north California, west New York and West Vermont streets, "that the said stone will not crumble, but remain in a good and perfect condition for the term of two years, and that he will replace with new stone at his own expense all imperfect ones that may appear within the two years."

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be directed to level the dirt on Mississippi street, from Washington street to Indiana avenue, and all other streets, and return the amount of the expense for so doing to the City Clerk, and that he be directed to charge up the same to the Water Works Company and deduct the same out of the first money allowed said company for water rent.

Which was adopted.

Also the following motion :

Moved, That Erie Locke be granted leave of absence for two weeks, and be excused for non-attendance at last meeting of the Council.

Which was adopted.

Mr. Whitsitt introduced special appropriation ordinance, No. 26—1871, entitled :

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

Which was read the first time.

Mr. Whitsitt offered the following motion :

Moved, That the Committee on Fire Department with the Chief Fire Engineer be instructed to superintend the construction of the Engine Houses now in process of erection.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be instructed to notify the property holders in lot 500, out-lot 94 to trim the hedge fence along the front of the lot where it is obstructing the sidewalks, within ten days, and if not done within that time to proceed to do the same at the expense of the property holders.

Which was adopted.

Mr. Whitsitt offered the following motion :

Moved, That the Committee on Water Works with the Chief Fire Engineer report to this Council the best manner of attaching cocks or faucets to the fire plugs as contemplated by the charter, authorizing the construction of Water Works, ordained January 3d, 1870.

Which was adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, IND., May 27, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Delaware street, between St. Clair and Market streets, respectfully

petition your honorable body to pass an ordinance providing for the sprinkling of said street from June the 1st to October the 20th, 1871 consecutively, the cost of the same to be charged to the property holders on said street, city to furnish the water and pay their porpotion fronting city and school property, and your petitioners will ever pray, &c.

WILLIAM WALLACE,
WILLIAM HADLEY,
JOHN KNIGTT,

And twenty-three others.

Which was referred to the Committee on Water Works, together with the Committee on Judiciary and City Attorney.

Mr. Wiles introduced special ordinance No. 64—1871, entitled :

An ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on St. Clair street, between Meridian and Delaware streets.

Which was read for the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, May 29, 1871.

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

GENTLEMEN—The undersigned, owners of ground fronting on north Meridian street, between New York and Seventh streets, in the City of Indianapolis would respectfully petition the Council to pass an ordinance for grading and paving said Meridian street from the south side of New York street to the north corporation line of the city. The said street to be perfectly graded according to the stakes of the City Engineer, and paved with a wooden block pavement. That you appoint Alfred Harrison, Valentine Butch, Deloss Root, W. S. Hubbard, Willis S. Webb, and Clements A. Furgason, Commissioners with the City Engineer to prepare specifications for said pavement and advertise for bids for the construction of the same. The said Commissioners or a majority of them to make a report to the Council

after receiving said bids, recommending which bid shall be accepted by the Council, and no bid to be accepted without the recommendation of said Commissioners or a majority of them. The said work to be done under the supervision of said Commissioners and the City Engineer, and to be paid for when completed and approved by them or a majority of them.

W. M. LANDIS,
E. B. MARTINDALE,
H. G. CAREY,
And forty-six others.

Which was received.

Dr. Woodburn introduced special ordinance No. 65—1871, entitled :

An ordinance to provide for grading and paving with wooden block pavement, Meridian Street, between New York and Seventh streets, and curbing the outside edges of the sidewalks of the same with stone, where not already curbed.

Which was read the first time and referred together with the petition, to the Committee on Streets and Alleys and Civil Engineer, with instructions to report the cost of the city's portion of said proposed improvement.

Dr. Woodburn presented the following :

Weekly report of contents of Register of Patients of City Hospital, ending May 20, 1871 :

Number of patients in Hospital at last report.....	42
Number of patients received in Hospital since last report.....	9
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report...	11
Number of patients died in Hospital since last report.....	0
Number of patients remaining in Hospital at present report.....	41

E. HADLEY,
Superintendent.

Which was received.

Also the following :

Weekly report of contents of Register of Patients of City Hospital, ending May 27, 1871 :

Number of patients in Hospital at last report.....	41
Number of patients received in Hospital since last report.....	5
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	7
Number of patients died in Hospital since last report.....	2
Number of patients remaining in Hospital at present report.....	37

E. HADLEY.

Superintendent.

Which was received.

His honor the Mayor, introduced General ordinance No. 25—1871, entitled :

An ordinance to further promote public morality, decency, and order

Which was read for the first time.

On motion the Council adjourned, to meet Thursday, June 1, 7½ o'clock, P. M.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.