

# PROCEEDINGS

OF THE

# COMMON COUNCIL

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, June 19, 1871, 7½ o'clock, P. M.* }

The Common Council met in regular session.

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

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

Absent—Councilman Weaver—1.

The proceedings of the regular session, held June 12, 1871 and of the adjourned session, held June 14, 1871, were read and approved.

Sealed proposals were opened and read, and referred to the Committee on Contracts, with instructions to insert a clause in the contract requiring the contractor or purchaser to remove all rubbish, etc.

Mr. Craft, from the Committee on Contracts, made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—Your Committee on Contracts, to whom was referred sundry proposals for grading, graveling and paving streets, have examined the same, and would recommend as follows, to-wit :

FIRST.

For grading and bouldering the first alley east of East street, and running north and south from Lockerbie street, to the first alley south of Lockerbie street, to James Hudson, at 48 cents per lineal foot front, on each side of the line improved.

SECOND.

For grading and paving with brick the sidewalks on Meridian street, from South street to Pogue's run, to Francis J. Blume and John Weiss, at 65 cents per lineal foot front, on each side of the line improved.

THIRD.

For grading and graveling Elizabeth street and sidewalks, from Ellen street to Blake street, to Sam. W. and Robert H. Patterson, at 70 cents per foot front, on each side of the line improved, on the south square and on the north square, on each side, at 69 cents per lineal foot front, on each side of the line improved.

FOURTH.

For grading and graveling First street and sidewalks, from Meridian street, to Illinois street, to Samuel W. and R. H. Patterson, at 43 cents per lineal foot front, on each side of the line improved.

FIFTH.

For grading and paving with brick, the west sidewalk on East street, from New York street to Massachusetts avenue, to Thomas Roney, at 64 cents per front foot.

## SIXTH.

For curbing sixty-seven feet of the east sidewalk of Illinois street, with flat rock or Putnamville stone, to Louis Rennard, at 70 cents per foot front.

## SEVENTH.

For grading and graveling the first alley east of Alabama street, running from Potomac alley to Market street, to John Schier, at 22 cents per lineal foot front, on each side of the line improved.

## EIGHTH.

For grading and bouldering the first alley east of Alabama street, running from Washington street to Potomac alley, to James W. Hudson, at 55 cents per lineal foot front, on each side of the line improved.

## NINTH.

For grading and graveling Delaware street and sidewalks, from Tinker street to the north line of Allen and Root's addition, to S. W. and R. H. Patterson, at \$1.06 per lineal foot front, on each side of the line improved.

## TENTH.

For grading and paving with brick the sidewalks on Meridian street, from First street to Tinker street, to Asa Eden, at 65 cents per lineal foot front on each side of the line improved.

## ELEVENTH.

For raising the brick sidewalk on east side of Delaware street, from New York street to Vermont street, to Thomas Roney, at 28 cents per front foot.

## TWELFTH.

For grading and paving with boulder stone Louisiana street, from Illinois street to Tennessee street, and curbing with stone the outside edge of the sidewalk on the north side, to Hanway & Co., at \$2.40 per front foot for bouldering, and 80 cents for curbing.

## THIRTEENTH.

For grading and graveling Dougherty street and sidewalks, from Wright street to Virginia avenue, to Cogill and Bernauer, at 69 cents per lineal foot front, on each side of the line improved.

## FOURTEENTH.

For grading and graveling Ash street and sidewalks, from Christian avenue to Forest Home avenue, to S. W. and R. H. Patterson, at 67 cents per lineal foot front, on each side of the line improved.

## FIFTEENTH.

For grading and graveling Tennessee street and sidewalks, from the south side of the new bridge over Pogue's run, to Catherine street, at 75 cents per front foot, on the wide part, and 20 cents per front foot on each side, for the narrower portion of the street, to Hanway & Co.

## SIXTEENTH.

As there are two bids alike for paving with brick the sidewalk on North Meridian street, we would recommend that the same be readvertised.

Respectfully submitted,

ROBERT KENNINGTON, W. H. CRAFT, J. L. MARSEE,	}	Committee.
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Which was concurred in, and contracts awarded by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit and Wiles—16.

Negative—Councilman Woodburn—1.

Mr. Wiles, from the Committee on Gas Light, made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—Your Committee on Gas, to whom was referred the proposals for erecting lamp-posts, lamps and fixtures complete to burn gas, on Ray street, from Meridian street to Tennessee street, on Oak street, from Massachusetts avenue to Cherry street, on Virginia avenue, from Bradshaw street to corporation line east, and on the western arm of the canal, immediately in front of the water

works' building, would report that D. Root & Co., are the only bidders, their bid being \$28.00 per post for the intermediate posts, and \$29.50 cents for the corner posts. Deeming the proposal to be reasonable, we would recommend that they be awarded the contract.

Respectfully submitted,

W. D. WILES,  
ISAAC THALMAN, } Committee.  
H. S. BIGHAM.

Which was concurred in and contracts awarded.

The Civil Engineer made the following report :

INDIANAPOLIS, IND., June 19, 1870.

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

GENTLEMEN—I have examined New York street, from East street to Noble street, as directed by your honorable body, and find that the water is intended to run from East street to Noble street. The gutters are so nearly level that the water stands in them, and at several places runs over the sidewalks into the adjoining property.

The water on Liberty st., both from the north and south, runs into New York street; the only outlet is at Noble street.

The most feasible remedy is to raise the grade about three inches at Liberty street, and run the water from that point to East and Noble streets, making a summit at Liberty street.

To do this, it will be necessary to repair New York street and sidewalks with gravel, from East street to Noble street, as the gravel will not be a uniform depth, either on the street or sidewalks.

I would recommend that it be done by the cubic yard, under the supervision of the Street Commissioner and Civil Engineer. That is, have the work done by contract by the cubic yard, and have the Street Commissioner to place a man on the street to keep an account and spread the gravel, at the expense of the contractor, and charge the expense of the improvement to the property holders, except the street and alley crossings.

Respectfully submitted,

R. M. PATTERSON,  
Civil Engineer.

Which was concurred in.

The City Gas Inspector made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—I have accepted the following work as finished according to contract, and do now recommend that estimates be allowed for collection of cost of same, viz :

D. Root & Co., for erecting lamp-posts, lamps and fixtures, complete to burn gas, except the service-pipe, on South Illinois street, between Garden street and McCarty street.

Four corner lampts, at \$30.00.....	\$120 00
Six intermediate lamps, at \$28.00.....	168 00
Total.....	\$288 00

On Russell street :

Two corner lamps, at \$30.00.....	\$60 00
Four intermediate lamps, at \$28.00.....	112 00
Total.....	\$172 00

Respectfully submitted,

WM. S. CONE,

City Gas Inspector.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—The City Clerk respectfully reports first and final estimate of D. Root & Co., for erecting lamp-posts, lamps and fixtures complete to burn gas, except the service-pipes, on Illinois street, between Garden and McCarty streets. Also, on Russell street, between Meridian and Illinois streets.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was concurred in.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed D. Root & Co., for erecting lamp-posts, lamps and fixtures complete to burn gas, except service-pipes, on South Illinois st., between Garden and McCarty sts. Also, Russell st, between Meridian and Illinois streets, be, and the same are hereby adopted as the estimate of this Council, and 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Wiles and Woodburn—15.

Negative—None.

The City Clerk made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—The City Clerk would respectfully report there is on file in his office, affidavits for the collection of street assessment by precept, as follows :

Louis Renard vs. John H. Pierce.....	\$130 99
Louis Renard vs. Winslow S. Pierce.....	288 88
D. Root & Co. vs. Elijah S. Alvord.....	8 20
D. Root & Co. vs. Mary E. Noble.....	21 63

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

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was concurred in and precepts ordered to issue.

The City Attorney made the following report :

INDIANAPOLIS, IND., June 19, 1871.

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

GENTLEMEN—The undersigned, City Attorney, to whom was referred a motion that he investigate the conditions under which the city received the "City Park" from the Fletcher heirs, and that the Street Commissioner be instructed to suspend the work of erecting a hog pound on said "Park" until said investigation is had, reports that he has examined the plat of T. R. Fletcher's addition to the city, in which it is represented that said "Park" is; that there is a lot therein marked "*Park*," and numbered "28." That in the grant, or deed, accompanying the plat and recorded therewith, are these words: "The piece of ground marked '*Park*,' and numbered twenty-eight, (28,) in out-lot fifty-four, (54,) is donated for the purpose of a Park and Public Ground, to the city of Indianapolis, in the State of Indiana.'"

The undersigned is of the opinion that, if the Common Council directs the said "piece of ground" from the purpose for which it was donated, it will revert to the donor.

J. S. HARVEY,  
City Attorney.

Which was received.

The City Treasurer made the following report :

Report of Robert S. Foster, City Treasurer, for the fiscal year 1870, showing the Receipts and Disbursements from May 11th, 1870, to May 8th, 1871, inclusive :

RECEIPTS.

To balance in Treasury May 10, 1870.....	\$24,338 65
To Licenses .....	2,326 50
To Market Stalls and Collections.....	1,199 60
To Lamp Posts.....	500 00
To Loan.....	241,027 50
To Hospital Fund.....	303 66
To Articles sold by Chief Fire Engineer.....	636 00
To Articles sold by Street Commissioner.....	426 00
To Printing on Precepts.....	259 65
To Butterfield note.....	423 33
To Fines and Fees.....	3,000 16
To opening of Dillon street.....	171 00
To opening of Gregg street.....	370 00



To opening of Georgia street.....	\$1,598 00
To opening of Alley, (O. L. 101,).....	500 00
To opening of Winston street .....	112 50
To opening of Davidson street .....	1,150 50
To Taxes .....	267,915 88
To printing Delinquent Real Estate.....	169 58
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	\$546,428 51

## DISBURSEMENTS.

By Police Department.....	\$30,901 79
By Fire Department.....	25,812 67
By Street Repairs.....	27,332 17
By Street Improvements.....	33,144 04
By Bridges.....	26,011 16
By School Fund .....	14,133 03
By Sewers .....	35,763 56
By Interest on Bonds.....	19,470 00
By Printing .....	8,032 82
By Salary.....	21,953 47
By Gas .....	43,219 88
By Nicholson Pavement .....	17,075 81
By Damages .....	11,798 95
By Percentage for 1868 .....	6,087 99
By Percentage for 1869 .....	4,921 17
By Real Estate.....	3,652 25
By Cisterns .....	4,660 43
By Home for Friendless Women.....	3,800 00
By Station House .....	11,284 86
By Hospital .....	7,510 78
By Census.....	2,500 00
By Gas Fixtures.....	1,605 33
By Rent.....	2,048 00
By Jail Expenses.....	2,781 10
By Furniture .....	3,872 00
By Military Park.....	1,000 00
By Assisting Civil Engineer.....	2,177 50
By Specific.....	2,165 00
By Promiscuous.....	929 30
By Donation. ....	2,000 00
By City Commissioners .....	623 00
By Cement Pipe .....	357 52
By Straightening Pogues Run.....	359 45
By Report on Manufacturing.....	664 30
By Elections.....	70 00
By City Pamphlet.....	1,000 00
By Books and Stationery.....	125 00
By University Square.....	84 50
By Immigration Convention.....	500 00

By War Fund.....	\$75 00
By Markets.....	59 15
By Fuel.....	666 50
By Assisting Assessor.....	872 50
By Insurance.....	150 00
By Pest House.....	208 70
By Bobbs Dispensary.....	150 00
By Taxes Refunded.....	409 39
By Shade Trees.....	13 00
By Board of Health.....	150 00
By Posting Bills.....	166 00
By Medical Service.....	37 50
Balance in Treasury May 9, 1871.....	162,041 50
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	\$546,428 51

Indianapolis, Ind., June 19, 1871.

Respectfully submitted,

ROBERT S. FOSTER,  
City Treasurer.

Which was received.

The City Clerk made the following report :

INDIANAPOLIS, June 19, 1871.

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

GENTLEMEN:—The City Clerk would respectfully report to your honorable body the warrants issued on the Treasury from May 10, 1870, to May 10, 1871 :

For Sewers.....	\$49,661 15
For Gas.....	43,214 44
For Police.....	30,523 29
For Bridges.....	30,008 80
For Street Improvement.....	28,611 35
For Street Repairs.....	27,244 03
For Fire Department.....	26,111 95
For Salaries.....	22,399 47
For Nicholson Pavement.....	17,075 81
For Damages.....	12,448 95
For Interest.....	12,250 00
For Station House.....	11,704 56
For Percentage.....	11,009 16
For School Fund.....	9,133 03
For Printing, Books and Stationery.....	7,876 81
For Hospital.....	7,329 59
For Real Estate.....	5,852 25

For Cisterns.....	\$4,660 43
For Home of Friendless.....	4,000 00
For Furniture.....	3,847 30
For Jail Expenses.....	2,505 70
For taking City Census.....	2,500 00
For assisting Civil Engineer.....	2,177 50
For Specific Appropriations.....	2,171 90
For Rent.....	2,072 00
For Donations.....	2,000 00
For Statistics.....	1,714 30
For Gas Fixtures.....	1,636 85
For Parks.....	1,534 90
For assisting City Assessor.....	927 50
For White River Bridge.....	841 88
For City Commissioners.....	675 00
For Fuel.....	631 50
For Detective Police.....	500 00
For Emmigration Convention.....	500 00
For Taxes Refunded.....	402 68
For straightening Pogues Run.....	359 45
For Costs.....	326 90
For Pest House.....	205 00
For Posting Bills.....	166 00
For Insurance.....	150 00
For Bobbs Dispensary.....	150 00
For Board of Health.....	150 00
For Annexation.....	95 00
For Ice.....	85 15
For University Square.....	84 50
For Markets.....	59 15
For Dog Checks.....	37 50
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	\$389,022 70

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was received.

Also, the following report :

INDIANAPOLIS, June 19, 1871.

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

Gentlemen:—The City Clerk would respectfully report that he has issued Orders on the Treasurer, from May 10th, 1871, to June 16th, 1871, as follows, to-wit :

For Bonds paid.....	\$100,000 00
For Sewers.....	24,493 81

For Interest on Bonds.....	\$12,226 94
For School Fund.....	9,000 00
For Street Repairs.....	1,798 77
For Salary.....	1,688 84
For Fire Department.....	2,632 04
For Police.....	2,732 75
For Gas.....	5,959 14
For Hospital.....	1,174 38
For Elections.....	505 00
For Cisterns.....	431 25
For assisting City Assessor.....	292 50
For Damages.....	225 00
For Printing and Stationery.....	488 35
For Station House.....	285 25
For Bobbs Dispensary.....	150 00
For Street Improvement.....	154 20
For assisting Civil Engineer.....	240 00
For Rent.....	500 00
For Specific.....	173 94
For University Square.....	34 30
For Brokerage.....	25 00
For Tax refunded.....	54 93
For Posting Bills.....	24 00
For Fuel.....	67 75
For Markets.....	10 00
<b>Total.....</b>	<b>\$165,368 14</b>

The following statement shows the condition of the Bonded debt of the city:

FIRST.

Railroad bonds issued to the Vincennes and Indianapolis Railroad Company, dated January 1st, 1869, payable in 20 years.....	\$60,000 00
Annual interest on same.....	3,600 00
Junction Railroad Company, bonds of same date, payable in 20 years from January, 1869.....	50,000 00
Annual interest on same.....	3,000 00
Indianapolis, Crawfordsville and Danville Railroad Company, railroad bonds dated January 1st, 1870, payable in 20 years.....	45,000 00
Annual interest on same.....	2,700 00

FIRE DEPARTMENT BONDS.

Silsby Manufacturing Company, in payment of Steam Fire Engine, and due May 7th, 1875, at 10 per cent. per annum.....	4,000 00
Annual interest on same.....	400 00

LOANS.

Woollen, Webb & Company, dated August 17th, 1870, to run two years, at 10 per cent., payable semi-annually.....	100,000 00
August 17th, 1871, amount due on interest.....	5,000 00

February 17th, 1872, amount due on interest.....	\$5,000 00
Also, August 17th, 1872, amount due on interest.....	5,000 00

There will have to be paid on the above loan, during the fiscal year ending in May, 1872, as interest, \$10,000 00.

Woollen, Webb & Company, loan dated December 14th, 1870, to run two years, bearing ten per cent. interest, payable semi-annually.....	40,000 00
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The interest on this issue falls due as follows:

June 14th, 1871.....	2,000 00
December 14th, 1871.....	2,000 00
June 14th, 1872.....	2,000 00
December 14th, 1872.....	2,000 00

Interest to be paid during the fiscal year on above Loan, \$4,000 00.

There was also Sewerage warrants issued on account of sewerage, to run for two years, dated November 25th, 1870, at ten per cent. interest, payable semi-annually, to Jacob Wirth & Company.....	12,000 00
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The interest on the above warrants becomes due as follows:

May 25th, 1871.....	600 00
November 25th, 1871.....	600 00
May 25th, 1872.....	600 00
November 25th, 1872.....	600 00

There was also Sewerage warrants issued to John W. Dodd, on account of sewerage, January 5th, 1871.....	1,100 00
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The interest on the above falls due as follows, to-wit:

July 6th, 1871.....	55 00
January 5th, 1872.....	55 00
July 5th, 1872.....	55 00
January 5th, 1873.....	55 00

HOME OF FRIENDLESS.

There was four thousand dollars in city warrants issued to the above named Institution, on the 16th day of December, 1870.....	4,000 00
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The first payment of interest on same was due June 16th, 1871, amount <sup>2</sup> .....	200 00
Interest on same December 16th, 1871.....	200 00

Total amount of interest falling due and to be paid during the year ending May 10th, 1872.....	25,410 00
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INDEBTEDNESS.

Railroad Bonds.....	\$155,000 00
Fire Department Bonds.....	4,000 00

Loan Bonds.....	\$140,000 00
Sewerage Warrants.....	13,100 00
Home of Friendless Warrants.....	4,000 00
J. Hogarth Lozier, due March 30, 1872.....	600 00
"    "    "    "    1873.....	600 00
Sarah A. Wilkinson, due March 30, 1872.....	500 00
"    "    "    "    1873.....	500 00
Orders outstanding June 16th, 1871.....	167,341 03
	\$485,641 03
Deduct balance in Treasurer's hands as per report May 8th, 1871....	162,041 50
	\$323,599 53

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was received.

On motion, the above reports of the Treasurer and Clerk were referred to the Committee on Finance.

By consent, Mr. Newman introduced general Ordinance No. 35, 1871, entitled :

An Ordinance authorizing a loan for city purposes.

Which was read the first time.

By unanimous consent, the rules were suspended, and the ordinance read the second and third times, and passed by the following vote :

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

Negative—None.

CALL OF THE ROLL FOR PRESENTATION OF PAPERS.

Mr. Batty offered the following motion :

*Moved*, That the Street Commissioner have the pump at the East Market House fixed.

Which was adopted.

Mr. Craft offered the following motion :

*Moved*, That the Street Commissioner be instructed to complete the fence around the City Park as soon as the citizens living in the immediate vicinity of said Park, give proper bond that they will put it in sod, and plant shade trees thereon, and keep it in order without expense to the city.

Which was adopted.

Mr. Gimber offered the following motion :

*Moved*, That Thomas O'Connor be allowed to remove the dirt from off the sidewalk on Norwood and Illinois streets.

Which was adopted.

Mr. Marsee offered the following motion :

*Moved*, That the City Clerk be directed to notify J. B. Frauz, that the two automatic fire alarm boxes sent to this city by him, are subject to his order, and that the city will not pay for the same.

Which was adopted.

Mr. Marsee introduced general Ordinance No. 36, 1871, entitled :

An Ordinance providing that certain sidewalks may be driven over by certain persons, for a certain purpose, for a time therein limited.

Which was read the first time.

Mr. Thalman offered the following motion :

*Moved*, That Henry Slusher be allowed to erect a lamp-post in front of his place of business, on West Washington street, and place thereon a clock sign. To be done at his own expense.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved*, That H. Langenburg & Co., be allowed to pave with brick in front of their business property, on West Washington street. Said work to be done at their own expense, and under the direction of the Civil Engineer.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved*, That the City Clerk advertise for proposals for a new iron bridge over the canal, to be placed on the stone abutments on Indiana avenue; the old bridge being in unsafe condition, and liable to break down; it is now unsafe for steam fire engines to cross.

Which was referred to the Committee on Bridges.

Mr. Wiles offered the following motion :

*Moved*, That the Street Commissioner be instructed to notify the Indianapolis, Peru & Chicago R. R. Co., to plank their track at the crossing of Forest Home avenue.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, IND., June 19, 1871.

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

Gentlemen—The undersigned shows to your honorable body, that the sidewalk on the west side of Meridian street, between Washington and Circle streets, in said city, is obstructed by a stairway connected with the building of John S. Dunlap, and not used as a means



of access to any portion of his building, which fronts on said part of Meridian street; which stairway occupies between four and five feet in width of said sidewalk next said building, up to the landing at the second story thereof; and also by a large number of pine boxes piled up on said sidewalk, under said stairway; that said obstructions have been kept and maintained on said sidewalk for a long time, and materially interfere with and hinder the free use thereof, especially by those owning property and doing business on said street, of whom the undersigned is one. The undersigned, therefore, asks that you direct the City Marshal to remove the said stairway and boxes from said sidewalk, or that you adopt such other proper measures as will secure their speedy removal.

R. J. BRIGHT.

By N. B. & S. Taylor, Attorneys.

Which was received.

Also, the following motion :

*Moved*, That the prayer of the petition be granted, and that the City Marshal be, and is hereby, instructed to notify John S. Dunlop, to remove the stairway and pine boxes from the sidewalk on the west side of Meridian street, between Washington and Circle streets, described in the petition of R. J. Bright, within ten days after service of this notice, and that if said Dunlop should fail to remove the same in that time, he remove the same without delay, and charge the costs to said Dunlop.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, IND., June 19, 1871.

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

Gentlemen—We, the property-owners, whose names appear below, would respectfully ask permission to grade, and pave and curb with brick the sidewalk, nine feet wide, in front of our property, on the

west side of Mississippi street, between Vermont and Michigan sts., according to Engineer's stakes.

And your petitioners will ever pray, etc.

G. W. LUCKEY,  
SUSAN BURKHART,  
NELSON TRUSLER,  
And 3 others.

Which was received and prayer granted.

Dr. Woodburn introduced special Ordinance No. 69, 1871, entitled :

An Ordinance to provide for the erection of lamp-posts, lamps and fixtures complete to burn gas, except the service-pipes, on North Illinois street, from Tinker street to Wm. Sheets' residence, being four squares, more or less.

Which, on motion of Mr. Kennington, was ordered stricken from the files.

His Honor, the Mayor, presented the following:

INDIANAPOLIS, IND., June 13, 1871.

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

Gentlemen—At a meeting of the German citizens of Indianapolis, held at Mozart Hall, on Monday evening, June 12, for the purpose of making arrangements for a peace festival in honor of the recent peace concluded by our fellow-countrymen, it was resolved that an invitation be extended to the Mayor and Common Council of Indianapolis, to participate in the festivities, June 25th, and in accordance with that resolution, the honor of your presence is respectfully solicited.

CHARLES KRAUSS, Sec'y.

Which was received.

His Honor, the Mayor, offered the following motion :

*Moved,* That the City Marshal notify, and cause the occupants or owners of property on the south side of Court street, between Dela-

ware and Pennsylvania streets, to so clear and remove obstructions from the sidewalk on south side of Court street, so as to place the walk in a serviceable condition for the public use. The same to be done within ten days from date of notice. Also, Pearl st., between Illinois and Meridian streets.

Which was adopted.

His Honor, the Mayor, offered the following motion :

*Moved*, That John W. Coons have permission to pave with cement stone, (Lefler patent,) the sidewalk in front of his property, on West Ohio street. The same to be done within ninety days, at his own expense and to the satisfaction of the City Civil Engineer.

Which was adopted.

Mr. Thalman, from the Committee on Streets and Alleys, made the following report :

INDIANAPOLIS, IND., June 19, 1871.

*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 petition was referred to your Committee, signed by Jacob Buser and William Sullivan, owners of lots 48 and 52, in out-lot 108, of Rosett's sub-division, asking permission to grade and pave with brick the sidewalks in front of said lots, we would recommend that the prayer of said petitioners be granted, and that the Civil Engineer set the grade stakes; the same to be completed in sixty days.

SECOND.

An ordinance for grading and paving with brick the south sidewalk on Market street, from Alabama street to East street, was referred to your Committee, and, also, a remonstrance against the same. We have examined said sidewalk, and would report in favor of the passage of said ordinance, by amending, from New Jersey street to East street.

## THIRD.

A petition was referred to your Committee, signed by Geo. H. Brinkmeyer, asking the Council to fill up, or arch over, the ditch running from St. Clair street, on Railroad street, to Massachusetts avenue. We have examined the said ditch, and would report adverse to the prayer of the petitioner.

## FOURTH.

A remonstrance was referred to your Committee, signed by H. C. Newcomb, S. M. Douglass, J. H. Ross and others, remonstrating against the passage of an ordinance providing for grading and bouldering Tennessee street, from Indiana avenue to North street, and as said remonstrance contains a majority of feet between said points, we would recommend said ordinance be stricken from the files.

## FIFTH.

A motion was referred to your Committee, directing the Street Commissioner to enlarge and deepen the drain known as the "old State ditch," from the south-east corner of the State fair grounds, at the intersection of said ditch with the Fall Creek gravel road, eastward through the north-east quarter of section thirty-six. As the above work would involve considerable expense, we would report against the work being done.

## SIXTH.

A petition was referred to your Committee, signed by Hiram Seibert, Geo. W. Hill, Geo. W. Buchanan and others, praying Council to pass an ordinance to grade and gravel East street and sidewalks, from Washington street to Virginia avenue. Your Committee would recommend that the portion of said street, from Washington street to Pogue's run, should be bouldered, and that portion from Pogue's run to Virginia avenue, be graded with good river or creek gravel, and the gutters bouldered; but before any improvement is made, the railroad tracks should be raised to the proper grade.

## SEVENTH.

An ordinance was referred to your Committee for grading and graveling the first alley south of Michigan street, between Noble and Liberty streets. We have examined said alley, and herewith report back said ordinance and recommend its passage.

## EIGHTH.

A motion was referred to your Committee, that hereafter, in all proposals for contracts for stone work for the city, the proposals to read "St. Paul, Putnamville or Spencer stone to be used. We herewith report back the motion and recommend its passage.

## NINTH.

A remonstrance was referred to your Committee, signed by T. E. Holbrook, John R. Elder and others, remonstrating against the passage of an ordinance for grading and paving with brick the north sidewalk on New York street, from Massachusetts avenue to East street, and as a large majority of the property-holders are opposed to the improvement, we would recommend that the ordinance be stricken from the files.

## TENTH.

A motion was referred to your Committee directing the Street Commissioner to take up the wooden culvert now laid across Union street, between McCarty and Ray streets, and fill up with earth and gravel the hole left by such removal. We would recommend that the culvert remain until the drain pipe is put in on Union street, from said culvert to Ray street sewer.

## ELEVENTH.

An ordinance was referred to your Committee to grade and gravel Barrow street and sidewalks, between Mallott street or avenue, to Lincoln street. Believing said street should be improved, we herewith return said ordinance and recommend its passage.

## TWELFTH.

A motion was referred to your Committee, directing the City Clerk to advertise for proposals for constructing a sewer on Union

street, of cement drain pipe, from the culvert now crossing Union street, between McCarty and Ray streets, to the Ray street sewer. We herewith return the motion and recommend its passage.

## THIRTEENTH.

An ordinance was referred to your Committee, to grade and gravel New Jersey street, from Tinker street to the north line of Allen and Root's addition. We would recommend that said improvement be not made, and that the ordinance be stricken from the files.

## FOURTEENTH.

A petition was referred to your Committee, signed by John Ebner, James Leach and others praying for the passage of an ordinance to grade and pave the sidewalks on East street with brick, from South street to the terminus of said street, and also, to boulder the street between the same limits, and also, a remonstrance against said proposed improvement, signed by C. F. Schmidt, Mrs. M. E. Downey and others. We have examined said street, and find the same in a very bad condition, and would recommend that the ordinance for the improvement of the same be passed.

## FIFTEENTH.

An ordinance was referred to your Committee for grading and graveling Malott avenue and sidewalks, from Massachusetts avenue to Barrow street. We have examined said street, and would recommend that the same be passed, and herewith return the ordinance.

## SIXTEENTH.

An ordinance was referred to your Committee, for grading and graveling Alabama street and sidewalks, from Tinker street to the north line of Root and Allen's addition. This ordinance we herewith return, and recommend that the same be stricken from the files.

## SEVENTEENTH.

A remonstrance was referred to your Committee, signed by James Lowman, remonstrating against the vacation of an alley petitioned for by W. C. Smock and others, in out-lot 174, and also, a petition

signed by Jane Lowman, Eliza Lowman, Wm. Lowman, James Lowman and N. D. Lowman, to open the first alley running north and south from said block, east of St. Clair street, and we would recommend that the last named petition be referred to the City Attorney for his decision as to the right of the Council to make the change, as asked for by the petitioners.

## EIGHTEENTH.

A petition was referred to your Committee, signed by F. Deitz, requesting that the City Marshal be instructed to notify the owners of three shanties situated on Arsenal avenue, between Michigan and Campbell streets, to remove the same from the street, in which they are now located, as the citizens in the vicinity wish to improve the same. As the buildings are in the street, your Committee would recommend that the Marshal notify the owners to remove the same, forthwith.

Respectfully submitted,

C. HECKMAN,  
ISAAC THALMAN, } Committee.  
J. L. MARSEE,

Which was concurred in, with the exception of the third paragraph, which was recommitted.

Mr. Craft, from the Committee on Water Works, made the following report :

INDIANAPOLIS, IND., June 19, 1870.

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

GENTLEMEN—The undersigned, members of the Committee on Water Works and Judiciary, to whom was referred the petition of residents on North Delaware street, asking the Council to pass an ordinance in regard to sprinkling of said street, would beg leave to submit the following opinion of the City Attorney, and recommend that it be concurred in.

W. H. CRAFT,  
JOHN S. NEWMAN, } Committee.  
C. HECKMAN,  
J. H. BATTY,  
THOMAS COTTRELL }

Which was received.

Also, the following opinion of the City Attorney :

INDIANAPOLIS, IND., June 19, 1871.

*W. H. Craft, Esq., Chairman of the Committee on Water Works :*

SIR :—I have examined the petition of Andrew Wallace and others, asking the Common Council to pass an ordinance providing for the sprinkling of Delaware street, between St. Clair and Market sts., from June 1st, to October 20th, 1871, consecutively, the cost thereof to be charged to the property-holders on said street, etc.

In my opinion the Common Council has no power to pass the ordinance petitioned for. It is not embraced in either of the powers mentioned in the 53d Section of the Act for the Incorporation of Cities, approved March 14, 1867.

I am asked to give an opinion as to the way in which said street may be sprinkled, etc., and how the expense thereof should be paid.

By the 3d section of an ordinance passed January 3, 1870, entitled : "An ordinance authorizing the Water Works Company, of Indianapolis, to construct, maintain and operate water works, and supply water to the city and citizens of Indianapolis ; defining their powers and privileges, and prescribing their duties. It is provided that the Company shall supply the city, upon the several streets and avenues in which pipes and conduits may be laid, and in such cisterns and localities of the same as the city may conduct the same to, such quantity of water as may be required by the City Council for public use, drainage and fire purposes, and to that end said Company shall erect and attach as many hydrants or fire plugs, as the City Council may direct, and from the same the city may draw all water necessary for the prevention and extinguishment of fires, and washing, cleansing, cooling, flushing or sprinkling the streets, pavements, gutters, alleys, sewers and public grounds. \* \* \* \*

"The Company shall furnish water to the city upon such terms and conditions as may be agreed upon between the City Council and Company. The Company shall have the right to charge the city and citizens thereof for such water as may be supplied, as much as the average price paid by other cities of the United States and citizens thereof, of like population, that are supplied with as efficient water works. \* \* \* \*

"But in no event shall the city be charged more than fifty dollars per annum for each hydrant or fire plug."



From the above it seems to me the conclusion is certain, that as soon as the city obtains the right to use the hydrants or fire plugs on any street, the Council may by resolution, authorize the citizens on such street, to draw from thence all water necessary for the sprinkling of the street, the city in no case to pay for the labor.

Respectfully submitted,

J. S. HARVEY,  
City Attorney.

Which was concurred in.

Mr. Craft offered the following motion :

*Moved,* That the City Attorney be requested to report to this Council, at his earliest convenience, what, if anything, can be done by this Council to abate the nuisance created by Kingan & Co., in throwing the offall from their slaughter house into White river.

Which was adopted.

Dr. Woodburn, from the Select Committee, made the following report :

INDIANAPOLIS, June 19, 1871.

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

Gentlemen—The Undersigned, a Special Committee on that subject, report that they visited the Water Works, to-day, and made an examination of the works, especially the source of supply of water. They find that the well from which the water is obtained, at this time, does not furnish pure filtered water, and that the Company has, so far, failed to comply with the requirement of its charter in that respect.

Respectfully submitted,

J. H. WOODBURN,  
AUSTIN H. BROWN, }  
H. S. BIGHAM, } Committee.  
JOHN H. BATTY, }  
JOHN L. MARSEE, }

Which was concurred in.

On motion, the Council adjourned.

DANIEL MACAULEY.

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.