

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, August 14, 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, Weaver, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session, held August 7, 1871, were read and approved.

Sealed proposals were opened and read and referred to the Committee on Contracts.

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

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The undersigned, your Committee on Contracts, to whom was referred the motion authorizing the Mayor to make a lease with Mrs. Lang, for a roadway leading to the dead animal lot, would report that we deem it inexpedient to do so, as the scavenger has or is about to remove to another location.

Respectfully submitted,

W. H. CRAFT,
ROBT KENNINGTON } Committee.
JOHN L. MARSEE.

Which was concurred in.

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

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—We, the undersigned, your Committee on Contracts, to whom was referred the motion of inquiry as to whether there was anything due Mrs. Lang, from the city, for driving through her land to the dead animal lot, would report that they have examined the same, and recommend that the amount claimed by her, one hundred and fifty dollars, be incorporated in the next appropriation ordinance.

Respectfully submitted,

W. H. CRAFT,
J. L. MARSEE, } Committee.
R. KENNINGTON,

Which was received.

The City Treasurer made the following report :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN — The precept issued against Patrick Haley, lot 1, (one,) McKernan's subdivision of out-lot 28, in favor of Thomas Wren, for the sum of \$35.61, is erroneous and unjust, said Haley having receipt from said Wren, for \$30.00, being for the grading and graveling of Tennessee street and sidewalks, between Garden and McCarty streets. I therefore respectfully request that you order further proceedings to be stopped in this matter, and that Thomas Wren be ordered to pay the costs accrued herein.

Respectfully submitted,

JOHN W. COONS,

City Treasurer.

Which was referred to the City Civil Engineer.

The City Civil Engineer made the following report :

INDIANAPOLIS, August 14, 1871

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

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

O. H. P. Bly, for grading and paving with brick the east sidewalk on East street, from New York street to North street. Length of pavement, 1,089 feet and 7 inches, at 59 cents per lineal foot.....	\$642 85
R. P. Dunning, for grading and paving with brick, the south sidewalk of North street, from Meridian street to Tennessee street. Length of sidewalk, 760 feet lineal, at 58 cents per foot.	440 80
Samuel Lefever, for grading and paving with brick the north sidewalk on Ohio street, from Tennessee street to Missouri street. Length of Pavement, 746 feet 4 inches at 60 cents per lineal foot.....	447 80

J. A. Whitsitt, for grading and graveling East street, from Pogues run to South street.

Length on east side.....1,338 ft. $7\frac{3}{4}$ in.

Length on west side.....1,307 ft. 5 in.

Total length.....2,646 ft. $\frac{3}{4}$ in., at $45\frac{1}{2}$ cents
per lineal foot..... \$1,203 93

Respectfully submitted,

R. M. PATTERSON,

Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The City Clerk respectfully reports to Council,

FIRST.

First and final estimate allowed O. H. P. Bly, for grading and paving with brick the east sidewalk on East street, from New York street to North street.

SECOND.

First and final estimate allowed R. P. Dunning, for grading and paving with brick, the south sidewalk on North street, from Meridian street to Tennessee street.

THIRD.

First and final estimate allowed Samuel Lefever, for grading and paving with brick the north sidewalk on Ohio street, from Tennessee street to Missouri street.

FOURTH.

First and final estimate allowed John A. Whitsitt, for grading and graveling East street, from Pogues run to South street.

FIFTH.

Contract and bond of John Scheier, for grading and paving with brick the sidewalks of Meridian street, from First to Tinker streets.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

¶ Which was concurred in and contract awarded and bond approved.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed O. H. P. Bly, for grading and paving with brick the east sidewalk on East street, from New York street to North street, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed R. P. Dunning, for grading and paving with brick, the south sidewalk on North street, from Meridion street to Tennessee street, be, and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, New-

man, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Sam'l Lefever, for grading and paving with brick, the north sidewalk on Ohio street, from Tennessee street to Missouri street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed John A. Whitsitt, for grading and graveling East street, from Pogues run to South street, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

The City Gas Inspector made the following report :

INDIANAPOLIS, August 14, 1871.

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

GENTLEMEN—I have accepted the following work as complete, and would recommend that estimates be allowed D. Root & Co., as follows :

On North street, from West street to Blake street, for erecting lamp-posts and fixtures complete.

2 corner lamps, at \$30.00.....	\$60 00	
9 intermediate lamps, at \$28.00.....	252 00	
		————— \$313 00

On Blake street, from North street to New York street, for erecting lamp-posts and fixtures complete to burn gas.

5 corner lamps, at \$30.00.....	150 00	
7 intermediate lamps, at \$28.00.....	196 00	
		————— 346 00

On Virginia avenue, from Bradshaw street to Coburn street, for erecting lamp-posts and fixtures complete to burn gas.

6 corner lamps, at \$29.50.....	177 50	
4 intermediate lamps, at \$28.50.....	114 00	
		————— 291 50

Also, in front of Water Works building, for erecting lamp-posts and fixtures complete to burn gas.

1 lamp. at \$29.50.....	29 50	
		————— 29 50

Grand total.....	\$979 00
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Respectfully submitted,

WM. S. CONE,

City Gas Inspector.

Which was concurred in.

The City Commissioners made the following report :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The Board of City Commissioners have visited the premises alluded to in the petition for widening Tinker street, west from Illinois street to Michigan road, and submit the following assessment of damages and benefits resulting from the widening of said street, by taking a strip twenty feet in width from the fronts of the several lots and tracts lying along the north side of the present street.

We estimate the damages, from taking said strip of twenty feet in width, from the fronts of the several lots along the north side of the street, and owned by the following named persons, at the following sums :

To E. A. Hall, for a strip 20 feet in width along the south end of lot 1, in Henderson's addition, in N. E. $\frac{1}{4}$ sec. 35, town 16, range 3 east.....	\$500 00
To E. A. Hall, for strip 20 feet wide, along south side of lot 2, in Henderson's addition, as above.....	500 00
To J. H. McKernan, for 20 feet off south end of lot 6, in McKernan & Pierce's subdivision of south part of lot 3, Henderson's addition.....	120 00
To Wm. Neff, for 20 feet off south end of lot 5, in McKernan & Pierce's subdivision of lot 3, in Henderson's addition, as above.....	120 00
To Wm. Neff, for moving house and improvements on the above described lot, and putting same in good order	200 00
To Christian Fehr, for 20 feet off south end of lot 4, in McKernan & Pierce's subdivision of south part of lot 3, in Henderson's addition, as above	120 00
To Christian Fehr, for moving house and improvements on said lot, and putting same in good order.....	150 00
To John Lather, for 20 feet off south end of lot 3, in McKernan & Pierce's subdivision of lot 3, in Henderson's addition, as above.....	120 00
To John Lather, for moving house and improvements on the above described lot, and putting same in good order	125 00

To August Goescher, for 20 feet off south end of lot 2, in McKernan & Pierce's sub. of lot 3, Henderson's add.....	\$120 00
To August Goescher, for 20 feet off south end of lot 1, in McKernan & Pierce's sub, of lot 3, in Henderson's add.	120 00
To August Goescher, for moving house and improvements on the above described lots.....	125 00
To Henry C. Moore, for 20 feet off south end of lot 4, in Henderson's addition, as above.....	400 00
To Henry C. Moore, for 20 feet off south end of lot 5, in Henderson's addition, as above.....	400 00
To Henry C. Moore, for 20 feet off south end of lot 6, in Henderson's addition, as above.....	400 00
To Gotlieb Scheubner, for 20 feet off south end of tract fronting about 133 feet on Tinker street, and lying on east side of the west half of N. E. $\frac{1}{4}$ sec. 35, town 16, range 3 east.....	265 00
To Williams & Smith, for 20 feet of south end of lot 129, in Crane's add. W. $\frac{1}{2}$ N. E. $\frac{1}{4}$ sec. 35, town 16, range 3...	20 00
To Ringer & Marshall, for strip of 20 feet off south end of lot 130, in Crane's addition, as above.....	85 00
To Ringer & Marshall, for strip of 20 feet off south end of lot 131, in Crane's addition, as above..	85 00
To Christian Correll, for strip of 20 feet off south end of lot 132, in Crane's addition, as above.....	85 00
To J. H. McKernan, for moving and repair'g house, lot 135.	50 00
To J. Trucksess, for a strip of 20 feet off south end of lot 133, in Crane's addition, as above.....	85 00
To Jacob Mitchell, for a strip of 20 feet off south end of lot 134, in Crane's addition, as above.....	85 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 135, in Crane's addition, as above.....	85 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 136, in Crane's addition, as above.....	60 00
To Sarah C. Kendall, for a strip of 20 feet off south end of lot 138, in Crane's addition, as above.....	60 00
To Sarah C. Mckendall, for moving and repairing house, on lot 138, as above	125 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 139, in Crane's addition, as above.....	60 00

To Henry Weber, for a strip of 20 feet off south end of lot 140, in Crane's addition, as above.	60 00
To J. H. McKernan & S. Yandes, for strip of 20 feet off south end of lot 141, in Crane's addition, as above.....	60 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 137, in Crane's addition as above.....	60 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 142, in Crane's addition, as above	60 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 143, in Crane's addition, as above	60 00
To Amanda A. Calvert, for a strip of 20 feet off south end of lot 144, in Crane's addition, as above.....	60 00
To J. H. McKernan & S. Yandes, for a strip of 20 feet off south end of lot 145, in Crane's addition, as above.....	60 00
To Julia Brennan, for a strip of 20 feet off south end of lot 146, in Crane's addition, as above.....	60 00
To Julia Brennan, for moving house on said lot, and putting the same in good order.....	300 00
To John Harrington, for 20 feet off south end of lot 147, in Crane's addition, as above.....	60 00
To John Harrington, for moving house and improvements on said above described lot, and putting house in repair	150 00
To John Harrington, for 20 feet off south end of lot 148, in Crane's addition, as above.....	60 00
To John Harrington, for 20 off south end of lot 149, in Crane's addition, as above.....	60 00
To John Harrington, for moving house and improvements on said last named lot.....	75 00
To Maria Kenseler, for a strip of 20 feet off south side of lot 152, in Crane's addition, as above.....	170 00
To Maria Kenseler, for moving and repairing the house and improvements on said last named lot.....	350 00
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Total damages.....	\$6,374 00

We estimate the benefits from widening said street as prayed for, at the following sums on the following lots, and to the parties herein-after named :

To Eli A. Hall, on lot 1, Henderson's addition, as above,..	500 00
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To Eli A. Hall, on lot 2, do.....	500 00
To J. H. McKernan, on lot 6, McKernan & Pierce's sub- division of lot 3, Henderson's addition.....	50 00
To Wm. Neff, on lot 5, McKernan & Pierce's subdivision of lot 3, Henderson's addition.....	50 00
To Christian Fehr, on lot 4, as above.....	50 00
To John Lather, on lot 3, as above.....	50 00
To August Goesher, on lot 2, as above.....	50 00
To August Goesher, on lot 1, as above.....	50 00
To Henry C. Moore, on lot 4, as above.....	400 00
To Henry C. Moore, on lot 5, as above.....	400 00
To Henry C. Moore, on 6, as above.....	400 00
To Henry C. Moore, on 133 feet on Tinker street, in west side of E. $\frac{1}{2}$ N. W. $\frac{1}{4}$ sec. 5, town 16, range 3.....	265 00
To Williams & Smith, on lot 120, in Crane's addition, in W. $\frac{1}{2}$ N. E. $\frac{1}{4}$ sec. 35, town 16, range 3.....	20 00
To Ringer & Marshall. on lot 130, as above.....	40 00
To Ringer & Marshall, on lot 131, as above.....	40 00
To Christian Correll, on lot 132, as above.....	40 00
To John Trucksess, on lot 133, as above.....	40 00
To Jacob Mitchell, on lot 134, as above.....	40 00
To J. H. McKernan & S. Yandes, on lot 135, as above.....	40 00
To J. H. McKernan & S. Yandes, on lot 136, as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 137, as above.....	25 00
To Sarah C. Kendall, on lot 138, same as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 139, as above.....	25 00
To Henry Weber, on lot 140, as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 141, as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 142, as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 143, as above.....	25 00
To Amanda A. Calvert, on lot 144, as above.....	25 00
To J. H. McKernan & S. Yandes, on lot 145, as above.....	25 00
To Julia Brennan, on lot 146, as above.....	25 00
To John Harrington, on lot 147, as above.....	25 00
To John Harrington, on lot 148, as above.....	25 00
To John Harrington, on lot 149, as above.....	25 00
To Maria Kenseler, on lot 152, as above.....	100 00

To A. Jones, on lot 1, in square 29, Drake's addition.....	300 00
To City of Indianapolis, on lot 12, in sqr. 29, Drake's add.	300 00
To Caroline E. Munson, on lot 1, in sqr. 28, Drake's add...	290 00
To John Baldrick, on 50 feet off east end of lot 12, in square 28, in Drake's addition.....	55 00
To J. H. McKernan, on 168 feet off west end of lot 12, in Drake's addition.....	195 00
To John S. Spann & John Caven, on lot 1, in square 27, in Drake's addition.....	215 00
To City of Indianapolis, on lot 1, in sqr. 26, Drake's add..	150 00
To A. A. Hammond, on lot 1, in C. & J. West's addition..	120 00
To G. W. Clippinger's heirs, on lot 22, as above.....	95 00
To J. S. Spann & Frank Smith, on lot 16, and 20 feet off east side of lot 17, in Spann, Smith & Henderson's sub-division of lot 23, and etc., in C. & J. West's addition...	25 00
To John S. Spann, on 10 feet off west side lot 17, in S., S. & H.'s sub. of lot 23, C. & J. West's addition.....	5 00
To John S. Spann, on lot 18, and 10 feet off east side lot 19, as above.....	25 00
To Frank Smith, on 20 feet off west side lot 19, as above..	10 00
To Frank Smith, on 20 feet off west side lot 20, as above..	15 00
To Maria Kensler, on 20 feet off west side lot 44, as above	105 00
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Total benefits.....	\$5,375 00

There are ten houses to be removed and repaired at an estimated cost of \$1,650. We cannot find sufficient benefits, at the present time, to cover this amount in the limits, to which we are restricted under the ruling of the City Attorney. The benefit to the neighboring property is, however, sufficient to cover the damages. The street should be widened, and we therefore tax the deficiency, one thousand dollars, to the city at large.

Respectfully submitted,

WILLIAM S. HUBBARD, }
 SAMUEL M. SEIBERT, } Commissioners.
 JOSEPH M. SUTTON. }

The undersigned dissents from the report and assessment above set forth, for the following reasons:

First. Too large an amount of damages is allowed, and the damages and benefits along the line of the street are equal, and should have been so taxed, instead of being partially taxed to the city.

Second. The damages and benefits as therein taxed are very unequal, being too great in proportion to the value of the property west of the railroad. The taxation, therefore, is relatively unequal, and consequently unjust to the property holders at the west end.

Third. The Board, for the first time, taxes the city with a large percentage of the cost of the improvement. This act sets a bad precedent, and abandons a good rule heretofore steadily adhered to by the Board and the City Council. It is very doubtful policy to abandon the rule in any case; but if it must be departed from in any instance, it would seem to be most proper in cases in the old and densely settled part of the city, where the street would be much used and where property has for many years paid municipal taxes. This can not be pretended of this street. It has hitherto been a mere country lane; is by many persons scarcely known to be in the city, and has never paid any city taxes, at least along the north line. It therefore has no claim on the city at large. Its widening is a mere local improvement, and will only benefit the property along it, or in its immediate neighborhood. It is certainly bad policy for the city to undertake to buy streets in any of the new additions. If the parties who subdivide large tracts, are too short sighted or penurious to give streets of the proper width, length or direction, the city should suffer them to remain as they are, until the owners, anxious to get an increased price for their lots, are willing to donate or to buy the ground required to widen or lengthen their highways, and thus advance the value of their property. If the city once begins to rectify such errors by payments from the public treasury, we may be certain that the roll of sinners will rapidly increase, and the community will embark heavily in real estate to satisfy private greed.

Tinker street should be widened, both east and west, and its widening will be a direct benefit to the property along and in its neighborhood. The benefit on both will more than offset the damages, and therefore the street and its vicinity should pay for this local improvement by a fairly scaled tax, and not call on the public treasury for their private advantage.

Respectfully submitted,

IGNATIUS BROWN.

Which was postponed for one week.

Also, the following report :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The Board of Commissioners, having been directed by your honorable body to assess the damages resulting from the widening of Tinker street, between Morrison's and Allen & Root's additions, by taking a strip 20 feet wide off the south sides of the tracts bordering on the north line of said street, would respectfully submit the following report :

Washington H. Talbott is the only property holder in the limits above named, and his property is the only tract to be damaged. We estimate his damages for a strip 20 feet wide off the south side of the east half of the west half of the northwest quarter of section 36, range 3 east, at \$600 00.

We estimate the benefits to Mr. Talbott from the widening of the street to be at least equal to his damages. If the ground is subdivided it will be necessary to give said strip, and its donation will leave the balance of the tract more valuable, and more available and saleable than it is at present. We therefore fix his benefits at \$600 00.

The fact has been brought to our attention that the tract above assessed is not within the city limits. It not being our province to decide such matters, we have made the assessment as ordered, and report it and the facts to the City Council for final action.

Respectfully submitted,

WILLIAM S. HUBBARD,
SAMUEL M. SIEBERT,
IGNATIUS BROWN,

Board of City Commissioners.

Which was received.

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

INDIANAPOLIS, IND., August 14, 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, beg leave to report as follows :

1st. A communication was referred to us, signed by Dietz and Rasiner, and others, praying that no sidewalk improvements be or-

dered to be made on South Meridian street, between McNabb and South streets, in front of their property. As they contemplate building next year, and then desire to make the improvement, we would recommend that the prayer of the petitioners be granted.

2d. A remonstrance was referred to us, signed by Henry Voight and others, praying that the ordinance to grade and pave with brick the south sidewalk on Michigan street be not passed. As a majority of the property holders are opposed to said improvement, we would recommend that the ordinance be stricken from the file.

3d. A motion was also referred to us "That Market street be opened from its present terminus to the corporation line east." We would recommend to concur in the motion, and that the same be referred to the City Commissioners for their action.

4th. A petition was also referred to us, signed by A. B. Condit, praying that he be granted permission to pave in front of his residence on North Meridian street, at his own expense. We would recommend that permission be granted, providing said improvement be made within sixty days from this date, and under the direction of the City Engineer.

5th. A petition was also referred to us praying that ten feet off an alley running north and south through Johanna Pope's subdivision of lot No. 1, in St. Clair's addition, be vacated. As we can see no good reason why said vacation should be made, we would recommend that the prayer of the petitioners be not granted.

6th. A motion was also referred to us, "That the channel running from Market street across lot No. 72 to Washington street, be changed so as to run the water down Market street into Pogue's run." We believe that the change should be made, and recommend that the City Clerk advertise for proposals under the plans and specifications of the City Engineer, for a brick sewer, and also for cement pipe, that the Council may adopt whichever they may deem best and cheapest.

7th. A motion was also referred to us, "That the Street Commissioner be directed to place enough gravel on the east sidewalk of North Liberty street, between Ohio and New York, to keep the water from flowing into lots adjacent thereto." We would recommend as

a remedy, that the sidewalk on both sides be paved with brick and curbed, at the expense of the property holders, and that the motion be not concurred in.

8th. A motion was also referred to us, "That two stone walls be built of sufficient height and thickness to receive on top of same a wooden covering, said walls to be in the west gutter of South New Jersey street, between Washington street and a point intersecting a culvert in front of the property of Wm. L. Lingenfelter." We would recommend that the City Clerk advertise for proposals for stone work, also for cement pipe, and adopt whichever is the cheapest; bids to be made according to the plans and specifications of the City Engineer.

9th. A motion was also referred, "That Lawyer & Hall be directed to take up the bridge over the gutter in front of their building on South New Jersey street." We would recommend that the motion be not adopted, as the same does not, in our opinion, interfere with the free passage of the water.

10th. A petition was presented to us, signed by Geo. Davidson and others, complaining of the quality of the gravel used by the contractor on Daugherty street. We have examined the same, and consider it a fair quality of river or creek gravel. (River or creek gravel is what the ordinance calls for.)

11th. The following motion was also referred to us: "That the Street Commissioner be directed to place culverts of cement drain pipe in the following locations:

"One on east side South Pennsylvania street, crossing of Georgia;

"One on west side South Pennsylvania st., crossing of Maryland;

"One on the west side of Meridian street, at the crossing of Georgia."

In our opinion neither of the culverts are needed. We would, therefore, recommend that the motion as regards the above be not adopted. The following, a part of the same motion, we would recommend be adopted, and the Street Commissioner be ordered to do the work, viz: "Place a stone crossing on west side of Meridian street, at Georgia street crossing, also on west side of Pennsylvania street and Maryland street crossing."

Respectfully submitted,

ISAAC THALMAN,

JOHN L. MARSEE,

CHRIS. HECKMAN,

Committee on Streets and Alleys.

Which was concurred, with the exception of the tenth paragraph, in regard to the improvement of Dougherty street, which was referred back to the Committee for further investigation.

CALL OF THE ROLL OF MEMBERS, FOR THE PRESENTATION OF NEW BUSINESS.

Mr. Batty offered the following motion :

Moved, That Levi Wright be allowed to erect a wooden awning in front of his grocery, corner Mallotte avenue and Peru street.

Which was referred to City Attorney.

Mr. Bigham offered the following motion :

Motion : That John W. Ray and Charles Aldag have permission to pave with brick the sidewalk in front of their residences, on East Washington street; the work to be done inside of ninety days. The work to be done under the direction of the City Civil Engineer, who is hereby directed to set the grade stakes, said sidewalk to be eight feet wide.

Which was adopted.

Mr. Bigham offered the following motion :

Motion ; That the Street Commissioner is directed to fix the stone foundation under the bridge on East Ohio street, and extend it so as to prevent the water working away the bank adjacent thereto.

Which was adopted.

Mr. Bigham offered the following motion :

Motion : That John Coburn and Henry Coburn have permission to grade and gravel Hudson alley at their own expense, in square 38, and that the City Civil Engineer be directed to set the grade stakes. To be done within sixty days.

Which was adopted.

Mr. Bigham offered the following motion :

Motion: That the Street Commissioner be instructed to so alter the culverts at the crossing of Delaware and Market streets as to render them of sufficient capacity to carry off the water.

Which was adopted.

Mr. Bigham offered the following motion :

Motion: That the property owners on Court street, between Pennsylvania and Delaware streets, be required to place their spouting down to the ground, as the spouting is now up even with the roof, and the water from the roof has a fall of ——— feet, and is destroying the sidewalk and making a hole in the street.

Which was adopted.

Mr. Bigham offered the following motion :

Motion: That the City Marshal be directed to enforce the ordinance regulating the "speed" of railroads.

Which was adopted.

Mr. Bigham offered the following motion :

Motion: That Mr. Wilson have permission to place a coal pit under his pavement, in front of his residence on North East street.

Which was adopted.

Mr. Bigham presented the following petition :

INDIANAPOLIS, August 14, 1871.

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

GENTLEMEN—We the undersigned, citizens of Indianapolis, Marion county, Indiana, would respectfully represent to the said Mayor and Common Council that they live along the line of the Peru, Indianapolis and Chicago railroad, between Market and North streets, in the city of Indianapolis, and are property owners along said railroad between said streets in said city, and would most respectfully

ask that your honorable body vacate and remove said track between Market and North streets in said city of Indianapolis, for the following reasons, to-wit:

First, because the track along the street upon which said track is laid is on the extreme west side of Railroad street, and so close to the east front of the lots fronting on said street, as to endanger the lives of citizens living along said street, and to render their property insecure from the fire and sparks caused by railroad trains and locomotives passing on and over said road.

CHA'S MANY,
EDWARD MEEHAN,
MATHEW DEWOLD,
And 55 others.

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

Mr. Brown introduced Special Ordinance No. 94, 1871, entitled:

An Ordinance to provide for grading and graveling Merrill street, between Meridian and Illinois streets.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 95, 1871, entitled:

An Ordinance to provide for grading and graveling Merrill street, between Illinois and Tennessee streets.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 96, 1871, entitled:

An Ordinance to provide for grading and graveling Merrill street, between Tennessee street and the canal.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 97, 1871, entitled :

An Ordinance to provide for grading and graveling the alley running north and south through out lot 26, and on the west side of lots 1, 2, 3, 4, 5 and 6 of said out-lot.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 98, 1871, entitled :

An Ordinance to provide for grading and graveling the alley running north and south between lots 7, 8, 9, 10, 11 and 12, and lots 13, 14, 15, 16, 17 and 18, in out-lot 26.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 99, 1871, entitled :

An Ordinance to provide for grading and graveling the alley running east and west, through out-lot 26.

Which was read the first time.

Mr. Brown introduced Special Ordinance No. 100, 1871, entitled :

An Ordinance to provide for grading and graveling the alley running north and south through out-lot 123, between Merrill street and the first alley south thereof.

Which was read the first time.

Mr. Brown offered the following motion :

Motion : That the Civil Engineer report to this Council the amount due to Hanway & Co., according to the bond, from Mathias Harth, Union Railway Company, Citizens Street Railway and the Common Council, for grading and bowldering Louisiana street, and curbing the outside edge of the sidewalk, with stone, from Illinois street to

Tennessee street, at the next meeting of the Council, and certify to the same, in order that said contractors can get their pay for the work done on said street, as per contract made with said parties.

Which was adopted.

Mr. Brown offered the following motion :

Moved: That James Malloy be directed to lay stone flagging at the sidewalk intersection of the north side of Maryland street with the east side of Meridian street, provided the work be done at the same price at which similar work has been done lately by said Malloy, for Wm. H. Morrison, and that the City Civil Engineer be directed to superintend such work, and certify the amount to the Common Council, for allowance.

Which was adopted.

Mr. Brown offered the following motion :

Moved: That proposals be invited, by due notice to be given by the City Clerk, for the construction of stone abutments where none are now built, and for an iron bridge or stone arch over Pogues run, the full width of south street.

Which was adopted.

Mr. Brown offered the following motion :

Moved: That police powers are hereby granted to Joseph P. Duvall, the policeman at Metropolitan Hall, on the corner of Tennessee and Washington streets, so long as he is in the employ of the lessees of said hall.

Which was adopted.

Mr. Cottrell introduced General Ordinance No. 45, 1871, entitled :

An Ordinance to prevent the blowing of steam whistles and the opening of cylinder cocks of locomotives in the city of Indianapolis.

Which was read the first time.

Mr. Cottrell offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit: Lot 5, in square 79, supposed to be owned by the Junction R. R. Co., be, and they are hereby, required to fill and drain the same, as, in opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled: 'An Ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same,' and that in case of failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said Ordinance.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

Mr. Craft offered the following motion :

Moved: That the Street Commissioner be directed to repair by bowldering between the stone of the street crossings on Washington street, so as to make them safe for steam fire engines and other vehicles to pass over them.

Which was adopted.

Mr. Craft offered the following motion :

Moved: That the Mayor be instructed to issue his proclamation that all owners of dogs running at large be required to muzzle the same until the 15th of September.

Which was adopted.

Mr. Craft offered the following motion :

Moved: That the Street Commissioner be directed to complete the fence around the City Park, on the verbal agreement of the citizens immediately surrounding the same, to sod it, plant it in shade trees and keep it in order.

Which was referred to the Committee on Parks.

Mr. Gimber offered the following motion :

Moved: That the City Clerk be directed to give the City Commissioners twenty-one days notice, requiring them to appraise the damages and benefits resulting from the opening of Tennessee street sixty feet wide, from Merrill street to Catharine street, and that he give like notice of the time and place of the meeting of said Commissioners be given to each of the owners or agents thereof of lots or land upon or through which the said street is proposed to be opened.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The undersigned would respectfully represent that the cement pipe at the south-west corner of Oriental street, at the junction of said street and the Junction and Central railroads crossings, be removed, and the same replaced with one of sufficient capacity to carry the water off at that point, the one now there being only a fifteen inch pipe and entirely too small for that purpose. Your petitioner would further represent that the sidewalks and property in the neighborhood of said crossings, is always flooded with water when there is any considerable fall of rain, causing great damage to property, and great inconvenience to the citizens on and about said street.

And your petitioner will ever pray, etc.

W. R. HOGSHIRE.

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

Mr. Heckman presented the following remonstrance :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—We, the undersigned, property holders, living on the west side of Virginia avenue, between East street and the corporation line east, in the city of Indianapolis, Ind., remonstrate against grading and paving the said west side of said avenue.

F. M. MEURER,

W. COGILL,

M. HOGARTY.

J. BRENNAN.

And 28 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman presented the following petition :

INDIANAPOLIS, August 14, 1871

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

GENTLEMEN—We the undersigned must inform you that the second alley east of Cady street is a nuisance to us. The water at present is standing from six to eight inches deep in the alley, and is washing the ground out of our lots. Hoping you may take action on this matter, and remove the nuisance as soon as possible.

BERNHARD ZAHN,

JOHN BRAKE.

Which was referred to the Committee on Streets and Alley.

Mr. Kennington offered the following motion :

Moved: That Samuel E. Moran be allowed the privilege of taping the Illinois street sewer in front of his property, on the corner of McNab and Illinois streets, under the direction of the City Sewer Engineer.

Which was adopted.

Mr. Marsee offered the following motion :

Moved: That when this Council adjourn, it adjourn to meet on Thursday evening, August 17th, at half past 7 o'clock.

Which was adopted.

Mr. Newman presented the following communication :

BLOOMINGTON, Ill., August 12, 1871.

HON. JNO. S. NEWMAN,

President Indianapolis City Council :

DEAR SIR—Your kind favor of the 9th inst. was laid before our Council last evening, and the Council unanimously voted to go to Indianapolis. The arrangement is to leave here Wednesday, the 16th, and spend Thursday in your city. Messrs. H. G. Reeves, E. B. Steers, and D. Kern were appointed a special committee to procure rooms and make all necessary arrangements.

Thanking you for your kind letter, and hoping soon to make your personal acquaintance,

I remain yours truly,

B. F. FUNK, Mayor.

Which was received, and on motion, a Committee on Reception was appointed, consisting of his honor, the Mayor, and Councilmen Marsee, Wiles, Cottrell and Brown.

Mr. Kennington introduced Special Ordinance No. 101, 1871, entitled :

An Ordinance to provide for paving with brick the north sidewalk of Louisiana street, where not already paved, between Illinois and Tennessee streets.

Which was read the first time.

Mr. Reagan offered the following motion :

Moved: That permission be, and is hereby granted Dr. J. F. Kinsler to build a small frame office on lot No. 6, in square 74, on the corner of Maryland and Tennessee streets.

Which was adopted.

Mr. Thalman offered the following motion :

Moved: That the Street Commissioner be directed to bowlder the alley and street crossings on West Vermont, California and New York streets, where Macauley pavement has been put down, the expense to be charged to Miscellaneous Fund.

Which was adopted.

Mr. Thalman offered the following motion :

Moved: That immediate action be taken by this Council to abate a nuisance in the rear of Wheat, Fletcher & Co.'s slaughter house, where the refuse empties into Geisendorff's mill-race.

Which was referred to the Board of Health.

Mr. Thalman presented the following petition :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—Your petitioner, John A. Heidlinger, would respectfully state to your honorable body that he has erected two brick store-rooms, two stories high, on the west side of Mississippi street, on lot No. 5, in square No. 52, fronting east, between Washington and Market streets, in said city of Indianapolis; your petitioner would further state that he has erected, in the rear of said brick store-rooms upon said lot, one wooden grape arbor, about twenty-five or thirty feet in length, one wooden open shed placed upon posts, from seventy-five to eighty feet in length, three open laticed arbors, or summer houses, one music stand, or platform, and one small wood house of wooden material, in the south-west corner of said lot; that there is an alley on the south side of said lot, and on the west end of the same is Osage street. Your petitioner would further state that neither of said wooden structures are connected with, or near by, any other building or property situated in the neighborhood of said structures are rendered more hazardous to fire by reason of the erection or continuance of said wooden structures. That the foregoing improvements, altogether, will cost your petitioner from six thousand to seven thousand dollars; that the south store-room is to be occupied as a saloon, and the north store-room as a confectionery; that the rear end of said lot upon which said wooden structures are situated, is to be used as a summer garden during the warm season.

Your petitioner further states that on the first day of June, 1871, he obtained from the City Clerk, a building permit for the erection of said store-rooms, but that at the time of erecting said wooden structures, he was wholly ignorant of the existence of any ordinance prohibiting the erection of wooden structures within certain specified limits. Your petitioner would further state that if said wooden structures are not permitted to remain for the reason that they contravene the ordinance concerning the prevention of fires, ordained November 30, 1863, it will entail a great loss upon him, and very considerably depreciate the value of said property.

Therefore, your petitioner prays leave of your honorable body to continue using said wooden structures above described, and he will ever pray, etc.

JOHN A. HEIDLINGER.

The undersigned, citizens of Indianapolis, being acquainted with the premises of John A. Heidlinger, described in the foregoing petition, state that the wooden structures recently erected upon the rear end of said lot do not, in their judgment, cause any additional exposure to fire the property adjoining said premises, and therefore they recommend the granting of the leave prayed for in said petition.

D. H. PRUNK,
JOHN JORDAN,
J. L. SAILORS.
CHARLES MAYER.

And 8 others.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Mr. Thalman presented the following petition :

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The undersigned, owners of real estate fronting on Smith street, between Indiana avenue and the first alley south of Maria street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of Smith street

and sidewalks, between Indiana avenue and the first alley south of Maria street, the same to be done with good creek or river gravel.

And your petitioners will ever pray, etc.

J. WILLIS,

E. S. WISE.

Which was received.

Mr. Thalman introduced Special Ordinance No. 102, 1871, entitled:

An Ordinance to provide for grading and graveling Smith street and sidewalks, from Indiana avenue to the first alley south of Maria street.

Which was read the first time.

Mr. Whitsitt presented the following petition:

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Coburn street, between Wright street and Short street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said street.

And your petitioners will ever pray, etc.

BENJAMIN F. SLATE.

WM. CAMPBELL,

R. K. McCORD,

M. R. GOLMER,

And 6 others.

Which was received.

Mr. Whitsitt introduced Special Ordinance No. 103, 1871, entitled:

An Ordinance to provide for grading and graveling Coburn street and sidewalks, between Wright and Short streets.

Which was read the first time.

Mr. Wiles offered the following motion :

Moved: That Henry Kramer be allowed the privilege of paving the sidewalk in front of his property, on Ft. Wayne avenue, with brick, to the width of six feet, said work to be done within sixty days, at the expense of petitioner, and to the satisfaction of the Civil Engineer.

Which was adopted.

Mr. Wiles offered the following motion :

Moved: That the Water Works Co. be permitted to locate a fire plug at the corner of Delaware and St. Joe streets, and one at the corner of Delaware and St. Mary's streets.

Which was referred to the Committee on Water Works.

Mr. Wiles offered the following motion :

Movee: That the Committee on revision of ordinances be authorized to draft a resolution properly describing all the platted territory contiguous to the corporate limits not heretofore annexed, and present said resolution as soon as the same can be properly prepared.

Which was adopted.

Mr. Wiles presented the following remonstrance:

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—We the undersigned citizens and residents of Indianapolis, Ind., and owners of real estate in the vicinity of the proposed improvement of the following named alley, to-wit: The first alley west of East street, in square No. 20, between Vermont and Michigan streets, in the city of Indianapolis, hereby file our remonstrance against the improvement of said alley, and petition the honorable Common Council of said city, not to make the proposed improvement of said alley.

F. A. LEHI,
G. W. STILLWELL,
And three others.

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

Dr. Woodburn offered the following motion :

Moved: That the Street Commissioner be directed to bowlder the alley crossings on the south side of North street, between Meridian and Tennessee streets.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn offered the following motion :

Moved: That where the mouths of alleys are bowldered by the Street Commissioner, the expense shall be taken out of the ward fund where such work is done.

Which was adopted.

Dr. Woodburn offered the following motion :

Moved: That the Chief Fire Engineer be directed to locate one fire hydrant at each street crossing on Illinois street, from Fifth to Seventh streets.

Which was referred to the Committee on Water Works.

Dr. Woodburn offered the following motion :

Moved: That Samuel P. Daniels be allowed to pave with brick the sidewalk in front of his property on East street, betwen Stevens and McCarty streets, and that the Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Dr. Woodburn introduced Special Ordinance No. 104, 1871, entitled :

An Ordinance to provide for grading and paving with brick the west sidewalk of Mississippi street, between Vermont and Michigan streets, where not already paved.

Which was read the first time.

Dr. Woodburn presented the following :

Weekly report of contents of Register of Patients of City Hospital, ending August 12, 1871 :

Number of patients in Hospital at last report.....	47
Number of patients received in Hospital since last report.....	14
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	10
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	50

Which was received.

Dr. Woodburn offered the following motion :

Motion : That the Gas Inspector be compelled to report on the motion last evening ordering him to report, as to whether the Gas Company had put on the full light, as required by the charter, namely, four feet per hour.

Which was adopted.

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

INDIANAPOLIS, IND., August 14, 1871.

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

GENTLEMEN—Your Committee on Water Works, to whom was referred the petition of W. H. English, R. R. Parker, and others, asking that a fire hydrant be located on the northwest corner of Meridian and Circle streets, would beg leave to report that they have investigated the matter, and finding that there is now a plug at each of the following points, viz., southeast corner of Meridian and Circle streets, northeast corner of Circle and Market streets, and also at the crossing of Meridian and Ohio streets, deem it unnecessary and inexpedient to locate a plug at said point.

Respectfully submitted,

W. H. CRAFT,
ISAAC THALMAN,
CHRIS. HECKMAN,
Committee.

Which was concurred in.

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

INDIANAPOLIS, August 14, 1871.

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

GENTLEMEN—We your Committee on Water Works, to whom was referred the motion to locate fire plugs on the corner of Delaware and St. Joseph, and the corner of Delaware and St. Marys streets, would beg leave to report, that as the size of the pipe is four inch, we would recommend that a plug be located at the corner of Delaware and St. Marys, but none at the other point named in the motion.

Respectfully submitted,

W. H. CRAFT,
ISAAC THALMAN,
CHRIS. HECKMAN,
Committee.

Which was concurred in.

On motion, the Council adjourned until Thursday, August 17, 1871, at 7½ o'clock, P. M.

DANIEL MACAULEY,
Mayor.

ATTEST :

JOHN R. CLINTON,
City Clerk.