

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

ADJOURNED SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Thursday, August 17, 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, Kennington, Locke, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—14.

Absent—Councilmen Craft, Gimber, Heckman, Reagan—4.

By consent Mr. Brown presented the following :

*In the matter of the petition of H. I. Parks and Alfred T. Sinker :*

Come now the petitioners, and file proof of publication of notice of pendency of their petition for vacation of the alley therein described, in the following words and figures, viz :

“NOTICE OF VACATION.

“Notice is hereby given that a petition is pending before the Common Council for the vacation of the twelve (12) feet alley running east and west between lots 30 and 31 in Bates’ subdivision of outlet 89 in the city of Indianapolis, and that said petition will be acted upon at the meeting of the Common Council to be held on Monday, August 14, 1871, or at some subsequent meeting.

H. I. PARKS,  
ALFRED T. SINKER.”

“Indianapolis, July 24, 1871.”

STATE OF INDIANA, }  
Marion County, } ss:

Personally appeared before the undersigned, F. A. Smith, book-keeper of the Indiana State Sentinel, a public Weekly Newspaper of general circulation, printed and published in Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was duly published in said paper for three weeks successively, the first of which publication was on the 25th day of July, 1871.

F. A. SMITH.

Subscribed and sworn to before me this 17th day of  
August, 1871.

[SEAL.]

W. F. BIRD, Notary Public.

Also proof of the posting up of such notice, in the following words and figures, to-wit :

George Kothe being duly sworn, upon his oath says, that on the 25th day of July, 1871, he posted three printed notices, of which the annexed is a copy, as follows: One on the telegraph pole on the southeast corner of Bates and Benton streets, one on the telegraph pole in front of the first alley north of Bates street on Benton street, and one on the fence in the second alley north of Bates street near Benton street, and that all of said places are in the immediate vicinity of the alley proposed to be vacated, as mentioned in said printed notice.

GEO. KOTHE.

STATE OF INDIANA, }  
 Marion County, } ss:

Before me the undersigned, a Notary Public in and for said county, this 26th day of July, 1871, George Kothe being  
 [SEAL.] duly sworn by me, says that the above affidavit is true.  
 Witness my hand and Notarial Seal.

JOHN S. SPANN, Notary Public.

And there being no objection to such petition, and the Common Council being fully advised in the premises, it is hereby ordered that the twelve (12) foot alley running east and west between lots 30 and 31, in Bates' subdivision of outlot 89, in the city of Indianapolis, be and the same is hereby vacated.

Which was adopted and vacation ordered by the following vote:

Affirmative—Councilmen Batty, Bigham, Kennington, Newman, Thalman, Weaver, Whitsit, Wiles and Woodburn—9.

Negative—Councilmen Cottrell, Locke, and Thoms—3.

Mr. Newman from the Judiciary Committee, made the following report:

INDIANAPOLIS, August 17, 1871

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

GENTLEMEN—The Judiciary Committee and the City Attorney, to whom was referred a report of the City Attorney in regard to placing ornamental clock and other signs on sidewalks, &c., with instructions to prepare and report an ordinance prohibiting the erection of any such signs, report, that in obedience to said instructions they have prepared, and herewith report the accompanying ordinance for the action of the Council.

JOHN S. NEWMAN,  
 THOMAS COTTRELL,  
 JOHN H. BATTY,  
 . . . . . Committee.  
 J. S. HARVEY,  
 City Attorney,

Which was received.

Also, General Ordinance No. 46, 1871, entitled:

An Ordinance to prohibit the placing of any ornamental or illuminated clock or other sign, in or on any sidewalk or street of the city of Indianapolis.

Which was read the first time.

Dr. Woodburn, from the Committee on Benevolence and Hospitals, to whom was referred a report of the Superintendent of Bobbs Free Dispensary, reported the same back, with the recommendation that the matter be referred to a select Committee.

Which was concurred in, and His Honor appointed as such Committee, Councilmen Newman, Bigham and Thalman.

Mr. Thalman presented the following:

INDIANAPOLIS, IND., August 17, 1871.

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

GENTLEMEN—I would respectfully report that a large number of shade trees planted in the Fourth Ward during last spring, under an ordinance requiring the contractors to insure them for one year, are dead, and would therefore recommend that no precepts be ordered for any shade trees that are not yet paid for, until the contractor replaces the dead trees with good thrifty live ones, which replanting should not be done until after the 15th of October.

ISAAC THALMAN.

Which was concurred in.

Mr. Marsee, from the Committee on Fire Department, made the following report :

INDIANAPOLIS, August 17, 1871.

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

GENTLEMEN—Your Committee on Fire Department, to whom was referred the bids for furnishing a hook and ladder wagon and two

hose reels, would respectfully report, that they have examined the same, and find—

1st. That John S. Hunt, of Richmond, Ind., is the lowest and best bidder for building a hook and ladder wagon, his bid being \$1,500, for the apparatus delivered in this city complete. We would, therefore, recommend that the Committee, with the City Attorney and Chief Fire Engineer, be authorized to close the contract for the same.

2d. That Silsby Manufacturing Company, of Seneca Falls, New York, are the lowest and best bidders for furnishing two hose reels, their bid being \$600 each. We would recommend that the Committee, with the City Attorney and Chief Fire Engineer, be authorized to contract for the same, provided said Silsby Manufacturing Company will make such changes in the reels as the Chief Fire Engineer may direct without additional charge.

Respectfully submitted.

JOHN L. MARSEE,  
WILLIAM W. WEAVER,  
Committee on Fire Department.

Mr. Kennington moved that the report be laid over until next Monday evening, in order to give him time to submit a minority report.

The question being, shall the report be postponed, those who voted in the affirmative were,

Councilmen Bigham, Brown, Cottrell, Kennington, Locke, Thalman and Woodburn—7.

Those who voted in the negative were,

Councilmen Batty, Marsee, Newman, Thoms, Weaver, Whitsit and Wiles—7.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the motion to postpone was lost.

The report was then concurred in.

## ORDINANCES ON SECOND READING.

Special Ordinance No. 72, 1871, entitled :

An Ordinance to grade and pave with brick the south sidewalk of Michigan street, from Missouri street to Colifornia street.

Was read the second time and stricken from the files.

On motion the following ordinances were read the second time and ordered engrossed :

Special Ordinance No. 76, 1871.

Special Ordinance No. 77, 1871.

Special Ordinance No. 78, 1871.

Special Ordinance No. 79, 1871.

Special Ordinance No. 80, 1871.

Special Ordinance No. 81, 1871.

Special Ordinance No. 83, 1871.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.