

PROCEEDINGS
OF THE
COMMON COUNCIL

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Saturday, October 14, 1871, 7 o'clock, P. M. }

The Common Council met pursuant to adjournment.

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

. Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Kennington, Locke, Marsee, Reagan, Thalman, Thoms, Whit-sit and Wiles—14.

Absent—Councilmen Heckman, Newman, Weaver, and Woodburn—4.

Sealed proposals for the improvement of streets, alleys, side-walks, &c., were opened, read, and referred to the Committee on Contracts.

Mr. Brown presented the following remonstrance :

INDIANAPOLIS, IND., Oct. 14, 1871.

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

GENTLEMEN—The undersigned, property holders in the city of Indianapolis, learning that your honorable body is about to let contracts for grading and paving sidewalks in portions of the city, respectfully request your honorable body to postpone the letting of said contract on Virginia avenue, between East street and the corporation line, as the winter is approaching, and to do this work at this season of the year would subject the owners to an expense they can ill afford, and in some cases cause actual suffering.

WIDOW PHALON,
BRIDGET CUSACK,
WIDOW BERKENMEYER.

Which was referred to the Committee on Contracts.

Mr. Bigham presented the following proposal for the purchase of the South Street Engine House :

INDIANAPOLIS, October 14, 1871.

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

GEN. EMEN—Referring to the publication inviting bids or proposals for the purchase of the South Street Engine House and the ground appertaining thereto, the undersigned respectfully offer the sum of twelve hundred dollars cash for said real estate.

CHRISTOPHER GOSUPP,
LORENZ SCHMIDT,
HENRY BAUER,

Trustees of the Sociale Turnverein (Social Gymnastic Association) of Indianapolis.

Which was referred to the Committee on Public Buildings.

The City Civil Engineer made the following report ;

INDIANAPOLIS, October 14, 1871.

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

GENTLEMEN—I hereby report the following work finished accord-

ing to contract, with the change substituting bowlders for brick in many places where it was necessary to have wagon crossings, viz : at McChord & Wheatley's lumber yard, Cincinnati Railway, Central Railway, F. Rush's warehouse, coal yard and alley crossings.

James Hudson, for grading and paving the east sidewalk on Delaware street, between Maryland and Wyoming streets, 2306 ft. 11 inches brick pavement, at 52 cents per lineal foot..... \$1,199 59
 750.2 yards bowldering, estimated at 65 cents per yard... 487 63

Total estimate \$1,687 22

Respectfully submitted,

R. M. PATTERSON.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, IND., October 14, 1871.

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

GENTLEMEN—The City Clerk respectfully reports :

First and final estimate allowed James W. Hudson, for grading and paving with brick the east sidewalk on Delaware street, from Maryland to Wyoming street.

Respectfully subuitted,

JOHN R. CLINTON,

City Clerk.

Also the following resolution :

Resolved, That the foregoing first and final estimate, allowed James W. Hudson for grading and paving with brick the east sidewalk on Delaware street, from Maryland to Wyoming streets, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Kennington, Locke, Thalman, Thoms, Whitsit and Wiles—12.

Negative—None.

The City Clerk made the following report :

INDIANAPOLIS, October 14, 1871.

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

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

Hanway & Lefevre vs. J. B. Wirt, for \$43.30, and would respectfully recommend that you order the precept to issue.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in, and the precept ordered to issue.

The City Attorney made the following report :

INDIANAPOLIS, October 14, 1871.

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

GENTLEMEN—It is my duty to report to you that the case of Francis Donnelly vs. The City [of Indianapolis, pending in the Marion Civil Circuit Court, was, on the 26th of September ult., dismissed at the costs of the plaintiff. The suit was brought to recover damages for an alleged overflow of the plaintiff's premises.

That the case of Messrs. Lawyer & Hall against the City of Indianapolis, for damages on account of a recent overflow of their premises on South New Jersey street, was tried on the 20th ult. in the Superior Court of Marion county by a jury, who rendered a verdict against the city for six hundred dollars.

That in pursuance of authority recently conferred on me by the Common Council, I compromised the case of John Wands against the City of Indianapolis, to recover damages for an alleged overflow of his premises, and by agreement a judgment was rendered in the Marion Civil Circuit Court in favor of said Wands and against the city, for fifty dollars and costs. I ask you to approve my action in the last named case.

J. S. HARVEY,
City Attorney.

Which was concurred in.

On motion of Mr. Wiles, the City Attorney was instructed to take an appeal in the case of Messrs. Lawyer & Hall vs. the City of Indianapolis.

The City Clerk presented the following communication :

INDIANAPOLIS, IND., October 14, 1871.

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

GENTLEMEN—I beg leave herewith to resign my office as City Measurer, to take effect as soon as my successor can be elected and qualified. A press of other business prevents my giving proper attention to the duties of the office.

Yours truly,

B. V. ENOS.

Which was accepted.

Mr. Whitsit nominated Thomas J. Vater to fill the office,

Which, on motion, was postponed until Monday, October 23, 1871.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, October 14, 1871.

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

GENTLEMEN—I would respectfully recommend the purchase of a new hose reel and 1,000 feet of hose, and that the same be located at the Hook and Ladder House on North New Jersey street.

Respectfully submitted,

DAN. GLAZIER,

Chief Fire Engineer.

Which was received.

Mr. Craft offered the following motion :

Moved: That the Committee on Fire Department and Chief Fire Engineer be, and are hereby authorized to purchase an additional Hose Reel, and one thousand feet of test Hose, at the price paid for

the recently purchased Hose Reel, and the Hose at the price not exceeding \$1.30 per foot.

Mr. Brown then offered the following amendment :

And that the price to be paid for Hose shall not exceed \$1.08 per foot.

Which was laid on the table.

Mr. Craft's motion was then adopted.

Mr. Batty offered the following motion :

Moved: That W. Bushman be allowed the privilege of paving with brick the sidewalk in front of his property on Ft. Wayne avenue, provided he does the same at his own expense, and under direction of the City Civil Engineer.

Which was adopted.

Mr. Bigham introduced Special Ordinance No. 135, 1871, entitled :

An Ordinance to grade and gravel the first alley north of Ohio street, running from Davidson to Winston street.

Which was read the first time.

Mr. Bigham offered the following motion :

Moved: That Messrs. Thein & Frank have permission to put a sign across the alley running between Liberty and Noble, and Market and Ohio streets, said sign to be 12 feet above the level of the alley.

Which was referred to Committee on Streets and Alleys.

Mr. Cottrell offered the following petition :

INDIANAPOLIS, Oct. 14, 1871.

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

GENTLEMEN—We the undersigned citizens of the city petition your

honorable body to have the crossings of Delaware, Maryland and Alabama streets, and on the east side of Virginia avenue, paved with flag stone, as these crossings are frequently in very bad order.

CHAS. RUNAD,
GEO. ROSS,
WILL C. BULL,
J. E. FAWKNER,
And 69 others.

Which was referred to Committee on Streets and Alleys.

Mr. Cottrell offered the following motion :

Moved : That Dr. James L. Dickinson be permitted to bowlder the sidewalk in front of lot 25 in out-lot 107.

Which was adopted.

Mr. Cottrell introduced Special Ordinance No. 136, 1871, entitled :

An Ordinance to grade the alley running through out-lot 102, from East to Merrill street.

Which was read the first time.

Mr. Craft offered the following motion :

Moved : That Robert Connelly be and is hereby granted the privilege of laying a brick pavement in front of his property on the corner of Alabama and North streets, and also to build coal vaults under the same, to be done in sixty days, and under the direction and to the satisfaction of the Civil Engineer.

Which was adopted.

Mr. Gimber presented the following petition :

INDIANAPOLIS, Oct. 14, 1871.

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

GENTLEMEN—The undersigned wishes a permit to build an addition of frame 20X60 to his mill on the east, mill sitnated on the

north-east corner of Maryland and Missouri streets; also to set a large scale on Maryland street in front of the premises, just outside of the gutter, also to put in a sewer pipe into the gutter leading into the canal in front of said premises, so as to boulder or plank over the gutter for teams passing to said premises, also right to run switch across Maryland and Cumberland streets, and along full length of undersigned's lot, connecting at each end with Lafayette railroad track.

H. D. CARLISLE.

Which was referred to Committee on Fire Department and Committee on Streets and Alleys.

Mr. Locke offered the following motion :

Moved: That the City Attorney be instructed to draft an ordinance prohibiting the confining of hogs in close pens for feeding and fattening purposes, within the city limits.

Which was adopted.

Mr. Thalman offered the following motion :

Moved: That the Street Commissioner be and is hereby ordered to lower the Indianapolis, Cincinnati and Lafayette railroad track, between Indiana avenue and Ohio street. The work to commence within ten days from this date, and that a notice of the above order be presented by him to the officers of said road.

Which was adopted.

Mr. Thalman introduced Special Ordinance No. 137, 1871, entitled :

An Ordinance to pave with brick the north sidewalk of New York street, from Indiana avenue to Mississippi street.

Which was read the first time.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, October 14, 1871.

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

GENTLEMEN—Your petitioners owners of real estate and residents of the city of Indianapolis, respectfully represent that the two large out-lots numbered ninety-nine (99) and one hundred (100), in the southeast part of the city, are upon high grounds, but the land lays flat and level, and has holes and large natural ponds in it, and having a clay bottom the water from the rains and other sources can not sink into the earth, and there being no drainage the water lays stagnant in these holes and ponds, and causes fever and ague. Drainage would carry the either to Delaware street or to East street at the sewer. There is no part of the city where the same amount of expense would accomplish so great a result for the benefit of the citizens. We therefore pray that the city order an underdrain or sewer to carry off such surplus water, and pass such ordinances as in the opinion of the Council will produce the requisite drainage.

GEO. W. RYAN,
NEWTON GORDON,
SAM. E. KENEDY,
CHARLOTT HODSON,
And 70 others.

Which was referred to Committee on Sewers.

Mr. Whitsit offered the following motion :

Moved : That the Chief Fire Engineer be instructed to place fire plugs on Virginia avenue, at the new engine house at the intersection of Huron and Merrill streets.

Which was adopted.

Mr. Wiles offered the following motion :

Moved : That the Street Commissioner be instructed to grade and bowlder, or plank, as in his judgment may seem best, the sidewalks and gutters in front of the four new engine houses now in course of erection.

Which was adopted.

Mr. Batty, from the Committee on Revision of Ordinances, made the following report:

INDIANAPOLIS, October 14, 1871.

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

GENTLEMEN—Your Committee on Revision of Ordinances, to whom was referred sundry resolutions to annex certain territories to the city, would beg leave to make a partial report on said resolutions, to-wit:

They recommend that Morrison's third addition be annexed to the city; or rather, so much of the resolution so referred as suggests to the annexation of Morrison's third addition to the city be adopted. And said Committee ask further time to consider of the remainder of said annexation resolutions.

JOHN H. BATTY,
ERIE LOCKE,
H. S. BIGHAM.

Which was concurred in.

Also, the following preamble and resolution:

WHEREAS, it appears to the satisfaction of the Common Council of the city of Indianapolis, that the following named and described lot of land adjoining said city has been laid off and platted, and a record of the same has been made in the Recorders Office, in the County of Marion, State of Indiana, in Platt Book No. 3, page 157, to-wit: Nine acres off of the north end of the west half of the west half of the northwest quarter of section 36, town 16, range 3, east. Known as W. H. Morrisons third addition to the city of Indianapolis.

Resolved, that the foregoing named and described addition be and is hereby annexed to the city of Indianapolis, and the boundaries of said city are hereby extended so as to include said addition, which shall hereafter form a part of said city, and shall be within the jurisdiction of the same.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell,

Craft, Gimber, Kennington, Locke, Marsee, Reagan, Thalman, Thoms, Whitfit and Wiles—14.

Negative—None.

Mr. Thalman offered the following motion :

Moved: That H. D. Carlisle have permission to erect a frame addition on east side of his flour mill, on west Maryland street.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.