

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

---

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, November 6, 1871, 7 o'clock P. M.* }

The 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, Thal-  
man, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session held October 30, 1871,  
were read and approved.

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

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report:

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—I hereby report a partial estimate to James W. Hudson—

For grading and paving the north sidewalk on Market street, between Alabama and Delaware streets, 420 feet of pavement, at 99 cents per lineal foot..... \$415 80

Respectfully submitted,

R. M. PATTERSON,  
Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—The City Clerk reports the following affidavits now on file in his office for the collection of street improvement assessments by precepts, viz :

John Scheier vs. Winslow S. Pierce .....	\$83 07
John Richardson vs. Samuel Lefevre.....	6 86
John Richardson vs. Leonard Kempf.....	17 10
S. W. & R. H. Patterson vs. A. E. Caffey, for.....	42 40
“ “ “ “ Max. Glazier.....	34 78
“ “ “ “ John Allington.....	17 39
“ “ “ “ Charles M. Wilkens.....	35 72
“ “ “ “ J. H. Fowler.....	71 44

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 Clerk made the following report :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—The City Clerk would respectfully report the following affidavits now on file in his office for the collection of assessments for the planting and boxing of shade trees by precepts, viz :

Chas. F. Jenkins vs. Sarah Noble.....	\$4 00
“ “ Elizabeth Taylor.....	4 00
“ “ H. H. Guffin.....	2 00
“ “ John Rheinschild.....	4 00
“ “ E. A. West.....	2 00
“ “ S. F. Tebbs.....	26 00
“ “ Isaac N. Line.....	16 00
“ “ Trustees A. M. Church .....	4 00

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was referred to the City Civil Engineer and City Forester.

The Market Master made the following report :

INDIANAPOLIS, Nov. 6, 1871

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

GENTLEMEN—The City Market Master would respectfully report to your honorable body, that he has received on account of market rents, since his accession to office, the sum of twelve hundred and sixty-six dollars and fifty cents (\$1,266 50), as per receipts of the City Treasurer.

Respectfully submitted,

JOHN UNVERSAW,

Market Master.

Which was received.

The City Attorney made the following report:

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—I have to report that in the case of Frederick Wuench against the city of Indianapolis, in the Superior Court of Marion county, which was an appeal from the assessment of the value of lot No. 32, in Coffman's subdivision of the north part of outlot No. 101, with the improvements thereon, by the City Commissioners, they assessing the same at \$700.

After the papers in the appeal were filed, one Frederick Jasper asked to be made a defendant, was so made, and showed to the court by answer that he had a lien on said lot amounting to \$96.08, on the 4th of October, 1871.

The Superior Court, after hearing the evidence, adjudged and decreed as follows:

That if the said city of Indianapolis do decide and determine to use and appropriate the said real estate of the plaintiff, she shall first pay the sum of eight hundred and fifty dollars (\$850), therefor, and out of said sum the lien of the defendant, Frederick Jasper, shall first be paid and satisfied. Judgment was rendered against the City for costs.

On this judgment or assessment Messrs McDonald, Butler & McDonald have filed or entered on the records of the Superior Court, their intention to hold a lien thereon for fifty dollars, fee for their services as attorneys for the plaintiff.

In addition to the above liens, I find that there are the following:

Frederick Jasper's lien is \$96.08, with interest from the 4th of October, 1871, amounting to .....	\$96 58
A Mr. Gimber has or holds a certificate of purchase, at sheriff's sale, of \$335.98, at ten per cent. interest from October 8, 1870.....	372 37
Said Gimber has also another lien on the same lot for \$80, with six per cent. interest from August 31, 1868, and amounts to.....	94 80
W. W. Wright has what is in fact a prior lien of six notes, amounting now to .....	226 90
	<hr/>
The whole of these liens amount to the sum of.....	\$840 65

Upon the trial of the case it was ordered, adjudged and decreed by the Court, that if the city of Indianapolis does decide and determine to use and appropriate the real estate of the plaintiff, she shall first pay the sum of \$850 therefor; and out of said sum the lien of said Jasper shall be first paid and satisfied; also judgment against the City for costs, taxed at \$23.10.

Now the question is, will the Council order or direct the Treasurer to pay the said sum of \$850?

In my opinion, as the matter now is, you can't do so, and issue precepts against the parties benefitted, as the City Commissioners report. If they will all agree in writing to pay the assessments, then it perhaps would bind them; nothing else will.

I therefore recommend that the Council refuse to appropriate the lot for said street purposes, and that all orders for precepts be refused; and that you order that the costs, amounting to \$23.10, be paid.

J. S. HARVEY,  
City Attorney.

Which was concurred in.

The City Attorney made the following report:

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—I have to inform you that the suit of Horace F. Kenyon and Emma M. Kenyon against the city, complaint against the city for falling through a coal hole on West New York street, the plaintiffs obtained a verdict against the city for \$1,000. I employed M. M. Ray, Esq., to aid me in the defense. I have appealed the case to the general term of the Superior court, believing it will be reversed. If not reversed, I will take it to the Supreme Court. We think the city is not liable, and that we will be able to show that to be so in the Supreme Court.

Respectfully submitted,

J. S. HARVEY,  
City Attorney.

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN — The undersigned reports the accompanying ordinance, extending Market street on the east, as directed at the last meeting of the Common Council.

Respectfully submitted,

J. S. HARVEY,  
City Attorney.

Which was received.

Also, General Ordinance No. 63, 1871, entitled :

An Ordinance to extend Market street from its present terminus in Davidson's addition, eastward to the corporation line of the city of Indianapolis,

Which was read the first time.

On motion, the report of the City Commissioners, made to Council October 30th, 1871, in regard to the opening and extension of Market street eastward from its present terminus in Davidson's addition to the corporation line, was taken up,

When Mr. Craft presented the following remonstrance :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—As my health is such that I cannot be out at night to see you in person, I wish to say to you in relation to the extension of Market street through my ground, that I shall be glad to have you postpone the same, and give me time to lay before you the facts as to the inconvenience as well as the damage it will be to me, to extend it just now. I know not what report your Commissioners may make, but I do know that Commissioners generally have an

easy way of getting clear of trouble by saying the gain is equal to the loss. Permit me to say a few more words in relation to this last remark. The loss of my ground, (though to me it is valuable,) is not the consideration with me, as the subjecting me to pay all the improvement of street, sidewalks, drainage, etc., beside two fences, gates, etc., making a cost perhaps of some ten or fifteen hundred dollars, and yet be of but little advantage to the traveling public, it being so near the end where it closes up; such travel would always have to return to Washington street, as it is only about 300 feet from it. But if the street is wanted, and it is necessary to open it, I am a law abiding man, and am willing to extend the street as soon as I can, and give the ground, but I must beg of you to allow me at least enough to pay me for all other expense, such as grading, graveling street and sidewalks. I will not ask pay for fencing, gates, etc., which I will be obliged to have, beside the great inconvenience of ingress and egress, besides spoiling my little retired homestead. If the Commissioners report without damage, then I must rely upon you to do me justice, otherwise I shall have to go further, which I hope I shall not have to do. With confidence in your wisdom and justice, I submit this matter, for the present, to your consideration.

With respect, I am, &c.,

I. N. PHIPPS.

On motion by Dr. Woodburn, the matter was referred to the City Attorney.

Dr. Woodburn moved that the proceedings of the Council held October 30, 1871, where Special Ordinance No. 113, 1871, entitled:

“An Ordinance to provide for grading and graveling Tinker street and sidewalks, from the east side of Meridian street to the Michigan road or Central Canal,”

Was passed, be changed to read as follows:

“To provide for grading and graveling Tinker street and sidewalks, from the east side of Meridian street to the east side of the wide portion of Illinois street.”

Which was adopted, and minutes so corrected.

The City Clerk presented the contract and bond of the Massillon Bridge Company to build an iron bridge over the canal on Indiana avenue,

Which was accepted and approved.

The City Sexton made the following report :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—The following interments have been made in the City Cemeteries during the month of October :

Under 5 years of age.....	13
From 10 to 20 years of age.....	1
“ 20 to 30 “ “ .....	1
“ 30 to 40 “ “ .....	7
“ 50 to 60 “ “ .....	2
	—
Total.....	24

The fence on the bank of the river at the west part of the City Cemetery is down and the cattle get in and cause a great deal of trouble. I would have had it repaired some time ago but there are some bodies buried in the colored yard that would have to be left out side and I could not do that. These bodies will have to be removed, the friends of which are not able to do it, and I see no other way of getting at it except by appealing to you. I ask you to appoint a committee to attend to the matter.

I am, gentlemen, yours with respect,

JAS. H. HEDGES,

City Sexton.

Which was received, and, on motion, referred to the Committee on Benevolence and City Hospital.

On motion by Dr. Woodburn, the rules were suspended for the purpose of introducing and passing account ordinances.



Dr. Woodburn introduced Special Appropriation Ordinance No. 57, 1871, entitled :

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

Which was read the first and second time, and ordered engrossed.

Dr. Woodburn introduced Special Appropriation Ordinance No. 58, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of City Hospital for the month of October, 1871.

Which was read the first and second time, and ordered engrossed.

Dr. Woodburn introduced Special Appropriation Ordinance No. 59, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of fitting up a lecture room for the City Hospital.

Which was read the first and second times, and ordered engrossed.

Mr. Thoms introduced Special Appropriation Ordinance No. 60, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of printing, stationery, &c.

Which was read the first and second time, and ordered engrossed.

Mr. Marsee introduced Special Appropriation Ordinance No. 61, 1871, entitled:

An Ordinance appropriating money for the payment of sundry claims on account of Station House, for the month of October, 1871.

Which was read the first and second times, and ordered engrossed.

Mr. Thalman introduced Special Appropriation Ordinance No. 62, 1871, entitled:

An Ordinance appropriating money for the use of the Street Commissioner.

Which was read the first and second times, and ordered engrossed.

Special Appropriation Ordinance No. 57, 1871,

Was then read the third time, and passed 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.

Special Appropriation Ordinance No. 58, 1871,

Was read the third time, and passed 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.

Special Appropriation Ordinance No. 59, 1871,

Was read the third time, and passed 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.

Special Appropriation Ordinance No. 60, 1871,

Was read the third time, and passed 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.

Special Appropriation Ordinance No. 61, 1871,

Was read the third time, and passed 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.

Special Appropriation Ordinance No. 62,

Was read the third time, and passed 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.

The Street Commissioner made the following report :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—My attention has been called to the condition of the bridge over Pleasant Run on Linden street, in Hubbard, Martindale and McCarty's south east addition. The bridge is in a dangerous condition, and it is claimed that it is in the city, but not being positive about the matter, I respectfully submit it to your honorable body for instructions.

Most respectfully,

A. BRUNER,  
Street Commissioner.

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

His Honor the Mayor presented the following communication :

INDIANAPOLIS, Nov. 6, 1871.

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

MR. WEAVER—I called in this evening to see you for the purpose of having your honorable body (the Council of the city of Indianapolis), appropriate a small sum to those that lost by the fire at Brownsburg, October 19, 1871. Our loss was about \$15,000. The

town of Brownsburg is a good feeder to the city, but some of our business men are so crippled by the losses they sustained, and unless they get some aid they can not do business. At a meeting of our citizens I was appointed to solicit donations in the city, and some of your citizens advised me to bring the matter before the Council. I was trying to get the Mayor (Macauley), but he was not at his chamber; so, Mr. Weaver, please bring this matter up before your honorable body, in behalf of our people.

Yours, fraternally,

JOHN LINGERMAN.

Please give all you can, as the Lord loveth a cheerful giver. and I think our people would love the bountiful giver—say \$1,000. I think we are commanded to ask large gifts.

Which was referred to the Committee on Finance.

Mr. Marsee moved that the report of the Chief Fire Engineer, made to Council October 30th, 1871, in regard to Michael Hyland's contract with the city for four Engine Houses, be taken up,

Which was adopted, and report taken up and concurred in.

Mr. Marsee offered the following resolution :

*Resolved*, That the Committee on Fire Department, with the City Attorney and Chief Fire Engineer, be authorized to contract with C. Zimmerman, T. F. Ryan and Warren Tate, sureties of Michael Hyland in his contract with the city of Indianapolis to build four Engine Houses now declared forfeited, upon the same terms specified in said contract, to be completed within forty days.

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.

ORDINANCES ON THIRD READING.

General Ordinance No. 40, 1871, entitled :

An Ordinance to prohibit Railroad Companies and their employees from leaving locomotives or cars standing upon streets or sidewalks,

Was read the third time, and passed 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.

Special Ordinance No. 136, 1871, entitled :

An Ordinance to provide for grading the first alley west of Virginia avenue, and running from East street to Merrill street, through outlot No. 102,

Was read the third time, and passed 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.

Special Ordinance No. 132, 1871, entitled :

An Ordinance to provide for grading and bowldering East street,

and curbing the sidewalks thereof with stone, from Washington street to Pogue's run,

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

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

Negative—Councilman Newman and Thoms—2.

Special Ordinance No. 139, 1871, entitled:

An Ordinance to provide for grading and paving with brick the north sidewalk of Huron street, from Virginia avenue to Noble street,

Was read the third time, and passed 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.

Special Ordinance No. 137, 1871, entitled:

An Ordinance to provide for grading and paving with brick the the north sidewalk of New York street, from Indiana avenue to Mississippi street,

Was read the third time, and passed 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.

Special Ordinance No. 141, 1871, entitled :

An Ordinance to provide for grading and paving with brick the east sidewalk of Virginia avenue, between New Jersey and East streets, and repairing the portion already down,

Was read the third time, and passed 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.

Special Ordinance No. 140, 1871, entitled :

An ordinance to provide for grading and graveling the west sidewalk of New Jersey street, between Merrill and McCarty streets,

Was read the third time, and passed 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.

Special Ordinance No. 138, 1871, entitled :

An Ordinance to provide for grading and graveling Michigan street, between Blackford and Blake streets,

Was read the third time, and passed 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.

An Ordinance to provide for grading and graveling the first alley north of Ohio street, running east and west between Davidson and Winston streets,

Was read the third time, and passed 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.

Special Ordinance No. 134, 1871, entitled:

An Ordinance to provide for grading and graveling Greer street and sidewalks, between Stevens and McCarty streets,

Was read the third time, and passed 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.

Special Ordinance No. 133, 1871, entitled:

An Ordinance to provide for grading, paving and curbing the east sidewalk of New Jersey street, from Washington street to Pagues' Run.

Was read the third time, and passed 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.

Special Ordinance No. 124, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Daugherty street, from East street to Virginia avenue,

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 122, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Hosbrook street, from Cedar street to the corporation line east,

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 121, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Elm street, from Noble street to the corporation line east,

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

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 120, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Huron street, from Virginia avenue to the corporation line east,

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

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 119, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Buchanan street, from East street to Virginia avenue,

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

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 123, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Pine street, from Virginia avenue to Harrison street,

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

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 22, 1871, entitled:

An Ordinance to grade the north sidewalk of Washington street, or National road, from the old corporation line to the new corporation line,

Was read the third time, and stricken from the files.

Special Ordinance No. 125, 1871, entitled:

An Ordinance to light with gas Washington street, from the Canal to White River,

And Special Ordinance No. 126, 1871, entitled:

An Ordinance to light with gas Henry street, from Mississippi to Missouri streets.

Were read the third time and referred to the City Attorney.

On motion by Mr. Heckman the rules were suspended to take up

ORDINANCES ON SECOND READING.

Special Ordinance No. 143, 1871, entitled:

An Ordinance to repeal Special Ordinance No. 82, 1871, entitle: An Ordinance to grade and gravel the first alley west of East street,

running from Michigan street to the first alley south of Michigan street.

Was read the second time and ordered engrossed.

Special Ordinance No. 145, 1871, entitled :

An Ordinance to grade and pave Fletcher avenue, from Noble to Cedar streets.

Was read the second time and ordered engrossed.

Special Ordinance No. 146, 1871, entitled :

An Ordinance to grade and pave with brick the sidewalks of South street, from East to Noble streets.

Was read second time and ordered engrossed.

Special Ordinance No. 147, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on South street and Fletcher avenue, from East to Cedar streets.

Was read the second time and ordered engrossed.

Special Ordinance No. 131, 1871, entitled :

An Ordinance to provide for grading and graveling the alley running north and south from Buchanan to Daugherty streets, between lots 176, 177, 140 and 141, in Daugherty's sub-division of out-lot 99.

Was read the second time and ordered engrossed.

ORDINANCES ON THIRD READING.

Special Ordinance No. 143, 1871, entitled :

An Ordinance to repeal Special Ordinance No. 82, 1871, entitled, "An ordinance to provide for grading and graveling the first alley

west of East street, running from Michigan street to the first alley south of Michigan street,"

Was read the third time, and passed 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.

Special Ordinance No. 146, 1871, entitled :

An Ordinance to provide for grading and paving with brick the sidewalks of South street, between East and Noble streets,

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

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

Negative—Councilmen Thoms and Wiles—2.

Special Ordinance No. 145, 1871, entitled :

An Ordinance to provide for grading and paving with brick the sidewalks of Fletcher avenue, from Noble street to Cedar street,

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

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

Negative—Councilmen Thoms and Wiles—2.

Special Ordinance No. 147, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on South street and Fletcher avenue, from East street to Cedar street,

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

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

Negative—Councilmen Thoms and Wiles—2.

Special Ordinance No. 131, 1871, entitled :

An ordinance to provide for grading and graveling the alley running north and south from Buchanan to Daugherty street, between lots 176, 177, 140 and 141, in Daugherty's subdivision of outlot 99, in the city of Indianapolis,

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

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

Negative.—None.

On motion, the rules were suspended for the purpose of calling the roll of members for the introduction of new business.

Mr. Bigham offered the following motion :

*Moved* : That the Street Commissioner be directed to construct a sewer pipe in the gutter on the north and south sides of Davidson street, at the crossing of Market street, the same to be charged to the Ward fund.

Which was adopted.

Mr. Brown offered the following motion :

*Moved*: That the Chief Fire Engineer be instructed to locate a fire hydrant on the east side of Illinois street, at the intersection of Chesapeake alley.

Which was adopted.

Mr. Reagan offered the following motion :

*Moved*: That the Street Commissioner be, and is hereby ordered to open the gutters on each side of Mobile alley, from Tennessee to Mississippi street, and put a few loads of gravel in the center of said alley, the same to be charged to the Ward fund.

Which was adopted.

Mr. Marsee presented the following petition :

GENTLEMEN—We the property holders on Virginia avenue, between New Jersey and East streets, petition that the ditch on the west side of said street be filled at the expense of the city. Inasmuch as the city dug it out to drain a large scope of territory beyond us, in which we were not immediately benefitted, but suffered for years the inconvenience of such a ditch in front of our property, we think it would be unjust to ask us to fill it up.

J. DOUGHERTY,  
A. H. BAKER,  
L. KEEN,  
J. G. SMITH,  
LOUIS SIERSDORFER,  
A. STEIN,  
H. SEIBERT.

Also the following motion :

*Moved*: That the Street Commissioner be directed to fill the gutter on the south side of Virginia avenue, between New Jersey and East street.

Which were referred to the Committee on Streets and Alleys.

Mr. Cottrell offered the following motion :



*Moved:* That the action of the Council at the meeting on October 23, 1871, page 711, relative to a railroad switch crossing Biddle street, be rescinded.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the City Marshal ascertain who the parties are that store powder in a small brick house in the neighborhood of Frank Wright's Brewery, and notify them that the same must be removed immediately, as it is dangerous and in violation of a City Ordinance.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the City Clerk advertise for proposals for placing street signs on the corners of each street, either of wood or iron, or on the gas lamps, where the same is practicable.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the City Attorney ascertain the condition of the Indianapolis, Cincinnati, and Lafayette railroad injunction case, as to lowering the track of their road on Missouri street. It is understood that the Company will probably be adjudged bankrupts, and in that case the injunction suit be thrown out of court. Should that be the result, it is further moved that the Street Commissioner proceed at once to lower the track to conform to the grade of the streets between Michigan and Ohio streets.

Which was adopted.

Mr. Whitsit offered the following motion :

*Moved:* That the City Marshal be instructed to notify the owners

of lot 76, in out-lot 101, to remove their stables and other buildings out of the alley lying in rear of the same.

Which was adopted.

Mr. Whitsit introduced Special Ordinance No. 154, 1871, entitled :

An Ordinance to provide for grading the first alley north of the C., C. & I. R. R., running from Benton street to the first alley east of Benton street,

Which was read the first time, and referred to the Committee on Streets and Alleys.

Mr. Whitsit offered the following motion :

*Moved:* That when this Council adjourns, it adjourns to meet on Wednesday night of this week, and that viaducts over and under the railroads be the special order.

Which was not adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, IND., Nov. 6, 1871.

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

GENTLEMEN—The undersigned, residents in the northeast part of the city and owners of real estate, respectfully request your honorable body to order the laying of gas pipe and erection of lamp posts on Gregg street, between New Jersey street and Park avenue. And your petitioners will ever pray, etc.

D. H. OLIVER,  
L. G. HAY,  
BERRY SIEF,  
ISAAC DAVIS,

And 6 others.

Which was received.

Mr. Wiles introduced Special Ordinance No. 155, 1871, entitled:

An Ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Gregg street, between New Jersey street and Park avenue,

Which was read the first time.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Alabama street, between Ft. Wayne avenue and Walnut street, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with good hard burnt brick the east sidewalk on Alabama street, between Walnut street and Ft. Wayne avenue, to the width of ——— feet. And your remonstrants will ever pray, etc.

C. KING,  
H. S. HUTCHING,  
ROBERT DAIN,  
J. M. COMMONS,  
JOHN C. FORNAEY.

Which was received.

Mr. Wiles introduced Special Ordinance No. 156, 1871, entitled :

An Ordinance to provide for grading and paving with brick the east sidewalk of Alabama street, between Walnut street and Ft. Wayne avenue,

Which was read the first time.

Mr. Wiles presented the following petition :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—The Union Company having built a culbert over Pogues' Run west of Delaware street, and changed the track from the Delaware street bridge to it, thereby abandoning the latter. We respectfully ask the Council to release us from further charge of said bridge, or the repairs thereof.

Very respectfully,

W. N. JACKSON,

Secretary.

Which was received, and prayer granted.

Mr. Wiles presented the following communication :

INDIANAPOLIS, Nov. 6, 1871.

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

GENTLEMEN—I hereby tender to your honorable body my resignation as City Gas Inspector, to take effect immediately on the election of my successor.

I am very respectfully, &c.,

WM. S. CONE.

Which was received, and resignation accepted, to take effect from this date.

Mr. Thalman offered the following motion :

*Moved:* That the Civil Engineer be and is hereby directed to locate all gas posts that may be ordered by the City Council, and that the City Clerk prepare the estimates for the same. Also, that all bills for gas consumed by the city, shall be approved by the Gas Committee before the same are paid.

Which was adopted.

Mr. Cottrell offered the following motion :

*Moved:* That the Police Board be instructed to ascertain at what

figures they can purchase suitable overcoats for the Policemen, and to report whether in their opinion said coats should be paid for out of the City Treasury.

Which was adopted.

Mr. Bigham offered the following motion :

*Moved* : That the City Marshal be directed to notify the owners or trustees of the Fourth Presbyterian Church, at the corner of Market and Delaware streets, to raise their pavement up to the proper grade, and that the Street Commissioner be directed to raise as much of said pavement as belongs to the city, or under the control of the city.

Which was adopted.

Dr. Woodburn introduced Special Ordinance No. 157, 1871, entitled :

An Ordinance to provide for taking up and relaying the brick pavement on the south side of New York street, from Tennessee street to a distance of 100 feet west of Tennessee street,

Which was read the first time.

On motion, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.