

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, December 18, 1871, 7 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Absent—Councilmen Craft, Gimber and Weaver—3.

The proceedings of the regular session held December 11th, 1871, were read and approved.

REPORTS FROM OFFICERS.

The City Civil Engineer made the following report:

INDIANAPOLIS, Dec. 18, 1871.

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

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

James Mahoney—

For grading and graveling Second street and sidewalks from Illinois to Tennessee street.

Length on north side.....442 ft. 8 in.

Length on south side.....445 ft. 8 in.

Total length.....885 ft. 4 in.

At 64 cents per lineal foot..... \$566 61

Also, same—

For grading and graveling the first alley south of Vermont street, and running east and west from Noble to Spring street.

Length on north side.....160 feet.

Length on south side.....160 feet.

Total length.....320 feet.

At 25 cents per lineal foot..... \$80 00

Also, Thomas Roney—

For grading and paving the north sidewalk on Maryland street from Meridian street to Virginia avenue.

Length of pavement.....487 ft. 9 in.

At \$1.09 per lineal foot..... \$531 64

Also, John Schier—

For grading and paving the sidewalks on New York street from Delaware to Tennessee streets.

Length on north side.....1147 feet.

Length on south side.....1377 ft. 8 in.

Total length.....2524 ft. 8 in.

At 63 cents per lineal foot..... \$1,590 54

Also, John Richardson—

For paving and curbing the west sidewalk on Illinois street from Washington to South streets.

1208 ft. 4 in. paving, at \$1.25.....	\$1,510 41
1239 ft. 8 in. curbing, at 85 cents.....	1,053 72
64.9 yards of bowldering, at 85 cents.....	55 16
42 feet of flagging, at 40 cents.....	16 80
	<hr/>
Total estimate.....	\$2,636 09
Deduct former payment.....	2,213 18
	<hr/>
Present payment.....	\$422 91

Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—The City Clerk reports as follows :

FIRST.

First and final estimate, allowed James Mahoney, for grading and graveling Second street and sidewalks from Illinois to Tennessee streets.

SECOND.

First and final estimate, allowed James Mahoney, for grading and graveling the first alley south of Vermont street, running east and west, from Noble to Spring streets.

THIRD.

First and final estimate, allowed Thomas Roney, for grading and paving the north sidewalk of Maryland street from Meridian street to Virginia avenue.

FOURTH.

First and final estimate, allowed John Scheier, for grading and paving the sidewalks on New York street from Delaware to Tennessee streets.

FIFTH.

Second and final estimate, allowed John Richardson, for paving and curbing the west sidewalk of Illinois street from Washington to South streets.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was received.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed James Mahoney for grading and graveling second street and sidewalks, from Illinois to Tennessee streets, be and the same is hereby adopted as the estimate of the 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed James Mahoney, for grading and graveling the first alley south of Vermont street, running east and west, from Noble to Spring 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed Thomas Roney, for grading and paving the north sidewalk of Maryland street from Meridian street to Virginia avenue, 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed John Scheier, for grading and paving the sidewalks of New York street from Delaware to Tennessee 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,

Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalmans, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimate, allowed John Richardson, for paving and curbing the west sidewalk of Illinois street from South to Washington 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, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalmans, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

The City Clerk made the following report :

INDIANAPOLIS, Dec. 11, 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 street improvement assessments by precept, to-wit :

Samuel Hanway & Co. vs. Stephen Kaufman.....	\$95 78
John Richardson vs. E. T. Nelson.....	6 86
John Richardson vs. Hiram Rossell.....	7 35
John Richardson vs. Robert S. Hoskins.....	14 70
John Anderson & Co. vs. J. M. W. Langsdale et al.....	75 50
John A. Whitsit vs. B. Hawkins.....	47 04
John A. Whitsit vs. E. S. Alvord.....	8 72

And 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 Chief Fire Engineer made the following report :

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—The Chief Fire Engineer would respectfully report that two of the new engine houses will be ready for occupancy this week, and the new hose reels ordered will also be here this week, and I want to employ men to put the same into service. We will want, for the hose reels, four men to each reel—two inside and two outside men. For the hook and ladder we will want one additional man; and I wish to put the extra engine into service as soon as the house is finished, which will require the same number of men that the other engines now have.

Respectfully submitted,

DAN. GLAZIER,

Chief Fire Engineer.

Mr. Brown offered the following motion :

Moved; That the report be referred to the Committee on Fire Department and the Chief Fire Engineer, with instructions to carry out the suggestions contained in such report.

Which was adopted.

The special order for the evening, viz.: the consideration of annexation matters, etc., was then taken up,

When Mr. Batty offered the following amendment:

J. H. Kappes' addition :

Beginning one rod north of the southeast corner of the west half of the northeast quarter of section 35, township 16 north, of range 3 east; running thence north 59 rods; thence west $132\frac{1}{2}$ feet; thence south 59 rods; thence east $132\frac{1}{2}$ feet to the place of beginning, except 110 feet on north end thereof.

Which was adopted.

The amendments offered by Mr. Batty at the meeting held December 11th, 1871, were adopted.

The original resolution, presented September 4th, 1871, as amended, was then adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

Mr. Batty presented the following petition :

INDIANAPOLIS, Dec. 18, 1871

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

GENTLEMEN—The undersigned, owners of property fronting on St. Mary street, in said city, would respectfully petition your honorable body to widen said street ten feet between North Alabama street and Western avenue. said ten feet to be taken off of the south side of lots 1, 14, 15 and 30, in Elijah B. Martindale's central addition to said city, being on the north side of St. Mary street. And your petitioners will ever pray, &c.

CHARLES BALS,
WM. BUSCHMANN,
E. W. HALFORD,
C. A. GREENLEAF,
JACOB GRIMM,
And 9 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Batty presented the following :

Matter of A. J. Danforth and others. Petition to vacate ten feet of ground on the west side of Alabama street, from Tinker street to the first street south of Tinker street.

Comes now A. J. Danforth, one of the petitioners, and produces and

shows to the Common Council a petition that was presented to Council on the 23d day of October, 1871, praying for the vacation of ten feet of ground on the west side of Alabama street from Tinker street to the first street south of Tinker street, which petition reads as follows :

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

GENTLEMEN—Your petitioners, owners of the property on Alabama street, south of Tinker street, through Murphy's addition, respectfully petition your honorable body to pass an order for the vacation of ten feet on the west side of Alabama street, from Tinker to the first street south of Tinker, so as to make the street a uniform width of eighty feet from Morrison to Tinker street.

Respectfully submitted,

A. J. DANFORTH,
L. N. ANDREWS,
MAY & WASSON.

And the said Danforth also files the proof of publication in a newspaper, and the posting up of notices of the pendency of said petition, as required by law, in these words :

STATE OF INDIANA, MARION COUNTY, ss:

Personally appeared before the undersigned, a notary public, Henry A. Louden, clerk for the Indianapolis Journal Company, publishers of the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the city of 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 (3) weeks successively, the first of which publication was on the 24th day of November, 1871, and the last on the 8th day of December, 1871.

HENRY A. LOUDEN.

Subscribed and sworn to before me, this 16th day of December, 1871.

ANSEL C. GROOMS,
Notary Public.

STATE OF INDIANA, MARION COUNTY, ss:

Personally appeared before the undersigned, a notary public, David Powell, who being duly sworn, upon his oath saith, that the notice of which the following is a true copy, was posted by him in three public places, as provided by law.

DAVID POWELL.

Subscribed and sworn to before me, this 16th day of December, 1871.

GEO. W. POWELL,
Notary Public.

NOTICE OF VACATION.—Notice is hereby given of the pendency of a petition before the Common Council of the city of Indianapolis, praying for the vacation of ten feet of ground on the west side of Alabama street, from Tinker street to the first street south of Tinker street, so as to make the street a uniform width of eighty feet, from Morrison to Tinker streets, and that the matter will be taken up for final action at the meeting of the Common Council to be held on the 18th day of December, 1871, or as soon thereafter as the same can be heard.

JNO. R. CLINTON, City Clerk.

It is therefore ordered and decreed, by the Common Council of the city of Indianapolis, that the said ten feet of ground mentioned and described in said petition and notices, be and the same is hereby vacated.

Which was adopted, and the vacation ordered by the following vote:

Affirmative—Councilmen Batty, Bigham, Heckman, Kennington Marsee, Reagan, Thalman, Thoms, Wiles and Woodburn—10.

Negative—Councilmen Brown, Cottrell, Locke, Newman and Whitsit—5.

Mr. Batty presented the following petition:

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—Your petitioners would respectfully represent that on the 4th day of August, 1868, the Board of Commissioners, of Marion county, State of Indiana, granted to the Peru and Indianapolis Railroad Company, the right of way and permission to lay a track (to be continued for the term of three years) along the street, between lots 9, 18, and 23 on the north, and lots 8, 19, and 22 on the south side of said street, from A. to B. as designated on the accompanying plat, which is herewith filed and made a part of this petition.

Your petitioners would further represent that the term for which said right of way was granted expired on the 4th day of August, 1871,

and that within the past year, the territory through which said track runs, has been annexed to the city of Indianapolis, and is now under the control of your honorable body.

We would further represent that said track as represented by the plat accompanying this petition, is of no use or benefit to citizens' of Indianapolis, and never has been, that during the week of State Fairs it is a constant source of annoyance, and especially during the Fair week of 1871, our property was in great danger from fire, from the fact that in more than one instance the grass caught fire from the sparks of their locomotives, which was extinguished with difficulty.

Your petitioners would therefore ask your honorable body to order the track to be taken up by the Peru and Indianapolis Railroad Company, (or the Indianapolis, Peru and Chicago Railroad Company, the name by which it is now known), and that said street be put in as good condition, by said Railroad Company, as it was before said track was laid.

And your petitioners will ever pray, &c.

GEO. F. MCGINNIS,
WM. T. GIBSON,
JAMES H. RUDELL,
JOHN H. HEPP,

And 11 others.

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

Mr. Brown offered the following motion:

Moved; That J. Henry Kappes be allowed the privilege of grading and graveling the streets and alleys in his Madison avenue addition to the city of Indianapolis, *provided* that the same be done at his own expense; and the City Civil Engineer is hereby directed to set the grade stakes for such improvement.

Which was adopted.

Also, the following motion:

Moved; That the City Civil Engineer be directed to report a par-

tial estimate in favor of Burke, Richter & Co. for work done on the Pogues Run arched bridge across South street.

Which was adopted.

Also, the following motion :

Moved; That the contract of David Streif, for removing dead animals two miles beyond the city limits, be and the same is hereby declared forfeited, said contractor having openly violated his contract by removing dead animals to points within a quarter of a mile of the city limits; and that the City Attorney institute suit against said Streif on his bond; also, that the City Clerk advertise for proposals for a new contract for removing dead animals two miles beyond the city limits, and, in the meantime, the City Clerk make a special contract with some one for such removal until a new contract be awarded by the Common Council.

Which was adopted.

Mr. Heckman presented the following :

Answers to objections of parties to the opening of South Arsenal avenue and Summit street.

FIRST.

There is a necessity for such opening, that improvements be made in the eastern part of the city, the same being of public utility.

SECOND.

It has been given out to the public that the Sharpe ground had been abandoned by the Junction Railroad Company for machine shop purposes, they having recently erected stock pens on said ground.

THIRD.

In evidence of such abandonment they have erected a repair shop on another site, after having opened negotiations with the city of Connersville, asking for propositions from them, in consideration of their building their shops there.

FOURTH.

Mr. Sheldon, the late Superintendent, who had sole control of the

running of said road, said it was not a suitable location for their shops; that their turntable was already constructed, and that their shops were partly built there; that it would cost less to buy additional ground there than to move to the other ground, even if the place was a suitable location for the shops.

FIFTH.

The Sharpe ground was sold on the foreclosure for the purchase money over one year ago, and they having failed to make redemption of the same, it has become the property of other parties, and said company is now bankrupt and has been placed in the hands of a Receiver.

SIXTH.

The ground is enhanced in value by the opening of said streets, and if the Junction Railroad has any interest in said ground, they can sell it for more, with the streets laid out and improved, than without the improvement.

SEVENTH.

The strip of ground that the Junction Road alleges to lay claim is very narrow. Shall they overshadow the interests of numerous private citizens, and be detrimental to the interests of the whole community.

EIGHTH.

The City Council accepted the plat made by I. M. Ridenour, and subsequently ordered the improvements made. Sundry persons have bought property there in view of the opening and improvement of the streets.

NINTH.

Summit street is now entirely graded, and all north of the railroad is graveled, and the street is nearly graveled south of the railroad track to the Michigan road.

TENTH.

South Arsenal avenue is nearly all graded, and the contract let for its completion, and for graveled the same.

Which was referred to a Special Committee, composed of Messrs. Woodburn, Whitsit and Marsee.

Mr. Heckman presented the following petition:

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—We the undersigned property holders on Coburn street, petition your honorable body, the Common Council of the city of Indianapolis, to continue Coburn street, from Short street to Virginia avenue, so as to connect with the Shelbyville road, and the extension of Virginia avenue east.

B. R. McCORD,
H. MILLER,
WM. CAMPBELL,
JOS. McVEY,
And 26 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Heckman offered the following motion :

Moved : That the Civil Engineer be and is hereby directed to set the proper line stakes for the City Marshal, for the opening of the first alley south of Pogues' Run, between East and Cook streets.

Which was adopted.

Also, the following motion :

Moved : That John Shay be and is hereby permitted to move a one story frame house, from the Indianapolis Arsenal to the corner of Georgia and Dillion streets.

Which was adopted.

Also, the following motion :

Moved : That his Honor the Mayor be and is hereby instructed to remit the fine of Timothy Reily, for driving across the hose on east Georgia street, between Illinois and Tennessee streets.

Which was referred to his Honor, the Mayor, Daniel Macaulay, with instructions to act.

Mr. Kennington offered the following motion :

Moved: That John Thomas be allowed the said bills for repairing the Second Universalist Church, the windows being broken three several times—the whole amount being \$50.00.

Which referred to the Committee on the Judiciary.

Mr. Newman offered the following motion :

Moved: That the Board of Health be authorized and required to institute a general system of compulsory vaccination where not otherwise conceded, and to report at the next regular meeting of the Council, as far as they can ascertain, the number of cases of small pox and varioloid in the city, and the number of persons, large and small, vaccinated under this order, and so on each week until the disease shall disappear from the city.

Which was adopted.

Mr. Thoms offered the following motion :

Moved: That Mr. Herman Jackman be permitted to pave with flagstone, and curb with stone the outside edge of the sidewalk in front of his property on the north side of Washington street, between East and Liberty streets, to the satisfaction of the Civil Engineer, who is hereby instructed to set the grade stakes, the work to be done within 60 days from date.

Which was adopted.

Mr. Whitsit introduced Special Ordinance No. 178, 1871, entitled :

An Ordinance to grade and gravel the first alley south of Virginia avenue, from East to Merrill streets.

Which was read the first time.

Mr. Wiles offered the following motion :

Moved : That the Committee on Gas-light be instructed to procure a "time table," for the year 1872, for lighting and extinguishing the public lamps of the city. Said time table to provide for each lamp two thousand hours during the year.

Which was adopted.

Mr. Wiles presented the following remonstrance :

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Gregg street, between New Jersey and East streets, respectfully remonstrate against the passage of an ordinance providing for the grading and paving with brick the north sidewalk of the above named street, owing to the lateness of the season, high price of the material, and the good condition of the pavement as it now is, are the reasons why we do object to such improvement as contemplated by the ordinance now before your honorable body. And your remonstrants will ever pray, &c.

LOUIS MIER,
DR. P. S. BENNETT,
S. H. JOHNSON.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles moved to reconsider the vote by which Special Ordinance No. 160, 1871, was passed.

Which vote was reconsidered by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15.

Negative—None.

Mr. Wiles moved to amend the ordinance by making it 220 feet off of the east end of such alley.

Which was adopted.

The ordinance was then read the third time and passed, as amended, by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

Negative—Councilman Cottrell—1.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Dec. 18, 1871.

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

STATE OF INDIANA, }
MARION COUNTY, } ss :

Personally appeared before me, Peter Smock, Esq., a Justice of the Peace, David Quim, and on his oath deposeth and saith that he gave into the Assessor the goods in the store at No. 62 north Illinois street, for the year 1872, as his property, under a misapprehension, supposing the year commenced on the first day of April instead of January first, and he further states that he did not own the store or any part thereof, on the first day of January, 1870.

DAVID QUIM.

Subscribed and sworn to before me this 27th day of November, 1871.

PETER SMOCK,
Justice of Peace.

Which was referred to the Committee on Finance and City Assessor.

Dr. Woodburn introduced Special Appropriation Ordinance No. 67, 1871, entitled:

An Ordinance to appropriate money for the payment of sundry claims against the city of Indianapolis.

Which was read the first time.

On motion by Dr. Woodburn, the rules were suspended for the purpose of reading said ordinance the second and third times and placing the same on its passage.

The ordinance was then read the second time.

When Mr. Brown offered the following amendment:

W. R. Holloway, one thousand dollars payable four months from date, and one thousand dollars payable six months from date, without interest, and that the City Clerk issue orders to the Treasurer to that effect, for 2,000 copies of Holloway's Indianapolis.

Which was adopted, and the ordinance so amended.

The ordinance was then ordered engrossed, and read the third time, and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Locke, Marsee, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—12.

Negative—Councilmen Heckman, Kennington, and Reagan—3.

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—Your Committee on Streets and Alleys, to whom was referred the petition of J. H. Kappes and others, together with a plat, praying that Eighth and Ninth streets be opened and extended from their present eastern terminus to Mississippi street, to a width of 50 feet, also that two alleys be opened and extended at the same time between same points, as set forth in the map.

We would recommend that the accompanying resolution be adopted.

Respectfully submitted,

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

Also the following resolution:

Resolved, That the City Clerk be directed to give the requisite legal notice to the Commissioners for opening streets and alleys, and to the owners of property interested, that such Commissioners will be required to meet for the purpose of assessing the damages and benefits, that may arise from the opening and extending of Eighth street fifty (50) feet wide through lot six (6), of Hendersons addition, north of Tinker street; and of opening and extending Ninth street fifty (50) feet wide through lot seven (7), of Hendersons addition, north of Tinker street, and, also, the corresponding alleys as petitioned for by J. H. Kapps and others, to the Common Council, on the 11th day of December, 1871, and make report thereon to the Common Council.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Heckman, Marsee, Thalman, Whitsit and Wiles—9.

Negative—Councilmen Kennington, Locke, Newman, Reagan and Thoms—5.

Mr. Batty, from the Committee on the Judiciary, made the following report:

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—The Committee on the Judiciary and the City Attorney, have examined the two accompanying reports of the City Commissioners on the subject of opening an alley ten feet in width through lots 5, 6, 7 and 8, and 25, 26, 27 and 28, in Horace R. Allen's sub-division of a part of out-lot 181, of said city, and find the same to conform to the requirements of the law in such case provided, and herewith report them back for the action of the Council.

Respectfully submitted,

JOHN S. NEWMAN,

JOHN H. BATTY,

T. COTTRELL,

Judiciary Committee.

J. S. HARVEY,

City Attorney.

Which was concurred in.

Mr. Bigham offered the following motion:

Moved: That when this Council adjourn, it adjourn to meet Tuesday evening, December 26th, 1871, at 7 o'clock.

Which was adopted.

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

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The Committee on Sewers beg leave to report back General Ordinance No. 61, relative to assessing the cost of the Illinois street sewer to the property owners, and recommend its passage.

Respectfully submitted,

J. L. MARSEE,

ERIE LOCKE,

C. E. WHITSIT.

Which was concurred in.

By unanimous consent, the rules were suspended, and General Ordinance No. 61, 1871, entitled :

An Ordinance to amend an ordinance entitled "An ordinance to construct a public sewer in Illinois street, between Washington and South streets, and to provide for the payment of the cost of constructing the same," passed July 16th, 1870,

Was read the second and third times, and passed by the following vote:

Affirmative—Councilmen, Batty Bigham, Brown, Cottrell, Heckman, Locke, Marsee, Newman, Thalman, Thoms, Whitsit, and Wiles—12.

Negative—Councilmen Kennington and Reagan—2.

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

INDIANAPOLIS, Dec. 18, 1871.

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

GENTLEMEN—The Committee on Fire Department and the City Attorney to whom was referred the matter of the lien of Maloney & Marshall against the new Fire Engine houses, now in course in construction, would respectfully report that they have examined the same, and herewith submit the bond of Christian Zimmerman, Thomas F. Ryan, and Warren Tate, in the penal sum of ten thousand dollars, conditioned to save the city harmless from this and all other liens on said houses.

We recommend that the Council approve the bond, and order the City Clerk draw warrants upon the City Treasurer, in accordance with the contract for the construction of said houses, regardless of this or any other lien which may be filed against said houses.

Respectfully submitted,

J. L. MARSEE,
ROBERT KENNINGTON,
Committee on Fire Department.

J. S. HARVEY,
City Attorney.

Which was concurred in and the bond approved.

On motion the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.