

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, March 25, 1872, 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, Thoms, Weaver, Whitsit and Wiles—16.

Absent—Councilmen Thalman and Woodburn—2.

The proceedings of the adjourned session held March 14th, 1872, the regular session held March 18th, 1872, and the adjourned session held March 21, 1872, were read and approved.

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

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—Your Committee on Contracts, to whom was referred sundry proposals for various street improvements, have examined the same, and would recommend that contracts be awarded as follows, to-wit :

FIRST.

For grading, covering with Rolling Mill cinders, and graveling the first alley west of Meridian street, and running from Michigan street to the alley south of Michigan street, running east and west, to James Mahoney, at 28 cents per lineal foot on each side of the line improved.

SECOND.

For grading and paving with brick the north sidewalk of Gregg street, from New Jersey to East street, to Patterson & Dunning, at 56 cents per front foot.

THIRD.

For grading and paving with brick the east sidewalk of Mississippi street, from Indiana avenue to North street, to Patterson & Dunning, at 61 cents per lineal foot on the line improved.

FOURTH.

For paving with brick the east sidewalk of Pennsylvania street, from Washington street to Madison avenue, to Hanway & Co., at 78 cents per lineal foot.

FIFTH.

For curbing the outside edge of the east sidewalk of Pennsylvania street, from Washington street to Madison avenue, to James W. Hudson, at 49 cents per lineal foot on the line improved.

SIXTH.

For grading and graveling West street, exclusive of sidewalks, from North to St. Clair street, to J. J. Palmer, at 75 cents per lineal foot on each side of the line improved.

## SEVENTH.

For grading and graveling the first alley north of Bradshaw street, running from the first alley west of Holmes street to Virginia avenue, known as Bismarek street, to John Greene, at  $32\frac{1}{2}$  cents per lineal foot front on each side of the line improved.

Respectfully submitted,

W. H. CRAFT,  
JOHN L. MARSEE,  
ROBERT KENNINGTON,  
Committee on Contracts.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—We the undersigned, members of the Committee on Contracts, to whom was referred our former report on the laying of block pavement on Market street, between Pennsylvania and Delaware streets, together with the remonstrance against its improvement at this time, would report that we have fully considered the matter, and do adhere to our report of March 18th, and recommend its adoption.

Respectfully submitted,

W. H. CRAFT,  
ROBERT KENNINGTON,  
JOHN L. MARSEE,  
Committee.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—The City Clerk would respectfully report the con-

tract and bond of John A. Whitsit, for building a cistern at or near the corner of Yeizer and Franklin streets.

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was concurred in, and the contract awarded and the bond approved.

ORDINANCES ON FIRST READING.

Mr. Heckman introduced Special Ordinance No. 51, 1872, entitled :

An Ordinance to grade and gravel Forest avenue and sidewalks, from Harrison street to the old corporation line east,

Which was read the first time.

Also, Special Ordinance No. 52, 1872, entitled :

An Ordinance to grade and gravel Cedar street and sidewalks, from Huron street to the old corporation line east,

Which was read the first time.

Also, Special Ordinance No. 53, 1872, entitled :

An Ordinance to grade and gravel the first alley east of Pine street, from Forest avenue to Fletcher avenue,

Which was read the first time.

Mr. Whitsit introduced Special Ordinance No. 54, 1872, entitled :

An Ordinance to grade and gravel Merrill street and sidewalks, from East street to Virginia avenue,

Which was read the first time.

Mr. Batty presented the following petition:

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Bellefontaine street, between Forest Home avenue and Christian avenue, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said Bellefontaine street; and the grading and paving with brick the sidewalks on said Bellefontaine street, between said Forest Home and Christian avenues. (Said walk to be six feet wide.)

And your petitioners will ever pray, etc.

Vinson Carter, F A Bryan, M N McKay, John A Child, Donaldson & Stout, H C Martin, H C Hopkins, Gilbert M Brooke, J Haneman, Nathaniel Street, John B Hann, Charles Deam, John M Todd.

Which was received.

Also, Special Ordinance No. 55, 1872, entitled:

An Ordinance to grade and gravel Bellefontaine street, and paving with brick the sidewalks, between Home avenue and Christian avenue,

Which was read the first time.

Mr. Craft introduced Special Ordinance No. 56, 1872, entitled:

An Ordinance to pave with brick the north sidewalk of Michigan street, from Delaware to Massachusetts avenue,

Which was read the first time.

ROLL CALL.

Mr. Batty presented the following communication:

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—The undersigned beg leave to make the following statement to your honorable body :

The Council awarded us a contract for planting and boxing shade trees, on Broadway, between St. Clair and Christian avenue. We performed our part of the contract, and in May, 1871, the Clerk allowed us an estimate, approved by the City Engineer and the Council, certifying that the work was done according to contract. About \$50 still remains unpaid, and in November, 1871, we filed our affidavit with the Clerk, and asked to have precepts issued against the property holders, but it was overlooked or neglected by the Council. We now ask that the matter be investigated and precepts issued.

JAMES W. WHITE,

CHARLES F. JUNKINS,

By Fitzgerald & Schwin, Attorneys.

Which was referred to the City Forester.

Mr. Batty offered the following motion :

*Moved :* That A. D. McKinley be permitted to pave with hard burnt brick the sidewalk in front of his premises, on St. Joseph street, under direction of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion :

*Moved :* That the alley running north and south in the rear of lots 1, 2, 3, 4 and 5, in Pope's subdivision of the south one half of lot 1, in St. Clair's addition ; also, the alley on the south side of lot 1 in said subdivision, be ordered to be opened within thirty days.

Which was referred to the Committee on Streets and Alleys.

Mr. Bigham offered the following motion :

*Moved:* That Fred. Spier have permission to bowlder the alley beside his property, and pave the sidewalk in front of his residence on East Washington street; said work to be done inside of ninety days, and under the direction of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion:

*Moved:* That the Street Commissioner be directed to at once remove the dirt on Massachusetts avenue, in front of the new hotel, and collect the same from the Hotel Company if possible.

Which was adopted.

Mr. Brown presented the following petition:

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—We offer to take the contract for removal of dead animals on the same terms as Mr. Strief's contract provides. For the faithful performance of the duties we will give good and sufficient security.

Respectfully submitted,  
SCHMIDT & WEIGAND.

Which was received.

On motion by Mr. Kennington, the contract for the removal of dead animals was awarded to Mrs. Strief, widow of David Strief, deceased, for the unexpired term of office for which he was elected, provided she give new bond.

Mr. Brown presented the following petition:

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate fronting

on Locust street, between Sycamore street and Ray street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the above named street, between the points mentioned, with good river or creek gravel.

And your petitioners will ever pray, etc.

Charles J Schmidt, F W Meyer, Christ Huckstein, Peter Fromhold, H Kistner, Adam Kaiser, James Owens, Henry Harting, Margaret Evell, Daniel Albersmeier, Fred Engelking, Heinrich Albertsmeier, John Eberts, Mrs Bocking, Wilhelm Dedert, Geo F Meyer.

Which was received.

Also, Special Ordinance No. 57, 1872, entitled :

An Ordinance to grade and gravel Locust street, between Sycamore and Ray streets,

Which was read the first time.

Also, the following motion :

*Moved*: That Special Ordinance No. 18 be referred to the Councilmen from the Sixth Ward for revision.

Which was adopted.

Also, the following motion :

*Moved*: That George Fahrion be allowed to pave with brick the sidewalk in front of his property on South street, between Delaware and Pennsylvania streets, provided the same be done at his own expense, and to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following preamble and resolution :

WHEREAS, In view of the fact of the loss by fire of the Ohio Falls Car Works, there is a probability of the Works being removed to



some other point if sufficient inducements be offered elsewhere; therefore, be it

*Resolved*, That the Common Council will appropriate the sum of one hundred and twenty-five thousand dollars as an advance, until the same can be replaced by taxation; *provided* that such action be petitioned for by tax payers, representing at least a majority of the taxable property of the city.

Which was received, and made a special order of business for Thursday evening, March 28th, 1872.

Mr. Cottrell offered the following motion :

*Moved*: That the Committee on Revision of Ordinances be instructed to report an ordinance permitting Barnabas Coffin to erect a slaughter house on the west bank of White River north of the National road.

Which was adopted.

Mr. Craft offered the following motion :

*Moved*: That C. H. Smith have permission to move a stable from corner of Lockaby and Liberty streets to the corner of Market and Spring streets.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN: At the last regular meeting of the German Orphan Association, we, the undersigned trustees for said society, were instructed to respectfully ask your honorable body for an appropriation to aid us in completing our Orphans Home, erected in the south-east part of the city.

Several German orphans of this city are now without a regular

home, waiting for the completing of this house, but with all our efforts we lack the means to do it yet. So far, the grounds and buildings have cost the sum of \$22,000, and to complete it we shall need \$9,000 more; and as we trust that your honorable body will feel that our German Orphans need such home, we respectfully ask you to grant us such appropriation as the above facts will warrant.

Respectfully Yours,

JOHN HELM,  
FRED. SANDERS,  
H. MANKEDICK,  
F. A. LEHR,

Trustees.

The education of the children in this institution will be given in the German and English language, and the institution is for the benefit of all poor orphans, whether of German or American parentage, as will be seen by our Constitution, Article 4, Section A.

All poor children, without parents, of Marion county, Indiana, shall be admitted to the Orphan Home free of charge.

Which was referred to the Committee on Benevolence.

Also, the following motion :

*Moved* : That Edward Mullaley be, and the same is hereby permitted to move a frame stable 10x12 feet from the corner of Noble and Huron streets to Daugherty street, between East and Wright streets.

Which was adopted.

Mr. Marsee presented the following communication :

LOUISVILLE, March 21, 1872.

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

GENTLEMEN: We ask your attention to the "Gardner Fire Extinguisher," which is now in successful use in the Fire Departments of the cities of Louisville, Ky.; Cleveland, O.; Philadelphia, Pa.; and Camden, N. J. It has also been adopted by the U. S. Government for use on steam vessels." I would ask permission to loan the

Fire Department four Extinguishers for the term of two months. If at the end of that time they are approved by your Department, we to sell them to the city for fifty (\$50) dollars each. If they are not satisfactory they can be returned to us at our expense.

Hoping that this will be a satisfactory proposition,

I am, Very Respectfully,

CRITT. A. COX.

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

Also, the following motion :

*Moved*: That the Street Commissioner be instructed to place a culvert across New Jersey, at its intersection with Sinker street.

Which was adopted.

On motion by Mr. Marsee, the vote by which the order of vacation of an unnamed street in Johnson's heirs addition was adopted, March 18th, 1872, was reconsidered.

Mr. Batty offered the following motion :

*Moved*: That the vacation mentioned in the Council proceedings of March 18, 1872, a vacation of unnamed streets extending from Oliver street to Western avenue between lots 14 and 15 in Johnson's heirs' addition, be referred to the Committee on Judiciary, to report whether or not the acknowledgment of a Notary Public is a compliance with the law.

Which was adopted.

Mr. Reagan offered the following motion :

*Moved*: That Mr. Foster be allowed to grade and gravel, or pave, the sidewalk the width of one hundred feet in front of his property, running north and south on the east corner of Missouri and McCarty streets, and under the directions of the City Civil Engineer.

Which was adopted.

Also, the following motion :

*Moved:* That Mr. Burkett be allowed to plank the sidewalk in front of his planing mill on the corner of Georgia and Tennessee streets.

Which was adopted.

Also, the following motion :

*Moved:* That the Street Commissioner be, and is hereby ordered to immediately put a stone culvert at the west crossing of Mississippi and Louisiana streets. Said work to be done under the direction of the City Civil Engineer, and twenty days from this date.

Which was adopted.

Also, the following motion :

*Moved:* That the Street Commissioner be, and is hereby ordered to fill up the cellar of a wooden building partly built on the corner of Maple and McCarty streets, as it is dangerous to the public travel, and injurious to the health of persons living in that vicinity, on account of the water which has stagnated there. Said work to be done ten days after this date.

Which was adopted.

Also, the following motion :

*Moved:* That John Riley be refunded the sum of \$8.55 taxes, which has been paid on property not owned by him.

Which was referred to the Committee on Finance.

Mr. Thoms presented the following remonstrance :

INDIANAPOLIS, March 11, 1872.

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

GENTLEMEN : The undersigned, owners of the real estate in the

vicinity of New Jersey street, between Washington street and Pogues Run, respectfully remonstrate against the passage of an ordinance providing for the extension of the railroad switch across New Jersey street, north of Pogues Run, as proposed by an ordinance now pending before the Council.

And your remonstrants will ever pray, &c.

Christian Spiegel, Frederick Thoms, Henry Frank, Augustus Spiegel, James M. Buchanan, Warren Tate, N. H. Lowe, sr., N. H. Lowe, jr., J. Marsee, Christ. Resener, Charles Dickmann, Jason Lotto, John Browne, John Malber, Charles Prange.

Which was referred to the Special Committee on that subject.

Mr. Wiles presented the following petition :

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—I herewith petition your honorable body to refund to me twenty-two (\$22.75) dollars and seventy-five cents, the amount of taxes I have paid on my house, which was situated on the north end of lots 16 and 17, O. L. 177, on N. Alabama street. Said improvement having been burned off, and being thus deprived of its use, and sustaining other losses by the fire, I ask your honorable body to refund to me said tax which I have fully paid under protest.

HEZ. S. HUTCHINS.

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

Also, the following motion :

*Moved:* That Peter Goth and Dr. P. S. Bennett be allowed privilege of grading and paving with stone the sidewalk in front of their property on North New Jersey street, said work to be done at the expense of petitioners, and under the direction and to the satisfaction of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion :

*Moved:* That W. A. Bushman be allowed the privilege of erecting a wooden shed in front of his building on North New Jersey street.

Which was referred to the Committee on the Judiciary.

Mr. Weaver presented the following:

INDIANAPOLIS, March 25, 1872.

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

Weekly contents of Register of Patients of City Hospital, ending March 23, 1872:

Number of patients in Hospital at last report .....	51
“ “ received in Hospital since last report.....	4
“ “ born in Hospital since last report.....	2
“ “ discharged from Hospital since last report....	3
“ “ died in Hospital since last report.....	0
“ “ remaining in Hospital at present report.....	54

JOSEPH W. MARSEE,  
Superintendent.

Which was received.

Also, the following :

INDIANAPOLIS, March 25, 1872.

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

Weekly report of contents of Register of Patients of City Hospital, ending March 9, 1872 :

Number of patients in Hospital at last report.....	57
“ “ received in Hospital since last report.....	7
“ “ born in Hospital since last report.....	0
“ “ discharged from Hospital since last report...	3
“ “ died in Hospital since last report.....	1
“ “ remaining in Hospital at present report.....	60

J. W. MARSEE,  
Superintendent.

Which was received.

Also, the following :

INDIANAPOLIS, March 25, 1872.

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

Weekly report of contents of Register of Patients of City Hospital, ending March 16, 1872 :

Number of patients in Hospital at last report .....	60
“ “ received in Hospital since last report.. .....	9
“ “ born in Hospital since last report.....	1
“ “ discharge <sup>d</sup> from Hospital since last report... ..	8
“ “ died in Hospital since last report... ..	1
“ “ remaining in Hospital at present report.....	61

J. W. MARSEE,  
Superintendent.

Which was received.

Mr. Weaver, from the Special Committee, made the following report :

INDIANAPOLIS, March 25, 1872.

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

GENTLEMEN—Your special committee whom was referred special ordinance No. 46, have carefully examined the location, and hereby report the same back to Council, and recommend that the ordinance pass.

WILLIAM W. WEAVER,  
H. S. BIGHAM,  
JNO. H. BATTY.

Which was received.

The question being on the engrossment of the ordinance,

Mr. Cottrell moved to amend the ordinance by inserting the proviso, that Messrs. Elliott & Berry station a flagman at said crossing.

Which was not adopted.

On motion by Mr. Marsee, Mr. T. B. Elliott addressed the Council upon the subject.

The ordinance was then ordered engrossed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Heckman, Locke, Newman, Weaver and Wiles—9.

Negative—Councilmen Cottrell, Gimber, Kennington, Marsee, Reagan, Thoms and Whitsit—7.

On motion, the Council adjourned to meet Thursday, March 28th, 1872, at 7½ o'clock p. m.

DANIEL MACAULEY,

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.