

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, April 29, 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, Thalsman, Thoms, Whitsit, Wiles and Woodburn—17.

Absent—Councilmen Weaver—1.

The proceedings of the regular session held April 22d, 1872, were read and approved.

Sealed proposals for the building of a bridge over Pogues' Run, on Michigan street, and for sundry street improvements were received, opened, read, and on motion referred to the Committee on Contracts.

REPORT FROM CITY OFFICERS.

The City Civil Engineer made the following report:

INDIANAPOLIS, April 29, 1872.

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

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

Hamilton Clark—

For planting and boxing shade trees on Tennessee street, from Ohio to Seventh street, 144 trees and boxes at \$1.58 per tree and box.....	\$227 52
On Mississippi street, from Ohio to Seventh street, 297 trees and boxes at \$1.58 per tree and box.....	469 20
On St. Clair street, from Delaware to Mississippi street, 119 trees and boxes at \$1.58 per tree and box.....	188 02
On Meridian street, from Ohio to Seventh street, 52 trees and boxes at \$1.58 per tree and box.....	82 16
Total estimate.....	\$966 96
Deduct payment.....	952 74
Present payment.....	\$14 22

Also, same—

For planting and boxing shade trees on Michigan street, from Mississippi to Blackford street, 64 trees and boxes at \$1.58 per tree and box.....	\$101 12
Deduct former payment.....	97 96
Present payment.....	\$3 16

Also, the same—

For planting and boxing shade trees on West street, from

Washington to First street, 105 trees and boxes at \$1.58 per tree and box.....	\$165 90
On Indiana avenue, from Mississippi to Lock street, 169 trees and boxes at \$1.58 per tree and box.....	267 02
On Bright street, from New York to North street, 88 trees and boxes at \$1.58 per tree and box.....	139 04
On New York street, from Meridian to Agnes street, 166 trees and boxes at \$1.58 per tree and box.....	262 28
On North street, from Mississippi to Meridian street, 67 trees and boxes at \$1.58 per tree and box.....	105 86
On Vermont street, from Missouri to Meridian street, 39 trees and boxes at \$1.58 per tree and box.....	61 62
On Michigan street, from Delaware to Mississippi street, 57 trees and boxes at \$1.58 per tree and box.....	90 06
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Total estimate.....	\$1,091 78
Deduct former payment.....	1,041 22
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Present payment.....	\$50 56

Also, George Buchanan—

For grading, curbing and bowldering East street, from Washington street to Pogues' Run.	
Length of bowldering on east side.....	411 ft.
Length of bowldering on west side.....	410 ft.
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Total length.....	821 ft.
At \$2.37 per lineal foot.....	\$1,945 77
Length of curb on east side.....	388 ft.
Length of curb on west side.....	378 ft.
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Total length.....	766 ft.
At 57 cents per lineal foot.....	436 62
Extra work connecting gutter with drain under Union track, estimated at.....	15 00
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Total estimate.....	\$2,397 39

Respectfully submitted,
 R. M. PATTERSON,
 Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—The city clerk reports

FIRST.

First and final estimate, allowed George Buchanan for grading, bowldering and curbing East street, from Washington street to Pogue's run.

SECOND.

Contract and bond of Patterson and Dunning for grading and graveling West street, from North to St. Clair street.

THIRD.

Jesse S. Whitsit, contract and bond for building a sewer in Illinois street, from Washington to Second street.

FOURTH.

Contract and bond of Richter and Valmer for building stone arch over Pogue's Run, at the crossing of Mississippi and Merrill streets.
Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in; the contracts awarded and the bonds approved :

Resolved, That the foregoing first and final estimate allowed Geo. W. Buchanan for grading bowldering and curbing East street, from Washington street to Pogue's Run 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—Councilman Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—17.

Negative—None.

The City Attorney made the following report :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—Since your last meeting I have interviewed the Superintendent of the Vincennes Railroad in regard to the judgment of Margaret O'Donnell against the city for damages sustained by falling into a man-hole or catch basin on Kentucky avenue near the north-east corner of the old cemetery, lately rendered against the city for \$1.800. He said the company were posted in regard to the matter up to that time, and that they would not assume any responsibility, that their attorney the Hon. Cyrus M. Allen, of Vincennes would be in the city on that evening, (April 23)—He did not do me the honor of a call.

I recommend that you at once appropriate the following sums to pay the judgment, costs and attorney fees, and then suit can at once be brought against the company.

Amount of judgment.....	\$1.800 00
Amount of costs.....	48 55
Dye & Harris attorneys fee.....	150 00
Total... ..	<u>\$1998 55</u>

I herewith submit an ordinance making the said appropriation.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

Special Appropriation Ordinance No. 26, 1872, entitled:

An Ordinance appropriating money to pay the damages and costs awarded against the city in the case of Margaret O'Donnel vs. the city of Indianapolis.

Which was read the first time.

On motion, the rules were suspended for the purpose of reading the ordinance the second and third times, and placing the same upon its passage.

Special Appropriation Ordinance No. 26, 1872, was then read the second and third times and passed by the following vote :

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

Negative—None.

The City Commissioners made the following report :

INDIANAPOLIS, April 29, 1872

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

GENTLEMEN—The Board of City Commissioners met pursuant to notice from the City Clerk, to assess the damages and benefits to the property holders along Meridian street, between St. Clair and First street, from the widening of the sidewalks along said street, by taking five feet from the fronts of the lots on either side. After examination of the premises and hearing testimony we submit the following report :

We find the value of the ground and improvements to be condemned for public use, under the petition in this case, to be \$4,820.

We find the benefits to the property and property holders along said street, between St. Clair and First street, to be \$4,820.

We think the city of Indianapolis should pay no part of the damages or benefits.

We would recommend that the city should specially care for the trees, now belonging to the property holders, and which, if the street is widened as is prayed for, will be thrown on the sidewalks.

We submit the following detailed schedule of the property, property holders, and the amount of damages and benefits incurred on each separately :

Damages to Wm. Sullivan on 650 square feet and improvements, on the south east corner of out lot 171.....	\$325 00
Benefits to Wm. Sullivan on part of out lot 171.	325 00

Balance of benefits to Wm. Sullivan..... 00

Damages to G. W. Johnson and Lea M. Fitzhugh for 330 square feet of the south-east corner of out lot 171.....	\$165 00.
Benefits to G. W. Johnson and L. M. Fitzhugh on part of out lot 171	165 00

Balance of benefits to G. W. Johnson and L. M. Fitzhugh..... 00

Damages to Willis S. Webb for 312½ square feet off east end of lot 11, Pratt's subdivision out lot 171.....	\$156 00
Benefits to W. S. Webb on lot 11, Pratt's subdivision out lot 171	161 00

Balance af benefits to W. S. Webb on said lot..... \$5 00

Damages to Willis S. Webb for 312½ square feet off east end of lot 12, Pratt's subdivision of out lot 171.....	\$156 00
Benefits to W. S. Webb on lot 12 in said subdivision	156 00

Balance of benefits to W. S. Webb on said lot..... 00

Damages to Charles Hasson for 156¼ square feet off east end of south part of lot 10, Pratt's subdivision out lot 171	\$78 00
Benefits to C. Hassen on balance of said lot above described	43 00

Balance of damages to C. Hasson on said lot..... \$35 00

Damages to John H. Ohr for 156¼ square feet off east end of north part of lot 10, Pratt's subdivision of out lot 171	\$78 00
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Benefits to Jno. H. Ohr on balance of above described lot	43 00
Balance of damages to John H. Ohr on said lot.....	\$35 00
Damages to Mary B. Carmichael for 312½ square feet off east end of lot 9, Pratt's subdivision out lot 171	\$156 00
Benefits to Mary B. Carmichael on balance of said lot.....	156 00
Balance of benefits to Mary B. Carmichael on said lot..	00
Damages to Jesse D. Carmichael for 312½ square feet off east end of lot 8, Pratt's subdivision out lot 171.....	\$156 00
Benefits to J. D. Carmichael on balance of said lot.....	156 00
Balance of benefits to J. D. Carmichael on said lot.....	00
Damages to J. D. Carmichael for 312½ square feet off the east end of lot 7, Pratt's subdivision of out lot 171.....	\$156 00
Benefits to J. D. Carmichael on balance of said lot.....	161 00
Balance of benefits to said J. D. Carmichael on said lot.	\$5 00
Damages to Lucretia C. Sexton for 312½ square feet off east end of lot 6, Pratt's subdivision of out lot 171.....	\$156 00
Benefits to L. C. Sexton on balance of said lot.....	156 00
Balance of benefits to L. C. Sexton on said lot.....	00
Damages to Benj. F. Tuttle for 312½ square feet off east end of lot 5, Pratt's subdivision of out lot 171	\$156 00
Benefits to B. F. Tuttle on balance of said lot	158 50
Balance of benefits to B. F. Tuttle on said lot.....	\$2 50
Damages to B. F. Tuttle on 312½ square feet off east end lot 4, Pratt's subdivision out lot 171.....	\$156 00
Benefits to B. F. Tuttle on balance of said lot.....	158 50
Balance of benefits to B. F. Tuttle on said lot.....	\$2 50
Damages to Milton M. Landis for 312½ square feet off east end of lot 3, Pratt's subdivision out lot 171.....	\$156 00
Benefits to Milton M. Landis on balance said lot.....	156 00
Balance of benefits to M. M. Landis on said lot.....	00

Damages to W. Q. Gresham for 312½ square feet off east end of lot 2, Pratt's subdivision out lot 171.....	\$156 00
Benefits to W. Q. Gresham on balance of said lot.....	173 50
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Balance of benefits to W. Q. Gresham on said lot.....	\$17 50
Damages to T. A. Lewis for 400 square feet off east end of lot 1, Pratt's subdivision of out lot 171.....	\$200 00
Benefits to T. A. Lewis on balance of said lot.....	217 50
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Balance of benefits to T. A. Lewis on said lot.....	\$17 50
Damages to George Tousey for 326⅔ square feet off west end of lot 17, Pratt's subdivision of out lot 172.....	\$164 00
Benefits to George Tousey on balance of said lot.....	168 00
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Balance of benefits to George Tousey on said lot.....	\$4 00
Damages to George Tousey for 326⅔ square feet off west end of lot 18, Pratt's subdivision out lot 172... ..	\$163 00
Benefits to George Tousey on balance of said lot.....	166 00
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Balance of benefits to George Tousey on said lot.....	\$3 00
Damages to George Tousey for 326⅔ square feet off west end of lot 19, Pratt's subdivision out lot 172.....	\$163 00
Benefits to George Tousey on balance of said lot.....	166 00
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Balance of benefits to George Tousey on said lot.....	\$3 00
Damages to Julia A. Root for 312½ square feet off west end of lot 20, Pratt's subdivision of out lot 172.....	\$156 00
Benefits to J. A. Root on balance of said lot.....	156 00
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Balance of benefits to J. A. Root on said lot.....	00
Damages to Kate H. Root for 312½ square feet off west end of lot 21, Pratt's subdivision of out lot 172.....	\$156 00
Benefits to Kate H. Root on balance of said lot.....	156 00
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Balance of benefits to Kate H. Root on said lot.....	00
Damages to Kate H. Root for 312½ square feet off west end of lot 22, Pratt's subdivision out lot 172.....	\$156 00
Benefits to Kate H. Root on balance of said lot.....	156 00
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Balance of benefits to Kate H. Root on said lot.....	00

Damages to John S. Spann for 312½ square feet off west end of lot 23, Pratt's subdivision out lot 172	\$156 00
Benefits to J. S. Spann on balance of said lot.....	161 00
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Balance of benefits to J. S. Spann on said lot.....	\$5 00
Damages to E. H. Ferguson for 312½ square feet off west end of lot 24, Pratt's subdivision out lot 172.....	\$156 00
Benefits to E. H. Ferguson on balance of said lot	156 00
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Balance of benefits to E. H. Ferguson on said lot.....	00
Damages to Sarah Reeves for 156¼ square feet off west end of south part of lot 25, Pratt's subdivision out lot 172...	\$78 00
Benefits to Sarah Reeves on balance of said lot	78 00
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Balance of benefits to S. Reeves on said lot.	00
Damages to J. H. Baldwin for 156¼ square feet off west end of north part of lot 25, Pratt's subdivision out lot 172.....	\$78 00
Benefits to J. H. Baldwin on balance of said lot.....	78 00
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Balance of benefits to J. H. Baldwin on said lot	00
Damages to George G. Staats for 187½ square feet off west end of lot 1, Staats' subdivision of lot 26, in Pratt's subdivision out lot 172.....	\$93 00
Benefits to George G. Staats on balance of said lot.....	93 00
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Balance of benefits to George G. Staats on said lot.....	00
Damages to M. Kelley for 187½ square feet off west end of lot 2, Staats' subdivision of lot 26, Pratt's subdivision of out lot 172.....	\$93 00
Benefits to M. Kelley on balance of said lot..	93 00
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Balance of benefits to M. Kelley on said lot	00
Damages to George Northway for 187½ square feet off west end of lot 3, Staats' subdivision of lot 26, Pratt's subdivision out lot 172.....	\$93 00
Benefits to George Northway on said lot.....	93 00
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Balance of benefits to G. Northway on said lot.....	00
Damages to Thomas H. Bowlus for 187½ square feet off	

west end of lot 4, Staats' subdivision of lot 26, Pratt's subdivision of out lot 172.....	\$93 00
Benefits to T. H. Bowlus on balance of said lot.....	93 00

Balance of benefits to T. H. Bowlus on said lot..... 00

Damages to John H. Bradley for 187½ square feet off the west end of lot 5, in Staats' subdivision of lot 26, Pratt's subdivision of out lot 172.....	\$93 00
Benefits to John H. Bradley on balance of said lot... ..	93 00

Balance of benefits to J. H. Bradley on said lot..... 00

Damages to A. Montgomery for 312½ square feet off west end of lot 29, Pratt's subdivision out lot 172	\$156 00
Benefits to A. Montgomery on balance of said lot.....	156 00

Balance of benefits to A. Montgomery on said lot..... 00

Damages to H. B. Marsh for 280 square feet off west end of part of lot 30, (56 feet off south side) in Pratt's subdivision out lot 172	\$140 00
Benefits to H. Marsh on said lot.....	140 00

Balance of benefits to H. Marsh on said lot..... 00

Damages to H. Marsh for 454½ square feet off west ends of lot 31, and part of lot 30, in Pratt's subdivision of out lot 172	\$227 00
Benefits to H. Marsh on balance of said lot	232 00

Balance of benefits to H. Marsh on said lots..... \$5 00

Total damages, \$4,820 00; total benefits, \$4,820 00

We submit herewith the accompanying ordinance, condemning the ground for public use, as prayed for in the petition, and as assessed in the foregoing schedule.

Respectfully submitted,

WM. S. HUBBARD,
 IGNATIUS BROWN,
 JOSEPH M. SUTTON,
 SAMUEL M. SEIBERT,
 J. F. RAMSAY,
 Board of City Commissioners.

Which was referred to the City Attorney.

The City Commissioners made the following report:

INDIANAPOLIS, April 29, 1872.

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

The board of city commissioners, to whom was referred the petition of H. Unvasagt and others, asking the opening of William street through the north end of the ground now owned by J. Frank and J. H. Kappes, and the Indianapolis Cincinnati and Lafayette Rail Road Co., have acted in the matter, and after inspecting the premises and hearing testimony in the case submit the following report and detailed statement of the damages and benefits resulting to property and property holders from said opening.

We estimate the total value of the ground required for the opening of said street as prayed for at \$525 00.

We estimate the benefits to adjoining property from the opening of said street as prayed for at \$525 00.

We think the city of Indianapolis should pay no part of the damages and benefits resulting from such opening.

We submit the following detailed statement of the damages and benefits to property and property holders.

Damages to James Frank and John H. Kappes for the value of a strip of ground 33 feet wide and about 134 $\frac{1}{2}$ feet long off the northend of the tract now owned by them, and known as lot 1 in Kappes and Franks' subdivision of part of the west half north east quarter of section 35, town 15, range 3 east, and lying directly west of and in line with William Street, in Henderson's addition.....	\$375 00
Benefits to James Frank and John H. Kappes on the balance of lot 1, in their subdivision above named.....	187 50
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Balance of damages to James Frank and John H. Kappes on the lot above named.....	\$187 50
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Benefits to Christian Decker on part of east half of north half of northeast quarter, section 35, township 16,

range 3.....	\$187 50
Balance of benefits to said C. Decker on said tract.....	\$187 50
Damages to Indianapolis, Cincinnati & Lafayette Railroad Company for a strip 33 by about 400 feet long, in a direct line westerly from William Street, in the north-east quarter of section 36, township 16, range 3.....	\$150 00
Benefits to said Company on balance of said tract lying on either side of said street.....	150 00
Balance of benefits to said Company from opening street.....	\$0 00

It will be seen from the above assessment that James Frank and John H. Kappes have to give all the ground required for the street in their lot 1, of their subdivision. This brings Christine Decker's lot or property up to the new street and gives her an outlet. We think both parties equally benefitted, and therefore, while we require Frank & Kappes to give half of the ground without any compensation, we require Christine Decker to pay them the value of the other half.

The Railroad Company own on each side of the street, and must give the ground to make their property available.

We submit herewith an ordinance condemning the property for the public use.

Respectfully submitted.

WILLIAM S. HUBBARD,
 IGNATIUS BROWN,
 SAMUEL M. SEIBERT,
 JOSEPH M. SUTTON,
 J. F. RAMSAY,
 Board of City Commissioners.

Which was referred to the City Attorney.

The City Commissioners made the following reports :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—The City Commissioners have acted on the petition of Edgar J. Foster and others asking the opening of Arsenal Avenue and Summit street, from a point 15 feet North of the present main track of the Pittsburg, Cincinnati & St. Louis railroad, Southly on direct line to the Michigan road, and after inspection of the premises and due consideration of the case, submit the following report :

We value the ground taken for the opening of Arsenal Avenue at.....	\$1,100 00
We value the ground taken for the opening of Summit street at.....	1,500 00
We estimate the benefit to property holders and property from the opening of Arsenal Avenue at.....	1,100 00
We estimate the benefit to property and property-holders from the opening of Summit street at.....	1,500 00

We think the City of Indianapolis should pay no part of the benefit or damages resulting from the opening of either of said streets.

We submit the following detailed statement of the damages and benefits to property and property-holders resulting from the opening of Arsenal Avenue and of Summit street :

Damages to the Pittsburg, Cincinnati & St. Louis Railroad Company, for a strip of ground 60 feet in width extending North and South across their right of way in the North half East half Northwest quarter 7, 15, 4, said street being a direct extension Southerly from the present South end of Arsenal Avenue toward the Michigan road.....	\$0 00
Benefits to the Pittsburg, Cincinnati & St. Louis Railroad Company from the opening of said Arsenal Avenue.....	0 00

Balance of benefits to said P. C. & St. L. R. R. Co....	\$0 00
Damages to the Pittsburg, Cincinnati & St. Louis Railroad Company for a strip of ground 50 feet wide and extending North and South across the right of way in the North half East half Northwest quarter 7, 15, 4, said strip being a direct extension of the present South end of Summit street toward the Michigan road.....	0 00

Benefits to the Pittsburg, Cincinnati & St. Louis Railroad Company from the opening of Summit street...	0 00
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Balance of benefits to said Company.....	\$0 00
Damages to the Cincinnati & Indianapolis Junction Railroad Company for a strip of ground 60 feet in width and running across their track North and South, and on a direct line Southerly to the Michigan road, and being the extension of Arsenal Avenue to said road, said strip being in Sharpe's subdivision of Blake's addition to Indianapolis.....	\$1,000 00
Damages to said Cincinnati & Indianapolis Junction Railroad Company for improvements on said street....	100 00
Benefits to said Cincinnati & Indianapolis Junction Railroad Company on balance of the ground on either side of said proposed street.....	\$1,100 00
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Balance of benefits to said Company.....	\$0 00
Damages to the Cincinnati & Indianapolis Junction Railroad Company for a strip of ground 50 feet wide, and running across their tracks North and South, and on a direct line Southerly to the Michigan road, and being an extension of Summit street Southerly to said road, said strip being in Sharpe's subdivision of Blake's addition.....	\$1,500 00
Benefits of said Cincinnati & Indianapolis Junction Railroad Company on the ground on either side of said street.....	1,500 00
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Balance of benefits to said Company.....	\$0 00

We submit herewith a special ordinance condemning said property for public use.

Respectfully submitted,
 IGNATIUS BROWN,
 J. M. SUTTON,
 SAMUEL M. SEIBERT,
 Board of City Commissioners.

Which was referred to the City Attorney.

Mr. Heckman presented the following petition :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—The undersigned, residents and property holders in the 8th and 9th wards of said city, would respectfully represent to your honorable body that the opening of Arsenal avenue and Summit street through to the Michigan road is of vital importance to, not only the property owners on said streets, but also to all the eastern half of both of said wards, as well as the already dense and constantly increasing population south and east passing to and from the city; and the entertaining any proposition to annul the actions your Council has already taken looking to the opening and improving of said streets would amount to a public misfortune, and do injustice to numerous individuals. We, your petitioners, therefore pray your honorable body to have the improvement of said streets completed as contemplated by the contracts already entered upon.

And your petitioners will ever pray, etc.

John Carter, Willis W Wright, Beneyah H Carter, J W McMillen, Levi Rogers, John Auacker, A Dammayer, Henry Eix, B R McCord, W H Turner, J M Ridinour, Frank A Hardin, Henry Mittay, O P Price, John Yorger & Bro, Matthias Dreher, James Shaw, M D Losey, Margary Losey, John W Stephenson, Jno W Ray, Mrs Pullen, E H Johnson, Ch Bassrum, Jno F Hill, W H Hobbs, J P Clute, W W Angus, Thos MacIntire, J S Honedyspill, Edgar J Foster, John Martin, E P Thompson, J E Hamilton, C H Spilker, Preston Litton, Charles Otto, Christ G Dittrich, R Toame, Frank H Brinkman, John Haltman, John H Ketcham, Levi Rogers, Austin Rowe, Charles Pott, Jr, Henry Rickard, Fred Spier.

Which was referred to the City Attorney.

The City Commissioners introduced General Ordinance No. 27, 1872, entitled:

An Ordinance appropriating ground for the extension westward of William street to Tenth street, in Cranes addition.

Which was read the first time and referred to the City Attorney.

Also, General Ordinance No. 28, 1872, entitled :

An Ordinance appropriating ground for the opening and extension of Arsenal avenue south to the Michigan road.

Which was read the first time and referred to the City Attorney.

Also, General Ordinance No. 29, 1872, entitled :

An Ordinance appropriating ground for the widening of Meridian street, between St. Clair and First streets.

Which was read the first time and referred to the City Attorney.

Also, General Ordinance No. 30, 1872, entitled :

An Ordinance appropriating ground for the extension of Summit street south to the Michigan road.

Which was read the first time and referred to the City Attorney.

Mr. Wiles presented the following petition :

INDIANAPOLIS, April 29, 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 Christian avenue and Forest Home avenue, would respectfully represent to your honorable body that we who signed a petition to have the sidewalks on said street paved with Lefler stone, did so under a misapprehension of the utility, durability and cost of said pavement, as compared with a brick pavement, and we would respectfully petition your honorable body to

change the ordinance providing for said stone pavement to one for a brick pavement.

And your petitioners will ever pray, etc.

Vinson Carter, F H Haneman, J F Haneman, John M Todd, F S Newby, John A Child, Jno B Hann, F A Bryan, M N McKay, W C Ewing, Joseph H Emory, Stephen McCarthy, E C Hardin, Gilbert M Brooke, J T Huff, Joseph Langbein, A L Wright, Mary A Street, H C Martin.

Which was received.

On motion, by Mr. Wiles, the vote by which the ordinance was passed for the grading and graveling of Bellefontaine street, and paving with Lefler paving stone, and curbing with wood the sidewalks of the same from Christian to Forest Home avenue, was reconsidered.

Mr. Wiles then moved to amend the ordinance by striking out Lefler paving stone and inserting brick, also by striking out the curbing.

Which amendment was adopted.

The ordinance as amended, 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, Whitsit, Wiles and Woodburn—17.

Negative—None.

By consent, Mr. Batty offered the following resolutions:

Resolved, That the Mayor issue his proclamation ordering an election to be held on the first Tuesday in May, (7th inst.) 1872, for one Councilman for each Ward.

Resolved, That the following persons be, and are here appointed, as Inspectors and Judges of said election:

First Ward—Joseph M. Sutton, Inspector; Joseph K. English, Christian F. Raisner, Judges.

Second Ward—J. C. Adams, Inspector; R. J. Bence, Frank Landers, Judges.

Third Ward—Wm. M. Blake, Inspector; Jas. H. Hedges, Geo. W. Geiger, Judges.

Fourth Ward—Henry Cox, Inspector; H. Albro, Calvin Elliott, Judges.

Fifth Ward—John W. Byrkitt, Inspector; Joseph S. Watson, James Renihan, Judges.

Sixth Ward—John S. Russell, Inspector; Ambrose Balweg, A. Naltner, Judges.

Seventh Ward—H. C. Adams, Inspector; John W. McVey, Jos. W. Davis, Judges.

Eighth Ward—Hiram Seibert, Inspector; Abraham H. Baker, Morris Connell, Judges.

Ninth Ward—Nicholas McCarty, Inspector; Charles Manny, John P. Cruse, Judges.

Which were adopted by the following vote:

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

Negative—None.

Dr. Woodburn offered the following motion:

Moved: That the Finance Committee report to this Council the amount of per centage paid to Robert S. Foster, late City Treasurer, during the last year of his term as City Treasurer.

Mr. Cottrell moved to amend by instructing the Finance Committee to report the amount of percentage paid to Robt. S. Foster, during the four years of his term as City Treasurer.

Which amendment was adopted.

The motion as amended was then adopted.

On motion, by Mr. Brown, the City Treasurer was requested to submit his annual report, of receipt and expenditures, at the the next meeting of the Common Council.

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

Mr. Batty offered the following motion :

Moved: That John Frick have permission to erect a pair of scales in front of his grocery on Massachusetts Avenue.

Which was adopted.

Mr. Batty presented the following petition :

INDIANAPOLIS, April 29, 1872.

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

The undersigned, on behalf of the trustees of the North Western Christian University, respectfully represents :

1st. That the enclosure or campus of the University contains 25 acres making a beautiful park, and about the only one now accessible to the city.

2d. That the gates have never been closed against the public; but has been and is now the resort of hundreds of the citizens of Indianapolis during the warm months of the year, contributing largely to the public comfort and health.

3d. That one dollar has never been contributed by the city of Indianapolis towards the University or the maintenance of the grounds; and but very few of the citizens of the place have ever taken enough interest in the institution to lend it a helping hand.

4th. That there is no one single enterprise in or about the city of

greater value *pecuniarily*, leaving out of view entirely its educational and moral influences, than this University. It adds to the population of the city not less than 300 persons and distributes about \$200,000 annually. It is really an enterprise in which the whole public is deeply concerned.

5th. A proposition is on foot, an ordinance introduced to improve the streets or some of them bordering on the University grounds. The expense is great, and will impoverish the institution of the fund set apart to pay the professors their meagre salary. Indeed it will most seriously embarrass the University and make it difficult to carry on its operations.

The board of trustees do not desire to stand in the way of any improvement desired by the citizens in that part of the city, and they therefore do most respectfully pray that the city will provide for the payment of the assessments that may be made against said property. This they ask in view of the facts stated in this memorial and the public character of the enterprise, and that no injustice may be done the institution and its patrons.

WILLIAM WALLACE,
For the Trustees.

Which was referred to the Committee on Streets and Alleys, together with ordinance providing for such improvement.

Mr. Bigham presented the following petition :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on East New York street, between Liberty and Noble streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the alley running from Liberty to Noble street, and between Ohio and New York streets.

John B Renard 48 feet, James Massen 96 feet, John Sourwine 48 feet, Frank Fertig 48 feet, Tare C Grepder 48 feet, Victor Plogsterh 96 feet, Henry Helm 48 feet; in all, 432 feet, or 48 feet more than half the block.

Which was received.

Also, Special Ordinance No. 91, 1872, entitled:

An Ordinance to grade and gravel the first alley north of Ohio street, and between Noble and Liberty streets.

Which was read the first time.

Mr. Bigham offered the following motion :

Moved: That the City Civil Engineer be, and is hereby directed, to have placed at once a lamp post at the corner of Wabash and Liberty streets.

Which was adopted.

Mr. Brown presented the following petition :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—We, the undersigned property owners on South Illinois street, between Georgia and South street, (on west side of said Illinois street), respectfully petition your honorable body to construct a sidewalk on the west side as well as on the east side of the tunnel now in progress. We consider it injurious to our property and business to do without a sidewalk on the west side of said tunnel.

John Maloney, Hugo Marmont, Elwood McCann, F Borst, Henry Speckman, Jas Collier, Thos B Carroll, Jas Watt, George Schroyer, Joseph Sheppard, Frank Erhart, Samuel Milind, E L Paulmen, H R A Sprengfiel, Geo Hotz, Wm Pabst, J H Adams, Britt & Cooper, T Hardesty, Thomas Dugan, H Engass, Captain C P Beesdman, H Vondergotten, barber, J W Gray, H Gruenert, Richard Essigke, Edward Rentsch, Chas Holt, Abram Istman, Emil Doman, P A Kaehl, Godfrey Sindlinger, James Harper, A Balls, Leopold Fibleman.

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—Supplementary to the foregoing petition of the old citizens and property owners of these Wards, I desire to urge their

claims for the favorable consideration of your honorable body, and your immediate action in the premises to-night.

Yours, &c.,

LEOPOLD FIBLEMAN.

Which was referred to the Select Committee on Tunnels.

Also, the following petition :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—The undersigned, would respectfully represent that they are about to construct a brick building, to cost \$50,000, on their lot on Maryland street, between Illinois and Tennessee streets, and to enable them to clear the ground for that purpose, they have caused to be separated into three parts the old frame building now on said lot, and have made arrangements to have the same removed to the points named: Two parts to a lot on Tennessee street, between McCarty and Ray streets, and one part to a lot on West street, south of McCarty street, and they petition your honorable body to grant them the privilege of removing the parts of the building referred to over the streets and alleys to the points named. One route of such removal will be on Maryland street west to Tennessee street, thence south on Tennessee street, over the iron bridge across Pogues' Run, to the lot below McCarty street; the other route will be west on Maryland street to Kentucky avenue, thence south-west on Kentucky avenue to west street, thence south on West street to the lot below McCarty street.

And your petitioners will ever pray, etc.

The Sisters of Providence, by Aug. Bessonies.

Which was received, and the prayer of the petitioners granted.

Mr. Brown offered the following motion :

Moved: That Dr. William Telley be allowed the privilege of constructing, at his own expense, under the sidewalk on Meridean street, at the corner of Hill street, an arched coal vault, provided the same be done to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved : That the Street Commissioner, (under the direction of the City Engineer and the street rail-way company) be directed to take up and relay such portion of the street rail-way track as may be made necessary by the construction of the tunnel under Louisiana street, and the City Engineer is directed in superintending the construction of said tunnel to see that there is no unnecessary interference with the running of the street cars.

Which was adopted.

Also, the following motion :

Moved : That the Committee on Streets and Alleys, be instructed to inquire into the expediency of reporting an ordinance for laying a wooden block pavement between the outside walls of the approaches to Illinois street tunnel, and the curbing of the sidewalks on both sides of Illinois street.

Which was adopted.

Also, the following motion :

Moved : That the Street Commissioner be directed to take up the sewer pipe running across Union street to connect the alley on the east side of said street with the catch basin of the sewer on the west side of said street, and place instead a larger pipe, say of two feet internal diameter, and when such pipe is laid, that it be laid from the corner of the alley aforesaid.

Which was adopted.

Also, the following motion :

Moved : That Joseph W. Davis be allowed permission to place

stone curbing at the edge of the sidewalk in front of his property on Virginia Avenue, provided the same be done at his own expense and to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following resolution :

Resolved, That the owners of the following described real estate to-wit : Lot number sixteen (16) and the north half of lot fifteen (15) of Stumph's subdivision of out lot number sixteen (16) of the city of Indianapolis, be and are hereby required to fill and drain the same, as, in the opinion of this Council, there is a hole or excation thereon, in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled "An ordinance, providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance.

Which was adopted by the following vote :

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

Negative—None.

Mr. Cottrell offered the following motion :

Moved : That the City Clerk re-advertise the east sidewalk on New Jersey street, between Washington street and Pogues' Run, the same to be paved with brick, under an ordinance heretofore passed.

Which was adopted.

Also, the following motion :

Moved: That John L. Marsee be allowed to pave with the Macauley patent stone, the west sidewalk of South East street, a distance of one hundred and twenty-five feet south of South street, said work to be completed within ninety days and to the satisfaction of the City Civil Engineer.

Which was adopted.

Mr. Cottrell presented the following communication :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—I hereby consent for John L. Marsee, to lay a patent stone sidewalk on the west side of East street, south of South street, a distance of one hundred and twenty-five feet.

GEO. W. BUCHANAN,
Contractor.

Which was received.

On motion, by Mr. Craft, the City Marshal was instructed to furnish tables and chairs at the houses where the elections are to be held.

Mr. Kennington offered the following motion :

Moved: That the Street Commissioner be and is hereby directed to repair the catch basins of the Ray street sewer, and clean the catch basins of the same and put new grates in the same wherever needed.

Which was adopted.

Mr. Kennington introduced Special Ordinance No. 92, 1872, entitled:

An Ordinance to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except service pipe, on Phipps street, from Meridian street to Madison avenue.

Which was read the first time and referred to the Committee on Gas :

Mr. Locke offered the following motion :

Moved : That the Mayor offer a reward of twenty-five dollars (\$25) for each and every person who may be detected in mutilating any public or private shade tree within the limits of the city.

Which was not adopted.

By consent, Mr. Marsee made the following report :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—Your Committee on Fire Department, to whom was referred the motion instructing the City Clerk to advertise for proposals for building a public cistern on the corner of Yandes street and Malott Avenue, would respectfully recommend that the Chief Fire Engineer be authorized to have a fire plug located on said corner.

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

Which was concurred in.

By consent, Mr. Newman made the following report :

INDIANAPOLIS, April 29, 1872.

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

The Committee on Finance, to whom was referred sundry motions.

and petitions, have had the same under consideration, and beg leave to report as follows:

First. A motion to refund to John Riley \$8 55 taxes paid City Treasurer for 1870 on lot No. — subdivision lot No. 110, out lot 110, claimed to be erroneously paid, on the ground that he was not the owner of the lot, we find the lot was assessed in his name and had been for years before, and still is in his name. Under the circumstances we report against refunding him the tax, for if we should do so we should have no claim on any person for such tax.

Second. In regard to the petition of Charles Brinkman, President of the Indianapolis Glass works, we report that it appears that said Brinkman in his official capacity, listed the property of said Glass works item by item and signed the tax list, and seems to have made oath to the same as per list for 1871 herewith shown. Under the circumstances your committee would deem it a dangerous precedent to authorize the reduction of such assessment, and report against such being done.

Third. Also the petitions separately of Hezekiah Hutchins and Letty A. Carson, for remitting taxes on property, the perishable portion of which was consumed by fire. We should deem it very unsafe for the city to set the precedent of remitting taxes under such circumstances, besides we are satisfactorily informed that on at least part of the property burned was pretty fully insured, and we therefore report against remitting such taxes.

Respectfully submitted,

JOHN S. NEWMAN,
AUSTIN H. BROWN,
ISAAC THALMAN,
THOMAS COTTRELL,
J. H. WOODBURN,

Finance Committee.

WILLIAM HADLEY,
City Assessor.

Which was concurred in.

Mr. Reagan offered the following motion:

Moved: That Mr. J. J. Burnett, be allowed a permit to move a wooden building from lot 34 on South Illinois street to lot 124 West Maryland street.

Which was adopted.

Also, the following motion:

Moved: That the Street Commissioner order the sewer contractors to bowlder Kentucky avenue, between Maryland and Washington streets immediately.

Which was adopted.

Also, the following motion:

Moved: That the Street Commissioner see that the Vincennes railroad company improve the west sidewalk of Kentucky avenue between Louisiana and South street; and in case of failure the Street Commissioner, be and is hereby authorized to do said work, and collect the costs for said improvement, from said company.

Which was adopted.

Also, the following motion:

Moved: That the Street Commissioner be and is hereby authorized, to plank the crossing of the first alley south of Maryland street, on the west side of Illinois.

Which was adopted.

Also, the following motion:

Moved: That the Street Commissioner be and is hereby authorized to clean up the first alley next of Mississippi street, running north from Georgia, as the condition of the alley is injurious to the health of the inhabitants of that vicinity.

Which was referred to the City Marshal, with instructions to notify the property owner to clean such alley.

Mr. Thalman offered the following motion:

Moved: That the party having the contract for the removal of dead animals from the city be required to remove them from the rack in the lower arm of the Canal near Locke's paper mill, and from all such other points in the Central Canal in said city as such dead animals may accumulate or lodge at. And that such removal be done from day to-day or time to time as may be necessary to prevent the same from stinking the immediate neighborhood.

And that the City Clerk issue to the Marshal of the city a certified copy of this motion who shall serve the same on said party, and leave a copy thereof with him or her.

Which was adopted.

Also, the following motion:

Moved: That Christian Schlaer have permission to put up a fence at both ends of his lot, to cross Water street to the abutments of both bridges across White river.

Which was adopted.

Also, the following motion:

Moved: That Thomas Dunning have permission to pave with brick or Lefler Stone in front of his property on the north side of Michigan street, between California and Blackford street.

Which was adopted.

Also, the following motion:

Moved: That the Street Commissioner put cement sewer pipe in the gutter on south side of Market street, between Missouri street and first alley east, of sufficient capacity to carry off the water.

Which was adopted.

By consent, Mr. Thalman made the following report:

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—Your Committee on Streets and Alleys, to whom was referred sundry papers, beg leave to report as follows:

First—Is a petition signed by Indianapolis Car Works and A. E. Fletcher praying that an ordinance be passed to improve Tinker street and sidewalks. Said ordinance has been introduced, and provides for building stone abutments and center piers under the Peru railroad, and grading and graveling said street with raked river gravel, and that so much of said street that is outside of the corporation limits be paid for out of the public treasury. We herewith present a profile of the grade of said street, together with a report from the Civil Engineer, from which it will be seen that tunnelling under the railroad would not be advisable on account of drainage; to grade the street to a level of the rails of said track would, in our opinion, be practicable. We would further state that there will be about 2,350 feet of street outside of the corporation limits, counting front on both sides would be 4,700 feet; estimating cost at 90c per foot would make \$4,230 that the city would have to pay for improving private property, (in addition to street and alley crossings). We think this is asking too much of the city for private interests, and therefore recommend that the ordinance be stricken from the file.

Second—Is a remonstrance against paving with brick the north sidewalk of Massachusetts Avenue, between Liberty and St. Clair streets. We would recommend that the sidewalk be improved as contemplated in ordinance.

Third—Is a remonstrance against grading and graveling Cedar street and sidewalks. We think the improvement is needed, and recommend the passage of the ordinance.

Fourth—Is a petition praying for the widening of St. John street.

Fifth—Is a petition praying for the opening and widening of Peru street. We think these improvements will be of public good; therefore recommend that both papers be referred to the City Commissioners for their action.

Sixth—Is a motion that the contractor for paving St. Mary's street with wooden block pavement, be instructed to continue said pavement across the west sidewalk of Western Avenue, provided the same shall not cost over \$1 50 per square yard. We recommend that the motion be adopted.

ISAAC THALMAN,
JOHN L. MARSBE,
CHRIS. HECKMAN,
Committee on Streets and Alleys.

Which was concurred in.

Mr. Thoms offered the following motion :

Moved: That the Street Commissioner be instructed to notify the property owners on the west side of Pennsylvania street, to repair their brick pavements in front of their property within ten days, if not done in that time that he shall do the same and collect the costs from said property owners.

Which was adopted.

Mr. Wiles offered the following motion :

Moved: That permission be granted Mr. J. Brown and Charles Bals, to grade and gravel Tinker street and side-walks in front of their property on said street, and that the City Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Wiles offered the following motion :

Moved: That Robert Barbee be granted permission to grade and pave with brick the sidewalk in front of his property on East street, and that the Engineer be instructed to set the grade stakes.

Mr. Wiles introduced Special Ordinance No. 93, 1872, entitled :

An Ordinance to provide for the erection of a lamp post at the corner of the first alley on the east side of Bellefontaine street, south of Christian avenue.

Which was read the first time and referred to the Committee on Gas.

By consent, Mr. Wiles made the following report :

INDIANAPOLIS, April 29, 1872.

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

GENTLEMEN—Your committee on Parks hereby report back the referred motion in relation to “opening to the public University and Circle Parks.”

It is our opinion that the growth of the trees and shrubbery would be very materially retarded by such proceedings. We therefore agree in recommending that they be kept closed from the public for the present year.

Respectfully submitted,

W. D. WILES.

AUSTIN H. BROWN,

J. H. WOODBURN.

Committee on Parks.

Which was concurred in.

Dr. Woodburn offered the following motion :

Moved: That the Chief Fire Engineer be instructed to provide tables and chairs at the engine houses where the elections are to be held, for the use of the Judges and Clerks of election.

Which was adopted.

Dr. Woodburn offered the following motion :

Moved: That A. F. Shortidge be allowed to grade and pave with brick the sidewalk in front of the heirs of N. Lister's property, on the south side of Vermont street, between Illinois and Muskingum streets, to be done under the direction of the Civil Engineer, to be done in ninety days.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST:

JNO. R. CLINTON,

City Clerk.