

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, May 6, 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, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Marsee and Weaver—2.

The proceedings of the regular session held April 29th, 1872, were read and approved.

The sealed proposals were laid over without reading.

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

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—Your Committee on Contracts, to whom were referred sundry proposals, have examined the same, and find that contracts should be awarded as follows :

FIRST.

For grading and curbing the outside edges of the sidewalks with Flat Rock stone, the sidewalks on West street, from Market to North street, to James W. Hudson, at 60 cents per lineal foot front.

SECOND.

For grading, paving with brick, and curbing the outside edge with stone, the north sidewalk on Market street, from Mississippi street to the second alley west of Mississippi street, to James W. Hudson, at 63 cents for paving and 53 cents for curbing.

THIRD.

For grading and graveling Park avenue and sidewalks, from Forest Home avenue to the south side of Lincoln street, to John Green at 67½ cents per lineal foot front on each side of the line improved.

FOURTH.

For grading and paving with brick the east sidewalk on Noble street, from Washington to Market street, to Henry S. Roney, at 60 cents per lineal foot front.

Respectfully submitted,

W. H. CRAFT,

ROBERT KENNINGTON,

Committee on Contracts.

Which was concurred in.

By consent, Dr. Woodburn presented the following communication :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—I respectfully tender you my resignation as Inspector of elections in the Ninth Ward.

NICHOLAS McCARTY.

Which was received, and resignation accepted.

On motion, Will. C. David was appointed to fill the vacancy

The City Attorney made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—Two Special Ordinances, one No. 28, entitled: "An ordinance appropriating ground for a street sixty feet in width, being an extension of Arsenal avenue south to the Michigan road, in Sharpe's subdivision of part of Blake's addition to the city of Indianapolis." The other, No. 30, entitled: "An ordinance appropriating ground for a street fifty feet in width, being an extension of Summit street south to the Michigan road, in Sharpe's subdivision of Blake's addition to Indianapolis," together with the petition and reports of the City Commissioners, heretofore referred to me, I have examined. The report is in proper form, and as the reports show that there is no balance due any of the parties for damages exceeding benefits, I see no reason why both of said ordinances should not be passed.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The report of the City Commissioners, submitted to Council April 29th, 1872, in regard to the opening of Arsenal avenue and Summit street, was, on motion by Mr. Heckman, taken up and approved.

On motion by Mr. Heckman, the rules were suspended for the

purpose of reading General Ordinances Nos. 28 and 30, 1872, the second and third times, and placing them on their passage.

General Ordinance No. 28, 1872, entitled :

An ordinance appropriating ground for the opening and extension of Arsenal avenue, south to the Michigan road,

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

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

Negative—Councilmen Brown, Cottrell and Newman—3.

General Ordinance No. 30, 1872, entitled :

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

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

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Locke, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—Councilmen Cottrell and Newman—2.

The City Attorney made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—In regard to Special Ordinance No. 27, entitled : "An ordinance appropriating ground for a street thirty-three feet in width, being an extension, in a direct line westerly, of William

street, from its present Western terminus in Henderson's addition, to the eastern end of Tenth street, in Crane's addition to Indianapolis," and the report of the City Commissioners in reference to the opening of said street, which have been referred to me, I respectfully report :

That the report is in proper form, and if accepted and approved the ordinance appropriating ground should be so amended as to appropriate money, vz: \$187.50, and direct the City Treasurer to tender the same to James Frank and John H. Kappes for balance of damages due them, as required by section 64 of the charter, and require an assessment list of said amount to be made and collected, as directed by section 65 of the charter.

Upon these amendments being made, the ordinance would be in proper form and might be passed.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was laid over for one week.

Also, the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—An ordinance, Special Ordinance No. 29, entitled : "An ordinance appropriating ground for the widening of Meridian street, between First and St. Clair streets, in the city of Indianapolis," with the report of the City Commissioners upon which it is based, have been referred to me. I have examined the same ; the report is in due form, but I suggest that the ordinance be so amended as to appropriate money out of the City Treasury, and direct the City Treasurer to tender to the several persons named in the report the amounts therein named respectively due them for balances of damages over benefits, and that an assessment be made and collected off of the lots where the benefits are in excess of the damages. All in accordance with sections 64 and 65 of the charter. If the ordinance is thus amended I see no objections to its passage.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was laid over for one week.

The Sewer Engineer made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—The following is the first and partial estimate allowed John A. Whitsit on account of the Illinois street tunnel and material delivered :

180 cubic yards of masonry, at \$8.....	\$1,440 00
1350 cubic yards excavation, at 25 cts.....	337 50
	<hr/>
	\$1,777 50
Less 15 per cent.....	266 63
	<hr/>
First payment.....	\$1,510 87

Respectfully submitted,

J. W. BROWN,
Sewer Engineer.

Which was concurred in.

The Civil Engineer made the following report :

INDIANAPOLIS, May 6, 1872.

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

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

Hiram Seibert—

For grading and graveling Merrill street and sidewalks,
from Illinois street to Tennessee street :

Length on north side.....	430 ft.	
Length on south side.....	430 ft.	
Total length 860 feet, at 94 cents per lineal foot.....		\$808 40

Also, J. J. Palmer—

For grading and graveling Alabama street and sidewalks,
from the north side of St. Marys street to the north
side of Morrison street :

Length on east side.....	345 ft.	
Length on west side	325 ft.	
Total length 670 feet, at 85 cents per lineal foot.....		\$569 50

Also, David Sylvester—

For grading and graveling Roanoke alley and sidewalk,
from Michigan to North street:

Length on east side.....	420 ft.	
Length on west side.....	376 ft.	
Total length 796 feet, at 26 cents per lineal foot.....		\$206 96

Also, Samuel Hanway & Co.—

For curbing the city's portion and laying flag stone crossings on the north side of Virginia avenue, from South street to old corporation line:

398.4 feet of curbing, at 55 cts. per lineal foot.....	\$219 67	
295.7 feet of crossing, at \$1.10 per lineal foot.....	325 27	
47.6 yds. bowldering, at 72 cts. per yard.....	34 27	
32.5 feet flaging, at 42 cts. per square foot.....	13 00	
	<hr/>	
Total estimate.....		\$592 21

Also, R. P. Dunning—

For grading and paving the sidewalk on South street,
from Noble to East street:

Length on north side.....	821 ft.	
Length on south side.....	806 ft. 6 in.	
Total length 1,627 ft. 6 in., at 65 cts. per lineal foot....		\$1,057 87

Also, John T. Macauley—

A partial estimate for paving with Leffer patent paving stone the sidewalks around University square:

7,200 square feet, at 30 cents per foot.....	\$2,160 00
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Also, O. H. P. Bly—

A partial estimate for grading and paving the sidewalks on Virginia avenue, from East street to the corporation line south:

Length of south sidewalk 3,160 ft. 1 $\frac{3}{4}$ in., at 64 cts. per lineal foot	\$2,022 49
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Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—The City Clerk reports :

FIRST.

First and final estimate allowed Hiram Seibert for grading and gravelling Merrill street and sidewalks, from Illinois to Tennessee street.

SECOND.

First and final estimate allowed J. J. Palmer for grading and graveling Alabama street and sidewalks, from St. Marys to Morrison street.

THIRD.

First and final estimate allowed David Sylvester for grading and graveling Roanoke alley and sidewalks, from Michigan to North street.

FOURTH.

First and final estimate allowed R. P. Dunning for grading and paving the sidewalks of South street, from Noble to East streets.

FIFTH.

First and final estimate allowed O. H. P. Bly for grading and paving the sidewalks of Virginia avenue, from East street to the corporation line south.

SIXTH.

Second and final estimate allowed Hampton Clark for planting and boxing shade trees on the following streets, to-wit :

On Tennessee street, from Ohio to Seventh street.

On Mississippi street, from Ohio to Seventh street.

On St. Clair street, from Delaware to Mississippi street.

On Meridian street, from Ohio to Seventh street.

On Michigan street, from Mississippi to Blackford street.

On West street, from Washington to First street.

On Indiana avenue, from Mississippi to Locke street.

On Bright street, from New York to North street.
On New York street, from Meridian to Agnes street.
On North street, from Mississippi to Meridian street.
On Vermont street, from Missouri to Meridian street.
And on Michigan street, from Delaware to Mississippi street.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was concurred in.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed Hiram Seibert, for grading and graveling Merrill street and sidewalks, from Illinois to Tennessee street, 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 opposit their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed J. J. Palmer, for grading and graveling Alabama street and sidewalks, from the north side of St. Marys street to the north side of Morrison street, 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, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed David Sylvester, for grading and gravelling Roanoke alley and sidewalks, from Michigan to North street, 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, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed R. P. Dunning, for grading and paving the sidewalks of South street, from Noble to East street, 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, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and partial estimate allowed O. H. P. Bly, for grading and paving the sidewalks of Virginia avenue, from East street to the corporation line, be and the same is hereby adopted as the estimate of this Council, and that the property own-

ers are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimates allowed Hampton Clark for planting and boxing shade trees on the following streets, to-wit :

- On Tennessee street, from Ohio to Seventh street.
- On Mississippi street, from Ohio to Seventh street.
- On St. Clair street, from Delaware to Mississippi street.
- On Meridian street, from Ohio to Seventh street.
- On Michigan street, from Mississippi to Blackford street.
- On West street, from Washington to First street.
- On Indiana avenue, from Mississippi to Locke street.
- On Bright street, from New York to North street.
- On New York street, from Meridian to Agnes street.
- On North street, from Mississippi to Meridian street.
- On Vermont street, from Missouri to Meridian street.
- And on Michigan street, from Delaware to Mississippi street.

Be and the same are 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, Craft, Gimber, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

The City Treasurer made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—At the last meeting of the Common Council I was ordered to make my annual report, and present the same to your honorable body at the next meeting, but as the fiscal year does not end until the second Tuesday in this month, I can not possibly comply with your order until that time.

Very respectfully,

JOHN W. COONS,

City Treasurer.

Which was received.

On motion, George Northway was appointed judge of the election in the First ward in place of Christ. T. Raesner, resigned.

On motion by His Honor, the Mayor, the vote by which the ordinance was passed for the grading and graveling of Bellefontaine street, and paving with brick the sidewalk, from Christian avenue to Forest Home avenue, was reconsidered, and amended so as to read, "to pave with brick or Lefler patent paving stone."

The ordinance as amended was then passed by the following vote :

Affirmative—Councilmen Batty, Bignam, Brown, Craft, Gimber, Heckman, Kennington, Locke, Newman, Thalman, Thoms, Whitsit, Wiles and Woodburn—14.

Negative—None.

Mr. Craft moved to reconsider the vote just taken.

Dr. Woodburn moved to lay Mr. Craft's motion on the table.

Which was adopted.

The City Sexton made the following report :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—The following interments have been made by me in the City Cemeteries during the month ending April 30, 1872 :

Under 5 years of age.....	26
From 10 to 20 years of age.....	2
“ 20 “ 30 “ “	2
“ 30 “ 40 “ “	2
“ 60 “ 70 “ “	2
“ 70 “ 80 “ “	1
“ 80 “ 90 “ “	2
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Total.....	37
Small pox.....	5

Respectfully submitted,

J. H. HEDGES,

City Sexton.

Which was received.

Dr. Woodburn introduced General Ordinance No. 31, 1872, entitled :

An Ordinance providing for the appraisalment of real estate for 1872,

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

Dr. Woodburn introduced Special Appropriation Ordinance No. 27, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of City Hospital for the month of April, 1872,

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

Dr. Woodburn introduced Special Appropriation Ordinance No. 28, 1872, entitled :

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

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

Mr. Thoms introduced Special Appropriation Ordinance No. 29, 1872, entitled :

An Ordinance appropriating money to pay sundry claims against the city of Indianapolis on account of printing and stationery,

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

Mr. Wiles introduced Special Appropriation Ordinance No. 30, 1872, entitled :

An Ordinance appropriating money for the payment of sundry claims on account of the Station House,

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

Special Appropriation Ordinance No. 25, 1872, entitled :

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

Was read the second time and ordered engrossed.

Special Appropriation Ordinance No. 25, 1872,

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

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

Negative—None.■

Special Appropriation Ordinance No. 27, 1872,

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

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

Negative—None.

Special Appropriation Ordinance No. 28, 1872,

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

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

Negative—None.

Special Appropriation Ordinance No. 29, 1872,

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

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Locke, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—15,

Negative—None.

Special Appropriation Ordinance No. 30, 1872,

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

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

Negative—None.

General Ordinance No. 31, 1872,

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

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

Negative—None.

Dr. Woodburn offered the following motion :

Moved: That the additions recently annexed to the city be, and are hereby made parts of the different Wards to which they are contiguous for election purposes, except as heretofore provided.

Which was adopted.

Mr. Bigham presented the following petition :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—The undersigned, property holders on Market street, between Pennsylvania and Delaware streets, would respectfully represent to your honorable body that there is now no water main nor fire plug on the north side of Market street within the limits named. That the prospective improvements within such limits will soon demand numerous water connections on the north side of Market street, all of which, unless the prayer of your petitioners be granted, must cross Market street, that the block pavement now being constructed would be thereby greatly damaged. That the Water works

company propose if a fire plug shall be located on the north side of Market street, at the intersection of the alley situated between Pennsylvania and Delaware streets, that they will make all the water connections demanded from such fire plug. Therefore we pray that a fire plug be located at the point indicated.

C W Brouse, Wm R Manlove, W H Pearce, Cleveland, Smock and Co, Noah A Walker, Eleanor Wilkens, Elizabeth J Heiskell.

Which was received.

Mr. Bigham offered the following motion :

Moved: That the Committee on Water Works and Chief Fire Engineer be, and are hereby directed to have placed a fire plug on north side of Market street, between Pennsylvania and Delaware streets.

Which was adopted.

Mr. Thalman made the following report :

INDIANAPOLIS, May 6, 1872.

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 John M. Judah, George W. Snider, Ernest B. Cole and Howard Cale, Trustees of Salem Chapel Sunday school, and others, asking for the vacation of all of that portion of Fifth street, lying between the east line of Illinois street and the line bounding and terminating said Fifth street on the east, and between the north line of block No. 20 and the south line of block No 21, of James P. Drake's addition to the city of Indianapolis, as platted and acknowledged by him on the 16th day of April, 1852, and recorded by him in the Recorder's office of Marion county, Indiana, in plat book No. 1, page 95, of Marion county records, beg leave to report :

That we have examined the subject matter of the petition, and the notice, publication, proofs and proceedings in the matter and find them regular in form and sufficient in law. We find the petitioners to be the owners in fee simple of the lots immediately adjoining and fronting on said portion of Fifth street; that we believe said portion of Fifth street is practically closed, and is of no benefit or advantage in its present condition to the petitioners or to the city, that your

committee believe it impracticable to extend said Fifth street beyond its present terminus.

We recommend that the prayer of the petitioners be granted and said street be vacated as asked for in the petition, and report the following order of vacation therefor for the action of the Council.

Respectfully submitted,

ISAAC THALMAN,
CHRIS. HECKMAN,

Committee on Streets and Alleys.

ORDER OF VACATION.

WHEREAS, at a meeting of the Common Council, of the city of Indianapolis, held at their Council chamber in said city on the 29th day of January, 1872, Mr. Brown, in behalf of Dr. Woodburn, presented the following petition :

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

GENTLEMEN—The undersigned, your petitioners respectfully ask and pray an order of your honorable body vacating all that portion of Fifth street, lying between the east line of Illinois street and the line bounding and terminating said Fifth street on the east, and between the north line of block No. 20 and the south line of block No. 21, of James P. Drake's addition to the city of Indianapolis, as platted and acknowledged by him on the 16th day of April, 1852, and recorded in the Recorder's office of Marion county, Indiana, in plat book No. 1, page 95, of the Marion county records.

Your petitioners would respectfully state that they are the owners in fee simple of all the property immediately adjoining, and lying along said described portion of Fifth street, on all sides of the same. That your petitioners and no other person or persons can be affected by said proposed change.

That although almost twenty years have elapsed since said described portion of Fifth street was dedicated to public use, yet it has never been used by the public, and has never been improved as one of the streets of said city.

That said described portion of Fifth street is only about 60 feet wide, by 110 feet in depth.

That during the past year a large substantial brick dwelling house has been erected just east of the termination of said Fifth street, and is such a barrier that it will prevent said street from being extended any further in an easterly direction, or beyond its present

termination- That said street is now practically closed and is of no benefit to the city, nor of any use or accommodation whatever to your petitioners. That your petitioners believe that it will be a benefit to the city to grant the order herein prayed for.

And your petitioners will ever pray, etc.

John M Judah, Howard Cale, George W Snider, Ernest B Cole, Trustees of Salem Chapel, William F Black, B F Witt, Lucy C Witt, and William R Henderson.

STATE OF INDIANA, }
MARION COUNTY. } SS:

Before me, Peter Smock, a justice of the peace of Centre township, county of Marion, State of Indiana, personally came John M. Judah, George W. Snider, Ernest B. Cole and Howard Cale, the trustees of Salem Chapel Sunday school, William F. Black, William R. Henderson, Lucy C. Witt and Benjamin F. Witt, and acknowledged the execution of the above petition, and consent that the order therein prayed for be granted.

[SEAL.] Witness my hand and seal this 29th day of January, 1872.

PETER SMOCK,

Justice of Peace.

AND WHEREAS, notice of the pendency of the foregoing petition and of the time for the action of the Common Council thereon was duly given, which notice and the proof of publication thereof were duly filed in the office of the City Clerk, on the — day of May 1872, in the words and figures following, to-wit:

To whom it may concern:

Notice is hereby given that a petition has been presented and is now pending before the Common Council, of the city of Indianapolis, asking an order to vacate all that portion of Fifth street, lying between the east line of Illinois street and the line bounding and terminating said Fifth street on the east, between the north line of block No. 20 and the south line of block No. 21, of James P. Drake's addition to the city of Indianapolis, as platted and acknowledged by him on the 16th day of April, 1852, and recorded in the Recorder's office of Marion county, Indiana, in plat book No. 1, page 95, of Marion county records.

The Trustees of Salem Chapel, by John Judah, President, Wm Henderson, Lucy Witt, Wm F Black.

STATE OF INDIANA, }
 MARION COUNTY. } SS:

Personally appeared before the undersigned William F. Bird, book keeper of John H. Holliday, Esq., proprietor and publisher of "the Evening News," a public daily 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 twenty days successively, the first of which publication was on the 30th day of January, 1872, and the last was upon the 21st day of February 1872.

WILLIAM FRANK BIRD,

Subscribed and sworn to before me this 3d day of January, 1872.

HOWARD CALE,

Notary Public.

And whereas, said notice as by law required was duly posted along the line of the street proposed to be so vacated, which notice and proof of posting thereof as aforesaid were duly filed in the office of the City Clerk on the — day of May, 1872, in the words and figures following, to-wit:

To whom it may concern:

Notice is hereby given that a petition has been presented and is now pending before the Common Council of the city of Indianapolis, asking an order to vacate all that portion of Fifth street lying between the east line of Illinois street and the line bounding and terminating said Fifth street on the east, between the north line of block No. 20, and the south line of block No. 21, of James P. Drake's addition to the city of Indianapolis, as platted and acknowledged by him on the 16th day of April, 1852, and recorded in the Recorder's office of Marion county, Indiana, in Plat Book No. 1, page 95, of Marion county records.

THE TRUSTEES OF SALEM CHAPEL,

By John Judah, President, Wm. Henderson, Wm. F. Black, Lucy Witt.

STATE OF INDIANA, }
 MARION COUNTY, } SS:

I, Frank M. Hawkins, of lawful age, being duly sworn, upon my oath say, that on the 30th day of January, 1872, I posted up three notices, a correct and true copy of each of said notices is hereto attached, in three of the most conspicuous places along the line of that

portion of Fifth street lying east of Illinois street, and between the north line of block No. 20 and the south line of block No. 21, in Drake's addition to the city of Indianapolis, more particularly described in the said notice, and which it is proposed to be vacated.

FRANK M. HAWKINS.

Subscribed and sworn to before me this 4th day of May,

[SEAL.] 1872.

JOHN A. CRAFT, Jr.,
Notary Public.

And whereas, the consent in writing to the vacation of said street by the owners in fee simple of all the lots along the line thereof, said consent, being duly acknowledged, was filed in the office of the City Clerk on the 29th day of January, 1872, as hereinafter set out.

And whereas, the fact of the ownership of said lots by said parties to said petition has not been denied, and is true, and that the facts as alleged in said petition are true; and the Committee on Streets and Alleys, to whom the foregoing petition, and proofs, and proceedings were referred, have duly examined the same and reported favorably thereon, now, therefore, it is, by the Mayor and Common Council,

Ordered, That all that portion of Fifth street, lying between the east line of Illinois street and the line bounding and terminating said Fifth street on the east, between the north line of block No. 20 and the south line of block No. 21, of James P. Drake's addition to the city of Indianapolis, as platted and acknowledged by him on the 16th day of April, 1852, and recorded in the Recorder's office of Marion county, Indiana, in Plat Book No. 1, page 95, of Marion county records, be, and the same is hereby vacated and abandoned, and the ground now occupied by said portion of Fifth street shall revert to and belong to the present owners of the lots adjoining said street, as provided by law.

Which was laid over for the present.

Mr. Locke offered the following motion :

Moved: That all society meetings be prohibited in the Public Parks of the city, without consent of the Council.

Which was adopted.

Mr. Brown offered the following motion :

Moved: That Oliver Tousey be allowed the privilege of laying a glazed drain pipe under the gutter on the south side of Georgia street, from his new building to the alley east of Meridian street, and thence south under said alley to Pogue's Run, provided that he do the same at his own expense, and to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved: That the City Treasurer refund to Ellis R. Lake all poll taxes collected of him for the last two years, and report the amount to the Council for allowance, said Lake being over 50 years of age.

Which was adopted.

Mr. Brown presented the following petition :

INDIANAPOLIS, May 6, 1872.

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

GENTLEMEN—I pray your honorable body will order the Street Commissioner to lay an iron pipe on the west crossing of Maryland street and Virginia avenue. It will take a pipe twelve inch space to carry the water. Cement pipe is not strong enough to bear the heavy weights that pass over this crossing.

Andrew Wallace.

Which was referred to the Committee on Streets and Alleys.

Mr. Craft offered the following motion :

Moved: That Fred. Simons have permission to erect a wooden awning in front of his store on Noble street, between New York and Vermont streets.

Which was adopted.

Also, the following motion :

Moved: That the City Marshal notify the contractor for removing

dead animals, that he or she will not be permitted to have the wagon used for removing dead animals within the city limits, except when in actual service.

Which was adopted.

Mr. Whitsit offered the following motion:

Moved: That the Street Commissioner be instructed to place a stone crossing on South street and Fletcher avenue.

Which was adopted.

Dr. Woodburn presented the following:

INDIANAPOLIS, May 6, 1872.

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

Monthly report of expenditures of the City Hospital, ending April 30, 1872:

Total expenditures for the month.....	\$853 67
Aggregate number of days for which subsistence, etc., was furnished	1475
Average expense per capita per diem.....	\$0 57.7

JOSEPH W. MARSEE, Sup't.

Which was received.

Also, the following:

Monthly report of extra expenditures of the City Hospital, ending April 30, 1872:

R. L. McOuat, repairs on roof, &c.....	\$121 41
McCord & Wheatley, lumber.....	48 59
W. H. Geions, wood ...	18 00
Charles Weaver, carpenter work.....	38 50

Extra expenditures...	\$226 50
Regular expenditures.....	853 67

Total expenses..... \$1,080 17

J. W. MARSEE,
Superintendent.

Which was received. .

Also, the following :

Weekly contents of Register of Patients of City Hospital, ending April 20, 1872 :

Number of patients in Hospital at last report.....	54
“ “ received in Hospital since last report.....	9
“ “ born in Hospital since last report.....	0
“ “ discharged from Hospital since last report...	14
“ “ died in Hospital since last report.....	2
“ “ remaining in Hospital at present report.....	47

JOSEPH W. MARSEE,
Superintendent.

Which was received.

On motion by Mr. Brown, a vote of thanks was tendered His Honor, the Mayor, for his uniform courtesies shown the members of Council, and for his impartial rulings, etc.

Mr. Newman and other retiring members thanked His Honor the Mayor and their associate members for courtesies shown, &c.

On motion, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.