

PROCEEDINGS

OF THE

COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, May 27, 1872, 7½ o'clock P. M. }

The Common Council met in regular session.

Present—Councilmen Batty, Bigham, Bollman, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit and Wiles—16.

Absent—His Honor, the Mayor, Daniel Macauley and Councilmen Cottrell and Woodburn—2.

On motion, by Mr. Sherwood, Capt. W. D. Wiles took the chair.

The proceedings of the regular session held May 20th, and the special session held May 21st, 1872, were read and approved.

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

By consent, Mr. Bigham offered the following motion :

Moved : That so much of the report made to the Council, May 13, 1872, by J. W. Brown, Sewer Engineer, as recommends that the principal sewer shall not be located in Washington street, be and the same is hereby approved.

Mr. Kahn offered the following motion :

Moved : That the report of the Sewerage Engineer, in regard to the Illinois street sewer, be submitted to Wm. Chesbrough, and his opinion thereto solicited.

On motion, by Mr. Kennington, the whole matter was laid over for one week.

Mr. Gimber presented the following petition :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—We, the undersigned citizens, and mostly livery-stable men, of said city, recommend to you Jacob Wirtz for the appointment of City Scavenger. He has been, for the last year, in partnership with the late appointee, David Streif, deceased, and he being the principal one to see that the dead animals were removed, and we must say, that it is but justice to say that our city never did have a better man to do the work, and do it so well.

Zeph Hollingsworth, E G English, Citizens' Street Railway Company, Emil Domon, Brandt & Ficke, C P Conard, John A Drew, William Selking, Wood & Foudray, Mull & Bend, Ira G Williamson, A W Wasar, J W Whitney, A Reisener, Gates, Pray & Co, E C Brundage, J B Sullivan, John A Benson.

Which was referred to the Committee on Contracts with the proposals.

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

INDIANAPOLIS, May 27, 1872.

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

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

FIRST.

For grading and paving the east sidewalk on Meridian street, from Madison avenue to Merrill street; to Henry C. Roney at 60 cents per lineal foot front on the line improved.

SECOND.

For grading and graveling Merrill street and sidewalks, from Mississippi to Missouri street, to Hiram Seibert at \$2.79 per lineal foot front on each side of the line improved.

THIRD.

For grading and covering with Rolling Mill cinders and graveling the sidewalks of Merrill street, from Tennessee to Mississippi street, to Hiram Seibert at \$2.27 per lineal foot front on the line improved on each side.

FOURTH.

For grading, graveling and covering with Rolling Mill cinders the alley running north and south from Pratt to First street, and between Mississippi and Tennessee street, to James Mahoney at 50 cents per foot front on each side of the line improved.

FIFTH.

For grading and paving with brick the south sidewalk on Maryland street, from Meridian to Pennsylvania street, to John Schier at 97 cents per front foot on the line improved.

SIXTH.

For grading, paving and curbing the outside edge of the sidewalk with white oak curbing the east sidewalk on Ellsworth street, from New York to Vermont street, to Patterson and Dunning at 19 cents per front foot for curbing, and 56 cents per front foot for paving.

SEVENTH.

For grading and paving with brick or Lefler paving stone the north sidewalk of Michigan street, from Indiana avenue to Blackford street, we have not awarded to any person, not knowing which the property holders desired brick or Lefler paving stone, we would recommend that the proposals for the above be referred the Committee on Contracts lately appointed.

EIGHTH.

For grading and graveling the first alley east of Water street, running from McCarty street to the second alley north of McCarty street, to John Greene at 26 cents per lineal foot front on each side of the line improved.

NINTH.

For grading and paving with brick, and laying down flags for street crossings, and bowldering the crossings on the north side of Washington street and National road, from Missouri street to the old White river bridge, to James W. Hudson at \$1.30 per foot for paving from Missouri to California street, 92 cents for paving from California street to White river bridge. Flaging 50 cents for one row, \$1 for two rows per lineal foot run. Bowldering 55 cents per superficial yard.

TENTH.

For grading and paving with brick the sidewalks of Market street, from Noble street to the old corporation line, to O. H. P. Bly at 50 cents per lineal foot front on each side of the line improved.

ELEVENTH.

For grading and graveling Ohio street and sidewalks, from the old corporation line east to a line 220 feet east thereof, to Hanway and Co. at \$1.05 per lineal foot front on each side of the line improved.

TWELFTH.

For grading and graveling the north sidewalk on Clifford avenue, from the east end of Massachusetts avenue to the corporation line east, to Hanway and Co. at 33 cents per lineal foot front on the line improved.

THIRTEENTH.

For grading and graveling Union street, from the north side of Merrill street and Madison avenue, to James Mahoney at 75 cents per lineal foot front on each side of the line improved.

FOURTEENTH.

For grading and paving with brick the east sidewalk on New Jersey street, from Pagues' Run to South street, to Henry C. Roney at 59½ cents per lineal foot front on the line improved.

FIFTEENTH.

For grading and graveling Forest avenue and sidewalks, from Harrison street to the old corporation line east, to Hiram Seibert at \$1.17 per lineal front foot on each side of the line improved.

SIXTEENTH.

For grading and paving with brick the sidewalk on Madison avenue, from Meridian to McCarty street, to H. C. Roney at 91 cents per front foot on each side of the line improved.

SEVENTEENTH.

For curbing with stone the out side edges of the sidewalks on Madison avenue, from Meridian to McCarty street, to James Malloy at 50 cents per front foot on each side of the line improved.

EIGHTEENTH.

For grading and paving with brick or Lefler paving stone the north sidewalk on Washington street or National road, we have not awarded to any person, as we do not know what the property holders want brick or Lefler paving stone, and therefore would recommend that said proposals be referred to the Committee on Contracts lately appointed to report on the same.

NINETEENTH.

For grading and paving with brick, and curbing the outside edge with stone, the east sidewalk on New Jersey street, from Washington street to Pagues' Run, to O. H. P. Bly at 62 cents per front foot for paving, and 50 cents per front foot for curbing.

TWENTIETH.

For grading and paving with brick the north sidewalk on St. Clair street, from Delaware to New Jersey street, to Henry C. Roney at 43 cents per lineal foot on the line improved.

Respectfully submitted,

W. H. CRAFT,
R. KENNINGTON,
Committee on Contracts.

Which was concurred in, and contracts awarded.

The City Civil Engineer made the following report:

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—I hereby report the following partial estimate to Richter & Volmer, for work done on the culvert at the crossing of Mississippi and Merrill streets:

116 yards of masonry, at \$5 90 per cubic yard.....	\$684 25
1,555 yards of excavation in foundations, at 25 cents per yard	388 75
24,000 feet of timber in foundation, at \$2 25 per hundred feet.....	540 00
Material delivered estimated at.....	200 00
Total.....	\$1,813 00

Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred in.

The City Clerk made the following report

INDIANAPOLIS, May 27, 1872

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

GENTLEMEN—The City Clerk respectfully reports to the Council:

FIRST.

Contract and bond of Hiram Seibert, for grading and graveling, and covering with rolling-mill cinders, Merrill street, from Tennessee to Mississippi street.

SECOND.

Contract and bond of John Schier, for grading and paving with brick the south sidewalk on Maryland street, from Meridian to Pennsylvania street.

THIRD.

Contract and bond of Hanway and Company, for grading and graveling the north sidewalk on Clifford avenue, from the east end of Massachusetts avenue to the corporation line, east.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was received, and contracts awarded and bonds approved.

The Sewerage Engineer made the following report:

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—The following is the second and partial estimate allowed John A. Whitsett, on account of the Illinois street tunnel:

2,400 yards excavation, at 40 cents.....	\$960 00
450 yards masoury, at \$10 00.....	4,500 00
	<hr/>
	\$5,460 00
Less 15 per cent.....	819 00
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	\$4,641 00
Less former payment.....	1,510 87
	<hr/>
Second payment.....	\$3,130 13

Also, the following eighth and final estimate allowed Wirth & Co., on account of the 1st division of the South street sewer :

2,575 lineal feet of sewer, at \$12 10.....	\$31,157 50
6 manholes, at \$42 13.....	252 78
7 catch basins, at \$122 25.....	855 75
196 house connections, at 75 cents.....	147 00
On account of change in catch basins.....	66 43
41,500 brick for protection walls.....	705 50
4 connections for laterals.....	16 00
8,500 feet oak plank.....	170 00
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	\$33,370 96
Less former payments.....	32,703 54
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Last payment.....	\$667 42

Also, the following seventh and final estimate allowed Wirth & Co., on account of the second division of the South street sewer :

2,547 lineal feet of sewer, at \$9 27.....	\$23,610 69
5 manholes, at \$42 13.....	210 65
8 catch basins, at \$122 25.....	978 00
198 house connections, at 75 cents.....	148 50
On account of change in catch basins.....	74 93
8 connections for laterals.....	40 00
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	\$25,062 77
Less former payments.....	24,561 52
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Last payment.....	\$501 25

Also, the following fourth and final estimate allowed Wirth & Co., on account of the 3d division of the South street sewer :

3,032 lineal feet of sewer, at \$9 23.	\$27,985 36
5 maholes, at \$42 13.....	210 65
9 catch basins, at \$122 25.....	1,100 25
258 house connections, at 75 cents.....	193 50
840 feet oak plank... ..	16 80
On account of change in catch basins.....	220 40

9 connections for laterals.....	45 00
	<hr/>
	\$29,771 96
Less former payments.....	29,176 52
	<hr/>
Last payment.....	\$595 44

Respectfully submitted,

J. W. BROWN,
Sewer Engineer.

Which was concurred in.

The City Attorney made the following report :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—A motion passed by your honorable body on the 20th inst., directing me to prepare and report to the Council an ordinance to prevent persons from hereafter platting and laying out new grounds as additions to the city of Indianapolis, and filing such plat, until the same has been examined by the City Civil Engineer, &c.; and also the petition of D. M. Osborn and others, asking the Common Council to refuse to receive the plat of Martindale and Fletcher's addition, until they shall have changed the same as suggested in said petition, have been handed me by the City Clerk, with instructions to inquire as to what power, if any, the Council has over the matter complained of in said petition.

I have to report, that, after a careful examination of the charter, and of the statutes regulating the laying out of towns and additions to towns and cities, and recording the same, I find nothing whatever investing the City Council with any power over the subject of said motion and petition, though it does seem you ought to have such power.

The Common Council may, after they are laid out and recorded, under certain restrictions, vacate lots, streets and alleys within said city, and may cause streets and alleys to be opened, first paying

damages therefor; but the Council has no control of the laying out, platting and recording of the plat.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The City Clerk reported that the Junction Railroad Company, by its attorneys, had taken an appeal from the action of the Council, in the matter of extending Summit street and Arsenal avenue from their present southern terminus to the Michigan road, and had filed in his office a bond for costs, etc.

Which was received, and Clerk instructed to notify contractors, etc.

The City Clerk presented the following report of the Commissioners appointed by the Council to survey a new route for Pogues' Run.

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—Whereas, on the 11th day of December, 1871, your honorable body ordained and established the following ordinance:

An Ordinance authorizing the appointment of Commissioners to approve the damages that may accrue from cutting a new channel for Pogues' Run through the lands of Stoughton A. Fletcher, Ingram Fletcher, the heirs of Jeremiah Johnson, and the heirs of Gustavus A. Schurmann and Catharine Schurmann, deceased.

Whereas, the twenty-sixth subdivision of section 53 of the act of the General Assembly of the State of Indiana, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their

powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto," approved March 14, 1867, provides as follows :

"The Common Council shall have power to enforce ordinances :

"Twenty-sixth. To construct and establish works for furnishing the city with wholesome water, and for the purpose of drainage of such city, may go beyond the city limits, and condemn lands and materials, and exercise full jurisdiction and all necessary power herefor."

And whereas, it is necessary for the purpose of drainage to change the present channel of Pogue Run in the city of Indianapolis, by cutting a new channel through the lands of Ingram Fletcher, Stoughton A. Fletcher, jr., the heirs of Jeremiah Johnson, deceased, and the heirs of Gustavus Schurmann and Catharine Schurmann, deceased, from a point on the lands of Ingram Fletcher, in his so-called Riverside addition to the city of Indianapolis, into Fall creek on the lands of the heirs of Gustavus A. and Catharine Schurmann, deceased, the said drain to be upon a line surveyed by James W. Brown, Civil Engineer.

And whereas, the said Ingram Fletcher and Stoughton A. Fletcher, jr., have agreed to grant the right of way over their lands for such drain on satisfactory terms, and it is understood that the voluntary consent of the heirs of Jeremiah Johnson, deceased, and the heirs of Gustavus A. and Catharine Schurmann, deceased, can not be obtained or said right of way over their lands; therefore.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that William Wallace, John Caven and Samuel P. Daniels be, and they are hereby appointed Commissioners to assess the damages that may arise by reason of cutting such drain through the lands of the heirs of Jeremiah Johnson, deceased, and through the lands of the heirs of Gustavus A. and Catharine Schurmann, deceased, to the owners of said land; and that the City Clerk be required to give twenty days' notice to William Wallace, John Caven and Samuel P. Daniels that they will be required to attend at the office of H. H. Boggess, Esq., a Justice of the Peace of Center township, in the city of Indianapolis, Marion county, before proceeding to view the premises, and then and there take an oath to faithfully examine the grounds proposed to be taken for cutting a new channel through the lands aforesaid, and fairly appraise the damages that may be sustained by such owners, and make report thereon to

the Common Council; and that like notice be given by the City Clerk to each of such owners of such lands of the meeting of such Commissioners aforesaid.

Section 2. This ordinance shall be in force from and after its passage.

Ordained and established this 11th day of December, 1871.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, Clerk.

Now this writing is to certify, that the undersigned, the Commissioners in said ordinance named, in pursuance thereof, and after having received from the Clerk of the City of Indianapolis twenty days' notice, as in said ordinance prescribed, did, on the twelfth day of February, 1872, in person, attend at the office of H. H. Bogges, a Justice of the Peace of Center township, in the city of Indianapolis Marion county, Indiana, and then and there before said Justice, take and subscribe the following oath.

State of Indiana, Marion county, Center township:

Before me, H. H. Bogges, a Justice of the Peace in and for said township, this 12th day of February, 1872, at my office in the city of Indianapolis, personally attended William Wallace, John Caven and Samuel P. Daniels, Commissioners appointed by the Common Council of the city of Indianapolis by an ordinance by said Council on the 11th day of December, 1871, ordained, to assess the damages that may arise by reason of cutting a drain through the lands of the heirs of Jeremiah Johnson, deceased, and through the lands of the heirs of Gustavus A. and Catharine Schurmann, deceased, from a point on the lands of Ingram Fletcher, in his so-called Riverside addition to the city of Indianapolis, into Fall creek, through the lands of the heirs above mentioned, the said drain to be upon a line surveyed by James W. Brown, Civil Engineer, and said Commissioners being by me duly sworn, upon their respective oaths say, that they will faithfully examine the grounds proposed to be taken for cutting said new channel for Pogue's Run through the lands aforesaid, and fairly appraise the damages that may be sustained by such owners, and make report thereon to the said Common Council.

WILLIAM WALLACE,
JOHN CAVEN,
SAMUEL P. DANIELS.

Subscribed and sworn to before me, this 12th day of February, 1872. Witness my signature and official seal.

H. H. BOGGESE, J. P.

And then and there came the heirs of said Gustavus Schurmann and Catharine, by Charles Test, their guardian, and by Messrs. Mitchell & Ketchum, and filed the following protest, which was ordered to be made a part of the record herein.

And also then and there entered upon the hearing of said matters to them by said ordinance committed, and also comes the heirs of Gustavus Schurmann and Catharine Schurmann, by Mitchell & Ketchum, their attorneys, and file the following protest, which is ordered to be made a part of the record herein, (said protest is hereto attached, marked appendix I,) and the hearing not having been concluded, the Commission adjourned until February 17th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until February 24th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until February 29th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until March 7th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until April 1st, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until April 22d, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until April 30th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until May 4th, 1872, at 2 o'clock P. M.—At which time the Commission met, and the hearing not having been concluded, the Commission adjourned until the 11th day of May, 1872, at 2 o'clock P. M.—At which time the Commission met, and having in person viewed the premises in said ordinance specified, viz., "upon a line surveyed by James W. Brown, Civil Engineer," and also having heard and considered the sworn testimony of witnesses produced by the said city of Indianapolis and the heirs of said Gustavus and Catharine Schurmann, for cutting said drain through the following described two parcels of lands, belonging to the heirs of Jeremiah Johnson, deceased, viz., one parcel bounded as

follows: "Commencing at the south-west corner of section thirty (30), township sixteen (16), range four (4), east; thence east 1,264 feet, thence north 36 feet, thence west 1,264 feet, thence south to the place of beginning, containing $1\frac{4}{100}$ acres," which is proposed to be taken; for such land so taken and for consequential damages to adjoining lands belonging to the same parties, we assess damages at \$7,000 00.

Also, for cutting said drain through the said other parcel of land proposed to be taken, belonging to the same parties, and described as follows, viz., "Commencing at the south-east corner of section 25, township 16, range 3, east; thence north 100 feet, thence west 2,263 feet, thence south 100 feet, thence east 2,263 feet to the place of beginning, containing $6\frac{11}{100}$ acres;" for the value of the land taken, and also for consequential damages to adjoining lands owned by the same parties, we assess damages at \$32,977 00.

Making total of damages for the two parcels to the Johnson heirs of thirty-nine thousand nine hundred and seventy-seven dollars (\$39,977 00).

To the heirs of Gustavus Schurmann and Catharine Schurmann, deceased, for cutting said drain through the following described parcel of land proposed to be taken, viz., commencing at the south-east corner of the south-west quarter of section 25, township 16, range 3, east; thence west 1,290 feet, thence north 500 feet, thence west 2,390 feet, thence north 100 feet, thence east 2,490 feet, thence south 500 feet, thence east 1,190 feet, thence south 100 feet to the place of beginning, containing $9\frac{9}{100}$ acres; for the value of the land so proposed to be taken, and also for consequential damages to adjoining lands owned by the same parties, we assess damages at twenty-one thousand and fourteen dollars (\$21,014 00).

The Commissioners were employed a number of practical days in the performance of their duties in these premises—equal, as nearly as can be estimated, to about four days each.

Respectfully submitted,

WILLIAM WALLACE,

J. CAVEN,

SAMUEL P. DANIELS,

Commissioners.

APPENDIX I.

In the Matter of the Assessment of }
 Damages on account of the alter- }
 ation of the course of Pogue's Run. } Before William Wallace,
 John Caven and Samuel P.
 Daniels, Commissioners.

The said Alfonso Schurmann, Edward Schurman, Emma Schurman, Charles Schurmann and Henry Schurmann, minor heirs of Gustavus Schurmann and Catharine Schurmann, deceased, by Charles Post, their guardian, and the said Charles Post, by his counsel and in person, now come and object to all the proceedings under said pretended authority of the said Common Council of the city of Indianapolis, for the reason that said ordinance confers no authority whatever to institute or carry out any proceedings whatever in this case against these defendants, and by adducing evidence on the question of damages to be sustained by them waive no objections whatever, and asks that these, their objections, be made part of the record herein.

By MITCHELL & KETCHUM,
 Their Attorneys.

Which was received, and ordered printed in the proceedings.

ORDINANCES ON FIRST READING.

Mr. Thalman introduced General Ordinance No. 38, 1872, entitled:

An Ordinance to provide for the compensation of City Officers, and officers and members of the Police Force and Fire Department, for the fiscal year ending May 15th, 1873.

Which was read the first time.

Mr. Kahn presented the following petition:

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—We, the undersigned, beg permission to grade and

gravel the first alley west of Noble street, between Vermont and Michigan streets.

George Stiedle, Peter Franz, John Monroe.

Which was received.

Mr. Kahn introduced Special Ordinance No. 103, 1872, entitled :

An Ordinance to provide for the grading and graveling of the first alley west of Noble street, running north and south between Vermont and Michigan streets.

Which was read the first time.

Mr. Kennington introduced Special Ordinance No. 104, 1872, entitled :

An Ordinance to provide for grading and graveling Ray street, between Merrill and Chestnut streets.

Which was read the first time.

Mr. Gimber introduced Special Ordinance No. 105, 1872, entitled :

An Ordinance to provide for grading and paving with brick the north sidewalk of South street, between Illinois and Tennessee streets.

Which was read the first time.

On motion, by Mr. Thalman, the rules were suspended for the purpose of reading salary ordinance, for fiscal year ending May 15, 1873, the second and third times and placing it on its passage.

When the ordinance was read the second time by section,

Mr. Kennington moved to strike out \$3,500 as salary of Mayor and insert \$3,000.

Which motion was lost by the following vote:

Affirmative—Councilmen Bigham, Bollman, Kennington and Whitsit—4.

Negative—Councilmen Batty, Craft, Gibson, Gimber, Hardesty, Kahn, Pressly, Reagan, Rush, Sherwood, Thalman and Wiles—12.

After several efforts to have the ordinance amended, being promptly voted down, the ordinance was ordered engrossed, and then read the third time, and passed by the following vote:

Affirmative—Councilmen Batty, Bollman, Craft, Gibson, Hardesty, Kahn, Pressly, Rush, Sherwood, Thalman and Wiles—11.

Negative—Councilmen Bigham, Gimber, Kennington, Reagan and Whitsit—5.

On motion, by Mr. Thalman, the Council proceeded to elect a Trustee for City Hospital.

Dr. P. H. Jameson was put in nomination, there being no other nomination, on motion the City Clerk was instructed to cast the ballot of the Council for Dr. Jameson.

So Dr. P. H. Jameson was unanimously elected as Trustee for City Hospital, to serve as such for the term of three years or until his successor is elected and qualified.

Mr. Thalman moved that the contract for doing the city advertising be awarded to M. G. Lee, of the Indianapolis Commercial (English), and the Gutenberg Co., publishers of the Telegraph (German).

Mr. Whitsit moved to substitute "Sentinel" for "Commercial," and "Volksblaad" for "Telegraph."

Mr. Bigham moved to amend Mr. Whitsit's motion, by inviting proposals for said work.

Mr. Kahn moved to lay Mr. Whitsit's motion and Mr. Bigham's amendment on the table.

Which motion was adopted.

Mr. Thalman's motion was then adopted and contract awarded, in accordance therewith, by the following vote:

Affirmative—Councilmen Batty, Bollman, Craft, Gibson, Hardesty, Kahn, Pressly, Rush, Sherwood, Thalman and Wiles—11.

Negative—Councilmen Bigham, Gimber, Kennington, Reagan and Whitsit—5.

Mr. Thalman moved that the contract for doing the city printing, furnishing blank books, stationery, etc., be awarded to the Indianapolis Journal Company.

Mr. Kennington moved to award to Charles E. Brigham.

Mr. Bigham moved that the Council receive proposals for said work.

Which on motion, by Mr. Thalman, was laid on the table.

The question then being on the awarding the contract, a ballot was ordered.

The Chair appointed Councilmen Craft and Bollman as tellers.

A ballot was then taken, which resulted in awarding the contract to the Indianapolis Journal Co., by a vote of 9 to 7.

On motion, the rates to be charged for such work and materials, were fixed at a rate not exceeding the rates charged last year.

The Council then proceeded with the regular order of business.

CALL OF THE ROLL.

Mr. Batty offered the following motion :

Moved : That the City Civil Engineer be directed to have the crossing of streets on Park avenue, from Christian to Forest Home avenue, flagged with stone, and the alley crossings bowldered.

Which was referred to the Committee on Streets and Alleys.

Mr. Batty offered the following motion :

Moved : That the City Civil Engineer be requested, when leaving his office on business, to have a slate in his office stating in what part of the city he may be found.

Which was adopted.

Mr. Batty offered the following motion :

Moved : That no ordinance for street improvement, with river or creek gravel, shall hereafter be passed except it be for screened, scraped or raked gravel.

Which was referred to the Committee on Streets and Alleys.

Mr. Batty offered the following motion :

Moved : That H. G. Colgen be permitted to pave with plank or bowlder the sidewalk, in front of his stable on College avenue, and that the Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Batty presented the following remonstrance :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—We, the undersigned property owners on and along the line of the alley between New Jersey and Alabama streets, and running from North to Walnut street (the same being a thirty feet alley in the city aforesaid), hereby remonstrate and protest against the grading and improving said alley, and against the passage of an orninance for that purpose introduced at the regular meeting of the Council of May 20, 1872.

Witness our hands, this 21st day of May, 1872.

C B Myers 29 feet, E Bliss 67 feet, Wm C Frick 29 feet, W H Stevenson $41\frac{7}{12}$ feet, John W Brown 65 feet, Louis D Colby 67 feet, Jeremiah Brown $32\frac{1}{2}$ feet, Griggsby Morris $32\frac{1}{2}$ feet, H L Tetaz 30 feet, James G Marshall $32\frac{1}{2}$ feet.

Which was referred to the Committee on Streets and Alleys.

Mr. Craft presented the following petition :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—Your petitioners respectfully represent, that they are now engaged in carrying on the coal and lime business in this city, immediately south of the railroad tracks on South Alabama street; that they have recently purchased and are now owners of lots numbered 3 and 7, in square 78, in this city, upon which premises they desire and intend to carry on in the future their said business; and to that end they pray your honorable body that they may be permitted to remove certain of their buildings to the lots above mentioned, over the following routes: one frame two-story building, eighteen by thirty-two feet, the same being unplastered, now standing on the south side of Vermont street, opposite Robert's Park church, to be moved east on Vermont street to Alabama, and south on Alabama to the above named lots; and two one-story buildings, one an office ten by twelve feet, the other a lime house twelve by fourteen feet, to be moved north on Alabama street and north-west on Virginia avenue to said lots, one of which lots fronts on the avenue and the other on Alabama street.

Your petitioners represent, that all of said buildings are light, especially said office and lime house, and capable of being moved without injury to streets. If their prayer be granted, your petitioners will immediately move said buildings.

McDonough & Townsend.

Which was received, and prayer granted.

Mr. Gibson offered the following motion:

Moved, That a Special Committee of three be appointed to ascertain and report to the Common Council, what steps are necessary for the city to take in order to get possession of Missouri street from the crossing of Market street southward as far as the same is now occupied by a portion of the Indiana Central Canal.

Which was adopted, and the Chair appointed Councilmen Gibson, Sherwood and Gimber, as such Committee.

Mr. Gibson offered the following motion :

Moved: That the City Clerk be and is hereby instructed to give ten days' notice, by publication in some daily newspaper, that there will be an election held on the second Saturday of June, 1872, in the fifth, sixth, seventh, ninth, tenth and eleventh School Districts of the city of Indianapolis, for the purpose of electing one School Commissioner in each of said Districts.

Which was adopted.

Mr. Hardesty offered the following motion :

Moved : That E. H. Winchester be and is hereby granted permission to erect, at his own expense, two lamp posts in front of the National Hotel, on the south side of McNabb street.

Which was referred to the Committee on Gas.

Mr. Hardesty offered the following motion :

Moved : That permission be and is hereby granted C. A. Elliott to pave with stone the sidewalk in front of his property on the west sidewalk of Meridian street, the said property being on the corner of Meridian and Maryland street, and that the City Civil Engineer have the city's portion paved in a like manner; all of the above to be done under the direction and to the satisfaction of the Civil Engineer, who is hereby directed to set the proper stakes.

Which was adopted.

Mr. Kahn presented the following petition :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—The undersigned, a citizen and tax payer, has petitioned your honorable body about nine months ago, to cause to be

removed, three shanties, located in Arsenal avenue between Michigan and Campbell streets, and in front of my property, which street I wish to improve by grading the same, only one side of the street being graded, on account of these houses being there. I therefore would pray that you would instruct your City Marshal, or such officer whose duty it is to attend to such matters, to cause these shanties to be removed at once, for which your petitioner will ever pray, &c.

Ferdinand Dietz.

Which was received.

Also, the following motion:

Moved: That the Street Commissioner be instructed to remove the three shanties on Arsenal avenue between Michigan and Campbell streets, after giving the owners ten days' notice.

Which was adopted.

Mr. Kennington presented the following petitions:

INDIANAPOLIS, May 20, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Georgia street, between Meridian street and Pennsylvania street, respectfully petition your honorable body to pass an ordinance providing for the improvement of said street in a thorough and complete manner, with bowldered gutters and the center of street graded and filled with the best screened river gravel, and the whole to be thoroughly rolled with a steam roller, after the pattern of those used in Hartford and New Haven, Connecticut. Therefore, in order to so construct the street as your petitioners request, the undersigned also respectfully petition your honorable body to purchase the steam roller at once for general use by the city. And your petitioners will ever pray, &c.

Shaw & Lippincott Mfg Co, Oliver Tousey, T A Morriss, H Knippenberg & Co, Thomas Wiles, Wiles Bro & Co, Nicholas McCarty, A

M Kaufman, Robt Connely, Butsch Dickson & Dell, S W Morgan, S A Fletcher, E Heck, L W Moses, John M Wood, James Frank, Martin Hopkins & Ohr, T C Reading.

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—The undersigned, owners of real estate fronting on Pennsylvania street, between Georgia street and Washington street, respectfully petition your honorable body to pass an ordinance providing for the improvement of said street in a thorough and complete manner, with bowldered gutters, and the center of the street graded and filled with the best screened river gravel, and the whole to be thoroughly rolled with a steam roller, after the pattern used in Hartford and New Haven, Connecticut. Therefore, in order to so construct the street as your petitioners request, the undersigned also respectfully petition your honorable body to purchase the steam roller at once for general use by the city. And your petitioners will ever pray, &c.

H Knippenberg & Co 60 feet, Haugh & Co 220 feet, Indianapolis Ins Co by Alex C Jameson Sec'y, 130 feet, S A Fletcher Pres't Gas Co 60 feet, E B Martindale 195 feet, Jno M Gaston 30 odd feet, Samuel Delzell 32½ feet, W H Sharpe 35 feet.

Which was referred to a Special Committee, consisting of Messrs. Craft, Wiles, Cottrell, Hardesty and Reagan.

Mr. Kennington offered the following motion :

Moved: That the Committee on Sewers contract for iron coverings to the manholes and catch-basins of the Ray street sewer, and cause the same to be put on at once.

Which was referred to the Committee on Sewers and Sewerage Engineer, with power to act.

Mr. Kennington offered the following resolution :

Resolved, That a committee of five (5) be appointed, to be called the "Auditing Committee," and such committee is hereby instructed to meet on to-morrow at 10 o'clock A. M., at the City Clerk's office, and immediately commence an examination of the books, accounts, and papers of the Mayor, City Clerk, City Treasurer, and other city officers whose duty it is to receive and disburse moneys, and continue such examination from day to day until completed; and, when completed, to make report to this Council the result of such investigation.

Such report must show the aggregate amount expended during the last fiscal year, commencing in May, 1871, for all the different objects or departments for which money has been appropriated; the amount of money paid over to the Mayor, and by him accounted for to the school fund officers or to the City Treasurer, the amount of money received by the City Treasurer for taxes, current and delinquent, from loans, licenses, fees, &c., and the amount of money on hand belonging to the city. And it shall be the duty of the Auditing Committee to see that money in the hands of the out-going City Treasurer is paid over to the newly elected City Treasurer, and the amount of money in the hands of the Mayor, belonging to the city, (if any there be), is paid over to the City Treasurer, and such committee is hereby authorized to employ a competent accountant to aid in such examination, whose services shall be compensated by the Common Council.

Resolved, That such Auditing Committee will be required to meet at the office of the City Clerk on the first Saturday in each month hereafter, 10 o'clock A. M., and make personal examination of all the accounts of the Mayor, Clerk, Treasurer, Street Commissioner, Chief Fire Engineer and Chief of Police, and of expenditures of the Station House and City Hospital, and report them at the next following meeting of the Common Council.

Which was, on motion by Mr. Thalman, referred to the Committee on Finance.

Mr. Pressly offered the following motion:

Moved: That August Hugo be and is hereby granted permission to pave the sidewalk in front of his property on Noble street, between Georgia and Louisiana streets, the same to be done with flagstone, and under the direction and to the satisfaction of the Civil Engineer, who is hereby instructed to set the grade stakes.

Which was adopted.

Mr. Pressly presented the following petition :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—The undersigned, property holders on Rockwood street, between the intersection of said street with East street and the line bounding and terminating said Rockwood street on the east, to-wit, the western boundary of Jesse Jones' subdivision of out-lot ninety-three, respectfully ask and pray your honorable body for an order widening said Rockwood street from thirty feet, the present width thereof, to the width of fifty feet, said additional twenty feet to be taken off of the property adjoining said street on the north; and we refer your honorable body to the following statement of facts, to-wit :

First. Said street is too narrow to satisfactorily accommodate the traveling public, and especially the citizens living thereon or in the immediate neighborhood thereof.

Second. The value of property on and in the neighborhood of said street will be greatly increased if the prayer of your petitioners is granted.

Third. The benefits resulting from the widening of said street at this time will equal the damages, there being but one house on the north side of said street between the points named, which house is more than twenty feet from the present northern boundary of said street, and fronts on East street.

Fourth. The entire street between the points named, as it now is, was taken from the property on the south side thereof.

Fifth. The lots on the north side are now more than one hundred and thirty-three feet in depth, and will not be materially injured by taking twenty feet therefrom, and will then be almost equal in depth to the lots on the south side.

Sixth. The buildings on said street between the points designated, with one exception, are all on the south side thereof; all which will more fully appear by reference to the draft or map filed herewith.

And your petitioners further respectfully ask and pray your hon-

able body for an act or order thereof continuing said street from the present eastern terminus, to-wit, the western boundary of Jesse Jones' subdivision above named, directly east to the first alley running north and south. and make the following statement of facts in reference thereto—said continuation to be fifty feet in width, conforming to that portion of said street herein before described, after the change prayed for in reference thereto is made :

First. The continuation asked for, as to thirty feet in width, is in fact open, but there is no plat thereof donating the same to the public, nor has there been an order or act of the Council opening the same, wherefore it is liable to be closed at any time.

Second. The widening of said continuation will not materially affect or injure property holders, there being no buildings on the ground or lots adjoining the same on the north side thereof.

Third. An out-let from the present eastern terminus of said street at the point where the same intersects said alley, at least, is much needed, and will, at a period of time not long in the future, be inevitably required, and should be made while it can be done without injury to private rights, and consequent cost to the citizens interested.

Fourth. Your petitioners believe that it will be a material benefit to the city to pass the orders or acts herein prayed for. And your petitioners will ever pray, &c.

James M. Eades, Abbey Sullivan, Wm H Henschen, Jesse Jones, Kelly, Henry Kiel, Adam Bamka, John D Williams, W Frule.

Which was referred to the Committee on Street and Alleys.

Mr. Reagan offered the following motion :

Moved, That the Street Commissioner be and is hereby ordered to notify the Vincennes, Terre Haute and new rolling mill companies to plank between their tracks, the full width of the street, on Kentucky avenue, at the crossing of Louisiana.

Which was referred to the Committee on Railroads.

Mr. Reagan offered the following motion :

Moved, That the Street Commissioner lower the gutters from M Carty to Ray street sewer, in order to take away the stagnated wa on Tennessee street, and under the direction of the City Engineer

Which was referred to the Committee on Streets and Alley

Mr. Reagan offered the following motion :

Moved : That the City Marshal notify Henry Carlyle or othe not to extend his track any further south than the gutter on t south side of Maryland and Missouri streets, as the property holde on the south side of the said street remonstrate against the swit extending any further south.

Which was referred to the Committee on Railroads.

Mr. Rush presented the following remonstrance :

INDIANAPOLIS, May 20, 1872.

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

GENTLEMEN—The undersigned, owners and occupants of real e tate in said city, situated near the site of the bridge now about to built under the direction of said city over the railroad tracks c Delaware street, do respectfully protest against the construction said bridge as the same is now designed and about to be execute Said structure, when completed, will, in a measure, cut us off fro convenient ingress to and egress from our said property, thus mate ially affecting our business and reducing the value of our property and the improvements thereon. Should said bridge be prosecuted completion, we shall have to ask from the city suitable reparatio for the damages thus inflicted.

John Knight, Dickson & Schneider, J P Evans & Co, Wm Lan senkamp, Eagle Iron Works, R C Sturm Propr, Christ Karle, Georg Schmitt, F P Rush.

Which was referred to the Committee on Bridges.

Mr. Rush offered the following motion :

Moved: The Street Commissioner be instructed to repair and raise the wooden crossing on Washington street, corner of Pennsylvania street.

Which was adopted.

Mr. Rush offered the following motion :

Moved: That the Street Commissioner be instructed to raise the gutter on the east side of Pennsylvania street, from Market to Court street, from three (3) to six (6) inches.

Which was adopted.

Mr. Rush offered the following motion :

Moved: The Street Commissioner be instructed to repair the bowling on Washington street, between Illinois and Pennsylvania.

Which was adopted.

Mr. Sherwood offered the following motion :

Moved: That James Mahoney, contractor for the grading and leveling of Tinker street, from Illinois to the first alley west of said street, be ordered to at once resume work on said street.

Which was adopted.

Mr. Reagan offered the following motion :

Moved: That Hanaway & Co. be ordered to complete the grading of South Tennessee street, south, as specified by the ordinance for said improvements.

Which was adopted.

Mr. Sherwood presented the following :

WHEREAS, Since its annexation, there has been an unpleasant controversy among some of the property holders of St. Clair's addition to the city, as to where streets should be located through said addition, connecting Illinois and Meridian streets; therefore, for the purpose of ending said controversy, and enlightening the Council as to the most convenient and economical points for making street accommodations,

Moved : That the Mayor shall nominate, subject to the approval of the Council, three discreet and disinterested citizens of the city, not residents of the Third Ward, who shall examine the premises and report to the Council, at what points and at what expense two or more fifty feet streets can be located through St. Clair's addition between Second and Seventh streets, to connect Illinois and Meridian streets, with the least damage to the property owners.

Which was received and motion adopted, and appointment of Committee postponed until the Mayor returns to the city.

Mr. Sherwood presented the following :

Weekly contents of Register of Patients of City Hospital, ending May 11, 1872 :

Number of patients in Hospital at last report.....	3
“ “ received in Hospital since last report.....	1
“ “ born in Hospital since last report.....	
“ “ discharged from Hospital since last report...	
“ “ died in Hospital since last report.....	
“ “ remaining in Hospital at present report.....	4

JOSEPH W. MARSEE,
Superintendent.

Which was received.

Also, the following :

Weekly report of contents of register of patients of City Hospital, ending May 11, 1872:

Number of patients in Hospital at last report.....	40
“ “ received in Hospital since last report.....	10
“ “ born in Hospital since last report.....	0
“ “ discharged from Hospital since last report.....	7
“ “ died in Hospital since last report.....	1
“ “ remaining in Hospital at present report.....	42

J. W. MARSEE,
Superintendent.

Which was received.

Mr. Thalman offered the following motion :

Moved: That the City Engineer set the stakes for deepening the gutter on north side of North street, between Bright and Douglass streets, so the water from Douglass street will pass off through Bright street.

Which was adopted.

Mr. Thalman offered the following motion :

Moved: That the Street Commissioner be instructed to raise the gutter on south side of Washington street, between Mississippi and Missouri streets, and that the Civil Engineer be directed to set the stakes for same.

Which was adopted.

Mr. Thalman presented the following communication :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—I hereby petition you for permission to drive in the Military Park with my ice-cream wagon, and sell ice-cream to vis-

itors every day and evening, and for the exclusive privilege I will furnish a good band of music once a week, and be subjected to the rules and regulations of the Board of Trustees.

Joseph Parisette.

Which was referred to the Committee on Parks and Park Commissioners.

Mr. Thalman presented the following petition :

INDIANAPOLIS, May 27, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Minerva street, between New York street and North street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of Minerva street and sidewalks, between New York and North streets; said work to be done with good river or creek gravel. And your petitioners will ever pray, &c.

Sam Laing, Thomas Nurse, W C Raby, W Donnan, W B Fulton, James Amos, J R Overman, T P White, H L Harper, Anderson Simans, J M Myers.

Which was received.

Mr. Thalman introduced Special Ordinance No. 106, 1872, entitled :

An Ordinance to provide for grading and graveling Osage alley, between Washington and Market streets.

Which was read the first time.

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

INDIANAPOLIS, May 27, 1872

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

GENTLEMEN—Your. Special Committee, to whom was referred papers relating to the drainage of Tinker street, and a restraining order the White River Gravel Road Company, would report that we have examined the matter carefully, and recommend that the following work be done.

1st. Put in a stone culvert across said road at west end of Tinker street.

2d. Construct a ditch along the west boundary of Michigan road to Fall creek, bowlder the ditch at the west end of the culvert, so much thereof only as will make the curve and prevent washing the bank.

3d. Raise the road on the west side to a sufficient height, where the ditch embankment is thrown up, to run the water to the east side of said road.

This, we believe, is all that should be done by the city, and all that any reasonable party should demand.

Respectfully submitted,

ISAAC THALMAN,

LEON KAHN,

FRED. C. BOLLMAN,

Committee.

Which was concurred in.

Mr. Whitsit offered the following motion:

Moved: That H. S. Bigham have permission to use the water from the fire-plug, at the corner of Washington and Alabama streets, for sprinkling purposes.

Which was referred to the Committee on Water Works, with the Chief Fire Engineer and City Attorney, with instructions to report at next meeting of Council.

Mr. Whitsit offered the following motion:

Moved: That the City Marshal be and is hereby instructed to open the alley between lots 188 and 189 in Daugherty's subdivisions of a part of outlot 99; said alley running north and south from Buchanan street to the alley running east and west, between Buchanan and Daugherty streets.

Which was referred to the Committee on Streets and Alleys.

Mr. Whitsit offered the following motion :

Moved, The Common Council appoint a man to superintend the laying of the block pavement on Market street, between Pennsylvania and Delaware.

Which, on motion, was laid on the table.

The following list of Standing Committees, as prepared and appointed by His Honor, the Mayor, was presented by the City Clerk.

ON CONTRACTS,

Councilmen Sherwood, Thalman and Bigham.

ON STREETS AND ALLEYS,

Councilmen Thalman, Pressley and Whitsett.

ON ACCOUNTS AND CLAIMS,

Councilmen Kahn, Craft and Reagan.

ON FINANCE,

Councilmen Wiles, Gibson, Woodburn, Cottrell and Bigham.

ON JUDICIARY,

Councilmen Woodburn, Batty and Cottrell.

ON SEWERS,

Councilmen Rush, Gibson and Whitsett.

ON WATER WORKS,

Councilmen Woodburn, Kahn and Reagan.

ON BRIDGES,

Councilmen Pressley, Sherwood and Gimber.

ON FIRE DEPARTMENT,

Councilmen Craft, Hardesty and Whitsett.

ON GAS LIGHT,

Councilmen Hardesty, Thalman and Reagan.

ON RAILROADS,

Councilmen Sherwood, Hardesty and Kennington.

ON REVISION OF ORDINANCES,

Councilmen Wiles, Hardesty and Kennington.

ON SCHOOLS,

Councilmen Gibson, Wiles, Batty, Gimber and Kennington.

ON MARKETS,

Councilmen Craft, Rush and Bigham.

ON PARKS,

Councilmen Thalman, Woodburn and Bollman.

ON PRINTING AND STATIONERY,

Councilmen Batty, Pressley and Bollman.

ON PUBLIC BUILDINGS,

Councilmen Pressley, Kahn and Bollman.

ON BENEVOLENT INSTITUTIONS AND HOSPITALS,

Councilmen Woodburn, Rush and Cottrell.

ON TUNNELS,

Councilmen Gibson, Wiles and Gimber.

Which was ordered printed.

On motion the Council adjourned.

Mayor.

ATTEST :

City Clerk.