

PROCEEDINGS.
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, July 22, 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, Bollman, Cottrell, Craft, Gibson,
Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush,
Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session held July 15th, 1872,
were read and approved.

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

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

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for various street improvements, have examined the same and find them to be as follows:

FIRST.

For grading and graveling Merrill street and sidewalks, from Mississippi to Missouri streets, the following proposals were presented:

Bernard Hamill \$1.75 cents per foot front.

Hiram Seibert \$1.48 cents per foot front.

On each side of the line improved.

Hiram Seibert being the lowest and best bidder, we would recommend that he be awarded the contract.

SECOND.

For grading, paving with brick and curbing the outside edge of the sidewalk with stone the east sidewalk on Alabama street, from Louisiana to South streets, the following proposals were presented:

James W. Hudson, grading and paving with brick 98 cents per lineal foot front.

Henry C. Roney, grading and paving with brick \$1.19 per lineal foot front.

James W. Hudson, curbing 52 cents per lineal foot front.

Henry C. Roney, curbing 56 cents per lineal foot front.

James W. Hudson being the lowest and best bidder, we would recommend that he be awarded the contract.

THIRD.

For erecting lamp-posts, lamps and fixtures on Illinois street or Westfield Gravel Road, from Seventh to Morrison streets, no proposals were presented. We would recommend that the City Clerk be directed to re-advertise the same.

FOURTH.

For putting name of streets on the street corners and corner lamp-posts on all streets running east and west, between Louisiana and New York sts., and north and south, between Noble and Blake streets, no proposals were presented; the Council will please direct what shall be done in this matter.

Respectfully submitted.

L. Q. SHERWOOD,
ISAAC THALMAN,
Committee on Contracts.

Which was concurred in.

REPORTS FROM OFFICERS.

The Civil Engineer made the following report:

INDIANAPOLIS, July 22, 1872.

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

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

James Mahoney, for bouldering the gutters on Pennsylvania street, between First and Tinker streets, and graveling an additional five feet on each side of street:

Length of bouldering on east side	2,471 ft. 3 in.	
Length of bouldering on west side	2,690 ft. 3 in.	
		—————
Total lineal feet....	5,161 ft. 6 in.	
At 40 cents per foot....		\$2,064 60
Graveling on east side....	2,090 ft. 3 in.	
Graveling on west side	2,072 ft. 9 in.	
		—————
Total	4,163 ft.	
At 17 cents per lineal foot		707 71
2,207 square yards bouldering at street and alley crossings, at 72 cents per yard		158 90
		—————
Total estimate....		\$2,931 21

Also, Henry Roney, for grading and paving the east sidewalk on Meridian street from Merrill to McCarty streets:

Length of pavement.....	697 ft. 6 in.	
At 56 cents per lineal foot....		\$390 60

Also, John Schier, for grading and paving the west sidewalk on Meridian street from McCarty to Morris streets:

Length of pavement.	1,278 ft.	
At 55 cents per lineal foot		\$702 90

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, July 22, 1872.

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

The City Clerk respectfully reports to Council :

FIRST.

Contract and bond of J. J. Palmer for grading and paving with wooden block pavement Illinois street from Washington street to the north side of Louisiana street.

SECOND.

Contract and bond of Henry C. Roney for grading and paving with brick the north sidewalk on Massachusetts avenue, from New Jersey to St. Clair street.

THIRD.

First and final estimate allowed James Mahoney for bouldering the gutters on Pennsylvania street, between First and Tinker streets, and graveling an additional five feet on each side of the street.

FOURTH.

First and final estimate allowed Henry C. Roney for grading and paving the east sidewalk on Meridian street from Merrill to McCarty street.

FIFTH.

First and final estimate allowed John Schier for grading and paving the west sidewalk on Meridian street from McCarty to Morris 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 James Mahoney for bouldering the gutters of Pennsylvania street, between First and Tinker streets, and graveling an additional five feet on each side of said street between said points, 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, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles, and Woodburn—18.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed Henry C. Roney for grading and paving with brick the east sidewalk of Meridian street, between Merrill and McCarty streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilman Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed John Schier for grading and paving with brick the west sidewalk of Meridian street, between McCarty and Morris streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Negative—None.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }
INDIANAPOLIS, July 22, 1872. }

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

GENTLEMEN :—The City Clerk would respectfully report that there is on file in his office affidavits for the collection of street assessments by precepts as follows :

Patterson & Dunning vs. John A. Allington, for	\$63 60
“ “ vs. Luther R. Martin, for.....	17 76
Henry C. Roney vs. Sarah Boyd, for....	72 00
J. J. Palmer vs. E. B. Martindale, for	464 40
“ “ vs. “ “ for	309 60

And would respectfully recommend that you order the precepts to issue.

JOHN R. CLINTON, City Clerk.

Which was concurred in, and precepts ordered to issue.

On motion by Mr. Batty, the 8th paragraph of the report of the Committee on Contracts, made to Council July 15th, 1872, and laid over for one week, was taken up, approved and contract awarded.

The City Clerk presented the contract and bond of Hanway & Co. for grading and graveling College avenue and paving with brick the sidewalks of same, between Christian and Forest Home avenues.

Which was accepted and approved.

The City Sexton made the following report :

INDIANAPOLIS, July 13, 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 of June, 1872:

Under 1 year of age.....	31
From 1 to 5 years.....	8
“ 5 to 10 “	2
“ 10 to 20 “	5
“ 20 to 30 “	5

From 30 to 40	"	3
" 40 to 50	"	4
" 50 to 60	"	2
" 60 to 70	"	1
Total.....			<u>61</u>

All of which is respectfully submitted.

JOHN ROSS, City Sexton.

Which was received.

The City Attorney made the following report:

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—A communication from Winslow S. Pierce, in reference to damages for taking and using lots 33 and 34, in out-lot 27, in making a channel for Pogue's Run, (west of Illinois street) was referred to me on the 24th of January, 1872.

I have held off from reporting on the communication until a suit in regard to, and involving the same question, was decided by the courts. It is decided. Mr. Pierce, if the real owner of the lots, is entitled to compensation for the said lots, if taken as alleged. I therefore recommend the adoption of the following resolution:

Resolved, That a committee of three be appointed who, in conjunction with the City Civil Engineer, shall examine into the fact of said lots 33 and 34 having been taken and used in the straightening of Pogue's Run west of Illinois street, and at the same time, if so taken, to, if possible, agree with said Pierce on the measure of damages occasioned thereby. Said Pierce to furnish them a complete abstract of title embracing all liens and incumbrances thereon, and that said committee report to the Council.

J. S. HARVEY, City Attorney.

Which was concurred in, and resolution adopted by the following vote:

Affirmative—Councilmen Batty, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—17.

Negative—None.

His Honor, the Mayor, appointed Councilmen Gibson, Pressly and Whitsit as such Committee.

The City Attorney presented the following report:

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—A report of the Committee on Railroads was presented to the Council and concurred in, except a paragraph concerning the Junction Railroad Company, which was referred to us.

The paragraph referred to is in these words:

“Your committee would also call the attention of the Council to the conditions of the contract for the bonds of this city, given to aid in the construction of the C. & I. J. Railroad Company. Said railroad having now, as we understand, changed hands, and the conditions of the contract requiring the location in the city for the machine shops for said road not having been complied with, your committee would recommend that the City Attorney be required to report to this Council the necessary steps to be taken to withhold payment of said bonds or interest thereon, legally, until said conditions of said contract have been complied with.”

On the 28th of December, 1868, the Common Council passed an ordinance providing for the execution and delivery of fifty thousand dollars of the bonds of said city to the Junction Railroad Company. The sixth section of said ordinance contains the following provision:

“*Provided, however,* That said bonds shall not be delivered to said Junction Railroad Company until said company shall file with the clerk of the city of Indianapolis an agreement, in consideration of said bonds, that they will promptly and speedily as possible, but at furthest within four years from the fourth day of February, 1867, locate, erect and maintain, at, in, or within two miles of the corporate limits of said city of Indianapolis, the principal work or machine shops of said road, * * * which said agreement shall provide that on failure to comply or continue to comply with any or all of the conditions above recited, upon demand formally made by said City Council, then the said Railroad Company shall forfeit and repay to said city of Indianapolis the said sum of fifty thousand dollars as liquidated damages; and on failure to do so, the said city may, and shall, be entitled to recover the same, in an action at law, against said company, without relief from valuation or appraisement laws.”

On the first day of January, 1869, the said company, by L. Worthington, President, attested by the Secretary and the seal of said company, executed an agreement in accordance with the provisions and requirements of said ordinance, and on the 5th day of January, 1869, filed the same with the Clerk of said city, and said bonds were delivered to said company.

We are of the opinion that the consideration for which said bonds were issued and delivered to the company has failed, and the city is not liable for the payment of the interest or principal thereof, if the bonds are owned by the company or parties who are chargeable with, or had notice of the terms and stipulations of said agreement at the time they bought and received said bonds from the company. But as it is very probable that the bonds are in the hands of innocent holders, we are of the opinion that in such case the city must pay the interest and principal of said bonds to the holders thereof as the same becomes due, and rely upon recovering damages of the company for failing to comply with and carry out the terms of her agreement with the city. We know of no steps that can be taken to withhold payment of said bonds or interest thereon, legally, if the bonds are in the hands of innocent holders.

DANIEL MACAULEY, Mayor.

J. S. HARVEY, City Attorney.

Which was laid over for one week.

The City Attorney made the following report:

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—My report made to your honorable body on the 24th day of June, 1872, on certain propositions to appropriate for streets such portions of two Gravel Roads, to-wit, the White River Gravel Road and the Pogue's Creek Gravel Road as lies within the corporate limits of the city, has been referred back to me, with instructions to prepare the necessary resolutions.

I have prepared herewith, after consulting Judge Elliott, and report resolutions which, in my opinion, you should adopt in order to carry out the apparent object of the Council.

J. S. HARVEY, City Attorney.

Which was received.

Also, the following resolutions:

Resolved, That the City Commissioners proceed to assess the damages and benefits which will accrue by reason of making and opening as a public street — feet wide, so much of the White River Gravel Road as lies within the corporate limits of the city of Indianapolis, and report the same to this Council; and that the City Clerk give to the said Commissioners and all parties interested the notice prescribed by the act now in force for the incorporation of cities.

Resolved, That the City Commissioners proceed to assess and report to this Council the damages and benefits which will accrue by reason of opening and making a public street of said city, so much of the Pogue's Creek Gravel Road as lies within the corporate limits of the city of Indianapolis, such street to be known as Clifford avenue, and to be opened — feet in width; and that the City Clerk give to said Commissioners and all parties interested the notice prescribed by the act now in force for the incorporation of cities.

Which was laid over until such time as the Civil Engineer can make profiles, &c., and report the same to Council.

The City Attorney made the following report:

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The report of the City Commissioners, on the petition of A. Lehr and others, asking for the passage of an ordinance setting back the fences on certain lots in out-lot 178, on New Jersey street, asserting that said fences are set out and embrace 5 feet of (New Jersey) the street, is referred to me. I have to report that from an examination of the plat it seems that John W. Brown and Alfred Huckaba, owners of lots 36 and 34, respectively, in Bird's subdivision of out-lot 178, have enclosed 5 feet of said New Jersey street immediately in front of their said lots. They, I am informed, claim that they did it by permission of the Common Council. I have been unable to find the motion or resolution giving such privilege, but to avoid or rescind any such privilege, and give the property holders the sidewalk on said street, with the privilege to improve the same, I report the accompanying resolutions, and recommend the adoption thereof, as the best means of fixing the status of said street and sidewalk thereof at that point.

J. S. HARVEY, City Attorney.

Which was concurred in.

Also, the following resolutions:

Resolved, by the Common Council of the city of Indianapolis, That all motions or resolutions heretofore passed by this Council, authorizing or permitting John W. Brown and Alfred Huckaba, and all or any other persons, to fence in, on the front of their respective lots in Bird's subdivision of out-lot 178, in said city, five feet on New Jersey street, be, and the same are hereby repealed, set aside, and rescinded.

Resolved, That the City Clerk immediately issue a notice, directed to the City Marshal, requiring him to notify John W. Brown and Alfred Huckaba

for a strip 12 feet wide by 300 feet long off the south side of the north one-third of out-lot 93, east of Love's lot.....	\$300 00
Benefits to said Company on said lot.....	900 00
Balance of benefits to said Company.....	\$600 00
Damages to Boyle & Cox for moving fences and lumber on the lot last described, belonging to I., C. & L. R. R. Co., in out-lot 93, and also on the lot belonging to G. H. Voss, in out-lot 93 ..	\$50 00
Benefits to Boyle & Cox from opening and extending said street ...	50 00
Balance of benefits or damages to Boyle & Cox.....	00 00
Damages to Mrs. Wm. Garver, or her heirs, for a strip 30 feet wide by 217½ feet long, lying in the north side of the middle ½d of the west half of out-lot 92 ..	\$650 00
Benefits to Mrs. Wm. Garver, or her heirs, on said tract.....	650 00
Balance of benefits or damages to said Garver... ..	00 00
Damages to Gustavus H. Voss for a strip 12 feet wide by 217½ feet long, in the south side of the north ½d of the west half of out-lot 92 ..	\$215 00
Benefits to G. H. Voss on said lot.....	645 00
Balance of benefits to G. H. Voss on said lot.. ..	\$430 00
Damages to John G. Gausephol for 32 feet off the north side of lot 4 in Ray's subdivision of the east part of out-lot 92, \$1,280; value of house on said 32 feet, \$1,200; value of fences and walks \$120; value of smoke house, \$100; value of well and cistern, \$120; value of trees and shrubbery, \$100; value of out-houses, stable and other improvements, \$80; total value of said 32 feet of ground and improvements.....	\$3,000 00
Benefits to Gausephol	00 00
Balance of damages to Gausephol	\$3,000 00
We assess benefits only on the following lots and lot owners, who sustain no damage:	
Benefits to the city of Indianapolis for the estimated selling value of the improvements on Gausephol's lot above described.....	\$335 00
To Wm. Devine on lot 3, Ray's subdivision of out-lot 92.....	200 00
To Henry Krusi on lot 40 feet by 118 feet 4 inches in the middle ½d of west half out-lot 92, west of the 20 foot alley west of Ray's subdivision.....	120 00
To Anthony Bauke on lot 33½ feet by 118 feet 4 inches, just west of Krusi, in out-lot 92....	100 00
To Henry Keil on lot, 33½ feet by 118 feet 4 in., just west of Bauke in out-lot 92.....	100 00

To P. Kelly on lot 28 feet by 118 feet 4 inches, just west of Keil in out-lot 92.....	85 00
To Wm. H. Henschen on lot 83 feet by 118 feet 4 inches, just west of Kelly, in out-lot 92.....	250 00
To Fred. Gausberg on lot 13, Jones' subdivision of part of out-lot 93	90 00
To " " " 12, " " " " " 93	90 00
To Abby Sullivan, or the heirs of Mary Brady, on lot 11, Jones' sub. of out-lot 93..	90 00
To George Johnson on lot 10, Jones' sub. of out-lot 93... ..	90 00
To James and Nancy J. Burns on lot 9, Jones' sub. of out-lot 93 ...	90 00
To James Edes on lot 8, Jones' sub. of out lot 93.....	90 00
To Wm. Maisoll on lot 7, Jones' sub. of out-lot 93.....	90 00
To Henry Gruneman on lot 6, Jones' sub. of out-lot 93... ..	90 00
To J. Q. Williams on lot 5, Jones' sub. of out-lot 93	90 00
To B. C. Derbyshire on lot 4, Jones' sub. of out lot 93.....	90 00
To Wm. H. Greenwalt on lot 3, Jones' sub. of out-lot 93..	160 00
Total damages	\$4,705 00
Total benefits.....	\$4,705 00

In concluding this report we will observe that the I. C. & L. Railway Co. (or its predecessor) agreed with the city to lay off and grade Louisiana street south of the track, and they also agreed with Jesse Jones to lay off Rockwood street 50 feet wide. They have failed to comply with either agreement, but still hold and use the ground up to track on one side and to Jesse Jones' former line on the other. The 20 feet on the south side of Samuel Love's property (which should have been given by the Co. to Rockwood street) was afterward deeded by said Company to said Love on a settlement between them as to said street. Love had bought lot 1, of a subdivision made by said Company, but the Company never filed the plat. The plat is shown, however, on the map of the city published by C. O. Titus in 1866.

Respectfully submitted,

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

Which was received.

Mr. Bollman presented the following remonstrance :

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—I understand there is an ordinance pending before your honorable body to widen Rockwood street between East and Noble, and calling

for twenty feet off of the north side of Rockwood street to make it from thirty to fifty feet wide. In doing so you would greatly damage me, as my house sets back from Rockwood street twenty-four feet, leaving just room enough to put up a store house. I am a cripple, and not able to do hard work, and expect to open a house on said street. Your taking the ground will entirely defeat my purpose, besides damaging three tenement lots fronting on Rockwood street so as to make them unfit for tenement houses, where I was already making preparations to build. I have been trying to accumulate property of this kind ever since I have been a cripple, so that I may have a permanent income. If this ordinance should pass it will spoil every lot I have, as you will see from the plat below. I pray your honorable body will not order said street widened.

Yours truly,

SAMUEL LOVE.

Which was received.

The City Commissioners made the following report:

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The City Commissioners have acted in the matter of widening West Washington street west of the river, as petitioned for by M. Vanblaricum and others, and referred to us by your honorable body, and would respectfully report that the improvement prayed for will advance the value of all the lots fronting on said street to an amount at least equal in value to the damage caused by taking said ground and moving the houses.

We estimate the damages for the ground taken at \$1,330, and for moving and repairing the houses at \$600, making a total amount of \$1,930.

We estimate the benefits to the property on both sides of said street, from the opening of said street, at \$1,930.

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

The following schedule contains a detailed statement of the damages and benefits to the several lots and lot owners. The ground taken is a strip off the north end of all the lots on the south side of the street, said strip varying in width from a mere point at its western end to perhaps thirty-four or thirty-five feet at its eastern end, and being over nine hundred feet long. The damages and benefits are assessed as follows:

Damages to Aaron Kaufman for strip off lots 3, 4, 5, 6, 7 and 8, in Kaufman's subdivision of the east half of out-lot 2, west of White river, at \$70 per lot....	\$420 00
Benefits to said Kaufman from opening said street, on each of said lots, \$62.....	372 00
Balance of damages to Kaufman.....	\$48 00

Damages to John A. Benson for part of lot 1 in Vanblaricum's sub- division of west half of out-lot 2, west of river.....	\$115 00
Benefits to said Benson on said lot.....	50 00
Balance of damages to Benson.....	\$65 00
Damages to Dorcas A. Vanblaricum for part of lot 2 in said last named subdivision.....	\$105 00
Benefits to D. A. Vanblaricum on said lot.....	50 00
Balance of damages to D. A. Vanblaricum.....	\$55 00
Damages to James H. Curry for part of lot 3 in same subdivision..	\$90 00
Damages to Curry for moving a frame house on said lot.....	100 00
Total damages.....	\$190 00
Benefits to Curry on said lot.....	50 00
Balance of damages to Curry.....	\$140 00
Damages to James H. Starrs for parts of lots 4 and 5 in same subdi- vision, \$70 each.....	\$140 00
Benefit to Starrs on said lots 4 and 5, \$50 on each lot.	100 00
Balance of damages to Starrs.....	\$40 00
Damages to Martha Irwin, wife of Benj. Irwin, on tract in northeast corner of out-lot '3, being 71 feet 10 inches on said street by 200 feet south.....	\$100 00
Damages to said M. Irwin's by moving and repairing a house on the northeast corner of said out-lot.....	\$250 00
Damages to said Irwin from tearing away an old house west of above-named house.....	75 00
Total damages to said Irwin.....	\$425 00
Benefits to Irwin on said tract.....	90 00
Balance of damages to said Irwin.....	\$335 00
Damages to the widow and heirs of Simon S. Wiseman and to Sam- uel Delzell, on a tract 142 feet on Washington street and extend- ing south; in east half of said out-lot 3 and west of Irwin's lot..	\$175 00
Benefits to said widow and heirs and Delzell.....	175 00
Balance of benefits to said parties.....	000 00
Damages to Agedius Naltner and Peter Spitzfadden on lots 16 and 17 in Wood's subdivision of outlots 3 and 6, west of river, \$43 on each.....	\$86 00
Benefits to Naltner and Spitzfadden on said lots, \$44 on each.....	88 00
Balance of benefits to said parties.....	\$2 00

Damages to unknown owner on the east half of lot 18 in said sub- division... ..	\$15 00
Benefits to said owner of said half lot.....	20 00
Balance of benefits to said owner.....	\$5 00
Damages to Herman Greve on the west half of lot 18 in said subdi- vision	\$15 00
Benefits to said Greve on said half lot.....	20 00
Balance of benefits to said Greve.....	\$5 00
Damages to Frederick Hoffner on part lot 19 in said subdivision..	\$25 00
Benefits to said F. Hoffner on said lot 19....	40 00
Balance of benefits to said F. Hoffner....	\$15 00
Damages to F. Hoffner, Geo. Hoffner and Mary Lange on part of lot 20 and part of lot 1 in the same subdivision, \$15 each lot.....	\$30 00
Benefits to said parties on said lots 20 and 1, \$40 each lot.....	80 00
Balance of benefits to said parties on said lots 1 and 20....	\$50 00
Damages to said F. and G. Hoffner and said Mary Lange for mov- ing and repairing the house situated on lots 19 and 20 in same subdivision....	\$175 00
Damages to unknown owner on lot 2, same subdivision....	\$7 00
Benefits to said owner on said lot 2.....	40 00
Balance of benefits to said owner.....	\$33 00
Damages to Christopher Zimmerman on lot 5 in same subdivision..	\$1 00
Benefits to said Zimmerman on said lot 5.....	40 00
Balance of benefits to Zimmerman.....	\$39 00
Damages to Harmonf. Judd on part of lot 3 in the same subdivi- sion.....	\$4 00
Benefits to Judd on said lot 3.....	40 00
Balance of benefits to Judd.....	\$36 00
Damages to heirs of W. H. Wood on part of lot 4 in same subdivi- sion....	\$2 00
Benefits to said heirs on said lot 4.....	40 00
Balance of benefits to said heirs.....	\$33 00

We estimate benefits only on the following lots and lot holders, as they sustain no damages:

To Ellen Mansur, on lots in French's subdivision of out-lot 4, west
of river, as follows: Lot 6, \$18; lot 5, \$18; lot 4, \$18; lot 3, \$18;
lot 2, \$18; and east part of lot 1, \$10; total..... \$100 00

To Jeremy Mansur, on 15½ feet off the west side of lot 1, French's subdivision, \$10; and on 26½ feet off the east side of lot 14, in Bell & Andersod's subdivision of out-lot 4, west of river, \$15.50; making total....	\$25 50
To James C. Ferguson, on lots in Bell & Anderson's subdivision of out-lot 4, west of river, as follows, to-wit: On lot 13, \$24; lot 12, \$24; lot 11, \$24; lot 10, \$24; and 7 feet 2 inches off the west side of lot 14, \$4; total.....	\$100 00
To Frederick Schurick, on lots in same subdivision, to-wit: Lot 9, \$30; lot 8, \$30; and east half of lot 7, \$15; total.....	\$75 00
To unknown owner of west half of lot 7, and east half of lot 6, same subdivision, \$15 each.....	\$30 00
To Luther Ketrow, on west half of lot 6, \$15; and lot 5, same subdivision, \$30; total.....	\$45 00
To Louisa French, on lot 4, \$30; lot 3, \$30; and east half of lot 2, \$15, in said subdivision; total.....	\$75 00
To James W. Smock, lot 1 in said subdivision, \$36; west half of lot 2, \$17; 50 feet on east side of out-lot 5, west of river, \$42.50; and 50 feet west of Crabb's lot in said out-lot, \$42.50; total....	\$136 00
To Wilson Crabb, on 57 feet on said street, in said out-lot 5, west of 50 feet off the east side of said out-lot.....	\$48 50
Total damages ..	\$1,930 00
Total benefits.....	\$1,930 00

Respectfully submitted.

IGNATIUS BROWN,
 WM. S. HUBBARD,
 J. F. RAMSAY,
 JOSEPH M. SUTTON,
 SAMUEL M. SEIBERT,

Which was received.

The City Attorney made the following report :

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—The accompanying papers, in regard to opening Greer street, were referred to me some months since without any instructions. And as I learn that the matter has been arranged among the parties interested, I herewith return said papers, and ask to be discharged from the further consideration of the subject.

Respectfu'ly,

J. S. HARVEY, City Attorney.

Which was concurred in.

ORDINANCES ON FIRST READING.

Mr. Batty, by consent, presented the following communication :

INDIANAPOLIS, July 22, 1872.

To His Honor the Mayor and Members of the Common Council:

The undersigned, your petitioners, respectfully represent and show unto your honorable body, that we are citizens of, and owners of real estate in that part of the corporate limits of said city of Indianapolis, lying north and north-east of the original corporation line of said city. We further represent and show that no proper, permanent and available system of drainage for that part of the city has been established. That we are advised, and believe, that the greater part, if not all of said territory, can be advantageously, cheaply and permanently drained into the ditch running east and west through the same and emptying into Fall Creek, commonly called "the State ditch."

Wherefore, we respectfully request your honorable body, before causing more streets to be improved in that part of the city, to cause proper surveys and levels to be made, and a permanent system of drainage to be established. And for that purpose, that your honorable body will appoint one or more competent civil engineers to make such surveys and levels and establish such permanent system of drainage, to make suitable maps and profiles thereof, and report the same to your honorable body, at the cost and expense of the city. And for this we will ever pray, &c.

R. B. Duncan, J. S. Duncan, C. P. Jacobs, J. E. Ludlum and 56 others.

Which was received, and, on motion, referred to a special committee composed of Councilmen Batty, Craft, Bigham and the City Attorney.

Mr. Pressly introduced special ordinance, No. 138, 1872, entitled :

An ordinance to provide for grading and graveling the alley between Benton and Cady streets, running from Harrison to Lord street.

Which was read the first time.

Mr. Thalman presented the following petition :

INDIANAPOLIS, June 29, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Agnes street, between North and New York streets, respectfully petition

your honorable body to pass an ordinance providing for the grading and graveling of said street. And your petitioners will ever pray, &c.

Thomas Cummings, William Malone, and C. Maus.

Which was received.

Mr. Thalman introduced special ordinance No. 139, 1872, entitled :

An Ordinance to provide for grading and graveling Agnes street and sidewalks, between North and New York streets.

Which was read the first time.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on Dillon street, between Prospect street and English avenue, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said street, and, if practicable, to be rolled with the steam roller. And your petitioners will ever pray, &c.

STONE, WITT, TAYLOR & HOYT,

By John S. Spann, Attorney in fact.

Which was received.

Mr. Whitsit introduced special ordinance No. 140, 1872, entitled :

An ordinance to provide for grading and graveling Dillon street and sidewalks, between Prospect street and English avenue.

Which was read the first time.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Fletcher avenue, between Pine and Dillon streets, respectfully petition your honorable body to pass an ordinance providing for the re-grading of said part of Fletcher avenue, so far as the same may be necessary, and for graveling the

same with river or creek gravel, and if practicable to be rolled with the steam roller. And your petitioners will ever pray, &c.

STONE, WITT, TAYLOR & HOYT,
By John S. Spann, Attorney in fact.

Which was received.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the first alley east of East street, between South street and the first alley north of South street, respectfully petition for the passage of an ordinance providing for the grading and graveling the same. And your petitioners will ever pray, &c.

W. H. Snider, Wm. Hillman, Wm. Banse, and John Schneider.

Which was received.

Mr. Whitsit introduced special ordinance No. 141, 1872, entitled :

An ordinance to provide for grading and graveling the first alley east of East street, running from South street to the first alley north of South street.

Which was read the first time.

Mr. Cottrell introduced special ordinance No. 142, 1872, entitled :

An ordinance to provide for grading and paving with brick the west sidewalk of Alabama street from Washington street to Virginia avenue.

Which was read the first time.

Mr. Sherwood introduced special ordinance No. 143, 1872, entitled :

An ordinance to provide for grading and graveling the alley running through square No. 12 from Indiana avenue to Michigan street.

Which was read the first time.

Mr. Sherwood introduced special ordinance No. 144, 1872, entitled :

An ordinance to provide for grading and graveling Second street and sidewalks from Tennessee street to the Central Canal.

Which was read the first time.

Mr. Hardesty introduced general ordinance No. 55, 1872, entitled :

An ordinance reducing the width of the sidewalks of Illinois street from the north side of McNabb street to the south side of South street.

Which was read the first time.

By consent, Mr. Rush presented the following remonstrance :

INDIANAPOLIS, July 20, 1872.

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

GENTLEMEN:—We, the undersigned, do respectfully remonstrate against paving the west side of Davidson street, from Washington to New York streets; the same being a gravel pavement, in good condition, and fully suitable to the wants of the residents upon said street.

Conrad Heiser, John Welsh, Larry Smith, and 9 others.

Which was received.

Mr. Rush introduced general ordinance No. 56, 1872, entitled :

An ordinance to provide for placing bells on Fire Engines, Hose Reels and Hook and Ladder Truck.

Which was read the first time.

Mr. Rush introduced general ordinance, No. 57, 1872, entitled :

An ordinance to provide for the placing of lighted lanterns where streets are obstructed by building materials, and at excavations in streets, alleys or sidewalks, &c.

Which was read the first time.

ORDINANCES ON SECOND READING.

On motion, the following ordinances were read the second time and ordered engrossed :

Special ordinance No. 81,			1872.
“	“	“	82, 1872.
“	“	“	93, 1872.
“	“	“	132, 1872.
General	“	“	34, 1872.
“	“	“	43, 1872.
“	“	“	64, 1871.

On motion, the following ordinances were read the second time and stricken from the files :

Special ordinance No. 177,			1871.
“	“	“	87, 1872.
“	“	“	92, 1872.
“	“	“	112, 1872.

On motion, the rules were suspended for the purpose of receiving and reading the report from the Committee on Gas Light.

Mr. Hardesty, from the Committee on Gas Light, made the following report :

INDIANAPOLIS July 22, 1872.

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

GENTLEMEN:—Your Committee on Gas have made an examination of the ordinances passed by the Common Council for the erection of lamp-posts on certain streets, and find that no contracts have been entered into for the erection of posts on the following named streets, and therefore would recommend that the City Clerk be directed to readvertise the same :

1. On Western avenue from Cherry street to Christian avenue.
2. On the National Road from the White River bridge to the Indianapolis, Bloomington & Western Railroad Company's tracks.
3. On Malotte avenue from Massachusetts avenue to Columbia street.
4. On Noble street from Washington to Market street.

We also find that ordinances have been passed to erect lamp-posts on the following named streets on which no mains have been put down, and the

property holders on said streets have never filed their bonds, as required by the charter of the Gas Company, to take fifteen burners in each square; and until they do so, the Gas Company will not put down the mains:

1. To light with gas Indiana avenue from St. Clair atreet to Blake street.
2. West street from Kentucky avenue to Ray street.
3. McCarty street between Illinois and Tennessee streets.
4. Tennessee street between South and Ray streets.
5. Blackford street from Washington to North streets.
6. Ash street between Christian and Massachusetts avenues.
7. Fletcher avenue from Noble to Cedar streets.
8. Fayette street from North to St. Clair streets.
9. Wabash street from Missouri street to Mississippi street.
10. Bright street from New York to Michigan street.
11. East street from Dougherty to Morris streets.
12. McCarty street from Tennessee to West streets.
13. Washington street from Orion street to the corporation line east.

We also find the following ordinances have been passed after the posts had been erected:

On Henry street from Mississippi to Missouri streets.

On Washington street from the Canal to White River.

Respectfully submitted.

E. J. HARDESTY,
ISAAC THALMAN,
EDWARD REAGAN,
Com. on Gas.

Which was concurred in.

General ordinance No. 53, 1872, entitled:

An ordinance to amend the Market ordinance,

Was read the second time, and, on motion, referred to the Committee on Markets, with instructions to prepare and introduce a new ordinance.

General ordinance No. 40, 1872, entitled:

An Ordinance to further promote and secure the health of the city of Indianapolis.

Was read the second time, when

Dr. Woodburn offered the following amendment :

Cases of small pox occurring among the poor, or such as are proper persons to receive attention from "Bobbs' Free Dispensary," shall be taken in charge of by such Dispensary, and if, in the judgment of the superintendent or resident physician of such Dispensary, any such cases are proper subjects for the city pest house, said officer of the Dispensary shall notify the Board of Health, and upon such notice said Board shall cause such patients to be removed immediately to said pest house; and if any contagious disease occurs among, or epidemic attack such portion of the population, the officers of such Dispensary shall notify said Board of Health, who thereupon shall provide for and dispose of such patient as the law indicates.

Which was adopted.

The ordinance was then ordered engrossed.

Mr. Thalman presented the following petition :

INDIANAPOLIS, July 22, 1872.

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

GENTLEMEN :—Your petitioners would respectfully represent that there exists northwest of the city, on the west bank of Fall Creek, two nuisances—one the dead animal rendering house, the other a shed for the deposit of offal from the slaughter and pork houses. The offensive and injurious smell from these places passes down at times over the entire city, and is almost constant in the north and northwest part of the city. Property is injured in value, and health and comfort impaired. We respectfully ask for their immediate removal before hot weather sets in, and that the Council appoint a committee to make a personal inspection and report to the Council.

B. F. Goodhart, Wm. H. H. McCurdy, J. C. Geisendorff,
and 12 others.

Which was referred to the Board of Health.

Mr. Rush offered the following motion :

Moved, That the vote by which the report of the Committee on Contracts, in regard to the Ballard Block Pavement on South Illinois street, be reconsidered.

On which no action was had.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.