

PROCEEDINGS.

OF THE

COMMON COUNCIL.

---

SPECIAL SESSION.

---

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS, }  
*Friday, August 16, 1872, 7½ o'clock, P. M.* }

The Common Council met in special session.

Present—His Honor, the Mayor, Daniel Macauley, in the chair,  
and the following members:

Councilmen Batty, Bigham, Bollman, Craft, Gibson, Gimber,  
Kahn, Kennington, Pressly, Reagan, Thalman, Whitsit, Wiles  
and Woodburn—14.

Absent—Councilmen Cottrell, Hardesty, Rush and Sherwood  
—4.

The proceedings of the regular session, held August 12th,  
1872, were read and approved.

His Honor, the Mayor, announced that the special order for the evening would be the consideration of the report of the select committee, made to Council July 29th, 1872, in relation to new streets in St. Clair's and Drake's addition, &c.

The report was then taken up, and, on motion, read by the Clerk, and acted upon by section.

1st. Third street was taken up, when Mr. Wiles moved that the street be made 30 feet in width instead of 40 feet, as recommended by the committee.

Which motion was not adopted.

Dr. Woodburn offered the following motion :

*Moved,* That the City Commissioners may locate said street five or eight feet south of Mr. Hubbard's north line, provided Mr. Hubbard's consent can be obtained.

Which motion was adopted.

On motion by Mr. Bigham, the vote by which Dr. Woodburn's motion was adopted was reconsidered, and that section of the report as submitted by the committee adopted and approved.

On motion, the City Clerk was instructed to notify the City Commissioners and parties interested, as provided by the city charter.

4th. Fifth street was taken up, when Dr. Woodburn offered the following resolution :

*Resolved,* That the City Commissioners be, and they are hereby directed to locate a street of not less than 24 feet in width, between Third and Sixth streets, immediately south of Mr. Henderson's barn, to connect Illinois and Meridian streets, with the least expense to the city and the least damage to private property, and to assess damages and benefits.

The question being, shall the resolution be adopted?

The ayes and noes were demanded.

Those who voted in the affirmative were, Councilmen Batty, Wiles and Woodburn—3.

Those who voted in the negative were, Councilmen Bigham, Bollman, Craft, Gibson, Gimber, Kahn, Kennington, Pressly, Reagan, Thalman and Whitsit—11.

So the resolution was not adopted.

Mr. Thalman offered the following:

Amend by taking a strip of 30 feet in width off the south side of William Henderson's ground, providing the street with which it would intersect between Meridian and Pennsylvania street is not over 35 feet wide.

Which was not adopted.

The section of the report in regard to Fifth street, as submitted by the Commissioners, was then adopted and approved.

The report of the Committee was then approved, as a whole, and the City Clerk instructed to give the requisite notices, as required by the charter, and, on motion, the Civil Engineer instructed to prepare plats of said proposed streets, &c.

On motion by Dr. Woodburn, Hon. John Caven was requested to prepare and report to this Council his opinion in regard to the legal manner of appraising damages and benefits in opening streets, alleys, &c.

By consent, Mr. Kennington offered she following motion:

*Moved*, That J. J. Palmer, contractor for the block pavement on South Illinois street, be directed to re-set the curbing, where necessary, under the

direction of the City Engineer, at a rate not exceeding fifteen cents per lineal foot, and furnish and set new curb, five inches thick by eighteen wide, at sixty-five cents per foot.

Which was adopted.

Mr. Craft offered the following motion :

*Moved*, That Chief Fire Engineer, Daniel Glazier, be granted leave of absence for the purpose of accompanying the excursion to Detroit, and that L. B. Yeaton be authorized and empowered to act as Chief in his absence.

Which was adopted.

Mr. Craft presented the following petition :

INDIANAPOLIS, August 16, 1872.

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

GENTLEMEN:—Would your honorable body please permit me to remove a building from the northeast corner of Michigan and Pennsylvania streets. I want to go west on Michigan street to Tennessee street, and then south on Tennessee street. The lot that this building goes on is one lot south of No. 251 South Tennessee street, on the east side.

I will also ask for a permit to remove another building from the same lot, pull it out on the alley, turn it half around, and pull it back on the same lot.

I will leave no obstructions in the street, and pay strict attention to railroads and telegraph wires.

JOHN S. MILLIKAN,

House Mover.

Which was received and prayer granted.

Mr. Kahn presented the following remonstrance :

INDIANAPOLIS, August 5, 1872.

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

GENTLEMEN:—We, the undersigned, tax payers of the First Ward, do hereby remonstrate against the grading and graveling of the alley leading from Michigan to North streets, between Davidson and Winston streets—the same being in good condition.

Richard Attridge, Herman Richter, John B. Pasquier,  
August Gild, and 7 others.

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

Mr. Kahn offered the following motion:

*Moved,* That J. R. Elder have the privilege to put in stone curbing on the pavement in front of his property on New York street, between New Jersey and Alabama streets.

Which was adopted.

Mr. Batty moved to reconsider the vote by which the City Clerk was instructed to advertise for proposals for graveling Tinker street.

Which was adopted.

Mr. Batty presented the following proposition:

INDIANAPOLIS, August 16, 1872.

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

GENTLEMEN:—I propose to gravel Tinker street from the east to the west line of W. H. Talbott's property in such manner as may be directed by the City Engineer, with the gravel taken from Market street and Illinois street, at the rate of fifty cents per cubic yard measured on the street.

J. J. PALMER.

Which was accepted and contract awarded.

Mr. Batty presented the following communications:

INDIANAPOLIS, August 16, 1872.

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

GENTLEMEN:—Before taking a final action in opening and widening Rockwood street, allow me to present to your honorable body some facts that should not be overlooked in the proceedings of this ordinance. In front of the twelve feet to be taken to widen Rockwood street, the sidewalk, nine feet in width, has been paved with brick at a cost of nine dollars, also the gutter has been bouldered seven feet in width in front of the twelve feet at a cost of ten dollars; also, in front of my property on Rockwood street, one hundred and thirty-five feet in length, and fifteen feet wide to center of said street, graded and graveled with good river gravel; in grading or removing the dirt a hill that would average in height above the grade of the street about eight feet, and putting on fifteen inches of gravel, I here note at one

dollar per lineal foot, which amounts to one hundred and thirty-five dollars. The above mentioned improvements were ordered by the Council, and in accordance to the rules laid down in the City Charter, and has been done according to the stakes set by the City Civil Engineer; also, nine shade trees on sidewalk six or seven years old, worth about ten dollars per piece—ninety dollars—making in all \$244.00. None of the above mentioned improvements was taken in consideration by the Commissioners in their assessments of damages. Now, gentlemen, as these improvements have already been done and paid for, and within the last two years, I ask that your honorable body make a reasonable allowance for the said improvements as the new portion of said street will have to be improved in front of my property and will probably cost nearly if not quite all the City Commissioners have proposed in their report to allow me for damages, and it would nearly leave me nothing for the ground. Now, gentlemen, taking into consideration the situation of my property as it is now, having both fronts improved, to move the line of the street will impose upon me another public expense, and really the street becomes to me a public burthen, and I ask, gentlemen, that you give this matter some consideration.

Yours, &c.,

SAMUEL LOVE.

INDIANAPOLIS, August 16, 1872.

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

GENTLEMEN:—The undersigned makes the following proposition: If part of the widening of Rockwood street can be taken from the south side, say eight feet, in order to bring it in line with the south line of Gauspholl's lot, I propose to give two feet of ground of my lot to widen said street, and to contribute \$280.00 toward buying the right of way from the other side. This would make the street forty feet wide, and would take all of Gauspholl's lot, bringing the north line to the south line of the alley, which alley could be vacated and added to Devine's lot, which he would contribute very liberal toward paying for the right of way, if this could be done, and would make a much nicer street and save making a miserable zig zag at Noble street on the north line of Rockwood street where Rockwood and Lord streets connects.

I make this proposition for the following reasons: First is, the petitioners petitioned to have this taken from the north side, supposing there was ten feet of ground more than there really is between Rockwood and Louisiana street, and also, I believe the Committee on Streets and Alleys acted under the same supposition; and also, the Commissioners did the same, as the figures on the map show 133 feet 10 inches, while there is only 123 feet 4 inches by actual measurement. Another reason is there seems to be no justice in taking all the widening from the north side, whatever former owners should have done in donating ground for this street, should be left entirely out of view. Another is, the petitioners got the impression some how or other that I had no

deed for that part of my lot to be taken to widen said street; this was communicated to both the Committee on Streets and Alleys and the Commissioners, and I verily believe that it has went far toward lowering the assessment of damages upon my property, and I ask if the above proposition will not be accepted that other Commissioners be appointed to make a fair and just assessment of damages upon my property.

And further, they seem to think that this property was deeded to me without one cents consideration for said property, and this has been communicated to a great number of the Councilmen by said petitioners, and done on purpose to have its effect, as I say, in lowering the assessment of damages, and to satisfy this point I ask the Council to send for the records of deeds and mortgages and have them examined as to this fact. And I further say, gentlemen, that I believe great injustice has been done me by the above influences being brought to bear upon those whose duty it is to locate and assess damages on property on this street; and I ask again that your honorable body appoint other Commissioners who will make a fair and impartial assessment of damages entirely outside of all of the above mentioned influence, and for this your petitioner will ever pray. I also here file assessment of street improvements that were not assessed by the Commissioners, and ask that your honorable body take some action in regard to it, and ask that it be read now. Yours with respect,

SAMUEL LOVE.

Which were received and laid over to come up with other papers.

His Honor, the Mayor, presented the following:

INDIANAPOLIS, August 16, 1872.

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

GENTLEMEN:—We propose to organize under the firm name of "The Grease and Fertilizing Company," and as such to erect Lockwood & Everett's Steam Rendering Apparatus, of New York, for rendering all dead animal matter, bones slush, soap grease, &c., absolutely without creating a nuisance or offensive odors. We will on notice take all the offal of the city, viz: dead animals, bones, garbage, soap grease, refuse of all slaughter houses, &c., for the term of ten years free of cost to the city, provided the Common Council will give us the sole right of collecting the same in the limits of the city, and protect us therein.

We will collect all matter above named in covered cars or wagons, so as to make the same the least offensive possible in the removal from the city. We

propose and agree to erect the buildings necessary to carry on our business outside the city limits, and give bond, &c.

Respectfully,

GEO. W. HUSTON,  
FRANCIS BERGMAN.

Which was referred to the Committee on Revision of Ordinances and the City Attorney, with instructions to report an ordinance.

Mr. Gibson offered the following motion :

*Moved,* That the City Marshal be instructed to ascertain how many members of the City Government will visit Detroit on the excursion on the 20th inst., and present a list of the names of such as will go to the officers of the Peru Railroad Company for passes.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST :

JOHN R. CLINTON, City Clerk.