

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS, }
Monday, April 28, 1873, 7 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, Kennington, Pressly, Reagan, Rush, Sher-
wood, Whitsit, and Woodburn—15.

Absent—Councilmen Kahn, Thalman and Wiles—3.

The proceedings of the regular session, held April 21st, were
read and approved.

Sealed proposals for improving sundry streets were received,
opened, read and referred to the Committee on Contracts.

Sealed proposals for constructing an iron bridge over the Canal on West street, were received, opened, read and referred to the Committee on Bridges.

REPORTS FROM CITY OFFICERS.

The City Clerk submitted the following report :

OFFICE OF CITY CLERK,
INDIANAPOLIS, April 28, 1873. }

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

The City Clerk respectfully reports to Council :

FIRST.

Contract and bond of Irene Bruner for building cistern at the corner of College avenue and Tinker street.

SECOND.

Contract and bond of John A. Whitsit for building brick sewer in Second street, from Meridian street to Illinois street.

THIRD.

Contract and bond of Michael Foust for grading and graveling Coburn st. and sidewalks from Madison avenue to East street.

FOURTH.

Contract and bond of James B. Smith for grading and paving with wooden block pavement and curbing the outside edges with stone Meridian street from New York to Tinker or Seventh streets.

FIFTH.

Contract and bond of George W. Buchanan for grading Valley street and sidewalks, and graveling the street from East street to the Second alley east of East street.

SIXTH.

Contract and bond of Hiram Seibert for grading and graveling Nebraska street and sidewalks from Japan street to Madison avenue.

SEVENTH.

Contract and bond of John Green for grading and graveling Dorman street and sidewalks from St Clair to Michigan street.

EIGHTH.

Contract and bond of James Mahoney for grading and graveling the alley running north and south from Market to Ohio street, and between Winston and Highland streets.

Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was received and the bonds approved.

The Board of Health submitted the following report:

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—The Board of Health submits the following mortality report for the week ending April 28, 1873:

Under 1 year.....	3
From 1 to 2 years	0
From 2 and 5 years	2
From 5 to 10 years.....	1
From 10 to 15 years.....	0
From 15 to 20 years.....	2
From 20 to 25 years.....	1
From 25 to 30 years.....	1
From 30 to 40 years..	1
From 40 to 50 years..	2
From 50 to 60 years.....	1
From 60 to 70 years.....	1
From 70 to 80 years..	0
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	0
Total.....	<hr/> 15

Respectfully submitted,

J. A. COMINGOR, M. D., Pres't.

W. WANDS, M. D., Secretary.

Which was received.

The City Solicitor made the following report :

INDIANAPOLIS, April 23, 1873.

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

GENTLEMEN:—I have, in obedience to your directions, and in accordance with the amendments made by your honorable body, framed the ordinance relative to hacks, and herewith submit it.

Respectfully, B. K. ELLIOTT, City Solicitor.

Which was received.

Also, the following report :

INDIANAPOLIS, April 24, 1873.

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

GENTLEMEN:—I have examined the questions presented in the ordinance to prevent cattle from running at large and am of opinion that under the 21st sub-division of section 53, the Common Council have power to impound and sell cattle running at large in violation of the ordinances of the city. The sub-section to which I refer is as follows, viz :

“Twenty-First. To regulate and prohibit the running at large of cattle, horses, swine, fowls and other animals; and to provide for the impounding, keeping, sale, and redemption of the same, when found in violation of the ordinance in such case provided.”

I herewith submit form of an ordinance.

Respectfully, B. K. ELLIOTT, City Solicitor.

Which was received.

ORDINANCES ON FIRST READING.

The City Solicitor introduced as a substitute for an ordinance heretofore introduced, general ordinance No. 23, 1873, entitled :

An ordinance to prevent the running at large of cattle in the city of Indianapolis and providing for impounding such animals.

Which was read the first time.

Mr. Pressly presented the following petition :

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Liberty street, between Washington and Georgia streets, respectfully petition your honorable body to pass an ordinance providing for the grading and bowldering the said street between the points named, and for curbing the outside edges with stone, and paving the sidewalks with brick, and the crossings of the streets and alleys bowldered and flagged. And your petitioners will ever pray, &c.

G. C. Krug, J. Morn, Wilhelm Cook, Ernst Base, Franz Monroe and 5 others.

Which was received.

Also special ordinance No. 114, 1873, entitled :

An ordinance to grade and bowlder Liberty street and paving and curbing the sidewalks thereof, between Washington and Georgia streets.

Which was read the first time.

Also special ordinance No. 115, 1873, entitled :

An ordinance to grade and gravel the first alley east of Cady street, running north and south from Bates to Meek street.

Which was read the first time.

Also special ordinance No. 116, 1873, entitled :

An ordinance to grade Sanders street and sidewalks from Shelby street to the present western terminus of said street.

Which was read the first time.

Mr. Batty introduced special ordinance No. 117, 1873, entitled :

An ordinance to light with gas Columbia street from Malotte avenue to Lincoln street.

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

His Honor, the Mayor, introduced special ordinance No. 118, 1873, entitled :

An ordinance to grade and pave with bricks, where not already paved, the north sidewalk of North street, from Illinois to Meridian street.

Which was read the first time.

Mr. Gibson introduced special ordinance No. 119, 1873, entitled :

An ordinance to light with gas New-York street from Blake to Agnes street.

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

Mr. Bollman presented the following petition :

INDIANAPOLIS, April 28, 1873.

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

The undersigned, property holders on Maryland street, between Alabama and Delaware streets, respectfully petition to have the south sidewalk in said Square paved with brick, and to have the outer edge of the pavement curbed with good Flat Rock stone. And they will ever pray.

Lorenz Schmidt, A. Seidensticker, Chas. Koehne and
Percy Hosbrook.

Which was received.

Mr. Craft introduced special ordinance No. 120, 1873, entitled :

An ordinance to grade and gravel the first alley west of East street, running from Michigan street to the first alley south of Michigan street.

Which was read the first time.

Also the following motion :

Moved, That the prayer of the petitioners be granted, providing the work be done under the direction of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following petition:

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—I would respectfully ask that further time be granted for the completion of the work on John street and William street.

JOHN L. HANNA,
For Hanway & Co.

Which was received.

Also, the following motion:

Moved, That Hanway & Co. have further time granted, until the 1st of July, to complete their contracts on John street and also on William street, provided their bondsmen consent in writing.

Which was adopted.

Also the following motion:

Moved, That the City Clerk be and is hereby instructed to advertise one week for proposals for constructing a sewer across Alabama street where it crosses the State ditch in front of the exposition building now being erected, said work to be done under the direction of the Sewer Engineer and according to plans and specifications to be furnished by him. Also that the Sewer Engineer is hereby instructed to furnish plans and specifications to H. Caldwell, Superintendent of the Exposition building, for putting sewers in the State ditch at other points for the benefit of the Fair and Exposition grounds.

Which was adopted.

Also special ordinance No. 121, 1873, entitled :

An ordinance to grade and gravel the alley running east and west through Square No. 20, from New Jersey to East streets.

Which was read the first time.

Dr. Woodburn introduced special ordinance No. 122, 1873, entitled :

An ordinance to light with gas Pratt street from Illinois to Tennessee st.

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

ROLL CALL.

Mr. Batty offered the following motion :

Moved, That the City Commissioners be requested to make their report on opening and extending Winston street.

Which was adopted.

On motion by Mr. Batty, Messrs. Jas. H. Ruddell, J. Hornaday, A. J. Billingsley and A. C. Shortridge were appointed as the Citizens Committee on the College avenue block pavement.

Also the following petition :

INDIANAPOLIS, April 23, 1873.

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

GENTLEMEN:—The undersigned respectfully represent that they are the owners of the property fronting on Home avenue from Delaware street to the first alley east of same, and respectfully request that they be allowed to grade and gravel the said Home avenue between the points named at their own expense, and that the Engineer be directed to set the grade stakes.

H. BATES, JR.,
JASON CAREY.

Which was received.

Also the following motion :

Moved, That the Street Commissioner notify the owners of lumber now lying on Peru street, between St. Clair and John street to remove the same at once, and on failing to do so for ten days after receiving this notice that the Street Commissioner remove the same at the expense of the owners.

Which was adopted.

Robert L. Catterson tendered his resignation as Inspector of the Fifth Ward Election Board.

Which was accepted.

Mr. Bigham offered the following motion :

Moved, That J. H. Baldwin have permission to move house from Pennsylvania street to Meridian street.

Which was adopted.

On motion, John Ebbert was appointed to act as Inspector of such Ward, in place of R. L. Catterson, resigned.

Mr. Craft presented the following petition :

INDIANAPOLIS, April 23, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Michigan street, between Winston street and Arsenal avenue, respectfully petition your honorable body to pass an ordinance providing for the opening of the above named street. And your petitioners will ever pray, &c.

W. Dehne Chas. Cook, Chas. Paul, Andrew Cook, Benjamin Stokely and 37 others.

Which was received.

Also the following motion :

Moved, That Michigan street be extended from Winston street to Arsenal avenue—that the width of such proposed extension correspond to the width of Michigan street as the same now exists, and that the real estate sufficient for such purpose is proposed to be appropriated for such purpose of extending such street, and that the proper notices be issued and served and the matter referred to the City Commissioners for examination and report.

Which was adopted.

Also the following motion :

Moved, That J. O. Woodruff be and is hereby granted permission to level and improve Michigan street from Arsenal avenue to Woodruff Place, in order to make the street passable—the same to be done at his own expense.

Which was adopted.

Mr. Gibson offered the following motion :

Moved, That the vote by which an ordinance to grade and gravel Brooks street from the old corporation line to a point 300 feet north of said old corporation line be reconsidered.

Which was postponed.

Mr. Gimber presented the following petition :

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—I would respectfully represent to your honorable body that I am the owner of lot 18, Russell's subdivision of out-lot No. 26, in the city of Indianapolis, upon which I desire to erect a building, and on account of the close proximity of Pogue's Run, as straightened by order of your honorable body, and by which a portion of said lot was appropriated for such purpose, I do therefore pray your honorable body to vacate four (4) feet of the south side of the alley running along the north side of said lot 18, of Russell's subdivision of out-lot No. 26, in said city of Indianapolis. And I will ever pray.

JOHN MALONEY.

Which was referred to the Committee on Streets and Alleys.

Also the following motion :

Moved, That the Street Commissioner employ men with small boats to remove the animal matter on the River below Kingan & Co.'s Pork House.

Which was adopted.

Also the following motion :

Moved, That the Marshal notify Messrs. Kingan & Co. to cease throwing

animal matter and offal into White river, or into any stream in said city, and that unless they cease to do so the Marshal cause the said parties to be prosecuted according to law.

Which was adopted.

Mr. Hardesty offered the following motion:

Moved, That the Committee on Gas re-erect the bracket lamp on the building of Woollen, Webb & Co. on Pearl street, between Meridian and Illinois streets.

Which was adopted.

Also the following motion :

Moved, That the Gas Company be directed to continue to light the public lamps until such time as a Gas Inspector is elected and qualified and is ready to assume the lighting of the city.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner construct a flagstone crossing on Meridian street on a line with the north sidewalk of Pearl street.

Which was adopted.

Also the following motion :

Moved, That a public water fountain be erected at the south-east corner of South and Meridian streets, and that Neab & Merrill be directed to purchase and place the same in position soon as possible.

Which was adopted.

Mr. Kennington offered the following motion :

Moved, That the Committee on Streets and Alleys and the City Solicitor be instructed to prepare the proper papers and take the necessary steps to se-

cure the condemnation of the roadway of the Madison Gravel Road, so far as the same is situate within the corporate limits of the city of Indianapolis.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be directed to clean the gutters of the paved streets and all other gutters that in his judgment needs cleaning.

Which was adopted.

Mr. Pressly offered the following motion :

Moved, That the City Marshal be directed to notify the Cin. Hamilton & Dayton and P. C. & St. Louis Railway Companies to construct or lay a culvert under their tracks where the same crosses the south gutter on the Michigan Road.

Which was adopted.

Also the following motion :

Moved, That Gottleib Krug be and is hereby granted permission to erect a frame awning in front of his place of business on the corner of Georgia and Liberty streets.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be and is hereby instructed to lay a flagstone crossing across Virginia avenue at the intersection of the first alley east of Noble street.

Which was adopted.

Also the following petition :

INDIANAPOLIS, April 28, 1873.

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

We the property owners residing on Meek street, between Noble and Cady streets, beg of you to aid us in having the C. H. & I. R. R. Co. to build a stone

wall to protect the rear of our lots from washing and caving in. Respectfully submitted for your consideration.

Thos. Sears, Martin Sears, Joan Sullivan, Wm. Wiesman,
Dan. Sullivan and 6 others.

Which was referred to the Committee on Streets and Alleys and City Solicitor.

Also the following remonstrance :

INDIANAPOLIS, April 24, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the first alley south of Harrison street, between Forest avenue and Harrison st., respectfully remonstrate against the passage of an ordinance providing for the grading of the above named alley. And your remonstrants will ever pray, &c.

G. G. Conzelmann, Philipiene Goeble, H. Behrent and
C. Pope.

Which was received.

Special ordinance No. 64, 1873, entitled :

An ordinance to grade the first alley south of Harrison street, between Cedar street and the first alley west of Cedar street.

Was taken up and stricken from the files.

Also the following petition :

INDIANAPOLIS, April 28, 1873.

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

We, the undersigned, owners of property fronting on Virginia avenue, between Stevens and McCarty streets, on the west side of said avenue, and between Pine and Cedar streets, on the east side of said avenue, would respectfully represent to the Honorable Mayor and Common Council of the city of Indianapolis, that the Street Commissioner in putting down stone crossings along Virginia avenue put down four (4) of these crossings between South and Stevens streets, and but two (2) between Stevens and McCarty streets, which is about of equal distance.

We would also represent that there is a 40 foot alley running east and west through out-lot 101, and a 15 foot alley between lots 424 and 425, in out-lot 98, immediately opposite, and thus a point immediately north of said alley would be a proper place for such a crossing, and therefore respectfully ask your honorable body to order such a crossing put down at this point. And your petitioners will ever pray, &c.

Julius Queisser, Chas. Hespelt, Henry Staub, William G. Sloan, Alfred F. Sloan and 7 others.

Resolved, That the Street Commissioner be and is hereby instructed to put down a stone crossing and iron culverts at a point crossing Virginia avenue immediately north of the alleys running between lots 424 and 425, in out-lot 98, and through out-lot 101.

Which was referred to the Committee on Streets and Alleys.

Mr. Rush offered the following motion :

Moved, That the Street Commissioner be, and he is hereby, directed to put down stone crossings on Ohio street at the intersection of Alabama street.

Which was adopted.

Mr. Sherwood presented the following petition :

INDIANAPOLIS, April 23, 1873.

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

GENTLEMEN:—We, the undersigned, property owners on North Tennessee street, would respectfully petition your honorable body to cause said street between Seventh and Twelfth streets to be widened four feet so as to make the same correspond with the width of Tennessee street south of Seventh street. We herewith file a plat of said street and adjacent grounds—and would also ask that all of lots 1 and 2 of McK. & P.'s subdivision of south $\frac{1}{2}$ of lot 3, Henderson's Add., be condemned and appropriated for the purpose of straightening said street.

The black line on the east side of said street represents the present line of said street, and the red line will represent the line of the street if widened as prayed by your petitioners, and the strip of ground proposed to be appropriated for such widening is that embraced within the two lines aforesaid.

Respectfully,

Ketcham & Foster, Robt. C. Losey, Isaac M Shideler, Cathcart & Cleland, Ruddell & Vinton, Wm. Braden and David Braden.

Which was received.

Also the following motion :

Moved, That the petition of the property owners on North Tennessee be referred to the City Commissioners, and that the real estate proposed to be appropriated is that described in said petition and plat, and that the City Clerk give the requisite notice.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved, That the Street Commissioner be instructed to place a stone crossing across Virginia avenue at Bismark street.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be instructed to bowlder, gravel or otherwise repair the street about the fountain at the intersection of East st. and Virginia avenue.

Which was adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, April 28, 1873.

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

We, the undersigned, owners of property on the west side of North Meridian street, between St. Clair and Pratt streets, would respectfully petition your honorable body for an appropriation sufficient to cover the damages which our property has sustained by the widening of the sidewalks of said street by adding five (5) feet from the front of our property to said sidewalk.

Your Commissioners have seen fit to allow to each of us in their report only thirty-five (\$35) dollars damages over and above benefits, notwithstanding in our sworn testimony before said Commissioners we estimated our damages at least \$1,000, which testimony was substantiated by other disinterested parties who were before the Commissioners. We have complied with the ordinance by removing our fences back the five (5) feet, which leaves us now only about eighteen (18) inches between our houses and fence, and all we ask now is that you will increase the allowance of damages to such an amount as you in your good judgment will deem sufficient after a fair investigation.

John H. Ohr and Charles Hasson.

Which was referred to the Committee on Streets and Alleys and City Solicitor.

Also the following communication :

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—I have been notified to fill up lot No. 35, in out-lot 161, in the city of Indianapolis. I beg leave to state to your honorable body that I intend building as soon as good weather and a supply of brick can be obtained. And I will then finish filling up said lot, and hope you will grant an extension of time. And your petitioner will ever feel much obliged.

Very respectfully,

W. CLINTON THOMPSON.

Which was received, and prayer of petitioner granted.

His Honor, the Mayor, offered the following motion :

Moved, That the auction license heretofore granted to W. I. Cummings, 115 South Illinois street, be and the same is hereby revoked. The City Clerk is directed to notify said Cummings accordingly.

Which was adopted.

Also the following motion :

Moved, That the motion passed at last meeting of the Council, requiring A. S. Kingsley to remove his house off 6 feet of the first alley west of West street, be reconsidered and the matter referred to the Committee on Streets and Alleys.

Which was received.

Also the following motion :

Moved, That Samuel Keers be granted 60 days further time for grading and graveling Agnes street from New York to North street.

Which was adopted, provided the bondsman consents in writing.

On motion, the rules were suspended for the purpose of taking up and passing the following ordinance :

General ordinance No. 21, 1873, entitled :

An ordinance relative to unsafe and insecure walls and buildings.

Was read the second time and ordered engrossed, read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Cottrell, Craft, Gibson, Gimber, Hardesty, Pressly, Reagan, Rush, Sherwood, Whitsit and Woodburn—12.

Negative—None.

By consent, Dr. Woodburn offered the following motion :

Moved, That the following named localities shall be designated as the places for holding the general election to be held on the 6th day of May, 1873 :

1st Ward—No. 170 East Vermont street.

2d Ward—Corner of New Jersey and St. Clair streets.

3d Ward—Engine House, Indiana avenue.

4th Ward—Corner of Vermont and Blackford streets.

5th Ward—Corner of Tennessee street and Kentucky avenue.

6th Ward—No. 4 Engine House, cor. of Merrill st. and Russell avenue.

7th Ward—Engine House South st., bet. Delaware and Pennsylvania sts.

8th Ward—No. 3 Engine House, Virginia avenue.

9th Ward—Court House.

Which was adopted.

Mr. Batty moved to reconsider the vote by which the ordinance was passed at the last meeting of the Council providing for the grading, paving and curbing of the sidewalks of Merrill street, from Alabama to East street.

On which no action was had.

Mr. Craft submitted the following report :

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—We, the undersigned, members of the Committees on Fire Department and Water Works, to whom was referred the motion calling for

an investigation as to the inefficiency of the supply of water from the public hydrants during the recent fire at the Woodburn Sarven Wheel Works, would beg leave to report that we have given the matter, as we think, a careful and searching inquiry, by notifying the Water Works Co. (which was represented at our sittings by agents and attorney of the company), and also summoning before us such persons as we had reason to believe could throw light upon the matter, and from the evidence adduced by direct testimony and tests had, we are clearly of the opinion that the present steam power and machinery are entirely inadequate to such fire protection as the city requires, and the evidence tends to show that when the water power from the Canal is again made use of a better result may be expected.

Respectfully,

W. H. CRAFT,
E. J. HARDESTY,
C. E. WHITSIT.
Com. on Fire Department.
J. H. WOODBURN,
EDWARD REAGAN,
Com. on Water Works.

Which was concurred in.

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

INDIANAPOLIS, April 28, 1873.

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

GENTLEMEN:—We, the undersigned, members of the Committee on Fire Department, to whom was referred the report of the Chief Fire Engineer in regard to the purchase of a suitable bell for the new Headquarters Tower, on Massachusetts avenue, would report that after carefully considering the same, we would recommend that the Chief Fire Engineer and Committee on Fire Department be instructed to purchase a bell not to exceed 2,500 pounds in weight, and also the striker for the same.

Respectfully submitted.

W. H. CRAFT,
C. E. WHITSIT,
E. J. HARDESTY,
Com. on Fire Dept.

Which was concurred in.

On motion the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.