PROCEEDINGS

OF THE

COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, Monday July 28, 1873, $7\frac{1}{2}$ o'clock, P. M.

The Common Council met in regular session.

Present—His Honor the Mayor, James L. Mitchell, in the Chair, and the following members:

Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Absent-Councilmen Craft, McLaughlin and Reagan-3.

The proceedings of the regular session held July 21, 1873, were read and approved.

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

A sealed proposal for removing garbage, &c., was received and rejected.

On motion by Mr. Shepherd the City Clerk was instructed to advertise for proposals for removing the garbage, &c., bids to be received next Monday night.

Mr. Kahn from the Committee on Contracts submitted the following report :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—Your Committee on Contracts would respectfully report that proposals were invited for the improvement of the following named streets, to wit, and that only one proposal was presented, and in view of said fact your committee would recommend that they be re-advertised.

FIRST.

For grading and graveling the first alley west of East street, running north and south from Bicking to Coburn street.

SECOND.

For grading and graveling the alley running north and south from Market to Wabash street, through the south part of square 44.

THIRD.

For grading and graveling the first alley west of East street, running from Michigan street to the first alley south of Michigan street. Respectfully submitted,

LEON KAHN, M. C. ANDERSON, Com. on Contracts.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The Committee on Contracts, to whom was referred a motion that said committee should examine the laying of the block pavement on North Meridian street, and if not done according to contract, to have power to stop the work, would beg leave to report that upon investigation we find that the report that the work is not done properly and that the orders of the inspector were disregarded originated from a person who, it is said by responsible parties, has not been near the work since the beginning of the laying down of the blocks. We do find, however, that the work is being done according to contract, and the inspector informs your committee that all his orders are strictly obeyed, and the work is therefore bravely going on.

Respectfully submitted,

LEON KAHN, M. C. ANDERSON. Committee on Contracts.

Which was concurred in.

REPORT FROM CITY OFFICERS.

The City Clerk submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—Messrs. Howland and Yandes, who were elected by your honorable body to serve as City Commissioners, have notified me that they cannot accept the position.

I would respectfully suggest that it would be well to elect others in their stead, and that at once, as there is business that demands attention.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

1

Which was concurred in.

Dr. Woodburn moved that the Council now proceed to elect two Commissioners.

Which was adopted.

[Regular Session

The following names were then placed in nomination: Messrs. John F. Ramsay, Ebenezer Smith, Geo. W. Alexander, Isaac Kahn, D B. Hosbrook, Samuel Daniels and Wm. J. Elliott.

His Honor, the Mayor, appointed Councilmen Kahn and Kennington as tellers.

A ballot vote was then had which resulted in the election of Messrs. Geo. W. Alexander and W. J. Elliott.

Also, the following report :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The City Clerk would respectfully report the following affidavits, now on file in his office, for the collection of street assessment by precept, to-wit:

JOHN R. CLINTON,

City Clerk.

Which was concurred in, and the precepts ordered to issue.

The City Marshal submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned has the honor to report that he has paid into the city treasury the sum of forty-eight dollars and eighty cents (\$48.80) on account of hogs impounded and sold by him, as per receipt of City Treasurer, now on file.

WM. C. WEST, City Marshal.

Which was received.

The Gas Inspector submitted the following report :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—In compliance with an order of your honorable body, passed July 7th, 1873, I have examined Pearl street with reference to the better lighting of the same, and ask leave to submit the following report:

According to the rule adopted, in this city, for locating street lamps, a post and lamp should be placed at the north-west corner of Pennsylvania and Pearl streets, and an additional lamp is due on the south-west corner of Pearl street and the alley between Pennsylvania and Meridian streets. The projecting signs between Meridian and Illinois streets, which now seriously obstruct the light, should be removed. Lamps on posts would furnish a better light than lamps on brackets; as the walls, now so near the lamps, absorb much of the light; but the street being so narrow, it is a question whether lamp posts would not be destroyed.

Respectfully submitted,

R. T. BROWN, Gas Inspector.

Which was concurred in.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—I submit a map of the Canal from Market to Wisconsin street, called for by the Council.

You have advertised for proposals to build a brick arch on the canal across Washington street, similar to the one on Maryland street. If it is the intention of the Council to make a sewer in Missouri street, the arches which have been built will be useless, as they are not low enough for that purpose.

I would again call the attention of the Council to the necessity of enforcing the ordinance in regard to throwing litter of any kind into the streets and alleys. It is impossible to keep the catch-basins and culverts free from obstructions.

I submit a map showing the location of the proposed extension of the Ray street sewer.

The culvert across the Madison road at the west end of Yeiser street is too small. The road is within the corporation, but still belongs to the Gravel Road Company.

[Regular Session

The culvert under the C. C. C. & I. R. R. has not been built by the company, as the Council directed.

Respectfully submitted,

JAMES W. BROWN,

Civil Engineer.

Which was referred to the Committee on Sewers and Civil Engineer.

Also, the following report :

INDIANAPOLIS, JULY 28, 1873.

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

Gentlemen—The City Civil Engineer would respectfully make the following report:

FIRST.

Contract and bond of Joseph Kruger for building public cisterns at sundry points.

SECOND.

Contract and bond of Charles S. Roney for building cisterns at sundry points.

THIRD.

Contract and bond of Bernard Hammill for grading and paving with brick the north sidewalk on Washington street from Tennessee to Mississippi street.

FOURTH.

Contract and bond of Bernard Hammill for grading and paving with brick the north sidewalk on North street from Illinois to Meridian street.

FIFTH.

Contract and bond of Bernard Hammill for grading and graveling Mayhew street and sidewalks from the Michigan road to the second alley west of Oregon street.

SIXTH.

Contract and bond of Bernard Hammill for grading and paving with brick the west sidewalk on Illinois street from Pogue's Run to Ray street.

SEVENTH.

Contract and bond of James Mahoney for grading and graveling the first alley west of West street, between St. Clair street and Indiana avenue.

EIGHTH.

Contract and bond of James Mahoney for grading and graveling the first alley north of Forest avenue, from Harrison to Cedar street.

NINTH.

Contract and bond of John Green for grading and graveling Downey street and sidewalks from Japan street to the Madison road.

TENTH.

Contract and bond of John L. Hanna for grading and graveling the second alley north of St. Clair street, running from Park avenue to the first alley west of East street.

Respectfully submitted,

JAS. W. BROWN, City Civil Engineer.

Which was concurred in and the bonds approved.

Also, the following report:

INDIANAPOLIS, July 28, 1873.

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

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

A first and final estimate allowed Hanway and Hanna for		
grading and graveling John street and sidewalks from		
the Peru R. R. to Hanna street, 2741.49 lin. ft. of street		
60 ft. wide, at 99 cents	\$2,714	
512.16 lin. ft. of street 40 ft. wide, at 70 cents	358	
55.8 cub. yds. excavation in ditch, at 20 cents	11	16
-		
Total estimate	\$3,083	74
Also, a first partial estimate allowed John L. Hanna, for	1	
grading and graveling Peru street and curbing and pav-		
ing the sidewalks, &c., from Massachusetts avenue to		
Forest Home avenue, $287\frac{1}{2}$ lin. ft. of stone curbing at		
70 cents	\$201	25
134 sq. yds. bowldering, at 75 cents	100	50
Total estimate	\$301	75
Also a third and final actingate allowed John Walman for		
Also, a third and final estimate allowed John Volmer, for		

building stone abutments for an iron bridge over the

.

[Regular Session

ī

Canal on West street, between Ohio and Market streets, 207.7 cub. yds. masonry, at \$5.75 199 " excavation, at 25 cents	$\overset{\$1,194}{\underline{49}}$	$\frac{27}{75}$
Total estimate Deduct former payments	$$1,244 \\ 1,126$	
Present payment	\$117	52
Also, a first and final estimate allowed James Mahoney, for grading and graveling the first alley east of East street, running from Louisiana to Georgia street, length on east side 459 ft.; length on west side 459 ft.; total length 918 ft., at 49 cents per lin. ft	\$ 449	82
Also, a second and final estimate allowed John A. Whit- sitt, for building a brick sewer on Second street, from Illinois to Meridian street, 518.4 lin. ft. of sewer, at \$5.75 3 catch-basins, at \$100.00 each	2,980 300	00
1 manhole, at \$45.00 On account of extra size in pipe	$\begin{array}{c} 45\\ 16\end{array}$	
Total estimate Deduct former estimate	$$3,342 \\ 1,270$	
Present payment	\$2,071	85
Also, a second partial estimate allowed J. B. Smith, for grading, curbing and paving North Meridian street from the south line of New York street to the north line of North street, 10,154.38 sq. yds. of pavement, at \$1571	\$15.002	14
\$1.57 ¹ / ₂ 3,113 lin. ft. of curbing, at 58 cents	1,805	54^{14}
Total estimate Deduct former estimate	\$17,793 6,013	$\frac{68}{71}$
Present payment	\$11,784	97
Also, a first and final estimate allowed John Greene, for grading and graveling Sixth street, from Tennessee street to the Michigan road; length on north side 1,754 ft. 1 in.; length on south side 1,738 ft. 2 in.; total length 3,492.03 in., at \$1.37½ per ft	, \$4,801	84
Also, a first and final estimate allowed Jas. Mahoney for grading and bowldering the first alley east of Illinois street, running from Market to Ohio street; length on east side 419 ft.; length on west side 419 ft.; total length		
838 ft., at 70 cents per ft	\$586	60

 Also, a second partial estimate allowed Jesse S. Whitsitt,

 for grading, curbing, paving, &c., on North Tennessee

 street, from the north line of First street to the north

 line of Fourth street, 6,550.02 sq. yds. pavement, at

 \$1.55

 2,545.75 lin. ft. curbing, at 60 cts

 \$37.24 lin. ft. brick pavement, at 66 cents

 \$12,034 55

 Deduct former estimate

Present payment...... \$8,939 36

Respectfully submitted,

JAMES W. BROWN, City Civil Engineer.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The City Civil Engineer respectfully reports the following estimates, to wit:

First and final estimate allowed Hanway & Hanna for grading and graveling John street and sidewalks from the Peru railroad to Hanna street.

First and partial estimate allowed John L. Hanna for grading and graveling Peru street and curbing and paving the sidewalks from Massachusetts avenue to Forest Home avenue.

First and final estimate allowed James Mahoney for grading and graveling the first alley east of East street, running from Louisiana to Georgia street.

Second and partial estimate allowed J. B. Smith for grading, curbing and paving Meridian street from the south line of New York street to the north line of North street.

First and final estimate allowed John Green for grading and graveling Sixth street and sidewalks from Tennessee street to the Michigan road.

First and final estimate allowed James Mahoney for grading and bowldering the first alley east of Illinois street running from Market to Ohio street.

[Regular Session

Second and partial estimate allowed Jesse S. Whitsitt for grading, eurbing and paving Tennessee street from the north line of First street to the north line of Fourth street.

Respectfully submitted,

JAMES W. BROWN, City Civil Engineer.

Which was concurred in.

Also, the following estimate resolutions :

Resolved. That the foregoing second and partial estimate of Jesse S. Whitsitt for grading, curbing and paving with wooden blocks Tennessee street from the north line of First street to the north line of Fourth street be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative-None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and bowldering the first alley east of Illinois street running from Market to Ohio street be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward, and Woodburn—23.

Negative-None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of John Green for grading and graveling Sixth street and sidewalks from Tennessee street to the Michigan road 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 Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and partial estimate of J. B. Smith for grading, curbing and paving Meridian street from the south line of New York street to the north line of North street be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative-None.

Also, the following resolution :

Resolved, That the foregoing first and and final estimate of James Mahoney, for grading and graveling the first alley east of East street, running from Louisiana to Georgia street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative-None.

Also, the following resolution:

Resolved, That the foregoing first and partial estimate of John L. Hanna, for grading and graveling Peru street, and curbing and paving the sidewalks from Massachusetts avenue to Forest Home avenue, 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 Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative-None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate of Hanway & Hanna, for grading and graveling John street and sidewalks, from the Peru Railroad to Hanna street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Ken-

nington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative-None.

The Board of Health submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The Board of Health would respectfully submit the following weekly mortality report for the week ending 28th of June, 1873:

Under 1 year	20
From 1 to 2 years	5
From 2 to 5 years	6
From 5 to 10 years	3
From 10 to 15 years	2
From 15 to 20 years	1
From 20 to 25 years	4
From 25 to 30 years	0.
From 30 to 40 years	2
From 40 to 50 years	1
From 50 to 60 years	0
From 60 to 70 years	2°
From 70 to 80 years	1
From 80 to 90 years	1
From 90 to 100 years	0
100 and upwards	0
Unknown	0
matel.	40

S. A. ELBERT, M. D., Pres't.

W. WANDS, M. D. Secretary.

Which was received.

The City Clerk submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—I would respectfully report the following affidavit of the City Assessor, City Treasurer and City Clerk, for your action. Yours respectfully,

JOHN R. CLINTON, City Clerk.

Also, the following:

STATE OF INDIANA, MARION COUNTY, SS.

The undersigned, being duly sworn, upon oath and affirmation say: That William Hadley is the City Assessor, John R. Clinton the City Clerk, and Henry Tutewiler City Treasurer. That the total value of the taxable property of said City of Indianapolis, as shown by the tax duplicate of said city, is Thirty-four millions seven hundred and seventy-five thousand one hundred and forty-three dollars. That the fair valuation of said property now is at least Sixty million dollars.

> WILLIAM HADLEY, City Assessor. JNO. R. CLINTON, City Clerk. HENRY W. TUTEWILER, City Treasurer.

Before me, the undersigned, Mayor of the City of Indianapolis, came William Hadley, City Assessor, John R. Clinton, City Clerk, and Henry Tutewiler, City Treasurer, and the two latter being duly sworn, upon oath say: That the statements of the foregoing affidavit are true as they verily believe; and William Hadley, affirmed according to law, says that the matters and things in the aforesaid affidavit are true as he verily believes.

Witness my hand and the seal of the City of Indianapolis, this 28th day of July, 1873.

JAMES L. MITCHELL,

Mayor.

Which was received.

Mr. Brown Introduced General Ordinance No. 51, 1873, entitled:

An Ordinance to authorize the negotiation of a loan, and providing for the issuing of bonds.

Which was read the first time.

On motion by Mr. Brown the rules were suspended by unanimous consent for the purpose of reading the ordinance the second time.

General Ordinance No. 51, 1873, was read the second time and referred to the Committee on Finance.

His Honor, the Mayor, introduced General Ordinance No. 52, 1873, entitled :

An Ordinance compelling the inhabitants of the City of Indianapolis to disinfect their premises, and to remove all impure and unwholesome substances.

Which was read the first time.

On motion the rules were suspended by unanimous consent for the purpose of placing the above entitled ordinance on its passage.

The ordinance was then read the second time and ordered engrossed and read the third time, and passed by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Darnell, Gibson, Kahn, Peck, Pendleton, Pressly, Stratford, Thalman, Twiname, Ward and Woodburn—16.

Negative—Councilmen Brown, Gimber, Hardesty, Kennington, Rush, Shepherd and Sherwood—7.

By consent Dr. Ward offered the following motion :

Moved, That the Street Commissioner, when requested by the Board of Health, be and is hereby instructed to remove immediately all nuisances deleterious to the public health from the streets or alleys.

Which was laid on the table.

Mr. Kennington moved to reconsider the vote by which Special Ordinance No. 168, 1873, entitled: An ordinance to grade, bowlder, curb and pave the first alley south of Maryland street running east and west from Delaware to Pennsylvania streets, was passed at the last meeting of the Council.

Which was adopted, and the vote on the passage of the ordinance reconsidered by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—23.

Negative—None.

On motion by Mr. Brown the ordinance was stricken from the files.

Mr. Batty introduced Special Ordinance No. 245, 1873, entitled :

An Ordinance to amend an ordinance entitled an ordinance to grade and pave with brick the sidewalks of Alabama street from Fort Wayne avenue to the State Fair Grounds. Passed July 21, 1873.

Which was read the first time.

On motion by Mr. Batty the rules were suspended by unanimous consent for the purpose of passing the above entitled ordinance.

The ordinance was then read the second time and ordered engrossed, and read the third time and passed by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gimber, Hardesty, Kennington, Peck, Pendleton, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—Councilmen Gibson, and Kahn—2.

ORDINANCES ON FIRST READING.

Mr. Anderson presented the following petition :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on East Huron street, between Dillon and Reid streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said Huron street, from said Dillon street east to said Reid street, including sidewalks.

And your petitioners will ever pray, etc.

M. W. KENNEDY, ANDREW J. SLOAN, C. A. COOPER, And 4 others.

Which was received.

Also, Special Ordinance No. 246, 1873, entitled :

An Ordinance to grade and gravel Huron street and sidewalks from Dillon to Reid street.

Which was read the first time.

Mr. Batty introduced Special Ordinance No. 247, 1873, entitled:

An Ordinance to light with gas Alabama street from St. Mary's street to the State Fair Grounds.

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

Also, Special Ordinance No. 248, 1873, entitled :

An Ordinance to light with gas Central avenue from Lincoln street to the State Fair Grounds.

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

 $\mathbf{2}$

[Regular Session

Mr. Bollman introduced Special Ordinance No. 249, 1873, entitled:

An Ordinance to grade and bowlder Maryland street from Alabama to Delaware street, excluding the sidewalks.

Which was read the first time.

Also, Special Ordinance No. 250, 1873, entitled:

An Ordinance to grade and pave with brick the north sidewalk of Maryland street from Alabama to Delaware street.

Which was read the first time.

Mr. Darnell presented the following petition :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on North Mississippi street, between Tinker and Twelfth streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said Mississippi street, from Tinker street to Twelfth street, the street to be graded according to stakes set by the Civil Engineer, to the width of forty feet, and that twenty feet of the center thereof be graveled with good river or creek gravel, and that the sidewalks thereof be graded and graveled with the same quality of gravel.

And your petitioners will ever pray, etc.

MYRON DICKSON, H. F. CONDE, WM. H. COOPER, And 10 others.

Which was received.

Also, Special Ordinance No. 251, 1873, entitled:

An Ordinance to grade and gravel Mississippi street and sidewalks from Tinker to Twelfth street.

Which was read the first time.

Also, Special Ordinance No. 252, 1873, entitled :

An Ordinance to grade and gravel Second street and pave the sidewalks thereof from Illinois to Meridian streets.

Which was read the first time.

Mr. Kahn presented the following remonstrance:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on North East street, between Washington street and Massachusetts avenue, respectfully remonstrate against the passage of an ordinance providing for the laying of the Nicholson pavement (wooden street) on North East street, but pray your honorable body to have it passed to improve said street as introduced June 2d, 1873—an ordinance numbered one hundred and fifty-six (156,) to grade and gravel East street, bowlder gutters and curb with stone the sidewalks from north side of Washington street to south side of Massachusetts avenue.

And your remonstrants will ever pray, etc.

C. A. BIEDENMEISTER, JOHN A. CHILD, CHARLES KEMKER, And 14 others.

Which was referred to the Committee on Streets and Alleys, together with the ordinances.

Also, Special Ordinance No. 253, 1873, entitled :

An Ordinance to grade and gravel the second alley north of Lockerbie street from Liberty to Noble streets.

Which was read the first time.

Mr. Kennington presented the following petition :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on Hendricks street, running north and south through Woodruff and Kappes subdivision, from Nebraska to Texas street, respectfully petition your honorable body to pass an ordinance providing for the

Regular Session

grading and graveling of the same, and also to provide said street with a sidewalk, taken from the alley adjoining said street on the west side, which shall be made part of said Hendricks street.

And your petitioners will ever pray, etc.

JAMES FRANK, MOSES DAVIS.

Which was received.

Also, Special Ordinance No. 254, 1873, entitled:

An Ordinance to grade and gravel Hendricks street and sidewalks from Nebraska to Texas streets.

Which was read the first time.

Also, Special Ordinance No. 255, 1873, entitled :

An Ordinance to grade and gravel the first alley east of Delaware street from Merrill to Wyoming street.

Which was read the first time.

Mr. Peck presented the following petition:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate fronting on the east side of Mississippi street, between North and First streets, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick, the east sidewalk of Mississippi street, between North and First streets; said pavement to be nine feet in width.

And your petitioners will ever pray, etc.

D. DEARINGER, J. H. PERRY, J. M. SIMS, And 3 others.

Which was received.

Also, Special Ordinance No. 256, 1873, entitled :

An Ordinance to grade and pave with brick the east sidewalk on Mississippi street from North to First streets.

Which was read the first time.

Also, General Ordinance No. 53, 1873, entitled :

An Ordinance to prohibit the standing of vehicles within twenty (20) feet of any public fountain.

Which was read the first time.

Mr. Pressly introduced Special Ordinance No. 257, 1873, entitled:

An Ordinance to grade and gravel Dillon street and sidewalks from English avenue to Harrison street.

Which was read the first time.

Mr. Shepherd presented the following petition:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of hacks and express wagons, and citizens interested in the cause, respectfully petition your honorable body to repeal an ordinance providing for the locations of hack and express wagons, for the following reasons:

1st. We have to pay the city special license for the privilege of plying our vocation; and

2d. Think it no more than just that we should be allowed to stand our wagons and hacks where we can derive the most benefit therefrom; and

3d. That there should be no special legislation against us, no more than there should be in any other branch of business, unless our business should be publicly declared a nuisance.

And your petitioners will ever pray, etc.

J. BIRCH & SON, DENNIS SULLIVAN, MERIT WARD, And 187 others.

Which was received.

Mr. Shepherd introduced Special Ordinance No. 258, 1873, entitled:

An Ordinance to grade and pave the south sidewalk of Maryland street from Illinois to Tennessee street.

ŧ

Which was read the first time.

Also, General Ordinance No. 54, 1873, entitled :

An Ordinance to grant W. F. Piel & Co., permission to erect a Starch Factory.

Which was read the first time.

Dr. Stratford presented the following petition :

INDIANAPOLIS, July 28, 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 east of Beatty street, between McCarty and Buchanan streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said alley with good river or creek gravel.

And your petitioners will ever pray, etc.

HUBBARD & YANDES, J. H. McKERNAN, JOHN REID, And 3 others.

Which was received.

Also, Special Ordinance No. 259, 1873, entitled :

An Ordinance to grade and gravel the alley running north and south from McCarty to Buchanan streets, and between Beaty and Sullivan streets.

Which was read the first time.

Mr. Thalman introduced Special Ordinance No. 260, 1873, entitled:

An Ordinance to grade and gravel Paca street and sidewalks from Indiana avenue to Pratt street.

Which was read the first time.

Also, Special Ordinance No. 261, 1873, entitled :

An Ordinance to grade and gravel the first alley south of New York street running from Blackford to Blake streets.

Which was read the first time.

Also, Special Ordinance No. 262, 1873, entitled:

An Ordinance to widen the sidewalks, curb with stone, and bowlder the gutter on the west sidewalk of Mississippi street from Market to Ohio streets.

Which was read the first time.

Also, Special Ordinance No. 263, 1873, entitled :

An Ordinance to grade and bowlder the first alley west of Mississippi street from Wabash to Ohio streets.

Which was read the first time.

Mr. Thalman moved that the vote be reconsidered by which, General Ordinance No. 48, 1873, entitled: An ordinance appropriating money to pay two hundred dollars to Elizabeth Groeschel for real estate owned by her and condemned by the city, was stricken from the files at the last meeting of the Council.

On which no action was had.

Mr. Gibson moved to suspend the rules for the purpose of receiving the report from committees.

Which motion was not adopted.

ROLL CALL.

Mr. Shepherd offered the following motion :

Moved, That the Street Commissioner be, and is hereby ordered to repair the bowldered gutter on Kentucky avenue, east side, from Maryland street to Washington street, so as to carry off all water from said gutter.

Which was referred to the Committee on Streets and Alleys.

Also, the following communication:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—I would respectfully represent to your honorable body that on Saturday evening last, while driving my hack across the culvert on Alabama street, it gave way, or had a hole in the same, which caused my horse to fall and receive severe injuries, which I would request your honorable body to take cognizance of, and refer the same to some committee for adjustment.

Respectfully yours,

His BENJ. ⋈ IRVING. mark.

Which was referred to the Committee on Accounts and Claims and City Attorney.

Also, the following motion :

Moved, That the City Clerk advertise for proposals for building a 600 bbl. fire cistern at or near the corner of Kentucky avenue and West street, under the direction of the Fire Engineer.

Which was referred to the Committee on Fire Department.

Also, the following motion :

Moved, That the City Civil Engineer devise ways and means for the protection of the property holders on South Illinois street against the overflow of water in times of hard rains. Also to report to this Council the best method of protecting the Illinois street tunnel against the overflow of said Illinois street.

Which was adopted.

Dr. Stratford offered the following motion :

Moved, That John Rothert be allowed the privilege of erecting and maintaining a platform scale on Pine street, near Virginia avenue.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved, That Henry Bodewald be allowed the privilege of building and maintaining a bridge or platform over the gutter in front of his property, No. 439 Virginia avenue.

Also, the following motion :

WHEREAS, The citizens living on the east side of South East street, between Stevens and Valley streets, are in dispute regarding the present location of their fences;

Moved, That the City Engineer be instructed to survey the premises and locate the line of the fences between the streets above named.

Which were adopted :

Also, the following remonstrance :

INDIANAPOLIS, July 29, 1873.

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

Gentlemen—We the undersigned, property holders on the line of the alley running east and west from Wright street to Virginia avenue, between Buchanan and Dougherty streets, respectfully remonstrate against the grading and graveling of the above described alley.

And your remonstrants will ever pray, etc.

GEORGE DAVIDSON, JOHN BURWELL, THOMAS COLLINS, And 12 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—We the undersigned, owners of property on Olive street, below Willow street, hereby enter our remonstrance against the grading and graveling of said street below Willow street. Our reasons for entering this remonstrance is our inability to meet the

[Regular Session

additional expense which will be thrown upon us—having payments to make upon our lots, which will consume all moneys that we can spare from keeping our families.

¹Hoping that this remonstrance will receive due consideration, we will ever pray, etc.

GEO. A. REBB, GEO. W. BAXTER, THOS. T. WILLIAMS, J. HERMAN PIEPER.

Which was referred to the Committee on Streets and Alleys

Also, the following remonstrance:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, owners of the real estate in the vicinity of the first alley east of Virginia avenue, between Pine street and the first alley south of Pine street, respectfully remonstrate against the passage of an ordinance providing for the grading and bowldering of the above described alley. We think it an unnecessary expense to bowlder the alley, but the undersigned will not object if the alley be simply graded and graveled.

And your remonstrants will ever pray, etc.

WILHELM SPIESSBAUCH, CHRISTIAN J. KARLE, JACOB GILBRECDT, And 6 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following communication :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—On the 20th of April, 1868, on motion of Mr. Henshen, and adopted by your honorable body, (see page 845, proceedings of April 20th, 1868,) I was granted permission to grade and gravel the sidewalk in front of my property, on the corner of Hosbrook and Grove streets. The same was done under direction of the City Engineer, at an expense of twenty-five dollars (\$25,) as per bill herewith attached, and has been maintained and kept in good repair from that time.

Whereas, the street has been recently improved, and a bill for the full amount brought against me for said improvement, I most re-

spectfully request that an allowance of twenty-five dollars be made in my favor.

PETER RAESBERG.

Which was referred to the Committee on Accounts and Claims and City Attorney.

Also, the following petition :

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned would respectfully represent that, by reason of a stoppage or obstruction of a culvert or drain under the street, there is an accumulation of stagnant water on both sides of Prospect street, near the corporation line.

The undersigned, some of the citizens of the Thirteenth Ward, ask Council to order the removal of said stagnant water by a proper drain constructed for that purpose. We also ask that the sidewalk on the north side of Prospect street may be graded and graveled from Virginia avenue to Reid street, or the east corporation line.

And as in duty bound, etc.

SAMUEL DAVIS, ANDREW PATTERSON, ROBT. S. PATTERSON, And 13 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Thalman offered the following motion :

Moved, That S. W. Patterson have permission to move a frame house from the corner of Ohio and Pennsylvania streets east to Alabama on Ohio, thence north on Alabama to his lot north of Tinker street.

Also, the following motion :

As great complaint has been made, and suit threatened against the city by property owners in the vicinity of the crossing of Vermont and Blake streets, on account of the water of Blake street being drained into private property, I therefore move that the City Attorney and City Engineer be directed to examine into the matter and report whether the city has the right to so drain said street, and what remedy can be adopted to flow the water in some other direction.

Also, the following motion:

Moved, That the Street Commissioner notify the property owners on the south side of New York street, between Bright and Geisendorff streets, to immediately trim the trees in front of their property of their lower limbs, in compliance with the ordinance now in force governing the same.

Also, that the Street Commissioner notify his teamsters to pick up all loose stones and bowlders found lying at any time in the streets, and haul them away.

Also, the following motion:

Moved, That the Street Commissioner be directed not to allow any pay to any one connected with the Street Road Roller, except for actual work done, and under his direction.

Also, the following motion :

Moved, That the Street Commissioner notify owners of lots Nos. 31, 32 and 33, in out-lot 162, Wiley's subdivision, and fronting on Indiana avenue, to fill the same with earth to a sufficient depth to prevent stagnant water remaining on the same.

Also, to notify property owners on the north side of Indiana avenue, between the canal and West street, to immediately repair their brick sidewalk, and if not done within ten days that he do the work and collect the cost of same from the property owners-

Also, the following motion :

Moved, That the City Marshal notify the property owner (a few doors west of the canal, and on the north side of Indiana avenue, to immediately remove the cellar stairway and cover the same on a level with the sidewalk. Also, to notify all other parties obstructing the sidewalk between the Canal and West street (north side) to remove said obstructions at once.

Also, the following motion:

Moved, That the Street Commissioner notify C. H. Lintner, owner of lot No. 7 in Ray's subdivision of out-lot 150, to fill the same with earth to a depth that will prevent water standing on the same, and if not done within ten days, that the Street Commissioner do the work and collect the expense from the property owner.

Also, the following motion :

Moved, That the motion requiring the Street Commissioner to make weekly reports be rescinded.

Also, the following motion :

Moved, That the contractors for improving Georgia street, between Meridian and Pennsylvania streets, be notified by the City Clerk, that their contract will be forfeited if not completed within twenty days.

Also, the following motion :

Moved, That the Civil Engineer be directed to set the stakes for a gutter on north side of Indiana avenue, between St. Clair street and Fall creek, which will carry off the water that now empties into private property between the points named, and that the Street Commissioner be directed to open the same.

Also, the following motion :

Moved, That the Gas Inspector have the first lamp-post west of Mississippi street, on the north side of Washington street, moved to the corner of the alley immediately west of where now located; also, the second post west of the canal, north side of Washington street, moved to the alley immediately west, on same side.

Which were adopted.

Also, the following remonstrance:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The Water Works Company respectfully remonstrate against the passage of an ordinance by your honorable body, for placing a sewer in Missouri street, south of Market street.

Respectfully submitted,

THE WATER WORKS CO., OF INDIANAPOLIS. JOHN R. ELDER, President.

Which was received.

Also, the following petition:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned, your petitioners, would respectfully represent to your honorable body that in consequence of Center street being so graded as to cause the water to flow from Douglass and Ellen streets to the center of the square, thus filling our cellars and leaving standing water after every rain, which stagnates, leaving a very unhealthy odor, as well as very damp cellars; and now your petitioners having paid for improvements, respectfully ask relief, by drainage or otherwise, as in your judgment seems best.

And your petitioners will ever pray, etc.

MRS. ELIZABETH WHITNEY. PHILIP OTTO. JOHN R. JENKINS. PETER SHAUB.

And 6 others.

Moved, That it be referred to the Civil Engineer, and that he be directed to examine and report to this Council at next meeting, what is necessary to be done to give relief.

Which was adopted.

Mr. Thalman moved that the report of the Committee on Streets and alleys and the order of vacation of certain alleys, submitted to Council May 5, 1873, be taken up.

Which motion was adopted.

Mr. Kennington then by consent of the Council withdrew the remonstrance protesting against the vacation of the alleys as set forth in such report, presented to Council March 3d and March 31st, 1873.

On motion the report was then concurred in, and the order of vacation adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Darnell, Gimber, Kahn, Kennington, Pendleton, Pressly, Shepherd, Stratford, Thalman, Twiname, and Ward—15.

Negative—Brown, Gibson, Peck, Rush, Sherwood and Woodburn—6.

Mr. Twiname offered the following motion:

Moved, That the Street Commissioner be ordered to cut down all shade trees on any public street, which were partially blown down, unless the owners straighten up the same within five days of notice.

Also, the following motion :

Moved, That hereafter the report of the City Civil Engineer, or so much thereof as relates to the improvement of streets, after approval shall be referred to the City Assessor, who shall furnish said City Engineer the names of the property-holders on the line improved, together with the city's portion, within three days from the approval of the said report by the City Council, and if any errors, to report the same to said Engineer for correction, he being in possession of the plat book and the proper person to make all transfers.

Also, the following motion :

Moved, That the Street Commissioner be instructed to lower the gutter on the north side of Clifford avenue, from Brookside avenue to Pogues run, so as to drain the water to said run.

Also, the following motion:

Moved, That the Street Commissioner fill up with good gravel the hole or holes at the corner of Tinker and Delaware streets.

Which were adopted.

Also, the following claim :

INDIANAPOLIS, July 28, 1873.

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

City of Indianapolis to M. J. Osgood, Dr.:

To \$500 damages for 25,000 feet of Walnut lumber, caused by the overflow of my yard with water, mud and sand. The overflow was caused in part by the grading of John street so that the water could not run off.

Which was referred to the Committee on Accounts and Claims.

Also, the following motion:

Moved, That the City Civil Engineer make a survey of the ground from Hill avenue to Fall Creek, for the purpose of building a sewer between said limits, and report to this Council at its next regular meeting, and what the capacity of said sewer should be.

• Which was referred to the Committee on Sewers and Civil Engineer.

Also, the following motion :

Moved, That the property owners abutting on the first alley north of Christian avenue, between Christian avenue and Home avenue, be permitted to grade the same, under the supervision of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was laid on the table.

Also, the following motion :

Moved, That the Street Commissioner be, and is hereby instructed to proceed without delay and fill up the holes in the streets where stagnant water now stands.

Which was referred to the Street Commissioner.

Also, the following motion:

Moved, That the Street Commissioner be at once directed to fill up the low places on Home avenue, between Pennsylvania and Delaware streets, where stagnant water stands all summer and bull frogs are bred by the ton.

Which was adopted.

Also, the following motion:

Moved, That Houston & Northrup have permission to extend the wooden sewer 80 feet east on Market street, along the line of their property.

Which was referred to the Committee on Streets and Alleys.

Dr. Ward presented the following communication:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—The undersigned would respectfully inform your honorable body, that they have by lease acquired the property known as the Bellefontaine Railroad gravel pit, bounded as follows: On the north by Walnut street, on the south by North street, on the East by the Peru & Indianapolis Railroad track, and on the west by Railroad street, and design to use the same for a coal yard, and desire immediately to erect thereon several railroad tracks on trestle work for the use of dump cars; that the said gravel pit being low grounds, has been used by the citizens as a receptical of all kinds of offal, and by the city as drainage pound for a number of squares in different directions. We desire respectfully but earnestly to call your attention to such fact, and ask your honorable body to take such steps as will tend to the immediate and effectual removal of the matter complained of.

Most respectfully yours,

BUTSCH, DICKSON & CO.

Which was referred to the Committee on Streets and Alleys and Civil Engineer. Also, the following motion :

Moved, That the Street Commissioner be directed to raise the curb and pavement, repair the gutters and remove the stone flagging over the gutters and replace them with iron crossings, on the north-east corner of St. Clair and Pennsylvania streets.

Which was referred to the Committee on Streets and Alleys and Civil Engineer with power to act.

Also, the following motion :

Moved, That the Street Commissioner, when requested by the Board of Health, be and is hereby requested to open gutters, the obstruction of which may be causing a nuisance, deleterious to the health of the public.

Which was laid on the table.

Also, the following motion :

Moved, That the Street Commissioner have a few loads of gravel deposited in the mud-hole in the alley extending from the Peru railroad to Massachusetts avenue, opposite the western terminus of John street, in order to render said alley passable for loaded vehicles.

Which was referred to the Street Commissioner.

Also, the following motion :

Moved, That W. J. Holliday, T. P. Haughey, Milton Landis, Mrs. Moore, W. Y. Wiley estate, Jno. C. Wright, A. J. Claypool and W. Q. Adams, be allowed to gravel alley running north and south through square 16, under the direction of the Civil Engineer, provided the same be done within sixty days, and at their own expense.

Which was adopted.

Dr. Woodburn presented the following remonstrance:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—Your petitioners, resident citizens of the City of Indianapolis, would respectfully remonstrate against the granting of a petition heretofore presented to the Council asking for the opening

COMMON COUNCIL.

of an alley between Walnut and North streets, and passing through the south half of out-lot No. 8. Said opening would pass through property belonging all to one person, with the exception of one lot, and in its line would strike a barn, causing considerable damage, and would be of no present benefits for travel except to the private parties who own the property, and they are opposed to the opening of the same.

D. A. RICHARDSON, ELIZA BLAKE.

Which was referred to the City Commissioners.

Also, the following motion :

Moved, That the Police Court Room be refitted, by placing new matting upon the floor where needed, whitewashing the walls, and furnishing extra settees and chairs—all at a cost not to exceed \$150.

Which was referred to the Committee on Public Buildings.

Also, the following communication:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen-We the undersigned, citizens and business men on Virginia avenue, between Maryland street and the Railroad tracks, would respectfully represent to your honorable body that we are now and have been all summer, suffering from an almost intolerable nuisance, caused by the filthy condition of the gutter on the east side of said avenue. Since the 20th of April last the Street Commissioner has cleaned out said gutter six times, and to-day it is as full of filth and as disagreeable as at any previous time. The cause of all this accumulation of filth and nastiness is the four low bridges across said gutter opposite the coal yard of McDonough & Townsend. The heavy rain fall of this morning caused the gutter to overflow, and the back water and filth to stand for hours, at least two feet deep and twenty feet wide, and now since the water has passed off by the slow process of leaking under the bridges, it has left mud and filth to the depth of several inches to fester and stink, to the great annoyance and the endangering of the lives and health of the undersigned. And now as this is the sickly season of the year, and as the cholera is in our

[Regular Session

city, we demand the immediate removal of said bridges, or the raising of them to such a height that water on all occasions shall have free and unobstructed passage.

WM. E. HILDRICK, THOS. S. WILSON, E. R. HUTTON, And 13 others.

Which was received and prayer of petitioners granted.

By consent, Mr. Pressly, from the Committee on Gas Light, submitted the following report:

INDIANAPOLIS, July 28, 1873.

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

Gentlemen—Your Committee on Gas, to whom was referred sundry proposals for lighting and extinguishing the city street lamps, have examined the same and find them to be as follows, to-wit: J. M. Cooper, giving as security W. D. Wiles, at twenty-five cents

J. M. Cooper, giving as security W. D. Wiles, at twenty-five centsper lamp per month.

George W. Lynn, thirty cents per lamp per month.

Henry Kolb, for the north-eastern district, only thirty-three centsper lamp-post.

Edward H. Roney, thirty-one cents per lamp-post.

F. Schulmeyer, for the north-western district, at thirty-three cents per lamp-post.

J. M. Cooper being the lowest and best bidder, we would recommend that he be awarded the contract for one year, at the price bid, and that the City Attorney and Gas Inspector have the proper contract and bond prepared.

Respectfully submitted,

JOHN T. PRESSLY, FRED. C. BOLLMAN, Committee on Gas.

Which was concurred in, and contract awarded.

The City Clerk reported the contract and bond of J. M. Cooper, for lighting the public lamps.

Which was received, and the bond approved.

Mr. Brown moved that when the Council adjourn, it adjourn to meet Thursday evening, July 31st, 1873.

Which was adopted.

On motion, the Council adjourned.

JAMES L. MITCHELL, Mayor.

ATTEST: John R Clinton,

City Clerk.