

PROCEEDINGS

OF THE

COMMON COUNCIL

SPECIAL SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Thursday, September 4, 1873, 7½ o'clock, P. M. }

The Common Council met pursuant to adjournment.

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

Councilmen Adams, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kennington, Peck, Pressly, Rush, Shepherd, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—20.

Absent—Councilmen Anderson, Hardesty, Kahn, McLaughlin, Pendleton and Reagan—6.

Sealed proposals for lighting and extinguishing the public lamps of the city were, received, opened, read and referred to the Committee on Gas Light and Gas Inspector, with instructions to report next Monday night.

Sealed proposals for sprinkling the streets were received, opened, read, and laid over for the present.

The Civil Engineer submitted the following report :

INDIANAPOLIS, September, 4, 1873.

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

Gentlemen—The City Civil Engineer respectfully reports to the Council :

FIRST.

Contract and bond of Bernard Hammill, for grading and bowldering Georgia street from Meridian to Illinois street.

SECOND.

Contract and bond of Bernard Hammill, for grading and paving with brick the sidewalk, and curbing the outside edge of the sidewalk with stone, on the east side of Alabama street, from Louisiana to Merrill street.

THIRD.

Contract and bond of Bernard Hammill for grading, paving with brick and curbing the outside edge of the sidewalk with stone, the west sidewalk on Alabama street, from South to Merrill street.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in and bonds approved.

The City Commissioners submitted the following report :

INDIANAPOLIS, September 4, 1873.

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

Gentlemen—The Board of City Commissioners have completed the examination of the matter of opening a nine foot alley through out-

lots H, and 62 and 63, referred to them by your honorable body, and after full consideration thereon would report:

We find on examination that there now exists in the line of the proposed alley, in out-lot 63, a ten foot alley, reaching from Liberty street west across lots 1, 2 and 3 of Wilson's subdivision of out-lot 63, and that a private alley nine feet wide extends on the line of the proposed alley east from East street 195 feet on the line of out-lots 62 and H; at its eastern extremity it connects with a ten foot private alley, taken off the west side of the north end of lot 4, in out-lot H. This ten foot alley extends southward 75 feet, and if disused, should revert to C. Weigmann, to whose lot it properly belongs.

We find from the testimony before us that the Germania Building and Savings Association, Mrs. Mary E. Noble, Joseph Kruger, and C. Weigmann, were the parties interested in the use and ownership of this private alley, (which it is now proposed to extend east to Liberty street and make a public highway), and that said parties contributed in ground or money toward the purchase and establishment of said private alley, Mr. Kruger contributing the largest sum, and having therefore the greatest interest in said alley. In making our assessment we have kept this fact in view, and in the matter of damages and benefits between those who own the private alley, and between them and the parties east of them, we have endeavored to equalize the interests of all parties concerned. If the alley should be opened on this report and assessment, as a public highway, it is understood and agreed that the Germania Building and Savings Association, M. E. and W. P. Noble, and Joseph Kruger and wife shall quit-claim to C. Weigmann all interest in the ten foot strip on the west side of his lot, being the north and south private alley now there.

We estimate the value of the ground required for said alley, between East and Liberty streets, at \$715.00, and of the improvements taken or removed at \$50.00, making the total damages \$765.00.

We estimate the benefits to the property and property holders along said alley, if opened, at \$765.00, thus equaling the damages.

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

The following schedule describes the property, the owners' names, and the damages and benefits in detail:

Damages to the Germania Building and Savings Association No. 2, for a strip of ground $4\frac{1}{2}$ feet wide by 195 feet long, off the north side of lot 7, in out-lot H, in Indianapolis, taken as part of said nine foot alley, \$125.00. Benefits to said Association on balance of said lot from opening said public alley, \$135.00. Balance of benefits to said Association \$10.00.

Damages to Mary E. and W. P. Noble for a strip $4\frac{1}{2}$ feet wide by 120 feet long, off the south side of lot 1, in Flack's subdivision of out-lot 62, \$75.00. Benefits to said Noble from opening said alley, \$90.00. Balance of benefits to said Noble on said lot, \$15.00.

Damages to Joseph Kruger for a strip 2 feet wide by 43 feet long, off the south end of lot 2, in Flack's subdivision of out-lot 62, and his interest in the private alleys heretofore named, \$145.00. Benefits to Kruger on said lot, \$67.50. Balance of damages to said Kruger, \$77.50.

Damages to Judith M. and ——— Conwell, her husband, for a strip 2 feet wide by 47 feet long, off the south end of lot 3, Flack's subdivision of out-lot 62, \$30.00. Benefits to said Conwell on said lot, \$67.50. Balance of benefits to said Conwell on said lot, \$37.50.

Damages to C. Weigmann for a strip 7 feet wide by 50 feet long, off the north end of lot 4, in out-lot H, \$40.00; damages for moving shed, \$10.00; total damages, \$50.00. Benefits to said Weigmann from said alley, and from vacation of private alley on west side of said lot, \$75.00. Balance of benefits to said Weigmann from said alley on said lot, \$25.00.

Damages to Samuel Kahn for a strip 2 feet wide by $87\frac{1}{2}$ feet long, off the south end of lot 4, Flack's subdivision of out-lot 62, \$25.00. Damages to said Kahn for moving improvements on said lot, \$15.00; total damages to said Kahn, \$40.00. Benefits to said Kahn on said lot from opening said alley, \$90.00. Balance of benefits to said Kahn \$50.00.

Damages to Adam Irick for a strip 7 feet wide by 50 feet long, off the north end of lot 6, in out-lot H, \$50.00. Damages to said Irick for moving shed and other improvements, \$25.00; total damages to Irick, \$75.00. Benefits to said Irick from said alley, \$15.00; balance of damages to Irick, \$60.00.

Damages to Powell Howland for a strip 9 feet wide, through lot 4, in Wilson's subdivision of out-lot 63, \$75.00. Benefits to said Howland on said lot from said alley, \$75.00. Balance of benefits to Howland, \$00.00.

Damages to Tobias Bender for a strip $4\frac{1}{2}$ feet wide by — feet long, off the south end of that part of lot 3, in Wilson's subdivision of out-lot 63, lying north of the middle line of said alley, \$30.00. Benefits to said Bender on said part of said lot from said alley, \$30.00. Balance of benefits to said Bender, \$0.00.

Damages to L. H. Mueller for a strip $4\frac{1}{2}$ feet wide by — feet long, off the south end of that part of lot 2, in Wilson's subdivision of out-lot 63, lying north of the middle line of said alley, \$30.00. Benefits to said Mueller on said lot from said alley, \$30.00. Balance of benefits to him, \$0.00.

Damages to Christoph Gomph for a strip $4\frac{1}{2}$ feet wide by — feet long, off the south end of that part of lot 1, in said Wilson's subdivision of out-lot 63, lying north of the middle line of said alley, \$30.00. Benefits to Gomph on said lot from said alley, \$30.00. Balance of benefits to Gomph, \$0.00.

Damages to Christoph Gomph for a strip $4\frac{1}{2}$ feet wide by — feet long, taken off the north ends of those parts of lots 1, 2 and 3 in Wilson's subdivision of out-lot 63, \$20.00 on each lot, making the total damages on said lots \$60.00. Benefits to said Gomph on each of said

lots from said alley \$20.00, making total benefits \$60.00. Balance of benefits to said Gomph, \$0.00.

Total Damages. \$765.00.

Total benefits, \$765.00.

We return herewith the petition, the order of reference, the notices, proofs of publication, plat, and the remonstrance filed with us, and other papers.

J. GEORGE STILZ,
IGNATIUS BROWN,
W. J. ELLIOTT,
PETER WEIS.
G. W. ALEXANDER,
Board of City Commissioners.

Which was received.

Also, the following report:

INDIANAPOLIS, September 4, 1873.

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

Gentlemen—The Board of City Commissioners have acted on the matter of opening Coburn street from Short street to Virginia avenue, referred to them by your honorable body, and would report as follows:

The value of the ground taken for said street we estimate at \$1,400. The benefits to adjoining property and property holders at \$1,090. The balance, \$310, we have assessed against certain property holders, as authorized so to do by the written subscription list herewith returned and made part hereof.

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

The damages and benefits, and description of the property, are set out in detail in the following schedule:

Damages to Herman Hartrodt for all of lot 2, in Daugherty's subdivision of part of out-lot 99, in Indianapolis, taken for said street, \$900.

Damages to Phebe M. and Michael A. Daugherty for all of lot 9, in said Daugherty's subdivision of out-lot 99, as aforesaid, taken for said street, \$500. Total damages for the two lots taken, \$1,400.

There are no benefits to said Hartrodt or said Daugherty.

Benefits to Mrs. Catharine Dipple on lot 3, in Daugherty's subdivision of out-lot 99, \$400.

Benefits to Frederick Deitz on lot 1, in the subdivision last aforesaid, \$400.

Benefits to Christian F. Kirchhoff on lot 8, in the aforesaid subdivision, \$175.

Benefits to Isaac Foster on lot 10, in the aforesaid subdivision, \$115.00.

Total benefits on the adjoining lots and to the lot owners, \$1,090, leaving a balance of damages over benefits on adjoining lots of \$310. This balance we divide among the following persons, in accordance with their written permission so to do, (filed herewith,) and as follows:

Benefits from opening said street to

Benj. R. McCord.....	\$30 00
Joseph Schwartz.....	10 00
C. H. Falkening.....	15 00
B. F. Slate.....	5 00
Frederick Draeger.....	6 00
A. F. Miller.....	5 00
W. Folkening.....	5 00
A. Van Wie.....	5 00
H. Miller.....	5 00
John Pfitzer.....	5 00
C. F. Miller.....	10 00
Robert S. Pedlow	10 00
Joseph McVey.....	5 00
G. W. Ryan, Jr.....	5 00
John Weilaman.....	5 00
Peter J. Brockhausen.....	15 00
B. Bernaner.....	5 00
Jerry Haley.....	5 00
Margaret Danneburg.....	2 00
C. Wagner.....	5 00
George Wagner.....	5 00
Julius Pritsch.....	5 00
Henry W. Mier.....	10 00
Jacob Cargets.....	5 00
Richard Jones.....	5 00
James A. Chives.....	5 00
S. Carcoff.....	1 00
Joseph Orth.....	10 00
Christian Warway.....	10 00
August Niemann.....	5 00
Charles Hoelscher.....	2 00
Bernard Boyle.....	2 50
Ellen Sweeny.....	2 50
Andrew Linmann.....	3 00
J. S. Blackman.....	5 00
C. F. Miller	5 00
M. R. Gilmore.....	6 00
V. S. McMullen.....	5 00
Wm. Jones.....	5 00
G. Blauvelt.....	5 00
Conrad Schrader.....	10 00
J. B. Dickey.....	5 00

John Flaper.....	5 00
Metzger & Ehrmann	15 00
L. Schneider.....	5 00
Carl Kercheff.....	10 00

Total subscriptions.....\$310 00

Lots Nos. 2 and 9 of Daugherty's subdivision of out-lot 99, and the 15 foot alleys north of said lots, and between them, are taken as necessary for the extension of said street according to the plat.

We return herewith the petition, plat, notices, proofs of publication, and other papers referred to us.

Respectfully submitted,

J. GEORGE STILZ,
IGNATIUS BROWN,
W. J. ELLIOTT,
PETER WEIS,
GEO. ALEXANDER,
Board of City Commissioners.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kennington, Peck, Pressly, Rush, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—18.

On motion the Committee Clerk was instructed to prepare an ordinance appropriating the ground and money to pay the damages on account of extending Coburn street from Short street to Virginia avenue.

General Ordinance No. 59, 1873, entitled:

An ordinance regulating the sprinkling of streets.

Was read the second time.

When Mr. Brown offered the following amendment:

“That from the tenth day of September to the tenth day of October, 1873, the hereinafter named streets, between the points named, shall be sprinkled by means of sprinkling carts or wagons under the supervision of the Street Commissioner, who is hereby authorized to con-

tract with the lowest responsible bidder or bidders for all or any part of said work, the contractor or contractors to furnish the carts and horses, and to supply the same with water. The streets to be sprinkled are:

- "1. Tennessee street between Indiana avenue and Tinker street.
- "2. Illinois street between the Union Depot and Tinker street.
- "3. Meridian street between New York and Tinker streets.
- "4. Pennsylvania street between New York and Tinker streets.
- "5. Delaware street between Washington and Tinker streets.
- "6. New Jersey street between Massachusetts avenue and Fort Wayne avenue.
- "8. Central avenue from Fort Wayne avenue to Exposition Grounds.
- "9. Tinker street from Tennessee street to Central avenue.
- "10. The streets leading to the south front of the Exposition from Tinker street.

"SEC. 2. The cost of such sprinkling shall be assessed to the occupants of all the improved lots fronting on the line of said streets so sprinkled, and where the lots are not improved the assessment shall be made against the owner of the same. Such assessments to be made out by the Committee Clerk of the Common Council in the same manner as assessments for street improvements are made, the street and alley crossings and the frontage of public grounds to be assessed against the city, and such assessments shall be collected by the contractor or contractors as assessments for street improvements are collected; *Provided*, that in all cases where the streets named or any part of the same are now sprinkled by contracts with any one or by means of hose attachment to private street sprinklers, and the said streets or parts thereof are continued to be kept sprinkled from September tenth to October tenth, 1873, such streets or parts of streets shall be exempt from assessments as aforesaid.

"SEC. 3. There is hereby appropriated an amount not exceeding two thousand dollars to pay for the city's portion of the cost of sprinkling the streets as herein provided.

SEC. 4. This ordinance shall be in force from and after its passage."

Which was received.

Mr. Craft offered the following motion:

Moved, To insert "Alabama street from Washington street to Fort Wayne avenue."

Which was not adopted.

Mr. Gibson offered the following motion :

Moved, To amend by inserting "on all streets from Washington street north."

Which was not adopted.

Mr. Rush offered the following motion :

Moved. To amend by inserting "New Jersey street from Washington street to Fort Wayne avenue."

Which was adopted.

Dr. Woodburn offered the following motion :

Moved. To amend "that Tennessee street be sprinkled from Washington to Tinker street."

Which was laid on the table.

Mr. Peck offered the following motion :

Moved. That the ordinance in regard to the sprinkling of the streets be laid upon the table, and that the City Council agree to pay all expenses incurred for sprinkling said streets, as the City Council has no right to pass any such ordinance.

Which was laid upon the table.

Mr. Shepherd offered the following motion :

Moved. That the ordinance for sprinkling the streets to the Exposition grounds be stricken from the files.

Which was not adopted.

Mr. Thalman offered the following motion :

Moved. That Delaware, Meridian, Pennsylvania and Alabama Sts., from Washington street to Fort Wayne avenue, be sprinkled, and *they only*, provided the property owners will agree to pay one cent per front foot on each side, and in that case that this Council will agree to appropriate a like amount.

On motion by Bigham the main question was ordered.

The question being on the engrossment of the ordinance, those who voted in the affirmative were,

Councilmen Adams, Batty, Bigham, Brown, Gibson, Rush, Sherwood, Thalman, Ward and Woodburn—10.

Those who voted in the negative were,

Councilmen Bollman, Craft, Darnell, Gimber, Kennington, Peck, Pressly, Shepherd, Stratford and Twiname—10.

There being a tie vote, His Honor, the Mayor, voted in the negative.

So the ordinance was not ordered engrossed.

Mr. Batty offered the following motion :

Moved, That the contract for sprinkling the streets named be awarded to Omer Porter, he being the lowest bidder, and that the city assume the payment of the same.

Which was laid on the table.

Mr. Thalman offered the following motion :

Moved, That the City Clerk be instructed to contract for the sprinkling of Delaware, Meridian and Pennsylvania streets from Washington to Tinker street, and Tinker from Illinois to Alabama street, for thirty days, at a price not exceeding 2 cents per lineal foot on each side of said streets, and that the expense of the same be paid out of the city treasury.

Which was adopted.

Mr. Sherwood offered the following motion :

Moved, To amend by inserting "Illinois and Tennessee streets from New York to Tinker street."

Mr. Craft offered the following motion :

Moved, To strike out Pennsylvania street and insert "New Jersey street from Washington street to Fort Wayne avenue, and Western avenue to the Exposition ground."

Mr. Craft offered the following as a substitute for the above :

Moved, That the Committee on Contracts make a contract to sprinkle Delaware and New Jersey streets from Washington street to the Fair ; also Tinker street, and the streets leading from Tinker to the Exposition ground, at a price not to exceed two cents per front foot on each side.

Dr. Woodburn moved to amend the substitute by inserting Illinois street.

Which amendment was adopted.

The substitute as amended was then adopted.

Mr. Pressly presented the following petition :

INDIANAPOLIS, September 4, 1873.

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

Gentlemen—We the undersigned, petition your honorable body to change the curbing from stone to wood, on Rockwood street, as the street is narrow and short, and is not used very extensively, and in our opinion we think wood would be sufficient to answer all purposes as curbing on said street, and many of the property holders on said street are of small means, and will not be able to pay for stone curbing without considerable injury to themselves, and asks that alleys crossing said sidewalks be curbed and bowldered.

And for this your petitioners will ever pray.

G. H. VOSS,
SAMUEL LOVE,
H. WITTHOFF,
And 7 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following petition :

INDIANAPOLIS, September 4, 1873.

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

Gentlemen—The undersigned, Samuel Love, petitions your honorable body to grant him a permit to pave his sidewalk with brick and curb the same with wooden curbing in front of his property on Rockwood street, and as he was granted a permit to grade and gravel in front of his property on Rockwood street to the center thereof, and said grading and graveling has been done under the direction and supervision of the City Civil Engineer, and to his full satisfaction. Therefore said Samuel Love asks that no charge be assessed against him for grading and graveling said street under the present ordinance, just passed, and that he may be allowed to make any necessary repairs on his portion of said street to conform to the new graveling, so as not to materially change the former grade.

And for this your petitioner will ever pray, etc.

SAMUEL LOVE.

Which was referred to the Committee on Streets and Alleys.

Mr. Batty offered the following resolution :

Resolved, That the Gas Inspector be and is hereby directed to cause to be erected at once lamp posts on Delaware street from Tinker to the north end of said Delaware street, said posts to be erected in accordance with the rules and ordinance now in force, and the City Civil Engineer is hereby directed to set the stakes for locating said gas posts.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Batty, Bigham, Brown, Craft, Darnell, Gibson, Gimber, Kennington, Peck, Pressly, Rush, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—18.

Negative—None.

On motion the Common Council adjourned.

JAMES L. MITCHELL,

MAYOR.

ATTEST :

JOHN R. CLINTON,

City Clerk.

PROCEEDINGS
OF THE
COMMON COUNCIL

CALLED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Friday, September 5th, 1873, 7½ o'clock, P. M. }

The Council met pursuant to the following call :

MAYOR'S OFFICE, }
INDIANAPOLIS, Sept. 5th, 1873. }

To the Members of the Common Council :

Gentlemen—There will be a session of the Common Council this evening at 7½ o'clock, for the purpose of further considering the question of street sprinkling.

JAMES L. MITCHELL,
Mayor.

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

Councilmen Adams, Anderson, Batty, Bigham, Brown, Craft, Darnell, Gibson, McLaughlin, Pressly, Rush, Shepherd, Sherwood, Thalman, Twiname, Ward and Woodburn—17.

Absent—Councilmen Bollman, Gimber, Hardesty, Kahn, Kennington, Peck, Pendleton, Reagan and Stratford—9.

Mr. Brown moved to reconsider the vote by which the motion was adopted at the meeting held last night, by which the Council agreed to sprinkle certain streets. Also, directing Committee on Contracts to close contract for sprinkling such streets.

Which was adopted.

Mr. Batty offered the following motion :

Moved, That the city appropriate the sum of twenty-five hundred dollars for the purpose of sprinkling the streets named in the motion passed for sprinkling, provided that the citizens along the streets named raise a sufficient sum by voluntary contribution to have the said streets well and thoroughly sprinkled during the entire time of the Exposition.

Mr. Gibson offered the following motion :

Moved, That the Committee on Contracts is hereby directed to contract with some responsible person to sprinkle the following streets :

Provided, That said sprinkling shall not cost the city over twenty-five hundred dollars, said sprinkling to be done in a thorough manner during the Exposition.

Mr. Thalman offered the following motion as a substitute to the above :

Moved, That the sum of \$3,000 be appropriated for the purpose of sprinkling the following named streets :

Tennessee, Illinois, Delaware and New Jersey streets from Washington to Tinker street, and Tinker street from Tennessee to New Jersey ; and that the Committee on Contracts be authorized to contract with some party who will do the work for a sum not exceeding \$3,000, the party to be required to give good security for the faithful performance of the contract.

Mr. Craft offered the following motion as a substitute for Mr. Thalman's motion :

Moved, That the sum of twenty-five hundred dollars be appropriated for the purpose of sprinkling the following streets during the

Exposition and State Fair, from the 10th day of September, 1873, till the 10th day of October, 1873, viz :

Illinois street from Washington to Tinker street.

Delaware street from Washington to Exposition avenue.

New Jersey street from Washington to Fort Wayne avenue.

Fort Wayne and Central avenue to the Exposition grounds.

Tinker street from Illinois to Central avenue.

And the Committee on Contracts are hereby authorized to contract with some party who will do the work for a sum not exceeding \$2,500, and the party taking the contract be required to give good bond and security for the faithful performance of the contract.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Brown, Craft, Darnell, McLaughlin, Pressly, Rush, Sherwood, Twiname, Ward and Woodburn—14.

Negative—Councilmen Gibson, Shepherd and Thalman—3.

On motion the Council adjourned.

JAMES L. MITCHELL,

MAYOR.

ATTEST :

JOHN R. CLINTON,

City Clerk.