

PROCEEDINGS

OF THE

COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, September 22, 1873, 7½ 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, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—23.

Absent—Councilmen Pendleton, Shepherd and Woodburn—3.

The proceedings of the regular session held September 15, were read and approved.

Sealed proposals for reroofing the City Hospital and erecting lamp posts, were received, opened, and read, and referred to the Committee on Contracts.

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

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Your Committee on Contracts, to whom was referred sundry proposals, have examined the same and find them to be as follows, to wit:

FIRST.

For grading and graveling North New Jersey street and sidewalks between Home avenue and the south side of the State Fair Ground no proposals were presented. We therefore recommend that the same be readvertised.

SECOND.

For repaving the inside of the East Market House with brick only one proposal was presented. We therefore recommend that the same be readvertised.

THIRD.

For grading and graveling the first alley north of Market street, between Market and Ohio streets, and running east and west from Winston street to the old corporation line, only one proposal was presented, and that by James Mahoney, at 50 cents per front foot on each side where 15 feet wide, and \$1.00 where 20 feet wide, which we consider too high. We therefore recommend that the same be readvertised.

FOURTH.

For putting flag stone crossings on Indiana avenue at the crossing of West street. Also, on New York street at the crossing of Blackford street, only one proposal was presented, and that by James W. Hudson, at 60 cents per lineal foot front for stone crossings, and 75

cents per superficial yard for bowldering, which we consider low enough, and therefore we recommend that he be awarded the contract.

FIFTH.

For grading and graveling Olive street and sidewalks from Prospect street two squares south of said street, the following proposals were presented :

Jacob P. Wade, \$1.83 per lineal foot front on each side.

Michael Foust, \$1.80 per lineal foot front on each side of the line improved.

John Green, \$1.70 per lineal foot front on each side of the line improved.

August Richter, \$1.40 per lineal foot front on each side of the line improved.

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

SIXTH.

For grading, graveling, paving and curbing Rockwood street and sidewalks, from East street to the second alley running north and south, the following proposals were presented :

John Green, grading and graveling, 57 cents per lineal foot front; curbing, 62 cents per lineal foot front; paving with brick, 47 cents per lineal foot front.

Michael Foust, grading and graveling, 55 cents; curbing and graveling, 60 cents; paving and graveling, 45 cents.

Michael Foust being the lowest and best bidder, we would recommend that the contract be awarded to him.

Respectfully submitted,

LEON KAHN,
W. H. CRAFT,
M. C. ANDERSON,
Com. on Contracts.

Which was concurred in and the contracts awarded.

REPORT FROM CITY OFFICERS.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—I hereby report the following estimates for work done:

A first and partial estimate allowed Andrew Douglass for grading, paving with brick and curbing with stone the sidewalks on Georgia street from Meridian to Illinois street, 247.8 feet of brick pavement, at 99 cents.....	\$245 32
423.7 lineal feet of curb at 59 cents.....	249 98
Total estimate.....	495 30
Also, a first and partial estimate allowed Samuel J. Smock for grading and graveling Alabama street from Tinker street to the State Ditch, 2,820 lineal feet, at \$1.15 per foot.....	3243 00
Also, a first and final estimate allowed August Bruner for building a section of brick sewer in the State Ditch, at Alabama street, 105.4 lineal feet of sewer at \$16.00 per foot	1683 33
280 lineal feet of pipe at \$2.00.....	560 00
Total estimate.....	2243 33
Also, a first and final estimate allowed David Sylvester for grading and graveling the first alley west of East street running north and south from Bicking to Coburn street, 1,525 lineal feet at 35 cents per foot.....	533 75
Also, a first and final estimate allowed David Sylvester for grading and graveling the first alley west of East street, running from Michigan street to the first alley south of Michigan street, 405 lineal feet, at 30 cents per foot.....	121 50
Also, a first and partial estimate allowed Joseph Kruger for building a public cistern on Buchanan street, between Wright and Bradshaw streets, capacity of cistern, 1,037 barrels, at 70 cents per barrel.....	725 90
Less 15 per cent.....	108 88
Present payment.....	617 02
Also, a first and partial estimate allowed John L. Hanna for grading and graveling Archer street and sidewalks from Michigan street to Clifford avenue, 2,672.5 lineal feet at \$1.00 per foot.....	2672 50
Also, a first and final estimate allowed Andrew Douglass for grading, paving and curbing the east sidewalk on West street, between Washington and Maryland streets, 422.5 lineal feet of brick pavement at 65 cents.....	274 62

458.3 lineal feet curb, at 62 cents.....	284 15
40 lineal feet stone flagging, at 50 cents.....	20 00
13.33 square yards bowldering at 70 cents.....	9 33

Total estimate..... 588 10

Also, a first and final estimate allowed James Mahoney for grading and graveling Georgia street, and curbing the sidewalks and bowldering the gutters on the same between Meridian and Pennsylvania streets, 840 lineal feet grading and graveling at \$1.50 per foot.....		1260 00
405.9 lineal feet of stone curb, at 65 cents.....		263 83
461.70 lineal feet bowldering, at 75 cents.....		346 27

Total estimate..... 1870 10

Also, a first and partial estimate allowed Jesse S. Whitsitt for grading and paving with wooden blocks College avenue from the south line of Tinker to the south line of Bolton street, 5,473.6 square yards pavement at \$1.57.....		8593 55
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Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The Civil Engineer respectfully reports to the Council:

FIRST.

Contract and bond of David Sylvester for grading and graveling Garden street and sidewalks, from Illinois to Tennessee street.

SECOND.

Contract and bond of William Kowan for grading and bowldering the gutter on the south side of North street, from Delaware to Alabama street, where not already bowldered.

THIRD.

Contract and bond of David Sylvester for grading and graveling the first alley west of Meridian street, running north and south from Ray to Wilkins street.

FOURTH.

Contract and bond of William Kowan for grading and bowldering the gutter on the north side of south street, from East street to the first alley east of East street.

FIFTH.

Contract and bond of Mike Foust for grading, graveling, paving and curbing Rockwood street and sidewalks, from East street to the second alley running north and south.

SIXTH.

First and partial estimate allowed Andrew Douglass for grading, paving with brick and curbing with stone the sidewalks on Georgia street, from Meridian to Illinois street.

SEVENTH.

First and partial estimate allowed Samuel J. Smock for grading and graveling Alabama street, from Tinker street to the State ditch.

EIGHTH.

First and final estimate allowed David Sylvester for grading and graveling the first alley west of East street, running from Michigan street to the first ally south of Michigan street.

NINTH.

First and final estimate allowed David Sylvester for grading and graveling the first alley west of East street running north and south from Bicking to Coburn street.

TENTH.

First and partial estimate allowed John L. Hanna for grading and graveling Archer street and sidewalks, from Michigan street to Clifford avenue.

ELEVENTH.

First and final estimate allowed Andrew Douglass for grading, paving and curbing the east sidewalk on West street, from Washington to Maryland street.

TWELFTH.

First and final estimate allowed James Mahoney for grading and graveling Georgia street, and curbing the sidewalks and bowldering the gutters on the same, between Meridian and Pennsylvania street.

THIRTEENTH.

First and partial estimate allowed Jesse S. Whitsitt for grading and paving with wooden blocks, College avenue from the south line of Tinker street to the south line of Bolton street.

Respectfully submitted,

JAMES W. BROWN,
City Civil Engineer.

Which was concurred in and the bonds approved.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate of Jesse S. Whitsitt for grading and paving with wooden blocks, College avenue, from the south line of Tinker to the south line of Bolton 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 names.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate of Andrew Douglass for grading, paving with brick and curbing with stone the sidewalks on Georgia street, from Meridian to Illinois, 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, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate of Samuel J. Smock for grading and graveling Alabama street, from Tinker street to the State ditch, 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, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of David Sylvester for grading and graveling the first alley west of East street, running from Michigan street to the first alley south of Michigan 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, Craft, Darnell, Gibson, Gimber, Kahn, Ken-

nington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and partial estimate of John L. Hanna for grading and graveling Archer street and sidewalks, from Michigan street to Clifford 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, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of Andrew Douglass for grading, paving and curbing the east sidewalk on West street, between Washington and Maryland streets, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing first and final estimate of James Mahoney for grading and graveling Georgia street, and curbing the sidewalks and bowldering the gutters on the same, between Meridian and Pennsylvania streets, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their names.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Also, the following estimate resolution :

Resolved, That the forgoing first and final estimate of David Sylvester, for grading and graveling the first alley west of East street, running north and south from Bicking to Coburn street, be and 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, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

The City Clerk submitted the following report:

INDIANAPOLIS, September 22, 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 precepts, to-wit:

Jno. J. Palmer, vs. Augustus D. Wood, for.....	\$112 68
Patterson & Dunning, vs. Eliza Locklear, for	175 00
“ “ vs. Henry Harris, for.....	147 40
“ “ vs. Mary Carter, for.....	53 70
“ “ vs. Harriet E. Barton, for.....	63 69
“ “ vs. Nancy Seely, for	63 69
“ “ vs. George Linsey, for	96 50
Jas. Mahoney, vs. Jennie Daily.....	85 36
“ “ vs. Chas. G. Lowe.....	85 36
Henry C. Roney, vs. Joseph Kinsley.....	37 21
“ “ vs. Jason Dame.....	24 80
“ “ vs. Augustus D. Wood.....	16 20

And would recommend that you order the precepts to issue.

JOHN R. CLINTON,
City Clerk.

Which was concurred in and the precepts ordered to issue except the affidavits against Charles G. Lowe and Jennie Daily, which were referred to the Committee on Streets and Alleys.

The City Treasurer presented the following communication:

INDIANAPOLIS, September 15, 1873.

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

Gentlemen—As the busy season for paying taxes is approaching, I desire to call your attention to the fact that my office is entirely too small, especially in *counter room*, to transact the business of the office in a satisfactory manner, there not being room as now arranged to use two Duplicates at a time and attend to any other business while the tax list is distributed through four Duplicates. The room, I know, cannot be enlarged, but it can be vastly improved in appearance and comfort, and a counter can be put up by which the business of the office can be conducted in a manner far more satisfactory to the tax payers and all concerned than can possibly be done under the present arrangement. Also, some suitable shelving should be put up by which the old Duplicates, Registers, and books of the office could be suitably cared for and preserved. And I would respectfully ask

that it be made the duty of the proper committee to inquire into the matter with a view to making whatever changes and improvements they may deem necessary with power to contract for same.

Respectfully submitted,

HENRY W. TUTEWILER,

City Treasurer.

Which was referred to the Committee on Public Buildings, with power to act.

The City Commissioners submitted the following report:

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The Board of City Commissioners met at the City Clerk's office at 9 o'clock, A. M. of September 18, 1873, pursuant to notice from the City Clerk, in obedience to the order of your honorable body, passed August 25th, 1873, to take action on the petition of L. E. Hay and others, asking the extension of Bellefontaine street south from its present southern terminus to Massachusetts avenue, and after inspection of the premises, and hearing the statements of the property holders, we submit the following assessment of damages and benefits arising from such opening and extension:

The damages or value of the ground taken for said street we estimate at \$3,000. The benefits to property adjoining said street we estimate at \$3,000. We think the city of Indianapolis should pay no part of the damages or benefits.

The ground required for said street extension, being a strip sixty feet wide by about 527 feet long on the longer or west line, lying in out-lot 183, in Indianapolis, and extending from the present south end of Bellefontaine street to Massachusetts avenue, is owned solely by the Cleveland, Columbus, Cincinnati & Indianapolis Railway Company, and we estimate the damages to said Company, being the value of said strip, at \$3,000. We estimate the benefits to said company on the balance of their property in out-lot 183, along said street, as extended, at the sum of three thousand dollars, thus equalizing the benefits and damages to said company.

The Company interpose no objection to the opening of said street in accordance with the petition and your order of reference.

We return herewith the petition, order of reference, plat, notices, and other papers filed in the case.

Respectfully submitted,

J. GEORGE STILZ,
IGNATIUS BROWN,
W. J. ELLIOTT,
PETER WEIS,

Board of City Com'rs.

Which was received.

The Board of Health submitted the following report :

Gentlemen—The Board of Health would respectfully submit the following weekly mortality report for the week ending September 22, 1873 :

Under 1 year.....	10
From 1 to 2 years.....	2
From 2 to 5 years.....	3
From 5 to 10 years.....	2
From 10 to 15 years.....	0
From 15 to 20 years.....	1
From 20 to 25 years.....	4
From 25 to 30 years.....	2
From 30 to 40 years.....	2
From 40 to 50 years.....	3
From 50 to 60 years.....	0
From 60 to 70 years.....	0
From 70 to 80 years.....	1
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	1
Total.....	31

Respectfully submitted,

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

W. WANDS, M. D. Secretary.

Which was received.

On motion by Dr. Ward the Committee on Contracts were instructed to report at once on the proposals for reroofing the Hospital.

ORDINANCES ON FIRST READING.

Mr. Adams presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned, owners of real estate fronting on Broadway, between Christian avenue and Home avenue, respectfully petition your honorable body to pass an ordinance providing for

grading and paving with brick the sidewalks of Broadway street between the points above named, the pavement to be seven (7) feet in width, and the alley and street crossings to be properly bowldered and flagged.

And your petitioners will ever pray, etc.,

NEWTON HUME,
MARY ROSENGARTEN,
JOSEPH H. DENNIS,

And 9 others.

Which was received.

Also, Special Ordinance No. 334, 1873, entitled :

An ordinance to grade and pave with bricks the sidewalks of Broadway street from Christian avenue to Home avenue.

Which was read the first time.

Mr. Batty introduced General Ordinance, No. 69, 1873, entitled :

An ordinance to repeal an ordinance entitled, "An ordinance to prohibit the erection and maintainance of livery and sale stables in certain localities.

Which was read the first time.

Mr. Pressly introduced Special Ordinance, No. 335, 1873, entitled :

An ordinance to light with gas Meek street from Noble to Dillon streets.

Which was read the first time.

Also, Special Ordinance No. 336, 1873, entitled :

An ordinance to light with gas Hosbrook street from Cedar to Grove streets.

Which was read the first time.

Also, Special Ordinance No. 337, 1873, entitled :

An ordinance to light with gas Bates street from Noble to Dillon streets.

Which was read the first time.

Also, Special Ordinance No. 338, 1873, entitled :

An ordinance to light with gas Forest avenue from Harrison to Dillon streets.

Which was read the first time.

Also, Special Ordinance No. 339, 1873, entitled :

An ordinance to light with gas Harrison street from Noble to Dillon streets.

Which was read the first time.

Mr. Rush introduced Special Ordinance No. 340, 1873, entitled :

An ordinance to grade and gravel the first alley north of Ohio street, and running east and west between Harvey street and the first 20 foot alley.

Which was read the first time.

ROLL CALL.

Mr. Adams offered the following motion :

Moved, That William Hadley be granted permission to bowlder the sidewalk in the rear of lot 4 in Owens' sub-division of out-lot 38 fronting on Fort Wayne avenue, under the direction of the Civil Engineer, the work to be done in 60 days.

Which was adopted.

Also, the following motion :

Moved, That Wm. Buschman have permission to erect one pair scales on St. Mary's street.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Water Works be instructed to contract for a drinking fountain to be located at the corner of St. Clair and Massachusetts avenue.

Which was referred to the Committee on Water Works.

Also, the following motion :

Moved, That the Committee on Public buildings have the Council Chamber repainted and cleaned.

Which was referred to the Committee on Public Buildings with instructions to report the probable cost of such improvements.

Also, the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen,—Your petitioner, William J. Edward, a resident of said city, respectfully reports to your honorable body that on the 10th day of August, 1873, the stable of John S. Reid situated on south New Jersey street, in said city was burned by incendiaries, and that your petitioner in pursuance to the reward of \$500 offered by the honorable Mayor of said city for the detection and conviction of any person guilty of the crime of arson, proceeded to ferret out the perpetrators of said offense. And, after the expenditure of considerable time and labor, he found that said offense had been committed by two boys of said city, named William Felt and Hiram Murphy. That having ascertained said fact, he procured the said boys to be arrested by policeman Sullivan; that the said boys have been convicted of said offense in the Marion Criminal Court, and sentenced to the House of Refuge, of the State of Indiana. That the said boys were arrested and convicted of said offense wholly on the information furnished by your petitioner and the discovery that said boys

were the perpetrators of said offense, were solely on account of the efforts made as aforesaid by your petitioner. Wherefore, your petitioner says that he alone is entitled to receive the reward as offered as aforesaid by the Mayor, and he asks that your honorable body will order the same paid over to him, as he is in law and equity, entitled.

And your petitioner will ever pray,

WILLIAM J. EDWARDS.

Which was referred to the Board of Police and Mayor.

Also, the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Your petitioner would respectfully represent that during the early part of the present year certain parties interested in the lots and lands laying on and contiguous to what is known as Brookside and South Brookside avenue, made subscriptions to the amount of between forty-one and forty-two thousand dollars for the improvement of said avenue with a wooden block pavement from Clifford avenue to Lebanon avenue in S. K. Fletcher's South Brookside addition, and a committee representing the subscribers, consisting of Stoughton A. Fletcher, Jr., E. B. Martindale, and George W. Parker, advertised for bids for the work, and your petitioner, with a number of others, submitted proposals for the same, and the work was awarded to him as the lowest and best bidder, at the rate of \$2.02 per square yard, or \$2.80 per front foot on each side. It was found on examination of the profiles made by the Engineer that a sufficient amount had not been subscribed by between five and six thousand dollars to complete the work to the point named, and it was proposed by parties interested that an effort should be made to get the City Council to agree to pay for that portion of the work within the city limits fronting on the two city parks and the street and alley crossings. At a meeting of the Council on the 3d of March last a resolution was offered and adopted in which the city agreed to pay for the street and alley crossings at the rates before mentioned. The parks which had been dedicated to public use as such some time before that portion had been taken into the city, and not having been formally deeded to the city, and the amount to be realized from the street and alley crossings still not being sufficient to carry out the objects of the enterprise, applied to and obtained from Albert E. Fletcher, et. al., a Warrantee Deed to the city for the two parcels of ground fronting on Brookside avenue that had been dedicated as parks, and the same was on the 17th of March following presented by Mr. Wiles (then a member of Council) describing separately each parcel as deeded for park purposes, and the same was formerly ac-

cepted by a vote of the Council as such. At the same time a resolution was presented and adopted instructing the City Clerk to make out the estimate for the before mentioned improvement at the same rates as named in the former resolution, on the report of the Civil Engineer that the work had been completed in a satisfactory manner. A typographical error made the resolution read *park* instead of *parks*, but it was not discovered until the work had been completed, and the estimates made and presented to the Committee on Accounts and Claims to be inserted in the appropriation ordinance, some two months ago, but it was not put in at that time. The estimate was subsequently put in an appropriation ordinance, but was afterwards stricken out when presented to Council. The details are too well known to need repetition here.

Your petitioner would further state that no contract was entered into with the committee for the improvement of Brookside avenue until the 19th of March following the action of Council, and then only on assurance that a balance of about eight hundred dollars (still short of the required amount after adding to the fund the amount to be received from the city for the two parks and street and alley crossings) would be made up by parties who had promised to subscribe. About two-thirds of this amount was afterwards added to the fund, leaving still a balance unprovided for which under the terms of the contract falls on your petitioner.

In conclusion, your petitioner would say that he entered into and executed his part of the contract with the committee and the city in good faith, firmly believing that the whole subject was fully understood by the members of Council at the time of the acceptance of the deed and passage of the resolutions, and he had no intimation at any time from his entering into the contract to its completion and acceptance by the Civil Engineer of any misunderstanding or difficulty in the way of immediate payment. In view of the above facts your petitioner would respectfully ask your honorable body to pass an ordinance for the payment of the balance due me from the city for the work named.

J. J. PALMER.

M. Adams moved that the petition be received, and the claim inserted in the next account ordinance.

Mr. Thalman moved to amend Mr. Adams' motion by referring the petition to the City Attorney and Committee on Judiciary.

Which amendment was adopted.

The motion as amended was then adopted.

Mr. Bigham presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned would respectfully petition your honorable body to vacate a portion of Washington street, of wedge shape, and described as follows, to wit : Beginning at the southwest corner of lot one, in out-lot seventy-two, in said city of Indianapolis ; thence east on a line which would run directly to the northwest corner of the National road and Highland avenue to the donation line ; thence north five feet, more or less, to the southeast corner of lot eight, in said out-lot seventy-two ; thence west along the south line of said out-lot seventy-two to the place of beginning.

CHRISTIAN H. SCHWEAR,
GEORGE HUST,
ADAM KELING,

And three others.

Which was received.

Also, the following resolution :

WHEREAS, in a report of the City Commissioners, made August 25, 1873, the following statement is contained, to-wit : " By the petition and plats filed in this case, it will be seen that a vacation is necessary of a wedge shaped strip on the north side of Washington street, from Cruse street to the old corporation line, therefore,

Resolved, That the necessary steps to cause the vacation thereof be taken, and the City Clerk is hereby directed to cause the proper notice to be published according to law.

Which was adopted by the following vote :

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

Negative—None.

Also, the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned respectfully petition your honorable body to cause an alley twenty-five feet in width through out-lot No. 72, and extending from Cruse street east to lands owned by W. W. Northrop and George W. Huston; the said alley to be opened through the center of said out-lot seventy-two as nearly as practicable. The petitioners, for greater certainty of description, refer to the plat or map herewith filed.

Respectfully,

CHRISTIAN H. SCHWEAR,
C. H. SCHWEAR & CO.,
JOSEPH SCHUSTER,

And four others.

Which was received.

Also, the following motion :

WHEREAS, a petition has been filed, praying for the opening of an alley twenty-five feet in width through out-lot 72, and whereas, this Council propose to appropriate real estate therefor as indicated in said petition. It is therefore ordered*that the matter be referred to the City Commissioners to assess benefits and damages, and the City Clerk is hereby directed to give the proper notices.

Which was adopted by the following vote :

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

Negative—None.

Mr. Bigham moved to take up the report of the City Commissioners, submitted to Council September 4th, 1873, in the matter of opening alley in out-lot 62, 63, and block H.

Which motion was adopted and the report approved by the following vote :

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

Negative—None.

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

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The Committee on Contracts, to whom was referred sundry bids for the repairing and refitting the City Hospital, would report that the bids were received to-wit :

W. H. Echols, \$6.25 for shingles and \$5.50 for weather-boarding per square.

Van Berger & Clark, for covering the main building of the City Hospital with tar and gravel, at \$5.00 per square. For covering the frame portion with pine shingles, at \$7.00 per square. For weather-boarding the frame portion of said frame building with pine wood, at \$5.00 per square, which includes stripping the windows.

Messrs. Van Berger & Clark having bid for the entire work, and, in the opinion of the committee, being the lowest bidder, we recommend that they be awarded the contract.

Respectfully submitted,

LEON KAHN,
W. H. CRAFT,
M. C. ANDERSON,
Com. on Contracts.

Which was concurred in and the contract awarded, and the committee authorized to approve the bond.

Mr. Bollman offered the following motion :

Moved That the Union Railway Company and the Pan Handle Railway Company be notified to plank their tracks at the crossing of Delaware street, on the inside of their tracks and two feet on each side, and on failure to do so within ten days, that the Street Commis-

sioner do the said work and collect the cost of the same from the said companies, the Street Commissioner to plank the city portion of such crossings.

Which was adopted.

Also, the following motion :

Moved, That the City Marshal notify the I. C. & L. Railway Company to plank their crossings on Alabama street, on the inside of their tracks, and two feet on the outside; and on their failure to do so within ten days, the Street Commissioner is hereby directed to have the same planked, and collect the cost of the same from the said railroad company.

Which was adopted.

Also, the following motion :

Moved, That the City Marshal notify the C. C. & I., P. C. & St. L. and the Union Railway Company to plank their tracks on New Jersey street, and on failure to do so within ten days from said notice, the Street Commissioner is hereby directed to have the same done and collect the expense from said Railway Companies, the Street Commissioner to plank the city portion of such crossings.

Which was adopted.

Also, the following motion :

Moved, That Thad. M. Stevens be allowed to grade and gravel Stevens Place street according to stakes to be set by the City Civil Engineer, and he is hereby directed to set the grade stakes, the same to be done within sixty days.

Which was referred to the Committee on Streets and Alleys.

Mr. Brown presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Your petitioner respectfully shows to your honorable body that on January 17th, 1865, your petitioner enlisted in the United States military service; that by an ordinance of the Common Council, passed January 17th, 1865, all persons enlisting on or

after January 17th, 1865, were to receive four hundred dollars local bounty; that your petitioner received the sum of only two hundred dollars, and has never received the balance of two hundred dollars due your petitioner; that on the 23d day of January, 1865, this petitioner presented the Council of Indianapolis his petition that he be allowed two hundred dollars additional; that the Council referred the said petition to the Recruiting Committee, with a recommendation that the same be paid; that the Recruiting Committee referred the same to Hon. J. Caven, then Mayor, to know if facts were as stated. After which no record of the case is found.

Wherefore your petitioner prays that two hundred dollars and interest from January 17th, 1865, be allowed and paid him by your honorable body.

DAVID L. SHANNON.

Subscribed and sworn to before me this 22d day of September, 1873.

P. W. BARTHOLOMEW,

Notary Public.

Which was referred to the City Attorney.

Also, the following motion :

Moved, That twenty days extension be given to Hiram Seibert to complete his contract for grading and graveling Dunlop street and sidewalks, from Japan street to the Madison road—he having been informed by the Committee Clerk that he had until the 21st day of September, 1873, in which to complete said contract, to which said clerk will testify.

Mr. Bollman moved to lay the motion on the table.

The question being on the adoption of Mr. Bollman's motion, those who voted in the affirmative were,

Councilmen Bollman, Hardesty, McLaughlin, Sherwood and Twiname—5.

Those who voted in the negative were,

Councilmen Adams, Anderson, Batty, Bigham, Brown, Craft, Darnell, Gibson, Gimber, Kahn, Kennington, Peck, Pressly, Reagan, Rush, Stratford, Thalman and Ward—18.

So Mr. Bollman's motion was not adopted.

Mr. Brown's motion was then adopted.

Mr. Brown offered the following motion :

Moved. That the Common Council does hereby agree to appropriate the sum of one thousand dollars, to be paid to the City Clerk in addition to his regular salary, with the proviso, that he shall cause the tax duplicates to be finished on or before the first day of November, 1873.

Which was adopted by unanimous consent.

Also, the following resolution :

Resolved, That the owners of the following described real estate, to-wit: the strip of ground lying east of the freight house of the Jeffersonville Railroad, and running south thereof and adjoining the lots on the east side thereof, between South and Merrill streets, in out-lots 17 and 24, of the city of Indianapolis, be, and they are hereby, required to fill or drain the same, as, in the opinion of the Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance or injurious to the health or comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance; *provided*, that the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote:

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

Negative—None.

Also, the following motion :

Moved, That the Street Commissioner be, and is hereby instructed to repair or rebuild the culvert over the sewer on Virginia avenue in front of August Richter's store.

Which was referred to the City Attorney.

Mr. Craft presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned, owners of real estate in said city fronting on Fletcher avenue, in said city, and other citizens thereof, would respectfully represent, that under an ordinance passed by your honorable body authorizing the erection of lamp posts and the lighting of said avenue from Cedar street to the first alley east of Noble street, by and under the direction of the City Gas Inspector, lamp posts have been erected on said avenue between said points in the following order :

First, on the northwest corner of said Cedar street and Fletcher avenue; then intermediate lamp post on south side of said avenue, and corner lamp posts on southeast and northwest corner of street and alley to northwest corner of Pine street and said avenue in regular order; but that instead of following up the regular order of placing intermediate lamp post on south side of said avenue west of said Pine street, intermediate lamp post has been erected on north side of said avenue, thus making, as they now stand, three lamp posts on the north side of said avenue, within the space of about half a square, to but one on the south side within the same space opposite.

Your petitioners would further represent that, originally, the City Gas Inspector had set stake and directed that said intermediate lamp post should be erected on south side of said avenue in regular order, as heretofore stated, but that for some reason or other he afterwards directed that said intermediate lamp post be erected on the north side of said avenue.

Your petitioners would further represent, that the said avenue, in the locality of the last mentioned lamp post, would be much better lighted to have said intermediate lamp post removed and erected on said south side of said avenue, opposite to where it now stands, and in the order of erection of lamp posts as aforesaid on said avenue between the points aforesaid; and that in justice to the property holders on the south side of said avenue, in the immediate locality of said intermediate lamp post, and for the convenience and safety of

persons traveling on said south side of said avenue, or in the locality thereof, after night, said intermediate lamp post should be removed to the opposite side of said avenue.

Your petitioners, therefore, respectfully ask that the matters and grievances herein set forth and complained of may be inquired into by your honorable body, and that justice may be done your petitioners and all others concerned in the premises, as they will ever pray.

FRED. LANG,
MARY J. SWAIN,
J. M. HOLLOWAY,
And four others.

Which was referred to the Committee on Gas light.

Mr. Darnell presented the following communication :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—Owing to insufficient drainage the water from ordinary rains overflows the sidewalks, fills the cellars and floods the property on the west side of South Illinois street, near the mouth of the tunnel. The damage is already considerable, and is increased at every rain. I speak advisedly as to the Adams House, and from report as to other property. I respectfully ask your honors to take such steps as will remedy the evil at the earliest period you can, as the water is already injuring the foundation of the building and the cellars can not be used.

Yours respectfully,

G. H. VOSS.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved, That the City Engineer advertise for proposals for building stone abutments and iron bridge on Fourth street across canal full width of street.

Which was referred to the Committee on Bridges.

Mr. Gimber offered the following motion :

Moved, That the Committee on the Sellers Farm be authorized to lease the house on the Sellers Farm and as much ground as the lessee

may want, for the purpose of taking care of the building and prevent persons from destroying the same.

Which was referred to the Committee on Sellers Farm with power to act.

Also, the following communication:

INDIANAPOLIS, September 22, 1873.

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

Gentleman—Having been awarded the contract for grading and graveling Rose street from Grant to West street, I filed my bond for the completion of the work; and now the resident property holders object to the work being done as they are nearly all of them too poor to pay for the same unless the work is continued until spring.

I have promised the complaining parties that I would consent to cancelling the contract entirely or to extending the time for its completion until the 30th of June, 1874, or as the Council may direct.

Respectfully submitted,

JOHN L. HANNA.

Mr. McLaughlin moved to lay the communication on the table.

Which motion was not adopted.

Mr. Gimber moved to receive the communication, and that the contractor be relieved from his contract.

The question being on the adoption of Mr. Gimber's motion, those who voted in the affirmative were,

Councilmen Adams, Batty, Craft, Gimber, Kahn, Reagan, Rush, Stratford and Thalman—9.

Those who voted in the negative were,

Councilmen Anderson, Bigham, Bollman, Brown, Darnell, Gibson, Hardesty, Kennington, McLaughlin, Peck, Pressly, Sherwood, Twiname and Ward—14.

So the motion was not adopted.

Mr. Hardesty offered the following motion :

Moved, That the Civil Engineer advertise for proposals for building a wooden bridge across Pogues Run at the crossing of Pennsylvania street, according to plan and specifications by said Engineer; and that the Street Commissioner examine all bridges on Pogues Run and refloor the same where necessary.

Which was adopted.

Also, the following motion :

Moved, That the City Clerk have printed the tenth section of an ordinance regulating and licensing of public vehicles, to be found on page 214 of the late revision of the city ordinances; and when printed, that the City Marshal furnish to all persons running hacks or vehicle to carry passengers, baggage, etc., with a copy, and on their failure to comply with said section, to bring them before the Mayor for punishment, according to section twelve of said ordinance.

Which was adopted.

Mr. Kahn offered the following resolution :

WHEREAS, Proceedings have been heretofore instituted for the purpose of opening a street to be an extension of Michigan street, and on Monday, September 15th, the Commissioners reported thereon; and,

WHEREAS, The opening of said street is of importance to the citizens and public; and,

WHEREAS, It is alleged that in the proceedings there have been certain technical errors and informalities, and for the purpose of curing those errors, and for the purpose of making the proposed appropriation of real estate, and for the purpose of opening said street;

Be it Resolved, That due notices shall be again issued by the Clerk and served by the Marshal, and the matter is ordered to be again referred to the Commissioners for such action in the premises as the law provides, and the Clerk and Marshal are directed to confer with the City Attorney as to the form of such notices and mode of service.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty,

Kahn, Kennington, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—23.

Negative—None.

Also, the following motion :

WHEREAS, The winter season is now approaching, and some provision for fuel should be made for the poor of the city ; be it therefore

Moved, That the sum of one thousand dollars be, and is hereby appropriated for that purpose, and that the Committee on Railroads be requested to make arrangements with some of the railroad companies for the transportation of either wood or coal.

Which was adopted.

Mr. Kennington presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—We ask permission to run a railway track across Alabama street as per plat accompanying this petition.

Respectfully submitted,

McDONOUGH & TOWNSEND.

Which was referred to the Committee on Railroads.

Also, the following motion :

Moved, That the Civil Engineer be directed to have the contractor for grading and paving with brick, the south sidewalk on South street, to have the pavement relaid in front of the Ray House to conform to the grade of the new pavement now being laid down by Samuel Lefever, the contractor.

Which was adopted.

Also, the following motion :

Moved, That the Union R. W. Co., the C. C. C. & I., the P. C. & St. L., and the I. C. & L. Railroad Companies, crossing Virginia avenue, be notified by the City Marshal to have the crossings on Virginia avenue, at the several crossings, planked between the rails and two

feet on each side, and on their failure to do so within twenty days to report said facts to this Council; and that the Street Commissioner plank the city's portion at such crossing.

Which was adopted.

Mr. Peck offered the following motion :

Moved, That the Committee on Fire Department secure and present to this Council, at their earliest convenience, plans and specifications for an engine house, to be built on the lot recently purchased on Sixth street for that purpose.

Mr. Brown offered the following amendment :

Amend by adding, "and that such plans include a room for a local station house."

Which was adopted.

The motion as amended was then adopted.

Mr. Pressly offered the following motion :

Moved, That the Civil Engineer advertise for proposals to lay a pipe drain on the east side of East street, from Louisiana street to the South street sewer.

Which was referred to the Committee on Sewers.

Also, the following motion :

Moved, That the Chief Fire Engineer be instructed to locate a fire alarm box on the corner of Bates and Dillon streets. Also, one at the corner of Huron and the old corporation line.

Which was referred to the Committee on Fire Department.

Also, the following motion :

Moved, That the City Civil Engineer be directed to have a catch basin built at the intersection of the alley running east and west and north and south through out-lot 20.

Which was referred to the Committee on Sewers with power to act.

Also, the following motion :

Moved, That the City Marshal notify the Pittsburgh, Columbus & St. Louis, and Cincinnati, Hamilton & Indianapolis Railroad Companies to plank the first alley crossing east of Oriental street, running from Willard street to the Michigan avenue at the crossing of said company's tracks ; and on failure to do so within ten days, the Street Commissioner is hereby directed to do the said work and collect the expense for the same from the said railroad companies.

Which was adopted.

Also, the following motion :

Moved, That the City Gas Inspector be and is hereby authorized and instructed to direct the City Gas Lighter to light and extinguish the lamps on North Delaware street to the Exposition Ground. Also, the lamps on Madison avenue from South to Pennsylvania streets.

Which was adopted.

Also, the following motion :

Moved, That the City Civil Engineer give notice in writing to Samuel Lefever, contractor for grading and graveling Summitt street and sidewalks from Washington street to Michigan road or avenue, to spread the gravel and complete said work as per contract from Washington street to the property owned by the Junction Railroad Company, and that the city assume the payment between said limits, as said contractor has been enjoined by the United States Court from completing said work as per contract made with him by the city.

Which was referred to the City Attorney.

Also, the following :

INDIANAPOLIS, September 22, 1873.

City of Indianapolis to Frank Wood Dr.

To one horse killed by falling in open well on Hoyt street about September, 1873, \$50.

Which was referred to the Committee on Judiciary and City Attorney.

Also, the following :

INDIANAPOLIS, September 22, 1873.

Hon. John Pressley, Esq.:

DEAR SIR:—The location of the well where my horse fell and broke his neck was on Hoyt street east of Dillon, between Huron street and Fletcher avenue, in Spann's first Woodlawn addition. The well was open and unprotected, and was in the middle of the street. The horse was worth fifty dollars. Will you please bring the matter before the Council, as I am not able to lose the value of said horse. Inclosed please find bill made out against city of Indianapolis. By doing me this favor you will much oblige

FRANK WOOD.

Which was referred to the Committee on Judiciary and City Attorney.

By consent, Mr. Pressley, from the Board of Police, submitted the following report :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The Board of Police respectfully submit the following report :

That, following the precedent and custom which has long prevailed, they, at the commencement of the Exposition, appointed special policemen to serve at the Exposition grounds. They felt that it was necessary for the public good that this should be done, and supposed the precedent was founded on the law. Upon the matter of the grounds being outside of the city limits, being brought to their notice by an action of the State Board at a public meeting, they gave the subject a close investigation, and consulted with the City Attorney, and found that they had no express authority to appoint policemen to do duty outside of the corporate limits. They respectfully submit to the Council their action, and ask that it may be approved, in so far as the past is concerned, and request instructions for the future.

The grounds of the State Board are outside of the corporate limits, and, except in a very few instances, neither the city nor her officers have any jurisdiction or authority beyond the corporate limits. Recently much of the ground lying contiguous to the city limits has been platted, and this ground is adjacent to the Exposition grounds. The Board respectfully submit that this ground ought, by resolution, to be annexed to the city, as provided in section eighty-five of the city charter. They further suggest that it would be better for the city and the public if the

State grounds could be brought within the city limits, and that it would be expedient to appoint a committee to confer with the State Board. If the State Board should consent, their grounds could be brought within the city limits.

Respectfully,

JOHN T. PRESSLY,
J. C. ADAMS,
L. Q. SHERWOOD,
Board of Police.

Mr. Craft offered the following motion :

Moved, That the action of the Board of Police, in detailing policemen at the Exposition grounds, be and is hereby approved.

Which was adopted.

Mr. Rush offered the following motion :

Moved, That the City Civil Engineer be, and is hereby, directed to advertise for proposals for building a brick tunnel on Virginia avenue according to the plans and specifications furnished by said City Civil Engineer.

Which was referred to the Committee on Tunnels.

Also, the following motion :

Moved, That the City Marshal be, and is hereby directed to notify all builders and contractors who are violating the ordinance regulating building, improvements, etc., to use not more than one-third of the street ; also to keep the gutters and sidewalks cleared in two days from time of notice.

Which was adopted.

Mr. Reagan offered the following motion :

Moved, That the City Civil Engineer give the proper grade to the east sidewalk on Tennessee street to correspond with the brick pavement already laid on Louisiana street.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be, and he is hereby ordered to lay a cement pipe in the gutter to carry away the water at the crossing of of Georgia and Tennessee streets, on the east side.

Which was adopted.

Mr. Sherwood offered the following motion :

Moved, That the Committee on Contracts be, and are hereby instructed to close the contract of purchase for 60 feet, instead of 33 feet, on Sixth street, it being the ground recommended by the Committee on Fire Department for an engine house. •

Which was adopted.

Dr. Stratford offered the following resolution :

Resolved, That the owners of the following described real estate, to-wit : Lots No 16, 17, 18 and 19 in Dougherty's subdivision of out-lot No. 99, in the city of Indianapolis, be and they are hereby required to fill or drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant or noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby required to notify the owners thereof, as provided by an ordinance passed April 28th, 1866, entitled, "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to fill or drain the said hole or excavation as provided in said ordinance ; *Provided*, that the cost thereof shall not exceed ten per cent. of the value of the afore-said real estate, as assessed upon the tax duplicate for city purposes.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peek, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—22.

Negative—None.

Mr. Thalman presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned respectfully petition your honorable body to cause the Engineer to make a survey for the purpose of ascertaining the practicability of straightening the course of Fall Creek from a point below Geisendorff's dam to White River, and that he report the probable cost of straightening said stream.

Your petitioners represent that it would be greatly advantageous to the city to straighten said stream, and that it would dispense with the construction of bridges which will soon, in all probability, be required at the intersection of First street, Coe street, Elizabeth street, North street, Michigan street, Vermont street, and New York street.

Respectfully submitted,

J. C. & C. E. GEISENDORFF.
S. J. PATTERSON.
C. B. PARKMAN.
JOHN C. WRIGHT.

Which was referred to the Civil Engineer with instructions to make a report on the subject.

Also, the following motion :

Moved, That the City Clerk give the necessary notices to property owners for widening and extending Rathbone street, as contemplated in the petition presented to this Council some time ago, and which was referred to the City Commissioners.

Which was adopted.

Also, the following motion :

Moved, That the contractor for sprinkling certain streets to the Exposition be notified that should the streets again become dusty, it will be required of him by this Council to do the work in a more thorough manner, and that \$2,500 will not be paid for work only half done.

. Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be directed to immediately open the gutter on the east side of Blackford street, between Market and Washington, so the water can pass off.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Streets and Alleys, with the Street Commissioner, be directed to investigate the necessity of erecting a suitable building for keeping tools belonging to the city. Also, for providing an office for the Street Commissioner, and that they report to this Council as early as possible the probable cost and best location for same.

Which was adopted.

Also, the following motion :

Moved, That the City Treasurer be directed to tender the amount of damages to property owners on Blackford street between Washington street and Indiana avenue, and that the City Marshal proceed immediately thereafter to clear said street from all encumbrances.

Which was adopted.

Also, the following motion :

Moved, That Fred. Nagel have permission to take up the brick and put down bowlders for a crossing on the north side of Washington street near the canal, and in front of his property.

Which was adopted.

Also, the following motion :

Moved, That the Street Commissioner be directed to repair Virginia avenue, west side, between Washington and Maryland streets ; also South Meridian street, Indiana avenue, and West street, where holes have been left by the Gas Company and Water Works Company, and that he collect the cost from which ever company is liable.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Water Works be directed to contract for a drinking fountain, to be located at the crossing of Indiana avenue and West street.

Which was referred to the Committee on Water Works.

Also, the following resolution :

Resolved, That hereafter no permission shall be given to any person to grade or gravel any part of any street or alley, unless it be for the entire width and not less than one entire square, and then the work to be done under the direction of the Civil Engineer.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, McLaughlin, Peck, Pressly, Reagan, Rush, Sherwood, Stratford, Thalman, Twiname and Ward—19.

Negative—Councilmen Bollman, Kennington and Reagan—3.

Also, the following :

Streets of the city where names are repeated :

Rockwood—First street north of Vinton, running from Missouri street west to White River.

Rockwood—First street north of South street, running east from East street.

Columbia—First street east of Yandes street, running from Malotte avenue north. This street was named by petition.

Columbia—First street west of canal, running from Washington street north to Michigan street.

Columbia—In West Indianapolis.

Cumberland—First street south of Washington street, running west from Tennessee street.

Cumberland—First street south of Washington street, running east from Delaware street.

Cumberland—First street east of Noble street, running north from Harrison street.

Howard—In Yeiser's addition, first street east of Madison avenue, running north from Nebraska street.

Howard—First street west of Lafayette railroad, running north from First street.

Eutaw—From corner Pratt and Paca streets, northwest, first street north of Indiana avenue.

Utah—From Minnesota to Dakota, second street south of Morris.

There are also two Northwood streets.

Which was referred to the Committee on Streets and Alleys.

On motion by Mr. Brown the railroad ordinance providing for the granting of the right of way to the I., C. & L. R. R. Co. for an additional track on Missouri street was taken up and made a special order of business for next Monday night.

Mr. Twiname presented the following petition :

INDIANAPOLIS, September 22, 1873.

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

Gentlemen—The undersigned respectfully petition your honorable body to lay out and open Fourth street from Illinois street, in Drake's addition, eastward through St. Clair's addition and across Meridian street to North Pennsylvania street so as to connect with Home avenue, east of Pennsylvania street. Your petitioners more particularly show the route of said street as follows: Commencing on the east side of Illinois street, at the place where said Fourth street is laid off in the plat of Drake's addition, on the north line of said Fourth street and extending south in width forty feet, being the north forty feet of the original plat of Fourth street at that place, thence running east through lot number eleven, in St. Clair's addition, forty feet wide, to North Meridian street, through the land owned by E. B. Martindale, thence east from North Meridian street to North Pennsylvania street, of the same width, forty feet, through lot three of St. Clair's addition, being through the lands owned by Susan B. Howe and John Pyle.

Respectfully submitted,

D. M. TAYLOR.

I. HODGSON.

J. W. ADAMS,

And 4 others.

Which was referred to the City Commissioners, and the City Clerk instructed to prepare the necessary notices to the City Commissioners and property holders as is required by the City Charter.

Also, the following motion :

Moved, That the City Marshal notify the property holders on College avenue, from Tinker street to the corporation line north, to set back their fence five feet, within ten days from this date ; and on their failure to do so within said ten days, to have the same done and collect the cost of the removal from the property holders.

Which was adopted.

Also, the following motion :

Moved, That a committee of three be appointed for the purpose of preparing the proper description of the Exposition grounds, together with a resolution for the purpose of annexing the same.

Which was adopted.

The Chair appointed as such Committee Councilmen Twi-
name, Batty and Brown.

Dr. Ward offered the following motion :

Moved, That the contract of Henry C. Roney for grading, paving with brick and curbing with stone the outside edges of the south sidewalk on Fort Wayne avenue, from Pennsylvania to Delaware streets, is hereby declared forfeited, the contract for its completion having expired on the first day of September, 1873.

Which was adopted.

Also, the following motion :

Moved, That S. F. Grey and Mrs. Hoffinan be granted permission to pave with brick in front of their property on the south side of Pratt street between Delaware and Alabama streets. The same to be done under the direction of the Civil Engineer and to be completed in sixty days.

Which was adopted.

On motion the Council adjourned.

JAMES L. MITCHELL,
MAYOR.

ATTEST :

JOHN R. CLINTON,
City Clerk.