

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

---

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, December 11, 1871, 7 o'clock P. M.* }

The Common Council met in regular session.

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

Councilmen Batty, Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Gimber, Thalman—2.

The proceedings of the regular session held December 4th, 1871, were read and approved.

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

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—We the undersigned committee on contracts, to whom was referred the bid on iron street or gutter crossings, have examined the same, and would recommend that as there is but one bid that it be laid on the table, and that the City Clerk be ordered to readvertise the same.

Respectfully submitted,

W. H. CRAFT,  
ROBERT KENNINGTON,  
JOHN L. MARSEE,  
Committee on Contracts.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The City Clerk respectfully report :

FIRST.

Contract and bond of J. J. Palmer, for grading and graveling Alabama street and sidewalks, from the north side of St. Mary street to the north side of Morrison street.

SECOND.

Contract and bond of J. J. Palmer, for grading and graveling Tinker street and sidewalks, from the east line of the wide portion of Illinois street to the Michigan road or Central Canal.

THIRD.

Contract and bond of Hiram Seibert, for grading and graveling the west sidewalk of New Jersey street, between Merrill and McCarty streets.

FOURTH.

Contract and bond of James Mahoney, for grading and graveling Tinker street and sidewalks, from the east line of the wide portion of Illinois street to the east side of Meridian street.

FIFTH.

Contract and bond of James Mahoney, for grading and graveling Tinker street and sidewalks, from the east side of Meridian street to the southwest corner of W. H. Talbott's property.

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was received, contracts awarded and bonds approved.

The City Clerk made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The City Clerk respectfully reports the following affidavits now on file in his office, for the collection of street improvement assessments by precepts, viz :

Samuel Hanway & Co. vs. Susan F. Ray.....	\$312 00
James Mahoney vs. John J. Graham.....	27 72

And respectfully recommend the precepts to issue.

Respectfully submitted,

JOHN R. CLINTON,  
City Clerk.

Which was concurred in and precepts ordered to issue.

The City Sexton made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The following interments have been made by me in City Cemeteries during the month ending November 30, 1871 :

Under 5 years of age.. .. .	17
From 10 to 20 years of age.....	3
“ 20 “ 30 “ “ .....	2
“ 30 “ 40 “ “ .....	3
“ 60 “ 70 “ “ .....	2
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Total.....	27

Respectfully submitted,

J. H. HEDGES,  
City Sexton.

Which was received.

The City Commissioners submitted the following report:

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN--The board of City Commissioners, to whom was referred the petition of James Crigler and others, asking the opening of an alley 10 feet in width off the north sides of lots 5, 6, 7 and 8, in Allens sub-division of part of out-lot 181, have made an estimate of the damages and benefits resulting from the opening of such alley, and submit the following schedule thereof:

We find the value of the ground to be taken for the alley to be..... \$1,050 00

We find the benefits, resulting from the opening of the alley, to the adjoining property and property holders, to be of the aggregate value of..... \$1,050 00

We think the city of Indianapolis should pay no part of the cost of the improvement.

Damages to Horace R. Allen for the value of a piece of of a strip of ground off the north side of lot 8, in Allens sub-division of part of out-lot 181, in Indianapolis. \$300 00

Benefits to Horace R. Allen on lot 8, in Allen's sub-division of part of out-lot 181 ..... 150 00

Balance of damages to Horace R. Allen on said lot 8, from such opening..... 150 00

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Damages to Horace R. Allen for strip 10 feet wide off north side of lot 7, in Allen's sub-division of part of out-lot 181, &c.....	\$200 00
Benefits to Horace R. Allen on said lot 7, as above described, from such opening.....	100 00
Balance of damage to Horace R. Allen on said lot 7, from said opening.....	100 00
Damages to Horace R. Allen for a strip 10 feet wide off north side of lot 6, in the sub-division aforesaid.....	300 00
Benefits to Horace R. Allen from the opening of said alley, on said lot 6.....	150 00
Balance of damage to Horace R. Allen from the opening of such alley.....	150 00
Damages to Horace R. Allen for a strip of ground 10 feet wide off the north side of lot 5, in Allen's sub-division above named.....	250 00
Benefits to Horace R. Allen for the opening of such alley on lot 5, aforesaid.....	125 00
Ballance of damages to Horace R. Allen, from opening such alley on lot 5.....	125 00
Total balance of damages to Horace R. Allen on lots 8, 7, 6 and 5, in Allen's sub-division aforesaid, from opening such alley as prayed for.....	525 00
Benefits to Susanna Fiscus on lot 65, in Young's sub-division of out-lot 181.....	20 00
Benefits to Charles B. Parkman on lot 64, same sub-division .....	29 55
Benefits to Matilda L. Bierbower on lot 63, same sub-division.....	29 65
Benefits to James and Eliza Crigler on lot 62, same sub-division.....	29 55
Benefits to Samuel A. Groves on lot 61, same sub-division.	22 50
Benefits to John P. Bundy on lot 60, same sub-division...	22 50
Benefits to Theodore Wily on lot 59, same sub-dision.....	29 55
Benefits to Sarah A. Martin on lot 58, same sub-division..	29 65
Benefits to Margaret and William Schowe on lot 57, same sub-division .....	29 55
Benefits to William S. Snow on lot 56, same sub-division..	20 00

Benefits to Lydia R. Taylor on lot 55, same subdivision...	\$20 00
Benefits to Edward Lane on lot 54, same subdivision.....	29 55
Benefits to David Sylvester on lot 53, same sub-division..	29 65
Benefits to Mary E. Sanders on lot 52, same sub-division..	29 55
Benefits to Goe & Brown on lot 51. same sub-division.....	22 50
Benefits to Nancy Deneen on lot 50, same sub-division.....	22 50
Benefits to Emma C. Buckart on lot 49, same sub-division.	29 55
Benefits to Ellen Wallace on lot 48, same sub-division.....	29 65
Benefits to Albert Hill on lot 47, same sub-division.....	29 55
Benefits to Samuel Hanway on lot 46, same sub-division..	20 00

Total balance of benefits on the lots above named in Young's sub-division of out-lot 181, and to the lot owners..... \$525 00

We are therefore of opinion that the benefits to adjoining lots, will fully equal the value of the strip required to be taken for the alley, and that the city should pay no portion of the cost.

Respectfully submitted,

WM. S. HUBBARD,  
IGNATUS BROWN,  
JOSEPH M. SUTTON,  
Board of City Commissioners.

Which was referred to the City Attorney.

Also, the following report :

INDIANAPOLIS, Dec. 11, 1871

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

GENTLEMEN—The board of City Commissioners, to whom was referred a petition by Frank Wimer and others, asking the opening of an alley 10 feet in width of the south side of lots 25, 26, 27 and 28, in Horace R. Allen's sub-division of part of part of out-lot 181, in Indianapolis, have made an estimate of the damages and benefits resulting to the adjoining property and property owners from the opening of such alley, and now submit to your honorable body the following general and detailed statement of said damages and benefits :

We estimate the value of the ground to be taken for the above named alley to be..... \$1,150 00

We estimate the benefits to adjoining property and the owners thereof, from the opening of such alley to amount to..... 1,150 00

We think the city of Indianapolis should pay no part of the cost of opening of such alley.

We submit the following detailed statement of the damages and benefits:

Damages to Horace R. Allen for a strip of ground 10 feet wide off the the south side of lot 25, in Allen's sub-division of part of out-lot 181, in Indianapolis.....	250 00
Benefits to Horace R. Allen on lot 25, in the same sub-division aforesaid, from opening such alley as prayed for .....	125 00
Balance of damages to Horace R. Allen on lot 25, in the above named sub-division.....	125 00
Damages to Horace R. Allen for a strip of ground 10 feet wide off the south side of lot 27, in Allen's sub-division as aforesaid, taken for alley .....	300 00
Benefits to Horace R. Allen on lot 27, in said sub-division from opening such alley.....	150 00
Balance of dam0ges to Horace R. Allen on lot 27, in said sub-division for opening such alley.....	150 00
Damages to Horace R. Allen for a strip of ground 10 feet wide off the south side of lot 28, in Allen's sub-division as above, taken for alley.....	250 00
Benefit to Horace R. Allen on lot 28, in said sub-division from opening such alley.....	125 00
Balance of damage to Horace R. Allen on lot 28, in said sub-division, from opening such alley.....	125 00
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Total balance of damages to Horace R. Allen on lots 25, 27 and 28, in Allen's sub-division, from opening such alley .....	\$400 00
Damages to Mrs. Margaret Ederson for a strip of ground 10 feet wide off south side of lot 26, in Allen's sub-division, as above.....	\$350 00

Benefits to Mrs. Margaret Everson on lot 26, in Allen's sub-division aforesaid, from opening alley.....	175 00
Balance of damages to Mrs. Margaret Everson on lot 26, in Allen's sub-division as above, from opening such alley .....	175 00
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Total balance of damages to Horace R. Allen and Mrs. Margaret Everson on lots 25, 27, 28 and 26, in Allen's sub-division, as above.....	\$575 00
Benefits to Ewald Over and Henry Schnull on lot 24, in Wm. Young's sub-division of out-lot 181, from opening said alley.....	\$21 00
Benefits to Caroline F. Jones on lot 25, in said sub-division .....	30 70
Benefits to Susan Hanover on lot 26, in said sub-division.	30 70
Benefits to Jacob Mathias on lot 27, in said sub-division..	30 70
Benefits to Wm. A. Schofield on lot 28, in said sub-division	23 00
Benefits to Vincent Myers on lot 29, in said sub-division..	23 00
Benefits to Francis Weimar on lot 30, in said sub-division.	30 70
Benefits to Francis Weimer on lot 31, in said sub-division.	30 70
Benefits to Chas. Rasener on lot 32, in said sub-division..	30 70
Benefits to Chas. Rasener on lot 33, in said sub-division..	21 00
Benefits to Stoughton A. Fletcher on lot 34, in said sub-division.....	21 00
Benefits to Henry Helm on lot 35, in said sub-division....	30 70
Benefits to Ezra Munsell on lot 36, in said sub-division...	30 70
Benefits to Mary Smith on lot 37, in said sub-division....	30 70
Benefits to Cornelius King on lot 38, in said sub-division..	23 00
Benefits to Joseph Greenwood on lot 39, in said sub-division .....	23 00
Benefits to Jacob Vorhees on lot 40, in said sub-division..	30 65
Benefits to Mary Smith on lot 41, in said sub-division....	30 70
Benefits to Wm. Y. Wiley on lot 42, in said sub-division..	30 70
Benefits to Mary Smith on lot 43, in said sub-division....	30 65
Benefits to Whiteside and Griffith on lot 44, in said sub-division.....	21 00
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Total balance of benefits to the above parties on said lots above named.....	\$575 00

It is our opinion therefore that the benefits to the adjoining property, from the opening of the alley, will be equal to the value of the strip of ground to be taken for the alley.

Respectfully submitted,

WM. S. HUBBARD,  
IGNATIUS BROWN,  
JOSEPH M. SUTTON,  
Board of City Commissioners.

Which was referred to the City Attorney.

ORDINANCES ON FIRST READING.

Mr. Batty presented the following petition :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Ash street, between Massachusetts avenue and Christian avenue, respectfully petition your honorable body to pass an ordinance providing for the erection of lamp posts and fixtures for lighting with gas Ash street, between Massachusetts and Christian avenues. And your petitioners will ever pray, &c.

ROBT. F. BENICE,  
CAROLINE BENICE,  
JOHN COBURN,  
MARY COBURN,  
And 4 others.

Which was received.

Mr. Batty introduced Special Ordinance No. 178, 1871, entitled :

An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures complete to burn gas, except the service pipe, on Ash street, between Christian and Massachusetts avenue.

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

Mr. Craft introduced General Ordinance No. 66, 1871, entitled :

An Ordinance to amend Section six (6), of an Ordinance regulating the running of locomotives, etc., passed March 5, 1866.

Which was read the first time.

Mr. Locke introduced Special Ordinance No. 179, 1871, entitled :

An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures complete to burn gas, except the service pipe, on Vermont street, between California and Bright streets.

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

Mr. Batty introduced General Ordinance No. 67, 1871, entitled :

An Ordinance to appropriate certain real estate for the purpose of alley.

Which was read the first time and referred the City Attorney.

Mr. Whitsit introduced General Ordinance No. 68, 1871, entitled :

An Ordinance to provide for the construction of a Sewer from Delaware street, through Bicking and Buchanan streets, to Virginia avenue.

Which was read the first time and referred to the Committee on Sewers, together with all Ordinances on the files pertaining to the construction of Sewers.

Mr. Brown introduced General Ordinance No. 69, 1871, entitled :

An Ordinance to prohibit the running of locomotives having attached thereto a greater number of cars than twenty, on or across any street or alley, within the city of Indianapolis.

Which was read the first time.

ORDINANCES ON SECOND READING.

General Ordinance No. 54, 1871, entitled :

An Ordinance to provide for the appointment of Commissioners to assess damages, etc., in the matter of changing the channel of Pogues' Run.

Was read the second time and ordered engrossed.

General Ordinance No. 65, 1871, entitled :

An Ordinance to repeal Section 5, of an Ordinance regulating the extension, etc., of the Citizens Street Railway, of the city of Indianapolis.

Was read the second time and referred to the Committee on Judiciary and City Attorney.

ORDINANCES ON THIRD READING.

Special Ordinance No. 142, 1871, entitled :

An Ordinance to provide for the grading and paving with the Leffler paving stone or other cement stone, the north, south, and west sidewalks of what is know as University Square.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke, Marsee, Newman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilmen Reagan—1.

Special Ordinance No. 155, 1871, entitled :

An Ordinance to provide for the erection of lamp-posts, lamps, and fixtures complete to burn gas, except the service pipe, on Gregg street, between New Jersey street and Park avenue.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Browd, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilman Cottrell—1.

Special Ordinance No. 160, 1871, entitled :

An Ordinance to grade and gravel 440 feet of the east end of the alley running east and west through out-lot 175, between Delaware and Alabama streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilman Cottrell—1.

Mr. Wiles presented the following remonstrance :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on the alley running east and west through out-lot No. 175, between Delaware and Alabama streets, and St. Joseph and St. Mary streets, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of the above named alley.

Your remonstrants are the owners of the real estate bordering on the west half of the alley to be improved, running from Delaware street to the first alley east of Delaware street. The portion of the alley represented by us is in good repair, having been graveled by us at our own expense, it will be a hardship, which we trust your honorable body will not impose upon us, to pay for an improvement is not needed. We hope your honorable body will not pass this ordinance as it now stands, and your remonstrants will ever pray, etc.

CHARLES BALS,  
ADY JOSS,  
HENRY AILKER,  
CAROLINE KLUSMANN,  
And 7 others.

Which was received.

Special Ordinance No. 108, 1871, entitled :

An Ordinance to provide for lighting with gas Delaware street, between St. Mary and Second streets.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Weaver, Whitsit, Wiles and Woodburn—14.

Negative—Councilmen Cottrell and Thoms—2.

Special Ordinance No. 158, 1871, entitled:

An Ordinance to provide for grading and graveling the first alley north of South street, running east and west through square No. 98.

Was read the third time and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special Ordinance No. 159, 1871, entitled:

An Ordinance to provide for grading and graveling Locke street and sidewalks, from Indiana avenue to Margaret street.

Was read the third time and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special Ordinance No. 157, 1871, entitled:

An Ordinance to provide for taking up and relaying the brick pavement on the south sidewalk of New York street, from Tennessee street to a distance of 100 feet west of Tennessee street.

Was read the third time and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—None.

Special Ordinance No. 156, 1871, entitled :

An Ordinance to grade and pave with brick the east sidewalks of Alabama street, between Walnut street and Fort Wayne avenue.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilman Cottrell—1.

General Ordinance No. 58, 1871, entitled :

An Ordinance to prevent hogs from running at large in the city of Indianapolis.

Was read the third time and placed upon its passage :

Those who voted in the affirmative, were Councilmen Batty, Marsee, Newman, Thoms, Weaver, Whitsit, Wiles and Woodburn—8.

Those who voted in the negative, were Councilmen Bigham, Brown, Cottrell, Craft, Heckman, Kennington, Locke and Reagan—8.

There being a tie vote, his Honor the Mayor, voted in the affirmative, so the Ordinance passed.

General Ordinance No. 44, 1871, entitled :

An Ordinance relating to nuisances.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Craft, Heckman, Locke, Marsee, Newman, Thoms, Weaver, Whitsit, Wiles and Woodburn—12.

Negative—Councilmen Brown, Cottrell, Kennington and Reagan—4.

General Ordinance No. 9, 1871, entitled :

An Ordinance to prevent the hanging of any sign, banner, flag, etc., on or across the streets or alleys, etc., of the city of Indianapolis.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Bigham, Brown, Cottrell, Heckman, Marsee, Thoms, Weaver, Whitsit and Wiles—9.

Negative—Councilmen Batty, Craft, Kennington, Locke, Newman, Reagan and Woodburn—7.

General Ordinance No. 54, 1871, entitled :

An Ordinance to provide for the appointment of Commissioners to assess damages, etc., in the matter of changing the channel of Pogues' Run.

Was read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell,

Craft, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—None.

Dr. Woodburn from Special Committee made the following report:

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—Your committee to whom was referred "The new Map of the city of Indianapolis," beg leave to report in favor of purchasing one copy for each of the city offices, and one for the Council Chamber, and one additional map for use of Chief Fire Engineer.

Respectfully submitted,

JAMES H. WOODBURN,  
C. HECKMAN,  
W. D. WILES,  
WILLIAM HADLEY,  
Committee.

Which was concurred in.

Dr. Woodburn from Special Committee made the following report:

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—Your committee to whom was referred the bill of the Indianapolis Gas Light and Coke Co., for the month of November, have had the same under consideration and report that we are not fully satisfied in regard to the quality or quantity of the gas

consumed; but as we have no means of disproving the correctness of the account, we recommend that it be paid.

Respectfully submitted,

J. H. WOODBURN,

H. S. BIGHAM,

W. D. WILES,

Committee.

Which was concurred in.

Mr. Whitsit offered the following motion :

*Moved:* That the Street Commissioner be instructed to lower the platform in front of the Engine house on Virginia avenue, to correspond with the grade of the sidewalk, and that the Civil Engineer be required to set the grade stakes.

Which was referred to the Councilman from the eighth ward, Committee on Fire Department and City Attorney.

Mr. Wiles from Special Committee made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—Your special committee to whom was referred the matter of railroad and street crossings, in consultation with the railroad officials, report that much interest on the subject is manifested not only by the officials of railroads, but by citizens generally, and that it is our opinion that the Council should at once take action for immediate relief in this particular; and notwithstanding there does exist a difference of opinion in the minds of your committee, and also in the minds of those whose opinions are entitled to consideration, in regard to the particular kind of construction that should be built for the relief of the travel at these crossings; yet there is unquestionably a large majority in favor of constructing tunnels in preference to building bridges. The cost of the construction of tunnels, will perhaps, exceed that for the erection of bridges,

but it is believed that the continued cost of repairs to bridges over that of tunnels, will in the end make them as equally expensive; while the damage to adjacent property will undoubtedly be greater for bridges, whose altitude must be at least eighteen feet, and approaches at either end not less than two hundred feet; than those of the tunnel, which being entirely below the grade of the street, will not obstruct the view, and (in the absence of Pogues' Run) need not be built to a greater depth than fifteen feet, with end approaches of about one hundred and fifty feet. It is further claimed that in point of general utility, much less danger exists to travel, on account of the decreased liability to frighten horses. After careful examination of the subject in all its bearing, your committee unite in agreeing that something should be done for the relief of the public at these crossings; and in order that the relief should be immediate, we recommend that the Council order the construction of a tunnel for the travel under the railway crossings at the west end of the Union Depot on south Illinois street. We also recommend the passage of the Ordinance now on file providing for the erection of a bridge on south Delaware street over the railroads crossing, this we think sufficient to give the required immediate relief; but inasmuch as the majority of your committee are impressed with the belief that tunnels are the kind of improvement that should be constructed hereafter for this purpose; and yet as it appears that the the presence of "Pogues' Run" at nearly all these crossings, will very materially interfere with their construction. And, for the still further purpose of reclaiming a considerable amount of ground almost in the heart of the city, now worse than useless, and which might well be used for railroad or building purposes; we agree in recommending that the Council, under the direction of a committee, order a sufficient corps of engineers to again seek an outlet for that stream into Fall Creek from some point near to, and outside the city limits, to the northeast. We also recommend that a board of three commissioners be appointed to secure the right of way for said proposed channel for Pogues Run without litigation.

Respectfully submitted,

W. D. WILES,  
AUSTIN H. BROWN,  
JOHN L. MARSEE,  
T. COTTRELL,  
J. S. NEWMAN,

Committee.

Which was concurred in.

Mr. Wiles from the Committee on Gas, made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—Your committee on Gas light beg leave to report back the following Gas Ordinances and ask that they be passed—the streets which they are intended to light being well built up—Nos. 157, 171, and 169.

We also report back No. 170, and ask that it be stricken from the files, for the reason that the street which it was intended to light, is not sufficiently built upon to justify expense.

The referred motion to “relight the lamps at the crossing of New Jersey and Pogues’ Run, and New Jersey street and Virginia avenue,” has had our careful attention. We find twelve lamps now standing on New Jersey street, from Washington street to Virginia avenue, a distance of three squares, which is the precise number to which that space is entitled, under the Ordinance now in force. We find, however, that these lamps need relocating, on account of irregularity as they now stand, we therefore offer the following motion and ask its adoption.

Respectfully submitted,

W. D. WILES,  
ISAAC THALMAN,  
H. S. BIGHAM,  
Committee.

Which was adopted.

Also, the following motion :

*Moved:* That the City Civil Engineer be instructed to locate and have reset, to conform with the Ordinance now in force, the lamps on New Jersey street, from Washington street to Virginia avenue.

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Which was adopted.

Mr. Brown, from a Special Committee made the following report :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The select committee to whom was referred General Ordinance No. 49, report the same back with two amendments, and recommend that they be adopted, and the Ordinance passed.

Respectfully submitted,

AUSTIN H. BROWN,  
JOHN S. NEWMAN,  
H. S. BIGHAM,  
W. H. CRAFT,  
Committee.

Which was received.

Mr. Brown presented the following petition :

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—We the undersigned resident property holders, would respectfully represent to your honorable body that we are desirous of having Eighth and Ninth streets opened and extended eastward from their present eastern terminus to Mississippi street, each street to be fifty (50) feet in width, we would also ask that the alleys be opened and extended at the same time to correspond with the streets, as per plat filed herewith. By giving this, our petition, your early consideration you will oblige, etc., and we will ever pray, etc.

J. HENRY KAPPEN,  
J. H. McKERNAN,  
W. G. BRIGGS,  
GEORGE SCHMITT,  
S. YANDES.

Which was referred to the Committee on Streets and Alleys.

Mr. Newman, from Committee on Finance made the following report:

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The Committee on Finance to whom was referred the petition of James L. Dickinson beg leave to report:

That from the showing of the petition there is a rather strange statement of alleged facts in regard to the taxes on lot No. 26, in out-lot No. 107. Says he called on the City Treasurer three times before the lot was sold to pay the taxes, but was answered each time that the taxes had been paid, and that there was nothing against him. Says the Treasurers book shows that some change has been made in the number of said lot, but exactly what he does not know, that he believes said lot showed lot No. 28 as against him, and that said lot lot No. 28, which he never owned, was sold to Thos. Huggins for such taxes, and it was afterwards discovered that the numbers should have been lot No. 26 instead of lot No. 28 on the book, and tax certificate were changed to read 26 instead, and says he has paid Huggins the principal of said taxes, and does not want to pay the penalty, and prays to be relieved from such penalty. Now if his charge is true that the Treasurer's book and tax certificate of sale have been so altered, the sale is void, and no person is bound to pay the penalty. But if such is not the fact, it shows much carelessness in the petitioner not to have discovered before the sale that the taxes had not been paid. He does not say who the "friend" was with whom he had an arrangement to pay his taxes, and if the Council "remits the penalty" as he asks, the city would be bound to pay the amount to the purchaser.

Respectfully submitted,

JOHN S. NEWMAN,  
AUSTIN H. BROWN,  
J. H. WOODBURN,  
THOMAS COTTRELL,  
Committee.

Which was concurred in.

Mr. Newman, from Committee on Finance, made the following report:

INDIANAPOLIS, Dec. 11, 1871.

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

GENTLEMEN—The Committee on Finance to whom was referred the claim of David B. Scofield, on the subject of refunding to him the amount of money and taxes paid on erroneous tax sale, on lot 5, square 1, in Athons & Elliott's sub-division, in out-lot 158, have had that matter under consideration, and beg leave to report that they do not think the claimant has any claim to have any money refunded for any erroneous sale of city property. The city can not in any sense be made a guarantor or warrantor of the titles or the regularity of any tax sales of city property.

Respectfully submitted,

JOHN S. NEWMAN,  
AUSTIN H. BROWN,  
THOMAS COTTRELL,  
J. H. WOODBURN,  
Committee.

Which was concurred in.

Mr. Batty offered the following motion:

*Moved:* That the Street Commissioner examine as to what switches if any, the Bellefontaine R. R. Co. are laying down on Biddle street without authority of Council, and should he find such switches being laid down, he is hereby ordered to notify said R. R. Co. to desist from laying down such switches, and to take up all such so laid down without authority.

Which was referred to the Committee on Railroads.

Mr. Batty moved that the resolution of annexation presented

to the Council September 4th, 1871, and laid over, be taken up:

Which was adopted.

Mr. Batty then offered the following amendments:

John F. Hill's addition, being a part of the west half of northwest quarter of section 7, township 15, range 4 east, subdivided into 19 lots, as further shown and described in platt book No. 3, page 80, in the Records of Marion County, Ind.

D. S. Beaty, administrator, addition, being a subdivision of 30 acres in the northeast corner of northeast quarter section 1, township 15, range 3 east, subdivided into 6 lots, as further shown in platt book No. 3, page 92, in the records of Merion county, Ind.

A. L. Wright's first addition, being a subdivision of a strip of ground 175 feet wide in the east half of southwest quarter of section 36, township 16 north, range 3 east, lying between Delaware street and Fall Creek gravel road, subdivided into 20 lots, as further shown in platt book No. 4, page 3, in the records of Marion county, Ind.

A. L. Wright's second addition, being a subdivision of the middle third of four acres in the northeast corner of west half of southwest quarter of section 36, township 16, range 3 east, into 6 lots, being further described in platt book No. 4, page 6, in the records of Marion county, Ind.

A. L. Roaches addition, being a subdivision of that part of the southwest quarter of section 36, township 16 north, range 3 east, being 215 feet in depth east and west, bounded on the south by a line  $152\frac{1}{2}$  north of the donation line, and on the north by Second street, subdivided into 6 lots, as further shown in platt book No. 3, page 217, in the records of Marion county, Ind.

J. M. Ridenours extended and corrected subdivision, embracing a piece of ground running south from Washington street, along the quarter section line to Blake alley, thence west with the said alley 225 feet, thence north parallel with the quarter section line, and at the uniform distance of 225 feet therefrom to Washington street, thence east to the place of beginning, as described in a deed of Mary A. Parry to J. M. Ridenour, October 2, 1871, in land record U. W.,

page 181, subdivided into lots numbering from 44 to 56, inclusive, attached to and contained in Ridenours corrected and extended subdivision, as now fully shown in platt book No. 3, page 208, records of Marion county, Ind.

Martindale's south addition, being a subdivision of the following described tracts of ground :

Commencing at the southwest corner of southwest one-quarter section 7, township 15, range 4, thence running north along the west line of said quarter section 460 feet, thence east 500 feet, thence south 460 feet, thence west 500 feet, along the said line of said quarter section to the place of beginning.

Also, 5 acres in the northwest corner of section 18, in township 15, range 4, bounded as follows: Commencing at the northwest corner of northwest quarter of said section, thence east on the line of the section 375 feet, thence south parallel with the line of the section 580 feet, thence parallel with the line of the section 375 feet to the west line of the section, thence south on such section line 580 feet to the place of beginning. The first described piece being subdivided into 22 lots, the last into 18 lots, as further shown in platt book No. 3, page 203, records of Marion county, Ind.

Vajen's addition, being that plat of ground lying immediately south of and adjoining Vajen's subdivision in out-lot 108, and embracing the south half of lots 21 to 36 inclusive, all of lots 39 to 63 inclusive, in said subdivision.

Which were received, and on motion of Mr. Brown made a special order for next meeting.

Mr. Craft offered the following motion :

*Moved:* That Haugh & Co. be permitted to run an iron shaft from their Foundry to their Finishing shop, across the alley running east and west between Pennsylvania and Meridian streets, the same to be at an elevation of not less than 16 feet.

Which was adopted.

Mr. Weaver offered the following motion :

*Moved:* That Steven Corner have permission to pave with brick the sidewalk in front of his property on Tennessee street, said sidewalk to be 10 feet wide, and under the direction of City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

The City Clerk presented the following :

INDIANAPOLIS, NOV. 6, 1871.

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

GENTLEMEN—The undersigned have a claim of \$4,570.75, for work and labor done, and materials furnished and used in the construction of four Engine Houses, in the city of Indianapolis, the contract for the building of which was let to one Michael Hyland, and by said Michael Hyland assigned to Thomas F. Ryan, Warren Tate, and Christopher Zimmerman, his bondsmen.

Now therefore, you are hereby notified not to pay said Hyland, or said Ryan, Tate, or Zimmerman his assignees, or either of them, or any person, or persons, on their behalf, any part of the contract price for the building of said houses, without providing for the payment of said sum of \$4,570.75, as above mentioned.

Respectfully submitted,

MOLONEY & MARSHALL.

Which was referred to the City Attorney and Committee on Fire Department.

On motion the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.