

PROCEEDINGS

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, Sept. 9, 1872, 7½ o'clock, P. M. }

The Common Council met in regular session.

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

Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson,
Gimber, Hardesty, Kahn Kennington, Pressly, Rush, Thalman,
Wiles and Woodburn—15.

Absent—Councilmen Reagan, Sherwood and Whitsit—3.

The proceedings of the regular session, held August 2nd,
1872, were read and approved.

Sealed proposals for the improvement of Dillon street were received, opened, read and referred to the Committee on Contracts.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, Sept. 9, 1872.

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

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

James Mahoney, for grading and graveling Union street and sidewalks from the north side of Merrill street to Madison avenue :

Length on east side.....	90 ft.
Length on west side.....	116 ft.
Total Length.....	206 ft.
At 75 cents per lineal foot.....	\$154 50

Also, James Mahoney, for grading and graveling St. Mary street and sidewalks from Alabama to New Jersey street :

Length on north side.....	495 ft.
Length on south side.....	495 ft.
Total length.....	990 ft.
At 49 cents per lineal foot.....	\$485 10

Also, J. J. Palmer, for graveling Tinker street and sidewalks in front of W. H. Talbott's property :

423½ yards of gravel at 50 cents per yard.....	\$211 75
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Also, Macauley & Alexander, second and final estimate for grading and paving with Lefler paving stone the north sidewalk on Michigan street from Indiana avenue to Blackford street :

7,776.2 square feet, at 23 cents per square foot....	\$1,788 52
Deduct former payment.....	1,050 92
Present payment ..	\$737 60

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Sept. 9, 1872.

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

The City Clerk respectfully reports to Council:

FIRST.

Contract and bond of John Green for grading the first alley east of East street running from Merrill street to the first alley north of Merrill street.

SECOND.

Contract and bond of John Green for grading the alley running from East to Merrill street through out-lot 102.

THIRD.

Contract and bond of John Green for grading and graveling the alley running north and south from South to Merrill street through ot-lots 18 and 23.

FOURTH.

Contract and bond of Hanway & Co. for grading and graveling John street and sidewalks from the Indianapolis and Peru Railroad to Hanna street.

FIFTH.

Contract and bond of J. J. Palmer for grading and paving with wooden block pavement Illinois street from the north side of Louisiana street to the south side of South street.

SIXTH.

Contract and bond of D. Root & Co. for erecting lamp-posts on the Westfield Gravel Road, or Illinois street, from Seventh to Morrison street; and on Western avenue from Cherry street to Christian avenue; and on the National Road from the White River Bridge to the Indianapolis, Bloomington and Western Railroad Company's tracks; and on Malotte avenue from Massachusetts avenue to Columbia street; and on Noble street from Washington to Market street; and on St. Mary street from Alabama street to Western avenue; and on Park avenue from St. Clair street to Christian avenue; and one lamp-post at the corner of the alley on the east side of Bellefontaine street.

SEVENTH.

First and final estimate allowed James Mahoney for grading and graveling Union street and sidewalks from the north side of Merrill street to Madison avenue.

EIGHTH.

First and final estimate allowed James Mahoney for grading and graveling St. Mary street and sidewalks from Alabama to New Jersey street.

NINTH.

First and final estate allowed J. J. Palmer for graveling Tinker street and sidewalks in front of W. H. Talbot's property.

TENTH.

Second and final estimate allowed Macauley and Alexander for grading and paving with Lefler paving stone the north sidewalk on Michigan street from Indiana avenue to Blackford street.

Respectfully Submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, contracts awarded and the bonds approved.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed James Mahoney for grading and graveling Union street and sidewalks from the north side of Merrill street to Madison 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 Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed James Mahoney for grading and graveling St. Mary street and sidewalks from Alabama to New Jersey 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 Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate allowed J. J. Palmer for graveling Tinker street and sidewalks in front of W. H. Talbott's property 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 Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

Also, the following resolution :

Resolved, That the foregoing second and final estimate allowed Macauley & Alexander for grading and paving with Lefler paving stone the north sidewalk of Michigan street from Indiana avenue to Blackford 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 Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

The City Clerk made the following report :

OFFICE OF CITY CLERK,
INDIANAPOLIS, Sept. 9, 1872. }

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

GENTLEMEN:—The City Clerk would respectfully report that there is on file in his office affidavits for the collection of street assessments by precepts as follows :

Patterson & Dunning vs. Granville H. Hull, for.	16 96
Thomas Roney vs. J. W. Murphy, for.	19 00

And would respectfully recommend that you order the precepts to issue.

Respectfully submitted.

JOHN R. CLINTON, City Clerk.

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

The City Commissioners submitted the following report :

INDIANAPOLIS, Aug. 24, 1872.

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

GENTLEMEN:—The undersigned property owners on that portion of Blackford street between the portions at the north and south end which it is proposed to open, agree that we will consent to pay a fair and equitable assessment by the City Commissioners on our lots for the above purpose.

J. D. Condit,
Isaac Thalman,
Aaron Rozier,
Sohl, Gibson & Co.,
H. M. Goe, and 12 others.

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—The City Commissioners have acted on the cases referred to them by your honorable body concerning Blackford street from Washington street to Market, and from North street to Indiana avenue, and after full consideration of the facts in the cases would report as follows :

We found it impossible to make a satisfactory assessment of the damages and benefits on either end of said street, under the rulings of the City Attorney but in this emergency the property holders along the line of said street between Market street and North street, voluntarily agreed in writing, to pay such assessment of benefits as we might find reasonable and just for the

opening of said street, said assessment to be made upon their property. This agreement is herewith returned and made part of this report. Under it we have assessed the damages for property taken for the street and have assessed the benefits on the property cut through or on the line of the openings and for the deficiency have taken the remainder on the city and on the lots between Market street and North street.

We find the value of the real estate taken for said street between North street and Indiana avenue at \$3,425.00. We find the value of the houses and other improvements removed or torn away between the above named streets at 1,085.00 making the total damages for opening the north end of the street \$4,510.00.

We find the value of the real estate taken for opening said street between Washington and Market streets at \$1,550.00. We find the value of the houses and other improvements removed or torn away between Market and Washington streets to be \$805.00 making the total damages for opening the south end of said street \$2,355.00. Making the total damage on both ends \$6,865.00.

We estimate the benefits to the property owners on their lots along the line of the street when opened, between North street] and Indiana] avenue, at \$3,200.00 and to the city for the value of improvements purchased at \$400 making total benefits \$3,600. This leaves a balance of \$910 damages on this end of the street to be met by a tax on the city and on the property between Market street and North street as hereinafter stated under their agreement.

We estimate the benefits to the property and property owners along the line of said street from Washington to Market street \$1,250. This leaves a balance of damages of their part of said street of \$1,105 which is met by a tax on the city and property between Market and North streets under the agreement heretofore mentioned.

We tax the city with a total of \$1,478, being the benefits on its Park and school property and on the houses and other improvements it acquires in opening the street.

We tax the owners of lots between Market and North streets under their agreement herein filed the sum of \$937 being the amount needed to meet the balance of damages.

We therefore find the total damages to real estate and improvements, from opening said street to \$6,865.

We find the total benefits to private property and its owners to be \$5,387.

We find the benefits to the city of Indianapolis on its property to be \$1,478.

The damages and benefits are set out in detail in the following schedule.

Damages to D. H. Chase for a strip $16\frac{1}{2}$ feet wide off the east side of lot "S," in Ray's subdivision of out lot 159, \$575. Benefit to said Chase on balance of said lot \$200, balance of damages to Chase \$375.

Damages to M. Hurley for strip $16\frac{1}{2}$ feet wide off east end of lot "O," in said subdivision \$75.00, also for moving stable, fences, &c., \$15, making \$90.00

Benefit to said Hurley on said lot 75.00. Balance of damages to said Hurley \$15.00.

Damages to J. Larkin on lot for strip $16\frac{1}{2}$ feet wide east side of lot "N," in said subdivision \$75.00. Also for moving fences, &c., \$5.00, making \$80.00. Benefits to Larkin on said lot \$75. Balance of damages to Larkin \$5.00.

Damages to Ann and T. Mannings for a strip $16\frac{1}{2}$ feet wide off the east ends of lots "M. L. & K," in said subdivision, \$75.00 on each lot, and also for moving fences, stable, &c., \$10.00 on each of said lots, making \$255. Benefit to said Mannings \$75.00 on each of said lots \$225.00. Balance of damages to said Manning \$30.00.

Damages to V. J. Nossaman for a strip $16\frac{1}{2}$ feet wide off the east end of lot "J," in said subdivision \$75.00, also for moving stable, &c., \$10.00 making \$85. Benefits to said Nossaman on said lot, \$75.00. Balance of damages to said Nossaman \$10.00.

Damages to A. Bird guardian for heirs, &c., on lot "I," in said subdivision, for strip $16\frac{1}{2}$ feet off its east end \$75.00, also for fence, &c., \$5.00, making \$8.00. Benefits to Bird as guardian, &c., on said lot \$75.00. Balance of damages to said Bird as guardian &c., on said lot \$5.00.

Damages to J. E. Eudaley for strip $16\frac{1}{2}$ feet wide off the east end of lot "H," in said subdivision \$75.00 for moving improvements, &c., \$0.00. Benefits to said Eudaley on said lot \$75.00. Balance of damages to Eudaley \$0.00.

Damages to Harrison Waugh for strip $16\frac{1}{2}$ feet wide off the east end of lot "G," of said subdivision \$75.00, also for moving improvements, &c., \$50.00 making \$125.00. Benefit to said Waugh on said lot \$75.00. Balance of damages to said Waugh \$50.00.

Damages to Daniel Waugh, for strip $16\frac{1}{2}$ feet wide off the east end of lot "F," in said subdivision \$75.00, also for moving fence, &c., \$5.00 making \$80.00. Benefit to said Waugh on said lot \$75.00. Balance of damage to Waugh \$5.00.

Damages to Daniel Mahoney for strip $16\frac{1}{2}$ ft. off the east end of lot "E," in said subdivision \$75.00 also for moving stable, &c., \$15.00 making \$90.00. Benefits to said Mahoney on said lot \$75.00. Balance of damages to said Mahoney \$15.00.

Damages to Frederick Schurich for strip $16\frac{1}{2}$ feet wide off east end and side of lot "D and C," in said subdivision \$550.00 also for stable, fences, house and other improvements taken by the city \$700.00 making \$1,250.00. Benefits to said Scherich on said lots \$200.00. Balance of damages to said Schurich \$1,050.

Damages to David King for a strip $16\frac{1}{2}$ feet wide off the west side of a lot one hundred feet wide by three hundred and twenty-two feet long in the north west corner of out lot one hundred and sixty, \$800.00. Benefits to said King on the balance of said lot \$1,400. Balance of benefit to said King \$600.00.

Damages to the heirs of Zelpia Payne, for a strip $16\frac{1}{2}$ feet wide off the

west side or end of a lot fifty feet wide by one hundred feet deep, lying south of the twelve foot alley south of King's lot, in the west side of said out lot one hundred and sixty, \$100.00, also for removing houses, fences, &c., on said lot \$100.00. Benefit to said heirs on said lot \$200.00. Balance of benefit or damages to said heirs \$00.00.

Damages to W. Y. Wiley, or Milly Chism or other owner, on a lot about fifty-six feet by one hundred and ninety-six feet deep in the south west corner of out lot one hundred and sixty, \$575.00, also for moving house and other improvement \$150.00, making \$725.00. Benefits to said Wiley, said Chism, or other owner of said lot \$375.00. Balance of damages on said lot \$350.00.

Benefits to the city of Indianapolis for the selling value of the house, stable, fences and other improvements, taken with the grounds of Fred. Schurich on lots "C and D." in Ray's subdivision of out lot 159, \$400.00.

Total damages north end \$4,510.00. Total benefits north end 3,600.00.

Balance of damages on north end \$910.00.

Damages to James Skillen and the heirs of W. M. Skillen deceased, for a strip 15 feet wide taken of the east side of lot 24 of Blake and Ray's sub-addition of out lot 148 \$1,500.00, also for portion of frame house and other improvements on said 15 feet, and cut away in opening said street \$800 00, total damages to said Skillen on said lot and improvement \$2,300.00. Benefits to said Skillen on said lot from opening said street \$400.00. Balance of damages to said Skillen \$1,900.00.

Damages to Sohl and Gibson & Co. for a strip 15 feet by 30 feet taken off the east side of the south west corner of a tract 180 feet by 225 feet in out lot 148, \$50.00 also for moving shed thereon \$5.00, making \$55.00. Benefit to Sohl Gibson & Co. on said tract 180 feet by 225 feet from opening said street \$350.00. Balance of benefits to Sohl and Gibson & Co. \$295.00.

Benefit to J. A. & R. F. Teneyck on west part of lot 12 in out lot 147, \$200 00.

Benefits to W. O. Rockwood and H. D. Pierce on lot 13 in out 147, \$300.00.

Benefit to the city of Indianapolis on the park property in out lot 147, \$900.00.

Benefits to the city of Indianapolis on lots 75, 76 and 77 in Blackford's subdivision of out lot 154, 178.00.

Benefit to Wm. Bell on lot 18 in Bright, Powell and Ellis' subdivison of out lot 155, \$15.00.

Benefits to E. W. H. Ellis on lot 17 in said subdivison.....	\$12 00
Benefits to E. W. H. Ellis on lot 16 " "	12.00
Benefits to C. Lohman on lot 15 " "	12 00
Benefits to R. J. Bright on lot 14 " "	12.00
Benefits to R. J. Bright on lot 13 " "	12.00
Benefits to Wendell Gardner on lot 12 " "	12.00
Benefits to B. O. Carpenter on lot 11 " "	12.00
Benefits to B. O. Carpenter on lot 10 " "	12.00
Benefits to S. Meredith on lot 9 " "	12.00
Benefits to S. Meredith on lot 8 " "	12.00

Benefits to Lewis Ferdinand on lot 7	"	"	.....	\$12.00
Benefits to Trustees 5 Presb'n ch. on lot 6	"	"	.....	14.00
Benefits to Trustees 5 Presb'n ch. on lot 5	"	"	.....	14.00
Benefits to John S. Spann on lot 4	"	"	.....	14.00
Benefits to Bridget Murphy on lot 3	"	"	.....	14.00
Benefits to W. M. Adams on lot 2	"	"	.....	14.00
Benefits to T. A. Meredith on lot 1	"	"	.....	14.00
Benefits to P. Sanburn on lot 1 in Maguires heirs' subdivision of out lot 151.....			.....	12.00
Benefits to David Derringer on lot 2 in said subdivision.....			.....	12.00
Benefits to L. Smith on lot 3	"	"	.....	12.00
Benefits to S. Albro on lot 4	"	"	.....	12.00
Benefits to L. Ferguson on lot 5	"	"	.....	12.00
Benefits to E. Pierson on lot 6	"	"	.....	12.00
Benefits to C. N. Lee on lot 7	"	"	.....	12.00
Benefits to A. Rozier on lot 8	"	"	.....	12.00
Benefits to M. Rhodes on lot 9	"	"	.....	12.00
Benefits to T. J. Breedlove on lot 10	"	"	.....	12.00
Benefits to Elisha G. English on lot 11	"	"	.....	12.00
Benefits to E. W. Breedlove on lot 12	"	"	.....	12.00
Benefits to E. Sulgrove on lot 13	"	"	.....	12.00
Benefits to Jacob Kern on lot 14	"	"	.....	12.00
Benefits to H. M. Goe on lot 15	"	"	.....	25.00
Benefits to Isaac Thalman on lot 65 Blackford's subdivision of out lot 152			.....	54.00
Benefits to Proctor, Curry and Forsinger on lot 66 in said subdivision..			.....	54.00
Benefits to A. Rozier on south end of lot 71 in Blackford's subdivision of out lot 153.....			.....	35.00
Benefits to Charlotte F. Condit on lot 72 in Blackford's subdivision of out lot 154.....			.....	53.00
Benefits of Charlotte F. Condit on lot 78 in Blackford's subdivision of lot 153.....			.....	55.00
Benefits to Erie Locke on 65 feet off the north end of lot 71 in said subdivision.....			.....	25.00
Benefits to W. J. Ripley on lot 1 in Merritt Coughlen subdivision of out lot 148.....			.....	15.00
Benefits to W. J. Ripley on lot 2 in said subdivision.....			.....	16.00
Benefits to Merrett and Coughlin on lot 3	"	"	.....	16.00
Benefits to " " on lot 4	"	"	.....	16.00
Benefits to " " on lot 5	"	"	.....	16.00
Benefits to " " on lot 6	"	"	.....	16.00
Benefits to " " on lot 7	"	"	.....	16.00
Benefits to " " on lot 8	"	"	.....	15.00
Benefits to " " on lot 9	"	"	.....	15.00
Benefits to " " on lot 10	"	"	.....	15.00
Benefits to Geo. W. Metcalf on lot 11	"	"	.....	15.00

Benefit to Wm. Logan on lot 12	"	.....	15.00
Benefits to Merrit and Coughlen on lot 13	"	.....	15.00
Benefits to " " " 14	"	.....	15.00
Benefits to Olant Baker on lot 15	"	.....	20.00

Total damages south end \$2,355, Total benefits south end, \$1,250.00.

Total damages to property holders both ends... ..\$6,865.00

Total benefit to property holders both ends.... .. 5,387.00

Benefit to city on her property, &c..... .. 1,478.00

The assessmets of damages and benefits are made from the plats and lists of property holders, furnished to the Commissions by the City Engineer and Assessor. The plat and list is herewith returned as part of this report.

All of which is respectfully submitted.

WM. S. HUBBARD,
 JOSEPH M. SUTTON,
 IGNATIUS BROWN,
 J. F. RAMSAY,
 SAMUEL M. SEIBERT,
 Board of City Com'rs.

Which was received and laid over.

The Board of Health made the following report:

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—The Board of Health have the honor to present to you the first weekly report for the week ending Sept. 9, 1872:

Number of deaths under 1 year.....	11
Number of deaths under 2 years.....	12
Number of deaths between 2 and 5 years.....	None.
Number of deaths between 5 and 15 years.....	3
Number of deaths between 15 and 20 years.....	None.
Number of deaths over 20 years.....	10
Total.. ..	<u>36</u>

Respectfully submitted,

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

W. WANDS, M. D., Secretary.

Which was received.

The Street Commissioner presented the following specifications :

INDIANAPOLIS, Sept. 9, 1872.

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

The following are the Specifications for the construction of gravel streets with Steam Road Roller :

1st. The road bed is to be excavated, graded and properly formed to a depth of 14 inches from the level of the gutters when finished, the cross section thereof to conform in every respect to the cross section of the street when finished.

It is then to be thoroughly rolled with the Steam Roller, and all depressions which may appear to be carefully filled and rolled before the gravel is put on.

2d. On the road bed thus formed a bottom course, or layer of stones, spalls, or the heaviest screened or raked river or creek gravel, of an average depth of six inches, which is to be thoroughly rolled with the steam roller.

3d. An intermediate layer of the best screened or raked river or creek gravel is then to be evenly spread thereon, to the depth of four inches, and thoroughly rolled, after which an inch more, or less, of pit sand is to be applied and rolled in.

4th. The surface layer of screened or raked river or creek gravel, of a size not to exceed two inches in diameter, is then to be put on to a depth of four inches, thoroughly rolled, and an inch, more or less, of pit sand applied and saturated with water, and repeatedly rolled until the surface becomes firm, compact and smooth, when all superfluous material is to be swept off and removed. Care must be taken to so spread the gravel that the total depth, when finished, shall be uniformly not less than fourteen inches, and that the grade and cross section of the street may be perfect when finished.

5th. On streets that have curbs, or that are to have curbs put in when improved, and are not more than forty feet in width between curbs, the lowest part or bottom of the gutters shall be next to or immediately against the curb, and the gutters shall be paved with flag stone not less than six inches in thickness and sixteen inches in width; or with boulders not less than five inches in diameter, to a width of not less than eighteen inches.

On streets that are to be improved without curbs, the gutters shall be paved with boulders not less than five inches in diameter to a width of three feet.

The gradient of the cross section of the street between the bottom of the gutters and the crown of the street, shall be not more than one in thirty.

And the grade of the crown of the crown of the sreet shall be two inches below the grade of the top of the curb.

Respectfully submitted,

A. BRUNER, Street Commissioner.

Which was received and ordered printed in the minutes.

Mr. Bollman introduced special ordinance No. 171, 1872, entitled :

An ordinance to grade and gravel the first alley north of McCarty street, running east and west from Alabama street to the first cross alley running north and south.

Which was read the first time.

Mr. Hardesty introduced special ordinance No. 172, 1872, entitled :

An ordinance to grade, boulder the gutter, and gravel Pennsylvania street between Washington and Georgia streets.

Which was read the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Michigan street, between Tennessee and Illinois streets, respectfully petition your honorable body to pass an ordinance providing for the laying of a cement pipe sewer or drain in the middle of said street, between said points, the same to connect with the Illinois street sewer, said sewer to have all necessary catch-basins, house connections, &c.—said sewer to be laid under the direction of the Sewer Engineer. And your petitioners will ever pray, &c.

S. M. & J. G. Douglass, A. B. Gates and John H. Farquhar.

Which was received.

Also, special ordinance No. 173, 1872, entitled :

An ordinance to provide for laying a cement pipe or drain in the center of Michigan street from Tennessee to Illinois streets.

Which was read the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Sept. 2, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Henderson or Illinois street, between Tinker or Morrison streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling with good raked river or creek gravel Henderson or Illinois street, and roll the same with steam roller between the above points, and for the bouldering of the gutters of the same and paving with brick and curbing with stone the sidewalks thereof. And your petitioners will ever pray.

W. H. Pettit, Wm. Mansur, John W. Coons, Mrs. B.
Macauley, E. L. Aughenbaugh and 15 others.

Which was received.

Also, special ordinance No. 174, 1872, entitled :

An ordinance to grade, gravel, pave with brick and curb with stone Illinois or Henderson street and sidewalks, from Tinker to Morrison street.

Which was read the first time.

Mr. Pressly presented the following petition :

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—We, the undersigned, owners of the real estate fronting on the alley running north and south from Buchanan street to the first alley north of Bradshaw street, between lots 1, 35 and 36, and a street fifty feet in width, called Sullivan street, all in Bradshaw's subdivision of out-lot No. 100, in the said city of Indianapolis, be vacated, and that said Sullivan street and sidewalks be properly graded and graveled between McCarty and Buchanan streets. By granting this our request you will confer a great favor on our

portion of the city, and make a much needed public improvement. And we will ever pray, &c.

John W. Lingenfelter, Wm. Woolen, M. J. Wagner,
and 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Pressly introduced special ordinance No. 175, 1872, entitled:

An ordinance to grade and gravel Sullivan street and sidewalks, between McCarty and Buchanan streets.

Which was read the first time.

Mr. Batty introduced special ordinance No. 176, 1872, entitled:

An ordinance to grade and pave with brick the west sidewalk of East street, between Gregg and St. Clair streets.

Which was read the first time.

Mr. Wiles introduced general ordinance No. 63, 1872, entitled:

An ordinance to amend an ordinance, entitled "An ordinance authorizing a loan for city purposes," passed August 6th, 1872.

Which was read the first, second and third times, under a suspension of the rules, and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

On motion by Mr. Hardesty, the vote by which special ordinance No. 104, 1872, entitled "An ordinance to provide for the grading and graveling of Ray street, between Meridian and Chest-

nut streets," was passed at the meeting of the Council held Sept. 2d, 1872, was reconsidered.

On motion by Mr. Hardesty, the engrossment of the above entitled ordinance was reconsidered.

Mr. Hardesty moved to amend the ordinance so as to read as follows: "An ordinance to grade and gravel Ray street and sidewalks between Meridian and Delaware streets."

Which was adopted.

The ordinance as amended was then read the second and third times and passed by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—14.

Negative—None.

The City Attorney offered the following preamble and resolutions:

INDIANAPOLIS, August 26, 1872.

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

GENTLEMEN:—I respectfully recommend that you adopt the annexed preamble and resolutions.

J. S. HARVEY, City Attorney.

WHEREAS, Norton R. Smith and Lyman S. Ayres have instituted an action against the City, in the Superior Court of Marion County, to recover damages for an alleged overflow of their cellar on West Washington street: And whereas, It is represented that the said overflow, if any, was caused by R. R. Parker, and Pleasant H. Griffith, and Alice Griffith, adm'x, &c., Humphrey C. Griffith, adm'r, &c., and others, all heirs of Humphrey Griffith deceased, placing obstructions in the gutter adjacent thereto. Therefore,

Resolved, That said parties above named be, and are hereby, notified to appear and defend said action, and save the city harmless therefrom; and that

in the event of a judgment being rendered against the City of Indianapolis, she will hold said parties above named responsible for such judgment, all costs and attorneys' fees; and that a copy of this preamble and resolution be served on said parties above named and returned to the City Clerk immediately, by the Marshal of said city.

Resolved, That whenever in any other case which shall be brought against the City, in which, in the opinion of the City Attorney, there are other parties liable over to the City in case there should be a judgment rendered against the City, the City Attorney may, and it is hereby made his duty, to give such party or parties notice of the pendency of such suit, and require them to appear and defend the same, and that such parties will be held by the City responsible for any judgment, costs and Attorneys' fees which may accrue in such suit. Such notice shall be served by the City Marshal and returned to the City Clerk.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Rush, Thalman, Wiles and Woodburn—13.

Negative—None.

Mr. Thalman, from the Committee on Streets and Alleys, made the following report:

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—Your Committee on Streets and Alleys, to whom was referred sundry papers, beg leave to report as follows:

FIRST.

Is a remonstrance from A. R. Stagg and others, protesting against improving alley through out-lot No. 102, as the cutting down and removing the earth to a grade that the sewer is now filled, would greatly damage their property. We would recommend that the improvement be made, and that the Engineer set the grade stakes at a point 100 feet north of Merrill street four feet below the original surface of the ground, then slope to the grade of Merrill and Valley streets.

SECOND.

Is a matter relating to issuing a precept against Charles Schwicho in favor of John Schier for grading and paving in front of his property, said Schwicho

refusing to pay, alleging that the work was not done according to contract. We have examined the matter and find that Schier is at fault, as the pavement likes from 2 to 10 inches in various points of being 8 feet wide as the ordinance provides. We would recommend that the precept be not issued, and that Mr. Schier be directed to make the pavement 8 feet wide, not only in front of Schwicho's property, but all other property, as provided for in the ordinance.

THIRD.

Is a petition, remonstrance and ordinance regarding the improvement of an alley running north and south between Michigan and North streets, and between Davidson and Winston streets. The alley needs improving; we recommend that ordinance No. 157 be placed upon its passage.

FOURTH.

Is a petition from Ettie Wright et al, praying that an alley be opened through blocks 4, 5, 6, 7 and 8, in Isaac Harris's subdivision of out-lot No. 157, to a width of 11 feet. We believe this improvement very essential, and recommend that the matter be referred to the City Commissioners for their immediate action.

FIFTH.

Is a motion that the Street Commissioner notify contractors that they will not be permitted to open or obstruct more than one square at a time for improvement of any one street. We do not think it advisable to enforce a general order of this kind, as it would necessarily increase the cost of street improvements, where in most cases such a requirement would be wholly unnecessary. When a street is to be improved that such a requirement would be essential, a proviso of that kind might be embodied in the ordinance, when the contractor can bid accordingly.

Respectfully submitted,

ISAAC THALMAN,
JOHN T. PRESSLY,
C. E. WHITSIT,

Committee on Streets and Alleys.

Which was concurred in, except the 2d paragraph, which was referred back to the Committee on Streets and Alleys with the Civil Engineer.

Mr. Kahn, from the Committee on Accounts and Claims, made the following report:

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—Your Committee on Claims, and the City Attorney, to whom was referred the claim of James W. Hudson for one hundred and fifty dollars, for removing boulders from South Illinois street, &c., report that the facts as far as they can ascertain are as follows:

The city let a contract to said Hudson to boulder a portion of said Illinois street, which was to be done in a limited time; that Hudson failed to complete the work within the time limited; that Hudson had, with a view to the completion of said contract, hauled a lot of boulders on to the street or grounds adjoining; that after Hudson failed to carry out said contract, the Common Council passed the ordinance and let the contract for the Illinois street tunnel, which did away with the idea of bouldering the street, and Hudson hauled away the boulders. We do not think that Hudson has a legal claim against the city.

Respectfully,

LEON KAHN,
R. M. PATTERSON,
J. S. HARVEY, City Attorney.
Com. on Acc'ts and Claims.

Which was concurred in.

The Street Commissioner made the following report:

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—At the last meeting of your honorable body I was instructed to provide an outlet for the water in the neighborhood of Huron and Pine streets. In my opinion it will require a sewer to accomplish the desired object. I would therefore suggest that the matter be referred to the Sewer Engineer for plans to drain that section.

Most respectfully,

A. BRUNER, Street Commissioner.

Which was concurred in.

Mr. Pressly offered the following motion:

Moved, That the City receive from the contractors the Delaware Street Bridge, and that the City pay said contractors the balance due them upon

said contractors boarding up the east side of said bridge, said boarding to be done under the supervision of the City Engineer.

Which was adopted.

Mr. Pressly introduced special appropriation ordinance No. 55, 1872, entitled :

An ordinance to appropriate money for the payment of claim against the city of Indianapolis on account of the South Delaware Street Bridge.

Which was read the first time.

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

INDIANAPOLIS, Sept. 9, 1872.

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

GENTLEMEN:—Your Committee on Gas Light, to whom was referred a motion instructing the Civil Engineer to have the new bridge or viaduct on Delaware street lighted with gas, believing that the safety of persons crossing the same requires it, we recommend that the Civil Engineer have the same done immediately.

Respectfully submitted.

E. J. HARDESTY,
ISAAC THALMAN,
Com. on Gas.

Which was concurred in.

Mr. Batty, from the Committee on Revision of Ordinances, together with the City Attorney, made the following report :

INDIANAPOLIS, Sept. 9, 1872.

To the Committee of Finance of the City of Indianapolis:

GENTLEMEN:—We, the undersigned, Committee on Revision of Ordinances, and the City Attorney, to whom was referred the communications of Huston & Bergman, and John W. James, have examined the subject, and recommend that they accept the accompanying contract with Messrs. Huston & Bergman upon their giving bond in the penal sum of twenty thousand dollars, to be approved by the Common Council, conditioned that they will faithfully carry

out said contract, and that upon such being so approved, His Honor, the Mayor, is directed to sign said contract on the part of the city. The blanks in the agreement to be first filled by order or direction of the Council.

Respectfully submitted.

J. H. BATTY,
ROBERT KENNINGTON,
E. J. HARDESTY,
J. S. HARVEY, City Attorney.
Com. on Rev. Ordinances.

Mr. Batty presented the following :

This article of agreement made and entered into this — day of September, 1872, between G. W. Huston and Francis L. Bergman, of the first part, and the city of Indianapolis of the second part, witnesseth: That the party of the first part, in consideration of the premises hereinafter mentioned, agree and obligate themselves to erect outside the limits of said city Lockwood & Everett's Steam Rendering Apparatus, of New York, for rendering all dead animal matter, bones, animal garbage or slush, and soap grease, and render and dispose of the same, absolutely, without creating any nuisance or offensive odors thereby.

They further obligate themselves to gather and take from the city, on notice to be left at or near the office of the City Clerk, or at the Station House, the following named offal of the city, viz., dead animals, bones, animal garbage, soap grease, and refuse of slaughter houses, and dispose of the same as above said, for the term of ten years from the — day of —, 1872, free of cost to the city.

And the parties of the first part further agree that in case the Common Council of said city shall at any time provide a place within or without the city limits, on, or in, which the vegetable garbage of the city shall be deposited, they will remove the same away at least twice per week, and oftener if directed by said Common Council, and dispose of the same without in any manner creating a nuisance or offensive odors to the city or her inhabitants, all without any cost whatever to the city.

The party of the first part further agree that they will not throw or deposit any filth nor noisome matter whatever in White river.

The party of the first part further agree that they will pay to the owners of dead hogs a price per hundred pounds equal to one-third of the gross market price of live hogs of the same class, at the time of removing the dead ones; and for cattle and sheep a fair value according to the size and condition of carcass; and pay to hotels, boarding-houses and private families a fair value in soap for all soap grease received; and pay to slaughterers a fair remuneration in money for all material of value received of them.

The party of the first part further obligate themselves to remove all matter in such manner as will as little as possible offend either sight or smell.

And the parties hereto agree to the following explanation of terms herein used:

"Animal garbage," to mean soap grease from hotels, boarding-houses and dwellings.

"Slaughter-house offal," to mean the guts and plucks of slaughtered animals and tank stuff.

"Carcasses and dead animals," to mean all animals dying from disease or accident, and not to mean animals slaughtered for human food.

"Vegetable garbage," to mean all vegetable kitchen offal unmixed with ashes or other refuse matter.

In consideration of the above the said city of Indianapolis, the party of the second part, agrees as follows:

1st. The party of the first part shall have the exclusive right to remove all dead animals, bones, animal garbage and matter pertaining thereto, including all soap grease, on the condition above named without any competition whatever, for the term of ten years as abovesaid.

2d. The party of the first part shall have the exclusive right to remove all the vegetable garbage of the city as hereinbefore provided, and no other person or persons shall compete with them therefor for the ten years above named.

Which was received and laid over two weeks.

Dr. Woodburn presented the following:

Recapitulation of Weekly Report of Contents of Register of Patients of City Hospital, ending August 31, 1872:

Number of patients in Hospital at last report.....	43
Number of patients received in Hospital since last report.....	22
Number of patients born in Hospital since last report..	2
Number of patients discharged from Hospital since last report....	15
Number of patients died in Hospital since last report	0
Number of patients remaining in Hospital at present report...	52

J. W. MARSEE, Superintendent.

Also, the following:

Recapitulation of Monthly Report of the Expenditures of the City Hospital, ending August 31, 1872:

Total expenditures for the month.....	\$861 03
Aggregate number of days for which Subsistence, etc., was furnished,	1513
Average expense per capita per diem.....	\$0 52.9

J. W. MARSEE, Superintendent.

Which were received.

Mr. Cottrell presented the following:

Recapitulation of Weekly Report of Contents of Register of Patients of City Hospital, ending September 7, 1872:

Number of patients in Hospital at last report.....	52
Number of patients received in Hospital since last report... ..	15
Number of patients born in Hospital since last report.....	0
Number of patients discharged from Hospital since last report.....	10
Number of patients died in Hospital since last report.... .	0
Number of patients remaining in Hospital at present report	57

J. W. MARSEE, Superintendent.

Which was received.

On motion by Mr. Craft, Messrs. Hardesty and Kahn were instructed to go to New York to examine the American Steam Road Roller built by Secor & Son for this city, and if found that the said Steam Road Roller is built according to contract, to receive and pay for the same.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST :

JOHN R. CLINTON, City Clerk.