

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, June 2, 1873, 7½ o'clock, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, Jas. 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, Pendleton, Pressly, Rush, Shepherd, Strat-
ford, Thalman, Twiname, Ward and Woodburn—24.

Absent—Councilmen Reagan and Sherwood—2.

The proceedings of the special session, held May 23d, 1873,
and the regular session, held May 26th, 1873, were read and ap-
proved.

Sealed proposals for improving Tennessee street from Market street to Indiana avenue, and sundry other improvements, were received, opened, read and referred to the Committee on Contracts.

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

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for grading and paving with wooden block pavement Tennessee st., and for widening and grading the sidewalks and paving the sidewalks with brick, and curbing the outside edges with stone, from First street to the corporation line, would report that the following proposals were presented for the Nondescript, or Number Three, which the Citizens Committee have adopted as their choice :

From Seventh to Twelfth street—

Jas. B. Smith, \$1.59 cents per square yard for paving with wooden blocks; 59 cents per lineal foot front for curbing; 80 cents per lineal foot front for paving with brick.

Jno. A. Whitsit, \$1.58 cents per square yard for paving with wooden blocks; 60 cents per lineal foot run for curbing; 83 cents per lineal foot front for paving with brick.

Jesse S. Whitsit, \$1.56 cents per square yard for paving with wooden blocks; 60 cents per lineal foot front for curbing; 85 cents per lineal foot front for paving with brick.

From First to Tinker street—

Jesse S. Whitsit, \$1.55 cents per square yard for paving with wooden blocks; 60 cents per lineal foot front for curbing; 66 cents per lineal foot front for paving with brick.

John A. Whitsit, \$1.58 cts. per square yard for paving with wooden blocks; 60 cents per lineal foot front for curbing; 68 cents per lineal foot front for paving with brick.

Jas. B. Smith, \$1.56 cents per square yard for paving with wooden blocks; 80 cents per lineal foot front for paving with brick; 58 cents per lineal foot front for curbing with stone.

Two other proposals were presented by one John F. McGrew, but as he has only bid on the paving with wooden blocks and not for curbing and paving with brick, your committee have not paid any attention to his bid—no person seems to know who he is.

James B. Smith's bid will cost on each side of the line improved from 7th street to the corporation line \$4.83.

John A. Whitsit's \$4.85.

Jesse S. Whitsit's \$4.82.

From First to Tinker street James B. Smith's will be \$1 84 60-100.

John A. Whitsit's \$4.72.

Jesse S. Whitsit's \$4.63.

Jesse S. Whitsit being the lowest and best bidder on both sections, we would recommend that he be awarded the contract.

Respectfully submitted,

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

Which was concurred in and the contract awarded.

Also the following report:

INDIANAPOLIS, June 2, 1873.

To the Mayor and Members of the 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.

Thomas J. Morse, to repair and paint the fence around Military Park for 22 cents per lineal foot run. As there was only one proposal presented, we would recommend that the same be readvertised, proposals to state how many coats of paint will be put on at the price bid.

SECOND.

To build a seven foot sewer in the State ditch seven feet in size, the following proposals were presented, to-wit:

R. M. Riner, \$13.85 per lineal foot run.

Augustus Bruner, \$13.25 per lineal foot run.

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

THIRD.

For the erection of lamp posts on sundry streets, the following proposals were presented:

- D. Root & Co., with Minor lamp corner posts, \$33 per post.
 Intermediate posts, Minor lamps, \$32 per post.
 With galvanized iron lamps, corner posts, \$29 per post.
 With galvanized iron lamps, intermediate posts, \$28 per post.
- D. M. Soy & Co., with Mirror lamps, corner posts, \$34 per post.
 With Minor lamps, intermediate posts, \$33 per post.
 With galvanized iron lamps, corner posts, \$30 per post.
 With galvanized iron posts, intermediate posts, \$29 per post.
- D. Coulter, corner posts \$29.50 per post.
 Intermediate posts \$27 per post.

The last named bidder does not state, in his proposal, what kind of lamps he intends to put up, but we presume he intends to use the Minor lamps, and, if so, we find that he is the lowest and best bidder, and would recommend that he be awarded the contract, provided he uses the Minor lamps.

Respectfully submitted,

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

Which was concurred in, and the contracts awarded.

On motion by Mr. Kahn, the contract for erecting lamp-posts, etc., was awarded to D. Coulter, on condition that he furnish and erect the Minor lamps.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

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

A second partial estimate to J. B. Smith on North Tennessee street, from New York street to the south line of North street:

8583.94 square yards of pavement at \$1.64..... \$14,077 66

3084.66 lineal feet of curb at 61 cents	1,881 64
Total	<u>\$15,959 30</u>
Deduct former payment.....	7,748 46
Present payment.	<u>\$8,210 84</u>

Also, third partial estimate to J. J. Palmer on North Delaware street from St. Clair to Linden street, south line :

8811 square yards of pavement at \$2.18 per yard	\$19,207 98
3916.74 lineal feet of curb at 62½ cents.....	2,447 96
Total	<u>\$21,655 94</u>
Deduct former payments.....	15,363 82
Present payment.....	<u>\$6,292 12</u>

Also, a second partial estimate allowed W. H. Johnson for planting and boxing shade trees on California and other streets :

Trees and boxes on California street.....	94
“ “ Fayette street	39
“ “ North street	113
“ “ Vermont street.....	66
Total number of trees and boxes.....	<u>312</u>

At \$1.44 cents per tree and box.....	\$449 28
Deduct former payment.....	306 72
Present payment.....	<u>\$132 56</u>

Also, a third and final estimate allowed to Bernard Hamill for curbing the sidewalks on Pennsylvania street, between Washington and North streets :

3094 ft. 9 inches of stone curb at 50 cents.....	\$1,547 37½
Deduct former payments	702 45
Present payment.....	<u>\$844 92</u>

Respectfully submitted,
B. M. PATTERSON, Civil Engineer.

Which was concurred in.

Also the following report :

INDIANAPOLIS, June 2, 1873.

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

The City Civil Engineer would respectfully report for your approval the following estimates :

1st. J. B. Smith a second and partial estimate for grading and paving with wooden block pavement Tennessee street from New York street to the south line of North street, and curbing with stone the sidewalks thereof.

2d. J. J. Palmer a third and partial estimate for grading and paving with wooden block pavement Delaware street, and curbing the sidewalks thereof, from St. Clair street to the south line of Linden street.

3d. W. H. Johnson a second and partial estimate for planting and boxing shade trees on California, Fayette, North and Vermont streets.

4th. Bernard Hamill a third and final estimate for curbing the sidewalks of Pennsylvania street, between Washington and North streets.

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was received.

Also, the following estimate resolution :

Resolved, That the foregoing second and partial estimate of J. B. Smith for grading and paving with wooden block pavement, and curb the outside edges with stone, Tennessee street from the north side of the first alley north of Vermont street to the south line of North street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing third and partial estimate of John J. Palmer for grading and paving with wooden block pavement Delaware street, and curbing the sidewalks thereof from St. Clair street to the north line of Linden 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, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Thalman, Twiname, Ward and Woodburn—23.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing second and partial estimate of P. W. H. Johnson for planting and boxing shade trees on California and other 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, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Thalman, Twiname, Ward and Woodburn—23.

Negative—None.

Also, the following estimate resolution :

Resolved, That the foregoing third and final estimate of Bernard Hamill for curbing the sidewalk of Pennsylvania street between Washington and North street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

The City Civil Engineer submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

The City Civil Engineer would respectfully report to the Council:

FIRST.

Contract and bond of Augustus Bruner for building two cisterns. One of 800 barrels, at the corner of Delaware and Bicking street, and one at or near the corner of Bates street and the corporation line.

SECOND.

Contract and bond of John Schier for grading and paving with brick the west sidewalk on California street, from Michigan to North street.

THIRD.

Contract and bond of John Schier, for grading and paving with brick the west sidewalk on Union street from Madison avenue to Hanway street.

FOURTH.

Contract and bond of Patterson & Dunning, for grading and graveling Patterson street and sidewalks, from Vermont to North street.

FIFTH.

Contract and bond of Samuel W. Patterson, for grading and graveling Patterson street and sidewalks, from North to Mississippi street.

SIXTH.

Contract and bond of Patterson & Dunning, for grading and graveling California street and sidewalks, from Washington to Market street.

SEVENTH.

Contract and bond of Jesse S. Whitsit, for paving with wooden block pavement College avenue from Seventh or Tinker street to the corporation line.

EIGHTH.

Contract and bond of Jesse S. Whitsit, for grading, paving with wooden block pavement, curbing the outside edge of the sidewalks with stone, and paving the sidewalks with brick, Tennessee street from First to Seventh st.

NINTH.

Contract and bond of Jesse S. Whitsit, for grading and paving with wooden block pavement, curbing the outside edges of the sidewalks with stone and paving the sidewalks with brick, from Seventh street to the corporation line north.

TENTH.

Contract and bond of Samuel Lefevre, for grading and paving with brick, flagging and bowldering the crossings of the south sidewalk on South street, from East to West street.

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was received and the bonds approved.

The City Assessor presented the following communication :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—The 24th section of the City Charter requires the City Assessor to deliver to the City Clerk an appraisement of the real and personal property of the city on the first Monday in June, of each year, unless otherwise directed by the Common Council.

The increased amount of property, together with the delay occasioned by the operations of the new law, will make it necessary for you to extend the time of making the return at least one month.

WM. HADLEY, City Assessor.

Which was received.

By consent, Dr. Woodburn offered the following resolution :

Resolved, That the City Assessor be allowed until the first Monday in July to return to the City Clerk the appraisement of the real and personal property of the city.

Which was adopted by the following vote :

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

Negative—None.

The City Attorney submitted the following report :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—I do not think it necessary or expedient to change the forms of contracts. The Supreme Court, in the case of Sylvester vs. Newman, have reversed the judgment of the Superior Court, and held that where no fraud is committed, Councilmen are not individually liable upon the contracts ordered by them.

Respectfully, B. K. ELLIOTT, City Attorney.

Which was concurred in.

Also, the following report :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—In obedience to your directions, I have prepared and herewith report a resolution relative to the condemnation of gravel roads within the city.

Respectfully, B. K. ELLIOTT, City Attorney.

Which was received.

Also, the following resolution :

WHEREAS, The convenience and comfort of the citizens and the public require that the roadways of the gravel and plank roads hereinafter named, lying within the corporate limits of the City of Indianapolis, be appropriated for the purposes of public streets, therefore,

Resolved, That the Common Council propose to appropriate, for such purposes, so much of the roadway of the following named gravel and plank road companies as lies within the corporate limits of said city, to-wit :

The Central Plank Road Company.

The White River Gravel Road Company.

The Westfield Gravel Road Company.

The Mars Hill Gravel Road Company.

The Pendleton Gravel Road Company.

The Indianapolis and Pogue's Creek Gravel Road Company.

The Bluff Gravel Road Company.

The contested Pleasant View and Bethel Gravel Road Company.

The Indianapolis and Lick Creek Gravel Road Company.

Resolved, That the Civil Engineer be and is hereby directed to prepare and report a plat showing the route and location of each and all of the roadways of said companies lying within the City of Indianapolis.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—24.

Negative—None.

Also, the following report:

INDIANAPOLIS, May 28, 1873.

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

GENTLEMEN:—I have examined the questions involved in the remonstrance filed by Governor Hendricks, and respectfully submit the following opinion:

As nearly as I can ascertain, the controversy between the persons interested is, "as to whether the Common Council have power to vacate the alley referred to," one party, as I am informed, insisting that the alley was a private one, that it had never in reality been opened and used, and that prior to the purchase of the abutting property by Governor Hendricks the alley had been closed.

I think the Council should take no action in the matter, and for these reasons:

If the alley was a private one and had prior to Governor Hendricks' purchase been closed or discontinued by mutual agreement made by the interested parties, the Council have no power whatever in the matter.

If the alley was a public one, then as Governor Hendricks owns property abutting upon it, the Council could not over his remonstrance vacate it.

If either party be correct in their claims, the Council have no power in the matter.

Perhaps the best course for the Council to adopt would be to strike from the files the petition and papers in the matter, and leave the Courts to decide the controversy.

Respectfully,

B. K. ELLIOTT, City Attorney.

Which was concurred in, and all papers relating to the matter were stricken from the files.

The Board of Health submitted the following report :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—The Board of Health would respectfully submit the following weekly mortality report for the week ending 2d of June, 1873 :

Under 1 year.....	7
From 1 to 2 years.....	0
From 2 to 5 years.....	2
From 5 to 10 years.....	1
From 10 to 15 years.....	2
From 15 to 20 years.....	0
From 20 to 25 years.....	0
From 25 to 30 years.....	2
From 30 to 40 years.....	2
From 40 to 50 years.....	1
From 50 to 60 years.....	2
From 60 to 70 years.....	1
From 70 to 80 years.....	0
From 80 to 90 years.....	0
From 90 to 100 years.....	0
100 and upwards.....	0
Unknown.....	0
Total	20

Respectfully submitted,

S. A. ELBERT, M. D., President.

W. WANDS, M. D., Secretary.

Which was received.

The City Treasurer submitted the following report :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—I have the honor to submit a report of the receipts and disbursements of this office from May 13 to 31, 1873, inclusive. A new set of books for registering receipts and orders were ordered immediately after my taking possession of the office, but were not completed in time to present to your honorable body an itemized statement.

My report for the current month will be given in detail.

HENRY W. TUTEWILER, City Treasurer.

CITY TREASURER'S REPORT.

Received of John W. Coons, Ex-City Treasurer ... \$62,000 00

Taxes collected or duplicate from May 13 to 31.....	1,655 18
Receipts from all other sources.....	541 40
	<hr/>
	64,196 58
Orders redeemed.....	10,672 67
	<hr/>
Balance in Treasury June 1.....	\$53,523 96

Which was received.

The City Clerk reported the official bond of James W. Brown, City Civil Engineer, he having otherwise qualified as required by the city charter by filing with the City Clerk his certificate of election and oath of office, and giving as security R. Browning—penalty of bond \$2,000.

Which was concurred in, and the bond approved.

ORDINANCES ON FIRST READING.

Mr. Pressly introduced special ordinance No. 153, 1873, entitled:

An ordinance to grade and gravel English avenue and sidewalks from Dillon street to the corporation line east.

Which was read the first time.

Dr. Woodburn introduced special ordinance No. 154, 1873, entitled:

An ordinance to grade and pave with brick the sidewalk on the west side of Tennessee street, from North to First street, where not already paved.

Which was read the first time.

Dr. Woodburn introduced general ordinance No. 32, 1873, entitled:

An ordinance relative to moving houses and buildings, requiring persons moving buildings to obtain permits, and prescribing penalties for violating the provisions hereof.

Which was read the first time.

Mr. Kennington introduced special ordinance No. 155, 1873, entitled :

An ordinance to grade, pave with brick and curb with stone the sidewalks of Sinker street from Alabama to East street.

Which was read the first time.

Mr. Bigham introduced special ordinance No. 156, 1873, entitled :

An ordinance to grade and gravel East street, bowlder the gutters and curb with stone the sidewalks from Washington street to Massachusetts ave.

Which was read the first time.

Also special ordinance No. 157, 1873, entitled :

An ordinance to grade and pave with wooden block pavement New Jersey street, and for widening, grading and curbing the sidewalks thereof, from Washington street to Massachusetts avenue.

Which was read the first time.

Dr. Ward presented the following petition :

INDIANAPOLIS, Feb. 23, 1873.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on East st., between St. Clair street and Cherry street, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick the west sidewalk between the points above named, said pavement to be nine feet wide. And your petitioners will ever pray, etc.

M. Bell, J. C. Carter, J. G. Chambers, Geo. C. Webster
and 8 others.

Which was received.

Also special ordinance No. 158, 1873, entitled :

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

Which was read the first time.

Mr. Brown introduced general ordinance No. 33, 1873, entitled :

An ordinance defining the duties of City Treasurer in the matter of paying interest and principal on bonds issued by the city.

Which was read the first time.

Mr. Adams presented the following petition :

INDIANAPOLIS, May —, 1873.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on Park avenue, between Christian and Forest Home avenues, respectfully petition your honorable body to pass an ordinance providing for the curbing of the sidewalks of Park avenue, between the above mentioned points, with stone, and paving the gutters thereof with good bowlder stones, said sidewalks to be properly graded to the curbing. And your petitioners will ever pray, &c.

J. C. Adams, G. A. Bruenig, John R. Clinton, C. A. Howland and 8 others.

Which was received.

Also special ordinance No. 159, 1873, entitled :

An ordinance to curb with stone the sidewalks and bowlder the gutters thereof of Park avenue from Christian to Forest Home avenues.

Which was read the first time.

Mr. Gimber introduced special ordinance No. 160, 1873, entitled :

An ordinance to grade and gravel the first alley west of Meridian street, running north and south from Ray to Wilkens street.

Which was read the first time.

Mr. Shepherd introduced special ordinance No. 161, 1873, entitled :

An ordinance to grade and gravel Garden street and sidewalks, between Illinois and Tennessee streets.

Which was read the first time.

Mr. Pressly introduced special appropriation ordinance No. 27, 1873, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of Station House for the month of May, 1873.

Which was read the first time.

Dr. Woodburn introduced special appropriation ordinance No. 28, 1873, entitled :

An ordinance appropriating money for the payment of sundry claims against the city of Indianapolis for the month of May, 1873.

Which was read the first time.

Also special appropriation ordinance No. 29, 1873, entitled :

An ordinance appropriating money to pay the election expenses of the General and Special elections, held in May, 1873.

Which was read the first time.

Mr. Ward introduced special appropriation ordinance No. 30, 1873, entitled :

An ordinance appropriating money for the payment of sundry claims on account of City Hospital for the month of May, 1873.

Which was read the first time.

Mr. Rush introduced special appropriation ordinance No. 31, 1873, entitled :

An ordinance appropriating money for the payment of sundry claims on account of Printing, Stationery, &c., for the month of May, 1873.

Which was read the first time.

ORDINANCES ON SECOND READING.

On motion, the following ordinances were read the second time and ordered engrossed :

- Special appropriation ordinance No. 26, 1873,
- “ “ “ No. 27, “
- “ “ “ No. 28, “
- “ “ “ No. 29, “
- “ “ “ No. 30, “
- “ “ “ No. 31, “

ORDINANCES ON THIRD READING.

Special appropriation ordinance No. 26, 1873, entitled :

An ordinance appropriating money for the use of the Street Commissioner.

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

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—24.

Negative—None.

Special appropriation ordinance No. 27, 1873, entitled :

An ordinance appropriating money for the payment of sundry claims on account of Station House for the month of May, 1873.

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

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—24.

Negative—None.

Special appropriation ordinance No. 28, 1873, entitled :

An ordinance appropriating money to pay sundry claims against the city of Indianapolis for the month of May, 1873.

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

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

Negative—Councilman Kennington—1.

Special appropriation ordinance No. 29, 1873, entitled :

An ordinance appropriating money to pay sundry claims on account of the General and Special elections held in May, 1873.

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

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

Negative—Councilman Kennington—1.

Special appropriation ordinance No. 30, 1873, entitled :

An ordinance appropriating money to pay sundry claims on account of the City Hospital for the month of May, 1873.

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

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

Negative—Councilman Kennington—1.

Special appropriation ordinance No. 31, 1873, entitled :

An ordinance appropriating money to pay sundry claims on account of printing, stationery, etc., for the month of May, 1873.

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

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, McLaughlin, Peck, Pressly, Rush, Thalman, Twiname, Ward and Woodburn—19.

Negative—Councilmen Brown, Kennington, Pendleton, Shepherd and Stratford—5.

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, May 31, 1872.

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

GENTLEMEN:—Some time since Mr. Cottrell offered a motion that Andrew Wallace be allowed the privilege to bowlder his sidewalk in front of his ware house on the south side of Maryland street, between Delaware and Alabama streets. I now find you have given the contract since for curbing and paving the same. There is not fall enough to plank over the gutter, and the curbing will be in the way. I pray you will order the curbing taken up in front of my property so that I can bowlder over the gutter as well as the sidewalk.

Your obedient servant,

ANDREW WALLACE.

Which was referred to the Committee on Streets and Alleys:

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, May 26, 1873.

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

GENTLEMEN:—We, the undersigned, members of the Committee on Fire Department, to whom was referred the remonstrance of Wm. Eggert, Wm. J. Gillespie and others, asking the Council to prevent the rebuilding of the feed store on the corner of Ohio street and Massachusetts avenue, would report that said house was finished before the said remonstrance came into our hands, and the building being located outside of the fire limits, we can do nothing in the premises.

Respectfully,

W. H. CRAFT,
DAVID GIBSON,
ROBERT KENNINGTON,
Com. on Fire Department.

Which was concurred in.

Mr. Kahn moved to reconsider the vote by which the minority report of the Committee on Fire Department was adopted at last meeting of the Council.

Mr. Brown moved to lay the motion to reconsider on the table.

The question being on the adoption of Mr. Brown's motion,

Those who voted in the affirmative were Councilmen Bigham, Bollman, Brown, Darnell, Gimber, Kennington, McLaughlin, Peck, Pendleton, Shepherd, Stratford and Ward—12.

Those who voted in the negative were Councilmen Adams, Anderson, Batty, Craft, Gibson, Hardesty, Kahn, Pressly, Rush, Thalman, Twiname and Woodburn—12.

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

So the motion to reconsider was laid on the table.

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

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—Your Committee on Gas, to whom was referred a communication from R. T. Brown, City Gas Inspector, in regard to lighting the city st-lamps for one year, would report in favor of adopting the suggestions made in said report with this exception, to-wit: that when the contract is made a provision shall be inserted giving the city the right to declare any such contract at an end by giving the contractor ten days' notice of such fact.

Respectfully submitted,

JOHN T. PRESSLY,
W. H. CRAFT,
FRED. C. BOLLMAN,
Com. on Gas.

Which was concurred in.

Mr. Gibson, from the Committee on Railroads, submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

The undersigned, to whom was referred the petition of Charles Glazier & Co., for the laying of a railroad track across Pennsylvania street, recommend that the prayer of the petitioners be granted.

DAVID GIBSON,
LEON KAHN,
ROBERT KENNINGTON,
Com. on Railroads.

Which was concurred in.

Mr. Brown, from the Committee on Schools, submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

The Committee on schools report the following resolution and recommend its adoption.

AUSTIN H. BROWN,
ISAAC THALMAN,
B. WARD,
FRED. C. BOLLMAN,
Committee on Schools.

Which was concurred in.

Also, the following resolution :

WHEREAS, It is, by an act of the General Assembly of the State of Indiana, made the duty of Common Councils, in cities having thirty thousand or more inhabitants, to direct the City Clerk to give ten days' notice of all elections for School Commissioners in any such cities, and also to appoint the election officers and fix the places of holding such elections ; and,

WHEREAS, The time fixed by statute for holding such elections is the second Saturday in June, of each year, and the Board of School Commissioners having, by resolution, requested the Common Council to give the requisite notice, appoint election officers and fix the places of holding elections in the First, Second, Seventh, Tenth and Eleventh School Districts respectively, therefore,

Resolved, That the City Clerk give ten days' notice by publication in the Daily Indianapolis Journal, the Daily Indianapolis Sentinel, the Daily Evening Journal, the Daily Evening News and the Daily Telegraph, that an election will be held on Saturday, June 14, 1873, at the following designated places of holding elections in the City of Indianapolis, for the election of one School Commissioner for each of the School Districts named, viz :

First School District, at the first district school building, corner of Vermont and New Jersey street.

Second School District, at the second district school building, on the corner of Walnut and Delaware street.

Seventh School District, at the old seventh district school building, on East street near Louisiana street.

Tenth School District, at the tenth district school building, on the corner of Ash street and Forest Home avenue.

Eleventh School District, at the eleventh district school building, on the corner of Fourth and Tennessee street.

And the following named persons are hereby appointed Inspectors and Judges of said elections :

First District—Inspector, Joseph M. Sutton. Judges, Arthur L. Wright and Joseph Staub.

Second District—Inspector, J. E. Ludlum. Judges, Frank Richardson and John F. Council.

Seventh District—Inspector, Christ. Heckman. Judges, William L. Wingate and Samuel P. Daniels.

Tenth District—Inspector, David Powell. Judges, Edward M. Wilmington and W. V. Hawk.

Eleventh District—Inspector, Daniel Yandes, Jr. Judges, James Tarleton and Fleming J. Jones.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kahn, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—24.

Negative—None.

Mr. Rush, from the Committee on Printing and Stationery, submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

Your Committee on Printing and Stationery, would recommend that the printing and stationery of the city be let to the lowest and best bidder after advertising to receive proposals therefor; that all bids shall specify with particularity and in detail the prices of all work and stationery.

Also, that the Clerk be and is hereby instructed to advertise for proposals for doing such work, said proposals to be received on the 9th day of June, 1873.

Respectfully,

F. P. RUSH,
J. C. ADAMS,
JAS. McB. SHEPHERD,
Committee on Printing.

Which was concurred in.

Dr. Ward, from the Committee on Benevolence and Hospitals, submitted the following report:

INDIANAPOLIS, June 2, 1873.

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

Your Committee on Hospitals and Benevolence would respectfully report that a vacancy occurred in the Board of Trustees of City Hospital by the expiration of Dr. B. N. Todd's term of service on the 25th ult., and we would recommend filling the vacancy by an immediate election.

B. WARD,
J. H. WOODBURN,
EDWARD REAGAN,
Com. on Benevolence.

Which was concurred in.

Dr. Woodburn nominated Dr. R. N. Todd.

No other nomination being made, the Clerk was instructed to cast the unanimous ballot of Council for Dr. R. N. Todd.

Mr. Batty moved to suspend the rules for the purpose of calling the roll for the presentation of new business.

Which motion was not adopted.

Mr. Hardesty moved that when the Council adjourn it adjourn to meet Friday evening, June 6th, 1873.

Which was adopted.

ORDINANCES ON SECOND READING.

General ordinance No. 28, 1873, was read the second time and ordered engrossed.

Mr. Batty moved to suspend the rules for the purpose of calling the roll for the presentation of new business.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Bollman, Brown, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Shepherd, Stratford, Twiname, Ward and Woodburn—19.

Negative—Councilmen Adams, Anderson, Kahn, Rush and Thalman—5.

Mr. Adams presented the following petition :

INDIANAPOLIS, June 2, 1873.

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

The undersigned, citizens of the City of Indianapolis, would respectfully petition your honorable body to secure, by purchase or donation, the lands north of said city and adjoining Fall Creek, at a cost not to exceed \$100,000

And also to secure, by purchase or donation, lands on the south of said city, at a cost not to exceed a like sum. Said lands to be used and improved by said city as public parks. And we would recommend that a committee of five citizens be appointed by you, whose duty it shall be to select and locate said parks.

Wm. H. Lister, E. C. Hill, J. Shaffer, M. M. Defrees,
Charles Dennis, and 413 others.

Mr. Gibson offered the following motion :

Moved, That the Mayor appoint seven discreet citizens to take into consideration the question of purchasing land for parks. If, after a thorough examination of the question in connection with the city finances, they deem it expedient to buy, they shall report what tract or tracts should be purchased, and the most favorable prices and terms on which such land can be had.

Mr. Craft offered the following as an amendment to Mr. Gibson's motion :

Moved, That the whole matter of parks be and is hereby referred to a committee of seven tax payers, to consist of the following persons : John Coburn, Jas. Robertson, Stoughton A. Fletcher, W. W. Woollen, Isaac Kahn, N. B. Taylor and Wm. Wallace. The said committee to fully consider the whole matter of parks, and report at as early a day as possible.

Mr. Pendleton offered the following as an amendment to Mr. Craft's amendment :

Moved, To amend said committee by selecting two from the names submitted, and adding J. George Stiltz, F. A. W. Davis and his Honor, Mayor Mitchell.

Mr. Brown moved that the whole matter be referred to a special committee of three Councilmen to be appointed by the Mayor.

Mr. Kahn offered the following motion :

Moved, That the whole matter of Parks be referred to a committee of one Councilman from each Ward, to report at the earliest possible time the expediency or in expediency of purchasing land for the purpose of parks.

Which was adopted.

His Honor, the Mayor, appointed as such committee Council-

men Kahn, Ward, Sherwood, Gibson, Shepherd, Brown, Kennington, Pressly, Rush, Batty, Peck, Gimbel and Pendleton.

Mr. Adams presented the following remonstrance:

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Alabama street, between Fort Wayne avenue and Morrison street, respectfully remonstrate against the granting of the petition now before your honorable body, asking that Alabama street, between the points above named, be widened to the width of 80 feet, for the reason that if said Alabama street be widened as prayed for, it will completely ruin our property. The street, at present, is 50 feet wide, and the parties on the east side will not be benefited enough to pay the damages that will be sustained by the property owners on the west side of the street.

And your remonstrants will ever pray, etc.

Daniel Willig, Wilhelm Seeger, Henry Perine, Casper Hoffman and 6 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Adams offered the following motion:

Moved, That permission be granted to Julius Newmeyer to move a building from Pennsylvania street, between Market and Ohio streets, to the corner of Tinker and Beeler streets.

Which was adopted.

Also the following motion:

Moved, That the City Clerk be instructed to look at the files and report if an ordinance has been introduced, and if so at what time, providing for the erection of lamp-posts and lighting with gas St. Clair street, from Alabama to Meridian street.

Which was adopted.

Also the following motion:

Moved, That the City Clerk be directed to issue the necessary notice as re-

quired by the charter to the City Commissioners and property holders in the matter of extending Broadway street from St. Clair street to Massachusetts avenue.

Which was adopted.

Also the following motion :

Moved, That the contractor having the contract for grading and graveling John street be instructed to proceed at once to finish the same.

Which was adopted.

Also the following motion :

Moved, That Wm. M. Cochrane be elected superintendent of the wooden block pavement on College avenue, between Seventh street and corporation line north, he being a resident of the street, a practical mechanic and is the unanimous choice of the property holders on the street.

Which was adopted, providing the property holders pay the expense of such superintendent.

Mr. Adams presented the following petition :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on New Jersey street between Home avenue and Tinker street, respectfully petition your honorable body to pass an ordinance providing for the widening of New Jersey street, between the points named, five feet on each side, making the street 60 feet instead of 50 feet, the present width.

W. T. Steele, M. Strong, Joseph H. Emry, J. L. Middlebrook, A. C. Morse, W. H. Dewey, J. W. Smith.

Which was referred to the City Commissioners.

Mr. Anderson offered the following motion :

Moved, That Henry Shultz be permitted to erect a fancy wooden awning in front of his cigar store on Virginia avenue, between Huron and Noble st.

Which was adopted.

Mr. Batty presented the following petition :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—The undersigned parties would respectfully state to your honorable body that they are the sole owners of the real estate hereinafter mentioned, as tenants in common, to-wit: Lots eight, nine, ten, eleven, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and twenty-eight, in Phillips' subdivision of the west six-tenths of lot twenty-four in Johnson's heirs addition to the City of Indianapolis. Also the following, to-wit: lots nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one, in Samuel Merrill's subdivision of the east four-tenths of said lot twenty-four, in Johnson's heirs addition to said City of Indianapolis.

Your petitioners further represent that by the plat of said Phillips' and said Merrill's subdivision, there is a street running east and west through the same from College avenue to Rhohampton street, and marked on said plats as Adelia street.

Your petitioners further represent that that said street is not in line with any other street in any of the adjacent blocks in said addition, nor in accordance with any general plan.

Your petitioners further represent that there is an alley running east and west in the rear of lots 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, in said Phillips subdivision, and lots 18, 19, 20 and 21, in said Merrill's subdivision. That said alley runs from the alley in the rear of lots fronting on College avenue to the alley in the rear of the lots fronting on Rhohampton street, and is not in line with any other alley in said block or adjacent blocks, nor in accordance with any general plan.

Your petitioners further show that Ash street, in said city, is opened to but stops at the south line of lots 26 and 27 in said Phillips' subdivision. That your petitioners propose to continue said Ash street on through the entire length of said block 24 in Johnson's heirs addition, and in accordance with the general plan of the streets in that portion of the city. Your petitioners also propose to open an alley east and west through said block 24, on about the south line of said Adelia street.

Your petitioners further show that they are the owners of all the ground fronting or abutting on said street and said alley.

Wherefore your petitioners would respectfully ask your honorable body to order the vacation of said Adelia street from College avenue to Rhohampton street through said block 24, in Johnson's heirs addition; also to order the vacation of said alley in rear of lots 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, in in Phillips' sub., and lots 18, 19, 20 and 21 in said Merrill's' sub. of said block.

Wherefore your petitioners will ever pray, etc.

John B. Hann and Naaman Dawson.

Which was referred to the Committee on Streets and Alleys.

Also, the following petition :

INDIANAPOLIS, May 3, 1873.

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

GENTLEMEN:—The undersigned, property owners on College ave., between Seventh (or Tinker) street and the corporation line north, respectfully petition your honorable body to widen said avenue as follows, to-wit: Five feet on the east side of said avenue from Seventh street to the north line of the corporation, and five feet on the west side from Eighth street (Northwood avenue) to the north line of the corporation.

M. E. Vinton, Henry C. Guffin, George W. T. House, J.
J. W. Billingsley and 22 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Bigham offered the following motion :

Moved, That the Committee on Sewers and the Civil Engineer be and are hereby directed to prepare plans and draw up an ordinance for the construction of a sewer from State avenue west on Market street to connect with the sewer on Market street at the old corporation line.

Which was referred to the Committee on Sewers.

Also the following motion :

Moved, That the City Clerk be and is hereby instructed to advertise for plans and specifications for a City Hall and Market house to be located on East Market Space, and that the architect submitting the best plan shall be selected as superintending architect of the building, and shall receive as compensation for all services whatsoever, a commission of — per cent. on the cost of constructing such a building.

Which was laid on the table.

Also the following motion :

Moved, That the Street Commissioner be directed to lay a pipe drain across Washington street on the west side of East street.

Which was referred to the Committee on Sewers.

Mr. Bollman presented the following remonstrance :

INDIANAPOLIS, May 16, 1873.

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

The undersigned would earnestly remonstrate against the passage of ordinance No. 124 for the bowldering of the first alley west of East street, running north from Louisiana street to the second alley north of Louisiana st., they being property owners on said alley.

Sam'l P. Daniels, Sarah Reeves, Joseph Sanger and 9 others.

Which was received.

Special ordinance No. 124, 1873, entitled :

An ordinance to grade and bowlder the first alley west of East street, running from Louisiana street to the north side of the second alley north of Louisiana street.

Was taken up and stricken from the files.

Mr. Bollman presented the following remonstrance :

INDIANAPOLIS, May 16, 1873.

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

The undersigned would earnestly remonstrate against the passage of ordinance No. 125 for the bowldering of the first alley north of Louisiana street running from East to New Jersey street, they being property owners on said alley.

Sam'l P. Daniels, Mohetable Crum, John Crum, and 8 others.

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

Also the following motion :

Moved, That the property owners on the first alley north of Louisiana st., running from East to New Jersey street, be allowed to grade and gravel the same to the center of square 81, under the direction of the City Civil Engineer, who is hereby instructed to set the stakes for the same.

Which was referred to the Committee on Streets and Alleys.

Mr. Bollman offered the following motion :

Moved, That the Marshal be directed to promptly serve the following notice :

William S. Hubbard—You are hereby notified and required to remove from Kentucky avenue and Washington street the sand, gravel and earth by you there deposited.

You are notified that the Common Council of the City of Indianapolis has ordered and directed the removal thereof, and are further notified that the same constitutes a nuisance in this, that it is an obstruction to the use of said street and avenue.

¶ You are requested to yourself remove the same, and are notified that should you fail to do so, it will be my duty to remove the same at your expense, and I shall proceed, within five days, to do so unless you remove it.

In case you decline to remove it, I request you to notify me of the place where you desire the same to be deposited.

Which was not adopted.

Mr. Brown presented the following remonstrance :

INDIANAPOLIS, May 24, 1873.

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

GENTLEMEN :—We, the undersigned, citizens and residents on the south side of South street, between Delaware and Meridian streets, do most respectfully remonstrate against an ordinance presented to your honorable body to curb and pave with brick the street described.

Louis Koll, John C. Vetter, Carrie Christy and 5 others.

Which was received.

Also the following remonstrance :

INDIANAPOLIS, June 2, 1873.

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

We, the undersigned, doing business on South Meridian street, would respectfully pray your honorable body to take some action to remove the numerous express wagons on said street.

On account of the building of Hubbard's block the street is very narrow, and is often blockaded so as to seriously interfere with travel.

J. C. New, J. D. Condit, McGilliard & Brown,
W. & C. F. Holliday and 13 more.

Which was received.

Also, the following motion :

Moved, That the Street Commissioner be directed to place a wooden culvert over the gutters at the crossing of Ray street with the Jeffersonville Railroad.

Which was adopted.

Also the following motion :

Moved, That the City Clerk advertise for proposals for building a six hundred barrel cistern in Wilkins street at the corner of Chestnut street.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Also the following motion :

Moved, That the Street Commissioner be instructed to fill up the holes in the alley west of Pogue's Run, and between McNabb and South streets.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be directed to fill up the mud holes and clean out the gutters at the corner of Morris and Meridian street.

Which was adopted.

Also, the following motion :

Moved, That the Committee on Bridges be instructed to make early examination of the bridges over Pogue's Run on Pennsylvania and Meridian sts., and report whether newer and more substantial bridges are not required.

Which was adopted.

Also the following motion :

Moved, That the remainder of the area at the corner of Louisiana and Illi-

nois streets be covered with iron grating in the same manner as a portion of said area is now covered, and that the hand railing be entirely removed.

Which was adopted.

Also the following motion :

Moved, That the Committee on Streets and Alleys be instructed to make examination of Union street, between McCarty and Ray streets, and report whether it is not expedient to construct a sewer connection on the east side of Union street with a catch-basin on north-east corner of Ray and Union streets.

Which was referred to the Committee on Sewers.

Also the following motion :

Moved, That the Water Works Company be and is hereby allowed to lay water mains on the first alley west of California street, running south from West Cumberland street to West Maryland street, east on Maryland to Helen street, south on Helen street to 200 feet south of Georgia street; the same to be done at the expense of the Water Works Company, and that the Chief Fire Engineer locate a double fire plug at the corner of Helen and Maryland streets, also same at the corner of Georgia and Helen streets, and one 200 feet south of Georgia street at the expense of the city.

Which was adopted.

Also the following motion :

Moved, That permission is hereby given Charles J. Schmidt to maintain a wooden awning, already erected in front of his store room, on the corner of Morris and Meridian streets.

Which was adopted.

Also the following communication :

INDIANAPOLIS, June 2, 1873.

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

The proposition of the Indianapolis Agricultural, Mechanical and Horticultural Association to sell the real estate of the Association to the City for

the purposes of a park, was reported on by a committee of your body on the 5th of May. The proposition of the Association, I find, is not correctly stated in the report. It is as follows: The Association will take \$110,000 for the grounds—one-fourth cash, the balance in one, two and three years, with interest. Out of this sum the Association proposes to refund to the city the \$5,000, with interest, which was appropriated by the city at the time the grounds were purchased. The directors of the Association desire that the city shall have the first opportunity to buy their beautiful grounds, and would ask the Council to take some definite action in regard to the matter, either accepting or rejecting the proposition.

LEWIS JORDAN, Secretary.

Which was referred to the Special Committee on Parks.

Mr. Darnell presented the following remonstrance:

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Third, Second and Howard streets, respectfully remonstrate against the manner of draining the above named streets. The plan adopted by the Civil Engineer makes the grade of the streets from 3 to 5 feet above the level of the lots. We pray your honorable body to take some action in the matter, as the proposed plan of drainage will make our property valueless.

And your remonstrants will ever pray, etc.

Robert Turner. Jacob Ross, Anderson Larrence,
John May and 25 others.

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

Also the following motion:

Moved, That Patterson & Dunning be allowed until the first day of August, 1873, for the completion of the contracts for the improvement of Second and Third streets; provided, that before this motion shall be of effect, the sureties on such contractors' bonds shall indorse, in writing on the bonds, their consent to such extension.

Which was adopted.

Mr. Gibson offered the following resolution :

Resolved, That the plat reported by the Civil Engineer in accordance with a resolution adopted at the last session of this body, relative to the opening of a street extending west from Illinois street to connect with a street to be opened south of the grounds of the Indiana State Board of Agriculture, together with a copy of said resolution, be referred to the City Commissioners to assess benefits and damages according to law, and that the Council notify said Commissioners that it is proposed to open said street as shown on said plat, and to appropriate the real estate that may be required for such proposed street. The City Clerk is hereby instructed to issue the proper notice.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—22.

Negative—None.

Also the following motion :

Moved, That the City Clerk be and is hereby instructed to advertise for proposals for removing the dead animals from the city for a term not less than one nor more than five years, said dead animals to be removed to the Sellers' farm where the city will lease to the contractor suitable ground on the same terms as to other lessees, said contractor to use the most approved machinery for destroying the offensive odors arising from the manufacture of the same. The contractor to give satisfactory security for the performance of the contract.

Which was adopted.

Also the following motion :

Moved, That Edward Burns is hereby granted permission to move a one story frame house from the corner of New York and Alabama street to the corner of Vermont and Patterson street.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be and is hereby directed to remove promptly a pile of bowlders placed by him in front of No. 5 Engine House.

Which was adopted.

Also the following motion :

Moved, That the City Civil Engineer be and is hereby directed to report the best and cheapest manner of reaching the Sellers farm by a railroad and wagon road, with an approximate estimate of the cost of each.

Which was adopted.

Also the following motion :

Moved, That the Mayor appoint a special committee of five, to report to this Council the best plan or plans for getting an ample and permanent supply of water for the city and its inhabitants, and an approximate estimate of the cost of the same. For this purpose said committee are directed to employ a competent hydraulic engineer, and the City Civil Engineer is hereby directed to give all necessary and proper information and assistance in his power.

Mr. Thalman offered the following amendment :

To amend that the committee be directed to correspond with hydraulic engineers, and report to this Council what the probable cost will be before making an engagement.

Which was adopted.

The motion as amended was then adopted.

His Honor, the Mayor, appointed as such committee Councilmen Gibson, Woodburn, Peck Brown and Kennington.

Mr. Gimber offered the following motion :

Moved, That a public water fountain be erected at the corner of Russell avenue and McCarty street, and that Neab & Merrill be directed to purchase and place the same in position as soon as possible.

Which was referred to the Committee on Water Works.

Also the following motion :

Moved, That the Chief of Police notify the Policemen of the Fifth and Twelfth Wards to file against any person that throws decayed vegetables or scavage of any kind on the banks of White River on Kentucky avenue.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be notified to fill up and straighten the gutter on Kentucky avenue at the mouth of the sewer :

Which was referred to the Committee on Streets and Alleys.

Also the following motion :

Moved, That the Street Commissioner be notified to replace the bridge on Kansas street across the arm of the Canal.

Which was referred to the Committee on Bridges.

Mr. Hardesty offered the following motion :

Moved, That the City Civil Engineer examine and report the best plan to remove the water from the gutter on the north side of South street, between Delaware and Pennsylvania streets.

Which was adopted.

Also the following motion :

Moved, That Thomas Cottrell be permitted to make a coal vault in front of his property, Nos. 39 and 41, on Virginia avenue; also to lay a stone pavement, at his own expense, and the Civil Engineer be directed to set the proper grade stakes.

Which was adopted.

Mr. Kennington presented the following remonstrance :

INDIANAPOLIS, May 27, 1873.

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

GENTLEMEN:—The undersigned, owners of the real estate on South Delaware street, between South street and Bicking st., respectfully remonstrate against the passage of an ordinance providing for the bowldering and curbing of the above named street, east side.

And your remonstrants will ever pray, etc.

S. L. McConnell, John Holland, M. N. Powell,
Mrs. Mary Wren and 15 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following resolution :

Resolved, That the plat reported by the Civil Engineer, relative to the Southport and Indianapolis Gravel Road, in accordance with a resolution adopted at the last session be, together with a copy of said resolution, referred to the City Commissioners, and the said Commissioners are notified that the Common Council propose to condemn for the purposes of a street so much of said gravel road as lies within the corporate limits of said city, and the City Clerk is hereby instructed to issue the proper notices.

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Batty, Bigham, Bollman, Brown, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Rush, Shepherd, Stratford, Thalman, Twiname, Ward and Woodburn—22.

Negative—None.

Also the following motion :

Moved, That the City Clerk readvertise for the improvement of Bicking street from Delaware street to High street.

Which was adopted.

Also the following motion :

Moved, That the City Engineer is hereby directed to examine East street,

at the corner of Coburn, and report to this Council what, in his judgment, is necessary to give the water a proper fall, so that it will not run into the cellars of the citizens houses in that neighborhood.

Which was adopted.

Also the following motion :

Moved, That a committee of three be appointed, with the City Attorney, to report to this Council what steps are necessary to straighten East street from Morris street to the corporation line south.

Which was adopted.

His Honor, the Mayor, appointed as such committee Councilmen Kennington, Hardesty and Pressly.

Also the following motion :

Moved, That the Chief Fire Engineer and Chief of Police are hereby directed to discharge all men in their employment who do not pay their legal debts.

Which was not adopted.

Also the following motion :

Moved, That Robert Kennington have the privilege of paving with brick and curbing with stone the sidewalks in front of his property on the corner of Bickering and Delaware street, and that the City Engineer be and is hereby directed to set the grade stakes.

Which was adopted.

Mr. Peck offered the following motion :

Moved, That the City Clerk be and is hereby directed to advertise for proposals for constructing a cistern, of the capacity of 600 barrels, at the intersection of Mississippi and Sixth street.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Also the following motion :

Moved, That the Street Commissioner be directed to fill up the holes, with gravel, on Illinois street between Tinker and Morrison street.

Which was adopted.

Also the following motion :

Moved, That the contractor be requested to commence work on the Second street sewer, as the property holders are complaining.

Which was adopted.

Mr. Pendleton presented the following petition :

INDIANAPOLIS, May 26, 1873.

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

The undersigned respectfully represents to your honorable body that he is the owner of lot 437 in Fletcher et al.'s subdivision of out-lots 94, 95, 96, 97, 98, in the City of Indianapolis; that he was assessed for the year 1872 to the amount of \$700 as the value of the house thereon; that said house and improvements were not built on said lot until April and May, 1872, and prior to that time the undersigned was a resident of Centreville, Wayne county, Indiana, until the 8th day of May, 1872. Furthermore, that the entire costs of the improvements on said lot was \$650. Whereupon the undersigned prays your honorable body to remit as much of said taxes as have been wrongfully assessed for said improvements.

(Signed)

JOHN G. WARD.

Which was referred to the Committee on Finance and City Assessor.

Also the following motion :

Moved, That the Street Commissioner be instructed to repair the west portion of Buchanan street and clean the gutters from Beaty to East street.

Which was adopted.

Also the following motion :

Moved, That an 800 barrel cistern be built at the junction of Wright and Buchanan streets.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Also the following motion :

Moved, That the City Civil Engineer set the proper stakes at the corner of Merrill and Valley streets ; also on the first alley east of East street, and to run between the points aforesaid the proper line, and that the City Marshal after said stakes are set is hereby directed to notify the property holders to remove their fences to their proper places within 30 days from date of notice.

Which was referred to the Committee on Streets and Alleys.

Also the following remonstrance :

INDIANAPOLIS, June 2, 1873.

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

The undersigned, property holders on Olive street, in the city of Indianapolis, would respectfully remonstrate against the grading and graveling of said Olive street between Prospect and Willow streets.

Mrs. S. E. Melvin, Mrs. John Helbing, James Muntz
and 4 others.

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

Also the following remonstrance :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN :—The undersigned, owners of the real estate fronting on the first alley east of Virginia avenue, between Pine street and Cedar street, respectfully remonstrate against the passage of an ordinance providing for the bowldering said alley.

And your remonstrants will ever pray, etc.

Charles Lohmann, Peter Routier, Wm. Christie,
T. H. Stuckmeyer and 13 others.

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

Mr. Pressly offered the following motion :

Moved, That Messrs. Steffins and Winter have permission to grade and gravel the alley running north and south through lots 51 and 52, from Georgia street to the south end of said alley, the same to be graveled to the depth ten inches, with good river or creek gravel, and the Civil Engineer is hereby directed to set the grade stakes for said property holders and see that the work is properly done; the same to be completed in 90 days.

Which was adopted.

Also the following motion :

Moved, That the claim of Peter Routier be referred to the Committee on Accounts and Claims for investigation, and if found correct that the committee be instructed to report an ordinance making the proper appropriation at the next meeting.

Which was adopted.

Also the following motion :

Moved, That the Civil Engineer be directed to report to the Council at its next meeting the best method of draining Huron and Elm streets.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be instructed to bowlder the north gutter on South street from East street to the first alley east of East street.

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

Mr. Rush offered the following motion :

Moved, That the ordinance in regard to the keeping clean of alleys, will be strictly enforced by the City Marshal and Police Force.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner be and is hereby directed to build a wooden culvert on Ohio and Meridian streets.

Which was adopted.

Also the following motion :

Moved, That this Council purchase at once an ice cooler.

Which was not adopted.

Also the following motion :

Moved, That the City Clerk be and is hereby instructed to advertise for drafts and plans of a Market House and City Hall to be erected on the East Market Space, and that for the best plan or draft, to be determined by the Common Council, the city of Indianapolis shall pay —— dollars.

Which was laid on the table.

Mr. Shepherd offered the following motion :

Moved, That the Street Commissioner be and is hereby ordered to complete the crossing at Maryland and Missouri streets and connect the sewer pipes with the arch or culvert.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner notify the Cincinnati and Lafayette Railroad Company to fill with gravel between their tracks to a level with the ties on Missouri street, between Washington and Georgia streets.

Which was adopted.

Also the following motion :

Moved, That the City Marshal be ordered to notify the Oderless Sink and Privy Cleaning Company to refrain from any further emptying of their tanks within the city or near the corporate limits, or in White river.

Which was adopted.

Also the following motion :

Moved, That the City Marshal notify the owners of certain sign boards nailed to the telegraph post on the corner of Missouri and Washington street to remove the same immediately.

Which was adopted.

Also the following motion :

Moved, That the Street Commissioner repair West Cumberland st. between Mississippi street and West street.

Which was adopted.

Also the following motion :

Moved, That the Park Commissioner be and is hereby instructed to locate two drinking fountains at the Military Park, and that the expense of the same be paid by the city.

Which was referred to the Committee on Parks.

Mr. Stratford offered the following motion :

Moved, That the City Engineer be and is hereby instructed to examine and report the best means of conveying the water from the southeast terminus of Virginia avenue.

Which was adopted.

Mr. Thalman offered the following motion :

Moved, That Samuel Binkley have permission to pave with brick to a width of 10 feet in front of his property on the north side of Washington street between the canal and White river, and that the Civil Engineer be directed to set the stakes.

Which was adopted.

Also the following motion :

Moved, That hereafter no accounts or claims against the city shall be al-

lowed unless the same shall have first passed through the hands of the committee on accounts and claims, and by them reported correct.

Which was adopted.

Also the following motion :

Moved, That the City Clerk be directed to have 300 cards printed, with the names of the committees on one side, and the order of business on the other.

Which was adopted.

Also the following motion :

Moved, That the City Clerk be directed to advertise for proposals for removing all slops and garbage from all private residences, where the residents shall have placed the same at a convenient place in the rear of their premises ; also hotels and boarding houses.

Which was adopted.

Also the following motion :

Moved, That a cistern be built on the corner of Patterson and Elizabeth street.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Mr. Thalman presented the following communication :

INDIANAPOLIS, June 2, 1873.

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

GENTLEMEN:—When I purchased the property situated at the southwest corner of Blackford and Vermont street, in 1871, of Mr. R. Davison, I was told by him that there was no incumbrance of any kind on the place. In April, 1872, I hired a man to plant shade trees on the north side of my lot, paying him \$7 50 for five trees.

And I am now informed by a party who claims to be a contractor and asks pay for seven trees and boxes, at \$1.44 each.

The man I bought of has moved out of the State and I would respectfully ask your honorable body to arrange it so that I will not have to pay for the five trees over again. I ought to pay for two trees and boxes at \$1 44—\$2.88, and for five boxes at 65 cents—\$3.25. Total, \$6.13.

Very respectfully,

C. H. LEE.

Inclosed please find a copy of the receipt for trees.

INDIANAPOLIS, April, 1872.

Rec'd of Charles H. Lee \$7 50, for five shade trees planted on Vermont street, between Blackford and Bright street.

\$7.50.

FRANK WIMER.

True copy.

Which was referred to the Com'tee on Accounts and Claims.

Also the following petition:

INDIANAPOLIS, June 2, 1873.

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

We, the undersigned property holders, constituting a majority, on Peru street, between North street and Massachusetts avenue, do respectfully petition your honorable body to change the name of said street between said points, and in future to call it Peru avenue.

Henry Munsell, Mrs. Henry Leppers, John W. Gibson,
John G. Berner and 4 others.

Which was received, and prayer of petitioners granted.

Mr. Twiname offered the following motion:

Moved, That the Civil Engineer report what can be done to drain the water from Christian avenue and Bellefontaine street at the next meeting of the Common Council; also the pond on Malotte avenue at the east end of Christian avenue.

Which was adopted.

Also the following petition:

INDIANAPOLIS, May —, 1873.

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

We, the undersigned, would most respectfully call the attention of the Hon. Common Council to the filthy and unhealthy condition of the large pond or sink hole, at the terminus of Maiott avenue and joining the Peru Railroad, and humbly beg for the abatement of the nuisance.

Dr. T. S. Murdock, Robert Messersmith, Thos. Ryan,
Wm. Vannestan and 105 others.

Which was referred to the Board of Health.

Dr. Ward offered the following motion:

Moved, That the Street Commissioner be hereby instructed to place a culvert on the east side of New Jersey street, at the crossing of North street, similar to the one on the opposite side of said New Jersey st. at that point.

Which was adopted.

Dr. Woodburn offered the following motion:

Moved, That David Sylvester be and he is hereby permitted to move a frame house from the corner of Ohio and Illinois street by the following route, viz: northwest on Indiana avenue to California street, thence on California street to lot 35, out-lot 161.

Which was adopted.

Also the following motion:

Moved, That the Chief Fire Engineer be directed to lower the arch of the cistern on the corner of Tennessee and Walnut street, to correspond with the new grade of the street.

Which was adopted.

Also the following motion:

Moved, That James W. Hudson have the time extended until the first day of July, 1873, for completing his contract for grading and bowldering the gutter and curbing with stone the sidewalks, on the south side of North st., from Meridian to Illinois street, his bondsman having given his written consent to such an extension.

Which was adopted.

Also the following motion:

Moved, That the Street Commissioner be directed to raise and rebowlder the west gutter on Illinois street, between Market and Washington street.

Which was adopted.

Also the following petition :

INDIANAPOLIS, June 2, 1873.

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

I, John S. Millikan, would like a permit to move a house from Meridian street to Mississippi street, and go from one street to the other on Pratt st. I will put it right through, and leave no obstructions behind.

JOHN S. MILLIKAN.

Which was received, and prayer of petitioner granted.

Also the following petition :

INDIANAPOLIS, June 2, 1873.

To the Mayor and Members of the Common Council of the city of Indianapolis :

The property holders on the alley between Pearl and Maryland street ask that the contract made with Major Palmer to pave with wood the same, be changed to bowlders, at \$1.45 per yard instead \$2.45. This arrangement will be satisfactory to Major Palmer and all interested parties.

WM. BRADEN,
L. HASSELMAN,
C. A. ELLIOTT.

Which was received.

Also the following motion :

Moved, That the improvement in the south half of the alley through square 64, be changed from Ballard block pavement to bowlder pavement, provided all the parties interested shall agree to the same in writing. The papers to be prepared by the City Attorney.

Which was adopted.

Also, the following resolution :

Resolved, That all motions and resolutions heretofore passed by Council to construct flag-stone crossings, are hereby rescinded.

Resolved, That all propositions in regard to flag-stone crossings, in future, be referred to the Committee on Streets and Alleys, and that not more than ten such crossings shall be constructed in any one ward during the present year.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Bigham, Brown, Gibson, Rush, Thalman and Woodburn—6.

Those who voted in the negative were Councilmen Adams, Anderson, Batty, Darnell, Kennington, Peck, Pendleton, Pressly, Shepherd, Stratford, Twiname and Ward—12.

So the resolution was not adopted.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, June 2, 1873.

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

The undersigned would represent that by the permission of the Council, and also of the Franklin Life Insurance Company, he deposited about one hundred and twenty yards of sand on Kentucky avenue, before the property of the Franklin Life Insurance Company, and in such a position as not to interrupt travel, except possibly a few express men and others who would stand their horses in the shade of the trees of said Insurance Company.

No sooner was the deposit made than an order was pressed through the Council that after ten days' notice by the Marshal he should remove the same at my expense—such notice was made May 20th.

Pursuant to said notice I have begun to remove the same, and if the Council will grant me thirty days time, for which I now ask, I can remove the same without it being a serious hardship; otherwise it will be a hardship and loss, which is occasioned by the diverse actions of your honorable body.

So far as I know and believe this last action is unprecedented in the history of Indianapolis—this same ground having been used last year, undisturbed, by the builders of the Griffith Block without the consent of the Insurance Company or the Council.

Respectfully,

WM. S. HUBBARD.

Which was received.

Dr. Woodburn moved that he be granted further time until the 20th day of June.

Upon which the ayes and noes were demanded.

The question being on the adoption of the motion,

Those who voted in the affirmative were Councilmen Adams,

Batty, Bigham, Darnell, Gibson, Peck, Pendleton, Pressly, Rush, Thalman, Twiname, Ward and Woodburn—13.

Negative—Councilmen Anderson, Brown, Kennington, Shepherd and Stratford—5.

So the motion was adopted.

Dr. Woodburn presented the following:

Recapitulation of Monthly Report of the Expenditures of the City Hospital, ending May 31, 1873:

Total expenditures for the month.....	\$1,090 68
Aggregate number of days for which Subsistence, etc., was furnished,	1763
Average expense per capita per diem.....	\$0 62.8

J. W. MARSEE, Superintendent.

Which was received.

On motion the Council adjourned to meet Friday evening June 6th, 1873.

JAMES L. MITCHELL, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.