

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday July 14, 1873, 7½ o'clock, P. M.* }

The Common Council met in regular session.

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

Councilmen Adams, Anderson, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Absent—Councilmen Batty, Brown, Kahn, Rush and Shepherd—5.

The proceedings of the Regular Session held June 30th, the Special Session held July 2d, and the Regular Session held July 7th, 1873, were read and approved.

Sealed proposals for lighting and extinguishing the public lamps in the city, and for the erection of lamp-posts, lamps and fixtures, were received, opened, read and referred to the Committee on Gas Light.

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

INDIANAPOLIS, July 14, 1873.

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

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

FIRST.

For grading and paving with brick the north sidewalk on North street, where not already paved, from Illinois to Meridian street, the following proposals were presented :

John Scheier, 65 cents per lineal foot front for paving ; 63 cents per lineal foot run for flagging single row ; 74 cents per superficial yard for bowldering.

Bernard Hammill, 60 cents per lineal foot front for paving ; 50 cents per lineal foot run for flagging single row ; 72 cents per superficial yard for bowldering.

Bernard Hammill being the lowest bidder, we would recommend that he be awarded the contract.

## SECOND.

For grading and graveling Downey street and sidewalk, from Japan street to the Madison road, the following proposals were presented :

Mike Foust, 98 cents per lineal foot front on each side of the line improved.

John Green, 89 cents per lineal foot front on each side of the line improved.

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

## THIRD.

For grading and paving with brick and curbing with stone the sidewalks on Liberty street, from Washington to Georgia street, the following proposals were presented :

Bernard Hammill, 60 cents per front foot, on each side, for paving with brick ; 52 cents per lineal foot run for flagging single row, or \$1 per lineal foot run for two rows ; 72 cents per superficial yard for bowldering ; 59 cents per lineal foot run for curbing.

John Scheier, 40 cents per lineal foot front, on each side, for paving ; 66 cents per lineal foot front, on each side, for curbing ; 63 cents per lineal foot run for flagging single row ; 74 cents per superficial yard for bowldering.

Thomas C. Roney, 47 cents per lineal foot front, on each side, for paving ; 59 cents per lineal foot front, on each side, for curbing ; 58 cents per lineal foot run, single row, for flagging ; 75 cents per superficial yard for bowldering.

Samuel LeFevre, 45 cents per lineal foot front, on each side, for paving; 58 cents per lineal foot front for curbing; 55 cents per lineal foot run for flagging single row; 85 cents per superficial yard for bowldering.

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

#### FOURTH.

For grading and graveling the second alley north of St. Clair street, running from Park avenue to the first alley west of East street, only one proposal was presented, and that was by John L. Hannah at 35 cents per lineal foot front, on each side of the line improved. Your committee believing that the bid is low enough, would recommend that he be awarded the contract.

#### FIFTH.

For grading and graveling the first alley north of Forest avenue, running from Harrison to Cedar street, only one proposal was presented, and that was by James Mahoney at 35 cents per lineal foot front, on each side of the line improved. He being the only and best bidder, we would recommend that he be awarded the contract.

#### SIXTH.

For grading and paving with brick and Lefler paving stone, and curbing the outside edge with stone the east sidewalk on Blackford street, from Washington to New York street, only one proposal was presented, and that was by Bernard Hammill, which proposal was as follows, to-wit :

90 cents per lineal foot front for paving with brick from Washington street to the Central Canal; 69 cents per lineal foot front for paving with Lefler paving stone, from the corner of Military Park to



New York street; and 58 cents per lineal foot run for curbing with stone. Said sidewalk proposed to be paved with brick is only 6 feet in width, and the price bid, 90 cents per front foot. In view of this fact, we would recommend that the work be readvertised.

#### SEVENTH.

For grading and graveling the first alley west of West street, from St. Clair street to Indiana avenue, the following proposals were submitted:

Patterson & Dunning, 37 cents per front foot, on each side.

James Mahoney, 35 cents per lineal foot front, on each side of the line improved.

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

#### EIGHTH.

For grading and graveling the first alley north of Indiana avenue, between West and California streets, only one proposal was presented, and that by Patterson & Dunning, at 39 cents per lineal foot front, on each side, which we consider low enough at the price bid, and would, therefore, recommend that they be awarded the contract.

#### NINTH.

For grading and paving with brick the west sidewalk on Illinois street, from Ray street to Pogue's Run, the following proposals were presented:

Henry C. Roney, 58 cents per front foot for paving; 57 cents per lineal foot run for flagging, single row; 75 cents per superficial yard for bouldering crossings.

Bernard Hammill, 52 cents per foot front for paving; 56 cents per lineal foot run for flagging, single row; 77 cents per superficial yard for bowldering crossings.

Bernard Hammill being the lowest bidder, we would recommend that he be awarded the contract.

#### TENTH.

For grading and bowldering Pennsylvania street, and curbing the sidewalks with stone, from Washington, to the south side of South street, the following proposals were presented :

Sam. J. Smock, \$2.94 per lineal foot front, on each side, for grading and bowldering; 65 cents, on each side, per lineal foot front for curbing; 60 cents per lineal foot run for flagging single row.

Patterson & Dunning, \$2.85 per lineal foot front for grading and bowldering on each side; 63 cents per lineal foot front, on each side, for curbing; 52½ cents per lineal foot run, single row, for flagging single row.

Michael Foust, \$3 per lineal foot front, on each side, for bowldering and grading; 60 cents per foot front, on each side, for curbing; 55 cents per lineal foot run, single row, for flagging; 90 cents per superficial yard for bowldering the crossings.

James Mahoney, \$2.70 per lineal foot front, on each side, for grading and bowldering; 65 cents per lineal foot front, on each side, for curbing; 60 cents per lineal foot run, single row, for flagging; 40 cents per square yard for bowldering the crossings.

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

## ELEVENTH.

For grading, paving with brick and curbing with stone the west sidewalk on Tennessee street, from Louisiana to Merrill street, the following proposals were presented:

John Scheier, 73 cents per lineal foot front for paving with brick; 66 cents per lineal foot front for curbing with stone.

Thomas C. Roney, 70 cents per lineal foot front for grading and paving with brick; 59 cents per lineal foot front for curbing.

Sam. LeFevre, 70 cents per lineal foot front for grading and paving with brick; 58 cents per lineal foot front for curbing.

Bernard Hammill, 70 cents per lineal foot front for grading and paving with brick; 58 cents per lineal foot front for curbing.

Samuel LeFevre being the best bidder, we would recommend that he be awarded the contract.

## TWELFTH.

For grading and graveling Morrison street, and paving the sidewalks with brick, from Delaware to Alabama street, no proposals were presented. We, therefore, recommend that said work be re-advertised.

## THIRTEENTH.

For the erection of lamp posts, lamps and fixtures on the following named streets, no proposals were presented. We, therefore, recommend that they be re-advertised:

On Douglas street, from North street to Indiana avenue.

On St. Clair street, from Illinois to Tennessee street.

On Arsenal avenue, from Washington street to the Arsenal ground, and

On Pratt street, from Meridian to Pennsylvania street.

Respectfully submitted,

LEON KAHN,

W. H. CRAFT,

M. C. ANDERSON.

Committee on Contracts.

Which was concurred in, and the contracts awarded.

Also, the following report:

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your Committee on Contracts would make the following recommendations, and ask you to concur in the same:

That as much of the report of the Committee on Contracts made to Council, July 7, 1873, awarding the contract for grading, paving with brick and curbing with stone, the sidewalks on Georgia and Maryland streets, from Meridian street to Illinois, where not already paved and curbed, was awarded to Bernard Hammill, at seventy-seven cents per lineal foot front on each side. We find upon examination that said Bernard Hammill's bid was seventy-seven cents per square yard, which would make one dollar and twenty-eight cents per lineal foot front, throwing out this bid, we find that Andrew Douglass is the lowest bidder for both contracts, his being ninety-nine cents per lineal foot front for paving, and fifty-nine cents for curbing on each side. Your Committee would therefore recommend that so much of the report of the Committee on Contracts awarding



said work to Bernard Hammill, be reconsidered, and that said work be awarded to Andrew Douglass.

Respectfully submitted,

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

Which was concurred in.

Also, the following report :

INDIANAPOLIS, July 14, 1873.

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

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

FIRST.

For building cistern at the corner of Third and Mississippi streets, the following proposals were presented :

Bruner & Riner, 71 cents per barrel.

Joseph Kruger, 70 cents per barrel.

Charles S. Roney, 70 cents per barrel.

We would recommend that Charles S. Roney be awarded the contract.

SECOND.

For building cistern at the corner of Union and Morris streets.

Brunner & Riner, 71 cents per barrel.

Joseph Kruger 71 cents per barrel.

C. S. Roney, 69 cents per barrel.

C. S. Roney being the lowest and best bidder we would recommend that he be awarded the contract.

THIRD.

For building cistern at the corner of Third and Howard streets, the following proposals were received :

Brunner & Riner, 71 cents per barrel.

Joseph Kruger 70 cents per barrel.

C. S. Roney, 70 cents per barrel.

We would recommend that Joseph Kruger be awarded the contract for this cistern.

FOURTH.

For building a cistern at the corner of Pennsylvania and Fifth streets, the following proposals were received :

Bruner & Riner, 71 cents per barrel.

C. S. Roney, 70 cents per barrel.

Joseph Kruger, 70 cents per barrel.

We would recommend that C. S. Roney be awarded the contract.

FIFTH.

For building a cistern at the corner of Mississippi and Sixth streets the following proposals were received :

Bruner & Riner, 71 cents per barrel.

Joseph Kruger, 70 cents per barrel.

C. S. Roney, 70 cents per barrel.

We recommend that C. S. Roney be awarded the contract.

SIXTH.

For building a cistern at the corner of Alabama and Eighth streets, the following proposals were received :

Bruner & Riner, 71 cents per barrel.

Joseph Kruger, 70 cents per barrel.

C. S. Roney, 69 cents per barrel.

C. S. Roney being the lowest bidder, we recommend that he be awarded the contract.

SEVENTH.

For building a cistern at the corner of Western and Christian avenues the following proposals were received :

Bruner & Riner, 71 cents per barrel.

C. S. Roney, 69 cents per barrel.

C. S. Roney being the lowest bidder, we recommend that he be awarded the contract.

EIGHTH.

For building a cistern at the corner of East and Merrill streets, the following proposals were received :

Bruner & Riner, 75 cents per barrel.

Joseph Kruger, 70 cents per barrel.

C. S. Roney, 69 cents per barrel.

We recommend that the contract be awarded to C. S. Roney.

## NINTH.

For building a cistern at the corner of Wright and Bradshaw streets the following proposals were received :

Bruner & Riner, 75 cents per barrel.

Joseph Kruger, 70 cents per barrel.

C. S. Roney, 78 cents per barrel.

Joseph Kruger being the lowest bidder, we recommend that he be awarded the contract.

## TENTH.

For building a cistern at or near the National Road, one square west of White River Bridge, the following proposals were presented :

Bruner & Riner, 75 cents per barrel.

Joseph Kruger 70 cents per barrel.

C. S. Roney, 80 cents per barrel.

We recommend that Joseph Kruger be awarded the contract.

## ELEVENTH.

For building a cistern near the I. B. & W. Railroad Company's shops, the following proposals were presented :

Bruner & Riner, 75 cents per barrel.

Joseph Kruger, 70 cents per barrel.

C. S. Roney, 80 cents per barrel.

Joseph Kruger being the lowest bidder, we recommend that he be awarded the contract.



## TWELFTH.

For building a cistern at the corner of Huron street and the old corporation line, the following proposals were received :

Bruner & Riner, 75 cents per barrel.

C. S. Roney, 70 cents per barrel.

Joseph Kruger 70 cents per barrel.

Joseph Kruger being the lowest bidder, we recommend that he be awarded the contract.

Respectfully submitted,

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

Which was concurred in, and the contracts awarded.

## REPORTS FROM CITY OFFICERS.

The City Civil Engineer submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—On last Monday I reported in favor of building a covered drain on East street, for the purpose of draining the low ground at the intersection of East street and the Donation line. The same end could be secured by a sewer on Yeiser street, from East street to Madison avenue, thence north to the Ray street sewer. Or the sewer might be extended west to the Jeffersonville R. R., thence north along

the railroad to the Ray street sewer. There are no streets on a portion of this route, but if the right of way could be obtained, more low ground would be drained by this route than by either of the others.

I submit the following estimates called for by the Council :

A foot-crossing on Meridian street, at the south side of Washington street.....	\$161 00
A foot-crossing on Washington street, at the west side of Meridian street .....	168 00
A foot-crossing on Washington street, at the east side of Meridian street.....	168 00
A brick sewer three feet in diameter on Georgia street, from Illinois street to Kentucky avenue ; estimated cost including catch-basins and manholes.....	6,570 00

Respectfully submitted,

JAMES W. BROWN,  
Civil Engineer.

Which was received.

Also, the following report :

INDIANAPOLIS, July 14, 1873.

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

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

A first and final estimate allowed H. C. Roney, for grading and paving the sidewalks on Chatham street from Massachusetts avenue to St. Clair street, 883 lineal feet of pavement, at 54 cents per foot .....	\$476 82
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Also, a first and final estimate allowed Michael Faust for grading and graveling Coburn street and sidewalks from Wright to the east line of Short street, 1,110 lineal feet on south side; 1,110 lineal feet on north side; total, 2,220 lineal feet, at 88 cents per foot..... 1,953 60

Also, first and final estimate allowed John Schier for grading, paving, and curbing the street and alley crossings, and bowldering the west sidewalk on California street from Michigan to North street, 424 lineal feet of pavement at 61 cents..... 258 64  
 14 lineal feet of flagging at 61 cents..... 8 54  
 60½ lineal feet of stone curb at 71 cents..... 42 95  
 16.6 square yards bowldering at 62 cents..... 10 29  
 Total estimate..... \$320 42

Also, a first and final estimate allowed James Mahoney for grading and graveling Columbia street or alley from Vermont to Michigan street, length on east side, 420 feet; length on west side 420 feet; total length, 840 feet, at 50 cents per front feet..... \$420 00

Respectfully submitted,

JAMES W. BROWN.

Which was concurred in.

Also, the following report:

INDIANAPOLIS, July 14, 1873.

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

Gentlemen—The City Civil Engineer would respectfully report to the Council:

## FIRST.

Contract and bond of James Mahoney for grading and bowldering the first alley east of Illinois street, running from Market to Ohio street.

## SECOND.

First and final estimate allowed Henry C. Roney for grading and paving the sidewalks on Chatham street from Massachusetts avenue to St. Clair street.

## THIRD.

First and final estimate allowed Michael Foust for grading and graveling Coburn street and sidewalks from Wright street to the east line of Short street.

## FOURTH.

First and final estimate allowed John Scheier for grading, paving and curbing the street and alley crossings, and bowldering the west sidewalk on California street from Michigan to North street.

## FIFTH.

First and final estimate allowed James Mahoney for grading and graveling Columbia street and sidewalks from Vermont to Michigan street.

## SIXTH.

Contract and bond of Samuel J. Smock for grading and graveling Alabama street, excluding the sidewalks, from Home avenue to the State ditch, south of the State Fair grounds.

Respectfully submitted,

JAMES W. BROWN,  
City Civil Engineer.

Which was concurred in.



Also, the following estimate resolution :

*Resolved*, That the foregoing first and final estimate of John Schier, for grading, paving and curbing the street and alley crossings, and bowldering the west sidewalk on California street, from Michigan street to 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, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—None.

Also, the following :

*Resolved*, That the foregoing first and final estimate of James Mahoney, for grading and graveling Columbia street and sidewalks, from Vermont street to Michigan street, be and the same is hereby adopted as the estimate of this Council, and that the property-owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—None.

Also, the following :

*Resolved*, That the foregoing first and final estimate of Michael Foust, for grading and graveling Coburn street and sidewalks, from Wright street to the east line of Short street, be and the same is hereby required to pay the sums set opposite their respective names

Which was adopted by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—None.

Also, the following :

*Resolved*, That the foregoing first and final estimate of Henry C. Roney, for grading and paving the sidewalks on Chatham street, from Massachusetts avenue to St. Clair 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, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—None.

The City Clerk submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The City Clerk would respectfully report the following affidavit now on file in his office for the collection of street assessment by precept, to wit :

James W. Hudson vs. Louisa McDougal, for \$47.20, and respectfully recommend that you order the precept to issue.

JOHN R. CLINTON,  
City Clerk.

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

The City Attorney submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The Indianapolis and Fall Creek Gravel Road Company have delivered a deed of warranty conveying that part of its roadway lying within the corporate limits, and it is proper that the Council declare it to be a public street. I have therefore prepared the form of a motion which I herewith transmit.

The Company desire to retain possession of the toll house for thirty days, and this it seems to me is a reasonable request, and I think the Mayor might properly be requested to sign the accompanying agreement allowing the Company to retain possession of their toll house for the purpose of collecting tolls on the unsold road for thirty days.

Respectfully,

B. K. ELLIOTT, City Attorney.

Which was concurred in.

Also, the following motion :

*Moved*, That so much of the highway lying within the corporate limits as was formerly known as the Indianapolis and Fall Creek Gravel Road, be declared to be a public street of the City of Indianapolis and that the name thereof shall be ———.

Which was adopted.

On motion by Mr. Pendleton, the Mayor was instructed to sign the agreement granting the Fall Creek Gravel Road Co. thirty days to remove their toll houses.

The City Attorney submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—I have examined the questions presented by the petition of Alfred Harrison, Esq., and respectfully report that May 21, 1868, I gave to the Common Council the following opinion :

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

*Gentlemen*—In obedience to your resolution requiring me to give an opinion concerning the stairway in the alley west of Glenn's Block, I respectfully submit the following opinion :



"The streets and alleys of the city were dedicated for public purposes, and I do not think the Council have any power to permit them to be permanently used for private purposes. Aug. Highways, *Green v. City of Portland, Me.*, 431. *Abbott's Corporation*, 502.

"If I am correct in this conclusion, then the provision in the contract granting the right to permanently occupy the alley with the stairway is void. It is well settled that municipal corporations can not make a contract which will embarrass and control their legislative powers. *Brick Church vs. Mayor of New York*, 5 Cowen, R. 538. *Stuyvessant vs. Mayor, etc.*, 7 Co. 588.

"The powers to cause obstructions to be removed from public alleys is a legislative one, and notwithstanding the contract yet remains in the Common Council."

I have again examined the authorities and am satisfied that the opinion quoted correctly states the law upon the subject.

It is therefore in the power of your honorable body to cause the stairway leading to the upper portion of Glenn's Block to be removed from the alley.

Respectfully,

B. K. ELLIOTT, City Attorney.

Which was concurred in.

His Honor the Mayor, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—I have the honor to report that I have paid over to the City Treasurer this day as shown by his receipts filed herewith, the sum of six hundred and forty-five dollars and forty-five cents,

(\$645.45) the amount of fines and penalties received by me for the month of June last past, for the violation of city ordinances.

Respectfully,

JAMES L. MITCHELL,

Mayor.

Which was received.

The Chief Fire Engineer submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—I would most respectfully recommend the following additional cisterns to be built as follows :

St. Clair and Winston streets.

Dorman and John streets.

Oak and Vine streets.

Dunlap and Madison avenue.

Delaware and Georgia streets.

Illinois and McNabb streets.

Market and Winston streets.

Vermont and Minerva streets.

Rohampton and Eighth streets.

Respectfully submitted,

CHARLES RICHMANN,

Chief Fire Engineer.

Which was concurred in, and Civil Engineer directed to advertise for proposals for building such cisterns.

The Street Commissioner submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—In obedience to your orders I beg leave to submit the following report of work done by me during the eight weeks last past :

New foot bridges have been placed as follows :

One on Madison avenue and McCarty street.

Two on Ohio and New Jersey streets.

One on Ray street and Bluff road.

One on New York and Alabama streets.

One on Washington and East streets.

One on East and Market streets.

One on Mississippi and Ohio streets.

Six on crossings of Grove and Huron streets.

Two on Elm and Grove streets.

Two on New York and Davidson streets.

Four on Michigan and Davidson streets.

One on North and East streets.

One on Indiana avenue and Vermont street.

Two on Madison avenue and Delaware street.

Two on Ray street and Madison avenue.

Two on North street and Indiana avenue.

Two on Tennessee and Market streets.

Total, 32.

New culverts have been placed as follows:

One across the first alley, west of Blackford street, on north side of Washington street.

One on the west side of Virginia avenue and McCarty street.

One on the east side of Virginia avenue and Cedar street.

One on the east side of New Jersey and North streets.

One on the east side of Noble and New York streets.

One on the crossing of Elm and Cedar streets.

One on the crossing of Ohio and New Jersey streets.

One on West and California streets.

Two on Mississippi and Ohio streets.

One on the crossing of Vermont and Mississippi streets.

One on the crossing of Vermont and New Jersey streets.

Two on the crossing of Jeff. Railroad and Ray street.

One on the north side of North street, between Illinois and Tennessee streets.

One on Madison avenue and McCarty street.

Total, 16.



Pens have been fixed up in West Market place for impounding hogs.

One hundred and ninety-six foot bridges and culverts have been repaired.

I have built a bridge over a branch of Pogue's Run, on Michigan street, east of Bell street, in which I used only old lumber from the bridge over the canal at West street.

Bowldered streets have been repaired as follows :

Washington street, from White river to Illinois street.

Virginia avenue, from Washington street to Pogue's Run.

Meridian street, from Washington street to Louisiana street.

Massachusetts avenue, from Pennsylvania street to Delaware street.

Eight hundred and fifty loads of gravel, cinders and spawls have been used in filling up holes in the streets.

Three hundred and fifty-three loads of mortar and broken brick have been put in a hole on Winston street, near St. Clair street.

One thousand feet of cement pipe has been put in at the following places, with some work in this line unfinished :

At the intersection of Alabama and Washington streets, 185 feet.

At crossing of Missouri and Maryland streets, 120 feet.

At first alley west of Pennsylvania street, on south side of North street, 40 feet.

At first alley south of Georgia street, on east side of Meridian street, 36 feet.

At crossing of Ohio and Meridian streets, 160 feet.

At crossing of Georgia and Meridian streets, 180 feet.

In each of the above cases it has been necessary to have men employed to replace the bowlders over the pipe laid.

During the sixty days last past I have cleaned six hundred and twenty-seven squares.

All culverts, except those ordered by the Council at their last meeting, have been completed, and men are now at work on those yet unfinished.

Thirty-five feet of curbing has been put in on Washington street, near Gibson's mill.

Whole amount paid for work, as per pay roll, for eight weeks last past, ending July 11, 1873, eight thousand seven hundred and eleven dollars and two cents, (\$8,711.2.)

Whole amount paid for bowlders, cinders, sand, lumber, tools, hardware, cement pipe, etc., two thousand thirty-eight dollars and eighty-one cents, (2,038.81.)

My intention has been to do justice to all parts of the city, and I am quite sure there has been more or less work done in each of the wards, but the recent heavy rains have made a large amount of work not anticipated and caused discontent with some, who for the sake of cheap homes, settled in swamps or low lands, and were not protected against the flood, because of the unimproved condition of the streets. A few unfortunate cases, from the same cause, occurred in the older part of the city. To illustrate I will mention one case: A man, keeping boarding-house in one of the oldest brick houses in the city, was flooded to the depth of four feet in his back yard, and at dusk ran to the Street Commissioner for relief. He was advised to go

home and sleep; that probably by morning the water would subside, and so it did, and the boarding-house still goes on.

Respectfully submitted,

THOMAS WILES,  
Street Commissioner.

Which was received.

The Board of Health submitted the following report:

INDIANAPOLIS, July 14, 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 14th of June, 1873:

Under 1 year.....	23
From 1 to 2 years.....	2
From 2 to 5 years.....	1
From 5 to 10 years.....	1
From 10 to 15 years.....	1
From 15 to 20 years.....	0
From 20 to 25 years.....	1
From 25 to 30 years.....	0
From 30 to 40 years.....	3
From 40 to 50 years.....	1
From 50 to 60 years.....	0
From 60 to 70 years.....	1
From 70 to 80 years.....	1
From 80 to 90 years.....	0
From 90 to 100 years.....	0

100 and upwards.....	0
Unknown.....	0
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Total.....	35

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

W. WANDS, M. D., Secretary.

Which was received.

The City Clerk submitted the following :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—I take the liberty of respectfully informing you that the United States Government has granted Letters Patent to me for wood pavements, as follows :

A. D. 1867, two patents; 1868, two patents; 1869, two patents; 1870, one patent; 1872, four patents; and in 1873, one patent, which cover and include every and all wood pavements that are placed directly upon or driven into a sand or earth foundation.

I therefore hereby notify you that all of the wood block pavement now being laid on the streets in your city of Indianapolis at the present time or that has been laid since the first day of January, A. D. 1873, is a direct infringement upon my several patents, and that I will hold the City of Indianapolis in the sum of six (6) cents as royalty and damages for each and every square foot of said pavement laid down in said city by or under any authority, order or permit of the City of Indianapolis.

CHICAGO, June 7, 1873.

WITNESSES:

HENRY M. STOW,  
Patentee, of San Francisco, California.

Which, on motion by Dr. Woodburn, was referred to the Committee on Contracts and City Attorney.

The City Commissioners submitted the following report:

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The City Commissioners met at the City Clerk's office, at 9 o'clock, A. M., of July 7, 1873, to assess the damages and benefits resulting from the opening of Broadway street, eighty feet wide from St. Clair street to Massachusetts avenue.

After hearing the statements of property holders and inspecting the premises, we submit the following assessment of the benefits and damages:

The damages for ground taken amount to \$12,600, and for houses torn down or removed, at \$3,000, making total damages \$15,600 00.

The benefits to adjoining lots and lot owners we fix at \$3,385 00.

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

The following statement details the damages and benefits:

Damages to Henry Bodenmiller for lot 14 in Wood's subdivision of out-lot 42, at \$50 per foot.....	2,500 00
Damages to Lisetta Bertelsman, guardian, etc., for lot 5 in said subdivision at \$100 per foot.....	6,800 00



For brick house torn down, \$1,700, and for frame house and other improvements taken.....	\$150 00
Total damages.....	\$8,650 00
Benefits to Lisetta Bertelsman, guardian, etc., for value of materials of said houses.....	150 00
Balance of damage to her.....	\$8,500 00
Damages to Geo. W. Harlan and A. G. Pope for strip 20 feet wide off the west side of lot 15 in said subdivision, at \$55 per foot.....	\$1,100 00
For frame house on part of said strip.....	150 00
Total damages.....	\$1,250 00
Benefits to said Harlan and Pope on balance of said lot....	\$650 00
Balance of damage to Pope and Harlan.....	\$600 00
Damages to ——— Davis, for strip 20 feet wide off the west side of lot 4 in said subdivision, at \$80 per foot.....	\$2,200 00
For damages to frame house thereon.....	1,000 00
Total damages to Davis.....	\$3,200 00
Benefits to Davis on balance of said lot.....	200 00
For value of house to be moved.....	250 00
Total benefit.....	450 00
Balance of damages to Davis.....	\$2,750 00
Benefits to David Springer on lot 7 in said subdivision.....	400 00
Benefits to Robert Haupt, on the south half of lot 8 in said subdivision.....	190 00

Benefits to Valentine Morganweek on the north half of lot 8	145 00
On all of lot 9 in said subdivision.....	300 00
Total benefits to V. Morganweek.....	<u>\$445 00</u>
Benefits to Julius Mansfeld on the south half of lot 10 in said subdivision.....	140 00
Benefits to B. Bergner, north } half lot 10, in the said subdivision.....	135 00
Benefits to — Heath on south half lot 11, in said subdivision.....	125 00
Benefits to E. J. O'Brien on north half lot 11, in said subdivision.....	125 00
Benefits to Wm. Cooper on lot 12 in said subdivision.....	275 00
Benefits to J. E. Ludlum on lot 13 in said subdivision.....	300 00
Total damages.....	<u>\$15,600 00</u>
Total benefits.....	<u>3,385 00</u>
Balance of damages unprovided for.....	12,215 00

We think the city should pay no part of said damages. It is understood the property holders north and south of said extension are to subscribe the amount required to pay the balance of damages.

We return herewith the petition, notices, orders of reference, plat, and other papers connected with the case.

Respectfully submitted,

SAMUEL M. SEIBERT  
J. F. RAMSAY,  
IGNATIUS BROWN,  
Board of City Comr's.

Which was received, and made the special order of business for Monday evening, July 28, 1873.

Also, the following report :

INDIANAPOLIS, IND., July 14, 1873.

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

*Gentlemen*—The Board of City Commissioners met at the City Clerk's office, at 9 o'clock A. M. of July 7, 1873, on notice of the City Clerk and under order of the Council, to assess the damages and benefits from the widening of College avenue from 7th street to the corporation line, by taking five feet off the fronts of the lots on each side of said street, as petitioned for by M. E. Vinton and others.

After examination of the premises, we find the property holders almost unanimously in favor of the improvement, and many have already given the ground. Two or three will still have to move their fences, but even in those cases the advantages will equal the damages, and for so small an excess of damages we deem it unnecessary to levy a tax on others. We, therefore, make the damages and benefits equal in each case, and tax the city with no part thereof. We estimate the total damages, for ground taken, at \$4,120 and the total benefits at \$4,120. The city is to pay no part thereof.

The damages and benefits are given in detail in the following schedule ;

Damages to J. R. Routh for a strip 5 ft. wide off the west end of lots 8 to 14 inclusive, in Routh's subdivision of block 21, Johnson's heir's addition, \$40 on each.....	\$280 00
Benefits to said Routh on said lots.....	280 00
Damages to J. L. McKenzie on lot 1, in E. J. Hoss' subdivision in square 21, Johnson's heir's addition.....	40 00
Benefits to J. L. McKenzie, on said lot 1, in said subdivision	40 00

Damages to R. McKenzie, on lot 2, in said subdivision.....	40 00
Benefits to R. McKenzie, on lot 2, in said subdivision.....	40 00
Damages to R. M. Cosby, on lot 3, in said subdivision.....	40 00
Benefits to R. M. Cosby, on lot 3, in said subdivision.....	40 00
Damages to C. B. Blaney, on lot 4, in said subdivision.....	40 00
Benefits to C. B. Blaney, on lot 4, in said subdivision.....	40 00
Damages to M. Batty, on lot 5, in said subdivision.....	40 00
Benefits to M. Batty, on lot 5, in said subdivision.....	40 00
Damages to W. M. Cochran, on lot 6, in said subdivision.....	40 00
Benefits to W. M. Cochran, on lot 6, in said subdivision.....	40 00
Damages to T. Whiting, on lots 7 and 8, in said subdivision	80 00
Benefits to T. Whiting, on lots 7 and 8, in said subdivision...	80 00
Damages to J. H. Ruddell, on lots 1 to 9 inclusive, and on lots 11 to 14 inclusive, in Ruddell's subdivision, square 22, in Johnson's heir's addition, \$40 on each.....	520 00
Benefits to said J. H. Ruddell, on each of said lots, \$40 each	520 00
Damages to M. E. Vinton, on lot 10, Ruddell's subdivision...	40 00
Benefits to M. E. Vinton, on lot 10, Ruddell's subdivision...	40 00
Damages to James Crans, on lots 1 and 2, in Gibson's subdivi- sion of square 23, Johnson's heir's addition.....	80 00
Benefits to James Crans, on lots 1 and 2, in said subdivision	80 00
Damages to Maggie Rowan, on lots 3 and 4 in said subdivi- sion .....	80 00



Benefits to Maggie Rowan, on lots 3 and 4, in said subdivision	\$80 00
Damages to W. T. Gibson, on lot 5, in said subdivision.....	40 00
Benefits to W. T. Gibson, on lot 5, in said subdivision.....	40 00
Damages to McMaster & Boice, on lot 6, in said subdivision..	40 00
Benefits to McMaster & Boice, on lot 6, in said subdivision...	40 00
Damages to W. T. Gibson, on lots 7, 8, 10, 12 and 15, in said Gibson's subdivision, \$40 on each.....	200 00
Benefits to W. T. Gibson, on said lots in said subdivision.....	200 00
Damages to H. C. Guffin, on lots 9 and 11, in said subdivision	80 00
Benefits to H. C. Guffin, on lots 9 and 11, in said subdivision	80 00
Damages to M. H. Stafford, on lots 14 and 15, in said subdivi- sion .....	80 00
Benefits to M. H. Stafford, on said lots, in said subdivision...	80 00
Damages to Frank S. Newby, on lots 1 and 2, in Phillips' subdivision of W. $\frac{1}{2}$ , square 24, Johnson's heir's addition	80 00
Benefits to Frank S. Newby, on said lots in said subdivision	80 00
Damages to Mary E. Moffitt, on lots 3 and 4 in said subdivi- sion .....	80 00
Benefits to Mary E. Moffitt, on said lots in said subdivision...	80 00
Damages to Louis Eicke, on lot 5, in said subdivision.....	40 00
Benefits to Louis Eicke, on lot 5, in said subdivision.....	40 00
Damages to Mary E Lindley, on lot 6, in said subdivision...	40 00
Benefits to Mary E. Lindley, on lot 6, in said subdivision...	40 00



Damages to Thos. N. Patterson, on lot 7, in said subdivision	\$40 00
Benefits to Thos. N. Patterson, on lot 7, in said subdivision	40 00
Damages to Burton & Pfaff, on lots 8 and 9, in said subdivision .....	80 00
Benefits to Burton & Pfaff, on said lots in said addition.....	30 00
Damages to J. J. W. Billingsley, on lots 10 and 11, in said subdivision .....	80 00
Benefits to J. J. W. Billingsley on said lots in said subdivision	80 00
Damages to Sarah C. Heath, on lots 12 and 13 in said subdivision .....	80 00
Benefits to Sarah C. Heath on said lots in said subdivision...	80 00
Damages to John W. Coyner, on lots 9 to 16 inclusive, in Strong & Smith's subdivision, of lot 17, Johnson's heir's addition .....	320 00
Benefits to said Jno. W. Coyner, on said lots in said subdiv'n	320 00
Damages to Geo. A. Danlly, on lot 8 in said subdivision.....	40 00
Benefits to Geo. A. Danlly, on lot 8 in said subdivision.....	40 00
Damages to H. C. Guffin, on lots 1 to 7, in said subdivision...	280 00
Benefits to H. C. Guffin, on said lots in said subdivision.....	280 00
Damages to J. R. Routh, on lots 11 to 15 inclusive, in subdivision of square 18, Johnson's heir's addition .....	200 00
Benefits to J. R. Routh, on said lots in said subdivision.....	200 00
Damages to M. B. Hopkins on lots 7 to 10 inclusive, in said subdivision .....	160 00

Benefits to M. B. Hopkins, on said lots in said subdivision...	\$160 00
Damages to Lemon & Barr, on lots 3 to 6 inclusive, in said subdivision.....	160 00
Benefits to Lemon & Barr, on said lots, in said subdivision..	160 00
Damages to E. Lemon, on lot 2, in said subdivision.....	40 00
Benefits to E. Lemon, on lot 2, in said subdivision.....	40 00
Damages to Alfred Fairhurst, in lot 1, in said subdivision...	40 00
Benefits to Alfred Fairhurst, on lot 1 in said subdivision.....	40 00
Damages to C. M. Mothershead, on lots 12 to 15 inclusive, in Edwards' subdivision of square 19, Johnson's heir's addition.....	160 00
Benefits to C. M. Mothershead, on said lots in said subdiv'n	160 00
Damages to N. W. Fitzgerald, on lots 5 and 11, in said subdivision.....	80 00
Benefits to N. W. Fitzgerald, on said lots, in said subdivision	80 00
Damages to J. J. W. Billingsley, on lots 9 and 10 in said subdivision.....	80 00
Benefits to J. J. W. Billingsley, on said lot, in said subdiv'n	80 00
Damages to W. H. Maul, on lots 7 and 8, in said subdivision	80 00
Benefits to W. H. Maul, on said lots, in said subdivision.....	80 00
Damages to C. D. Harper, on lot 6, in said subdivision.....	40 00
Benefits to C. D. Harper, on lot 6, in said subdivision.....	40 00
Damages to W. A. Tubbs, on lots 3 and 4 in said subdivision	80 00
Benefits to W. A. Tubbs, on said lots, in said subdivision.....	80 00

Damages to Lemon, Bond & Trimble, on lots 1 and 2, in said subdivision .....	\$80 00
Benefits to Lemon, Bond & Trimble, on said lots in said subdivision.....	80 00
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Total Damages.....	\$4,120 00
Total Benefits.....	\$4,120 00

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

Respectfully submitted,

SAMUEL M. SEIBERT,  
J. F. RAMSEY,  
IGNATIUS BROWN,  
Board of City Commissioners.

Which was received.

Also, the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The Board of City Commissioners met at the City Clerk's office, at 9 o'clock, A. M., of Monday, July 9, 1873, on notice from the City Clerk, to take action on the order of the Council for opening Exposition avenue from the Fort Wayne road to Illinois street, as set forth in the resolution and other papers herewith returned. After hearing testimony and examining the premises, we submit the following report and assessment of damages and benefits :

The value of the ground taken for said street we estimate at \$40,380. The benefits to adjoining lots and lot owners, we estimate at \$40,380. We think the city should pay no part of said benefits or damages.

The following schedule sets forth said damages to lots and lot owners in detail :

Damages to the Indiana State Board of Agriculture for a strip 100 feet wide by about 1,360 feet long off the south side of the north part of the east half, north-west quarter section 36, town 16, north of range, 3 east.....	\$17,000 00
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Benefits to said State Board of Agriculture on said tract...	25,000 00
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Balance of benefits to said State Board on said tract....	\$8,000 00
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Damages to Elizabeth C. Talbott and to the heirs of Washington H. Talbott, deceased, for a strip 80 feet wide by — feet long, lying east and west (its south line being in line with the north line of Root & Allen's north addition) and being part of the south side of the north half of the east half of west half of the north-west quarter section 36, Town 16, north of range 3 east.....	6,500 00
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Benefits to said E. C. Talbott and said heirs on the balance of said tract.....	8,480 00
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Balance of benefits to them on said tract.....	\$1,980 00
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Damages to Clara J. and Chauncey Turner for lots 84 and part of lot 85 (as shown on plat herewith) in Morrison's second addition to Indianapolis.....	5,850 00
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Benefits to said Turner on balance of lot 85.....	250 00
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Balance of damages to Turner.....	\$5,600 00
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Damages to Levi Sohl for part of lot 52, (as shown on plat) in said addition.....	2,880 00
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Benefits to Sohl on balance of lot 52.....	300 00
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Balance of damages to Sohl.....	\$2,580 00
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Damages to J. G. Greenwalt for lot 64 and part of lot 65 (as shown on plat) in said addition.....	4,550 00
Benefits to Greenwalt on balance of said lot 65....	250 00
Balance of damages to Greenwalt.....	<u>\$4,300 00</u>
Damages to Joseph W. Bugbee on lot 53 in said addition....	3,600 00
Benefits to said Bugbee on said lot.....	
Balance damages to him.....	<u>\$3,600 00</u>
Benefits to Mansur and Pettit on lot 63, Morrison's second addition .....	400 00
Benefits to Rev. J. C. Talbott, trustee, etc., on lot 54, Morrison's second addition.....	550 00
Benefits to Henry G. Carey on lot 83, in Morrison's second addition.....	500 00
Benefits to Chris. F. Coffin on lot 34, Allen & Root's addition	700 00
Benefits to G. D. Green on lot 35, Allen & Root's addition...	650 00
Benefits to A. L. Wright on lot 102, Allen & Root's addition	650 00
Benefits to Root & Allen on lot 103, Allen & Root's addition	650 00
Benefits to J. R. Marot on lot 170, Allen & Root's addition..	650 00
Benefits to Goe & Brown on lot 171, Allen & Root's add'n	650 00
Benefits to Root & Allen for 9 ft. off west end of lot 238.....	300 00
Benefits to Indianapolis and Fall Creek Gravel Road Company on part of lots 234, 235, 236, 237 and 283, Allen & Root's addition.....	400 00
Total Benefits.....	<u>\$40,380 00</u>
Total damages.....	40,380 00



The proposed improvement while benefitting all of the above-named property, will most largely benefit the Agricultural Board and the Street Railway Company.

We return herewith the proceedings and order of reference from the Council, the notices, plat, remonstrances and other papers in the case.

Respectfully submitted,

SAMUEL M. SEIBERT,  
J. F. RAMSAY,  
IGNATIUS BROWN,

Board of City Com.

Which was received.

Dr. Woodburn moved that the Council now proceed to ballot for the election of a Board of City Commissioners.

Which motion was adopted.

Mr. Pendleton nominated Peter Weis.

Mr. Craft nominated Ignatius Brown.

Dr. Woodburn nominated Wm. M. French.

Mr. Darnell nominated J. Geo. Stilz.

Mr. Peck nominated Daniel Yandes, Jr.

Mr. Sherwood nominated Ebenezer Smith.

Dr. Stratford nominated D. B. Hosbrook.

Mr. Bigham nominated Samuel Daniels.

Dr. Woodburn nominated John F. Ramsey.

Dr. Woodburn nominated Samuel M. Seibert.

Mr. Adams nominated Charles A. Howland.

The Mayor appointed Councilmen Craft and Pendleton as tellers.

A ballot was then had which resulted in the election of the following :

Messrs. C. A. Howland, Ignatius Brown, J. Geo. Stiliz, Peter Weis and Daniel Yandes, Jr.

By consent, Dr. Woodburn offered the following motion :

*Moved*, That the Board of Equalization provided for in the 57th section of the city charter, meet on Monday evening the 4th day of August, 1873, and that the session be held for the purpose of hearing complaints in reference to the assessment for taxation and for the purpose of equalizing the same, and that the Clerk be directed to make proper publication of this notice.

Which was adopted.

On motion by Mr. Thalman, the report of the City Commissioners, made to Council June 30, 1873, in the matter of widening Blackford street, north and south ends, was taken up and approved by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Bollman, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—21.

Negative—None.

By consent, Mr. Bigham offered the following report :

*Moved*, That the report made by the City Commissioners Monday, June 30, in relation to the opening of the alley nine feet wide between East and Liberty streets be not concurred in and that the City Clerk be and is hereby directed to give the proper notices to the property holders interested and to the City Commissioners as is required by the city charter.

Which was adopted.

ORDINANCES ON FIRST READING.

Mr. Thalman introduced Special Ordinance No. 215, 1873, entitled :

An Ordinance to grade and bowlder New Jersey street, and curb the sidewalks thereof with stone, where not already curbed, from Washington street to Pogues run.

Which was read the first time.

Also, Special Ordinance No. 216, 1873, entitled :

An Ordinance to grade and gravel the first alley west of East street, running from McCarty street to Coburn street.

Which was read the first time.

Mr. Anderson introduced Special Ordinance No. 217, 1873, entitled :

An Ordinance to grade and gravel Linden street and sidewalks, from Huron street to English avenue.

Which was read the first time.

Mr. Kennington introduced Special Ordinance No. 218, 1873, entitled :

An Ordinance to grade, pave with brick and curb with stone, the sidewalks of McCarty street, from Delaware street to East street.

Which was read the first time.

Also, Special Ordinance No. 219, 1873, entitled :

An Ordinance to grade and gravel the first alley west of Tennessee street, between Washington and Maryland streets.

Which was read the first time.

Mr. Pendleton presented the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of real estate fronting on Olive street from Willow street to Pleasant Run street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling Olive street between said points as above mentioned.

And your petitioners will ever pray, etc.

WM. W. MITCHELL,  
MARKS C. DAVIS,

And 5 others.

Which was received.

Also, the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of real estate fronting Woodlawn avenue, between Dillon street and Reed street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of Woodlawn avenue and sidewalks between the above mentioned streets.

And your petitioners will ever pray, etc.

JOHN ROBINSON,  
GILES S. BRADLEY,  
And 11 others.

Which was received.

Also, the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of real estate fronting on the alley between Virginia avenue and Elm street respectfully petition your honorable body to pass an ordinance providing for the grading and bowldering of said alley from Pine street to the first alley south.

The following petitioners have business houses located on said alley and it is impossible to make the alley passable except by bowldering.

And your petitioner will ever pray, etc.

AUGUST RICHTER.  
CHAS. HESPELT,  
HENRY SCHAUB,  
JULIUS QUEIZZER.

Which was received.



Also, the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of the real estate fronting on alley between Buchanan and Bradshaw streets, respectfully petition your honorable body to pass an ordinance providing for grading and graveling the same with good creek gravel from Sullivan street to the eastern terminus of the alley.

And your petitioners will ever pray, etc.

ATHLICK SMITH,  
G. W. RYAN,

And four others.

Which was received.

Also, the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of real estate fronting on Daugherty and Buchanan streets, between Wright street and Virginia avenue, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the alley lying between Daugherty and Buchanan streets, between Wright street and Virginia avenue, with good river or creek gravel to a depth of ten inches.

FRANK EPPERT,  
OLIVER HEALY,

And three others.

Which was received.

Mr. Thalman introduced Special Ordinance No. 220, 1873, entitled :

An Ordinance to grade and gravel Michigan street and sidewalks, from Blake street to Patterson street.

Which was read the first time.

Also, Special Ordinance No. 221, 1873, entitled :

An Ordinance to grade and gravel the first alley east of Blake street, between New York and Vermont streets.

Which was read the first time.

Mr. Peck introduced Special Ordinance No. 222, 1873, entitled :

An Ordinance to grade and gravel Walnut street, and pave and curb the sidewalks thereof, from Tennessee street to Mississippi street.

Which was read the first time.

Mr. Twiname presented the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned, owners of the real estate fronting on Western avenue between Cherry street and Boulton street, respectfully petition your honorable body to pass an ordinance providing for the grading, graveling and paving with brick the sidewalks of said avenue between said points.

E. F. RITTER,  
J. E. LUDLUM,

And 25 others.

Which was received.

Also, Special Ordinance No. 223, 1873, entitled :

An Ordinance to grade and pave with brick the sidewalks on Western avenue, from Cherry street to Bolton street.

Which was read the first time.

Also, Special Ordinance No. 224, 1873, entitled :

An Ordinance to grade and gravel Western avenue, excluding the sidewalks from St. Mary street to the south line of the State Fair grounds.

Which was read the first time.

Dr. Ward introduced Special Ordinance No. 225, 1873, entitled :

An Ordinance to light with gas Park avenue, from Cherry street to St. Clair street.

Which was read the first time.

Dr. Stratford introduced Special Ordinance No. 226, 1873, entitled :

An Ordinance to grade and gravel the alley running east and west between Pine and Cedar streets, from Fletcher avenue to the first alley west.

Which was read the first time.

Mr. Darnell introduced General Ordinance No. 48, 1873, entitled :

An Ordinance appropriating money for the payment of two hundred dollars to Elizabeth Groeschel, for real estate owned by her and condemned by the city.

Which was read the first time.

#### REPORTS FROM COMMITTEES.

Mr. Sherwood, from the Committee on Sewers, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your Committee on Sewers would respectfully recommend that the Civil Engineer be authorized to appoint two competent persons to clean out and keep in repair the catch basins in the city.

L. Q. SHERWOOD,

H. S. BIGHAM,

J. C. ADAMS,

Com. on Sewers.

Which was concurred in.

Mr. Thalman, from the Committee on Bridges, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your Committee on Bridges, to whom was referred the following motion, that the City Clerk advertise for proposals for building a brick arch the full width of Washington street, at the crossing of Mis-

souri street, and build stone protection walls from the stone abutments of said bridge on the north and south sides of the said arch, the arch to be built same as on Maryland street, would report in favor of said motion being carried out.

Respectfully submitted,

ISAAC THALMAN,  
JOHN T. PRESSLY,  
ROBERT KENNINGTON,  
Com. on Bridges.

Which was concurred in.

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

INDIANAPOLIS, July 7, 1873.

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

*Gentlemen*—Your Committee on Gas, to whom was referred the following ordinances for lighting with gas the following named streets, upon examination find that there is no gas mains on said streets, and that the Common Council can not compel the Gas Company to lay down mains on any street until the property holders comply with section 6 of the grant of the Indianapolis Gas Light and Coke Company to furnish the city with gas, which section reads as follows, to wit:

That the citizens along the said street or thoroughfare shall obligate themselves to take fifteen or more burners and use the same for gas to each space of 510 feet along which said mains shall be laid.

On Minerva street from New York to North street.

On Morrison street from Delaware to Alabama street.

On Cumberland street from Mississippi to West street.

On California street from Michigan to North street.

On Kentucky avenue from South street to White River.



Your committee herewith report back said ordinances and recommend that they be stricken from the files.

Respectfully submitted,

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

Which was concurred in.

Mr. Bigham, from the Committee on Streets and Alleys, submitted the following :

INDIANAPOLIS, IND., July 14, 1873.

H. S. BIGHAM, *Chairman* :

DEAR SIR—I have examined the matter of the change of grade of Third street, and respectfully submit the following :

When a contract has been duly awarded and work entered upon, the grade can not be changed without the consent of all parties in interest. To change the grade in the present instance, these things should be done :

The property owners should all sign a petition, praying for the change, and agreeing to pay all assessments for the improvement.

The contractor and his sureties should sign an agreement that they will perform the contract as changed.

The Common Council should make the proper order directing the change of grade.

Respectfully submitted,

B. K. ELLIOTT.

Which was received.

Mr. Peck offered the following motion :

*Moved*, That the Civil Engineer be directed to examine Third street between Illinois and Tennessee streets, and ascertain whether it has been graded according to specifications of the engineer, whether said street has been provided with suitable drainage, and that on both these points he report to the Common Council at its next meeting.

Which was adopted.

Mr. Gibson, from the Committee on Revision of Ordinances, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your Committee on Revision of Ordinances to whom was referred general ordinance No. 31, 1873, have examined the same and report it back with amendments and recommend its passage.

DAVID GIBSON,  
LEON KAHN,  
JAMES McB. SHEPHERD,  
Committee on Revision of Ordinances.

Which was concurred in.

Mr. Thalman, from the Committee on Parks, submitted the following report :

INDIANAPOLIS, JULY 14, 1873.

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

*Gentlemen*—Your Committee on Parks to whom was referred a motion to locate two drinking fountains in Military Park, would report that we would recommend that only one be placed there at present, and that the com-

mittee be authorized to purchase the same at a cost not exceeding one hundred and fifty dollars.

Respectfully submitted,

ISAAC THALMAN,

B. WARD,

Committee on Parks.

Which was concurred in.

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

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your Committee on Benevolence and Hospitals, to whom was referred the following motion offered by David Gibson, Esq.

That the Committee on Benevolence and Hospitals and the City Attorney be and are hereby directed to report to this Council what action is necessary to enable the Treasurer to pay over to the Home for Friendless Women certain fines and penalties as provided by statute, passed at the last session of the State Legislature.

Your committee herewith submit the report of the City Attorney for your consideration and action on the above motion.

Respectfully submitted,

B. WARD,

J. H. WOODBURN,

EDWARD REAGAN,

Committee on Benevolence and Hospitals.

Which was received.

Also, the following:

INDIANAPOLIS, July 14, 1873.

DR. B. WARD, *Chairman*:

DEAR SIR—I have examined the motion directing the Committee on Benevolence and Hospitals, of which you are the Chairman, and myself,

to report what action is necessary to enable the Treasurer to pay over money to the Trustees of the Home for Friendless Women, and submit for your consideration the following opinion:

The act of February 26, 1873, provides that certain fines shall be paid over to "the Board of Trustees of incorporated Home for Friendless Women," and directs the payment by the Mayor. The report required by the motion is readily made; for the only thing needed would be an ordinance directing the payment of all fines collected from the sources named, subsequent to the passage of the act, to the Trustees of the Home for Friendless Women. The requirements of the motion would be met by reporting that an ordinance would be required, directing the payment of the money collected from the violations of ordinances prohibiting the offenses mentioned in the act, but there are other and more difficult questions arising.

*First.* Had the Legislature power to direct that fines collected by a municipal corporation should be paid to a certain designated corporation?

*Second.* What corporation is the money to be paid to?

These are questions of considerable difficulty.

There are now, as I am notified, two claimants for the funds, and should the Council pay to the wrong one, doubtless the proper one could recover from the city, notwithstanding the payment. The act does not name a particular corporation but provides "that in all incorporated cities of this State, where there is now, or shall hereafter be, established an incorporated home for friendless women, incorporated under the laws of this State, fines assessed for certain offenses shall be paid over to the Board of Trustees of such home for friendless women in such city, to be applied to defraying the current expenses of such home." On this statute there may arise these questions:

If there are two incorporated homes for friendless women, to which one shall the money be paid?

If there are two, shall the money be divided *pro rata*?



I think the power of the Legislature to enact the law very questionable, and I confess that I am unable to reach a conclusion as to the construction, to be put upon the law, satisfactory to myself. It would, in my opinion, be better to let an action be brought, and the city file what is called a bill of interpleader, and let the court determine what corporation, if either, is entitled to the money.

Respectfully submitted,

B. K. ELLIOTT,  
City Attorney.

Which was received.

Dr. Ward, from the same Committee, submitted the following report:

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your committee hereby report back the Bureau of Sanitary Inspection Ordinance, recommending that for the present it be not passed. Your committee are of opinion that under its provision too many new officers are liable to be created, thereby increasing the city's expenses without commensurate benefits. We further believe that with proper precaution on the part of the day police all or nearly all may be accomplished that is contemplated by said ordinance.

B. WARD.  
EDWARD REAGAN.  
J. H. WOODBURN.

Which was concurred in.

General Ordinance No. 40, 1873, entitled:

An Ordinance to establish a Bureau of Sanitary Inspection,

Was taken up and stricken from the files.



Mr. Pressly, from the Board of Police, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your committee on police, to whom was referred a petition from William A. Arthur, Curtis H. Lewis and ninety-seven others, praying the Council to enforce the law against the nuisance produced by the soap factory of Bergman, the bristle factory and the rendering establishment of Bergman & Company, and also to prohibit the butchering in the slaughter houses along the canal, believe the nuisances complained of should be abated at once, and that the policemen in said wards make the complaints required under the law from day to day, and have the nuisance complained of abated at once.

Respectfully submitted,

JOHN T. PRESSLY,

L. Q. SHERWOOD,

J. C. ADAMS,

Com. on Police.

Which was concurred in.

Mr. Gibson, from the Special Committee on Water Works, submitted the following report :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—Your special committee who were directed to report the best plan or plans for water works to get a permanent and abundant supply of water for the city and its inhabitants, and for which purpose were directed to correspond with one or more hydraulic engineers, have performed the latter duty and herewith present a proposition from Wm. E. Worthen, of New York City, and recommend that your committee be instructed to accept his proposition.

Mr. Worthen is personally known to one member of your committee, and is eminent in his profession of hydraulic engineer. He is familiar with all the principal water works systems of this country and Europe. Is consulting engineer of the St. Louis Water Works, and your committee concur in the opinion that on examination of our sources of supply the best way of getting it with plans and estimates by him would be of great value to our city

DAVID GIBSON,  
ROBERT KENNINGTON,  
THOS. H. S. PECK,  
Special Committee on Water Works.

Which was concurred in.

Also, the following :

NEW YORK, June 21, 1873.

DAVID GIBSON, Esq.,

*Dear Sir*—Yours of the 13th inst. I received on my return from Boston, and in answer I will come out to Indianapolis and make an examination of sources of water supply, direct all the work for surveys, make up estimates and report for the sum of \$1,000 and personal expenses. The field work I am not prepared to undertake, but will give directions to your City Engineer, or any other party that you may designate, so that I can get just such facts as are necessary for the report.

Yours truly,

W. E. WORTHEN.

Which was received.

Mr. Gimber offered the following preamble and resolution :

WHEREAS, The Water Works Company of Indianapolis claim to own what was formerly known as the Central Canal, and whereas,

the said Canal so far as it lies within the City of Indianapolis, was constructed upon and along a public street, which has reverted by the acts of the claimants thereof to said City of Indianapolis, and whereas, the present claimant has caused and suffered the said Canal to become a public nuisance, injurious to the health and welfare of the city, and that the said nuisance can only be abated by constructing therein a public sewer, which is demanded by the welfare of the people and inhabitants of said city; and

WHEREAS, The Water Works Company of Indianapolis claim title to the Central Canal lying within the corporate limits of the City of Indianapolis; and

WHEREAS, The City of Indianapolis denies that the said Company have any right of title whatever thereto, but that the beds, banks and channels thereof, lying in and along a public street of said city is the property of said city in trust for the public for a public street; and

WHEREAS, The channel of said Canal in said city, lying south of Market street, is by the public interest, and for the promotion of the public welfare, demanded for the purposes of a sewer, and that for that purpose the same should be used and condemned; therefore

*Resolved*, That the matter of appropriating and condemning said Central Canal, south of Market street, and as far south as the southern corporation line, be referred to the City Commissioners with instructions that the Common Council propose to appropriate and condemn said Canal, and that the said Commissioners be directed to proceed in said matter of appropriation under the provisions of sections 61 to 64 inclusive of the act of incorporation, and that the Civil Engineer report to said Commissioners a plat or profile of the line of said portion of the Canal which is proposed to be appropriated, and the City Clerk is hereby directed to issue, and have the Marshal to serve the proper notices.

*Resolved*, That the Common Council propose to make the appropriation aforesaid, and to use the said public street for the purposes of a public sewer, and that the Commissioners be and are hereby instructed to assess benefits or damages only to such persons or corporations as may have right, title to or interest in the property herein mentioned, and to none others.

Which was adopted by the following vote:

Affirmative—Councilmen Adams, Anderson, Bigham, Craft, Darnell, Gibson, Gimber, Hardesty, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Therman, Twiname, Ward and Woodburn—20.

Negative—None.

Mr. Pendleton presented the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned respectfully petition your honorable body to cause Coburn street to be opened, and that said street be opened and extended from Short street to Virginia avenue ; that the width of such proposed extension and opening be such as to correspond with the width and direction of the present Coburn street.

The direction of such proposed extension is more fully shown by the plat hereto annexed, which is made part of the petition, and the real estate proposed to be appropriated is that shown on said plat, as embraced within the lines of such extension.

We, the undersigned property owners, interested in the extension of Coburn street, do hereby agree to pay the sums set opposite our



names for the purpose of paying damages awarded to parties whose lands or lots are taken for the purpose of opening and extending said street.

B. R. McCord .....	\$30 00
Joseph Gobrintz.....	10 00
C. H. Falkening.....	15 00
B. F. Slate.....	5 00
Frederick Deager.....	6 00
A. F. Miller.....	5 00
W. Falkening.....	5 00
A Van Wie.....	5 00
H. Miller.....	5 00
C. F. Miller.....	10 00
John Pfitzen.....	5 00
Robert L. Pedlow.....	10 00
Joseph McVey.....	5 00
Charles Kerkhof.....	10 00
G. W. Ryan, jr.....	5 00
Topoon Weileman.....	5 00
Peter Z. Brarhausen .....	15 00
Ben Bernauer.....	5 00
Jerry Haley.....	5 00
Margaret Danneburg.....	2 00
Carls Wagner.....	5 00
Mezger Ehrmann.....	15 00
George Wagner.....	5 00
Julius Pritsch ....	5 00
Henry W. Meier.....	10 00
Jacob Cargets.....	5 00
Richard Jones.....	5 00



James A Chives.....	\$5 00
L. Carcoff.....	1 00
Joseph Orth.....	10 00
Christain Warweg.....	10 00
August Niemann.....	5 00
Charles Holscher.....	2 00
Bernard Boyle... ..	2 50
Ellen Sweney.....	2 50
Andrew Linmann.....	3 00
S. Blackman .....	5 00
C. F. Miller.....	5 00
Levi Schneicher .....	5 00
M. R. Gilmore .....	6 00
V. S. McMullen.....	5 00
Wm. Jones.....	5 00
G. Blauvelt.....	5 00
Conrad Schrader.....	10 00
J. B. Dickey.....	5 00
John Flapar.....	5 00

Which was received.

Also, the following motion :

*Moved,* That the Common Council propose to appropriate the real estate necessary for the proposed extension, and which is shown on the plat accompanying the petition for such extension, and that the matter be referred to the City Commissioners for investigation and report.

Which was adopted.

Mr. Sherwood presented the following petition :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—We, the undersigned, respectfully petition your honorable body to order the City Commissioners to open an alley through block 8, Blake's addition, between Mississippi and Tennessee streets. Said alley to run parallel with an alley running north and south from First to Walnut street.

And your petitioners will ever pray, etc.

WM. I. GARSHWILER,  
LEVI SOHL,  
HARRY TAYLOR,  
And 20 others.

Which was received.

Also, the following motion :

*Moved*—That the Common Council propose to appropriate the real estate necessary for opening an alley through block 8, Blake's addition, between Mississippi and Tennessee streets; that the matter be referred to the City Commissioners for assessment of benefits and damages, and the City Clerk is hereby directed to issue the necessary notice to the City Commissioner and property owners as is required by the city charter.

Which was adopted.

Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, July 14, 1873.

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

*Gentlemen*—The undersigned would respectfully state that she is the owner of a part of the north-half of the east-half of the west-half of the north-west quarter of section thirty-six (36), township sixteen (16), north of range three (3) east, Marion county, Indiana; and she would further state that the part so owned by her is not within the limits of the City of Indianapolis. She would further state that she has heard that you have initiated proceedings to open a street, (running east and west,) through her said land, and have appointed a committee to assess the damages and benefits to said land. The undersigned would further state that she is advised you have *no jurisdiction* or right to open a street through said land, and she shall, in all legal ways, resist the opening of a street through said lands.

Respectfully Submitted,

ELIZABETH TALBOTT.

By J. M. TALBOTT, Agent.

Which was referred to the City Attorney and City Assessor.

General Ordinance No. 31, 1873, entitled :

An Ordinance relative to the allowance and payment of Claims.

Was read the second time and ordered engrossed, and read the third time and passed by the following vote :

Affirmative—Councilmen Adams, Anderson, Bigham, Craft, Darnell, Gibson, Gimber, Kennington, McLaughlin, Peck, Pendleton, Pressly, Reagan, Sherwood, Stratford, Thalman, Twiname, Ward and Woodburn—19.

Negative—None.

On motion, the Council adjourned.

JAMES L. MITCHELL,  
MAYOR.

ATTEST :

JOHN R CLINTON,  
*City Clerk.*