

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
WEDNESDAY, JUNE 23, 1869, 7½ O'CLOCK, P. M. }

The Common Council met pursuant to adjournment.

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

Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn,
Kennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman,
Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

The proceedings of the regular session held June 7th, 1869, were
read and approved.

Business was resumed in the order in which it was left off at last
meeting, viz :

CALL OF THE ROLL.

Mr. Harrison offered the following motion :

That the Market Master be instructed to move the gates on the north side
of the West Market and place them between the pillars, and board up the
lower part of the stalls; that he shall use such lumber as is suitable, and sell
the remainder. The butcher stalls in said Market shall not rent for less than
three dollars, and the garden stalls not less than two dollars per year.

That the Street Commissioner be, and is hereby, instructed to fill with
gravel the approaches to the foot bridges on Ash street at its intersection
with Cherry street.

That the Street Commissioner be, and is hereby, instructed to place foot bridges on the west sidewalks of Ash street at its crossings with Vine street.

That the Street Commissioner be, and is hereby, instructed to repair the gutter at the intersection of Noble street and Massachusetts Avenue.

Which were adopted.

Mr. Kennington offered the following resolution :

Resolved, That the owner of the following described real estate, to-wit: Lot No. 3, of McKernan & Pierce's subdivision of out-lot No. 28, in the City of Indianapolis, Indiana, be, and they are hereby, required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon, in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance; provided the cost thereof shall not exceed ten per cent. of the value of the aforesaid real estate as assessed upon the tax duplicate for city purposes.

The question being on the passage of the resolution,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

No Councilman voting in the negative.

So the resolution passed.

Mr. Kahn offered the following motion :

That the Street Commissioner be instructed to repair gutters on the corner of Michigan and Alabama streets, the cost not to exceed fifteen dollars.

Which was adopted.

Mr. Kahn presented the following petition :

INDIANAPOLIS, June 21, 1869.

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

I, the undersigned, would petition your honorable body, the Council, to make me an allowance for damages done my dray and horse in the sum of fifteen dollars (\$15). Said damage was done on the crossing of Illinois and Maryland streets, on the west side of Illinois street, by a defective plank in the culvert. The plank broke, which caused my dray to fall through and break the same, throwing my horse at the same time and injuring him. The Street Commissioner was there at the time; he stated that the culvert had

been repaired a few days before, temporarily, until they could get another put in. Accident happened June 17, 1869.

GEO. CIMMERMAN.

Which was referred to the Street Commlssioner and Councilman Wiles.

Mr. Kahn presented the following communication :

INDIANAPOLIS, June 21, 1869.

DEAR SIR:—I have just called at your office to see about the cleaning of the gutters on North Delaware street. If you can possibly send us a squad and open the gutter south of me it will do, although I would like to have all the line from Market street north done. The worst point of obstruction is on the east side of Delaware street opposite Mr. Wilkison's lot, just north of the Market Square. Two hours work just there would be a great relief.

Please come and look at it, and oblige your old friend,

JOHN COBURN.

A. BRUNER, Esq.

Which was referred to the Committee on Streets and Alleys and Street Commissioner.

Mr. Locke introduced general ordinance No. 26—1869, entitled :

AN ORDINANCE prescribing rules and regulations for the government of the Council, its officers, and officers connected with the city government.

Which was read the first time.

Mr. Marsee offered the following motions :

That the City Clerk advertise for proposals to furnish 1,000 yards of good river or creek gravel, to be delivered on any street that the Street Commissioner may direct.

That the Street Commissioner be directed to fill the holes in the first alley south of Pogue Run, between East and New Jersey streets.

Which were adopted.

Mr. Newman offered the following motion :

That the Marshal be directed to purchase an appropriate kettle for the use of the City Scavenger, at a cost not to exceed forty dollars, provided that the present incumbent first files an acceptable bond with the City Council for the faithful performance of his duty.

The question being on the passage of the motion, Mr. Brown called for the ayes and noes.

Those who voted in the affirmative were Councilmen Gimber, Harrison, Heckman, Kahn, Newman, Pyle, Thalman, Weaver, Wiles and Woodburn—10.

Those who voted in the negative were Councilmen Brown, Cottrell, Kennington, Locke, Marsee, Thoms and Whitsit—7.

So the motion was adopted.

Mr. Brown filed the following protest :

INDIANAPOLIS, June 23, 1869.

Mr. Brown filed his protest against the action just taken, as follows :

I protest against the adoption of the above motion because it is in violation of section 6 of an ordinance "prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the city government," passed July 8, 1867, which reads as follows: "The allowance of any claim, account, or advance payment upon motion or resolution, is hereby expressly prohibited," * * * "and no such officer shall anticipate any such appropriation by contract any debt."

AUSTIN H. BROWN.

Mr. Newman offered the following resolution :

WHEREAS, The Holly Manufacturing Co. are erecting Water Works on their plan for the City of Peoria, Illinois, which it is said will be completed in this month, if not already done, and the works may be expected to be tested to demonstrate their power and ability to furnish a sufficiency of water for ordinary use in the city, and to extinguish fires in a most efficient and expeditious manner: Therefore,

Be it resolved, That a committee composed of His Honor, the Mayor, and five members of the Common Council of the City of Indianapolis, to be appointed by him, be authorized to correspond with the Mayor of the City of Peoria, and ascertain when any such test or tests shall be arranged to be made, and in their discretion to visit said city of Peoria and witness any such tests and examine the Water Works, and report to the Council such facts as they may deem proper, and if in the judgment of the Committee it would be wise to adopt the same or a similar kind of Water Works for this city, then what the nearest approximation to the cost of such Water Works would be for this city.

The question being on the adoption of the resolution,

Those who voted in the affirmative were Councilmen Brown, Gimber, Harrison, Heckman, Kahn, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Thoms, Weaver, Wiles and Woodburn—14.

Those who voted in the negative were Councilmen Cottrell, Kensington and Whitsit—3.

So the resolution was adopted.

His Honor, the Mayor, appointed as such Committee Councilmen Newman, Marsee, Brown, Heckman and Woodburn.

Mr. Thalman presented the following petition :

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—I respectfully petition your honorable body to be allowed the privilege of testing the mathematical instruments I manufacture from the center of the Circle Park, it being the most eligible point in the city from which a correct view can be taken of the four points, North, South, East and West. If my prayer is granted, I assure you not the least damage will be done to the grass, shrubbery or fence.

E. F. STEFFENS.

Which was referred to the Committee on Revision of Ordinances.

Mr. Thoms offered the following motions :

That the Civil Engineer be directed to set the grade stakes preparatory to the paving of the north sidewalk on Washington street, between Delaware and Alabama streets, the County Commissioners having entered into a contract with Mr. Joseph Kruger for the paving of said sidewalk.

That the City Attorney be authorized to deliver to the City Printer, from time to time, the copy of the Revised Ordinances which he prepares, under the orders of the Council heretofore made.

That the Street Commissioner be directed to clean the gutters on Market street between Noble and Winston streets.

Which were adopted.

Mr. Wiles presented the following communication :

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—I would respectfully call your attention to chapter 10, page 20, Acts of Special session of the General Assembly, 1861; also, Acts same session, page 71, section 94: and further ask, that your honorable body take vigorous steps to secure from the State arms sufficient for our city battalion. Commanding officers of companies will readily furnish sufficient bonds to indemnify the city against loss.

With considerations of respect,

I have the honor to be, gentlemen,

JOHN L. HANNA,
Captain commanding Co. A, 2d Ind'plis Nat. Guards.

Which was referred to the Committee on Revision of Ordinances and City Attorney, with instructions to report an ordinance.

Mr. Wiles offered the following motion :

That City Marshal be directed to institute actions against persons digging into bowldered streets, and for removing buildings.

Which was adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—We, the undersigned, property owners in out-lot No. 39, respectfully petition your honorable body to grant them the privilege of gardens and graveling the first ninety feet south from St. Clair, of the alley running north and south, between New Jersey and Alabama streets, parallel with said street, at their own expense, and to the satisfaction of the Civil Engineer; and, as in duty bound, your petitioners will ever pray, &c.

JAMES LOUCKS,
GEORGE BROWN.

Which was granted.

Mr. Whitsit offered the following motions :

That J. Davis be allowed to grade and pave the sidewalk in front of his lot, No. 132, in out-lot 96, at his own expense, and that the engineer be directed to set the grade stakes for the same.

That Messrs. Stone, Witt, Hoyt and Fletcher, be allowed to grade and gravel the sidewalk in front of lots 456 and 457, in out-lot 97, the work to be done under the supervision of the Civil Engineer.

Which were adopted.

Dr. Woodburn offered the following motions :

That the City Commissioners, in opening streets and alleys, be required to report their action in the matter of opening Georgia street, between Pennsylvania street and Virginia street, to the next meeting of the Council.

That the Street Commissioner be directed to cut the first joint of the tubing of the artesian well, so as to not leave any obstruction in the street.

Which were adopted.

By consent, Mr. Wiles presented the following reports :

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—I have examined the claim of Dr. E. Howard, and am of opinion that he does not present a valid demand against the city.

Respectfully, B. K. ELLIOTT, *City Attorney.*

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—The Committee on Gas Light, to whom, in connection with the City Attorney, was referred the claim of Dr. E. Howard, for payment for a lamp-post which has been discontinued for the public use by the former Council, would report :

That we find that Dr. Howard had sold the real estate in front of which said post is located; and having stated this fact to your legal adviser, that gentleman furnished us with his written opinion upon the matter in reference, which document we have the honor herewith to transmit.

W. D. WILES,
ROBT. KENNINGTON, } Committee.
LEON KAHN,

Which were concurred in.

Dr. Woodburn offered the following motion :

That John Gahm and S. J. Affentranger be allowed to grade and pave the sidewalk in front of their property on Indiana Avenue, between Missouri and West streets, the sidewalk to be paved with brick, 9 feet wide, and the work to be done according to the specification of the Civil Engineer. The same to be completed by the 15th of August next.

Which was adopted.

Dr. Woodburn introduced special appropriation ordinance No. 23—1869, entitled :

AN ORDINANCE appropriating money for the payment of sundry claims against the City of Indianapolis.

Which was read the first time.

Mr. Heckman presented the following petition :

INDIANAPOLIS, June 21, 1869.

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

We, the undersigned property holders on East Washington street, petition your honorable body for a cistern at the forks of the Michigan and National Roads, which we deem is highly necessary.

John R. Heim,

Fred. Hergt,

Heyden S. Bigham,

Henry W. Brandt,

Mary J. Vance,

And 14 others.

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

Mr. Heckman offered the following motion :

That the Street Commissioner be directed to fill up the gutter with Rolling Mill cinders on East Washington and Noble streets; also, to repair the gutter on Cady and Meek streets; also, the gutter on Benton and Meek streets with Rolling Mill cinders.

Which was adopted.

Also, the following motion :

That the Street Commissioner be directed to build two wooden culverts on the crossing of East Washington street and Michigan Road. Also, to raise the bridge on East Washington and Cady streets.

Which was referred to the Committee on Bridges.

Dr. Woodburn moved that the Council proceed to the election of Trustees for the City Hospital.

Which was adopted.

Five of said Trustees holding over, it became necessary to elect five from the following Wards, viz :

From the Fourth Ward, Fifth Ward, Seventh Ward, Eighth Ward, and Ninth Ward:

Samuel E. Perkins was nominated from the 4th Ward.

L. H. Jameson “ “ “ 5th Ward.

Charles Glazier “ “ “ 7th Ward.

S. A. Fletcher, jr., “ “ “ 8th Ward.

John R. Gaston “ “ “ 9th Ward.

His Honor, the Mayor, appointed Councilmen Cottrell and Marsee as tellers.

Whole number of votes cast 18. Necessary to a choice 10.

S. E. Perkins received.....	18	votes.
L. H. Jameson received.....	18	“
✓ Charles Glazier received.....	13	“
✓ S. A. Fletcher received.....	18	“
✓ John R. Gaston received.....	17	“

The above named gentlemen having received a majority of all the votes cast, were declared duly elected for the term of one year and until their successors are elected and qualified.

His Honor, the Mayor, offered the following motion :

That the Committee on Public Buildings report upon the re-arrangement of the city offices, so that the Council Chamber may be used as a City Court room, if possible, the one now in use being unfit for the purpose in many particulars.

Which was referred to the Committee on Public Buildings.

His Honor, the Mayor, presented the following invitation :

INDIANAPOLIS, June 23, 1869.

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

You are hereby most cordially invited to attend a celebration of our National Holliday, 4th of July, arranged by the German Associations of this city.

The programme of the ceremonies will be published in the daily papers in due time.

Very respectfully,

GEO. F. MEYER, }
F. GEARING, } Ex. Committee.
O. BETTICHER, }

Mr. Thoms moved to lay the invitation on the table.

Which was lost by the following vote :

Affirmative—Councilman Thoms —1.

Negative—Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Hennington, Locke, Marsee, Newman, Pyle, Shepherd, Thalman, Weaver, Whitsit, Wiles and Woodburn—17.

The invitation was then accepted.

Sealed proposals for public work were referred to the Committee on Streets and Alleys without reading.

REPORTS FROM COMMITTEES.

Mr. Harrison, from the Committee on Revision of Ordinances, made the following report :

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—The Committee on Revision of Ordinances, to whom the report of the Committee on Railroads, in reference to the petition of the Pittsburgh, Cincinnati & St. Louis Railway Co. (formerly the Indiana Central Railway Co.), for permission to remove their tracks crossing Virginia Avenue, and also to construct additional tracks across said Avenue further north and on their own grounds, so as to accommodate their new depot, now in course of erection, was referred with instructions to report an ordinance, do herewith report an ordinance granting the prayer of the petitioners, with such conditions as in our opinion will best protect the interests of the city.

T. C. HARRISON, }
ERIE LOCK, } Committee.
T. COTTRELL, }

Which was concurred in.

Also, general ordinance No. 27—1869, entitled :

AN ORDINANCE granting the Pittsburgh, Cincinnati and St. Louis Railway Company permission to remove their tracks, which cross Virginia Avenue, and to construct new tracks across said Avenue further north, adjoining said Company's own grounds near the intersection of Virginia Avenue and Pennsylvania street, and also to construct additional tracks on their said grounds.

Which was read the first time.

Mr. Locke, from the Committee on Bridges, made the following report :

INDIANAPOLIS, June 23, 1869.

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

The Committee to whom was referred the petition of C. E. Geisendorff and others, asking that a stone arched bridge be built over the arm of the canal on the National Road, would recommend the granting the prayer of the petitioners, and the adoption of the following motion :

That the Civil Engineer prepare plans and specifications for a bridge across the waste-way of the canal, at the crossing of the National Road, and that the City Clerk advertise for proposals to build the same in accordance with the plans and specifications of the Civil Engineer.

ERIE LOCKE, }
JOHN MARSEE, } Committee.
HENRY GIMBER, }

Which was concurred in, and the motion adopted.

Also, the following report :

INDIANAPOLIS, June 23, 1869.

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

The Committee on Bridges, to whom was referred the motion of Councilman Whitsit, asking for the construction of a stone-walled culvert, commencing at the south side of South street to the west side of East street, have

carefully examined the location named, and believe a culvert should be built. We would, therefore, submit the following motion:

That the Civil Engineer prepare plans and specifications for a stone-walled culvert, beginning at the south side of South street and running to the east side of East street; and that the City Clerk advertise for proposals to build the same, in conformity with the plans and specifications of the Civil Engineer.

FRIE LOCKE, }
J. L. MARSEE, } Committee.
H. GIMBER, }

Which was concurred in, and the motion adopted.

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

INDIANAPOLIS, June 21, 1869.

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

GENTLEMEN:—The Committee on Fire Department, to whom was referred the report of the Chief Fire Engineer in regard to cisterns, would recommend that the request made by him be concurred in, and that cisterns be built, at the places hereinafter named, of 500 or less, at the discretion of the Chief Fire Engineer, barrels each at the corner of Broadway and Cherry st., at the corner of Fort Wayne Avenue and Delaware street, at the corner of Meridian and Vermont streets, at the corner of Pennsylvania and St. Joseph streets, at the corner of Illinois and Ohio streets, at the corner of New York and Douglass streets, at the corner of North and Blake streets, at the corner of Helen and Georgia streets, at the corner of McCarty and Maple streets, at the corner of Tennessee and Washington streets, at the corner of Illinois Maryland streets, at the corner of South street and Madison Avenue, at the corner of Wyoming and High streets, at the corner of South and Noble sts., and at the corner of Virginia Avenue and Grove street.

We would also report in favor of instructing the Clerk to advertise for proposals for building the cisterns at the points named; and also state in the advertisement inviting proposals that 15 cents on the dollar will be held back to any party to whom any contract may be awarded, to secure the city against loss should any cistern, at the end of six months, be found to be imperfect and not hold water. Respectfully submitted,

JOHN MARSEE, }
AUSTIN H. BROWN, } Committee.
ISAAC THALMAN, }

Which was laid over.

Mr. Marsee, from the Committee on Sewers, made the following report:

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—The Committee on Sewerage and Water-works, to whom was referred the petition of Peter Routier and others, for the construction of a tile drain from Virginia River, on Virginia Avenue, respectfully submit the following report:

We deem it unnecessary to dwell on the utility or importance of a system of thorough drainage for our streets and alleys. Every one will certainly admit the necessity for some such system to preserve the public health and cleanliness in crowded cities. The only question, therefore, seems to us to be

do we now need such a system? Have we the means to undertake it? If so, shall we adopt a general plan, to be inflexibly followed in the future, or build sewers simply, as demanded, without regarding their relations each to the other.

Your Committee would answer the foregoing questions by first saying that sewers are now badly needed in several sections of the city, particularly along Illinois street; along Virginia Avenue and in Fletcher's addition; in the lake McCarty section and in the north-eastern part of the city. Other parts of the city may want them, but no districts so extensive have such pressing demands as the first mentioned. The need is unequal even in them. Propositions have, at various times, been introduced in this body, directing the construction of sewers in each of the sections above mentioned, but with the exception of one partially draining the Lake McCarty region, none have yet been authorized. It is now evident, however, that the construction of underground sewers, more or less extensive in each of them, cannot long be deferred.

The objection, hitherto, to the adoption of a sewerage system, or the building even of single drains, have been the great expense attending such improvements, the unfavorable condition of the city finances, and the want of some agreement as to the proportion of cost to be defrayed by the city and by the property holders; these objections are gradually losing their force with the decrease of the city debt, the increase of its population and wealth, and the demand for clean streets. The question also can readily be settled as to whether the entire cost is to be defrayed by the city, or by the city and the adjoining property holders in common. We also have now a partial fund of about \$15,000 on which to begin operations. It seems, therefore, that the time has arrived for the serious consideration of the whole subject, and for taking the preliminary steps to secure perfect sewerage. In works of this character and extent, however, the future should bear a portion of the burden, and if undertaken it would, perhaps, be well to effect a loan for the purpose.

If, then, the present necessity for sewerage and the possession of the resources to build them be admitted, the remaining question is to be considered, shall we have a general system, to be followed in future, or build them singly and without a plan? The only answer would seem to be the adoption of a general plan. But this plan has already been anticipated in the Lake McCarty sewer, and unless one be soon adopted, it will probably have to be anticipated in the Virginia Avenue sewer. A general plan or system should therefore be decided on before other sewers are ordered.

With regard to the Virginia Avenue sewer, it is fortunate that it may be built without much injury to the general plan, and as the city is in some measure bound to take immediate steps in the matter, under the compromise made in the last suits for damages, it may be well to consider the question with reference to this special work; and a drainage of this part of the city, a portion of which is alluded to in the petition referred to us for consideration. The so-called Virginia River rises in a wet tract south-east of the Deaf and Dumb Asylum, and after a winding course of about two miles, through Fletcher's pasture and Fletcher's and Stevens' addition, passing down East street and Virginia Avenue to Pogue Run. In former days when entirely unobstructed it was, after heavy rains, a swiftly flowing stream, from 15 to 100 feet wide, and deep enough, in places, to swim a horse. It drains a territory half as large as the city plat, and now, when obstructed by street grades and culverts, forms many deep ponds along its course, but its channel is deep and rapid, carrying a formidable body of water after long continued heavy rains. It has already cost the city many thousands of dollars in culverts and embankments, and there have also been large sums claimed as damages from its overflow. By compromise of these claims the city has agreed to provide relief for the property holders along its course before the next fall rains. It is evident that as the city increases in this direction, with the increase of graded streets and roofs, a greater quantity of water than now will be suddenly thrown into it, and that greater provision should be

made for future floods than now exists. With the present obstructed channel the city is liable at any time to incur responsibilities in a heavy amount for damages to property from its overflow, and while it would be best to perfect a general system, still, in view of present danger, and the promise given the compromise heretofore mentioned, we would recommend immediate action in the premises, and the construction of sewer on the Avenue. We do not forget the claims of other sections in this recommendation, but have been governed entirely by the exigencies of the case. By building it at once we do all that can be done to satisfy the property holders, and are at once relieved from all question of future damages. If delayed it may result in loss greater than the cost of the sewer. It should also be done before the Avenue is bowldered, so that we may avoid tearing up the street when completed.

Holding these views, and as the work, if authorized, will meet the views of the petitioners, we report back the petition with the recommendation that it lie on the table. We also report the accompanying resolutions, with the recommendation that they be adopted by the Council:

Resolved, That the City Engineer be instructed to make the necessary surveys, plans and specifications, and advertise for proposals for building a brick sewer of sufficient size and capacity to effectually drain all the water of Virginia river, said sewer to run from the corner of Pine and Elm sts, through Virginia Avenue to Pogue's Run, and that he submit said plans, specifications and proposals for the approval of the Council.

Resolved, That the Committee on Sewerage and Water Works be authorized to employ a competent engineer in the matter of sewerage, to make a survey and establish a general system of sewerage for the City of Indianapolis, said appointment to be reported, and said plan or system, when complete, to be submitted for the approval of the Council.

Respectfully submitted,

JOHN L. MARSEE,	} Committee.
ERIE LOCKE,	
C. C. WHITSET,	

Which was received, and made the special order for the next regular meeting.

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

INDIANAPOLIS, June 23, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys report that they have examined several proposals for the improvement of streets, and find the following to be the lowest bidders, and recommend that contracts be awarded, as follows:

1st. For grading and graveling Alabama street and sidewalks, between St. Joseph and St. Mary streets, to James Mahoney, at 1.99 cents per lineal foot front on each side of the line improved.

2d. For grading, curbing and bowldering the Alley from Massachusetts Avenue to New street, through square 37, to Andrew Douglass, at 18 cents per cubic yard for grading, and 58 cents per lineal foot for curbing and bowldering on each side of the line improved.

3d. A motion was referred to your Committee to consider and report upon the feasibility of more permanently constructing such street culverts as may hereafter be considered necessary. We would report in favor of building the side walls with stone and mortar in all cases, and we have also adopted a plan covering such culverts with plank in a manner that will prevent the necessity, in the future, of taking up the whole covering when they need cleaning, which could be better explained to the Council by submitting

to you a small model of the covering, and the way it should be made, which will cost but a small sum, and which can be kept in the Engineer's office.

4th. We would also report against the grading and bowldering of Alabama street, between Washington street and Pogue's Run, as the persons remonstrating say they are not able to pay for the same, but agree that the street should be graded and graveled with screened river gravel, and in view of such fact, would report in favor of the repeal of the ordinance to grade and bowlder, and the passage of the ordinance to grade and gravel with screened river gravel.

5th. A remonstrance was referred to your Committee from James Blake against the improvement of Walnut street, the parties having agreed to do the work themselves, and we would recommend that they have permission to do so, and that the Civil Engineer be directed to set the grade stakes.

ISAAC THALMAN, }
JOHN MARSEE, } Committee.
C. HECKMAN, }

Which was concurred in, and the contracts awarded.

Also, the following report:

INDIANAPOLIS, June 21, 1869.

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

GENTLEMEN:—The Committee on Streets and Alleys recommend that the City Clerk re advertise for proposals for grading and graveled Vine street, between Ash and Jackson streets, as James Stewart the present contractor has failed to fill his contract.

ISAAC THALMAN, }
JOHN L. MARSEE, } Committee.
C. HECKMAN, }

Which was concurred in.

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

INDIANAPOLIS, June 21, 1869.

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

GENTLEMEN:—Your Committee on Railroads, to whom was referred the pending ordinance for preventing the ringing of locomotive bells inside the Union Depot, report that after full consultation with those most interested, we are of the opinion such an ordinance is unnecessary. We therefore recommend that the aforesaid ordinance be passed ~~on the first~~.

Respectfully,

W. D. WILES, }
FREDERICK THOMS, } Committee.
JAS. McB. SHEPHERD, }

Which was concurred in.

Also, the following report:

INDIANAPOLIS, June 21, 1869.

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

GENTLEMEN:—Your Committee on Railroads, to whom was referred the matter of the contemplated repairing of Louisiana street, between Meridian and Illinois streets, beg leave to report that the adjoining property holders with

whom we conversed disclaim any liability for any improvements on said street, and claim that the Union Depot Company is alone liable for all improvements on said street. The Union Depot Company, in like manner, disclaim any liability for any improvements on said street; but in this case they are willing to repair said street with bowlders, providing they are allowed the control of the stone crossings, which having been laid higher than the bowlder surface of the street, have been in their opinion the principal cause of the present damaged condition of said street.

We therefore recommend that the Street Commissioner be instructed to request said Union Depot Company to repair with bowlders said street, and that the Council grant permission to said Union Depot Company to lower or take up said stone crossings, so as to conform to the surface grade for the protection of said street.

Respectfully,

WILLIAM D. WILES,
FREDERICK THOMS,
JAS. McB. SHEPHERD, } Committee.

In reference to which, Mr. Brown offered the following motion :

That the report be referred to the City Attorney, with instructions to report his opinion—

1st. As to the liability of the Union Railway Company to improve such street.

2d. As to whether the Council has the right to order the crossings to be taken up, after having granted permission to put them down.

The question being on the passage of the motion,

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Heckman, Kennington, Locke, Marsee, Shepherd, Pyle and Thalman—10.

Those who voted in the negative were Councilmen Harrison, Kahn, Newman, Thoms, Weaver, Wiles and Woodburn—7.

So the motion was adopted.

On motion the Council adjourned.


~~DANIEL MACAULEY~~, Mayor.

ATTEST:


~~D. M. RANSELL~~, City Clerk.