

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, FEBRUARY 21, 1870, 7 O'CLOCK P. M. }

The Common Council met in regular session.

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

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

Absent—Councilman Shepherd—1.

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

ORDINANCES ON SECOND READING.

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

Special ordinance No. 15, 1870.

Special ordinance No. 16, 1870.

Special ordinance No. 17, 1870.

Special ordinance No. 18, 1870.

General ordinance No. 9, 1870.

ORDINANCES ON THIRD READING.

General ordinance No. 9, 1870, entitled :

SR AN ORDINANCE to amend an ordinance entitled, "An ordinance authorizing the construction, extension and operation of certain passenger railways in and upon the streets of the city of Indianapolis," ordained and established the 18th day of January, 1864.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass ?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

No Councilman voting in the negative.

So the ordinance passed.

Special ordinance No. 15, 1870, entitled :

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on New Jersey street, between Merrill and Bicking streets.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass ?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

Special ordinance No. 16, 1870, entitled:

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on East street, from South to Dougherty street.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

Special ordinance No. 17, 1870, entitled:

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on Tennessee street, from Pogues run to Ray street.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

Special ordinance No. 18, 1870, entitled:

AN ORDINANCE to provide for the erection of lamp posts, lamps and fixtures complete to burn gas, except the service pipe, on West street, between Indiana avenue and St. Clair street.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

Special appropriation ordinance No. 7, 1870, entitled.

B. AN ORDINANCE appropriating money for the repair of bridges, and for miscellaneous purposes.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

General ordinance No. 1, 1870, entitled:

J. AN ORDINANCE providing for the appraisement of real estate in the city of Indianapolis, for the purpose of taxation, for the year 1870.

Was read the third time and placed upon its passage.

The question being, shall the ordinance pass?

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kahn, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—none.

So the ordinance passed.

General ordinance No. 6, 1870, entitled :

AN ORDINANCE to amend an ordinance entitled, "An ordinance to prohibit any person or persons from soliciting passengers or baggage on any street in the vicinity of the Union Depot, except McNabb street," passed Nov. 29, 1869.

Was called up, and Mr. Brown moved to refer to Committee on Revision of Ordinances, with instructions to report an ordinance repealing all ordinances in regard to runners, etc.

Which motion was adopted.

UNFINISHED BUSINESS.

Mr. Kahn, from select committee, made the following report :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—Your committee, appointed in reference to the claim of Messrs. Patterson & Dunning for extra work done on Illinois street, beg leave to report that they, together with Civil Engineer and Street Commissioner, had the matter under consideration, and find that the Civil Engineer failed to make out estimates for this claimed extra work. We would therefore recommend that the bill be returned back to Messrs. Patterson & Dunning, and the Civil Engineer instructed to make out the necessary additional estimates.

Respectfully submitted,

LEON KAHN,	} Committee.
C. E. WHITSIT,	
JOHN PYLE,	

Which was concurred in.

Mr. Weaver, from the Committee on Public Buildings, made the following majority report :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The Committee on Public Buildings, would report to your honorable body that Messrs. Enos & Huebner have changed their plans and specifications for the Station House proposed to be erected by the city, the

same not to exceed in cost \$8,000, and we respectfully recommend that the Council adopt the same.

Respectfully submitted,

WILLIAM W. WEAVER, } Committee.
JOHN PYLE,

Mr. Gimber, from same Committee, made the following minority report :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The undersigned begs leave to dissent from the report of the majority of the Committee on Public Buildings, believing that the plans of Daggett & Roth are equally as good as those of Enos & Heubner, and that the building under the plans and specifications of the first named architects, will cost no more than under the last named. He believes the Council should examine both plans, and judge which is best.

Respectfully submitted,

HENRY GIMBER.

On motion, both reports were received.

Dr. Woodburn presented the following communication :

INDIANAPOLIS, Feb. 21, 1870.

To the Chairman and Members of the Committee on Public Buildings :

GENTLEMEN:—We will guarantee that the City Prison, according to our plans, will be built, completed and ready for occupancy, for eight thousand dollars—no extra charge.

Respectfully submitted.

ENOS & HUEBNER.

Which was received.

Mr. Wiles moved that the majority report be concurred in, and the plans and estimates presented by Enos & Huebner be adopted.

The question being on the adoption of Mr. Wiles' motion.

The ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Brown, Harrison, Kahn, Locke, Newman, Pyle, Thalman, Thoms, Weaver, Wiles and Woodburn—11.

Those who voted in the negative were Councilmen Cottrell, Gimber, Heckman, Kennington, Marsee and Whitsit—6.

So Mr. Wiles' motion was adopted, and, on motion, the City Clerk was instructed to advertise for sealed proposals for said work, in accordance with said plans and specifications of Messrs. Enos and Huebner.

His Honor, the Mayor, made the following report :

INDIANAPOLIS, Feb. 21, 1870.

To the Common Council of the City of Indianapolis :

GENTLEMEN:—In accordance with a resolution of your honorable body, I have the honor to report herewith a lease, prepared and executed by the City Attorney and Mayor, for the renting of Cottrell & Knight's building for city purposes.

Respectfully submitted,

DANIEL MACAULEY, Mayor.

Which was received.

Also the following article of agreement, lease and plan :

This agreement, made and entered into between Thomas Cottrell and John Knight of the first part, and the City of Indianapolis of the second part, witnesseth :

That in consideration of the promises of the party of the second part, hereinafter set forth, the parties of the first part have leased, and by these presents do hereby lease and demise unto the party of the second part the following real estate, situate in the city of Indianapolis, county of Marion, and State of Indiana, described as follows, to-wit :

All that part of the building situate on lot number three (3), square number sixty-two (62) of said city, which is above the first story thereof, being all the upper stories of the said building, together with the right to use and enjoy all stairways, as also all other appurtenances to said building belonging.

The said parties of the first part undertake and agree to finish said premises, and to put them in complete order for occupancy, on or before the 15th day of April, 1870, and to properly divide, by suitable partitions, the upper room into two rooms, according to the directions of the party of the second part.

The parties of the first part shall give the party of the second part ten days' notice of the completion of said demised premises, and of their being in readiness and condition for occupancy, and the tenancy hereby created shall commence upon the expiration of said ten days notice, provided the said premises are ready for occupancy, as herein provided.

The said tenancy shall commence as aforesaid, and continue for the term of one year thereafter; provided, that should the party of the second part so elect, the said demised premises may be retained for the further term of ten

years, upon the same terms and conditions as herein contained; *and provided*, that the party of the second part may, at any time during such period, terminate this lease, by giving the party of the first part one year's notice, and after the expiration of one year from the receipt of such notice, the party of the second part shall be absolved and released from any and all liability to pay rent to the said parties of the first part, and the said tenancy be fully terminated and ended.

Should the said building be destroyed, or be so injured as to render it unsafe or unsuitable for occupancy, this lease shall thereupon terminate, and the liability of the party of the second part to pay rent shall thereupon cease.

The said demised premises to be used for the purposes of city offices, Council chamber, court room, and for other similar municipal purposes.

The said party of the second part agrees to yield and pay rent, during the continuance of this lease, to the parties of the first part, at the rate of two thousand dollars per annum, payable quarterly, and without relief from valuation or appraisement laws.

The said party of the second part agrees to take good and proper care of said demised premises, and to use all reasonable and necessary care to prevent injury thereto by fire or otherwise, and upon the expiration of this tenancy, deliver up said premises to the said parties of the first part, in as good condition as the same are when the lessee enters into possession—usual wear and tear, injury by the act of God, and accident by fire, excepted.

The said party of the second part shall not assign this lease, nor any part thereof, nor sublet said premises or any part thereof, without the consent of the parties of the first part first had and obtained.

A failure to perform any of the promises or stipulations of this lease shall forfeit the same, at the option of the parties of the first part.

IN WITNESS, the said Thomas Cottrell and John Knight, and the said City of Indianapolis, by Daniel Macauley, Mayor, have hereto set their hands and seals, this 19th day of February, 1870.

THOMAS COTTRELL, [SEAL].

JOHN KNIGHT, [SEAL].

THE CITY OF INDIANAPOLIS, [SEAL].
By DANIEL MACAULEY, Mayor.

STATE OF INDIANA, }
MARION COUNTY, } ss.

Before me, the undersigned, a notary public within and for said county, came Thomas Cottrell and John Knight, and the City of Indianapolis by Daniel Macauley, Mayor, and acknowledged the execution of the foregoing lease.

Witness my hand and notarial seal, this 19th day of February, 1870.

JOHN W. COONS, Notary Public. [SEAL.]

Which was accepted and plan adopted.

*See page 1050 for
amendment to above
resolution—*

Sealed proposals were opened and read, and referred to their appropriate committees.

Mr. Brown offered the following motion :

That the bids for building bridges be referred to the Committee on Bridges, with instructions to advertise for one week for proposals for building the bridge over Pogues run, on Tennessee street, of iron, and that no award of contract be made for said bridge, until such last named proposals are received and examined.

Which was adopted.

Mr. Cottrell offered the following resolution :

Resolved, That it is hereby declared to be the true intent and meaning of a resolution adopted at the meeting of the Common Council on the 7th of January, 1870, that the affidavit of surety required must be presented by any contractor at the time his contract and bond is submitted to the Council for approval.

The question being on the passage of the resolution.

Those who voted in the affirmative were Councilmen Brown, Cottrell, Gimber, Harrison, Heckman, Kennington, Locke, Marsee, Newman, Pyle, Thalman, Thoms, Weaver, Whitsit and Woodburn—15.

No Councilman voting in the negative.

So the resolution was adopted.

CALL OF THE ROLL.

Mr. Brown offered the following motions :

That the City Marshal be instructed to notify the owners of the refreshment stands on the west side of Meridian street, south of Washington street, and on the west side of Pennsylvania street, south of Washington street, to remove the same at once, and in case of refusal, the Marshal is instructed to file complaint against them for obstructing sidewalks.

That H. Reese be allowed the privilege of shooting pigeons from his and the adjoining buildings, provided he does the same between 5 o'clock A. M., and 8 o'clock A. M.

That V. Meier & Brother be allowed the privilege of placing a four inch pipe or box under the sidewalk fronting their property on West Washington street, for the purpose of carrying off the waste water from their ale bottling establishment to the gutter.

That license be granted, for three months, to Isadore Grauman, to carry on business as auctioneer in this city, he paying the requisite charges.

Which were adopted.

Mr. Brown introduced Special ordinance No. 19, 1870, entitled :

AN ORDINANCE to provide for leveling and graveling Alabama street, from Massachusetts to Fort Wayne avenues.

Which was read the first time.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The undersigned respectfully represent that they have formed a military company under the laws of the State of Indiana, and have fully complied therewith.

They respectfully petition your honorable body to issue them arms and equipments, as provided by law, and to inform them as to what bond will be required of them.

Respectfully submitted,

JOHN BYWATER, Captain,
DAN. KEELY, First Lieutenant,
EDWARD BARRY, Second Lieutenant.

Which was referred to the Mayor, with instructions to report proper ordinance, etc.

Mr. Cottrell offered the following motion :

That the Street Commissioner be instructed to place a bridge across the gutter on the east side of Delaware street, on the first alley south of Wyoming street.

Which was adopted.

Mr. Cottrell offered the following motion :

That the City Marshal be instructed to have all obstructions removed from the sidewalk in front of the Central Depot, on Virginia avenue.

Which was referred to the Councilmen from the Seventh Ward and Street Commissioner.

Mr. Cottrell offered the following motions :

That the Street Commissioner be instructed to have the "chuck" holes on Wyoming street, between New Jersey and Delaware, filled up.

That the Street Commissioner be instructed to fill the gutter on Wyoming street, between Alabama and Delaware streets.

Which were adopted.

Mr. Gimber offered the following motion :

That the City Marshal be authorized to employ some competent person to number the houses on Meridian street, between McCarty street and Corporation Line; each number not to exceed twenty-five cents.

Which was adopted.

Mr. Gimber introduced Special ordinance No. 20, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Phipps street, from Meridian street to Madison avenue.

Which was read the first time.

Mr. Gimber offered the following motion :

That a select committee be appointed to inspect the City Cemetery, and especially to inquire whether the City Sexton is taking proper care of said cemetery.

Which was referred to a select committee composed of Messrs. Gimber, Weaver and Brown.

Mr. Harrison presented the following petition :

INDIANAPOLIS, Feb. 21, 1870

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

GENTLEMEN:—The undersigned, residents of the city of Indianapolis, in the vicinity of the street proposed to be laid out, would respectfully represent to your honorable body that there is no cross street or public highway now open between North Illinois street in Drake's addition, and North Meridian street in St. Clair's addition, from Second street in Drake's addition to Seventh or Tinker street, a distance of nearly half a mile; that the Street Railway is constructed along Illinois street, from the Union Depot north to the Crown Hill Cemetery and the State Fair Grounds; that Fifth street in Drake's addition, if extended through to North Meridian street, would constitute the most convenient public highway through that part of St. Clair's addition, which could be made between Second and Seventh streets aforesaid, and would pass through grounds not yet improved, nor would it interfere with any building or other improvement.

They further show, that the convenience of the citizens of that part of the city requires that Fifth street should be opened, from Drake's addition to Meridian street.

The undersigned petition your honorable body to extend Fifth street, from the eastern terminus, which is about one hundred and nine feet east of North Illinois street, eastwardly in the same direction, and of the same width with the other part of Fifth street, to North Meridian street—a distance of a little over four hundred feet. Such extension would pass through the north half of lot twelve in St. Clair's addition to the city of Indianapolis, which belongs to William Henderson, of this city.

Respectfully submitted,

C. F. DARNELL,
LUCIEN BARBOUR,
J. D. CONDIT,
A. M. BENHAM.

Dr. Woodburn presented a similar petition on the same subject.

Both of which were referred to the Committee on Streets and Alleys.

Mr. Harrison presented the following remonstrance :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The undersigned, a lot holder in the northern part of the city of Indianapolis, on Meridian street, in St. Clair's addition to the city, shows to your honorable body that he is informed that there is a petition before your honorable body to lay out a street over and through some part of his lot in St. Clair's addition, from Illinois to Meridian street. He respectfully remonstrates against the proposed street over his lot, for the following reasons:

1. The proposed street will not be in a line with any other street running east and west, or within one hundred feet of any other.

2. Fifth street, in Drake's addition, is now open and used from the Canal, on the west side of Drake's addition, to Illinois street, and across that street east about one hundred and nine feet, nearly one-fifth the distance from Illinois street to Meridian street, which is only from one hundred and fifty to one hundred and eighty feet north of the proposed street over petitioner's land. He further shows that said Fifth street, so extended to Meridian street, will be almost in a direct line with a street east of Meridian, as far as the Millersville Gravel Road.

Respectfully submitted,

J. D. CONDIT, by Winslow.

Which was referred to the Committee on Streets and Alleys.

Mr. Harrison offered the following motion :

That permission be and the same is hereby granted to the property owners interested, to put down a stone crossing on Washington street, between Isaac Davis & Co.'s hat store and the Citizens' National Bank, the same to be done without expense to the city, and under the direction of the City Civil Engineer.

Which was adopted.

Mr. Harrison presented the following petition :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN.—The undersigned respectfully petitions your honorable body to enact an ordinance to grade and gravel Jackson street, from the old Corporation line to Christian avenue.

Respectfully submitted,

WILLIAM A. LOWE.

Which was received.

Mr. Harrison introduced Special ordinance No. 21, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Jackson street and sidewalks, from the old Corporation line to Christian avenue.

Which was read the first time.

Mr. Harrison presented the following petition :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on the first alley east of Pennsylvania street, between St. Clair street and Pratt street, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of said alley.

Respectfully submitted,

DANIEL L. WOOD,
JOHN S. SPANN,
S. F. GRAY,
B. F. CONNER.

Which was received.

Mr. Harrison introduced Special ordinance No. 22, 1870, entitled :

AN ORDINANCE to provide for grading and graveling the first alley east of Pennsylvania street, between St. Clair and Pratt streets.

Which was read the first time.

Mr. Harrison presented the following petition :

INDIANAPOLIS, Feb 21, 1870.

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

GENTLEMEN:—The undersigned respectfully petition your honorable body to enact an ordinance to erect a lamp and fixtures complete to burn gas, on the southwest corner of Pearl street, and the first alley west of Meridian street.

Respectfully submitted,

PATRICK WELSH,
WOOD & MANSUR,
BUDD & HINESLY,
J. SENOUR & CO.,
And 14 others.

Also Special ordinance No. 23, 1870, entitled :

AN ORDINANCE to provide for the erection of a lamp post, lamp and fixtures complete to burn gas, except the service pipe, on the southeast corner of Pearl street, and the first alley west of Meridian street.

Which was read the first time, and, on motion, referred (along with the petition) to the Committee on Gas and City Gas Inspector.

Mr. Harrison introduced General ordinance No. 10, 1870, entitled :

AN ORDINANCE to amend section three of an ordinance entitled, "An ordinance reglating the erection of public lamps, and providing for lighting the streets and alleys of the city of Indianapolis with gas," ordained May 31, 1869.

Which was read the first time.

Mr. Kennington presented the following petition :

INDIANAPOLIS, Feb. 21, 1870]

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

GENTLEMEN:—We the undersigned, respectfully request that your honorable body pass an ordinance for the grading and graveling of Sharpe street and sidewalks with good river gravel.

Respectfully submitted,

EDWIN QUIGG,
S. YANDES,
PATRICK CONLEN,
HERMAN HARTTRODT,
And 3 others.

Which was received.

Mr. Kennington introduced Special ordinance No. 24, 1870, entitled:

AN ORDINANCE to provide for grading and graveling Sharpe street, from Kentucky avenue to West street.

Which was read the first time.

Mr. Marsee offered the following motions:

That the contractors who bid on the Station House be allowed to withdraw their bids.

That the Street Commissioner be directed to enlarge the foot bridge at the mouth of the first alley south of Merrill street and east of Alabama street, and also to clear out said alley, so as to allow a free flow of water along said alley to Alabama street.

Which were adopted.

Mr. Newman presented the following petitions:

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—Your petitioners represent that they are property holders on Delaware street, and desire to have that portion of the street on which they live (between Massachusetts avenue and St. Clair street) improved, with coarse screened gravel, and the gutters bouldered six feet in width.

They therefore ask your honorable body to pass an ordinance to gravel that part of said street, between Massachusetts avenue and St. Clair streets, with coarse screened gravel, and to boulder the gutters as above named; the gravel to be say eighteen inches in the center of said street, sloping each way to the bouldering to the depth of six inches.

And your petitioners would further beg leave to say, that we are decidedly opposed to putting down the Nicholson pavement on said street, for the reason that it is too expensive for its durability, and for property holders at this time to be compelled to pay.

Respectfully submitted;

DAVID MACY,
T. H. SHARPE,
V. T. MALOTT,
M. E. JONES,
And 9 others.

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—Your petitioners represent that they are property holders on Delaware street, and desire to have that portion of the street on which they live (between Massachusetts avenue and St. Clair streets) improved, with coarse screened gravel, and the gutter bouldered six feet in width.

They therefore ask your honorable body to pass an ordinance to gravel that part of said street, between Massachusetts avenue and St. Clair street, with coarse screened gravel, and to boulder the gutters as above named; the gravel to be say eighteen inches in the center of said street, sloping each way to the bouldering to the depth of six inches.

And your petitioners would further beg leave to say, that we are decidedly opposed to putting down the Nicholson pavement on said street, for the reason that it is too expensive for its durability, and for property holders at this time to be compelled to pay,

Respectfully submitted,

MICHAEL McBRIDE,
MATTHEW HARTMAN,
McLOWAN AUSTIN,
JOHN W. FRAZEE,

And 12 others.

Which were received.

Mr. Newman introduced Special ordinance No. 25, 1870, entitled:

AN ORDINANCE to provide for grading, graveling and bouldering the gutters on Delaware street, between Massachusetts avenue and St. Clair street.

Which was read the first time.

Mr. Thalman presented the following petition,

INDIANAPOLIS, Jan. 21, 1870.

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

GENTLEMEN.—The undersigned, owners of the real estate fronting on Mississippi street, between First street and Second street, respectfully petition your honorable body to grant us the privilege of grading and graveling said street and sidewalks with good river or creek gravel, the street to be graveled thirty feet wide in the center, and to a depth of 15 inches in the center and sloping to five inches at the sides; the sidewalks to be graveled with the same kind of gravel as is put on the street, eight inches in depth; the same to be done under the direction of the Civil Engineer, and to his satisfaction and approval; the same to be completed in ninety days; we agreeing to pay Paisley Asbury \$1 25 per front foot on each side of the street for doing the same.

Respectfully submitted,

JAMES S. ATHON,
JOHN H. KEVERS,
NANCY CHEATHAM,
ISAAC W. IRVIN,

And 8 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Thoms introduced Special appropriation ordinance No. 8, 1870, entitled :

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

Which was read the first time.

Mr. Thoms offered the following motion :

That the Street Commissioner be directed to cut down the dead shade trees on North East street, between Washington and Market streets.

Which was adopted.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—We the undersigned, property holders on Coburn street, respectfully petition your honorable body to extend Coburn street from Short street to Virginia avenue. c

Respectfully submitted,

C. H. FOLKENING,
JOSEPH SCHROTZ,
B. R. McCORD,
FRED. SHARKEL,
And 19 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN;—The undersigned, owners of the real estate fronting on the alley running west from Virginia avenue, between Virginia avenue and west line of lots 42 and 43 in Green and Waters sub-division of out lot 100, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling the said alley between the points named.

Respectfully submitted,

P. T. MONAGHAN,
JOHN WISHMEIER,
WILLIAM BELCHER.
S. E. THOMAS.

Which was received.

Mr. Whitsit introduced Special ordinance No. 26, 1870, entitled :

AN ORDINANCE to provide for grading and graveling the first alley south of McCarty street, running from Virginia avenue to west line of lots 42 and 43 in Green and waters' sub-division of out lot 100.

Which was read the first time.

Dr. Woodburn presented the following communication :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—On the 6th day of February, 1867, I purchased at the city tax sale a lot in out lot 103 in said city, which has since been turned to a street, and I pray your honorable body to pass an order refunding the money and legal interest. I also send the deed for your inspection.

Respectfully submitted,

G. W. ALLRED.

Which was referred to the Committee on Judiciary.

Dr. Woodburn introduced Special Appropriation ordinance No. 9, 1870, entitled :

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

Which was read the first time.

Dr. Woodburn introduced Special ordinance No. 27, 1870, entitled :

AN ORDINANCE to provide for planting, maintaining and protecting shade trees (where not already planted), on Illinois street, between Ohio and First streets.

Which was read the first time.

Dr. Woodburn offered the following motion :

That the City Clerk advertise for bids to build a bridge over the Canal on First street, the Civil Engineer to furnish the plans and specifications.

Which was adopted.

By consent, the City Attorney made the following report :

INDIANAPOLIS, Feb. 21, 1870.

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

GENTLEMEN:—The injunction cases in the matter of Pogues run vs. the City, will have prompt attention. It will be impossible to prevent delay, but as soon as I can get a certified copy of the record, which the Clerk is now preparing, and the damages due the plaintiffs are tendered them, I will move to dissolve the injunction. I respectfully suggest the propriety of passing an ordinance making the necessary appropriations. The only property affected is that described in the complaints.

The case of Jameson vs. the City was to-day decided in favor of the City.
Respectfully submitted.

B. K. ELLIOTT, *City Attorney.*

Which was referred to the Committee on Revision of Ordinances.

On motion, the Council adjourned.

Daniel Macauley
DANIEL MACAULEY, *Mayor.*

ATTEST:

Sam Russell
~~City Clerk~~, *City Clerk.*