

PROCEEDINGS
OF THE
COMMON COUNCIL.

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
MONDAY, MAY 30, 1870, 7½ O'CLOCK P. M. }

The Common Council met in adjourned session.

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

Councilmen Brown, Cottrell, Harrison, Heckman, Kennington,
Locke, Marsee, Newman, Pyle, Reagan, Thoms, Weaver, Whitsit,
Wiles and Woodburn—15.

Absent—Councilmen Kahn, Shepherd and Thalman—3.

Mr. Heckman made the following report :

INDIANAPOLIS, MAY 30, 1870.

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

GENTLEMEN:—Your Committee on Streets and Alleys to whom was referred
sundry papers, respectfully report to your honorable body :

First.—A petition was referred to your committee signed by Alanson G. Stevens and E. T. Sinker, to have an alley opened, or continued as already laid out, by said E. T. Sinker and Alanson G. Stevens. We have examined the same, and believe said alley should be opened as petitioned for, and that said petition and plat be referred the City Commissioners, and that the City Clerk give the notice required by law.

Second.—A remonstrance was also referred to your Committee, signed by S. Klingensmith and others, remonstrating against the passage of an ordinance for grading and graveling Missouri street, from Merrill street to the Corporation line south, and as said street should be improved, we recommend that the prayer of the remonstrants be not granted.

Third.—A petition was also referred to your committee signed by C. H. Folkening and others, to have Coburn street extended from Short street to Virginia avenue. We believe said street should be extended, and that the required notice be given to the Commissioners.

Respectfully submitted,

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

Which was concurred in.

Also, the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—Your Committee on Streets and Alleys to whom were referred sundry papers, would respectfully report :

First.—A petition was referred to your committee praying that the name of Jackson street be changed to Park avenue. We recommend that the prayer of the petitioners be granted, and that Jackson street be hereafter known as Park avenue.

Second.—A petition was referred to your committee signed by G. H. Voss, asking permission to pave with brick, and grade and gravel the street in front of his property on Illinois street between first and Tinker streets. We would recommend that permission be not granted, from the fact that proposals have already been received for the improvement of said street as asked for.

Third.—A remonstrance was also referred, signed by I. C. Smith, David Sberd, and others, remonstrating against the grading and pyving with brick,

the east sidewalk on New Jersey street, from Washington street to Massachusetts avenue. We would recommend that the prayer of the remonstrants be not granted, and that the ordinance be passed for the improvement.

Fourth.—A remonstrance was also referred, signed by William Banse and others, remonstrating against the passage of an ordinance for grading and paving with brick, the east sidewalk on East street, from Virginia avenue to Louisiana street. We recommend that the prayer of the remonstrants be not granted, and that the ordinance for the improvement be passed.

Fifth.—A remonstrance was also referred to your committee signed by S. P. Daniels, W. Townsend, and others, remonstrating against the passage of an ordinance for grading and paving with brick, the west sidewalk on New Jersey street, from Virginia avenue to Pogue's Run. As said work should be done, we would recommend that said ordinance be placed upon its final passage.

Sixth.—A petition was referred to your committee signed by W. P. Fishback, and others, in relation to grade of Market street and other streets east. As the Engineer has presented to Council, profiles of said streets, and they having been adopted by the Council, we consider that nothing more is necessary to be done in relation to said grade etc.

Seventh.—A remonstrance was also referred to your committee, signed by Gustave Starke, and others, remonstrating against the passage of an ordinance for grading and graveling Harvey street. As the benefits of this street are entirely local, we would recommend that the prayer of the remonstrants be granted, and that the ordinance be stricken from the files.

Eighth.—A petition was presented from S. W. Miller, and others, property holders on Michigan street, for the opening of said street, from the Corporation line to the United States Arsenal. We recommend that the prayer of the petitioners be granted, and that the City Clerk give the required notice as given in such cases, and notify the City Commissioners.

Ninth.—A remonstrance was also referred to your committee, signed by Clemmens Vonnegut, et al. remonstrating against the passage of an ordinance for grading and paving with brick, the sidewalks on Market street from the old corporate limits to the new corporate limits east. We would recommend that the prayer of the remonstrant be granted, and that said ordinance be stricken from the files.

Tenth.—A petition was also referred to your committee signed by George Buchter, David McVey, and others, property-holders on Maryland street, complaining of a nuisance in the shape of a low lot in their neighborhood being filled with green water and all manner of filth; we would recommend that the Marshal give notice to the owner of said lot to abate said nuisance.

Eleventh.—An estimate in favor of Hanway and Lefever, was also referred to your committee, some complaint having been made that said work had not been properly done. We have examined the same, and recommend that they be allowed their estimate, with the deductions as made by the Civil Engineer.

Respectfully submitted,

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

Which was concurred in with the exception of the tenth paragraph, which was recommitted.

Mr. Locke made the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—Your Committee on Bridges have examined the bids for constructing an iron bridge over Pogue's Run on Tennessee street, near the Rolling Mill, and would recommend that the contract be awarded to Greenleaf and Company, and the bridge over the Canal on First street, to Brundage and Company, Buffalo, New York.

Your committee further recommend that the City Clerk advertise for proposals for constructing a wooden bridge over Pogue's Run on Garden street, on the stone abutments recently built.

Also, for extending the present wooden bridge over Pogue's Run on South street, immediately south of the present structure.

Respectfully submitted,

ERIE LOCKE,
JOHN L. MARSEE, } Committee.
AUSTIN H. BROWN, }

In regard to the first part of the report, viz : Tennessee street bridge, Dr. Woodburn offered the following motion :

That this matter be referred back to the Committee on Bridges, with instructions to procure from the Rolling Mill Company and Greenleaf & Co., written guaranties as to the amount they will contribute if the bridge across Pogue's Run on Tennessee street, be made a railroad bridge instead of a wagon bridge ; and that said committee be further instructed to report to the Council, a full and careful estimate of the cost of the bridge if built for the passage of railroad trains.

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

Which was adopted by the following vote :

Those who voted in the affirmative were, Councilmen Brown, Cottrell, Heckman, Kennington, Locke, Marsee, Reagan and Whitsit—8.

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

A motion to concur in that part of the report awarding the contract for building the bridge over Pogue's Run on Tennessee street, to Greenleaf & Co.,

Was adopted by the following vote :

Those who voted in the affirmative were, Councilmen Brown, Cottrell, Heckman, Kennington, Locke, Marsee, Reagan, Whitsit and Woodburn—9.

Those who voted in the negative were, Councilmen Harrison, Newman, Pyle, Thoms, Weaver and Wiles—6.

The remainder of the report was concurred in.

Mr. Marsee offered the following motion :

That the Committee on Fire Department together with the Chief Fire Engineer, be authorized to organize a new Fire Company, and locate the same, subject to the approval of the Council.

Which was adopted.

Mr. Marsee introduced General Ordinance No. 23, 1870, entitled :

AN ORDINANCE to protect the hose belonging to the Fire Department during fires.

Which was read the first time.

The City Clerk presented the contract and bond of Michael O'Conner, for the grading and graveling of Davidson street, from Market to Washington street.

Which was approved.

Mr. Thoms offered the following motion :

Michael O'Conner, the contractor for grading and graveling the extension of Davidson street, from Market street through out-lot 68 to Washington street, requests permission to cross with his teams, the sidewalk from the bridge to the south end of the street, with the necessary materials to make the same.

The south half of the 'said extension, passes through ground heretofore leased by H. Bates to I. F. Will, who objects to the contractors teams passing over an unoccupied corner of his leased ground, where teams have always had a passway. Hence the necessity for permission to cross the sidewalk for free access to his work.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—Your petitioner would respectfully ask for the vacation of all that portion of the recorded plat, recently annexed to the city, and known as William Willard's sub-division of the middle portion of James Blake's addition to the city of Indianapolis, excepting lots Nos. 1 and 2, and including Willard street, and the different public alleys created by said Willard's record. Said vacation is asked for the following reasons :

First.—The proposed running of the United States Arsenal avenue through the present subdivision, which the Commissioners will recommend, renders a revision of the present plat desirable in case you adopt their report.

Second.—That the extension of the United States Arsenal avenue through my subdivision, without such vacation, would be a heavy damage, and spoil my present plat.

Third.—I propose to re-plat, in case of vacation, in accordance with the rough draft, to be shown and explained by the Commissioners.

Respectfully submitted,

WILLIAM WILLARD.

Which was received.

Mr. Locke offered the following motion :

That the City Marshal be instructed hereby to notify the Indianapolis,

Cincinnati and Indianapolis Railroad, to let down their tracks to the grade of the streets between Michigan and Washington streets.

Which was adopted.

Mr. Weaver presented the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—The Committee on Public Buildings to whom was referred a motion granting permission to Robert George, to erect a wooden or frame dwelling house on lot 4, in square No. 52, on the west side of Mississippi street, between Washington and Market street, and is inside of the fire limits. While we would be very glad to accommodate Mr. George, we are of the opinion that the Council have no right to grant any privilege of the kind contrary to the provisions of an ordinance prohibiting the erection of wooden buildings within certain limits, and if they did, the person violating the ordinance would be liable to punishment, for we take the ground that the ordinance is still in force until it is repealed. We, therefore, in view of the facts stated, are compelled to report against allowing the building to be erected at the place designated.

Respectfully submitted,

WILLIAM W. WEAVER,	} Committee.
JOHN PYLE,	
JAMES McB. SHEPHERD,	

Which was concurred in.

Mr. Wiles presented the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—The Committee on Gas Light, to whom was referred the proposals of D. Root & Co., to "erect lamp-posts, lamps, and fixtures, complete to burn gas, except the service pipes," on certain streets, would respectfully report :

1. That by said proposal (dated May 14th) Messrs. D. Root & Co., offer to do such work at \$30 a corner posts, and \$29 for intermediate posts.
2. That the same firm, in a bid, dated April 11th, 1870, proposed to furnish and erect lamp-posts, lamps, and fixtures, ready to burn gas, as follows : For intermediate posts, \$28, for corner posts \$30.

3. Forming part and parcel of this latter proposal, we find the following language: "We will furnish them at such times and in such quantities as the Gas Inspector may require *during the current year.*"

Now, although the bid of April 11th, was in answer to an advertisement for the erection of three hundred public gas lamps, and inasmuch as Messrs. Root & Co., have entirely ignored, in said proposal, all limit as to number, and have, in plain terms, made their prices (\$28 and \$30) for the current year, your committee have decided to throw out the bid of May 14th, and would recommend that Messrs. Root & Co., be held to their proposal of April 11th.

Respectfully submitted,

WILLIAM D. WILES,
LEON KAHN,
ROBERT KENNINGTON, } Committee.

Which was concurred in.

On motion by Mr. Wiles, the Market Master was instructed not to rent any of the stalls of the meat market.

Mr. Weaver presented the following resignation :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—I hereby tender my resignation as Director of the City Hospital.

Respectfully submitted,

WM. BRADEN.

Which was accepted.

The City Commissioners made the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—The petition of William W. Angus and others, asking the opening of Arsenal avenue to the width of sixty feet from Washington to Michigan avenue, having been referred to us, we have visited the premises, and heard testimony in the case, and report as follows :

1. The avenue should be opened to sixty feet in width, on the line and between the points stated in the petition.

2. We are of opinion that the benefits to the property owners will fully equal their damages for the ground to be taken.

3. The Coucil should vacate the present addition of Wm. Willard, so that he may re-plot it to suit the new street, and space the streets and alleys properly. This recommendation is made with Mr. Willard's consent, and with the understanding that he will make a new and satisfactory plat, and have taken the vacation into consideration in assessing benefits to him.

We, therefore make the following recommendation, and report the following schedule of damages and benefits :

DAMAGES.

We estimate the damages to Wm. Willard for a strip 60 feet by about 425 feet through lot 17, of his addition	\$977 50
To the heirs of Charles Parry (deceased) for a strip 65 feet by about 205 feet, in Blake's addition	360 00
To the Cincinnati and Indianapolis Junction Railroad Company, 60 feet by about 135 feet, in Sharpe's subdivision	310 50
To the Indiana Cent'l Railway Co., for strip 60 feet wide across the track ..	50 00
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Total damages	\$1,698 00

BENEFITS.

To Wm. Willard for new frontage, about 850 ft, on the new street at \$1,15	\$977 50
To the heirs of Charles Parry (deceased) for new frontage, about 410 feet on the new street, at 90 cents per foot	360 00
To the Indianapolis and Cincinnati Junction Railroad Company, by about 270 feet new frontage on the new street	310 50
To the Indiana Cent'l Rail'y Co., by crossing and new frontage on said street	50 00
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Total benefits	\$1,698 00

It would be well if Arsenal avenue was extended south on the same line to Virginia avenue, on the south line of section 7, at an early day, and that all additions and subdivisions on either side of it, and south or north of Washington street, should be made to conform as near as possible to the city plat

Respectfully submitted,

SAMUELM. SEIBERT, }
 J. F. RAMSAY, } Commissioners.
 IGNATIUS BROWN, }

Also, the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—The petition of John Heim and eleven others, asking that

the thirty foot alley between out-lots 74 and 75, be extended on the same line south, across the Central Railway track to Meek street, having been referred to us for examination. We have visited the premises and after due consideration, recommend that said alley be opened as desired by said petitioners.

We, therefore, submit the following assessment of damages and benefits.

DAMAGES.

To the Indiana Central Railway Company, for about 27 feet off west side of lot 25, out-lot 90 in I. and C. addition.....	\$405 00
To the Indiana Central Railway Company for about 3 feet off west side of lot 24, out-lot 90, in I. and C. addition.....	45 00
Total damages.....	\$450 00

BENEFITS.

To the Indiana Central Railway Company on part of lot 24, in out-lot 90 I. and C. addition.....	\$25 00
To the Ind. Cen. Rail'y Co., on part of lot 23, out-lot 90, I. and C. addition.....	12 50
To the Ind. Cen. Rail'y Co., on part of lot 27, out-lot 90, I. and C. addition.....	12 50
To the Ind. Cen. Rail'y Co., on part of lot 26, out-lot 90, I. and C. addition.....	25 00
To the Ind. Cen. Rail'y Co., on 15 foot alley between lots 26 and 27, in out-lot 90, (which should be vacated,) at \$15 per foot.....	225 00
To John Heim, on out-lot 74.....	75 00
To Elizabeth H. Bate, on out-lot 75.....	75 00
Total benefits.....	\$450 00

Upon opening the new street or alley, the fifteen foot alley between lots 26 and 27, just east of it, should be vacated. We have so considered it in the statement of the case, and assessed its value to adjoining lot holders; we, therefore, recommend its vacation as a part of the adjustment of the whole case.

The Board would also take this occasion to say, that many of the streets and alleys in this section of the city, are insufficient in length and width. The alley we have just been considering, as well as Cady alley, each only thirty feet wide, should be increased to sixty feet in width, through from Washington to Harrison street. Benton street should be sixty feet wide instead of forty feet, and Liberty street should be opened sixty feet wide from Washington to South street. These changes are urgently needed and ought to be made at an early day, to avoid great future expense to the property-holders.

Respectfully submitted,

SAMUEL M. SEIBERT,	} Commissioners.
J. F. RAMSEY,	
IGNATIUS BROWN,	

Also, the following report :

INDIANAPOLIS, May 30, 1870.

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

GENETLMEN:—The petition of J. S. Wood and others, asking that Blake street be widened to sixty feet in Athon and Elliott's subdivision, of out lot 158, having been referred to us, we have examined the premises, and heard testimony in the case, and submit the following report :

1. A strip ten feet wide off the east ends of lots 3 to 17 inclusive, in Athon and Elliott's subdivision of out lot 158, should be condemned for public use, thus widening the street to sixty feet, as desired by the petitioners.
2. The benefits to the lot owners, from widening of the street, will equal their damages for the ground taken.
3. The street has lately been improved at the expense of the lot owners, and if their ground is taken it seems only just that the city should make the new sidewalk required by the widening of the street.

We, therefore, recommend that on the opening of the street, the Street Commissioner be ordered to grade and gravel said sidewalk, and fix the street, under the direction of the City Engineer, at the public expense.

We make this recommendation as part of the adjustment of the whole case and only because of its peculiarity.

4. Henry Harris owns lots 14 and 15, on each of which stands small frame shanties of little value. The one on lot 14 will be ten or twelve inches in the street after it is widened. We recommend that it be left thus, at least for the present, so that he may be at no expense for moving it. The other, on lot 15, will be four or five feet in the street, and must be moved or torn down. Though of little value, it might be well for the city to pay him \$15 from the general fund, to move or demolish it. We make this recommendation as a part of the adjustment of the whole matter.

We submit the following assessment of benefits and damages, with the understanding that the city makes said sidewalk and pays the \$15 to said Harris.

BENEFITS AND DAMAGES.

Jacob S. Wood on lots 3 and 4, out-lot 158, in Athon and Elliott's addition, damages, \$15 each, \$30; benefits \$15 each, \$30.

T. B. Elliott, on lot 5, out-lot 158, in Athon and Elliott's addition, damages \$15; benefits \$15.

James S. Athon, on lots 6, 7, 10 and 11, out-lot 158, in Athon and Elliott's addition, damages \$15 each, \$60; benefits \$15 each, \$60.

William S. Hubbard, trustee for T. B. Elliott, on lots 8, 9, 12, 13, 16 and 17, out-lot 158, in Athon and Elliott's addition, damages \$15 each, \$90; benefits \$15 each, \$90.

Henry Harris on lots 14 and 15, out-lot 158, in Athon and Elliot's addition, damages, \$15 each, \$30; benefits \$15 each, \$30.

Total damages \$225. Tetal benefits \$225.

Giving also, the said Henry Harris \$15 from the city in payment for his house, but not to be a precedent.

Respectfully submitted,

SAMUEL M. SEIBERT,	}	Commissioners.
JOHN F. RAMSEY,		
IGNATIUS BROWN.		

Which were received.

The Street Commissioner made the following report :

INDIANAPOLIS, May 30, 1870.

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

GENTLEMEN:—I would respectfully reccommend that stone abutments be put in the Canal on New York street, while the bed of the Canal is dry. It will necessary to replace tne old bridge with a new one within a year, and the abutments can be put in about one-third cheaper now than they can when the canal is full of water.

Respectfully submitted,

AUGUSTUS BRUNER, *Street Commissioner.*

Which was referred to the Committee on Bridges.

Mr. Marsee offered the following motion :

That the City Civil Engineer be directed to furnish this Council with an estimate of the cost of building the following sewers, to-wit:

The Kentucky avenue sewer, from the river to Washington street; the South street sewer, from Kentucky avenue, on South street and Fletcher avenue, to the Corporation line; and for the lateral sewer on Illinois street, from Washington street to South street. The estimate for the above named

sewers to be made from the sewer map presented by Moses Lane, and adopted by this Council as the sewer plan of this city.

Which was adopted.

On motion, the Council adjourned.

DANIEL MACAULEY, *Mayor*.

ATTEST :

DANIEL M. RANDELL, *City Clerk*.