

PROCEEDINGS  
OF THE  
COMMON COUNCIL.

---

REGULAR SESSION.

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CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
SATURDAY, AUGUST 6, 1870, 7½ 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, Harrison, Heckman, Kahn, Kenning-  
ton, Locke, Marsee, Newman Reagan, Shepherd, Thalman, Thoms,  
Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilman Pyle—1.

The proceedings of the adjourned session, held July 25, 1870, were  
read and approved.

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

INDIANAPOLIS, August, 6, 1870.

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

GENTLEMEN:—The Committee on Contracts, to whom was referred sundry proposals for various street improvements, have examined the same, and would recommend that contracts be awarded as follows, to-wit:

For grading and graveling the alley running north and south from Pratt to St. Joseph street, and between Delaware and Alabama street, to Hanway and Rubush, at 29 cents per lineal foot front on each side.

For grading and graveling Davidson street and sidewalks from the north side of North street to the Peru Railroad track, to J. J. Palmer, at 76 cents per lineal foot front on each side.

For grading and paving with brick the east sidewalk on Tennessee street, between North and First streets, to Thomas J. Vater, at 65 cents per lineal front foot.

For grading, paving with brick and curbing the outside edge with Flat Rock or Putnamville stone, the south sidewalk on Washington street, from Missouri street to the western arm of the Canal—there being only one bid on this work, and that an extravagant one, we would recommend that the Clerk re-advertise the same.

For grading and paving with brick the sidewalks on Ohio street from Meridian to Noble street—there being only one bid for this, we recommend that the same be re-advertised.

For grading, paving with brick and curbing the outside edge of the sidewalk with stone the west sidewalk on Illinois street, from Washington to South street, at 85 cents per front foot for curbing, and \$1.25 per front foot for paving, to John Richardson.

For grading and paving with brick the sidewalks on Georgia street, from East to Noble street, to James Mahoney, at 43½ cets per lineal foot front on each side of line improved.

For grading, paving with brick and curbing the outside edge with Flat Rock or Putnamville stone, the sidewalks on Pearl street, from Meridian to Illinois street, to Renard and Burke, at 70 cents per front foot for curbing, and 38 cents per front foot for paving.

For grading and graveling the first alley east of Liberty street, and running north and south from Vermont to Michigan street, through out-lot 51, to Jame Mahoney, at 49 cents per front foot on each side of the line improved.

Respectfully submitted,

W. D. WILES,  
C. E. WHITSIT,  
LEON KAHN, } Committee.

Which was concurred in.

On motion by Mr. Cottrell, the report of the Finance Committee, made to Council July 30, 1870, in regard to the petition of William Stolte, administrator of the estate of Rudolph Rogge, deceased, and concurred in, was reconsidered and referred back to the Committee.

Mr. Harrison presented the following petition :

INDIANAPOLIS, August, 1870.

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

GENTLEMEN:—We, the undersigned, residents of the Second Ward, respectfully petition your honorable body to locate a Fire Engine on the point at the southwest corner of Fort Wayne avenue and North New Jersey street. We ask this for the reasons that there is no engine in our part of the city, which is very thickly populated, and rapidly increasing; that on account of the new Addition to the city the northern limits are extended to a great distance, and an engine is very badly needed to protect the property of the citizens. There is certainly no other part of the city where so large an extent of territory is not supplied with an engine.

We are well assured that the ground can be had at a reasonable price, and we know of no better location for an engine.

Respectfully submitted,

PETER GOTH,  
LEWIS MEIER,  
J. W. BROWN,  
DANIEL WILLIG,  
And 64 others.

Which was referred to the Committee on Fire Department.

Also, the following petition :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on North East street, between St. Clair street and Massachusetts avenue, respectfully petition your honorable body to pass an ordinance providing for the paving with brick of the sidewalks on the west side of said street, between the limits named

Respectfully submitted,

R. NUTTING, JR.,  
ROBERT HUSTON,  
THOMAS P. SELLER,  
WILLIAM KEAY,  
And 5 others.

Which was received.

Mr. Harrison introduced Special Ordinance No. 156, 1870, entitled :

AN ORDINANCE to provide for grading and paving with brick, the west sidewalk on East street, between St. Clair street and Massachusetts avenue.

Which was read the first time.

Mr. Kahn offered the following motion :

That the Chief of Police be notified to instruct the Police force to rigidly enforce the ordinance against fast driving.

Which was adopted.

Mr. Kennington presented the following order of vacation :

In the matter of the petition for the vacation of ten feet off of the north side of Wilkens street, between Meridian and Chestnut streets,

Come, now, the petitioners, and produce proof that they have given the legal notice of the petition to vacate ten feet of ground off of the north side of Wilkens street, from Meridian to Chestnut street, in the Indianapolis Daily Journal, a newspaper of general circulation, printed and published in the city of Indianapolis; which proof is as follows :

NOTICE OF VACATION.—Notice is hereby given that a petition is now pending before the Common Council for the vacation of ten feet of ground on the

north side of Wilkens street, between Meridian and Chestnut street, in order that said Wilkens street may be made uniform width from Chestnut street to Meridian street, fifty feet.

CHRISTIAN KOPPER,  
 LOUIS BUDENZ,  
 GEORGE JENNINGS,  
 JOHN B. ABBETT,  
 And others.

STATE OF INDIANA, }  
 MARION COUNTY, } ss.

Personally appeared before the undersigned, Ansel C. Grooms, Notary Public, Henry A. Loudon, Clerk for Journal Co., publishers of the Weekly Indiana State Journal, a newspaper of general circulation, printed and published in the city of Indianapolis, in the county aforesaid, who being duly sworn, upon his oath saith, that the notice of which the attached is a true copy, was duly published in said paper for three weeks successively, the first of which publications was on the 15th day of July, 1870, and the last on the 29th day of July, 1870.

HENRY A. LOUDON.

Subscribed and sworn to before me, this second day of August, 1870.

ANSEL C. GROOMS,  
 Notary Public.

And, also, by posting up notices, which proof is as follows, to-wit:

NOTICE OF VACATION.—Notice is hereby given that a petition is now pending before the Common Council for the vacation of ten feet of ground on the north side of Wilkens street, between Meridian and Chestnut street, in order that said Wilkens street may be made uniform width from Chestnut street to Meridian street, fifty feet.

CHRISTIAN HOPPER,  
 LOUIS BUDENZ,  
 GEORGE JENNINGS,  
 JOHN B. ABBETT,  
 And others.

STATE OF INDIANA, }  
 MARION COUNTY, } ss.

Before me, George Carter, a Notary Public in and for said county, on this sixth day of August, 1870, came Louis Budenz, and on oath saith, to-wit: On the 15th day of July, 1870, I posted up at the following public places in Indianapolis, Indiana, a printed notice, of which the attached printed slip is a copy, one on the Court house yard fence, outside, near the south entrance

gate, on Washington street; one on the wall of Evans' oil mill, adjoining the sidewalk on South Delaware street, in square 98; one at the corner of South and Pennsylvania streets, on the fence—each place being a most public one.

LOUIS BUDENZ.

Subscribed and sworn to this 6th day of August, 1870.

GEORGE CARTER,  
Notary Public.

And no person appearing to object to said vacation, and it appearing to the satisfaction of the Common Council that the petitioners have fulfilled the requirements of the law by giving the requisite legal notice, It is, therefore ordered by the Common Council, that ten feet off of the north side of Wilkens street, between Meridian and Chestnut streets, be and the same is hereby vacated.

Which was adopted.

And the vacation ordered by the following vote :

Those who voted in the affirmative were, Councilmen Brown, Harrison, Heckman, Kennington, Locke, Marsee, Reagan, Shepherd, Thalman, Thoms, Weaver, Whitsit. Wiles and Woodburn—14.

Those who voted in the negative were, Councilmen Cottrell, Kahn and Newman—3.

Mr. Kennington offered the following motion :

That the City Marshal be instructed to notify all persons obstructing the street known as Railroad street, that they will be required to remove the same at once—said street being the first street west of Pennsylvania street, and running north and south between Georgia street and the Union Railway tracks.

Which was adopted.

Mr. Locke presented the following petition :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—The undersigned owners of real estate in the neighborhood herein described, respectfully petition your honorable body to pass an ordinance providing for the planting shade trees and boxing the same, on Meri-

dian, between Walnut and second streets; on St. Clair, between Illinois and Pennsylvania, and on Second street, between Illinois and Meridian.

Respectfully submitted,

J. H. BALDWIN,  
MARY B. GREENE,  
DELOS ROOT,  
J. A. ROOT,

And 14 others.

Which was received.

Mr. Marsee introduced Special Ordinance No. 157, 1870, entitled :

AN ORDINANCE to provide for grading, bowldering, and paving with brick, and curbing the outside edge of the sidewalks with stone, Cumberland street, from Delaware to New Jersey street.

Which was read the first time.

Mr. Marsee offered the following motion :

That the Committee on Investigation of Sewerage Contract be and are hereby instructed to employ a stenographer to report the full proceedings of said Committee and testimony offered before it; and that the investigations of said Committee be held open to the public, due notice of its sittings to be given through the papers of the city.

Which was adopted.

Mr. Reagan presented the following petition :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—The undersigned, Pastor of St. John's Church, has the honor to state to your honorable body that lot No. 5, in square 74, on Maryland street, between Illinois and Tennessee, and taxed in the name of Maurice de St Palais, was overtaxed \$18.50 for the year 1869—having been occupied for a charity hospital during six months of said year. Therefore, I ask your honorable body to refund to me the above amount.

Respectfully submitted,

AUG. BESSONIES,  
Pastor St. John's Church.

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

Mr. Reagan offered the following motion :

That the Street Commissioner be and is hereby ordered to notify the Union Railway Company to plank the crossings of the alleys in square 95, on Louisiana street, immediately.

Which was adopted.

Also, the following motion :

That the Marshal be and is hereby ordered to notify all Railway Companies that hereafter the blocking up of alleys on any street with cars, for a greater length of time than allowed by ordinance, will be good cause for prosecution.

Which was adopted.

Mr. Brown offered the following motion :

That the City Marshal be instructed to cause Georgia street to be opened between Delaware and Pennsylvania streets.

Which was adopted.

Mr. Thalman introduced Special Ordinance No. 158, 1870, entitled :

AN ORDINANCE to provide for grading and graveling Center street and sidewalks, between Ellen and Douglass streets.

Which was read the first time.

Mr. Thoms introduced General Ordinance No. 46, 1870, entitled :

AN ORDINANCE to prevent the flying of kites on the streets and alleys in the city of Indianapolis.

Which was read the first time.

Mr. Weaver presented the following petition :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—We, the undersigned, tax payers, respectfully state that within a year a new bridge will be required across the canal on North street



it being at present in an unsafe condition, and as it will be much cheaper to place a bridge there while the canal is dry, we pray that a bridge be immediately built the whole width of North street, with stone abutments.

Respectfully submitted.

WILL. H. CORBALEY,  
S. J. AFFANTRANGER,  
JAS. A. GREGG,  
JACOB CAYLOR,

And 8 others.

Which was referred to the Committee on Bridges.

Mr. Weaver presented the following communication :

INDIANAPOLIS, August 6, 1870.

*To W. W. Weaver, Chairman Committee on Public Buildings, Common Council:*

DEAR SIR:—We would suggest whether it would not be to the interest of the city to have a floor laid in the garret of the City Prison. It occurs to us that there is too much valuable room there to remain unfit for use, as it will be without a floor. The contractor has to provide the stairs, and the only expense will be the floor to make the garret available. If it is done, it must be attended to at once, as the plasterers will be putting on the mortar next week.

Respectfully submitted,

ENOS & HUEBNER.

Which was referred to the Committee on Public Buildings, with instructions to have the work done if they in their judgment deem it best.

Mr. Whitsit offered the following motion :

That the Wingate Brothers be allowed to plank across the sidewalk in front of their lumber yard, on Washington street, between East and Liberty streets.

Which was adopted.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—The contractors for the Nicolson pavement have dug up the dirt on the crossing of the alley and thrown it back on the new graveled

work in such a quantity that it is almost impassible. I pray you will have the same removed at once. The alley I mention is called Wabash street.

Respectfully submitted,

ANDREW WALLACE.

Which was received.

And the City Marshal instructed to notify contractors to move said dirt.

Mr. Whitsit offered the following motion :

That the Street Commissioner be instructed to collect and remove the loose boulders on Virginia avenue, from East street to the corporation line.

Which was adopted.

Mr. Wiles offered the following resolution :

*Resolved,* That the action of the Common Council approving the estimate reported by the Clerk in favor of John Anderson and Company, for grading and paving Delaware street, from Washington street to St. Clair street, with what is known as Nicholson or wood block pavement, be reconsidered, and also the action of the Civil Engineer in reporting a partial estimate; and that no estimate be allowed said parties until the whole line is completed according to the terms of their contract.

Which was adopted by the following vote :

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

Negative—Councilman Weaver—1.

Mr. Wiles moved to lay all matters pertaining to said estimate on the table.

Which was adopted.

Mr. Wiles offered the following motion :

That the City Clerk re-advertise for bidders for paving with brick the south sidewalk of East Michigan street, between Delaware street and Susquehana alley, in square 17.

Which was adopted.

Dr. Woodburn offered the following motion :

That Messrs. Patterson & Dunning, contractors for the improvement of North Illinois street, be instructed to remove the surplus earth on the aforesaid street to the low places on Fifth street, and that the Engineer be instructed to order all contractors to adhere to the ordinance governing the disposal of the earth taken from streets.

Which was adopted.

His Honor, the Mayor, introduced General Ordinance No. 47, 1870, entitled :

AN ORDINANCE to amend section ten of an ordinance entitled: "An ordinance prescribing rules and regulations for the government of the City Council, its officers, and officers connected with the City Government."

Which was read the first time.

His Honor, offered the following motion :

That a select committee of three be appointed to consider and report upon the expediency of establishing free public bathing houses on White River, for the use of our citizens.

Which was adopted.

And His Honor appointed as such committee, Councilmen Woodburn, Harrison and Heckman.

#### REPORTS FROM COMMITTEES.

Mr. Newman from the Judiciary Committee made the following report :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Judiciary Committee, to whom was referred a resolution in regard to Indiana Central and the Junction Railroads being notified

to improve and extend the planking at the crossing of the Michigan road and sidewalks and State avenue and sidewalks, etc., have had that matter under consideration, and beg leave to report that on inspection of the resolution of December, 1869, annexing certain territory not before within the corporate limits, they are of the opinion that where said roads cross the Michigan road and State avenue, they are not within the corporate limits; that said State avenue is wholly on lands owned by the State, immediately east of the corporation line; that the line is a division line of the surveys of the lands of the United States running down from the north to the Michigan road, and thence northwesterly with the line of said Michigan road to the old corporation line. Your Committee pray to be discharged from the further consideration of the subject, and they herewith file the opinion of the City Attorney.

Respectfully submitted,

JOHN S. NEWAN,  
 TEMPLE C. HARRISON, } Committee.  
 THOMAS COTTRELL,

Which was concurred in.

Also, the following opinion of the City Attorney:

INDIANAPOLIS, August 6, 1870

*Hon. John S. Newman, Chairman Judiciary Committee:*

DEAR SIR:—In answer to your communication and to the resolution of the Council of July 19, 1870 I submit the following:

The Michigan road, from the east line of Sharpe's Addition, is now within the corporate limits of the city. The plat of this Addition will be found on page 27 of Plat Book No. 3, of Marion county, Indiana.

I have examined the maps and plats as carefully as I could, and am inclined to think State avenue is not within the present corporate limits.

As to whether a turnpike or gravel road within a city can be treated as a public street, until abandoned by the company, the authorities are conflicting. In an early case, *McClure vs. The City of Indianapolis*, our Supreme Court held that such a road could not, at least until abandoned, be treated as a street. Until this case is overruled, it must be regarded as the law of Indiana. If the Michigan road is not a street, then the Common Council have no power to order it planked, as contemplated by the resolution.

There is another question of considerable difficulty, and that is this: Do the ordinances apply to such streets as were within the city at the time they were enacted; or do they apply to all streets afterwards laid out? I think

the safer plan would be to pass new ordinances applying to the streets brought within the corporate limits by the extension of the city boundaries. It is at least doubtful as to whether the ordinances at present in force can apply to highways which, at the time the ordinances were passed, had no existence as streets of the city.

I think that, as a police regulation, the Common Council have power to enact ordinances requiring Railway Companies to properly secure safety and convenience at street and alley crossings.

I, therefore, respectfully recommend that new ordinances be passed.

Respectfully submitted,

B. K. ELLIOTT, City Attorney.

Which was concurred in.

Mr. Newman from the Committee on Finance, made the following report:

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Committee on Finance, to whom was referred a petition signed by William M. Obermyer, setting forth that said Obermyer having failed in business, and his stock being sold under execution by the Sheriff, soon after the tax assessment of 1869 was made against him on said stock, he prays to be relieved from the amount of tax so assessed.

While your committee (as an act of charity) would feel like remitting the amount, know, that by so doing, a precedent would be established, that would involve us in a great deal of trouble hereafter, by numerous petitions that would likely be made of a similar nature. We, therefore, report against granting the prayer of the petitioner.

Respectfully submitted,

JOHN S. NEWMAN,	} Committee.
THOMAS COTTRELL,	
AUSTIN H. BROWN,	
J. H. WOODBURN,	
ISAAC THALMAN,	

Which was concurred in.

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

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Committee, to whom was referred sundry papers, respectfully report:

*First*—A remonstrance was referred to your Committee, signed by Catherine Elvard and others, remonstrating against improving Center street. Having examined said street, and believing said improvement very necessary, we recommend the passage of the ordinance to have the work done as contemplated.

*Second*—A remonstrance was also referred to us, signed by Casper Maus and others, remonstrating against grading and graveling that part of New York street west of Agnes street. We have examined the same, and can see no possible use for improving the street west of Agnes street. We, therefore, recommend that the ordinance be amended to read as follows: "To grade and gravel New York street from Blake street to Agnes street." Also, that the ordinance, so amended, be placed upon its passage.

*Third*—A motion was also referred to us, that the Street Commissioner be instructed to notify the Union Railway Company to open the culvert on the west side of Louisiana and Tennessee streets, and to build said culvert with rock from the north side of Louisiana street to the Railroad; and that in case said Union Railroad Company fail to comply with this order, that the Street Commissioner be directed to do the work.

We think the improvement very necessary, and recommend the adoption of the motion with the following amendment:

"And collect the cost of same from the said Union Railway Company."

Respectfully submitted,

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

Which was concurred in.

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

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Committee to whom was referred bids for iron bridge over the Canal on First street, would respectfully report, that they have examined the plans and bids, and find that J. Davenport, of Massillon, Ohio,

is the lowest and best bidder, his bid being \$738. We would, therefore, recommend that the contract for constructing said iron bridge, be awarded to the said J. Davenport, of Massillon, Ohio.

Respectfully submitted,

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

Which was concurred in.

Also, the following report :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Committee further report that they have examined the condition of the bridge over Pogue's Run, at the east end of the Union Depot, and find that the expense attending the reconstruction of a suitable and very permanent bridge-way would be much more in that particular locality than at any other crossing in the city.

Your Committee are informed that the Railroad Companies have a proposition which they desire to submit to the Council in relation to this and other improvements along the Union Railway tracks; but before doing this, it is their wish that a special committee of Council be appointed to confer with the Railroad men in authority. In the meantime the Street Commissioner is hereby authorized and instructed to repair said bridge temporarily but securely.

Respectfully submitted,

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

Which was concurred in.

And the special Committee appointed, consisting of the Committee on Bridges, and Councilmen Wiles and Kennington.

Dr. Woodburn from the Committee on Benevolence and Hospitals, presented the following :

RECAPITULATION OF THE MONTHLY REPORT OF CONTENTS OF REGISTER OF PATIENTS OF CITY HOSPITAL, ENDING JULY 9, 1870.

Number of patients in Hospital at last report.....	30
Number of patients received in Hospital since last report.....	35
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	27
Number of patients died in Hospital since last report.....	4
Number of patients remaining in Hospital at present report .....	35

Which was received.

Also, the following report:

RECAPITULATION OF THE MONTHLY REPORT OF EXPENDITURES OF THE CITY  
HOSPITAL, ENDING JULY 31, 1870.

Total expenditures for the month.....	\$482 83
Aggregate number of days for which subsistence, etc., was furnished.....	987
Average expense per capita per diem .....	48.5

Which was received.

Also, the following report:

RECAPITULATION OF THE WEEKLY REPORT OF CONTENTS OF REGISTER OF PATIENTS  
OF CITY HOSPITAL, ENDING AUGUST 6, 1870.

Number of patients in Hospital at last report.....	34
Number of patients received in Hospital since last report.....	6
Number of patients born in Hospital since last report.....	1
Number of patients discharged from Hospital since last report.....	7
Number of patients died in Hospital since last report.....	1
Number of patients remaining in Hospital at present report.....	33

Which was received.

Dr. Woodburn introduced Special Appropriation Ordinance No. 43, 1870, entitled:

AN ORDINANCE appropriating money for the payment of sundry claims on account of the City Hospital, for the month of July, 1870.

Which was read the first time.

Mr. Wiles from special committee on Fire Plugs, made the following report:

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—Your Special Committee and Committee on Water Works, to whom was referred the matter of locating fire-plugs, beg to report that, after a careful examination of the subject, in connection with the Chief Fire Engineer, we are of the opinion that for the present, one fire-plug should be located at each street-crossing, inside of the original corporation lines of the city, with these exceptions: Washington street, between East and Tennessee



streets, to have two fire plugs, located diagonally at each street-crossing, and one fire-plug in the center of each square, at the alley-crossing; and South Meridian street, from Washington to Louisiana streets, to have two fire-plugs, located diagonally at each street-crossing, and one in the center of each square at the alley-crossing. The Circle to have one fire-plug at the south-west corner of Meridian and Circle streets, and one fire plug at the northeast corner of Market and Circle streets. We also recommend that the Chief Fire Engineer be empowered to locate not more than six fire-plugs west of West street, on Washington and Maryland streets, and that he be instructed to direct any change from this plan that may prove necessary on account of irregular street-crossings or other causes. Your Committee are of the opinion that a greater number of fire-plugs will be needed in order to secure a perfect protection against loss by fire, and with that view have instructed the Water Works Company to have their pipes so arranged that others can be added from time to time, as necessity requires, without serious disturbance to pipes, or extra expense in placing.

Respectfully submitted,

W. D. WILES, AUSTIN H. BROWN, J. H. WOODBURN, C. HEOKMAN, LEON KAHN,	}	Committee.
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Which was concurred in.

Mr. Kennington offered the following motion :

That the Street Commissioner be directed to notify the Union Railway Company to enlarge the culvert under their tracks on the west side of Pennsylvania street.

Which was adopted.

Mr. Thalmau offered the following motion :

That leave of absence be granted Mr. Locke for one week, and that he be excused for non-attendance last Thursday evening.

Which was adopted.

His Honor presented the following communication :

INDIANAPOLIS, August 6, 1870.

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

GENTLEMEN:—We have been instructed to lay before your honorable body the following resolution, which has just been unanimously adopted by the adjourned mass meeting of the Working Men of Indianapolis:

*Resolved*, That we tender to the members of the City Council a unanimous vote of thanks for the use of the Council Chamber on Friday evening, 5th inst.

Respectfully submitted,

O. I. MOFFITT, President.

A. D. STEVENS, Secretary.

Which was received.

Mr. Brown introduced Special Ordinance No. 159, 1870, entitled:

AN ORDINANCE to provide for grading and graveling Ray street and sidewalks, between Meridian and Chestnut streets.

Which was read the first time.

#### REPORTS FROM CITY OFFICERS.

The Civil Engineer made the following report:

OFFICE OF CITY CIVIL ENGINEER, }  
Indianapolis, August 6, 1870. }

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

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

Cogil & Bernard, for grading and graveling the alley running east and west from Noble to Cedar street, and between Fletcher avenue and Huron street:

Length on north side.....1081 ft. 4 in.

Length on south side.....1071 ft. 3 in.

Total length.....2152 ft. 7 in.

At thirty-four cents per lineal foot.....\$731 86

Also, James Mahoney, for grading and paving with brick, the north sidewalk on Walnut street, from East to Alabama street:

Total length.....827 feet.

At forty-nine cents per lineal foot.....\$405 23

Also, John Richardson, for grading and graveling West street and sidewalks, from the south side of Root street, to south Corporation line.

Length on east side.....1582 feet.

Length on west side.....1582 feet.

Total length.....3164 feet.

At fifty-four cents per lineal foot.....\$1,708 56

Also, James Mahoney, for grading and graveling Cruse street and sidewalks, from Washington to Market street:

Length on east side.....	346 ft. 6 in.
Length on west side.....	346 ft. 6 in.
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Total length .....	693 ft. 0 in.
At ninety-seven cents per lineal foot .....	\$672 21

Respectfully submitted,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

OFFICE OF CITY CLERK, }  
Indianapolis, August 6, 1870. }

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

The City Clerk respectfully reports to Council :

*First*—First and final estimate allowed Cogill and Bernauer for grading and graveling the alley running east and west from Noble to Cedar street, and between Fletcher avenue and Huron street.

*Second*—First and final estimate allowed James Mahoney for grading and paving with brick the north sidewalk on Walnut street, from East to Alabama street.

*Third*—First and final estimate allowed John Richardson, for grading and graveling West street and sidewalk from the south side of Rcot street to the south corporation line.

*Fourth*—First and final estimate allowed James Mahoney, for grading and graveling Cruse street and sidewalks from Washington to Market street.

Respectfully submitted,

D. M. RANSDELL, City Clerk.

Which was concurred in.

The City Clerk offered the following resolution :

*Resolved* That the foregoing first and final estimate allowed Cogill and Bernaner, for grading and graveling the alley running east and west, from Noble to Ceder street, and between Fletcher avenue and Huron 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.

The question being on the adoption of the resolution :

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

Negative—none.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed James Mahoney for grading and graveling Cruse street and sidewalks from Washington to Market 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.

The question being on the adoption of the resolution :

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

Negative—none.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed John Richardson, for grading and graveling West street and sidewalks from the south side of Root street to the south corporation line, 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.

The question being on the adoption of the resolution :

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

Negative—none.

So the resolution was adopted.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed James Mahoney, for grading and paving with brick the north sidewalk on Walnut street, from East to Alabama 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 to their respective names.

The question being on the adoption of the resolution :

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

Negative—none.

So the resolution was adopted.

The City Treasurer made the following report :

OFFICE OF CITY TREASURER,  
Indianapolis, July 25, 1870. }

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

GENTLEMEN:—I herewith make the following report of receipts and disbursements from May 10, 1870, to August 1, 1870.

RECEIPTS.

To balance in Treasury, May 10, 1870.....	\$25,338 65
Licenses and market stalls, collected from May 10 to August 1, 1870..	792 85
Loan, Woollen, Webb & Co.....	100,500 00
Taxes collected (as above).....	4,113 56
	<hr/>
	\$129,745 06
	<hr/>
Remaining in the Treasury, August 1, 1870.....	\$24,211 44
Of this sum, \$13,000 00 belongs to the Sewer Fund, and \$5,000 is an appropriation to make a tender of damages for straightening Pogue's Run.....	18,000 00
	<hr/>
Leaving balance subject to draft by the City Council.....	\$6,211 44

## DISBURSEMENTS.

By orders redeemed .....	\$105,533 62
Balance in Treasury .....	24,211 44
	<hr/>
	\$129,745 08

Respectfully submitted,

ROBERT S. FOSTER, City Treasurer.

Which was received.

By consent, Mr. Newman introduced General Ordinance No. 48, 1870, entitled :

AN ORDINANCE authorizing a loan for City purposes.

Which was read the first, second, and third times, and placed upon its passage.

The question being, shall the ordinance pass ?

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

Negative—Councilmen Woodburn—1.

Mr. Cottrell offered the following motion :

That the special committee appointed to investigate charges of corruption in the matter of Sewerage contracts, be instructed to call upon the Marshal of the City to furnish deputies to serve summons and subpoenas, and to attend the sittings of such committee; and that the Marshal and City Attorney be required to render all assistance required by the committee in furthering the investigation.

Which was adopted.

On motion the Council adjourned.

DANIEL MACAULEY, *Mayor.*

ATTEST :

DANIEL M. RANDELL, *City Clerk.*