

PROCEEDINGS

OF THE

COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, July 3, 1871, 7½ o'clock, P. M. }

The Common Council met in regular session.

Present—John S. Newman, President, *pro tem.*, of Council, in the chair, and the following members :

Councilmen—Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Absent—Councilman Locke—1.

The proceedings of the regular session, held July 26, 1871, were read and approved.

Sealed proposals were opened and read and referred to the Committee on Contracts.

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

INDIANAPOLIS, July 3, 1871.

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

Gentlemen—Your Committee on Contracts, to whom was referred sundry proposals, have examined the same and find the lowest bidders to be as follows, and would recommend that they be awarded the contracts :

FIRST.

For grading and graveling Pennsylvania street, from Second street to Tinker street, to James Mahoney, at 45½ cents per lineal foot front, on each side of the line improved.

SECOND.

For grading and paving with brick, and curbing the outside edge of the sidewalks with Flat Rock stone, the sidewalks on Pennsylvania street, from Second street to Tinker street, to Samuel Hanway & Co., at 67 cents per lineal foot front, on each side, for paving, and 63 cents per lineal foot front, on each side, for curbing.

THIRD.

For grading and paving with brick, the north sidewalk on Ohio street, from Tennessee street to Missouri street, to Samuel Lefevre, at 60 cents per lineal foot on the line improved.

Respectfully submitted,

W. H. CRAFT,
ROBERT KENNINGTON, } Committee.
JOHN L. MARSEE.

Which was concurred in.

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

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—Your Committee on Contracts, to whom was referred the proposals for the purchase of the new market house, would report that James Loucks, who bid the sum of \$105, has declined to take it as he understood he was to have the pavement at that price. Messrs. Hanway & Co., have agreed to take it at Mr. Loucks' bid, \$105, and leave the pavement. We therefore recommend that they be awarded the contract, and that they be authorized to tear down the same, on payment of the money to the City Treasurer.

Respectfully submitted,

W. H. CRAFT,	} Committee.
ROBERT KENNINGTON,	
JOHN L. MARSEE,	

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The City Clerk would respectfully report to the Honorable Common Council,

FIRST.

Contract and bond of James Mahoney, for grading and graveling Pennsylvania street, from Second street to Tinker street.

SECOND.

Contract and bond of Samuel Lefevre, for grading and paving the north sidewalk on Ohio street, with brick, from Tennessee street to Missouri street.

THIRD.

Contract and bond of D. Root & Co., for erecting lamp-posts, lamps and fixtures, on Ray street, from Meridian street to Tennessee street ; on Oak street, from Massachusetts avenue to Cherry street ; on Vir-

ginia avenue, from Bradshaw street to the corporation line east, and on west side of the arm of the Central canal, and immediately in front of the water works building.

FOURTH.

Contract and bond of Samuel Hanway & Co., for paving with brick and curbing with stone, the outside edges of the sidewalks on Pennsylvania street, from Second street to Tinker street.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in, and contracts awarded and bonds approved.

The City Sexton made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The following interments have been made by me in the City Cemeteries, during the month ending June 30, 1871 :

Under five years.....:.....	38
From twenty to thirty years.....	4
From thirty to forty years.....	2
From fifty to sixty years.....	1
From sixty to seventy years.....	3
Total.....	48

Respectfully submitted,

JAS. H. HEDGES,
City Sexton.

Which was received.

The Street Commissioner made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—I have the honor to report the following done in the street repairing department, since June 1, 1871 :

FIRST WARD.

Opened the gutters on Vermont street..... \$18 00

Opened the gutters on New York street.....	\$12 00
Opened the gutters on Alabama street.....	13 00
Repaired the culvert on New York and Alabama streets.....	9 00
	<hr/>
	\$52 00

SECOND WARD.

Opened the gutters on Market street.....	\$12 00
Put in a cement culvert on Delaware and St. Joseph streets	75 00
Filled the holes on Ft. Wayne avenue.....	13 00
	<hr/>
	\$100 00

THIRD WARD.

Opened the gutters on Mississippi street.....	\$35 00
Opened the gutters on Tennessee street.....	35 00
Opened the gutters on Vermont street.....	12 00
Opened the gutters on New York street.....	16 00
Opened the gutters on Ohio street.....	12 00
	<hr/>
	\$110 00

FOURTH WARD.

Filled hole on Ellsworth and New York streets.....	\$7 00
Cleaned Washington street two squares.....	35 00
Put in cement culvert on Market and the canal.....	230 00
	<hr/>
	\$272 00

FIFTH WARD.

Opened the gutters on Tennessee street.....	\$11 00
Cleaned Washington street two squares.....	35 00
Put in a cement culvert on McCarty and Tennessee street..	70 00
	<hr/>
	\$115 00

SIXTH WARD.

Put in two culverts on Union and Morris streets.....	\$65 00
Opened the gutter on South street, one square.....	9 00
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	\$74 00

SEVENTH WARD.

Repaired the culvert on Alabama and South streets.....	\$7 00
Repaired the sewer on East and South streets.....	23 00
Repaired the culvert on New Jersey and Louisiana streets..	4 00
	<hr/>
	\$34 00

EIGHTH WARD.

Repaired the sidewalks on Fletcher avenue.....	\$5 00
Repaired the culvert on Washington and Meek streets.....	7 00
	<hr/>
	\$12 00

NINTH WARD.

Opened the gutters on Market street.....	\$37 00
Opened the gutters on New Jersey street.....	19 00
Opened the gutters on East street.....	13 00
Opened the gutters on Ohio street.....	15 00
Repaired the culvert on Market and New Jersey streets....	14 00
Repaired the culvert on Alabama and Market streets.....	12 00
	<hr/>
	\$109 00

BRIDGES.

Extended the bridge the full width of the street on Market street and Pogues run.....	\$195 00
Repaired the bridge over Pogues run, on New Jersey street.....	7 00
Repaired the bridge over Pogues run, on Meridian street...	11 00
Repaired the bridge over Pogues run, on South street.....	15 00
	<hr/>
	\$228 00

MISCELLANEOUS.

Filled with 250 yards of dirt, Lot No. 23 of Stumph's subdivision of out lot No. 16.....	\$50 00
Cleaned Illinois street.....	30 00
Cleaned Meridian street.....	30 00
Cleaned Washington street.....	55 00
Cleaned Delaware street.....	25 00
Cleaned Pennsylvania street.....	20 00
Leveled up the street over the water mains on Mississippi street, on Illinois and North streets, and on Meridian, Maryland and Illinois streets.....	24 00
Set the fence in front of Dr. W. S. Pierce's residence, on Meridian street, back to the line of the street.....	11 00
Repaired the brick pavement in front of lot — square — on Meridian street.....	12 00
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	\$257 00

RECAPITULATION BY WARDS,

Showing the amount on hand June 1, 1871, the amount expended since June 1, 1871, and the amount on hand at the present date.

	Deficit June 1, 1871.	Balance on hand June 1, 1871.	Amount expended since June 1, 1871.	Balance on hand.	Deficit.
First Ward.....		\$182 00	\$52 00	\$130 00	
Second Ward.....		365 00	100 00	265 00	
Third Ward.....	\$91 00		110 00		\$201 00
Fourth Ward.....		547 00	272 00	275 00	
Fifth Ward.....		185 00	115 00	70 00	
Sixth Ward.....	168 00		74 00		242 00
Seventh Ward.....		307 00	34 00	273 00	
Eighth Ward.....		301 00	12 00	289 00	
Ninth Ward.....		95 00	109 00		4 00
Bridge fund.....		139 00	228 00		89 00
Miscellaneous.....		132 00	257 00		125 00
Total.....	\$259 00	\$1,954 00	\$1,363 00	\$1,302 00	\$671 00

Respectfully submitted,

AUGUST BRUNER,

Street Commissioner.

Which was received.

The Sewerage Engineer made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen — The following is the fourth and partial estimate allowed Wirth & Co., on account of South street sewer, 1st division :

1,785 S. feet of sewer	\$12 10	\$21,598 50
3 manholes.....	42 13	126 39
140 house connections..	75	105 00
		<hr/>
		\$21,829 89
Less 15 per cent.....		3,274 48
		<hr/>
		\$18,555 41
Less former payments.....		13,335 99
		<hr/>
Fourth payment.....		\$5,219 42

Also, the following third and partial estimate on account of the 2d division of South street sewer :

1,695 l. feet of sewer.....	\$9 27	\$15,712 65
3 manholes.....	42 13	126 39
130 house connections..	75	97 50
		<hr/>
		\$15,936 54
Less 15 per cent.....		2,390 48
		<hr/>
		\$13,546 06
Less former payments.....		9,984 74
		<hr/>
Third payment.....		\$3,561 32

Also, the following first and partial estimate on account of the 3d division of the South street sewer :

690 l. feet of sewer.....	\$9 23	\$6,368 70
1 manhole.....	42 13	42 13
65 house connections.....	75	48 75
		<hr/>
		\$6,459 58
Less 15 per cent.....		968 94
		<hr/>
		\$5,490 64

Respectfully submitted,

J. W. BROWN.

Which was concurred in.

The Chief Fire Engineer made the following report :

INDIANAPOLIS, July 3, 1871.

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

Gentlemen—We have an extra hose reel and hose, not now in use, and I am of opinion the same should be put in use as soon as possible, and in order to do so it will be necessary to employ an additional driver and four hosemen.

I would respectfully recommend that there be a driver and four additional hosemen employed, and that the same be done as soon as practicable; said men when so employed to receive the same pay and in like manner as others in the department for like services.

Respectfully submitted,

DANIEL GLAZIER,
Chief Fire Engineer.

Which was referred to the Committee on Fire Department.

The City Attorney made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The undersigned City Attorney, to whom was referred the report of the City Commissioners, on the opening of Fifth street, through lot 12, in St. Clair's addition, reports that he has examined said report, and it appears therefrom that said City Commissioners have assessed benefits as accruing to the owners of lots other than the owners of lots through which it is proposed to construct said street, Wm. Henderson, Esq., being the sole owner of the lot through which it is proposed to open and construct said street, as shown by the report.

The undersigned is of the opinion that all assessments of benefits on property or owners of property, not *immediately* adjoining the street proposed to be opened, where opened, is void, and that therefore the assessments made against Lucien Barbour, J. D. Condit, and others, and certain lots owned by them respectively, are void and cannot be collected on precepts; yet, if said Barbour, Condit, and others, against whom such assessments have been made, will file their written assent to, and agreement to pay said assessments, upon said street being so opened, then they would be liable to pay the same.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The question of adopting or rejecting the report of the City Commissioners, in the matter of opening Fifth street, was taken up, and postponed by the following vote :

Affirmative—Councilmen Batty, Bigham, Craft, Heckman, Newman, Weaver, Whitsit, Wiles and Woodburn—9.

Negative—Councilmen Brown, Cottrell, Gimber, Kennington, Marsee, Reagan, Thalman and Thoms—8.

The City Attorney made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The undersigned, City Attorney, to whom was referred the report of the City Commissioners, in regard to widening Meridian street, from St. Clair street to First street, reports that he has examined the said report, which is the only paper in the matter that has been placed in his hands, and cannot, from the report, see any reason why the same should not be adopted by the Common Council.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The question then being on the adoption of the report of the City Commissioners, in the matter of widening Meridian street, between St. Clair and First streets, those who voted in the

Affirmative were Councilmen Heckman, Kennington, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—10.

Negative—Councilmen Batty, Bigham, Brown, Cottrell, Cratt, Gimber and Reagan—7.

So the report of the Commissioners was not adopted, it requiring a two-thirds vote.

The City Attorney made the following report :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The undersigned, City Attorney, to whom was referred the petition of Jane Lowman and others, asking the Common Council to open the first alley running north and south, through out lot No. 174, east of St. Clair street, with instructions to report as to the right of the Council to make the change, reports that

if said out lot has been laid off and platted into lots, and the alley named in the petition is laid off on the plat, and the plat thereof recorded, the Common Council has the right and the power to order and direct the Marshal of the city to open said ally at once.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

Dr. Woodburn introduced Special Appropriation Ordinance No. 32, 1870, entitled :

An Ordinance appropriating monies for the payment of sundry claims on account of City Hospital, for the month of June, 1871.

Which was read the first time.

Dr. Woodburn introduced Special Appropriation Ordinance No. 33, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis.

Which was read the first time.

Mr. Thoms introduced Special Appropriation Ordinance No. 34, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of printing, stationery, etc.

Which was read the first time.

Mr. Marsee introduced Special Appropriation Ordinance No. 35, 1871, entitled :

An Ordinance appropriating money for the payment of sundry claims against the city of Indianapolis, on account of Station House.

Which was read the first time.

Mr. Thalman introduced Special Appropriation Ordinance No. 36, 1871, entitled :

An Ordinance appropriating money for the use of the Street Commissioner.

Which was read the first time.

Dr. Woodburn moved to suspend the rules for the purpose of considering and passing account ordinances.

Which was adopted, and the rules suspended by the following vote :

Affirmative — Councilmen Batty, Bigham, Cottrell, Craft, Heckman, Marsee, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—12.

Negative—Councilmen Brown, Gimber, Kennington, Newman and Reagan—5.

Special Appropriation Ordinance No. 33, 1871, was read the second time.

On motion, the Claims of G. W. Wesley & Son, and William Hinesley, were ordered stricken out by the following vote :

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Kennington, Marsee, Reagan, Thoms and Whitsit—11.

Negative—Councilmen Heckman, Newman, Thalman, Weaver, Wiles and Woodburn—6.

On motion by Mr. Marsee, the amounts reported by the Sewerage Engineer, in favor of Jacob Wirth & Co., were ordered inserted.

The ordinance was then ordered engrossed, and read the third time and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—15.

Negative—Councilman Kennington—1.

Special Appropriation Ordinance No. 34, 1871, was read the second and third times, and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—16.

Negative—None.

Special Appropriation Ordinance No. 35, 1871, was read the second and third times and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Craft, Heckman, Marsee, Newman, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—12.

Negative — Councilmen Brown, Gimber, Kennington, and Reagan—4.

Special Appropriation Ordinance No. 36, 1871, was read the second and third times and passed by the following vote :

Affirmative — Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—None.

Special Appropriation Ordinance No. 32, 1871, was read the second and third times and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—None.

CALL OF THE ROLL OF MEMBERS.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., June 3, 1871.

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

WHEREAS, The members of the American Association for the Advancement of Science, have consented to hold their twentieth annual meeting in Indianapolis, commencing August 16, 1871; and

WHEREAS, In consideration of the many advantages that will accrue from the assembling of this Association of Scientists, in a manufacturing and educational point of view,

Therefore, We deem it right and proper that a suitable appropriation be made by your honorable body, to pay the necessary expenses to be incurred in extending to them the usual courtesies of the city.

Very respectfully,

BOWEN, STEWART & CO.,

INDIANA BANKING CO.,

NATHAN KIMBALL,

TALBOTT, PATTERSON & MOORE,

And 135 others.

Which was received.

Mr. Batty offered the following resolution :

Resolved, That the City Council pledge itself to appropriate a sum not exceeding the sum of one thousand dollars, to aid in defraying

the expenses of entertaing the members of the Scientific Convention about to assemble in this city; *Provided*, That no part of the above amount be used for defraying expenses for any banquet.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Cottrell, Craft, Marsee, Newman, Thalman, Weaver, Whitsit and Wiles—10.

Negative—Councilmen Brown, Gimber, Heckman, Kennington, Reagan, Thoms and Woodburn—7.

Mr. Batty presented a petition, signed by William J. Brown, Wm. Bucke, W. F. Cornelius, and others, asking that the contract for grading and graveling the sidewalks on Ash street, between Christian and Home avenues, be so changed as to provide for paving said sidewalk with brick, etc.

Which was received, and permission granted said petitioners to make such arrangements with the contractors as they best can.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The undersigned, citizens of said city, would respectfully petition your honorable body, to instruct the proper officers to strictly enforce the Sunday law, as regards the closing of saloons and beer gardens, on said day.

And your petitioners will ever pray, etc.

DELOSS ROOT,
THOMAS K. SHARPE,
J. C. S. HARRISON,
DAN. YANDES,

And 500 others.

Which, on motion, by Mr. Kennington, was laid on the table by the following vote :

Affirmative—Councilmen Bigham, Gimber, Heckman, Kennington, Marsee, Reagan, Thoms and Whitsit—8.

Negative—Councilmen Batty, Brown, Cottrell, Craft, Newman, Thalman and Wiles—7.

Mr. Batty offered the following motion :

Moved, That Hanway & Co., be permitted to move a frame dwelling house on St. Clair street, one and one-half squares, to Jackson street.

Which, on motion by Mr. Brown, was laid on the table.

Mr. Batty presented the following order of vacation :

WHEREAS, On the 17th day of April, 1871, a petition was presented to the Common Council of the City of Indianapolis, which petition was in the following words and figures, to-wit :

INDIANAPOLIS, IND., April 17, 1871.

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

“Gentlemen—The undersigned respectfully petition your honorable body, to pass an ordinance for the vacation of Oliver street, from Tinker street to Northwood street. Your petitioners are the owners of all the real estate on both sides of said street. It is further our desire and express wish, that the extension of Park avenue may not be granted without the vacation of the above named street.

And your petitioners will ever pray, etc.

E. F. RITTER,
T. A. H. JOHNSON,
L. D. JOHNSON,
J. W. BROWN.”

Which said petition was referred, by said Common Council, to the Committee on Streets and Alleys and City Attorney ; and,

WHEREAS, On the 24th day of April, 1871, the Committee on Streets and Alleys, to whom the petition aforesaid was referred, submitted their report thereon, the plat of said report referring to said vacation, being in the following words and figures, to-wit :

“A petition was also referred to us, signed by E. F. Ritter, and others, praying that Oliver street be vacated, from Tinker street to Northwood street. As they propose to open Park avenue, between

said Tinker street and Norwood street, (which will now run some feet further west, and on a line with the streets of the old corporation limits,) we would recommend that the vacation be ordered, and the necessary legal notice be given, all at the expense of the petitioners."

In which said report said Committee recommended the vacation of Oliver street, as prayed for in said petition; and,

WHEREAS, Now come the said petitioners, E. F. Ritter, T. A. H. Johnson, L. D. Johnson and J. W. Brown, and show that they are the owners, respectively, of all the lots fronting on the east and west side of the portion of Oliver street, between Tinker and Norwood streets, now proposed to be vacated, which ownership is not denied; and,

WHEREAS, Said petitioners also now produce proof that the publication of the notice of the pendency of their said petition, as required by law in such cases, has been duly given, which said proof is in the words and figures to-wit:

NOTICE.

Notice is hereby given of the pendency of the following petition:

INDIANAPOLIS, July 3, 1871.

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

Gentlemen—The undersigned respectfully petition your honorable body to pass an ordinance for the vacation of Oliver street, from Tinker to Northwood street. Your petitioners are the owners of all the real estate on both sides of said street.

And your petitioners will ever pray, etc.

E. F. RITTER,
T. A. H. JOHNSON,
L. D. JOHNSON,
J. W. BROWN."

The said petition will be acted upon by the Common Council, June 26th, 1871, or as soon thereafter as the same can be heard.

JOHN R. CLINTON,
City Clerk.

STATE OF INDIANA, }
MARION Co., } ss:

Before the undersigned, personally appeared Mandeville G. Lee, editor of the *Indianapolis Daily Commercial*, who, being duly sworn,

declares the notice of petition annexed, for vacation of Oliver street, was published in said paper three consecutive weeks, the first publication being June 3, 1871.

MANDEVILLE G. LEE.

Made and sworn to before me, this 26th day of June, 1871.

E. F. RITTER,
Notary Public.

NOTICE.

Notice is hereby given of the pendency of the following petition :

INDIANAPOLIS, July 3, 1871.

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

Gentlemen—The undersigned respectfully petition your honorable body to pass an ordinance for the vacation of Oliver street, from Tinker to Northwood street. Your petitioners are the owners of all the real estate on both sides of said street.

And your petitioners will ever pray, etc.

E. F. RITTER,
T. A. H. JOHNSON,
L. D. JOHNSON,
J. W. BROWN.

The said petition will be acted upon by the Common Council, June 26th, 1871, or as soon thereafter as the same can be heard.

D. M. RANSELL,
City Clerk.

STATE OF INDIANA, }
MARION Co., } ss :

Personally came before me, W. H. Hazelton, notary public in and for said State and County, Eli F. Ritter, who, being duly sworn on oath, says that on the third day of June, 1871, he posted three copies of the foregoing "Notice," attached hereto, in three of the most public places along the line of Oliver street, now proposed to be vacated.

Sworn to and subscribed before me, this 24th day of June, 1871.

WM. H. HAZELTON,
Notary Public.

WHEREAS, No remonstrance or objection has been made to the proposed vacation, and the Common Council being fully advised in the premises,

Therefore, It is ordered and decreed by the Common Council of the city of Indianapolis, that the full width of that portion of Oliver street, extending from Tinker street to Northwood street, in Johnson's heirs' addition to the city of Indianapolis, be, and the same is hereby, declared to be vacated.

Which was laid over for one week.

Mr. Bigham offered the following motion :

Moved, That the property owners be, and are hereby, granted permission to grade and gravel the first alley south of New York street, running from Winston street to the first alley west of Winston street, the same to be done at their own expense, and under the direction and to the satisfaction of the City Civil Engineer, who is hereby instructed to set the grade stakes, the same to be done in 90 days.

Which was adopted.

Mr. Brown introduced General Ordinance No. 38, 1871, entitled :

An Ordinance authorizing the excavation of a channel for Pogues run, through the lands of Stoughton A. Fletcher, Jr., Ingram Fletcher, the heirs of Jeremiah Johnson, and the heirs of Gustavus Shurman, from a point at Pogues run in Ingram Fletcher's river-side addition to the city of Indianapolis, to a point in Fall creek, on the land of the heirs of Gustavus Shurman.

Which was read the first time.

Mr. Brown introduced General Ordinance No. 39, 1871, entitled :

An Ordinance to amend Section 5 of an ordinance entitled: "An ordinance to regulate the running of locomotives and cars in the city of Indianapolis, and requiring flagmen to be stationed at certain railroad crossings, defining the duties of each flagman, and prohibiting locomotives and cars from running across certain streets, unless a flagman is stationed at such crossing." Ordained March 5, 1866.

Which was read the first time.

Mr. Brown introduced General Ordinance No. 40, 1871, entitled:

An Ordinance to prohibit railroad companies and their employes from leaving locomotives or cars standing upon streets or sidewalks.

Which was read the first time.

Mr. Brown offered the following resolution:

Resolved, That the meetings of the Common Council to be held on the fourth Monday in each month, shall be considered as "bill night," at which only accounts and claims shall be presented and referred to the Committee on Accounts and Claims, to be then reported on at the first meeting following; and it shall not be in order to present claims or accounts at any other meetings, other than the one held on the fourth Monday in each month.

Which was adopted adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Reagan, Thalman, Thoms, Whitsit and Wiles—14.

Negative—Councilman Newman—1.

Mr. Cottrell offered the following motion:

Moved, That the City Civil Engineer be, and he is hereby, directed to report to the Council, without unnecessary delay, the capacity of every culvert erected over the channel of Pogues run, and whether

said culverts be of sufficient capacity, and if any be not, which ones they are, with a statement of how much they are lacking; also, to report regarding all impediments which may exist in the bed of said stream, such as trestle work, piers, etc., as prevent the free passage of water.

Moved, Further, that he be authorized to employ such assistance as will enable him to promptly comply with the requirements of the foregoing motion.

Which was adopted.

Mr. Cottrell offered the following motion :

Moved, That when this Council adjourn, it adjourn to meet on Friday next.

Which was not adopted.

Mr. Cottrell offered the following motion :

Moved, That the officers having in charge the "chain gang," have them work in the bed of Pogues run, from the canal to Washington street.

Which was not adopted.

Mr. Cottrell presented the following invitation :

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—You are respectfully invited to attend the 4th of July celebration, (to-morrow,) to be held for the benefit of the German Orphan Asylum.

Very respectfully,

CONRAD RUSSE,

President of the Board of Directors.

Which was accepted.

Mr. Craft introduced Special Ordinance No. 69, 1871, entitled :

An Ordinance to repair New York street and sidewalks, from East street to Noble street.

Which was read the first time.

Mr. Craft offered the following motion :

Moved, That the City Clerk issue an auctioneer's license to A. L. Hunt, to date from May 1st, last, on his paying to the City Treasurer the amount charged for said license under the ordinance of the City.

Which was adopted.

Mr. Craft offered the following motion :

Moved, That Andrew McOuat have permission to grade and pave with brick the sidewalk in front of his property, on the east side of East street, running from the corner of New York street to the north line of his lot, the same to be done in sixty days; and the Civil Engineer is hereby directed to set the grade stakes, the said pavement to be nine feet wide.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, IND., June 3, 1871.

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

Gentlemen—The undersigned would respectfully represent that in subdividing the ground formerly known as Wm. Willard's subdivision, south of Washington street, the name of Willard street was retained as designated on the former plat; subsequently it was discovered there was, prior to this subdivision, a Willard street in the south-west part of the city, named for Governor Willard, which has priority of record. It therefore becomes necessary to change the name of this to prevent confusion, and respectfully suggest that

Summit street be substituted for that of *Willard* street, in Ridenour's subdivision of Wm. Willard's subdivision, and to be designated as such from Washington street south to the Michigan road.

Very respectfully,

JOHN RIDENOUR.

Which was received and prayer granted.

Mr. Heckman introduced Special Ordinance No. 70, 1871, entitled:

An Ordinance to provide for grading and graveling *Summit* street and sidewalks, between Washington street and the Michigan road.

Which was read the first time.

Mr. Heckman presented the following remonstrance:

INDIANAPOLIS, IND., July 3, 1871.

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

Gentlemen—The undersigned, owners of the real estate fronting on East street, between Pogues run and South street, respectfully remonstrate against the awarding of a contract for the bowldering of the gutters on East street, between Pogues run and South street, for the following reasons:

1st. We petitioned for the graveling of said street, but did not ask that the gutters be bowldered, because they do not need it, they are in good condition, and there is but little water passed through said street, just enough to keep the gutters clean without washing.

2d. We do not feel able or willing to bear the additional expense, when it will be of no practical utility to us. We had our sidewalks paved with brick last year, and now we are willing to pay for graveling our street, but we do consider it a hardship to be compelled to bowlder the gutters this season, and ask that your honorable body take such measures as will cause the contract to be so made as to provide for graveling only.

And your remonstrants will ever pray, etc.

GEORGE W. HILL,
GEORGE W. TYLER,
A. MAY,
WM. HILLMAN,

And 15 others.

Which was referred to the Committee on Streets and Alleys.

On motion, the Council adjourned.

DANIEL MACAULEY.

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.