

PROCEEDINGS  
OF THE  
COMMON COUNCIL

ADJOURNED SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Tuesday, August 22, 1871, 7½ o'clock, P. M.* }

The Common Council met pursuant to adjournment.

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

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

Absent—Councilman Heckman—1.

On motion the rules were suspended for the purpose of calling the roll of members for the presentation of new business.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—The undersigned would respectfully ask permission to bowlder the gutter on the north of his premises, on Walnut street, between Delaware and Alabama streets. Grade to be furnished by the City Engineer.

HORACE PARROTT.

Which was granted.

Mr. Bigham offered the following motion :

*Moved :* That John F. Hill have permission to pave with brick the sidewalk in front of his residence on North Alabama street, said pavement to be nine feet wide, and to be done inside of sixty days, and the Civil Engineer is hereby directed to set the stakes.

Which was adopted.

Mr. Bigham offered the following motion :

*Moved :* That the Market Master be required to make his qarterly report, for the quarter ending August 16, 1871, to this Council, within eight days from this date.

Which was referred to the Committee on Markets.

Mr. Brown offered the following motion :

*Moved :* That the City Clerk prepare a complete register of all outstanding city bonds, in their numerical order, with date of the maturity of semi annual interest thereon, and the date of the maturity of the bonds, and furnish copies of the same in a small book to the City Treasurer, and to the Chairman of the Committee on Finance ; and that the said Committee be required hereafter, to see that funds are provided to pay at maturity, the principal and interest on all city bonds.

Which was adopted.

Mr. Brown offered the following motion :

*Moved:* That the City Civil Engineer advertise for proposals for plans to be submitted to him and by him to the Council, for a brick tunnel under the railway tracks on Meridian street, of sufficient dimensions to admit of two roadways for wagons and one foot-way, to be lighted with gas.

Which was adopted.

Mr. Brown introduced General Ordinance No. 47, 1871, entitled :

An Ordinance providing for constructing a public sewer in Washington street, between Illinois street and Pogues run, and for changing the grade and repairing the street when the said sewer is completed.

Which was read the first time.

Mr. Cottrell offered the following motion :

*Moved:* That the Committee on Public Buildings report to this Council the expediency of building an addition to the City Hospital, as a house of refuge for the boys residing in this city.

Which was adopted.

Mr. Cottrell offered the following motion :

*Moved:* That the City Attorney report to this Council at its next meeting, an Ordinance repealing so much of an Ordinance, passed June 5, 1871, as compels the Indianapolis Gas Light and Coke Co., to take out a permit to lay down pipes in the streets and alleys of this city, as it will be seen by an ordinance passed by the Council, March 19, 1866, on page 174, section 6, that said Company must at all times before making any excavation in the street, notify the Street Commissioners of that fact.

Which was referred to the Committee on Steets and Alleys and City Attorney.

Mr. Cottrell offered the following motion :

*Moved:* That the City Marshal notify the property holders on the west side of Virginia avenue, between Pogues run and Louisiana street, to set their fences back on the line within thirty days, and on their failure to do so, to enforce the law in such cases made and provided.

Which was referred to the Committee on Streets and Alleys and City Attorney.

Mr. Cottrell offered the following motion :

*Moved:* That the City Attorney report to this Council, that if the Council should repeal the ordinance relieving the Citizens Street R. R. Co., from improving between their tracks and two feet on each side, where the expense would fall after that time: whether to the property on each side of the line improved, or whether to the city to be paid out of the City Treasury, or to the Citizens Street Railway Company.

Which was adopted.

Mr. Cottrell introduced General Ordinance No. 48, 1871, entitled :

An Ordinance granting permission to construct a railway track across New Jersey street.

Which was read the first time.

Mr. Gimber offered the following motion :

*Moved:* That the Committee on Water Works be instructed to inquire and report whether a hydrant ought not to be placed in the centre of the square on Illinois street, between McCarty and Ray streets, the distance between the two streets being 780 feet.

Which was adopted.

Mr. Gimber presented the following remonstrance :

INDIANAPOLIS, August 22, 1871

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Tinker street, between Illinois street and Michigan road, respectfully remonstrate against the passage of an ordinance providing for the widening of said street as contemplated, believing that it is wrong to cut the whole of said widening from one side of said street, and believing the assessment of damages not just and equal.

And your remonstrants will ever pray, etc.

C. E. MUNSON,  
MARIA KENSELE,  
JOHN LATHER,  
HERBERT NEFF,

And 8 others.

Which was received.

Mr. Marsee introduced Special Ordinance No. 104, 1871, entitled :

An Ordinance to provide for grading and bowldering the first alley east of Delaware street, between Pearl and Maryland streets.

Which was read the first time.

Mr. Marsee introduced Special Ordinance No. 105, 1871, entitled :

An Ordinance to provide for grading and bowldering the east end of the first alley south of Washington street, between Alabama and Delaware streets.

Which was read the first time.

Mr. Reagan presented the following remonstrance :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—Be it hereby known that we, the undersigned owners of real estate situated between Washington and Maryland streets,

and fronting on the west side of Mississippi street, and in square sixty-nine, (69,) in the city of Indianapolis, do remonstrate against the petition now pending before the Council, to grade, pave with brick and curb with stone curbing the west sidewalk on Mississippi street, between Washington and Maryland streets, and that we do hereby petition that the same be graded, paved with brick and curbed with *brick* curbing, the pavement and curbing together to be ten (10) feet in width, and made of the best hard brick.

L. VAN LANNINGHAM,  
A. H. MILLER,  
D. ROOT,  
P. H. GRIFFITH,

And 3 others.

There is to be no curbing of any kind between the edge of sidewalk and gutter, but the curbing here spoken of means brick set up edgeways at the out edge of pavement.

Which was referred to the Committee on Streets and Alley.

Mr. Reagan presented the following remonstrance:

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—We, the undersigned, owners of real estate fronting on Illinois street, Maryland street and Kentucky avenue, respectfully remonstrate against the storage in building No. 31 Kentucky ave., of an article known as "Ward's Portable Gas, or Gasoline Oil," as the smell is offensive, and we consider we are exposed to the dangers of fire as long as it is contained therein.

EDWARD GASTON,  
JOHN L. BROWN,  
B. F. RILEY,  
JOHN A. RILEY,

And 6 others.

Which was referred to the Committee on Fire Department.

Mr. Thalman offered the following motion :

*Moved:* That the Street Commissioner be directed to notify all property holders in front of whose premises the brick sidewalks on Washington and Illinois streets are broken and in bad order, that

they must immediately repair the same. If not done within ten days after notice is given, that he do the work and collect the expense of same from said property owners.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the City Engineer be directed to examine and make a report as to where, and in what manner, the water from Blake street, between New York and North streets, can be diverted so as not to flood the private property into which it now empties. Also, to examine the gutter on north side of North street, between Blackford and New York streets, and report whether the same can not be deepened so as run off the water and prevent overflowing the sidewalk.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the Street Commissioner be directed to have the west market space cleaned up and the brick floor repaired. Also, that the Market Master report whether the parties who purchased the west market space, did not remove a lot of benches and blocks from the same contrary to contract of sale to him by the city.

Which was adopted.

Mr. Thalman offered the following motion :

*Moved:* That the Mayor and City Clerk file the city's bond with the State authorities, for arms for the "Independent Zouaves," a military company of said city, provided said company first fully conform with the law governing such cases.

Which was adopted.

Mr. Thalman presented the following petition :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—We, the undersigned, property holders in square 52, and owners of real estate in lots 5 and 6 in said square, including the

private alley running from Osage alley to Mississippi street through the same, said alley being located and bounded as follows, viz: Commencing at a point on the east side of Osage alley, eighty-four (84) feet from the north line of Washington street, running thence east to west line of Mississippi street, thence south ten feet, thence west to east line of Osage alley, thence north to place of beginning ten feet, hereby release all our right in said private alley, and desire that the same be bowldered in the following manner, viz: So as to run the water in the center of the alley to Mississippi street and to Osage alley.

And your petitioners will ever pray, etc.

JOHN A. HEIDLINGER,  
GEORGE DEITZ,  
F. STOUT & SON,  
CAROLINE SHAUB.

Which was received and City Attorney instructed to prepare the necessary papers.

Mr. Thalman offered the following motion :

*Moved:* That the first alley north of Washington street, running from Mississippi street to Osage alley, be called Gibson alley.

Which was adopted.

Mr. Thalman introduced Special Ordinance No. 106, 1871, entitled :

An Ordinance to provide for grading and bowldering Gibson alley, from Mississippi street to Osage alley.

Which was read the first time.

Mr. Thoms introduced Special Ordinance No. 107, 1871, entitled :

An Ordinance to provide for grading and paving with brick the west sidewalk of Alabama street, between Market street and Massachusetts avenue.

Which was read the first time.



Mr. Thoms offered the following motion :

*Moved:* That the Street Commissioner notify the officers of all the railroad companies that they will be required to remove their switches and frogs from the public streets, sidewalks and alleys.

Which was referred to the Committee on Railroads.

Mr. Weaver offered the following motion :

*Moved:* That J. D. Howland be permitted to pave with brick, under the direction of the City Engineer, the south sidewalk of Michigan street, between Tennessee street and the next alley west ; said work to be completed within 60 days.

Which was adopted.

Mr. Whitsit presented the following remonstrance :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—The undersigned, owners of real estate fronting on Coburn street, and between Wright and Short streets, in the city of Indianapolis, Indiana, would respectfully remonstrate against your honorable body passing an ordinance for the grading and graveling of said Coburn street, between said streets of Wright and Short.

BERNARD BOYLE,

JOHN RYAN,

BRIDGET WARD,

ELLEN SWEENEY,

And 5 others.

Which was referred to the Committee on Streets and Alleys, together with ordinance providing for said improvement.

Mr. Whitsit offered the following motion :

*Moved:* That the Street Commissioner be instructed to at once remove from Louisiana street, just east of East street, a water tank recently erected by the Indianapolis, Cincinnati & Lafayette R. R. Co., the same being an obstruction to said street, and erected there without any right or authority, whatever. And, that the Street

Commissioner and City Marshal be instructed to at any time interpose and prevent the obstruction of any street or alley by the laying down of a railroad track or tracks, unless the same is authorized by the Common Council; and this is a duty which said officers *must* attend to, for which purpose if necessary to aid therein they shall call upon the police force of the city.

Which was referred to the City Attorney and Civil Engineer, with instructions to report as soon as practicable.

Mr. Whitsit presented the following petition :

INDIANAPOLIS, IND., Aug. 22, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Virginia avenue, between East street and the old corporation line east, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick the sidewalks of Virginia avenue, from East street to the old corporation line east.

And your petitioners will ever pray, etc.

PETER ROUTIER,  
R. BROCK,  
EARL RIED,  
DAVID W. SNIDER,

And 20 others.

Which was received.

Mr. Wiles offered the following motion :

*Moved:* That the City Engineer be directed to report to this Council in what manner the water can be diverted from North Meridian street, at the crossing of Second street, and also from North Pennsylvania street and North Delaware street, in about the same line as the crossing on Second street on Meridian street.

Dr. Woodburn offered the following as a substitute :

*Moved:* That the City Civil Engineer, with the Committee on Sewers, be instructed to investigate and report to this Council at its next meeting, a plan for draining that part of the city between First and Tinker streets.

Which was accepted by Mr. Wiles, and on motion, adopted.

Mr. Wiles offered the following motion :

*Moved* : That the Committee on Revision of Ordinances, be authorized to employ assistants to assist them in drawing the plats and descriptions of the various additions contemplated to be annexed to the city in the motion referred to them, expense not to exceed twenty dollars.

Which was adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, August 22, 1871.

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

GENTLEMEN—We, the undersigned, property holders of Indianapolis, on Delaware street, between St. Marys street and Seventh street, do hereby petition the Common Council of the City of Indianapolis, to grade and gravel the street and sidewalks between St. Marys and Seventh streets, at as early a date as expedient.

JAMES T. ANDERSON,  
J. B. SCHOFIELD,  
GEO. W. SNIDEB,  
W. J. GILLESPIE,

And 9 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Wiles introduced Special Ordinance No. 108, 1871, entitled :

An Ordinance to provide for lighting with gas Delaware street, between St. Marys and Seventh streets.

Which was laid on the table.

Dr. Woodburn presented the following remonstrance :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—Your petitioners, residents of the city and owners of real estate fronting on Merrill street, between Tennessee street and the canal, respectfully remonstrate against having Merrill street

graded and graveled, until such time as bridges are built across Pogues run and the canal. To grade and gravel now without these bridges would leave Merrill street in the same condition as Mississippi street and Willard street have been in for several years, nothing but banks of dirt and gravel with level tops before the people's houses, with no bridges, making it unsafe at night to drive in that locality, as horse and man would be liable to go over the bank into the canal or the creek. Presuming that a street being there, there would also be a bridge; besides, in its present condition, to make the street at the proposed grade, will make such a high fill as to throw the land along the street from five (5) to eleven (11) feet below the grade, rendering it nearly worthless and greatly to damage of the owners of the property, and without making a thoroughfare for which a street properly should be designed. We therefore pray that no ordinance be passed "to grade and gravel Merrill street and sidewalks, from Tennessee street to the canal."

And your remonstrants will ever pray, etc.

INDIANAPOLIS ROLLING MILL CO.,

By J. M. Lord, President.

JAMES GUEER,  
JAMES SULLIVAN,  
J. H. McKERNAN,

Which was referred to the Committee on Streets and Alleys, together with the ordinance.

Mr. Brown offered the following motion :

*Moved:* That the Committee on Streets and Alleys inquire and report whether there is not needed a wooden culvert over the gutter on west side of Virginia avenue, at the crossing of Maryland street.

Which was adopted.

His Honor, the Mayor, presented the following petition :

INDIANAPOLIS, IND., August 22, 1871.

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

GENTLEMEN—We, the undersigned, citizens of Indianapolis, respectfully desire the abatement of the "public nuisance," the foul, fœtid, filthy and stinking gutter coursing along a portion of the east side of Delaware street, a short distance north of Maryland street,

to Virginia avenue, from thence along on the north side of said Virginia avenue until it reaches Pogues run.

The deadly exhalation or miasma from said gutter, has already produced several cases of fever of a very malignant character.

We trust that action will be taken in the matter immediately.

R. A. BARNES, M. D.,

H. B. VANCE, Jr.,

W. L. HOLT,

W. H. PARMELEE,

And 19 others.

Which was referred to the Committee on Streets and Alleys.

Also, the following communication :

INDIANAPOLIS, IND., August 22, 1871.

*Hon. Daniel Macauley, Mayor of the City of Indianapolis :*

DEAR SIR—Permit me to respectfully represent, and in so doing direct your particular attention to the fact that, by action of the city in placing tile pipe of inadequate capacity in gutters at intersection of Pennsylvania and Potomac, (otherwise known as Court) streets, the adjacent property, or basement thereof at least, are flooded through this insufficient or checked drainage, and this at each and every occurrence of showers of only ordinary severity. My special concern and complaint is, in so far as the premises of the Aetna Fire Insurance Co., of Hartford, Ct., may suffer damages, of a more or less serious nature through this unfortunate condition of affairs. The existence of this cause of complaint has been of considerable duration, my silence heretofore having been induced through the hope that the proper authorities would, of their own accord, take steps to remedy the same. Further delay can only result in a suit against the city for damages, and I trust you will do me the favor to place the matter in proper channel for investigation and official action.

Very truly yours,

A. ABROMET,

Ag't Aetna Ins. Co., Hartford, Ct.

Which was referred to the Committee on Sewers.

His Honor also offered the following motion :

*Moved:* That the Police Board be authorized to place upon the Police Pay-Roll the City Jailor employed by the Station House Keeper, at a salary not exceeding that of policemen.

Which was referred to the Board of Police.

On motion the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.