

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, October 16th, 1871, 7 o'clock P. M. }

The Council met in regular session.

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

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

Absent—Councilmen Newman and Woodburn—2.

The proceedings of the regular session held October 9th, 1871,
and of the called session held October 10th, 1871, and of the
adjourned session held October 11th, 1871, were read and ap-
proved.

Scaled proposals for the improvements of streets, alleys, sidewalks, &c., were opened and read, and referred to the Committee on Contracts.

The bridge bids were referred to the Committee on Bridges.

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

INDIANAPOLIS, October 16, 1871.

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

GENTLEMEN—We, the Committee on Contracts, would report that O. H. P. Bly is the lowest and best bidder on grading and paving the sidewalk on Virginia avenue, between East street and the corporation line, his bid being sixty-four (64) cents per lineal foot front. We would therefore recommend that he be awarded the contract for the said work, and the Civil Engineer is hereby ordered to set the grade stakes.

Respectfully submitted,

W. H. CRAFT,
ROBERT KENNINGTON,
J. S. MARSEE,
Committee on Contract.

Which was concurred in, and contract awarded.

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

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—Your Committee on Contracts to whom was referred proposals for paving with brick the sidewalks around the East Market House, have examined the same and find them to be as follows, to-wit: R. P. Dunning, 117 and 71; O. H. P. Bly, 98 and 68; Thos. Roney, 98 and 66; James W. Hudson, 96 and 66. We find that

James W. Hudson is the lowest and best bidder, and would therefore recommend that he be awarded the contract.

Respectfully submitted,

W. H. CRAFT,
ROBERT KENNINGTON,
J. S. MARSEE,
Committee on Contracts.

Which was concurred in, and contract awarded.

By consent, Mr. Whitsit presented the following petition :

INDIANAPOLIS, Oct. 16, 1871.

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

GENTLEMEN—The undersigned would respectfully petition your honorable body for permission to grade and pave with brick, according to the specification of the City Engineer, one hundred and twenty feet (120) feet of sidewalk on the west side of Virginia avenue, in front of ground owned by him.

JOHN BRENNAN.

Which was granted, provided the work be finished in sixty days, and to be done at his own expense.

The City Civil Engineer made the following report :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

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

James Mahoney:—

For grading and graveling Pennsylvania street from Second to Tinker street:

Length on east side.....	2,094 ft. 3½ in.
Length on west side.....	2,094 ft. 3½ in.
Total length.....	4,188 ft. 7 in.
At 45½ cents per lineal foot	\$1,905 72

Also, R. P. Dunning :—

For grading and paving and curbing the west sidewalk on Mississippi street, from Washington to Maryland street.

365 feet of paving at 61 cts. per lineal foot.....\$222 65

460 feet of curbing at 59 cts. per lineal foot..... 271 40

Total..... \$494 05

Also, Hanway and Hanna :—

For grading and graveling the alley running north and south through out-lot 123, from Merrill to first ally south.

Length on east side..... 385 ft.

Length on west side..... 385 ft.

Total length..... .. 770 ft.

At 24 cents per lineal foot..... \$184 80

Also, same :—

For grading and graveling the alley running east and west through out-lot 26.

Length on north side..... 165 ft.

Length on south side..... 174 ft.

Total length..... 339 ft.

At 22 cents per lineal foot..... \$74 58

Also, same :—

For grading and graveling the first alley south of Michigan street, between Noble and Liberty streets.

Length on north side..... 408 ft.

Length on south side..... 408 ft.

Total length..... 816 ft.

At 32 cents per lineal foot..... \$261 12

Also, James Hudson :—

For grading and bowldering Gibson alley from Mississippi street to Osage alley.

Length on north side..... 204 ft. 6 in.

Length on south side..... 204 ft. 6 in.

Total length..... 409 ft.

At 35 cents per lineal feet..... \$143 15

Also, John Schier :

For grading and paving the sidewalk on Meridian street, from First to Tinker street.

Lentgth of pavement 577 ft. and 10½ in., at 58½ cents per lineal foot.....	\$338 15
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Also, Hanway and Hanna :—

A partial estimate for grading and graveling Tennessee street and sidewalk, from the south side of the new bridge over Pogues Run to Catherine street.

Length on east side.....	170 ft.
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Length on west side.....	145 ft.
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Total length.....	315 ft.
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At 75 cents per lineal foot.....	\$236 25
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Respectfully submitted,

R. M. PATTERSON,

Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, Oct. 16, 1871.

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

GENTLDMEN—The City Clerk would respectfully report as follows:

FIRST.

First and partial estimate allowed Hanway and Hanna for grading and graveling Tennessee street and sidewalk. from the south side of the new bridge over Pogues Run to Catherine street.

SECOND.

First and final estimate allowed Hanway and Hanna, for grading and graveling the first alley south of Michigan street, between Noble and Liberty streets.

THIRD.

First and final estimate allowed Hanway and Hanna, for grading and graveling the alley running east and west through out-lot No. 26.

FOURTH.

First and final estimate allowed Hanway and Hanna, for grading

and graveling the alley running north and south through out-lot No. 123, from Merrill street to the first alley south of Merrill street.

FIFTH.

First and final estimate allowed James W. Hudson for grading and bowldering Gibson alley from Mississippi street to Osage alley.

SIXTH.

First and final estimate allowed John Schier, for grading and paving with brick the sidewalks of Meridian street from First to Tinker streets.

SEVENTH.

First and final estimate allowed R. P. Dunning for grading and paving with brick and curbing with stone, the west sidewalk of Mississippi street from Washington to Maryland street.

EIGHTH.

First and final estimate allowed James Mahony, for grading and graveling Pennsylvania street from Second to Tinker street.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was received.

Also the following resolution :

Resolved, that the foregoing first and partial estimate allowed Hanway and Hanna for grading and graveling Tennessee street and sidewalks, from the south side of the new bridge over Pogues Run to Catherine street, be and the same is hereby as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, that the foregoing first and final estimate allowed Honway and Hanna for grading and graveling the first alley south of Michigan street, between Noble and Liberty streets, 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed Hanway and Hanna, for grading and graveling the alley running east and west through out-lot 26, 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed Hanway and Hanna for grading and graveling the alley running north and south through out-lot No. 123, from Merrill street to the first alley south of Merrill 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed James W. Hudson, for grading and bowldering Gibson alley from Mississippi street to Osage alley, 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed John Schier, for grading and paving with brick the sidewalks of Meridian street, from First to Tinker 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimates allowed R. P. Dunning, for grading, paving with brick and curbing with stone the west sidewalk of Mississippi street from Washington to Maryland 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.

Which was adopted by the following vote :

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

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate allowed James Mahoney, for grading and graveling Pennsylvania street from Second to Tinker 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.

Which was adopted by the following vote :

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

Negative—None.

The City Clerk presented the contract and bond of O. H. P. Bly, for grading and paving with brick the sidewalks of Virginia avenue, from East street to the corporation line south,

Which was accepted and approved.

The City Attorney made the following report :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—In obedience to a motion passed by the Council on the 14th inst., I herewith report an ordinance to prohibit the confining of hogs in close pens for feeding and fattening purposes.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Also General Ordinance No. 57, 1871, entitled :

An Ordinance to prohibit the feeding and fattening of hogs in pens in the city of Indianapolis.

Which was read the first time.

Also General Ordinance No. 58, 1871, entitled :

An Ordinance to prevent hogs from running at large in the city of Indianapolis.

Which was read the first time.

Mr. Brown introduced General Ordinance No. 59, 1871, entitled :

An Ordinance prescribing the fire limits and sub-fire limits of the city of Indianapolis, prohibiting under certain penalties the construction or maintaining of wooden buildings therein, and authorizing their removal on notice from the sub-fire district.

Which was read the first time and referred to the Committee on Fire Department.

Mr. Thalman presented the following petition :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on Michigan street, between Blackford and Blake streets, respectfully petition your honorable body to pass an ordinance providing for the

grading and graveling of Michigan street between Blackford and Blake streets, and your petitioners will ever pray, &c.

R. J. BRIGHT,
J. W. NICHOL.

Which was received.

Mr. Thalman introduced Special Ordinance No. 138, 1871, entitled :

An Ordinance to provide for grading and graveling Michigan street and sidewalks, between Blackford and Blake streets,

Which was read the first time.

Mr. Whitsit introduced Special Ordinance No. 139, 1871, entitled :

An Ordinance to provide for grading and paving with brick the sidewalks on Huron street, from Virginia avenue to Noble street,

Which was read the first time.

Mr. Marsee, from the Committee on Fire Department. made the following report :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—Your Committee on Fire Department, to whom was referred the petition of Henry D. Carlisle to be allowed to build a frame addition to his mill on the corner of Maryland street and the Canal, would respectfully report that they have examined the same, and would recommend the prayer of the petitioner be granted.

Respectfully submitted,

J. S. MARSEE,
ROBT. KENNINGTON,
Committee on Fire Department.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved: That the Committee on Fire Department with the Chief Fire Engineer, be instructed to erect a building immediately on the lot on St. Soseph street, the cost of which shall not exceed seven hundred dollars.

Which was adopted.

Mr. Brown, from the Sub-Committee of the Finance Committee, made a verbal report in regard to the manner of disposing of the money appropriated by the Common Council to aid the sufferers by the Chicago Fire.

Mr. Marsee offered the following motion :

Moved: That the Committee in charge of the Contributions made by the citizens of this city for the Relief of the citizens of Chicago, be invited to act with the Committee appointed by this Council to disburse the appropriation of \$20,000 made for the same purpose.

Which was adopted.

Mr. Locke offered the following motion :

Moved: That the special Relief Committee be instructed to notify the Mayor of Chicago that the twenty thousand dollars appropriated by this Council and on deposit here, is subject to his order, to be expended in the purchase of such articles as he may direct for the relief of the sufferers by the late fire in Chicago.

Which was adopted.

Mr. Thalman offered the following motion :

Moved: That Aaron Resier be allowed to bowlder the sidewalk on the east side of Blackford street, from Vermont to first alley north of Vermont street, said work to be done at his own expense, and under the direction of the Civil Engineer.

Which was adopted.

Mr. Bigham presented the following petition :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—We the undersigned would respectfully ask your permission to grade and gravel the alley in square 60, from Washington to Court street, and between New Jersey and East streets, and that the City Engineer be and is hereby ordered to set the proper grade stakes, and the said work to be finished in sixty days. To be graveled with screened gravel.

HENRY KELLER,
GEO. W. SEIBERT,
Per GEO. W. SEIBERT.

Which was granted.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—We the undersigned owners of all the ground on the south side of Home avenue from Alabama to Delaware street, respectfully request the privilege to grade the sidewalk on said south side of Home avenue between said streets, at their own expense by private contract, under the direction of the City Civil Engineer.

JOHN S. SPANN,
P. G. C. HUNT.

Which was granted.

Mr. Batty offered the following motion :

Moved: That the Resolution ordering a precept for street improvement against lot 8, in Alvord & Co.'s sub-division of Butler and Fletchers addition to the city of Indianapolis, owned by J. W. Smith, be rescinded.

Which was adopted.

Mr. Craft presented the following remonstrance :

INDIANAPOLIS, IND., 16, 1871.

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

GENTLEMEN—The undersigned residents of the city of Indianapo-

lis, respectfully remonstrate against the passage of an ordinance now pending before your honorable body, proposing to authorize Edward King to lay down a railroad track across the eastern termines of New York street, for the reason that the same will be detrimental to a serious degree to the property along the line, and in the general neighborhood of the proposed track.

GEORGE F. MILLER,
FAWKNER & CONNELLY,
WM. VANCE,
J. K. LANGSDALE,
And 6 others.

Which was referred to the Committee on Streets and Alleys, along with the Ordinance providing for laying said track.

Mr. Weaver offered the following motion :

Moved : That the Street Commissioner be directed to cause the gutter on the south side of North street, between Meridian and Illinois (or the Canal) streets, to be opened and cleaned, so as to to admit of the free flowage of water down said gutter.

Which was adopted.

Mr. Reagan offered the following motion :

Moved : That the Street Commissioner notify the Terre Haute and Vincennes Railroad Companies to plank the width of ten feet at the crossings of Louisiana and McGill streets, the same to be done ten days from this date, in case of failure of said companies to comply with this order, the Street Commissioner be and is hereby ordered to do the said work and collect costs from said companies.

Which was adopted.

Mr. Heckman presented the following petition :

INDIANAPOLIS, IND., Oct. 16, 1861.

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

GENTLEMEN—I herewith submit plat entitled "J. M. Ridenour's extended and revised sub-division in the city of Indianapolis," which

plat is now of record in Plat Book No. 3, page 208, of the records of Marion County, and is therein specifically described as comprising J. M. Ridenour's re-subdivision of Wm. Williams subdivision, and part of lots E. & F. of Jas. Blakes subdivision, and also a certain other parcel of land lying west of State avenue and south of Washington street. In the said extended and revised plat the numbers of the lots of the former plat are preserved and the numeral order extended, excepting lots No. 12 and 23 of the former plat, which said numbers are dropped being mainly absorbed by William street, as designated on the revised plat, I would therefore pray your honorable body that said extended and revised plat be accepted and approved, which involves the vacation of Blake alley between South Arsenal avenue and State avenue, and establishing instead William street between said points, and your petitioner will ever pray, &c.

J. M. RIDENOUR.

Which was received and prayer granted.

Mr. Marsee introduced Special Ordinance No. 140, 1871, entitled:

An Ordinance to provide for grading and graveling the west sidewalk of New Jersey street, between Merrill and McCarty streets,

Which was read the first time.

Mr. Marsee introduced Special Ordinance No. 141, 1871, entitled:

An Ordinance to provide for grading and paving with brick the east sidewalk of Virginia avenue, between Alabama and New Jersey streets, and to repair the portion already down.

Which was read the first time.

Mr. Brown offered the following motion:

Moved: That Agedius Naltner be allowed the privilege of paving nine (9) feet in width of the sidewalk in front of property on south Meridian street, between Merrill and McCarty streets, with the patent pavements of which Stonestreet and Richters have the control,

Provided, that the same be done at his own expense and to the satisfaction of the City Civil Engineer.

Which was adopted.

Mr. Thalman presented the following petition :

INDIANAPOLIS, Oct. 16, 1871.

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

GENTLEMEN—The Water Works Company of Indianapolis respectfully represent that the improvement of the west sidewalk of Missouri street, between Indiana avenue and St. Clair street, directed by an ordinance of the Common Council, passed September 6th, 1871, would be materially injurious to said company; that to improve the sidewalk to the width therein directed, would require a large amount of earth to be thrown into the canal on the west side thereof, and greatly obstruct the flow of water the mills which are supplied by the canal, and to the Water Works. That the tow-path of the canal which is on the west side of said street is well graveled and furnishes a good walk for pedestrians. That the improvements directed would be in plain violation of the rights of said company as owners of said canal, and if not arrested will justify and compel an application on their part to enjoin the construction of the same.

Said company is further informed that the owners of a majority of feet of the property fronting on the line of said contemplated improvements are opposed to the making of the same, and that the contractors for the work in consideration of that fact and the likelihood of litigation, are willing to surrender and annul their contract.

A petition from the owners of property along said street, asking that said improvement shall not be made, and an agreement from the contractors that they are willing to relinquish the contract, are herewith submitted.

All of which is most respectfully submitted,

JOHN R. ELDER,
President Water Works Co.

Also the following :

INDIANAPOLIS, Oct. 16, 1871.

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

GENTLEMEN—The undersigned, property owners fronting on the

west side of Missouri street, between Indiana avenue and St. Clair street, would respectfully petition your honorable body to repeal the ordinance providing for the grading and graveling of the west sidewalk on Missouri street, between Indiana avenue and St. Clair street, for the following reasons:

1st. The improvement was not asked for, and is not desired by any considerable number of the property owners or residents along said street.

2d. The sidewalk or tow-path along said street is now wide enough, and as good a walk as it would be after the improvements were made.

3d. Some of the owners of property along said street are widows, depending on their labor to support themselves and families, and it would compel them to sell their property to pay for the improvement.

4th. The improvement would be an injury instead of a benefit to our property, and would add in no way to the convenience of the citizens.

We therefore pray your honorable body to repeal said ordinance and annul the contract for improving the same.

His
JOSEPH ✕ CURTIS,
Mark.

BERNHARD WALLER,

Her
ANNA ✕ CROWLEY,
Mark.

And 9 others, owning 982½ feet.

Also the following :

INDIANAPOLIS, IND., Oct. 16, 1871.

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

GENTLEMEN—As a number of the property owners on the west side of Missouri street, between Indiana avenue and St. Clair street, are opposed to the grading and graveling of the west sidewalk on said street, we hereby agree, that if the city Council desire it we will relinquish the contract for grading and graveling said sidewalk without any claim for damages.

SAM. HANWAY & CO.

Which were received, and, on motion, referred to the Committee on Streets and Alleys.

Mr. Kennington offered the following motion :

Moved : That the City Council accept the fire plugs from Water Works Co., for the use of the Fire Department for one year.

Mr. Locke offered the following :

Moved : That the Mayor shall appoint a Committee of two persons, non-residents of this city, to act in conjunction with a similar Committee selected by Water Works Co., who shall arbitrate as to the price per annum to be paid to the Water Works Co. for a supply of water from their hydrants for fire purposes, in accordance with the provisions of the City Water Works charter.

Which, on motion, were referred to the Committee on Fire Department.

Mr. Bigham offered the following motion :

Moved : That Mr. English have permission to place stone curbing along the sidewalk in front of his property on east Washington street.

Which was adopted.

ORDINANCES ON SECOND READING.

General Ordinance No. 53, 1871, entitled :

An Ordinance to provide for tapping public sewers and drains, and making connection therewith,

Was called up and read the second time.

Mr. Gimber moved to strike out the words "ten dollars," where it occurs in the second section, and insert fifty cents in lieu thereof.

Which motion was not adopted.

Mr. Brown offered the following amendment to section second, to be inserted after the words "ten dollars :"

Provided, That the fee for tapping any public sewer constructed wholly at the public expense, shall be twenty-five dollars.

Which was adopted.

Mr. Craft offered the following amendment to section three :

“The connections and openings in any sewer or drain must be made under the direction, and to the satisfaction of the Sewerage Engineer.”

Which was not adopted.

The ordinance was then ordered engrossed.

On motion, the following ordinances were called up, and, on motion, stricken from the files :

General Ordinance No. 48, 1871, entitled :

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

General Ordinance No. 51, 1871, entitled :

An Ordinance prohibiting the loading and unloading of freight cars on the first day of the week, commonly called Sunday, in the city of Indianapolis.

On motion, the Council adjourned.

DANIEL MACAULEY,
Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.