

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, October 30, 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, Gimber, Heck-
man, Kennington, Locke, Marsee, Newman, Reagan, Thalman,
Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Absent—Councilmen Craft—1.

—The proceedings of the adjourned session held October 14th,
1871, and of the regular sessions held October 16th and 23d,
1871, and of the adjourned session held October 26th, 1871, were
read and approved.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report:

INDIANAPOLIS, IND., Oct. 30, 1871.

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

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

James W. Hudson—

For grading and paving the east sidewalk on Alabama street, from Washington street to Pogues run :
181 feet of paving, at 61 cents per foot..... \$110 41

Also, O. H. P. Bly—

For gading and paving the east sidewalk on Meridian street, from Pogues run to South street :
315½ feet of paving, at 95 cents per lineal foot:.... 299 72

Also, same—

A partial estimate for grading and paving the south sidewalk on North street, from Delaware to Alabama :
195 feet of paving, at 63 cents per foot..... 122 85

Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred in.

The Sewerage Engineer made the following report :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The following is the seventh and partial estimate allowed Worth & Co. on account of the 1st division of the South street sewer :

2,575 lineal feet of Sewer, at \$12.10.....	\$31,157 50
6 manholes, at \$42.13.....	252 78
7 catch basins, at \$122.25.....	855 75

196 house connections, at 75 cts	147 00
On account of change in catch basins,.....	66 43
41,500 brick, (Haunch Walls) at \$17.00 per 1,000.....	705 50
8,500 feet oak plank, at \$20.00.....	170 00
4 lateral connections, at \$4.00.....	16 00
	<hr/>
	\$33,370 96
Less 2 per cent.	667 42
	<hr/>
	\$32,703 54
Less former payments.....	26,813 49
	<hr/>
Seventh payment	\$5,890 05

Also the sixth and partial estimate allowed Wirth & Co. on account of 2d division of the South street sewer :

2,547 lineal feet of sewer at \$9.27.....	\$23,610 69
5 manholes, at \$42.13.....	210 65
8 catch basins, at \$122.25.....	978 00
198 house connections, at 75 cts.....	148 50
On account of change in catch basins.....	74 93
8 lateral connections, at \$5.00.....	40 00
	<hr/>
	\$25,062 77
Less 2 per cent	501 25
	<hr/>
	\$24,561 52
Less former payments.....	20,369 26
	<hr/>
Sixth payment.....	\$4,192 26

Also the following 4th and partial estimate allowed Wirth & Co. on account of the third division of the South street sewer :

3032 lineal feet of sewer, at \$9.23.....	\$27,985 36
5 manholes, at \$42.13.....	210 65
9 catch basins, at \$122.25.....	1,100 25
258 house connections, at 75 cts.....	193 50
840 feet oak plank, at \$20.00 per 1,000.....	16 80
On account of change in catch basins.....	220 40
9 lateral connections, at \$5.00.....	45 00
	<hr/>
	\$29,771 96

Less 2 per cent.....	595 44
----------------------	--------

	\$29,176 52
--	-------------

Less former payments	24,301 93
----------------------------	-----------

Fourth payment	\$4,874 59
----------------------	------------

Also the 2d and partial estimate allowed Wirth & Co. on account of the 2d division of the Kentucky avenue sewer, and material delivered for the same:

1040 lineal feet of sewer, at \$22.32.....	\$23,212 80
--	-------------

1 manhole.....	42 13
----------------	-------

1 catch basin.....	122 25
--------------------	--------

48 house connections, at \$1.00.....	48 00
--------------------------------------	-------

	\$23,425 18
--	-------------

Less 15 per cent.....	3,513 78
-----------------------	----------

	\$19,911 40
--	-------------

Less first payment.....	8,976 45
-------------------------	----------

Second payment	\$10,934 95
----------------------	-------------

Also the following first and partial estimate allowed John A. Whit-sit on account of the East street sewer:

557 lineal feet of sewer, at \$2.57.....	\$1,431 49
--	------------

15 house connections, at 75 cts.....	11 25
--------------------------------------	-------

1 catch basin.....	138 50
--------------------	--------

1 catch basin.....	155 50
--------------------	--------

1 manhole.....	30 00
----------------	-------

550 yards excavation, at 80 cts	440 00
---------------------------------------	--------

	\$2,206 74
--	------------

Less 2 per cent	44 13
-----------------------	-------

	\$2,162 61
--	------------

Respectfully submitted,

J. W. BROWN,
Sewerage Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—The City Clerk would respectfully report :

FIRST.

Contract and bond of David Sylvester for grading and graveling the first alley west of East street, running from Michigan street to the first alley south of Michigan street.

SECOND.

Contract and bond of David Sylvester for grading and graveling Roanoke alley and sidewalks, between Michigan and North streets.

THIRD.

Contract and bond of James Mahoney for grading and graveling the first alley east of Mississippi street, from First street to the first alley south of First street.

FOURTH,

Contract and bond of James Mahoney for grading and graveling Second street and sidewalks, from Illinois to Tennessee street.

FIFTH.

Contract and bond of James Mahoney for bowldering the gutters and graveling an additional five feet on each side of Pennsylvania street, from First street to Tinker or Seventh street.

SIXTH.

Contract and bond of Hiram Seibert for curbing with stone and repairing the sidewalks of Virginia avenue, from Delaware street to Pogue's run.

SEVENTH.

O. H. P. Bly, first and final estimate for grading and paving with brick the east sidewalk of Meridian street, from Pogue's run to South street.

EIGHTH.

O. H. P. Bly, first and partial estimate for grading and paving with brick the south sidewalk of North street, between Delaware and Alabama streets.

NINTH.

James W. Hudson, for grading and paving with brick the east sidewalk of Alabama street, from Washington street to Pogues' Run.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was received, contracts awarded, and bonds approved, with the exception of the first paragraph, which, on motion by Mr. Newman, was laid over.

Also the following resolution :

Resolved, That the foregoing first and final estimate, allowed Jas. W. Hudson, for grading and paving with brick the east sidewalk of Alabama street, from Washington street to Pogue's run, 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, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—None.

Also the following resolution :

Resolved, That the foregoing first and final estimate, allowed O. H. P. Bly, for grading and paving with brick the east sidewalk of Meridian street, from Pogue's run to South street, be and the same is hereby taken 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, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—17.

Negative—None.

Also the following resolution :

Resolved, that the foregoing first and final estimate, allowed O. H. P. Bly, for grading and paving with brick the south sidewalk of North street, from Delaware 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 their respective names.

Which was adopted by the following vote :

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

Negative—None.

The City Clerk made the following report :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—The City Clerk would respectfully report that there is on file in his office an affidavit for the collection of street assessment by precept as follows :

Hiram Seibert v. R. H. Keller for.....\$23 40

And would respectfully recommend that you order the precept to issue.

Respectfully submitted,
JOHN R. CLINTON,
City Clerk.

Which was concurred in and precept ordered to issue:

The Chief Fire Edgiueer made the following report :

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—The Chief Fire Engineer would respectfully report, that Michael Hyland's contract with the city, for building four Fire Engine Houses, expires on the 1st day of November, 1871. The houses are not complete, and will not be, at the rate they are progressing, for at least four months.

Owing to the lateness of the season, the necessity of the work being finished promptly must be apparent to all. I would therefore recommend that the contract be declared forfeited from and after the 1st day of November, 1871.

Respectfully submitted,
DAN. GLAZIER,
Chief Fire Engineer.

Which was laid over for one week.

The City Commissioners made the following report :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The Board of City Commissioners have acted on the matter referred by your honorable body, by resolution dated ———, providing for the extension of Market street eastward from the present terminus in Davidson's addition to the corporation line, and we would submit the following report and assessment of damages and benefits resulting from the extension of said street, as indicated in such order of reference to us.

We estimate the value of the land to be appropriated for the extension of said street, (as hereinafter detailed) at the sum of..... \$2,625 00

Of this amount, we think the city of Indianapolis should pay nothing.

We estimate the total amount of benefits to the property along the line of the proposed extension of said street at..... \$2,625 00

We submit the following schedule of the damages and benefits resulting from the extension of said street on the line propose :

To Isaac N. Phipps, damages for value of a strip of ground 60 feet wide by about 675 feet long, in the east half of south west quarter of section 6, town. 15, north of range 4 east, and lying between the present east end of Market street, in Davidson's addition, and Arsenal avenue..	\$2,500 00
To Isaac N. Phipps, benefits for 1350 feet new frontage on said proposed street, in the tract of land above described.....	\$2,500 00
<hr/>	
Balance damages to Isaac N. Phipps on said tract.....	\$000 00
To Jonathan M. Ridenour, damages for value of strip of ground 90 feet wide by about 150 feet long, east of present east end of Market street, in Ridenour's addition, and between it and the corporation line east.....	\$125 00
To Jonathan M. Ridenour, benefits on the tract above described, being the land on either side of the newly extended street, and fronting on the same, and being in the south half of the east half of the south-west quarter of sec. 6, town. 15, range 4 east.....	125 00
<hr/>	
Balance damages to J. M. Ridenour.....	\$000 00

The benefits and damages are thus equal to the parties interested in the property along said street, and the city pays no part thereof.

Respectfully submitted,

WM. S. HUBBARD,
IGNATIUS BROWN,
SAMUEL M. SEIBERT,
Board of City Commissioners.

Which was referred to the City Attorney, with instructions to prepare the necessary papers, &c.

The City Commissioners submitted the following report :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The Board of City Commissioners have acted on the matter referred to them by your honorable body, by an ordinance—No. 56, of 1871—entitled, “An ordinance to provide for the widening

of Tinker street, from Illinois street west to the Michigan road," passed September 25, 1871, and submit the following report and assessment of damages and benefits resulting from the widening of said Tinker street, as provided in said ordinance :

We estimate the value of the land to be appropriated for the widening of said street, (as hereinafter set out in detail) at..... \$4,725 00

We estimate the cost of moving houses, and putting in repair the improvements, as hereinafter mentioned, at..... 1,650 00

Making the total cost of the widening of said street..... \$6,375 00

Of this amount we think the city should pay \$1,000 00

We estimate the total amount of benefits to property along said street as widened, at 5,375 00

We submit the following schedule or detailed statement of damages and benefits from the widening of said street :

To Eli A. Hall, damages from the taking of a strip of ground 20 feet wide, off the south ends of lots 1 and 2, in Henderson's addition, in the north east quarter sec. 35, town. 16, range 3 east, \$500 each lot..... \$1,000 00

To said Eli A. Hall, benefits on said lots 1 and 2, Henderson's addition as above, from opening said street, \$500 on each lot..... 1,000 00

Balance damages to said Hall..... \$000 00

To J. H. McKernan, damages for strip 20 feet off south end of lot 7, McK. & P.'s sub-division of south part lot 3, Henderson's addition..... \$120 00

To J. H. McKernan, benefits on 168 feet west end lot 12, square 28, Drake's addition..... 195 00

To J. H. McKernan, benefits on said lot 6 above. 50 00

\$245 00

Balance of benefits to McKernan 125 00

To W. Neff, damages for strip 20 feet off south end lot 5, McK. & P.'s subdivision lot 3, Henderson's addition..... 120 00

To W. Neff, damages for moving house on said lot.....	200 00	
	<hr/>	
	\$320 00	
To W. Neff, benefits on said lot 5, as above.....	50 00	
	<hr/>	
Balance damages to Neff.....		270 00
To Christian Fehr, damages for strip 20 feet off south end of lot 4, McK. & P.'s subdivision lot 3, Henderson's addition.....	120 00	
To Christian Fehr, damages for moving house on said lot 4.....	150 00	
	<hr/>	
	\$270 00	
To Christian Fehr, benefits on said lot 4, above...	50 00	
	<hr/>	
Balance damages to C. Fehr.....		220 00
To John Lather, damages for a strip 20 feet off south end lot 3, McK. & P.'s subdivision of lot 3, Henderson's addition.....	120 00	
To John Lather, damages for moving house on said lot 3.....	125 00	
	<hr/>	
	\$245 00	
To John Lather, benefits on said lot.....	50 00	
	<hr/>	
Balance damages to said John Lather.....		195 00
To August Groeschel, damages for strip 20 feet wide off south ends of lots 1 and 2, McK. & P.'s subdivision of lot 3, H.'s subdivision, \$120 on each lot.....	140 00	
To August Groeschel, damages for moving house on said lots.....	125 00	
	<hr/>	
	\$365 00	
To August Groeschel, benefits on lots 1 and 2, above named, \$50 on each lot.....	100 00	
	<hr/>	
Balance damages to A. Groeschel.....		265 00
To Henry C. Moore, damages for strip 20 feet		

wide off south ends of lots 4, 5 and 6, in Henderson's addition, \$400 on each lot.....	1,200 00	
To Henry C. Moore, benefits on lots 4, 5 and 6, in Henderson's addition, \$400 on each lot.....	1,200 00	
		<hr/>
Balance damages to H. C. Moore,.....		000 00
To Gotlieb Schuebner, damages for strip 20 feet wide off south end of tract fronting 133 feet on Tinker street, on east side of w. $\frac{1}{2}$ n. e. $\frac{1}{4}$, sec. 35, town. 16, range 3 east	265 00	
To Gotlieb Schuebner, benefits on above tract....	265 00	
		<hr/>
Balance damages to G. Schuebner.....		000 00
To Charles Lucas, damages for strip 20 feet wide off south end of lot 129, Crane's addition in w. $\frac{1}{2}$ n. e. qr. sec. 35, town. 16, range 3 east.....	20 00	
To Charles Lucas, benefits on lot 129, as above...	20 00	
		<hr/>
Balance benefits to Charles Lucas.....		00 00
To Ringer & Marshall, damages for strip 20 feet off south end lot 130, Crane's addition as above	85 00	
To Ringer & Marshall, damages for strip 20 feet wide off south end of lot 131, Crane's addition	85 00	
		<hr/>
Balance damages to Ringer & Marshall.....		00 00
To Christian Correll, damages for strip 20 feet wide off south end lot 132, Crane's addition....	85 00	
To Christian Correll, benefits on lot 132, Crane's addition.....	40 00	
		<hr/>
Balance damages to C. Correll on said lot....		45 00
To John Trucksess, damages for strip 20 feet wide off south end of lot 133, Crane's addition	85 00	
To John Trucksess, benefits on lot 133, Crane's addition.....	40 00	
		<hr/>
Balance of damages to J. Trucksess on said lot.....		45 00
To Jacob Mitchell, damages for strip 20 feet wide off south end lot 134, Crane's addition.....	85 00	

To Jacob Mitchell, benefits on lot 134, Crane's addition.....	40 00	
		45 00
Balance damages to J. Mitchell.....		45 00
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide off south end lot 135, Crane's addition.....	85 00	
To J. H. McKernan and S. Yandes, damages for moving house on lot 135, Crane's addition.....	50 00	
To J. H. McKernan and S. Yandes, for strip 20 feet wide off south end lot 136, Crane's add.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip off south end of lot 137, Crane's add.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide off south end lot 139, Crane's addition.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide off south end lot 141, Crane's addition.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide off south end lot 142, Crane's addition.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide south end lot 143, Crane's addition.....	60 00	
To J. H. McKernan and S. Yandes, damages for strip 20 feet wide off south end lot 145, Crane's addition.....	60 00	
	\$555 00	
To J. H. McKernan and S. Yandes, benefits on lot 135, Crane's addition.....	40 00	
To J. H. McKernan and S. Yandes, benefits on lots 136, 137, 139, 141, 142, 143 and 145, in Crane's addition, \$25 on each lot.....	175 00	
	\$215 00	
Balance of damages to J. H. McKernan and S. Yandes on said lots.....		340 00

To Sarah C. Kendall, damages for strip 20 feet wide off south end lot 138, Crane's addition,...	60 00	
To Sarah C. Kendall, damages for moving house on said lot 138.....	125 00	
	<hr/>	\$185 00
To Sarah C. Kendall, benefits on lot 138, Crane's addition.....	25 00	
	<hr/>	
Balance damages to S. C. Kendall.....		160 00
To Henry Weber, damages for strip 20 feet wide off south end lot 140, Crane's addition.....	60 00	
To Henry Weber, benefits on said lot 140	25 00	
	<hr/>	
Balance damages to H. Weber on said lot....		35 00
To Amanda A. Calvert, damages for strip 20 feet wide off south end lot 144, Crane's addition	60 00	
To Amanda A. Calvert, benefits on lot 144, Crane's addition	25 00	
	<hr/>	
Balance damages to A. A. Calvert, on said lot.....		35 00
To Julia Brennan, damages for strip 20 feet wide off south end lot 146, Crane's addition	60 00	
To Julia Brennan, damages for moving house on said lot 146, Crane's addition.....	300 00	
	<hr/>	\$360 00
To Julia Brennan, benefits on lot 146, Crane's addition	25 00	
	<hr/>	
Balance damages to J. Brennan on said lot..		335 00
To John Harrington, damages for strip 20 feet wide off south end of lots 147, 148 and 149, Crane's addition, \$60 on each lot.....	180 00	
To John Harrington, damages for moving house on lot 147, Crane's addition	150 00	
To John Harrington, damages for moving house on lot 149, Crane's addition.....	75 00	
	<hr/>	\$405 00

To John Harrington, benefits on lots 147, 148 and 149, Crane's addition, \$25 on each lot.....	75 00	
	<hr/>	
Balance damages to J. Harrington on said lots.....		330 00
To Maria Kenseler, damages for strip 20 feet wide off south side lot 152, Crane's addition....	170 00	
To Maria Kenseler, damages for moving house on lot 152, Crane's addition	350 00	
	<hr/>	
	\$520 00	
To Maria Kenseler, benefits on lot 152, Crane's addition	100 00	
To Maria Kenseler, benefits on lot 44, C. & J. West's addition.....	105 00	
	<hr/>	
	\$205 00	
Balance damages to M. Kenseler on said lots		315 00
To Alex. Jones, benefits on lot 1 sq. 29, Drake's Addition.....		300 00
To Caroline E. Munson, benefits on lot 1, square 28, Drake's Addition		290 00
To John Bartlett, benefits on 50 feet off east end of lot 12, sq. 28, Drake's addition.....		55 00
To City of Indianapolis, benefits on lot 12, sq. 29, Drake's Addition.....	300 00	
To City of Indianapolis, benefits on lot 1, square 26, Drake's Addition.....	150 00	
To City of Indianapolis, benefits to meet expense of moving houses.....	1,000 00	
	<hr/>	
		1,450 00
To John S. Spann and John Cavin, benefits on lot 1, sq. 27, Drake's Addition.....	215 00	
To Abram A. Hammond, benefits on lot 1, C. S. J. West's Addition	120 00	
To Geo. W. Clippenger's heirs, benefits on lot 22, C. S. J. West's Addition.....	95 00	
To John S. Spann and Frank Smith, benefits on lot 16, and 20 feet off east side lot 17, Spann,		

Smith and Hammond's subdivision of lot 23, C. S. J. West's Add.....	25 00
To John S. Spann, benefits on 10 feet west side lot 17, S., S. and H.'s sub., as above.....	5 00
To John S. Spann, benefits on lot 18, and 10 feet west side of lot 19, S., S. and H.'s sub., as above	25 00
To Frank Smith, benefits on 20 feet west side lot 10, S., S. and H.'s sub., as above.....	10 00
To Frank Smith, benefits on lot 20, S., S. and H.'s sub., as above.....	15 00
	<hr/>
Total damages.....	\$6,375 00
Total benefits.....	\$6,375 00

All of which is respectfully submitted,

WM. S. HUBBARD,
SAM'L M. SEIBERT.
JOS. M. SUTTON,
Board of City Commissioners.

Which, on motion by Dr. Woodburn, was rejected.

The City Commissioners also submitted the following report:

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—The Board of City Commissioners have acted in the matter referred to them by your honorable body, by resolution dated ———, providing for the extension of Tennessee street southward from Merrill street to Catherine street, through out-lots Nos. 124 and 125, and we would submit the following report and assessment of damages and benefits resulting from such extension or opening of said street as proposed :

We estimate the value of the land to be appropriated by the opening of said street at the sum of..... \$2,000 00
Of this amount we think the city should pay no part.

We estimate the total amount of benefits to the property along the line of the street, as extended, at the sum of. \$2,000 00

We submit the following detailed schedule of the damages and benefits resulting from the opening of said street, as proposed in the order of reference to us :

To the Indianapolis Rolling Mill Company, damages for a strip of ground 30 feet wide by about 420 feet long, off east side of north half out-lot 125.....	\$1,000 00
To the Indianapolis Rolling Mill Company, benefits (from the opening of said street on the line proposed), on out-lot 125	\$1,000 00
<hr/>	
Balance damages to the Indianapolis Rolling Mill Company.....	\$000 00
To J. H. McKernan, damages for a strip 30 feet wide by about 80 feet long, off the west side of tract in north-west corner of out lot 124.....	\$150 00
To J. H. McKernan, benefits on tract in north-west part of out-lot 124.....	\$150 00
<hr/>	
Balance damages to J. H. McKernan, on part of out-lot 124.....	\$000 00
To the Greenleaf Machine Works, damages on strip 30 feet wide by about 166 feet long, off west side of north-west part of out-lot 124, next south of tract above.....	\$450 00
To the Greenleaf Machine Works, benefits on tract in out-lot 124, above described.....	\$450 00
<hr/>	
Balance damages to Greenleaf Machine Works, on tract above described.....	\$000 00
To the Indianapolis Rolling Mill Company, damages for a strip of ground 30 feet wide, off the west end of lots 18, 19, 20, 21, 22, and 23, in Indianapolis Rolling Mill Company's subdivision of out-lot 124, being \$66.66 $\frac{2}{3}$ on each lot.....	\$400 00
To the Indianapolis Rolling Mill Company, benefits on said lots east, above described, \$66.66 $\frac{2}{3}$ on each lot.....	\$400 00
<hr/>	
Balance damages to Indianapolis Rolling Mill Company...	\$000 00

The benefits and damages being equal to the parties owning lands along said street and the City paying no part of the damages.

Respectfully submitted,

WILLIAM S. HUBBAND,
IGNATIUS BROWN,
SAMUEL M. SEIBERT,
City Commissioners.

Which was referred to the City Attorney, with instructions to prepare the necessary papers, &c.

His Honor, the Mayor, presented the following :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—At a meeting of the Council held on the 28th of October, 1871, you adopted water rates for the citizens, with a resolution requiring the Water Works Company to signify their acceptance of the same within ten days. In compliance with that resolution, I hereby notify you that the Water Works Company accepts the rates as adopted.

In accepting the rates, it is proper to state that your constituents will no doubt appreciate your efforts in placing it within the power of every citizen to have pure filtered water introduced in their premises at such very low rates. While we feel that you have been looking entirely to the interest of the citizens, in fixing the rates, we also feel that you will do justice to this Company, and aid them, in all proper ways, to realize a fair return for the vast expenditures they have made.

If, at any time, we should find that the rates you have proposed and we have accepted, are too low, we shall rely with full confidence in your co-operation to advance them to a point equal, at least, to that of other cities of similar population having as efficient works.

With an honest determination to make the Water Works furnish an abundant supply of pure filtered water to the citizens and fire protection to the business community, we shall depend on your co-operation, by the passage of such ordinances as will protect the Company from unnecessary waste of water, so that our works can be effective at all times if used.

I am, gentlemen, your obedient servant,

JOHN R. ELDER,
Pres't Water Works Co., Indianapolis.

Which was received, and ordered printed in the proceedings.

By consent, Mr. Gimber offered the following motion :

Moved : That no person or persons be allowed to put any but lead pipe in, in tapping the main pipe of Water Works', to run from said main pipe to the stop cock on the side walk, and that the Chief Fire Engineer see that this motion is carried out.

Which was referred to the Committee on Water Works.'

His Honor, the Mayor, presented the following communication :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—On Wednesday, October 11, 1871, at 7:45 P. M., in company with a gentleman by the name of W. A. Thompson, in going from the cars to the depot to get a ticket for sleeping car to Chicago, fell into Pogue's Run, a place of danger not properly secured, and very dangerous to all persons who are strangers traveling in the night time from the cars to the depot. Doctor Smith was badly injured and has been laid up with his wounds and injuries received at that time, and is still unable to attend to his business as a physician, he was in his fall badly injured, and to what extent can not yet be positively ascertained. The suit of clothes he had on was so badly injured that are of little or no use to him, they were all new when he left home, including overcoat and hat, all were so badly injured that they can not be worn by him any more. We are in hopes that he will recover from his personal injuries; his left leg, from his hip down to his ancle, is badly swollen, with several deep wounds; his right leg, from his knee down, including his feet, is badly and seriously injured, and it will be a long time before he will fully recover from the consequence of this mishap and serious injury; besides he was detained twenty-four hours, on expense of hotel bill and other charges for clothing. He says he told the people, while there, that his damages would be at least one hundred dollars.

And now for the purpose of settling the matter at once without a suit he will settle for that sum, and I am satisfied that the Doctor can show five times that amount of damage, which he has already

received and the end is not yet; but, for the purpose of settlement at once, he says if he receives one hundred dollars he will settle for that sum.

You are referred to W. A. Thompson as a witness as to how he received the injury, and as to his situation after he got out of the same, to Mr. Winchester, hotel keeper at your place. Let us hear from you soon. I am employed by Dr. Smith to look after this matter as an attorney.

Yours very respectfully,

W. S. HAWKINS,
Attorney.

Which was referred to the Committee on Judiciary and City Attorney.

CALL OF THE ROLL OF MEMBERS FOR THE PRESENTATION OF NEW BUSINESS.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., October 30, 1871.

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

GENTLEMEN—The undersigned, owners of real estate fronting on Broadway street, between Christian Avenue and Forest Home Avenue, respectfully petition your honorable body to pass an ordinance providing for the planting and boxing of soft maple shade trees on said street, between the above named limits. Said trees to be not less than two and one-half inches in diameter one foot from the ground, and your petitioners will ever pray, etc.

E. S. FOLSOM,

J. A. SEATON,

N. HUME,

And 11 others.

Which was received.

Mr. Batty introduced Special Ordinance No. 150, 1871, entitled :

An Ordinance to provide for planting and boxing shade trees on Broadway street, between Christian and Forest Home avenues,

Which was read the first time.

Mr. Batty presented the following petition :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—We, the undersigned, residents and owners of property fronting on Barrow street, would respectfully petition your honorable body to change the name of the street now known as Barrow street, in E. T. Fletcher's Addition to the City of Indianapolis, to the name of Columbia street, and your petitioners will ever pray, etc.

HIRAM ALTLAND,
SAMUEL HANWAY,
W. P. SMITH,

And 17 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Batty presented the following petition :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—We, the undersigned, resident butchers and occupants of stalls rented from the City, respectfully petition your honorable body to pass the ordinance, now pending before the Council, prohibiting the selling of meat outside of the markets in smaller quantities than a quarter, as we have purchased the stalls we now occupy with the understanding that the said ordinance would be passed, and that we would not be compelled to compete with those men on the outside, who pay no stall rent or license to the City.

Simple justice demands that said ordinance should be passed, and your petitioners will ever pray, etc.

PHILIPP BALZ,
P. SPITZFADEN,
D. WECHSLER,
R. ESSIGKE,

And 23 others.

Which was referred to the Committee on Markets.

Mr. Batty offered the following resolution :

WHEREAS, The Common Council has never, either by resolution or ordinance, actually condemned the real estate proposed to be taken for the extension of Greer north to Stevens street; and

WHEREAS, The City of Indianapolis has never acquired the title to said real estate, or taken possession of the same, but the same has been constantly owned and occupied by the individuals owning the same; and

WHEREAS, It is said that F. Wuensch, one of the holders of said real estate and now in the occupancy of the same, has sued the City of Indianapolis and recovered judgment against said City for \$850 and costs of suit, for additional damages for taking said lot and extending said Greer street; therefore

Resolved, That the City Council hereby declare that the City of Indianapolis has not taken possession of said property, nor acquired any title thereto, but, on the contrary, said City Council does not design at present to extend said Greer street over said property, nor does said Council wish to acquire said real estate for said purpose.

Resolved further, That the City Attorney be instructed to have said judgment against the City set aside.

Which, on motion by Mr. Batty, was referred to the City Attorney, with instructions to report next meeting.

Mr. Bigham offered the following motion :

Moved: That Wm. B. Dickson, H. Vehling, John Haltman, Wm. Aebker, John Mitchelbun, and Gustavus G. Stark have permission to grade and gravel with good gravel, Ohio street and sidewalks in front of their residences on Ohio street, beginning at the old corporation line east and running 222 feet east. Said work to be done under the direction of the City Civil Engineer, and he is hereby directed to set the grade stakes.

Which was adopted.

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

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—Your Committee on Bridges, to whom was referred the bids for the building of an iron bridge over the canal on Indiana Avenue and Michigan street, respectfully report that they have examined the bid of the Massillon Bridge Company, the only bid submitted, and find it to be \$4,900, and would recommend that a contract be entered into with the said company for the construction of such work, according to plans and specifications.

Your Committee further report that they have examined the bids for the building of the three stone arch bridge over Pogue's Run on South street, and find that Burke & Richter are the lowest bidders, and would recommend the awarding of the work to them, to be done according to plans and specifications in the Engineer's office.

Respectfully submitted,

ERIE LOCKE,
W. H. CRAFT,
H. GIMBER,
Committee on Bridges.

Which was concurred in and contracts awarded.

The City Clerk presented the bond of Burke & Richter for building stone arch bridge over Pogue's run on South street.

Which was accepted and approved.

Mr. Brown presented the following communication :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—On the 20th day of February, 1868, I purchased at public tax sale, for the taxes of 1866 and 1867, the south half of the south half of lots 1 and 2 in out-lot 59 in the City of Indianapolis,

which property was owned by Engelbert J. Metzger. The taxes on \$12,435 of personal property were included in this sale, which amount of personal tax should have been assessed against the Ben Franklin Printing Company, by which said amount of personal property was owned and of which said Company said Engelbert J. Metzger was at that time the president or superintendent. I purchased the above described real estate at public sale as before stated, not knowing that any personal property whatever was taxed with the same and my certificate of purchase states that no personal was included in said sale, and I therefore respectfully ask that the purchase money, \$203.10, together with the taxes of 1868 and 1869, by me since paid, with interest on the same, be refunded to me, and said sum of \$12,435 personal property be taxed against the Ben Franklin Printing Company, and that the remaining tax, that is for the above described real estate, be carried against the property on the duplicate of 1871, and by the Treasurer collected from the owners thereof. The sale is certainly illegal and unjust.

I am, gentlemen, your obedient servant,

CHARLES BALS.

Subscribed and sworn to before me, this 27th day of October, A. D. 1871.

[SEAL.]

JOHN W. McVEY,
Notary Public.

I have examined into the matters set forth in the forgoing affidavit and find that the personal property therein charged was in fact the property of a corporation, and such being the case the sale would be illegal and the tax title void.

WILLIAM HADLEY,
City Assessor.

Which was referred to the Committee on Finance.

Mr. Brown introduced Special Ordinance No. 60, 1871, entitled :

An Ordinance authorizing the construction of a tunnel under the Union Railway and other Railways tracks, crossing Meridian street,

Which was read the first time.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The undersigned respectfully represents, that in paving the sidewalk and curbing the gutters in front of his property on South Delaware street, under your permission and the direction of the City Engineer, he, according to the suggestion of the City Engineer, completed at the same time the stone curbing at the intersection of Delaware street with Duncan street, and the alley immediately south of Duncan street. Said work was done in the same style and at the same price for which the work in front of my lots was done, to-wit, at 70 cents per foot, beidg 36 feet, or \$25.20 for the whole work ; and the undersigned respectfully asks that the amount so expended by him for work of the city, and under the direction of Engineer, be refunded to him, and he accordingly asks for an appropriation of \$25.20.

Respectfully submitted,

W. C. ENSSING.

Which was referred to the Civil Engineer.

Mr. Cottrell presented the following :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—James L. Dickinson swears that in 1869 he owned lot 26, in out-lot 107, in the city of Indianapolis, Indiana ; at the proper times he called at City Treasurer's office to pay the taxes on said lot, and was answered by the Treasurer that the same had been paid. Affiant called three times before the same was sold for the purpose of paying said taxes, but was answered each time that the taxes had been paid, and that there was nothing against it ; and as this affiant had an arrangement with a friend to pay his taxes, and as he had before paid them for other years, he did not examine the matter further. The Treasurer's books show that some change has been made in the number of said lot, but exactly what he don't know. Affiant believes that said books showed lot 28 as against him, and that said lot 28, which he never owned, was sold to Thomas

Huggins for said taxes, and it was afterward discovered that the number should have been lot 26, and the 28 on the books and tax certificate was changed to read "26" instead. That if said mistake in taxing lot 28 to him instead of 26 had not been made, he would never have been misled and suffered said lot to be sold. Affiant says he has paid said Huggins the principal of said taxes, and does not want to pay the penalty, therefore he asks that said penalty be remitted.

JAS. L. DICKINSON.

Subscribed and sworn to, October 30, 1871, before me, a
Notary Public in and for Marion county, Ind.

[SEAL.]

GEO. CARTER.

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

Mr. Cottrell introduced Special Ordinance No. 151, 1871, entitled :

An Ordinance to provide for grading and bowldering East street, and paving with brick and curbing with stone the sidewalks of the same, between South and Coburn streets,

Which was read the first time.

Mr. Cottrell introduced Special Ordinance No. 152, 1871, entitled :

An Ordinance to provide for grading and graveling High street and sidewalks, from Wyoming street to the first alley south of Wyoming street,

Which was read the first time.

Mr. Heckman presented the following remonstrance :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The undersigned, property holders on Fletcher Av-

venue, in the City of Indianapolis, respectfully remonstrate against the passage of an ordinance compelling us to pave the sidewalks on said Avenue this fall; because the season is too late for commencing such work, and the street not being improved, we will in all probability have a difficult time in getting to and from our residences.

J. DOUGHERTY,
HENRY HARTMAN,
J. M. SHAW,
T. H. KOCH,

And 17 others.

Which was referred to the Committee on Streets and Alleys

By consent, Mr. Whitsit presented the following petition :

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—The undersigned, owners of the real estate fronting on South street and Fletcher Avenue, between East street and Cedar street, respectfully petition your honorable body to pass an ordinance providing for the grading and paving with brick the sidewalks, and planting and boxing shade trees on South street and on Fletcher Avenue from East street to Cedar street; and your petitioners will ever pray, etc.

H. HANNAMAN,
J. H. V. SMITH,
A. E. FLETCHER,
G. W. STILWELL,
And 4 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Kennington offered the following motion :

Moved: That the City Attorney be required to report this evening the present status of the suit of Glausburgh, Cook, et al. vs. The City of Indianapolis, Thoms, et al., in reference to the vacation of a certain alley running through the property of Speigel & Thoms, in the City of Indianapolis.

Which was adopted.

Mr. Locke introduced Special Ordinance No. 153, 1871, entitled :

An Ordinance to provide for grading and graveling Wabash street, from Missouri to West street,

Which was read the first time.

Mr. Marsee offered the following motion :

Moved : That the City Marshal notify the C., C., C. and I. R. R. to replank their railroad track across Alabama street.

Which was adopted.

Mr. Marsee offered the following motion :

Moved : That the Chief Fire Engineer be directed to move the bell tower, now in the rear of Glenn's Block, to the vacant lot owned by the city, on Maryland street.

Which was adopted.

Mr. Marsee offered the following motion :

Moved : That the City Marshal be directed to notify the I., P. & C. R. R. Company to plank their tracks with three-inch oak plank the full width of the street where the same crosses South East street.

Which was adopted.

Mr. Newman offered the following motion :

Moved : That the Street Commissioner be instructed to boulder the mouth of the alley as wide as the sidewalk on the north side of New York street, between Pennsylvania and Delaware streets.

Which was adopted.

Mr. Newman offered the following motion :

Moved : That the grading and graveling of the alley running east and west from Liberty to Noble street, between Michigan and Lockerby streets, be referred to the Committee on Streets and Alleys and the City Civil Engineer. It is alleged that the alley is too low. It is alleged that the lot of C. F. G. Meyer is charged with 130 feet improvement, whereas he has only 125 feet on said alley.

Which was adopted.

Mr. Reagan offered the following motion :

Moved : That the crossing of Louisiana and McGill streets be planked the full width of the street, including the sidewalks; and that the Street Commissioner be, and is hereby, ordered to gravel each side of the rails, from gutter to gutter, of the said streets.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved : That the Street Commissioner be instructed to remove the two lamp posts on the south side of Virginia avenue west of Merrill, from the gutter to their proper place on the sidewalk.

Which was adopted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—The undersigned, owners of the lots abutting on the 30 feet alley running north and south through T. A. Morris' addition, between Morrison street and Home avenue, respectfully request the privilege of grading and graveling the said alley, at their own ex-

pense, by private contract, the work to be done under the direction of the City Civil Engineer.

JOHN S. SPANN,
JOHN B. CLEAVELAND,
JOHN M. SPANN,
AUSTIN W. MORRIS,
And seven others.

Which was received, and prayer granted.

Mr. Wiles presented the following petition :

INDIANAPOLIS, IND., October 30, 1871.

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

GENTLEMEN—The undersigned, owners of the lots on Linden street, between Delaware and Alabama streets, in T. A. Morris' addition, respectfully request the privilege of grading and graveling the said Linden street, at their own expense, by private contract, the work to be done under the direction of the City Civil Engineer.

JOHN M. SPANN,
J. B. CLEAVELAND,
AUSTIN W. MORRIS,
MRS. B. MORRIS,

Which was received, and prayer granted.

Mr. Wiles presented the following communication :

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—The undersigned, Gamewell & Co., of New York, proprietors of the American Fire Alarm and Police Telegraph, would respectfully make the following proposition :

We will furnish and put in operation five of our large electro-mechanical bell-strikers, together with all the weights, chains and hammers necessary to draw the full tone of such bell, as may be selected for the purpose, weighing less than ten thousand pounds, for five thousand dollars, payable in three years from completion of contract, with six per cent. interest.

Said bell strikers to be located as you may direct, and so arranged that the pulling of the hook in any fire alarm telegraph box, in circuit, will instantly sound its number on all five of the bells at the same time and with the same mechanical exactness that it is sounded upon the engine house gongs.

This proposition to remain open for acceptance or rejection until December 18th, 1871.

Respectfully submitted,

GAMEWELL & CO.,

By L. B. FIRMAN, Agent.

Which was referred to the Committee on Fire Department.

Dr. Woodburn offered the following motion :

Moved: That the Chief Fire Engineer be directed to have the arch of the cistern on Tennessee and Walnut streets lowered to the grade of the streets. The Civil Engineer to set the grade stakes.

Which was adopted.

Dr. Woodburn introduced General Ordinance No. 61, 1871, entitled :

An Ordinance to amend an ordinance entitled, "An Ordinance to construct a public sewer in Illinois street, between Washington and South street, and to provide for the payment of the cost of constructing the same," passed July 16th, 1870,

Which was read the first time.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—I hereby petition to your body as Councilmen of this city for the privilege of exhibiting the double-headed baby free of charge, as has been granted by many other cities and towns, it being considered a moral exhibition—one that proves instructive and also

of interest to the common mind. Praying you will see fit to grant me this privilege, I am

Yours respectfully,

DR. D. ANTELL.

Which was rejected.

Dr. Woodburn presented the following communication :

CLEVELAND, OHIO, October 23, 1871.

of and Common Council of the City of Indianapolis :

GENTLEMEN—I would respectfully present my claim for \$133.87, which amount is justly my due for services rendered to, and expenses incurred in behalf of your city.

My term of office, as your Gas Inspector, expired on the 8th of May. When I left Indianapolis, the latter part of March, I placed in the hands of the Gas Company careful tracings of all streets for which gas-lighting ordinances had been passed. On the 1st of last September, my lay-out of work had not been completed. I examined and certified, officially, to bills subsequent to the first of May. The testing of gas metres was left in the hands of a deputy, who continued to discharge this duty until the first of May, and to whom I paid \$80 out of my own pocket. This amount is more than my salary for the same period, said salary being only \$66.67 per month.

In preparing for my official duties, I was compelled to make an outlay of \$50 for instructions. As my successor has not been constrained to thus fit himself, I would now petition for a re-imbursment of my outlay, the same having been taken out of the small salary of \$750, while my successor receives \$800. I will Institute no comparison of labor performed during my term of office and at the present time.

On the 17th of April, in the absence of friends who best knew what the service I had done your city, and who were aware that my office work had not ceased, though I was personally absent, a motion was passed the Council, declaring my office vacant from the first of that month. The acute eyes that then detected my two weeks' non-attendance at the meetings of your body, proved themselves strangely blind to the fact that high-salaried officers had been absent for months, and yet no motions were introduced declaring vacancies. I had anticipated and pre-discharged many of my duties, leaving a deputy,

at my own expense, to take care of labor requiring a personal attention; other official absentees made no such provisions, and yet drew their salaries and perquisites to the last day of their official life. Did not the old Council make "fish" of one and "flesh" of the others?

I trust the present honorable body will recognize the justice of my claim for services actually performed, reimbursing me for outlays actually made, thus redeeming themselves from the injustice done by the old Council to the most poorly compensated office under the city government.

And your petitioner will ever pray, etc.,

GEO. H. FLEMING.

Which was referred to the Committee on Finance.

Mr. Bigham introduced General Ordinance No. 62, 1871, entitled:

An ordinance to regulate the sale of coal, &c., by weight, in the city of Indianapolis,

Which was read the first time.

Mr. Brown offered the following motion:

Moved: That the City Clerk advertise for proposals for the purchase of the lot owned by the city, near the southwest corner of the city limits, and used as the burial place for dead animals; and that when such proposals are received the Common Council will make sale of such lot to the highest bidder.

Which was adopted.

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—Your Committee on Streets and Alleys, to whom was

referred two ordinances contemplating the improvement of Tinker street and sidewalk. We believe the improvement should be made, and therefore recommend that the ordinances herewith returned be placed upon their passage.

Respectfully submitted,

ISAAC THALMAN,
J. L. MARSEE,
CHRIS. HECKMAN,
Committee on Streets and Alleys.

Which was concurred in.

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

GENTLEMEN—Your Committee with reference to the petition of Edward King, for the vacation of a certain street and alley in outlot 56, in the city of Indianapolis, which has been duly filed on the 5th of October, 1871, respectfully report:

That proof of the publication of notice of the pendency of said petition for more than 20 days, and of the posting of three notices in the neighborhood has been made, and that no remonstrance against said vacation has been received, and they accordingly recommend the adoption of the following order:

Respectfully,

ISAAC THALMAN,
JOHN L. MARSEE,
CHRIS. HECKMAN,
Committee on Streets and Alleys.

Also the following petition:

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—The undersigned respectfully represents that he is the owner of lots Nos. 23, 24, 25, 26, 7, 8, 22, 21, 20, 19, and 18, of Alvord's subdivision of a part of out-lot No. —, in the city of Indianapolis, and that the same is to be used for the erection of a manufacturing establishment. Referring to the plat of said subdivision, filed herewith, he shows that the street running from Ohio

street to Pogue's Run and between lots 24 and 23, and lot 8 and, lots 22, 18, is of no benefit or use except as an outlet to the alley running parallel with Ohio street, immediately north of said Ohio street; also, that the alley between lots 24 and 25, and lot 23 is of no use or benefit to anybody; and he further says, for the better use of said ground, especially for manufacturing purposes, said street and alley proposed ought to be vacated, and, in case of such vacation, and to give an outlet to the alley running parallel with Ohio street, he proposes to donate and establish as an alley 20 feet in width of lot 8 in said subdivision, as marked in red lines on the plat filed herewith, giving a complete, nearer and more convenient outlet to the alley running parallel with Ohio street; and he asks an order vacating said 40 foot street between lots 23 and 24 and lots 8, 22, 21, 20, 19, and 18, and running from Ohio street north to Pogue's Run; and also vacating so much of the alley running parallel with and immediately north of Ohio street as lies between lots 27, 26, 25, and 24 and lot 23 in Alvord's subdivision of out-lot 56 in the City of Indianapolis; and your petitioner will ever pray, etc.

EDWARD KING.

Also the following order of vacation :

ORDER OF VACATION.

Comes now the petitioner and files proof that the requisite notice has been given of the pendency of his petition, by publication for twenty days prior to the 30th day of October, A. D. 1871, in the Saturday Evening Mirror, a newspaper of general circulation, published in the city of Indianapolis, which is in the following words:

EDITOR'S AFFIDAVIT.

State of Indiana, Marion county, ss: Personally appeared before the undersigned, B. O. Mullikin, publisher of the Saturday Mirror, a public weekly newspaper of general circulation, printed and published in 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 publication was on the 7th day of October, 1871.

B. O. MULLIKIN.

Subscribed and sworn to before me, this 23d day of October, 1871.

[SEAL.]

THOMAS L. SULLIVAN.

Notary Public.

And also by posting up copies of such notice in three public places, in the vicinity of the street and alley proposed to be vacated, which is in the following words and figures:

State of Indiana, Marion county, ss: Aegiduis Naltner upon his oath says that he posted copies of the annexed notice in three public places near the street and alley proposed to be vacated, to-wit: one near the south-west corner of out-lot 56 near, the bridge; one on Harvey street, between New York and Ohio; and one on New York and Harvey streets, near the Starch Factory. Said notices were posted on the 5th day of October, A. D. 1871.

ÆGIDIUS NALTNER.

Subscribed and sworn to before the undersigned, this 30th day of October, A. D. 1871.

[SEAL.]

ADOLPH SEIDENSTICKER.

Notary Public.

Such petitioner also files the written consent of the property holders interested in such vacation, which is in the following words and figures, to-wit:

State of Indiana, Marion county, ss: The undersigned, being the owner in fee simple of lots number eight and nine (8 and 9), eighteen and nineteen (18 and 19), twenty and twenty-one (20 and 21), twenty-two and twenty three (22 and 23), twenty-four and twenty-five (24 and 25), twenty-six and twenty-seven (26 and 27), in Alford's subdivision of part of out-lot fifty-six (56), in the city of Indianapolis, hereby consents to the vacation of the street running from Ohio street north to Pogue's Run, between lots 23 and 24 on the west, and lots 8, 18, 19, 20, 21, and 22 on the east side, in said subdivision; he also consents to the vacation of so much of the alley running parallel with and immediately north of Ohio street in said subdivision, as lies between lot 23 on the north, and lots 24, 25, 26, and 27 on the south side in said subdivision.

In witness whereof, I have hereunto set my hand and seal, this 30th day of October, A. D. 1871.

[SEAL.]

EDWARD KING.

State of Indiana, Marion county, ss: Before me, the undersigned, a notary public in and for said county and State, personally appeared, on this 30th day of October, A. D. 1871, Edward King and acknowl-

edged the execution and signature of the annexed certificate of consent to the vacation of alleys.

Witness my hand and notarial seal, this 30th day of October, A. D. 1871.

[SEAL.]

ADODPH SEIDENSTICKER,
Notary Public.

And the Common Council being fully advised in the premises, and there being no objection to granting the prayer of the petitioner, it is hereby ordered that the street in Alvord's subdivision of part of out-lot 56 in the city of Indianapolis, running from Ohio street north to Pogue's Run and situate between lots 24 and 23 on the west, and lots 8, 18, 19, 20, 21, and 22 on the east side; and also so much of the alley running parallel with and immediately north of Ohio street in said subdivision, being between lot 23 and lots 24, 25, 26, and 27 in said subdivision be and the same are hereby declared vacated; provided, however, that said petitioner, Edward King, dedicate and open so much of lot eight (8), in said subdivision as is embraced in red lines on the plat filed with his petition, as a 20 foot alley, said alley to run from Ohio street to the first alley north, running parallel with Ohio street, and to be of the even width of 20 feet.

Which was adopted, and vacation ordered by the following vote:

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

Negative—None.

Also the following:

INDIANAPOLIS, Oct. 30, 1871.

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

In consideration of the vacation by the Common Council of the city of Indianapolis of a street or alley running north from Ohio

street, between lots eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22) and (8), on the east side, and lots No. twenty-three (23) and twenty-four (24), on the west side, in E. S. Alvord's subdivision of the east part of outlot No. fifty six (56), in the city of Indianapolis, and that part of an alley running east and west between lots No. twenty-two and twenty-three (22 and 23) on the north, and lots Nos. eight (8), twenty-four (24), twenty-five (25), twenty-six (26) and twenty-seven (27), on the south, in said subdivision, do hereby dedicate, set apart and quit claim to the public as an alley or street the following described part or portion of lot eight (8), in E. S. Alvord's subdivision of the east part of outlot No. fifty-six (56), in the city of Indianapolis, commencing at a point on the north line of Ohio street, three (3) feet west of the east line of said lot No. eight (8), thence north parallel with said east line of said lot eight (8), to an alley, thence west on said alley twenty (20) feet, thence south parallel with the first mentioned line, and twenty feet distant from the same to the north line of Ohio street, thence east on said north line twenty (20) feet to place of beginning, being a strip or piece of ground twenty (20) feet wide from Ohio street north to the first alley north of said street, for the purposes aforesaid.

Witness my hand seal.

EDWARD KING.

Personally appeared before me, a notary public in and for the county of Marion and State of Indiana, Edward King, who acknowledged the execution of the aforesaid instrument of writing. In testimony whereof, I have hereunto set my hand and official seal the 13th day of October, A. D. 1871.

S. E. FRAZEE,
Notary Public.

Which was accepted.

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

INDIANAPOLIS, Oct. 30, 1871.

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

GENTLEMEN—Your Committee on Streets and Alleys, to whom was referred sundry papers, beg leave to report as follows :

1. A communication was received by us from the Indianapolis

Glass Works Company in regard to compelling the Indianapolis and Vincennes Railroad Company to raise their track to the grade of the street. We would recommend that the matter be referred to the Councilmen of the Fifth Ward.

2. A remonstrance was also referred to us from property owners on Virginia avenue against the paving with brick the west sidewalk. As the contract is let, we recommend that no further action be taken.

3. A remonstrance was also referred to us from property owners on East street, between Washington street and Pogue's Run, against the bowldering of said street. We believe the improvement necessary, and recommend the passage of the ordinance.

4. A remonstrance was also referred to us from property owners on Tennessee street, against the improvement of Roanoke alley. We believe the alley should be improved as contemplated in ordinance, and recommend its passage.

5. A motion was also referred to us that Theine & Franke have permission to erect a sign across an alley between Liberty and Noble streets. We would recommend that permission be given, provided it does not conflict with the ordinance regulating the same.

6. A petition was also referred to us asking that flag stone crossings be placed on the north side of Virginia avenue at Delaware, Maryland and Alabama street crossings. We would recommend that the matter be referred to the Councilmen of the Sixth and Seventh wards for their action, and if they decide the improvement should be made, that the expense of same be deducted from the ward fund.

7. A petition was also referred to us, signed by H. D. Carlisle, asking permission to erect a large scale on Maryland street. We would recommend that permission be not granted in this, nor any other case where the same is asked to be placed in the public street. Same petitioner also asks permission to put down a railroad switch along the east side of the Lafayette railroad track, crossing Cumberland and Maryland streets, we would recommend that permission be granted. Same petitioner also asks permission to put a sewer pipe in gutter in front of his mill, and to plank or bowlder the sidewalk, for the passage of teams, we recommend that he have permission to put in pipe of sufficient capacity to carry off the water, and that he be allowed to bowlder the sidewalk, all to be done at his own expense and under the direction of the Civil Engineer.

8. A motion was also referred to us that E. Fast & Co. be per-

mitted to put down a plank crossing over the stone sidewalk on East Alabama street. We believe that an entrance can be made without crossing the sidewalk, we therefore recommend that permission be not granted.

9. A remonstrance from property owners on the west side of Missouri street, between Indiana avenue and St. Clair, also a communication from President of Water Works Co., on same subject, were also referred to us, praying that the improvement of sidewalk between the points named—as contemplated in ordinance passed by this Council September 6, 1871—be not made, as a large majority of the property owners are opposed to the improvement, and as there is some doubt as to the right of the City Council to order the same as provided in the ordinance, we would recommend that the improvement be not made, and that the written agreement of Sam. Hanway & Co., relinquishing their contract, and releasing the city from all claims for damages be accepted, and a repealing ordinance placed upon its passage.

10. A remonstrance was also referred to us against the passage of an ordinance granting permission to Edward King to lay down a railroad tract across the termini of New York street. We would recommend that Mr. King have permission to put down said track, and that the ordinance be passed; we believe that a railroad switch would be of great advantage for business and manufacturing interests in that vicinity.

11. A communication was also referred to us signed by W. R. Hogshire, stating that the cement pipe at the southwest corner of Oriental street and junction of Central railroad crossing, is not of sufficient capacity to carry off the water. We have examined the same and believe the statement correct. We therefore recommend that the Street Commissioner be directed to put in another pipe of sufficient capacity to carry off the water.

12. An ordinance was also referred to us together with a petition from Wm. Patterson, contemplating the improvement of an alley running north and south from Buchanan to Daugherty streets. We herewith return the ordinance and recommend its passage, as the improvement is very much needed.

Respectfully submitted,

ISAAC THALMAN,
JOHN L. MARSEE,
CHAS. HECKMAN.

Which was concurred in.

Mr. Brown offered the following motion :

Moved; That the Street Commissioner be directed to construct a sewer pipe in the gutter on west side of Virginia Avenue at the crossing of Maryland street, and raise the bowlder pavement over the same to a level; and that he put stone crossings in at the same point, and that the expense of the same be charged to the Ward fund.

Which was adopted.

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

INDIANAPOLIS, IND., Oct. 30, 1871.

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

GENTLEMEN—We have examined into the matter of taxes charged against lot 9 in square 3, referred to in the communication of Abner Pope, trustee, in which he claims exemption from taxes, on account of its being church property; but as the property has not been used for church purposes for a number of years and has been held by the trustees for sale and has recently been sold to John Knight for residence property, we think it is not such a case as comes under the general exemption law of church property.

Respectfully submitted,

WM. HADLEY,
City Assessor.

JOHN S. NEWMAN,
AUSTIN H. BROWN,
THOMAS COTTRELL,
JAMES H. WOODBURN,
Committee.

Which was concurred in.

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

INDIANAPOLIS, October 30, 1871.

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

GENTLEMEN—We have examined into the matter of taxes, claimed to be erroneous in the communication of Patrick Mahoney, on lot 48 in out-lot 24, and find that the house and lot is appraised at \$650, which is a low appraisement and on an equality with other lots adjoining; we therefore report against refunding any part of said taxes.

Respectfully submitted,

WM. HADLEY,
City Assessor.

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

Which was concurred in.

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

Weekly contents of Register of Patients of City Hospital, ending October 7, 1871 :

Number of patients in Hospital at last report	42
“ “ received in Hospital since last report.....	12
“ “ born in Hospital since last report.....	1
“ “ discharged from Hospital since last report....	9
“ “ died in Hospital since last report.....	1
“ “ remaining in Hospital at present report.....	45

JOHN N. MARSEE,
Superintendent.

Which was received.

By consent, Mr. Thalman introduced General Ordinance No. 63, 1871, entitled :

An Ordinance authorizing H. D. Carlisle to lay a railroad track across Cumberland and Maryland streets, in the city of Indianapolis,

Which was read the first time.

ORDINANCES ON SECOND READING.

The following entitled Ordinances were read the second time and ordered engrossed :

Special Ordinance No. 129, 1871.

General Ordinance No. 55, 1871.

Special Ordinance No. 142, 1871, entitled :

An Ordinance to provide for grading and paving with Leffler paving stone the north, south and west sidewalks of University Square,

Was read the second time.

When Dr. Woodburn moved to amend by inserting, after the words "Leffler paving stone," the words, "or other cement stone, or other stone."

Which motion was adopted, and ordinance so amended.

On motion, the ordinance as amended was then referred to the Committee on Streets and Alleys.

ORDINANCES ON THIRD READING.

Special Ordinance No. 115, 1871, entitled :

An Ordinance to provide for grading and graveling Tinker street and sidewalks, from the south-east corner of W. H. Talbott's property to the east side of Western avenue, (or Fall Creek gravel road,)

Was read the third time, and passed by the following vote :

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 114, 1871, entitled :

An Ordinance to provide for grading and graveling Tinker street and sidewalks, from the east side of Meridian street to the south-east corner of W. H. Talbott's property,

Was read the third time, and passed by the following vote :

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 113, 1871, entitled :

An Ordinance to grade and gravel Tinker street and sidewalks, from the east side of Meridian street to Michigan road or Central Canal,

Was read the third time, and passed by the following vote :

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 129, 1871, entitled :

An Ordinance to grade and gravel Tinker street and sidewalks, from the east line of the wide portion of Illinois street to the Michigan road, or Central Canal,

Was read the third time, and passed by the following vote :

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

Negative—Councilman Cottrell—1.

Special Ordinance No. 130, 1871, entitled :

An Ordinance to grade and gravel Alabama street, from St. Mary street to Morrison street,

Was read the third time, and passed by the following vote :

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

Negative—Councilman Cottrell—1.

General Ordinance No. 16, 1871, entitled :

An Ordinance to amend an ordinance entitled, "An Ordinance to provide for the removal and burial of dead animals," ordained November 30th, 1863,

Was read the third time, and passed by the following vote :

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

Negative—None.

General Ordinance No. 55, 1871, entitled :

An Ordinance authorizing Edward King to construct a railroad track across New York street, at its eastern terminus,

Was read the third time, and passed by the following vote :

Councilmen Cottrell, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Weaver, Whitsit, Wiles and Woodburn—13.

Negative—Councilmen Bigham, Brown and Thoms—3.

General Ordinance No. 53, 1871, entitled :

An Ordinance providing for the tapping of sewers, &c.,

Was read the third time, and passed by the following vote :

Affirmative—Councilmen Bigham, Brown, Cottrell, Heckman, Locke, Marsee, Thalman, Weaver, Whitsit and Wiles—10.

Negative—Councilmen Gimber, Kennington, Newman, Reagan, Thoms and Woodburn—6.

On motion, the Council adjourned to meet Monday, November 6th, 1871, at 7 o'clock P. M.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.