

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, November 20, 1871, 7 o'clock P. M. }

The Common Council met in regular session.

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

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

Absent—Councilman Gimber—1.

The proceedings of the regular session held November 13th, 1871, were read and approved.

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

By unanimous consent, Dr. Mears addressed the Council in relation to the recent burning of the Pest House, and asked that the Council take some action towards rebuilding the same.

On motion by Dr. Woodburn, Dr. Mears, Superintendent of the Pest House, and the Committee on Public Buildings, were instructed to rebuild the Pest House at a cost not exceeding one thousand dollars.

REPORTS FROM CITY OFFICERS.

The City Clerk made the following report :

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—The City Clerk would respectfully report as follows :

Contract and bond of Thomas Roney for grading and paving with brick the north sidewalk on Louisiana street, from Tennessee to Illinois street.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was received, and contract awarded and bond approved.

The City Clerk made the following report :

INDIANAPOLIS, Nov. 20, 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 affidavits for the collection of street assessments by precept as follows, viz :

S. W. & R. H. Patterson vs. Sarah Morris et al., for	\$35 72
O. H. P. Bly v. A. B. Willard, for.....	56 12

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

Respectfully submitted,
JOHN R. CLINTON,
City Clerk.

Which was concurred in, and precepts ordered to issue.

His Honor the Mayor made a statement to the Council in relation to Tomlinson's will, &c.

On motion, the matter was referred to a Select Committee, composed of His Honor the Mayor, Councilmen Newman, Cottrell and Thalman.

ORDINANCES ON FIRST READING.

Mr. Brown introduced General Ordinance No. 64, 1871, entitled:

An Ordinance to extend Tennessee street south from Merrill street to Catharine street, through outlots numbered 124 and 125,

Which was read the first time.

Dr. Woodburn introduced Special Ordinance No. 161, 1871, entitled:

An Ordinance to grade, cover with Rolling Mill cinder, and gravel the first alley west of Meridian street, running from Michigan street to the first alley south of Michigan street,

Which was read the first time.

Mr. Wiles introduced Special Ordinance No. 162, 1871, entitled:

An Ordinance to grade and pave with brick the north sidewalk of Gregg street, from New Jersey to East streets,

Which was read the first time.

Also, Special Ordinance No. 163, 1871, entitled :

An Ordinance to light with gas Western avenue, from Cherry street to Christian avenue,

Which was read the first time.

Also, Special Ordinance No. 164, 1871, entitled :

An Ordinance to grade and pave with brick the east sidewalk of East street, from Massachusetts avenue to St. Clair street,

Which was read the first time.

Mr. Weaver introduced Special Ordinance No. 165, 1871, entitled :

An Ordinance to grade and pave with brick the east sidewalk of Mississippi street, from Indiana avenue to North street,

Which was read the first time.

Mr. Craft introduced Special Ordinance No. 166, 1871, entitled :

An Ordinance to light with gas Vermont street, from East to Noble street,

Which was read the first time.

Mr. Batty presented the following petition :

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—We the undersigned, property holders and residents on the line of Malotte avenue, respectfully petition your honorable body for the erection of four gas posts on said avenue. As the main is already down, there would be no expense except for the posts and erection of thereon, there being no street lights within half a mile of the north-east terminus of said avenue, and the fact that we are taxed to pay for gas in all other parts of the city. We very earnestly pray that this, our petition, will be favorably considered by your honorable body.

Respectfully submitted,

THE SEWING MACHINE CABINET CO.,
S. Morris, President,
JOHN FREEIK.
ALFRED CAHILL,
And 4 others.

Which was received.

Also, Special Ordinance No. 167, 1871, entitled :

An Ordinance to light with gas Malotte avenue, from Massachusetts avenue to Columbia street,

Which was read the first time.

Mr. Cottrell introduced General Ordinance No. 65, 1871, entitled :

An Ordinance to repeal section 5 of an ordinance regulating the extension of the Citizens' Street Railway,

Which was read the first time.

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

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—Your Committee on Streets and Alleys, to whom was referred a petition from property owners on North Alabama street, praying that ten feet off the west side of Alabama street, one square south of Tinker, be vacated, in order to make the street a uniform width of eighty feet. We would recommend that an order of vacation be passed so soon as the necessary affidavits have been filed with the City Clerk that proper notices have been given.

Respectfully submitted,

ISAAC THALMAN,

J. L. MARSEE,

CHRIS. HECKMAN,

Committee.

Which was concurred in?

Also, the following report :

INDIANAPOLIS, Nov. 20, 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 relating to the vacation of an alley adjoining lots numbered 1, 2, 3, 4 and 5, in Ridenour's subdivision No. 89, running north and south from Mobile alley to Louisiana street, would respectfully report in favor of passing the order of vacation.

Respectfully submitted,

ISAAC THALMAN,

J. L. MARSEE,

CHRIS. HECKMAN,

Committee.

Also, the following :

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—We, the undersigned, owners of ground fronting the alley adjoining lots numbered 1, 2, 3, 4 and 5, in Ridenour's subdivision of the south part of square No. 89, running north and south

from Mobile alley to Louisiana street, and we, the property holders bordering on the said alley, respectfully petition your honorable body to pass an order of vacation for the said alley. And your petitioners will ever pray.

EDWARD REAGAN,
COBURN & JONES.

We, the undersigned, being the owners of the property immediately adjoining the alley mentioned and described in the above petition, do hereby consent that said alley be vacated.

In witness whereof, we have hereunto set our hands this 5th day of October, 1871.

EDWARD REAGAN,
HENRY COBURN,
WILLIAM H. JONES.

STATE OF INDIANA, }
MARION COUNTY, } ss.

Before me, Peter Smock, a justice of the peace of said county, on this 5th day of October, 1871, the foregoing named, Edward Reagan, Henry Coburn, and William H. Jones, appeared and acknowledged the execution of the foregoing and within consent in writing to the vacation of the alley therein referred to.

Witness my hand and seal.

PETER SMOCK, J. P., [SEAL.]

Also, the following:

STATE OF INDIANA, }
Marion County. } ss.

Personally appeared before the undersigned, F. A. Smith, book-keeper of the Indianapolis Sentinel, a public daily 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 on the 6th day of October, 1871.

T. A. SMITH.

Subscribed and sworn to before me, this 4th day of November, 1871.

W. C. MORIARTY,

Notary Public.

Also, the following:

Edward Reagan, of lawful age, being sworn, says that he posted

up three notices, of which the following is a copy, in three places in the immediate neighborhood of the alley proposed to be vacated, on the 5th day of October, 1871:

“NOTICE.

“Notice is hereby given of the pendency of a petition filed in my office, praying for the vacation of an alley running north and south between lots one, two, three, four and five, in Ridenour’s subdivision of the south part of square No. 89, in the city of Indianapolis, and that said petition will be heard by the Common Council on the evening of the 6th of November, 1871.

“J. R. CLINTON,
“City Clerk.

“October 5th, 1871.”

Subscribed and sworn to, before me, November 4th, 1871.

J. S. HARVEY,
Notary Public.

Also, the following :

MATTER OF EDWARD REAGAN AND OTHERS—PETITION TO VACATE AN ALLEY.

Comes now Edward Reagan, one of the petitioners, and produces and shows to the Common Council a petition that was filed with the Clerk of the Council on the 5th day of October, 1871, praying for the vacation of an alley adjoining lots numbered one, two, three, four and five, in Nidenour’s subdivision of square numbered 89, running north and south from Mobile alley to Louisiana street, which petition is in these words: (Here insert.)

And said Reagan also files the written assent of the owners of the property immediately adjoining said alley, duly acknowledged before a justice of a peace, in these words: (Here insert.)

And said Reagan also files proof of the publication in a newspaper, and the posting up, of notices of the pendency of said petition, as required by law, in these words: (Here insert the notices and proof.)

It is therefore ordered by the Common Council of the city of Indianapolis, that the said alley mentioned and described in said petition, written assent, and notices, be and the same is hereby vacated.

Which was received and vacation ordered by the following vote :

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

Negative—Councilmen Cottrell, Newman and Weaver—3.

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

Weekly contents of Register of Patients of City Hospital, ending November 11, 1871 :

Number of patients in Hospital at last report	53
“ “ received in Hospital since last report.....	6
“ “ born in Hospital since last report.....	1
“ “ discharged from Hospital since last report....	10
“ “ died in Hospital since last report.....	1
“ “ remaining in Hospital at present report.....	49

JOHN N. MARSEE,
Superintendent.

Which was received.

Also, the following :

Weekly contents of Register of Patients of City Hospital, ending November 18, 1871 :

Number of patients in Hospital at last report.....	49
“ “ received in Hospital since last report.....	8
“ “ born in Hospital since last report.....	1
“ “ discharged from Hospital since last report...	3
“ “ died in Hospital since last report.....	0
“ “ remaining in Hospital at present report.....	55

J. N. MARSEE,
Superintendent.

Which was received.

Also, the following :

Weekly contents of Register of Patients of City Hospital, ending November 4, 1871 :

Number of patients in Hospital at last report.....	48
“ “ received in Hospital since last report.....	10
“ “ born in Hospital since last report.....	2
“ “ discharged from Hospital since last report...	6
“ “ died in Hospital since last report.....	1
“ “ remaining in Hospital at present report.....	53

J. N. MARSEE,
Superintendent.

Which was received.

Also, the following :

Weekly contents of Register of Patients of City Hospital, ending October 28, 1871 :

Number of patients in Hospital at last report	46
“ “ received in Hospital since last report..	3
“ “ born in Hospital since last report	2
“ “ discharge ^d from Hospital since last report...	3
“ “ died in Hospital since last report...	0
“ “ remaining in Hospital at present report.....	48

J. N. MARSEE,
Superintendent.

Which was received.

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

INDIANAPOLIS, Nov. 20, 1871.

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

The undersigned, Committee on Finance, to whom was referred the application of John Lingman in behalf of the citizens of Brownsburg, through Councilman Weaver, for a contribution from

the city to aid in relieving from losses on account of fire in said town of Brownsburg, on the 19th day of October, 1871, have had that matter under consideration and beg leave to report that though we are very sorry for the losses and misfortunes of the inhabitants of that town, we are of opinion that the losses are not of such magnitude, and the danger of suffering on the part of the losers as to justifying the Council, in behalf of the city, in its corporate capacity, to appropriate money for the purpose stated in the communication, and therefore pray to be discharged from the further consideration of the subject.

J. S. NEWMAN,
ISAAC THALMAN,
J. H. WOODBURN,
AUSTIN H. BROWN.

I concur in the above report, and further believe that in no case did the City Council ever have the power to make an insurance office of the city treasury.

THOMAS COTTRELL,

Which was concurred in.

ORDINANCES ON SECOND READING.

On motion, the following entitled Ordinances were read the second time, and ordered engrossed :

Special Ordinance No.	142,	1871.
“	“	156, 1871.
“	“	155, 1871.
“	“	157, 1871.
“	“	160, 1871.
“	“	159, 1871.
“	“	158, 1871.

On motion, Special Ordinance No. 157, 1871, entitled :

An Ordinance to light with gas Peru street, from Christian to Forest Home avenues,

Was read the second time, and referred to the Committee on Gas.

Mr. Brown offered the following motion :

Moved ; That any restriction of this Council, or mutual understanding among Councilmen, that no gas-lighting or lamp-post ordinances should be passed, be and the same is hereby removed ; *provided*, that no ordinance shall be enforced on streets where the mains are not now laid, unless the same shall be placed in the streets voluntarily by the Gas Company.

Which was adopted.

Mr. Bigham offered the following motion :

Moved ; That the motion to strike from the files the ordinance to grade and gravel Washington street from the old corporation line east to Arsenal avenue, be rescinded, and that the ordinance be now taken up.

Which was referred to the City Attorney.

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

Mr. Cottrell offered the following motion :

Moved ; That the City Marshal be instructed to have the lamps near the crossing of New Jersey street and Virginia avenue, over Pogue's Run, relighted.

Which was referred to the Committee on Gas.

Mr. Cottrell offered the following motion :

Moved ; That the Street Commissioner be directed to notify the property holders of the lots fronting on the south side of Washing-

ton street, between Delaware and Alabama streets, to at once repair the sidewalk on the south side of Washington street between said Delaware and Alabama streets; and if the same is not so done to the satisfaction of said Street Commissioner within ten days from the time of such notice, that the Street Commissioner cause the same to be repaired at the expense of the said property owners respectively.

Which was adopted.

Mr. Cottrell presented the following petition :

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—Your honorable body is hereby respectfully notified that the fences on the west side of the alley west of the German-English school, between Alabama and Delaware streets, from Maryland street north to Cumberland street, stand from four to twelve inches in the alley; and as the alley just now is in process of being bowldered, you are respectfully requested to order the Marshal and Civil Engineer to take the proper steps for the removal of the fences to the correct line, and for the extension of the bowldering to said line. Sharpe's building stands on the proper line.

Yours very respectfully,

CLEMENS VONNEGUT,

Pres't German-English School Association.

Which was received, prayer granted, and,

On motion, the Marshal instructed to have the work done.

Mr. Craft offered the following motion :

† *Moved;* That the Street Commissioner be, and is hereby directed to place stone crossings on Alabama street at the crossing of Ohio and New York streets, and one running south from Odd Fellows Hall across Washington street to the southeast corner of Washington street and Virginia avenue.

Which was adopted.

Mr. Heckman offered the following motion :

Moved; That Mr. John Bouswell be, and is hereby permitted to plant shade trees in front of his property on Buchanan street.

Which was adopted.

Mr. Kennington offered the following motion :

Moved; That the Street Commissioner be directed to notify the Madison and Jeffersonville Railroad Company to plank the crossing of South street sidewalks with good oak plank; and if not done in ten days, the same to be done under the direction of the Street Commissioner, and the same to be charged to the said railroad company.

Which was adopted.

Also, the following:

Moved; That the Fire Telegraph be not allowed to locate on the tops of the houses, unless permission is first obtained from property owners.

Which was adopted.

Mr. Reagan presented the following :

INDIANAPOLIS, Nov. 20, 1871.

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

GENTLEMEN—Whereas, we, the property holders of lots 15, 16, 17, and 18, in out-lot or square No. 140, having received notice that on the 9th day of December, 1871, at 9 o'clock A. M., a meeting is to be held at Room No. 2, City Hall, for the purpose of opening an alley ten feet wide—five feet to be taken from the west ends of lots 15, 16, 17 and 18, and five feet from the east side of lot 16, in out-lot No. 140, pray your honorable body not to grant such petition, nor appoint commissioners to assess such damage, as such an alley is not needed; nor are any of the property holders desirous of any such

alley, said petition and resolution being gotten up by those having no interest in the same; and we further consider it very damaging to our property, and pray you to withhold the same. For which we will ever pray.

SAMUEL PERROTT,
SARAH PERRNTT,
E. J. BINFORD,
GODDARD & SONS.

Which was received and prayer granted, and all proceedings in reference to said matter rescinded.

Mr. Thalman offered the following motion :

Moved; That the Street Commissioner be directed to place a stone or iron foot bridge in front of the Young Men's Christian Association building to connect with the flag-stone crossing at that point.

Which was adopted.

Mr. Thalman offered the following motion :

Moved; That the cost of bowldering the crossings on New York, California, and Vermont streets, where the Macauley pavement has been put down, be charged to miscellaneous fund.

Which was adopted.

Mr. Whitsit introduced Special Ordinance No. 168, 1871, entitled :

An Ordinance to provide for grading and graveling the first alley west of water street, running from McCarty street to the first alley south of Stevens street,

Which was read the first time.

Mr. Whitsit offered the following motion :

Moved; That W. J. Wallace and Cager Wright be allowed to grade and gravel the alley between their property, being lots 482, 483, 484, and 485, in out-lot 94, and that the Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved; That the Rev. Charles Tinsley be allowed to grade and pave, with brick or other suitable material, the sidewalk in front of his property on the corner of Huron and School streets.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved; That James Huffer be allowed to pave the sidewalk, with Lefler's patent stone, in front of his property on Fletcher avenue, and that the Civil Engineer be instructed to set the grade stakes.

Which was adopted.

Mr. Whitsit introduced Special Ordinance No. 169, 1871, entitled :

An Ordinance to provide for the erection of lamp posts, lamps and fixtures, complete to burn gas, except the service pipe, on Huron street, from Virginia avenue to the corporation line east,

Which was read the first time, and referred to the Committee on Gas.

Mr. Whitsit introduced Special Ordinance No. 170, 1871, entitled :

An Ordinance to provide for the erection of lamp posts, lamps and fixtures, complete to burn gas, except the service pipe, on Buchanan street, from East street to Virginia avenue,

Which was read the first time, and referred to the Committee on Gas.

Mr. Whitsit introduced Special Ordinance No. 171, 1871, entitled :

An Ordinance to provide for the erection of lamp posts, lamps and fixtures, complete to burn gas, except the service pipe, on Stevens street, from East street to Virginia avenue,

Which was read the first time, and referred to the Committee on Gas.

Mr. Whitsit offered the following motion :

Moved; That the Street Commissioner be instructed to place a stone crossing on Virginia avenue in front of the Eighth Ward School House.

Which was adopted.

Dr. Woodburn offered the following motion :

Moved; That the City Clerk advertise for bids for the construction of all stone or iron crossings now pending.

Which was adopted.

Mr. Wiles moved that the vote by which the Ordinance was passed, providing for the building of an iron bridge on Delaware street, be rescinded.

Which was laid over.

Dr. Woodburn offered the following motion :

Moved; That the City Clerk direct the publication of the city or-

dinance entitled "An ordinance to provide for tapping public sewers and drains and making connection therewith," in the Indiana Journal of Commerce one time.

During the pendency of which, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.