

PROCEEDINGS  
OF THE  
COMMON COUNCIL

---

REGULAR SESSION.

---

CHAMBER OF THE COMMON COUNCIL OF THE }  
CITY OF INDIANAPOLIS, }  
*Monday, January 8, 1872, 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, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the adjourned session held January 2d, 1872, were read and approved.

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

REPORTS FROM OFFICERS.

The City Clerk made the following report :

INDIANAPOLIS, January 8, 1872.

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

GENTLEMEN—The City Clerk respectfully reports :

FIRST.

The contract and bond of John A. Whitsit, for placing cement pipe in Tinker street.

SECOND.

Contract and bond of Geo. W. Buchanan, for grading, bowldering, curbing and paving East street, from South to Coburn street.

Respectfully submitted,

JOHN R. CLINTON,

City Clerk.

Which was received, contracts awarded, and bonds approved

The City Treasurer presented the following communication :

INDIANAPOLIS, January 8, 1872.

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

GENTLEMEN—I most respectfully ask your honorable body to purchase a Fire Proof Safe, for the use of the City Treasurer's Office, in which I can place the Tax Duplicates, Receipts, Books and valuable papers. Should a fire occur in the city building, and destroy the Tax Duplicates, Receipts, Expenditure Accounts and other valuable documents, it will be an enormous loss to the city, as such books and papers can not be replaced. A small Fire Proof Safe large enough to hold the (4) Duplicates and three other books will answer the

purpose, and may in case of fire, be a saving to the city of several hundred thousand dollars.

Respectfully submitted,  
JOHN W. COONS,  
City Treasurer.

Which was received, and on motion of the Committee on Finance, was instructed to purchase a safe at a cost not exceeding five hundred (\$500) dollars.

The City Clerk made the following report:

INDIANAPOLIS, January 2, 1872.

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

GENTLEMEN—I would respectfully report that there is on file, in my office, an affidavit for the collection of street assessmen by precept, as follows:

Samuel Lefever vs. Sims A. Colleys heirs, for..... \$49 84  
And would recommend that you order the precept to issue.

Respectfully submitted,  
JOHN R. CLINTON,  
City Clerk.

Which was concurred in and precepts ordered to issue.

The City Attorney made the following report:

INDIANAPOLIS, January 2, 1872.

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

GENTLEMEN—At a meeting of the Council, held on the 18th day of December, 1871, a motion was passed directing the Civil Engineer to set the grade stakes for the City Marshal, for the opening of the first alley south of Pogues' Run, between East and Cook strrets.

Some time ago the Council, upon the petition of Speigel and others, passed an order vacating this alley. Afterwards, Gansberg and others instituted a suit in the Marion Circuit Court against the

city, Speigel, and others, to enjoin the closing of the alley. The Court granted a perpetual injunction, and Speigel and the other defendants, except the city, appealed to the Superior Court, where the case is now pending.

I respectfully submit that the above recited motion be recinded or reconsidered, as it surely would be improper for the Marshal to carry it out while the matter is pending in the Supreme Court.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The Street Commissioner made the following report :

INDIANAPOLIS, January 8, 1872.

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

GENTLEMEN—I have the honor to report to you the following work done since December 1, 1871 :

FIRST WARD.

Repaired Liberty street, between New York and Lockerby streets.....	\$19 00
Repaired the sidewalk on the of New York and Davidson streets.....	8 00
Filled with cinder the gutter crossing on Spring and New York, Vermont and Michigan streets.....	15 00
Repaired the culvert on New Jersey and Michigan streets...	7 00
Repaired the foot bridges on Davidson, Noble, and Liberty streets.....	28 00
	<hr/>
	\$75 00

SECOND WARD.

Cut down eight foot bridges on Malotte avenue and Barrow street .....	\$36 00
Made cinder crossing on Ash and Cherry streets.....	5 00

Made cinder crossing on North and Noble streets.....	4 00
Put foot bridge and made cinder crossing on Ft. Wayne avenue and Cherry street.....	8 00
	\$53 00

THIRD WARD.

Put a foot bridge on Indiana avenue and Tennessee street...	\$6 00
Scraped North Illinois street with a road-scraper.....	11 00
Repaired the culvert on North and Tennessee streets.....	3 00
Repaired the gutter at the crossing of North and West streets.....	6 00
	\$26 00

FOURTH WARD.

Put two foot bridges on Indiana avenue and Smith street...	\$9 00
Made cinder crossing on Indiana avenue and West street, California and St. Clair streets.....	18 00
	\$27 00

FIFTH WARD.

Repaired the culvert on Georgia and Illinois street .....	4 00
Repaired the crossing of West street and Kentucky avenue..	4 00
Put in a wooden culvert on Merrill and ——— street.....	30 00
	\$38 00

SIXTH WARD.

Repaired the culvert on Pennsylvania and Georgia streets...	\$4 00
Filled hole near Pogues' Run on California street.....	3 00
	\$7 00

EIGHTH WARD.

Put down foot bridge and made cinder crossing on Virginia avenue and Buchanan street.....	\$9 00
Repaired the culvert on Noble and Georgia streets .....	7 00
	\$16 00

## NINTH WARD.

Repaired the culvert on Ohio and New Jersey streets.....	\$11 00
Changed the wooden culvert so as to connect with the Sewer on East Market street.....	17 00
Repaired the gutter crossings with cinders on Market and Lavidson streets.....	8 00
Repaired the gutter crossings on Spring, Ohio and Market streets .....	6 00
	<hr/>
	\$42 00

## BRIDGES. •

Repaired the bridge over Pogues' Run, on Liberty street....	\$4 00
Repaired the bridge over the canal, on Georgia street.....	9 00
Repaired the bridge over the canal on Michigan street.....	11 00
Repaired the bridge over Pogues' Run on New York street.	5 00
Repaired the bridge over Pogues' Run on Illinois street.....	3 00
	<hr/>
	\$32 00

## MISCELLANEOUS.

Put in cement culvert in front and rear of the New Engine House Massachusetts avenue and St. Clair street, and put down a platform in front and graded up with cinder in front and rear of same.....	\$170 00
Put down a platform in front of the Engine House on Indiana avenue, and graded up around it with cinder.....	118 00
Put a platform in front of the new Hose House on St. Joseph street, and graded up the same with cinder.....	36 00
Put down a platform and culvert over the gutter, and graded up to the front of the new Engine House on Russel street.....	125 00
Put in a cement culvert, put down a platform, and graded up to the front of the new Engine House on Virginia avenue .....	155 00
	<hr/>
	\$604 00

RECAPITULATION BY WARDS.

Showing the amount on hand December 1, 1871, the amount expended since December 1, 1871, and the amount on hand at the present date :

WARDS.	Amount on hand, Dec. 1, 1871.	Am't expended s'ce Dec. 1, '71.	Balance on hand.
First Ward.....	\$314 00	\$75 00	\$249 00
Second Ward.....	433 00	53 00	380 00
Third Ward.....	240 00	26 00	214 00
Fourth Ward.....	462 00	27 00	435 00
Fifth Ward.....	224 00	38 00	186 00
Sixth Ward.....	227 00	7 00	220 00
Seventh Ward.....	436 00	.....	436 00
Eighth Ward.....	132 00	16 00	116 00
Ninth Ward.....	299 00	42 00	257 00
Bridge Fund.....	135 00	32 00	105 00
Miscellaneous.....	1,015 00	604 00	311 00
Total.....	\$3,517 00	\$920 00	\$2,707 00

Respectfully submitted,

A. BRUNER,

Street Commissioner.

Which was received.

Mr. Craft introduced General Ordinance No. 6, 1872, entitled :

An Ordinance authorizing the Mayor and Clerk of the city of Indianapolis, to execute and deliver a deed of warranty, of lots Nos. 4, 5 and 6, in Henderson's sub-division of out-lot No. 17, to Thomas H. Sharp.

Which was read the first time.

His Honer, the Mayor, Daniel Macauley, introduced General Ordinance No. 7, 1872, entitled :

An Ordinance defining the power and duties of the Board of Health.

Which was read the first time.

By unanimous consent the rules were suspended for the purpose of taking up and reading the second and third times, and passing General Ordinances Nos. 6 and 7.

General Ordinance No. 6, 1872, entitled :

An Ordinance authorizing the Mayor and Clerk, of the city of Indianapolis, to execute and deliver a deed of warranty of lots Nos. 4, 5 and 6, of Henderson's sub-division of out-lot No. 17, to Thomas H. Sharp.

Was read the second and third times, and passed by the following vote :

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

Negative—None.

General Ordinance No. 7, 1872, entitled :

An Ordinance defining the power and duties of the Board of Health.

Was read the second and third times, and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Locke, Marsee, Newman, Reagan, Thalman, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Negative—None.

Mr. Cottrell introduced General Ordinance No. 8, 1872, entitled :

An Ordinance authorizing the construction of a railroad track across New Jersey street.

Which was read the first time.

Mr. Thalman introduced General Ordinance No. 9, 1872, entitled :

An Ordinance providing for the appointment of three additional Policemen, or Patrolmen, for the new district west of White River, known as "Stringtown."

Which was read the first time.

His Honor, the Mayor, Daniel Macauley, introduced General Ordinance No. 10, 1872, entitled.

An Ordinance amending an Ordinance, entitled: "An Ordinance defining sundry offenses and prescribing punishment therefor," passed May 31st, 1866.

Which was read the first time.

Mr. Bigham introduced Special Ordinance No.3, 1872, entitled :

An Ordinance providing for grading and graveling Ohio streets and sidewalks, from the old corporation line east to a point 222 feet east thereof.

Which was read the first time.

Mr. Batty, from Committee on Judiciary, made the following report:

INDIANAPOLIS, January 2, 1872.

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

GENTLEMEN—Your Committee on Judiciary, to whom was referred a bill of Jno. Thomas, with a motion allowing \$50 on account of windows broke in the Universalist Church, beg leave to report that your Committee see no more reason for the city paying for broken windows than for private property stolen by burglars entering into and robbing private residences, they would therefore recommend that the said bill and motion be indefinitely postponed.

Respectfully submitted,

J. S. NEWMAN,  
JNO. H. BATTY,  
TOM. COTTRELL,  
Committee on Judiciary.

Which was concurred in.

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

INDIANAPOLIS, Jan. 2, 1872.

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

GENTLEMEN—Your Committee on Sewers, to whom was referred the motion of Mr. Bigham, directing the City Civil Engineer to report the cost of deepning and arching Pogues' Run over from Market street to the river herewith submit his report, also that of Mr. James Brown, Sewer Engineer, who was also invited to make an estimate.

Respectfully submitted,

J. L. MARSEE,  
ERIE LOCKE,  
H. S. BIGHAM,  
Committee on Sewer.

Also, the following :

A proximate estimate of the cost of deepening and arching Pogues' Run from its mouth to market street:

Estimated distance 13,200 lineal feet, at \$45.86 per foot.. \$605,352 00

Respectfully submitted,

R. M. PATTERSON,  
Civil Engineer.

Which was received.

Also, the following :

Estimated cost of deepening and arching Pogues' Run from Market street to the river :

Foundation timber per lineal foot.....	\$2 00
Excavation per lineal foot.....	22 00
Masonry " " " .....	22 00

Total cost per lineal foot..... \$46 00

Estimated length 12,800 feet at \$46.00 per lineal foot.....\$588,800 00

This does not include the cost of removing the bridges, culverts, and houses which now span the Run.

Respectfully submitted,

JAMES BROWN,  
Sewer Engineer.

Which was received.

Mr. Craft presented the following :

INDIANAPOLIS, Jan. 8, 1872.

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

GENTLEMEN--Two of the Deputies appointed by Mr. Brouse having resigned, he has appointed James J. Hoss as Deputy Township As-

essor, and I ask your honorable body to confirm his appointment as Deputy City Assessor, to legalize his assessments for city purposes, he being paid by the county.

Respectfully submitted,

WM. HADLEY,

City Assessor.

Which was received, and appointment confirmed by the following vote:

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

Negative—None.

Call of the roll of members for the presentation of new business.

Mr. Batty presented the following petition :

INDIANAPOLIS, January 8, 1872.

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

GENTLEMEN—The undersigned, lot owners in block No. 4, in Stumpt's addition to the city of Indianapolis, show that Johns street runs through said addition east and west, that said street on the east of the property of the undersigned is forty feet wide and no more, but the part of the street adjoining the property of the undersigned is laid out sixty feet wide, that the street at present terminates at that place, but it is contemplated to extend said Johns street west to Massachusetts avenue, of the width of forty feet and no more.

The undersigned pray that the part of said Johns street adjoining

their property may be reduced to forty feet in width, so that it may be uniform in width through its whole length.

HENRY FOOT,  
PATRICK CARR,  
J. MESCALL,  
AMOS HANWAY,

And 5 others.

Which was referred to the Committee on Streets and Alleys.

Mr. Bigham offered the following motion :

*Moved:* That owners of lots in out-lot Nos. 70 and 72, have permission to fill up their lots and the gutters, etc., in said lots, caused by the water running off Market street through said lots to Washington street; and the Street Commissioner is hereby directed to at once fill up the sidewalk on Market street, so as to prevent the water from running through said out-lots from Market street.

Which was adopted.

Mr. Bigham offered the following motion :

*Resolved,* That the City Council return their thanks to Mr. Baker, of the Mason House, for the generous hospitality tendered the Mayor and members of the City Council on New Years day, and participated in by the same.

Which was adopted.

Mr. Bigham offered the following motion :

*Moved:* That the City Engineer be directed to locate a lamp post on Noble street, between Washington and Market streets.

Which was referred to the Committee on Gas.

Mr. Cottrell offered the following motion :

*Moved:* That the Street Commissioner be instructed to have the truses underneath the Delaware street bridge, over Pogues' Run, placed in such a manner as not to interfere with the flow of water.

Which was adopted.

Mr. Cottrell offered the following motion :

*Moved:* That the Captain of the Police force be instructed to cause the "Cow Ordinance" to be enforced.

Which, together with the ordinance, was referred to the Committee on Revision of Ordinances.

Mr. Kennington offered the following motion :

*Moved:* That the motion passed by this Council on the 18th day of December, 1871, which is in these words: "That the Civil Engineer be and is hereby directed to set the proper line stakes for the City Marshal, for the opening of the first alley south of Pogues' Run, between East and Cook streets," be and the same is hereby recinded.

Which was adopted.

Mr. Locke presented the following petition :

INDIANAPOLIS, Jan. 8, 1872.

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

GENTLEMEN—Your petitioners would respectfully ask of your honorable body the privilege of extending a portion of their Plaining Mill across the alley running through square fifty-one, as in duty bound your petitioners will ever pray, etc.

EMERSON & BEAM.

Which was referred to the Committee on Streets and Alleys.

Mr. Marsee offered the following motion :

*Moved* : That the City Marshal notify Messrs. Smith & Etenbaugh to remove an obstruction from the sidewalk in front of their property, on South New Jersey street, immediately.

Which was adopted.

Mr. Reagan offered the following motion :

*Moved* : That the Street Commissioner be and is hereby authorized to remove the bridge crossing Pogues' Run on South street, to Cumberland street, crossing the canal.

Which was adopted.

Mr. Reagan offered the following motion ;

*Moved* : That the Committee on Sewers be added to the Committee on Bridges, for the purpose of making a joint report to bridge or place a Sewer in the canal.

Which was adopted.

Mr. Reagan offered the following motion :

*Moved* : That the Street Commissioner be and is hereby authorized to build a wooden bridge crossing the canal on Merril street.

Which was referred to the Committee on Bridges.

Mr. Thoms offered the following motion :

*Moved* : That the Street Commissioner be and is hereby directed to at once remove the dirt in front of Wilson's property on North East street, between Market and Ohio streets. The City Attorney is directed to begin suit on the completion of said work by the Commissioner, for amount of said work.

Which was laid on the table.

Mr. Woodburn presented the following :

INDIANAPOLIS, IND., Jan. 8, 1871.

MAYOR MACAULEY ;

*Sir* : There will be a coffee supper given by Indianapolis Lodge at Good Templers Hall, on Saturday evening, January 14, a cake gotten up in handsome style will be voted to the most popular Councilman; yourself and Council have a most cordial invitation to be present.

By order of the Committee,

J. CARNEY,

Secretary.

Which was received.

Mr. Woodburn offered the following motion :

*Moved* : That the contractors be ordered to complete the grading and graveling of Tinker street as speedily as possible.

Which was adopted.

By unanimous consent the rules were suspended, for the purpose of taking up and reading the second and third times, and passing,

General Ordinance No. 70, 1871, entitled :

An Ordinance authorizing the issuance of bonds, etc.

Was read the second and third times, and passed by the following vote :

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

Negative—Councilman Newman—1.

His Honor, the Mayor, Daniel Macauley, offered the following motion :

*Moved* : That all Health Ordinances now in force be published for two days in the Indianapolis Daily Journal, Indianapolis Daily Sentinel, and Daily Telegraph.

Which was adopted.

On motion the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST

JOHN R. CLINTON,

City Clerk