

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, February 12, 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, Thalmann, Thoms, Weaver, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session held February 5th, 1872, were read and approved.

The City Clerk made the following report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The City Clerk would respectfully report the following affidavits, now on file in his office, for the collection of street assessments by precepts, viz:

John Scheier vs. O. P. Morton.....	\$120 01
“ “ “ Lizzie Miller.....	20 47
“ “ “ A. R. Miller... ..	20 48

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, except the paragraph with regard to John Scheier vs. O. P. Morton, which was postponed temporarily.

The Street Commissioner made the following monthly report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—I have the honor to report the following work done in the street repairing department, since January 1, 1872:

FIRST WARD.

Repaired the alley crossing on Winston street, between New York and North streets.....	\$17 00
Put two foot bridges and made cinder crossings on North and Davidson streets.....	14 00
Opened and repaired the culvert on North and Pennsylvania streets, also repaired the culvert on Meridian and North streets.....	28 00
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	\$59 00

SECOND WARD.

Cleaned New Jersey street between North and St. Joseph streets.....	\$65 00
Cleaned Pennsylvania street, between North and First streets	80 00
Repaired crossing on Cherry street and Ft. Wayne avenue..	9 00
Repaired the sidewalks on Massachusetts avenue, between Malott avenue and Peru railroad.....	17 00
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	\$171 00

THIRD WARD.

Repaired the crossing on Indiana avenue and Tennessee street, also on Indiana avenue and Mississippi street.....	\$11 00
Repaired the gutter on Michigan street, between Mississippi street and the canal.....	11 00
Repaired the crossing on Ohio and Mississippi streets.....	3 00
Repaired the culvert on Meridian and Circle streets.....	13 00
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	\$44 00

FIFTH WARD.

Filled up with gravel the hole at the crossing of McGue and Louisiana streets, and repaired Louisiana street between Kentucky avenue and Mississippi street.....	\$90 00
Repaired the alley south of Georgia street, between Mississippi and Tennessee streets.....	48 00
Repaired Maryland street, between Tennessee and Illinois streets	7 00
Repaired the sidewalk on the Bluff road, between Ray and McCarty streets.....	7 00
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	\$152 00

SIXTH WARD.

Repaired the culvert on Meridian and Georgia streets.....	\$7 00
Filled hole on Pennsylvania street near Pogues' Run.....	3 00
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	\$10 00

SEVENTH WARD.

Made cinder crossings on East and South streets.....	\$11 00
Repaired East street, between South and Merrill street.....	7 00
Repaired the culvert on East and McCarty streets.....	4 00
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	\$22 00

EIGHTH WARD.

Made cinder crossing on Fletcher avenue and East street.....	\$5 00
Made cinder crossing on Virginia avenue and Buchanan street.....	4 00
Made cinder crossing on Virginia avenue and McCarty street.	8 00
Made cinder crossings on Noble and Stephens streets.....	9 00
Made cinder crossings on South and East streets.....	12 00
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	\$38 00

NINTH WARD.

Repaired the sidewalk on Davidson street.....	\$7 00
Removed the culvert on the north side of Market street, at the crossing of Delaware street.....	30 00
Cleaned Market street, between Pennsylvania and Delaware streets.....	20 00
Repaired the culvert on New Jersey and Market streets.....	7 00
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	\$64 00

BRIDGES.

Repaired the bridge over the canal on Market street.....	\$3 00
Repaired the bridge over Pogues' Run on Pennsylvania street.....	22 00
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	\$25 00

MISCELLANEOUS.

Repaired the sidewalk around the engine house on Merrill street.....	\$13 00
Filled up around the hose house on St. Joseph street.....	17 00
Repaired the curb around the East Market square, and tied the Market house with iron rods to prevent its spreading..	28 00
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	\$52 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.....	\$249 00	\$59 00	\$190 00
Second Ward.....	380 00	171 00	209 00
Third Ward.....	214 00	44 00	170 00
Fourth Ward.....	335 00	335 00
Fifth Ward.....	186 00	152 00	34 00
Sixth Ward.....	220 00	10 00	210 00
Seventh Ward.....	336 00	32 00	304 00
Eighth Ward.....	116 00	38 00	78 00
Ninth Ward.....	257 00	64 00	193 00
Bridge Fund.....	105 00	25 00	80 00
Miscellaneous.....	211 00	52 00	159 00
Total.....	\$2,407 00	\$920 00	\$1,962 00

Respectfully submitted,
A. BRUNER,
Street Commissioner.

Which was received.

The City Attorney made the following report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—A motion was adopted by your honorable body on the evening of the 30th of January, 1872, requiring me to report whether in my opinion railroad companies could not be compelled to bridge over or tunnel under streets, where they cross the same with their tracks.

Section 61, of the act for incorporation of cities, declares that the Common Council shall have exclusive power over the streets, highways, alleys, and bridges within such city. From this it seems that the Common Council has the power to refuse a railroad company the right of way over or along a street, and may grant such right of

way upon such terms and conditions as may be agreed upon; but in my opinion, the Common Council can not compel a railroad company to bridge over or tunnel under streets, where they cross the same with their tracks.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was concurred in.

The City Commissioners made the following report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The Board of City Commissioners, to whom was referred the petition of J. H. Kappes and others, asking the opening of 8th and 9th streets and three alleys eastward through lots 7 and 6, of Henderson's addition, have acted upon the case, and after due consideration of the facts, submit the following report and assessment of the damages and benefits resulting from such opening:

We estimate the value of the ground to be taken, by the opening of 9th street and the 15 foot alley north of it, through lot 7 Henderson's addition, or in Unversagt's subdivision of said lot, at.....	\$975 00
We estimate the value of the ground to be taken for 8th street, and a 15 foot alley north of it, and a 15 foot alley south of it, through lot 6 in Henderson's addition, at...	1,200 00
The total damages from opening said streets or alleys we therefore assess at.....	\$2,175 00
We estimate the benefits to property in Unversagt's subdivision of lot 7, Henderson's addition, at.....	\$425 00
And to the property in lot 6, of Henderson's addition, at.....	575 00
Making the total benefits to property and property owners from opening said streets and alleys.....	\$1,000 00
Leaving a balance of damages unprovided for of.....	\$1,175 00

We think the city of Indianapolis should pay no part of the damages for opening either of said streets or alleys.

The following schedule gives the damages and benefits from opening said streets and alleys more in detail :

Damages to Henry C. Moore, for a strip of ground 50 feet wide by about 164½ feet long, in lot 6, in Henderson's addition between Mississippi street and Kappes & Frank's subdivision, taken for 8th street.....	\$750 00
Damages to Henry C. Moore for a strip of ground 15 feet wide by about 164½ feet long, taken for an alley in the lot above named, and lying south of said 8th street.....	225 00
Damages to Henry C. Moore for a strip of ground 15 feet wide by about 164½ feet long, in the lot aforesaid, and lying north of said 8th street, taken for an alley.....	225 00
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Total amount of damages to Henry C. Moore for the ground taken for 8th street and two 15 foot alleys, in lot 6, in Henderson's addition.....	\$1,200 00
We estimate the benefits to Henry C. Moore on the several parts of lot 6, Henderson's addition, from opening 8th street and two alleys.....	575 00
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Balance of damages due H. C. Moore.....	\$625 00

We estimate the damages to Herman Unversagt as follows :

For a strip 50 feet wide by about 164½ feet long, taken for 9th street, being lot 4, and 14 feet off the north side of lot 3, and 2 feet off the south side of lot 5, in Unversagt's subdivision of lot 7, Henderson's addition	750 00
To Herman Unversagt for a strip of ground 15 feet wide by about 164½ feet long, taken for an alley, being 2 feet off the north side of lot 7, and 13 feet off the south side of lot 8, in Unversagt's subdivision of lot 7, in Henderson's addition	225 00

We estimate the benefits to Herman Unversagt on lots 7 and 8, in Unversagt's subdivision of lot 7, in Henderson's addition, from opening the alley through the same as aforesaid, at \$50 on each lot	\$100 00
We estimate the benefits to H. Unversagt on lot 3, in his subdivision above named, from opening said 9th street, at.....	150 00
We estimate the benefits to H. Unversagt on lot 5, in said subdivision above named, from opening said 9th street, at.....	175 00
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Total benefits to Mr. Unversagt.....	\$425 00
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Balance of damages to Mr. Unversagt.....	\$550 00

If the streets and alleys are cut through Unversagt's addition in accordance with this petition, it will become necessary to vacate two alleys as laid out by him. If this be done, 18 feet of ground will be restored to him by the public in lieu of the amount taken for the new streets, and his damages would be reduced about \$270.

We think the city of Indianapolis should pay no part of the cost of opening said 8th or 9th streets, or either of the three alleys above mentioned.

It will be seen that there is an excess of damages over the benefits on each of the streets and alleys. It is our opinion that the property held by J. H. Kappes, J. Frank and others, west of Unversagt's addition and of Mr. Moore's lot, is benefitted by the opening of said streets and alleys to the amount of this balance. It is for their use and benefit that the streets are needed, but under recent rulings we can not go outside of the property cut through by the proposed streets to make assessments of the benefits we think they should rightfully pay.

Respectfully submitted,

W. S. HUBBARD,
J. F. RAMSAY,
SAMUEL M. SEIBERT,
IGNATIUS BROWN,
Board of City Commissioners.

Also the following :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The Board of City Commissioners, to whom was referred the petition of H. Seibert and others asking the opening of Greer street 55 feet wide, northward from its present northern terminus to Stevens street, have acted upon the matter and submit the following assessment of damages and benefits resulting from the opening of said street.

We estimate the value of the ground and improvements to be taken in opening said street, as prayed for, at..... \$950 00

We estimate the benefits to the property cut through, or to the lots immediately on said proposed extension of said street, at..... \$250 00

We estimate the benefits to the city of Indianapolis from the opening of said street, to the sale of improvements, &c..... 200 00

Balance of damages over benefits..... \$500 00

We think the city should pay no further benefits than as above stated.

We submit the following detailed statement and schedule of the damages and benefits :

We estimate the damages to Michal Gimbel for lot No. 32, in J. and M. S. Coffman's sub-division of north half of out lot 101, taken for the proposed street, at \$480 00

We estimate his damages for the improvements on said lot, including all said improvements, at..... 320 00

Total damages to M. Gimbel..... \$800 00

We estimate Mr. Gimbel's benefits at nothing.

We estimate the damages to T. J. Brett, for a strip 15 feet wide, off of the west side of lot 33, in J. and M. S. Coffman's sub-division of north half out lot 101, at..... \$150 00

We estimate the benefits to T. J. Brett, on the east half of lot 33, in J. and M. S. Coffman's sub-division aforesaid, at 100 00

Balance of damages to said T. J. Brett..... \$50 00

We estimate the benefits to — Smith, on lot 48, in Coffman's sub-division of out lot 101, as aforesaid, at.....	\$150 00
We estimate the benefits to the city of Indianapolis for the improvements on lot 32, in Coffman's sub-division of out lot 101 as aforesaid, which said improvements may be sold and removed, and are valued by us at.....	200 00
Total amount of the benefits to the city, and the property immediately adjoining said proposed street.....	450 00

Balance of damages over benefits..... \$500 00

We have already taxed for the improvements above named all the benefits we deem it right for the city to pay. The balance of damages above specified, can be assessed on the lots on each side of Greer street, south to McCarty street, and those lots are really the only ones directly interested in the opening of this street. We would assess the damages on these lots as follows:

Benefits to Samuel M. Seibert on lot 12, Greer and Water's sub-division of out lot 101.....	\$57 50
Benefits to Samuel M. Seibert on lot 11, Greer and Water's sub-division of out lot 101.....	57 50
Benefits to Hiram Seibert on lot 10, Greer and Water's sub-division of out lot 101.....	50 50
Benefits to Hiram Seibert on lot 9, Greer and Water's sub-division of out lot 101.....	44 50
Benefits to Robert McClintock on lot 24, Greer and Water's sub-division of out lot 101.....	37 50
Benefits to John Wands on lot 25, Greer and Water's sub-division of out-lot 101.....	32 50
Benefits to John Wands on lot 24, Greer and Water's sub-division of out lot 101.....	27 50
Benefits to Elenor C. Bishop, 25 feet off north side of lot 13, Greer and Water's sub-division of out lot 101.....	20 00
Benefits to Margaret Chumley, 38 feet off south side of lot 13, Greer and Water's sub-division of out lot 101.....	30 50
Benefits to John Maurer on north half lot 14, Greer and Water's sub-division out lot 101.....	22 50
Benefits to Catherine Maurer on South half lot 14, Greer and Water's sub-division of out lot 101.....	22 00

Benefits to Margaret Thompson on lot 23, Greer and Water's sub-division of out lot 101.....	37 50
Benefits to James W. Sutherland on north half lot 22, Greer and Water's sub-division of out lot 101.....	16 50
Benefits to Christian Wands on south half lot 22, Greer and Water's sub-division of out lot 101.....	16 00
Benefits to Henry A. Hugo on lot 21, Greer and Water's sub-division of out lot 101.....	27 50
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Total benefits.....	\$500 00

Respectfully submitted,
 WM. S. HUBBARD,
 J. T. RAMSAY,
 SAMUEL M. SEIBERT,
 IGNATUS BROWN,
 Board of City Commissioners.

Which were postponed for one week.

Mr. Craft introduced Special Ordinance No. 12, 1872, entitled :

An Ordinance to pave with brick the north sidewalk of New York street, between Massachusetts avenue and East street,

Which was read the first time.

Mr. Bigham introduced Special Ordinance No. 13, 1872, entitled :

An Ordinance to grade and pave with brick the sidewalks of Market street, from Noble street to the corporation line east,

Which was read the first time.

ROLL CALL FOR PRESENTATION OF NEW BUSINESS.

Mr. Batty presented the following petition :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The undersigned petitioners would respectfully represent, that a certain unnamed street extends from Olivet street west to Western avenue, between lots 14 and 15 in Johnson's heirs addition to the city of Indianapolis ; that its location is not in accordance with any general plan, and its existence is not necessary for the convenience or accommodation of any of the adjoining property holders, or residents of the vicinity, or of the city at large.

Your petitioners would further represent unto your honorable body, that they are sole owners of all the property fronting on both sides of the said street throughout its entire length, and that they are the only persons directly affected by the continuance or vacation of said street. Your petitioners would therefore respectfully ask your honorable body to order the vacation of said street above described, from Oliver street to Western avenue, and they will ever pray, etc.

TILLMAN A. H. JOHNSON.
PETER GOTH,
MARIA L. FILER,
S. J. FILER.

Which was referred to the Committee on Streets and Alleys.

Mr. Brown presented the following remonstrance :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The undersigned respectfully represent to your honorable body that they are informed, by publication in one of the daily prints, that a petition is now pending before your honorable body to vacate so much of Fifth street, in Drake's addition to the city of Indianapolis, as lies east of the east line of Illinois street, and north of block 20 and south of block 21, in said Drake's addition.

The undersigned, who are citizens of the city of Indianapolis, residing in the vicinity of that part where said street is proposed to be vacated, respectfully represent that said part of Fifth street ought not to be vacated, because said Fifth street extends entirely through said Drake's addition, within about 400 feet of Meridian street, and

even now the public necessities require that Fifth street shall be extended east to Meridian street, inasmuch as there is nearly half a mile in that part of the city where there is no street; and Fifth street, which is now proposed to be vacated, will pass through near the middle part of the half mile now without a street.

They further represent that they are informed and understand that the Common Council have declared, by a resolution, that their policy hereafter, in laying out streets through the additions to the city, is, that the streets to be laid out shall conform to the streets in the adjoining parts of the city; and by vacating that part of Fifth street, a directly opposite policy would be adopted.

They further represent, that they are informed and believe that the vacation of said part of Fifth street is not required for the enjoyment of the property on either side thereof, as both sides are now built up and improved, but for the purpose of making a new lot out of the proposed vacation, for the purpose of sale and speculation, and to present an additional obstruction to the extension of the streets in Drake's addition to Meridian street. The undersigned, therefore, remonstrate against and object to the proposed vacation of said part of Fifth street.

Respectfully submitted,

C. F. DARNELL,
LUCIAN BARBOUR,
Mrs. ANNIE WEBSTER,
JAMES HYLAND.

Which was referred to the Committee on Streets and Alleys.

Mr. Brown presented the following petition :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—We the undersigned, property owners on the south side of Maryland street, between Pennsylvania and Meridian streets, respectfully petition your honorable body that the east end of said south side of said Maryland street, next adjoining Pennsylvania street, be paved with brick or such other improvement as you may order.

HOLLAND, OYSTERMEYER & CO.,
MURPHY, JOHNSTON & CO.,
HENRY SCHNULL,
M. L. HARE.

Which was referred to the Committee on Streets and Alleys, with instructions to report an ordinance.

Mr. Cottrell offered the following motion :

Moved : That the City Marshal and City Attorney be directed to subpoena witnesses to assess damages in changing the course of Pogues' Run.

Which was adopted.

Mr. Craft offered the following motion :

Moved : That the Street Commissioner be directed to remove the dead and dying trees from Alabama street, between Massachusetts avenue to St. Clair street.

Which was adopted.

Mr. Gimber offered the following motion :

Moved : That the Street Commissioner notify the Vincennes and Indianapolis Railroad Company to raise their track on Kentucky avenue, and grade and gravel the same so as to conform to the established grade of said avenue, within ninety days from receiving such notice.

Which was adopted.

Also, the following :

Moved : That the Street Commissioner notify the Vincennes and Indianapolis Railroad Company to gravel the switches of their railroad tracks on Kentucky avenue, and on their failure to do so within thirty days from this date, to report said fact to this Council, for their further action.

Which was adopted.

Mr. Gimber offered the following motion :

Moved: That the City Marshal notify Greenleaf & Co. to remove the obstructions placed in Tennessee street in front of their foundry, and on their failure to do so, to comply with the law in such cases.

Which was referred to the Committee on Streets and Alleys.

Mr. Locke offered the following motion :

Moved: That the Civil Engineer be and he is hereby instructed to so establish the grade of Indiana avenue, North and Mississippi streets at their crossings, in such a manner that the water can flow either to White river or Fall creek.

Which was referred to the Committee on Streets and Alleys, and City Civil Engineer.

Mr. Locke introduced Special Ordinance No. 14, 1872, entitled:

An Ordinance to pave with bricks and lay down flagstone crossings on the north side of Washington street and National Road, from Missouri street to the old White River Bridge.

Which was read the first time.

Mr. Reagan presented the following petition :

INDIANAPOLIS, Feb. 12, 1872.

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

GENTLEMEN—Your petitioners would respectfully pray your honorable body to extend the south line of Washington street west of White river, to the point where it will intersect the south line of the

National road, and that commissioners be authorized to assess damages and benefits. A plat of such extension is herewith submitted.

MICHAEL VANBLARICUM,
D. A. VANBLARICUM,
MARTHA J. WISEMAN,
J. H. FERGUSON,

And 2 others.

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

Mr. Reagen offered the following motion :

Moved: That a committee of three be appointed, by the chair, to confer with the Waterworks company, or their president, to ascertain on what conditions they will surrender their claims to the canal from Market street to the corporation line south, and said committee, at their next meeting, report to this Council for approval or rejection.

Also the following petition :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—We the undersigned, citizens and tax payers of the city of Indianapolis, hereby respectfully petition your honorable body to accept the proposition of the Water Works Company for the purchase of that part of the Central Canal on Missouri street, running south from Market street to the corporation line.

SAMUEL LEFEVER,
VALENTINE MEIER,
FRANCIS ROBINIUS,
T. P. MICHAEL,

And 145 others.

Which was postponed for one month.

Mr. Thalman offered the following motion :

Moved: That the City Marshal be directed by the City Clerk to notify the owners, or occupants, of all the buildings fronting on California street, between New York and St. Clair streets, that they will be required to number their respective houses, according to the plan of numbering houses heretofore by this Council—by ordinance adopted. And that the City Clerk make up a list of numbers, commencing with number one (1) at the corner of New York and California streets, and increasing one number, each sixteen feet—street and alley crossings excepted—until St. Clair street is reached, the even numbers on one side and the odd numbers on the opposite side, of California street, and allowing but fifty numbers to each square.

Which was adopted.

Mr. Whitsit offered the following motion :

Moved: That the Chief Fire Engineer with the Committee on Fire Department, be instructed to supply the sleeping rooms in the new Engine houses with carpets.

Which was referred to the Committee on Fire Department.

Mr. Whitsit offered the following motion :

Moved: That the Street Commissioner be instructed to notify the property holders on the north side of Virginia avenue, between East and Huron streets; on School street, between Huron and South streets, and on the south side of South street, between School and East streets, to trim the hedge in front of their property so that it shall not obstruct the sidewalk, and if not done within ten days to do the same and collect from the property holders.

Which was adopted.

Mr. Whitsit introduced General Ordinance No. 16, 1872, entitled :

An Ordinance to establish Fire Limits in the city of Indianapolis,

Which was read the first time.

Mr. Wiles presented the following remonstrance :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—We the undersigned, property owners on St. Marys street, between Alabama street and Western avenue, in the city of Indianapolis, having received notice from the City Clerk that a petition has been presented to your honorable body praying for the widening of the said St. Marys street, between Alabama street and Western avenue, ten feet, to be taken from the north side of said street.

We find, upon examining said petition at the City Clerk's office, that but six of said petitioners (there being fourteen in all) are property owners on said street, where the widening of said street is prayed for, not exceeding 427 feet, the remainder of said petitioners not being residents or property owners on the line of said improvements prayed for in said petition.

Now therefore we, the undersigned, property owners on said street between Alabama street and Western avenue, to the number of feet placed opposite our names, do pray your honorable body that you will ot grant the widening of said St. Mary street, as asked for in said petition, that we are not willing to pay the amount necessary to purchase said ground and make said improvements.

JAMES BRADEN, 168 ft. 2 in.

C. M. RANDALL, 152 ft.

A. POPE,

JOSEPH J. SCHOFIELD,

WILLIAM A. SCHOFIELD,

Trustees of Society of Friends, 152 ft.

H. M. GRIFFITH, 25 ft.

S. U. HAMMOND, 152 ft.

Total number of feet in remonstrance, 649 ft. 2 in.

Total number of feet in petition, 427 ft. 5 in.

Which was received, and, on motion, the City Commissioners were instructed to suspend further action.

Dr. Woodburn presented the following petition ;

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The undersigned, owners of the real estate set opposite their respective names, respectfully petition your honorable body for the opening of a street, now running east and west through Samuel Hendersons addition to the city of Indianapolis, (being a sub-division of a part of the east half of the northwest quarter of section 35, township 16 north, range 3 east, of lands in Marion county, Indiana,) and bounded on the north by lots 13, 14, 15, 16, 17 and 18, and on the south by lots 7, 8, 9, 10, 11 and 12, of said Hendersons additions, and commonly known as Williams street, west from its present terminus to a point at the eastern terminus of Tenth street; said Tenth street runs through Cranes addition to the city of Indianapolis, which said addition is a part of the west half of the northwest quarter of section 35, township 16, north of range 3 east, of lands in said county of Marion, in the State of Indiana.

Your petitioners would further respectfully represent that the opening of said street petitioned for by us, would run through some four or five acres now owned by the Indianapolis, Cincinnati and Lafayette Railroad Company, being a part of said west half northwest quarter section 35, etc., and would be of but little if any damage to the lands through which we ask the same to be opened, and further that said street would then be open from the western side of said Cranes addition on the east side of the Michigan road to a point on the west side of Johnsons heirs addition to the city of Indianapolis, (being a part of the west half of the northwest quarter of section 36, township 16, north range 3 east,) and would therefore be of great public utility, and value to all real estate bordering thereon, while there will be no corresponding damages.

We respectfully call the attention of your honorable body to these facts, and again ask that said street be opened as above asked.

CHRISTINE DECHER,
HARMANN H. UMVERZAYT,
FREDERICH TOPP.

Which was referred to the Committee on Streets and Alleys.

Dr. Woodburn presented the following petition :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—We, your petitioners, respectfully represent to your honorable body that they desire to grade and gravel that portion of Wood street lying between North street and an alley 255 feet south, and east of the Indianapolis, Cincinnati and Lafayette Railroad Company's track, said street being an average of 57 feet wide, said street being in an almost impassable condition.

T. F. RYAN,
J. HIGGINS.

Which was referred to the Committee on Streets and Alleys, with instructions to prepare an ordinance if they saw fit.

Mr. Wiles presented the following petition:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—We hereby ask permission to grade and gravel St. Mary street, from Western and Ft. Wayne avenues west to the alley running north between Western avenue and New Jersey street, such grading and graveling to be done under the direction and approval of the City Engineer.

JAMES BRADEN,
WM. BUSHMANN.

Which was received, and prayer of petitioners granted.

Mr. Wiles, from Committee on Gas, made the following report:

INDIANAPOLIS, Feb. 12, 1872.

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

GENTLEMEN—Your Committee on Gas-light beg to call the attention of the Council to the continued and growing complaints of citizens in regard to the quality of gas manufactured by the Indianapolis Gas-light and Coke Company, for consumption in this city, and agree to

recommending that the Council at once proceed to elect a competent Gas Inspector.

Respectfully submitted,

W. D. WILES,
H. S. BIGHAM,
ISAAC THALMAN,
Committee on Gas.

Which was concurred in.

The Council then proceeded to elect a City Gas Inspector.

Mr. Wiles nominated Prof. E. T. Cox.

A ballot was then had, which resulted in the election of Prof. E. T. Cox, by a unanimous vote, for the rest of the term.

Mr. Bigham, Chairman of Special Committee on Tunnel, made the following report:

INDIANAPOLIS, Feb. 2, 1872.

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

GENTLEMEN—The undersigned, a select Committee of the Council on tunnels, respectfully report that at a meeting of said committee, held last week, it was agreed that a recommendation be made to the Council, that the approaches to the proposed Illinois street tunnel be in length not exceeding two hundred feet north of Louisiana street, and two hundred feet south of McNabb street, and that the grade of the approaches and the tunnel be not over seven feet to each one hundred feet. The committee instructed the engineer to make estimates of the quantities of material, &c., required by the change of plans mentioned, and directed the chairman of the committee to request the bidders to revise their bids, so as to be within the requirements of such modified plans.

Accordingly at a meeting of the Committee held this afternoon, bids were submitted by all of the bidders as follows;

Harry Taylor proposes to build a tunnel of stone and brick masonry complete in all its parts, according to plans and specifications

submitted by himself, with grade and approaches as required by the committee, for \$60,000.

John J. Palmer proposes to build a tunnel of iron and masonry complete in all its parts, according to plans and specifications submitted by himself, with grade and approaches as required by committee, for \$57,687.00.

John A. Whitsit proposes to build a tunnel of brick and stone masonry complete, according to the plans and specifications of the City Engineer, for \$54,000.00.

Hanway & Co. proposes to do the work on a brick and stone tunnel according to the revised plans and specifications of the City Engineer, at the following rates :

Stone masonry \$8.69 per cubic yard.

Brick masonry \$10.34 per cubic yard.

Iron rail \$2.00 per lineal foot.

Plank foot and stairway \$3.00 per hundred foot board measure.

Block pavement \$2.00 per yard.

Excavating 75 cents per cubic yard.

According to the estimate of the City Engineer the work would amount to \$44,195.15 but the extra grouting for foundations is not included, and your committee think it is not a complete bid, and that a comparison of it with the bids that are complete in this respect would not be fair in the absence of an estimate as to the quantity of the extra grouting that might be required.

Your committee knowing that a diversity of views are entertained as to the relative merits of a tunnel of masonry exclusively, and of an iron tunnel, beg leave to report the bids without recommendation, that the Council may determine this last named point for itself.

Respectfully submitted,

H. S. BIGHAM,

W. D. WILES,

AUSTIN H. BROWN,

JOHN L. MARSEE,

ISAAC THALMAN,

Select Committee.

Mr. Brown moved that the bid for an iron tunnel be given the preference.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Gimber, Kennington, Locke, Newman, Reagan, Thalman, Thoms, Weaver and Wiles—12.

Negative—Councilmen Cottrell, Craft, Heckman, Marsee, Whitsit and Woodburn—6.

Mr. Kennington moved that the contract be awarded to J. J. Palmer.

Mr. Newman moved to amend by saying:

Provided, he perform the entire job to the satisfaction of the Civil Engineer, and that the entire cost shall not exceed \$55,000.

Dr. Woodburn moved that the stone work for said tunnel be done according to the plans and specifications of the City Civil Engineer.

Which was accepted by Mr. Newman.

Mr. Brown offered the following:

Provided, that the contractor receives in payment bonds of the city payable in twenty years, bearing eight per cent. interest, payable semi-annually.

Which was adopted.

Dr. Woodburn moved to amend further by saying, that the contractor be required to give satisfactory security for the durability of the work.

Which was also accepted by Mr. Newman.

Mr. Craft offered the following motion:

Moved: That the matter of tunnels be postponed until after the completion of the main sewerage of the city.

Which was laid on the table by the following vote:

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Gimber, Kennington, Locke, Reagan, Weaver, Whitsit and Wiles—11.

Negative—Councilmen Craft, Heckman, Marsee, Newman, Thalman, Thoms and Woodburn—7.

Mr. Craft moved to lay the whole subject on the table.

The question being on the adoption of Mr. Craft's motion, to lay on the table,

Those who voted in the affirmative were Councilmen Craft, Heckman, Marsee, Thalman, Thoms, Whitsit and Woodburn—7.

Those who voted in the negative were Councilmen Batty, Bigham, Brown, Cottrell, Gimber, Kennington, Locke, Newman, Reagan, Weaver and Wiles—11.

So the motion to lay on the table was lost.

The question then being on the adoption of Mr. Newman's amendment,

Mr. Brown called for a division of the question.

The question was then put on the adoption of the portion of Mr. Newman's amendment in relation to the cost, etc.,

Which was lost by the following vote :

Affirmative—Councilmen Cottrell, Craft, Newman, Thalman, Thoms, Weaver, Whitsit and Woodburn—8.

Negative—Councilmen Batty, Bigham, Brown, Gimber, Heckman, Kennington, Locke, Marsee, Reagan and Wiles—10.

The question was then put on fixing the contract price, as proposed by J. J. Palmer,

Which resulted as follows :

Those who voted in the affirmative were Councilmen Batty, Bigham, Brown, Gimber, Kennington, Locke, Marsee, Reagan and Wiles—9.

Those who voted in the negative were Councilmen Cottrell, Craft, Heckman, Newman, Thalman, Thoms, Weaver, Whitsit and Woodburn—9.

There being a tie vote, His Honor the Mayor voted in the affirmative.

So the contract price was fixed as proposed by Mr. J. J. Palmer.

Mr. Newman asked and obtained leave to withdraw his amendment in regard to plans, specifications, etc., of the City Civil Engineer, security, etc.

Dr. Woodburn renewed the amendments withdrawn by Mr. Newman.

Mr. Brown moved the previous question.

The question being, shall the main question be now put?

Those who voted in the affirmative were Councilmen Bigham, Brown, Gimber, Kennington, Locke, Reagan, Weaver and Wiles--8.

Those who voted in the negative were Councilmen Batty, Cottrell, Craft, Heckman, Marsee, Newman, Thalman, Thoms, Whitsit and Woodburn--10.

So the main question was not ordered, and the question removed from further consideration for the session.

Mr. Wiles, from the Special Committee, made the following report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—Your Special Committee, entrusted with the appointment of an Engineer to make a survey for the contemplated railroad to the cold fields, report that we have appointed James W. Brown to that duty.

Your Committee have also secured the valuable services of General T. A. Merris as advisory and consulting engineer.

Respectfully submitted,

W. D. WILES,
CHRIS. HECKMAN,
JOHN S. NEWMAN,
Special Committee.

Which was concurred in, and appointments confirmed.

Mr. Newman presented a draft of Articles of Association for the building of a Railroad from Indianapolis to the coal fields in Clay county, drawn up by the Citizens' Committee.

Mr. W. P. Fishback, of the Citizens' Committee, was admit-

ted to the floor, and explained that the object was to effect an organization for the building of the road, and asked that the Council hold a Special Session for the consideration of the subject.

On motion, the Council agreed to meet Thursday, February 15th, 1872, at 7 o'clock P. M., for the consideration of the Railroad project.

Mr. Brown, from the Select Committee, made the following report :

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The Select Committee on the subject report back General Ordinance No. 49, with the following amendment :

SECTION —. Any person purchasing coal of any dealer, to be delivered within the city limits, may at his option require any load of coal so purchased for delivery as aforesaid to be weighed by any person owning scales, as such purchaser may select, and the certificate of such weight shall be evidence of the quantity of coal contained in any such load ; and any dealer who shall refuse to allow any load of coal to be weighed when required by any purchaser, shall, on conviction before the Mayor, be fined for each and every offense a sum not less than five dollars and not exceeding one hundred dollars.

Respectfully submitted,

JOHN S. NEWMAN,
AUSTIN H. BROWN,
H. S. BIGHAM,
W. H. CRAFT,
E. LOCKE,

Select Committee.

Which was concurred in.

General Ordinance No. 49, 1871, entitled :

An Ordinance in reference to the sealing of weights and measures, &c.,

Was read the second time and ordered engrossed.

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

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—Your Committee on Fire Department, to whom was referred the motion directing the Chief Fire Engineer to advertise for proposals for building a public cistern on Yeiser and Franklin streets, would respectfully report that they have examined the same, and would recommend that the City Clerk be directed to advertise for proposals for building a public cistern of the capacity of 800 barrels, on the corner of Yeiser and Franklin streets.

Respectfully submitted,

JOHN L. MARSEE,
R. KENNINGTON,
W. W. WEAVER,
Committee on Fire Department.

Which was concurred in.

Mr. Batty, from the Committee on Revision of Ordinances, made the following report:

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—The Committee on the Revision of Ordinances, and the City Attorney, who were by a motion passed on the 30th day of January, 1872, instructed to examine the Ordinances and report what is necessary, if anything, for the better protection of the people against obstructions of streets by railroad trains, report that they have made such examination, and that in their opinion the ordinances now in force, if carried out, are sufficiently stringent, but it seems that there is great difficulty in enforcing the present ordi-

nance passed to prevent the obstruction of streets, owing to the fact that the name of the person having charge of the train of cars causing such obstruction can not be ascertained, and the ordinance is violated with impunity. If directed by the Council, an ordinance might be reported fixing a proper penalty to be collected off of the proper railroad company for such obstruction.

Respectfully submitted,

JNO. H. BATTY,

H. S. BIGHAM,

E. LOCKE,

Committee on Revision of Ordinances.

J. S. HARVEY,

City Attorney.

Which was concurred in, and the City Attorney instructed to draft and report the proper ordinance.

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

INDIANAPOLIS, February 12, 1872.

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

GENTLEMEN—Your Committee on Bridges, to whom was referred a motion to have a bridge built on Merrill street, across the central canal, would report to build said bridge at the point named, the same to be built 18 feet wide, and that the Street Commissioner use for said purpose the material that is left from the South street and Yellow bridges, as far as the same will go, as we believe there should be a bridge at said point.

Respectfully submitted,

E. LOCKE,

W. H. CRAFT,

H. GIMBER,

Committee on Bridges.

Which was concurred in.

On motion, the Council adjourned to meet Thursday, February 15th, 1872, at 7 o'clock P. M.

DANIEL MACAULEY,

Mayor.

ATTEST:

JOHN R. CLINTON,

City Clerk.