

PROCEEDINGS
OF THE
COMMON COUNCIL

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE }
CITY OF INDIANAPOLIS, }
Monday, April 22, 1872, 7½ 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, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Locke and Weaver—2.

The proceedings of the regular session held April 15th, 1872, were read and approved.

Sealed proposals for the improvement of sundry streets, etc., were received, opened, read, and referred to the Committee on Contracts.

On motion by Mr. Batty, the vote by which the ordinance providing for the grading, graveling and paving the sidewalks of Bellefontaine street, from Christian to Forest Home avenue, was engrossed and passed, was reconsidered.

Mr. Batty presented the following petition :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The undersigned, owners of real estate fronting on Bellefontaine street, between Christian and Forest Home avenues, respectfully petition your honorable body to pass an ordinance providing for the paving with Lefler stone the sidewalks of Bellefontaine street, from Christian to Home avenue, and that you pass an ordinance to that end ; and also to repeal an ordinance, passed on the 15th of April, 1872, to pave said sidewalks with brick, and to curb the outer edge of the sidewalk with wood.

And your petitioners will ever pray, etc.

H C Hopkins 134 feet, H C Martin 94 feet, M N McKay 150 feet, Vinson Carter 40 feet, Samuel Fouts 54 feet, Joseph H Emry 40 feet, J S Hammond 40 feet, John A Child 54 feet, John B Hann 54 feet, (to be made good for five years,) John M Todd 40 feet, Wright & Brooke 174 feet, Charles Deam 40 feet, F A Hardin 40 feet.

Which was received.

Mr. Batty then moved to amend the ordinance by striking out the word "brick" and inserting "Lefler patent paving stone," and that the outside edge be curbed with wood.

Which was adopted.

The ordinance as amended was then read the second and third times, and passed by the following vote :

Affirmative—Councilmen Batty, Bigham, Brown, Cottrell, Craft, Kennington, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—13.

Negative—None.

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

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—We the undersigned, members of the Committee on Contracts, and the additional Special Committee to whom was referred the report of the Committee on Contracts made April 14th, awarding the contract for building the sewer on North Illinois street to the Indiana Cement Pipe Company, herewith submit the report of Prof. Cox, giving an analysis of the cement pipe, and the effect of of sewerage matter and gasses upon the same; and while we can cheerfully recommend the smaller pipes when properly made for connection and branch sewers, we deem it prudent to leave the question of adopting it for large sewers to the future, when it shall have been more fully tested for such purposes.

Respectfully submitted,

W. H. CRAFT,
ROBERT KENNINGTON,
Committee on Contracts.

W. D. WILES,
FR. THOMS,
ISAAC THALMAN,
Special Committee.

R. M. PATTERSON,
Civil Engineer.

J. W. BROWN,
Sewerage Engineer.

Which was concurred in.

Mr. Craft presented the following :

INDIANAPOLIS, April 22, 1872.

Harry Craft, Esq., Chairman of Committee on Sewers :

As requested, I have made some investigations regarding the composition of the cement sewer pipes made by the Indianapolis Cement Pipe Company.

This pipe is made from hydraulic cement, manufactured by J. Hulme & Co., Louisville, Kentucky, one part cement and two parts sand and gravel.

The cement is made from stone which contains, according to the analyses of Dr. J. Lawrence Smith, made of two extreme types:

	No. 1.	No. 2.
Carbonate of lime	45.20	44.50
Carbonate of Magnesia	32.69	19.52
Alumina	5.60	6.40
Oxide of Iron	1.40	1.82
Silica	13.00	25.10
Potash and Soda	1.06	1.01
Water and organic matter	2.02	2.56

Dr. Smith says, "the above composition indicates a good hydraulic cement rock."

In order to convert the rock into cement, it is first calcined in a kiln to expel the carbonic acid which is combined with the carbonates of lime and magnesia, and then ground to a fine powder.

For the manufacture of pipes, at the Indianapolis Cement Company's works, the cement thus prepared is mixed with two parts of sand and gravel, and made into a paste with water, then rammed tight, into moulds of any required size; when the mould is filled, the pipe, which is already strong enough to bear careful handling, is removed to the carbonizing chamber, where it is subjected, for a stated period, to an atmosphere of carbonic acid gas and vapor of water.

By this treatment, carbonic acid is restored to the lime and magnesia, and the cement acquires again the hardness of stone.

This hardening process, here brought about in a few days, (3 to 5) is also induced by a long exposure to the air, as it will absorb carbonic acid, which exists in minute quantity in the atmosphere.

Under water the natural hardening will take place much more rapidly than by merely exposing it to the air, as the water more readily conveys the carbonic acid with which it is charged to the particles of cement.

In every case carbonic acid is the essential hardening material.

STRENGTH OF THE CEMENT AFTER HARDENING.

I have neither had the time nor the necessary apparatus for testing the strength of the sewer pipes made by the Indianapolis Cement Pipe Company, but will refer you to a test made by Dr. J. Lawrence Smith of Louisville, Ky.* He moulded "small plugs of cement and sand, using different proportions of the ingredients, the pieces were two inches square and eight inches long, and after being made for three months were tested by transverse pressure."

"The weight required to break the plugs of Louisville cement on supports four inches apart was over two hundred pounds, and that containing two parts of sand was tougher than that with but one part of sand," &c.

From a chemical test made of a fragment of the Indianapolis Cement Company's pipe, I find that it is composed of about forty-two parts of silica and fifty-eight parts of lime, magnesia, carbonic acid, alumina, oxide of iron, water, and a small proportion of potash, soda and organic matter.

These latter substances (about fifty-eight per cent.) are soluble in mineral acids.

According to Dr. Frankland, the sewage of the city of Leicester, England, which has a population of 90,000 inhabitants, is discharged at the rate of about four millions gallons per diem, and contains about (the solid constituents are variable) 130.2 grains inorganic and 58.8 grains of organic matter, a total of 189 grains of solid constituents in a gallon.

In the annual report of the officers of the New Orleans Board of Health for 1871, an able and valuable work, I find a report on sewer gases, sewage and disinfectants, by Alfred W. Perry, from which I extract the following analysis of gases resulting from the decomposition of the organic matters which compose the offensive black mud or slime which fills our gutters and drainage canals:

"This decomposition goes on here at all seasons, but is more rapid in summer, and is accompanied by an evolution of an offensive and deleterious gas, which bubbles up through the water"

In the four analyses which he made of this gas the composition is:

* See report on the hydraulic cement of the Louisville Cement and Water Power Company, by J. Lawrence Smith. This report contains a number of letters from experienced engineers, architects and builders, in answer to questions propounded by Dr. Smith, referring mainly to the good quality of this cement for hardening, both above and below ground.

Carbonic acid.....	29. per cent.
Carburetted hydrogen.....	66. per cent.
Nitrogen.....	5. per cent.
Offensive organic vapor.....	a trace.

He could find no trace of sulphuretted hydrogen, and concludes that this gas, which is derived from the sulphur of the animal and vegetable matter during their decomposition, unites, as soon as formed, with alkalis, which are always present in sewage as ammonia, soda, potash or lime, forming alkaline sulphurets.

Now, from what has been shown to be the chemical action which takes place in the hardening of cement, i. e. the restoration of carbonic acid, the gaseous substances eliminated from sewage, instead of decomposing, tend to make it hard and more stone like.

Respectfully submitted,

E. T. COX.

Which was received.

Mr. Craft presented the following communication :

INDIANAPOLIS, April 22, 1872.

H. C. Craft, Esq., Chairman Committee on Contracts :

Having read the report of Professor Cox, showing from analysis and experience the indestructability of hydraulic cement from the action of acids and gases of sewers, and showing its adaptation to purposes of underground drainage, completely refuting the charges made in this city by ignorant and unscrupulous newspaper writers, we are content not to press our claim to the contract awarded us by the unanimous action of your Committee at the last meeting of the Council. We therefore ask leave to withdraw our proposition to build the Illinois street sewer, as well as the contract and bond now in the hands of the City Clerk.

IND. CEMENT PIPE CO.,

By J. W. Dodd, Secretary.

Which was received and prayer granted.

Mr. Craft presented the following communication :

INDIANAPOLIS, April 22, 1872

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

GENTLEMEN—Having learned that you are considering a proposition to leave out the house connections in the Illinois street sewer, I respectfully submit the following for your consideration :

Should the contract for the building of said sewer be awarded to me at my bid, I will agree to put in house connections (as called for in the specifications on file in the Engineer's office) free of charge.

Respectfully submitted,

JESSE S. WHITSIT.

Which was received.

On motion by Mr. Thoms, the contract for building the Illinois street sewer, from Washington to Second streets, was awarded to Jesse S. Whitsit at his bid.

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

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—We the undersigned, members of the Committee on Contracts, to whom was referred the bids for grading and graveling West street, between North and St. Clair streets, find that Patterson & Dunning are the lowest bidders, and would recommend that the contract be awarded to them at their bid on the same, viz, sixty-five cents per front foot.

Respectfully submitted,

W. H. CRAFT,

ROBERT KENNINGTON,

Committee on Contracts.

Which was concurred in.

REPORTS FROM CITY OFFICERS.

The City Civil Engineer made the following report :

INDIANAPOLIS, April 22, 1872.

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

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

R. P. Dunning—	
For grading and paving the north sidewalk on Huron st., from Virginia avenue to Noble street :	
Length of sidewalk 218 feet, at 65 cts. per lineal foot.....	\$141 70
Also, Patterson & Dunning—	
For relaying south sidewalk on New York street, from Tennessee street west :	
Length of sidewalk 100 feet, at 31 cts. per lineal foot.....	\$31 00
Also, Barnard Hammel—	
For planting and boxing shade trees on Broadway street, from Forest Home avenue to Christian avenue :	
39 trees and boxes at \$2.45 per tree and box.....	\$95 55

Respectfully submitted,

R. M. PATTERSON,
Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The City Clerk would respectfully report:

FIRST.

First and final estimate allowed R. P. Dunning for grading and paving the north sidewalk of Huron street, from Virginia avenue to Noble street.

SECOND.

First and final estimate allowed Patterson & Dunning for taking up and relaying the brick pavement on the south sidewalk of New York street, from Tennessee street to a distance of 100 feet west thereof.

THIRD.

First and final estimate allowed Bernard Hammel for planting and boxing shade trees on Broadway, from Christian to Forest Home avenues.

Respectfully submitted,

JOHN R. CLINTON,
City Clerk.

Which was concurred in.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed R. P. Dunning for grading and paving with brick the north sidewalk of Huron street, from Virginia avenue to Noble street, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed Patterson & Dunning for taking up and relaying the brick pavement on the south sidewalk of New York street, from Tennessee street to a distance 100 feet west thereof, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

Also, the following resolution :

Resolved, That the foregoing first and final estimate, allowed Bernard Hammil for planting and boxing shade trees on Broadway street, from Christian to Forest Home avenue, be and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

Which was adopted by the following vote :

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

Negative—None.

The City Attorney made the following report :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The remonstrance or protest of Andrew Wallace, E. B. Martindale, and others against the carrying out of the ordinance for paving Market street from Pennsylvania street to Delaware street, with a wooden block pavement, has been referred to me. I have examined it and the proceedings of the Council resulting in the passage of the ordinance for the improvement. The proceedings appear to be regular and such as the charter requires. It is objected, that the ordinance was not signed by the Mayor, as required by section 78 of the charter, before the contract was made under it. In my opinion there is nothing in this objection. If there were the Mayor could at any time defeat an ordinance of immediate vital necessity by refusing to sign it. This is not surely the meaning of the charter. The ordinance is in force whether signed by the Mayor or not.

J. S. HARVEY,

City Attorney.

Which was concurred in.

The City Attorney also made the following report :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—I have to report to you that on the 18th inst. a verdict was rendered, by a jury in the Superior Court of Marion county, in favor of one Margaret O'Donnell, and against the city for \$1,800, for injuries alleged to have been sustained by her falling into a catch basin connected with the Kentucky avenue sewer, near the north-east corner of the old cemetery, at the crossing of West street and Kentucky avenue. A judgment has been rendered on the verdict over a motion for a new trial. The evidence showed that the catch basin was properly constructed by the sewer contractors, and was afterwards uncovered by the employees of the Vincennes and Indi-

anapolis railroad company. This company is liable over to the city, but before an action can properly be commenced against the company, the city must pay the judgment. I respectfully refer the matter of the payment of the judgment to you, with the suggestion as above indicated, that before the city can sue the company she must pay off the judgment. Any instructions the Council shall give I will carry out at once.

Respectfully submitted,

J. S. HARVEY,

City Attorney.

Which was read and referred back to the City Attorney, with instructions to ascertain whether or not the Indianapolis and Vincennes Railroad Company will pay the judgment.

ROLL CALL.

Mr. Batty presented the following petition :

INDIANAPOLIS, April 22, 1872.

To the Mayor and Common of the City of Indianapolis :

GENTLEMEN—We, the undersigned, citizens of Indianapolis and property holders along Illinois street, beg leave to present this petition before you :

You are about sewerage Illinois street, and your ordinance propose to compel the residents and property holders on said street to pay the greater part of the expenses of said sewerage. We fail to see the justice of this proposal of your ordinance, inasmuch as you made no such requirement of the South street sewer. Is it just for your honorable body to make such distinctions between the different sections of our city? Does not the constitution of our State require that all laws shall be uniform in their demands?

Further, we petition that if your honorable body, think that the interests of this street, and sections dependent on this street for drainage, demands a sewer, that you will require said sewer to be built of good, hard burnt brick, and that you will absolutely prohibit the same being built of cement pipe or artificial stone.

Wm F Jenkins, W Clinton Thompson, A Bird, M J Voorhees, George W New, Mariah New, Esther Walpole, B Mason, J E Frazee,

Nelson Trusler, C B Pattison, J A Crossland, Naomi J Boaz, F Rand, Geo H Sloan, Cal Rooker, P A Griffith, O Williams, M Burton, Jesse Jones, G Norwood by Jesse Jones, S A Duvell, A F Shortridge, H Bates Sr., H Bates Jr.

Which was received.

Mr. Batty presented a bill from John Buser for services in watching the City Building,

Which was referred to the Committee on Accounts and Claims.

Mr. Bigham offered the following motion :

Moved: That W. H. Keeley have permission to pave with brick the sidewalk in front of his property on East Market street, said pavement to be nine feet wide, and to be under the direction of the City Civil Engineer, who is hereby directed to set the grade stakes.

Which was adopted.

Also, the following motion :

Moved: That Fred Thoms have permission to excavate under the pavement in front of his property on East Wabash street, for the purpose of taking in coal, wood, &c.

Which was adopted.

On motion by Mr. Bigham, the vote by which the ordinance providing for the grading and paving of the south sidewalk of New York street, from Massachusetts avenue to East street, was engrossed and passed, was reconsidered.

Mr. Bigham then moved to amend by striking out "nine feet" and making it "eight feet."

Which was adopted.

The ordinance as amended was then read the second and third times, and passed by the following vote :

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

Negative—None.

Mr. Brown offered the following motion :

Moved: That Peter Kealing be, and is hereby granted permission to place a coal vault under the sidewalk of Virginia avenue, in front of new building now in process of construction on the corner of Virginia avenue and Maryland street, said vault to be 41 by 15 feet, also a coal vault under the sidewalk of Maryland street in front of said building, 18 by 15 feet. Said vaults to be constructed in accordance with the provisions of an ordinance entitled, "An ordinance regulating and protecting streets, alleys, sidewalks, gutters, shade trees, &c.," passed December 28th, 1863, the same to be done to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved: That the Street Commissioner be directed to change the grade of the gutter on the south side of Washington street, between Tennessee and Illinois street, so as to allow of an easy flow of water into Kentucky avenue sewer, and that said work be done at once.

Which was adopted.

Also, the following motion :

Moved: That the City Civil Engineer be directed to notify the officers of the Indianapolis Gas Light and Coke company, that they

will be required to lay a sewer from their works on Pennsylvania street to connect with the South street sewer, said sewer to be constructed under the regulations prescribed by the ordinance "to provide for tapping public sewers and drains, and making connection therewith."

Which was adopted.

Also, the following motion :

Moved: That the Street Commissioner have the boulders, bricks and other rubbish from Illinois street, between Washington and Louisiana streets, removed, and all such places.

Which was adopted.

Also, the following motion :

Moved: That the Street Commissioner remove the obstruction in Pogues' Run, between McNabb and South streets.

Which was adopted.

Mr. Brown presented the following communication :

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

INDIANAPOLIS, April 22, 1872.

GENTLEMEN—By and with the consent of my surety, Samuel Lefever, I desire to assign the contract heretofore entered into by me to build two arches on Mississippi street, over Pogues' Run, to August Richter and John Vallmer, so as to enable them to draw the money on the same direct from the city, I therefore asked to be released from said contract and have them substituted in my place.

JOHN RICHARDSON.

We, August Richter and John Vallmer, hereby agree to accept the assignment of the above contract, and bind ourselves by all the stipulations therein contained.

AUGUST RICHTER,
JOHN VALLMER.

I, Samuel Lefever, consent to the assignment of the above contract to August Richter and John Vallmer, and hereby acknowledge myself still bound as surety thereon.

SAMUEL LEFEVER.

Which was received, and the City Clerk instructed to prepare and present a new contract and bond.

Mr. Brown presented the following petition :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—I the undersigned, Ambros Ballweg, would respectfully petition your honorable body to allow me the privilege of keeping powder to the amount of one hundred and fifty pounds in an iron box provided for the purpose, and the same as used in other cities, the same to be on wheels and kept on the sidewalk during the day, and with the privilege of running the same within my store during the night.

A Ballweg.

Which was referred to the Committee on Revision of Ordinances, City Civil Engineer and City Attorney.

Mr. Brown offered the following motion :

Moved: That the Committee on the Revision of Ordinances be instructed to report an amendatory ordinance, embodying provisions prayed for in the petition of A Ballweg.

Which was adopted.

Mr. Cottrell offered the following motion :

Moved: That the City Marshal be instructed to proceed at once to remove the fences from the first alley east of Delaware street, between Cumberland and Maryland streets, and the Civil Engineer to sit line stakes.

Which was adopted.

Mr. Cottrell introduced Special Ordinance No. 88, 1872, entitled :

An Ordinance to grade, bowlder, pave and curb the outside edges of the sidewalks with stone, East street, from Coburn to Morris street,

Which was read the first time.

Mr. Craft, from the Committee on Water Works, presented the following agreement and contract :

THIS AGREEMENT, made the 20th day of April, 1872, between the Water Works company of Indianapolis, of the one part, and the City of Indianapolis of the other part, witnesseth: That said Water Works company agree to supply said city with water for fire purposes for one year, from the 26th day of October, 1871, so far as its present line of water pipes, and its line of pipes in the same shall be extended during such year, will enable it to do so—the single plugs to be changed to double plugs whenever such change shall be deemed advisable by the Committee on Water Works and Fire Engineer—and said city not to be liable to pay for any plugs which shall not be authorized to be put in by order of the Common Council. In consideration of the agreements aforesaid on the part of the Water Works company, the said city of Indianapolis, party of the second part, agrees to pay to said Water Works company the sum of fifty dollars for each plug, which price, per plug or hydrant, shall be construed to be payment in full for all water used from said plugs or hydrants for fire purposes, engine houses, station houses, public parks, and for flushing public sewers for said year, in accordance with the charter of said company. Nothing in this agreement shall be construed to excuse said company from compliance with any of the terms and requirements of its charter.

WATER WORKS CO. OF INDIANAPOLIS,

By John R. Elder, President.

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—Your Committee on Water Works, with the City At-

torney and Fire Engineer, in obedience to a motion or resolution of the Common Council passed on the 26th day of October, 1871, instructing them to draw up a contract with the Water Works Company, to supply the city with water for fire purposes for one year, on the basis of \$50 for each plug; provided the Water Works Company change the single plugs to double plugs whenever such change is deemed advisable by the Committee on Water Works and Fire Engineer; and providing further, that the city shall not pay for any plugs not authorized to be put in by order of the Council; and providing further, that such price per hydrant shall be construed to be payment in full for all water used for engine houses, station houses, public parks, and for flushing public sewers, in accordance with the Water Works charter; and providing further, that a provision be inserted in said contract, that such contract shall not in anywise excuse the Water Works Company for any failure to comply with the terms and requirements of their charter; respectfully report the accompanying contract, which contains all the provisions of said motion or resolution, and is executed by the said Water Works Company, by her President; and we recommend that the contract be approved by the Council, and executed by his Honor the Mayor, on behalf of the city, and that said contract be printed with the proceedings, and filed with the City Clerk.

W. H. CRAFT,
ISAAC THALMAN,
CHRIS. HECKMAN,
Committee on Water Works.
J. S. HARVEY,
City Attorney.
DANIEL GLAZIER,
Chief Fire Engineer.

Which was laid on the table.

Mr. Gimber offered the following motion :

Moved: That the Fire Committee and Chief Fire Engineer locate a cistern for fire purposes on West and Vinton streets.

Which was referred to the Committee on Fire Department and Chief Fire Engineer.

Mr. Gimber offered the following motion :

Moved: That the City Street Commissioner be, and is hereby directed to at once fill up and level the canal from Market to Ray street, or on what is called Missouri street.

Which was referred to the Committee on Finance and Civil Engineer, to make an estimate of the probable cost, and to report back to the Council.

Mr. Heckman introduced Special Appropriation Ordinance No. 24, 1872, entitled :

An Ordinance appropriating money to pay damages in the matter of opening Greer street,

Which was read the first time.

On motion, the rules were suspended for the purpose of reading the ordinance the second and third times, and placing the same upon its passage.

The ordinance was then read the second and third times, and passed by the following vote :

Affirmative—Councilman Batty, Bigham, Brown, Cottrell, Craft, Gimber, Heckman, Kennington, Marsee, Newman, Reagan, Thalman, Thoms, Whitsit, Wiles and Woodburn—16.

Negative—None.

Mr. Heckman offered the following motion :

Moved: That the City Clerk advertise and receive bids until April 29, for the house and out-buildings and fence in Greer street, said house now belonging to the city.

Which was adopted.

Mr. Kennington presented the following petition :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The undersigned, doing business on Delaware street near Washington, respectfully represent that Mrs. Judah in the erection of her new building on Delaware and Washington street, is excavating pavement near the south-east corner of her lot for the purpose of building a privy vault. Believing that the excavation, for such a purpose, is entirely without authority, and as our business is seriously injured by the stopping of the travel and passage on said street, we respectfully ask that said unlawful excavation be stopped by your authority.

Gottlob Hostacker, Michal Desnier, Anebrer Oelder, T J Herrmann, L A Geis.

Which was received.

Mr. Kennington offered the following motion :

Moved : That the Marshall notify Mrs. Judah and her contractors to fill up at once the excavation under the west sidewalk of Delaware street, near Washington, which is being made there to be used as a privy vault, and that in case of failing to comply with this order and continuing said excavation, the City Attorney be instructed to commence proceedings for unlawful excavation, under the ordinance for the protection of bridges and streets.

Which was adopted.

Also, the following motion :

Moved : That John Vetter be allowed the privilege of paving with brick in front of his property, on east side Pennsylvania street, at his own expense and under the direction of the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved: That the contractors for the sewer on South street be required to replace screened river gravel on said street, between Delaware and Illinois street, in place of that taken away before the excavation was made in said street for the sewer.

Which was adopted.

Mr. Newman presented the following :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—Two weeks ago the Council instructed that the City Commissioners should take no action in the matter of the extension of Arsenal avenue and Summit street, until after to-day.

It was our expectations that William D. Griswald, Esq., would be present at your meeting to-night, and present for your consideration certain reasons, of importance to the city and the railroad company, why the streets mentioned should not be extended through the real estate of the railroad company, lying between the railroad track and the Michigan road.

We have to-day received from him a letter, expressing his inability to be in the city to-night, and making some suggestions upon the above subject.

We know that Mr. Griswald regards it as exceedingly important that the real estate shall remain in its present condition, that it may be used as a site for the machine shops of the company. We respectfully ask, for Mr. Griswald's letter, the consideration the importance of the subject merits.

If the Council shall be pleased to extend its order to the City Commissioners, until Mr. Griswald can present this matter in person, it will not occasion any delay. As this property is now in the possession of Mr. Griswald as receiver, no steps disturbing this possession can be taken by the city, during the continuance of the Receiv- orship.

A short delay will, therefore, not injure the city, and may be of great practical importance to it.

HENDRICKS, HORD & HENDRICKS.

TERRE HAUTE, April 20, 1872.

Oscar B. Hord, Esq.,

DEAR SIR:—I have your letter of the 10th informing me of the action of the City Council of Indianapolis on the 8th, deferring action in the matter of opening Arsenal avenue and Summit street until after the meeting of the 22d (Monday next), and requesting me to attend that meeting. I have just returned from New York, and on account of imperative obligations assumed without knowledge of this occasion, I can not possibly be present. I regret it, though I have no doubt that you, as our Attorney, can do all that I could do if personally present.

The ground belonging to the Junction railroad, which it is proposed to cut up with these streets, were purchased by the company to be used for the location and erection of machine shops and an engine house, and for nothing else as I have been assured by the gentleman who was president of the company at the time, and also by several of the directors. The company have paid for the property about \$25,000 in cash; the shops and engine house would have been erected long ago but for the financial embarrassment of the company. This property is essential to the railroad for the uses named, and would be about worthless to it for practical use if the streets were cut through it.

This land, except so much as was unwisely and improvidently given up to Mr. Reidenour, now belongs to the railroad by such right as that it can be made available at any time, and it is the only property belonging to it at or near the city of Indianapolis, suitable for the uses stated which the railroad are not using for other necessary and permanent purposes.

No other property can be obtained which, in my opinion, would be at all suitable for the uses stated, without going back to a very inconvenient distance from the depots and business yard of the railroad in Indianapolis, and even then if the company were to buy ground still east of the property in question, it would be but a short time before the same class of sinister interest would demand its intersection by streets. But if it were practicable, there is no possibility in the pecuniary condition of the road of obtaining other property in Indianapolis for this use.

The proper place for the main shops of the Junction railroad is Indianapolis, this property at a cost of \$25,000 was bought for that purpose, the financial embarrassment of the road have prevented the

construction of the intended shops, but it is only a delay, unless the action and power of the people of the city shall render the property so bought useless for the purpose.

It is not improvable, that notwithstanding the present discredit, the Junction railroad may yet become a very important institution to Indianapolis. For the interest of the road, and the interest of the city, therefore I ask you to urge upon the Council that they should forbear action the matter of these streets which will defeat the improvement of the property in question, for the mutual interest of both parties.

Truly yours,

W. D. GRISWALD,

Receiver.

Which were received.

Mr. Reagan introduced Special Ordinance No. 89, 1872, entitled :

An Ordinance to grade and gravel Missouri street, from Market to Maryland street,

Which was read the first time.

Mr. Thalman offered the following motion :

Moved : That John Benson have permission to move a frame house from the south side of the National road across the same, thence north on Blake to North street, and thence east to Douglass street.

Which was adopted.

Also, the following motion :

Moved : That C. E. & J. C. Geisendorff have permission to bowlder or pave the sidewalk in front of their property on National road, near their flour mill.

Which was adopted.

Also, the following motion

Moved: That Chandler & Taylor have permission to curb the outer edge of the sidewalk in front of their lots Nos. 33, 34 and 35, in outlot No. 152, on West Vermont street; also, to grade and cover with cinder the alley in rear of the above described property; all of said work to be done at their own expense, and under the direction of the Civil Engineer.

Which was adopted.

Also, the following motion :

Moved: That John Rowland have permission to put down board pavement and curb the outer edge of the sidewalk in front of his property on North Blake street.

Which was adopted.

Also, the following motion :

Moved: That the Street Commissioner be directed to put down flag stone crossings at the crossing of Washington and California streets.

Which was adopted.

Mr. Thalman introduced Special Appropriation Ordinance No. 25, 1872, entitled :

An Ordinance to appropriate money for the use of the Street Commissioner,

Which was read the first time.

Mr. Whitsit offered the following motion :

Moved: That Julius Quizer be allowed to place a stone crossing in front of his business house on Virginia avenue, between Noble and Cedar streets, at his own expense, the same to be done to the satisfaction of the Civil Engineer.

Which was adopted.

Mr. Whitsit presented the following remonstrance :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—We the undersigned, citizens residing on Fletcher avenue, beg leave to call your attention to the manner in which shade trees have been planted on Fletcher avenue, also to the size of same. The contract specifies that the holes, per tree, shall be two feet square and two feet deep, with six inches of rich loam at bottom, each tree to be watered when planted, and six inches rich soil on top, trees to measure two inches in diameter two feet above the ground, and not less than ten feet out of the ground.

The contractor has planted seventy-three trees on Fletcher avenue, only twenty-eight of them will measure two inches ten inches above the ground, about ten trees out of the seventy-three will come up to the contract, they run down as small as one and a half inch in diameter, and in some cases only six feet six inches high.

Now we ask that no pay be allowed the contractor until he complies with the specifications of his contract; no loam or soil was placed in the holes. Protect us from this swindle and we will ever pray, &c.

Charles D Wilcox, Joseph Brado, A W Gorrell, R A S Kingsley, L G Dynes, John F Dynes, Cary A McFarland, Thos A Means, R H Mayhew, W C Mason.

Which was referred to the Civil Engineer.

On motion by Mr. Whitsit, the vote by which an ordinance providing for the grading and graveling of the first alley east of Pine street, from Forest to Fletcher avenue, was passed at a regular session of the Common Council held April 15th, 1872, was reconsidered, and,

On motion, the ordinance stricken from the files.

Mr. Wiles presented the following petition :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—I herewith petition your honorable body to refund to me the tax on my house, amounting to \$14.00, the house being burned off, and having sustained this loss together with my household furniture, being so situated as not to be able to make the money to pay the taxes, I ask your honorable body to make this deduction. The house was situated on the south end of lots 16 and 17, in out lot 177.

Letty D Carson.

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

Mr. Wiles offered the following motion :

Moved: That Geo. B. Engle, Jr., have privilege to boulder the gutter in front of his property on Park avenue, at his own expense, and under the direction of the City Civil Engineer.

Which was adopted.

Also, the following motion :

Moved: That the party who has the contract for building the gutters on North Pennsylvania street, from Second to Tinker street, and graveling said street, be instructed to proceed at once to complete said work.

Which was adopted.

Also, the following motion :

Moved: That J. J. Palmer, the contractor for paving St. Mary street, from New Jersey to Western avenue, with round block pavement, be instructed to continue said pavement across the west sidewalk on Western avenue and the intervening alley, provided the same shall not cost to exceed one dollar and fifty cents per square yard.

Which was referred to the Committee on Streets and Alleys.

Also, the following motion :

Moved : That J. J. Palmer be allowed the privilege of constructing a bouldered crossing, on the sidewalk in front of his property, on St. Clair street.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The petition of the undersigned respectfully show that they are owners of property on Meridian and Pennsylvania streets, in the rear of which property is a twenty foot alley, extending from the street south about 500 feet in length, and they pray your honorable body to pass an ordinance providing for the grading and graveling of said alley.

Mary H Ruddell, by J H Ruddell her husband ; Annie G Davis, by E C Davis, 130 feet on Pennsylvania street ; W C Shortridge, 53 feet 2 inches on Pennsylvania street ; B F Haugh, 120 feet on Pennsylvania street.

Which was received.

Mr. Wiles presented Special Ordinance No. 90, 1872, entitled :

An Ordinance to grade and gravel the alley between Meridian and Pennsylvania streets, from Fifth street to its southern terminus, about 500 feet.

Which was read the first time.

Dr. Woodburn presented the following communication :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—Before the contract is given out to pave the sidewalk in front of my property on West Washington street, I hereby enter my remonstrance against the ordinance.

My sidewalk has been kept in good order, and is dry and in good condition now. To pave it with good hard brick, which is very high at present, would cost me from \$1200 to \$1500, as I have nearly 500 feet on West Washington street and National road.

I would respectfully suggest that you allow me to improve my own sidewalk, would make 10 or 12 feet good solid cement or brick sidewalk, and about eight feet grass, and in such order as would be satisfactory to any committee you might appoint; a smoother walk really than brick.

John Carlisle.

Which was received.

Mr. Thalman offered the following motion :

Moved : That Jno. Carlisle and Mrs. Downes have permission to pave with brick in front of their property on West Washington street, between West and California, to a width of ten feet, provided that the same be done at his own expense and under the direction of the Civil Engineer, and that the same be done within ten days from this date.

Which was not adopted.

Dr. Woodburn offered the following motion :

Moved : That M. M. Cummings be, and is hereby granted permission to put down a wooden drive way across the sidewalk on Illinois street, between North and Walnut streets, to enable him to have means of ingress and egress to his ware room with wagons, &c., the same to be done at his own expense and to the satisfaction of the City Civil Engineer.

Which was adopted.

Also, the following petition :

INDIANAPOLIS, April 22, 1872.

To the Mayor and Common of the City of Indianapolis :

GENTLEMEN—Your petitioners would most respectfully ask your honorable body to vacate an alley, or a piece of ground not recorded as an alley, but designated as an alley in deed, which you can more fully understand by referring to the accompanying platt.

Said ground being a part of lots 25 and 26 in out lot 170, being a strip of ground 10 feet wide running across said lots. Your petitioners would further ask that the ground so vacated be disposed of as follows: The east five feet to be attached to Matilda L. Southards ground, and the west five feet to be attached to the ground belonging to the Third Presbyterian church, of the city of Indianapolis.

Matilda L Southard, M R Southard, Thos D Kingan, William Judson, James Hapon, D H Wiles, Franklin Lander, R Frank Kennedy, Jno H Farquhar.

Which was referred to the Committee on Streets and Alleys.

Also, the following remonstrance :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The undersigned, residents and freeholders in the city, would respectfully protest against the proposed vacation of water street, between Washington street and the National road. It is the only street, for more than a square, connecting the south end of Blake street with Washington street, and your protestants would be damaged by said proposed vacation.

Geo Merritt, William Coughlen.

Which was referred to the Committee on Streets and Alleys.

Also, the following :

INDIANAPOLIS, April 22, 1872.

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

Weekly report of contents of Register of Patients of City Hospital, ending March 30, 1872 :

Number of patients in Hospital at last report	54
“ “ received in Hospital since last report..	9
“ “ born in Hospital since last report.....	2
“ “ discharge ^d from Hospital since last report... ..	8
“ “ died in Hospital since last report... ..	3
“ “ remaining in Hospital at present report.....	54

J. W. MARSEE,
Superintendent.

Which was received.

Also, the following :

INDIANAPOLIS, April 22, 1872.

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

Weekly contents of Register of Patients of City Hospital, ending April 6, 1872:

Number of patients in Hospital at last report	44
“ “ received in Hospital since last report.....	8
“ “ born in Hospital since last report.....	0
“ “ discharged from Hospital since last report....	6
“ “ died in Hospital since last report.....	0
“ “ remaining in Hospital at present report.....	46

JOSEPH W. MARSEE,
Superintendent.

Which was received.

Also, the following :

INDIANAPOLIS, April 22, 1872.

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

Weekly report of contents of Register of Patients of City Hospital, ending March 9, 1872 :

Number of patients in Hospital at last report.....	46
“ “ received in Hospital since last report.....	11
“ “ born in Hospital since last report... ..	1
“ “ discharged from Hospital since last report... ..	4
“ “ died in Hospital since last report.....	0
“ “ remaining in Hospital at present report.....	54

J. W. MARSEE,
Superintendent.

Which was received.

His Honor, the Mayor, offered the following motion :

Moved: That the Indianapolis Typographical Union have permission to use the City Council Chamber on Saturday evening (April 27) of this week.

Which was adopted.

Dr. Woodburn moved to reconsider the vote by which the ordinance granting permission to Messrs. Berry & Elliott to construct a railroad track or switch across South New Jersey street failed to pass.

Which motion was not adopted.

Mr. Brown, from the Committee on Schools, made the following report :

INDIANAPOLIS, April 22, 1872.

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

GENTLEMEN—The Committee on Schools, to whom was referred the communication of the President of the Board of School Commissioners against the use of school buildings for other than educational purposes, report that in the following named wards the engine houses can be used for holding the approaching city election :

Sixth ward—Engine house No. 4, corner Merrill street and Russell avenue.

Seventh ward—No. 7 Hose reel house, on South street.

Eighth ward—Engine house No. 3, Virginia avenue.

Your Committee recommend that the Mayor be instructed to contract with the owners or occupants of the following described buildings, for the use of suitable room for holding the approaching city elections :

First ward—The old second ward school house on Delaware street.

Second ward—J. E. Ludlows store house, on the corner of St. Clair and New Jersey streets.

Third ward—The house on the corner of North and Illinois street.

Fifth ward—The Rink, corner Tennessee and Georgia streets.

Ninth ward—Common Pleas Court room.

The place in the Fourth ward has not yet been selected.

Respectfully submitted,

AUSTIN H. BROWN,
ISAAC THALMAN,
JOHN S. NEWMAN,
H. GIMBER,
Committee.

Which was concurred in.

On motion, the Council adjourned.

DANIEL MACAULEY,

Mayor.

ATTEST :

JOHN R. CLINTON,

City Clerk.