

PROCEEDINGS.

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE  
CITY OF INDIANAPOLIS,  
*Monday, June 17, 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, Bollman, Cottrell, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—16.

Absent—Councilmen Craft and Rush—2.

The proceedings of the regular session, held June 10th, 1872, were read and approved.

Sealed proposals for a loan of \$200,000 of 8 per cent. two year bonds were received, opened, read and referred to the Committee on Finance, with instructions to report immediately.

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

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for furnishing a set of scales for use of city, have examined the same, and find that S. B. Morris agrees to put up a four ton hay scale, complete, ready for use within ten days, for the sum of two hundred dollars; he being the lowest bidder, we would recommend that he be awarded the contract.

Respectfully submitted,

L. Q. SHERWOOD,  
ISAAC THALMAN,  
H. S. BIGHAM,

Committee on Contracts.

Which was concurred in.

The Civil Engineer made the following report:

INDIANAPOLIS, June 17, 1872.

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

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

Hanway & Co. for grading and graveling Tennessee street and sidewalks from the south side of the new bridge over Pogue's run to Catharine street:

Length on east side.....	264 feet	
Length on west side.....	145 "	
Total lineal feet.....	409	
At 75 cents per lineal foot.....	\$306 75	
Length on east side.....	326 feet	
Length on west side.....	450 "	
Total lineal feet.....	776	
At 20 cents per lineal foot.....	\$155 20	
Total estimate.....		\$461 95
Deduct former payment.....		236 25
Present payment.....		\$225 70

Also, Hanway & Hanna, for grading and graveling the alley running north and south between lots 7, 8, 9, 10, 11 and 12, and lots 13, 14, 15, 16, 17 and 18, in out-lot 26:

Length on east side.....	208 feet	
Length on west side.....	208 "	
Total length.....	<u>416</u>	"
At 24 cents per lineal foot.....		\$99 84

Also, same for grading and graveling the alley running north and south through out lot 26, and on the west side of lots 1, 2, 3, 4, 5 and 6 of said out lot:

Length on east side.....	197 feet	
Length on west side.....	197 "	
Total length of lineal feet.....	<u>394</u>	
At 38 cents per lineal foot.....		\$149 72

Also, Hanway & Co. for grading and graveling Tinker street and sidewalks from the south-east corner of W. H. Talbott's property to west side of Western avenue:

Length on north side.....	1356 ft 9 in.	
Length on south side.....	1356 "	
Total length.....	<u>2713 ft 6 in.</u>	
At 92 cents per lineal foot.....		\$2,496 42

Also, Patterson & Dunning for grading and graveling West street from North to St. Clair streets:

Length on east side.....	874 ft 6 in.	
Length on west side.....	885 feet	
Extra on North street.....	<u>84</u>	"
Total length.....	1843 ft 6 in.	
At 65 cents per lineal foot.....		\$1,198 27

Also, James W. Hudson for curbing the east sidewalk on Pennsylvania street from Washington street to Madison avenue:

Length of curb 2,985 feet 6 inches, at 49 cents per lineal foot.....	\$1,462 89
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Also, James Mahoney for grading and graveling Tinker street and sidewalks from the south-west corner of W. H. Talbott's property to the east side of Meridian street:

Length on north side.....	179 feet	
Length on south side.....	179 "	
Total length.....	<u>358</u>	feet
At 85 cents per lineal foot.....		\$304 30

Also, same for grading and graveling Tinker street and sidewalks from the east side of Meridian to the east side of Illinois sts., on south side of Tinker:

Length on north side.....	577 ft 1½ in.	
Length on south side.....	579 feet	
Total length.....	1156 ft 1½ in.	
At 80 cents .....		\$924 90
Length on north side.....	36 feet.	
Length on south side.....	36 "	
Total length.....	72 feet	
At 69 cents per lineal foot.....		\$49 68
Extra for cutting ditch .....		12 60
Extra for graveling Meridian and Illinois streets .....		13 00
Total estimate.....		\$1,000 18

Respectfully,

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report:

INDIANAPOLIS, June 17, 1872.

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

FIRST.

Second and final estimate allowed Hanway & Co. for grading and graveling Tennessee street and sidewalks from the south side of the new bridge over Pogue's Run to Catherine street.

SECOND.

Hanway & Co. first and final estimate for grading and graveling the alley running north and south between lots 7, 8, 9, 10, 11 and 12, and lots 13, 14, 15, 16, 17 and 18 in out-lot 26.

THIRD.

First and final estimate allowed Hanway & Co. for grading and graveling the alley running north and south through out-lot 26, and on the west side of lots 1, 2, 3, 4, 5 and 6 of said out-lot.

FOURTH.

First and final estimate allowed Hanway & Co. for grading and graveling Tinker street and sidewalks from the south-east corner of W. H. Talbott's property to the west side of Western avenue.

FIFTH.

First and final estimate allowed Patterson & Dunning for grading and graveling West street from North to St. Clair streets.

SIXTH.

First and final estimate allowed James W. Hudson for curbing with stone the east sidewalk on Pennsylvania street from Washington street to Madison avenue.

SEVENTH.

First and final estimate allowed James Mahoney for grading and graveling Tinker street and sidewalks from the south-west corner of W. H. Talbot's property to the east side of Meridian street.

EIGHTH.

First and final estimate allowed James Mahoney for grading and graveling Tinker street and sidewalks from the east side of Meridian to the east side of Illinois streets. Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, and the estimates approved.

Also, the following resolution :

*Resolved*, That the foregoing second and final estimate allowed Hanway & Co. for grading and graveling Tennessee street and sidewalks from the south side of the new bridge over Pogue's Run to Catherine 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution:

*Resolved*, That the foregoing first and final estimate allowed Hanway & Co. for grading and graveling the alley running north and south between lots 7, 8, 9, 10, 11 and 12, and lots 13, 14, 15, 16, 17 and 18 in out-lot 26, 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution:

*Resolved*, That the foregoing first and final estimate allowed Hanway & Co for grading and graveling the alley running north and south through out-lot 26, and on the west side of lots 1, 2, 3, 4, 5 and 6 of said out-lot 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution:

*Resolved*, That the foregoing first and final estimate allowed Hanway & Co. for grading and graveling Tinker street and sidewalks from the south-east corner of W. H. Talbot's property to the west side of Western 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution:

*Resolved*, That the foregoing first and final estimate allowed Patterson & Dunning for grading and graveling West street from North to St. Clair streets 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution:

*Resolved*, That the foregoing first and final estimate allowed James W. Hudson for curbing with stone the east sidewalk on Pennsylvania street from Washington street to Madson 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed James Mahoney for grading and graveling Tinker street and sidewalks from the southwest corner of W. H. Talbot's property to the east side of Meridian 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, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

Also, the following resolution :

*Resolved*, That the foregoing first and final estimate allowed James Mahoney for grading and graveling Tinker street and sidewalks from the east side of Meridian to the east side of Illinois streets 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 names.

Which were adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Bollman, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit, Wiles and Woodburn—15.

Negative—None.

The City Clerk made the following report :

INDIANAPOLIS, June 17, 1872.

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

The City Clerk would respectfully report the following affidavit, now on file in my office, for the collection of street improvement assessment by precept, to-wit:

O. H. P. Bly vs. W. G. Mahan, for \$29 38.

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

JOHN R. CLINTON, City Clerk.

Which was concurred in, and the precept ordered to issue.



The City Sexton made the following report:

INDIANAPOLIS, June 8, 1872.

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

GENTLEMEN:—The following interments have been made by me in the City Cemeteries during the three months ending May 31st, 1872:

Under 5 years of age.....	11
From 10 to 20 years.....	2
“ 20 to 30 “ .....	3
“ 30 to 40 “ .....	4
“ 40 to 50 “ .....	2
“ 50 to 60 “ .....	2
“ 60 to 70 “ .....	1
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Total.....	25

All of which is respectfully submitted.

JOHN ROSS, City Sexton.

Which was received.

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

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—Your Committee on Finance report that we have considered the various bids for the two year bonds of this city, and are unanimously of the opinion that the bid of the First National Bank and Woolen, Webb & Co., is the best, and recommend that the contract be awarded to them.

Respectfully submitted.

W. D. WILES,  
 J. H. WOODBURN,  
 H. S. BIGHAM,  
 DAVID GIBSON,  
 THOMAS COTTRELL,  
 Com. on Finance.

Which was concurred in, and the contracts awarded.

ORDINANCES ON FIRST READING.

Mr. Batty introduced special ordinance No. 120, 1872, entitled:

An Ordinance to grade and pave with brick the south sidewalk of St. Joseph sreet from Pennsylvania to New Jersey streets.

Which was read the first time.

Mr. Kahn introduced special ordinance No. 121, 1872, entitled :

An Ordinance to grade and gravel Erie alley from North to Michigan streets.

Which was read the first time.

Mr. Cottrell introduced general ordinance No. 42, 1872, entitled :

An Ordinance for the protection of citizens while passing on the sidewalks of the city of Indianapolis.

Which was read the first time.

REPORTS FROM COMMITTEES.

Mr. Pressly, from the Committee of Bridges, made the following report :

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—Your Committee on Bridges, to whom was referred a motion directing the City Clerk to advertise for proposals for the construction of an iron bridge over the western arm of the Canal, where the same crosses Washington street, have examined the bridge now there, and find the timbers rotten and unsafe, and should be replaced with an iron bridge, with sidewalks on the north side and south side for pedestrians, and that the City Clerk advertise as directed in the motion referred to your committee.

Respectfully submitted.

JOHN T. PRESSLY,

L. Q. SHERWOOD,

HENRY GIMBER,

Com. on Bridges.

Which was concurred in.

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

INDIANAPOLIS, June 17, 1872.

To His Honor the Mayor and Members of the Common Council :

GENTLEMEN:—Your Committee on Gas, to whom was referred Gas Ordinances—

Numbered 177—1871.

“ 87—1872.

Numbered 92—1872.

" 93—1872.

" 112—1872.

Would report, that there is no mains on said streets, and that the Gas Company say they will not put down the mains unless the property holders agree to file their bond to take fifteen burners in each square, and herewith report back the said ordinances, to be disposed of as you may direct.

An ordinance was also referred to your committee to light with gas Illinois street, or Westfield gravel road, from Seventh to Morrison street, which ordinance should be passed; we herewith report said ordinance also. The mains on the last named street are already down.

Respectfully submitted.

E. J. HARDESTY,  
ISAAC THALMAN,  
EDWARD REAGAN,  
Com. on Gas.

Which was concurred in.

Mr. Sherwood, from the Committee on Railroads, made the following report :

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—Your Committee on Rail Roads, to whom was referred General Ordinance No 39, 1872, entitled an Ordinance to repeal an Ordinance entitled an Ordinance authorizing the Junction Rail Road Company to cross certain streets and alleys, and to lay a single track on Louisiana street, on the north side of the Union Depot, herewith report the said ordinance back to your honorable body, and would recommend that said ordinance be passed.

Respectfully submitted.

L. Q. SHERWOOD,  
E. J. HARDESTY,  
ROBERT KENNINGTON,  
Com. on Rail Roads.

Which was concurred in.

Mr. Sherwood, from same committee, made the following report :

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—Your Committee on Rail Roads, to whom was referred the following motion, offered by Edward Reagan, Esq., May 27th, 1872, which reads as follows, to-wit:

*Moved* That the Street Commissioner be and is hereby ordered to notify the Vincennes, Terre Haute and new rolling mill companies to plank between their tracks, the full width of the street, on Kentucky avenue, at the crassing of Louisiana.

Which was referred to the Committee on Railroads.

Your committee would respectfully report the motion back, and refer your honorable body to an ordinance in copy of printed ordinances, on page 247, passed December 4th, 1863, which makes it the duty of the City Marshal to attend such cases, and not the Street Commissioner; we would therefore recommend that the said Marshal enforce the ordinance so designated.

Respectfully submitted.

L. Q. SHERWOOD,  
E. J. HARDESTY,  
ROBERT KENNINGTON,  
Com. on Railroads.

Which was concurred in.

Dr. Woodburn, from the Committee on Benevolence and Hospitals, reported back general ordinance No. 40, 1872, entitled "An ordinance to further promote and secure the health of the city of Indianapolis" without any recommendation.

Dr. Woodburn, from the Committee on Benevolence and Hospitals, reported back the petition of Fred. Teine, asking that the amount of his taxes be remitted on account of his being a cripple, without action.

Mr. Bigham moved to donate to said F. Teine the sum of \$20.

On motion by Mr. Wiles, the whole matter was laid upon the table.

Mr. Gibson, from the special committee on White River Gravel Road, made the following report:

INDIANAPOLIS, June 17, 1872.

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

Your committee to whom was referred the purchase of that part of White river gravel road from First street to Fall creek, submit the following:

That the city has no authority to purchase any road outside of the corporate limits. We therefore recommend that the proposition be not accepted.

We further recommend the adoption of the following resolution.

*Resolved*, That the City Attorney is hereby instructed to present an ordinance to condemn, for the purposes of a street, so much of the White river gravel road as lies within the corporate limits of the city, and provide for the assessment of damages by appraisalment by the City Commissioners, and also to report whether a portion of said damages may not be assessed as benefits on the property fronting on said gravel road.

All of which is respectfully submitted.

DAVID GIBSON,  
THOMAS COTTRELL,  
W. D. WILES.

Committee.

Mr. Wiles presented the following petition:

INDIANAPOLIS, June 10, 1872.

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

GENTLEMEN:—The undersigned, owners of real estate fronting on Clifford avenue, between the termini of Massachusetts avenue and the corporation line east, respectfully petition your honorable body to take the necessary steps to obtain possession of said Clifford avenue inside the city limits, the same being now owned and controlled by the Pogue's Creek Gravel Road Company, who insist upon their rights to collect toll from property holders on the line of said road, whenever they travel over said road, while at the same time the council is levying and collecting city tax on the property fronting on said road. We respectfully ask that said gravel road be condemned for a public street, that we may be able to have the same improved. And your petitioners will ever pray, &c.

S. A. Fletcher, Jr., Geo. W. Parker, John L. Hanna.

Which, on motion by Dr. Woodburn, were referred to the City Attorney for investigation, and with instruction to employ counsel if, in his opinion, he deems it necessary. The Council suggested Hon. B. K. Elliott.

Mr. Hardesty, from the special committee on Steam Road Roller, made the following report:

INDIANAPOLIS, June 17, 1872.

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

GENTLEMEN:—We, the undersigned, members of the Special Committee on Steam Road Roller, would respectfully report that we have given the matter a careful and personal investigation, three of your committee having visited Eastern cities where they are in use, and having seen the Rollers at work, as well as the streets made by them, would report that we are fully persuaded that the Steam Road Roller would be a great saving in making our sts. not only in the point of making, but on the point of economy and durability, which in our city is very desirable. We would further report that we find two classes of Steam road rollers in the market—the Aveling & Porter and the Secor roller, the first of English and the latter of American manufacture. We are fully satisfied that in many respects the Secor Roller is the best, being constructed exclusively of wrought iron; but those who are now using the English Roller in Eastern cities say they have given entire satisfaction, and having taken into consideration the importance of having better streets in our city, we, the undersigned, your committee, would recommend that the City of Indianapolis purchase a Steam Road Roller at once, and would recommend the American Roller as being preferable to the English Roller, on account of it being constructed of wrought iron, but as there is a difference in price of about one thousand dollars, we would recommend that only one be purchased, and leave it to the Council to determine as to the Roller they will select.

W. H. CRAFT,  
E. J. HARDESTY,  
THOMAS COTTRELL,  
W. D. WILES,  
EDWARD REAGAN,  
A. BRUNER,  
Special Committee.

Which was received.

Also, the following propositions:

NEW YORK, June 12, 1872.

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

GENTLEMEN:—I shall have pleasure in supplying you with an Aveling & Porter 15 (gross) tons Patent Steam Road Roller, similar in design and construction to those supplied to Newark, N. J., Hartford and New Haven, Conn., Orange, N. J., &c., &c., and equal in quality of material and workmanship to the best steam rollers supplied by Messrs. Aveling & Porter to

the United States, for the sum of five thousand dollars (\$5,000) nett cash, payable in American gold coin on delivery of the roller on the dock alongside the importing ship in New York.

I shall also be happy to supply a complete set of duplicate wearing parts, similar in quality and material to those supplied to other rollers in use in the United States, for the sum of two hundred and fifty dollars, payable as above in American gold coin.

I am, gentlemen, respectfully,

W. C. OASTLER.

OFFICE OF SAMUEL SECOR & SON,  
Foot of East 20th st., New York, June 13, 1872. }

E. J. Hardesty, Esq., Chairman of Committee Indianapolis Common Council.

Dear Sir:—We propose to build a steam road roller for the City of Indianapolis, to weigh not less than 30,000 lbs.

Main rollers to be 7 feet diameter by 5 feet wide; front rollers to be 4 feet diameter by 3½ feet wide, both rollers to be made of boiler iron, riveted with countersunk rivets, and to have boiler iron heads.

The roller is to be driven by two engines, with cranks working at right angles; cylinders to be 9 inches diameter by 10 inches stroke, with all parts extra heavy.

Engines to be supplied with steam from an upright boiler of sufficient capacity, which is to be made in the most substantial manner, and is to be furnished with steam guage, guage cocks, locomotive safety-valve, &c.

The engines will be geared directly into main roller, and both pinion and rack are to be made of cast steel. The gearing is to be protected by a sheet iron shield.

The boiler is to be felted and covered with Russia iron, secured with brass bands; the cylinders to be covered with sheet brass.

The roller will be furnished complete with steam pump, water tank, exhaust tank, &c., and all necessary oil cups on main journals and slides.

The roller is to be first class in every respect and ready for use before leaving the works.

We will also furnish one spare pinion and one segment of rack, and deliver the roller complete on our wharf for the sum of seven thousand (\$7,000) dollars.

Respectfully yours,

SAMUEL SECOR & SON.

Mr. Kahn moved to postpone further action for one week.

Which, on motion by Mr. Batty, was laid on the table.

Mr. Wiles moved to refer the matter to the Committee on Contracts, with instructions to consummate the contract for the American Steam Road Roller.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Gibson, Hardesty, Kennington, Pressly, Reagan, Sherwood, Thalman, Whitsit and Wiles—11.

Negative—Councilmen Cottrell, Gimber, Kahn and Woodburn—4.

On motion by Mr. Whitsit, the rules were suspended for the purpose of taking up and considering the report of the Committee on Sewers, made to Council June 3d, 1872, and laid over.

On motion by Mr. Kennington, the report was concurred in.

On motion by Mr. Whitsit, the motion to reconsider the vote by which the ordinance providing for building a sewer in alley east of East street and in Merrill street, was stricken from the files, offered at the meeting held June 3d, 1872, was taken up and vote reconsidered.

General ordinance No. 37, 1872, entitled:

**An Ordinance to build a sewer in the first alley east of East street, running parallel with East street to Merrill street, thence east on Merrill about 120 feet.**

Was then taken up and read the second time and ordered engrossed.

Dr, Woodburn moved to take up the motion to reconsider the vote by which the ordinance providing for granting permission to Messrs. Elliott and Berry to construct a railway track across south New Jersey street, failed to pass.

When Dr. Woodburn, also, presented the following communication and petition:

INDIANAPOLIS, May 20, 1872.

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

The undersigned represent that the accompanying petition, praying your honorable body to grant them the right to construct a railroad switch across



South New Jersey street, is signed by seventy-five citizens of the city. These signatures represent two-thirds of the property on the square adjoining the elevator, and more than sixty citizens residing or doing business within two squares of the proposed switch.

Respectfully submitted.

ELLIOTT & BERRY.

INDIANAPOLIS April 19, 1872.

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

The undersigned, citizens and tax payers of Indianapolis, hereby petition your Honorable body to grant to Elliott & Berry the right to construct a railroad switch across south New Jersey street for the purpose of facilitating the loading and unloading of grain at their grain elevator, Nos. 47 and 49 south New Jersey street.

Frank Costigan, George F. David, D. Levy, T. S.  
James, S. V. B. Noel, and 72 others.

Also, the following communication :

INDIANAPOLIS, June 17, 1872.

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

The undersigned hereby represent that, in case the ordinance granting us the right to construct a railroad track across South New Jersey street shall meet your approval, that we will guarantee in addition to the conditions imposed by the ordinance, to further file with the City Clerk our agreement that we will not prosecute, or otherwise hold the city responsible for any loss or damage to grain, caused by overflow of water while said grain is placed in the lower bins or cellar of our elevator, Nos. 47 and 49 South New Jersey street.

Respectfully,

ELLIOTT & BERRY.

Mr. Cottrell, also, presented the following remonstrance :

INDIANAPOLIS, May 21, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on New Jersey street, between Washington and South streets, respectfully remonstrate against the passage of an ordinance to lay a railroad track across New Jersey street, between Pogue's Run and Washington street, for the following reasons: 1st. That the street is now almost continually blockaded with cars, and a passage over it is almost impossible. Reason Second: That no practical good can result from the passage of said ordinance to any of the property holders on said street, neither to the par-

ties asking for the passage of said ordinance, except their own convenience, and the said building has been occupied by other parties to its fullest extent for several years, and they never asked for said privilege; and further that the capacities of said building could not be increased if desired.

Respectfully submitted,

Saml. P. Daniels, Edmond Wren, Martha Montague,  
Henry C. Adams, Mary M. Adams and 25 others.

The question then being on the adoption of Dr. Woodburn's motion to reconsider,

The ayes and noes were demanded.

Those who voted in the affirmative were Councilmen Batty, Gibson, Kahn, Thalman, Wiles and Woodburn—6.

Those who voted in the negative were Councilmen Cottrell, Gimber, Hardesty, Kennington, Pressly, Reagan, Sherwood and Whitsit—8.

So the motion to reconsider was not adopted.

On motion, the Council adjourned until Wednesday June 19th 1872. 7½ o'clock, P. M., the special order for the session being the consideration of ordinances on second and third readings.

DANIEL MACAULEY, Mayor.

ATTEST:

JOHN R. CLINTON, City Clerk.