

PROCEEDINGS.

OF THE

COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
Monday, July 15, 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, Boilman, Cottrell, Craft, Gibson,
Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush,
Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Absent—None.

The proceedings of the regular session held July 8th, 1872,
were read and approved.

Sealed proposals were opened, read and referred to the Com-
mittee on Contracts.

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

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—Your Committee on Contracts, to whom was referred sundry proposals for various street improvements, have examined the same, and find them to be as follows, to-wit:

FIRST.

For grading Tinker street and sidewalks from the southeast to the southwest corner of W. H. Talbott's property, the following proposals were presented:

- J. J. Palmer, 40 cents per front foot.
- Hanway & Co., 55 cents per front foot.
- James Mahoney, 45 cents per front foot.
- On each side of the line improved.

J. J. Palmer being the lowest bidder we would recommend that he be awarded the contract.

SECOND.

For grading and graveling the first alley west of Illinois street running from Merrill street south a distance of 240 feet, the following proposals were presented:

- Bernard Hamil 35 cents per lineal foot front.
- James Mahoney 30 cents per lineal foot front.
- On each side of the line improved.

James Mahoney being the lowest bidder, we would recommend that he be awarded the contract.

THIRD.

For grading and graveling the alley running north and south between Meridian and Pennsylvania streets, from Fifth street to its southern terminus, about 500 feet, the following proposals were presented:

- Bernard Hamil 48 cents per front foot.
- James Mahoney 40 cents per front foot.
- Hanway & Co. 29 cents per front foot.
- On each side of the line improved.

Hanway & Co. being the lowest and best bidders, we would recommend that they be awarded the contract.

FOURTH.

For grading and graveling the alley running north and south from Michi-

gan to Vermont streets, and between Winston and Davidson streets, the following proposals were presented:

James Mahoney 32 cents per front foot.

Hanway & Co. 30 cents per front foot.

On each side of the line improved.

Hanway & Co. being the lowest bidders, we would recommend that they be awarded the contract.

FIFTH.

For grading and paving with brick the east sidewalk on Noble street, from Washington street to Virginia avenue, the following proposals were presented:

Bernard Hamil 64 cents per front foot.

J. H. Smith 60 cents per front foot.

James Mahoney 59 cents per front foot.

H. C. Roney 57 cents per front foot.

Patterson & Dunning 54 cents per front foot.

On each side of the line improved.

Patterson & Dunning being the lowest bidders, we would recommend that they be awarded the contract.

SIXTH.

To grading and paving with brick the north sidewalk on Massachusetts avenue, from New Jersey to St. Clair streets, the following proposals were presented:

Bernard Hamil 67 cents per front foot.

J. H. Smith 65 cents per front foot.

Henry C. Roney 63 cents per front foot.

On each side of the line improved.

Henry C. Roney being the lowest bidder, we would recommend that he be awarded the contract.

SEVENTH.

To grading and paving with brick the east sidewalk on Pennsylvania street, from Washington street to Madison avenue, the following proposals were presented:

J. H. Smith, wide part, 117. Narrow part 70.

H. C. Roney, wide part 118. Narrow part 66.

Patterson & Dunning, wide part, 109. Narrow part 64.

Jas. W. Hudson, wide part, 108. Narrow part 64.

James Mahoney, wide part, 100. Narrow part 65.

On the line improved.

James Mahoney being the lowest bidder, we would recommend that he be awarded the contract.

EIGHTH.

For grading and graveling College avenue, and paving the sidewalks with brick, and widening the sidewalks from Christian to Forest Home avenues, the following proposals were presented:

Hanway & Co. \$1.45 cents per lineal foot front on each side of the line improved.

Patterson & Dunning \$1.82 cents, on each side of the line improved, per front foot.

Bernard Hamil \$1.49 cents per front foot on each side of the line improved.

Messrs. Hanway & Co. being the lowest bidders, we would recommend that they be awarded the contract.

NINTH.

For grading, paving with brick, and widening the west sidewalk of College avenue from Forest Home avenue to Lincoln street, the following proposals were presented:

Hanway & Co. 72 cents per front foot.

Bernard Hamil 69 cents per front foot.

On each side of the line improved.

Bernard Hamil 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, and contracts awarded, with the exception of the 8th paragraph, which was laid over for one week.

Mr. Sherwood presented the following communication:

NEW YORK, July 6, 1872.

L. Q. Sherwood, Esq., Chairman

Committee on Contracts, Indianapolis Common Council:

DEAR SIR:—Your favor of July 3d enclosing duplicate contract for Roller received.

We return herewith one copy signed by us. We will proceed at once to construct the Roller, and will endeavor to have it completed in less than the specified time.

We remain, respectfully yours,

SAMUEL SECOR & SON.

Which was received, and contract approved.

Dr. Woodburn, from the special committee, made the following majority report:

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—Your special committee to whom was referred sundry proposals for grading and paving with block or Nicholson pavement Illinois street from Washington to the north side of Lonisana street, have examined the same and in our opinion the pavement should be Nicholson, and that J. J. Palmer is the lowest and best bidder for said pavement, his bid being two dollars and fifteen cents per square yard, including royalty, at which price he is to have all the boulders and other surplus material now on the street for his own use and benefit, and would therefore recommend that he be awarded the contract.

Respectfully submitted,

J. H. WOODBURN,

E. J. HARDESTY,

JOHN S. SPANN.

Mr. Gimber, from same committee, submitted the following minority report:

INDIANAPOLIS, July 15, 1872.

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

The undersigned as one of the committee appointed to decide on the bids of the wood block pavement on South Illinois street, would represent to your honorable body, that while he consented to the awarding of the contract for the Nicholson block pavement, so called, yet with the majority of the property holders along the line of said street believing the Ballard block pavement the best, and would prefer that the Council grant the prayer of the petitioner for the adoption of the Ballard block.

Respectfully submitted,

WM. S. HUBBARD,

One of the committee.

HENRY GIMBER.

Mr. Kennington presented the following petition:

INDIANAPOLIS, July 10, 1872.

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

We, the undersigned, owners of property fronting on South Illinois street, being informed that the committee appointed by your Honorable body to select the kind of block pavement to put down on South Illinois street,

between Washington and Louisiana streets, have decided in favor of the Nicholson block pavement, even at a greater cost than for the Ballard block pavement recently put down on Market street, and believing that the Ballard is in every respect superior to the Nicholson, and it appearing from the bids that there is a difference in favor of the Ballard of eleven cents per square yard, or seventy-four cents per front foot, besides thirty cents royalty on the Nicholson, making forty-one cents per square yard, or two dollars and seventy-three cents (\$2.73) per lineal foot, in favor of the Ballard pavement, we would respectfully ask that the decision of the committee be set aside and the contract awarded to the bidder for the Ballard pavement at \$2.04 per square yard, the price named in the bid.

Signed,

J. H. Roll, E. Howard, W. B. Palmer, and twenty-one others.

Which was received.

Mr. Kennington moved that the minority report submitted by Mr. Gimber be concurred in and adopted.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Cottrell, Craft, Gimber, Kennington, Pressly, Reagan and Whitsit—9.

Negative—Councilmen Bollman, Hardesty, Kahn, Rush, Sherwood Thalman, Wiles and Woodburn—8.

Dr. Woodburn moved that the Committee on Contracts contract with Mr. J. J. Palmer for said improvement, the same to be made of the Patent "Ballard Block pavement," and at the price submitted by the said Palmer, and to report said contract to Council at the next regular session for approval.

Which motion was adopted.

His Honor, the Mayor, offered the following motion :

Moved, That the committee on contracts be authorized to contract with J. J. Palmer to extend the wooden block pavement on Illinois street across Washington street, at the same price contracted for on Illinois street below Washington.

Which was adopted.

REPORTS FROM OFFICERS.

The Civil Engineer made the following report :

INDIANAPOLIS, July 15, 1872.

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

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

J. W. Hudson, for grading and paving the north sidewalk on New York street, from Massachusetts Avenue to East street,

Length of sidewalk.....824 ft. 4 in.
At 59 cents per lineal foot.... \$486 35

Also, Geo. W. Buchanan, for grading, bouldering, and curbing East street, from South street to McCarty street,

Length of bouldering on east side.....1693 ft. 10 in.
" " west side.... 1720 ft.

Total length... 3413 ft. 10 in.
At \$1 05 cents per lineal foot. \$3,584 52
Length of curb on east side.....1707 ft. 6 in.
" " west side.....1738 ft.

Total length3445 ft. 6 in.
At 53 cents per lineal foot\$1,826 11
Total estimate.....\$5,410 63

Respectfully submitted.

R. M. PATTERSON, Civil Engineer.

Which was concurred in.

The City Clerk made the following report :

INDIANAPOLIS, July 15, 1872.

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

The City Clerk respectfully reports to Council :

FIRST.

Contract and bond of Hanway & Co. for grading and graveling the alley running north and south, through Square No. 2, from Michigan to North streets.

SECOND.

Contract and bond of Hanway & Co. for grading and graveling the alley

running north and south from Michigan to North streets, and between Winston and Davidson streets.

THIRD.

Contract and bond of Hanway & Co. for grading and graveling the alley running north and south, between Meridian and Pennsylvania streets, to its southern terminus from Fifth street.

FOURTH.

Contract and bond of George W. Buchanan for grading, bouldering the street, curbing the outside edges and paving the sidewalks on East street from Coburn to Morris streets.

FIFTH.

Contract and bond of Bernard Hamil for grading and paving with brick the north sidewalk on South street, from Illinois to Tennessee streets.

SIXTH.

Contract and bond of Bernard Hamil for grading and graveling Osage alley from Washington to Market streets.

SEVENTH.

Contract and bond of Bernard Hamil for grading and graveling the alley running from Liberty to Noble street, and between Ohio and New York sts.

EIGHTH.

Contract and bond of Bernard Hamil for grading and graveling the first alley south of Georgia street, running east and west, between Benton and Cady streets.

NINTH.

Contract and bond of Michael Faust for grading and graveling Greer st. and sidewalks from McCarty to Buchanan street.

TENTH.

First and final estimate allowed Thomas C. Roney for grading and paving with brick the west sidewalk on New Jersey street, from Merrill to McCarty street.

ELEVENTH.

Contract and bond of J. J. Palmer for grading Tinker street from the southeast to the southwest corner of W. H. Talbott's property.

TWELFTH.

First and final estimate allowed James W. Hudson for grading and paving with brick the north sidewalk on New Jersey street, from Massachusetts avenue to East street.

THIRTEENTH.

First and partail estimate allowed Geo. W. Buchanan for grading, bouldering, curbing and paving sidewalks with brick East street, from South to McCarty street.

FOURTEENTH.

Contract and bond of S. W. Patterson for grading and graveling Maxwell street and sidewalks from the first alley south of Elizabeth street to the north side of Davis street.

FIFTEENTH.

Contract and bond of Patterson & Dunning for grading and paving with brick the east sidewalk on Noble street, from Washington street to Virginia avenue.

SIXTEENTH.

Contract and bond of Bernard Hamil for grading and paving with brick and widening the sidewalk on College avenue from Forest Home avenue to Lincoln street.

Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, and bonds approved.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed Thomas C. Raney for grading and paving with brick the west sidewalk of New Jersey street between Merrill ann McCarty 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, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles, and Woodburn—18.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing first and partial estimate allowed Geo. W. Buchanan for grading and bouldering East street, and paving with brick and curbing with stone the sidewalks of same between South and McCarty 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—Councilman Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Willes and Woodburn—18.

Negative—None.

Also, the following resolution:

Resolved, That the foregoing first and final estimate allowed James W. Hudson, for paving with brick the north sidewalk of New York street from Massachusetts Avenue to East 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 names.

Which was adopted by the following vote:

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Negative—None.

The City Clerk made the following report:

OFFICE OF CITY CLERK,
INDIANAPOLIS, July 15, 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 my office for the collection of street improvement assessment by precept, as follows, to wit:

Jas. W. Hudson vs. Henry Heitman.....	\$ 12 25
David Sylvester vs. Sims A. Colley's heirs	11 44
J. J. Palmer vs. S. S. Kendell.....	27 60
“ “ C. Carroll.....	27 60
“ “ Julia Brannon.....	27 60
“ “ Sarah Stinman.....	27 60
“ “ J. M. W. Langsdale.....	232 20
“ “ J. M. W. Langsdale.....	154 80

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

Respectfully submitted,

JOHN R. CLINTON, City Clerk.

Which was concurred in, and precepts ordered to issue.

The City Attorney offered the following resolutions :

Resolved, That it be, and hereby is, demanded of the Junction Railroad Company that they forthwith proceed to locate, erect and maintain at, in, or within two miles of the corporate limits of the city of Indianapolis, the principal work or machine shops of said road, in accordance with the agreement heretofore made.

Resolved, That copies of these resolutions be made out and signed by the Mayor and attested by the City Clerk, with the seal of the city, and served upon the agent of the company at their office in this city, and forwarded to William D. Griswold, receiver of said railroad at Cincinnati, Ohio, and forwarded to the President of said Company at Cincinnati.

Which was adopted by the following vote :

Affirmative—Councilmen Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Hardesty, Kahn, Kennington, Pressly, Reagan, Rush, Sherwood, Thalman, Whitsit, Wiles and Woodburn—18.

Negative—None.

The City Attorney made the following report :

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—The remonstrance of R. L. McOuat Esq., and others, against the granting of a permit to one — Jenkins, for the purpose of erecting a

livery stable on the west part of lot 6, in square 17 of said city has been examined by me. Of course the Clerk will issue no permit for the erection of a wooden building. Its walls must be of brick or stone and mortar. The Common Council has no jurisdiction of the matter. If Jenkins or any one else erects and maintains a nuisance, he, or whoever may do so, is liable, but not until such nuisance is erected or maintained.

J. S. HARVEY, City Attorney.

Which was concurred in.

The Street Commissioner made the following report:

INDIANAPOLIS, July 15, 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 June 1, 1872:

FIRST WARD.

Repaired the culvert on New Jersey and Michigan streets.....	\$18 00
Repaired the culvert on Alabama and Vermont streets... ..	20 00
Cleaned Delaware street, three squares.....	30 00
Scraped with the road scraper Davidson, Winstone, Noble, Liberty, East and New Jersey streets.	45 00
Repaired side walk on Liberty street.....	11 00
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Total	\$124 00

SECOND WARD.

Scraped Lincoln street and Hill Avenue with the road scraper... ..	\$15 00
Opening the gutters on Molatte Avenue... ..	20 00
Opening gutters on Broadway, Cherry, Jackson, Ash, Arch, St. Clair, Oak, Plumb, St. Joseph and Delaware streets.....	180 00
Put three foot bridges on St. Joseph and Alabama street... ..	12 00
Filled the holes on St. Joseph, Delaware and Pratt streets	40 00
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Total	\$267 00

THIRD WARD.

Leveled up the gutters on Tennessee and Mississippi streets... ..	\$80 00
Leveled up the gutters on Michigan street, between the Canal and Mississippi streets.....	20 00
Repaired the culvert on New York and Mississippi streets.....	14 00
Cleaned Illinois, Meridian, and Washington streets	70 00
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Total	\$184 00

FOURTH WARD.

Put culvert on Indiana Avenue and Duglass street.....	\$30 00
Opened the gutters on Blackford, Bright, Vermont and New York streets.....	70 00
Scraped Blake street with the road scraper.....	12 00
Repairing the culvert on Mississippi and New York street.....	11 00
Total	<u>\$123 00</u>

FIFTH WARD.

Leveled up the gutters on Tennessee street, between Washington and Maryland streets.....	\$17 00
Cleaned the catch-basins and the gutters on Illinois street.....	40 00
Cleaned the catch-basins on Ray street.....	35 00
Cleaned Louisiana street two squares.....	35 00
Cleaned Washington street.....	18 00
Total	<u>\$145 00</u>

SIXTH WARD.

Cleaned the gutters and catch basins on Illinois street.....	\$35 00
Cleaning Meridian, Maryland, Washington and Cumberland streets, and Virginia Avenue.....	90 00
Cleaned the catch-basins on Ray street.....	35 00
Repairing the gutter on Pennsylvania and South streets.....	8 00
Cleaned the catch-basin on South street.....	30 00
Total	<u>\$188 00</u>

SEVENTH WARD.

Put in a culvert on New Jersey and Louisiana streets.....	65 00
Cleaned Washington, Delaware and Cumberland streets and Virginia Avenue.....	80 00
Opening the gutters on Alabama street.....	20 00
Opened the gutters on New Jersey street.....	15 00
Cleaned the catch-basins on South street.....	25 00
Changed the inlet to the catch-basins on East and South streets.....	18 00
Total	<u>\$223 00</u>

EIGHTH WARD.

Cleaned the catch-basin on South street and Fletcher Avenue	\$65 00
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Repaired the culvert on Washington and Benton streets, and on the Michigan road.....	22 00
Cleaned Georgia street two squares	30 00
Cleaned Washington street	20 00
Total	\$137 00

NINTH WARD.

Filled up the ditch on East Washington street.....	\$65 00
Cleaned Washington, Meridian, Pennsylvania, Delaware, and Market streets	160 00
Repairing the culvert on Market and New Jersey streets ...	7 00
Repaired the culvert on New York and Alabama streets. ...	5 00
Raising the gutter on Pennsylvania street one square.....	75 00
Total	\$312 00

BRIDGES.

Repairing the bridge over the canal on West street.....	10 00
Repairing the bridge over Pogue's Run on Illinois.....	20 00
Repairing the bridge over the canal on Maryland street	7 00
Repairing the bridge over Pogue's Run on Virginia Avenue	12 00
Total	\$149 00

MISCELLANEOUS.

Cleaning up the East Market square.....	\$125 00
Put down stone crossing on Virginia Avenue and New Jersey street..	140 00
Total	\$265 00

RECAPITULATION BY WARDS,

Showing the amount on hand June 1, 1872, the amount appropriated June 3, 1872, the amount expended since June 1, 1872, and the amount on hand at the present date:

WARDS, ETC.	Deficit June 1, 1872.	Balance June 1, 1872.	Appropriated June 3, 1872.	Total with Appropriat'n.	Expended since June 1.	Deficit.	Balance.
First Ward.....	\$ 120 00		\$ 500 00	\$ 380 00	\$ 124 00		\$ 256 00
Second Ward.....		\$ 96 00	500 00	596 00	267 00		329 00
Third Ward.....	317 00		500 00	183 00	184 00	1 00	
Fourth Ward.....	423 00		500 00	77 00	123 00	46 00	
Fifth Ward.....	696 00		500 00		145 00	241 00	
Sixth Ward.....	319 00		500 00	188 00	188 00	7 00	
Seventh Ward.....		3 00	500 00	503 00	223 00		280 00
Eighth Ward.....	159 00		500 00	341 00	137 00		204 00
Ninth Ward.....	196 00		500 00	304 00	312 00	8 00	
Bridges.....	169 00		500 00	831 00	49 00		782 00
Miscellaneous.....		1369 00	1000 00	1369 00	265 00		899 00
Total.....	\$2501 00	\$2468 00	\$5500 00	\$3765 00	\$2037 00	\$ 301 00	\$1847 00

A. BRUNER, Street Commissioner.

Which was received.

ORDINANCES ON FIRST READING.

Mr. Craft introduced special ordinance No. 133, 1872, entitled:

An Ordinance to provide for curbing the sidewalks of Pennsylvania street from Washington to North streets.

Which was read the first time.

Mr. Whitsit presented the following petition:

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Fletcher avenue, between Noble and Pine streets, respectfully petition your honorable body to pass an ordinance providing for the grading and graveling of the above named avenue with good river or creek gravel, the same to be rolled with the American steam roller—to be graveled to a width of 40 feet in the center. And your petitioners will ever pray, &c.

Thomas A. Means, Mrs. Swain, W. M. Adams, and 10 others.

Which was received.

Mr. Whitsit introduced special ordinance No. 134, 1872, entitled:

An Ordinance to provide for the grading and graveling of Fletcher avenue between Noble and Pine street.

Which was read the first time.

Mr. Kahn introduced special ordinance No. 135, 1872, entitled:

An Ordinance to provide for grading and paving with brick the west sidewalk of Davidson street between Washington and North streets.

Which was read the first time.

Mr. Hardesty introduced general ordinance No. 51, 1872, entitled:

An Ordinance to prohibit any person, or persons, from tearing up or digging into any street, where the same is paved with wooden block pavement, for the purpose of laying any gas or water mains, or making connections therewith, or for tapping any public sewer therein.

Which was read the first time.

Mr. Hardesty offered the following motion:

Moved, That the City Clerk give notice to the owners of real estate on Illinois street from Washington street to the north side of Louisiana street, by publication for one week in the daily *Journal* and *Sentinel*, that they will not be permitted to tap the gas or water mains on said street, or the public sewer, after the 15th day of August, 1872, and that an ordinance preventing them from doing so is now pending before the Common Council.

Which was adopted.

Mr. Sherwood presented the following petition:

INDIANAPOLIS, July 1, 1872.

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

GENTLEMEN:—The undersigned, owners of the real estate fronting on Mississippi and Michigan streets, and Indiana avenue, between Michigan and Vermont streets, respectfully petition your honorable body to pass an ordi-

nance providing for the grading and graveling the alley between Michigan street and Indiana avenue. And your petitioners will ever pray, &c.

Lewis Metesser, Susan Burkhart and G. W. Lucky.

Which was received.

Mr. Pressly introduced special ordinance, No. 136, 1872, entitled :

An Ordinance to provide for grading the first alley east of East street, running from Merrill street to the first alley north of Merrill street.

Which was read the first time.

Mr. Pressly introduced special ordinance No. 137, 1872, entitled :

An Ordinance to provide for grading the alley running from East street to Merrill street, through out-lot 102.

Which was read the first time.

His Honor, the Mayor, introduced general ordinance No. 52, 1872, entitled :

An Ordinance amending section 1 of an ordinance, entitled "An ordinance concerning the prevention of fires."

Which was read the first time.

Mr. Craft introduced general ordinance No. 53, 1872, entitled :

An Ordinance to amend an ordinance entitled "An ordinance relative to the sale of fresh meat in the markets of the city of Indianapolis," passed July 30, 1863.

Which was read the first time.

REPORTS FROM COMMITTEES.

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

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN:—Your Committee on Streets and Alleys, to whom was referred a motion to raise with gravel the west sidewalk of Chestnut street from

McCarty to Morris street, would recommend that the Street Commissioner do the work and deduct the same from the Ward fund.

Respectfully submitted,

ISAAC THALMAN,

JOHN T. PRESSLY,

C. E. WHITSIT,

Committee on Streets and Alleys.

Which was received and concurred in.

Also, the following motion :

Moved, That the contractor for grading and graveling Minerva street be allowed to let the forest trees on said street remain as they are, it being the general desire of the property holders not to cut them down.

Which was adopted.

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

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN :—We, the Committee on Fire Department, having examined the report of the Chief Fire Engineer, submitted June 11, 1872, and having given the Fire Department personal inspection in connection with the Chief, would beg leave to make the following report and suggestions in regard to the same :

Permit us to say that as the Department now stands we feel that we are justly proud of it, and with the exception of the needed cisterns, fire-alarm boxes, and the building on the old No. 2 lot, corner of Massachusetts avenue and New York and Delaware streets, recommended in the said report, we might say it is as near perfect as it is possible to make it in a city showing the growth of Indianapolis. We find the recommendations to be as follows : One cistern corner of Home and College avenues, capacity 800 barrels ; one on the corner of Daugherty and McKernan streets, capacity 600 barrels ; one fire-alarm box corner of Virginia avenue and Dillon streets ; one on the corner of Yeiser and New Jersey streets ; one on the National Road at or near Highland street ; one on the corner of Pennsylvania street and Home avenue ; one on the corner of Mississippi and Fourth streets : and one at the Central Alarm Tower. We would recommend that the City Clerk advertise at once for bids for building the cisterns, and the Chief Fire Engineer be authorized to purchase and put up the alarm boxes indicated.

As to the old building on the corner of Massachusetts avenue and Delaware street, after a careful examination of the same, we are fully convinced that it is in a very unsafe condition, liable to fall down at any moment, and when we take into consideration the fact that it is the location of our fire-alarm telegraph machinery, and occupied also by the Hook and Ladder Company, and one of the hose companies, we feel that it is not only a needless and unwarrantable imperiling of valuable property of the city, but what is more valuable, the lives of the members of the department stationed there. We are persuaded that it should be made, as it is in fact now, on account of its location, the headquarters of the department, it being the central house; and we would recommend that the city, at as early a day as possible, take steps to erect upon said lot a roomy and substantial building, something in keeping with the character of the Fire Department and the progress of our city. We would further recommend that the Chief Fire Engineer, in connection with the Committee on Fire Department, be authorized to purchase carpet for the sleeping rooms of the four new engine houses, and also to have the bath rooms in said houses fitted up for proper use, believing these measures would require but a small outlay by the city, and besides, proving conducive to health and greatly aid in enforcing discipline and cleanliness among the members of the Department.

Respectfully,

W. H. CRAFT,

E. J. HARDESTY,

C. E. WHITSIT,

Com. on Fire Department.

Which was concurred in, with the exception of the paragraph recommending the fitting up of the bath rooms, &c., at the new engine houses, which was not adopted.

On motion by Dr. Woodburn, the Chief Fire Engineer was instructed to have a plan prepared and submitted to Council for a new building on the old No. 2 lot.

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

INDIANAPOLIS, July 8, 1872.

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

GENTLEMEN:—We, the undersigned, members of the Committee on Fire Department, to which was referred the ordinance appropriating the sum of five thousand dollars for purchasing forage and other necessaries for the use

of the Fire Department, would beg leave to report that we find that it is drawn in the same form and pursuant to former custom, and would return the same and recommend its passage.

Respectfully Submitted,

ISAAC THALMAN,
C. E. WHITSIT,
E. J. HARDESTY,
Committee.

Which was concurred in.

Mr. Craft, from same committee, submitted the following ;

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN :—The undersigned, members of the Committee on Fire Department, would beg leave to recommend that the city authorities either enforce the fire limit ordinance or cause its repeal.

Respectfully,

W. H. CRAFT,
E. J. HARDESTY,
C. E. WHITSIT,
Committee.

Which was concurred in.

Dr. Woodburn presented the following :

INDIANAPOLIS, July 15, 1872.

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

GENTLEMEN :—The undersigned would respectfully offer the following report for the quarter ending July 1, 1872 :

Number of patients treated.....	234
Number of prescriptions....	687
Number of visits.....	226
Number of obstetrical cases..	3
Number of post mortem examinations.....	4
Number of deaths.....	2

S. C. TOMLINSON, M. D.,
Resident Physician to Bobbs' Dispensary.

THAD. M. STEVENS, M. D., Superintendent.

Which was received.

By consent, Mr. Craft presented the following petition :

INDIANAPOLIS, July 15, 1872.

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

Your petitioners, Norton R. Smith and Lyman S. Ayres, partners engaged in business under the firm name and style of N. R. Smith & Ayres, would respectfully represent to your honorable body, that they are now and have been for six months last past, engaged in the business of wholesale and retail dry goods Merchants and Milliners, at Nos. 26 and 28 West Washington street, in the city of Indianapolis, and as such have always carefully and diligently kept their store and sidewalks and gutters in the vicinity in good order, so far as the same have been under their control, in order that no loss or damage might occur to them by reason of the condition of their store or the approaches thereto; and they represent that for a long time, to-wit, for the period of several months, divers parties have been engaged in the erection of a certain block a short distance west of their said place of business, and on the same side of the street, and in the same square, and as incident to the erection of the said block, by and with the consent of your honorable body, as your petitioners are informed and believe, said parties used a portion of said Washington street for piling sand and gravel and other materials to be used in the erection of said building, and they say that said sand, gravel and other materials, were so neglected and carelessly piled and stored, as to interfere with, and materially, if not entirely prevent the flow of water through and down the street and gutter in front of their said store and the drainage of said Washington st., and they further represent to your honorable body that they are informed, and believe it to be the duty of the Common Council to provide proper and adequate means of drainage, and to see that the same are kept in proper order and at all times fit for use, in order that the property of the citizens of said city may not be damaged or jeopardized by reason of such defective drainage, and they further represent to your Honorable Body that although the proper officers of said City well knew of the defective condition of said street and gutter, and were well aware of the danger to your petitioners and others, yet they wholly failed and neglected to take any steps to have said defects remedied or to have said gutter cleaned out so that said street might be properly drained; your petitioners would further represent that heretofore on the 10th day of July, 1872, in the evening, after the store had been closed and the employees had left, a large storm of rain fell upon and about their said store and the streets; that by reason of the defective condition of the drainage and gutters caused by the piles of sand and gravel as aforesaid, the water that fell upon the north side of Washington street and the streets emptying there water therein, was prevented from being carried off by piles of sand and gravel acting as a dam and turning the water back in said street and gutter; that thereby a large amount of water accumulated in front of their said store and on the sidewalks and poured through the grating in said sidewalk into their basement

story and cellar, in which they kept large amounts of valuable goods, that by reason of said defective drainage and the resultant flow of water into their said basement story and cellar large amounts of valuable goods were greatly injured and damaged; all without any fault or negligence whatever on the part of your petitioners; they further represent that immediately upon learning of the foregoing, they requested the several firms of Murphy, Johnston & Co., Hibben, Kennedy & Co., and Byram, Cornelius & Co., all reputable firms engaged in the wholesale dry goods trade in said city, to send them a competent and skillful man to act in conjunction with each other in assessing the damages sustained by your petitioners; that Norman S. Byram, C. B. Patterson and W. J. Jackson in pursuance of said request came from said firms and made a careful examination of the goods damaged by the water as aforesaid, and assessed the damages sustained by your petitioners, at the sum of, (\$550), five hundred and fifty dollars, and they file herewith as a part of this their petition the assessment of said appraisal, and they have sustained by reason of said overflow as aforesaid, all the damages assessed by said appraisers and greater, for all of which they are informed and believe the City of Indianapolis is liable to your petitioners, and they therefore respectfully petition your Honorable Body to appropriate said sum of (\$550) five hundred and fifty dollars their damages as herein before set forth, and that the Treasurer of said City be authorized to pay your petitioners that sum in full and complete satisfaction of all claims for damage by these petitioners, connected with or growing out of the facts herein before set forth and your petitioners will ever pray, etc.

N. R. SMITH & AYRES

State of Indiana, }
Marion County. } Set.

Norton R. Smith being duly sworn, on his oath, says that the matters and facts in the foregoing petition set forth, so far as stated from his own knowledge, are true, and so far as stated upon information and belief he is informed and verly believes to be true.

N. R. SMITH.

Subscribed and sworn to before me the undersigned, a Notary Public, within and for the County of Marion and State of Indiana this 12 h day of July, 1872.

Witness my hand and Notarial seal.

WILLIAM A. KETCHAM, Notary Public.

State of Indiana, }
Marion County. }

Norman S. Byram, C. B. Pattison and W. J. Jackson, being duly sworn, on their oaths say that on the 11th day of July, 1872, at the request of N. R. Smith and Ayres, they made a careful examination of the goods situate in the basement story of the Trade Palace, damaged by the overflow of water

into said story on the evening of July 10th, 1872, and assessed the damage done to said goods and store and fixtures, by reason thereof, at the sum of (\$550.00) five hundred and fifty dollars, and that they believe the same to be a fair and just assessment of the actual damage sustained.

C. B. PATTISON,
W. J. JACKSON,
N. S. BYRAM.

Subscribed and sworn to before me, a Notary Public within and for said county and State, this 12th day of July, 1872.

Witness my hand and notarial seal.

WILLIAM A. KETCHAM,
Notary Public.

Which was referred to the City Attorney and Committee on Judiciary.

Mr. Wiles introduced general ordinance, No. 54, 1872, entitled :

An Ordinance to compel payment to Wood Measurers for measuring wood.

Which was read the first time.

ORDINANCES ON SECOND READING.

On motion, the following ordinances were taken up, read the second time, and ordered engrossed :

- Special ordinance No. 79, 1872.
- “ “ “ 114, 1872.
- “ “ “ 116, 1872.
- “ “ “ 118, 1872.
- “ “ “ 120, 1872.
- “ “ “ 123, 1872.
- “ “ “ 124, 1872.
- “ “ “ 125, 1872.
- “ “ “ 126, 1872.
- “ “ “ 127, 1872.
- “ “ “ 129, 1872.
- “ “ “ 130, 1872.
- “ “ “ 131, 1872.

Special ordinance No. 133, 1872.

Special appropriation ordinance No. 37, 1872.

“ “ “ “ 42, 1872.

“ “ “ “ 43, 1872.

General ordinance No. 52, 1872.

“ “ “ 53, 1872.

By unanimous consent, the rules were suspended for the purpose of taking up special appropriation ordinance No. 43, 1872, and placing the same on its passage.

The ordinance was then read the third time and passed by the following vote :

Affirmative—Councilman Batty, Bigham, Bollman, Cottrell, Craft, Gibson, Gimber, Kahn, Pressly, Reagan, Rush, Sherwood, Thalman, Wiles and Woodburn—15.

Negative—Councilmen Hardesty and Kennington—2.

On motion, the Council adjourned.

DANIEL MACAULEY, Mayor.

ATTEST :

JOHN R. CLINTON, City Clerk.